

SENATE BILL NO. 1177

June 3, 1998, Introduced by Senators PETERS, CHERRY, O'BRIEN, BYRUM, HART, CONROY, MILLER, KOIVISTO, VAUGHN, YOUNG, A. SMITH and V. SMITH and referred to the Committee on Government Operations.

A bill to amend 1984 PA 431, entitled
"The management and budget act,"
(MCL 18.1101 to 18.1594) by adding section 262a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 262A. (1) A CONTRACTOR OR PERSON WHO HAS AN INTEREST
2 IN A CONTRACTOR, OR THE SPOUSE, PARENT, CHILD, OR SPOUSE OF A
3 CHILD OF A CONTRACTOR OR PERSON WHO HAS AN INTEREST IN A CONTRAC-
4 TOR, SHALL NOT MAKE A CONTRIBUTION TO A CANDIDATE OR A COMMITTEE
5 DURING THE FOLLOWING PERIODS:
6 (A) THE TIME PERIOD DURING WHICH THE CONTRACTOR HAS A CON-
7 TRACT WITH THIS STATE.
8 (B) THE 3 YEARS FOLLOWING THE FINAL EXPIRATION OR TERMINA-
9 TION OF THE CONTRACTOR'S CONTRACT WITH THIS STATE.
10 (2) A CONTRACTOR OR PERSON WHO HAS AN INTEREST IN A
11 CONTRACTOR, OR THE SPOUSE, PARENT, CHILD, OR SPOUSE OF A CHILD OF

1 A CONTRACTOR OR A PERSON WHO HAS AN INTEREST IN A CONTRACTOR,
2 SHALL NOT MAKE A CONTRIBUTION TO A CANDIDATE OR COMMITTEE THROUGH
3 A LEGAL ENTITY THAT IS ESTABLISHED, DIRECTED, OR CONTROLLED BY
4 ANY OF THE PERSONS DESCRIBED IN THIS SUBSECTION DURING THE TIME
5 PERIOD DESCRIBED IN SUBSECTION (1).

6 (3) FOR PURPOSES OF THIS SECTION, A PERSON IS CONSIDERED TO
7 HAVE AN INTEREST IN A CONTRACTOR IF ANY OF THE FOLLOWING CIRCUM-
8 STANCES EXIST:

9 (A) THE PERSON HOLDS AT LEAST A 1% INTEREST IN THE
10 CONTRACTOR.

11 (B) THE PERSON IS AN OFFICER OR A MANAGERIAL EMPLOYEE OF THE
12 CONTRACTOR AS DEFINED BY RULES PROMULGATED BY THE DEPARTMENT.

13 (C) THE PERSON IS AN OFFICER OF THE PERSON WHO HOLDS AT
14 LEAST A 1% INTEREST IN THE CONTRACTOR.

15 (D) THE PERSON IS AN INDEPENDENT COMMITTEE OF THE
16 CONTRACTOR.

17 (4) A CONTRACTOR IS CONSIDERED TO HAVE MADE A CONTRIBUTION
18 IF A CONTRIBUTION IS MADE BY A PERSON WHO HAS AN INTEREST IN THE
19 CONTRACTOR.

20 (5) AS USED IN THIS SECTION:

21 (A) "CANDIDATE" MEANS BOTH OF THE FOLLOWING:

22 (i) THAT TERM AS DEFINED IN SECTION 3 OF THE MICHIGAN CAM-
23 PAIGN FINANCE ACT, 1976 PA 388, MCL 169.203.

24 (ii) THE HOLDER OF ANY STATE, LEGISLATIVE, OR LOCAL ELECTIVE
25 OFFICE.

1 (B) "CONTRACTOR" MEANS A PERSON WHO HAS ENTERED INTO A
2 CONTRACT WITH THIS STATE TO PROVIDE SUPPLIES OR SERVICES
3 DESCRIBED IN SECTION 261.

4 (C) "COMMITTEE" MEANS ANY OF THE FOLLOWING:

5 (i) A CANDIDATE COMMITTEE AS THAT TERM IS DEFINED IN
6 SECTION 3 OF THE MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL
7 169.203.

8 (ii) A POLITICAL PARTY COMMITTEE AS THAT TERM IS DEFINED IN
9 SECTION 11 OF THE MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL
10 169.211.

11 (iii) AN INDEPENDENT COMMITTEE AS THAT TERM IS DEFINED IN
12 SECTION 8 OF THE MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL
13 169.208.

14 (iv) A COMMITTEE ORGANIZED BY A LEGISLATIVE CAUCUS OF A
15 CHAMBER OF THE LEGISLATURE.

16 (D) "OFFICER" MEANS EITHER OF THE FOLLOWING:

17 (i) AN INDIVIDUAL LISTED AS AN OFFICER OF A CORPORATION,
18 LIMITED LIABILITY COMPANY, OR LIMITED LIABILITY PARTNERSHIP.

19 (ii) AN INDIVIDUAL WHO IS A SUCCESSOR TO AN INDIVIDUAL
20 DESCRIBED IN SUBPARAGRAPH (i).