



# HOUSE BILL No. 5201

October 5, 1995, Introduced by Reps. Bush, Perricone, Ryan, Pitoniak, LaForge, DeMars, Schroer, Hammerstrom, Bullard, McBryde, Lowe, Dalman, Jellema, Cherry, Byl, Hill, Profit, Brewer and Voorhees and referred to the Committee on House Oversight and Ethics.

A bill to amend section 47 of Act No. 388 of the Public Acts of 1976, entitled as amended

"Michigan campaign finance act,"

being section 169.247 of the Michigan Compiled Laws.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Section 47 of Act No. 388 of the Public Acts of  
2 1976, being section 169.247 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 47. (1) A billboard, placard, poster, pamphlet, or  
5 other printed matter ~~having reference~~ THAT RELATES to an elec-  
6 tion, a candidate, or A ballot question, shall bear upon it the  
7 name and address of the person paying for the matter AND SHALL  
8 COMPLY WITH SUBSECTION (3). IF THE BILLBOARD, PLACARD, POSTER,  
9 PAMPHLET, OR OTHER PRINTED MATTER RELATING TO A CANDIDATE IS AN  
10 INDEPENDENT EXPENDITURE THAT WAS NOT AUTHORIZED IN WRITING BY THE

1 CANDIDATE COMMITTEE OF THAT CANDIDATE, THE PRINTED MATTER SHALL  
2 CONTAIN THE FOLLOWING DISCLAIMER: "NOT AUTHORIZED BY THE CANDI-  
3 DATE COMMITTEE OF .....".  
4 (CANDIDATE'S NAME)

5 (2) A radio or television paid advertisement ~~having~~  
6 ~~reference~~ THAT RELATES to an election, a candidate, or A ballot  
7 question shall identify the sponsoring person as required by the  
8 federal communications commission, shall bear the name of the  
9 person paying for the advertisement, and shall ~~be in compliance~~  
10 ~~with~~ COMPLY WITH SUBSECTION (3). THE RADIO OR TELEVISION PAID  
11 ADVERTISEMENT SHALL CONTAIN 1 OF the following DISCLAIMERS:

12 (a) If the radio or television paid advertisement relates to  
13 a candidate and is an independent expenditure: ~~the advertise-~~  
14 ~~ment shall contain the following disclaimer:~~ "Not authorized by  
15 any candidate".

16 (b) If the radio or television paid advertisement relates to  
17 a candidate and is not an independent expenditure but is paid for  
18 by a person other than the candidate to which it is related: ~~the~~  
19 ~~advertisement shall contain the following disclaimer:~~  
20 "Authorized by .....".  
21 (name of candidate or name of candidate committee)

22 ~~(3) If the printed matter relating to a candidate is an~~  
23 ~~independent expenditure which was not authorized in writing by~~  
24 ~~the candidate committee of that candidate, the printed matter~~  
25 ~~shall contain the following disclaimer: "Not authorized by the~~  
26 ~~candidate committee of .....".~~  
27 ~~(candidate's name)~~

28 (3) IF THE PERSON PAYING FOR THE MATTER UNDER SUBSECTION (1)  
29 OR THE SPONSORING PERSON UNDER SUBSECTION (2) IS NOT AN

1 INDIVIDUAL, THE MATTER OR ADVERTISEMENT SHALL BEAR THE NAME AND  
2 ADDRESS OF AN INDIVIDUAL WHO IS RESPONSIBLE FOR THE CONTENT OF  
3 THE MATTER OR ADVERTISEMENT.

4 (4) The SECRETARY OF STATE SHALL PROMULGATE RULES THAT  
5 DETERMINE THE size and placement of the disclaimer ~~shall be~~  
6 ~~determined by rules promulgated by the secretary of state~~  
7 REQUIRED UNDER THIS SECTION. The rules may exempt printed matter  
8 and certain other items such as campaign buttons or balloons, the  
9 size of which makes it unreasonable to add an identification or  
10 disclaimer, from the identification or disclaimer required by  
11 this section.

12 (5) ~~(4)~~ A person who knowingly violates this section is  
13 guilty of a misdemeanor ~~and shall be punished~~ PUNISHABLE, IF  
14 THE PERSON IS AN INDIVIDUAL, by a fine of not more than \$1,000.00  
15 ~~or imprisoned~~ IMPRISONMENT for not more than 90 days, or  
16 both, OR IF THE PERSON IS NOT AN INDIVIDUAL, BY A FINE OF NOT  
17 MORE THAN \$10,000.00.