

HOUSE BILL No. 4272

March 10, 1987, Introduced by Reps. Berman, Johnson, DeMars and Gilmer
and referred to the Committee on House Oversight.

A bill to amend section 41 of Act No. 388 of the Public Acts
of 1976, entitled

"An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create a state campaign fund; to provide for reversion of, or refunding of, unexpended balances; to require reports; to provide appropriations; to prescribe penalties; and to repeal certain acts and parts of acts,"

being section 169.241 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 41 of Act No. 388 of the Public Acts of
2 1976, being section 169.241 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 41. (1) A ~~person~~ CANDIDATE, TREASURER, OR COMMITTEE
5 shall not make or accept any single contribution of \$20.01 or

1 more in cash nor make or accept any single expenditure of \$50.01
2 or more in cash. Contributions of \$20.01 or more and expendi-
3 tures of \$50.01 or more, other than an in-kind contribution or
4 expenditure, shall be made by written instrument containing the
5 names of the payor and the payee. A ~~person~~ CANDIDATE OR
6 TREASURER who knowingly violates this ~~section~~ SUBSECTION is
7 guilty of a misdemeanor ~~and shall be punished~~ PUNISHABLE by a
8 fine of not more than \$1,000.00, or ~~imprisoned~~ IMPRISONMENT for
9 not more than 90 days, or both. ~~, and if the person is other~~
10 ~~than an individual the person shall be fined~~ A COMMITTEE WHO
11 KNOWINGLY VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR
12 PUNISHABLE BY A FINE OF not more than \$10,000.00.

13 (2) A person shall not accept or expend an anonymous
14 contribution. An anonymous contribution received by a person
15 shall not be deposited but shall be given to a tax exempt chari-
16 table organization. The charitable organization receiving the
17 contribution shall provide the person with a receipt. The
18 receipt shall be returned by an appropriate committee pursuant to
19 section 22.

20 (3) A contribution received as the result of a fund-raising
21 event or casual services, or from the sale of political merchan-
22 dise that is \$20.00 or less in the aggregate from a person in any
23 calendar year shall not be considered an anonymous contribution.
24 A contribution received from membership fees, dues, or subscrip-
25 tions for political purposes to an independent committee or a
26 political party committee that is \$20.00 or less in the aggregate

1 from a person in any calendar year shall not be considered an
2 anonymous contribution.

3 (4) A person making a contribution pursuant to subsection
4 (3) which is \$20.01 or more in any calendar year when added to
5 all other contributions made to that committee by that person
6 shall furnish the recipient with the donor's name, address, and
7 the total amount contributed.

8 (5) A person who knowingly violates subsection (2), (3), or
9 (4) is guilty of a misdemeanor ~~and shall be punished~~ PUNISHABLE
10 by a fine of not more than \$1,000.00, or ~~imprisoned~~
11 IMPRISONMENT for not more than 90 days, or both.

12 (6) A contribution shall not be made, directly or indirect-
13 ly, by any person in a name other than the name by which that
14 person is identified for legal purposes. A person who violates
15 this subsection is guilty of a misdemeanor ~~and shall be~~
16 ~~punished~~ PUNISHABLE by a fine of not more than \$1,000.00, or
17 ~~imprisoned~~ IMPRISONMENT for not more than 90 days, or both, and
18 if the person is other than an individual the person shall be
19 fined not more than \$10,000.00.