



CYRUS ANDERSON

SENATE CHIEF CLERK & DIRECTOR OF OPERATIONS

January 7th, 2026

TO: Senator Devin LeMahieu

FROM: Senate Chief Clerk Cyrus Anderson

RE: Recording and Distribution of Recordings of Committee Proceedings

Dear Senator LeMahieu,

I am writing to provide a summary of the rules and policies dealing with the recording of committee proceedings, as well as the distribution of recordings.

On the topic of the recording of committee meetings, Senate Rule 11(7) reads:

“No persons other than members of the chief clerk’s staff, members of the staff of the sergeant at arms, members of a senator’s staff, and accredited correspondents of the news media may engage in any audio or video recording of the proceedings of the senate or any committee without permission of the committee on senate organization.”

This rule generally prohibits members of the public from recording committee proceedings unless they are credentialed press, or have been otherwise approved by the committee on senate organization. The application and enforcement of this rule during a committee meeting is the responsibility of the chairperson of the committee, who may use some discretion on what standard to use to determine who is to be considered accredited correspondents. They may choose to use the standard laid out in Senate Policy for access to the Capitol Press Room, and other restricted press areas, which is the requirement of a valid, permanent or temporary, registration card issued by the Senate, often referred to as legislative press credential.

While members of the public and press may be generally familiar with Subchapter V of Chapter 19 of the Wisconsin Statutes, “Open Meetings of Governmental Bodies,” Wisconsin Statutes 19.87(2) reiterates the supremacy of Senate Rules when it comes to the applicability of these laws:

“No provision of this subchapter which conflicts with a rule of the senate or assembly or joint rule of the legislature shall apply to a meeting conducted in compliance with such rule.”

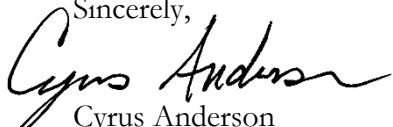
Senate staff are generally exempt from Senate Rule 11(7), but have additional restrictions when it comes to the distribution of audio/video recordings of elected state officials other than that staff person's appointing authority.

Senate policy has two specific restrictions when it comes to this:

- a. In the case of an audio/video clip that contains a reference to or depiction of an elected state official who becomes a candidate for national, state, or local office, disseminating the audio/ video clip in any way after the first day authorized by law for circulation of nomination papers as a candidate for that office. This policy does not require clips previously posted to a legislative website to be removed and does not prohibit communications authorized under s. 11.1205 (2), Stats.
- b. In the case of an audio/video clip that contains the recorded voice or image of an elected state official other than the staff person's appointing authority, disseminating the audio/video clip without the written authorization of that elected state official. It is not a violation of this policy; however, to prepare or disseminate an audio/ video clip that includes such a recorded voice or image only as background due to the camera angle or microphone placement from which the original audio and video were acquired.

There is no direct restriction on senate staff when it comes to recording and distributing audio/video of members of the public who attend and testify at a committee proceeding. When it comes to elected state officials, senate staff may not distribute any recording of any elected state official who is not their appointing authority without the official's written permission, and only when the official is not a candidate for any office as defined by senate policy. This would apply to committee members, as well as any elected state officials who attend or testify at the committee meeting.

While senate staff are generally allowed to record during a committee meeting, they must do so in a way that does not disrupt the order or decorum of the proceedings, and should work with the Chairperson of the committee as well as the Sergeant at Arms to ensure their activities are not disruptive.

Sincerely,

Cyrus Anderson
Senate Chief Clerk