



SENATE BILL No. 1088

April 12, 1994, Introduced by Senator ARTHURHULTZ and
referred to the Committee on Government Operations

A bill to amend Act No 388 of the Public Acts of 1976,
entitled
"Michigan campaign finance act,"
as amended, being sections 169 201 to 169 282 of the Michigan
Compiled Laws, by adding section 48

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Act No 388 of the Public Acts of 1976 as
2 amended, being sections 169 201 to 169 282 of the Michigan
3 Compiled Laws, is amended by adding section 48 to read as
4 follows

5 SEC 48 (1) A PERSON WHO IS NAMED AS THE PERSON PAYING FOR
6 A RADIO, TELEVISION, CABLE TELEVISION, OR PRINT ADVERTISEMENT
7 UNDER SECTION 47(1) OR (2) SHALL PAY FOR THE ADVERTISEMENT BY A
8 CHECK OR OTHER NEGOTIABLE INSTRUMENT, UPON WHICH THAT PERSON'S
9 NAME HAS BEEN PRINTED THE INDIVIDUAL PAYING FOR AN

1 ADVERTISEMENT DESCRIBED IN THIS SUBSECTION, OR THE PERSON
2 DESCRIBED IN THIS SUBSECTION IF A COMMITTEE IS PAYING FOR THE
3 ADVERTISEMENT, SHALL PREPARE AN AFFIDAVIT RELATING TO EACH ADVER-
4 TISEMENT AND FILE THE AFFIDAVIT WITH THE BUSINESS OFFICE OF THE
5 RADIO STATION, TELEVISION STATION, CABLE SYSTEM, OR PUBLISHER
6 UPON DELIVERY OF THE ADVERTISEMENT OR ADVERTISEMENT COPY THE
7 AFFIDAVIT SHALL CONTAIN A STATEMENT THAT THE INDIVIDUAL OR INDI-
8 VIDUALS SIGNING THE AFFIDAVIT HAVE REVIEWED THE ADVERTISEMENT AND
9 THAT THE ADVERTISEMENT REFLECTS THE PERSONAL BELIEFS OF THE INDI-
10 VIDUAL OR INDIVIDUALS SIGNING THE AFFIDAVIT IF A COMMITTEE IS
11 PAYING FOR THE ADVERTISEMENT, THE FOLLOWING INDIVIDUAL OR INDI-
12 VIDUALS SHALL SIGN THE AFFIDAVIT REQUIRED UNDER THIS SUBSECTION,
13 AS APPLICABLE

14 (A) FOR A CANDIDATE COMMITTEE, THE CANDIDATE

15 (B) FOR A POLITICAL COMMITTEE OR INDEPENDENT COMMITTEE, THE
16 TREASURER OF THE COMMITTEE

17 (C) FOR A POLITICAL PARTY COMMITTEE THE CHAIRPERSON AND
18 TREASURER OF THE COMMITTEE

19 (D) FOR A BALLOT QUESTION COMMITTEE THE CHAIRPERSON AND
20 TREASURER OF THE COMMITTEE

21 (2) A PERSON ORDERING A CHANGE IN A PREVIOUSLY SUBMITTED
22 RADIO, TELEVISION, CABLE TELEVISION, OR PRINT ADVERTISEMENT SHALL
23 CERTIFY IN WRITING TO THE RADIO STATION, TELEVISION STATION,
24 CABLE SYSTEM, OR PUBLISHER THAT HE OR SHE IS THE PERSON, OR THE
25 REPRESENTATIVE OF THE PERSON, WHO PAID FOR THE ADVERTISEMENT WHEN
26 IT WAS ORIGINALLY SUBMITTED

1 (3) A PERSON WHO VIOLATES SUBSECTION (1) OR (2) IS GUILTY OF
2 A MISDEMEANOR, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90
3 DAYS, OR BY A FINE OF NOT MORE THAN \$1,000 00, OR BOTH

4 (4) A MEDIA CONSULTANT THAT PRODUCES AN ADVERTISEMENT FOR A
5 COMMITTEE THAT IS FALSE IS SUBJECT TO A CIVIL FINE OF NOT MORE
6 THAN \$1,000 00 A MEDIA CONSULTANT THAT CAUSES THE BROADCAST OR
7 PUBLICATION OF AN ADVERTISEMENT FOR A COMMITTEE THAT IS FALSE IS
8 SUBJECT TO A CIVIL FINE OF NOT MORE THAN \$1,000 00 FOR EACH
9 BROADCAST OR PUBLICATION OF THAT ADVERTISEMENT

10 (5) A PERSON WHO KNOWINGLY OR WITH RECKLESS DISREGARD FOR
11 THE TRUTH MAKES A MATERIAL FALSE STATEMENT ABOUT ANOTHER INDIVID-
12 UAL IN A RADIO, TELEVISION, OR PRINT ADVERTISEMENT UNDER
13 SECTION 47(1) OR (2) IS LIABLE FOR DAMAGES INCURRED AS A RESULT
14 OF THE FALSE STATEMENT A PERSON WHO INITIATES A CIVIL ACTION
15 UNDER THIS SUBSECTION AND PREVAILS SHALL BE AWARDED REASONABLE
16 COSTS AND ATTORNEY FEES