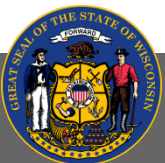


State of Wisconsin
Ethics Commission

CAMPAIGN FINANCE LAW UPDATE FOR LOCAL FILING OFFICERS

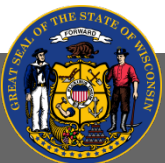
PRESENTATION TOPICS

- Brief Introduction to the Act
- Exempt Status for Local Candidates
- Joint Ads
- Attribution Requirement
- Candidate Recordkeeping
- New CF-1 Local Candidate Committee Registration Form
- SEI Reminder for Municipal/Multi-jurisdictional Judges



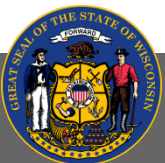
2021 ACT 265

- Since its inception, the Commission has made legislative recommendations regarding campaign finance law in Ch. 11 of the statutes.
- This session most of those recommendations were approved by the Legislature and signed into law by the Governor. Most are technical or clarifying in nature.
- Because 2022 was an election year, the Act was made effective January 3, 2023.
- This presentation will provide you information you need to know as a result of the Act.



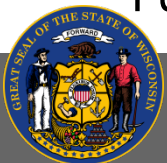
ELIGIBILITY FOR EXEMPT STATUS – LOCAL CANDIDATES

- A local candidate committee that does not plan to accept contributions, make disbursements, or incur obligation in an aggregate amount exceeding \$2,500 in a calendar year may claim exempt status.
- NOTE- The current threshold is \$2,000. Effective January 3, 2023, it increases to \$2,500.
- Because the statute says “aggregate amount,” the activity in each category counts towards that threshold. For example, if a local candidate receives \$1,500 in contributions, makes \$1,000 in disbursements, and has \$100 in incurred obligations, it has exceeded the threshold.



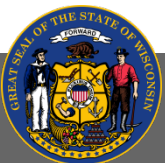
OTHER CHANGES TO EXEMPT STATUS FOR LOCAL CANDIDATES

- Effective January 3, 2023, a local candidate committee may:
 - Claim exempt status at any time;
 - Claim exempt status on either the initial registration statement or on an amended registration statement; and
 - Remain on exempt status indefinitely until it either exceeds the threshold, amends its registration statement to become a state candidate committee, or terminates.
- If a local candidate committee exceeds the threshold while exempt, it may:
 - File an amended registration to affirm it is no longer exempt; or
 - Return the contribution or donate it to the Common School Fund/Charitable organization within 15 days.



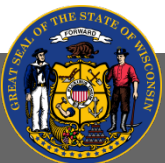
EXEMPT STATUS- FILING OFFICER DUTIES

- If you know the local candidate committee is not eligible for exempt status, you must:
 - Accept the registration form, and
 - Notify the committee within 10 business days that it is not eligible for exemption for that calendar year.
 - NOTE: The notice shall state that the committee must file campaign finance reports for that calendar year.
- * If a local candidate committee incorrectly claims exemption, it does not disqualify them from being placed on the ballot.



EXEMPT STATUS- REVOCATION/TERMINATION

- A local candidate committee can revoke its exempt status at any time. If it does so, it must resume reporting as of revocation or, if it exceeds the threshold, the date it exceeded \$2,500. An untimely revocation is a violation that should be referred to the Commission.
- NEW- If a local candidate committee that is exempt decides to terminate, it must file a termination report showing that it has no money on hand and no outstanding incurred obligations. It must show how residual funds were disposed.

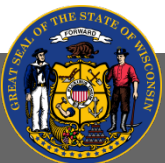




JOINT ADS

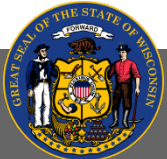
IN-KIND CONTRIBUTIONS

- An “in-kind” contribution is the gift of any good, service, or property to a committee free of charge or at less than the usual cost.
- Before making an in-kind contribution, the contributing person must contact the receiving committee and obtain its consent to make the contribution.
- If the contributor is another registrant, the contributing committee must provide:
 1. The name and address of the contributing committee.
 2. The nature and actual value of the contribution.
 3. The date of the contribution.



IN-KIND CONTRIBUTIONS (CONT'D.)

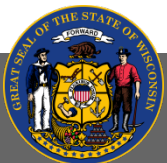
- If the actual value is unknown, the contributor must provide a good faith estimate of the value before the closing date of the campaign finance report in which the contribution must be disclosed.
- When the contributor receives bills or other statements reflecting the actual value of the contribution, the contributor must immediately forward that information to the receiving committee.
- In-Kind contributions **made** by a committee are reported both as a disbursement to the vendor (on Schedule 2-A) and as an in-kind contribution made to the receiving committee (on Schedule 2-B).



IN-KIND CONTRIBUTIONS (CONT'D.)

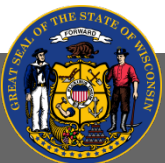
- In-Kind contributions **received** by a committee are reported as both an in-kind contribution received from the contributing committee (on Schedule 1-B) and as an in-kind offset (on Schedule 2-B) of the same amount.

** This double-entry avoids distortion of the receiving committee's cash balance.



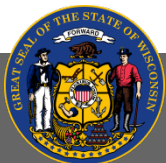
JOINT ADS – SINGLE PAYER

- Adam and David are running for Common Council.
- Adam wants to run a Facebook ad that says, "Vote for Adam and David for Common Council."
- Adam consults with David about the ad and David agrees to the ad.
- Adam pays \$500 to Facebook.
- How is this reported?



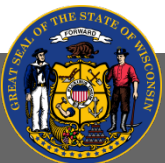
JOINT ADS – SINGLE PAYER (CONT'D.)

- Adam reports:
 - \$500 paid to Facebook.
 - \$500 *in-kind contribution* **to** David.
- David reports:
 - \$500 *in-kind contribution* **from** Adam.
 - \$500 *in-kind* **offset** for the contribution received.



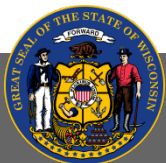
JOINT ADS- SPLIT COST

- Dan and Colette are running for school board.
- Together, they pool their money to buy an ad in the local newspaper that says, "Vote for Dan and Colette for School Board."
- The cost of the ad is \$500.
- Both Dan and Colette each pay \$250 to the newspaper.
- How is this reported?



JOINT ADS- SPLIT COST (CONT'D.)

- Dan reports:
 - \$250 paid to the newspaper.
 - \$250 *in-kind contribution* **from** Colette.
 - \$250 *in-kind disbursement* for the contribution received.
- Colette reports:
 - \$250 paid to the newspaper.
 - \$250 *in-kind contribution* **from** Dan.
 - \$250 *in-kind disbursement* for the contribution received.



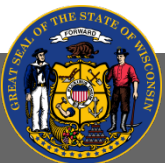


ATTRIBUTION REQUIREMENT

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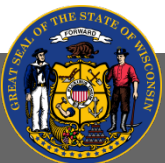
- Every communication which is paid for or reimbursed by a committee, or for which a committee assumes responsibility, must contain an attribution statement.
- The attribution statement must state, "Paid for by" followed by the name of the committee that paid for the communication or assumed responsibility for the communication.
- The attribution statement must be readable, legible, and readily accessible.

*** Missing attribution statements is the most common complaint we receive about local candidates!!



ATTRIBUTION REQUIREMENT (CONT'D.)

- Prior to the new act, the attribution requirement only applied to express advocacy (communications supporting or opposing a clearly identified candidate).
- NEW- 2021 Act 265 expanded the attribution requirement to communications supporting or opposing referendum

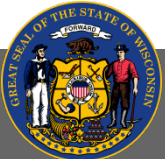




CANDIDATE RECORDKEEPING

CANDIDATE RECORDKEEPING

- Old law- Candidate committees were required to maintain their records for 3 years after the election they participate in.
- NEW- Candidate committees are required to maintain their records for 3 years after the end of their contribution limit period.
- For candidates at the spring election, the end of the contribution limit period is June 30th.
- For candidates at the general election, the period ends December 31st.
- For candidates at a special election, the period ends the 22nd day after the special election.

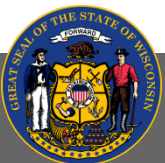




NEW! CF-1 FOR LOCAL CANDIDATE COMMITTEES

NEW- CF-1 FOR LOCAL CANDIDATE COMMITTEES

- Highlights
 - The new, simplified form is for use by local candidate committees only.
 - The new form is updated to include the new exemption threshold.



NEW- CF-1 FOR LOCAL CANDIDATE COMMITTEES (CONT'D.)



CAMPAIGN FINANCE REGISTRATION STATEMENT — LOCAL CANDIDATE COMMITTEE STATE OF WISCONSIN

1. Is this an Amendment? ☐ No ☐ Yes

SECTION A: GENERAL INFORMATION

A1. Committee Name (Required for all Candidates - must be included in disclaimer on all communications)

A2. Email

A3. Phone

A4. Mailing Address

A5. City

A6. State

A7. Zip

Depository Institution Information

A8. Institution Name

A9. Street Address

A10. City

A11. State

A12. Zip

Treasurer/Administrator Information

A13. Name

A14. Email

A15. Phone

A16. Mailing Address

A17. City

A18. State

A19. Zip

Other Officers: (Optional)

A20. Name

A21. Title

A22. Email

A23. Phone

A24. Name

A25. Title

A26. Email

A27. Phone

Filing Exemption

Registrants which do not anticipate accepting or making contributions, making disbursements, or incurring obligations in an aggregate amount exceeding \$2,500 in a calendar year may claim an exemption from filing campaign finance reports. This exemption applies until the registrant exceeds the \$2,500 aggregate activity threshold, amends its registration, or is terminated.

A28. Exemption Affirmation

☐ Yes, this registrant is eligible for exemption.

☐ No, this registrant is not eligible for exemption.

SECTION B: CANDIDATE INFORMATION

B1. Office Sought (include District/Branch)

B2. Political Party

B3. Election Date

Candidate Information

B4. Name

B5. Email

B6. Phone

B7. Mailing Address

B8. City

B9. State

B10. Zip

Second Candidate Committee

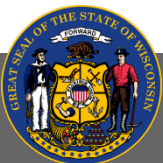
An individual who holds a state or local elective office may establish a second candidate committee to pursue another state or local office.

B11. Is this year only registered candidate committee in Wisconsin?

☐ Yes, this is my only candidate committee in Wisconsin.

☐ No, this is my second candidate committee in Wisconsin.

B12. Other Office Held or Sought (include District/Branch) Only complete B12 if you responded "No" to B11.



State of Wisconsin
Ethics Commission

NEW- CF-1 FOR LOCAL CANDIDATE COMMITTEES (CONT'D.)

SECTION C: CERTIFICATION		
Accurate Information		
<input type="checkbox"/> I certify that I am an authorized representative of the candidate committee and that to my knowledge all of the information contained within this registration is true, correct, and complete.		
Timely Amendments		
<input type="checkbox"/> I am aware of the requirement to amend this registration statement within 10 days of any change of information contained within, including any change to the candidate committee's eligibility for exemption from campaign finance reporting.		
Records Retention		
<input type="checkbox"/> I acknowledge the requirement to maintain the records of the candidate committee in an organized and legible manner for three years from the date of the most recent election in which this candidate participated.		
Continuing Compliance		
<input type="checkbox"/> I acknowledge that I am required to continue to comply with all applicable requirements under Chapter 11 of the Wisconsin Statutes until this registration is terminated. I understand that I am not released from any liability simply because the election date has passed.		
Treasurer		
C1. Printed Name	C1. Signature	C3. Date
Candidate		
C4. Printed Name	C5. Signature	C6. Date

Form Instructions

Candidates must complete all sections A, B, and C.

Item 1: Is this an amendment? Have you registered with this local clerk to run for office in a prior election?

Item A1: Committee Name. All candidates are required to register a committee. It is not required that the name include the candidate's name, but it is recommended. This committee name is required to be part of the disclaimer on all communications with express advocacy: 'Paid for by ...'

A28: Exemption. Candidates claiming exemption may not have more than \$2,500 of activity, in the aggregate per year. In a calendar year, if you raise \$1,600 and spend \$1,000 you have \$2,600 of aggregate activity and are not eligible to claim exemption.

Depository Institution Information. All candidates must designate a depository institution. While it is recommended that all candidates have a designated campaign depository account, candidates who will serve as their own treasurer may designate a single personal account to serve as the committee depository account while claiming a filing exemption and may intermingle personal and campaign funds (Wis. Stat. § 11.0201(2)(b)).

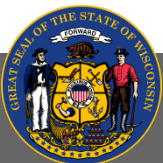
Treasurer Information. Each committee must appoint a treasurer. Any adult may serve as a treasurer. A candidate may serve as his or her own treasurer. If a candidate is serving as their own treasurer, please indicate 'Self' or 'Candidate', you do not need to list your complete name, address and contact information here, that will be listed in section B.

Section B: Candidate Information

B1. Be sure to include the name of the county, municipality, or school district. There are 72 counties with county supervisors, 100's of school boards, and 1000's of municipal boards.

B2. Party - NA or None for nonpartisan offices (April); Democrat, Republican, Constitution, Green, Independent, or other ballot status party for partisan (fall) primary/election.

Section C: Certification. All candidates must complete section C. If the candidate is serving as their own treasurer, they would only need to sign once, as either the candidate or treasurer.



NEW- CF-1 FOR LOCAL CANDIDATE COMMITTEES (CONT'D.)

1. Is this an Amendment? ☐ No ☐ Yes

SECTION A: GENERAL INFORMATION

A1. Committee Name (Required for all Candidates - must be included in disclaimer on all communications)

A2. Email

A3. Phone

A4. Mailing Address

A5. City

A6. State

A7. Zip

Depository Institution Information

A8. Institution Name

A9. Street Address

A10. City

A11. State

A12. Zip

Treasurer/Administrator Information

A13. Name

A14. Email

A15. Phone

A16. Mailing Address

A17. City

A18. State

A19. Zip

Other Officers (Optional)

A20. Name

A21. Title

A22. Email

A23. Phone

A24. Name

A25. Title

A26. Email

A27. Phone

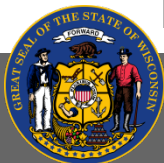
Filing Exemption

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A28. Exemption Affirmation

☐ Yes, this registrant is eligible for exemption.

☐ No, this registrant is not eligible for exemption.



State of Wisconsin
Ethics Commission

NEW- CF-1 FOR LOCAL CANDIDATE COMMITTEES (CONT'D.)

SECTION B: CANDIDATE INFORMATION

B1. Office Sought (include District/Branch)

B2. Political Party

B3. Election Date

Candidate Information

B4. Name

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Second Candidate Committee

An individual who holds a state or local elective office may establish a second candidate committee to pursue another state or local office.

B11. Is this your only registered candidate committee in Wisconsin?

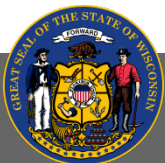
☐

Yes, this is my only candidate committee in Wisconsin.

☐

No, this is my second candidate committee in Wisconsin.

B12. Other Office Held or Sought (include District/Branch) *Only complete B12 if you responded "No" to B11.*



NEW- CF-1 FOR LOCAL CANDIDATE COMMITTEES (CONT'D.)

SECTION C: CERTIFICATION

Accurate Information

- ☐ I certify that I am an authorized representative of the candidate committee and that to my knowledge all of the information contained within this registration is true, correct, and complete.

Timely Amendments

- ☐ I am aware of the requirement to amend this registration statement within 10 days of any change of information contained within, including any change to the candidate committee's eligibility for exemption from campaign finance reporting.

Records Retention

- ☐ I acknowledge the requirement to maintain the records of the candidate committee in an organized and legible manner for three years from the date of the most recent election in which this candidate participated.

Continuing Compliance

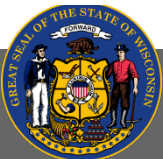
- ☐ I acknowledge that I am required to continue to comply with all applicable requirements under Chapter 11 of the Wisconsin Statutes until this registration is terminated. I understand that I am not released from any liability simply because the election date has passed.

Treasurer

C1. Printed Name		C2. Signature		C3. Date	
------------------	--	---------------	--	----------	--

Candidate

C4. Printed Name		C5. Signature		C6. Date	
------------------	--	---------------	--	----------	--



NEW- CF-1 FOR LOCAL CANDIDATE COMMITTEES (CONT'D.)

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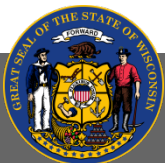
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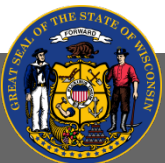




SEI REMINDER ABOUT JUDGES

SEI REMINDER ABOUT CERTAIN JUDGES

- Candidates for Municipal/Multi-Jurisdictional Judge on the ballot in April must file a Statement of Economic Interests ("SEI").
- DUE- 4:30 p.m. on January 6, 2023.
- Incumbents were already notified by Commission staff by email on December 2, 2022.
- New candidates can now file online on the Commission's website (<https://sei.wi.gov>.) Just click "For Candidates" and follow the instructions!
- Local Filing Officers can verify the candidate filed at <https://ethics.wi.gov/Pages/Ethics/StatementsOfEconomicInterests.aspx>.

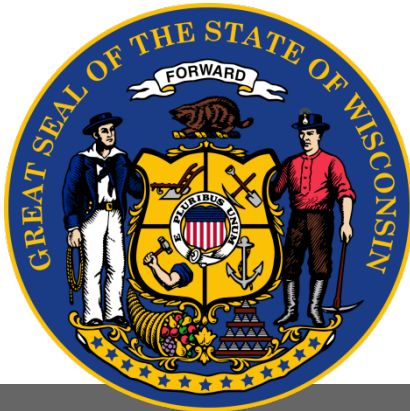




QUESTIONS?

WHERE TO FIND MORE INFORMATION

- **Wisconsin Statutes**
 - <https://docs.legis.wisconsin.gov>
- **Advisory Opinions**
 - Prompt, Confidential, Authoritative
- **Guidelines**
 - <https://ethics.wi.gov>



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<https://ethics.wi.gov>
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Fax: (608) 264-9319

State of Wisconsin
Ethics Commission