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Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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House Bill 5058 (Substitute H-1 as reported without amendment)  
Sponsor: Representative Bruce Patterson  
House Committee: Constitutional Law and Ethics  
Senate Committee: Government Operations

### **CONTENT**

The bill would amend the Michigan Campaign Finance Act to require a person filing a complaint (alleging a violation of the Act) to certify that it was not filed for improper purposes and that, to the best of the complainant's knowledge, it was supported by evidence; make it a civil infraction for a person to file a complaint with a false certificate; allow the Secretary of State to require a person who filed a complaint with a false certificate to pay the Secretary of State, and/or the person against whom the complaint was filed, for some or all of the expenses incurred as a direct result of the filing of the complaint; and require the Secretary of State to develop a form to be used for the filing of complaints.

Currently, a person may file a complaint with the Secretary of State alleging a violation of the Act. The bill would require that a complaint state the complainant's name, address, and telephone number, be signed by the complainant, and certify the following:

- That the complaint was not filed for any improper purpose, such as to harass or cause a person to expend resources defending against a complaint in proceedings under the Act or in the media.
- That, to the best of the complainant's knowledge, information, and belief, each factual contention of the complaint was supported by evidence; or that specific factual contentions were likely to be supported by evidence after a reasonable opportunity for investigation.

MCL 169.215

Legislative Analyst: G. Towne

### **FISCAL IMPACT**

Depending on the number of individuals filing false complaints, the provisions of the bill could increase revenue to the State. The Department of State could incur administrative costs for the creation of forms on which complaints would be filed.

Date Completed: 12-7-99

Fiscal Analyst: E. Limbs