

**SUBSTITUTE FOR  
SENATE BILL NO. 1250**

A bill to amend 1976 PA 388, entitled  
"Michigan campaign finance act,"  
by amending the title and sections 3, 15, 16, 17, 18, 18a, 21, 22,  
24, 26, 30, 33, 36, 46, 51, 55, 57, 63, 64, 65, and 69 (MCL  
169.203, 169.215, 169.216, 169.217, 169.218, 169.218a, 169.221,  
169.222, 169.224, 169.226, 169.230, 169.233, 169.236, 169.246,  
169.251, 169.255, 169.257, 169.263, 169.264, 169.265, and 169.269),  
the title as amended by 1994 PA 385, sections 3, 17, 24, 26, 33,  
51, and 55 as amended by 2017 PA 119, sections 15, 21, and 57 as  
amended by 2015 PA 269, section 16 as amended by 2017 PA 184,  
section 18 as amended by 2013 PA 258, section 18a as added by 2013  
PA 259, section 22 as amended by 1999 PA 237, section 30 as added  
by 1997 PA 71, section 36 as amended by 2012 PA 277, sections 46  
and 69 as amended by 2013 PA 252, and sections 64 and 65 as amended

by 1993 PA 262, and by adding section 15a.

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

1 TITLE

2 An act to regulate political activity; to regulate campaign  
3 financing; to restrict campaign contributions and expenditures; to  
4 require campaign statements and reports; to regulate anonymous  
5 contributions; to regulate campaign advertising and literature; to  
6 provide for segregated funds for political purposes; to provide for  
7 the use of public funds for political purposes; to create certain  
8 funds; to provide for reversion, retention, or refunding of  
9 unexpended balances in certain funds; to require other statements  
10 and reports; to regulate acceptance of certain gifts, payments, and  
11 reimbursements; **TO CREATE THE FAIR POLITICAL PRACTICES COMMISSION;**  
12 **TO PRESCRIBE THE POWERS AND DUTIES OF THE FAIR POLITICAL PRACTICES**  
13 **COMMISSION;** to prescribe the powers and duties of certain state  
14 departments and state and local officials and employees; to provide  
15 appropriations; to prescribe penalties and provide remedies; and to  
16 repeal certain acts and parts of acts.

17 Sec. 3. (1) "Candidate" means an individual who meets 1 or  
18 more of the following criteria:

19 (a) Files a fee, an affidavit of incumbency, or a nominating  
20 petition for an elective office.

21 (b) Is nominated as a candidate for elective office by a  
22 political party caucus or convention and whose nomination is  
23 certified to the appropriate filing official.

24 (c) Receives a contribution, makes an expenditure, or gives  
25 consent for another person to receive a contribution or make an

1 expenditure with a view to bringing about the individual's  
2 nomination or election to an elective office, whether or not the  
3 specific elective office for which the individual will seek  
4 nomination or election is known at the time the contribution is  
5 received or the expenditure is made.

6 (d) Is an officeholder who is the subject of a recall vote.

7 (e) Holds an elective office, unless the officeholder is  
8 constitutionally or legally barred from seeking reelection or fails  
9 to file for reelection to that office by the applicable filing  
10 deadline. An individual described in this subdivision is considered  
11 to be a candidate for reelection to that same office for the  
12 purposes of this act only.

13 For purposes of sections 61 to 71, "candidate" only means, in  
14 a primary election, a candidate for the office of governor and, in  
15 a general election, a candidate for the office of governor or  
16 lieutenant governor. However, the candidates for the office of  
17 governor and lieutenant governor of the same political party in a  
18 general election are considered as 1 candidate.

19 (2) "Candidate committee" means the committee designated in a  
20 candidate's filed statement of organization as that individual's  
21 candidate committee. A candidate committee must be under the  
22 control and direction of the candidate named in the same statement  
23 of organization. Notwithstanding subsection ~~(4)~~, ~~(5)~~, an individual  
24 shall form a candidate committee under section 21 if the individual  
25 becomes a candidate under subsection (1).

26 (3) "Closing date" means the date through which a campaign  
27 statement is required to be complete.

1           (4) "COMMISSION" MEANS THE FAIR POLITICAL PRACTICES COMMISSION  
2       CREATED IN SECTION 15A.

3           (5) ~~(4)~~—"Committee" means a person that receives contributions  
4       or makes expenditures for the purpose of influencing or attempting  
5       to influence the action of the voters for or against the nomination  
6       or election of a candidate, the qualification, passage, or defeat  
7       of a ballot question, or the qualification of a new political  
8       party, if contributions received total \$500.00 or more in a  
9       calendar year or expenditures made total \$500.00 or more in a  
10      calendar year. Except as restricted or prohibited by this act or  
11      other state or federal law, a committee may also make other lawful  
12      disbursements. An individual, other than a candidate, does not  
13      constitute a committee. A person, other than a committee registered  
14      under this act, making an expenditure to a ballot question  
15      committee or an independent expenditure committee, shall not, for  
16      that reason, be considered a committee or be required to file a  
17      report for the purposes of this act unless the person solicits or  
18      receives contributions for the purpose of making an expenditure to  
19      that ballot question committee or independent expenditure  
20      committee.

21           Sec. 15. (1) The ~~secretary of state~~ **COMMISSION** shall do all of  
22      the following:

23           (a) Make available through ~~his or her~~ **THE COMMISSION** offices,  
24      and furnish to county clerks, appropriate forms, instructions, and  
25      manuals required by this act.

26           (b) Develop a filing, coding, and cross-indexing system for  
27      the filing of required reports and statements consistent with this

1 act, and supervise the implementation of the filing systems by the  
2 clerks of the counties.

3 (c) Receive all statements and reports required by this act to  
4 be filed with the ~~secretary of state~~. **COMMISSION.**

5 (d) Prepare forms, instructions, and manuals required under  
6 this act.

7 (e) Promulgate rules and issue declaratory rulings to  
8 implement this act in accordance with the administrative procedures  
9 act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

10 (f) Upon receipt of a written request and the required filing,  
11 waive payment of a late filing fee if the request for the waiver is  
12 based on good cause and accompanied by adequate documentation. One  
13 or more of the following reasons constitute good cause for a late  
14 filing fee waiver:

15 (i) The incapacitating physical illness, hospitalization,  
16 accident involvement, death, or incapacitation for medical reasons  
17 of ~~a person~~ **AN INDIVIDUAL** required to file, ~~a person~~ **AN INDIVIDUAL**  
18 whose participation is essential to the preparation of the  
19 statement or report, or a member of the immediate family of these  
20 ~~persons~~ **INDIVIDUALS.**

21 (ii) Other unique, unintentional factors beyond the filer's  
22 control not stemming from a negligent act or nonaction so that a  
23 reasonably prudent ~~person~~ **INDIVIDUAL** would excuse the filing on a  
24 temporary basis. These factors include the loss or unavailability  
25 of records due to a fire, flood, theft, or similar reason and  
26 difficulties related to the transmission of the filing to the  
27 filing official, such as exceptionally bad weather or strikes

1 involving transportation systems.

2 (2) ~~A~~ **THE COMMISSION SHALL ONLY ISSUE A** declaratory ruling  
3 ~~shall be issued under this section only if the person requesting~~  
4 ~~the ruling has provided a reasonably complete statement of facts~~  
5 ~~necessary for the ruling or if the person requesting the ruling~~  
6 ~~has, with the permission of the secretary of state,~~ **COMMISSION,**  
7 ~~supplied supplemental facts necessary for the ruling. A~~ **THE**  
8 **COMMISSION SHALL MAKE A** request for a declaratory ruling that is  
9 ~~submitted to the secretary of state shall be made~~ **COMMISSION**  
10 ~~available for public inspection within 48 hours after its receipt.~~  
11 **THE COMMISSION RECEIVES THE REQUEST.** An interested person may  
12 submit written comments regarding the request to the ~~secretary of~~  
13 ~~state~~ **COMMISSION** within 10 business days after the date the request  
14 is made available to the public. Within 45 business days after  
15 receiving a declaratory ruling request, the ~~secretary of state~~  
16 **COMMISSION** shall make a proposed response available to the public.  
17 An interested person may submit written comments regarding the  
18 proposed response to the ~~secretary of state~~ **COMMISSION** within 5  
19 business days after the date the proposal is made available to the  
20 public. Except as otherwise provided in this section, the ~~secretary~~  
21 ~~of state~~ **COMMISSION** shall issue a declaratory ruling within 60  
22 business days after a request for a declaratory ruling is received.  
23 If the ~~secretary of state~~ **COMMISSION** refuses to issue a declaratory  
24 ruling, the ~~secretary of state~~ **COMMISSION** shall notify the person  
25 making the request of the reasons for the refusal and shall issue  
26 an interpretative statement providing an informational response to  
27 the question presented within the same time limitation applicable

1 to a declaratory ruling. A declaratory ruling or interpretative  
2 statement issued under this section ~~shall~~ **MUST** not state a general  
3 rule of law, other than that which is stated in this act, until the  
4 general rule of law is promulgated by the ~~secretary of state~~  
5 **COMMISSION** as a rule under the administrative procedures act of  
6 1969, 1969 PA 306, MCL 24.201 to 24.328, or under judicial order.

7 (3) Under extenuating circumstances, the ~~secretary of state~~  
8 **COMMISSION** may issue a notice extending for not more than 30  
9 business days the period during which the ~~secretary of state~~  
10 **COMMISSION** shall respond to a request for a declaratory ruling. The  
11 ~~secretary of state~~ **COMMISSION** shall not issue more than 1 notice of  
12 extension for a particular request. A person requesting a  
13 declaratory ruling may waive, in writing, the time limitations  
14 provided by this section.

15 (4) The ~~secretary of state~~ **COMMISSION** shall make available to  
16 the public an annual summary of the declaratory rulings and  
17 interpretative statements issued by the ~~secretary of~~  
18 ~~state~~ **COMMISSION**.

19 (5) A person may file with the ~~secretary of state~~ **COMMISSION** a  
20 complaint that alleges a violation of this act. Within 5 business  
21 days after a complaint that meets the requirements of subsection  
22 (6) is filed, the ~~secretary of state~~ **COMMISSION** shall give notice  
23 to the person against whom the complaint is filed. The notice ~~shall~~  
24 **MUST** include a copy of the complaint. Within 15 business days after  
25 this notice is mailed, the person against whom the complaint was  
26 filed may submit a response to the ~~secretary of state~~ **COMMISSION**.  
27 The ~~secretary of state~~ **COMMISSION** may extend the period for

1 submitting a response an additional 15 business days for good  
2 cause. The ~~secretary of state~~ **COMMISSION** shall provide a copy of a  
3 response received to the complainant. Within 10 business days after  
4 the response is mailed, the complainant may submit a rebuttal  
5 statement to the ~~secretary of state~~ **COMMISSION**. The ~~secretary of~~  
6 ~~state~~ **COMMISSION** may extend the period for submitting a rebuttal  
7 statement an additional 10 business days for good cause. The  
8 ~~secretary of state~~ **COMMISSION** shall provide a copy of the rebuttal  
9 statement to the person against whom the complaint was filed.

10 (6) A complaint filed under subsection (5) ~~shall~~ **MUST** satisfy  
11 all of the following requirements:

12 (a) Be signed by the complainant.

13 (b) State the name, address, and telephone number of the  
14 complainant.

15 (c) Include the complainant's certification that, to the best  
16 of the complainant's knowledge, information, and belief, formed  
17 after a reasonable inquiry under the circumstances, each factual  
18 contention of the complaint is supported by evidence. However, if,  
19 after a reasonable inquiry under the circumstances, the complainant  
20 is unable to certify that certain factual contentions are supported  
21 by evidence, the complainant may certify that, to the best of his  
22 or her knowledge, information, or belief, there are grounds to  
23 conclude that those specifically identified factual contentions are  
24 likely to be supported by evidence after a reasonable opportunity  
25 for further inquiry.

26 (7) The ~~secretary of state~~ **COMMISSION** shall develop a form  
27 that satisfies the requirements of subsection (6) and may be used



1 for the filing of complaints.

2 (8) A person who files a complaint with a false certificate  
3 under subsection (6)(c) is responsible for a civil violation of  
4 this act. A person may file a complaint under subsection (5)  
5 alleging that another person has filed a complaint with a false  
6 certificate under subsection (6)(c).

7 (9) The ~~secretary of state~~ **COMMISSION** shall investigate the  
8 allegations under the rules promulgated under this act. If the  
9 violation involves **A MEMBER OF** the ~~secretary of state~~, **COMMISSION**,  
10 the immediate family of **A MEMBER OF** the ~~secretary of state~~,  
11 **COMMISSION**, or a campaign or committee with which **A MEMBER OF** the  
12 ~~secretary of state~~ **COMMISSION** is connected, directly or indirectly,  
13 the ~~secretary of state~~ **COMMISSION** shall refer the matter to the  
14 attorney general to determine whether a violation of this act has  
15 occurred.

16 (10) No later than 45 business days after receipt of a  
17 rebuttal statement submitted under subsection (5), or if no  
18 response or rebuttal is received under subsection (5), the  
19 ~~secretary of state~~ **COMMISSION** shall post on the ~~secretary of~~  
20 ~~state's Internet~~ **COMMISSION'S INTERNET** website whether or not there  
21 may be reason to believe that a violation of this act has occurred.  
22 When the ~~secretary of state~~ **COMMISSION** determines whether there may  
23 be reason to believe that a violation of this act occurred or did  
24 not occur or determines to terminate its proceedings, the ~~secretary~~  
25 ~~of state~~ **COMMISSION** shall, within 30 days of that determination,  
26 post on the ~~secretary of state's Internet~~ **COMMISSION'S INTERNET**  
27 website any complaint, response, or rebuttal statement received

1 under subsection (5) regarding that violation or alleged violation  
2 and any correspondence that is dispositive of that violation or  
3 alleged violation between the ~~secretary of state~~**COMMISSION** and the  
4 complainant or the person against whom the complaint was filed. If  
5 the ~~secretary of state~~**COMMISSION** determines that there may be  
6 reason to believe that a violation of this act occurred, the  
7 ~~secretary of state~~**COMMISSION** shall endeavor to correct the  
8 violation or prevent a further violation by using informal methods  
9 such as a conference, conciliation, or persuasion, and may enter  
10 into a conciliation agreement with the person involved. Unless  
11 violated, a conciliation agreement is a complete bar to any further  
12 civil or criminal action with respect to matters covered in the  
13 conciliation agreement. The ~~secretary of state~~**COMMISSION** shall,  
14 within 30 days after a conciliation agreement is signed, post that  
15 agreement on the ~~secretary of state's Internet~~**COMMISSION'S**  
16 **INTERNET** website. If, after 90 business days, the ~~secretary of~~  
17 ~~state~~**COMMISSION** is unable to correct or prevent further violation  
18 by these informal methods, the ~~secretary of state~~**COMMISSION** shall  
19 do either of the following:

20 (a) Refer the matter to the attorney general for the  
21 enforcement of any criminal penalty provided by this act.

22 (b) Commence a hearing as provided in subsection (11) for  
23 enforcement of any civil violation.

24 (11) The ~~secretary of state~~**COMMISSION** may commence a hearing  
25 to determine whether a civil violation of this act has occurred.  
26 The hearing ~~shall~~**MUST** be conducted in accordance with the  
27 procedures set forth in chapter 4 of the administrative procedures

1 act of 1969, 1969 PA 306, MCL 24.271 to ~~24.287.~~ **24.288.** If after a  
2 hearing the ~~secretary of state~~ **COMMISSION** determines that a  
3 violation of this act has occurred, the ~~secretary of state~~  
4 **COMMISSION** may issue an order requiring the person to pay a civil  
5 fine not more than triple the amount of the improper contribution  
6 or expenditure plus not more than \$1,000.00 for each violation.

7 (12) A final decision and order issued by the ~~secretary of~~  
8 ~~state~~ **COMMISSION** is subject to judicial review as provided by  
9 chapter 6 of the administrative procedures act of 1969, 1969 PA  
10 306, MCL 24.301 to 24.306. The ~~secretary of state~~ **COMMISSION** shall  
11 deposit a civil fine imposed under this section in the general  
12 fund. The ~~secretary of state~~ **COMMISSION** may bring an action in  
13 circuit court to recover the amount of a civil fine.

14 (13) When a report or statement is filed under this act, the  
15 ~~secretary of state~~ **COMMISSION** shall review the report or statement  
16 and may investigate an apparent violation of this act under the  
17 rules promulgated under this act. If the ~~secretary of state~~  
18 **COMMISSION** determines that there may be reason to believe a  
19 violation of this act has occurred and the procedures prescribed in  
20 subsection (10) have been complied with, the ~~secretary of state~~  
21 **COMMISSION** may refer the matter to the attorney general for the  
22 enforcement of a criminal penalty provided by this act, or commence  
23 a hearing under subsection (11) to determine whether a civil  
24 violation of this act has occurred.

25 (14) No later than 60 business days after a matter is referred  
26 to the attorney general for enforcement of a criminal penalty, the  
27 attorney general shall determine whether to proceed with

1 enforcement of that penalty.

2 (15) Unless otherwise specified in this act, a person who  
3 violates a provision of this act is subject to a civil fine of not  
4 more than \$1,000.00 for each violation. A civil fine is in addition  
5 to, but not limited by, a criminal penalty prescribed by this act.

6 (16) In addition to any other sanction provided for by this  
7 act, the ~~secretary of state~~ **COMMISSION** may require a person who  
8 files a complaint with a false certificate under subsection (6) (c)  
9 to do either or both of the following:

10 (a) Pay to the ~~secretary of state~~ **COMMISSION** some or all of  
11 the expenses incurred by the ~~secretary of state~~ **COMMISSION** as a  
12 direct result of the filing of the complaint.

13 (b) Pay to the person against whom the complaint was filed  
14 some or all of the expenses, including, but not limited to,  
15 reasonable attorney fees incurred by that person in proceedings  
16 under this act as a direct result of the filing of the complaint.

17 (17) Except as otherwise provided in section 57, there is no  
18 private right of action, either in law or in equity, under this  
19 act. Except as otherwise provided in section 57, the remedies  
20 provided in this act are the exclusive means by which this act may  
21 be enforced and by which any harm resulting from a violation of  
22 this act may be redressed. **A PERSON SHALL NOT BRING OR MAINTAIN AN**  
23 **ACTION TO COLLECT A FINE OR FEE IMPOSED UNDER THIS ACT UNLESS THE**  
24 **PERSON COMMENCES THE ACTION WITHIN 5 YEARS AFTER THE VIOLATION OF**  
25 **THIS ACT OCCURS.** The criminal penalties provided by this act may  
26 only be enforced by the attorney general and only upon referral by  
27 the ~~secretary of state~~ **COMMISSION** as provided under subsection (10)

1 or (13).

2 (18) The ~~secretary of state~~ **COMMISSION** may waive the filing of  
3 a campaign statement required under section 33, 34, or 35 if the  
4 closing date of the particular campaign statement falls on the same  
5 or a later date as the closing date of the next campaign statement  
6 filed by the same person, or if the period that would be otherwise  
7 covered by the next campaign statement filed by the same person is  
8 10 days or less.

9 (19) The clerk of each county shall do all of the following:

10 (a) Make available through the county clerk's office the  
11 appropriate forms, instructions, and manuals required by this act.

12 (b) Under the supervision of the ~~secretary of state~~,  
13 **COMMISSION**, implement the filing, coding, and cross-indexing system  
14 prescribed for the filing of reports and statements required to be  
15 filed with the county clerk's office.

16 (c) Receive all statements and reports required by this act to  
17 be filed with the county clerk's office.

18 (d) Upon written request, waive the payment of a late filing  
19 fee if the request for a waiver is based on good cause as  
20 prescribed in subsection (1)(f).

21 **SEC. 15A. (1) THE FAIR POLITICAL PRACTICES COMMISSION IS**  
22 **CREATED AS AN AUTONOMOUS ENTITY WITHIN THE DEPARTMENT OF STATE. THE**  
23 **COMMISSION SHALL EXERCISE ITS STATUTORY POWERS, DUTIES, FUNCTIONS,**  
24 **AND RESPONSIBILITIES INDEPENDENTLY OF THE DEPARTMENT OF STATE**  
25 **INCLUDING, BUT NOT LIMITED TO, PERSONNEL, BUDGETING, PROCUREMENT,**  
26 **AND MANAGEMENT-RELATED FUNCTIONS.**

27 (2) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS, NOT MORE

1 THAN 3 OF WHOM ARE MEMBERS OF THE SAME POLITICAL PARTY:

2 (A) THREE MEMBERS APPOINTED BY THE GOVERNOR FROM A LIST  
3 SUBMITTED BY THE STATE CENTRAL COMMITTEE OF THE POLITICAL PARTY  
4 WHOSE CANDIDATE FOR THE OFFICE OF GOVERNOR RECEIVED THE HIGHEST  
5 NUMBER OF VOTES AT THE IMMEDIATELY PRECEDING GENERAL ELECTION IN  
6 WHICH A GOVERNOR WAS ELECTED.

7 (B) THREE MEMBERS APPOINTED BY THE GOVERNOR FROM A LIST  
8 SUBMITTED BY THE STATE CENTRAL COMMITTEE OF THE POLITICAL PARTY  
9 WHOSE CANDIDATE FOR THE OFFICE OF GOVERNOR RECEIVED THE SECOND  
10 HIGHEST NUMBER OF VOTES AT THE IMMEDIATELY PRECEDING GENERAL  
11 ELECTION IN WHICH A GOVERNOR WAS ELECTED.

12 (3) WITHIN 30 DAYS AFTER THE DATE OF THE AMENDATORY ACT THAT  
13 ADDED THIS SECTION, THE STATE CENTRAL COMMITTEE OF EACH POLITICAL  
14 PARTY IDENTIFIED IN SUBSECTION (2) SHALL SUBMIT A LIST OF 3 NAMES  
15 FOR EACH POSITION TO BE CONSIDERED FOR APPOINTMENT TO THE  
16 COMMISSION. AT LEAST 30 DAYS BEFORE A TERM OF A MEMBER OF THE  
17 COMMISSION EXPIRES, THE STATE CENTRAL COMMITTEE OF THE APPROPRIATE  
18 POLITICAL PARTY SHALL SUBMIT A LIST OF 3 NAMES TO THE GOVERNOR FOR  
19 EACH POSITION THAT IS UP FOR REAPPOINTMENT. THE GOVERNOR SHALL  
20 APPOINT MEMBERS TO THE COMMISSION WITHIN 30 DAYS AFTER RECEIVING  
21 THE LISTS UNDER THIS SUBSECTION. IF THE STATE CENTRAL COMMITTEE OF  
22 A POLITICAL PARTY FAILS TO SUBMIT THE NAMES OF NOMINEES WITHIN THE  
23 PRESCRIBED PERIOD OF TIME IN THIS SUBSECTION, THE GOVERNOR SHALL  
24 APPOINT TO THE COMMISSION AN INDIVIDUAL WHO WAS FORMERLY ELECTED AS  
25 A STATE OFFICER AS A MEMBER OF THE APPROPRIATE POLITICAL PARTY AND  
26 WHO IS CURRENTLY AFFILIATED WITH THAT POLITICAL PARTY. IF AN  
27 INDIVIDUAL APPOINTED BY THE GOVERNOR UNDER THIS SUBSECTION DECLINES

1 TO SERVE, THE GOVERNOR SHALL DO 1 OF THE FOLLOWING:

2 (A) APPOINT ANOTHER INDIVIDUAL FROM THE LIST SUBMITTED BY THE  
3 POLITICAL PARTY UNDER THIS SUBSECTION TO THAT POSITION ON THE  
4 COMMISSION.

5 (B) APPOINT AN INDIVIDUAL WHO WAS FORMERLY ELECTED AS A STATE  
6 OFFICER AS A MEMBER OF THE APPROPRIATE POLITICAL PARTY AND WHO IS  
7 CURRENTLY AFFILIATED WITH THAT POLITICAL PARTY TO THAT POSITION ON  
8 THE COMMISSION.

9 (4) MEMBERS OF THE COMMISSION SHALL SERVE FOR TERMS OF 4 YEARS  
10 OR UNTIL A SUCCESSOR IS APPOINTED, WHICHEVER IS LATER. A MEMBER OF  
11 THE COMMISSION MAY BE REAPPOINTED. HOWEVER, AFTER SERVING 2  
12 CONSECUTIVE TERMS ON THE COMMISSION, THE INDIVIDUAL IS NOT ELIGIBLE  
13 TO SERVE ON THE COMMISSION FOR 4 YEARS.

14 (5) AN INDIVIDUAL MAY NOT SERVE AS A MEMBER OF THE COMMISSION  
15 IF ANY OF THE FOLLOWING APPLY:

16 (A) THE INDIVIDUAL IS NOT A QUALIFIED AND REGISTERED ELECTOR  
17 OF THIS STATE.

18 (B) THE INDIVIDUAL HOLDS AN ELECTIVE OFFICE.

19 (C) THE INDIVIDUAL IS A CANDIDATE FOR ELECTIVE OFFICE.

20 (D) THE INDIVIDUAL IS A TREASURER, CAMPAIGN MANAGER, OR PAID  
21 EMPLOYEE OF EITHER A CANDIDATE COMMITTEE OR A CANDIDATE FOR PUBLIC  
22 OFFICE.

23 (E) THE INDIVIDUAL IS A LOBBYIST OR LOBBYIST AGENT UNDER 1978  
24 PA 472, MCL 4.411 TO 4.431.

25 (6) A MEMBER OF THE COMMISSION SHALL NOT DO EITHER OF THE  
26 FOLLOWING WHILE A MEMBER OF THE COMMISSION:

27 (A) MAKE A CONTRIBUTION TO ANY PERSON THAT IS SUBJECT TO THE

1 COMMISSION'S JURISDICTION.

2 (B) SOLICIT A CONTRIBUTION FOR ANY PERSON THAT IS SUBJECT TO  
3 THE COMMISSION'S JURISDICTION.

4 (7) A MEMBER OF THE COMMISSION IS SUBJECT TO 1968 PA 317, MCL  
5 15.321 TO 15.330, AND 1968 PA 318, MCL 15.301 TO 15.310.

6 (8) A MEMBER OF THE COMMISSION SHALL TAKE AND SUBSCRIBE TO THE  
7 CONSTITUTIONAL OATH OF OFFICE UNDER SECTION 1 OF ARTICLE XI OF THE  
8 STATE CONSTITUTION OF 1963.

9 (9) IF A VACANCY IN THE OFFICE OF A MEMBER OF THE COMMISSION  
10 OCCURS OTHER THAN THE EXPIRATION OF A TERM, THE STATE CENTRAL  
11 COMMITTEE OF THE APPROPRIATE POLITICAL PARTY SHALL SUBMIT A LIST OF  
12 3 NAMES TO THE GOVERNOR FOR THE VACANT POSITION ON OR BEFORE THE  
13 FIFTEENTH DAY FOLLOWING THE DATE OF THE VACANCY. ON OR BEFORE THE  
14 THIRTIETH DAY FOLLOWING THE DATE OF THE VACANCY, THE GOVERNOR SHALL  
15 APPOINT 1 INDIVIDUAL FROM THE LIST TO THE VACANT POSITION. A MEMBER  
16 APPOINTED TO THE COMMISSION UNDER THIS SUBSECTION SHALL SERVE FOR  
17 THE REMAINDER OF THE VACANT TERM. IF THE STATE CENTRAL COMMITTEE OF  
18 A POLITICAL PARTY FAILS TO SUBMIT THE LIST OF NAMES WITHIN THE  
19 PRESCRIBED PERIOD OF TIME IN THIS SUBSECTION, THE GOVERNOR SHALL  
20 APPOINT TO THE COMMISSION AN INDIVIDUAL WHO WAS FORMERLY ELECTED AS  
21 A STATE OFFICER AS A MEMBER OF THE APPROPRIATE POLITICAL PARTY AND  
22 WHO IS CURRENTLY AFFILIATED WITH THAT POLITICAL PARTY. IF AN  
23 INDIVIDUAL APPOINTED BY THE GOVERNOR UNDER THIS SUBSECTION DECLINES  
24 TO SERVE, THE GOVERNOR SHALL DO 1 OF THE FOLLOWING:

25 (A) APPOINT ANOTHER INDIVIDUAL FROM THE LIST SUBMITTED BY THE  
26 POLITICAL PARTY UNDER SUBSECTION (3) TO THAT POSITION ON THE  
27 COMMISSION.



1 (B) APPOINT AN INDIVIDUAL WHO WAS FORMERLY ELECTED AS A STATE  
2 OFFICER AS A MEMBER OF THE APPROPRIATE POLITICAL PARTY AND WHO IS  
3 CURRENTLY AFFILIATED WITH THAT POLITICAL PARTY TO THAT POSITION ON  
4 THE COMMISSION.

5 (10) THE GOVERNOR MAY REMOVE A MEMBER OF THE COMMISSION FOR  
6 INCOMPETENCE, DERELICTION OF DUTY, MALFEASANCE, MISFEASANCE, OR  
7 NONFEASANCE IN OFFICE, OR ANY OTHER GOOD CAUSE.

8 (11) THE FIRST MEETING OF THE COMMISSION SHALL BE CALLED BY  
9 THE GOVERNOR NO LATER THAN 30 DAYS AFTER THE GOVERNOR MAKES THE  
10 INITIAL APPOINTMENT. AT THE FIRST MEETING, THE COMMISSION SHALL  
11 ELECT FROM AMONG ITS MEMBERS A CHAIRPERSON AND OTHER OFFICERS AS IT  
12 CONSIDERS NECESSARY OR APPROPRIATE. EVERY 2 YEARS AFTER THE FIRST  
13 MEETING, THE POSITION OF CHAIRPERSON MUST ALTERNATE BETWEEN MEMBERS  
14 APPOINTED UNDER SUBSECTION (2) (A) AND THE MEMBERS APPOINTED UNDER  
15 SUBSECTION (2) (B). AFTER THE FIRST MEETING, THE COMMISSION SHALL  
16 MEET AT LEAST QUARTERLY, OR MORE FREQUENTLY AT THE CALL OF THE  
17 CHAIRPERSON OR IF REQUESTED BY A MAJORITY OF THE MEMBERS.

18 (12) FOUR MEMBERS OF THE COMMISSION CONSTITUTE A QUORUM FOR  
19 THE TRANSACTION OF BUSINESS AT A MEETING OF THE COMMISSION. FOUR  
20 MEMBERS OF THE COMMISSION PRESENT AND SERVING ARE REQUIRED FOR  
21 OFFICIAL ACTION OF THE COMMISSION.

22 (13) THE BUSINESS THAT THE COMMISSION MAY PERFORM SHALL BE  
23 CONDUCTED AT A PUBLIC MEETING OF THE COMMISSION HELD IN COMPLIANCE  
24 WITH THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

25 (14) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR  
26 RETAINED BY THE COMMISSION IN THE PERFORMANCE OF AN OFFICIAL  
27 FUNCTION IS SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442,

1 MCL 15.231 TO 15.246.

2 (15) A MEMBER OF THE COMMISSION MAY BE REIMBURSED FOR HIS OR  
3 HER ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF  
4 HIS OR HER OFFICIAL DUTIES AS A MEMBER OF THE COMMISSION. THE  
5 LEGISLATURE SHALL ANNUALLY ESTABLISH SALARIES FOR MEMBERS OF THE  
6 COMMISSION. ALL SALARIES AND OTHER EXPENSES INCURRED BY THE  
7 COMMISSION MUST BE PAID OUT OF FUNDS APPROPRIATED BY THE  
8 LEGISLATURE. A MEMBER OF THE COMMISSION SHALL NOT RECEIVE ANY OTHER  
9 COMPENSATION FOR THE PERFORMANCE OF THOSE DUTIES.

10 (16) THE COMMISSION SHALL DO ALL OF THE FOLLOWING:

11 (A) ADMINISTER AND ENFORCE THIS ACT.

12 (B) EXERCISE THE POWERS AND DUTIES CONFERRED ON THE COMMISSION  
13 BY STATUTE.

14 (17) THE COMMISSION MAY HIRE AN EXECUTIVE DIRECTOR AND ANY  
15 STAFF REQUIRED TO EXERCISE ITS POWERS AND DUTIES PRESCRIBED BY LAW.

16 Sec. 16. (1) A filing official shall make a statement or  
17 report required to be filed under this act available for public  
18 inspection and reproduction, as soon as practicable, but not later  
19 than the third business day following the day on which it is  
20 received, during regular business hours of the filing official. If  
21 the report is a report of a late contribution under section 32(1)  
22 made to the ~~secretary of state~~, **COMMISSION**, the ~~secretary of state~~  
23 **COMMISSION** shall also make the report or all of the contents of the  
24 report available to the public on the internet, without charge, as  
25 soon as practicable but not later than the end of the business day  
26 on which it is received, at a single website established and  
27 maintained by the ~~secretary of state~~. **COMMISSION**.

1           (2) A **FILING OFFICIAL SHALL PROVIDE A** copy of a statement or  
2 part of a statement ~~shall be provided by a filing official at a~~  
3 reasonable charge.

4           (3) A statement open to the public under this act ~~shall~~ **MUST**  
5 not be used for any commercial purpose.

6           (4) Except as otherwise provided in this subsection, a  
7 statement of organization filed under this act with a filing  
8 official who is not the ~~secretary of state shall~~ **COMMISSION MUST** be  
9 preserved by that filing official for 5 years from the official  
10 date of the committee's dissolution. A statement of organization  
11 filed under this act with a filing official who is not the  
12 ~~secretary of state~~ **COMMISSION** that is filed by a committee that  
13 received more than \$50,000.00 in an election cycle ~~shall~~ **MUST** be  
14 preserved by that filing official for 15 years from the official  
15 date of the committee's dissolution. A statement of organization  
16 filed under this act with the ~~secretary of state shall~~ **COMMISSION**  
17 **MUST** be preserved by the ~~secretary of state~~ **COMMISSION** for 15 years  
18 from the official date of the committee's dissolution. Except as  
19 otherwise provided in this subsection, any other statement or  
20 report filed under this act with a filing official who is not the  
21 ~~secretary of state shall~~ **COMMISSION MUST** be preserved by that  
22 filing official for 5 years from the date the filing occurred. Any  
23 other statement or report filed under this act with a filing  
24 official who is not the ~~secretary of state~~ **COMMISSION** that is filed  
25 by a committee that received more than \$50,000.00 in an election  
26 cycle ~~shall~~ **MUST** be preserved by that filing official for 15 years  
27 from the date the filing occurred. Any other statement or report

1 filed under this act with the ~~secretary of state shall~~ **COMMISSION**  
2 **MUST** be preserved by the ~~secretary of state~~ **COMMISSION** for 15 years  
3 from the date the filing occurred. Upon a determination under  
4 section 15 that a violation of this act has occurred, all  
5 complaints, orders, decisions, or other documents related to that  
6 violation ~~shall~~ **MUST** be preserved by the filing official who is not  
7 the ~~secretary of state~~ **COMMISSION** or the ~~secretary of state~~  
8 **COMMISSION** for 15 years from the date of the court determination or  
9 the date the violations are corrected, whichever is later.

10 Statements and reports filed under this act may be reproduced  
11 pursuant to the records reproduction act, 1992 PA 116, MCL 24.401  
12 to 24.406. After the required preservation period, the statements  
13 and reports, or the reproductions of the statements and reports,  
14 may be disposed of in the manner prescribed in the management and  
15 budget act, 1984 PA 431, MCL 18.1101 to 18.1594, and section 11 of  
16 the Michigan history center act, 2016 PA 470, MCL 399.811.

17 (5) A filing official shall not collect a charge for the  
18 filing of a required statement or report or for a form upon which  
19 the statement or report is to be prepared, except a late filing fee  
20 required by this act.

21 (6) A filing official shall determine whether a statement or  
22 report filed under this act complies, on its face, with the  
23 requirements of this act and the rules promulgated under this act.  
24 The filing official shall determine whether a statement or report  
25 that is required to be filed under this act is in fact filed.  
26 Within 4 business days after the deadline for filing a statement or  
27 report under this act, the filing official shall give notice to the

1 filer by registered mail of an error or omission in the statement  
2 or report and give notice to a person the filing official has  
3 reason to believe is a person required to and who failed to file a  
4 statement or report. A failure to give notice by the filing  
5 official under this subsection is not a defense to a criminal  
6 action against the person required to file.

7 (7) Within 9 business days after the report or statement is  
8 required to be filed, the filer shall make any corrections in the  
9 statement or report filed with the appropriate filing official. If  
10 the report or statement was not filed, then the report or statement  
11 ~~shall~~**MUST** be late filed within 9 business days after the time it  
12 was required to be filed and ~~shall be~~**IS** subject to late filing  
13 fees.

14 (8) After 9 business days and before 12 business days have  
15 expired after the deadline for filing the statement or report, the  
16 filing official shall report errors or omissions that were not  
17 corrected and failures to file to the attorney general.

18 (9) A statement or report required to be filed under this act  
19 ~~shall~~**MUST** be filed not later than 5 p.m. of the day in which it is  
20 required to be filed. A preelection statement or report due on July  
21 25 or October 25 under section 33 that is postmarked by registered  
22 or certified mail, or sent by express mail or other overnight  
23 delivery service, at least 2 days before the deadline for filing is  
24 filed within the prescribed time regardless of when it is actually  
25 delivered. Any other statement or report required to be filed under  
26 this act that is postmarked by registered or certified mail or sent  
27 by express mail or other overnight delivery service on or before

1 the deadline for filing is filed within the prescribed time  
2 regardless of when it is actually delivered.

3 Sec. 17. (1) A person paying a late filing fee as a result of  
4 that person's failure to file a statement or report shall pay that  
5 fee to the filing official with whom the statement or report was  
6 required to be filed.

7 (2) The late filing fees collected under sections 24, 33, 34,  
8 35, and 51, and copying charges collected under section 16, must be  
9 retained by and for the use of the filing officials collecting the  
10 fees or charges to cover their expenses in administering this act.  
11 A late filing fee assessed by a county clerk that remains unpaid  
12 for more than 60 days is considered a debt of the county, and the  
13 county treasurer shall collect that fee in the same manner as other  
14 county debts are collected. A late filing fee assessed by the  
15 ~~secretary of state~~ **COMMISSION** that remains unpaid for more than 180  
16 days must be referred to the department of treasury for collection.

17 (3) A committee, other than a candidate committee or a  
18 committee making expenditures in assistance of or in opposition to  
19 the qualification, passage, or defeat of a ballot question,  
20 required to file with the ~~secretary of state~~ **COMMISSION** is not  
21 required to pay a late filing fee under sections 24, 33, 34, and  
22 35, if all of the following conditions are met:

23 (a) A committee required to register as a committee fails to  
24 file a statement of organization.

25 (b) The ~~secretary of state~~ **COMMISSION** sends to that committee  
26 notice of the committee's failure to file a statement of  
27 organization.

1 (c) At the same time or after the notice described in  
2 subdivision (b) is sent, the ~~secretary of state~~ **COMMISSION** sends to  
3 that committee notice of the committee's failure to file a campaign  
4 statement that was due for a period that occurred before the notice  
5 of failure to file a statement of organization was sent.

6 (d) Within 10 business days after the notice of failure to  
7 file a statement of organization is sent, the committee files a  
8 statement of organization.

9 (e) Within 10 business days after the notice of failure to  
10 file a campaign statement is sent, the committee files every  
11 campaign statement that is due.

12 (4) Late filing fees that would have occurred except for  
13 subsection (3) must be assessed for each statement not filed before  
14 the eleventh business day after a notice of failure to file is sent  
15 under subsection (3).

16 (5) A committee other than a candidate committee that has not  
17 previously filed a statement of organization is not required to pay  
18 a late filing fee under sections 24, 33, 34, and 35, if the  
19 committee files a statement of organization and every campaign  
20 statement that is due, before the ~~secretary of state~~ **COMMISSION**  
21 sends a notice to that committee under subsection (3).

22 Sec. 18. (1) The ~~secretary of state~~ **COMMISSION** shall develop  
23 and implement an electronic filing and internet disclosure system  
24 that permits committees that are required to file statements or  
25 reports under this act with the ~~secretary of state~~ **COMMISSION** to  
26 file those statements or reports electronically and that provides  
27 internet disclosure of electronically filed statements or reports

1 on a website.

2 (2) The ~~secretary of state~~ **COMMISSION** shall offer each  
3 committee required to file with the ~~secretary of state~~ **COMMISSION**  
4 the option of filing campaign statements or reports electronically,  
5 as described in subsection (1).

6 (3) Beginning with the annual campaign statement due January  
7 31, 2014, each committee required to file with the ~~secretary of~~  
8 ~~state~~ **COMMISSION** that received or expended \$5,000.00 or more in the  
9 preceding calendar year or expects to receive or expend \$5,000.00  
10 or more in the current calendar year shall electronically file all  
11 statements and reports required under this act, as described in  
12 subsection (1).

13 (4) If a committee was not required to file a campaign  
14 statement under subsection (3) only because it did not meet the  
15 applicable threshold of receiving or expending \$5,000.00 or more,  
16 but the committee later reaches that threshold, the committee shall  
17 notify the ~~secretary of state~~ **COMMISSION** within 10 business days  
18 after reaching that threshold and shall subsequently file  
19 electronically all statements and reports required under this act.

20 (5) The ~~secretary of state~~ **COMMISSION** shall permit a committee  
21 to electronically file statements and reports required under this  
22 act, as described in subsection (1), except an original statement  
23 of organization, after the committee treasurer and, for a candidate  
24 committee, the candidate has signed and filed a form designed by  
25 the ~~secretary of state~~ **COMMISSION** to serve as the signature  
26 verifying the accuracy and completeness of each statement or report  
27 filed electronically.



1       Sec. 18a. (1) A county clerk may adopt an electronic filing  
2 and internet disclosure system developed or approved by the  
3 ~~secretary of state~~ **COMMISSION** that permits committees that are  
4 required to file statements or reports under this act with the  
5 county clerk to file those statements or reports electronically and  
6 that provides internet disclosure of electronically filed  
7 statements or reports on a website. If the ~~secretary of state~~  
8 **COMMISSION** develops an internet disclosure system, the ~~secretary of~~  
9 ~~state~~ **COMMISSION** shall not charge a county clerk for the software  
10 for that system.

11       (2) A county clerk who adopts a system under subsection (1)  
12 may require each committee that received or expended the threshold  
13 amount set by the county clerk as provided in this subsection in  
14 the preceding calendar year or expects to receive or expend the  
15 threshold amount set by the county clerk in the current calendar  
16 year to file campaign statements or reports electronically. A  
17 county clerk shall set the threshold under this subsection at  
18 \$5,000.00 or \$1,500.00.

19       (3) A county clerk who adopts a system under subsection (1)  
20 shall permit a committee to electronically file statements and  
21 reports required under this act, as described in subsection (1),  
22 except an original statement of organization, after the committee  
23 treasurer and, for a candidate committee, the candidate has signed  
24 and filed a form designed by the ~~secretary of state~~ **COMMISSION** to  
25 serve as the signature verifying the accuracy and completeness of  
26 each statement or report filed electronically.

27       (4) If a committee was not required to file a campaign

1 statement under subsection (2) only because it did not meet the  
2 applicable threshold, but the committee later reaches that  
3 threshold, the committee shall notify the county clerk within 10  
4 business days after reaching that threshold and shall subsequently  
5 file electronically all statements and reports required under this  
6 act.

7 Sec. 21. (1) A candidate, within 10 days after becoming a  
8 candidate, shall form a candidate committee. ~~A person~~ **AN INDIVIDUAL**  
9 who is a candidate for more than 1 office shall form a candidate  
10 committee for each office for which the ~~person~~ **INDIVIDUAL** is a  
11 candidate, if at least 1 of the offices is a state elective office.  
12 A candidate shall not form more than 1 candidate committee for each  
13 office for which the ~~person~~ **INDIVIDUAL** is a candidate.

14 (2) A candidate committee shall have a treasurer who is a  
15 qualified elector of this state. A candidate may appoint himself or  
16 herself as the candidate committee treasurer.

17 (3) A committee other than a candidate committee shall have a  
18 treasurer who is a qualified elector of this state if the committee  
19 conducts business through an office or other facility located in  
20 this state.

21 (4) If a committee is not required to have as its treasurer an  
22 individual who is a qualified elector of this state, the committee  
23 may have as its treasurer an individual who is a resident of  
24 another state. A committee with a nonresident treasurer shall file,  
25 with its statement of organization, an irrevocable written  
26 stipulation, signed by the treasurer, agreeing that legal process  
27 affecting the committee, served on the ~~secretary of state~~

1 **COMMISSION** or an agent designated by the ~~secretary of state,~~  
2 **COMMISSION**, has the same effect as if personally served on the  
3 committee. This appointment remains in force as long as any  
4 liability of the committee remains outstanding within this state.

5 (5) If the ~~secretary of state~~**COMMISSION** or designated agent  
6 of the ~~secretary of state~~**COMMISSION** is served with legal process  
7 pursuant to ~~UNDER~~ subsection (4), the ~~secretary of state~~**COMMISSION**  
8 shall promptly notify the committee's treasurer by certified mail  
9 at the last known address of the committee shown on the committee's  
10 statement of organization.

11 (6) Except as provided by law, a candidate committee or a  
12 committee described in subsection (3) shall have 1 account in a  
13 financial institution in this state as an official depository for  
14 the purpose of depositing all contributions received by the  
15 committee in the form of or which are converted to money, checks,  
16 or other negotiable instruments and for the purpose of making all  
17 expenditures. The committee shall designate that financial  
18 institution as its official depository. The establishment of an  
19 account in a financial institution is not required until the  
20 committee receives a contribution or makes an expenditure.  
21 Secondary depositories ~~shall~~**MUST** be used for the sole purpose of  
22 depositing contributions and promptly transferring the deposits to  
23 the committee's official depository.

24 (7) Except as provided by law, a committee described in  
25 subsection (4) shall have 1 account in a financial institution as  
26 its official depository for the purpose of depositing all  
27 contributions received by the committee in the form of or which are

1 converted to money, checks, or other negotiable instruments and for  
2 the purpose of making all expenditures. The committee shall  
3 designate that financial institution as its official depository.  
4 The establishment of an account in a financial institution is not  
5 required until the committee receives a contribution or makes an  
6 expenditure. Secondary depositories ~~shall~~**MUST** be used only for the  
7 purposes of depositing contributions and promptly transferring the  
8 deposits to the committee's official depository, or depositing,  
9 dividing, and transferring contributions that are aggregated with  
10 dues or other payments.

11 (8) A **COMMITTEE SHALL NOT ACCEPT A** contribution ~~shall not be~~  
12 ~~accepted and~~**OR MAKE** an expenditure ~~shall not be made by a~~  
13 ~~committee~~**IF** that **COMMITTEE** does not have a treasurer. When the  
14 office of treasurer in a candidate committee is vacant, the  
15 candidate ~~shall be~~**IS** the treasurer until the candidate appoints a  
16 new treasurer.

17 (9) ~~An~~**A COMMITTEE SHALL NOT MAKE AN** expenditure ~~shall not be~~  
18 ~~made by a committee~~ without the authorization of the treasurer or  
19 the treasurer's designee. The contributions received or  
20 expenditures made by a candidate or an agent of a candidate are  
21 considered received or made by the candidate committee.

22 (10) Contributions received by an individual acting in behalf  
23 of a committee ~~shall~~**MUST** be reported promptly to the committee's  
24 treasurer not later than 5 days before the closing date of any  
25 campaign statement required to be filed by the committee, and ~~shall~~  
26 **MUST** be reported to the committee treasurer immediately if the  
27 contribution is received less than 5 days before the closing date.

1           (11) A contribution is considered received by a committee when  
2 it is received by the committee treasurer or a designated agent of  
3 the committee treasurer although the contribution may not be  
4 deposited in the official depository by the reporting deadline.

5           (12) Contributions received by a committee ~~shall~~**MUST** not be  
6 commingled with other funds of an agent of the committee or of any  
7 other person. Contributions are not considered to be commingled if  
8 that contribution is either of the following:

9           (a) A contribution received by a person for transmission to a  
10 separate segregated fund as described in section 55(7).

11           (b) A contribution made by 1 or more persons through a person  
12 if all of the following are met:

13           (i) The individual contribution or aggregated contribution is  
14 accompanied by or logically associated with all information  
15 required under section 26 for each individual contributor.

16           (ii) The person making the contribution is the original source  
17 of the contribution.

18           (iii) The contribution is not obtained through use of coercion  
19 or physical force, as a condition of employment or membership, or  
20 by using or threatening to use job discrimination or financial  
21 reprisals.

22           (iv) Only the person making the contribution exercises any  
23 control over the making of, or the amount or recipient of, the  
24 contribution.

25           (v) The contribution is not otherwise prohibited by this act.

26           (13) A person that violates this section is subject to a civil  
27 fine of not more than \$1,000.00.

1       Sec. 22. A committee treasurer or other individual designated  
2 on the statement of organization as responsible for the committee's  
3 record keeping, report preparation, or report filing shall keep  
4 detailed accounts, records, bills, and receipts as required to  
5 substantiate the information contained in a statement or report  
6 filed ~~pursuant to~~ **UNDER** this act or rules promulgated under this  
7 act. The treasurer shall record the name and address of a person  
8 from whom a contribution is received. The records of a committee  
9 ~~shall~~ **MUST** be preserved for 5 years and ~~shall~~ be made available for  
10 inspection as authorized by the ~~secretary of state.~~ **COMMISSION.** A  
11 treasurer or other individual designated as responsible for the  
12 committee's record keeping, report preparation, or report filing  
13 who knowingly violates this section is subject to a civil fine of  
14 not more than \$1,000.00.

15       Sec. 24. (1) A committee shall file a statement of  
16 organization with the filing officials designated in section 36 to  
17 receive the committee's campaign statements. A committee shall file  
18 a statement of organization within 10 days after the committee is  
19 formed. A filing official shall maintain a statement of  
20 organization filed by a committee until 5 years after the official  
21 date of the committee's dissolution. A person who fails to file a  
22 statement of organization required by this subsection shall pay a  
23 late filing fee of \$10.00 for each business day the statement  
24 remains not filed in violation of this subsection. The late filing  
25 fee must not exceed \$300.00. A person who violates this subsection  
26 by failing to file for more than 30 days after a statement of  
27 organization is required to be filed is guilty of a misdemeanor

1 punishable by a fine of not more than \$1,000.00.

2 (2) The statement of organization required to be filed under  
3 subsection (1) must include the following information:

4 (a) The name, street address, and if available, the electronic  
5 mail address and telephone number of the committee, and the  
6 electronic mail address of the candidate. If a committee is a  
7 candidate committee, the committee name must include the first and  
8 last name of the candidate. A committee address may be the home  
9 address of the candidate or treasurer of the committee.

10 (b) The name, street address, and if available, the electronic  
11 mail address and telephone number of the treasurer or other  
12 individual designated as responsible for the committee's record  
13 keeping, report preparation, or report filing.

14 (c) The name and address of the financial institution in which  
15 the official committee depository is or is intended to be located,  
16 and the name and address of each financial institution in which a  
17 secondary depository is or is intended to be located.

18 (d) The full name of the office being sought by, including  
19 district number or jurisdiction, and the county residence of each  
20 candidate supported or opposed by the committee.

21 (e) A brief statement identifying the substance of each ballot  
22 question supported or opposed by the committee. If the ballot  
23 question supported or opposed by the committee is a local ballot  
24 question, the committee shall identify the county in which the  
25 greatest number of registered voters eligible to vote on the ballot  
26 question reside.

27 (f) Identification of the committee as a candidate committee,

1 political party committee, independent committee, independent  
2 expenditure committee, political committee, or ballot question  
3 committee if it is identifiable as such a committee.

4 (3) An independent committee or political committee shall  
5 include in the name of the committee the name of the person or  
6 persons that sponsor the committee, if any, or with whom the  
7 committee is affiliated. A person, other than an individual or a  
8 committee, sponsors or is affiliated with an independent committee  
9 or political committee if that person establishes, directs,  
10 controls, or financially supports the administration of the  
11 committee. For the purposes of this subsection, a person does not  
12 financially support the administration of a committee by merely  
13 making a contribution to the committee.

14 (4) If any of the information required in a statement of  
15 organization is changed, the committee shall file an amendment when  
16 the next campaign statement is required to be filed.

17 (5) When filing a statement of organization, a committee,  
18 other than an independent committee, a political committee, or a  
19 political party committee, may indicate in a written statement  
20 signed by the treasurer of the committee that the committee does  
21 not expect for each election to receive an amount in excess of  
22 \$1,000.00 or expend an amount in excess of \$1,000.00. The treasurer  
23 of a committee of an incumbent judge or justice is considered to  
24 have made the statement required under this subsection following  
25 appointment or election of that judge or justice and is not  
26 required to file a written statement under this subsection  
27 indicating that the committee does not expect for each election to



1 receive or expend an amount in excess of \$1,000.00.

2 (6) When filing a statement of organization, an independent  
3 committee, a political committee, or a political party committee  
4 may indicate in a written statement signed by the treasurer of the  
5 committee that the committee does not expect in a calendar year to  
6 receive or expend an amount in excess of \$1,000.00.

7 (7) Upon the dissolution of a committee, the committee shall  
8 file a statement indicating dissolution with the filing officials  
9 with whom the committee's statement of organization was filed.

10 Dissolution of a committee must be accomplished pursuant to rules  
11 promulgated by the ~~secretary of state~~ **COMMISSION** under the  
12 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to  
13 24.328.

14 (8) A candidate committee that files a written statement under  
15 subsection (5) or that is considered to have made a statement under  
16 subsection (5) is not required to file a dissolution statement  
17 under subsection (7) if the committee failed to receive or expend  
18 an amount in excess of \$1,000.00 and 1 of the following applies:

19 (a) The candidate was defeated in an election and has no  
20 outstanding campaign debts or assets.

21 (b) The candidate vacates an elective office and has no  
22 outstanding campaign debts or assets.

23 (9) A political committee organized for the purpose of making  
24 independent expenditures formed before ~~the effective date of the~~  
25 ~~amendatory act that added this subsection~~ **SEPTEMBER 20, 2017** is  
26 considered an independent expenditure committee. The ~~secretary of~~  
27 ~~state~~ **COMMISSION** may amend the statement of organization for any

1 committee affected by this subsection.

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

5       (a) The filing committee's name, address, and telephone  
6 number, and the full name, residential and business addresses,  
7 electronic mail address, and telephone numbers of the committee  
8 treasurer or other individual designated as responsible for the  
9 committee's record keeping, report preparation, or report filing.

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

27       (c) The balance of cash on hand at the beginning and the end

1 of the period covered by the campaign statement.

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

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

7 (ii) The total amount of all contributions.

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

9 (iv) The expenditures incident to the event.

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

24 (f) The cumulative amount contributed and the name and address  
25 of each individual, except those individuals reported under  
26 subdivision (e), who contributed to the committee. The occupation,  
27 employer, and principal place of business must be stated for each

1 individual who contributed more than \$100.00.

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

7 (h) The name, address, and amount given by an individual who  
8 contributed to the total amount contributed by a person who is  
9 other than a committee or an individual. The occupation, employer,  
10 and principal place of business must be stated if the individual  
11 contributed more than \$100.00 of the total amount contributed by a  
12 person who is other than a committee or an individual.

13 (i) The cumulative total of expenditures and other  
14 disbursements totaling \$50.00 or less to any person made during the  
15 period covered by the campaign statement except for expenditures  
16 made to or on behalf of another committee, candidate, or ballot  
17 question.

18 (j) The full name and street address of each person to whom  
19 expenditures or other disbursements totaling more than \$50.00 were  
20 made, together with the amount of each separate expenditure or  
21 disbursement to each person during the period covered by the  
22 campaign statement; the purpose of the expenditure or disbursement;  
23 the full name and street address of the person providing the  
24 consideration for which any expenditure or disbursement was made if  
25 different from the payee; the itemization regardless of amount of  
26 each expenditure made to or on behalf of another committee,  
27 candidate, or ballot question; and the cumulative amount of

1 expenditures for or against that candidate or ballot question for  
2 an election cycle. An expenditure made in support of more than 1  
3 candidate or ballot question, or both, must be apportioned  
4 reasonably among the candidates or ballot questions, or both.

5 (2) A candidate committee or ballot question committee shall  
6 report all cumulative amounts required by this section on a per  
7 election cycle basis. Except as provided in subsection (1)(j), an  
8 independent committee, independent expenditure committee, or  
9 political committee shall report all cumulative amounts required by  
10 this section on a calendar year basis.

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

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

26 (a) The amount of each contribution, the date it was received  
27 by the bundling committee, and the candidate for statewide elective

1 office whom the contributor designated as the intended recipient.

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

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

7 (d) The total amount of bundled contributions delivered to  
8 that candidate committee during the reporting period and during the  
9 election cycle.

10 (5) With its delivery of a bundled contribution to the  
11 candidate committee of a candidate for statewide elective office, a  
12 bundling committee shall deliver a report to that candidate  
13 committee, on a form provided by the ~~secretary of state,~~  
14 **COMMISSION**, that includes all of the following information, as  
15 applicable, about each contribution delivered as part of the  
16 bundled contribution, and about all bundled contributions delivered  
17 to that candidate committee in the election cycle:

18 (a) The amount of each contribution, the date it was received  
19 by the bundling committee, and the statewide elective office  
20 candidate 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 total amount of bundled contributions delivered to  
25 that candidate committee during the reporting period and during the  
26 election cycle.

27 (6) For a reporting period in which a bundled contribution is

1 received, a candidate committee of a candidate for statewide  
2 elective office shall report to the ~~secretary of state,~~ **COMMISSION**,  
3 on a form provided by the ~~secretary of state,~~ **COMMISSION**, all of  
4 the following information, as applicable, about each contribution  
5 delivered as part of a bundled contribution received in the  
6 reporting period and about all bundled contributions received by  
7 that candidate committee:

8 (a) The amount of each contribution, the date it was received  
9 by the candidate committee, and the name of the bundling committee  
10 that delivered the contribution.

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 received by that  
15 candidate committee during the reporting period and during the  
16 election cycle.

17 Sec. 30. (1) A committee shall not knowingly maintain receipt  
18 of a contribution from a person prohibited from making a  
19 contribution during the prohibited period under section 7b of the  
20 Michigan gaming control and revenue act, ~~the Initiated Law of 1996,~~  
21 **1996 IL 1**, MCL 432.207b.

22 (2) For purposes of this section, a committee is only  
23 considered to have knowingly maintained receipt of a contribution  
24 prohibited under subsection (1) and is subject to a penalty for  
25 that violation if both of the following circumstances exist:

26 (a) The ~~secretary of state~~ **COMMISSION** has, by registered mail,  
27 notified the committee that the committee has received a

1 contribution in violation of this section and has specifically  
2 identified that contribution.

3 (b) The committee fails to return the contribution identified  
4 under subdivision (a) on or before the thirtieth business day after  
5 the date the committee receives the notification described in  
6 subdivision (a).

7 Sec. 33. (1) A committee, other than an independent committee,  
8 an independent expenditure committee, or a political committee  
9 required to file with the ~~secretary of state,~~ **COMMISSION,**  
10 supporting or opposing a candidate shall file complete campaign  
11 statements as required by this act and the rules promulgated under  
12 this act according to the following schedule:

13 (a) A preelection campaign statement must be filed not later  
14 than the eleventh day before an election. The closing date for a  
15 campaign statement filed under this subdivision is the sixteenth  
16 day before the election.

17 (b) A postelection campaign statement must be filed not later  
18 than the thirtieth day following the election. The closing date for  
19 a campaign statement filed under this subdivision is the twentieth  
20 day following the election. A committee supporting a candidate who  
21 loses the primary election shall file closing campaign statements  
22 in accordance with this section. If all liabilities of that  
23 candidate or committee are paid before the closing date and  
24 additional contributions are not expected, the campaign statement  
25 may be filed at any time after the election, but not later than the  
26 thirtieth day following the election.

27 (c) For candidate committees only, in a year in which there is



1 no election for the candidate the candidate committee is supporting  
2 or opposing:

3 (i) Not later than July 25 with a closing date of July 20 of  
4 that year.

5 (ii) Not later than October 25 with a closing date of October  
6 20 of that year.

7 (2) For the purposes of subsection (1):

8 (a) A candidate committee shall file a preelection campaign  
9 statement and a postelection campaign statement for each election  
10 in which the candidate seeks nomination or election, except if an  
11 individual becomes a candidate after the closing date for the  
12 preelection campaign statement only the postelection campaign  
13 statement is required for that election.

14 (b) A committee other than a candidate committee shall file a  
15 campaign statement for each period during which expenditures are  
16 made for the purpose of influencing the nomination or election of a  
17 candidate or for the qualification, passage, or defeat of a ballot  
18 question.

19 (3) An independent committee, an independent expenditure  
20 committee, or a political committee other than a house political  
21 party caucus committee or senate political party caucus committee  
22 required to file with the ~~secretary of state~~ **COMMISSION** shall file  
23 campaign statements as required by this act according to the  
24 following schedule:

25 (a) Not later than April 25 of each year with a closing date  
26 of April 20 of that year.

27 (b) Not later than July 25 of each year with a closing date of

1 July 20 of that year.

2 (c) Not later than October 25 of each year with a closing date  
3 of October 20 of that year.

4 (4) A house political party caucus committee or a senate  
5 political party caucus committee required to file with the  
6 ~~secretary of state~~ **COMMISSION** or a political party committee for a  
7 party attempting to qualify as a new political party under section  
8 685 of the Michigan election law, 1954 PA 116, MCL 168.685, shall  
9 file campaign statements as required by this act according to the  
10 following schedule:

11 (a) Not later than January 31 of each year with a closing date  
12 of December 31 of the immediately preceding year.

13 (b) Not later than April 25 of each year with a closing date  
14 of April 20 of that year.

15 (c) Not later than July 25 of each year with a closing date of  
16 July 20 of that year.

17 (d) Not later than October 25 of each year with a closing date  
18 of October 20 of that year.

19 (e) For the period beginning on the fourteenth day immediately  
20 preceding a primary or special primary election and ending on the  
21 day immediately following the primary or special primary election,  
22 not later than 4 p.m. each business day with a closing date of the  
23 immediately preceding day, only for a contribution received or  
24 expenditure made that exceeds \$1,000.00 per day.

25 (f) For the period beginning on the fourteenth day immediately  
26 preceding a general or special election and ending on the day  
27 immediately following the general or special election, not later

1 than 4 p.m. each business day with a closing date of the  
2 immediately preceding day, only for a contribution received or  
3 expenditure made that exceeds \$1,000.00 per day.

4 (5) Notwithstanding subsection (3) or (4) or section 51, if an  
5 independent expenditure is made within 45 days before a special  
6 election by an independent committee, an independent expenditure  
7 committee, or a political committee required to file a campaign  
8 statement with the ~~secretary of state~~, **COMMISSION**, the committee  
9 shall file a report of the expenditure with the ~~secretary of state~~  
10 **COMMISSION** within 48 hours after the expenditure. The report must  
11 be made on a form provided by the ~~secretary of state~~ **COMMISSION** and  
12 must include the date of the independent expenditure, the amount of  
13 the expenditure, a brief description of the nature of the  
14 expenditure, and the name and address of the person to whom the  
15 expenditure was paid. The brief description of the expenditure must  
16 include either the name of the candidate and the office sought by  
17 the candidate or the name of the ballot question and state whether  
18 the expenditure supports or opposes the candidate or ballot  
19 question. This subsection does not apply if the committee is  
20 required to report the independent expenditure in a campaign  
21 statement that is required to be filed before the date of the  
22 election for which the expenditure was made.

23 (6) A candidate committee or a committee other than a  
24 candidate committee that files a written statement under section  
25 24(5) or (6) or that is automatically considered to have made a  
26 statement under section 24(5) is not required to file a campaign  
27 statement under subsection (1), (3), or (4) unless it received or

1 expended an amount in excess of \$1,000.00. If the committee  
2 receives or expends an amount in excess of \$1,000.00 during a  
3 period covered by a filing, the committee is then subject to the  
4 campaign filing requirements under this act.

5 (7) A committee, candidate, treasurer, or other individual  
6 designated as responsible for the committee's record keeping,  
7 report preparation, or report filing who fails to file a statement  
8 as required by this section shall pay a late filing fee. If the  
9 committee has raised \$10,000.00 or less during the previous 2  
10 years, the late filing fee is \$25.00 for each business day the  
11 statement remains unfiled, but not to exceed \$500.00. If the  
12 committee has raised more than \$10,000.00 during the previous 2  
13 years, the late filing fee must not exceed \$1,000.00, determined as  
14 follows:

15 (a) Twenty-five dollars for each business day the report  
16 remains unfiled.

17 (b) An additional \$25.00 for each business day after the first  
18 3 business days the report remains unfiled.

19 (c) An additional \$50.00 for each business day after the first  
20 10 business days the report remains unfiled.

21 (8) If a candidate, treasurer, or other individual designated  
22 as responsible for the committee's record keeping, report  
23 preparation, or report filing fails to file 2 statements required  
24 by this section or section 35 and both of the statements remain  
25 unfiled for more than 30 days, that candidate, treasurer, or other  
26 designated individual is guilty of a misdemeanor punishable by a  
27 fine of not more than \$1,000.00 or imprisonment for not more than

1 90 days, or both.

2 (9) If a candidate is found guilty of a violation of this  
3 section, the circuit court for that county, on application by the  
4 attorney general or the prosecuting attorney of that county, may  
5 prohibit that candidate from assuming the duties of a public office  
6 or from receiving compensation from public funds, or both.

7 (10) If a candidate, treasurer, or other individual designated  
8 as responsible for a committee's record keeping, report  
9 preparation, or report filing knowingly files an incomplete or  
10 inaccurate statement or report required by this section, that  
11 individual is subject to a civil fine of not more than \$1,000.00.

12 (11) If a candidate, treasurer, or other individual designated  
13 as responsible for a committee's record keeping, report  
14 preparation, or report filing knowingly omits or underreports  
15 individual contributions or individual expenditures required to be  
16 disclosed by this act, that individual is subject to a civil fine  
17 of not more than \$1,000.00 or the amount of the contributions and  
18 expenditures omitted or underreported, whichever is greater.

19 (12) If a candidate committee's account has a balance of  
20 \$20,000.00 or more and a candidate, treasurer, or other individual  
21 designated as responsible for that committee's record keeping,  
22 report preparation, or report filing fails to file campaign  
23 statements required under this act for 2 consecutive years, that  
24 candidate, treasurer, or other individual is guilty of a felony  
25 punishable by imprisonment for not more than 3 years or a fine of  
26 not more than \$5,000.00, or both. Any money in a candidate  
27 committee account described in this subsection is subject to

1 seizure by, and forfeiture to, this state as provided in this  
2 section.

3 (13) Not more than 5 business days after seizure of money  
4 under subsection (12), the ~~secretary of state~~ **COMMISSION** shall  
5 deliver personally or by registered mail to the last known address  
6 of the candidate from whom the seizure was made an inventory  
7 statement of the money seized. The inventory statement must also  
8 contain notice to the effect that unless demand for hearing as  
9 provided in this section is made within 10 business days, the money  
10 is forfeited to this state. Within 10 business days after the date  
11 of service of the notice, the candidate may by registered mail,  
12 facsimile transmission, or personal service file with the ~~secretary~~  
13 ~~of state~~ **COMMISSION** a demand for a hearing before the ~~secretary of~~  
14 ~~state~~ **COMMISSION** or a person designated by the ~~secretary of state~~  
15 **COMMISSION** for a determination as to whether the money was lawfully  
16 subject to seizure and forfeiture. The candidate is entitled to  
17 appear before the ~~secretary of state~~ **COMMISSION** or a person  
18 designated by the ~~secretary of state~~, **COMMISSION**, to be represented  
19 by counsel, and to present testimony and argument. Upon receipt of  
20 a request for hearing, the ~~secretary of state~~ **COMMISSION** or a  
21 person designated by the ~~secretary of state~~ **COMMISSION** shall hold  
22 the hearing within 15 business days. The hearing is not a contested  
23 case proceeding and is not subject to the administrative procedures  
24 act of 1969, 1969 PA 306, MCL 24.201 to 24.328. After the hearing,  
25 the ~~secretary of state~~ **COMMISSION** or a person designated by the  
26 ~~secretary of state~~ **COMMISSION** shall render a decision in writing  
27 within 10 business days of the hearing and, by order, shall either

1 declare the money subject to seizure and forfeiture or declare the  
2 money returnable to the candidate. If, within 10 business days  
3 after the date of service of the inventory statement, the candidate  
4 does not file with the ~~secretary of state~~ **COMMISSION** a demand for a  
5 hearing before the ~~secretary of state~~ **COMMISSION** or a person  
6 designated by the ~~secretary of state~~, **COMMISSION**, the money seized  
7 is forfeited to this state by operation of law. If, after a hearing  
8 before the ~~secretary of state~~ **COMMISSION** or a person designated by  
9 the ~~secretary of state~~, **COMMISSION**, the ~~secretary of state~~  
10 **COMMISSION** or a person designated by the ~~secretary of state~~  
11 **COMMISSION** determines that the money is lawfully subject to seizure  
12 and forfeiture and the candidate does not appeal to the circuit  
13 court of the county in which the seizure was made within the time  
14 prescribed in this section, the money seized is forfeited to this  
15 state by operation of law. If a candidate is aggrieved by the  
16 decision of the ~~secretary of state~~ **COMMISSION** or a person  
17 designated by the ~~secretary of state~~, **COMMISSION**, that candidate  
18 may appeal to the circuit court of the county where the seizure was  
19 made to obtain a judicial determination of the lawfulness of the  
20 seizure and forfeiture. The action must be commenced within 20 days  
21 after notice of a determination by the ~~secretary of state~~  
22 **COMMISSION** or a person designated by the ~~secretary of state~~  
23 **COMMISSION** is sent to the candidate. The court shall hear the  
24 action and determine the issues of fact and law involved in  
25 accordance with rules of practice and procedure as in other in rem  
26 proceedings.

27       Sec. 36. (1) A candidate committee for a state elective office

1 or a judicial office shall file a copy of the campaign statement  
2 required under this act with the ~~secretary of state~~. **COMMISSION**.  
3 The ~~secretary of state~~ **COMMISSION** shall reproduce the copy and  
4 transmit the reproduction to the clerk of the county of residence  
5 of the candidate.

6 (2) A ballot question committee supporting or opposing a  
7 statewide ballot question shall file a copy of the campaign  
8 statement required under this act with the ~~secretary of state~~  
9 **COMMISSION** and with the clerk of the most populous county in the  
10 state. Except as otherwise provided in this subsection, a ballot  
11 question committee supporting or opposing a ballot question to be  
12 voted upon in more than 1 county, but not statewide, shall file a  
13 copy of the campaign statement required under this act with the  
14 clerk of the county in which the greatest number of registered  
15 voters eligible to vote on the ballot question reside. Except as  
16 otherwise provided in this subsection, a ballot question committee  
17 supporting or opposing a ballot question to be voted upon within a  
18 single county shall file a copy of the campaign statement required  
19 under this act only with the clerk of that county. If a ballot  
20 question committee is registered with the ~~secretary of state~~  
21 **COMMISSION** and is supporting or opposing a nonstatewide ballot  
22 question, that ballot question committee is only required to file  
23 the campaign statement required under this act with the ~~secretary~~  
24 ~~of state~~. **COMMISSION**.

25 (3) A political party committee shall file a copy of the  
26 campaign statement required under this act with the ~~secretary of~~  
27 ~~state~~. **COMMISSION**. The ~~secretary of state~~ **COMMISSION** shall



1 reproduce a copy of the campaign statement of a political party  
2 committee that is a county committee and file the copy with the  
3 clerk of the county where the county committee operates.

4 (4) A committee supporting or opposing a candidate for local  
5 elective office, if the office is to be voted on in more than 1  
6 county but not statewide, shall file a copy of the campaign  
7 statement required under this act with the clerk of the county in  
8 which the greatest number of registered voters eligible to vote on  
9 the office reside.

10 (5) If a committee is registered with the ~~secretary of state~~  
11 **COMMISSION** and is supporting or opposing the recall of a local  
12 elective officeholder, that committee is only required to file the  
13 campaign statement required under this act with the ~~secretary of~~  
14 ~~state~~-**COMMISSION**.

15 (6) A committee not covered under subsection (1), (2), (3),  
16 (4), or (5) shall file a copy of the campaign statement required  
17 under this act with the ~~secretary of state~~, **COMMISSION**, except that  
18 a committee reporting contributions or expenditures for a candidate  
19 within only 1 county shall file a statement only with the clerk of  
20 that county.

21 (7) A local unit of government that receives copies of  
22 campaign statements under this section shall make the statements  
23 available for public inspection and reproduction during regular  
24 business hours of the local unit of government. The local unit of  
25 government shall make the statements available as soon as  
26 practicable after receipt, but not later than the third business  
27 day following the day on which they are received.

1       Sec. 46. (1) At the beginning of every odd numbered year, the  
2 ~~secretary of state~~ **COMMISSION** shall recommend adjustments to and  
3 which shall be approved by the legislature of the dollar value  
4 floor for reporting of the name, address, occupation, and employer,  
5 or principal place of business of persons who make contributions  
6 pursuant to this act, on the basis of the ~~consumer price index~~  
7 **CONSUMER PRICE INDEX** and the number of registered voters in the  
8 state.

9       (2) Beginning January 1, 2019 and every 4 years thereafter,  
10 the ~~secretary of state~~ **COMMISSION** shall adjust the dollar value  
11 contribution limits provided in sections 52, 52a, and 69(1). The  
12 ~~secretary of state~~ **COMMISSION** shall adjust the limits in sections  
13 52, 52a, and 69(1) by comparing the percentage increase or decrease  
14 in the ~~consumer price index~~ **CONSUMER PRICE INDEX** for the preceding  
15 August by the corresponding ~~consumer price index~~ **CONSUMER PRICE**  
16 **INDEX** 4 years earlier. The ~~secretary of state~~ **COMMISSION** shall  
17 multiply that percentage change by the amounts in sections 52, 52a,  
18 and 69(1). The ~~secretary of state~~ **COMMISSION** shall round up each  
19 dollar value adjustment made under this subsection to the nearest  
20 \$25.00. The ~~secretary of state~~ **COMMISSION** shall announce the  
21 adjustments made under this subsection by December 15 of each year.

22       (3) As used in this section, "~~consumer price index~~" "**CONSUMER**  
23 **PRICE INDEX**" means the most comprehensive index of consumer prices  
24 available for the Detroit area from the ~~bureau of labor statistics~~  
25 **BUREAU OF LABOR STATISTICS** of the United States ~~department of~~  
26 ~~labor~~ **DEPARTMENT OF LABOR**.

27       Sec. 51. (1) A person, other than a committee, that makes an

1 independent expenditure, advocating the election or defeat of a  
2 candidate or the qualification, passage, or defeat of a ballot  
3 question, in an amount of \$100.01 or more in a calendar year shall  
4 file a report of the independent expenditure, within 10 days after  
5 making that independent expenditure, with the clerk of the county  
6 of residence of that person. If the independent expenditure  
7 advocates the election or defeat of a candidate for state elective  
8 office or the qualification, passage, or defeat of a statewide  
9 ballot question, or if the person making the independent  
10 expenditure is not a resident of this state, the person shall file  
11 the report with the ~~secretary of state~~ **COMMISSION** in lieu of filing  
12 with a clerk of a county. The report required under this section  
13 must be made on an independent expenditure report form provided by  
14 the ~~secretary of state~~, **COMMISSION**, include the date of the  
15 expenditure, a brief description of the nature of the expenditure,  
16 the amount, the name and address of the person to whom it was paid,  
17 the name and address of the person filing the report, together with  
18 the name, address, occupation, employer, and principal place of  
19 business of each person that contributed \$100.01 or more to the  
20 expenditure, and identify the candidate or ballot question for or  
21 against which the independent expenditure was made. The filing  
22 official receiving the report shall forward copies, as required, to  
23 the appropriate filing officers as described in section 36.

24 (2) If a person fails to file a report as required under this  
25 section, that person shall pay a late filing fee. If the person has  
26 made independent expenditures totaling less than \$10,000.00, the  
27 late filing fee is \$25.00 for each business day the report remains

1 unfiled, but not to exceed \$1,000.00. If the person has made  
2 independent expenditures totaling \$10,000.00 or more, the late  
3 filing fee is \$50.00 for each business day the report remains  
4 unfiled, but not to exceed \$5,000.00. A person that violates this  
5 subsection by failing to file a report required under this section  
6 for more than 30 days after the report is required to be filed is  
7 guilty of a misdemeanor punishable by imprisonment for not more  
8 than 90 days or a fine of not more than \$1,000.00, or both.

9       Sec. 55. (1) A connected organization may make an expenditure  
10 for the establishment or administration of, and solicitation,  
11 collection, or transfer of contributions to, a separate segregated  
12 fund to be used for political purposes. A separate segregated fund  
13 established by a connected organization under this section shall be  
14 organized as a political committee or an independent committee,  
15 and, in addition to any other disbursements not restricted or  
16 prohibited by law, shall only make contributions to, and  
17 expenditures on behalf of, candidate committees, ballot question  
18 committees, political party committees, political committees,  
19 independent expenditure committees, independent committees, and  
20 other separate segregated funds.

21       (2) Contributions for a separate segregated fund established  
22 by a corporation, organized on a for profit basis, or a joint stock  
23 company under this section may be solicited from any of the  
24 following persons or their spouses:

25       (a) Stockholders of the corporation or company.

26       (b) Officers and directors of the corporation or company.

27       (c) Employees of the corporation or company who have policy

1 making, managerial, professional, supervisory, or administrative  
2 nonclerical responsibilities.

3 (3) Contributions for a separate segregated fund established  
4 under this section by a corporation organized on a nonprofit basis  
5 may be solicited from any of the following persons or their  
6 spouses:

7 (a) Members of the corporation who are individuals.

8 (b) Stockholders or members of members of the corporation.

9 (c) Officers or directors of members of the corporation.

10 (d) Employees of the members of the corporation who have  
11 policy making, managerial, professional, supervisory, or  
12 administrative nonclerical responsibilities.

13 (e) Employees of the corporation who have policy making,  
14 managerial, professional, supervisory, or administrative  
15 nonclerical responsibilities.

16 (4) Contributions for a separate segregated fund established  
17 under this section by a labor organization may be solicited from  
18 any of the following persons or their spouses:

19 (a) Members of the labor organization who are individuals.

20 (b) Officers or directors of the labor organization.

21 (c) Employees of the labor organization who have policy  
22 making, managerial, professional, supervisory, or administrative  
23 nonclerical responsibilities.

24 (5) Contributions for a separate segregated fund established  
25 under this section by a domestic dependent sovereign may be  
26 solicited from an individual who is a member of any domestic  
27 dependent sovereign.

1           (6) Contributions must not be obtained for a separate  
2 segregated fund established under this section by use of coercion  
3 or physical force, by making a contribution a condition of  
4 employment or membership, or by using or threatening to use job  
5 discrimination or financial reprisals. A connected organization  
6 shall not solicit or obtain contributions for a separate segregated  
7 fund established under this section from an individual described in  
8 subsection (2), (3), (4), or (5) on an automatic or passive basis  
9 including but not limited to a payroll deduction plan or reverse  
10 checkoff method. A connected organization may solicit or obtain  
11 contributions for a separate segregated fund established under this  
12 section from an individual described in subsection (2), (3), (4),  
13 or (5) on an automatic basis, including but not limited to a  
14 payroll deduction plan, only if the individual who is contributing  
15 to the fund affirmatively consents to the contribution.

16           (7) A contribution by an individual to a separate segregated  
17 fund that is aggregated with a dues or other payment to the  
18 connected organization may be collected by or made payable first to  
19 the connected organization for subsequent transfer to the separate  
20 segregated fund if all of the following occur:

21           (a) The individual making the contribution does either of the  
22 following:

23           (i) Specifically indicates in a record or electronic record  
24 that the amount collected, or a specified portion of the total  
25 amount if remitted as part of a dues or other payment to the  
26 connected organization, is a contribution to the separate  
27 segregated fund.

1           (ii) Fails to return a record or electronic record described  
2 in subparagraph (i), but remits payment to the connected  
3 organization in response to a specifically requested amount that  
4 includes a solicited contribution, the solicitation for a  
5 contribution was clearly distinguishable from any dues or other  
6 fees requested as part of the total, and the connected organization  
7 maintains a record or electronic record of the solicitation that  
8 includes the amount of the solicited contribution and the amount of  
9 any dues or other fees charged in conjunction with the solicitation  
10 for each contributor.

11           (b) The connected organization transfers the entire specified  
12 amount of any designated contribution, individually or aggregated  
13 with other contributions, to the separate segregated fund  
14 electronically or by written instrument. Any transfer of designated  
15 contributions must be accompanied by or logically associated with a  
16 record or electronic record setting forth all information required  
17 under section 26 for each individual contributor whose contribution  
18 is transferred.

19           (c) The connected organization accounts for any contributions  
20 under this subsection in a manner that documents all of the  
21 following:

22           (i) The identity of the individual contributor.

23           (ii) The date, amount, and method of receipt for each  
24 individual contribution.

25           (iii) The date, amount, and method of all transfers to the  
26 separate segregated fund.

27           (d) The connected organization and the separate segregated

1 fund adopt a written policy governing the handling, accounting, and  
2 transfer of any contribution under this subsection.

3 (e) In connection with an investigation or hearing under  
4 section 15 regarding any contributions under this subsection, the  
5 connected organization voluntarily agrees to make available to the  
6 ~~secretary of state~~ **COMMISSION** any records described in subdivisions  
7 (a) to (d) and provides those records at the request of the  
8 ~~secretary of state~~ **COMMISSION**.

9 (8) Except as otherwise provided in subsection (10), a person  
10 who knowingly violates this section is guilty of a felony  
11 punishable, if the person is an individual, by a fine of not more  
12 than \$5,000.00 or imprisonment for not more than 3 years, or both,  
13 or, if the person is not an individual, by a fine of not more than  
14 \$10,000.00.

15 (9) If a connected organization that obtains contributions for  
16 a separate segregated fund from individuals described in subsection  
17 (2), (3), (4), or (5) pays to 1 or more of those individuals a  
18 bonus or other remuneration for the purpose of reimbursing those  
19 contributions, then that connected organization is subject to a  
20 civil fine of not more than 2 times the total contributions  
21 obtained from all individuals for the separate segregated fund  
22 during that calendar year.

23 (10) If a violation of this section results solely from the  
24 failure of a connected organization to transfer 1 or more  
25 contributions, that connected organization is not guilty of a  
26 felony as described in subsection (8), but shall notify the  
27 contributor of the failure to transfer the contribution and refund



1 the full amount of the contribution to the contributor if  
2 requested. The penalties described in subsection (8) apply to any  
3 other violation of this section, including use or diversion of any  
4 contributions by a connected organization before those  
5 contributions are transferred to the separate segregated fund under  
6 subsection (7).

7 (11) As used in this section:

8 (a) "Connected organization" means either of the following:

9 (i) A corporation organized on a for-profit or nonprofit  
10 basis, a joint stock company, a domestic dependent sovereign, or a  
11 labor organization formed under the laws of this or another state  
12 or foreign country.

13 (ii) A member of any entity under subparagraph (i) that is not  
14 an individual and that does not maintain its own separate  
15 segregated fund, unless its separate segregated fund and the  
16 separate segregated fund of the entity of which it is a member are  
17 treated as a single independent committee as provided in section  
18 52(10).

19 (b) "Record" and "electronic record" mean those terms as  
20 defined in section 2 of the uniform electronic transactions act,  
21 2000 PA 305, MCL 450.832.

22 (c) "Written instrument" means a money order, or a check,  
23 cashier's check, or other negotiable instrument, as those terms are  
24 defined in section 3104 of the uniform commercial code, 1962 PA  
25 174, MCL 440.3104, in the name of the connected organization and  
26 payable to the separate segregated fund.

27 Sec. 57. (1) A public body or a person acting for a public

body shall not use or authorize the use of funds, personnel, office space, computer hardware or software, property, stationery, postage, vehicles, equipment, supplies, or other public resources to make a contribution or expenditure or provide volunteer personal services that are excluded from the definition of contribution under section 4(3)(a). The prohibition under this subsection includes, but is not limited to, using or authorizing the use of public resources to establish or administer a payroll deduction plan to directly or indirectly collect or deliver a contribution to, or make an expenditure for, a committee. Advance payment or reimbursement to a public body does not cure a use of public resources otherwise prohibited by this subsection. This subsection does not apply to any of the following:

(a) The expression of views by an elected or appointed public official who has policy making responsibilities.

(b) ~~Subject to subsection (3), the~~ **THE** production or dissemination of factual information concerning issues relevant to the function of the public body.

(c) The production or dissemination of debates, interviews, commentary, or information by a broadcasting station, newspaper, magazine, or other periodical or publication in the regular course of broadcasting or publication.

(d) The use of a public facility owned or leased by, or on behalf of, a public body if any candidate or committee has an equal opportunity to use the public facility.

(e) The use of a public facility owned or leased by, or on behalf of, a public body if that facility is primarily used as a

1 family dwelling and is not used to conduct a fund-raising event.

2 (f) An elected or appointed public official or an employee of  
3 a public body who, when not acting for a public body but is on his  
4 or her own personal time, is expressing his or her own personal  
5 views, is expending his or her own personal funds, or is providing  
6 his or her own personal volunteer services.

7 (2) If the ~~secretary of state~~ **COMMISSION** has dismissed a  
8 complaint filed under section 15(5) alleging that a public body or  
9 person acting for a public body used or authorized the use of  
10 public resources to establish or administer a payroll deduction  
11 plan to collect or deliver a contribution to, or make an  
12 expenditure for, a committee in violation of this section, or if  
13 the ~~secretary of state~~ **COMMISSION** enters into a conciliation  
14 agreement under section 15(10) that does not prevent a public body  
15 or a person acting for a public body to use or authorize the use of  
16 public resources to establish or administer a payroll deduction  
17 plan to collect or deliver a contribution to, or make an  
18 expenditure for, a committee in violation of this section, the  
19 following apply:

20 (a) The complainant or any other person who resides, or has a  
21 place of business, in the jurisdiction where the use or  
22 authorization of the use of public resources occurred may bring a  
23 civil action against the public body or person acting for the  
24 public body to seek declaratory, injunctive, mandamus, or other  
25 equitable relief and to recover losses that a public body suffers  
26 from the violation of this section.

27 (b) If the complainant or any other person who resides, or has

1 a place of business, in the jurisdiction where the use or  
2 authorization of the use of public resources occurred prevails in  
3 an action initiated under this subsection, a court shall award the  
4 complainant or any other person necessary expenses, costs, and  
5 reasonable attorney fees.

6 (c) Any amount awarded or equitable relief granted by a court  
7 under this subsection may be awarded or granted against the public  
8 body or an individual acting for the public body, or both, that  
9 violates this section, as determined by the court.

10 (d) A complainant or any other person who resides, or has a  
11 place of business, in the jurisdiction where the use or  
12 authorization of the use of public resources occurred may bring a  
13 civil action under this subsection in any county in which venue is  
14 proper. Process issued by a court in which an action is filed under  
15 this subsection may be served anywhere in this state.

16 ~~—— (3) Except for an election official in the performance of his~~  
17 ~~or her duties under the Michigan election law, 1954 PA 116, MCL~~  
18 ~~168.1 to 168.992, a public body, or a person acting for a public~~  
19 ~~body, shall not, during the period 60 days before an election in~~  
20 ~~which a local ballot question appears on a ballot, use public funds~~  
21 ~~or resources for a communication by means of radio, television,~~  
22 ~~mass mailing, or prerecorded telephone message if that~~  
23 ~~communication references a local ballot question and is targeted to~~  
24 ~~the relevant electorate where the local ballot question appears on~~  
25 ~~the ballot.~~

26 (3) ~~(4)~~ A person who knowingly violates this section is guilty  
27 of a misdemeanor punishable, if the person is an individual, by a

1 fine of not more than \$1,000.00 or imprisonment for not more than 1  
2 year, or both, or if the person is not an individual, by 1 of the  
3 following, whichever is greater:

4 (a) A fine of not more than \$20,000.00.

5 (b) A fine equal to the amount of the improper contribution or  
6 expenditure.

7 Sec. 63. (1) The ~~secretary of state~~ **COMMISSION** shall receive  
8 and keep a record of each candidate's certified statements of  
9 qualifying contributions. A statement ~~shall~~ **MUST** include in  
10 alphabetical order the full name and street address of each person  
11 from whom a qualifying contribution is received during the  
12 reporting period, together with the amount of each contribution and  
13 the date received by the treasurer of the committee.

14 (2) The ~~secretary of state~~ **COMMISSION** shall promptly notify a  
15 candidate for nomination for governor when that candidate qualifies  
16 under this act to receive ~~moneys~~ **MONEY** from the state campaign  
17 fund.

18 (3) If a candidate desires to receive ~~moneys~~ **MONEY** from the  
19 state campaign fund and received notice of qualification for  
20 funding under subsection (2), the candidate shall apply to the  
21 ~~secretary of state.~~ **COMMISSION**. The candidate shall state the  
22 amount of ~~moneys~~ **MONEY** desired from the state campaign fund in the  
23 application. The candidate shall state in the application for state  
24 campaign fund money that the candidate and the candidate's  
25 committee agree to adhere to expenditure limitations stated in  
26 section 67.

27 (4) The ~~secretary of state~~ **COMMISSION** shall determine the

1 maximum amount for which the candidate qualifies under this act.

2 The ~~secretary of state~~ **COMMISSION** shall forward information as to  
3 this amount and the application for funding to the state treasurer.

4 (5) The state treasurer shall issue a warrant drawn on the  
5 state campaign fund for an amount equal to the maximum amount ~~which~~  
6 **THAT** the candidate is qualified to receive or the amount applied  
7 for, whichever is less. The warrant shall not be issued before  
8 January 1 of the year in which the election for governor is to be  
9 held.

10 Sec. 64. (1) A candidate in a primary election may obtain  
11 ~~funds~~ **MONEY** from the state campaign fund in an amount equal to  
12 \$2.00 for each \$1.00 of qualifying contribution if the candidate  
13 certifies to the ~~secretary of state~~ **COMMISSION** both of the  
14 following:

15 (a) That the candidate committee of the candidate received  
16 \$75,000.00 or more of qualifying contributions.

17 (b) That the full name and address of each person making a  
18 qualifying contribution is recorded by the candidate committee of  
19 the candidate certifying. This requirement is in addition to and  
20 not in lieu of any other requirements relating to the recording and  
21 reporting of contributions.

22 (2) A candidate is not entitled to ~~funds~~ **MONEY** from the state  
23 campaign fund for a primary election if it is determined the name  
24 of the candidate is ineligible to appear on the primary election  
25 ballot ~~pursuant to~~ **UNDER** section 53 of the Michigan election law,  
26 ~~Act No. 116 of the Public Acts of 1954, as amended, being section~~  
27 ~~168.53 of the Michigan Compiled Laws. 1954 PA 116, MCL 168.53. A~~

1 candidate who does not file nominating petitions for the office of  
2 governor or who files an insufficient petition for that office  
3 shall return all ~~funds~~ **MONEY** received from the state campaign fund  
4 for that primary election.

5 (3) A candidate shall not receive from the state campaign fund  
6 for a primary more than \$990,000.00.

7 (4) For purposes of this section, primary election is the  
8 election described in section 52 of ~~Act No. 116 of the Public Acts~~  
9 ~~of 1954, as amended, being section 168.52 of the Michigan Compiled~~  
10 ~~Laws.~~ **THE MICHIGAN ELECTION LAW, 1954 PA 116, MCL 168.52.**

11 Sec. 65. (1) A major political party nominee is entitled to an  
12 amount from the state campaign fund of not more than \$1,125,000.00  
13 for a general election. A candidate, subject to law, may raise the  
14 remaining amount of the permissible expenditure limit in private  
15 contributions. An eligible candidate in a general election may  
16 elect to accept partial payment of money from the state campaign  
17 fund and instead raise private contributions as provided by law  
18 that, when added to the amount received from the state campaign  
19 fund, do not exceed the expenditure limit designated in section 67.

20 (2) A minor political party nominee whose party received 5% or  
21 more of the vote for the same office in the last election is  
22 entitled to an amount from the state campaign fund of not more than  
23 \$1,125,000.00, multiplied by the number of popular votes the minor  
24 party received in the preceding general election for governor and  
25 then divided by the average number of votes the major parties  
26 received in that general election for governor.

27 (3) A minor political party nominee not eligible under

1 subsection (2) but who receives more than 5% of the vote in that  
2 general election for governor is entitled to reimbursement from the  
3 state campaign fund in an amount of not more than \$1,125,000.00,  
4 multiplied by the number of popular votes the minor party received  
5 in the preceding general election for governor and then divided by  
6 the average number of votes the major parties received in that  
7 general election for governor.

8 (4) A minor political party nominee qualified under subsection  
9 (2) who receives more popular votes in an election than the  
10 candidate of that minor political party received at the preceding  
11 election is entitled to additional reimbursement from the state  
12 campaign fund in an amount determined as follows:

13 (a) Compute the amount that the candidate would have received  
14 under subsection (3) had the candidate otherwise qualified.

15 (b) Subtract the amount received under subsection (2) from the  
16 amount computed under subdivision (a).

17 (5) A candidate listed on the ballot in the general election  
18 is entitled to \$1.00 for each \$1.00 of qualifying contributions  
19 certified to the ~~secretary of state pursuant to~~ **COMMISSION UNDER**  
20 this act up to \$750,000.00, if the candidate has certified to the  
21 ~~secretary of state~~ **COMMISSION** \$75,000.00 or more in qualifying  
22 contributions. A candidate who chooses to receive any public funds  
23 **MONEY** under this subsection shall not receive any money under  
24 subsection (1), (2), (3), or (4).

25 (6) A major political party nominee shall receive from the  
26 state treasurer \$56,250.00 of the ~~funds~~ **MONEY** that the candidate  
27 may be entitled to under this section not later than 10 days after



1 the primary election, unless there is less than a 2% difference in  
2 vote totals of the top 2 primary election candidates of the same  
3 political party according to unofficial vote totals available to  
4 the ~~secretary of state.~~ **COMMISSION.** The balance of any ~~funds~~ **MONEY**  
5 owed to a major political party nominee under this section ~~shall be~~  
6 **IS** payable by the state treasurer within 3 days after the board of  
7 state canvassers' certification of the primary election results,  
8 but not later than 30 days after the primary election. Any ~~funds~~  
9 **MONEY** paid to a major political party nominee under this section  
10 either erroneously or based on election results that are reversed  
11 due to a recount or fraud ~~shall~~ **MUST** be repaid by that major  
12 political party nominee to the state treasurer within 60 days of  
13 receipt of notification by certified mail from the state treasurer.

14 Sec. 69. (1) Except as provided in subsection (6) or (10) and  
15 subject to section 46, a person other than an independent committee  
16 or a political party committee shall not make contributions to a  
17 candidate committee of a candidate that are more than \$6,800.00 in  
18 value for an election cycle.

19 (2) Except as provided in subsection (11), an independent  
20 committee shall not make contributions to a candidate committee  
21 that for an election cycle are more than 10 times the amount  
22 permitted a person other than an independent committee or political  
23 party committee in subsection (1).

24 (3) A political party committee that is a state central  
25 committee shall not make contributions to a candidate committee  
26 that for an election cycle are more than \$750,000.00.

27 (4) A political party committee that is a congressional

1 district or county committee shall not make contributions to a  
2 candidate committee that for an election cycle are more than  
3 \$30,000.00.

4 (5) A candidate committee, a candidate, or a treasurer or  
5 agent shall not accept a contribution with respect to an election  
6 cycle that exceeds a limitation in subsections (1) to (4), or (10).

7 (6) ~~As used in this subsection, "immediate family" means a~~  
8 ~~spouse, parent, brother, sister, son, or daughter.~~ A candidate and  
9 members of that candidate's immediate family may not contribute in  
10 total to that person's candidate committee an amount that is more  
11 than \$50,000.00 in value for an election cycle. **AS USED IN THIS**  
12 **SUBSECTION, "IMMEDIATE FAMILY" MEANS AN INDIVIDUAL'S FATHER,**  
13 **MOTHER, SON, DAUGHTER, BROTHER, SISTER, AND SPOUSE AND A RELATIVE**  
14 **OF ANY DEGREE RESIDING IN THE SAME HOUSEHOLD AS THAT INDIVIDUAL.**

15 (7) Sections 5(3) and 52(6) apply to determining when an  
16 election cycle begins and ends and to which election cycle a  
17 particular contribution is attributed.

18 (8) The candidate committee of a candidate for governor that  
19 does not apply for ~~funds~~ **MONEY** from the state campaign fund and  
20 that accepts from the candidate and the candidate's immediate  
21 family contributions that total for an election cycle more than  
22 \$340,000.00 shall notify the ~~secretary of state~~ **COMMISSION** in  
23 writing within 48 hours after receipt of this amount. Within 2  
24 business days after receipt of this notice, the ~~secretary of state~~  
25 **COMMISSION** shall send notice to all candidates who are either  
26 seeking the same nomination, in the case of a primary election, or  
27 election to that same office, in the case of a general election,

1 informing those candidate committees of all of the following:

2 (a) That the expenditure limits provided in section 67 are  
3 waived for the remainder of that election for those notified  
4 candidate committees that receive ~~funds~~ **MONEY** from the state  
5 campaign fund under this act.

6 (b) That the expenditure limits of section 67 are not waived  
7 for the purpose of determining the amount of public funds available  
8 to a candidate under section 64 or 65.

9 (9) A person who knowingly violates this section is guilty of  
10 a misdemeanor punishable, if the person is an individual, by a fine  
11 of not more than \$1,000.00 or imprisonment for not more than 90  
12 days, or both, or, if the person is not an individual, by a fine of  
13 not more than \$10,000.00.

14 (10) The limitation on a political committee's contributions  
15 under subsection (1) does not apply to contributions that are part  
16 of 1 or more bundled contributions delivered to the candidate  
17 committee of a candidate for statewide elective office and that are  
18 attributed to the political committee as prescribed in section 31.  
19 A political committee shall not make contributions to a candidate  
20 committee of a candidate for statewide elective office that are  
21 part of 1 or more bundled contributions delivered to that candidate  
22 committee, that are attributed to the political committee as  
23 prescribed in section 31, and that, in the aggregate for that  
24 election cycle, are more than the amount permitted a person other  
25 than an independent committee or political party committee in  
26 subsection (1).

27 (11) The limitation on an independent committee's

1 contributions under subsection (2) does not apply to contributions  
2 that are part of 1 or more bundled contributions delivered to the  
3 candidate committee of a candidate for statewide elective office  
4 and that are attributed to the independent committee as prescribed  
5 in section 31. An independent committee shall not make  
6 contributions to a candidate committee of a candidate for statewide  
7 elective office that are part of 1 or more bundled contributions  
8 delivered to that candidate committee, that are attributed to the  
9 independent committee as prescribed in section 31, and that, in the  
10 aggregate for that election cycle, are more than 10 times the  
11 amount permitted a person other than an independent committee or  
12 political party committee in subsection (1).