

CAMPAIGN FINANCING (State Statutes Chapter 11)

Candidates are exempt from filing a Campaign Finance Report (EB-2) if they meet the following criteria:

1. The candidate anticipates that he/she will not accept contributions, make disbursements, or incur loans and other obligations in an aggregate amount exceeding \$1,000 in a calendar year.
2. The Candidate anticipates that he/she will not accept any contribution or cumulative contributions from a single source exceeding \$100 in a calendar year.
3. The candidate or treasurer signs and dates the request for exemption on the Campaign Registration Statements.

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

When the candidate is exempt, he/she is not required to file any Campaign Finance Reports. However, the candidate or treasurer is required to keep financial records adequate to meet the requirements of campaign finance law. This means that a record 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. A separate campaign depository account is not required.

If a decision is made at a later date to exceed the \$1,000 limit on contributions and disbursements, or to raise more than \$100 from a single source for the campaign during a calendar year, the candidate must amend the campaign registration statement immediately.

The Campaign Finance Report (EB-2), for contributions of \$1000 or more, is a 23 page report provided to candidates, upon request, by the Village Clerk or available at the Government Accountability Website.

ELECTION DAY CAMPAIGN RESTRICTIONS (State Statute 12.03 & 12.04)

1. Persons are prohibited from electioneering on public property within 100 feet of an entrance to a building containing a polling place, or engage in any activity which disrupts voting or interferes with the orderly conduct of the election. This prohibition does not apply to electioneering on private property within 100 feet of an entrance to a polling place. The placement of election signs on private property within the 100 foot radius is permissible.
2. State Statute 12.04 (2) states that any individual may place a sign containing a political message upon residential property owned or occupied by that individual during an election campaign period. The

Village Clerk, Chief Election Inspector, or police officer may remove posters or other advertising which is placed in violation of this section.

DISCLAIMERS (State Statute 11.30)

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. Disclaimers should be included on each separate page of a political communication, including letterhead and enclosures. Disclaimers should also be on items such as T-shirts, bumper stickers and yard signs. The disclaimer **must** use the words "**Paid for by**" (abbreviations should 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. 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.

No disclaimer is required on:

1. personal correspondence not reproduced by machine for distribution.
2. a single personal item which is not reproduced or manufactured by machine or other equipment.
3. nomination papers even if the papers contain biographical information.
4. pins, buttons, pens, balloons, nail files and similar small items on which a disclaimer cannot be conveniently printed.
5. envelopes which have campaign committee identification printed on them.

FORMATS FOR DISCLAIMERS

When a communication is paid for by a candidate without a committee, or paid for by an individual, the disclaimer should read: "**Paid for by Mary Smith**".

When the communication is paid for by the campaign committee of a candidate or by a political committee, the disclaimer should read: "**Paid for by Friends of Mary Smith for Mayor, John Jones, Treasurer**" or "**Paid for by the Committee for Voters, John Jones, Treasurer.**"

When the communication is an independent expenditure, either supporting or opposing a candidate, the disclaimer should read: "**Paid for by the Committee for Voters, John Jones, Treasurer. Not authorized by any candidate or candidate's agent or committee.**"

CONTRIBUTION LIMITS

FOR

LOCAL OFFICES

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.)

<u>Population in District</u>	<u>Maximum Contribution</u>
• 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.)

<u>Population in District</u>	<u>Maximum Contribution</u>
• 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 goods, service or property offered to the campaign committee free, 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 campaign committee 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 campaign committee. 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. When the contribution is from an individual and its value is small, a verbal agreement to accept it usually is sufficient. However, when another political committee gives the contribution, the campaign committee should obtain a written description of the contribution, its actual value and the date the contribution will be given from the political committee. Also, the campaign committee should agree to accept the contribution in writing. If the contributor does not know the actual value of the contribution when the candidate's consent is needed, a good faith and reasonable estimate of the fair market value should be provided. (For more information see EIBd.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, consequently, 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 campaign committee must file a report, the committee must report the estimated value of the contribution in Schedule 3C (Estimated Value of In-Kind Contributions Received...). 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 (see page 13 for examples).

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Prohibited Contributions

Certain contributions are prohibited by Wisconsin law. A committee 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.