



HOUSE BILL No. 5416

March 17 1994 Introduced by Rep Fitzgerald and referred to the Committee on House Oversight and Ethics

A bill to amend the title and sections 6, 22, 24, 26, 28, 29, 41, 42, 54, and 55 of Act No 388 of the Public Acts of 1976, entitled

Michigan campaign finance act

sections 6 22, 24 26, 28, 29, 42 and 54 as amended by Act No 95 of the Public Acts of 1989 being sections 169 206, 169 222 169 224 169 226 169 228 169 229 169 241, 169 242, 169 254, and 169 255 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 The title and sections 6 22 24 26 28 29
2 41, 42 54 and 55 of Act No 388 of the Public Acts of 1976,
3 sections 6 22 24, 26 28, 29, 42, and 54 as amended by Act
4 No 95 of the Public Acts of 1989, being sections 169 206,
5 169 222, 169 224, 169 226, 169 228, 169 229, 169 241 169 242,

1 169 254 and 169 255 of the Michigan Compiled Laws, are amended
2 to read as follows

3 TITLE

4 An act to regulate political activity to regulate campaign
5 financing to restrict campaign contributions and expenditures
6 to require campaign statements and reports to regulate anonymous
7 contributions to regulate campaign advertising and literature
8 to provide for segregated funds for political purposes to pro-
9 vide for the use of public funds for political purposes to
10 create ~~a state campaign fund~~ CERTAIN FUNDS to provide for
11 reversion ~~of~~ RETENTION or refunding of ~~—~~ unexpended bal-
12 ances IN CERTAIN FUNDS to require OTHER STATEMENTS AND reports
13 TO REGULATE ACCEPTANCE OF CERTAIN GIFTS, PAYMENTS, AND REIMBURSE-
14 MENTS TO PRESCRIBE THE POWERS AND DUTIES OF CERTAIN STATE
15 DEPARTMENTS AND STATE AND LOCAL OFFICIALS AND EMPLOYEES to pro-
16 vide appropriations to prescribe penalties AND PROVIDE REMEDIES
17 and to repeal certain acts and parts of acts

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

24 (2) Expenditure includes a contribution or a transfer of
25 anything of ascertainable monetary value for purposes of influ-
26 encing the nomination or election of ~~any~~ A candidate or the
27 qualification, passage, or defeat of a ballot question

1 (3) Expenditure does not include any of the following

2 (a) An expenditure for communication by a person with the
3 person's paid members or shareholders AND THOSE INDIVIDUALS WHO
4 CAN BE SOLICITED FOR CONTRIBUTIONS TO A SEPARATE SEGREGATED FUND
5 UNDER SECTION 55

6 (b) An expenditure for communication on a subject or issue
7 if the communication does not support or oppose a ballot ~~issue~~
8 QUESTION or candidate by name or clear inference

9 (c) An expenditure for the establishment, administration or
10 solicitation of contributions to a SEPARATE SEGREGATED fund or
11 independent committee

12 (d) An expenditure by a broadcasting station, newspaper,
13 magazine or other periodical or publication for ~~any~~ A news
14 story commentary, or editorial in support of or opposition to a
15 candidate for elective office or a ballot question in the regular
16 course of publication or broadcasting

17 (e) An offer or tender of an expenditure if expressly and
18 unconditionally rejected or returned

19 (f) An expenditure for nonpartisan voter registration or
20 nonpartisan get-out-the-vote activities This exclusion does not
21 apply if a candidate or group of candidates sponsors or finances
22 the activity or is identified by name with the activity This
23 exclusion does apply to an activity performed pursuant to sec-
24 tions 491 to 524 of the Michigan election law, Act No 116 of the
25 Public Acts of 1954 as amended, being sections 168 491 to
26 168 524 of the Michigan Compiled Laws, by the secretary of state
27 and other registration officials who are identified by name with

1 the activity This exclusion does apply to a candidate who is an
 2 elected officeholder and whose office is not on the ballot for
 3 the general election in the calendar year in which the expendi-
 4 ture is made or who is not a candidate within the meaning of sec-
 5 tions 3(1)(a) and 3(1)(b) and who is identified by name with the
 6 activity

7 Sec 22 A committee treasurer or other individual desig-
 8 nated on the statement of organization as responsible for the
 9 committee s record keeping report preparation or report filing
 10 shall keep detailed accounts, records, bills, and receipts as
 11 required to substantiate the information contained in a statement
 12 or report filed pursuant to this act or rules promulgated under
 13 this act ~~The~~ FOR A CANDIDATE COMMITTEE, THE TREASURER OR
 14 OTHER INDIVIDUAL SHALL RECORD THE NAME AND ADDRESS OF A PERSON
 15 FROM WHOM A CONTRIBUTION IS RECEIVED FOR A COMMITTEE OTHER THAN
 16 A CANDIDATE COMMITTEE THE treasurer OR OTHER INDIVIDUAL shall
 17 record the name and address of a person from whom a contribution
 18 is received except for contributions of \$20 00 or less received
 19 pursuant to section 41(3) The records of a committee shall be
 20 preserved for 5 years and shall be made available for inspection
 21 as authorized by the secretary of state A treasurer or other
 22 individual designated as responsible for the committee s record
 23 keeping, report preparation, or report filing who knowingly vio-
 24 lates this section is subject to a civil fine of not more than
 25 \$1 000 00

26 Sec 24 (1) A committee shall file a statement of
 27 organization with the filing officials designated in section 36

1 to receive the committee's campaign statements. A statement of
2 organization shall be filed within 10 days after a committee is
3 formed. A filing official shall maintain a statement of organi-
4 zation filed by a committee until 5 years after the official date
5 of the committee's dissolution. A person who fails to file a
6 statement of organization required by this subsection shall pay a
7 late filing fee of \$10.00 for each business day the statement
8 remains not filed in violation of this subsection. The late
9 filing fee shall not exceed \$300.00. A person who violates this
10 subsection by failing to file for more than 30 days after a
11 statement of organization is required to be filed is guilty of a
12 misdemeanor punishable by a fine of not more than \$1,000.00.

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

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

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

22 (c) The name and address of the financial institution in
23 which the official committee depository is or is intended to be
24 located, and the name and address of each financial institution
25 in which a secondary depository is or is intended to be located.

26 (d) The full name of ~~the~~ the office BEING SOUGHT, including
27 district number or jurisdiction, ~~sought by,~~ and the county.

1 residence of each candidate ~~and a~~ SUPPORTED OR OPPOSED BY THE
2 COMMITTEE

3 (E) A brief statement identifying the substance of each
4 ballot question supported or opposed by the committee If the
5 ballot question supported or opposed by the committee is not
6 statewide, the committee shall identify the county in which the
7 greatest number of registered voters eligible to vote on the
8 ballot question reside

9 (F) ~~(e)~~ Identification of the committee as a candidate
10 committee, political party committee, independent committee,
11 political committee, or ballot question committee if it is iden-
12 tifiable as such a committee

13 (3) AN INDEPENDENT OR POLITICAL COMMITTEE SHALL INCLUDE IN
14 THE NAME OF THE COMMITTEE THE NAME OF THE PERSON OR PERSONS THAT
15 SPONSOR THE COMMITTEE, IF ANY, OR WITH WHOM THE COMMITTEE IS
16 AFFILIATED A PERSON, OTHER THAN AN INDIVIDUAL OR A COMMITTEE,
17 SPONSORS OR IS AFFILIATED WITH AN INDEPENDENT OR POLITICAL COM-
18 MITTEE IF THAT PERSON ESTABLISHES DIRECTS, CONTROLS, OR FINAN-
19 CIALY SUPPORTS THE ADMINISTRATION OF THE COMMITTEE FOR THE
20 PURPOSES OF THIS SUBSECTION, A PERSON DOES NOT FINANCIALLY SUP-
21 PORT THE ADMINISTRATION OF A COMMITTEE BY MERELY MAKING A CONTRI-
22 BUTION TO THE COMMITTEE

23 (4) ~~(3)~~ If any of the information required in a statement
24 of organization is changed, THE COMMITTEE SHALL FILE an amendment
25 ~~shall be filed~~ when the next campaign statement is required to
26 be filed

1 (5) ~~-(4)-~~ When filing a statement of organization, a
 2 committee other than an independent committee, a political
 3 committee, or a political party committee, may indicate in a
 4 written statement signed by the treasurer of the committee that
 5 the committee does not expect for each election to receive an
 6 amount in excess of \$1,000 00 or expend an amount in excess of
 7 \$1,000 00

8 (6) ~~-(5)-~~ When filing a statement of organization, an inde-
 9 pendent committee, a political committee, or a political party
 10 committee may indicate in a written statement signed by the trea-
 11 surer of the committee that the committee does not expect in a
 12 calendar year to receive or expend an amount in excess of
 13 \$1 000 00

14 (7) ~~-(6)-~~ Upon the dissolution of a committee, THE COMMITTEE
 15 SHALL FILE a statement indicating dissolution ~~shall be filed~~
 16 with the filing officials with whom the committee's statement of
 17 organization was filed Dissolution of a committee shall be
 18 accomplished ~~in accordance with~~ PURSUANT TO rules promulgated
 19 by the secretary of state under the administrative procedures act
 20 of 1969, Act No 306 of the Public Acts of 1969, being sections
 21 24 201 to 24 328 of the Michigan Compiled Laws

22 (8) ~~-(7)-~~ A candidate committee ~~which~~ THAT files a written
 23 statement pursuant to subsection ~~-(4)-~~ (5) shall not be required
 24 to file a dissolution statement pursuant to subsection ~~-(6)-~~ (7)
 25 if the committee failed to receive or expend an amount in excess
 26 of \$1,000 00 and 1 of the following applies

1 (a) The candidate was defeated in an election and has no
2 outstanding campaign debts or assets

3 (b) The candidate vacates an elective office and has no out-
4 standing campaign debts or assets

5 Sec 26 (1) A campaign statement of a committee, other
6 than a political party committee, required by this act shall con-
7 tain all of the following information

8 (a) The filing committee's name, address, and telephone
9 number and the full name residential and business addresses,
10 and telephone numbers of ~~its~~ THE committee treasurer OR OTHER
11 INDIVIDUAL DESIGNATED AS RESPONSIBLE FOR THE COMMITTEE'S RECORD
12 KEEPING REPORT PREPARATION, OR REPORT FILING

13 (b) Under the heading 'receipts', the total amount of con-
14 tributions received during the period covered by the campaign
15 statement under the heading 'expenditures', the total amount of
16 expenditures made during the period covered by the campaign
17 statement and the cumulative amount of those totals
18 Forgiveness of a loan shall not be included in the totals
19 Payment of a loan by a third party shall be recorded and reported
20 as an in-kind contribution by the third party In-kind contribu-
21 tions or expenditures shall be listed at fair market value and
22 shall be reported as both contributions and expenditures A con-
23 tribution or expenditure ~~which~~ THAT is by other than completed
24 and accepted payment, gift, or other transfer, ~~which~~ THAT is
25 clearly not legally enforceable, and ~~which~~ THAT is expressly
26 withdrawn or rejected and returned before a campaign statement
27 closing date need not be included in the campaign statement and

1 if included may, in a later or amended statement, be shown as a
 2 deduction, but THE COMMITTEE SHALL KEEP adequate records of each
 3 instance ~~shall be kept~~

4 (c) The balance of cash on hand at the beginning and the end
 5 of the period covered by the campaign statement

6 (d) ~~The~~ FOR A COMMITTEE OTHER THAN A CANDIDATE COMMITTEE,
 7 THE total amount of contributions received during the period cov-
 8 ered by the campaign statement from persons who contributed
 9 ~~\$20 01 or~~ more THAN \$20 00

10 (e) ~~The~~ FOR A COMMITTEE OTHER THAN A CANDIDATE COMMITTEE,
 11 THE total amount of contributions received during the period cov-
 12 ered by the campaign statement from persons who contributed
 13 \$20 00 or less

14 (f) ~~The~~ FOR A COMMITTEE OTHER THAN A CANDIDATE COMMITTEE,
 15 THE total amount of contributions of \$20 00 or less received
 16 during the period covered by the campaign statement and the cumu-
 17 lative amount of the contributions received by the filer pursuant
 18 to section 41(3)

19 (g) The following information regarding each fund-raising
 20 event shall be included in the report

21 (i) The type of event, date held, address and name, if any,
 22 of the place where the activity was held, and approximate number
 23 of individuals participating or in attendance

24 (ii) ~~The~~ FOR A CANDIDATE COMMITTEE, THE TOTAL AMOUNT OF
 25 ALL CONTRIBUTIONS FOR A COMMITTEE OTHER THAN A CANDIDATE COM-
 26 MITTEE, THE total amount of all contributions of ~~\$20 01 or~~ more
 27 THAN \$20 00

1 (111) ~~The~~ FOR A COMMITTEE OTHER THAN A CANDIDATE
 2 COMMITTEE, THE total amount of all contributions of \$20 00 or
 3 less

4 (12) The gross receipts of the fund-raising event

5 (13) The expenditures incident to the event

6 (h) ~~The~~ FOR A CANDIDATE COMMITTEE, THE FULL NAME OF EACH
 7 INDIVIDUAL FROM WHOM CONTRIBUTIONS ARE RECEIVED DURING THE PERIOD
 8 COVERED BY THE CAMPAIGN STATEMENT AND FOR A COMMITTEE OTHER THAN
 9 A CANDIDATE COMMITTEE, THE full name of each individual from whom
 10 contributions totaling ~~\$20 01 or~~ more THAN \$20 00 are received
 11 during the period covered by the campaign statement, together
 12 with the individual s street address, the amount contributed, the
 13 date on which each contribution was received, and the cumulative
 14 amount contributed by that individual The occupation, employer,
 15 and principal place of business shall be stated if the
 16 individual's cumulative contributions are ~~\$200 01 or~~ more THAN
 17 \$100 00

18 (14) The cumulative amount contributed and the name and
 19 address of each individual, except those individuals reported
 20 under subdivision (h), who contributed TO A CANDIDATE COMMITTEE
 21 OR WHO CONTRIBUTED a total of ~~\$20 01 or~~ more THAN \$20 00 TO A
 22 COMMITTEE OTHER THAN A CANDIDATE COMMITTEE The occupation,
 23 employer, and principal place of business, shall be stated for
 24 each individual who contributed ~~\$200 01 or~~ more THAN \$100 00

25 (j) The name and street address of each person, other than
 26 an individual, from whom contributions are received during the
 27 period covered by the campaign statement, together with an

1 itemization of the amounts contributed the date on which each
 2 contribution was received, and the cumulative amount contributed
 3 by that person

4 (k) ~~The~~ FOR A CANDIDATE COMMITTEE, THE NAME, ADDRESS, AND
 5 AMOUNT GIVEN BY AN INDIVIDUAL WHO CONTRIBUTED TO THE TOTAL AMOUNT
 6 CONTRIBUTED BY A PERSON WHO IS OTHER THAN A COMMITTEE OR AN
 7 INDIVIDUAL FOR A COMMITTEE OTHER THAN A CANDIDATE COMMITTEE,
 8 THE name, address, and amount given by an individual who contrib-
 9 uted ~~-\$20-01- or-~~ more ~~of-~~ THAN \$20 00 TO the total amount con-
 10 tributed by a person who is other than a committee or an
 11 individual The occupation, employer, and principal place of
 12 business shall be stated if the individual contributed ~~-\$200-01-~~
 13 ~~or-~~ more THAN \$100 00 of the total amount contributed by a person
 14 who is other than a committee or an individual

15 (l) The cumulative total of expenditures of \$50 00 or less
 16 made during the period covered by the campaign statement except
 17 for expenditures made to or on behalf of another committee, can-
 18 didate, or ballot question

19 (m) The full name and street address of each person to whom
 20 expenditures totaling ~~-\$50-01- or-~~ more THAN \$50 00 were made,
 21 together with the amount of each separate expenditure to each
 22 ~~such-~~ person during the period covered by the campaign state-
 23 ment the purpose of the expenditure the full name and street
 24 address of the person providing the consideration for which any
 25 expenditure was made if different from the payee the itemization
 26 regardless of amount of each expenditure made to or on behalf of
 27 another committee, candidate, or ballot question and the

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

6 (2) A candidate committee or ballot question committee shall
 7 report all cumulative amounts required by this section on a per
 8 election cycle basis Except for ~~subdivision (m)~~
 9 SUBSECTION (1)(M), an independent committee or political commit-
 10 tee shall report all cumulative amounts required by this section
 11 on a calendar year basis

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

19 (2) A COMMITTEE SHALL REPORT A loan with an outstanding bal-
 20 ance made or received ~~shall be set forth~~ in a separate schedule
 21 ATTACHED TO THE CAMPAIGN STATEMENT providing the date and amount
 22 of the loan the date and amount of each payment the amount of
 23 cumulative payments, the amount of the outstanding balance, and
 24 whether the loan payments were made by money, services, property,
 25 or other means The committee shall provide the name and address
 26 of the lender and each person who is liable directly, indirectly,
 27 or contingently on each loan ~~of \$20 01 or more~~ The COMMITTEE

1 SHALL PROVIDE THE occupation and employer if any of the lender
 2 and EACH person ~~shall be stated~~ if the loan is ~~\$200 01 or~~ FOR
 3 more THAN \$200 00 If a loan is paid off within a reporting
 4 period, this activity need not be reported on a separate schedule
 5 TO THE CAMPAIGN STATEMENT However, if a loan is forgiven, ~~it~~
 6 THE COMMITTEE shall ~~be detailed~~ DETAIL THAT FACT on a separate
 7 schedule TO THE CAMPAIGN STATEMENT

8 (3) Accompanying a campaign statement FROM A CANDIDATE COM-
 9 MITTEE REPORTING THE RECEIPT OF A CONTRIBUTION, OR FROM A COMMIT-
 10 TEE OTHER THAN A CANDIDATE COMMITTEE reporting the receipt of a
 11 contribution of ~~\$20 01 or~~ more THAN \$20 00, from a person whose
 12 treasurer does not reside in, whose principal office is not
 13 located in or whose funds are not kept in this state, shall be a
 14 statement certified as true and correct by an officer of the con-
 15 tributing person setting forth the full name, address, along with
 16 the amount contributed, of each person who contributed ~~\$20 01~~
 17 ~~or~~ TO THE TOTAL AMOUNT OF THE CONTRIBUTION TO A CANDIDATE COM-
 18 MITTEE OR WHO CONTRIBUTED more THAN \$20 00 of the contribution TO
 19 A COMMITTEE OTHER THAN A CANDIDATE COMMITTEE The occupation,
 20 employer, and principal place of business shall be stated for
 21 each person who contributed ~~\$200 01 or~~ more THAN \$100 00 This
 22 subsection does not apply if the contributing person is regis-
 23 tered as a committee under section 24

24 Sec 29 (1) A campaign statement filed by a political
 25 party committee shall contain all of the following information

26 (a) The full name of each person from whom contributions
 27 totaling ~~\$20 01 or~~ more THAN \$20 00 in value are received in a

1 calendar year the amount and the date or dates contributed
 2 and, if the person is a committee the name and address of the
 3 committee and the full name of the committee treasurer, together
 4 with the amount of the contribution and the date received The
 5 occupation, employer, and principal place of business, if any,
 6 shall be listed for each person from whom contributions totaling
 7 ~~\$200 01 or~~ more THAN \$100 00 are received in a calendar year

8 (b) Accompanying a campaign statement reporting the receipt
 9 of a contribution of ~~\$20 01 or~~ more THAN \$20 00 from a commit-
 10 tee or person whose treasurer does not reside in, whose principal
 11 office is not located in, or whose funds are not kept in this
 12 state, and whose committee has not filed a statement of organiza-
 13 tion as required in section 24, shall be a statement setting
 14 forth the full name and address of the treasurer of the
 15 committee

16 (c) An itemized list of all expenditures, including in-kind
 17 contributions and expenditures and loans, made during the period
 18 covered by the campaign statement that were contributions to a
 19 candidate committee of a candidate for elective office or a
 20 ballot question committee or independent expenditures in support
 21 of the qualification, passage, or defeat of a ballot question or
 22 in support of the nomination or election of a candidate for elec-
 23 tive office or the defeat of any of the candidate's opponents

24 (d) The total expenditure by the committee for each candi-
 25 date for elective office or ballot question in whose behalf an
 26 independent expenditure was made or a contribution was given for
 27 the election cycle

1 (e) The filer s name, address and telephone number, if
 2 available if any, and the full name address and telephone
 3 number if available, of the committee treasurer

4 (2) ~~An~~ THE COMMITTEE SHALL IDENTIFY AN expenditure listed
 5 under subsection (1)(c) ~~shall be identified~~ as an independent
 6 expenditure or as a contribution to a candidate committee or a
 7 ballot question committee

8 (3) ~~A~~ THE COMMITTEE SHALL DESIGNATE FOR A contribution to
 9 or on behalf of a candidate committee or ballot question commit-
 10 tee listed under subsection (1)(c) ~~shall note~~ the name and
 11 address of the committee, the name of the candidate and the
 12 office sought, if any, the amount contributed, and the date of
 13 contribution

14 (4) ~~An~~ THE COMMITTEE SHALL DESIGNATE FOR AN independent
 15 expenditure listed under subsection (1)(c) ~~shall note~~ either
 16 the name of the candidate for whose benefit the expenditure was
 17 made and the office sought by the candidate, or a brief descrip-
 18 tion of the ballot question for which the expenditure was made
 19 the amount, date, and purpose of the expenditure and the full
 20 name and address of the person to whom the expenditure was made

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

25 Sec 41 (1) A person shall not make or accept ~~any~~ A
 26 single contribution of ~~\$20 01 or~~ more THAN \$20 00 in cash ~~nor~~
 27 OR make or accept ~~any~~ A single expenditure of ~~\$50 01 or~~ more

1 THAN \$50 00 in cash Contributions of ~~\$20 00 or~~ more THAN
 2 \$20 00 and expenditures of ~~\$50 00 or~~ more THAN \$50 00, other
 3 than an in-kind contribution or expenditure, shall be made by
 4 written instrument containing the names of the payor and the
 5 payee ~~A person who knowingly violates this section is guilty~~
 6 ~~of a misdemeanor and shall be punished by a fine of not more than~~
 7 ~~\$1,000 00, or imprisoned for not more than 90 days, or both, and~~
 8 ~~if the person is other than an individual the person shall be~~
 9 ~~finned not more than \$10 000 00~~

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

17 (3) A contribution received as the result of a fund-raising
 18 event or casual services BY A COMMITTEE OTHER THAN A CANDIDATE
 19 COMMITTEE or from the sale of political merchandise that is
 20 \$20 00 or less in the aggregate from a person in any calendar
 21 year ~~shall~~ IS not ~~be~~ considered an anonymous contribution A
 22 contribution received from membership fees, dues, or subscrip-
 23 tions for political purposes to an independent committee or a
 24 political party committee that is \$20 00 or less in the aggregate
 25 from a person in any calendar year ~~shall~~ IS not ~~be~~ considered
 26 an anonymous contribution

1 (4) A person making a contribution pursuant to subsection
 2 (3) ~~which~~ THAT is ~~\$20 00 or~~ more THAN \$20 00 in any calendar
 3 year when added to all other contributions made to that committee
 4 by that person shall furnish the recipient with the donor's name
 5 address, and the total amount contributed

6 ~~(5) A person who knowingly violates subsection (2), (3), or~~
 7 ~~(4) is guilty of a misdemeanor and shall be punished by a fine of~~
 8 ~~not more than \$1,000 00, or imprisoned for not more than 90 days,~~
 9 ~~or both~~

10 (5) ~~(6)~~ A contribution shall not be made, directly or
 11 indirectly, by any person in a name other than the name by which
 12 that person is identified for legal purposes

13 (6) A person who KNOWINGLY violates this ~~subsection~~
 14 SECTION is guilty of a misdemeanor ~~and shall be punished~~
 15 PUNISHABLE, IF THE PERSON IS AN INDIVIDUAL, by a fine of not more
 16 than \$1,000 00 ~~or imprisoned~~ IMPRISONMENT for not more than
 17 90 days, or both, ~~and~~ OR, if the person is other than an
 18 individual, ~~the person shall be fined~~ BY A FINE OF not more
 19 than \$10,000 00

20 Sec 42 (1) A person who accepts a contribution, other
 21 than by written instrument, on behalf of another and acts as the
 22 intermediary or agent of the person from whom the contribution
 23 was accepted shall disclose to the recipient of the contribution
 24 the intermediary's own name and address and the name and address
 25 of the actual source of the contribution ~~A person who know~~
 26 ~~ingly violates this subsection is guilty of a misdemeanor~~

~~1 punishable by a fine of not more than \$1,000.00 or imprisonment~~
~~2 for not more than 90 days, or both~~

3 (2) ~~A~~ FOR A CANDIDATE COMMITTEE, A CONTRIBUTION, OR FOR A
 4 COMMITTEE OTHER THAN A CANDIDATE COMMITTEE, A contribution of
 5 ~~\$20.01 or~~ more THAN \$20.00, from a person whose treasurer does
 6 not reside in, whose principal office is not located in, or whose
 7 funds are not kept in this state, shall not be accepted by a
 8 person for purposes of supporting or opposing candidates for
 9 elective office or the qualification, passage, or defeat of a
 10 ballot question unless accompanied by a statement certified as
 11 true and correct by an officer of the contributing person setting
 12 forth the full name and address along with the amount contribut-
 13 ed, of each person WHO CONTRIBUTED TO THE TOTAL AMOUNT OF THE
 14 CONTRIBUTION TO A CANDIDATE COMMITTEE, OR who contributed ~~\$20.01~~
 15 ~~or~~ more THAN \$20.00 of the contribution TO A COMMITTEE OTHER
 16 THAN A CANDIDATE COMMITTEE. The occupation, employer, and princi-
 17 pal place of business shall be listed for each person who con-
 18 tributed ~~\$200.01 or~~ more THAN \$100.00 TO THE TOTAL AMOUNT of
 19 the contribution. The certified statement shall also state that
 20 the contribution was not made from an account containing funds
 21 prohibited by section 54. ~~A person who knowingly violates this~~
 22 ~~subsection is guilty of a misdemeanor punishable, if the person~~
 23 ~~is an individual, by a fine of not more than \$1,000.00, or~~
 24 ~~imprisonment for not more than 90 days, or both, or, if the~~
 25 ~~person is not an individual, by a fine of not more than~~
 26 ~~\$10,000.00~~. This subsection does not apply if the contributing
 27 person is registered as a committee under section 24.

1 (3) A person shall not receive a contribution from a person
 2 other than a committee unless for purposes of the recipient
 3 person s record keeping and reporting requirements, the contribu-
 4 tion is accompanied by the name and address of each person WHO
 5 CONTRIBUTED TO THE TOTAL AMOUNT OF THE CONTRIBUTION TO A CANDI-
 6 DATE COMMITTEE OR who contributed ~~-\$20 00 or~~ more THAN \$20 00 to
 7 the contribution TO A COMMITTEE OTHER THAN A CANDIDATE COMMITTEE,
 8 and the name, address, occupation, employer, and principal place
 9 of business of each person who contributed ~~-\$200 00 or~~ more THAN
 10 \$100 00 to the TOTAL AMOUNT OF THE contribution

11 (4) A person who knowingly violates this ~~subsection~~
 12 SECTION is guilty of a misdemeanor punishable, if the person is
 13 an individual by a fine of not more than \$1,000 00, or imprison-
 14 ment for not more than 90 days, or both, or, if the person is
 15 other than an individual by a fine of not more than \$10 000 00

16 Sec 54 (1) Except with respect to the exceptions and con-
 17 ditions in ~~subsection (2)~~ SUBSECTIONS (2) AND (3) and section
 18 55, and to loans made in the ordinary course of business, a cor-
 19 poration ~~may~~ SHALL not make a contribution or expenditure or
 20 provide volunteer personal services ~~which services~~ THAT are
 21 excluded from the definition of a contribution pursuant to sec-
 22 tion 4(3)(a)

23 (2) An officer, director, stockholder, attorney, agent, or
 24 any other person acting for a corporation or joint stock company,
 25 whether incorporated under the laws of this or any other state or
 26 foreign country, except corporations formed for political
 27 purposes, shall not make a contribution or expenditure or provide

1 volunteer personal services ~~which services~~ THAT are excluded
2 from the definition of a contribution pursuant to section
3 4(3)(a)

4 (3) ~~Nothing in this section shall preclude a~~ A CORPORATION
5 OR JOINT STOCK COMPANY MAY MAKE A CONTRIBUTION TO A BALLOT QUES-
6 TION COMMITTEE SUBJECT TO THE CONTRIBUTION LIMITS OF THIS ACT A
7 corporation or joint stock company ~~from making~~ MAY MAKE an
8 independent expenditure in any amount for the qualification, pas-
9 sage or defeat of a ballot question A corporation ~~making~~ OR
10 JOINT STOCK COMPANY THAT MAKES an independent expenditure under
11 this subsection ~~shall be~~ IS considered a ballot question com-
12 mittee for the purposes of this act

13 (4) A person who knowingly violates this section is guilty
14 of a felony punishable, if the person is an individual, by a fine
15 of not more than \$5,000 00 or imprisonment for not more than
16 3 years, or both, or, if the person is not an individual, by a
17 fine of not more than \$10,000 00

18 Sec 55 (1) A corporation or joint stock company formed
19 under the laws of this or another state or foreign country may
20 make an expenditure for the establishment and administration and
21 solicitation of contributions to a separate segregated fund to be
22 used for political purposes A SEPARATE SEGREGATED fund estab-
23 lished under this section shall be limited to making contribu-
24 tions to, and expenditures on behalf of, candidate committees,
25 ballot question committees, political party committees, POLITICAL
26 COMMITTEES, and independent committees

1 (2) Contributions for a SEPARATE SEGREGATED fund established
2 by a corporation or joint stock company under this section may be
3 solicited from any of the following persons or their spouses

4 (a) Stockholders of the corporation

5 (b) Officers and directors of the corporation

6 (c) Employees of the corporation who have policy making,
7 managerial, professional, supervisory, or administrative noncler-
8 ical responsibilities

9 (3) Contributions for a SEPARATE SEGREGATED fund established
10 under this section by a corporation ~~which~~ THAT is nonprofit may
11 be solicited from any of the following persons or their spouses

12 (a) Members of the corporation who are individuals

13 (b) Stockholders of members of the corporation

14 (c) Officers or directors of members of the corporation

15 (d) Employees of the members of the corporation who have
16 policy making, managerial, professional, supervisory, or adminis-
17 trative nonclerical responsibilities

18 (4) Contributions shall not be obtained for a SEPARATE
19 SEGREGATED fund established under this section by use of coer-
20 cion physical force or as a condition of employment or member-
21 ship or by using or threatening to use job discrimination or
22 financial reprisals

23 (5) A person who knowingly violates this section is guilty
24 of a felony ~~and shall be punished~~ PUNISHABLE, IF THE PERSON IS
25 AN INDIVIDUAL, by a fine of not more than \$5,000 00 or
26 ~~imprisoned~~ IMPRISONMENT for not more than 3 years, or both,

1 ~~and~~ OR if the person is ~~other than~~ NOT an individual ~~the~~
2 ~~person shall be fined~~ BY A FINE OF not more than \$10 000 00