

HOUSE BILL No. 6649

November 14, 2006, Introduced by Reps. Kolb and Zelenko and referred to the Committee on House Oversight, Elections, and Ethics.

A bill to amend 1978 PA 472, entitled

"An act to regulate political activity; to regulate lobbyists, lobbyist agents, and lobbying activities; to require registration of lobbyists and lobbyist agents; to require the filing of reports; to prescribe the powers and duties of the department of state; to prescribe penalties; and to repeal certain acts and parts of acts,"

by amending section 11 (MCL 4.421).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11. (1) A person shall not be employed as a lobbyist
2 agent for compensation contingent in any manner upon the outcome of
3 an administrative or legislative action. A person who knowingly
4 violates this subsection is guilty of a felony and if the person is
5 an individual shall be punished by a fine of not more than
6 \$10,000.00, or imprisoned for not more than 3 years, or both, and
7 if the person is other than an individual shall be punished by a

1 fine of not more than \$25,000.00.

2 (2) A lobbyist or lobbyist agent or anyone acting on behalf of
3 a lobbyist or lobbyist agent shall not give a gift or loan **TO AN**
4 **OFFICIAL IN THE EXECUTIVE BRANCH, AN OFFICIAL IN THE LEGISLATIVE**
5 **BRANCH OR A MEMBER OF THE OFFICIAL'S STAFF, OR A MEMBER OF THE**
6 **IMMEDIATE FAMILY OF AN OFFICIAL IN THE EXECUTIVE OR LEGISLATIVE**
7 **BRANCH**, other than a loan made in the normal course of business by
8 an institution as defined in section ~~5 of Act No. 319 of the~~
9 ~~Public Acts of 1969, as amended~~ **1202 OF THE BANKING CODE OF 1999,**
10 **1999 PA 276, MCL 487.11202**, a national bank, a branch bank, an
11 insurance company issuing a loan or receiving a mortgage in the
12 normal course of business, a premium finance company, a mortgage
13 company, a small loan company, a state or federal credit union, a
14 savings and loan association chartered by this state or the federal
15 government, or a licensee as defined by ~~Act No. 27 of the Public~~
16 ~~Acts of the Extra Session of 1950, as amended~~ **SECTION 2 OF THE**
17 **MOTOR VEHICLE SALES FINANCE ACT, 1950 (EX SESS) PA 27, MCL 492.102.**
18 For the purpose of this section, a preferential interest rate shall
19 not be given solely on the basis of the credit applicant being a
20 public official or a member of the public official's immediate
21 family. A person who gives a gift in violation of this subsection
22 is guilty of a misdemeanor if the value of the gift is \$3,000.00 or
23 less, and shall be punished by a fine of not more than \$5,000.00,
24 or imprisoned for not more than 90 days, or both, and if the person
25 is other than an individual the person shall be fined not more than
26 \$10,000.00. A person who knowingly gives a gift in violation of
27 this subsection and the value of the gift is more than \$3,000.00 is

1 guilty of a felony and if the person is an individual shall be
2 punished by a fine of not more than \$10,000.00, or imprisoned for
3 not more than 3 years, or both, and if the person is other than an
4 individual shall be punished by a fine of not more than \$25,000.00.

5 (3) Information copied from registration forms or activity
6 reports required by this act or from lists compiled from the forms
7 or reports may not be sold or utilized by any person for any
8 commercial purpose. A person who violates this subsection is
9 subject to a civil penalty of not more than \$1,000.00.

10 (4) A public official, other than an individual who is
11 appointed or elected to a board or commission and is not an ex
12 officio member or prohibited by law from having other employment,
13 shall not accept compensation or reimbursement, other than from the
14 state, for personally engaging in lobbying. A person who violates
15 this subsection is guilty of a misdemeanor and shall be punished by
16 a fine of not more than \$1,000.00, or imprisoned for not more than
17 90 days, or both.