

# HOUSE BILL No. 4835

June 12, 2003, Introduced by Reps. Paletko, Woronchak, Vagnozzi, Tobocman, O'Neil, Minore, Accavitti, Gillard, Anderson, Murphy, Dennis, Clack, Gleason, Spade, Plakas, Stallworth, Farrah, Hopgood, Law, Reeves, Meisner, Kolb, Sak and Daniels and referred to the Committee on Government Operations.

A bill to amend 1976 PA 388, entitled  
"Michigan campaign finance act,"  
(MCL 169.201 to 169.282) by adding section 48.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 48. (1) A person shall not make a telephonic  
2 communication with an elector that includes a false statement  
3 about a candidate's race, sex, religion, or national origin that  
4 the person knew was false or made with reckless disregard for  
5 whether the statement was true or false.

6       (2) Except for a telephonic communication by or in behalf of  
7 an individual acting independently and not as an agent for a  
8 candidate or a committee, a telephonic communication that  
9 includes a statement about a candidate's race, sex, religion, or  
10 ethnicity shall clearly state the identity of the person paying  
11 for the communication. If the communication described in this

1 subsection is an independent expenditure not authorized in  
2 writing by a candidate's candidate committee, the communication  
3 shall clearly state the following disclaimer: "Not authorized by  
4 a candidate committee". If the communication described in this  
5 subsection is not an independent expenditure, but is paid for by  
6 a person other than the candidate to whom it is related, the  
7 communication shall clearly state the following disclaimer:  
8 "Authorized by (name of candidate or name of candidate  
9 committee)".

10 (3) A person who knowingly violates this section is guilty of  
11 a misdemeanor punishable by a fine of not more than \$1,000.00, or  
12 imprisonment for not more than 93 days, or both.