

# HOUSE BILL No. 6218

November 5, 1998, Introduced by Reps. Llewellyn and Scranton and referred to the Committee on House Oversight and Ethics.

A bill to amend 1978 PA 472, entitled

"An act to regulate political activity; to regulate lobbyists, lobbyist agents, and lobbying activities; to require registration of lobbyists and lobbyist agents; to require the filing of reports; to prescribe the powers and duties of the department of state; to prescribe penalties; and to repeal certain acts and parts of acts,"

by amending sections 4 and 7 (MCL 4.414 and 4.417).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 4. (1) "Gift" means a payment, advance, forbearance,  
2 or the rendering or deposit of money, services, or anything of  
3 value, the value of which exceeds \$25.00 in any 1-month period,  
4 unless consideration of equal or greater value is received  
5 therefor. Gift does not include:

6       (a) A campaign contribution otherwise reported as required  
7 by ~~Act No. 388 of the Public Acts of 1976, as amended, being~~  
8 ~~sections 169.201 to 169.282 of the Michigan Compiled Laws~~ THE

1 MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL 169.201 TO  
2 169.282.

3 (b) A loan made in the normal course of business by an  
4 institution as defined in section 5 of ~~Act No. 319 of the Public~~  
5 ~~Acts of 1969, as amended, being section 487.305 of the Michigan~~  
6 ~~Compiled Laws~~ THE BANKING CODE OF 1969, 1969 PA 319, MCL  
7 487.305, a national bank, a branch bank, an insurance company  
8 issuing a loan or receiving a mortgage in the normal course of  
9 business, a premium finance company, a mortgage company, a small  
10 loan company, a state or federal credit union, a savings and loan  
11 association chartered by this state or the federal government, or  
12 a licensee as defined by ~~Act No. 27 of the Public Acts of the~~  
13 ~~Extra Session of 1950, as amended, being sections 492.101 to~~  
14 ~~492.141 of the Michigan Compiled Laws~~ THE MOTOR VEHICLE SALES  
15 FINANCE ACT, 1950 (EX SESS) PA 27, MCL 492.101 TO 492.141.

16 (c) A gift received from a member of the person's immediate  
17 family, a relative of a spouse, a relative within the seventh  
18 degree of consanguinity as computed by the civil law method, or  
19 from the spouse of the relative.

20 (d) A breakfast, luncheon, dinner, or other refreshment con-  
21 sisting of food and beverage provided for immediate consumption.

22 (e) A donation to an officeholder expense fund otherwise  
23 reported as required by ~~Act No. 388 of the Public Acts of 1976,~~  
24 ~~as amended, being sections 169.201 to 169.282 of the Michigan~~  
25 ~~Compiled Laws~~ THE MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388,  
26 MCL 169.201 TO 169.282.

1 (2) "Immediate family" means a child ~~residing in an~~  
2 ~~individual's household~~ OR PARENT, a spouse of an individual, or  
3 an individual claimed by that individual or that individual's  
4 spouse as a dependent for federal income tax purposes.

5 (3) "Loan" means a transfer of money, property, or anything  
6 of ascertainable value in exchange for an obligation, conditional  
7 or not, to repay in whole or in part.

8 Sec. 7. (1) Not later than 15 days after becoming a lobby-  
9 ist, a lobbyist shall file a registration form with the secretary  
10 of state. The registration shall contain the following  
11 information:

12 (a) The name and office address of the lobbyist.

13 (B) THE NAME OF ANY MEMBER OF THE MICHIGAN SENATE OR HOUSE  
14 OF REPRESENTATIVES WHO IS A MEMBER OF THE LOBBYIST'S IMMEDIATE  
15 FAMILY.

16 (C) ~~(b)~~ The name and address of each person employed,  
17 reimbursed for expenses which exceed \$10.00, or compensated by  
18 the lobbyist for lobbying in this state.

19 ~~(c) The name, address and nature of business of a person~~  
20 ~~who gives compensation to or reimburses the lobbyist or the rep=~~  
21 ~~resentative of a lobbyist for lobbying.~~

22 (d) The fiscal year of the lobbyist.

23 (2) Not later than 3 days after becoming a lobbyist agent, a  
24 lobbyist agent shall file a registration form with the secretary  
25 of state. The registration form shall contain the following  
26 information:

1 (a) The name and office address of the lobbyist agent, if  
2 the lobbyist agent is not an individual.

3 (b) The name, permanent residence address, and office  
4 address of the lobbyist agent, if the lobbyist agent is an  
5 individual.

6 (C) THE NAME OF ANY MEMBER OF THE MICHIGAN SENATE OR HOUSE  
7 OF REPRESENTATIVES WHO IS A MEMBER OF THE LOBBYIST AGENT'S IMME-  
8 DIATE FAMILY.

9 (D) ~~(c)~~ The name and address of each person employed,  
10 reimbursed for expenses which exceed \$10.00, or compensated by  
11 the lobbyist agent for lobbying in this state.

12 ~~(d) The name, address, and nature of business of a person  
13 who gives compensation to or reimburses the lobbyist agent or the  
14 representative of a lobbyist agent for lobbying.~~

15 (3) A person who fails to register under subsection (1) or  
16 (2), shall pay a late registration fee of \$10.00 for each day the  
17 person remains not registered in violation of subsection (1) or  
18 (2), not to exceed \$300.00. A person who is in violation by  
19 failing to register as required by this section more than 30 days  
20 is guilty of a misdemeanor, and shall be fined not more than  
21 \$1,000.00.

22 (4) A lobbyist shall file a notice of termination with the  
23 secretary of state within 30 days after ceasing lobbying, but  
24 this will not relieve the lobbyist of the reporting requirements  
25 of this section for that reporting period. A lobbyist agent  
26 shall file a notice of termination with the secretary of state  
27 within 30 days after ceasing to lobby for a lobbyist.