



**House  
Legislative  
Analysis  
Section**

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**RADIO AND TV POLITICAL  
ADVERTISEMENTS**

**House Bill 5664**

**Sponsor: Rep. Charles Perricone**

**Committee: House Oversight and Ethics**

**Complete to 3-12-96**

**A SUMMARY OF HOUSE BILL 5664 AS INTRODUCED 3-7-96**

The bill would amend the political advertising provisions of the Michigan Campaign Finance Act to require that radio and TV political advertisement disclaimers be read as part of the advertisement (and, in the case of TV, appear on the television screen as the disclaimer was being read). The bill also would add fines of up to \$10,000 for violators would weren't individuals.

Currently, paid radio or television advertisements referring to an election, a candidate, or a ballot question must identify the sponsoring person as required by the Federal Communications Commission and must comply with one of two disclaimers: If the ad relates to a candidate and is an independent expenditure, it must contain a disclaimer saying "Not authorized by any candidate"; if the ad relates to a candidate and is not an independent expenditure but is paid for by a person other than the candidate, it must contain a disclaimer saying "Authorized by [name of candidate or name of candidate committee]." The bill would amend this part of the act by requiring, in addition to the existing requirements, that the required disclaimers be read as part of the advertisement -- and appear on the television screen, if applicable, as the disclaimer was being read. If the payment was an independent expenditure, the name of the sponsoring person would have to be read as part of the ad (and appear on the TV screen, if applicable, as the sponsor's name was being read). If a candidate committee paid for an advertisement that referred, directly or indirectly, to another candidate for the same office, that reference would have to be made directly by the candidate whose committee was paying for the advertisement (and, in the case of a TV ad, that reference would have to be made directly on camera by the candidate whose committee was paying for the ad).

Currently, a person who knowingly violates this section of the act is guilty of a misdemeanor, punishable by a fine of not more than \$1,000, imprisonment for not more than 90 days, or both. The bill would amend this to say that a person who knowingly violated this section of the act would be guilty of a misdemeanor punishable, if the person were and individual, by a fine of not more than \$1,000 or imprisonment for not more than 90 days, or both; if the person wasn't an individual, by a fine of not more than \$10,000.

MCL 169.247

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.