



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 5765 (Substitute H-1 as passed by the House)

Sponsor: Representative Frank M. Fitzgerald

House Committee: House Oversight and Ethics

Senate Committee: Government Operations

Date Completed: 5-9-96

CONTENT

The bill would amend the Michigan Campaign Finance Act to specify that an individual other than a candidate, if acting independently and not as an agent for a candidate or any committee, would not be subject to the Act's requirements regarding identification on printed material. Under the Act, a billboard, placard, poster, pamphlet, or other printed matter having reference to an election, a candidate, or a ballot question must contain the name and address of the person who paid for it.

Currently, if printed matter relating to a candidate is an independent expenditure that was not authorized in writing by the candidate's committee, the printed matter must state: "Not authorized by the candidate committee of [the candidate]". The bill would require that the statement say: "Not authorized by any candidate committee."

Currently, if a person knowingly violates the Act's provisions regarding identification on written material, or radio or television paid advertisement, he or she is guilty of a misdemeanor punishable by a fine and imprisonment for up to 90 days. The bill would provide for up to 93 days' imprisonment.

The bill contains the following statement: "If any portion of this amendatory act or the application of this amendatory act to any person or circumstance is found to be invalid by a court, the invalidity does not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if those remaining portions are not determined by the court to be inoperable. To this end, this amendatory act is declared to be severable."

MCL 169.247

Legislative Analyst: G. Towne

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: B. Bowerman

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