

# State of Wisconsin



2015 Assembly Bill 387

Date of enactment:  
Date of publication\*:

## 2015 WISCONSIN ACT

AN ACT *to repeal* 13.62 (11t); *to renumber* 13.75; *to renumber and amend* 13.625 (1) (c) (intro.), 13.625 (1) (c) 1., 13.625 (1) (c) 2. and 946.11 (2) (b); *to amend* 5.02 (13), 5.05 (2), 5.05 (2m) (d) 2., 5.05 (2m) (e), 5.05 (5e), 6.87 (3) (b), 7.23 (1) (d), 7.40, 7.50 (2) (em), 8.05 (1) (j) 2., 8.10 (5), 8.15 (4) (b), 8.16 (2) (c), 8.20 (6), 8.30 (2), 8.35 (2) (a), 8.35 (2) (c), 8.35 (4) (c), 8.35 (4) (d), 8.35 (4) (e), 8.50 (3) (a), 9.01 (5) (bm), 9.10 (2) (d), 11.1400 (5), 11.1401 (2), 12.07 (4), 12.08, 12.13 (3) (h), 12.60 (4), 13.62 (5g), 13.62 (5r), 13.625 (1) (b) (intro.), 13.625 (1) (b) 3., 13.625 (2), 13.625 (3), 13.625 (6r), 13.69 (6), 13.695 (4), 15.60 (5), 15.60 (6), 15.60 (7), 15.79 (2) (b), 19.42 (3m), 19.45 (13), 19.579 (1), 19.59 (1) (br), 19.59 (7) (b), 20.511 (1) (a), 20.511 (1) (i), 20.511 (1) (j), 20.855 (6) (h), 36.11 (1) (cm), 111.365 (3) (a), 120.06 (6) (b) 5., 185.03 (10) (e), 202.12 (5) (a) 2., 341.14 (6r) (fm) 1. b., 346.94 (16) (b) 2., 349.135 (2) (b), 563.907 (3) (b), 630.05 (intro.), 755.01 (4), 758.13 (3) (g) 1. a. and 758.13 (3) (g) 1. b.; *to repeal and recreate* chapter 11; and *to create* 13.62 (5j), 13.62 (5u), 13.75 (1r) and 946.11 (2) (b) 1. and 2. of the statutes; **relating to:** campaign finance.

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

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

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

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

5.05 (2) **AUDITING.** In addition to the facial examination of reports and statements required under s. 11.21 (13) 11.1304 (9), the board shall conduct an audit of reports

and statements which are required to be filed with it to determine whether violations of ch. 11 have occurred. The board may examine records relating to matters required to be treated in such reports and statements. The board shall make official note in the file of a candidate, committee, group or individual under ch. 11, as defined in s. 11.0101 (6), of any error or other discrepancy which the board discovers and shall inform the person submitting the report or statement. The board may not audit reports, statements, or records beyond the 3-year period for which a committee must retain records under ch. 11.

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

5.05 (2m) (d) 2. No employee of the board, while so employed, may become a candidate, as defined in s. 11.01 (1) 11.0101 (1), for a state or partisan local office. No individual who is retained by the board to serve as a special investigator or as special counsel may, while so retained, become a candidate, as defined in s. 11.01 (1)

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication.”

11.0101 (1), for any state or local office. A filing officer shall decline to accept nomination papers or a declaration of candidacy from any individual who does not qualify to become a candidate under this paragraph.

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

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

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

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

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

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

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

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

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

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

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

7.50 (2) (em) Except as otherwise provided in this paragraph, write-in votes shall only be counted if no candidates have been certified to appear on the ballot. If ~~candidates have~~ a candidate has been certified to appear on the ballot, write-in votes may only be counted for ~~candidates who file a candidate that files a~~ registration statements statement under s. ~~11.05 (2g)~~ 11.0202 (1) (a) no later than noon on the Friday immediately preceding the election. If a candidate certified to appear on the ballot dies or withdraws before the election, all write-in votes shall be counted. When write-in votes are counted, every vote shall be counted for the candidate for whom it was intended, if the elector's intent can be ascertained from the ballot itself.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8.35 (2) (a) If a vacancy occurs after nomination due to the death of a candidate of a recognized political party for a partisan office, the vacancy may be filled by the

chairperson of the committee of the proper political party under s. 7.38, or the ~~personal campaign~~ candidate committee, if any, in the case of independent candidates. Similar vacancies in nominations of candidates for nonpartisan local offices may be filled by ~~the candidate's personal campaign~~ a candidate committee or, if ~~the candidate had there is~~ none, by the body which governs the local governmental unit in which the deceased person was a candidate for office. The chairperson, chief officer of the candidate committee, or clerk of the body making an appointment shall file a certificate of appointment with the official or agency with whom declarations of candidacy for the office are filed. For purposes of this paragraph, the official or agency need not recognize members of a ~~personal campaign~~ candidate committee whose names were not filed under s. ~~11.05~~ 11.0203 (1) (c) prior to the death of the candidate.

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

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

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

8.35 (4) (c) The ~~transfer treasurer of the former candidate's committee~~ shall be reported to the appropriate filing officer in a special report submitted by the former candidate's campaign treasurer submit to the appropriate filing officer a special report detailing the disposition of funds under par. (a) 1. If the former candidate is deceased and was serving as the treasurer of his or her own campaign treasurer committee, the former candidate's petitioner or personal representative shall file the report. The report shall include a complete statement of all contributions, disbursements, and incurred obligations, pursuant to s. ~~11.06 (1)~~ 11.0204 (1), covering the period from the day after the last date covered on the former candidate's most recent report to the date of disposition.

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

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

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

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

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

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

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

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

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

9.10 (2) (d) No petition may be offered for filing for the recall of an officer unless the petitioner first files a registration statement under s. ~~11.05 (1) or (2)~~ 11.0902 with the filing officer with whom the petition is filed. The petitioner shall append to the registration a statement indicating his or her intent to circulate a recall petition, the name of the officer for whom recall is sought and, in the case of a petition for the recall of a city, village, town, town sanitary district, or school district officer, a statement of a reason for the recall which is related to the official responsibilities of the official for whom removal is sought. No petitioner may circulate a petition for the recall of an officer prior to completing registration. The last date that a petition for the recall of an officer may be offered for filing is 5 p.m. on the 60th day commencing after registration. After the recall petition has been offered for filing, no name may be added or removed. No signature may be counted unless the date of the signature is within the period provided in this paragraph.

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

**CHAPTER 11**  
**CAMPAIGN FINANCING**  
**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.

**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.

(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 board 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:

1. 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.

2. 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.

(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.

**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 board:
  - 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 board. The board 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 board, shall do all of the following:
- (a) Obtain the forms and manuals prescribed by the board under s. 11.1304 (1) and (3) and election laws provided by the board 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 board for the making of reports and statements. The filing officer shall notify the committee that all forms are available on the board'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 board, 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 board 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 board shall send the notice to both the candidate and the treasurer of the candidate committee.

**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 board 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 board 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.

**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.

**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 resid-

ual 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.

**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.

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

## 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 with-

out 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.

**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.

**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 board, all mailings that

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

(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.

**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 board 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 board may prescribe. The information shall also be included in the committee's next regular report.

**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.

**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).

**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.

### 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.

**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.

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

(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.

**11.0304 Reporting. (1) CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each political party shall make full reports, upon a form prescribed by the board 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 candi-

date 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 sup-

port 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 board. 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 board 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 board may prescribe. The information shall also be included in the political party's next regular report.

#### 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.

**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.

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

(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.

**11.0404 Reporting. (1) CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each legislative campaign committee shall make full reports, upon a form prescribed by the board 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 board may



prescribe. The information shall also be included in the committee's next regular report.

#### 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.

**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.

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

(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.

**11.0504 Reporting.** (1) **CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each political action committee shall make full reports, upon a form prescribed by the board 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.

**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 board 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 board 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 organization, 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 board no later than 72 hours after making the disbursements.

#### 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.

**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.

**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 board, all mailings that are required by law or by

rule of the board shall be sent to the treasurer at the treasurer's address indicated upon the form.

(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.

**11.0604 Reporting.** (1) CONTRIBUTIONS AND DISBURSEMENTS. (a) Each independent expenditure committee shall make full reports, upon a form prescribed by the board 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.

**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 board 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 board 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 board no later than 72 hours after making the disbursements.

#### 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.

**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.

**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 board, all mailings that are required by law or by rule of the board 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.

**11.0704 Reporting.** (1) **CONTRIBUTIONS.** (a) Each conduit shall make full reports, upon a form prescribed by the board 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.

**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.

#### 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.

**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.

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

(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.

**11.0804 Reporting.** (1) **CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each referendum committee shall make full reports, upon a form prescribed by the board 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.

#### 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.

**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.

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

(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.

**11.0904 Reporting.** (1) **CONTRIBUTIONS AND DISBURSEMENTS.** (a) Each recall committee shall make full reports, upon a form prescribed by the board 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.

#### 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 board 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 board 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 organization, 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 board no later than 72 hours after making the disbursements.

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.

**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

<b>DISTRICT ATTORNEY – OTHER AREA</b>	\$2,000	\$2,000	\$2,000
<b>LOCAL OFFICES</b>	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

**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.

**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 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 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.
- (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.

**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.

**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.

**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.

**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.

**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.

**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.

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

**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.

**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.

**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.

## 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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

#### 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.

**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.

**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 par. (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 board 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.

**11.1304 Duties of the government accountability board.** The board shall:

(1) Prescribe forms for making the reports, statements, and notices required by this chapter. The board shall make the forms available free of charge on the board’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 board 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 board 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 board 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 board that portion of the report signed by an authorized individual rather than submit the electronic signature of that individual. The board 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 board 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 board 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 board'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 board, 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 board, 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.

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. 5.05 (2m) (c) 15. and 16. and (h), 5.08, and 5.081, actions under this section may be brought by the board or, upon the board'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 board 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 chapter.

(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.

**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. 5.05 (2m) (c) 15. and 16. and (i), 5.08, and 5.081, and only after the board 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 an 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.

**SECTION 24g.** 11.1400 (5) of the statutes, as created by 2015 Wisconsin Act ... (this act), is amended to read:

11.1400 (5) Except as otherwise provided in ss. ~~5.05 (2m) (c) 15. and 16. and (h), 5.08, and 5.081~~ 19.49 (2) (b) 13. and 14. and (g) and 19.554, actions under this section may be brought by the board or, upon the board'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.

**SECTION 24h.** 11.1401 (2) of the statutes, as created by 2015 Wisconsin Act ... (this act), is amended to read:

11.1401 (2) Except as otherwise provided in ss. ~~5.05 (2m) (c) 15. and 16. and (h), 5.08, and 5.081~~ 19.49 (2) (b)

13. and 14. and (h) and 19.554, and only after the board 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 an individual resides within a county if the person's principal place of operation is located within that county.

**SECTION 25.** 12.07 (4) of the statutes is amended to read:

12.07 (4) No person may, directly or indirectly, cause any person to make a contribution or provide any service or other thing of value to or for the benefit of a ~~candidate, political party or registrant~~ committee registered under s. 11.05 chapter 11, with the purpose of influencing the election or nomination of a candidate to national, state or local office or the passage or defeat of a referendum by means of the denial or the threat of denial of any employment, position, work or promotion, or any compensation or other benefit of such employment, position or work, or by means of discharge, demotion or disciplinary action or the threat to impose a discharge, demotion or disciplinary action. This subsection does not apply to employment by a ~~candidate, political party or other registrant~~ committee registered under s. 11.05 chapter 11 in connection with a campaign or political party activities. This subsection also does not apply to information provided by any person that expresses that person's opinion on any candidate or committee, any referendum or the possible effects of any referendum, or the policies advocated by any candidate or committee.

**SECTION 26.** 12.08 of the statutes is amended to read:

**12.08 Denial of government benefits.** No person may, directly or indirectly, cause any person to make a contribution or provide any service or other thing of value to or for the benefit of a ~~candidate, political party or registrant~~ committee registered under s. 11.05 chapter 11, with the purpose of influencing the election or nomination of a candidate to national, state, or local office or the passage or defeat of a referendum by means of the denial or threat of denial of any payment or other benefit of a program established or funded in whole or in part by this state or any local governmental unit of this state, or a program which has applied for funding by this state or any local governmental unit of this state.

**SECTION 27.** 12.13 (3) (h) of the statutes is amended to read:

12.13 (3) (h) Deface, destroy or remove any legally placed election campaign advertising poster with intent to disrupt the campaign advertising efforts of any ~~candidate, or of any committee, group or individual~~ committee registered under ch. 11, or alter the information printed thereon so as to change the meaning thereof to the disadvantage of the candidate or cause espoused. Nothing in this paragraph restricts the right of any owner or occupant

of any real property, or the owner or operator of any motor vehicle, to remove campaign advertising posters from such property or vehicle.

**SECTION 28.** 12.60 (4) of the statutes is amended to read:

12.60 (4) Prosecutions under this chapter shall be conducted in accordance with s. ~~11.61~~ 11.1401 (2).

**SECTION 29.** 13.62 (5g) of the statutes is amended to read:

13.62 (5g) "Candidate" has the meaning given under s. ~~11.01(1)~~ 11.0101 (1).

**SECTION 30.** 13.62 (5j) of the statutes is created to read:

13.62 (5j) "Candidate committee" has the meaning given in s. 11.0101 (2).

**SECTION 31.** 13.62 (5r) of the statutes is amended to read:

13.62 (5r) "Communications media" ~~has the meaning given under s. 11.01(5) means newspapers, periodicals, commercial billboards and radio and television stations, including community antenna television stations.~~

**SECTION 32.** 13.62 (5u) of the statutes is created to read:

13.62 (5u) "Contribution" has the meaning given in s. 11.0101 (8).

**SECTION 33.** 13.62 (11t) of the statutes is repealed.

**SECTION 34.** 13.625 (1) (b) (intro.) of the statutes is amended to read:

13.625 (1) (b) (intro.) ~~Furnish Give~~ to any agency official or legislative employee of the state or to any elective state official or candidate for an elective state office, or to the ~~official's, employee's or candidate's personal campaign candidate~~ committee of the official, employee, or candidate:

**SECTION 35.** 13.625 (1) (b) 3. of the statutes is amended to read:

13.625 (1) (b) 3. Food, meals, beverages, money or any other thing of pecuniary value, except that a lobbyist may deliver a contribution or make a campaign personal contribution to a partisan elective state official or candidate for national, state or local office or to the official's or candidate's personal campaign candidate committee of the official or candidate; but a lobbyist may make a personal contribution to which par. (e) sub. (1m) applies only as authorized in par. (e) sub. (1m).

**SECTION 36.** 13.625 (1) (c) (intro.) of the statutes is renumbered 13.625 (1m) (a) (intro.) and amended to read:

13.625 (1m) (a) (intro.) Except as permitted provided in this subsection, personally make par. (b), a lobbyist may not do any of the following:

1. Make a campaign personal contribution, as defined in s. 11.01(6), to a partisan elective state official for the purpose of promoting the official's election to any national, state, or local office; or,

2. Make a personal contribution to a candidate for a partisan elective state office to be filled at the general election or a special election; or,

3. Make a personal contribution to the official's or candidate's personal campaign candidate committee of a partisan elective state official or candidate for partisan state elective office.

(b) A lobbyist may personally make a campaign personal contribution to a partisan elective state official or candidate for partisan elective state office or to the personal campaign candidate committee of the official or candidate ~~in the year of a candidate's election~~ between the first day authorized by law for the circulation of nomination papers as a candidate at a general election or special election and the day of the general election or special election, except that:

**SECTION 37.** 13.625 (1) (c) 1. of the statutes is renumbered 13.625 (1m) (b) 1. and amended to read:

13.625 (1m) (b) 1. A campaign contribution to a candidate for legislative office may be made during that period only if the legislature has concluded its final floor period, and is not in special or extraordinary session.

**SECTION 38.** 13.625 (1) (c) 2. of the statutes is renumbered 13.625 (1m) (b) 2. and amended to read:

13.625 (1m) (b) 2. A campaign contribution by a lobbyist to the lobbyist's campaign candidate committee for partisan elective state office may be made at any time.

**SECTION 39.** 13.625 (2) of the statutes is amended to read:

13.625 (2) No principal may engage in the practices prohibited under ~~sub. subs. (1) (b) and (e)~~ (1m). This subsection does not apply to the furnishing of transportation, lodging, food, meals, beverages, or any other thing of pecuniary value which is also made available to the general public.

**SECTION 40.** 13.625 (3) of the statutes is amended to read:

13.625 (3) No candidate for an elective state office, elective state official, agency official, or legislative employee of the state may solicit or accept anything of pecuniary value from a lobbyist or principal, except as permitted under subs. (1) (b) 3. ~~and (e), (1m), (2), (4), (5), (6), (7), (8) and (9).~~ No personal campaign candidate committee of a candidate for state office may accept anything of pecuniary value from a lobbyist or principal, except as permitted for such a candidate under subs. (1) (b) 3. ~~and (e), (1m), (2), and (6).~~

**SECTION 41.** 13.625 (6r) of the statutes is amended to read:

13.625 (6r) Subsections (1) (b) ~~and (e), (1m), and (3)~~ do not apply to the furnishing of anything of pecuniary value by a lobbyist or principal to an employee of that lobbyist or principal who is a legislative official or an agency official solely because of membership on a state commission, board, council, committee or similar body

if the thing of pecuniary value is not in excess of that customarily provided by the employer to similarly situated employees and if the legislative official or agency official receives no compensation for his or her services other than a per diem or reimbursement for actual and necessary expenses incurred in the performance of his or her duties, nor to the receipt of anything of pecuniary value by that legislative official or agency official under those circumstances.

**SECTION 42.** 13.69 (6) of the statutes is amended to read:

13.69 (6) Any candidate for an elective state office, elective state official, agency official, or legislative employee of the state who, or any ~~personal campaign~~ candidate committee which, violates s. 13.625 (3) may be required to forfeit not more than \$1,000.

**SECTION 43.** 13.695 (4) of the statutes is amended to read:

13.695 (4) No officer or employee of an agency who is identified in a statement filed under this section may engage in the prohibited practices set forth in s. 13.625 (1) (a) or (d), or use state funds to engage in the practices set forth in s. 13.625 (1) (b) or to make ~~campaign contributions as defined in s. 11.01 (6)~~ a contribution. This subsection does not prohibit an agency official who is identified in a statement filed under this section from authorizing salaries and other payments authorized by law to be paid to state officers, employees, consultants, or contractors, or candidates for state office, or from authorizing property or services of the agency to be provided for official purposes or other purposes authorized by law, whenever that action is taken in the normal course of affairs.

**SECTION 44.** 13.75 of the statutes is renumbered 13.75 (1g).

**SECTION 45.** 13.75 (1r) of the statutes is created to read:

13.75 (1r) The board may accept payment under this section by credit card, debit card, or other electronic payment mechanism, and may charge a surcharge to recover the actual cost associated with the acceptance of that electronic payment.

**SECTION 46.** 15.60 (5) of the statutes is amended to read:

15.60 (5) No member, for one year immediately prior to the date of nomination may have been, or while serving on the board may become, a member of a political party, an officer or member of a committee in any partisan political club or organization, or an officer or employee of a ~~registrant~~ committee registered under s. 11.05 ch. 11.

**SECTION 47.** 15.60 (6) of the statutes is amended to read:

15.60 (6) No member, while serving on the board, may become a candidate, as defined in s. ~~11.01 (4)~~ 11.0101 (1), for state office or local office, as defined in s. 5.02.

**SECTION 48.** 15.60 (7) of the statutes is amended to read:

15.60 (7) No member, while serving on the board, may make a contribution, as defined in s. ~~11.01 (6)~~ 11.0101 (8), to a candidate, as defined in s. ~~11.01 (4)~~ 11.0101 (1), for state office or local office, as defined in s. 5.02. No individual who serves as a member of the board, for 12 months prior to beginning that service, may have made a contribution, as defined in s. ~~11.01 (6)~~ 11.0101 (8), to a candidate for a partisan state or local office, as defined in s. 5.02.

**SECTION 49.** 15.79 (2) (b) of the statutes is amended to read:

15.79 (2) (b) Directly or indirectly solicit or receive any contribution, as defined in s. ~~11.01 (6)~~, for any political purpose, as defined in s. ~~11.01 (4)~~ 11.0101 (8), from any person within or outside of the state.

**SECTION 50.** 19.42 (3m) of the statutes is amended to read:

19.42 (3m) "Candidate," except as otherwise provided, has the meaning given in s. ~~11.01 (4)~~ 11.0101 (1).

**SECTION 51.** 19.45 (13) of the statutes is amended to read:

19.45 (13) No state public official or candidate for state public office may, directly or by means of an agent, give, or offer or promise to give, or withhold, or offer or promise to withhold, his or her vote or influence, or promise to take or refrain from taking official action with respect to any proposed or pending matter in consideration of, or upon condition that, any other person make or refrain from making a political contribution, or provide or refrain from providing any service or other thing of value, to or for the benefit of a candidate, a political party, any person who is subject to a registration requirement committee registered under s. ~~11.05 ch. 11~~, or any person making a communication that contains a reference to a clearly identified state public official holding an elective office or to a candidate for state public office.

**SECTION 52.** 19.579 (1) of the statutes is amended to read:

19.579 (1) Except as provided in sub. (2), any person who violates this subchapter may be required to forfeit not more than \$500 for each violation of s. 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of any other provision of this subchapter. If the court determines that the accused has realized economic gain as a result of the violation, the court may, in addition, order the accused to forfeit the amount gained as a result of the violation. In addition, if the court determines that a state public official has violated s. 19.45 (13), the court may order the official to forfeit an amount equal to the amount or value of any political contribution, service, or other thing of value that was wrongfully obtained. If the court determines that a state public official has violated s. 19.45 (13) and no political contribution, service, or other thing of value was obtained, the court may order the official to

forfeit an amount equal to the maximum contribution authorized under s. ~~41.26~~ 11.1101 (1) for the office held or sought by the official, whichever amount is greater. The attorney general, when so requested by the board, shall institute proceedings to recover any forfeiture incurred under this section which is not paid by the person against whom it is assessed.

**SECTION 53.** 19.59 (1) (br) of the statutes is amended to read:

19.59 (1) (br) No local public official or candidate for local public office may, directly or by means of an agent, give, or offer or promise to give, or withhold, or offer or promise to withhold, his or her vote or influence, or promise to take or refrain from taking official action with respect to any proposed or pending matter in consideration of, or upon condition that, any other person make or refrain from making a political contribution, or provide or refrain from providing any service or other thing of value, to or for the benefit of a candidate, a political party, any person who is subject to a registration requirement ~~committee registered~~ under s. ~~41.05 ch. 11~~, or any person making a communication that contains a reference to a clearly identified local public official holding an elective office or to a candidate for local public office.

**SECTION 54.** 19.59 (7) (b) of the statutes is amended to read:

19.59 (7) (b) Any person who violates sub. (1) may be required to forfeit not more than \$1,000 for each violation, and, if the court determines that a local public official has violated sub. (1) (br) and no political contribution, service or other thing of value was obtained, the court may, in addition, order the accused to forfeit an amount equal to the maximum contribution authorized under s. ~~41.26~~ 11.1101 (1) for the office held or sought by the official, whichever amount is greater.

**SECTION 55.** 20.511 (1) (a) of the statutes is amended to read:

20.511 (1) (a) *General program operations; general purpose revenue.* Biennially, the amounts in the schedule for general program operations of the board, including the printing of forms, materials, manuals, and election laws under ss. 7.08 (1) (b), (3), and (4) and ~~41.21~~ 11.1304 (3) ~~and (4)~~, and the training of election officials under s. 5.05 (7).

**SECTION 56.** 20.511 (1) (i) of the statutes is amended to read:

20.511 (1) (i) *Elections administration; program revenue.* The amounts in the schedule for the administration of chs. 5 to 12. All moneys received from fees imposed under s. ~~41.055 (1)~~ 11.0102 (2) shall be credited to this appropriation account.

**SECTION 57.** 20.511 (1) (j) of the statutes is amended to read:

20.511 (1) (j) *Electronic filing software.* All moneys received from registrants who purchase software to be

utilized for electronic filing of campaign finance reports under s. ~~41.21 (4)~~ 11.1304 (6), for the purpose of providing that software.

**SECTION 58.** 20.855 (6) (h) of the statutes is amended to read:

20.855 (6) (h) *Vehicle and aircraft receipts.* The amounts in the schedule for the purpose of subsidizing the cost of operation, maintenance, and depreciation of the vehicles and aircraft. All moneys received by state agencies under ss. ~~41.37~~ 11.1206 and 20.916 (7) for political and other personal uses of state-owned vehicles and aircraft shall be credited to this appropriation. The department of administration may transfer moneys from this appropriation to the proper appropriation of any state agency from which state vehicle and aircraft costs are financed.

**SECTION 59.** 36.11 (1) (cm) of the statutes is amended to read:

36.11 (1) (cm) The board shall promulgate rules under ch. 227 prescribing the times, places, and manner in which political literature may be distributed and political campaigning may be conducted in state-owned residence halls. No such rule may authorize any activity prohibited under s. ~~41.36 (3)~~ or 11.1207 (3) or (4).

**SECTION 60.** 111.365 (3) (a) of the statutes is amended to read:

111.365 (3) (a) The application of s. ~~41.36~~ 11.1207.

**SECTION 61.** 120.06 (6) (b) 5. of the statutes is amended to read:

120.06 (6) (b) 5. If a candidate has not filed a registration statement under s. ~~41.05~~ 11.0202 (1) (a) by the time he or she files a declaration of candidacy, the candidate shall file the statement with the declaration. A candidate shall file an amended declaration under oath with the school district clerk in the event of a change in any information provided in the declaration as provided in s. 8.21.

**SECTION 62.** 185.03 (10) (e) of the statutes is amended to read:

185.03 (10) (e) The cooperative dedicates any funds remaining unclaimed after the date specified in par. (b) to educational purposes, limited to providing scholarships or loans to students, or to charitable purposes, as the board determines, within one year after the date the funds are declared forfeited under par. (a). ~~In this paragraph, educational purposes does not include political purposes as defined in s. 11.01 (16).~~

**SECTION 63.** 202.12 (5) (a) 2. of the statutes is amended to read:

202.12 (5) (a) 2. A candidate for national, state, or local office or a political party or other committee or group required to file financial information with the federal elections commission or a filing officer under s. ~~41.02~~ 11.0102 (1).

**SECTION 64.** 341.14 (6r) (fm) 1. b. of the statutes is amended to read:

341.14 (6r) (fm) 1. b. The group or organization is not a political committee, as defined in s. 11.01 (4), or a political group, as defined in s. 11.01 (10) 11.0101 (6).

**SECTION 65.** 346.94 (16) (b) 2. of the statutes is amended to read:

346.94 (16) (b) 2. The operator of a vehicle of a public utility, as defined in s. 11.40 (1) (a). In this paragraph, public utility means any corporation, company, individual, or association which furnishes products or services to the public, and which is regulated under ch. 195 or 196, including railroads, telecommunications or telegraph companies and any company furnishing or producing heat, light, power or water.

**SECTION 66.** 349.135 (2) (b) of the statutes is amended to read:

349.135 (2) (b) The operator of a vehicle of a public utility, as defined in s. 11.40 (1) (a). In this paragraph, public utility means any corporation, company, individual, or association which furnishes products or services to the public, and which is regulated under ch. 195 or 196, including railroads, telecommunications or telegraph companies and any company furnishing or producing heat, light, power or water.

**SECTION 67.** 563.907 (3) (b) of the statutes is amended to read:

563.907 (3) (b) A political party, as defined in s. 5.02 (13), except a state committee political party registered under s. 11.05 and organized exclusively for political purposes subch. III of ch. 11 under whose name candidates appear on a ballot at any election.

**SECTION 68.** 630.05 (intro.) of the statutes is amended to read:

**630.05 Political contributions.** (intro.) Section ~~11.38~~ 11.1112 applies to:

**SECTION 69.** 755.01 (4) of the statutes is amended to read:

755.01 (4) Two or more cities, towns or villages of this state may enter into an agreement under s. 66.0301 for the joint exercise of the power granted under sub. (1), except that for purposes of this subsection, any agreement under s. 66.0301 shall be effected by the enactment of identical ordinances by each affected city, town or village. Electors of each municipality entering into the agreement shall be eligible to vote for the judge of the municipal court so established. If a municipality enters into an agreement with a municipality that already has a municipal court, the municipalities may provide by ordinance or resolution that the judge for the existing municipal court shall serve as the judge for the joint court until the end of the term or until a special election is held under s. 8.50 (4) (fm). Each municipality shall adopt an ordinance or bylaw under sub. (1) prior to entering into the agreement. The contracting municipalities need not be contiguous and need not all be in the same county. Upon entering into or discontinuing such an agreement, the contracting municipalities shall each transmit a certified

copy of the ordinance or bylaw effecting or discontinuing the agreement to the appropriate filing officer under s. ~~11.02 (3e)~~ 11.0102 (1) (c) and to the director of state courts. When a municipal judge is elected under this subsection, candidates shall be nominated by filing nomination papers under s. 8.10 (6) (bm), and shall register with the filing officer specified in s. ~~11.02 (3e)~~.

**SECTION 70.** 758.13 (3) (g) 1. a. of the statutes is amended to read:

758.13 (3) (g) 1. a. "Candidate" has the meaning given in s. ~~11.01~~ 11.0101 (1).

**SECTION 71.** 758.13 (3) (g) 1. b. of the statutes is amended to read:

758.13 (3) (g) 1. b. "Contribution" has the meaning given in s. ~~11.01 (6)~~ 11.0101 (8).

**SECTION 72.** 946.11 (2) (b) of the statutes is renumbered 946.11 (2) (b) (intro.) and amended to read:

946.11 (2) (b) (intro.) "Privilege" ~~has the meaning designated under s. 11.40; means anything of value not available to the general public, but does not include compensation or fringe benefits provided as a result of employment by a public utility to a regular employee or pensioner when the following conditions are satisfied:~~

**SECTION 73.** 946.11 (2) (b) 1. and 2. of the statutes are created to read:

946.11 (2) (b) 1. The regular employee or pensioner is not compensated specifically for services performed for a purpose related to the election or nomination for election of an individual to state or local office, the recall from or retention in office of an individual holding a state or local office, or for the purpose of payment of expenses incurred as a result of a recount at an election.

2. The regular employee or pensioner is not compensated in excess of that provided to other regular employees or pensioners of like status.

**SECTION 74. Nonstatutory provisions.**

(1) **RULE AND OPINION REVIEW.** The government accountability board shall review all of the administrative rules currently in force promulgated by the board and any advisory opinions issued by the board affected by the provisions of this act. Beginning on the effective date of this subsection, any administrative rule that the board finds to be inconsistent with this act may not be enforced and any advisory opinion that the board finds to be inconsistent with this act is invalid.

(1m) **RECONCILIATION PROVISION.** If 2015 Assembly Bill 388 or 2015 Senate Bill 294 is enacted into law, the legislative reference bureau shall, when preparing the statutes for publication, change the term "government accountability board" to "ethics commission"; substitute "commission" for "board"; and make other changes necessary to effect the terminology change in chapter 11 of the statutes. The legislative reference bureau shall also identify and incorporate other changes that are necessary to effect the reconciliation of this act and 2015 Assembly Bill 388 or 2015 Senate Bill 294.



**SECTION 75g. Effective dates.** This act takes effect on the first day of the first full reporting period following publication, except as follows:

(1) The amendment of sections 11.1400 (5) and 11.1401 (2) of the statutes takes effect on June 30, 2016.

