



# HOUSE BILL No. 5096

November 4, 1999, Introduced by Reps. Cherry, Rivet, Gielegem, Minore, Sheltroun and Dennis and referred to the Committee on Constitutional Law and Ethics.

A bill to amend 1976 PA 388, entitled  
"Michigan campaign finance act,"  
by amending section 52 (MCL 169.252), as amended by 1996 PA 590.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 52. (1) Except as provided in subsection (5) and  
2 subject to ~~subsection~~ SUBSECTIONS (8) AND (9), a person other  
3 than an independent committee or a political party committee  
4 shall not make contributions to a candidate committee of a candi-  
5 date for elective office that, with respect to an election cycle,  
6 are more than the following:  
7       (a) \$3,400.00 for a candidate for state elective office  
8 other than the office of state legislator, or for a candidate for  
9 local elective office if the district from which he or she is  
10 seeking office has a population of more than 250,000.

1 (b) \$1,000.00 for a candidate for state senator, or for a  
2 candidate for local elective office if the district from which he  
3 or she is seeking office has a population of more than 85,000 but  
4 250,000 or less.

5 (c) \$500.00 for a candidate for state representative, or for  
6 a candidate for local elective office if the district from which  
7 he or she is seeking office has a population of 85,000 or less.

8 (2) Except as otherwise provided in this subsection, an  
9 independent committee shall not make contributions to a candidate  
10 committee of a candidate for elective office that, in the aggre-  
11 gate for that election cycle, are more than 10 times the amount  
12 permitted a person other than an independent committee or politi-  
13 cal party committee in subsection (1). A house political party  
14 caucus committee or a senate political party caucus committee is  
15 not limited under this subsection in the amount of contributions  
16 made to the candidate committee of a candidate for the office of  
17 state legislator, except as follows:

18 (a) A house political party caucus committee or a senate  
19 political party caucus committee shall not pay a debt incurred by  
20 a candidate if that debt was incurred while the candidate was  
21 seeking nomination at a primary election and the candidate was  
22 opposed at that primary.

23 (b) A house political party caucus committee or a senate  
24 political party caucus committee shall not make a contribution to  
25 or make an expenditure on behalf of a candidate if that candidate  
26 is seeking nomination at a primary election and the candidate is  
27 opposed at that primary.

1       (3) A political party committee other than a state central  
2 committee shall not make contributions to the candidate committee  
3 of a candidate for elective office that are more than 10 times  
4 the amount permitted a person other than an independent committee  
5 or political party committee in subsection (1).

6       (4) A state central committee of a political party shall not  
7 make contributions to the candidate committee of a candidate for  
8 state elective office other than a candidate for the legislature  
9 that are more than 20 times the amount permitted a person other  
10 than an independent committee or political party committee in  
11 subsection (1). A state central committee of a political party  
12 shall not make contributions to the candidate committee of a can-  
13 didate for state senator, state representative, or local elective  
14 office that are more than 10 times the amount permitted a person  
15 other than an independent committee or political party committee  
16 in subsection (1).

17       (5) A contribution from a member of a candidate's immediate  
18 family to the candidate committee of that candidate is exempt  
19 from the limitations of subsection (1).

20       (6) Consistent with the provisions of this section, a con-  
21 tribution designated in writing for a particular election cycle  
22 is considered made for that election cycle. A contribution made  
23 after the close of a particular election cycle and designated in  
24 writing for that election cycle shall be made only to the extent  
25 that the contribution does not exceed the candidate committee's  
26 net outstanding debts and obligations from the election cycle so  
27 designated. If a contribution is not designated in writing for a

1 particular election cycle, the contribution is considered made  
2 for the election cycle that corresponds to the date of the writ-  
3 ten instrument.

4 (7) A candidate committee, a candidate, or a treasurer or  
5 agent of a candidate committee shall not accept a contribution  
6 with respect to an election cycle that exceeds the limitations in  
7 subsection (1), (2), (3), or (4).

8 (8) The contribution limits in subsection (1) for a candi-  
9 date for local elective office are effective on ~~the effective~~  
10 ~~date of the amendatory act that provides for those contribution~~  
11 ~~limits~~ MARCH 31, 1997; however, only contributions received by  
12 that candidate on and after ~~that date~~ MARCH 31, 1997 shall be  
13 used to determine if the contribution limit has been reached.

14 (9) AN INDIVIDUAL SHALL NOT MAKE CONTRIBUTIONS TO COMMITTEES  
15 ORGANIZED UNDER THIS ACT THAT, IN THE AGGREGATE, EXCEED  
16 \$50,000.00 IN A CALENDAR YEAR.

17 (10) ~~(9)~~ A person who knowingly violates this section is  
18 guilty of a misdemeanor punishable, if the person is an individu-  
19 al, by a fine of not more than \$1,000.00 or imprisonment for not  
20 more than 90 days, or both, or, if the person is not an individu-  
21 al, by a fine of not more than \$10,000.00.

22 (11) ~~(10)~~ For purposes of the limitations provided in  
23 subsections (1) and (2), all contributions made by political com-  
24 mittees or independent committees established by any corporation,  
25 joint stock company, domestic dependent sovereign, or labor  
26 organization, including any parent, subsidiary, branch, division,  
27 department, or local unit thereof, shall be considered to have

1 been made by a single independent committee. By way of  
2 illustration and not limitation, all of the following apply as a  
3 result of the application of this requirement:

4 (a) All of the political committees and independent commit-  
5 tees established by a for profit corporation or joint stock com-  
6 pany, by a subsidiary of the for profit corporation or joint  
7 stock company, or by any combination thereof, are treated as a  
8 single independent committee.

9 (b) All of the political committees and independent commit-  
10 tees established by a single national or international labor  
11 organization, by a labor organization of that national or inter-  
12 national labor organization, by a local labor organization of  
13 that national or international labor organization, or by any  
14 other subordinate organization of that national or international  
15 labor organization, or by any combination thereof, are treated as  
16 a single independent committee.

17 (c) All of the political committees and independent commit-  
18 tees established by an organization of national or international  
19 unions, by a state central body of that organization, by a local  
20 central body of that organization, or by any combination thereof,  
21 are treated as a single independent committee.

22 (d) All of the political committees and independent commit-  
23 tees established by a nonprofit corporation, by a related state  
24 entity of that nonprofit corporation, by a related local entity  
25 of that nonprofit corporation, or by any combination thereof, are  
26 treated as a single independent committee.