



HOUSE BILL No. 5684

March 14, 1996, Introduced by Reps. Martinez, Harder, Cherry, Gagliardi, Baird, Willard, Brater, DeHart, Tesanovich, Kaza, Anthony, Schroer and Gire and referred to the Committee on House Oversight and Ethics.

A bill to amend section 45 of Act No. 388 of the Public Acts of 1976, entitled as amended

"Michigan campaign finance act,"

being section 169.245 of the Michigan Compiled Laws; and to add section 26a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Section 1. Section 45 of Act No. 388 of the Public Acts of 1976, being section 169.245 of the Michigan Compiled Laws, is amended and section 26a is added to read as follows:

SEC. 26A. (1) TO THE EXTENT THAT A CHARITABLE ORGANIZATION IS OWNED OR CONTROLLED IN WHOLE OR IN PART BY A PERSON WHO IS REQUIRED TO FILE A CAMPAIGN STATEMENT OR BE IDENTIFIED AS A CAMPAIGN CONTRIBUTOR UNDER THIS ACT, THE CHARITABLE ORGANIZATION IS SUBJECT TO THIS SECTION. A CHARITABLE ORGANIZATION THAT RECEIVES CONTRIBUTIONS OR MAKES EXPENDITURES FOR LEGISLATIVE OR POLITICAL

1 PURPOSES THAT EXCEED \$1,000.00 IN A CALENDAR YEAR SHALL FILE A
2 CAMPAIGN STATEMENT IN THE SAME MANNER AND IN THE SAME FORM AS IS
3 REQUIRED FOR INDEPENDENT COMMITTEES UNDER THIS ACT.

4 (2) A CHARITABLE ORGANIZATION DESCRIBED IN SUBSECTION (1) IS
5 SUBJECT TO THE CONTRIBUTION LIMITS PRESCRIBED IN THIS ACT FOR
6 INDEPENDENT COMMITTEES. A CHARITABLE ORGANIZATION DESCRIBED IN
7 SUBSECTION (1) SHALL REPORT ALL INDEPENDENT EXPENDITURES MADE BY
8 THE CHARITABLE ORGANIZATION IN THE SAME MANNER AND IN THE SAME
9 FORM AS IS REQUIRED FOR INDEPENDENT COMMITTEES UNDER THIS ACT.

10 (3) A CHARITABLE ORGANIZATION DESCRIBED IN SUBSECTION (1) IS
11 SUBJECT TO THE SAME PENALTIES FOR FAILURE TO COMPLY WITH THIS
12 SECTION AS ARE PRESCRIBED FOR AN INDEPENDENT COMMITTEE UNDER THIS
13 ACT.

14 Sec. 45. (1) A person may transfer any unexpended funds
15 from 1 candidate committee to another candidate committee of that
16 person if the contribution limits prescribed in section 52 OR 69
17 for the candidate committee receiving the funds are equal to or
18 greater than the contribution limits for the candidate committee
19 transferring the funds and if the candidate committees are simul-
20 taneously held by the same person. The funds being transferred
21 shall not be considered a qualifying contribution regardless of
22 the amount of the individual contribution being transferred.

23 (2) ~~Unexpended~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUB-
24 SECTION, UNEXPENDED funds in a ~~campaign~~ CANDIDATE committee
25 that are not eligible for transfer to another candidate committee
26 of the person, pursuant to subsection (1), shall be given to a
27 political party committee ~~—~~ or ~~to a tax exempt~~ charitable

1 ~~institution,~~ ORGANIZATION or returned to the contributors of
2 the funds upon termination of the ~~campaign~~ CANDIDATE
3 committee. UNEXPENDED FUNDS IN A CANDIDATE COMMITTEE SHALL NOT
4 BE GIVEN TO A CHARITABLE ORGANIZATION IF THAT ORGANIZATION IS
5 OWNED OR CONTROLLED IN WHOLE OR IN PART BY A PERSON WHO IS
6 REQUIRED TO FILE A CAMPAIGN STATEMENT OR BE IDENTIFIED AS A CAM-
7 PAIGN CONTRIBUTOR UNDER THIS ACT.