

# HOUSE BILL No. 5358

February 2, 2012, Introduced by Reps. Darany, Slavens, Dillon, Byrum, Bledsoe, Lipton, Brunner, Segal, Olumba, Geiss, Hovey-Wright, Kandrevas, Stallworth, Durhal, Nathan, Ananich, Lindberg, Switalski, Rutledge, Bauer, Townsend, Liss, Hammel, Barnett, Meadows, Cavanagh, McCann, Irwin, Howze and Brown and referred to the Committee on Redistricting and Elections.

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,"

(MCL 4.411 to 4.431) by adding section 11a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 11A. (1) A LOBBYIST, A LOBBYIST AGENT, A REPRESENTATIVE  
2        OF THE LOBBYIST, OR ANY PERSON ACTING ON BEHALF OF A LOBBYIST OR  
3        LOBBYIST AGENT SHALL NOT DELIVER OR CAUSE TO BE DELIVERED A  
4        CONTRIBUTION, OR PROMISE TO MAKE A CONTRIBUTION IN EXCHANGE FOR A  
5        VOTE, TO A CANDIDATE OR ANY PERSON ACTING ON BEHALF OF A CANDIDATE,  
6        IN ANY FACILITY OR PORTION OF A FACILITY OWNED OR LEASED BY THE  
7        STATE.

1           (2) SUBSECTION (1) DOES NOT APPLY TO A CONTRIBUTION DELIVERED  
2 IN ANY OF THE FOLLOWING:

3           (A) A FACILITY OWNED OR LEASED BY, OR ON BEHALF OF, THE STATE  
4 OR A PUBLIC BODY IF THAT FACILITY IS PRIMARILY USED AS A FAMILY  
5 DWELLING AND IS NOT USED TO CONDUCT A FUND-RAISING EVENT.

6           (B) A FACILITY OWNED OR LEASED BY, OR ON BEHALF OF, THE STATE  
7 OR A PUBLIC BODY IF ANY CANDIDATE HAS AN EQUAL OPPORTUNITY TO USE  
8 THE FACILITY.

9           (3) A PERSON THAT VIOLATES THIS SECTION IS GUILTY OF A  
10 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR  
11 A FINE EQUAL TO THE GREATER OF \$1,000.00 OR THE AMOUNT OF THE  
12 CONTRIBUTION MADE UNDER SUBSECTION (1), OR BOTH.

13           (4) AS USED IN THIS SECTION:

14           (A) "CANDIDATE" MEANS THAT TERM AS DEFINED IN SECTION 3 OF THE  
15 MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL 169.203.

16           (B) "CONTRIBUTION" MEANS THAT TERM AS DEFINED IN SECTION 4 OF  
17 THE MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL 169.204.

18           Enacting section 1. This amendatory act takes effect 90 days  
19 after the date it is enacted into law.