

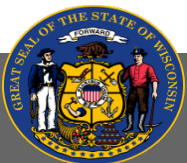
State of Wisconsin
Ethics Commission

WI CAMPAIGN FINANCE: PACs, PARTIES, IECs, AND CONDUITS OVERVIEW

JUNE 2024

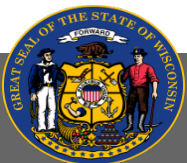
ABOUT THE ETHICS COMMISSION

- 6 members – Partisan Appointments
 - 2 former judges, 4 others
 - 5-year terms
- All actions require four votes
- Commission Administrator supervises all staff
- Assistant Administrator assists with supervision of Ethics Specialists and assists with advice and enforcement
- Other staff: Staff Counsel, Office Manager, Ethics Specialists, IT Contractors
- Confidentiality: Advice & Investigations



ETHICS COMMISSIONERS

Name	Title	Appointed By	Term Expires
Andrew Weininger	Vice-Chair	Senate Majority Leader	5/1/2027
Gerald Ptacek	Commissioner	Governor	5/1/2026
Maryann Sumi	Chair	Assembly Minority Leader	5/1/2026
Carousel Bayrd	Commissioner	Senate Minority Leader	5/1/2027
Pat Strachota	Commissioner	Assembly Speaker	5/1/2026
Paul Higginbotham	Commissioner	Governor	5/1/2027



WE'RE HERE TO HELP!

ETHICS COMMISSION STAFF

Administrator

Daniel Carlton, Jr.

Assistant Administrator

Colette Greve

Staff Counsel

David Buerger

Office Manager

Sathya Sivaji

Program Staff

Richard Bohringer

Cole Maberry

Thomas Jackson

Chloe Ruppel

IT Contractors

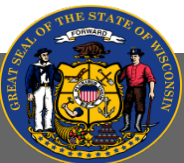
Kavita Dornala

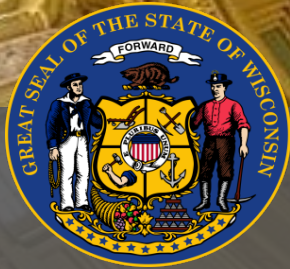
Ethan Fregien



TODAY'S WEBINAR TOPICS

- REGISTRATION
- REPORTING OF PERIODIC CAMPAIGN FINANCE REPORTS
- DUTIES & PROHIBITIONS
- ENFORCEMENT & AUDITING





State of Wisconsin
Ethics Commission

REGISTRATION

- REGISTRATION STATEMENT REQUIREMENTS
- EXEMPT STATUS
- FILING FEE
- IMPORTANT NOTES AND TIPS

REGISTRATION - THRESHOLDS

- New PACs and IECs
 - Must register if exceeding \$2,500 in a calendar year AND
 - The committee's major purpose is express advocacy (including contributions and/or independent expenditures).
 - If more than 50% of the committee's spending is on independent expenditures or contributions, that qualifies as a major purpose.

For PACs: WIS. STATS. §§ [11.0502](#) and [11.0101\(25\)](#).

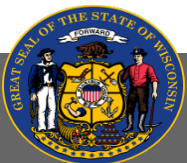
For IECs: WIS. STATS. §§ [11.0602](#) and [11.0101\(17\)](#).

- New Conduits
 - Register "upon its inception and prior to accepting or releasing any... contribution..."

WIS. STAT. § [11.0702](#).

- New Parties and Legislative Campaign Committees must register upon inception.

WIS. STAT. §§ [11.0302](#), [11.0402](#).



EXEMPT STATUS: EXCEEDING \$2,500

- If a committee has \$2,500 or less in total activity in a calendar year, it is eligible for exemption. To claim the exemption, check “Yes” in the Status section of the “Edit Registration Information” page in CFIS.

Status

Are you Exempt from Filing Campaign Finance Reports? Yes No

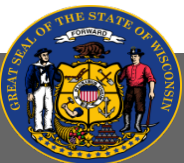
If you do not anticipate receiving or spending more than \$2,000 in a calendar year, you may select “Exempt” status. Exempt committees are not required to file campaign finance reports. If your committee receives or spends more than \$2,000 in a calendar year, it must amend its status to non-exempt, and file campaign finance reports covering the entire calendar year.

Verify that your information is up-to-date and accurate: Last Verified Date : 10/29/2019

SUBMIT

CANCEL

- If a committee on exemption exceeds the threshold, it must amend the registration to select “No.”
- The committee is then required to file subsequent campaign finance reports.
- The \$2,500 threshold is an aggregate of all activity: contributions, disbursements, and obligations combined.
 - If a committee raises \$1,500 and spends \$1,100, the total activity is \$2,600, and the committee would not be eligible for exemption.
- Please note that CFIS still lists the threshold of \$2,000 that was in place until January 2023.



IMPORTANT ITEMS IN REGISTRATION STATEMENT

- Contact Information
 - This is how the Commission will contact you regarding filing deadlines, audits, trainings, and all other Commission communications.
 - Very important to keep this up to date
 - **Registration must be amended within 10 days of any change in information reported previously.** *e.g.,* [WIS. STAT. § 11.0303\(3\)\(a\)](#).
 - We strongly encourage including multiple emails
- Committee's PIN number.
 - This is needed to file and amend your registration and reports

Political Party Committee Information

Committee Name*

Choose a 4-digit PIN. This PIN will be used to electronically sign reports and registration amendments.

Acronym (if any)

Pin*

Email*

Phone* () - -

Phone 2 () - -

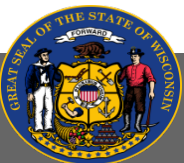
Address Line 1*

Address Line 2

City*

State* Wisconsin

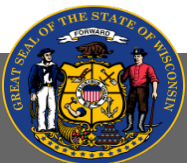
Zip* -



ANNUAL FILING FEE

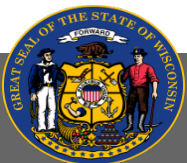
- All non-candidate committees spending more than \$2,500 in a calendar year must pay an annual filing fee of \$100 to the commission.
- The filing fee is due each year on January 15, which is also the filing deadline for the January Continuing. **The filing fee is required if disbursements for the previous calendar year exceed \$2,500.**
- If a committee is terminating, they must pay the filing fee with the filing of their termination report, if they have exceeded \$2,500 of disbursements that year.

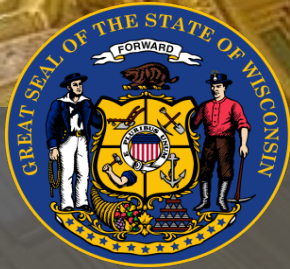
WIS. STATS. § [11.0102\(2\)\(a\)](#)



IMPORTANT REMINDERS ON REGISTRATION

- **It is very important to keep the committee registration updated.** The Commission sends filing deadline reminders and audit notices to the email addresses on the registration statement.
 - Failure to receive notice does not exempt a committee from a reporting requirement. [Wis. STAT. § 11.0103\(1\)\(b\)](#).
- It may be necessary to check on your email's spam filter to make sure communications from the Commission are not being directed into your spam folder.
- Any change of committee information requires an amendment to be filed within ten days of the change.





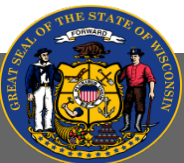
State of Wisconsin
Ethics Commission

REPORTING

- WHO, WHAT, WHEN, AND WHERE
- KEY TERMS & DEFINITIONS FOR REPORTING
- 72 HOUR REPORTS & NO-ACTIVITY REPORTS
- TIPS AND IMPORTANT NOTES

WHO - WHAT

- *Who* must file finance reports?
 - Any committee not claiming [exemption](#).
- *What* do they have to file?
 - Regular committee reports (CF-2), or conduit (CF-10);
 - Reports of independent expenditures (72-hour reports) (CF-7); and
 - No-activity reports (CF-2A), or conduit (CF-10A).

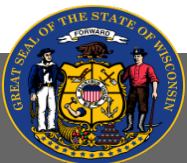


WHEN - WHERE

- *When* do I have to file reports?
 - January & July Continuing Reports
 - Pre-Primary Report
 - September Report
 - Pre-Election Report
 - Due dates depend on the report. Please see the updated [filing calendar](#) for specific due dates.
- *Where* do I file reports?
 - All reports are filed online in CFIS (cfis.wi.gov).

Committees must continue to file reports after the date of the election they participated in. Certain committees may request an exemption from filing reports, or request termination.

WIS. STAT. §§ [11.0102](#), [11.1103](#).

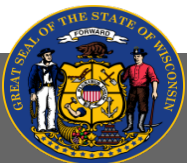




POLLING QUESTION 1

Which of these items are **not** considered contributions?

- a. Check of \$500 from Joe Smith;
- b. The time spent by volunteers that participated in the committee's get out the vote day, knocking on doors and passing out literature;
- c. Food and beverages purchased by the chair and treasurer of the PAC for an event the PAC hosts; or
- d. The pamphlets that a member of the committee, who owns a printing business, printed for your committee free of charge.





POLLING QUESTION 1

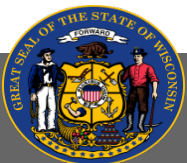
Which of these items are **not** considered contributions?

Answer:

- b. The time spent by volunteers that participated in the committee's get out the vote day, knocking on doors and passing out campaign literature.

If an individual is not specifically compensated for services they provide to a committee, those services are not considered a contribution.

[WIS. STAT. § 11.0101\(8\)\(b\)1.](#)

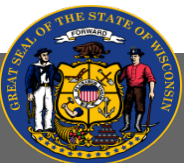


KEY TERMS AND DEFINITIONS: CONTRIBUTION

- What is a contribution?
 - Gifts, loans, or transfers of money to a committee;
 - Example: An individual mails you or your committee a check for \$100.00.
 - Transfer of funds between registered committees;
 - Example: A registered PAC or a candidate committee writes your committee a check for \$500.
 - Tangible personal property or services transferred to the committee; and
 - Example: A member of PAC buys stamps at the post office and gives them to the PAC to use in mailing brochures (tangible personal property), or a member of the PAC who is a professional website developer volunteers to develop a new website free of charge (service).
 - These are in-kind contributions.
 - A ticket purchase for a fundraising event, or a sale of merchandise.
 - Example: When an individual buys tickets for an event held by a committee these are contributions.
 - Example: The committee has T-shirts or bumper stickers made and sells them to individuals. The entire amount of the purchase price counts as a contribution from the individual to the committee.

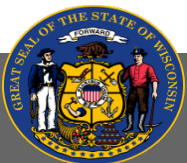
[Wis. STAT. § 11.0101\(8\)\(a\)](#)

Note: CFIS.wi.gov refers to contributions, interest income, other income, and refunds collectively as “receipts.” These all must be reported, even if they are not within the definition of contributions.



KEY TERMS AND DEFINITIONS: NOT A CONTRIBUTION

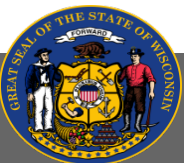
- Examples of things that **are not** considered contributions:
 - Volunteer services;
 - Any unreimbursed travel expenses that an individual incurs to volunteer his or her personal services to a committee;
 - Communication made exclusively between an organization and its members.
 - Interest earned on an interest-bearing account, and rebates or awards earned in connection with a debit or credit card;
 - A loan from a commercial lending institution made in the regular course of business;
 - News stories, commentaries, editorials, etc.;
 - Any communication that does not expressly advocate for the election or defeat of a clearly identified candidate; or
 - Reuse of surplus materials from a previous campaign, if materials previously reported as a contribution.
- » Note: For a complete list of things that are not considered contributions, please see the list provided in [WIS. STAT. § 11.0101\(8\)\(b\)](#).



IN-KIND CONTRIBUTIONS

- In-kind contributions are goods, services, or property offered to a committee free of charge or at less than usual cost, or payment to a third party to purchase goods, services, or property on behalf of the candidate.
- When reporting in-kind contributions, use the fair market value of the good, service, or property.
- In-kind contributions contribution count towards contribution limits.
 - Example: Jane Smith provides your committee with \$50 in donated goods and a check for \$200, her total contribution for the purpose of determining compliance with contribution limits is \$250.

WIS. STAT. § [11.0101\(8\)\(a\)2](#), [11.1109](#)

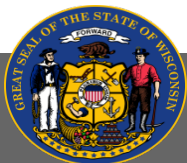


KEY TERMS AND DEFINITIONS: DISBURSEMENT

- What is a disbursement?
 - An expenditure by the committee from the committee’s depository account;
 - A transfer of tangible personal property or services by the committee;
 - Example: The committee donates office supplies to another committee.
 - Transfer of funds to another committee; and
 - Example: Your committee writes a check for \$100 to a candidate committee or a PAC.
 - Purchasing a ticket for an event for another committee, regardless of whether the ticket is used to attend the event.
 - Example: The committee purchases tickets to a dinner hosted by a party committee for the chair and treasurer to attend.

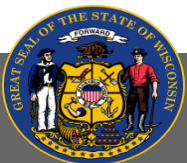
[WIS. STAT. § 11.0101\(10\)\(a\)](#)

Note: CFIS.wi.gov refers to disbursements as “expenses”



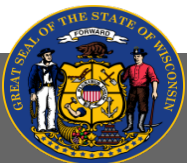
KEY TERMS AND DEFINITIONS: NOT A DISBURSEMENT

- Disbursements do not include any of the following:
 - A nominal fee paid for a communication to the general public;
 - News stories, commentary, or editorials;
 - A communication or Internet activity by an individual acting in his or her own behalf, or acting on behalf of another person if the individual is not compensated specifically for those services;
 - An expenditure of funds by a sponsoring organization for a political action committee's administrative or solicitation expenses; or
 - An expenditure of funds for a political action committee's fundraising and administrative expenses.
 - » Note: For a complete list of things are not considered disbursements, please see the list provided in [WIS. STAT. § 11.0101\(10\)\(b\)](#).



JOINT ADVERTISEMENTS

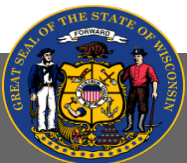
- Example: Adam and Brian are running for County Board and want to print a joint ad in the newspaper costing \$500 equally supporting both candidates.
- Each pays \$250 to the newspaper.
- Results in three transactions for each candidate.
- In our example, Adam would report:
 - \$250 In-Kind Contribution (1-B) from Brian.
 - \$250 Disbursement (2-A) to the newspaper.
 - \$250 In-Kind Disbursement (2-B) to Brian.
 - This offsets the in-kind contribution to avoid throwing off the committee's cash balance.
 - See Joint Ads opinion. [2022-ETH-01](#).



KEY TERMS AND DEFINITIONS: OBLIGATIONS AND LOANS

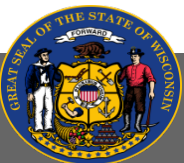
- An obligation is an express agreement by the committee to make a disbursement. This includes the following:
 - A loan or loan guarantee;
 - A promise to purchase, rent, or lease tangible personal property; or
 - A promise to pay for a service that has been or will be performed.
- Example of an obligation:
 - Your PAC needs pamphlets printed for canvassing. You go to your local printer and provide them with the template to be printed and are expected to pay when you pick up your printed pamphlets. This is an obligation that you have incurred.

[WIS. STAT. § 11.0101\(23\)](#)



72-HOUR REPORTING

- 72-Hour Reports
 - Any independent expenditures made within 60 days of a primary or an election must be reported within 72-hours.
- 72-Hour reports must be filed if:
 - Spending \$2,500 or more in aggregate on non-coordinated express advocacy within 60 days of a primary or an election where the candidate identified in the advocacy is participating. This applies to political action committees, independent expenditure committees, and any other person other than a committee



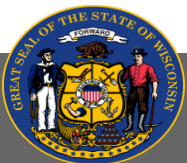
72-HOUR REPORTING

LEGISLATIVE UPDATE – 2023 WISCONSIN ACT 120

- ****NEW****

72-Hour Reports must be filed no later than 72 hours after the earliest of the following:

- The date the obligation for express advocacy is incurred, if you have all information required to be reported;
 - The date the express advocacy is aired, broadcast, printed, or otherwise disseminated; or
 - The date of the disbursement.
- It is important to note that, under the Act, express advocacy is not considered aired, broadcast, printed, or otherwise disseminated if it is only shared with:
 - The PAC, IEC, or Other Person’s administrator, treasurer, volunteer, producer, consultant, media production partner, or focus group; or
 - An officer or employee of the political action committee’s sponsoring organization.



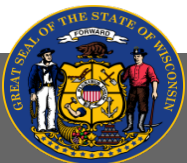


POLLING QUESTION 2

The PAC is given a \$100 contribution on June 18. The check is dated June 17. You deposit the check into the committee's bank account on June 21, and it clears the bank on June 22. What date should be used when reporting contributions?

- a. The date the contribution was deposited in the bank account, June 21st;
- b. The date the contribution was received, June 18th;
- c. The date on the check, June 17th; or
- d. The date the check cleared the bank, June 22nd.

[Wis. STAT. § 11.0103\(2\)\(a\)1.](#)



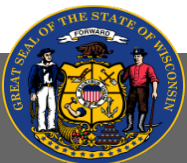


POLLING QUESTION 2

Answer: b. The date the contribution was received.

The date of a contribution is the day the check was received and is under control of the committee, unless it was returned or donated with 15 days of receipt.

[Wis. STAT. § 11.0103\(2\)\(a\)1.](#)



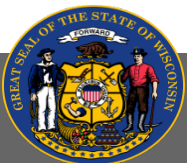


POLLING QUESTION 3

On July 1st, a committee signs a contract for an express advocacy ad spot on a television. The ad will begin airing on September 2nd. Payment is not due until the ad begins airing. The committee pays \$3,000 for the ad spot by check on September 2nd. The \$3,000 comes out of the committee's bank account on September 6th.

What date(s) should be used when reporting disbursements?

- a. July 1st, the date the committee signed the contract and incurred an obligation to pay;
- b. September 6th, the date the disbursement comes out of the bank account; or
- c. September 2nd, the date the disbursement is made.

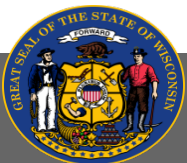




POLLING QUESTION 3

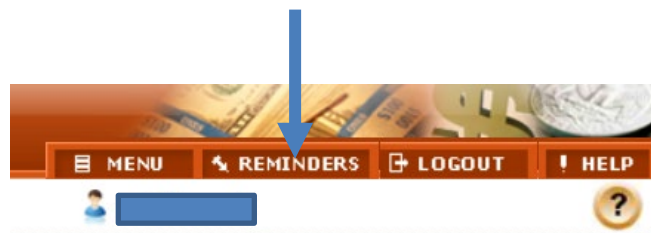
Answer: a. and c. July 1st, when the committee incurred the obligation, September 2nd, the date the disbursement to pay the obligation was made.

Additionally, the committee would be required to file a 72-hour report for the ad no later than July 4th, 72 hours after the date the obligation for express advocacy is incurred.



TIPS FOR COMPLETING ACCURATE REPORTS

- Set your default filing period to avoid entering transactions into the wrong period.
- This is in the reminders section (top right corner of home screen).



Reminders

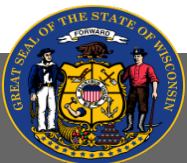
::Message from Wisconsin Ethics Commission::

- [Campaign Finance Training - Madison & Eau Claire](#)
- [JULY FINANCE REPORTS - Due 7/16/2018](#)
- [Settlement Offer Schedule for Campaign Finance Vio](#)

Upcoming Filing Period	Due Dates
Fall Pre-Primary 2018	
September Report 2018	
Fall Pre-Election 2018	
January Continuing 2019	

Default Filing Period

Fall Pre-Primary 2018



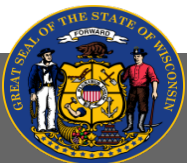
TIPS FOR COMPLETING AN ACCURATE REPORT

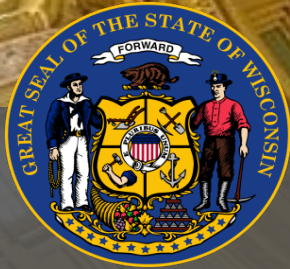
- All in-kind contributions received require an in-kind expense for the same amount.
- Beginning cash should always be the same as the ending cash of the previous report (\$0 for first report filed).
- Ending cash should agree with the reconciled bank balance as of the closing date of the report.
- There should be no gaps between reports and no overlap – contributions and expenses are only reported on one report (72-hour reports of independent expenditures are an exception).
- Check for duplicate transactions before filing the report.



TIPS FOR ACCURATE RECORDS

- Scan or photocopy all checks received.
- At events such as fundraisers or fair booths, have a reliable individual assigned to recording each contributor's full name, address, and occupation when year to date contributions are \$200 or more.
- Create a system to track contribution amounts for each contributor to avoid accepting or making contributions in excess of the limits.





State of Wisconsin
Ethics Commission

DUTIES & PROHIBITIONS

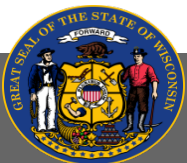
- RECORDS RETENTION
- CONTRIBUTION LIMITS
- PROHIBITED CONTRIBUTIONS
- ATTRIBUTION STATEMENTS/DISCLAIMERS
- 50 PIECE RULE (CURRENT OFFICE HOLDERS)
- POST-ELECTION



POLLING QUESTION 4

How long does a committee need to keep its financial records?

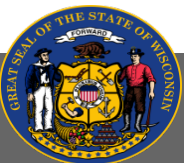
- a. For one year after last contribution was received/disbursement was made;
- b. For three years after the date of the election the committee participated in; or
- c. For three years after the last contribution was received/disbursement was made.





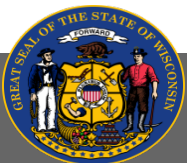
POLLING QUESTION 4

Answer: b. For three years after the date of the election the committee participated in.



RECORDS RETENTION

- Committees need to maintain all campaign finance records for **at least three years** after the date of the election that the committee participated in.
e.g., [WIS. STAT. § 11.0501\(4\)](#).
- Committees that are exempt from filing campaign finance reports are still required to maintain all financial records even though they are not required to file regular reports.

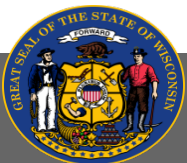




POLLING QUESTION 5

On July 15, Jane Smith sends your committee a contribution of \$100. On July 20, she volunteers helps your committee put together mailings and buys \$150 worth of stamps for your committee to use and does not wish to be reimbursed. Additionally, at an event on July 25, your committee sells \$500 worth of tickets, \$50 per ticket, for a future event. What is the total amount of contributions to your committee?

- a. \$600;
- b. \$100; or
- c. \$750.





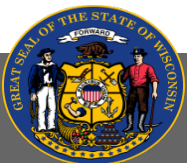
POLLING QUESTION 5: ANSWER

The answer is:

c. \$750.

Everything described in question 5 is a contribution. Jane Smith contributed a total of \$250. She made a monetary contribution of \$100 and an in-kind contribution of \$150 worth of stamps.

The committee accepted \$500 dollars worth of contributions in ticket sales. Each ticket was \$50, so the committee will need to report 10 individual contributions of \$50 each.



CONTRIBUTION LIMITS

- All contribution types are subject to contribution limits, including loans and in-kind contributions for things such as services and tangible items.
- PACs are subject to the contribution limits when contributing to candidate committees.
- IECs may *not* contribute to candidate committees. [WIS. STAT. § 11.0601\(3\)\(b\)](#).
- When conduits release contributions to candidate committees, the contribution limit applies for each individual contributor.
- All candidate committees must abide by the contribution limits set for the office they are seeking and the population of the district in which they are seeking office. [WIS. STAT. § 11.1101](#).
- Joint ads are considered in-kind contributions and count towards the contribution limits. The contribution amounts cannot be prorated.



CONTRIBUTION LIMITS

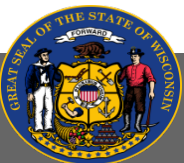
OFFICE	INDIVIDUAL CONTRIBUTORS Wis. Stat. § 11.1101(1)	CANDIDATE COMMITTEE CONTRIBUTORS Wis. Stat. § 11.1101(2)	POLITICAL ACTION COMMITTEE CONTRIBUTORS Wis. Stat. § 11.1101(3)	OTHER PERSONS (UNREGISTERED) Wis. STAT. § 11.1101(4)
GOVERNOR	\$20,000	\$20,000	\$86,000	\$86,000
LIEUTENANT GOVERNOR	\$20,000	\$20,000	\$26,000	\$26,000
SECRETARY OF STATE	\$20,000	\$20,000	\$18,000	\$18,000
STATE TREASURER	\$20,000	\$20,000	\$18,000	\$18,000
ATTORNEY GENERAL	\$20,000	\$20,000	\$44,000	\$44,000
SUPERINTENDENT OF PUBLIC INSTRUCTION	\$20,000	\$20,000	\$18,000	\$18,000
SUPREME COURT	\$20,000	\$20,000	\$18,000	\$18,000
STATE SENATOR	\$2,000	\$2,000	\$2,000	\$2,000
ASSEMBLY REPRESENTATIVE	\$1,000	\$1,000	\$1,000	\$1,000
APPEALS JUDGE – POPULOUS DISTRICTS	\$6,000	\$6,000	\$6,000	\$6,000
APPEAL JUDGE – OTHER DISTRICTS	\$5,000	\$5,000	\$5,000	\$5,000
CIRCUIT JUDGE – POPULOUS AREA	\$6,000	\$6,000	\$6,000	\$6,000
DISTRICT ATTORNEY – POPULOUS AREA	\$6,000	\$6,000	\$6,000	\$6,000
CIRCUIT JUDGE – OTHER AREA	\$2,000	\$2,000	\$2,000	\$2,000
DISTRICT ATTORNEY – OTHER AREA	\$2,000	\$2,000	\$2,000	\$2,000



CONTRIBUTION LIMIT EXCEPTIONS

- PACs and legislative campaign committees may make contributions to candidate committees, political action committees, other political party committees, and legislative campaign committees in unlimited amounts. WIS. STAT. § [11.1104\(1\)-\(5\)](#)
- PACs may make unlimited contributions to other political action committees.
- Individuals may make unlimited contributions to PACs, political party committees, legislative campaign committees, and independent expenditure committees.
 - » Note: Contributions given through a conduit are individual contributions, subject to applicable limits.

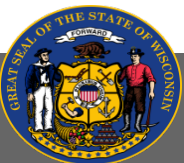
WIS. STAT. § [11.1104\(2\)](#), WIS. STAT. § [11.1104\(1\)](#).



PERIOD FOR CONTRIBUTION LIMITS

- When calculating whether contributions have exceeded the contribution limits, committees need to be aware of the following applicable periods for candidates:
 - For new candidates or current office holders seeking election to a different office, the date on which the individual becomes a candidate to the December 31 immediately after the election.
 - If the candidate is an incumbent, the period is from the January 1 immediately after the candidate is elected to his or her current term to the December 31 immediately after a successor is elected or the incumbent is reelected.
 - » Note: There are not separate periods for the primary and general election. These periods run through both the primary and the general election.
 - » Conduits: The contributions that you transfer to candidate committees are individual contributions, subject to these contribution periods.
- For contributions between PACs, party committees, legislative campaign committees, and IECs, the period is a calendar year.

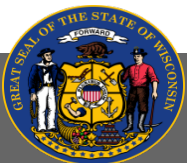
[Wis. Stat. § 11.1103](#)



CONTRIBUTIONS TO SEGREGATED FUNDS

- A PAC or other person is limited to no more than \$12,000 in contributions per calendar year to the general fund of a political party or legislative campaign committee.
- A PAC or other person is also limited to a contribution of no more than \$12,000 per calendar year to the segregated fund of a political party or legislative campaign committee.
- These contributions are treated separately.
 - » For more information on contributions to segregated fund please see [2017 ETH 03](#).
- Individuals may give in unlimited amounts to segregated funds.

WIS. STAT. §§ [11.1104](#), [11.1112](#).



PACs AND COORDINATED CONTRIBUTIONS

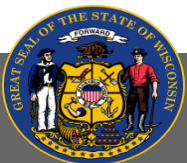
- PACs and IECs may make independent expenditures urging people to vote for or against certain candidates. These communications may not be coordinated. Independent expenditures are not considered contributions.
- IECs **may not** coordinate with candidates about their expenditures.
- PACs that coordinate with candidates about their expenditures are making in-kind contributions to that candidate, so they must be reported as contributions and count towards contribution limits.
- Coordination can include communicating about form, content, timing, or audience of a communication.

[WIS. STAT. § 11.1203](#)



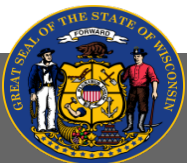
PROHIBITED CONTRIBUTIONS

- Committees *shall not* accept:
 - Anonymous contributions of more than \$10 ([WIS. STAT. § 11.1108](#));
 - Contributions in cash of more than \$100 ([WIS. STAT. § 11.1107](#));
 - Contributions given in the name of someone other than the contributor ([WIS. STAT. § 11.1204\(1\)](#));
 - Contributions from corporations, associations organized under ch. 185 or 193, labor organizations, or federally recognized American Indian Tribes ([WIS. STAT. § 11.1112](#));
 - Contributions in excess of the limits (WIS. STAT. §§ [11.1101](#), [11.1204\(3\)](#)); and
 - Contributions from foreign nationals. [WIS. STAT. § 11.1208\(4\)](#).



ANONYMOUS CONTRIBUTIONS

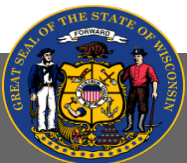
- Committees should not accept anonymous contributions in excess of \$10.
- If you receive an anonymous contribution of more than \$10, you must donate the *entire* amount to a charitable organization or the Common School Fund.
- Committees are required to make a good faith effort to obtain the required information for all transactions.
 - Contributions of \$10 or less are not automatically anonymous
- **All anonymous contributions must be itemized.**
 - You cannot report anonymous contributions as a lump sum.
 - For this reason, we discourage practices like unmonitored boxes or collection bins.
- Please see the new guideline [ETH-1304](#) for more information.



CONTRIBUTIONS FROM LICENSED LOBBYISTS

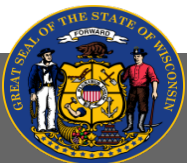
- Lobbyists may make a *personal* contribution to a partisan elective state official or a candidate for partisan elective state office during the following time period (“contribution window”):
 - From the first day authorized by law for the circulation of nomination papers, until the general or special election.
 - If the candidate or partisan elective state official is a candidate for legislative office, contributions may not be made unless the legislature has concluded its final floor period, and is not in special or extraordinary session.
- Lobbyists may *deliver* contributions from PACs or conduits they work with at any time.
- Lobbyists may make contributions to non-candidate committees at any time.

[Wis. Stat. § 13.625\(1m\).](#)



CONTRIBUTIONS FROM LICENSED LOBBYISTS

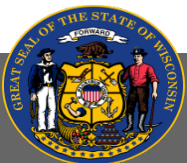
- Contributions made by a lobbyist through a conduit are *personal* contributions from that lobbyist and are subject to the lobbyist contribution window.
- Conduits should be cautious when authorizing contributions right before an election. Take steps to ensure that the contribution will be received by the candidate committee by the election so the contribution does not fall outside of the allowable window.
- It may be useful to provide the conduit administrator with a list of lobbyists and time frame in which their contributions are allowed.



RETURNING PROHIBITED CONTRIBUTIONS

- If the committee believes that a contribution may have been received from a potentially prohibited source, the committee should make a good faith effort ensure that the contribution is lawful. [WIS. STAT. § 11.1204\(3\)](#).
- If a committee accepts a prohibited contribution and includes it in the report for that reporting period, the statutes provide that if the contribution is then returned within 15 days after the filing deadline for the reporting period in which the contribution was received, there is no violation of contribution limits or sources. [WIS. STAT. § 11.1110\(2\)\(b\)](#).

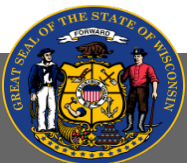
Best practice – Do not accept any contributions if you cannot determine whether the contribution is lawful.



ATTRIBUTION STATEMENTS (DISCLAIMERS)

- An attribution statement is required to be placed on all communications containing express advocacy or supporting or opposing a referendum to identify the person(s) who paid for and/or authorized the communication. [WIS. STAT. § 11.1303\(2\)](#).
 - Express advocacy refers to communications that clearly identify a candidate and relates to their election or defeat. [WIS. STAT. § 11.0101\(11\)](#).
 - Some examples are:
 - Vote for, elect, support, Smith for ____ (elective office), vote against, defeat, reject.
 - Some common communications that require attribution statements: Yard signs, pamphlets about a candidate, television or radio advertisements, banners, email communications, and candidate websites.
- Attribution statements do not apply to communications containing express advocacy printed on small items, which would normally require a disclaimer, but cannot be conveniently printed, including text messages, social media communications, and certain small advertisements on mobile phones. [WIS. STAT. § 11.1303\(2\)\(f\)](#).

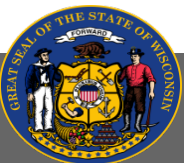
➤ For more information on attribution statements please see [Guideline ETH 1301](#)



ATTRIBUTION STATEMENTS (DISCLAIMERS)

- When a communication is paid for by a committee, the disclaimer must include the words “**Paid for by,**” followed by the committee’s name.
 - » “Paid for by Citizens for Wisconsin PAC.”
- Committees may choose to include the name of the treasurer, but this is *not* required.
 - » “Paid for by Citizens for Wisconsin PAC, John Doe, Treasurer.”
- If a communication is paid for by another in coordination with the candidate committee, the attribution should include the name of the person making the payment and may include the committee accepting the in-kind contribution.
 - » “Paid for by Citizens for Wisconsin PAC, Authorized by Friends of Mary Smith.”
- Communications that are not coordinated (independent expenditures) must also include “Not authorized by any candidate or candidate’s agent or committee.”
 - “Paid for by Citizens for Freedom Committee. Not authorized by any candidate or candidate's agent or committee.”

[11.1303\(2\)\(d\)](#)



ATTRIBUTION STATEMENTS (DISCLAIMERS)

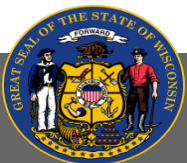
- Attribution statements must be:
 - Legible: each individual character is clearly printed so it can be easily understood
 - Readable: able to be read easily
 - Readily accessible: able to be seen without much difficulty
- Safe harbor guidelines for attribution statements:
 - Sans-serif font
 - Sufficient minimum font size:
 - At least 10-point font, for communications up to 8.5" by 11"
 - At least 12-point font, for communications from 8.5" by 11" to 24" by 36"
 - At least 4% of the vertical height, for larger communications
 - Black text on white background, or at least as much contrast as the largest text
 - For video content, visible for at 4 seconds

[WIS. ADMIN. CODE ETH § 1.96](#)



LEGISLATIVE UPDATE – 2023 ACT 123

- Effective March 23, 2024.
- Requires additional language if the communication is substantially produced in whole or in part by means of generative AI.
- Audio communications must include the words “Contains content generated by AI.” both at the beginning and the end of the communication.
- Video communications must include in writing for the duration of the portion of the communication that contains the content produced with AI:
 - “This video content generated by AI.” – if only video was produced by AI.
 - “This audio content generated by AI.” – if only audio was produced by AI.
 - “This content generated by AI.” – if both video and audio was produced by AI.
- Applies to communications containing express advocacy, issue advocacy, or supporting/opposing a referendum.



TERMINATION OF A COMMITTEE

File Report/Edit Pending Transactions Test Candidate Committee - Daffy Duck for Wisconsin (0105410) ?

Filing Period Name: Filing Year:

Transaction Type: Transaction Category: Contributor/Payee Name:

Transaction Date Range: To:

Amount Range: Non-Compliant Not Yet Filed 72 Hr. Report

To group by column, drag and drop column here

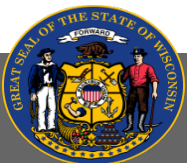
Transaction Date	Contributor/Payee Name	Transaction Type	Transaction Category	Amount	Address Line1	Address Line2	City	State	Zip	Compliance	<input type="checkbox"/> 72 Hr. Reports	Edit	<input type="checkbox"/>
No records to display.													

A committee can terminate its registration if it:

- Will no longer engage in financial activity;
- Has no outstanding loans or obligations
- Files a final report showing that the cash balance of the committee is zero; and
- Completes a termination request in CFIS.

To file a termination request:

1. Go to "File Report/Edit Pending Transactions" in the CFIS menu, Choose the current filing period name from the drop down and click "Search."
2. Click "Request for Termination" and complete the process.
3. File the final report.



TERMINATION OF A COMMITTEE

Reason Code

Code*

SUB

- reg. prior to 1/1/16 - under \$2,500/major purpose
- Bank Account Closed
- Committee Terminated
- Candidate Deceased
- Duplicate Committee
- Not Running for Office
- Non-Resident - No WI Activity
- Running for Local Office
- Non-Resident-WI not Major Purpose

- After your termination request is filed staff will conduct a termination audit and contact you if your committee cannot be terminated for any reason.
- Once your termination request is approved, you will receive one final email to your committee stating that your registration status has been changed.

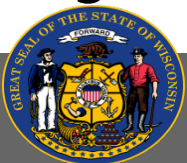
To complete the termination request, choose a termination reason code and click "submit."

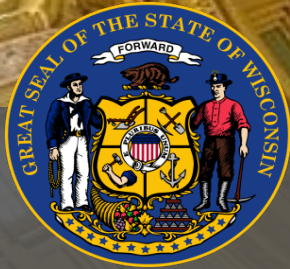
[Wis. STAT. § 11.0105](#)



TERMINATION: DISPOSAL OF RESIDUAL FUNDS

- A committee that wishes to terminate can dispose of its residual funds by:
 - Repaying outstanding loans and obligations, or receiving forgiveness for them;
 - Returning contributions in an amount not more than the original (does not have to be prorated);
 - Donating to any tax-exempt charitable organization or the Common School Fund;
 - Transferring money to another committee within contribution limits;
 - Any other method not prohibited by law; or
 - Using any combination of the above.
- Conduits may only dispose of residual funds through regular release of contributions, redirections under [WIS. STAT. § 11.0705](#), or returning funds to the original contributors.





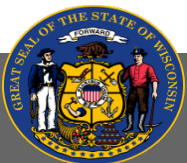
State of Wisconsin
Ethics Commission

ENFORCEMENT & AUDITING

- AUDITING PROCEDURES & SETTLEMENT SCHEDULES
- TYPES OF AUDITS
- COMPLAINTS & INVESTIGATIONS

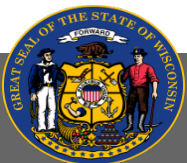
ENFORCEMENT AND AUDITING

- Under Chapter 19 of the Wisconsin Statutes, the Commission is given the authority to enforce campaign finance statutes.
- One way that the Commission does this is through regular auditing.
- The auditing process is confidential. Information identifying a committee, individual, violation, or settlement amount is released only if contained within a signed settlement agreement.



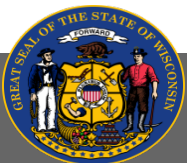
AUDITING

- How does the Commission conduct audits?
 - Audits are conducted by performing a global analysis of all committees or individuals subject to a particular law.
 - Data is taken mainly from CFIS. Some data is also pulled in from the Commission's lobbying filing system, Eye on Lobbying, and the Elections Commission's website, WisVote.
 - The Commission's auditing schedule can be found here:
<https://ethics.wi.gov/Pages/Enforcement/Audits.aspx>



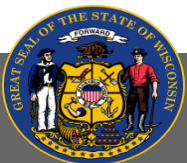
AUDITING

- How will your committee know if it was identified in an audit?
 - If potential violations are identified, Commission staff will contact each committee, via email using the contacts listed in your registration.
 - This initial communication will identify the issues and provide the committee with 30 days to respond and/or resolve the issues identified.
 - After the 30 days, if the issues are not resolved, the matters will be referred to the Commission at the next regularly scheduled meeting.
- The Commission may then direct staff to issue a settlement agreement or close the audit matter when appropriate.



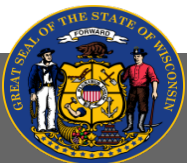
SETTLEMENT SCHEDULE

- When enforcing violations identified in audits, the Commission may choose to offer settlement agreements rather than seek a forfeiture for minor violations, violations caused by excusable neglect, or for violations which for other good cause should not be prosecuted. [WIS. STAT. § 19.49\(1\)\(b\)](#).
- Standard schedules were developed for each audit. These schedules can be found in [WIS. ADMIN. CODE ETH § 26.02](#) and on the Commission's website: <https://ethics.wi.gov/Pages/Enforcement/SettlementSchedules.aspx>.



TYPES OF AUDITS

- Late Filing of Campaign Finance Report
 - These audits are conducted after each report deadline.
 - Committees identified in this audit may be offered a settlement consistent with Wis. ADMIN. CODE ETH § [26.02\(1\)](#) or [\(2\)](#).
 - Late reporting for continuing reports and late reporting for election-related reports have different schedules; the schedule for late election-related reports begins monetary settlements on the day after the deadline.



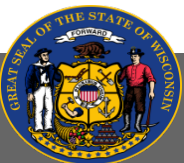
TYPES OF AUDITS

- Late Payment of Annual Filing Fee
 - This audit is conducted annually in January, after the deadline for filing fees, January 15.
 - Committees that have not paid the required filing fee may be offered a standard settlement consistent with WIS. STAT. § [11.1400\(4\)](#) and WIS. ADMIN. CODE ETH § [26.02\(3\)](#).
- Contribution Limits
 - Committees identified through this audit could be offered a settlement consistent with [WIS. ADMIN. CODE ETH § 26.02\(9\)](#), which provides for a standard settlement in the amount of the excess contribution.



TYPES OF AUDITS

- Anonymous Contributions Audit
 - Committees identified in this audit may be offered a settlement consistent with [Wis. ADMIN. CODE ETH § 26.02\(6\)](#), which provides for a standard settlement of \$100 plus 10% of all contributions not in compliance.
- Corporate Contributions Audit
 - Identifies contributions received from corporations, unions, associations, or federally recognized American Indian Tribes.
 - Committees identified in this audit may be offered a settlement consistent with [Wis. ADMIN. CODE ETH § 26.02\(10\)](#), which provides for a standard settlement of 1.5 times the amount of the prohibited contribution.

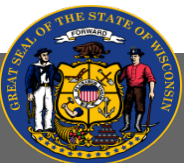


TYPES OF AUDITS

- Cash Balance Discrepancy Audit

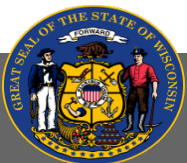
- Committees identified as having one or more cash balance discrepancies of \$100 or more may be offered a settlement consistent with the standard settlement schedule in [Wis. ADMIN. CODE ETH § 26.02\(8\)](#), which provides for a standard settlement of \$100 plus 10% of the total discrepancies in the report.

» Note - Prior to this audit, Commission staff conduct a query for pending transactions in CFIS. This is not an enforcement inquiry, but rather helps committees clean up what has been reported in CFIS and can help committees identify and resolve cash balance discrepancies prior to that audit.



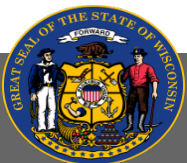
TYPES OF AUDITS

- Lobbyist Contribution Audit
 - Pursuant to [WIS. ADMIN. CODE ETH § 26.02\(11\)](#), candidate committees may be issued a settlement requiring that the committee return the contribution. At this time, the Commission has not enforced this against campaign committees or issued campaign committees settlements.
 - However, the Commission does enforce this for lobbyists. Lobbyists who give prohibited contributions may be offered a settlement consistent with [WIS. ADMIN. CODE ETH § 26.02\(11\)](#), and the terms of the settlement will include that the contribution be returned. If a committee does not return the contribution at the lobbyist's request, the Commission could issue a settlement to the candidate committee.



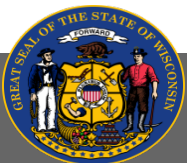
TYPES OF AUDITS

- Name and Address Information
 - Contributions and Expenses that do not include name, address, or proper itemization when required may be identified in this annual audits.
 - Committees identified in this audit may be offered a settlement consistent with [Wis. ADMIN. CODE ETH § 26.02\(6\)](#) or [\(7\)](#), which provides for a standard settlement of \$100 plus 10% of all contributions not in compliance.
- Occupation Information
 - Contributions over \$200 that do not include an occupation for the contributor may be identified in this annual audit.
 - Committees identified in this audit may be offered a settlement consistent with [Wis. ADMIN. CODE ETH § 26.02\(6\)](#), which provides for a standard settlement of \$100 plus 10% of all contributions not in compliance.



COMPLAINTS AND INVESTIGATIONS

- One other means of enforcement that the Commission has is through complaints and investigations.
- Complaint process is begun by the filing of a sworn complaint.
- The complaint and investigation process is confidential.
- For more information on complaints and investigations, please visit: <https://ethics.wi.gov/Pages/Enforcement/Complaints.aspx>. This page provides further information on statutory authority, confidentiality, the complaint process, and the complaint form.



WHERE TO GET MORE INFORMATION

- Committee Manuals
 - [Party and Leg Campaign Committee Manual](#)
 - [PAC Manual](#)
 - [Independent Expenditure Committee Manual](#)
 - [Conduit Manual](#)
- Committee Overview Pages
 - [Party and Leg Campaign Committee](#)
 - [PAC Overview](#)
 - [Independent Expenditure Committee Overview](#)
 - [Conduit Overview](#)
- Wisconsin Ethics Commission website (<https://ethics.wi.gov>)
- Wisconsin Ethics Commission staff:
campaignfinance@wi.gov or (608) 266-8123

101 East Wilson Street, Suite 127
P.O. Box 7125
Madison, WI 53707-7125

