



Wisconsin Ethics Commission

Campaign Finance | Lobbying | Ethics
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DATE: April 19, 2022
TO: General Public
FROM: Ethics Commission Staff
RE: Recent Legislative Changes to Campaign Finance, Lobbying, and Ethics Laws [2021 Act 265](#), [2021 Act 266](#), & [2021 Act 267](#)

On Friday, April 15, 2022, Governor Evers signed three bills containing recommendations from the Wisconsin Ethics Commission. [2021 Act 265](#), providing technical changes and clarifications to Wisconsin's campaign finance law, will be effective on January 3, 2023. [2021 Act 266](#) and [2021 Act 267](#) are both in effect as of April 17, 2022. As [2021 Act 265](#) will not take effect for several months, the focus of this memorandum is to provide an update about the changes in Acts 266 and 267. This document is not legal advice. Should you have questions about the application of these provisions, you should contact Commission staff for further information.

[2021 Act 266- Lobbying Law Changes](#)

Most of this legislation focuses on rewriting WIS. STAT. § 13.625 to make it easier to understand. Additionally, Act 266 does the following:

- It allows covered officials and employees to attend meetings to discuss governmental proposals and issues without paying the cost of admission. However, the covered officials and employees may not receive food, beverages, or any other items unless they pay the event organizer, including a lobbyist or principal, for the actual cost of the items;
- The Act also allows the Commission to notify lobbyists and principals of missing lobbying reports via email. The law now authorizes the Commission to collect a lobbyist's residential address which is confidential under public records laws;
- Act 266 also eliminates a requirement that the Ethics Commission submit weekly reports to the Legislature identifying new lobbyists, agency legislative liaisons, and principals and the general areas which are the object of their lobbying activity. All such information is readily available on the Commission's lobbying website located at lobbying.wi.gov; and
- This Act clarifies that the following are "local public officials" that are subject to the local code of ethics:
 - Every employee of a school district who holds, or is required to hold, a school district administrator license or permit issued by the Department of Public Instruction is a local public official for purposes of the local code of ethics; and
 - An employee of a school district who acts as the head of facilities and maintenance and whose employment duties include making purchasing decisions or recommendations for the school district.

[2021 Act 267- Ethics Law Changes](#)

Act 267 provides substantive changes to the SEI requirements, addresses disposition of gifts, and makes other technical changes. Regarding the changes to the SEI requirements, the Act:

- Eliminates the requirement to disclose defined benefit retirement plans, annuities, money market funds, mutual funds, exchange-traded funds, and exchange-traded notes; and
- It creates a “Final SEI” requirement. This provision requires an official required to file an SEI to file a “Final SEI” no later than 21 days following the date on which his/her term of office ends or the individual leaves the office. The information required must be current as of the date on which the individual’s term ends or he/she leaves office.
- Amends current law which requires each official required to file who served even one day in January to file an SEI by April 30th of that year. This provision is amended to provide that it applies only to an individual who serves 14 or more days in that year. **NOTE:** If an official required to file leaves his/her position during the first 14 days of that year, he or she must file the “Final SEI” no later than 21 days after he or she leaves the position. This will be his/her final SEI unless he/she holds another position required to file or assumes a new position required to file an SEI.

The Act also codifies the longstanding guidance concerning disposition of gifts an official is not allowed to personally accept. Under newly created WIS. STAT. §§ 19.45(14) and 19.59(1b), state or local officials may:

- Give the item to his/her agency (the agency cannot, in turn, sell the item to any government employee or official);
- Give the item to another state agency or public institution, such as a local school, library, or museum that can use the item;
- Give the item to a charitable organization, as defined in s. 11.0101(4), not including a charitable organization with which the official or his or her immediate family is associated;
- Return the item to the donor; or
- With certain limitations, may purchase the item at its full retail value and keep it.

Finally, this Act repeals outdated provisions and provisions requiring the Commission to maintain certain information concerning contracts on its website. This information is readily available on other state websites such as VendorNet and OpenBook.