

HOUSE BILL NO. 6486

November 09, 2022, Introduced by Rep. Steven Johnson and referred to the Committee on Elections and Ethics.

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
by amending section 26 (MCL 169.226), as amended by 2019 PA 93.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 26. (1) A campaign statement of a committee, other than a
2 political party committee, required ~~by~~**under** this act must contain
3 all of the following information:

4 (a) The filing committee's name, address, and telephone

1 number, and the full name, residential and business addresses,
2 ~~electronic mail~~**email** address, and telephone numbers of the
3 committee treasurer or other individual designated as responsible
4 for the committee's record keeping, report preparation, or report
5 filing.

6 (b) Under the heading "receipts", the total amount of
7 contributions received during the period covered by the campaign
8 statement; under the heading "expenditures", the total amount of
9 expenditures made during the period covered by the campaign
10 statement; and the cumulative amount of those totals. Forgiveness
11 of a loan must not be included in the totals. Payment of a loan by
12 a third party must be recorded and reported as an in-kind
13 contribution by the third party. In-kind contributions or
14 expenditures must be listed at fair market value and reported as
15 both contributions and expenditures. A contribution or expenditure
16 that is by other than completed and accepted payment, gift, or
17 other transfer, that is clearly not legally enforceable, and that
18 is expressly withdrawn or rejected and returned before a campaign
19 statement closing date need not be included in the campaign
20 statement and if included may, in a later or amended statement, be
21 shown as a deduction, but the committee shall keep adequate records
22 of each instance.

23 (c) The balance of cash on hand at the beginning and the end
24 of the period covered by the campaign statement.

25 (d) The following information regarding each fund-raising
26 event must be included in the report:

27 (i) The type of event, date held, address and name, if any, of
28 the place where the activity was held, and approximate number of
29 individuals participating or in attendance.

1 (ii) The total amount of all contributions.

2 (iii) The gross receipts of the fund-raising event.

3 (iv) The expenditures incident to the event.

4 (e) The full name of each individual from whom contributions
 5 are received during the period covered by the campaign statement,
 6 together with the individual's street address, the amount
 7 contributed, the date on which each contribution was received, and
 8 the cumulative amount contributed by that individual. The
 9 occupation, employer, and principal place of business must be
 10 stated if the individual's cumulative contributions are more than
 11 \$100.00. For contributions of \$5.00 or less by an individual to a
 12 political committee or independent committee, the secretary of
 13 state shall accept for filing any written communication from the
 14 political committee or independent committee that contains the
 15 information otherwise required under this subsection. Any written
 16 communication under this subdivision does not need to contain an
 17 original signature.

18 (f) ~~The~~ **Except those individuals reported under subdivision**
 19 **(e), the** cumulative amount contributed and the name and address of
 20 each individual ~~, except those individuals reported under~~
 21 ~~subdivision (e),~~ who contributed to the committee. The occupation,
 22 employer, and principal place of business must be stated for each
 23 individual who contributed more than \$100.00.

24 (g) The name and street address of each person, other than an
 25 individual, from whom contributions are received during the period
 26 covered by the campaign statement, together with an itemization of
 27 the amounts contributed, the date on which each contribution was
 28 received, and the cumulative amount contributed by that person.

29 (h) The name, address, and amount given by an individual who

1 contributed to the total amount contributed by a person who is
 2 other than a committee or an individual. The occupation, employer,
 3 and principal place of business must be stated if the individual
 4 contributed more than \$100.00 of the total amount contributed by a
 5 person who is other than a committee or an individual.

6 (i) ~~The~~ **Except for expenditures made to or on behalf of**
 7 **another committee, candidate, or ballot question, the** cumulative
 8 total of expenditures and other disbursements totaling \$50.00 or
 9 less to any person made during the period covered by the campaign
 10 statement. ~~except for expenditures made to or on behalf of another~~
 11 ~~committee, candidate, or ballot question.~~

12 (j) The full name and street address of each person to whom
 13 expenditures or other disbursements totaling more than \$50.00 were
 14 made, together with the amount of each separate expenditure or
 15 disbursement to each person during the period covered by the
 16 campaign statement; the purpose of the expenditure or disbursement;
 17 the full name and street address of the person providing the
 18 consideration for which any expenditure or disbursement was made if
 19 different from the payee; the itemization regardless of amount of
 20 each expenditure made to or on behalf of another committee,
 21 candidate, or ballot question; and the cumulative amount of
 22 expenditures for or against that candidate or ballot question for
 23 an election cycle. An expenditure made in support of more than 1
 24 candidate or ballot question, or both, must be apportioned
 25 reasonably among the candidates or ballot questions, or both.

26 (2) A candidate committee or ballot question committee shall
 27 report all cumulative amounts required ~~by~~ **under** this section on a
 28 per election cycle basis. Except as provided in subsection (1)(j),
 29 an independent committee, independent expenditure committee, or

1 political committee shall report all cumulative amounts **as** required
2 ~~by~~**under** this section on a calendar year basis.

3 (3) A campaign statement of a committee, in addition to the
4 other information required by this section, must include an
5 itemized list of all expenditures during the reporting period for
6 election day busing of electors to the polls, get-out-the-vote
7 activities, slate cards, challengers, poll watchers, and poll
8 workers.

9 (4) For a reporting period in which a contribution is received
10 that is to be part of a bundled contribution or a reporting period
11 in which a bundled contribution is delivered to the candidate
12 committee of a candidate for statewide elective office, a bundling
13 committee shall report to the secretary of state, on a form
14 provided by the secretary of state, all of the following
15 information, as applicable, about each contribution received or
16 delivered as part of a bundled contribution, and about each bundled
17 contribution delivered, in the reporting period:

18 (a) The amount of each contribution, the date it was received
19 by the bundling committee, and the candidate for statewide elective
20 office whom the contributor designated as the intended recipient.

21 (b) Each contributor's name and address and, for each
22 contribution exceeding \$100.00, the contributor's occupation,
23 employer, and principal place of business.

24 (c) The date each contribution is delivered to the candidate's
25 statewide elective office candidate committee.

26 (d) The total amount of bundled contributions delivered to
27 that candidate committee during the reporting period and during the
28 election cycle.

29 (5) With its delivery of a bundled contribution to the

1 candidate committee of a candidate for statewide elective office, a
2 bundling committee shall deliver a report to that candidate
3 committee, on a form provided by the secretary of state, that
4 includes all of the following information, as applicable, about
5 each contribution delivered as part of the bundled contribution,
6 and about all bundled contributions delivered to that candidate
7 committee in the election cycle:

8 (a) The amount of each contribution, the date it was received
9 by the bundling committee, and the statewide elective office
10 candidate the contributor designated as the intended recipient.

11 (b) Each contributor's name and address and, for each
12 contribution exceeding \$100.00, the contributor's occupation,
13 employer, and principal place of business.

14 (c) The total amount of bundled contributions delivered to
15 that candidate committee during the reporting period and during the
16 election cycle.

17 (6) For a reporting period in which a bundled contribution is
18 received, a candidate committee of a candidate for statewide
19 elective office shall report to the secretary of state, on a form
20 provided by the secretary of state, all of the following
21 information, as applicable, about each contribution delivered as
22 part of a bundled contribution received in the reporting period and
23 about all bundled contributions received by that candidate
24 committee:

25 (a) The amount of each contribution, the date it was received
26 by the candidate committee, and the name of the bundling committee
27 that delivered the contribution.

28 (b) Each contributor's name and address and, for each
29 contribution exceeding \$100.00, the contributor's occupation,

1 employer, and principal place of business.

2 (c) The total amount of bundled contributions received by that
3 candidate committee during the reporting period and during the
4 election cycle.

5 **(7) If a committee reports the date a contribution is received**
6 **by the committee under this section, the date the contribution is**
7 **received must be the same as the date on which a bank or financial**
8 **institution posts the contribution amount to an account controlled**
9 **by the committee.**

10 **(8) ~~(7)~~**For a reporting period in which a connected
11 organization of a separate segregated fund makes a payment for a
12 prize or 1 or more items authorized under section 55(8), the
13 separate segregated fund shall report all of the following, as
14 applicable:

15 (a) The amount of any payment of costs for a prize, the value
16 of the prize, the amount raised by the prize, and the amount, if
17 any, reimbursed to the connected organization by the separate
18 segregated fund for the prize.

19 (b) The amount per item of any payment of costs for items to
20 be sold or offered in return for a contribution as part of
21 fundraising activities for the separate segregated fund, the amount
22 per item that each item is offered at or offered for sale at, the
23 value of each item, the aggregate amount paid for those items, and
24 the amount, if any, reimbursed to the connected organization by the
25 separate segregated fund for any items. If 1 or more of the same
26 items are sold or offered in return for a contribution, a report by
27 item type satisfies the reporting requirement under this
28 subdivision.

29 **(9) ~~(8)~~**As used in subsection **~~(7)~~, (8)**, "value" means the

- 1 regular purchase price offered by the vendor from whom an item is
- 2 purchased, less any customary discount offered based on the number
- 3 of items purchased in the same transaction.