

# HOUSE BILL NO. 5212

July 01, 2021, Introduced by Reps. O'Neal and Rabhi and referred to the Committee on Government Operations.

A bill to amend 1976 PA 388, entitled  
"Michigan campaign finance act,"  
by amending section 61 (MCL 169.261), as amended by 2007 PA 66.

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

1           Sec. 61. (1) The state campaign fund is hereby created. The  
2 state treasurer shall administer the state campaign fund in  
3 accordance with this act.

4           (2) An individual whose tax liability under the income tax act  
5 of 1967, 1967 PA 281, MCL 206.1 to ~~206.532~~, **206.713**, for a taxable

1 year is \$3.00 or more may designate that \$3.00 be credited to the  
2 state campaign fund. In the case of a joint return of ~~husband and~~  
3 ~~wife~~ **spouses** having an income tax liability of \$6.00 or more, each  
4 spouse may designate that \$3.00 be credited to the state campaign  
5 fund.

6 (3) The tax designation authorized in this section ~~shall~~ **must**  
7 be clearly and unambiguously printed on the first page of the state  
8 individual income tax return.

9 (4) Except as otherwise provided in this section, an amount  
10 equal to the cumulative amounts designated under subsection (2)  
11 each year ~~shall~~ **must** be appropriated annually from the general fund  
12 of this state to the state campaign fund to be available beginning  
13 January 1 and continuing through December 31 of each year in which  
14 a governor is elected. Except as otherwise provided in this  
15 section, money appropriated under this section ~~shall~~ **does** not lapse  
16 to the general fund but ~~shall remain~~ **remains** in the state campaign  
17 fund for distribution without fiscal year limitation except that  
18 any money remaining in the state campaign fund in excess of  
19 \$10,000,000.00 on December 31 immediately following a gubernatorial  
20 general election ~~shall lapse~~ **lapses** to the general fund.

21 (5) Before the distribution of money under this act to  
22 qualifying primary election candidates, the state treasurer shall  
23 set aside sufficient money from the state campaign fund to fully  
24 implement the formula for distributing money to qualifying general  
25 election candidates. If there is insufficient money in the state  
26 campaign fund to provide full funding to eligible primary election  
27 candidates, the available money ~~shall~~ **must** be distributed to those  
28 candidates on a pro rata basis.

29 ~~(6) For fiscal year 2006-2007 only, \$7,200,000.00 shall be~~

1 ~~transferred from the state campaign fund to the general fund of~~  
2 ~~this state.~~

3       Enacting section 1. This amendatory act does not take effect  
4 unless Senate Joint Resolution \_\_\_\_ or House Joint Resolution \_\_\_\_  
5 (request no. 02344'21) of the 101st Legislature becomes a part of  
6 the state constitution of 1963 as provided in section 1 of article  
7 XII of the state constitution of 1963.