



State of Wisconsin
2015 - 2016 LEGISLATURE

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**SENATE AMENDMENT 1,
TO SENATE BILL 292**

October 22, 2015 - Offered by Senator S. FITZGERALD.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 10, line 17: delete "11.0202 (1) (a)" and substitute "11.0203 (1) (c)".

3 **2.** Page 15, line 2: before "accept" insert "make or".

4 **3.** Page 16, line 21: delete lines 21 to 23 and substitute:

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

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

11 11. Any cost incurred to conduct Internet activity by an individual acting in his
12 or her own behalf, or acting in behalf of another person if the individual is not
13 compensated specifically for those services, including the cost or value of any

1 computers, software, Internet domain names, Internet service providers, and any
2 other technology that is used to provide access to or use of the Internet, but not
3 including professional video production services purchased by the individual.

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

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

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

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

15 **4.** Page 17, line 9: delete lines 9 to 12 and substitute:

16 “(b) “Disbursement” does not include any of the following:

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

21 2. A communication or Internet activity by an individual acting in his or her
22 own behalf, or acting in behalf of another person if the individual is not compensated
23 specifically for those services, including the cost or value of computers, software,
24 Internet domain names, Internet service providers, and any other technology that

1 is used to provide access to or use of the Internet, but not including professional video
2 production services purchased by the individual.

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

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

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

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

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

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

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

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

21 **5.** Page 17, line 13: after “means” insert “a”.

22 **6.** Page 17, line 14: delete “or their functional equivalents”.

23 **7.** Page 17, line 15: delete “campaign” and substitute “election or defeat”.

24 **8.** Page 18, line 23: after that line insert:

1 “(18m) “Internet activity” includes sending or forwarding an electronic
2 message; providing a hyperlink or other direct access on a person’s Internet site to
3 an Internet site operated by another person; blogging; creating, maintaining, or
4 hosting an Internet site; payment by a person of a nominal fee for the use of an
5 Internet site operated by another person; or any other form of communication
6 distributed over the Internet.”.

7 **9.** Page 19, line 1: delete lines 1 to 3 and substitute:

8 “(20) (a) “Major purpose” means all of the following:

9 1. A person’s major purpose as specified in the person’s organizational or
10 governing documents, the person’s bylaws, resolutions of the person’s governing
11 body, or registration statements filed by the person under this chapter.

12 2. The use of more than 50 percent of a person’s total spending in a 12-month
13 period on expenditures for express advocacy, expenditures made to support or defeat
14 a referendum, or contributions made to a candidate committee, legislative campaign
15 committee, or political party. In this subdivision, total spending does not include a
16 committee’s fundraising or administrative expenses.

17 (b) In this subsection, “person” does not include an individual.”.

18 **10.** Page 19, line 15: delete lines 15 to 21 and substitute:

19 “(25) (a) Subject to par. (b), “political action committee” means an entity that
20 is organized by any person, other than an individual, or by any combination,
21 permanent or temporary, of 2 or more persons unrelated by marriage and that
22 satisfies any of the following:

23 1. Has express advocacy as its major purpose.

1 2. Makes or accepts contributions or makes disbursements with regard to a
2 state or local office and to support or oppose any of the following.”.

3 **11.** Page 20, line 17: delete lines 17 to 22 and substitute:

4 “(28) “Referendum committee” means an entity that satisfies all of the
5 following:

6 (a) It has supporting or opposing the passage or defeat of a referendum in this
7 state as its major purpose.

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

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

13 **12.** Page 21, line 7: delete lines 7 and 8 and substitute:

14 “(31) “Sponsoring organization” means an entity that establishes, administers,
15 or financially supports a political action committee or an independent expenditure
16 committee.”.

17 **13.** Page 21, line 16: after that line insert:

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

20 **14.** Page 22, line 2: after that line insert:

21 “4m. An independent expenditure committee.”.

22 **15.** Page 23, line 1: delete “Except as provided in s. 11.0104 (1), a” and
23 substitute “A”.

1 **16.** Page 26, line 8: delete the material beginning with “contribution,” and
2 ending with “obligation” on line 9 and substitute “contribution made or accepted, a
3 disbursement made, or an obligation incurred”.

4 **17.** Page 26, line 10: delete “accepted, made” and substitute “made, accepted”.

5 **18.** Page 26, line 11: delete “accepted, made” and substitute “made, accepted”.

6 **19.** Page 26, line 13: delete “contribution, disbursement, or obligation” and
7 substitute “contribution made or accepted, disbursement made, or obligation
8 incurred”.

9 **20.** Page 26, line 14: delete “accepted, made” and substitute “made, accepted”.

10 **21.** Page 26, line 15: delete “accepted, made” and substitute “made, accepted”.

11 **22.** Page 26, line 18: delete the material beginning with “accepts,” and ending
12 with “obligation” on line 19 and substitute “makes or accepts a contribution, makes
13 a disbursement, or incurs an obligation”.

14 **23.** Page 26, line 23: delete the material beginning with “accepts,” and ending
15 with “obligation” on line 24 and substitute “makes or accepts a contribution, makes
16 a disbursement, or incurs an obligation”.

17 **24.** Page 27, line 3: delete the material beginning with “accepts,” and ending
18 with “obligation” on line 24 and substitute “makes or accepts a contribution, makes
19 a disbursement, or incurs an obligation”.

20 **25.** Page 27, line 7: after that line insert:

21 “(5) NON-RESIDENT REPORTING. Notwithstanding the reporting requirements
22 that would otherwise apply under this chapter, but subject to the applicable
23 thresholds for submitting reports, a committee that does not maintain an office or

1 a street address in this state shall submit reports on a form prescribed by the board
2 of all disbursements made and obligations incurred with respect to an election for a
3 state or local office in this state.”.

4 **26.** Page 27, line 9: after “accepting” insert “or making”.

5 **27.** Page 30, line 12: delete “appoint” and substitute “designate”.

6 **28.** Page 31, line 19: after “may” insert “make or”.

7 **29.** Page 32, line 12: after “committee” insert “shall indicate on the
8 registration statement that it is registering as a candidate committee and”.

9 **30.** Page 34, line 4: delete “name of the principal place of employment” and
10 substitute “occupation”.

11 **31.** Page 34, line 7: after “anonymously” insert “to the candidate committee”.

12 **32.** Page 38, line 4: delete “48” and substitute “72”.

13 **33.** Page 38, line 15: delete “anything of value” and substitute “a donation”.

14 **34.** Page 38, line 15: delete “by an” and substitute “by a nonprofit”.

15 **35.** Page 38, line 16: delete “, as defined in s. 19.42 (11),”.

16 **36.** Page 39, line 11: delete the material beginning with “accepts,” and ending
17 with “obligations” on line 12 and substitute “makes or accepts contributions, makes
18 disbursements, or incurs obligations”.

19 **37.** Page 39, line 13: delete the material beginning with “accepting,” and
20 ending with “obligation” on line 14 and substitute “making or accepting any such
21 contribution, making any such disbursement, or incurring any such obligation”.

22 **38.** Page 39, line 17: after “party” insert “shall indicate on the registration
23 statement that it is registering as a political party and”.

1 **39.** Page 41, line 1: delete “name of the principal place of employment” and
2 substitute “occupation”.

3 **40.** Page 42, line 14: delete that line and substitute “party that makes or
4 accepts contributions, makes disbursements, or incurs obligations to”.

5 **41.** Page 43, line 6: delete that line and substitute “party that makes or
6 accepts contributions, makes disbursements, or incurs obligations to”.

7 **42.** Page 43, line 19: delete that line and substitute “party that makes or
8 accepts contributions, makes disbursements, or incurs obligations to”.

9 **43.** Page 44, line 10: delete that line and substitute “party that makes or
10 accepts contributions, makes disbursements, or incurs obligations to”.

11 **44.** Page 45, line 11: delete “48” and substitute “72”.

12 **45.** Page 46, line 5: delete that line and substitute “makes or accepts
13 contributions, makes disbursements, or incurs obligations to support or”.

14 **46.** Page 46, line 6: delete the material beginning with “accepting,” and
15 ending with “obligation” on line 7 and substitute “making or accepting any such
16 contribution, making any such disbursement, or incurring any such obligation”.

17 **47.** Page 46, line 10: after “committee” insert “shall indicate on the
18 registration statement that it is registering as a legislative campaign committee
19 and”.

20 **48.** Page 48, line 1: delete “name of the principal place of employment” and
21 substitute “occupation”.

1 **49.** Page 49, line 14: delete the material beginning with “accepts” and ending
2 with “obligations” on line 15 and substitute “makes or accepts contributions, makes
3 disbursements, or incurs obligations”.

4 **50.** Page 50, line 4: delete the material beginning with “accepts” and ending
5 with “obligations” on line 5 and substitute “makes or accepts contributions, makes
6 disbursements, or incurs obligations”.

7 **51.** Page 50, line 23: delete “48” and substitute “72”.

8 **52.** Page 51, line 17: delete “my” and substitute “may”.

9 **53.** Page 51, line 20: delete that line and substitute “makes or accepts
10 contributions, makes disbursements, or incurs obligations to support or”.

11 **54.** Page 52, line 5: after “committee” insert “shall indicate on the registration
12 statement that it is registering as a political action committee and”.

13 **55.** Page 52, line 15: after that line insert:

14 “(e) The name and address of the political action committee’s sponsoring
15 organization, if any.”.

16 **56.** Page 53, line 15: delete “name of the principal place of employment” and
17 substitute “occupation”.

18 **57.** Page 55, line 5: delete the material beginning with “accepts” and ending
19 with “obligations” on line 6 and substitute “makes or accepts contributions, makes
20 disbursements, or incurs obligations”.

21 **58.** Page 55, line 21: delete the material beginning with “accepts” and ending
22 with “obligations” on line 22 and substitute “makes or accepts contributions, makes
23 disbursements, or incurs obligations”.

1 **59.** Page 56, line 9: delete the material beginning with “accepts” and ending
2 with “obligations” on line 10 and substitute “makes or accepts contributions, makes
3 disbursements, or incurs obligations”.

4 **60.** Page 56, line 24: delete the material beginning with “accepts” and ending
5 with “obligations” on line 25 and substitute “makes or accepts contributions, makes
6 disbursements, or incurs obligations”.

7 **61.** Page 58, line 1: delete “affected by the disbursement” and substitute
8 “identified in the express advocacy”.

9 **62.** Page 58, line 18: delete “committee,” and substitute “committee”.

10 **63.** Page 58, line 20: after “members.” insert “In this subdivision, a member
11 of an organization means a shareholder, employee, or officer of the organization, or
12 an individual who has affirmatively manifested an interest in joining, supporting or
13 aiding the organization.”.

14 **64.** Page 58, line 22: delete “48” and substitute “72”.

15 **65.** Page 59, line 16: delete “No” and substitute “A”.

16 **66.** Page 59, line 17: delete the material beginning with “, except” and ending
17 with “subch. V” on line 19.

18 **67.** Page 59, line 21: delete the material beginning with “accepts” and ending
19 with “obligations” on line 22 and substitute “makes or accepts contributions, makes
20 disbursements, or incurs obligations”.

21 **68.** Page 60, line 8: after “committee” insert “shall indicate on the registration
22 statement that it is registering as an independent expenditure committee and”.

23 **69.** Page 60, line 23: after that line insert:

1 “(f) The name and address of the independent expenditure committee’s
2 sponsoring organization, if any.”.

3 **70.** Page 61, line 22: delete “name of the principal place of employment” and
4 substitute “occupation”.

5 **71.** Page 63, line 12: delete the material beginning with “accepts” and ending
6 with “obligations” on line 13 and substitute “makes or accepts contributions, makes
7 disbursements, or incurs obligations”.

8 **72.** Page 64, line 4: delete the material beginning with “accepts” and ending
9 with “obligations” on line 5 and substitute “makes or accepts contributions, makes
10 disbursements, or incurs obligations”.

11 **73.** Page 64, line 18: delete the material beginning with “accepts” and ending
12 with “obligations” on line 19 and substitute “makes or accepts contributions, makes
13 disbursements, or incurs obligations”.

14 **74.** Page 65, line 8: delete the material beginning with “accepts” and ending
15 with “obligations” on line 9 and substitute “makes or accepts contributions, makes
16 disbursements, or incurs obligations”.

17 **75.** Page 66, line 10: delete “affected by the disbursement” and substitute
18 “identified in the express advocacy”.

19 **76.** Page 67, line 5: after “members.” insert “In this subdivision, a member of
20 an organization means a shareholder, employee, or officer of the organization, or an
21 individual who has affirmatively manifested an interest in joining, supporting or
22 aiding the organization.”.

23 **77.** Page 67, line 7: delete “48” and substitute “72”.

1 **78.** Page 68, line 2: after “conduit” insert “shall indicate on the registration
2 statement that it is registering as a conduit and”.

3 **79.** Page 69, line 7: delete “and” and substitute “any”.

4 **80.** Page 69, line 16: delete “name of the principal place of employment” and
5 substitute “occupation”.

6 **81.** Page 71, line 16: delete “a person or committee” and substitute “an
7 individual”.

8 **82.** Page 71, line 24: delete “or organization”.

9 **83.** Page 72, line 1: delete “or organization”.

10 **84.** Page 72, line 2: delete “or organization”.

11 **85.** Page 72, line 2: delete “individual or” and substitute “individual”.

12 **86.** Page 72, line 3: delete “organization”.

13 **87.** Page 72, line 4: delete “or organization”.

14 **88.** Page 72, line 6: delete “or organization”.

15 **89.** Page 72, line 7: delete “or organization”.

16 **90.** Page 72, line 9: delete “individual or” and substitute “individual”.

17 **91.** Page 72, line 10: delete “organization”.

18 **92.** Page 73, line 4: delete the material beginning with “accepts” and ending
19 with “obligations” on line 5 and substitute “makes or accepts contributions, makes
20 disbursements, or incurs obligations”.

21 **93.** Page 73, line 15: after “committee” insert “shall indicate on the
22 registration statement that it is registering as a referendum committee and”.

- 1 **94.** Page 74, line 21: delete “name of the principal place of employment” and
2 substitute “occupation”.
- 3 **95.** Page 76, line 10: after “committee” insert “making or”.
- 4 **96.** Page 76, line 20: after “committee” insert “making or”.
- 5 **97.** Page 77, line 4: after “committee” insert “making or”.
- 6 **98.** Page 77, line 16: after “committee” insert “making or”.
- 7 **99.** Page 77, line 19: delete lines 19 and 20.
- 8 **100.** Page 77, line 21: delete “(b)” and substitute “(a)”.
- 9 **101.** Page 77, line 23: delete “(c)” and substitute “(b)”.
- 10 **102.** Page 78, line 1: delete “(d)” and substitute “(c)”.
- 11 **103.** Page 78, line 15: before “accepts” insert “makes or”.
- 12 **104.** Page 78, line 25: after “committee” insert “shall indicate on the
13 registration statement that it is registering as a recall committee and”.
- 14 **105.** Page 80, line 7: delete “name of the principal place of employment” and
15 substitute “occupation”.
- 16 **106.** Page 81, line 19: delete the material beginning with “accepts” and
17 ending with “obligations” on line 20 and substitute “makes or accepts contributions,
18 makes disbursements, or incurs obligations”.
- 19 **107.** Page 82, line 7: delete that line and substitute “makes or accepts
20 contributions, makes disbursements, or incurs obligations to support or”.

1 **108.** Page 82, line 15: delete the material beginning with “accepts” and
2 ending with “obligations” on line 16 and substitute “makes or accepts contributions,
3 makes disbursements, or incurs obligations”.

4 **109.** Page 83, line 4: delete the material beginning with “accepts” and ending
5 with “obligations” on line 5 and substitute “makes or accepts contributions, makes
6 disbursements, or incurs obligations”.

7 **110.** Page 83, line 19: delete “30” and substitute “60”.

8 **111.** Page 84, line 3: delete “affected by the disbursement” and substitute
9 “identified in the express advocacy”.

10 **112.** Page 84, line 14: delete “an disbursement” and substitute “a
11 disbursement”.

12 **113.** Page 84, line 18: delete “legitimate”.

13 **114.** Page 84, line 19: delete “political party, political”.

14 **115.** Page 84, line 20: delete “committee,” and substitute “committee”.

15 **116.** Page 84, line 22: after “members.” insert “In this subdivision, a member
16 of an organization means a shareholder, employee, or officer of the organization, or
17 an individual who has affirmatively manifested an interest in joining, supporting or
18 aiding the organization.”.

19 **117.** Page 84, line 24: delete “48” and substitute “72”.

20 **118.** Page 88, line 4: delete “items.” and substitute “items,”.

21 **119.** Page 89, line 1: delete lines 1 to 3 and substitute “ending on the day
22 before the term of office begins for the office sought by the candidate.”.

23 **120.** Page 89, line 4: after “(4) (b)” insert “and 11.1112”.

- 1 **121.** Page 91, line 13: after “notify the” insert “candidate or candidate’s agent
2 or the”.
- 3 **122.** Page 93, line 4: delete “results” and substitute “results,”.
- 4 **123.** Page 97, line 3: delete “a disbursement” and substitute “an expenditure”.
- 5 **124.** Page 97, line 6: delete “in violation” and substitute “in excess”.
- 6 **125.** Page 97, line 6: after “11.1101 or” insert “in violation of”.
- 7 **126.** Page 97, line 8: delete “a disbursement” and substitute “an expenditure”.
- 8 **127.** Page 97, line 10: delete “disbursement” and substitute “expenditure”.
- 9 **128.** Page 97, line 12: delete “disbursement” and substitute “expenditure”.
- 10 **129.** Page 97, line 14: delete “disbursement” and substitute “expenditure”.
- 11 **130.** Page 97, line 19: delete lines 19 to 21 and substitute:
12 “(b) If an expenditure for express advocacy is coordinated but is not in violation
13 of sub. (1), all of the following apply:
14 1. The person making the expenditure shall report the expenditure as a
15 disbursement if the”.
- 16 **131.** Page 97, line 23: delete “disbursement” and substitute “expenditure”.
- 17 **132.** Page 98, line 2: before “person’s” insert “first”.
- 18 **133.** Page 98, line 3: delete “own name” and substitute “name”.
- 19 **134.** Page 98, line 6: delete “accept or receive” and substitute “receive or
20 accept”.
- 21 **135.** Page 100, line 8: delete “and (c)”.

1 **136.** Page 100, line 10: delete “or service” and substitute “during established
2 hours of employment or while the officer or employee is engaged in his or her official
3 duties”.

4 **137.** Page 100, line 11: delete lines 11 to 14.

5 **138.** Page 100, line 15: delete “(c)” and substitute “(b)”.

6 **139.** Page 100, line 16: delete “(3)” and substitute “(2)”.

7 **140.** Page 100, line 17: delete “or service”.

8 **141.** Page 100, line 19: delete “(4)” and substitute “(3)”.

9 **142.** Page 100, line 24: delete “(5)” and substitute “(4)”.

10 **143.** Page 101, line 3: delete “(6)” and substitute “(5)”.

11 **144.** Page 101, line 11: delete “(3)” and substitute “(2)”.

12 **145.** Page 102, line 4: delete “(4)” and substitute “(3)”.

13 **146.** Page 103, line 14: after “communication” insert “containing express
14 advocacy”.

15 **147.** Page 104, line 7: delete “supporting or opposing” and substitute
16 “containing express advocacy”.

17 **148.** Page 104, line 8: delete that line.

18 **149.** Page 104, line 9: delete that line and substitute:

19 “(e) Communications described in par. (a) to (c) and made by a candidate
20 committee may identify”.

21 **150.** Page 104, line 10: delete “, except as provided in par. (b) 2. and”.

- 1 **151.** Page 104, line 16: after “communications” insert “containing express
2 advocacy”.
- 3 **152.** Page 104, line 17: after “printed” insert “, including text messages, social
4 media communications, and certain small advertisements on mobile phones”.
- 5 **153.** Page 104, line 18: after “small items” insert “or other communications”.
- 6 **154.** Page 106, line 15: delete “received” and substitute “submitted”.
- 7 **155.** Page 106, line 16: after “11.0505 or” insert “by an independent
8 expenditure committee under s. 11.0605 or”.
- 9 **156.** Page 106, line 16: delete “VII” and substitute “X”.
- 10 **157.** Page 109, line 4: delete lines 4 to 6.
- 11 **158.** Page 109, line 7: delete “(5)” and substitute “(4)”.
- 12 **159.** Page 109, line 11: delete “(6)” and substitute “(5)”.
- 13 **160.** Page 109, line 18: delete “(7)” and substitute “(6)”.
- 14 **161.** Page 109, line 22: delete “(8)” and substitute “(7)”.
- 15 **162.** Page 110, line 1: delete “(9)” and substitute “(8)”.
- 16 **163.** Page 111, line 24: after “activities.” insert “This subsection also does not
17 apply to information provided by any person that expresses that person’s opinion on
18 any candidate or committee, any referendum or the possible effects of any
19 referendum, or the policies advocated by any candidate or committee.”.
- 20 **164.** Page 113, line 15: delete “make a campaign” and substitute “deliver a
21 contribution or make a campaign personal”.
- 22 **165.** Page 113, line 18: before “contribution” insert “personal”.

