

HOUSE BILL No. 5818

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

A bill to regulate political activity; to regulate legislators; to regulate providers of money and other services to legislators; to require certain reports; to prescribe the powers and duties of certain state departments and officials; and to prescribe penalties and provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 101. This act shall be known and may be cited as the
2 "legislative regulatory act".

3 Sec. 102. As used in this act:

4 (a) "General November election" means the general November
5 election as defined in section 3 of the Michigan election law,
6 Act No. 116 of the Public Acts of 1954, being section 168.3 of
7 the Michigan Compiled Laws.

8 (b) "Honorarium" means money or anything of value that a
9 legislator receives in recognition of, or consideration for, an

1 appearance, speech, presentation, or published work by the
2 legislator that is not primarily related to a current or former
3 occupation of the legislator other than the holding of the legis-
4 lative office. Honorarium does not include any of the
5 following:

6 (i) Reimbursement for the cost of transportation, accommoda-
7 tions, or meals and beverages for the legislator or his or her
8 staff.

9 (ii) A nonmonetary token of appreciation of less than \$20.00
10 in value.

11 (c) "Legislator" means a state senator or a state
12 representative.

13 Sec. 111. A legislator shall not accept an honorarium. A
14 person who violates this section is guilty of a misdemeanor pun-
15 ishable by a fine of not more than \$1,000.00 or imprisonment for
16 not more than 90 days, or both.

17 Sec. 112. (1) Beginning in 1993, a person who pays for or
18 reimburses a legislator for the cost of transportation, accommo-
19 dations, or meals for the legislator or his or her staff in a
20 calendar year shall file a report with the secretary of state
21 having a closing date of December 31 of the calendar year in
22 which the payment or reimbursement occurred. The report shall be
23 in a form prescribed by the secretary of state, shall be filed by
24 January 31 of the next calendar year, and shall include all of
25 the following:

26 (a) The name of the person filing the report.

1 (b) The name of each legislator on whose behalf the items
2 were paid or reimbursed.

3 (c) An itemized list of the amounts paid for the transporta-
4 tion, accommodations, and meals.

5 (d) Any other information the secretary of state considers
6 necessary.

7 (2) A person who violates this section is guilty of a misde-
8 meanor punishable by a fine of not more than \$1,000.00.

9 Sec. 113. The secretary of state shall make a report filed
10 under section 112 available for public inspection and reproduc-
11 tion during regular business hours of the secretary of state.
12 The secretary of state shall make reports filed under section 112
13 available as soon as practicable after receipt, but not later
14 than the third business day following the day on which the report
15 is received. The secretary of state shall comply with the
16 requirements regarding the public availability, reproduction, and
17 retention of campaign finance reports as provided in the Michigan
18 campaign finance act, Act No. 388 of the Public Acts of 1976,
19 being sections 169.201 to 169.282 of the Michigan Compiled Laws,
20 regarding the public availability, reproduction, and retention of
21 reports received under this act.

22 Sec. 121. A legislator shall not use state funds to mail
23 200 or more pieces of substantially similar material during the
24 period beginning on the last day named in the Michigan election
25 law, Act No. 116 of the Public Acts of 1954, being sections 168.1
26 to 168.992 of the Michigan Compiled Laws, for receiving and
27 filing nominating petitions and ending on the date of the general

1 November election. A person who violates this section is guilty
2 of a misdemeanor punishable by a fine of not more than
3 \$1,000.00.