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NO PUBLIC OFFICIALS IN COMMERCIAL ADS

House Bill 4285

Sponsor: Rep. Gilda Z. Jacobs

Committee: Constitutional Law and Ethics

Complete to 3-30-99

A SUMMARY OF HOUSE BILL 4285 AS INTRODUCED 2-16-99

The bill would create a new law to regulate the appearance of public officers in commercial advertisements. The act would prohibit public officers from participating in, appearing in, or allowing their likeness to appear in or be used in commercial advertisements except for commercial advertisements in the following situations:

- (1) The election campaign of that or any other public official;
- (2) A business owned by the public official, or of which the public official was a partner, member, or primary shareholder;
- (3) A federally tax-exempt charitable institution;
- (4) A ballot issue or ballot question campaign; or
- (5) An educational or public service promotion.

The bill would define "commercial advertisement" to mean "a written or printed communication, a communication by means of recorded telephone message, a communication spoken on radio or television, or a communication by means of computer or similar communications media that [was] published with the intention to induce or [was] likely to induce directly or indirectly, the purchase of a consumer item, service, good, merchandise, commodity, or real property." "Public officer" would have the meaning specified in Public Act 566 of 1978 (which deals with incompatible public offices), namely, "a person who is elected or appointed to any of the following:

- (i) An office established by the state constitution of 1963.
- (ii) A public office of a city, village, township, or county in this state.

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(iii) A department, board, agency, institution, commission, authority, division, council, college, university, school district, intermediate school district, special district, or other public entity of this state or a city, village, township, or county in this state."

Analyst: S. Ekstrom

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.