



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 284 (as introduced 2-27-07)
Sponsor: Senator Randy Richardville
Committee: Campaign and Election Oversight

Date Completed: 2-27-07

CONTENT

The bill would amend the Michigan Campaign Finance Act to require an automated telephonic communication with an elector to identify the person paying for it and indicate whether the communication was authorized by a candidate or candidate committee. The bill also would prescribe a misdemeanor penalty for a knowing violation.

Specifically, an automated telephonic communication with an elector relating to an election, a candidate, or a ballot question would have to state clearly the identity of the person paying for the communication. If it were an independent expenditure not authorized in writing by a candidate's candidate committee, the communication would have to state the following: "Not authorized by a candidate committee". If the communication were not an independent expenditure, but were paid for by a person other than the candidate to whom it related, the communication would have to state clearly the following: "Authorized by [name of candidate or name of candidate committee]".

(The Act defines "independent expenditure" as an expenditure by a person if the expenditure is not made at the direction, or under the control, of another person and if the expenditure is not a contribution to a committee.)

A person who knowingly violated the bill's requirements would be guilty of a misdemeanor punishable by imprisonment for up to 93 days and/or a maximum fine of \$1,000.

Proposed MCL 169.248

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on local government. There are no data to indicate how many offenders would be convicted of the proposed offense. To the extent that the bill resulted in increased convictions or incarceration time, local governments would incur the costs of misdemeanor probation and incarceration in local facilities, which vary by county. Additional penal fine revenue would benefit public libraries.

Fiscal Analyst: Lindsay Hollander

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