

**SUBSTITUTE FOR
SENATE BILL NO. 661**

[A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
by amending sections 4, 6, 26, 33, 46, 47, 52, 52a, 55, and 69 (MCL
169.204, 169.206, 169.226, 169.233, 169.246, 169.247, 169.252, 169.252a,
169.255, and 169.269), sections 4, 6, and 33 as amended by 2012 PA
273, sections 26, 52, and 69 as amended by 2001 PA 250, section 52a
as added by 1995 PA 264, and sections 47 and 55 as amended by 2012 PA
277.]

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) "Contribution" means a payment, gift,
2 subscription, assessment, expenditure, contract, payment for
3 services, dues, advance, forbearance, loan, or donation of money or
4 anything of ascertainable monetary value, or a transfer of anything
5 of ascertainable monetary value to a person, made for the purpose
6 of influencing the nomination or election of a candidate, for the

1 qualification, passage, or defeat of a ballot question, or for the
2 qualification of a new political party.

3 (2) Contribution includes the full purchase price of tickets
4 or payment of an attendance fee for events such as dinners,
5 luncheons, rallies, testimonials, and other fund-raising events; an
6 individual's own money or property other than the individual's
7 homestead used on behalf of that individual's candidacy; the
8 granting of discounts or rebates not available to the general
9 public; or the granting of discounts or rebates by broadcast media
10 and newspapers not extended on an equal basis to all candidates for
11 the same office; and the endorsing or guaranteeing of a loan for
12 the amount the endorser or guarantor is liable. Except for the
13 purposes of section 57, contribution does not include a
14 contribution to a federal candidate or a federal committee.

15 (3) Contribution does not include any of the following:

16 (a) Volunteer personal services provided without compensation,
17 or payments of costs incurred of less than \$500.00 in a calendar
18 year by an individual for personal travel expenses if the costs are
19 voluntarily incurred without any understanding or agreement that
20 the costs shall be, directly or indirectly, repaid.

21 (b) Food and beverages, not to exceed ~~\$100.00~~ **\$1,000.00** in
22 value during a calendar year, ~~which~~ **THAT** are donated by an
23 individual and for which reimbursement is not given.

24 (c) An offer or tender of a contribution if expressly and
25 unconditionally rejected, returned, or refunded in whole or in part
26 within 30 business days after receipt.

27 Sec. 6. (1) "Expenditure" means a payment, donation, loan, or

1 promise of payment of money or anything of ascertainable monetary
2 value for goods, materials, services, or facilities in assistance
3 of, or in opposition to, the nomination or election of a candidate,
4 the qualification, passage, or defeat of a ballot question, or the
5 qualification of a new political party. Expenditure includes, but
6 is not limited to, any of the following:

7 (a) A contribution or a transfer of anything of ascertainable
8 monetary value for purposes of influencing the nomination or
9 election of a candidate, the qualification, passage, or defeat of a
10 ballot question, or the qualification of a new political party.

11 (b) Except as provided in subsection (2)(f) or (g), an
12 expenditure for voter registration or get-out-the-vote activities
13 made by a person who sponsors or finances the activity or who is
14 identified by name with the activity.

15 (c) Except as provided in subsection (2)(f) or (g), an
16 expenditure made for poll watchers, challengers, distribution of
17 election day literature, canvassing of voters to get out the vote,
18 or transporting voters to the polls.

19 (d) Except as provided in subsection (2)(c), the cost of
20 establishing and administering a payroll deduction plan to collect
21 and deliver a contribution to a committee.

22 (2) Expenditure does not include any of the following:

23 (a) An expenditure for communication by a person with the
24 person's paid members or shareholders and those individuals who can
25 be solicited for contributions to a separate segregated fund under
26 section 55.

27 (b) An expenditure for communication on a subject or issue if

1 the communication does not support or oppose a ballot question or
2 candidate by name or clear inference.

3 (c) An expenditure for the establishment, administration, or
4 solicitation of contributions to a separate segregated fund if that
5 expenditure was made by the person who established the separate
6 segregated fund as authorized under section 55.

7 (d) An expenditure by a broadcasting station, newspaper,
8 magazine, or other periodical or publication for a news story,
9 commentary, or editorial in support of or opposition to a candidate
10 for elective office or a ballot question in the regular course of
11 publication or broadcasting.

12 (e) An offer or tender of an expenditure if expressly and
13 unconditionally rejected or returned.

14 (f) An expenditure for nonpartisan voter registration or
15 nonpartisan get-out-the-vote activities made by an organization
16 that is exempt from federal income tax under section 501(c)(3) of
17 the internal revenue code of 1986, 26 USC 501, or any successor
18 statute.

19 (g) An expenditure for nonpartisan voter registration or
20 nonpartisan get-out-the-vote activities performed under chapter
21 XXIII of the Michigan election law, 1954 PA 116, MCL 168.491 to
22 168.524, by the secretary of state and other registration officials
23 who are identified by name with the activity.

24 (h) An expenditure by a state central committee of a political
25 party or a person controlled by a state central committee of a
26 political party for the construction, purchase, or renovation of 1
27 or more office facilities in Ingham county if the facility is not

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1 constructed, purchased, or renovated for the purpose of influencing
2 the election of a candidate in a particular election. Items
3 excluded from the definition of expenditure under this subdivision
4 include expenditures approved in federal election commission
5 advisory opinions 1993-9, 2001-1, and 2001-12 as allowable
6 expenditures under the federal election campaign act of 1971,
7 Public Law 92-225, 2 USC 431 to 457, and regulations promulgated
8 under that act, regardless of whether those advisory opinions have
9 been superseded.

10 (i) Except **[ONLY]** for the purposes of section 57, an expenditure to
11 or for a federal candidate or a federal committee.

12 (J) **[EXCEPT ONLY FOR THE PURPOSES OF SECTION 47, AN] EXPENDITURE**
13 **FOR A COMMUNICATION IF THE COMMUNICATION**
14 **DOES NOT IN EXPRESS TERMS ADVOCATE THE ELECTION OR DEFEAT OF A**
15 **CLEARLY IDENTIFIED CANDIDATE SO AS TO RESTRICT THE APPLICATION OF**
16 **THIS ACT TO COMMUNICATIONS CONTAINING EXPRESS WORDS OF ADVOCACY OF**
17 **ELECTION OR DEFEAT, SUCH AS "VOTE FOR", "ELECT", "SUPPORT", "CAST**
18 **YOUR BALLOT FOR", "SMITH FOR GOVERNOR", "VOTE AGAINST", "DEFEAT",**
19 **OR "REJECT".**

20 Sec. 26. (1) A campaign statement of a committee, other than a
21 political party committee, required by this act shall contain all
22 of the following information:

23 (a) The filing committee's name, address, and telephone
24 number, and the full name, residential and business addresses, and
25 telephone numbers of the committee treasurer or other individual
26 designated as responsible for the committee's record keeping,
27 report preparation, or report filing.

(b) Under the heading "receipts", the total amount of

1 contributions received during the period covered by the campaign
2 statement; under the heading "expenditures", the total amount of
3 expenditures made during the period covered by the campaign
4 statement; and the cumulative amount of those totals. Forgiveness
5 of a loan shall not be included in the totals. Payment of a loan by
6 a third party shall be recorded and reported as an in-kind
7 contribution by the third party. In-kind contributions or
8 expenditures shall be listed at fair market value and shall be
9 reported as both contributions and expenditures. A contribution or
10 expenditure that is by other than completed and accepted payment,
11 gift, or other transfer, that is clearly not legally enforceable,
12 and that is expressly withdrawn or rejected and returned before a
13 campaign statement closing date need not be included in the
14 campaign statement and if included may, in a later or amended
15 statement, be shown as a deduction, but the committee shall keep
16 adequate records of each instance.

17 (c) The balance of cash on hand at the beginning and the end
18 of the period covered by the campaign statement.

19 (d) The following information regarding each fund-raising
20 event shall be included in the report:

21 (i) The type of event, date held, address and name, if any, of
22 the place where the activity was held, and approximate number of
23 individuals participating or in attendance.

24 (ii) The total amount of all contributions.

25 (iii) The gross receipts of the fund-raising event.

26 (iv) The expenditures incident to the event.

27 (e) The full name of each individual from whom contributions

1 are received during the period covered by the campaign statement,
2 together with the individual's street address, the amount
3 contributed, the date on which each contribution was received, and
4 the cumulative amount contributed by that individual. The
5 occupation, employer, and principal place of business shall be
6 stated if the individual's cumulative contributions are more than
7 \$100.00. **FOR CONTRIBUTIONS OF \$5.00 OR LESS BY AN INDIVIDUAL TO A
8 POLITICAL COMMITTEE OR INDEPENDENT COMMITTEE, THE SECRETARY OF
9 STATE SHALL ACCEPT FOR FILING ANY WRITTEN COMMUNICATION FROM THE
10 POLITICAL COMMITTEE OR INDEPENDENT COMMITTEE THAT CONTAINS THE
11 INFORMATION OTHERWISE REQUIRED UNDER THIS SUBSECTION. ANY SUCH
12 WRITTEN COMMUNICATION DOES NOT NEED TO CONTAIN AN ORIGINAL
13 SIGNATURE.**

14 (f) The cumulative amount contributed and the name and address
15 of each individual, except those individuals reported under
16 subdivision (e), who contributed to the committee. The occupation,
17 employer, and principal place of business shall be stated for each
18 individual who contributed more than \$100.00.

19 (g) The name and street address of each person, other than an
20 individual, from whom contributions are received during the period
21 covered by the campaign statement, together with an itemization of
22 the amounts contributed, the date on which each contribution was
23 received, and the cumulative amount contributed by that person.

24 (h) The name, address, and amount given by an individual who
25 contributed to the total amount contributed by a person who is
26 other than a committee or an individual. The occupation, employer,
27 and principal place of business shall be stated if the individual

1 contributed more than \$100.00 of the total amount contributed by a
2 person who is other than a committee or an individual.

3 (i) The cumulative total of expenditures of \$50.00 or less
4 made during the period covered by the campaign statement except for
5 expenditures made to or on behalf of another committee, candidate,
6 or ballot question.

7 (j) The full name and street address of each person to whom
8 expenditures totaling more than \$50.00 were made, together with the
9 amount of each separate expenditure to each person during the
10 period covered by the campaign statement; the purpose of the
11 expenditure; the full name and street address of the person
12 providing the consideration for which any expenditure was made if
13 different from the payee; the itemization regardless of amount of
14 each expenditure made to or on behalf of another committee,
15 candidate, or ballot question; and the cumulative amount of
16 expenditures for or against that candidate or ballot question for
17 an election cycle. An expenditure made in support of more than 1
18 candidate or ballot question, or both, shall be apportioned
19 reasonably among the candidates or ballot questions, or both.

20 (2) A candidate committee or ballot question committee shall
21 report all cumulative amounts required by this section on a per
22 election cycle basis. Except for subsection (1)(j), an independent
23 committee or political committee shall report all cumulative
24 amounts required by this section on a calendar year basis.

25 (3) A campaign statement of a committee, in addition to the
26 other information required by this section, shall include an
27 itemized list of all expenditures during the reporting period for

1 election day busing of electors to the polls, get-out-the-vote
2 activities, slate cards, challengers, poll watchers, and poll
3 workers.

4 (4) For a reporting period in which a contribution is received
5 that is to be part of a bundled contribution or a reporting period
6 in which a bundled contribution is delivered to the candidate
7 committee of a candidate for statewide elective office, a bundling
8 committee shall report to the secretary of state, on a form
9 provided by the secretary of state, all of the following
10 information, as applicable, about each contribution received or
11 delivered as part of a bundled contribution, and about each bundled
12 contribution delivered, in the reporting period:

13 (a) The amount of each contribution, the date it was received
14 by the bundling committee, and the candidate for statewide elective
15 office whom the contributor designated as the intended recipient.

16 (b) Each contributor's name and address and, for each
17 contribution exceeding \$100.00, the contributor's occupation,
18 employer, and principal place of business.

19 (c) The date each contribution is delivered to the candidate's
20 statewide elective office candidate committee.

21 (d) The total amount of bundled contributions delivered to
22 that candidate committee during the reporting period and during the
23 election cycle.

24 (5) With its delivery of a bundled contribution to the
25 candidate committee of a candidate for statewide elective office, a
26 bundling committee shall deliver a report to that candidate
27 committee, on a form provided by the secretary of state, that

1 includes all of the following information, as applicable, about
2 each contribution delivered as part of the bundled contribution,
3 and about all bundled contributions delivered to that candidate
4 committee in the election cycle:

5 (a) The amount of each contribution, the date it was received
6 by the bundling committee, and the statewide elective office
7 candidate the contributor designated as the intended recipient.

8 (b) Each contributor's name and address and, for each
9 contribution exceeding \$100.00, the contributor's occupation,
10 employer, and principal place of business.

11 (c) The total amount of bundled contributions delivered to
12 that candidate committee during the reporting period and during the
13 election cycle.

14 (6) For a reporting period in which a bundled contribution is
15 received, a candidate committee of a candidate for statewide
16 elective office shall report to the secretary of state, on a form
17 provided by the secretary of state, all of the following
18 information, as applicable, about each contribution delivered as
19 part of a bundled contribution received in the reporting period and
20 about all bundled contributions received by that candidate
21 committee:

22 (a) The amount of each contribution, the date it was received
23 by the candidate committee, and the name of the bundling committee
24 that delivered the contribution.

25 (b) Each contributor's name and address and, for each
26 contribution exceeding \$100.00, the contributor's occupation,
27 employer, and principal place of business.

1 (c) The total amount of bundled contributions received by that
2 candidate committee during the reporting period and during the
3 election cycle.

4 Sec. 33. (1) A committee, other than an independent committee
5 or a political committee required to file with the secretary of
6 state, supporting or opposing a candidate shall file complete
7 campaign statements as required by this act and the rules
8 promulgated under this act. The campaign statements shall be filed
9 according to the following schedule:

10 (a) A preelection campaign statement shall be filed not later
11 than the eleventh day before an election. The closing date for a
12 campaign statement filed under this subdivision shall be the
13 sixteenth day before the election.

14 (b) A postelection campaign statement shall be filed not later
15 than the thirtieth day following the election. The closing date for
16 a campaign statement filed under this subdivision shall be the
17 twentieth day following the election. A committee supporting a
18 candidate who loses the primary election shall file closing
19 campaign statements in accordance with this section. If all
20 liabilities of that candidate or committee are paid before the
21 closing date and additional contributions are not expected, the
22 campaign statement may be filed at any time after the election, but
23 not later than the thirtieth day following the election.

24 **(C) IN A YEAR IN WHICH THERE IS NO ELECTION FOR THE CANDIDATE**
25 **THE COMMITTEE IS SUPPORTING OR OPPOSING:**

26 **(i) NOT LATER THAN JULY 25 WITH A CLOSING DATE OF JULY 20 OF**
27 **THAT YEAR.**

1 (ii) NOT LATER THAN OCTOBER 25 WITH A CLOSING DATE OF OCTOBER
2 20 OF THAT YEAR.

3 (2) For the purposes of subsection (1):

4 (a) A candidate committee shall file a preelection campaign
5 statement and a postelection campaign statement for each election
6 in which the candidate seeks nomination or election, except if an
7 individual becomes a candidate after the closing date for the
8 preelection campaign statement only the postelection campaign
9 statement is required for that election.

10 (b) A committee other than a candidate committee shall file a
11 campaign statement for each period during which expenditures are
12 made for the purpose of influencing the nomination or election of a
13 candidate or for the qualification, passage, or defeat of a ballot
14 question.

15 (3) An independent committee or a political committee other
16 than a house political party caucus committee or senate political
17 party caucus committee required to file with the secretary of state
18 shall file campaign statements as required by this act according to
19 the following schedule:

20 (a) Not later than February 15 of each year with a closing
21 date of February 10 of that year.

22 (b) Not later than April 25 of each year with a closing date
23 of April 20 of that year.

24 (c) Not later than July 25 of each year with a closing date of
25 July 20 of that year.

26 (d) Not later than October 25 of each year with a closing date
27 of October 20 of that year.

1 (4) A house political party caucus committee or a senate
2 political party caucus committee required to file with the
3 secretary of state or a political party committee for a party
4 attempting to qualify as a new political party under section 685 of
5 the Michigan election law, 1954 PA 116, MCL 168.685, shall file
6 campaign statements as required by this act according to the
7 following schedule:

8 (a) Not later than January 31 of each year with a closing date
9 of December 31 of the immediately preceding year.

10 (b) Not later than April 25 of each year with a closing date
11 of April 20 of that year.

12 (c) Not later than July 25 of each year with a closing date of
13 July 20 of that year.

14 (d) Not later than October 25 of each year with a closing date
15 of October 20 of that year.

16 (e) For the period beginning on the fourteenth day immediately
17 preceding a primary or special primary election and ending on the
18 day immediately following the primary or special primary election,
19 not later than 4 p.m. each business day with a closing date of the
20 immediately preceding day, only for a contribution received or
21 expenditure made that exceeds \$1,000.00 per day.

22 (f) For the period beginning on the fourteenth day immediately
23 preceding a general or special election and ending on the day
24 immediately following the general or special election, not later
25 than 4 p.m. each business day with a closing date of the
26 immediately preceding day, only for a contribution received or
27 expenditure made that exceeds \$1,000.00 per day.

1 (5) Notwithstanding subsection (3) or (4) or section 51, if an
2 independent expenditure is made within 45 days before a special
3 election by an independent committee or a political committee
4 required to file a campaign statement with the secretary of state,
5 a report of the expenditure shall be filed by the committee with
6 the secretary of state within 48 hours after the expenditure. The
7 report shall be made on a form provided by the secretary of state
8 and shall include the date of the independent expenditure, the
9 amount of the expenditure, a brief description of the nature of the
10 expenditure, and the name and address of the person to whom the
11 expenditure was paid. The brief description of the expenditure
12 shall include either the name of the candidate and the office
13 sought by the candidate or the name of the ballot question and
14 shall state whether the expenditure supports or opposes the
15 candidate or ballot question. This subsection does not apply if the
16 committee is required to report the independent expenditure in a
17 campaign statement that is required to be filed before the date of
18 the election for which the expenditure was made.

19 (6) A candidate committee or a committee other than a
20 candidate committee that files a written statement under section
21 24(5) or (6) is not required to file a campaign statement under
22 subsection (1), (3), or (4) unless it received or expended an
23 amount in excess of \$1,000.00. If the committee receives or expends
24 an amount in excess of \$1,000.00 during a period covered by a
25 filing, the committee is then subject to the campaign filing
26 requirements under this act.

27 (7) A committee, candidate, treasurer, or other individual

1 designated as responsible for the committee's record keeping,
2 report preparation, or report filing who fails to file a statement
3 as required by this section shall pay a late filing fee. If the
4 committee has raised \$10,000.00 or less during the previous 2
5 years, the late filing fee shall be \$25.00 for each business day
6 the statement remains unfiled, but not to exceed \$500.00. If the
7 committee has raised more than \$10,000.00 during the previous 2
8 years, the late filing fee shall not exceed \$1,000.00, determined
9 as follows:

10 (a) Twenty-five dollars for each business day the report
11 remains unfiled.

12 (b) An additional \$25.00 for each business day after the first
13 3 business days the report remains unfiled.

14 (c) An additional \$50.00 for each business day after the first
15 10 business days the report remains unfiled.

16 (8) If a candidate, treasurer, or other individual designated
17 as responsible for the committee's record keeping, report
18 preparation, or report filing fails to file 2 statements required
19 by this section or section 35 and both of the statements remain
20 unfiled for more than 30 days, that candidate, treasurer, or other
21 designated individual is guilty of a misdemeanor punishable by a
22 fine of not more than \$1,000.00 or imprisonment for not more than
23 90 days, or both.

24 (9) If a candidate is found guilty of a violation of this
25 section, the circuit court for that county, on application by the
26 attorney general or the prosecuting attorney of that county, may
27 prohibit that candidate from assuming the duties of a public office

1 or from receiving compensation from public funds, or both.

2 (10) If a candidate, treasurer, or other individual designated
3 as responsible for a committee's record keeping, report
4 preparation, or report filing knowingly files an incomplete or
5 inaccurate statement or report required by this section, that
6 individual is subject to a civil fine of not more than \$1,000.00.

7 (11) If a candidate, treasurer, or other individual designated
8 as responsible for a committee's record keeping, report
9 preparation, or report filing knowingly omits or underreports
10 individual contributions or individual expenditures required to be
11 disclosed by this act, that individual is subject to a civil fine
12 of not more than \$1,000.00 or the amount of the contributions and
13 expenditures omitted or underreported, whichever is greater.

14 (12) If a candidate committee's account has a balance of
15 \$20,000.00 or more and a candidate, treasurer, or other individual
16 designated as responsible for that committee's record keeping,
17 report preparation, or report filing fails to file campaign
18 statements required under this act for 2 consecutive years, that
19 candidate, treasurer, or other individual is guilty of a felony
20 punishable by imprisonment for not more than 3 years or a fine of
21 not more than \$5,000.00, or both. Any money in a candidate
22 committee account described in this subsection is subject to
23 seizure by, and forfeiture to, this state as provided in this
24 section.

25 (13) Not more than 5 business days after seizure of money
26 under subsection (12), the secretary of state shall deliver
27 personally or by registered mail to the last known address of the

1 candidate from whom the seizure was made an inventory statement of
2 the money seized. The inventory statement shall also contain notice
3 to the effect that unless demand for hearing as provided in this
4 section is made within 10 business days, the money is forfeited to
5 this state. Within 10 business days after the date of service of
6 the notice, the candidate may by registered mail, facsimile
7 transmission, or personal service file with the secretary of state
8 a demand for a hearing before the secretary of state or a person
9 designated by the secretary of state for a determination as to
10 whether the money was lawfully subject to seizure and forfeiture.
11 The candidate is entitled to appear before the secretary of state
12 or a person designated by the secretary of state, to be represented
13 by counsel, and to present testimony and argument. Upon receipt of
14 a request for hearing, the secretary of state or a person
15 designated by the secretary of state shall hold the hearing within
16 15 business days. The hearing is not a contested case proceeding
17 and is not subject to the administrative procedures act of 1969,
18 1969 PA 306, MCL 24.201 to 24.328. After the hearing, the secretary
19 of state or a person designated by the secretary of state shall
20 render a decision in writing within 10 business days of the hearing
21 and, by order, shall either declare the money subject to seizure
22 and forfeiture or declare the money returnable to the candidate.
23 If, within 10 business days after the date of service of the
24 inventory statement, the candidate does not file with the secretary
25 of state a demand for a hearing before the secretary of state or a
26 person designated by the secretary of state, the money seized is
27 forfeited to this state by operation of law. If, after a hearing

1 before the secretary of state or a person designated by the
2 secretary of state, the secretary of state or a person designated
3 by the secretary of state determines that the money is lawfully
4 subject to seizure and forfeiture and the candidate does not appeal
5 to the circuit court of the county in which the seizure was made
6 within the time prescribed in this section, the money seized is
7 forfeited to this state by operation of law. If a candidate is
8 aggrieved by the decision of the secretary of state or a person
9 designated by the secretary of state, that candidate may appeal to
10 the circuit court of the county where the seizure was made to
11 obtain a judicial determination of the lawfulness of the seizure
12 and forfeiture. The action shall be commenced within 20 days after
13 notice of a determination by the secretary of state or a person
14 designated by the secretary of state is sent to the candidate. The
15 court shall hear the action and determine the issues of fact and
16 law involved in accordance with rules of practice and procedure as
17 in other in rem proceedings.

18 Sec. 46. (1) At the beginning of every odd numbered year, the
19 secretary of state shall recommend adjustments to and which shall
20 be approved by the legislature of the ~~dollar value contribution~~
21 ~~limits provided in this act, together with the dollar value floor~~
22 for reporting of the name, address, occupation, and employer, or
23 principal place of business of persons who make contributions
24 pursuant to this ~~chapter~~ **ACT**, on the basis of the ~~United States~~
25 ~~department of commerce's~~ consumer price index and the number of
26 registered voters in the state.

27 **(2) BEGINNING JANUARY 1, 2019 AND EVERY 4 YEARS THEREAFTER,**

1 THE SECRETARY OF STATE SHALL ADJUST THE DOLLAR VALUE CONTRIBUTION
2 LIMITS PROVIDED IN SECTIONS 52, 52A, AND 69(1). THE SECRETARY OF
3 STATE SHALL ADJUST THE LIMITS IN SECTIONS 52, 52A, AND 69(1) BY
4 COMPARING THE PERCENTAGE INCREASE OR DECREASE IN THE CONSUMER PRICE
5 INDEX FOR THE PRECEDING AUGUST BY THE CORRESPONDING CONSUMER PRICE
6 INDEX 4 YEARS EARLIER. THE SECRETARY OF STATE SHALL MULTIPLY THAT
7 PERCENTAGE CHANGE BY THE AMOUNTS IN SECTIONS 52, 52A, AND 69(1).
8 THE SECRETARY OF STATE SHALL ROUND UP EACH DOLLAR VALUE ADJUSTMENT
9 MADE UNDER THIS SUBSECTION TO THE NEAREST \$25.00. THE SECRETARY OF
10 STATE SHALL ANNOUNCE THE ADJUSTMENTS MADE UNDER THIS SUBSECTION BY
11 DECEMBER 15 OF EACH YEAR.

12 (3) AS USED IN THIS SECTION, "CONSUMER PRICE INDEX" MEANS THE
13 MOST COMPREHENSIVE INDEX OF CONSUMER PRICES AVAILABLE FOR THE
14 DETROIT AREA FROM THE BUREAU OF LABOR STATISTICS OF THE UNITED
15 STATES DEPARTMENT OF LABOR.

[Sec. 47. (1) Except as otherwise provided in this subsection and subject to subsections (3) and (4), a billboard, placard, poster, pamphlet, or other printed matter having reference to an election, a candidate, or a ballot question, shall bear upon it the name and address of the person paying for the matter. Except as otherwise provided in this subsection and subject to subsections (3) and (4), if the printed matter relating to a candidate is an independent expenditure that is not authorized in writing by the candidate committee of that candidate, the printed matter shall contain the following disclaimer: "Not authorized by any candidate committee". An individual other than a candidate is not subject to this subsection if the individual is acting independently and not acting as an agent for a candidate or any committee. This subsection does not apply to communications between a separate segregated fund established under section 55 and individuals who can be solicited for contributions to that separate segregated fund under section 55.

(2) A radio or television paid advertisement having reference to an election, a candidate, or a ballot question shall identify the sponsoring person as required by the federal communications commission, shall bear the name of the person paying for the advertisement, and shall be in compliance with subsection (3) and with the following:

(a) If the radio or television paid advertisement relates to a candidate and is an independent expenditure, the advertisement shall contain the following disclaimer: "Not authorized by any candidate".

(b) If the radio or television paid advertisement relates to a candidate and is not an independent expenditure but is paid for by a

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 person other than the candidate to which it is related, the advertisement shall contain the following disclaimer:

"Authorized by".
 (name of candidate or name of candidate committee)

(3) The size and placement of an identification or disclaimer required by this section shall be determined by rules promulgated by the secretary of state. The rules may exempt printed matter and certain other items such as campaign buttons or balloons, the size of which makes it unreasonable to add an identification or disclaimer, from the identification or disclaimer required by this section.

(4) Except **FOR A COMMUNICATION DESCRIBED IN SUBSECTION (5) AND EXCEPT** for a candidate committee's printed matter or radio or television paid advertisements, each identification or disclaimer required by this section shall also indicate that the printed matter or radio or television paid advertisement is paid for "with regulated funds". Printed matter or a radio or television paid advertisement that is not subject to this act shall not bear the statement required by this subsection.

(5) A COMMUNICATION OTHERWISE ENTIRELY EXEMPTED FROM THIS ACT UNDER SECTION 6(2)(J) IS SUBJECT ONLY TO THE IDENTIFICATION REQUIRED BY SUBSECTION (1), (2), OR (8) IF THAT COMMUNICATION REFERENCES A CLEARLY IDENTIFIED CANDIDATE OR BALLOT QUESTION WITHIN 60 DAYS BEFORE A GENERAL ELECTION OR 30 DAYS BEFORE A PRIMARY ELECTION IN WHICH THE CANDIDATE OR BALLOT QUESTION APPEARS ON A BALLOT AND IS TARGETED TO THE RELEVANT ELECTORATE WHERE THE CANDIDATE OR BALLOT QUESTION APPEARS ON THE BALLOT BY MEANS OF RADIO, TELEVISION, MASS MAILING, OR PRERECORDED TELEPHONE MESSAGE.

(6) ~~(5)~~—A person who knowingly violates this section is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00, or imprisonment for not more than 93 days, or both.

(7) **AS USED IN THIS SECTION, "MASS MAILING" MEANS A MAILING BY UNITED STATES MAIL OR FACSIMILE OF MORE THAN 500 PIECES OF MAIL MATTER OF AN IDENTICAL OR SUBSTANTIALLY SIMILAR NATURE WITHIN ANY 30-DAY PERIOD.**

(8) A PRERECORDED TELEPHONE MESSAGE THAT IN EXPRESS TERMS ADVOCATES THE ELECTION OR DEFEAT OF A CLEARLY IDENTIFIED CANDIDATE, OR THE QUALIFICATION, PASSAGE, OR DEFEAT OF A BALLOT QUESTION, SHALL CONTAIN THE NAME AND TELEPHONE NUMBER, ADDRESS, OR OTHER CONTACT INFORMATION OF THE PERSON PAYING FOR THE PRERECORDED TELEPHONE MESSAGE, AND SHALL BE IN COMPLIANCE WITH SUBSECTION (4).]

16 Sec. 52. (1) Except as provided in subsection (5) or (11) and
 17 subject to **SECTION 46 AND** subsection (8), a person other than an
 18 independent committee or a political party committee shall not make
 19 contributions to a candidate committee of a candidate for elective
 20 office that, with respect to an election cycle, are more than the
 21 following:

22 (a) ~~\$3,400.00~~ **\$6,800.00** for a candidate for state elective
 23 office other than the office of state legislator, or for a
 24 candidate for local elective office if the district from which he
 25 or she is seeking office has a population of more than 250,000.

26 (b) ~~\$1,000.00~~ **\$2,000.00** for a candidate for state senator, or
 27 for a candidate for local elective office if the district from

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1 which he or she is seeking office has a population of more than
2 85,000 but 250,000 or less.

3 (c) ~~\$500.00~~ **\$1,000.00** for a candidate for state
4 representative, or for a candidate for local elective office if the
5 district from which he or she is seeking office has a population of
6 85,000 or less.

7 (2) Except as otherwise provided in this subsection and
8 subsection (12), an independent committee shall not make

9 contributions to a candidate committee of a candidate for elective
10 office that, in the aggregate for that election cycle, are more
11 than 10 times the amount permitted a person other than an
12 independent committee or political party committee in subsection
13 (1). A house political party caucus committee or a senate political
14 party caucus committee is not limited under this subsection in the
15 amount of contributions made to the candidate committee of a
16 candidate for the office of state legislator ~~[~~, except as follows:

17 (a) A house political party caucus committee or a senate
18 political party caucus committee shall not pay a debt incurred by a
19 candidate if that debt was incurred while the candidate was seeking
20 nomination at a primary election and the candidate was opposed at
21 that primary.

22 (b) A house political party caucus committee or a senate
23 political party caucus committee shall not make a contribution to
24 or make an expenditure on behalf of a candidate if that candidate
25 is seeking nomination at a primary election and the candidate is
26 opposed at that primary.]

27 (3) A political party committee other than a state central

1 committee shall not make contributions to the candidate committee
2 of a candidate for elective office that are more than 10 times the
3 amount permitted a person other than an independent committee or
4 political party committee in subsection (1).

5 (4) A state central committee of a political party shall not
6 make contributions to the candidate committee of a candidate for
7 state elective office other than a candidate for the legislature
8 that are more than 20 times the amount permitted a person other
9 than an independent committee or political party committee in
10 subsection (1). A state central committee of a political party
11 shall not make contributions to the candidate committee of a
12 candidate for state senator, state representative, or local
13 elective office that are more than 10 times the amount permitted a
14 person other than an independent committee or political party
15 committee in subsection (1).

16 (5) A contribution from a member of a candidate's immediate
17 family to the candidate committee of that candidate is exempt from
18 the limitations of subsection (1).

19 (6) Consistent with the provisions of this section, a
20 contribution designated in writing for a particular election cycle
21 is considered made for that election cycle. A contribution made
22 after the close of a particular election cycle and designated in
23 writing for that election cycle shall be made only to the extent
24 that the contribution does not exceed the candidate committee's net
25 outstanding debts and obligations from the election cycle so
26 designated. If a contribution is not designated in writing for a
27 particular election cycle, the contribution is considered made for

1 the election cycle that corresponds to the date of the written
2 instrument.

3 (7) A candidate committee, a candidate, or a treasurer or
4 agent of a candidate committee shall not accept a contribution with
5 respect to an election cycle that exceeds the limitations in
6 subsection (1), (2), (3), (4), (11), or (12).

7 (8) The contribution limits in subsection (1) for a candidate
8 for local elective office are effective on the effective date of
9 the amendatory act that provides for those contribution limits,
10 however, only contributions received by that candidate on and after
11 that date shall be used to determine if the contribution limit has
12 been reached.

13 (9) A person who knowingly violates this section is guilty of
14 a misdemeanor punishable, if the person is an individual, by a fine
15 of not more than \$1,000.00 or imprisonment for not more than 90
16 days, or both, or, if the person is not an individual, by a fine of
17 not more than \$10,000.00.

18 (10) For purposes of the limitations provided in subsections
19 (1) and (2), all contributions made by political committees or
20 independent committees established by any corporation, joint stock
21 company, domestic dependent sovereign, or labor organization,
22 including any parent, subsidiary, branch, division, department, or
23 local unit thereof, shall be considered to have been made by a
24 single independent committee. By way of illustration and not
25 limitation, all of the following apply as a result of the
26 application of this requirement:

27 (a) All of the political committees and independent committees

1 established by a for profit corporation or joint stock company, by
2 a subsidiary of the for profit corporation or joint stock company,
3 or by any combination thereof, are treated as a single independent
4 committee.

5 (b) All of the political committees and independent committees
6 established by a single national or international labor
7 organization, by a labor organization of that national or
8 international labor organization, by a local labor organization of
9 that national or international labor organization, or by any other
10 subordinate organization of that national or international labor
11 organization, or by any combination thereof, are treated as a
12 single independent committee.

13 (c) All of the political committees and independent committees
14 established by an organization of national or international unions,
15 by a state central body of that organization, by a local central
16 body of that organization, or by any combination thereof, are
17 treated as a single independent committee.

18 (d) All of the political committees and independent committees
19 established by a nonprofit corporation, by a related state entity
20 of that nonprofit corporation, by a related local entity of that
21 nonprofit corporation, or by any combination thereof, are treated
22 as a single independent committee.

23 (11) The limitation on a political committee's contributions
24 under subsection (1) does not apply to contributions that are part
25 of 1 or more bundled contributions delivered to the candidate
26 committee of a candidate for statewide elective office and that are
27 attributed to the political committee as prescribed in section 31.

1 A political committee shall not make contributions to a candidate
2 committee of a candidate for statewide elective office that are
3 part of 1 or more bundled contributions delivered to that candidate
4 committee, that are attributed to the political committee as
5 prescribed in section 31, and that, in the aggregate for that
6 election cycle, are more than the amount permitted a person other
7 than an independent committee or political party committee in
8 subsection (1).

9 (12) The limitation on an independent committee's
10 contributions under subsection (2) does not apply to contributions
11 that are part of 1 or more bundled contributions delivered to the
12 candidate committee of a candidate for statewide elective office
13 and that are attributed to the independent committee as prescribed
14 in section 31. An independent committee shall not make
15 contributions to a candidate committee of a candidate for statewide
16 elective office that are part of 1 or more bundled contributions
17 delivered to that candidate committee, that are attributed to the
18 independent committee as prescribed in section 31, and that, in the
19 aggregate for that election cycle, are more than 10 times the
20 amount permitted a person other than an independent committee or
21 political party committee in subsection (1).

22 Sec. 52a. (1) ~~A~~ **SUBJECT TO SECTION 46, A** person shall not make
23 contributions to a house political party caucus committee or a
24 senate political party caucus committee that exceed ~~\$20,000.00~~
25 **\$40,000.00** in a calendar year. A house political party caucus
26 committee or a senate political party caucus committee or a
27 treasurer or agent of the committee shall not accept a contribution

1 with respect to a 2-year election cycle that exceeds the limitation
2 in this section.

3 (2) A person who knowingly violates this section is guilty of
4 a misdemeanor punishable, if the person is an individual, by a fine
5 of not more than \$1,000.00 or imprisonment for not more than 90
6 days, or both, or, if the person is not an individual, by a fine of
7 not more than \$10,000.00.

8 Sec. 55. (1) A corporation organized on a for profit or
9 nonprofit basis, a joint stock company, a domestic dependent
10 sovereign, or a labor organization formed under the laws of this or
11 another state or foreign country may make an expenditure for the
12 establishment and administration and solicitation of contributions
13 to a separate segregated fund to be used for political purposes. A
14 separate segregated fund established under this section shall be
15 limited to making contributions to, and expenditures on behalf of,
16 candidate committees, ballot question committees, political party
17 committees, political committees, independent committees, and other
18 separate segregated funds.

19 (2) Contributions for a separate segregated fund established
20 by a corporation, organized on a for profit basis, or a joint stock
21 company under this section may be solicited from any of the
22 following persons or their spouses:

23 (a) Stockholders of the corporation or company.

24 (b) Officers and directors of the corporation or company.

25 (c) Employees of the corporation or company who have policy
26 making, managerial, professional, supervisory, or administrative
27 nonclerical responsibilities.

1 (3) Contributions for a separate segregated fund established
2 under this section by a corporation organized on a nonprofit basis
3 may be solicited from any of the following persons or their
4 spouses:

5 (a) Members of the corporation who are individuals.

6 (b) Stockholders **OR MEMBERS** of members of the corporation.

7 (c) Officers or directors of members of the corporation.

8 (d) Employees of the members of the corporation who have
9 policy making, managerial, professional, supervisory, or
10 administrative nonclerical responsibilities.

11 (e) Employees of the corporation who have policy making,
12 managerial, professional, supervisory, or administrative
13 nonclerical responsibilities.

14 (4) Contributions for a separate segregated fund established
15 under this section by a labor organization may be solicited from
16 any of the following persons or their spouses:

17 (a) Members of the labor organization who are individuals.

18 (b) Officers or directors of the labor organization.

19 (c) Employees of the labor organization who have policy
20 making, managerial, professional, supervisory, or administrative
21 nonclerical responsibilities.

22 (5) Contributions for a separate segregated fund established
23 under this section by a domestic dependent sovereign may be
24 solicited from an individual who is a member of any domestic
25 dependent sovereign.

26 (6) Contributions shall not be obtained for a separate
27 segregated fund established under this section by use of coercion

1 or physical force, by making a contribution a condition of
2 employment or membership, or by using or threatening to use job
3 discrimination or financial reprisals. A corporation organized on a
4 for profit or nonprofit basis, a joint stock company, a domestic
5 dependent sovereign, or a labor organization shall not solicit or
6 obtain contributions for a separate segregated fund established
7 under this section from an individual described in subsection (2),
8 (3), (4), or (5) on an automatic or passive basis including but not
9 limited to a payroll deduction plan or reverse checkoff method. A
10 corporation organized on a for profit or nonprofit basis, a joint
11 stock company, a domestic dependent sovereign, or a labor
12 organization may solicit or obtain contributions for a separate
13 segregated fund established under this section from an individual
14 described in subsection (2), (3), (4), or (5) on an automatic
15 basis, including but not limited to a payroll deduction plan, only
16 if the individual who is contributing to the fund affirmatively
17 consents to the contribution at least once in every calendar year.

18 (7) A person who knowingly violates this section is guilty of
19 a felony punishable, if the person is an individual, by a fine of
20 not more than \$5,000.00 or imprisonment for not more than 3 years,
21 or both, or, if the person is not an individual, by a fine of not
22 more than \$10,000.00.

23 (8) If a corporation, joint stock company, domestic dependent
24 sovereign, or labor organization that obtains contributions for a
25 separate segregated fund from individuals described in subsection
26 (2), (3), (4), or (5) pays to 1 or more of those individuals a
27 bonus or other remuneration for the purpose of reimbursing those

1 contributions, then that corporation, joint stock company, domestic
2 dependent sovereign, or labor organization is subject to a civil
3 fine equal to 2 times the total contributions obtained from all
4 individuals for the separate segregated fund during that calendar
5 year.

6 Sec. 69. (1) Except as provided in subsection (6) or (10) **AND**
7 **SUBJECT TO SECTION 46**, a person other than an independent committee
8 or a political party committee shall not make contributions to a
9 candidate committee of a candidate that are more than ~~\$3,400.00~~
10 **\$6,800.00** in value for an election cycle.

11 (2) Except as provided in subsection (11), an independent
12 committee shall not make contributions to a candidate committee
13 that for an election cycle are more than 10 times the amount
14 permitted a person other than an independent committee or political
15 party committee in subsection (1).

16 (3) A political party committee that is a state central
17 committee shall not make contributions to a candidate committee
18 that for an election cycle are more than \$750,000.00.

19 (4) A political party committee that is a congressional
20 district or county committee shall not make contributions to a
21 candidate committee that for an election cycle are more than
22 \$30,000.00.

23 (5) A candidate committee, a candidate, or a treasurer or
24 agent shall not accept a contribution with respect to an election
25 cycle that exceeds a limitation in subsections (1) to (4), or (10).

26 (6) As used in this subsection, "immediate family" means a
27 spouse, parent, brother, sister, son, or daughter. A candidate and

1 members of that candidate's immediate family may not contribute in
2 total to that person's candidate committee an amount that is more
3 than \$50,000.00 in value for an election cycle.

4 (7) Sections 5(3) and 52(6) apply to determining when an
5 election cycle begins and ends and to which election cycle a
6 particular contribution is attributed.

7 (8) The candidate committee of a candidate for governor that
8 does not apply for funds from the state campaign fund and that
9 accepts from the candidate and the candidate's immediate family
10 contributions that total for an election cycle more than
11 \$340,000.00 shall notify the secretary of state in writing within
12 48 hours after receipt of this amount. Within 2 business days after
13 receipt of this notice, the secretary of state shall send notice to
14 all candidates who are either seeking the same nomination, in the
15 case of a primary election, or election to that same office, in the
16 case of a general election, informing those candidate committees of
17 all of the following:

18 (a) That the expenditure limits provided in section 67 are
19 waived for the remainder of that election for those notified
20 candidate committees that receive funds from the state campaign
21 fund under this act.

22 (b) That the expenditure limits of section 67 are not waived
23 for the purpose of determining the amount of public funds available
24 to a candidate under section 64 or 65.

25 (9) A person who knowingly violates this section is guilty of
26 a misdemeanor punishable, if the person is an individual, by a fine
27 of not more than \$1,000.00 or imprisonment for not more than 90

1 days, or both, or, if the person is not an individual, by a fine of
2 not more than \$10,000.00.

3 (10) The limitation on a political committee's contributions
4 under subsection (1) does not apply to contributions that are part
5 of 1 or more bundled contributions delivered to the candidate
6 committee of a candidate for statewide elective office and that are
7 attributed to the political committee as prescribed in section 31.
8 A political committee shall not make contributions to a candidate
9 committee of a candidate for statewide elective office that are
10 part of 1 or more bundled contributions delivered to that candidate
11 committee, that are attributed to the political committee as
12 prescribed in section 31, and that, in the aggregate for that
13 election cycle, are more than the amount permitted a person other
14 than an independent committee or political party committee in
15 subsection (1).

16 (11) The limitation on an independent committee's
17 contributions under subsection (2) does not apply to contributions
18 that are part of 1 or more bundled contributions delivered to the
19 candidate committee of a candidate for statewide elective office
20 and that are attributed to the independent committee as prescribed
21 in section 31. An independent committee shall not make
22 contributions to a candidate committee of a candidate for statewide
23 elective office that are part of 1 or more bundled contributions
24 delivered to that candidate committee, that are attributed to the
25 independent committee as prescribed in section 31, and that, in the
26 aggregate for that election cycle, are more than 10 times the
27 amount permitted a person other than an independent committee or

1 political party committee in subsection (1).