

# Wisconsin Ethics Commission

## For local candidate committees

### Campaign Finance Report Filing Exemption

#### EXEMPTION

A candidate committee of a candidate for local office can claim an exemption from filing campaign finance reports in some circumstances. On January 3, 2023, the law relating to exemption will change. The following information is effective on that date.

#### ELIGIBILITY

A local candidate committee can claim exemption if the committee does not anticipate accepting or making contributions, making disbursements, or incurring obligations in an aggregate amount exceeding \$2,500 in a calendar year.<sup>1</sup> A local candidate committee can exceed this threshold based on contributions, disbursements, obligations, or a combination of those transaction types. For example, a committee that receives \$1,600 in contributions and makes \$1,000 in disbursements in a calendar year has exceeded the threshold.

#### END OF ELIGIBILITY

A local candidate committee is no longer eligible for exemption when it:

- Exceeds the \$2,500 threshold;<sup>2</sup>
- Amends its registration statement to become a state candidate committee;<sup>3</sup>
- Is dissolved;<sup>4</sup> or
- Is voluntarily revoked by the committee.<sup>5</sup>

#### EXCEEDING THE THRESHOLD

If a local candidate committee is exempt from filing campaign finance reports and it receives a contribution that results in it exceeding the threshold, it has two options.<sup>6</sup> First, the local candidate committee can immediately amend its registration statement to indicate it is no longer exempt.<sup>7</sup> If it does this, it must file all required campaign finance reports for the remainder of that calendar year.<sup>8</sup> The committee can claim exemption again the next calendar year.<sup>9</sup> Second, the local candidate committee may return the contribution to the contributor or donate the contribution to the common school fund or a charitable organization.<sup>10</sup> This must be done no later than 15 days from the date on which the contribution is received.<sup>11</sup>

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<sup>1</sup> [WIS. STAT. § 11.0104\(1\)\(a\).](#)

<sup>2</sup> [WIS. STAT. § 11.0104\(1\)\(c\).](#)

<sup>3</sup> [Id.](#)

<sup>4</sup> [Id.](#)

<sup>5</sup> [WIS. STAT. § 11.0104\(3\).](#)

<sup>6</sup> [WIS. STAT. § 11.0104\(5\).](#)

<sup>7</sup> [WIS. STAT. § 11.0104\(5\)\(a\).](#)

<sup>8</sup> [Id.](#)

<sup>9</sup> [Id.](#)

<sup>10</sup> [WIS. STAT. § 11.0104\(5\)\(b\).](#)

<sup>11</sup> [Id.](#)

## LOCAL FILING OFFICER DUTIES

Upon receipt of a properly executed registration statement or amended registration statement, the filing officer shall suspend the requirement to file campaign finance reports.<sup>12</sup> If a local filing officer receives a registration statement or amended registration statement seeking to claim exemption, and the filing officer knows the local candidate committee is not eligible for exemption, the local filing officer shall accept the registration statement.<sup>13</sup> The local filing officer shall then notify the committee within 10 business days that it is ineligible and is required to file campaign finance reports.<sup>14</sup> A candidate whose committee improperly claims exempt status cannot be denied ballot placement if the registration statement or amended registration statement otherwise complies with the legal requirements.<sup>15</sup>

## ADDITIONAL INFORMATION AND RESOURCES

This is a guideline adopted by the Wisconsin Ethics Commission. Guidelines are prepared to provide general information to the public concerning the laws within the Commission's jurisdiction. Guidelines are not the law. Legal authority can be found in Wisconsin Statutes, the Wisconsin Administrative Code, case law, and the Commission's advisory opinions. If you have additional questions, please contact the Wisconsin Ethics Commission staff by email at [CampaignFinance@wi.gov](mailto:CampaignFinance@wi.gov), or by phone at (608) 266-8123. Advice sought from the Ethics Commission is confidential. For additional information, please visit the Ethics Commission website: <https://ethics.wi.gov>.

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<sup>12</sup> [WIS. STAT. § 11.0104\(2\)](#).

<sup>13</sup> [WIS. STAT. § 11.0104\(1\)\(d\)](#).

<sup>14</sup> *Id.*

<sup>15</sup> [WIS. STAT. § 11.0104\(1\)\(e\)](#).