



HOUSE BILL No. 5532

May 5 1994 Introduced by Reps Dolan Dobronski Brackenridge Ciaramitaro
Byrum DeLange Wallace Leland Barns Freeman Pitoniak Gire Martinez Yokich Willard
Voorhees Weeks Hammerstrom Berman Wetters McBryde Kilpatrick Gubow Gagliardi
Parks Points Price DeMars Scott Hood Baade and Emerson and referred to the Committee
on Local Government

A bill to amend section 6 of Act No 388 of the Public Acts
of 1976, entitled

"Michigan campaign finance act,"

as amended by Act No 95 of the Public Acts of 1989, being sec-
tion 169 206 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 6 of Act No 388 of the Public Acts of
2 1976, as amended by Act No 95 of the Public Acts of 1989, being
3 section 169 206 of the Michigan Compiled Laws, is amended to read
4 as follows

5 Sec 6 (1) "Expenditure" means a payment, donation, loan,
6 or promise of payment of money or anything of ascertainable mone-
7 tary value for goods, materials, services, or facilities in
8 assistance of, or in opposition to, the nomination or election of

1 a candidate, or the qualification passage, or defeat of a ballot
2 question

3 (2) Expenditure includes a contribution or a transfer of
4 anything of ascertainable monetary value for purposes of influ-
5 encing the nomination or election of any candidate or the quali-
6 fication, passage, or defeat of a ballot question

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

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

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

13 (c) An expenditure for the establishment, administration, or
14 solicitation of contributions to a fund or independent
15 committee

16 (d) An expenditure by a broadcasting station, newspaper,
17 magazine, or other periodical or publication for any news story,
18 commentary, or editorial in support of or opposition to a candi-
19 date for elective office or a ballot question in the regular
20 course of publication or broadcasting

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

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

1 ~~sections 491 to 524~~ CHAPTER XXIII of the Michigan election law,
 2 Act No 116 of the Public Acts of 1954, as amended, being sec-
 3 tions 168 491 to ~~168 524~~ 168 530 of the Michigan Compiled Laws,
 4 by the secretary of state and other registration officials who
 5 are identified by name with the activity This exclusion does
 6 apply to a candidate who is an elected officeholder and whose
 7 office is not on the ballot for the general election in the cal-
 8 endar year in which the expenditure is made or who is not a can-
 9 didate within the meaning of sections 3(1)(a) and 3(1)(b) and who
 10 is identified by name with the activity

11 Section 2 This amendatory act shall take effect January 1,
 12 1995

13 Section 3 This amendatory act shall not take effect unless
 14 Senate Bill No _____ or House Bill No 5531 (request
 15 no 05351'93 *) of the 87th Legislature is enacted into law