

Government Accountability Board

State of Wisconsin

212 E. Washington Ave., Third Floor ▪ Madison, WI 53703 ▪ gab@wi.gov ▪ (608) 266-8005 ▪ Help Desk (608) 261-2028 ▪ <http://gab.wi.gov>

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FOR MORE INFORMATION, CONTACT:
Reid Magney, 608-267-7887

G.A.B. Announces Emergency Rule on Independent Political Ads

MADISON, WI – An Emergency Rule to regulate independent political ads goes into effect today, according to the Government Accountability Board.

In response to the U.S. Supreme Court’s *Citizens United* decision, the Board approved the emergency rule at its May 10 meeting. The rule goes into effect today with publication in the Wisconsin State Journal, and will remain in effect for 150 days. Concurrently, the Board is pursuing a permanent rule.

In the *Citizens United* case, the Supreme Court greatly expanded the rights of persons, including corporations, to make independent political disbursements. The decision effectively invalidated a century-old Wisconsin ban on corporate campaign spending. But the decision also strengthened the ability of the government to require disclosure about independent disbursements including a requirement for a disclaimer on the communication identifying the source of the independent expenditure.

The Emergency Rule, GAB 1.91, gives direction to organizations receiving contributions for independent disbursements or making independent disbursements. Organizations are only required to disclose monetary and in-kind contributions that are “made for” political purposes – not for other purposes.

The rules require:

- Any organization that receives or spends more than \$25 a year for independent political expenditures must designate a depository account for the money and appoint a treasurer.
- The organization must register with the G.A.B., pay a \$100 filing fee from its depository account and make regular financial reports to the Board.
- The organization must include a “Paid for by” disclaimer in its advertisements, as well as the statement, “Not authorized by any candidate or candidate’s agent or committee.”

The complete text of the Emergency Rule is available online at:
<https://health.wisconsin.gov/admrules/public/Rmo?nRmoId=8203>

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The Government Accountability Board is responsible for administration and enforcement of campaign finance, elections, ethics and lobbying laws in Wisconsin. The board is made up of six non-partisan, former judges and is supported by an agency of non-partisan staff members. Additional information about the mission of the Government Accountability Board is available by telephone at **608-266-8005**, by electronic mail at gab@wi.gov, or through the Internet at <http://gab.wi.gov>.