



Wisconsin Ethics Commission

Campaign Finance | Lobbying | Ethics
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DATE: For the Commission Meeting on February 25, 2025

TO: Members, Wisconsin Ethics Commission

FROM: David Buerger, Staff Counsel

SUBJECT: Notice of Proposed Revision to Commission Guideline 1235

Purpose

This notice is being posted pursuant to the Wisconsin Ethics Commission's [Guideline Policy](#). Any member of the public is free to comment on this proposed revised guideline by sending an email to ethics@wi.gov. Please label the subject line "Comment – Proposed Revision to Commission Guideline 1235." Any comments received that would change the substance of the guideline will be presented to the Commission for its consideration.

Summary of Changes

- The proposed revised guideline expressly references WIS. STAT. §§ [19.45\(14\)](#) and [19.59\(1b\)](#) as created by [2021 Wisconsin Act 267](#).
- The proposed revised guideline removes the second sentence of the paragraph titled "Reporting receipt of a gift" which previously provided that, unless returned to the donor, an official needed to identify the donor on his or her statement of economic interests, even if the gift was redirected to another person.
- The proposed revised guideline includes language reflecting the legal status of the Commission's guidelines and explaining how to contact the Commission with questions regarding the guideline.

Wisconsin Ethics Commissioners

Debra Kolste | Paul Higginbotham | Gerald Ptacek | Pat Strachota | Maryann Sumi | Andrew Weininger

Administrator

Daniel A. Carlton, Jr.

Wisconsin Ethics Commission

For State And Local Public Officials

Disposition And Reporting Of Gifts

Occasionally, an official receives a gift that the Ethics Code does not permit the official to retain. Appropriate disposition of an item depends on the circumstances.

If a state or local public official receives an item that they are not allowed to keep, Wisconsin law¹ allows the official to:

- Give the item to the official's agency to use or sell, except that the agency may not sell the item to any government employee or official.
- Give the item over to another state agency or to a public institution, such as a local school, library, or museum that can use the item.
- Donate the item to a charitable organization (other than one with which the official or an immediate family member is associated).
- Return the item to the donor.
- If the donor is neither a lobbyist nor an individual or organization that employs a lobbyist, purchase the item (by paying the donor the full retail value), and retain it.

Reporting Receipt of a Gift

An official required to file a Statement of Economic Interests with the Ethics Commission must identify in the Statement each organization or individual (other than certain family members) that gave the official any gift or gifts valued at more than \$50 in the aggregate during the prior year.²

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 ethics@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>.

¹ See [WIS. STAT. § 19.45\(14\)](#) for state public officials. See [WIS. STAT. § 19.59\(1b\)](#) for local public officials.

² [WIS. STAT. § 19.44\(1\)\(g\)](#).

Gift Disposition Resources

Books, Magazines, CDs, DVDs, Videos

Madison area:

- Madison Public Library, 201 W. Mifflin St. (608) 266-6300
- Memorial Library, 728 State St. (608) 262-3193

For locations of other libraries in Wisconsin and throughout the United States, visit www.publiclibraries.com.

Clothing and Merchandise

Madison area:

- American Red Cross, 4860 Sheboygan Avenue (608) 233-9300
- Goodwill Industries of South Central Wisconsin, 2127 E. Springs Dr. (608) 246-3147
- Salvation Army of Dane County, 3030 Darbo Dr. (608) 256-2321
- St. Vincent de Paul, 1309 Williamson St. (608) 257-0673
- YWCA, 101 E. Mifflin St. (608) 257-1436

For other donation information and locations, you may visit the national websites for the above organizations at: www.redcross.org; www.goodwill.org; www.svdpusa.org; www.ywca.org; www.salvationarmyusa.org.

Food/Perishables and Non-perishable Food Items

Madison area:

- Second Harvest Foodbank of Southern Wisconsin, 2802 Dairy Drive (608) 223-9121; www.seconddharvestmadison.org.
- YWCA, 101 E. Mifflin St. (608) 257-1436
- Salvation Army, 630 E. Washington Ave. (608) 256-2321
- St. Vincent de Paul, 1309 Williamson St. (608) 257-0919

You may also contact a local food pantry or other charitable organization of your choosing. It is always a good idea to call ahead and see what is being accepted and/or what is in greatest need prior to your donation.

Flowers/Plants

Madison area:

- Madison Senior Center, 330 W. Mifflin St. (608) 266-6581
- Other suggested donation sites are churches and senior centers in the area of your choosing.

Many of the above items are welcomed by Porchlight, Inc., an organization in Madison that provides emergency shelter and assists with homelessness. 306 N. Brooks St. (608) 257-2534.

For other charitable organizations, you may visit the Partners in Giving website at <https://giving.wi.gov/>.

Please note that the resources listed are simply suggestions for your convenience, and the Wisconsin Ethics Commission does not endorse or recommend any particular charitable organization. If you would like to nominate additional organizations for inclusion on the list, please send an e-mail to Ethics@wi.gov.