

# HOUSE BILL No. 5817

May 11, 1992, Introduced by Reps. Fitzgerald, Scott, McBryde, Munsell, Hoffman, Jamian, Hillegonds, London, Bobier, Martin, Johnson, Dalman, Bryant, McNutt, Strand, Bodem, Bandstra, Brackenridge, Sikkema, Gernaat, Robertson, Horton, Oxender, Dolan, Bender, Randall, Van Singel, Gilmer, Willis Bullard, Dobb, DeLange, Middleton, Dresch, Porreca, Nye, Goss and Kosteva and referred to the Committee on House Oversight.

A bill to amend the title and sections 5, 6, 8, 9, 12, 15, 16, 22, 24, 26, 28, 29, 32, 33, 36, 41, 42, 44, 46, 47, 49, 52, 62, 66, 67, 68, and 69 of Act No. 388 of the Public Acts of 1976, entitled

"Michigan campaign finance act,"

sections 5, 6, 8, 15, 16, 22, 24, 26, 28, 29, 33, 36, 42, 44, 52, 66, 67, and 69 as amended by Act No. 95 of the Public Acts of 1989, being sections 169.205, 169.206, 169.208, 169.209, 169.212, 169.215, 169.216, 169.222, 169.224, 169.226, 169.228, 169.229, 169.232, 169.233, 169.236, 169.241, 169.242, 169.244, 169.246, 169.247, 169.249, 169.252, 169.262, 169.266, 169.267, 169.268, and 169.269 of the Michigan Compiled Laws; and to add sections 18, 19, 21a, 21b, and 39.

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

1       Section 1. The title and sections 5, 6, 8, 9, 12, 15, 16,  
 2 22, 24, 26, 28, 29, 32, 33, 36, 41, 42, 44, 46, 47, 49, 52, 62,  
 3 66, 67, 68, and 69 of Act No. 388 of the Public Acts of 1976,  
 4 sections 5, 6, 8, 15, 16, 22, 24, 26, 28, 29, 33, 36, 42, 44, 52,  
 5 66, 67, and 69 as amended by Act No. 95 of the Public Acts of  
 6 1989, being sections 169.205, 169.206, 169.208, 169.209, 169.212,  
 7 169.215, 169.216, 169.222, 169.224, 169.226, 169.228, 169.229,  
 8 169.232, 169.233, 169.236, 169.241, 169.242, 169.244, 169.246,  
 9 169.247, 169.249, 169.252, 169.262, 169.266, 169.267, 169.268,  
 10 and 169.269 of the Michigan Compiled Laws, are amended and sec-  
 11 tions 18, 19, 21a, 21b, and 39 are added to read as follows:

#### 12                                   TITLE

13       An act to regulate political activity; to regulate campaign  
 14 financing; to restrict campaign contributions and expenditures;  
 15 to require campaign statements and reports; to regulate anonymous  
 16 contributions; to regulate campaign advertising and literature;  
 17 to provide for segregated funds for political purposes; to pro-  
 18 vide for the use of public funds for political purposes; to  
 19 create ~~a state campaign fund~~ CERTAIN FUNDS; to provide for  
 20 reversion, ~~of~~ RETENTION, or refunding of, unexpended balances  
 21 IN CERTAIN FUNDS; to require reports; TO PRESCRIBE THE POWERS AND  
 22 DUTIES OF CERTAIN STATE DEPARTMENTS AND STATE AND LOCAL  
 23 OFFICIALS; to provide appropriations; to prescribe penalties; and  
 24 to repeal certain acts and parts of acts.

25       Sec. 5. (1) "Election" means a primary, general, special,  
 26 or millage election held in this state or a convention or caucus

1 of a political party held in this state to nominate a candidate.  
2 Election includes a recall vote.

3 (2) "ELECTION CYCLE" MEANS 1 OF THE FOLLOWING:

4 (A) FOR A GENERAL ELECTION, THE PERIOD BEGINNING THE DAY  
5 FOLLOWING THE LAST GENERAL ELECTION IN WHICH THE OFFICE APPEARED  
6 ON THE BALLOT AND ENDING ON THE DAY OF THE GENERAL ELECTION IN  
7 WHICH THE OFFICE NEXT APPEARS ON THE BALLOT.

8 (B) FOR A SPECIAL ELECTION, THE PERIOD BEGINNING THE DAY A  
9 SPECIAL GENERAL ELECTION IS SCHEDULED OR THE DATE THE OFFICE  
10 BECOMES VACANT, WHICHEVER IS EARLIER, AND ENDING ON THE DAY OF  
11 THE SPECIAL GENERAL ELECTION.

12 (3) ~~-(2)-~~ "Elective office" means a public office filled by  
13 an election, except for federal offices. A person who is  
14 appointed to fill a vacancy in a public office that is ordinarily  
15 elective holds an elective office. Elective office does not  
16 include the office of precinct delegate. Except for the purposes  
17 of sections 52, 54, and 55, elective office does not include a  
18 school board member in a primary or fourth class school  
19 district.

20 Sec. 6. (1) "Expenditure" means a payment, donation, loan,  
21 or promise of payment of money or anything of ascertainable mone-  
22 tary value for goods, materials, services, or facilities in  
23 assistance of, or in opposition to, the nomination or election of  
24 a candidate, or the qualification, passage, or defeat of a ballot  
25 question.

26 (2) Expenditure includes a contribution or a transfer of  
27 anything of ascertainable monetary value for purposes of

1 influencing the nomination or election of ~~any~~ A candidate or  
2 the qualification, passage, or defeat of a ballot question.

3 (3) EXPENDITURE INCLUDES AN EXPENDITURE BY A CANDIDATE COM-  
4 MITTEE FOR AN INCIDENTAL EXPENSE UNDER SECTION 21A.

5 (4) ~~(3)~~ Expenditure does not include any of the  
6 following:

7 (a) An expenditure for communication by a person with the  
8 person's paid members or shareholders.

9 (B) AN EXPENDITURE FOR COMMUNICATION BY A PERSON UNDER  
10 SECTION 39 TO NOTIFY CONTRIBUTORS OF THE DISBURSEMENT OF FUNDS.

11 (C) ~~(b)~~ An expenditure for communication on a subject or  
12 issue if the communication does not support or oppose a ballot  
13 issue or candidate by name or clear inference.

14 (D) ~~(c)~~ An expenditure for the establishment, administra-  
15 tion, or solicitation of contributions to a fund or independent  
16 committee.

17 (E) ~~(d)~~ An expenditure by a broadcasting station, newspa-  
18 per, magazine, or other periodical or publication for ~~any~~ A  
19 news story, commentary, or editorial in support of or opposition  
20 to a candidate for elective office or a ballot question in the  
21 regular course of publication or broadcasting.

22 (F) ~~(e)~~ An offer or tender of an expenditure if expressly  
23 and unconditionally rejected or returned.

24 (G) ~~(f)~~ An expenditure for nonpartisan voter registration  
25 or nonpartisan get-out-the-vote activities. This exclusion does  
26 not apply if a candidate or group of candidates sponsors or  
27 finances the activity or is identified by name with the

1 activity. This exclusion does apply to an activity performed  
 2 pursuant to sections 491 to 524 of the Michigan election law, Act  
 3 No. 116 of the Public Acts of 1954, as amended, being sections  
 4 168.491 to 168.524 of the Michigan Compiled Laws, by the secre-  
 5 tary of state and other registration officials who are identified  
 6 by name with the activity. This exclusion does apply to a candi-  
 7 date who is an elected officeholder and whose office is not on  
 8 the ballot for the general election in the calendar year in which  
 9 the expenditure is made or who is not a candidate within the  
 10 meaning of sections 3(1)(a) and 3(1)(b) and who is identified by  
 11 name with the activity.

12       Sec. 8. (1) "Immediate family" means ~~any~~ A child residing  
 13 in a candidate's household, the candidate's spouse, or any indi-  
 14 vidual claimed by that candidate or that candidate's spouse as a  
 15 dependent for federal income tax purposes.

16       (2) "Independent committee" means a committee, other than a  
 17 political party committee, ~~which~~ THAT before contributing to a  
 18 candidate committee of a candidate for ~~state~~ elective office  
 19 under section ~~52(3)~~ 52(2) or 69(2) MEETS 1 OR MORE OF THE FOL-  
 20 LOWING REQUIREMENTS:

21       (a) Filed a statement of organization as an independent com-  
 22 mittee at least 6 months before an election for which it expected  
 23 to accept contributions or make expenditures in support of or in  
 24 opposition to a candidate for nomination to or election to ~~a~~  
 25 ~~state~~ AN elective office; and received contributions from at  
 26 least 25 persons and made expenditures not to exceed the  
 27 limitations of section 52(1) in support of or in opposition to 3

1 or more candidates for nomination for or election to ~~a state~~ AN  
2 elective office in the same calendar year.

3 (b) Is a separate level, subsidiary, subunit, or affiliate  
4 of an organization ~~which~~ THAT is an independent committee if  
5 the decisions or judgments to make contributions or expenditures  
6 on behalf of candidates are independently exercised within the  
7 separate level, subsidiary, subunit, or affiliate of the parent  
8 organization and otherwise meets the requirements of subdivision  
9 (a).

10 Sec. 9. (1) "INCIDENTAL EXPENSE" MEANS AN EXPENDITURE THAT  
11 IS AN ORDINARY AND NECESSARY EXPENSE, AS DESCRIBED IN SECTION 162  
12 OF THE INTERNAL REVENUE CODE, PAID OR INCURRED IN CARRYING OUT  
13 THE BUSINESS OF A PUBLIC OFFICE. INCIDENTAL EXPENSE INCLUDES,  
14 BUT IS NOT LIMITED TO, ANY OF THE FOLLOWING:

15 (A) A DISBURSEMENT FOR THE COST OF FUND-RAISING.

16 (B) A DISBURSEMENT NECESSARY TO ASSIST, SERVE, OR COMMUNI-  
17 CATE WITH A CONSTITUENT.

18 (C) A DISBURSEMENT FOR EQUIPMENT, FURNISHINGS, OR SUPPLIES  
19 FOR THE OFFICE OF THE PUBLIC OFFICIAL.

20 (D) A DISBURSEMENT FOR A DISTRICT OFFICE IF THE DISTRICT  
21 OFFICE IS NOT USED FOR CAMPAIGN-RELATED ACTIVITY.

22 (E) A DISBURSEMENT FOR THE PUBLIC OFFICIAL OR HIS OR HER  
23 STAFF, OR BOTH, TO ATTEND A CONFERENCE, MEETING, RECEPTION, OR  
24 OTHER SIMILAR EVENT.

25 (F) A DISBURSEMENT TO OBTAIN OR MAINTAIN A PUBLICLY OWNED  
26 RESIDENCE OR A TEMPORARY RESIDENCE AT THE SEAT OF GOVERNMENT.

1 (G) AN UNREIMBURSED DISBURSEMENT FOR TRAVEL, LODGING, MEALS,  
2 OR OTHER EXPENSES INCURRED BY THE PUBLIC OFFICIAL OR A MEMBER OF  
3 THE PUBLIC OFFICIAL'S STAFF IN CARRYING OUT THE BUSINESS OF THE  
4 PUBLIC OFFICE.

5 (H) A DONATION TO A TAX-EXEMPT CHARITABLE ORGANIZATION,  
6 INCLUDING THE PURCHASE OF TICKETS TO CHARITABLE OR CIVIC EVENTS.

7 (I) A DISBURSEMENT FOR AN EDUCATIONAL COURSE OR SEMINAR THAT  
8 MAINTAINS OR IMPROVES SKILLS EMPLOYED BY THE PUBLIC OFFICIAL IN  
9 CARRYING OUT THE BUSINESS OF THE PUBLIC OFFICE.

10 (J) A PURCHASE OF ADVERTISEMENTS IN TESTIMONIALS, PROGRAM  
11 BOOKS, SOUVENIR BOOKS, OR OTHER PUBLICATIONS IF THE ADVERTISEMENT  
12 DOES NOT SUPPORT OR OPPOSE THE NOMINATION OR ELECTION OF A  
13 CANDIDATE.

14 (K) A FEE PAID TO A FRATERNAL, VETERAN, OR OTHER SERVICE  
15 ORGANIZATION.

16 (L) A PAYMENT OF A TAX LIABILITY INCURRED AS A RESULT OF  
17 AUTHORIZED TRANSACTIONS BY THE OFFICEHOLDER EXPENSE FUND OF THE  
18 PUBLIC OFFICIAL.

19 (M) A FEE FOR ACCOUNTING, PROFESSIONAL, OR ADMINISTRATIVE  
20 SERVICES FOR THE OFFICEHOLDER EXPENSE FUND OF THE PUBLIC  
21 OFFICIAL.

22 (N) A DEBT OR OBLIGATION INCURRED BY THE OFFICEHOLDER  
23 EXPENSE FUND OF THE PUBLIC OFFICIAL FOR A DISBURSEMENT AUTHORIZED  
24 BY SUBDIVISIONS (A) TO (M), IF THE DEBT OR OBLIGATION WAS  
25 REPORTED IN THE OFFICEHOLDER EXPENSE FUND REPORT FILED FOR THE  
26 QUARTER IN WHICH THE DEBT OR OBLIGATION AROSE.

1       (2) ~~(1)~~ "Independent expenditure" means an expenditure ~~as~~  
2 ~~defined in section 6~~ by a person if the expenditure is not made  
3 at the direction of, or under the control of, another person and  
4 if the expenditure is not a contribution to a committee.

5       (3) ~~(2)~~ "In-kind contribution or expenditure" means a con-  
6 tribution ~~as defined in section 4~~ or expenditure ~~as defined in~~  
7 ~~section 6~~ other than money.

8       (4) "LATE CONTRIBUTION" MEANS A CONTRIBUTION OF MORE THAN  
9 \$100.00 RECEIVED AFTER THE CLOSING DATE OF THE LAST CAMPAIGN  
10 STATEMENT REQUIRED TO BE FILED BEFORE AN ELECTION.

11       (5) ~~(3)~~ "Loan" means a transfer of money, property, or  
12 anything of ascertainable monetary value in exchange for an obli-  
13 gation conditional or not, to repay in whole or part.

14       (6) "LOCAL ELECTIVE OFFICE" MEANS AN ELECTIVE OFFICE AT THE  
15 LOCAL UNIT OF GOVERNMENT LEVEL.

16       (7) "LOCAL UNIT OF GOVERNMENT" MEANS A DISTRICT, AUTHORITY,  
17 COUNTY, CITY, VILLAGE, TOWNSHIP, SCHOOL DISTRICT, INTERMEDIATE  
18 SCHOOL DISTRICT, OR COMMUNITY COLLEGE DISTRICT.

19       Sec. 12. (1) "QUALIFIED CAMPAIGN EXPENDITURE" MEANS AN  
20 EXPENDITURE FOR SERVICES, MATERIALS, FACILITIES, OR OTHER THINGS  
21 OF VALUE BY THE CANDIDATE COMMITTEE TO FURTHER THE CANDIDATE'S  
22 NOMINATION OR ELECTION TO OFFICE DURING THE YEAR IN WHICH THE  
23 PRIMARY OR GENERAL ELECTION IN WHICH THE CANDIDATE SEEKS NOMINA-  
24 TION OR ELECTION IS HELD. QUALIFIED CAMPAIGN EXPENDITURE DOES  
25 NOT INCLUDE ANY OF THE FOLLOWING:

26       (A) AN EXPENDITURE IN VIOLATION OF ANY LAW OF THE UNITED  
27 STATES OR OF THIS STATE.



1 (B) A PAYMENT MADE TO THE CANDIDATE OR A RELATIVE WITHIN THE  
2 THIRD DEGREE OF CONSANGUINITY OF THE CANDIDATE, OR TO A BUSINESS  
3 WITH WHICH THE CANDIDATE OR THE RELATIVE IS ASSOCIATED.

4 (C) A PAYMENT TO THE EXTENT CLEARLY IN EXCESS OF THE FAIR  
5 MARKET VALUE OF SERVICES, MATERIALS, FACILITIES, OR OTHER THINGS  
6 OF VALUE RECEIVED IN EXCHANGE.

7 (D) THAT PORTION OF ANY SALARY OR WAGE TO AN INDIVIDUAL IN  
8 EXCESS OF \$5,000.00 PER MONTH.

9 (E) PAYMENT FROM PETTY CASH.

10 (F) GIFTS, EXCEPT BROCHURES, BUTTONS, SIGNS, AND OTHER  
11 PRINTED CAMPAIGN MATERIAL.

12 (G) PAYMENT TO A DEFENSE FUND.

13 (H) AN EXPENDITURE MADE FOR THE SOLICITATION OF CONTRIBU-  
14 TIONS THAT ARE EXEMPTED FROM THE CANDIDATE'S EXPENDITURE LIMITS  
15 UNDER SECTION 67(2).

16 (I) AN EXPENDITURE BY A CANDIDATE COMMITTEE FOR AN INCIDENT-  
17 TAL EXPENSE UNDER SECTION 21A.

18 (2) ~~(1)~~ "Qualifying contribution" means a contribution of  
19 money made by a written instrument by a person other than the  
20 candidate or the candidate's immediate family, to the candidate  
21 committee of a candidate for the office of governor which is  
22 \$100.00 or less and made after April 1 of the year preceding a  
23 year in which a governor is to be elected. Not more than \$100.00  
24 of a person's total aggregate contribution may be used as a qual-  
25 ifying contribution in any calendar year. Qualifying contribu-  
26 tion does not include a subscription, loan, advance, deposit of

1 money, in-kind contribution or expenditure, or anything else of  
2 value except as prescribed in this act.

3       (3) ~~-(2)-~~ "State elective office" means the office of gover-  
4 nor, lieutenant governor, secretary of state, attorney general,  
5 justice of the supreme court, member of the state board of educa-  
6 tion, regent of the university of Michigan, member of the board  
7 of trustees of Michigan state university, member of the board of  
8 governors of Wayne state university, and member of the state  
9 legislature.

10       Sec. 15. (1) The secretary of state shall do all of the  
11 following:

12       (a) Make available through his or her offices, and furnish  
13 to county clerks, appropriate forms, instructions, and manuals  
14 required by this act.

15       (b) Develop a filing, coding, and cross-indexing system for  
16 the filing of required reports and statements consistent with the  
17 purposes of this act, and supervise the implementation of the  
18 filing systems by the clerks of the counties.

19       (c) Receive all statements and reports required by this act  
20 to be filed with the secretary of state.

21       (d) Prepare forms, instructions, and manuals required under  
22 this act.

23       (e) Promulgate rules and issue declaratory rulings to imple-  
24 ment this act pursuant to the administrative procedures act of  
25 1969, Act No. 306 of the Public Acts of 1969, as amended, being  
26 sections 24.201 to 24.328 of the Michigan Compiled Laws.

1 (f) Upon receipt of a written request and the required  
2 filing, waive payment of a late filing fee if the request for the  
3 waiver is based on good cause and accompanied by adequate  
4 documentation. ~~Any~~ ONE OR MORE of the following reasons  
5 ~~shall~~ constitute good cause for a late filing fee waiver:

6 (i) The incapacitating physical illness, hospitalization,  
7 accident involvement, death, or incapacitation for medical rea-  
8 sons of a person required to file, a person whose participation  
9 is essential to the preparation of the statement or report, or a  
10 member of the immediate family of these persons.

11 (ii) Other unique, unintentional factors beyond the filer's  
12 control not stemming from a negligent act or nonaction so that a  
13 reasonably prudent person would excuse the filing on a temporary  
14 basis. These factors include the loss or unavailability of  
15 records due to a fire, flood, theft, or similar reason and diffi-  
16 culties related to the transmission of the filing to the filing  
17 official, such as exceptionally bad weather or strikes involving  
18 transportation systems.

19 (2) A declaratory ruling shall be issued under this section  
20 only if the person requesting the ruling has provided a reason-  
21 ably complete statement of facts necessary for the ruling or if  
22 the secretary of state has permitted the person requesting the  
23 ruling an opportunity to supply supplemental facts necessary for  
24 the ruling. A request for a declaratory ruling that is submitted  
25 to the secretary of state shall be made available for public  
26 inspection within 48 hours after its receipt. An interested  
27 person may submit written comments regarding the request to the

1 secretary of state within 10 business days after the date the  
2 request is made available to the public. Within 45 business days  
3 after receiving a declaratory ruling request, the secretary of  
4 state shall make a proposed response available to the public. An  
5 interested person may submit written comments regarding the pro-  
6 posed response to the secretary of state within 5 business days  
7 after the date the proposal is made available to the public.  
8 Except as otherwise provided in this section, the secretary of  
9 state shall issue a declaratory ruling within 60 business days  
10 after a request for a declaratory ruling is received. If the  
11 secretary of state refuses to issue a declaratory ruling, the  
12 secretary of state shall notify the person making the request of  
13 the reasons for the refusal. The secretary of state may issue an  
14 interpretative statement providing an informational response to  
15 the question presented. A declaratory ruling or interpretative  
16 statement issued under this section shall not state a general  
17 rule of law, other than that which is stated in this act, until  
18 the general rule of law is promulgated by the secretary of state  
19 as a rule pursuant to the administrative procedures act of 1969,  
20 Act No. 306 of the Public Acts of 1969, being sections 24.201 to  
21 24.328 of the Michigan Compiled Laws, or pursuant to judicial  
22 order.

23       (3) Under extenuating circumstances, the secretary of state  
24 may issue a notice extending for not more than 30 business days  
25 the period during which the secretary of state shall respond to a  
26 request for a declaratory ruling. The secretary of state shall  
27 not issue more than 1 notice of extension for a particular

1 request. A person requesting a declaratory ruling may waive, in  
2 writing, the time limitations provided by this section.

3 (4) An annual summary of the declaratory rulings and inter-  
4 pretative statements issued by the secretary of state shall be  
5 made available to the public.

6 (5) A person may file a complaint with the secretary of  
7 state alleging a violation of this act. Upon receipt of a com-  
8 plaint, the secretary of state shall investigate the allegations  
9 pursuant to the rules promulgated under this act. If the secre-  
10 tary of state determines that there may be reason to believe that  
11 a violation of this act has occurred, the secretary of state  
12 shall endeavor to correct the violation or prevent a further vio-  
13 lation by using informal methods such as a conference, concili-  
14 ation, or persuasion, and may enter into a conciliation agreement  
15 with the person involved. Unless violated, a conciliation agree-  
16 ment is a complete bar to any further action with respect to mat-  
17 ters covered in the conciliation agreement. If the secretary of  
18 state is unable to correct or prevent further violation by these  
19 informal methods, the secretary of state may ~~refer the matter to~~  
20 ~~the attorney general for the enforcement of~~ ENFORCE any criminal  
21 penalty provided by this act or commence a hearing pursuant to  
22 subsection (6).

23 (6) The secretary of state may commence a hearing to deter-  
24 mine whether a civil violation of this act has occurred. A hear-  
25 ing shall not be commenced during the period beginning 30 days  
26 before an election in which the committee has received or  
27 expended money and ending the day after that election except with

1 the consent of the person suspected of committing a civil  
2 violation. The hearing shall be conducted ~~in accordance with~~  
3 PURSUANT TO the procedures set forth in chapter 4 of the adminis-  
4 trative procedures act of 1969, Act No. 306 of the Public Acts of  
5 1969, being sections 24.271 to 24.287 of the Michigan Compiled  
6 Laws. If after a hearing the secretary of state determines that  
7 a violation of this act has occurred, the secretary of state may  
8 issue an order requiring the person to pay a civil fine equal to  
9 the amount of the improper contribution or expenditure plus not  
10 more than \$1,000.00 for each violation. A final decision and  
11 order issued by the secretary of state is subject to judicial  
12 review as provided by chapter 6 of the administrative procedures  
13 act of 1969, Act No. 306 of the Public Acts of 1969, being sec-  
14 tions 24.301 to 24.306 of the Michigan Compiled Laws. ~~A~~ THE  
15 SECRETARY OF STATE SHALL DEPOSIT A civil fine imposed under this  
16 section ~~shall be deposited~~ in the general fund. The secretary  
17 of state may bring an action in circuit court to recover the  
18 amount of a civil fine.

19 (7) When a report or statement is filed pursuant to this  
20 act, the secretary of state shall review the report or statement  
21 and may investigate an apparent violation of this act pursuant to  
22 the rules promulgated pursuant to this act. If the secretary of  
23 state determines that there may be reason to believe a violation  
24 of this act has occurred and the procedures prescribed in subsec-  
25 tion (5) have been complied with, the secretary of state may  
26 ~~refer the matter to the attorney general for the enforcement of~~  
27 ENFORCE any criminal penalty provided by this act, or commence a

1 hearing under subsection (6) to determine whether a civil  
2 violation of this act has occurred.

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

8 (9) The secretary of state may waive the filing of a cam-  
9 paign statement required under section 33, 34, or 35 if the clos-  
10 ing date of the particular campaign statement falls on the same  
11 or a later date as the closing date of the next campaign state-  
12 ment filed by the same person, or if the period ~~which~~ THAT  
13 would be otherwise covered by the next campaign statement filed  
14 by the same person is 10 days or less.

15 (10) The clerk of each county shall do all of the  
16 following:

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

20 (b) Under the supervision of the secretary of state, imple-  
21 ment the filing, coding, and cross-indexing system prescribed for  
22 the filing of reports and statements required to be filed with  
23 the county clerk's office.

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

1 (d) Upon written request, waive the payment of a late filing  
2 fee if the request for a waiver is based on good cause as  
3 prescribed in subsection ~~(1)(g)~~ (1)(F).

4 Sec. 16. (1) A filing official shall make statements and  
5 reports required to be filed under this act available for public  
6 inspection and reproduction ~~commencing~~ DURING REGULAR BUSI-  
7 NESS HOURS OF THE FILING OFFICIAL. THE FILING OFFICIAL SHALL  
8 MAKE STATEMENTS AND REPORTS FILED UNDER THIS ACT AVAILABLE as  
9 soon as practicable AFTER RECEIPT, but not later than the third  
10 business day following the day on which they are received. ~~7~~  
11 ~~during regular business hours of the filing official.~~

12 (2) ~~Copies~~ A FILING OFFICIAL SHALL PROVIDE COPIES of  
13 statements or parts of statements ~~shall be provided by a filing~~  
14 ~~official~~ at a reasonable charge.

15 (3) A PERSON SHALL NOT USE A statement open to the public  
16 under this act ~~shall not be used~~ for purposes of commercial  
17 solicitation or any commercial purpose.

18 (4) ~~A~~ THE FILING OFFICIAL SHALL PRESERVE A statement of  
19 organization filed under this act ~~shall be preserved by the~~  
20 ~~filing official~~ for 5 years from the official date of the  
21 committee's dissolution. ~~A~~ THE FILING OFFICIAL SHALL PRESERVE  
22 A statement or report filed under this act by a candidate for an  
23 office with a term exceeding 4 years ~~shall be preserved by the~~  
24 ~~filing official~~ for 1 year beyond that candidate's term of  
25 office. ~~Any~~ THE FILING OFFICIAL SHALL PRESERVE ANY other  
26 statement or report filed under this act ~~shall be preserved by~~  
27 ~~the filing official~~ for 5 years from the date the filing



1 occurred. Statements and reports filed under this act may be  
2 microfilmed OR PRESERVED IN A COMPUTERIZED FORMAT. After the  
3 required preservation period the statements and reports, micro-  
4 filmed or otherwise, shall be destroyed.

5 (5) A ~~charge~~ FILING OFFICIAL shall not ~~be collected by a~~  
6 ~~filing official for the filing of a required statement or report,~~  
7 ~~or~~ COLLECT A FEE for a form upon which ~~the~~ A REQUIRED state-  
8 ment or report is to be prepared. ~~except for~~ HOWEVER, A FILING  
9 OFFICIAL SHALL COLLECT THE FILING FEE PRESCRIBED IN SECTION 18  
10 FOR THE FILING OF CERTAIN REQUIRED STATEMENTS AND REPORTS AND a  
11 late filing fee AS required by this act.

12 (6) A filing official shall determine whether a statement or  
13 report filed under this act complies, on its face, with the  
14 requirements of this act and the rules promulgated under this  
15 act. The filing official shall determine whether a statement or  
16 report ~~which~~ THAT is required to be filed under this act is in  
17 fact filed. Within 4 business days after the deadline for filing  
18 a statement or report under this act, the filing official shall  
19 give notice to the filer by registered mail of an error or omis-  
20 sion in the statement or report and give notice to a person the  
21 filing official has reason to believe is a person required to and  
22 who failed to file a statement or report. A failure to give  
23 notice by the filing official under this subsection is not a  
24 defense to a criminal action by the person required to file.

25 (7) Within 9 business days after the report or statement is  
26 required to be filed, the filer shall make any corrections in the  
27 statement or report ~~filed~~ AND FILE THE CORRECTIONS with the

1 appropriate filing official. If the report or statement was not  
2 filed, ~~then it shall be late filed~~ THE PERSON SHALL FILE THE  
3 REPORT OR STATEMENT WITH THE APPROPRIATE FILING OFFICIAL within 9  
4 business days after the time it was required to be filed, ~~and~~  
5 ~~shall be~~ WHICH STATEMENT OR REPORT IS CONSIDERED LATE FILED AND  
6 IS subject to late filing fees.

7 (8) After 9 business days and before 12 business days have  
8 expired after the deadline for filing the statement or report,  
9 the filing official shall report errors or omissions ~~which~~ THAT  
10 were not corrected and failures to file to the ~~attorney general~~  
11 SECRETARY OF STATE.

12 (9) A PERSON SHALL FILE A statement or report required to be  
13 filed under this act ~~shall be filed~~ not later than 5 p.m. of  
14 the day in which it is required to be filed. A preelection  
15 statement or report due on July 25 or October 25 under section 33  
16 ~~which~~ THAT is postmarked by registered or certified mail, or  
17 sent by express mail or other overnight delivery service, at  
18 least 2 days before the deadline for filing ~~shall be~~ IS consid-  
19 ered filed within the prescribed time regardless of when it is  
20 actually delivered. Any other statement or report required to be  
21 filed under this act ~~which~~ THAT is postmarked by registered or  
22 certified mail or sent by express mail or other overnight deliv-  
23 ery service on or before the deadline for filing ~~shall be~~ IS  
24 considered filed within the prescribed time regardless of when it  
25 is actually delivered.

26 SEC. 18. (1) AN INDEPENDENT COMMITTEE AND A POLITICAL  
27 COMMITTEE SHALL PAY TO THE FILING OFFICIAL WITH THE FIRST

1 REQUIRED STATEMENT OR REPORT IN EVERY CALENDAR YEAR A FILING FEE  
 2 BASED UPON THE SUM OF THE TOTAL AMOUNT OF CONTRIBUTIONS TO AND  
 3 INDEPENDENT EXPENDITURES MADE ON BEHALF OF ALL CANDIDATES IN THE  
 4 PREVIOUS 2-YEAR ELECTION CYCLE. THE FILING FEE SHALL BE 1 OF THE  
 5 FOLLOWING:

6	<u>SUM OF CONTRIBUTIONS AND INDEPENDENT EXPENDITURES</u>	<u>FILING FEE</u>
7	LESS THAN \$10,000.00.....	\$100.00
8	AT LEAST \$10,000.00 BUT LESS THAN \$20,000.00.....	\$200.00
9	AT LEAST \$20,000.00 BUT LESS THAN \$30,000.00.....	\$300.00
10	AT LEAST \$30,000.00 BUT LESS THAN \$40,000.00.....	\$400.00
11	\$40,000.00 OR MORE.....	\$500.00

12 (2) A CANDIDATE COMMITTEE SHALL PAY TO THE FILING OFFICIAL  
 13 WITH THE STATEMENT OF ORGANIZATION A FILING FEE OF \$100.00.

14 (3) A COMMITTEE THAT FILES A WRITTEN STATEMENT UNDER  
 15 SECTION 24 INDICATING THAT THE COMMITTEE DOES NOT EXPECT IN A  
 16 CALENDAR YEAR TO RECEIVE OR EXPEND AN AMOUNT IN EXCESS OF  
 17 \$1,000.00 IS NOT REQUIRED TO PAY THE FEE IN SUBSECTION (1) OR  
 18 (2). HOWEVER, A COMMITTEE THAT NOTIFIES THE APPROPRIATE OFFICIAL  
 19 THAT THE COMMITTEE HAS RECEIVED OR EXPENDED AN AMOUNT IN EXCESS  
 20 OF \$1,000.00 SHALL PAY THE FILING FEE REQUIRED IN SUBSECTION (1)  
 21 OR (2).

22 (4) THE FILING OFFICIAL, ON OR BEFORE THE FIFTH DAY OF THE  
 23 MONTH FOLLOWING THE RECEIPT OF FEES UNDER SUBSECTIONS (1) AND  
 24 (2), SHALL PAY TO THE COUNTY TREASURER ALL OF THOSE FEES RECEIVED  
 25 DURING THE PRECEDING MONTH. THE COUNTY TREASURER, WITHIN 5 DAYS  
 26 AFTER RECEIPT OF THE FEES, SHALL TRANSMIT THE FEES TO THE STATE

1 TREASURER FOR DEPOSIT IN THE SECRETARY OF STATE COMPUTERIZATION  
2 FUND CREATED BY SECTION 19.

3 SEC. 19. (1) THE SECRETARY OF STATE COMPUTERIZATION FUND IS  
4 CREATED IN THE STATE TREASURY. THE PURPOSE OF THE SECRETARY OF  
5 STATE COMPUTERIZATION FUND IS TO PROVIDE FOR THE COMPUTERIZATION  
6 OF ALL CAMPAIGN FINANCE RECORDS FILED WITH THE SECRETARY OF STATE  
7 UNDER THIS ACT.

8 (2) ON OR BEFORE OCTOBER 1, 1992, THE SECRETARY OF STATE  
9 SHALL SUBMIT TO THE LEGISLATURE A COMPREHENSIVE COMPUTERIZATION  
10 PLAN THAT INCLUDES, BUT IS NOT LIMITED TO, THE FOLLOWING:

11 (A) THE STATUS OF COMPUTERIZATION OF CAMPAIGN FINANCE  
12 RECORDS.

13 (B) AN ANALYSIS OF THE NEEDS FOR COMPUTERIZATION OF CAMPAIGN  
14 FINANCE RECORDS.

15 (C) STANDARDS FOR COMPUTERIZATION OF CAMPAIGN FINANCE  
16 RECORDS.

17 (D) A PLAN FOR THE DISTRIBUTION OF REVENUE FROM THE SECRE-  
18 TARY OF STATE COMPUTERIZATION FUND THAT PROVIDES FOR DIRECT DIS-  
19 BURSEMENTS FROM THE SECRETARY OF STATE COMPUTERIZATION FUND BY  
20 THE SECRETARY OF STATE. THE SECRETARY OF STATE MAY APPROVE DIS-  
21 BURSEMENTS THAT INCLUDE PAYMENT FOR SERVICES PROVIDED BY EMPLOY-  
22 EES OF THIS STATE OR PRIVATE VENDORS, OR BY A COMBINATION OF  
23 BOTH.

24 (3) THE SECRETARY OF STATE SHALL SUBMIT TO THE LEGISLATURE  
25 AN ANNUAL UPDATE TO THE COMPREHENSIVE COMPUTERIZATION PLAN.

26 (4) THE STATE TREASURER SHALL CREDIT THE SECRETARY OF STATE  
27 COMPUTERIZATION FUND WITH DEPOSITS OF PROCEEDS FROM THE

1 SECTION 18, APPROPRIATIONS MADE TO THE FUND, AND ALL INCOME FROM  
2 INVESTMENT. THE STATE TREASURER MAY INVEST MONEY CONTAINED IN  
3 THE SECRETARY OF STATE COMPUTERIZATION FUND IN ANY MANNER AUTHO-  
4 RIZED BY LAW FOR THE INVESTMENT OF STATE MONEY. HOWEVER, AN  
5 INVESTMENT SHALL NOT INTERFERE WITH ANY APPORTIONMENT, ALLOCA-  
6 TION, OR PAYMENT OF MONEY AS REQUIRED BY THIS SECTION. THE STATE  
7 TREASURER SHALL CREDIT TO THE FUND ALL INCOME EARNED AS A RESULT  
8 OF AN INVESTMENT OF FUND MONEY.

9 (5) THE STATE TREASURER, AT THE DIRECTION OF THE SECRETARY  
10 OF STATE, SHALL DISTRIBUTE MONEY FROM THE SECRETARY OF STATE COM-  
11 PUTERIZATION FUND AT LEAST ANNUALLY AND MORE OFTEN AS THE SECRE-  
12 TARY OF STATE CONSIDERS NECESSARY. MONEY REMAINING IN THE FUND  
13 AT THE CLOSE OF EACH FISCAL YEAR SHALL REMAIN IN THE FUND AND  
14 SHALL NOT REVERT TO THE GENERAL FUND.

15 SEC. 21A. A CANDIDATE COMMITTEE OF A CANDIDATE WHO IS  
16 ELECTED TO PUBLIC OFFICE MAY MAKE AN EXPENDITURE FOR AN INCIDENT-  
17 TAL EXPENSE FOR THE PUBLIC OFFICE TO WHICH THAT CANDIDATE WAS  
18 ELECTED.

19 SEC. 21B. A CANDIDATE COMMITTEE OF A CANDIDATE FOR ELECTIVE  
20 OFFICE SHALL NOT SPEND ANY MONEY RECEIVED BY THE CANDIDATE COM-  
21 MITTEE FROM AN INDEPENDENT COMMITTEE OR POLITICAL COMMITTEE UNTIL  
22 AN EQUAL OR GREATER AMOUNT OF MONEY IS RECEIVED BY THE CANDIDATE  
23 COMMITTEE FROM INDIVIDUAL CONTRIBUTORS.

24 Sec. 22. A committee treasurer or other individual desig-  
25 nated on the statement of organization as responsible for the  
26 committee's record keeping, report preparation, or report filing  
27 shall keep detailed accounts, records, bills, and receipts as

1 required to substantiate the information contained in a statement  
2 or report filed pursuant to this act or rules promulgated under  
3 this act. The treasurer OR OTHER INDIVIDUAL shall record the  
4 name and address of a person from whom a contribution is  
5 received. ~~except for contributions of \$20.00 or less received~~  
6 ~~pursuant to section 41(3).~~ The records of a committee shall be  
7 preserved for 5 years and shall be made available for inspection  
8 as authorized by the secretary of state. A treasurer or other  
9 individual designated as responsible for the committee's record  
10 keeping, report preparation, or report filing who knowingly vio-  
11 lates this section is subject to a civil fine of not more than  
12 \$1,000.00.

13       Sec. 24. (1) A committee shall file a statement of organi-  
14 zation with the filing officials designated in section 36 to  
15 receive the committee's campaign statements. A statement of  
16 organization shall be filed within 10 days after a committee is  
17 formed. A filing official shall maintain a statement of organi-  
18 zation filed by a committee until 5 years after the official date  
19 of the committee's dissolution. A person who fails to file a  
20 statement of organization required by this subsection shall pay a  
21 late filing fee of \$10.00 for each business day the statement  
22 remains not filed in violation of this subsection. The late  
23 filing fee shall not exceed \$300.00. A person who violates this  
24 subsection by failing to file for more than 30 days after a  
25 statement of organization is required to be filed is guilty of a  
26 misdemeanor punishable by a fine of not more than \$1,000.00.

1 (2) The statement of organization required by subsection (1)  
2 shall include the following information:

3 (a) The name, street address, and if available, the tele-  
4 phone number of the committee. A committee address may be the  
5 home address of the candidate or treasurer of the committee.

6 (b) The name, street address, and if available, the tele-  
7 phone number of the treasurer or other individual designated as  
8 responsible for the committee's record keeping, report prepara-  
9 tion, or report filing.

10 (c) The name and address of the financial institution in  
11 which the official committee depository is or is intended to be  
12 located, and the name and address of each financial institution  
13 in which a secondary depository is or is intended to be located.

14 (d) The full name of ~~the~~ the office BEING SOUGHT, including  
15 district number or jurisdiction, ~~sought by,~~ and the county res-  
16 idence of each candidate ~~, and a~~ SUPPORTED OR OPPOSED BY THE  
17 COMMITTEE.

18 (E) A brief statement identifying the substance of each  
19 ballot question supported or opposed by the committee. If the  
20 ballot question supported or opposed by the committee is not  
21 statewide, the committee shall identify the county in which the  
22 greatest number of registered voters eligible to vote on the  
23 ballot question reside.

24 (F) ~~(e)~~ Identification of the committee as a candidate  
25 committee, political party committee, independent committee,  
26 political committee, or ballot question committee if it is  
27 identifiable as such a committee.

1       (3) AN INDEPENDENT OR POLITICAL COMMITTEE SHALL INCLUDE IN  
2 THE NAME OF THE COMMITTEE THE NAME OF THE PERSON OR PERSONS THAT  
3 SPONSOR THE COMMITTEE, IF ANY, OR WITH WHOM THE COMMITTEE IS  
4 AFFILIATED. A PERSON, OTHER THAN AN INDIVIDUAL OR A COMMITTEE,  
5 SPONSORS OR IS AFFILIATED WITH AN INDEPENDENT OR POLITICAL COM-  
6 MITTEE IF THAT PERSON ESTABLISHES, DIRECTS, CONTROLS, OR FINAN-  
7 Cially SUPPORTS THE ADMINISTRATION OF THE COMMITTEE. FOR THE  
8 PURPOSES OF THIS SUBSECTION, A PERSON DOES NOT FINANCIALLY SUP-  
9 PORT THE ADMINISTRATION OF A COMMITTEE BY MERELY MAKING A CONTRI-  
10 BUTION TO THE COMMITTEE.

11       (4) ~~-(3)-~~ If any of the information required in a statement  
12 of organization is changed, THE COMMITTEE SHALL FILE an amendment  
13 ~~shall be filed~~ when the next campaign statement is required to  
14 be filed.

15       (5) ~~-(4)-~~ When filing a statement of organization, a commit-  
16 tee, other than an independent committee, a political committee,  
17 or a political party committee, may indicate in a written state-  
18 ment signed by the treasurer of the committee that the committee  
19 does not expect for each election to receive an amount in excess  
20 of \$1,000.00 or expend an amount in excess of \$1,000.00.

21       (6) ~~-(5)-~~ When filing a statement of organization, an inde-  
22 pendent committee, a political committee, or a political party  
23 committee may indicate in a written statement signed by the trea-  
24 surer of the committee that the committee does not expect in a  
25 calendar year to receive or expend an amount in excess of  
26 \$1,000.00.



1       (7) ~~-(6)-~~ Upon the dissolution of a committee, THE COMMITTEE  
2 SHALL FILE a statement indicating dissolution ~~shall be filed~~  
3 with the filing officials with whom the committee's statement of  
4 organization was filed. Dissolution of a committee shall be  
5 accomplished ~~in accordance with~~ PURSUANT TO rules promulgated  
6 by the secretary of state under the administrative procedures act  
7 of 1969, Act No. 306 of the Public Acts of 1969, being sections  
8 24.201 to 24.328 of the Michigan Compiled Laws.

9       (8) ~~-(7)-~~ A candidate committee ~~which~~ THAT files a written  
10 statement pursuant to subsection ~~-(4)-~~ (5) shall not be required  
11 to file a dissolution statement pursuant to subsection ~~-(6)-~~ (7)  
12 if the committee failed to receive or expend an amount in excess  
13 of \$1,000.00 and 1 of the following applies:

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

16       (b) The candidate vacates an elective office and has no out-  
17 standing campaign debts or assets.

18       Sec. 26. (1) A campaign statement of a committee, other  
19 than a political party committee, required by this act shall con-  
20 tain all of the following information:

21       (a) The filing committee's name, address, and telephone  
22 number, and the full name, residential and business addresses,  
23 and telephone numbers of ~~its~~ THE committee treasurer OR OTHER  
24 INDIVIDUAL DESIGNATED AS RESPONSIBLE FOR THE COMMITTEE'S RECORD  
25 KEEPING, REPORT PREPARATION, OR REPORT FILING.

26       (b) Under the heading "receipts", the total amount of  
27 contributions received during the period covered by the campaign

1 statement; under the heading "expenditures", the total amount of  
2 expenditures made during the period covered by the campaign  
3 statement; and the cumulative amount of those totals.  
4 Forgiveness of a loan shall not be included in the totals.  
5 Payment of a loan by a third party shall be recorded and reported  
6 as an in-kind contribution by the third party. In-kind contribu-  
7 tions or expenditures shall be listed at fair market value and  
8 shall be reported as both contributions and expenditures. A con-  
9 tribution or expenditure ~~which~~ THAT is by other than completed  
10 and accepted payment, gift, or other transfer, ~~which~~ is clearly  
11 not legally enforceable, and ~~which~~ is expressly withdrawn or  
12 rejected and returned before a campaign statement closing date  
13 need not be included in the campaign statement and if included  
14 may, in a later or amended statement, be shown as a deduction,  
15 but THE COMMITTEE SHALL KEEP adequate records of each instance.  
16 ~~shall be kept.~~

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

19 ~~(d) The total amount of contributions received during the~~  
20 ~~period covered by the campaign statement from persons who con-~~  
21 ~~tributed \$20.01 or more.~~

22 ~~(e) The total amount of contributions received during the~~  
23 ~~period covered by the campaign statement from persons who con-~~  
24 ~~tributed \$20.00 or less.~~

25 ~~(f) The total amount of contributions of \$20.00 or less~~  
26 ~~received during the period covered by the campaign statement and~~

1 ~~the cumulative amount of the contributions received by the filer~~  
2 ~~pursuant to section 41(3).~~

3 (D) ~~(g)~~ The following information regarding each  
4 fund-raising event shall be included in the report:

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

8 (ii) The total amount of all contributions. ~~of \$20.01 or~~  
9 ~~more.~~

10 ~~(iii) The total amount of all contributions of \$20.00 or~~  
11 ~~less.~~

12 (iii) ~~(iv)~~ The gross receipts of the fund-raising event.

13 (iv) ~~(v)~~ The expenditures incident to the event.

14 (E) ~~(h)~~ The full name of each individual from whom contri-  
15 butions ~~totaling \$20.01 or more~~ are received during the period  
16 covered by the campaign statement, together with the individual's  
17 street address, the amount contributed, the date on which each  
18 contribution was received, and the cumulative amount contributed  
19 by that individual. The occupation, employer, and principal  
20 place of business shall be stated if the individual's cumulative  
21 contributions are ~~\$200.01 or more~~ THAN \$100.00.

22 (F) ~~(i)~~ The cumulative amount contributed and the name and  
23 address of each individual, except those individuals reported  
24 under subdivision ~~(h)~~ (E), who contributed ~~a total of \$20.01~~  
25 ~~or more~~ TO THE COMMITTEE. The occupation, employer, and princi-  
26 pal place of business, shall be stated for each individual who  
27 contributed ~~\$200.01 or more~~ THAN \$100.00.

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

7 (H) ~~(k)~~ The name, address, and amount given by an individ-  
8 ual who contributed ~~\$20.01 or more of~~ TO the total amount con-  
9 tributed by a person who is other than a committee or an  
10 individual. The occupation, employer, and principal place of  
11 business shall be stated if the individual contributed ~~\$200.01~~  
12 ~~or~~ more THAN \$100.00 of the total amount contributed by a person  
13 who is other than a committee or an individual.

14 (I) ~~(l)~~ The cumulative total of expenditures of \$50.00 or  
15 less made during the period covered by the campaign statement  
16 except for expenditures made to or on behalf of another commit-  
17 tee, candidate, or ballot question.

18 (J) ~~(m)~~ The full name and street address of each person to  
19 whom expenditures totaling ~~\$50.01 or~~ more THAN \$50.00 were  
20 made, together with the amount of each separate expenditure to  
21 each ~~such~~ person during the period covered by the campaign  
22 statement; the purpose of the expenditure; the full name and  
23 street address of the person providing the consideration for  
24 which any expenditure was made if different from the payee; the  
25 itemization regardless of amount of each expenditure made to or  
26 on behalf of another committee, candidate, or ballot question;  
27 and the cumulative amount of expenditures for or against that

1 candidate or ballot question for an election cycle. An  
2 expenditure made in support of more than 1 candidate or ballot  
3 question, or both, shall be apportioned reasonably among the can-  
4 didates or ballot questions, or both.

5 (K) FOR A CANDIDATE COMMITTEE OF A CANDIDATE, THE TOTAL  
6 AMOUNT OF CONTRIBUTIONS RECEIVED FROM INDEPENDENT COMMITTEES AND  
7 POLITICAL COMMITTEES DURING THE PERIOD COVERED BY THE CAMPAIGN  
8 STATEMENT AND THE TOTAL AMOUNT OF CONTRIBUTIONS RECEIVED FROM  
9 INDIVIDUAL CONTRIBUTORS DURING THE PERIOD COVERED BY THE CAMPAIGN  
10 STATEMENT.

11 (L) FOR AN INDEPENDENT OR POLITICAL COMMITTEE, THE TOTAL  
12 AMOUNT OF INDEPENDENT EXPENDITURES AND AN ITEMIZED LIST OF EACH  
13 INDEPENDENT EXPENDITURE CONTAINING ALL OF THE FOLLOWING  
14 INFORMATION:

15 (i) THE DATE OF THE INDEPENDENT EXPENDITURE.

16 (ii) THE PAYEE OF THE INDEPENDENT EXPENDITURE.

17 (iii) THE AMOUNT OF THE INDEPENDENT EXPENDITURE.

18 (iv) IF THE INDEPENDENT EXPENDITURE WAS ON BEHALF OF A CAN-  
19 DIDATE, THE NAME OF THE CANDIDATE AND THE DISTRICT AND OFFICE FOR  
20 WHICH THAT INDEPENDENT EXPENDITURE WAS MADE.

21 (v) IF THE INDEPENDENT EXPENDITURE WAS ON BEHALF OF A BALLOT  
22 QUESTION, THE BALLOT QUESTION AND THE PURPOSE FOR WHICH THE INDE-  
23 PENDENT EXPENDITURE WAS MADE.

24 (vi) IF THE INDEPENDENT EXPENDITURE WAS NOT ON BEHALF OF A  
25 CANDIDATE OR BALLOT QUESTION COMMITTEE, THE PURPOSE OF THE INDE-  
26 PENDENT EXPENDITURE.

1 (2) A candidate committee or ballot question committee shall  
2 report all cumulative amounts required by this section on a per  
3 election cycle basis. Except for ~~subdivision (m)~~  
4 SUBSECTION (1)(J), an independent committee or political commit-  
5 tee shall report all cumulative amounts required by this section  
6 on a calendar year basis.

7 Sec. 28. (1) Interest received by a committee on an account  
8 consisting of funds belonging to the committee shall not be con-  
9 sidered a contribution to the committee but THE COMMITTEE shall  
10 ~~be reported~~ REPORT ITS RECEIPT ON A CAMPAIGN STATEMENT as  
11 interest. ~~Interest~~ A COMMITTEE SHALL REPORT INTEREST paid by  
12 ~~a~~ THE committee ~~shall be reported~~ ON A CAMPAIGN STATEMENT as  
13 an expenditure.

14 (2) A COMMITTEE SHALL REPORT A loan with an outstanding bal-  
15 ance made or received ~~shall be set forth~~ in a separate schedule  
16 TO THE CAMPAIGN STATEMENT providing the date and amount of the  
17 loan, the date and amount of each payment, the amount of cumula-  
18 tive payments, the amount of the outstanding balance, and whether  
19 the loan payments were made by money, services, property, or  
20 other means. The committee shall provide the name and address of  
21 the lender and each person who is liable directly, indirectly, or  
22 contingently on each loan. ~~of \$20.01 or more.~~ The COMMITTEE  
23 SHALL PROVIDE THE occupation and employer, if any, of the lender  
24 and EACH person ~~shall be stated~~ if the loan is ~~\$200.01 or~~ FOR  
25 more THAN \$100.00. If a loan is paid off within a reporting  
26 period, this activity need not be reported on a separate schedule  
27 TO THE CAMPAIGN STATEMENT. However, if a loan is forgiven, ~~it~~

1 THE COMMITTEE shall ~~be detailed~~ DETAIL THAT FACT on a separate  
2 schedule TO THE CAMPAIGN STATEMENT.

3 (3) Accompanying a campaign statement reporting the receipt  
4 of a contribution ~~of \$20.01 or more~~ from a person whose trea-  
5 surer does not reside in, whose principal office is not located  
6 in, or whose funds are not kept in this state, shall be a state-  
7 ment certified as true and correct by an officer of the contrib-  
8 uting person setting forth the full name, address, along with the  
9 amount contributed, of each person who contributed ~~\$20.01 or~~  
10 ~~more~~ TO THE TOTAL AMOUNT of the contribution. The occupation,  
11 employer, and principal place of business shall be stated for  
12 each person who contributed ~~\$200.01 or~~ more THAN \$100.00. This  
13 subsection does not apply if the contributing person is regis-  
14 tered as a committee under section 24.

15 Sec. 29. (1) A campaign statement filed by a political  
16 party committee shall contain all of the following information:

17 (a) The full name of each person from whom contributions  
18 ~~totaling \$20.01 or more in value~~ are received in a calendar  
19 year, the amount, and the date or dates contributed; and, if the  
20 person is a committee, the name and address of the committee and  
21 the full name of the committee treasurer, together with the  
22 amount of the contribution and the date received. The occupa-  
23 tion, employer, and principal place of business, if any, shall be  
24 listed for each person from whom contributions totaling ~~\$200.01~~  
25 ~~or~~ more THAN \$100.00 are received in a calendar year.

26 (b) Accompanying a campaign statement reporting the receipt  
27 of a contribution ~~of \$20.01 or more~~ from a committee or person

1 whose treasurer does not reside in, whose principal office is not  
2 located in, or whose funds are not kept in this state, and whose  
3 committee has not filed a statement of organization as required  
4 in section 24, shall be a statement setting forth the full name  
5 and address of the treasurer of the committee.

6 (c) An itemized list of all expenditures, including in-kind  
7 contributions and expenditures and loans, made during the period  
8 covered by the campaign statement that were contributions to a  
9 candidate committee of a candidate for elective office or a  
10 ballot question committee; or independent expenditures in support  
11 of the qualification, passage, or defeat of a ballot question or  
12 in support of the nomination or election of a candidate for elec-  
13 tive office or the defeat of any of the candidate's opponents.

14 (d) The total expenditure by the committee for each candi-  
15 date for elective office or ballot question in whose behalf an  
16 independent expenditure was made or a contribution was given for  
17 the election cycle.

18 (e) The filer's name, address, and telephone number, if  
19 available, if any, and the full name, address, and telephone  
20 number, if available, of the committee treasurer.

21 (2) ~~An~~ THE COMMITTEE SHALL IDENTIFY AN expenditure listed  
22 under subsection (1)(c) ~~shall be identified~~ as an independent  
23 expenditure or as a contribution to a candidate committee or a  
24 ballot question committee.

25 (3) ~~A~~ THE COMMITTEE SHALL DESIGNATE FOR A contribution to  
26 or on behalf of a candidate committee or ballot question  
27 committee listed under subsection (1)(c) ~~shall note~~ the name



1 and address of the committee, the name of the candidate and the  
2 office sought, if any, the amount contributed, and the date of  
3 contribution.

4 (4) ~~An~~ THE COMMITTEE SHALL DESIGNATE FOR AN independent  
5 expenditure listed under subsection (1)(c) ~~shall note~~ either  
6 the name of the candidate for whose benefit the expenditure was  
7 made and the office sought by the candidate, or a brief descrip-  
8 tion of the ballot question for which the expenditure was made;  
9 the amount, date, and purpose of the expenditure; and the full  
10 name and address of the person to whom the expenditure was made.

11 (5) ~~An~~ THE COMMITTEE SHALL APPORTION AN expenditure listed  
12 ~~which~~ THAT was made in support of more than 1 candidate or  
13 ballot question, or both, ~~shall be apportioned~~ reasonably among  
14 the candidates or ballot questions, or both.

15 Sec. 32. ~~(+)~~ A COMMITTEE SHALL REPORT A late contribution  
16 ~~shall be reported~~ by filing with the filing ~~officer~~ OFFICIAL  
17 within 48 hours after ~~its~~ receipt OF THE LATE CONTRIBUTION the  
18 full name, street address, occupation, employer, and principal  
19 place of business of the contributor. ~~Filing of~~ THE COMMITTEE  
20 MAY FILE a report of late contributions ~~may be~~ by any written  
21 means of communication and need not contain an original  
22 signature. ~~A~~ THE COMMITTEE SHALL REPORT A late contribution  
23 ~~shall be reported~~ on subsequent campaign statements without  
24 regard to reports filed pursuant to this section. If a campaign  
25 statement has not been filed, a COMMITTEE MAY REPORT A late  
26 contribution, ~~may be reported~~, if practicable, in the campaign

1 statement and need not ~~, therefore, be reported~~ REPORT THE LATE  
2 CONTRIBUTION in a subsequent campaign statement.

3 ~~(2) As used in this section "late contribution" means a~~  
4 ~~contribution of \$200.00 or more received after the closing date~~  
5 ~~of the last campaign statement required to be filed before an~~  
6 ~~election.~~

7 Sec. 33. (1) A committee, other than an independent commit-  
8 tee or a political committee required to file with the secretary  
9 of state, supporting or opposing a candidate shall file campaign  
10 statements as required by this act according to the following  
11 schedule:

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

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

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

2 (a) A candidate committee shall file a preelection campaign  
3 statement and a postelection campaign statement for each election  
4 in which the candidate seeks nomination or election, except if an  
5 individual becomes a candidate after the closing date for the  
6 preelection campaign statement only the postelection campaign  
7 statement is required for that election.

8 (b) A committee other than a candidate committee shall file  
9 a campaign statement for each period during which expenditures  
10 are made for the purpose of influencing the nomination or elec-  
11 tion of a candidate or for the qualification, passage, or defeat  
12 of a ballot question.

13 (3) An independent committee or a political committee  
14 required to file with the secretary of state shall file campaign  
15 statements as required by this act according to the following  
16 schedule:

17 (a) In an odd numbered year:

18 (i) Not later than January 31 of that year with a closing  
19 date of December 31 of the previous year.

20 (ii) Not later than July 25 with a closing date of July 20.

21 (iii) Not later than October 25 with a closing date of  
22 October 20.

23 (b) In an even numbered year:

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

26 (ii) Not later than July 25 with a closing date of July 20.

1 (iii) Not later than October 25 with a closing date of  
2 October 20.

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

22 (5) A candidate committee or a committee other than a candi-  
23 date committee ~~which~~ THAT files a written statement under sec-  
24 tion 24(5) or (6) need not file a campaign statement under sub-  
25 section (1) or (3) unless it received or expended an amount in  
26 excess of \$1,000.00. If the committee receives or expends an  
27 amount in excess of \$1,000.00 during a period covered by a

1 filing, the committee is then subject to the campaign filing  
2 requirements under this act.

3       (6) A committee, candidate, treasurer, or other individual  
4 designated as responsible for the committee's record keeping,  
5 report preparation, or report filing who fails to file a state-  
6 ment as required by this section shall pay a late filing fee of  
7 ~~\$25.00~~ \$250.00 for each business day the statement remains  
8 unfiled. ~~The late filing fee shall not exceed \$500.00.~~ If a  
9 candidate, treasurer, or other individual designated as responsi-  
10 ble for the committee's record keeping, report preparation, or  
11 report filing fails to file 2 statements required by this section  
12 or section 35 and both of the statements remain unfiled for more  
13 than 30 days, that candidate, treasurer, or other designated  
14 individual is guilty of a misdemeanor, punishable by a fine of  
15 not more than \$1,000.00, or imprisonment for not more than 90  
16 days, or both.

17       (7) If a candidate subject to this section is found guilty,  
18 the circuit court for that county, on application by the  
19 ~~attorney general~~ SECRETARY OF STATE or the prosecuting attorney  
20 of that county, may prohibit that candidate from assuming the  
21 duties of a public office or from receiving compensation from  
22 public funds, or both.

23       (8) If a treasurer or other individual designated as respon-  
24 sible for a committee's record keeping, report preparation, or  
25 report filing knowingly files an incomplete or inaccurate state-  
26 ment or report required by this section, that treasurer or other

1 designated individual is subject to a civil fine of not more than  
2 \$1,000.00.

3       Sec. 36. (1) A ~~copy of the campaign statement of candi-~~  
4 ~~date committees~~ COMMITTEE for a state elective office or a  
5 judicial office shall ~~be filed~~ FILE A COPY OF THE CAMPAIGN  
6 STATEMENT REQUIRED UNDER THIS ACT with the secretary of state.  
7 ~~, who~~ THE SECRETARY OF STATE shall reproduce the copy and  
8 transmit the reproduction to the clerk of the county of residence  
9 of the candidate. ~~A copy of the campaign statement of candidate~~  
10 ~~committees of candidates for all other offices shall be filed~~  
11 ~~with the clerk of the county of residence of the candidate.~~

12       (2) A ~~copy of the campaign statement of a~~ ballot question  
13 committee supporting or opposing a statewide ballot question  
14 shall ~~be filed~~ FILE A COPY OF THE CAMPAIGN STATEMENT REQUIRED  
15 UNDER THIS ACT with the secretary of state and with the clerk of  
16 the most populous county in the state. A ballot question commit-  
17 tee supporting or opposing a ballot question to be voted upon in  
18 more than 1 county, but not statewide, shall file A COPY OF THE  
19 CAMPAIGN STATEMENT REQUIRED UNDER THIS ACT with the clerk of the  
20 county in which the greatest number of registered voters eligible  
21 to vote on the ballot question reside. A ballot question commit-  
22 tee supporting or opposing a ballot question to be voted upon  
23 within a single county shall file a COPY OF THE CAMPAIGN state-  
24 ment REQUIRED UNDER THIS ACT only with the clerk of that county.

25       (3) A ~~copy of the campaign statement of a~~ political party  
26 committee shall ~~be filed~~ FILE A COPY OF THE CAMPAIGN STATEMENT  
27 REQUIRED UNDER THIS ACT with the secretary of state. The

1 secretary of state shall reproduce a copy of the campaign  
2 statement of a political party committee that is a county commit-  
3 tee and file the copy with the clerk of the county where the  
4 county committee operates.

5 (4) A ~~copy of a campaign statement of a~~ committee support-  
6 ing or opposing a candidate for ~~the~~ LOCAL ELECTIVE office, ~~of~~  
7 ~~school board, where~~ IF the office is to be voted on in more than  
8 1 county but not statewide, shall ~~be filed~~ FILE A SUFFICIENT  
9 NUMBER OF COPIES OF THE CAMPAIGN STATEMENT REQUIRED UNDER THIS  
10 ACT with the ~~clerk of the county in which the greatest number of~~  
11 ~~registered voters eligible to vote on the office reside~~  
12 SECRETARY OF STATE. THE SECRETARY OF STATE SHALL TRANSMIT 1 COPY  
13 OF THE CAMPAIGN STATEMENT TO THE COUNTY CLERK OF EACH COUNTY IN  
14 WHICH THE OFFICE IS TO BE VOTED ON AND 1 COPY OF THE CAMPAIGN  
15 STATEMENT TO EACH LOCAL UNIT OF GOVERNMENT IN WHICH THE OFFICE IS  
16 TO BE VOTED ON. A COMMITTEE SUPPORTING OR OPPOSING A CANDIDATE  
17 FOR LOCAL ELECTIVE OFFICE, IF THE OFFICE IS TO BE VOTED ON IN  
18 ONLY 1 COUNTY, SHALL FILE A SUFFICIENT NUMBER OF COPIES OF THE  
19 CAMPAIGN STATEMENT REQUIRED UNDER THIS ACT WITH THE CLERK OF THAT  
20 COUNTY. THE COUNTY CLERK SHALL TRANSMIT 1 COPY OF THE CAMPAIGN  
21 STATEMENT TO EACH LOCAL UNIT OF GOVERNMENT IN WHICH THE OFFICE IS  
22 TO BE VOTED ON.

23 (5) A ~~copy of the campaign statement of any other~~ commit-  
24 tee not covered under subsection (1), (2), (3), or (4) shall ~~be~~  
25 ~~filed~~ FILE A COPY OF THE CAMPAIGN STATEMENT REQUIRED UNDER THIS  
26 ACT with the secretary of state, except that a committee  
27 reporting contributions or expenditures for a candidate within

1 only 1 county shall file a statement only with the clerk of that  
2 county.

3 (6) A LOCAL UNIT OF GOVERNMENT THAT RECEIVES COPIES OF CAM-  
4 PAIGN STATEMENTS UNDER THIS SECTION SHALL MAKE THE STATEMENTS  
5 AVAILABLE FOR PUBLIC INSPECTION AND REPRODUCTION DURING REGULAR  
6 BUSINESS HOURS OF THE LOCAL UNIT OF GOVERNMENT. THE LOCAL UNIT  
7 OF GOVERNMENT SHALL MAKE THE STATEMENTS AVAILABLE AS SOON AS  
8 PRACTICABLE AFTER RECEIPT, BUT NOT LATER THAN THE THIRD BUSINESS  
9 DAY FOLLOWING THE DAY ON WHICH THEY ARE RECEIVED.

10 (7) A CANDIDATE WHO FAILS TO FILE OR WHOSE COMMITTEE FAILS  
11 TO FILE A SUFFICIENT NUMBER OF COPIES OF A CAMPAIGN STATEMENT  
12 UNDER SUBSECTION (4) IS SUBJECT TO A CIVIL FINE OF NOT MORE THAN  
13 \$100.00 FOR EACH VIOLATION.

14 SEC. 39. (1) AN INDEPENDENT OR POLITICAL COMMITTEE SHALL  
15 NOT ACCEPT A CONTRIBUTION FROM AN INDIVIDUAL ON AN AUTOMATIC OR  
16 PASSIVE BASIS UNLESS THAT INDIVIDUAL FIRST ACTIVELY INDICATES, IN  
17 WRITING, THE DESIRE TO MAKE THAT CONTRIBUTION. THE COMMITTEE  
18 SHALL NOT ACCEPT CONTRIBUTIONS BASED UPON AN ACTIVE INDICATION BY  
19 THAT INDIVIDUAL FOR MORE THAN 12 MONTHS AFTER THE ACTIVE INDICA-  
20 TION IS MADE.

21 (2) AN INDEPENDENT COMMITTEE, POLITICAL COMMITTEE, AND  
22 POLITICAL PARTY COMMITTEE SHALL ANNUALLY PROVIDE A NOTICE TO ALL  
23 CONTRIBUTORS TO THE COMMITTEE. THE COMMITTEE SHALL FILE A COPY  
24 OF THE NOTICE WITH THE SECRETARY OF STATE. THE NOTICE SHALL CON-  
25 TAIN ALL OF THE FOLLOWING:

26 (A) THE NAME OF THE COMMITTEE.



1 (B) AN ITEMIZED AND CUMULATIVE LIST OF ALL CONTRIBUTIONS  
 2 RECEIVED BY THE COMMITTEE FOR THE 12-MONTH PERIOD COVERED BY THE  
 3 NOTICE.

4 (C) AN ITEMIZED AND CUMULATIVE LIST OF ALL DISBURSEMENTS  
 5 MADE BY THE COMMITTEE INCLUDING, BUT NOT LIMITED TO, THE  
 6 FOLLOWING:

7 (i) THE DATE OF EACH DISBURSEMENT.

8 (ii) THE AMOUNT OF EACH DISBURSEMENT.

9 (iii) IF THE DISBURSEMENT WAS TO A CANDIDATE COMMITTEE, THE  
 10 NAME AND POLITICAL PARTY AFFILIATION OF THE CANDIDATE.

11 (iv) IF THE DISBURSEMENT WAS AN INDEPENDENT EXPENDITURE, THE  
 12 DISTRICT AND OFFICE OR BALLOT QUESTION FOR WHICH THE INDEPENDENT  
 13 EXPENDITURE WAS MADE.

14 (v) THE NATURE OF EACH ADMINISTRATIVE EXPENDITURE.

15 (vi) THE NATURE AND EXPLANATION OF ALL OTHER DISBURSEMENTS  
 16 NOT PREVIOUSLY LISTED IN THIS SUBDIVISION.

17 (D) ANY OTHER INFORMATION THE SECRETARY OF STATE CONSIDERS  
 18 NECESSARY.

19 Sec. 41. (1) A person shall not make or accept ~~any~~ A  
 20 single contribution of ~~\$20.01 or~~ more THAN \$20.00 in cash ~~nor~~  
 21 OR make or accept ~~any~~ A single expenditure of ~~\$50.01 or~~ more  
 22 THAN \$50.00 in cash. Contributions of ~~\$20.01 or~~ more THAN  
 23 \$20.00 and expenditures of ~~\$50.01 or~~ more THAN \$50.00, other  
 24 than an in-kind contribution or expenditure, shall be made by  
 25 written instrument containing the names of the payor and the  
 26 payee. ~~A person who knowingly violates this section is guilty~~  
 27 ~~of a misdemeanor and shall be punished by a fine of not more than~~

~~1 \$1,000.00, or imprisoned for not more than 90 days, or both, and~~  
~~2 if the person is other than an individual the person shall be~~  
~~3 fined not more than \$10,000.00.~~

4 (2) A person shall not accept or expend an anonymous  
5 contribution. An anonymous contribution received by a person  
6 shall not be deposited but shall be given to a tax exempt chari-  
7 table organization. The charitable organization receiving the  
8 contribution shall provide the person with a receipt. The  
9 receipt shall be returned by an appropriate committee pursuant to  
10 section 22.

11 ~~(3) A contribution received as the result of a fund raising~~  
~~12 event or casual services, or from the sale of political merchan-~~  
~~13 dise that is \$20.00 or less in the aggregate from a person in any~~  
~~14 calendar year shall not be considered an anonymous contribution.~~  
~~15 A contribution received from membership fees, dues, or subscrip-~~  
~~16 tions for political purposes to an independent committee or a~~  
~~17 political party committee that is \$20.00 or less in the aggregate~~  
~~18 from a person in any calendar year shall not be considered an~~  
~~19 anonymous contribution.~~

20 ~~(4) A person making a contribution pursuant to subsection~~  
~~21 (3) which is \$20.01 or more in any calendar year when added to~~  
~~22 all other contributions made to that committee by that person~~  
~~23 shall furnish the recipient with the donor's name, address, and~~  
~~24 the total amount contributed.~~

25 ~~(5) A person who knowingly violates subsection (2), (3), or~~  
26 ~~(4) is guilty of a misdemeanor and shall be punished by a fine of~~

1 ~~not more than \$1,000.00, or imprisoned for not more than 90 days,~~  
2 ~~or both.~~

3 (3) ~~(6)~~ A contribution shall not be made, directly or  
4 indirectly, by any person in a name other than the name by which  
5 that person is identified for legal purposes.

6 (4) A person who KNOWINGLY violates this ~~subsection~~  
7 SECTION is guilty of a misdemeanor ~~and shall be punished~~  
8 PUNISHABLE, IF THE PERSON IS AN INDIVIDUAL, by a fine of not more  
9 than \$1,000.00 ~~or imprisoned~~ IMPRISONMENT for not more than  
10 90 days, or both, ~~and~~ OR, if the person is other than an  
11 individual, ~~the person shall be fined~~ BY A FINE OF not more  
12 than \$10,000.00.

13 Sec. 42. (1) A person who accepts a contribution, other  
14 than by written instrument, on behalf of another and acts as the  
15 intermediary or agent of the person from whom the contribution  
16 was accepted shall disclose to the recipient of the contribution  
17 the intermediary's own name and address and the name and address  
18 of the actual source of the contribution. ~~A person who know-~~  
19 ~~ingly violates this subsection is guilty of a misdemeanor punish-~~  
20 ~~able by a fine of not more than \$1,000.00, or imprisonment for~~  
21 ~~not more than 90 days, or both.~~

22 (2) A contribution ~~of \$20.01 or more~~ from a person whose  
23 treasurer does not reside in, whose principal office is not  
24 located in, or whose funds are not kept in this state, shall not  
25 be accepted by a person for purposes of supporting or opposing  
26 candidates for elective office or the qualification, passage, or  
27 defeat of a ballot question unless accompanied by a statement

1 certified as true and correct by an officer of the contributing  
2 person setting forth the full name and address along with the  
3 amount contributed, of each person who contributed ~~-\$20.01 or~~  
4 ~~more~~ TO THE TOTAL AMOUNT of the contribution. The occupation,  
5 employer, and principal place of business shall be listed for  
6 each person who contributed ~~-\$200.01 or~~ more THAN \$100.00 TO THE  
7 TOTAL AMOUNT of the contribution. The certified statement shall  
8 also state that the contribution was not made from an account  
9 containing funds prohibited by section 54. ~~A person who know-~~  
10 ~~ingly violates this subsection is guilty of a misdemeanor punish-~~  
11 ~~able, if the person is an individual, by a fine of not more than~~  
12 ~~\$1,000.00, or imprisonment for not more than 90 days, or both,~~  
13 ~~or, if the person is not an individual, by a fine of not more~~  
14 ~~than \$10,000.00.~~ This subsection does not apply if the contrib-  
15 uting person is registered as a committee under section 24.

16 (3) A person shall not receive a contribution from a person  
17 other than a committee unless for purposes of the recipient  
18 person's record keeping and reporting requirements, the contribu-  
19 tion is accompanied by the name and address of each person who  
20 contributed ~~-\$20.01 or more~~ to the TOTAL AMOUNT OF THE contribu-  
21 tion, and the name, address, occupation, employer, and principal  
22 place of business of each person who contributed ~~-\$200.01 or~~  
23 more THAN \$100.00 to the TOTAL AMOUNT OF THE contribution.

24 (4) A person who knowingly violates this ~~subsection~~  
25 SECTION is guilty of a misdemeanor punishable, if the person is  
26 an individual, by a fine of not more than \$1,000.00, or  
27 imprisonment for not more than 90 days, or both, or, if the

1 person is other than an individual, by a fine of not more than  
2 \$10,000.00.

3       Sec. 44. (1) A contribution shall not be made by a person  
4 to another person with the agreement or arrangement that the  
5 person receiving the contribution will then transfer that contri-  
6 bution to a particular candidate committee.

7       (2) A candidate committee shall not make a contribution to  
8 or an independent expenditure in behalf of another candidate  
9 committee.

10       (3) An individual, other than a committee treasurer or the  
11 individual designated as responsible for the record keeping,  
12 report preparation, or report filing for a committee, who obtains  
13 possession of ~~+~~ A committee's contribution for the purpose of  
14 delivering the contribution to another committee shall deliver  
15 the contribution to that committee, that committee's treasurer,  
16 or that committee's agent, or return the contribution to the  
17 payor, not later than 10 business days after obtaining possession  
18 of the contribution.

19       (4) Two or more persons, other than individuals, may hold a  
20 joint fund-raiser if the receipts and expenses of the fund-raiser  
21 are shared proportionately. ~~If an officeholder expense fund and~~  
22 ~~the candidate committee of that officeholder hold a joint~~  
23 ~~fund raiser, the candidate committee shall pay the expenses of~~  
24 ~~the fund raiser and all corporate money received for the~~  
25 ~~fund raiser shall be deposited in the account of the officeholder~~  
26 ~~expense fund. All noncorporate contributions shall be deposited~~  
27 ~~in a secondary depository designated to receive contributions~~

1 ~~prior to their split between the candidate committee and~~  
2 ~~officeholder expense fund.~~

3 (5) A person who knowingly violates this section is guilty  
4 of a misdemeanor punishable, IF THE PERSON IS AN INDIVIDUAL, by a  
5 fine of not more than \$1,000.00, or imprisonment for not more  
6 than 90 days, or both, OR IF THE PERSON IS OTHER THAN AN INDIVID-  
7 UAL, BY A FINE OF NOT MORE THAN \$10,000.00.

8 Sec. 46. ~~At the beginning of~~ BEGINNING JANUARY 1, 1993  
9 AND every JANUARY 1 OF EACH odd-numbered year AFTER 1993, the  
10 secretary of state shall ~~recommend adjustments to and which~~  
11 ~~shall be approved by the legislature of~~ ADJUST the dollar value  
12 contribution limits provided in this act, together with the  
13 dollar value floor for reporting of the name, address, occupa-  
14 tion, and employer, or principal place of business of persons who  
15 make contributions pursuant to this chapter. ~~, on the basis of~~  
16 ~~the United States department of commerce's consumer price index~~  
17 ~~and the number of registered voters in the state.~~ THE SECRETARY  
18 OF STATE SHALL MAKE THE ADJUSTMENT BIENNIALY ON JANUARY 1 BY  
19 COMPARING THE PERCENTAGE INCREASE OR DECREASE IN THE DETROIT CON-  
20 SUMER PRICE INDEX--ALL ITEMS FOR THE PRECEDING NOVEMBER BY THE  
21 CORRESPONDING DETROIT CONSUMER PRICE INDEX--ALL ITEMS 2 YEARS  
22 EARLIER. THE SECRETARY OF STATE SHALL MULTIPLY THE RESULTANT  
23 PERCENTAGE CHANGE BY THE AFFECTED MONETARY AMOUNTS. THE SECRE-  
24 TARY OF STATE SHALL ROUND THE PRODUCT TO THE NEAREST DOLLAR AND  
25 ADD IT TO OR SUBTRACT IT FROM THE MONETARY AMOUNTS EXISTING ON  
26 THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SENTENCE  
27 OR THOSE AMOUNTS AS PREVIOUSLY ADJUSTED BY THIS SECTION,

1 WHICHEVER OCCURS LATER. THE ADJUSTED AMOUNTS SHALL BE THE NEW  
2 AMOUNTS FOR THE 2-YEAR PERIOD.

3 Sec. 47. (1) A billboard, placard, poster, pamphlet, or  
4 other printed matter ~~having reference~~ THAT REFERS to an elec-  
5 tion, a candidate, or A ballot question, shall bear upon it the  
6 name and address of the person paying for the matter AND SHALL  
7 COMPLY WITH SUBSECTION (3). IF THE BILLBOARD, PLACARD, POSTER,  
8 PAMPHLET, OR OTHER PRINTED MATTER RELATING TO A CANDIDATE IS AN  
9 INDEPENDENT EXPENDITURE THAT WAS NOT AUTHORIZED IN WRITING BY THE  
10 CANDIDATE COMMITTEE OF THAT CANDIDATE, THE PRINTED MATTER SHALL  
11 CONTAIN THE FOLLOWING DISCLAIMER: "NOT AUTHORIZED BY THE CANDI-  
12 DATE COMMITTEE OF .....".  
13 (CANDIDATE'S NAME)

14 (2) A radio or television paid advertisement ~~having~~  
15 ~~reference~~ THAT REFERS to an election, a candidate, or A ballot  
16 question shall identify the sponsoring person as required by the  
17 federal communications commission ~~—~~ AND SUBSECTION (3) AND  
18 shall bear the name of the person paying for the advertisement.  
19 ~~—, and shall be in compliance with~~ THE RADIO OR TELEVISION PAID  
20 ADVERTISEMENT SHALL CONTAIN 1 OF the following DISCLAIMERS:

21 (a) If the radio or television paid advertisement relates to  
22 a candidate and is an independent expenditure: ~~— the advertise-~~  
23 ~~ment shall contain the following disclaimer:~~ "Not authorized by  
24 any candidate".

25 (b) If the radio or television paid advertisement relates to  
26 a candidate and is not an independent expenditure but is paid for  
27 by a person other than the candidate to which it is related: ~~—~~  
28 ~~the advertisement shall contain the following disclaimer:~~

1 "Authorized by .....".  
 2 (name of candidate or name of candidate committee)

3 ~~(3) If the printed matter relating to a candidate is an~~  
 4 ~~independent expenditure which was not authorized in writing by~~  
 5 ~~the candidate committee of that candidate, the printed matter~~  
 6 ~~shall contain the following disclaimer: "Not authorized by the~~  
 7 ~~candidate committee of .....".~~  
 8 ~~(candidate's name)~~

9 (3) THE NAME AND ADDRESS OF THE PERSON PAYING FOR THE MATTER  
 10 UNDER SUBSECTION (1) AND THE IDENTIFICATION OF THE SPONSORING  
 11 PERSON UNDER SUBSECTION (2) SHALL BE READILY APPARENT TO THE REA-  
 12 SONABLE PERSON VIEWING THE MATTER OR ADVERTISEMENT. The SECRETARY  
 13 OF STATE SHALL PROMULGATE RULES THAT DETERMINE THE size and  
 14 placement of the disclaimer. ~~shall be determined by rules~~  
 15 ~~promulgated by the secretary of state.~~ The rules may exempt  
 16 printed matter and certain other items such as campaign buttons  
 17 or balloons, the size of which makes it unreasonable to add an  
 18 identification or disclaimer, from the identification or dis-  
 19 claimer required by this section.

20 (4) A person who knowingly violates this section is guilty  
 21 of a misdemeanor ~~and shall be punished~~ PUNISHABLE, IF THE  
 22 PERSON IS AN INDIVIDUAL, by a fine of not more than \$1,000.00 ~~—~~  
 23 or ~~imprisoned~~ IMPRISONMENT for not more than 90 days, or both,  
 24 OR, IF THE PERSON IS OTHER THAN AN INDIVIDUAL, BY A FINE OF NOT  
 25 MORE THAN \$10,000.00.

26 Sec. 49. (1) ~~An~~ SUBJECT TO SUBSECTION (3), AN elected  
 27 public official may establish an officeholder expense fund. The  
 28 OFFICEHOLDER EXPENSE fund may be used for expenses incidental to



1 the person's office. The OFFICEHOLDER EXPENSE fund ~~may~~ SHALL  
2 not be used to make contributions and expenditures to further the  
3 nomination or election of that public official.

4 (2) The contributions and expenditures made pursuant to  
5 subsection (1) are not exempt from the contribution limitations  
6 of this act, but ~~any and all~~ THE contributions and expenditures  
7 shall be recorded and shall be reported on forms provided by the  
8 secretary of state and filed not later than January 31 of each  
9 year. ~~and~~ THE REPORT shall have a closing date of January 1 of  
10 that year.

11 (3) BEGINNING ON THE EFFECTIVE DATE OF THE AMENDATORY ACT  
12 THAT ADDED THIS SUBSECTION, AN ELECTED PUBLIC OFFICIAL SHALL NOT  
13 ESTABLISH AN OFFICEHOLDER EXPENSE FUND. AN ELECTED PUBLIC OFFI-  
14 CIAL WHO HAS AN OFFICEHOLDER EXPENSE FUND ON THE EFFECTIVE DATE  
15 OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION SHALL NOT ACCEPT  
16 CONTRIBUTIONS TO THE OFFICEHOLDER EXPENSE FUND ON OR AFTER THAT  
17 DATE UNLESS THE CONTRIBUTION IS NECESSARY TO PAY A DEBT FOR  
18 EXPENSES INCIDENTAL TO THE PERSON'S OFFICE INCURRED BY THE  
19 OFFICEHOLDER BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT  
20 ADDED THIS SUBSECTION. BEFORE JANUARY 1, 1992, UNEXPENDED FUNDS  
21 IN AN OFFICEHOLDER EXPENSE FUND SHALL BE DISBURSED IN 1 OF THE  
22 FOLLOWING WAYS:

23 (A) GIVEN TO A TAX-EXEMPT CHARITABLE ORGANIZATION.

24 (B) RETURNED TO THE CONTRIBUTORS OF THE OFFICEHOLDER EXPENSE  
25 FUND.

26 (4) ~~(3)~~ A person who knowingly violates this section is  
27 guilty of a misdemeanor, ~~and shall be punished~~ PUNISHABLE by a

1 fine of not more than \$1,000.00 or ~~imprisoned~~ IMPRISONMENT for  
2 not more than 90 days, or both.

3       Sec. 52. (1) Except as provided in subsection (6), a person  
4 other than an independent committee or a political party commit-  
5 tee shall not make contributions to a candidate committee of a  
6 candidate for ~~state~~ AN elective office which, with respect to  
7 an election cycle are more than the following:

8       (a) \$3,400.00 for a candidate for state elective office,  
9 other than the office of state legislator, OR FOR A CANDIDATE FOR  
10 LOCAL ELECTIVE OFFICE IF THE DISTRICT FROM WHICH HE OR SHE IS  
11 SEEKING OFFICE HAS A POPULATION OF MORE THAN 250,000.

12       (b) \$1,000.00 for a candidate for state senator OR FOR A  
13 CANDIDATE FOR LOCAL ELECTIVE OFFICE IF THE DISTRICT FROM WHICH HE  
14 OR SHE IS SEEKING OFFICE HAS A POPULATION OF MORE THAN 85,000 BUT  
15 250,000 OR LESS.

16       (c) \$500.00 for a candidate for state representative OR FOR  
17 A CANDIDATE FOR LOCAL ELECTIVE OFFICE IF THE DISTRICT FROM WHICH  
18 HE OR SHE IS SEEKING OFFICE HAS A POPULATION OF 85,000 OR LESS.

19       ~~(2) For the purpose of subsection (1), "with respect to an~~  
20 ~~election cycle" means 1 of the following:~~

21       ~~(a) For a general election, the period beginning the day~~  
22 ~~following the last general election in which the office appeared~~  
23 ~~on the ballot and ending on the day of the next general election~~  
24 ~~in which the office next appears on the ballot.~~

25       ~~(b) For a special election, the period beginning the day a~~  
26 ~~special general election is scheduled or the date the office~~

~~1 becomes vacant, whichever is earlier, and ending on the day of~~  
~~2 the special general election.~~

3       (2) ~~(3)~~ An independent committee shall not make contribu-  
4 tions to a candidate committee of a candidate for ~~state~~ elec-  
5 tive office ~~which~~ THAT, in the aggregate for that election  
6 cycle, are more than 10 times the amount permitted a person other  
7 than an independent committee or political party committee in  
8 subsection (1).

9       (3) ~~(4)~~ A political party committee other than a state  
10 central committee shall not make contributions to the candidate  
11 committee of a candidate for ~~state~~ elective office ~~which~~ THAT  
12 are more than 10 times the amount permitted a person other than  
13 an independent committee or political party committee in subsec-  
14 tion (1).

15       (4) ~~(5)~~ A state central committee of a political party  
16 shall not make contributions to the candidate committee of a can-  
17 didate for ~~state~~ elective office other than candidates for the  
18 legislature ~~which~~ THAT are more than 20 times the amount per-  
19 mitted a person other than an independent committee or political  
20 party committee in subsection (1). A state central committee of  
21 a political party shall not make contributions to the candidate  
22 committee of a candidate for state senator or state representa-  
23 tive ~~which~~ THAT are more than 10 times the amount permitted a  
24 person other than an independent committee or political party  
25 committee in subsection (1).

1       (5) ~~-(6)-~~ A contribution from a member of a candidate's  
2 immediate family to the candidate committee of that candidate is  
3 exempt from the limitations of subsection (1).

4       (6) ~~-(7)-~~ Consistent with the provisions of this section, a  
5 contribution designated in writing for a particular election  
6 cycle shall be considered made for that election cycle. A con-  
7 tribution made after the close of a particular election cycle and  
8 designated in writing for that election cycle shall be made only  
9 to the extent that the contribution does not exceed the candidate  
10 committee's net outstanding debts and obligations from the elec-  
11 tion cycle so designated. If a contribution is not designated in  
12 writing for a particular election cycle, the contribution shall  
13 be considered made for the election cycle that corresponds to the  
14 date of the written instrument.

15       (7) ~~-(8)-~~ A candidate committee, a candidate, or a treasurer  
16 or agent of a candidate committee shall not accept a contribution  
17 with respect to an election cycle that exceeds the limitations in  
18 subsection (1), (2), (3), OR (4). ~~-, or (5)-~~

19       (8) ~~-(9)-~~ For the purposes of this act, a contribution made  
20 or received before ~~the effective date of the amendatory act that~~  
21 ~~added this subsection shall be~~ JUNE 21, 1989 IS considered to be  
22 made with respect to an election cycle.

23       (9) ~~-(10)-~~ A person who knowingly violates this section is  
24 guilty of a misdemeanor punishable, if the person is an individu-  
25 al, by a fine of not more than \$1,000.00 ~~-7-~~ or imprisonment for  
26 not more than 90 days, or both, or, if the person is not an  
27 individual, by a fine of not more than \$10,000.00.

1       Sec. 62. (1) ~~Only a~~ A candidate who ~~established~~  
2 ESTABLISHES a single candidate committee ~~which submitted~~ THAT  
3 SUBMITS a statement of organization according to procedures  
4 established by ~~law~~ THIS ACT may receive ~~moneys under this act~~  
5 MONEY FROM THE STATE CAMPAIGN FUND. ~~Moneys~~ A CANDIDATE SHALL  
6 SPEND MONEY received ~~by a candidate pursuant to this act shall~~  
7 ~~be spent~~ FROM THE STATE CAMPAIGN FUND only through the candidate  
8 committee and ~~shall be reported by~~ the candidate committee  
9 SHALL REPORT THE RECEIPT AND EXPENDITURE OF STATE CAMPAIGN FUND  
10 MONEY according to procedures established by ~~law~~ THIS ACT.

11       (2) If a candidate desires to receive ~~moneys~~ MONEY from  
12 the state campaign fund, the candidate shall file a statement of  
13 organization indicating the intent to seek qualifying contribu-  
14 tions or to make ~~qualifying~~ QUALIFIED CAMPAIGN expenditures.  
15 ~~Contributions~~ A CONTRIBUTION received or ~~expenditures~~ AN  
16 EXPENDITURE made before the filing of a statement of organization  
17 for the office of governor shall not be considered ~~as~~ a quali-  
18 fying contribution OR QUALIFIED CAMPAIGN EXPENDITURE. A CANDI-  
19 DATE WHO FILES A STATEMENT OF ORGANIZATION INDICATING HIS OR HER  
20 INTENT UNDER THIS SUBSECTION SHALL NOT ACCEPT A CONTRIBUTION FROM  
21 AN INDEPENDENT COMMITTEE OR POLITICAL COMMITTEE.

22       (3) A candidate who does not apply for ~~moneys~~ MONEY from  
23 the state campaign fund is not subject to sections 61 to 71.

24       Sec. 66. (1) A candidate may only apply the funds received  
25 ~~under this act~~ FROM THE STATE CAMPAIGN FUND against qualified  
26 campaign expenditures.

1       ~~-(2) As used in this section, "qualified campaign~~  
2 ~~expenditure" means an expenditure for services, materials,~~  
3 ~~facilities, or other things of value by the candidate committee~~  
4 ~~to further the candidate's nomination or election to office~~  
5 ~~during the year in which the primary or general election in which~~  
6 ~~the candidate seeks nomination or election is held. Qualified~~  
7 ~~campaign expenditure does not include:~~

8       ~~(a) An expenditure in violation of any law of the United~~  
9 ~~States or of this state.~~

10       ~~(b) A payment made to the candidate or a relative within the~~  
11 ~~third degree of consanguinity of the candidate, or to a business~~  
12 ~~with which the candidate or the relative is associated.~~

13       ~~(c) A payment to the extent clearly in excess of the fair~~  
14 ~~market value of services, materials, facilities, or other things~~  
15 ~~of value received in exchange.~~

16       ~~(d) That portion of any salary or wage to an individual in~~  
17 ~~excess of \$5,000.00 per month.~~

18       ~~(e) Payment from petty cash.~~

19       ~~(f) Gifts, except brochures, buttons, signs, and other~~  
20 ~~printed campaign material.~~

21       ~~(g) Payment to a defense fund.~~

22       ~~(h) Expenditures made for the solicitation of contributions~~  
23 ~~which are exempted from the candidate's expenditure limits under~~  
24 ~~section 67(2).--~~

25       (2) ~~-(3)-~~ A candidate shall keep ~~those~~ THE funds received  
26 ~~under this act~~ FROM THE STATE CAMPAIGN FUND in a separate  
27 account. The candidate's qualified CAMPAIGN expenditures may be

1 paid from this account unless the account does not have a  
 2 balance. An unexpended balance in this account shall be refunded  
 3 and credited to the general fund within 60 days after the elec-  
 4 tion for which the funds were received. Payment received from  
 5 the state campaign fund for expenditures in 1 election shall not  
 6 be used for expenditures in a subsequent election.

7 (3) ~~-(4)-~~ A person who knowingly violates this section is  
 8 guilty of a felony punishable, if the person is an individual, by  
 9 a fine of not more than \$2,000.00, or imprisonment for not more  
 10 than 3 years, or both, or, if the person not an individual, by a  
 11 fine of not more than \$10,000.00.

12 Sec. 67. (1) ~~Expenditures made by a~~ A candidate AND HIS  
 13 OR HER CANDIDATE committee SHALL NOT MAKE EXPENDITURES to further  
 14 the nomination or election of ~~a~~ THE candidate ~~may not~~ THAT  
 15 exceed \$1,500,000.00 in the aggregate for 1 election.

16 (2) Expenditures made by a candidate committee for the  
 17 solicitation of contributions ~~which expenditures~~ THAT are not  
 18 more than 20% of the candidate committee's expenditure limit des-  
 19 ignated in subsection (1) shall not be considered as expenditures  
 20 for the purposes of the expenditure limitations set forth in sub-  
 21 section (1). EXPENDITURES MADE BY A CANDIDATE COMMITTEE FOR  
 22 INCIDENTAL EXPENSES UNDER SECTION 21A SHALL NOT BE CONSIDERED AS  
 23 EXPENDITURES FOR THE PURPOSES OF THE EXPENDITURE LIMITATIONS SET  
 24 FORTH IN SUBSECTION (1).

25 (3) An expenditure by a candidate committee to purchase  
 26 space in a newspaper or other periodical or time on radio or  
 27 television for the purpose of responding to an editorial in the

1 same newspaper or periodical or on the same station or channel  
2 ~~which~~ THAT was unfavorable to the committee's candidate or  
3 ~~which indorsed~~ THAT ENDORSED the candidate's opponent shall not  
4 be considered an expenditure for the purposes of the expenditure  
5 limitations set forth in subsection (1). This subsection only  
6 applies to 1 response made to a particular editorial, unfavorable  
7 report, or endorsement of an opponent and shall not apply unless  
8 the candidate is refused free space or time in which to answer.

9 (4) A person who knowingly violates subsection (1) is guilty  
10 of a misdemeanor punishable by a fine of not more than \$1,000.00  
11 ~~—~~ or imprisonment for not more than 90 days, or both.

12 (5) If a person who is subject to this section is found  
13 guilty, the circuit court of that county, on application by the  
14 ~~attorney general~~ SECRETARY OF STATE, may prohibit that person  
15 from assuming the duties of a public office or from receiving  
16 compensation from public funds, or both.

17 Sec. 68. (1) A PERSON SHALL NOT INCUR A debt for goods,  
18 services, materials, facilities, or anything of value in further-  
19 ance of, or in opposition to, the nomination for, or election to,  
20 office of a candidate ~~shall not be incurred by a person which~~  
21 THAT, when paid, will cause the expenditures of that candidate or  
22 person to exceed any limit imposed by this act. A person who  
23 knowingly violates this subsection is guilty of a misdemeanor  
24 ~~and shall be punished~~ PUNISHABLE by a fine of not more than  
25 \$1,000.00 ~~—~~ or ~~imprisoned~~ IMPRISONMENT for not more than 90  
26 days, or both.



1 (2) If a person who is subject to this section is found  
2 guilty, the circuit court of that county, on application by the  
3 ~~attorney general~~ SECRETARY OF STATE, may prohibit that person  
4 from assuming the duties of a public office or from receiving  
5 compensation from public funds, or both.

6 Sec. 69. (1) Except as provided in subsection (6), a person  
7 other than an independent committee or a political party commit-  
8 tee shall not make contributions to a candidate committee of a  
9 candidate ~~which~~ THAT are more than \$3,400.00 in value for an  
10 election cycle.

11 (2) An independent committee shall not make contributions to  
12 a candidate committee ~~which~~, THAT for ~~that~~ AN election cycle  
13 are more than 10 times the amount permitted a person other than  
14 an independent committee or political party committee in subsec-  
15 tion (1).

16 (3) A political party committee that is a state central com-  
17 mittee shall not make contributions to a candidate committee  
18 ~~which~~ THAT for an election cycle are more than \$750,000.00.

19 (4) A political party committee that is a congressional dis-  
20 trict or county committee shall not make contributions to a can-  
21 didate committee ~~which~~ THAT for an election cycle are more than  
22 \$30,000.00.

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

26 (6) As used in this subsection, "immediate family" means a  
27 spouse, parent, brother, sister, son, or daughter. A candidate

1 and members of that candidate's immediate family may not  
2 contribute in total to that person's candidate committee an  
3 amount ~~which~~ THAT is more than \$50,000.00 in value for an elec-  
4 tion cycle.

5 (7) ~~Section 52(2) and 52(7)~~ SECTIONS 5(2) AND 52(6) apply  
6 to determining when an election cycle begins and ends and to  
7 which election cycle a particular contribution shall be  
8 attributed.

9 (8) The candidate committee of a candidate for governor that  
10 does not make application for FUNDS FROM THE state campaign  
11 ~~funds~~ FUND and that accepts from the candidate and the  
12 candidate's immediate family contributions that total for an  
13 election cycle more than \$340,000.00 shall notify the secretary  
14 of state in writing within 48 hours after receipt of this  
15 amount. Within 2 business days after receipt of this notice, the  
16 secretary of state shall send notice to all candidates who are  
17 either seeking the same nomination, in the case of a primary  
18 election, or election to that same office, in the case of a gen-  
19 eral election, informing those candidate committees of all of the  
20 following:

21 (a) That the expenditure limits provided in section 67 are  
22 waived for the remainder of that election for those notified can-  
23 didate committees that receive FUNDS FROM THE state campaign  
24 ~~funds~~ FUND under this act.

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

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