



Senate Fiscal Agency  
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House Bill 4382 (as passed by the House)  
Sponsor: Representative Dan Scripps  
House Committee: Ethics and Elections  
Senate Committee: Campaign and Election Oversight

Date Completed: 2-23-10

### **CONTENT**

The bill would amend the Michigan Campaign Finance Act to prohibit a candidate or person acting on behalf of a candidate from soliciting or accepting a contribution in a facility owned or leased by, or on behalf of, the State or a public body. A violation would be a misdemeanor punishable by up to 90 days' imprisonment and/or a maximum fine of \$1,000.

The prohibition would not apply if the facility were primarily used as a family dwelling and were not used to conduct a fund-raising event, or if any candidate had an equal opportunity to use the facility.

(Under the Act, "public body" means one or more of the following:

- A State agency, department, division, bureau, board, commission, council, authority, or other body in the executive branch of State government.
- The Legislature or an agency, board, commission, or council in the legislative branch of State government.
- A county, city, township, village, intercounty, intercity, or regional governing body; a council, school district, special district, or municipal corporation; or a board, department commission, or council, or an agency of a board, department, commission, or council.
- Any other body that is created by State or local authority or is primarily funded by or through State or local authority, and that exercises governmental or proprietary authority or performs a governmental or proprietary function.)

Proposed MCL 169.257a

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders would be convicted of the proposed offense. An offender convicted of a misdemeanor under the bill would be subject to a maximum jail sentence of 90 days and/or a maximum fine of \$1,000. Local governments would incur the costs of incarceration in local facilities, which vary by county. Additional penal fine revenue would benefit public libraries.

Fiscal Analyst: Matthew Grabowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.