

HOUSE BILL No. 5438

January 31, 1990, Introduced by Reps. Berman and Emmons and referred to the Committee on Elections.

A bill to amend the title and section 61 of Act No. 388 of the Public Acts of 1976, entitled "Michigan campaign finance act," section 61 as amended by Act No. 95 of the Public Acts of 1989, being section 169.261 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and section 61 of Act No. 388 of the
2 Public Acts of 1976, section 61 as amended by Act No. 95 of the
3 Public Acts of 1989, being section 169.261 of the Michigan
4 Compiled Laws, are amended to read as follows:

5 TITLE

6 An act to regulate political activity; to regulate campaign
7 financing; to restrict campaign contributions and expenditures;
8 to require campaign statements and reports; to regulate anonymous
9 contributions; to regulate campaign advertising and literature;

1 to provide for segregated funds for political purposes; to
2 provide for the use of public funds for political purposes; to
3 create a state campaign fund; to provide for ~~reversion of, or~~
4 ~~refunding of,~~ THE REFUND OR TRANSFER OF unexpended balances; to
5 require reports; to provide appropriations; to prescribe penal-
6 ties; and to repeal certain acts and parts of acts.

7 Sec. 61. (1) The state campaign fund is ~~hereby~~ created.
8 The state treasurer shall administer the state campaign fund in
9 accordance with this act.

10 (2) An individual whose tax liability under the income tax
11 act of 1967, Act No. 281 of the Public Acts of 1967, as amended,
12 being sections 206.1 to 206.532 of the Michigan Compiled Laws,
13 for a taxable year is \$2.00 or more may designate that \$2.00 be
14 credited to the state campaign fund. ~~In the case of a~~ FOR THE
15 joint return of A husband and wife having an income tax liability
16 of \$4.00 or more, each spouse may designate that \$2.00 be cred-
17 ited to the state campaign fund.

18 (3) The tax designation authorized in this section shall be
19 clearly and unambiguously printed on the first page of the state
20 individual income tax return.

21 (4) An amount equal to the cumulative amounts designated
22 under subsection (2) each year shall be appropriated annually
23 from the general fund of the state to the state campaign fund to
24 be available beginning January 1 and continuing through December
25 31 of each year in which a governor is elected. The amounts
26 appropriated under this section ~~shall~~ DO not revert to the
27 general fund, but ~~shall~~ remain available to the state campaign

1 fund for distribution without fiscal year limitation except that
2 ~~any amounts~~ MONEY remaining in the state campaign fund on
3 December 31 immediately following a gubernatorial general elec-
4 tion ~~shall revert to the general fund~~ TRANSFERS TO THE DEPART-
5 MENT OF STATE. THE DEPARTMENT SHALL SPEND THE MONEY FOR THE COST
6 OF IMPLEMENTING THE AMENDMENTS TO THE MICHIGAN ELECTION LAW, ACT
7 NO. 116 OF THE PUBLIC ACTS OF 1954, BEING SECTIONS 168.1 TO
8 168.992 OF THE MICHIGAN COMPILED LAWS, THAT WERE ENACTED BY ACT
9 NO. 142 OF THE PUBLIC ACTS OF 1989.

10 (5) Before the distribution of ~~funds~~ MONEY under this act
11 to qualifying primary election candidates, the state treasurer
12 shall set aside sufficient ~~funds~~ MONEY from the state campaign
13 fund to fully implement the formula for distributing ~~funds~~
14 MONEY to qualifying general election candidates. If insufficient
15 ~~funds exist~~ MONEY IS in the state campaign fund to provide full
16 funding to eligible primary election candidates, the STATE cam-
17 paign ~~funds~~ FUND shall be distributed to those candidates on a
18 pro rata basis.