

receipts of \$1,000 or less in a calendar year. The \$100 limit on contributions from a single source does not apply to contributions from a candidate's personal funds for his or her own campaign.

Financial Records During Exemption

When a committee is exempt, it is not required to file any campaign finance reports (GAB-2L). However, the candidate or treasurer is required to keep financial records adequate to meet the requirements of campaign finance law. Records must be kept of all contributions to the committee and of all expenditures.

A candidate who is exempt from filing campaign finance reports may use a personal account as the campaign depository. Account information must be provided on the GAB-1. A separate campaign depository account is not required for candidates claiming exemption.

Revoking Exemption

If a decision is made at a later date to exceed the \$1,000 limit on contributions or disbursements, or to raise more than \$100 from a single source during a calendar year, the committee must amend its campaign registration statement immediately, by checking the box: "*This registrant is no longer eligible to claim exemption.*"

The committee is then required to file campaign finance reports beginning with the next regular report. The first report must cover all financial activity from January 1 of the current year, through the cutoff date of the required report. The committee may also need to list all committee contributions received in the current campaign period to monitor aggregate committee limits.

III. MAJOR PROVISIONS OF CAMPAIGN FINANCE LAW

Contribution Limits

All candidates running for elected office must abide by contribution limits that vary depending on the office sought and the population of the district. The only contributor not subject to limits is the candidate contributing to his or her own election. To determine the limits for a candidate for local office, see the guidelines below and ***check with the local clerk to get the current and exact amounts.***

Contribution limitations apply cumulatively to the entire primary and election campaign in which the candidate participates, whether or not there is a contested primary election.

Limit on Contributions from an Individual - 11.26(1)(d), Stats.

The greater of \$250 or \$.01 times the number of inhabitants of the county, town, city, village or district according to the latest federal census, but not more than \$3,000. (Check with the filing officer.)

Population in District

Maximum Contribution

- Equal to or greater than 300,000 \$3,000
- Greater than 25,000 and less than 300,000 \$.01 times population
- Equal to or less than 25,000 \$ 250

Note - Candidates on Exemption:

If the candidate has claimed an exemption from filing campaign finance reports, the maximum contribution they can accept from a single contributor in a calendar year is \$100, regardless of population. *The candidate's contributions to their own campaign do count toward the total receipts of \$1,000 or less in a calendar year. The \$100 limit on contributions from a single source does not apply to contributions from a candidate's personal funds for his or her own campaign.*

Limit on Contributions from a PAC or Other Candidate Committee - 11.26(2)(e), Stats.

The greater of \$200 or \$.0075 times the number of inhabitants of the county, town, city, village or district according to the latest federal census, but not more than \$2,500. (Check with the filing officer.)

Population in District

Maximum Contribution

- Equal to or greater than 333,334 \$2,500
- Greater than 26,667 and less than 333,334 \$.0075 times population
- Equal to or less than 26,667 \$ 200

If the candidate has claimed an exemption from filing campaign finance reports, the maximum contribution they can accept from a single contributor in a calendar year is \$100, regardless of population.

45% LIMIT - Total Contributions a Candidate May Receive from All Committees Excluding Political Party Committees - 11.26(9)(b), Stats.

This is the maximum amount of contributions a candidate may receive from all PAC s and candidate personal campaign committees per campaign period. (Check with filing officer.)

Candidates in Milwaukee County:

- County Executive \$121,275
- Other Countywide Offices 48,521
- County Supervisor 7,763

Candidates in Milwaukee City:

- Mayor \$121,298
- City Attorney 72,776
- Other Citywide Offices 48,521
- Alderperson 7,763

Candidates in Other Counties:

- 45% of the greater of:
- a. \$1,075; or
 - b. 53.91% of annual salary for the office sought, rounded to nearest \$25; or
 - c. 32.35 cents per inhabitant of the jurisdiction or district.
 - d. The amount of a, b or c may not exceed \$43,125.

After calculation, the contribution limit is no less than \$483.75 and no more than \$19,406.

65% LIMIT - Total Contributions a Candidate May Receive From All Committees Including Political Party Committees - 11.26(9)(b), Stats.

This is the maximum amount of contributions a candidate may receive from all political committees including political party and legislative campaign committees per campaign period. (Check with filing officer.)

Candidates in Milwaukee County:

- County Executive \$175,175
- Other Countywide Offices \$70,086
- County Supervisor \$11,213

Candidates in Milwaukee City:

- Mayor \$175,208
- City Attorney \$105,121
- Other Citywide Offices \$70,086
- Alderperson \$11,213

Candidates in Other Counties:

- 65% of the greater of:
- a. \$1,075; or
 - b. 53.91% of annual salary for the office sought, rounded to nearest \$25;
or
 - c. 32.35 cents per inhabitant of the jurisdiction or district.
 - d. The amount of a, b or c may not exceed \$43,125.

After calculation, the contribution limit is no less than \$698.75 and no more than \$28,031.

Remember – always check with the local clerk to get the current and exact amounts.

In-Kind Contributions

An in-kind contribution is any good, service or property offered to the candidate's campaign free of charge or at less than the usual cost, or payment of a registrant's obligations for such goods, services or property. For example, if a campaign worker purchases stamps that are used for a mailing and is not reimbursed for the cost of the stamps, the value of the stamps is an in-kind contribution to the candidate's campaign from that campaign worker. When an individual is paid to work on behalf of a candidate by a political committee or some other individual, the payment for those services is an in-kind contribution to the candidate's campaign. If a political committee or individual offers to provide food and beverages for a fundraiser at less than the ordinary market price, the difference between the ordinary market price and the cost to the campaign is an in-kind contribution from the political committee or individual.

The candidate or campaign treasurer must agree to accept an in-kind contribution before it is given. Before making an in-kind contribution to a candidate, the contributor is required to notify an authorized person from the candidate's campaign and obtain either oral or written consent to the contribution. If the contributor does not know the actual value of the contribution, a good faith and reasonable estimate of the fair market value should be provided. (For more information see G.A.B.1.20 Wis. Administrative Code).

An in-kind contribution received by the campaign committee is reported by the committee as both a receipt and expenditure. This procedure allows the campaign to disclose the receipt of the contribution on its campaign finance report along with cash contributions received and track year to date and campaign period totals. Then, in order to keep the committee's cash balance accurate, the amount of the in-kind is reported as an expenditure. The two entries offset each other and do not affect the cash balance.

If an estimate of the value of an in-kind contribution is the only value available at the time the candidate is required to file a report, the committee must report the estimated value of the contribution. When the actual value of the estimated in-kind contribution is known, the actual amount is reported as a contribution and an expenditure on the campaign finance report.

In-kind contributions are subject to the same itemization thresholds and the same contribution limits as cash contributions. Cash contributions and in-kind contributions from a single contributor are added together for the purposes of determining compliance with contribution limits and the year-to-date amount for a specific contributor. When a political communication is provided as an in-kind contribution, the disclaimer must identify the committee receiving the contribution.

Prohibited Contributions

Certain contributions are prohibited by Wisconsin law. A candidate's campaign may not accept the following types of contributions:

1. Anonymous contributions of more than \$10;
2. Contributions in cash of more than \$50;

3. Contributions given in the name of someone other than the contributor (these are laundered contributions);
4. Contributions from cooperatives or corporations;
5. Contributions in excess of the limits set by law.

A candidate should not accept contributions over \$25 from organizations that have not registered. If the candidate's campaign is notified that a contribution was received from an unregistered organization, the candidate must return the contribution, and not accept any additional contributions from that organization unless the organization registers with the appropriate filing officer.

Returned Contributions

Any contribution you return to the donor after depositing it in the campaign account must be reported as a disbursement from the campaign as a returned contribution to the contributor. Any contribution returned to the donor uncashed within 15 days of receipt has not been accepted and does not get reported.

Contributions Transferred through Conduits

A conduit is any individual, committee or group that receives contributions from individuals, deposits those contributions in a financial institution, and then transfers the contributions to a candidate or political committee selected by the original contributor. The conduit may not exercise any discretion over the amount or ultimate recipient of the contributions. A conduit is required to register with the Wisconsin Government Accountability Board.

When a conduit transfers contributions, it writes a single check for the total amount of all individual contributions designated for that committee. It is required to provide a transmittal letter with the check. This letter must identify the organization as a conduit, and list the individual contributors, the amount of each individual's contribution, and the date the individual authorized their contribution (see G.A.B. 1.855 Wis Admin Code).

Contributions transferred through conduits are reported as contributions received from the individuals listed in the transmittal letter. These contributions are reported under the individual's name in. They are subject to itemization on the same basis as other individual contributions.

Loan Guarantees

When a campaign committee borrows money from a financial institution and the loan is guaranteed by individuals, the amount of the guarantee must be considered a contribution from the guarantor until the loan is repaid. If more than one person guarantees a loan, the amount of a loan is assigned to the guarantors in equal shares in the proportion that the guarantors bear to the total amount guaranteed, unless a different share is specified in the loan instrument. When a payment is made to the lending institution which reduces the unpaid balance of the loan, the amount of the guarantee assigned to each guarantor is reduced in equal shares in the proportion that the number of guarantors bears to the amount repaid, unless a different share is specified in the loan instrument. The outstanding amount of a guarantee and the total contributions to the campaign by a guarantor may not exceed the individual contribution limit for the guarantor.

A bank loan to a candidate, the proceeds of which the candidate loans to the committee, is a personal contribution (loan) from the candidate. This type of loan is reported as a contribution from the candidate to the committee.

Joint Fundraisers

Any candidate, political party committee, or legislative campaign committee may solicit contributions for and conduct a joint fundraising effort or program in coordination with one or more named candidates. The candidate(s) or committee(s) conducting the joint fundraiser must prepare a written escrow agreement signed by the candidate(s) or committee(s). The agreement shall specify the percentage of the proceeds to be distributed to each candidate and/or committee by the joint fundraising effort or program.

All solicitations or communications related to joint fundraising efforts or programs shall include information identifying the candidates and/or committees participating and the percentage of the proceeds to be distributed to each. No disclaimer is required on these communications if the communication contains the information described above.

All contributions received and disbursements made by the joint fundraiser shall be received and disbursed through a separate depository account. The separate depository account shall be identified in the escrow agreement.

The committee(s) conducting the joint fundraising effort or program are required to register by filing a Supplemental Schedule of Joint Fund Raising Effort or Program (GAB-2JF). The joint fundraiser must prepare a campaign finance report (GAB-2L) covering contributions received and disbursements made in connection with the joint fundraiser. A copy of this report must be provided to each committee that receives any of the proceeds no later than 15 days after the proceeds are transferred to the candidate or campaign treasurer.

Candidates are required to include a copy of this report and the escrow agreement with their campaign finance report for the period in which the contributions are received and the disbursements are made. In addition, candidates are required to itemize in the appropriate schedules of the campaign finance report the percentage of the proceeds and disbursements applicable to the candidate. These amounts are added to the totals reported in each schedule.

IV. ATTRIBUTION STATEMENTS ON POLITICAL LITERATURE (DISCLAIMERS)

Disclaimers

Every communication which is paid for by political funds must contain a disclaimer or attribution statement identifying the source of the funds paying for the communication. This includes every printed advertisement, billboard, handbill, sample ballot, television or radio advertisement or other communication paid for by political funds. Also, it includes items such as T-shirts, bumper stickers and yard signs. The disclaimer must use the words "Paid for by" (abbreviations shall not be used for this language) followed by the name of the committee or group making the payment or assuming responsibility for the communication and the name of the treasurer or other authorized agent of the committee. When the communication is being paid for through an in-kind contribution, it must bear the disclaimer of the recipient campaign committee. Abbreviations may not be used for the name of a candidate or campaign committee.