

**SENATE BILL NO. 91**

January 26, 1999, Introduced by Senator PETERS and referred to the Committee on Government Operations.

A bill to amend 1984 PA 431, entitled  
"The management and budget act,"  
(MCL 18.1101 to 18.1594) by adding section 262a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        SEC. 262A. (1) A CONTRACTOR OR PERSON WHO HAS AN INTEREST  
2 IN A CONTRACTOR, OR THE SPOUSE, PARENT, CHILD, OR SPOUSE OF A  
3 CHILD OF A CONTRACTOR OR PERSON WHO HAS AN INTEREST IN A CONTRAC-  
4 TOR, SHALL NOT MAKE A CONTRIBUTION TO A CANDIDATE OR A COMMITTEE  
5 DURING THE FOLLOWING PERIODS:  
6        (A) THE TIME PERIOD DURING WHICH THE CONTRACTOR HAS A CON-  
7 TRACT WITH THIS STATE.  
8        (B) THE 3 YEARS FOLLOWING THE FINAL EXPIRATION OR TERMINA-  
9 TION OF THE CONTRACTOR'S CONTRACT WITH THIS STATE.  
10       (2) A CONTRACTOR OR PERSON WHO HAS AN INTEREST IN A  
11 CONTRACTOR, OR THE SPOUSE, PARENT, CHILD, OR SPOUSE OF A CHILD OF

1 A CONTRACTOR OR A PERSON WHO HAS AN INTEREST IN A CONTRACTOR,  
2 SHALL NOT MAKE A CONTRIBUTION TO A CANDIDATE OR COMMITTEE THROUGH  
3 A LEGAL ENTITY THAT IS ESTABLISHED, DIRECTED, OR CONTROLLED BY  
4 ANY OF THE PERSONS DESCRIBED IN THIS SUBSECTION DURING THE TIME  
5 PERIOD DESCRIBED IN SUBSECTION (1).

6 (3) FOR PURPOSES OF THIS SECTION, A PERSON IS CONSIDERED TO  
7 HAVE AN INTEREST IN A CONTRACTOR IF ANY OF THE FOLLOWING CIRCUM-  
8 STANCES EXIST:

9 (A) THE PERSON HOLDS AT LEAST A 1% INTEREST IN THE  
10 CONTRACTOR.

11 (B) THE PERSON IS AN OFFICER OR A MANAGERIAL EMPLOYEE OF THE  
12 CONTRACTOR AS DEFINED BY RULES PROMULGATED BY THE DEPARTMENT.

13 (C) THE PERSON IS AN OFFICER OF THE PERSON WHO HOLDS AT  
14 LEAST A 1% INTEREST IN THE CONTRACTOR.

15 (D) THE PERSON IS AN INDEPENDENT COMMITTEE OF THE  
16 CONTRACTOR.

17 (4) A CONTRACTOR IS CONSIDERED TO HAVE MADE A CONTRIBUTION  
18 IF A CONTRIBUTION IS MADE BY A PERSON WHO HAS AN INTEREST IN THE  
19 CONTRACTOR.

20 (5) AS USED IN THIS SECTION:

21 (A) "CANDIDATE" MEANS BOTH OF THE FOLLOWING:

22 (i) THAT TERM AS DEFINED IN SECTION 3 OF THE MICHIGAN CAM-  
23 PAIGN FINANCE ACT, 1976 PA 388, MCL 169.203.

24 (ii) THE HOLDER OF ANY STATE, LEGISLATIVE, OR LOCAL ELECTIVE  
25 OFFICE.

1 (B) "CONTRACTOR" MEANS A PERSON WHO HAS ENTERED INTO A  
2 CONTRACT WITH THIS STATE TO PROVIDE SUPPLIES OR SERVICES  
3 DESCRIBED IN SECTION 261.

4 (C) "COMMITTEE" MEANS ANY OF THE FOLLOWING:

5 (i) A CANDIDATE COMMITTEE AS THAT TERM IS DEFINED IN  
6 SECTION 3 OF THE MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL  
7 169.203.

8 (ii) A POLITICAL PARTY COMMITTEE AS THAT TERM IS DEFINED IN  
9 SECTION 11 OF THE MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL  
10 169.211.

11 (iii) AN INDEPENDENT COMMITTEE AS THAT TERM IS DEFINED IN  
12 SECTION 8 OF THE MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL  
13 169.208.

14 (iv) A COMMITTEE ORGANIZED BY A LEGISLATIVE CAUCUS OF A  
15 CHAMBER OF THE LEGISLATURE.

16 (D) "OFFICER" MEANS EITHER OF THE FOLLOWING:

17 (i) AN INDIVIDUAL LISTED AS AN OFFICER OF A CORPORATION,  
18 LIMITED LIABILITY COMPANY, OR LIMITED LIABILITY PARTNERSHIP.

19 (ii) AN INDIVIDUAL WHO IS A SUCCESSOR TO AN INDIVIDUAL  
20 DESCRIBED IN SUBPARAGRAPH (i).