

**SUBSTITUTE FOR
HOUSE BILL NO. 4628**

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
by amending sections 15, 16, 17, 18, 21, 22, 23, 24, 26, 28, 29,
30, 33, 34, 35, 36, 41, 42, 46, 47, 50, 51, 55, 57, 63, 64, 65,
67, 68, and 69 (MCL 169.215, 169.216, 169.217, 169.218, 169.221,
169.222, 169.223, 169.224, 169.226, 169.228, 169.229, 169.230,
169.233, 169.234, 169.235, 169.236, 169.241, 169.242, 169.246,
169.247, 169.250, 169.251, 169.255, 169.257, 169.263, 169.264,
169.265, 169.267, 169.268, and 169.269), sections 15, 26, 29, 42,
47, 57, and 69 as amended by 2001 PA 250, section 16 as amended
by 2000 PA 50, sections 17, 21, 23, and 51 as amended by 1989 PA
95, section 18 as amended by 2006 PA 89, sections 22, 24, 28, and
41 as amended by 1999 PA 237, section 30 as added by 1997 PA 71,

sections 33 and 34 as amended by 1999 PA 238, section 35 as amended by 2000 PA 75, section 36 as amended by 1996 PA 590, section 50 as added by 1994 PA 385, section 55 as amended by 1995 PA 264, sections 64 and 65 as amended by 1993 PA 262, and section 67 as amended by 1994 PA 411, and by adding sections 43a, 48, and 57a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 15. (1) The ~~secretary of state~~ **DIRECTOR OF ELECTIONS**
2 shall do all of the following:

3 **(A) DISCHARGE THE POWERS AND DUTIES VESTED IN THE DIRECTOR**
4 **OF ELECTIONS UNDER THIS ACT INDEPENDENTLY AND IN A NONPARTISAN**
5 **MANNER, WITH GOOD FAITH. THE SUBSTANTIVE FUNCTIONS VESTED IN THE**
6 **DIRECTOR OF ELECTIONS UNDER THIS ACT ARE NOT SUBJECT TO**
7 **ALLOCATION OR REALLOCATION WITHIN THE DEPARTMENT OF STATE UNDER**
8 **SECTION 7 OF THE EXECUTIVE ORGANIZATION ACT OF 1965, 1965 PA 380,**
9 **MCL 16.107.**

10 **(B) ~~(a)~~ Make available through his or her** **THE SECRETARY OF**
11 **STATE'S** offices, and furnish to county clerks, appropriate forms,
12 instructions, and manuals required by this act.

13 **(C) ~~(b)~~ Develop a filing, coding, and cross-indexing system**
14 **for the filing of required reports and statements consistent with**
15 **the purposes of this act, and supervise the implementation of the**
16 **filing systems by the clerks of the counties.**

17 **(D) ~~(c)~~ Receive all statements and reports required by this**
18 **act to be filed with the ~~secretary of state~~ **DIRECTOR OF****
19 **ELECTIONS.**

20 **(E) ~~(d)~~ Prepare forms, instructions, and manuals required**

1 under this act.

2 (F) ~~(e)~~—Promulgate rules and issue declaratory rulings to
3 implement this act in accordance with the administrative
4 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

5 (G) ~~(f)~~—Upon receipt of a written request and the required
6 filing, waive payment of a late filing fee if the request for the
7 waiver is based on good cause and accompanied by adequate
8 documentation. One or more of the following reasons constitute
9 good cause for a late filing fee waiver:

10 (i) The incapacitating physical illness, hospitalization,
11 accident involvement, death, or incapacitation for medical
12 reasons of a person required to file, a person whose
13 participation is essential to the preparation of the statement or
14 report, or a member of the immediate family of these persons.

15 (ii) Other unique, unintentional factors beyond the filer's
16 control not stemming from a negligent act or nonaction so that a
17 reasonably prudent person would excuse the filing on a temporary
18 basis. These factors include the loss or unavailability of
19 records due to a fire, flood, theft, or similar reason and
20 difficulties related to the transmission of the filing to the
21 filing official, such as exceptionally bad weather or strikes
22 involving transportation systems.

23 (2) A declaratory ruling shall be issued under this section
24 only if the person requesting the ruling has provided a
25 reasonably complete statement of facts necessary for the ruling
26 or if the person requesting the ruling has, with the permission
27 of the ~~secretary of state~~ **DIRECTOR OF ELECTIONS**, supplied

1 supplemental facts necessary for the ruling. A request for a
2 declaratory ruling that is submitted to the ~~secretary of state~~
3 **DIRECTOR OF ELECTIONS** shall be made available for public
4 inspection within 48 hours after its receipt. An interested
5 person may submit written comments regarding the request to the
6 ~~secretary of state~~**DIRECTOR OF ELECTIONS** within 10 business days
7 after the date the request is made available to the public.
8 Within 45 business days after receiving a declaratory ruling
9 request, the ~~secretary of state~~**DIRECTOR OF ELECTIONS** shall make
10 a proposed response available to the public. An interested person
11 may submit written comments regarding the proposed response to
12 the ~~secretary of state~~**DIRECTOR OF ELECTIONS** within 5 business
13 days after the date the proposal is made available to the public.
14 Except as otherwise provided in this section, the ~~secretary of~~
15 ~~state~~**DIRECTOR OF ELECTIONS** shall issue a declaratory ruling
16 within 60 business days after a request for a declaratory ruling
17 is received. If the ~~secretary of state~~**DIRECTOR OF ELECTIONS**
18 refuses to issue a declaratory ruling, the ~~secretary of state~~
19 **DIRECTOR OF ELECTIONS** shall notify the person making the request
20 of the reasons for the refusal and shall issue an interpretative
21 statement providing an informational response to the question
22 presented within the same time limitation applicable to a
23 declaratory ruling. A declaratory ruling or interpretative
24 statement issued under this section shall not state a general
25 rule of law, other than that which is stated in this act, until
26 the general rule of law is promulgated by the ~~secretary of state~~
27 **DIRECTOR OF ELECTIONS** as a rule under the administrative

1 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, or
2 under judicial order.

3 (3) Under extenuating circumstances, the ~~secretary of state~~
4 **DIRECTOR OF ELECTIONS** may issue a notice extending for not more
5 than 30 business days the period during which the ~~secretary of~~
6 ~~state~~**DIRECTOR OF ELECTIONS** shall respond to a request for a
7 declaratory ruling. The ~~secretary of state~~**DIRECTOR OF ELECTIONS**
8 shall not issue more than 1 notice of extension for a particular
9 request. A person requesting a declaratory ruling may waive, in
10 writing, the time limitations provided by this section.

11 (4) The ~~secretary of state~~**DIRECTOR OF ELECTIONS** shall make
12 available to the public an annual summary of the declaratory
13 rulings and interpretative statements issued by the ~~secretary of~~
14 ~~state~~**DIRECTOR OF ELECTIONS**.

15 (5) A person may file with the ~~secretary of state~~**DIRECTOR**
16 **OF ELECTIONS** a complaint that alleges a violation of this act.
17 Within 5 business days after a complaint that meets the
18 requirements of subsection (6) is filed, the ~~secretary of state~~
19 **DIRECTOR OF ELECTIONS** shall give notice to the person against
20 whom the complaint is filed. The notice shall include a copy of
21 the complaint. Within 15 business days after this notice is
22 provided, the person against whom the complaint was filed may
23 submit to the ~~secretary of state~~**DIRECTOR OF ELECTIONS** a
24 response. The ~~secretary of state~~**DIRECTOR OF ELECTIONS** may extend
25 the period for submitting a response an additional 15 business
26 days for good cause. The ~~secretary of state~~**DIRECTOR OF ELECTIONS**
27 shall provide a copy of a response received to the complainant.

1 Within 10 business days after receiving a copy of the response,
2 the complainant may submit to the ~~secretary of state~~ **DIRECTOR OF**
3 **ELECTIONS** a rebuttal statement. The ~~secretary of state~~ **DIRECTOR**
4 **OF ELECTIONS** may extend the period for submitting a rebuttal
5 statement an additional 10 business days for good cause. The
6 ~~secretary of state~~ **DIRECTOR OF ELECTIONS** shall provide a copy of
7 the rebuttal statement to the person against whom the complaint
8 was filed.

9 (6) A complaint under subsection (5) shall satisfy all of
10 the following requirements:

11 (a) Be signed by the complainant.

12 (b) State the name, address, and telephone number of the
13 complainant.

14 (c) Include the complainant's certification that, to the
15 best of the complainant's knowledge, information, and belief,
16 formed after a reasonable inquiry under the circumstances, each
17 factual contention of the complaint is supported by evidence.
18 However, if, after a reasonable inquiry under the circumstances,
19 the complainant is unable to certify that certain factual
20 contentions are supported by evidence, the complainant may
21 certify that, to the best of his or her knowledge, information,
22 or belief, there are grounds to conclude that those specifically
23 identified factual contentions are likely to be supported by
24 evidence after a reasonable opportunity for further inquiry.

25 (7) The ~~secretary of state~~ **DIRECTOR OF ELECTIONS** shall
26 develop a form that satisfies the requirements of subsection (6)
27 and may be used for the filing of complaints.

1 (8) A person who files a complaint with a false certificate
2 under subsection (6)(c) is responsible for a civil violation of
3 this act. A person may file a complaint under subsection (5)
4 alleging that another person has filed a complaint with a false
5 certificate under subsection (6)(c).

6 (9) The ~~secretary of state~~**DIRECTOR OF ELECTIONS** shall
7 investigate the allegations under the rules promulgated under
8 this act. Every 60 days after a complaint that meets the
9 requirements of subsection (6) is filed and until the matter is
10 terminated, the ~~secretary of state~~**DIRECTOR OF ELECTIONS** shall
11 mail to the complainant and to the alleged violator notice of the
12 action taken to date by the ~~secretary of state~~**DIRECTOR OF**
13 **ELECTIONS**, together with the reasons for the action or nonaction.

14 (10) If the ~~secretary of state~~**DIRECTOR OF ELECTIONS**
15 determines that there may be reason to believe that a violation
16 of this act has occurred, the ~~secretary of state~~**DIRECTOR OF**
17 **ELECTIONS** shall endeavor to correct the violation or prevent a
18 further violation by using informal methods such as a conference,
19 conciliation, or persuasion, and may enter into a conciliation
20 agreement with the person involved. Unless violated, a
21 conciliation agreement is a complete bar to any further action
22 with respect to matters covered in the conciliation agreement. If
23 the ~~secretary of state~~**DIRECTOR OF ELECTIONS** is unable to correct
24 or prevent further violation by these informal methods, the
25 ~~secretary of state~~**DIRECTOR OF ELECTIONS** may refer the matter to
26 the attorney general for the enforcement of a criminal penalty
27 provided by this act or commence a hearing as provided in

1 subsection (11). IF THE VIOLATION INVOLVES THE ATTORNEY GENERAL
2 OR A CAMPAIGN OR COMMITTEE WITH WHICH THE ATTORNEY GENERAL IS
3 CONNECTED, DIRECTLY OR INDIRECTLY, THE DIRECTOR OF ELECTIONS
4 SHALL REFER THE MATTER TO THE PROSECUTING ATTORNEY FOR THE COUNTY
5 OF INGHAM FOR THE ENFORCEMENT OF A CRIMINAL PENALTY PROVIDED BY
6 THIS ACT.

7 (11) The ~~secretary of state~~ **DIRECTOR OF ELECTIONS** may
8 commence a hearing to determine whether a civil violation of this
9 act has occurred. A hearing shall not be commenced during the
10 period beginning 30 days before an election in which the
11 committee has received or expended money and ending the day after
12 that election except with the consent of the person suspected of
13 committing a civil violation. The hearing shall be conducted in
14 accordance with the procedures set forth in chapter 4 of the
15 administrative procedures act of 1969, 1969 PA 306, MCL 24.271 to
16 24.287. If after a hearing the ~~secretary of state~~ **DIRECTOR OF**
17 **ELECTIONS** determines that a violation of this act has occurred,
18 the ~~secretary of state~~ **DIRECTOR OF ELECTIONS** may issue an order
19 requiring the person to pay a civil fine equal to the amount of
20 the improper contribution or expenditure plus not more than
21 \$1,000.00 for each violation.

22 (12) A final decision and order issued by the ~~secretary of~~
23 ~~state~~ **DIRECTOR OF ELECTIONS** is subject to judicial review as
24 provided by chapter 6 of the administrative procedures act of
25 1969, 1969 PA 306, MCL 24.301 to 24.306. The ~~secretary of state~~
26 **DIRECTOR OF ELECTIONS** shall deposit a civil fine imposed under
27 this section in the general fund. The ~~secretary of state~~ **DIRECTOR**

1 **OF ELECTIONS** may bring an action in circuit court to recover the
2 amount of a civil fine.

3 (13) When a report or statement is filed under this act, the
4 ~~secretary of state~~ **DIRECTOR OF ELECTIONS** shall review the report
5 or statement and may investigate an apparent violation of this
6 act under the rules promulgated under this act. If the ~~secretary~~
7 ~~of state~~ **DIRECTOR OF ELECTIONS** determines that there may be
8 reason to believe a violation of this act has occurred and the
9 procedures prescribed in subsection (10) have been complied with,
10 the ~~secretary of state~~ **DIRECTOR OF ELECTIONS** may refer the matter
11 to the attorney general for the enforcement of a criminal penalty
12 provided by this act, or commence a hearing under subsection (11)
13 to determine whether a civil violation of this act has occurred.
14 **IF THE VIOLATION INVOLVES THE ATTORNEY GENERAL OR A CAMPAIGN OR**
15 **COMMITTEE WITH WHICH THE ATTORNEY GENERAL IS CONNECTED, DIRECTLY**
16 **OR INDIRECTLY, THE DIRECTOR OF ELECTIONS SHALL REFER THE MATTER**
17 **TO THE PROSECUTING ATTORNEY FOR THE COUNTY OF INGHAM FOR THE**
18 **ENFORCEMENT OF A CRIMINAL PENALTY PROVIDED BY THIS ACT.**

19 (14) Unless otherwise specified in this act, a person who
20 violates a provision of this act is subject to a civil fine of
21 not more than \$1,000.00 for each violation. A civil fine is in
22 addition to, but not limited by, a criminal penalty prescribed by
23 this act.

24 (15) In addition to any other sanction provided for by this
25 act, the ~~secretary of state~~ **DIRECTOR OF ELECTIONS** may require a
26 person who files a complaint with a false certificate under
27 subsection (6)(c) to do either or both of the following:

1 (a) Pay to the ~~secretary of state~~ **DIRECTOR OF ELECTIONS** some
2 or all of the expenses incurred by the ~~secretary of state~~
3 **DIRECTOR OF ELECTIONS** as a direct result of the filing of the
4 complaint.

5 (b) Pay to the person against whom the complaint was filed
6 some or all of the expenses, including, but not limited to,
7 reasonable attorney fees incurred by that person in proceedings
8 under this act as a direct result of the filing of the complaint.

9 (16) There is no private right of action, either in law or
10 in equity, under this act. The remedies provided in this act are
11 the exclusive means by which this act may be enforced and by
12 which any harm resulting from a violation of this act may be
13 redressed.

14 (17) The ~~secretary of state~~ **DIRECTOR OF ELECTIONS** may waive
15 the filing of a campaign statement required under section 33, 34,
16 or 35 if the closing date of the particular campaign statement
17 falls on the same or a later date as the closing date of the next
18 campaign statement filed by the same person, or if the period
19 that would be otherwise covered by the next campaign statement
20 filed by the same person is 10 days or less.

21 (18) The clerk of each county shall do all of the following:

22 (a) Make available through the county clerk's office the
23 appropriate forms, instructions, and manuals required by this
24 act.

25 (b) Under the supervision of the ~~secretary of state~~ **DIRECTOR**
26 **OF ELECTIONS**, implement the filing, coding, and cross-indexing
27 system prescribed for the filing of reports and statements

1 required to be filed with the county clerk's office.

2 (c) Receive all statements and reports required by this act
3 to be filed with the county clerk's office.

4 (d) Upon written request, waive the payment of a late filing
5 fee if the request for a waiver is based on good cause as
6 prescribed in subsection (1)(f).

7 Sec. 16. (1) A filing official shall make a statement or
8 report required to be filed under this act available for public
9 inspection and reproduction, commencing as soon as practicable,
10 but not later than the third business day following the day on
11 which it is received, during regular business hours of the filing
12 official. If the report is a report of a late contribution under
13 section 32(1) made to the ~~secretary of state~~ **DIRECTOR OF**
14 **ELECTIONS**, the ~~secretary of state~~ **DIRECTOR OF ELECTIONS** shall
15 also make the report or all of the contents of the report
16 available to the public on the internet, without charge, as soon
17 as practicable but not later than the end of the business day on
18 which it is received, at a single website established and
19 maintained by the ~~secretary of state~~ **DIRECTOR OF ELECTIONS**.

20 (2) A copy of a statement or part of a statement shall be
21 provided by a filing official at a reasonable charge.

22 (3) A statement open to the public under this act shall not
23 be used for any commercial purpose.

24 (4) Except as otherwise provided in this subsection, a
25 statement of organization filed under this act with a filing
26 official who is not the ~~secretary of state~~ **DIRECTOR OF ELECTIONS**
27 shall be preserved by that filing official for 5 years from the

1 official date of the committee's dissolution. A statement of
2 organization filed under this act with a filing official who is
3 not the ~~secretary of state~~ **DIRECTOR OF ELECTIONS** that is filed by
4 a committee that received more than \$50,000.00 in an election
5 cycle shall be preserved by that filing official for 15 years
6 from the official date of the committee's dissolution. A
7 statement of organization filed under this act with the ~~secretary~~
8 ~~of state~~ **DIRECTOR OF ELECTIONS** shall be preserved by the
9 ~~secretary of state~~ **DIRECTOR OF ELECTIONS** for 15 years from the
10 official date of the committee's dissolution. Except as otherwise
11 provided in this subsection, any other statement or report filed
12 under this act with a filing official who is not the ~~secretary of~~
13 ~~state~~ **DIRECTOR OF ELECTIONS** shall be preserved by that filing
14 official for 5 years from the date the filing occurred. Any other
15 statement or report filed under this act with a filing official
16 who is not the ~~secretary of state~~ **DIRECTOR OF ELECTIONS** that is
17 filed by a committee that received more than \$50,000.00 in an
18 election cycle shall be preserved by that filing official for 15
19 years from the date the filing occurred. Any other statement or
20 report filed under this act with the ~~secretary of state~~ **DIRECTOR**
21 **OF ELECTIONS** shall be preserved by the ~~secretary of state~~
22 **DIRECTOR OF ELECTIONS** for 15 years from the date the filing
23 occurred. Upon a determination under section 15 that a violation
24 of this act has occurred, all complaints, orders, decisions, or
25 other documents related to that violation shall be preserved by
26 the filing official who is not the ~~secretary of state~~ **DIRECTOR OF**
27 **ELECTIONS** or the ~~secretary of state~~ **DIRECTOR OF ELECTIONS** for 15

1 years from the date of the court determination or the date the
2 violations are corrected, whichever is later. Statements and
3 reports filed under this act may be reproduced pursuant to the
4 records ~~media~~**REPRODUCTION** act, 1992 PA 116, MCL 24.401 to ~~24.403~~
5 **24.406**. After the required preservation period, the statements
6 and reports, or the reproductions of the statements and reports,
7 may be disposed of in the manner prescribed in the management and
8 budget act, 1984 PA 431, MCL 18.1101 to 18.1594, and 1913 PA 271,
9 MCL 399.1 to 399.10.

10 (5) A charge shall not be collected by a filing official for
11 the filing of a required statement or report or for a form upon
12 which the statement or report is to be prepared, except a late
13 filing fee required by this act.

14 (6) A filing official shall determine whether a statement or
15 report filed under this act complies, on its face, with the
16 requirements of this act and the rules promulgated under this
17 act. The filing official shall determine whether a statement or
18 report that is required to be filed under this act is in fact
19 filed. Within 4 business days after the deadline for filing a
20 statement or report under this act, the filing official shall
21 give notice to the filer by registered mail of an error or
22 omission in the statement or report and give notice to a person
23 the filing official has reason to believe is a person required to
24 and who failed to file a statement or report. A failure to give
25 notice by the filing official under this subsection is not a
26 defense to a criminal action against the person required to file.

27 (7) Within 9 business days after the report or statement is

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1 required to be filed, the filer shall make any corrections in the
2 statement or report filed with the appropriate filing official.
3 If the report or statement was not filed, then the report or
4 statement shall be late filed within 9 business days after the
5 time it was required to be filed and ~~shall be~~ **IS** subject to late
6 filing fees.

7 (8) After 9 business days and before 12 business days have
8 expired after the deadline for filing the statement or report,
9 the filing official shall report errors or omissions that were
10 not corrected and failures to file to the attorney general **OR, IF**
11 **THE ERRORS OR OMISSIONS OR FAILURE TO FILE INVOLVES THE ATTORNEY**
12 **GENERAL OR A CAMPAIGN OR COMMITTEE WITH WHICH THE ATTORNEY**
13 **GENERAL IS CONNECTED, DIRECTLY OR INDIRECTLY, THE DIRECTOR OF**
14 **ELECTIONS SHALL REFER THE MATTER TO THE PROSECUTING ATTORNEY FOR**
15 **THE COUNTY OF INGHAM FOR THE ENFORCEMENT OF A CRIMINAL PENALTY**
16 **PROVIDED BY THIS ACT.**

17 (9) A statement or report required to be filed under this
18 act shall be filed not later than 5 p.m. **[OR, IF FILED ELECTRONICALLY,**
19 **11:59 P.M.]** of the day in which it
20 is required to be filed. A preelection statement or report due on
21 July 25 or October 25 under section 33 that is postmarked by
22 registered or certified mail, or sent by express mail or other
23 overnight delivery service, at least 2 days before the deadline
24 for filing is filed within the prescribed time regardless of when
25 it is actually delivered. Any other statement or report required
26 to be filed under this act that is postmarked by registered or
27 certified mail or sent by express mail or other overnight
delivery service on or before the deadline for filing is filed

1 within the prescribed time regardless of when it is actually
2 delivered.

3 Sec. 17. (1) A person paying a late filing fee as a result
4 of that person's failure to file a statement or report shall pay
5 that fee to the filing official with whom the statement or report
6 was required to be filed.

7 (2) The late filing fees collected pursuant to sections 24,
8 33, 34, and 35, and copying charges collected pursuant to section
9 16, shall be retained by and for the use of the filing officials
10 collecting the fees or charges to cover their expenses in
11 administering this act. A late filing fee assessed by a county
12 clerk that remains unpaid for more than 60 days shall be
13 considered a debt of the county and shall be collected by the
14 county treasurer in the same manner as other county debts are
15 collected. A late filing fee assessed by the ~~secretary of state~~
16 **DIRECTOR OF ELECTIONS** that remains unpaid for more than 180 days
17 shall be referred to the department of treasury for collection.

18 (3) A committee, other than a candidate committee or a
19 committee making expenditures in assistance of or in opposition
20 to the qualification, passage, or defeat of a ballot question,
21 required to file with the ~~secretary of state~~ **DIRECTOR OF**
22 **ELECTIONS** is not required to pay a late filing fee pursuant to
23 sections 24, 33, 34, and 35, if all of the following conditions
24 are met:

25 (a) A committee required to register as a committee fails to
26 file a statement of organization.

27 (b) The ~~secretary of state~~ **DIRECTOR OF ELECTIONS** sends to

1 that committee notice of the committee's failure to file a
2 statement of organization.

3 (c) At the same time or after the notice described in
4 subdivision (b) is sent, the ~~secretary of state~~ **DIRECTOR OF**
5 **ELECTIONS** sends to that committee notice of the committee's
6 failure to file a campaign statement that was due for a period
7 that occurred before the notice of failure to file a statement of
8 organization was sent.

9 (d) Within 10 business days after the notice of failure to
10 file a statement of organization is sent, the committee files a
11 statement of organization.

12 (e) Within 10 business days after the notice of failure to
13 file a campaign statement is sent, the committee files every
14 campaign statement that is due.

15 (4) Late filing fees that would have occurred except for
16 subsection (3) shall be assessed for each statement not filed
17 before the eleventh business day after a notice of failure to
18 file is sent pursuant to subsection (3).

19 (5) A committee other than a candidate committee that has
20 not previously filed a statement of organization is not required
21 to pay a late filing fee pursuant to sections 24, 33, 34, and 35,
22 if the committee files a statement of organization and every
23 campaign statement that is due, before the ~~secretary of state~~
24 **DIRECTOR OF ELECTIONS** sends a notice to that committee pursuant
25 to subsection (3).

26 Sec. 18. (1) The ~~secretary of state~~ **DIRECTOR OF ELECTIONS**
27 shall develop and implement an electronic filing and internet

1 disclosure system that permits committees that are required to
2 file statements or reports under this act with the ~~secretary of~~
3 ~~state~~**DIRECTOR OF ELECTIONS** to file those statements or reports
4 electronically and that provides internet disclosure of
5 electronically filed statements or reports on a website.

6 (2) The ~~secretary of state~~**DIRECTOR OF ELECTIONS** shall offer
7 each committee required to file with the ~~secretary of state~~
8 **DIRECTOR OF ELECTIONS** the option of filing campaign statements or
9 reports electronically, as described in subsection (1).

10 (3) Beginning with the annual campaign statement due January
11 31, 2004, each committee required to file with the ~~secretary of~~
12 ~~state~~**DIRECTOR OF ELECTIONS** that received or expended \$20,000.00
13 or more in the preceding calendar year or expects to receive or
14 expend \$20,000.00 or more in the current calendar year shall
15 electronically file all statements and reports required under
16 this act, as described in subsection (1).

17 (4) If a committee was not required to file a campaign
18 statement under subsection (3) only because it did not meet the
19 applicable threshold of receiving or expending \$20,000.00 or
20 more, but the committee later reaches that threshold, the
21 committee shall notify the ~~secretary of state~~**DIRECTOR OF**
22 **ELECTIONS** within 10 business days after reaching that threshold
23 and shall subsequently file electronically all statements and
24 reports required under this act.

25 (5) The ~~secretary of state~~**DIRECTOR OF ELECTIONS** shall
26 permit a committee to electronically file statements and reports
27 required under this act, as described in subsection (1), except

1 an original statement of organization, after the committee
2 treasurer and, for a candidate committee, the candidate has
3 signed and filed a form designed by the ~~secretary of state~~
4 **DIRECTOR OF ELECTIONS** to serve as the signature verifying the
5 accuracy and completeness of each statement or report filed
6 electronically.

7 Sec. 21. (1) A candidate, within 10 days after becoming a
8 candidate, shall form a candidate committee. A person who is a
9 candidate for more than 1 office shall form a candidate committee
10 for each office for which the person is a candidate, if at least
11 1 of the offices is a state elective office. A candidate shall
12 not form more than 1 candidate committee for each office for
13 which the person is a candidate.

14 (2) A candidate committee shall have a treasurer who is a
15 qualified elector of this state. A candidate may appoint himself
16 or herself as the candidate committee treasurer.

17 (3) A committee other than a candidate committee shall have
18 a treasurer who is a qualified elector of this state if the
19 committee conducts business through an office or other facility
20 located in this state.

21 (4) If a committee is not required to have as its treasurer
22 an individual who is a qualified elector of this state, the
23 committee may have as its treasurer an individual who is a
24 resident of another state. A committee with a nonresident
25 treasurer shall file, with its statement of organization, an
26 irrevocable written stipulation, signed by the treasurer,
27 agreeing that legal process affecting the committee, served on

1 the ~~secretary of state~~ **DIRECTOR OF ELECTIONS** or an agent
2 designated by the ~~secretary of state~~ **DIRECTOR OF ELECTIONS**, shall
3 have the same effect as if personally served on the committee.
4 This appointment shall remain in force as long as any liability
5 of the committee remains outstanding within this state.

6 (5) If the ~~secretary of state~~ **DIRECTOR OF ELECTIONS** or
7 designated agent of the ~~secretary of state~~ **DIRECTOR OF ELECTIONS**
8 is served with legal process pursuant to subsection (4), the
9 ~~secretary of state~~ **DIRECTOR OF ELECTIONS** shall promptly notify
10 the committee's treasurer by certified mail at the last known
11 address of the committee shown on the committee's statement of
12 organization.

13 (6) Except as provided by law, a candidate committee or a
14 committee described in subsection (3) shall have 1 account in a
15 financial institution in this state as an official depository for
16 the purpose of depositing all contributions received by the
17 committee in the form of or which are converted to money, checks,
18 or other negotiable instruments and for the purpose of making all
19 expenditures. The committee shall designate that financial
20 institution as its official depository. The establishment of an
21 account in a financial institution is not required until the
22 committee receives a contribution or makes an expenditure.
23 Secondary depositories shall be used for the sole purpose of
24 depositing contributions and promptly transferring the deposits
25 to the committee's official depository.

26 (7) Except as provided by law, a committee described in
27 subsection (4) shall have 1 account in a financial institution as

1 its official depository for the purpose of depositing all
2 contributions received by the committee in the form of or which
3 are converted to money, checks, or other negotiable instruments
4 and for the purpose of making all expenditures. The committee
5 shall designate that financial institution as its official
6 depository. The establishment of an account in a financial
7 institution is not required until the committee receives a
8 contribution or makes an expenditure. Secondary depositories
9 shall be used for the sole purpose of depositing contributions
10 and promptly transferring the deposits to the committee's
11 official depository.

12 (8) A contribution shall not be accepted and an expenditure
13 shall not be made by a committee that does not have a treasurer.
14 When the office of treasurer in a candidate committee is vacant,
15 the candidate shall be the treasurer until the candidate appoints
16 a new treasurer.

17 (9) An expenditure shall not be made by a committee without
18 the authorization of the treasurer or the treasurer's designee.
19 The contributions received or expenditures made by a candidate or
20 an agent of a candidate shall be considered received or made by
21 the candidate committee.

22 (10) Contributions received by an individual acting in
23 behalf of a committee shall be reported promptly to the
24 committee's treasurer not later than 5 days before the closing
25 date of any campaign statement required to be filed by the
26 committee, and shall be reported to the committee treasurer
27 immediately if the contribution is received less than 5 days

1 before the closing date.

2 (11) A contribution shall be considered received by a
3 committee when it is received by the committee treasurer or a
4 designated agent of the committee treasurer although the
5 contribution may not be deposited in the official depository by
6 the reporting deadline.

7 (12) Contributions received by a committee shall not be
8 commingled with other funds of an agent of the committee or of
9 any other person.

10 (13) A person who violates this section is subject to a
11 civil fine of not more than \$1,000.00.

12 Sec. 22. A committee treasurer or other individual
13 designated on the statement of organization as responsible for
14 the committee's record keeping, report preparation, or report
15 filing shall keep detailed accounts, records, bills, and receipts
16 as required to substantiate the information contained in a
17 statement or report filed ~~pursuant to~~ **UNDER** this act or rules
18 promulgated under this act. The treasurer shall record the name
19 and address of a person from whom a contribution is received
20 **EXCEPT FOR CONTRIBUTIONS OF \$20.00 OR LESS RECEIVED PURSUANT TO**
21 **SECTION 41(3)**. The records of a committee shall be preserved for
22 5 years and shall be made available for inspection as authorized
23 by the ~~secretary of state~~ **DIRECTOR OF ELECTIONS**. A treasurer or
24 other individual designated as responsible for the committee's
25 record keeping, report preparation, or report filing who
26 knowingly violates this section is subject to a civil fine of not
27 more than \$1,000.00.

1 Sec. 23. Subject to section 15, the ~~secretary of state~~
2 **DIRECTOR OF ELECTIONS** shall promulgate rules for the withdrawal
3 of funds from a committee account for petty cash expenditures and
4 for keeping records of the withdrawals. A single expenditure from
5 a petty cash fund shall not exceed \$50.00. A person who violates
6 this section is subject to a civil fine of 3 times the amount by
7 which the expenditure exceeds \$50.00, but the fine shall not
8 exceed \$1,000.00.

9 Sec. 24. (1) A committee shall file a statement of
10 organization with the filing officials designated in section 36
11 to receive the committee's campaign statements. A statement of
12 organization shall be filed within 10 days after a committee is
13 formed. A filing official shall maintain a statement of
14 organization filed by a committee until 5 years after the
15 official date of the committee's dissolution. A person who fails
16 to file a statement of organization required by this subsection
17 shall pay a late filing fee of \$10.00 for each business day the
18 statement remains not filed in violation of this subsection. The
19 late filing fee shall not exceed \$300.00. A person who violates
20 this subsection by failing to file for more than 30 days after a
21 statement of organization is required to be filed is guilty of a
22 misdemeanor punishable by a fine of not more than \$1,000.00.

23 (2) The statement of organization required by subsection (1)
24 shall include the following information:

25 (a) The name, street address, and if available, the
26 telephone number of the committee. If a committee is a candidate
27 committee, the committee name shall include the first and last

1 name of the candidate. A committee address may be the home
2 address of the candidate or treasurer of the committee.

3 (b) The name, street address, and if available, the
4 telephone number of the treasurer or other individual designated
5 as responsible for the committee's record keeping, report
6 preparation, or report filing.

7 (c) The name and address of the financial institution in
8 which the official committee depository is or is intended to be
9 located, and the name and address of each financial institution
10 in which a secondary depository is or is intended to be located.

11 (d) The full name of the office being sought by, including
12 district number or jurisdiction, and the county residence of each
13 candidate supported or opposed by the committee.

14 (e) A brief statement identifying the substance of each
15 ballot question supported or opposed by the committee. If the
16 ballot question supported or opposed by the committee is not
17 statewide, the committee shall identify the county in which the
18 greatest number of registered voters eligible to vote on the
19 ballot question reside.

20 (f) Identification of the committee as a candidate
21 committee, political party committee, independent committee,
22 political committee, or ballot question committee if it is
23 identifiable as such a committee.

24 (3) An independent committee or political committee shall
25 include in the name of the committee the name of the person or
26 persons that sponsor the committee, if any, or with whom the
27 committee is affiliated. A person, other than an individual or a

1 committee, sponsors or is affiliated with an independent
2 committee or political committee if that person establishes,
3 directs, controls, or financially supports the administration of
4 the committee. For the purposes of this subsection, a person does
5 not financially support the administration of a committee by
6 merely making a contribution to the committee.

7 (4) If any of the information required in a statement of
8 organization is changed, the committee shall file an amendment
9 when the next campaign statement is required to be filed. An
10 independent committee or political committee whose name does not
11 include the name of the person or persons that sponsor the
12 committee or with whom the committee is affiliated as required by
13 subsection (3) shall file an amendment to the committee's
14 statement of organization not later than the date the next
15 campaign statement is required to be filed after the effective
16 date of the amendatory act that added this sentence.

17 (5) When filing a statement of organization, a committee,
18 other than an independent committee, a political committee, or a
19 political party committee, may indicate in a written statement
20 signed by the treasurer of the committee that the committee does
21 not expect for each election to receive an amount in excess of
22 \$1,000.00 or expend an amount in excess of \$1,000.00.

23 (6) When filing a statement of organization, an independent
24 committee, a political committee, or a political party committee
25 may indicate in a written statement signed by the treasurer of
26 the committee that the committee does not expect in a calendar
27 year to receive or expend an amount in excess of \$1,000.00.

1 (7) Upon the dissolution of a committee, the committee shall
2 file a statement indicating dissolution with the filing officials
3 with whom the committee's statement of organization was filed.
4 Dissolution of a committee shall be accomplished pursuant to
5 rules promulgated by the ~~secretary of state~~ **DIRECTOR OF ELECTIONS**
6 under the administrative procedures act of 1969, 1969 PA 306, MCL
7 24.201 to 24.328.

8 (8) A candidate committee that files a written statement
9 pursuant to subsection (5) shall not be required to file a
10 dissolution statement pursuant to subsection (7) if the committee
11 failed to receive or expend an amount in excess of \$1,000.00 and
12 1 of the following applies:

13 (a) The candidate was defeated in an election and has no
14 outstanding campaign debts or assets.

15 (b) The candidate vacates an elective office and has no
16 outstanding campaign debts or assets.

17 Sec. 26. (1) A campaign statement of a committee, other than
18 a political party committee, required by this act shall contain
19 all of the following information:

20 (a) The filing committee's name, address, and telephone
21 number, and the full name, residential and business addresses,
22 and telephone numbers of the committee treasurer or other
23 individual designated as responsible for the committee's record
24 keeping, report preparation, or report filing.

25 (b) Under the heading "receipts", the total amount of
26 contributions received during the period covered by the campaign
27 statement; under the heading "expenditures", the total amount of

1 expenditures made during the period covered by the campaign
2 statement; and the cumulative amount of those totals. Forgiveness
3 of a loan shall not be included in the totals. Payment of a loan
4 by a third party shall be recorded and reported as an in-kind
5 contribution by the third party. In-kind contributions or
6 expenditures shall be listed at fair market value and shall be
7 reported as both contributions and expenditures. A contribution
8 or expenditure that is by other than completed and accepted
9 payment, gift, or other transfer, that is clearly not legally
10 enforceable, and that is expressly withdrawn or rejected and
11 returned before a campaign statement closing date need not be
12 included in the campaign statement and if included may, in a
13 later or amended statement, be shown as a deduction, but the
14 committee shall keep adequate records of each instance.

15 (c) The balance of cash on hand at the beginning and the end
16 of the period covered by the campaign statement.

17 (D) THE TOTAL AMOUNT OF CONTRIBUTIONS RECEIVED DURING THE
18 PERIOD COVERED BY THE CAMPAIGN STATEMENT FROM PERSONS WHO
19 CONTRIBUTED MORE THAN \$20.00.

20 (E) THE TOTAL AMOUNT OF CONTRIBUTIONS RECEIVED DURING THE
21 PERIOD COVERED BY THE CAMPAIGN STATEMENT FROM PERSONS WHO
22 CONTRIBUTED \$20.00 OR LESS.

23 (F) THE TOTAL AMOUNT OF CONTRIBUTIONS OF \$20.00 OR LESS
24 RECEIVED DURING THE PERIOD COVERED BY THE CAMPAIGN STATEMENT AND
25 THE CUMULATIVE AMOUNT OF THE CONTRIBUTIONS RECEIVED BY THE FILER
26 PURSUANT TO SECTION 41(3).

27 (G) ~~(d)~~—The following information regarding each fund-

1 raising event shall be included in the report:

2 (i) The type of event, date held, address and name, if any,
3 of the place where the activity was held, and approximate number
4 of individuals participating or in attendance.

5 (ii) The total amount of all contributions **OF MORE THAN**
6 **\$20.00**.

7 (iii) **THE TOTAL AMOUNT OF CONTRIBUTIONS OF \$20.00 OR LESS.**

8 (iv) ~~(iii)~~—The gross receipts of the fund-raising event.

9 (v) ~~(iv)~~—The expenditures incident to the event.

10 (H) ~~(e)~~—The full name of each individual from whom
11 contributions **TOTALING MORE THAN \$20.00** are received during the
12 period covered by the campaign statement, together with the
13 individual's street address, the amount contributed, the date on
14 which each contribution was received, and the cumulative amount
15 contributed by that individual. The occupation, employer, and
16 principal place of business shall be stated if the individual's
17 cumulative contributions are more than \$100.00.

18 (I) ~~(f)~~—The cumulative amount contributed and the name and
19 address of each individual, except those individuals reported
20 under subdivision ~~(e)~~—(H), who contributed **A TOTAL OF MORE THAN**
21 **\$20.00** to the committee. The occupation, employer, and principal
22 place of business shall be stated for each individual who
23 contributed more than \$100.00.

24 (J) ~~(g)~~—The name and street address of each person, other
25 than an individual, from whom contributions are received during
26 the period covered by the campaign statement, together with an
27 itemization of the amounts contributed, the date on which each

1 contribution was received, and the cumulative amount contributed
2 by that person.

3 **(K)** ~~(h)~~—The name, address, and amount given by an individual
4 who contributed **MORE THAN \$20.00** to the total amount contributed
5 by a person who is other than a committee or an individual. The
6 occupation, employer, and principal place of business shall be
7 stated if the individual contributed more than \$100.00 of the
8 total amount contributed by a person who is other than a
9 committee or an individual.

10 **(I)** ~~(i)~~—The cumulative total of expenditures of \$50.00 or
11 less made during the period covered by the campaign statement
12 except for expenditures made to or on behalf of another
13 committee, candidate, or ballot question.

14 **(M)** ~~(j)~~—The full name and street address of each person to
15 whom expenditures totaling more than \$50.00 were made, together
16 with the amount of each separate expenditure to each person
17 during the period covered by the campaign statement; the purpose
18 of the expenditure; the full name and street address of the
19 person providing the consideration for which any expenditure was
20 made if different from the payee; the itemization regardless of
21 amount of each expenditure made to or on behalf of another
22 committee, candidate, or ballot question; and the cumulative
23 amount of expenditures for or against that candidate or ballot
24 question for an election cycle. An expenditure made in support of
25 more than 1 candidate or ballot question, or both, shall be
26 apportioned reasonably among the candidates or ballot questions,
27 or both.

1 (2) A candidate committee or ballot question committee shall
 2 report all cumulative amounts required by this section on a per
 3 election cycle basis. Except for subsection ~~(1)(j)~~ **(1)(M)**, an
 4 independent committee or political committee shall report all
 5 cumulative amounts required by this section on a calendar year
 6 basis.

7 (3) A campaign statement of a committee, in addition to the
 8 other information required by this section, shall include an
 9 itemized list of all expenditures during the reporting period for
 10 election day busing of electors to the polls, get-out-the-vote
 11 activities, slate cards, challengers, poll watchers, and poll
 12 workers.

13 (4) For a reporting period in which a contribution is
 14 received that is to be part of a bundled contribution or a
 15 reporting period in which a bundled contribution is delivered to
 16 the candidate committee of a candidate for statewide elective
 17 office, a bundling committee shall report to the ~~secretary of~~
 18 ~~state~~ **DIRECTOR OF ELECTIONS**, on a form provided by the ~~secretary~~
 19 ~~of state~~ **DIRECTOR OF ELECTIONS**, all of the following information,
 20 as applicable, about each contribution received or delivered as
 21 part of a bundled contribution, and about each bundled
 22 contribution delivered, in the reporting period:

23 (a) The amount of each contribution **OF MORE THAN \$20.00**, the
 24 date it was received by the bundling committee, and the candidate
 25 for statewide elective office whom the contributor designated as
 26 the intended recipient.

27 (b) ~~Each contributor's~~ **THE** name and address **OF EACH PERSON**

1 **THAT CONTRIBUTES MORE THAN \$20.00 DURING THE PERIOD COVERED BY**
2 **THE STATEMENT** and, for each contribution exceeding \$100.00, the
3 contributor's occupation, employer, and principal place of
4 business.

5 (c) The date each contribution is delivered to the
6 candidate's statewide elective office candidate committee.

7 (d) The total amount of bundled contributions delivered to
8 that candidate committee during the reporting period and during
9 the election cycle.

10 (5) With its delivery of a bundled contribution to the
11 candidate committee of a candidate for statewide elective office,
12 a bundling committee shall deliver a report to that candidate
13 committee, on a form provided by the ~~secretary of state~~ **DIRECTOR**
14 **OF ELECTIONS**, that includes all of the following information, as
15 applicable, about each contribution delivered as part of the
16 bundled contribution, and about all bundled contributions
17 delivered to that candidate committee in the election cycle:

18 (a) The amount of each contribution **OF MORE THAN \$20.00**, the
19 date it was received by the bundling committee, and the statewide
20 elective office candidate the contributor designated as the
21 intended recipient.

22 (b) ~~Each contributor's~~ **THE** name and address **OF EACH PERSON**
23 **THAT CONTRIBUTES MORE THAN \$20.00 DURING THE PERIOD COVERED BY**
24 **THE STATEMENT** and, for each contribution exceeding \$100.00, the
25 contributor's occupation, employer, and principal place of
26 business.

27 (c) The total amount of bundled contributions delivered to

1 that candidate committee during the reporting period and during
2 the election cycle.

3 (6) For a reporting period in which a bundled contribution
4 is received, a candidate committee of a candidate for statewide
5 elective office shall report to the ~~secretary of state~~ **DIRECTOR**
6 **OF ELECTIONS**, on a form provided by the ~~secretary of state~~
7 **DIRECTOR OF ELECTIONS**, all of the following information, as
8 applicable, about each contribution delivered as part of a
9 bundled contribution received in the reporting period and about
10 all bundled contributions received by that candidate committee:

11 (a) The amount of each contribution **OF MORE THAN \$20.00**, the
12 date it was received by the candidate committee, and the name of
13 the bundling committee that delivered the contribution.

14 (b) ~~Each contributor's~~ **THE** name and address **OF EACH PERSON**
15 **THAT CONTRIBUTES MORE THAN \$20.00 DURING THE PERIOD COVERED BY**
16 **THE STATEMENT** and, for each contribution exceeding \$100.00, the
17 contributor's occupation, employer, and principal place of
18 business.

19 (c) The total amount of bundled contributions received by
20 that candidate committee during the reporting period and during
21 the election cycle.

22 Sec. 28. (1) Interest received by a committee on an account
23 consisting of ~~funds~~ **MONEY** belonging to the committee shall not be
24 considered a contribution to the committee but the committee
25 shall report its receipt on a campaign statement as interest. A
26 committee shall report interest paid by the committee on a
27 campaign statement as an expenditure.

1 (2) A committee shall report a loan with an outstanding
2 balance made or received in a separate schedule attached to the
3 campaign statement providing the date and amount of the loan, the
4 date and amount of each payment, the amount of cumulative
5 payments, the amount of the outstanding balance, and whether the
6 loan payments were made by money, services, property, or other
7 means. The committee shall provide the name and address of the
8 lender and each person who is liable directly, indirectly, or
9 contingently on each loan **OF MORE THAN \$20.00**. The committee
10 shall provide the occupation and employer, if any, of the lender
11 and each person if the loan is for more than \$100.00. If a loan
12 is paid off within a reporting period, this activity need not be
13 reported on a separate schedule to the campaign statement.
14 However, if a loan is forgiven, the committee shall detail that
15 fact on a separate schedule to the campaign statement.

16 (3) Accompanying a campaign statement reporting the receipt
17 of a contribution **OF MORE THAN \$20.00** from a person whose
18 treasurer does not reside in, whose principal office is not
19 located in, or whose ~~funds are~~ **MONEY IS** not kept in this state ,
20 shall be a statement certified as true and correct by an officer
21 of the contributing person setting forth the full name, address,
22 along with the amount contributed, of each person who contributed
23 **MORE THAN \$20.00** to the total amount of the contribution. The
24 occupation, employer, and principal place of business shall be
25 stated for each person who contributed more than \$100.00. This
26 subsection does not apply if the contributing person is
27 registered as a committee under section 24.

1 Sec. 29. (1) A campaign statement filed by a political party
2 committee shall contain all of the following information:

3 (a) The full name and street address of each person from
4 whom contributions **TOTALING MORE THAN \$20.00** are received in a
5 calendar year, the amount, and the date or dates contributed;
6 and, if the person is a committee, the name and address of the
7 committee and the full name of the committee treasurer, together
8 with the amount of the contribution and the date received. The
9 occupation, employer, and principal place of business, if any,
10 shall be listed for each person from whom contributions totaling
11 more than \$100.00 are received in a calendar year.

12 (b) Accompanying a campaign statement reporting the receipt
13 of a contribution **OF MORE THAN \$20.00** from a committee or person
14 whose treasurer does not reside in, whose principal office is not
15 located in, or whose ~~funds are~~**MONEY IS** not kept in this state,
16 and whose committee has not filed a statement of organization as
17 required in section 24, shall be a statement setting forth the
18 full name and address of the treasurer of the committee.

19 (c) An itemized list of all expenditures, including in-kind
20 contributions and expenditures and loans, made during the period
21 covered by the campaign statement that were contributions to a
22 candidate committee of a candidate for elective office or a
23 ballot question committee; or independent expenditures in support
24 of the qualification, passage, or defeat of a ballot question or
25 in support of the nomination or election of a candidate for
26 elective office or the defeat of any of the candidate's
27 opponents.

1 (d) The total expenditure by the committee for each
2 candidate for elective office or ballot question in whose behalf
3 an independent expenditure was made or a contribution was given
4 for the election cycle.

5 (e) The filer's name, address, and telephone number, if
6 available, if any, and the full name, address, and telephone
7 number, if available, of the committee treasurer.

8 (2) The committee shall identify an expenditure listed under
9 subsection (1)(c) as an independent expenditure or as a
10 contribution to a candidate committee or a ballot question
11 committee.

12 (3) The committee shall designate for a contribution to or
13 on behalf of a candidate committee or ballot question committee
14 listed under subsection (1)(c) the name and address of the
15 committee, the name of the candidate and the office sought, if
16 any, the amount contributed, and the date of contribution.

17 (4) The committee shall designate for an independent
18 expenditure listed under subsection (1)(c) either the name of the
19 candidate for whose benefit the expenditure was made and the
20 office sought by the candidate, or a brief description of the
21 ballot question for which the expenditure was made; the amount,
22 date, and purpose of the expenditure; and the full name and
23 address of the person to whom the expenditure was made.

24 (5) The committee shall apportion an expenditure listed that
25 was made in support of more than 1 candidate or ballot question,
26 or both, reasonably among the candidates or ballot questions, or
27 both.

1 (6) A campaign statement of a committee, in addition to the
2 other information required by this section, shall include an
3 itemized list of all expenditures during the reporting period for
4 election day busing of electors to the polls, get-out-the-vote
5 activities, slate cards, challengers, poll watchers, and poll
6 workers.

7 Sec. 30. (1) A committee shall not knowingly maintain
8 receipt of a contribution from a person prohibited from making a
9 contribution during the prohibited period under section 7b of the
10 Michigan gaming control and revenue act, the Initiated Law of
11 1996, MCL 432.207b.

12 (2) For purposes of this section, a committee is only
13 considered to have knowingly maintained receipt of a contribution
14 prohibited under subsection (1) and is subject to a penalty for
15 that violation if both of the following circumstances exist:

16 (a) The ~~secretary of state~~ **DIRECTOR OF ELECTIONS** has, by
17 registered mail, notified the committee that the committee has
18 received a contribution in violation of this section and has
19 specifically identified that contribution.

20 (b) The committee fails to return the contribution
21 identified under subdivision (a) on or before the thirtieth
22 business day after the date the committee receives the
23 notification described in subdivision (a).

24 Sec. 33. (1) A committee, other than an independent
25 committee or a political committee required to file with the
26 ~~secretary of state~~ **DIRECTOR OF ELECTIONS**, supporting or opposing
27 a candidate shall file complete campaign statements as required

1 by this act and the rules promulgated under this act. The
2 campaign statements shall be filed according to the following
3 schedule:

4 (a) A preelection campaign statement shall be filed not
5 later than the eleventh day before an election. The closing date
6 for a campaign statement filed under this subdivision shall be
7 the sixteenth day before the election.

8 (b) A postelection campaign statement shall be filed not
9 later than the thirtieth day following the election. The closing
10 date for a campaign statement filed under this subdivision shall
11 be the twentieth day following the election. A committee
12 supporting a candidate who loses the primary election shall file
13 closing campaign statements in accordance with this section. If
14 all liabilities of such a candidate or committee are paid before
15 the closing date and additional contributions are not expected,
16 the campaign statement may be filed at any time after the
17 election, but not later than the thirtieth day following the
18 election.

19 (2) For the purposes of subsection (1):

20 (a) A candidate committee shall file a preelection campaign
21 statement and a postelection campaign statement for each election
22 in which the candidate seeks nomination or election, except if an
23 individual becomes a candidate after the closing date for the
24 preelection campaign statement only the postelection campaign
25 statement is required for that election.

26 (b) A committee ~~other than a candidate committee~~ shall file
27 a campaign statement for each period during which expenditures

1 are made for the purpose of influencing the nomination or
 2 election of a candidate or for the qualification, passage, or
 3 defeat of a ballot question.

4 (3) An independent committee or a political committee other
 5 than a house political party caucus committee or senate political
 6 party caucus committee required to file with the ~~secretary of~~
 7 ~~state~~ **DIRECTOR OF ELECTIONS** shall file campaign statements as
 8 required by this act **IN AN EVEN NUMBERED YEAR** according to the
 9 following schedule:

10 ~~—— (a) In an odd numbered year:~~

11 ~~—— (i) Not later than January 31 of that year with a closing~~
 12 ~~date of December 31 of the previous year.~~

13 ~~—— (ii) Not later than July 25 with a closing date of July 20.~~

14 ~~—— (iii) Not later than October 25 with a closing date of October~~
 15 ~~20.~~

16 ~~—— (b) In an even numbered year:~~

17 (A) ~~(i)~~ Not later than April 25 of that year with a closing
 18 date of April 20 of that year.

19 (B) ~~(ii)~~ Not later than July 25 with a closing date of July
 20 20.

21 (C) ~~(iii)~~ Not later than October 25 with a closing date of
 22 October 20.

23 (4) A house political party caucus committee or a senate
 24 political party caucus committee required to file with the
 25 ~~secretary of state~~ **DIRECTOR OF ELECTIONS** shall file campaign
 26 statements as required by this act according to the following
 27 schedule:

House Bill No. 4628 (H-4) as amended May 2, 2007

1 (a) Not later than January 31 of each **EVEN NUMBERED** year
2 with a closing date of December 31 of the immediately preceding
3 year.

4 (b) Not later than April 25 of each **EVEN NUMBERED** year with
5 a closing date of April 20 of that year.

6 (c) Not later than July 25 of each **EVEN NUMBERED** year with a
7 closing date of July 20 of that year.

8 (d) Not later than October 25 of each **EVEN NUMBERED** year
9 with a closing date of October 20 of that year.

10 (e) For the period beginning on the fourteenth day
11 immediately preceding a primary or special primary election and
12 ending on the day immediately following the primary or special
13 primary election, not later than **[4-11:59]** p.m. each business day with a
14 closing date of the immediately preceding day, only for a
15 contribution received or expenditure made that exceeds \$1,000.00
16 per day.

17 (f) For the period beginning on the fourteenth day
18 immediately preceding a general or special election and ending on
19 the day immediately following the general or special election,
20 not later than **[4-11:59]** p.m. each business day with a closing date of
21 the immediately preceding day, only for a contribution received
22 or expenditure made that exceeds \$1,000.00 per day.

23 (5) Notwithstanding subsection (3) or (4) or section 51, if
24 an independent expenditure is made within 45 days before a
25 special election by an independent committee or a political
26 committee required to file a campaign statement with the
27 ~~secretary of state~~ **DIRECTOR OF ELECTIONS**, a report of the

1 expenditure shall be filed by the committee with the ~~secretary of~~
2 ~~state~~ **DIRECTOR OF ELECTIONS** within 48 hours after the
3 expenditure. The report shall be made on a form provided by the
4 ~~secretary of state~~ **DIRECTOR OF ELECTIONS** and shall include the
5 date of the independent expenditure, the amount of the
6 expenditure, a brief description of the nature of the
7 expenditure, and the name and address of the person to whom the
8 expenditure was paid. The brief description of the expenditure
9 shall include either the name of the candidate and the office
10 sought by the candidate or the name of the ballot question and
11 shall state whether the expenditure supports or opposes the
12 candidate or ballot question. This subsection does not apply if
13 the committee is required to report the independent expenditure
14 in a campaign statement that is required to be filed before the
15 date of the election for which the expenditure was made.

16 (6) A candidate committee or a committee other than a
17 candidate committee that files a written statement under section
18 24(5) or (6) ~~need not~~ **IS NOT REQUIRED TO** file a campaign
19 statement under subsection (1), (3), or (4) unless it received or
20 expended an amount in excess of \$1,000.00. If the committee
21 receives or expends an amount in excess of \$1,000.00 during a
22 period covered by a filing, the committee is then subject to the
23 campaign filing requirements under this act.

24 (7) A committee, candidate, treasurer, or other individual
25 designated as responsible for the committee's record keeping,
26 report preparation, or report filing who fails to file a
27 statement as required by this section shall pay a late filing

1 fee. If the committee has raised \$10,000.00 or less during the
2 previous 2 years, the late filing fee shall be \$25.00 for each
3 business day the statement remains unfiled, but not to exceed
4 \$500.00. If the committee has raised more than \$10,000.00 during
5 the previous 2 years, the late filing fee shall not exceed
6 \$1,000.00, determined as follows:

7 (a) Twenty-five dollars for each business day the report
8 remains unfiled.

9 (b) An additional \$25.00 for each business day after the
10 first 3 business days the report remains unfiled.

11 (c) An additional \$50.00 for each business day after the
12 first 10 business days the report remains unfiled.

13 (8) If a candidate, treasurer, or other individual
14 designated as responsible for the committee's record keeping,
15 report preparation, or report filing fails to file 2 statements
16 required by this section or section 35 and both of the statements
17 remain unfiled for more than 30 days, that candidate, treasurer,
18 or other designated individual is guilty of a misdemeanor,
19 punishable by a fine of not more than \$1,000.00, or imprisonment
20 for not more than 90 days, or both.

21 (9) If a candidate is found guilty of a violation of this
22 section, the circuit court for that county, on application by the
23 attorney general or the prosecuting attorney of that county, may
24 prohibit that candidate from assuming the duties of a public
25 office or from receiving compensation from public funds, or both.

26 (10) If a treasurer or other individual designated as
27 responsible for a committee's record keeping, report preparation,

1 or report filing knowingly files an incomplete or inaccurate
2 statement or report required by this section, that treasurer or
3 other designated individual is subject to a civil fine of not
4 more than \$1,000.00.

5 Sec. 34. (1) A ballot question committee shall file a
6 campaign statement as required by this act according to the
7 following schedule:

8 (a) A preelection campaign statement, the closing date of
9 which shall be the sixteenth day before the election, shall not
10 be filed later than the eleventh day before the election.

11 (b) A postelection campaign statement, the closing date of
12 which shall be the twentieth day following the election, shall
13 not be filed later than the thirtieth day following an election.
14 If all liabilities of the committee are paid before the closing
15 date and additional contributions are not expected, the campaign
16 statement may be filed at any time after the election, but not
17 later than the thirtieth day following the election.

18 (2) A ballot question committee supporting or opposing a
19 statewide ballot question shall file a campaign statement, of
20 which the closing date shall be the twenty-eighth day after the
21 qualification of the measure, not later than 35 days after the
22 ballot question is qualified for the ballot. If the ballot
23 question fails to qualify for the ballot, the ballot question
24 committee shall file the campaign statement within 35 days after
25 the final deadline for qualifying, the closing date of which
26 shall be the twenty-eighth day after the deadline.

27 (3) If a ballot question committee supporting or opposing a

1 statewide ballot question fails to file a preelection statement
2 under this section, that committee or its treasurer shall pay a
3 late filing fee for each business day the statement remains not
4 filed in violation of this section, not to exceed \$1,000.00,
5 pursuant to the following schedule:

6 (a) First day--\$25.00.

7 (b) Second day--\$50.00.

8 (c) Third day--\$75.00.

9 (d) Fourth day and for each subsequent day that the
10 statement remains unfiled--\$100.00.

11 (4) If a treasurer or other individual designated as
12 responsible for the record keeping, report preparation, or report
13 filing of a ballot question committee supporting or opposing a
14 statewide ballot question fails to file a statement, other than a
15 preelection statement, under this section, that committee,
16 treasurer, or other designated individual shall pay a late filing
17 fee. If the committee has raised \$10,000.00 or less during the
18 previous 2 years, the late filing fee shall be \$25.00 for each
19 business day the campaign statement remains unfiled, but not to
20 exceed \$1,000.00. If the committee has raised more than
21 \$10,000.00 during the previous 2 years, the late filing fee shall
22 be \$50.00 for each business day the campaign statement remains
23 unfiled, but not to exceed \$2,000.00.

24 (5) If a treasurer or other individual designated as
25 responsible for the record keeping, report preparation, or report
26 filing of a ballot question committee supporting or opposing
27 other than a statewide ballot question fails to file a statement

1 under this section, that committee, treasurer, or other
2 designated individual shall pay a late filing fee. If the
3 committee has raised \$10,000.00 or less during the previous 2
4 years, the late filing fee shall be \$25.00 for each business day
5 the campaign statement remains unfiled, but not to exceed
6 \$1,000.00. If the committee has raised more than \$10,000.00
7 during the previous 2 years, the late filing fee shall be \$50.00
8 for each business day the campaign statement remains unfiled, but
9 not to exceed \$2,000.00.

10 (6) If a treasurer or other individual designated as
11 responsible for the record keeping, report preparation, or report
12 filing of a ballot question committee fails to file a statement
13 as required by subsection (1) or (2) for more than 7 days, that
14 treasurer or other designated individual is guilty of a
15 misdemeanor, punishable by a fine of not more than \$1,000.00, or
16 imprisonment for not more than 90 days, or both.

17 (7) If a treasurer or other individual designated as
18 responsible for the record keeping, report preparation, or report
19 filing of a ballot question committee knowingly files an
20 incomplete or inaccurate statement or report required by this
21 section, that treasurer or other designated individual is subject
22 to a civil fine of not more than \$1,000.00.

23 Sec. 35. (1) In addition to any other requirements of this
24 act for filing a campaign statement, a committee, other than an
25 independent committee or a political committee required to file
26 with the secretary of state, shall also file ~~a~~**EACH OF THE**
27 **FOLLOWING CAMPAIGN STATEMENTS:**

1 (A) A campaign statement not later than January 31 of each
2 **EVEN NUMBERED** year. The campaign statement shall have a closing
3 date of December 31 of the previous year. The period covered by
4 the campaign statement filed pursuant to this subsection begins
5 the day after the closing date of the previous campaign
6 statement. A campaign statement filed pursuant to this subsection
7 shall be waived if a postelection campaign statement has been
8 filed that has a filing deadline within 30 days of the closing
9 date of the campaign statement required by this subsection.

10 (B) **IN EACH EVEN NUMBERED YEAR, A CAMPAIGN STATEMENT NOT**
11 **LATER THAN APRIL 30 WITH A CLOSING DATE OF MARCH 31.**

12 (2) **IN ADDITION TO ANY OTHER REQUIREMENTS OF THIS ACT FOR**
13 **FILING A CAMPAIGN STATEMENT, A COMMITTEE SHALL ALSO FILE CAMPAIGN**
14 **STATEMENTS NOT LATER THAN THE FOLLOWING DATES IN ODD NUMBERED**
15 **YEARS:**

16 (A) **JANUARY 31 WITH A CLOSING DATE OF DECEMBER 31 OF THE**
17 **PREVIOUS YEAR.**

18 (B) **APRIL 30 WITH A CLOSING DATE OF MARCH 31.**

19 (C) **JULY 31 WITH A CLOSING DATE OF JUNE 30.**

20 (D) **OCTOBER 31 WITH A CLOSING DATE OF SEPTEMBER 30.**

21 (3) ~~(2)~~—Subsection (1) **OR (2)** does not apply to a candidate
22 committee for an officeholder who is a judge or a supreme court
23 justice, or who holds an elective office for which the salary is
24 less than \$100.00 a month and who does not receive ~~any~~**A**
25 contribution or make ~~any~~**AN** expenditure during the time that
26 would be otherwise covered in the statement.

27 (4) ~~(3)~~—A committee, candidate, treasurer, or other

1 individual designated as responsible for the record keeping,
2 report preparation, or report filing for a candidate committee of
3 a candidate for state elective office or a judicial office who
4 fails to file a campaign statement under this section shall be
5 assessed a late filing fee. If the committee has raised
6 \$10,000.00 or less during the previous 2 years, the late filing
7 fee shall be \$25.00 for each business day the campaign statement
8 remains unfiled, but not to exceed \$500.00. If the committee has
9 raised more than \$10,000.00 during the previous 2 years, the late
10 filing fee shall be \$50.00 for each business day the campaign
11 statement remains unfiled, but not to exceed \$1,000.00. The late
12 filing fee assessed under this subsection shall be paid by the
13 candidate, and the candidate shall not use committee funds to pay
14 that fee. A committee, treasurer, or other individual designated
15 as responsible for the record keeping, report preparation, or
16 report filing for a committee other than a candidate committee of
17 a candidate for state elective office or a judicial office who
18 fails to file a campaign statement under this section shall pay a
19 late filing fee of \$25.00 for each business day the campaign
20 statement remains not filed in violation of this section. The
21 late filing fee shall not exceed \$500.00.

22 (5) ~~(4)~~—A committee filing a written statement pursuant to
23 **UNDER** section 24(5) or (6) ~~need not~~ **IS NOT REQUIRED TO** file a
24 statement ~~in accordance with~~ **UNDER** subsection (1). If a committee
25 receives or expends more than \$1,000.00 during a time period
26 prescribed by section 24(5) or (6), the committee is then subject
27 to the campaign filing requirements under this act and shall file

1 a campaign statement for the period beginning the day after the
2 closing date of the last postelection campaign statement or an
3 annual campaign statement that is waived ~~pursuant to~~ **UNDER**
4 subsection (1), whichever occurred earlier.

5 (6) ~~(5)~~—If a candidate, treasurer, or other individual
6 designated as responsible for the record keeping, report
7 preparation, or report filing fails to file 2 statements required
8 by this section or section 33 and both of the statements remain
9 unfiled for more than 30 days, that candidate, treasurer, or
10 other designated individual is guilty of a misdemeanor,
11 punishable by a fine of not more than \$1,000.00, or imprisonment
12 for not more than 90 days, or both.

13 (7) ~~(6)~~—If a treasurer or other individual designated as
14 responsible for the record keeping, report preparation, or report
15 filing for a committee required to file a campaign statement
16 under subsection (1) knowingly files an incomplete or inaccurate
17 statement or report required by this section, that treasurer or
18 other designated individual is subject to a civil fine of not
19 more than \$1,000.00.

20 Sec. 36. (1) A candidate committee for a state elective
21 office or a judicial office shall file a copy of the campaign
22 statement required under this act with the ~~secretary of state~~
23 **DIRECTOR OF ELECTIONS**. The ~~secretary of state~~ **DIRECTOR OF**
24 **ELECTIONS** shall reproduce the copy and transmit the reproduction
25 to the clerk of the county of residence of the candidate.

26 (2) A ballot question committee supporting or opposing a
27 statewide ballot question shall file a copy of the campaign

1 statement required under this act with the ~~secretary of state~~
2 **DIRECTOR OF ELECTIONS** and with the clerk of the most populous
3 county in the state. A ballot question committee supporting or
4 opposing a ballot question to be voted upon in more than 1
5 county, but not statewide, shall file a copy of the campaign
6 statement required under this act with the clerk of the county in
7 which the greatest number of registered voters eligible to vote
8 on the ballot question reside. A ballot question committee
9 supporting or opposing a ballot question to be voted upon within
10 a single county shall file a copy of the campaign statement
11 required under this act only with the clerk of that county.

12 (3) A political party committee shall file a copy of the
13 campaign statement required under this act with the ~~secretary of~~
14 ~~state~~ **DIRECTOR OF ELECTIONS**. The ~~secretary of state~~ **DIRECTOR OF**
15 **ELECTIONS** shall reproduce a copy of the campaign statement of a
16 political party committee that is a county committee and file the
17 copy with the clerk of the county where the county committee
18 operates.

19 (4) A committee supporting or opposing a candidate for local
20 elective office, if the office is to be voted on in more than 1
21 county but not statewide, shall file a copy of the campaign
22 statement required under this act with the clerk of the county in
23 which the greatest number of registered voters eligible to vote
24 on the office reside.

25 (5) A committee not covered under subsection (1), (2), (3),
26 or (4) shall file a copy of the campaign statement required under
27 this act with the secretary of state **DIRECTOR OF ELECTIONS**,

1 except that a committee reporting contributions or expenditures
2 for a candidate within only 1 county shall file a statement only
3 with the clerk of that county.

4 (6) A local unit of government that receives copies of
5 campaign statements under this section shall make the statements
6 available for public inspection and reproduction during regular
7 business hours of the local unit of government. The local unit of
8 government shall make the statements available as soon as
9 practicable after receipt, but not later than the third business
10 day following the day on which they are received.

11 Sec. 41. (1) A person shall not make or accept a single
12 contribution of more than \$20.00 in cash or make or accept a
13 single expenditure of more than \$50.00 in cash. Contributions of
14 more than \$20.00 and expenditures of more than \$50.00, other than
15 an in-kind contribution or expenditure, shall be made by written
16 instrument containing the names of the payor and the payee.

17 (2) A person shall not accept or expend an anonymous
18 contribution. An anonymous contribution received by a person
19 shall not be deposited but shall be given to a tax exempt
20 charitable organization. The charitable organization receiving
21 the contribution shall provide the person with a receipt. The
22 receipt shall be retained by an appropriate committee pursuant to
23 section 22.

24 (3) **A CONTRIBUTION RECEIVED AS THE RESULT OF A FUND-RAISING**
25 **EVENT OR CASUAL SERVICES OR FROM THE SALE OF POLITICAL**
26 **MERCHANDISE THAT IS \$20.00 OR LESS IN THE AGGREGATE FROM A PERSON**
27 **IN ANY CALENDAR YEAR IS NOT CONSIDERED AN ANONYMOUS CONTRIBUTION.**

1 A CONTRIBUTION RECEIVED FROM MEMBERSHIP FEES, DUES, OR
2 SUBSCRIPTIONS FOR POLITICAL PURPOSES TO AN INDEPENDENT COMMITTEE
3 OR A POLITICAL PARTY COMMITTEE THAT IS \$20.00 OR LESS IN THE
4 AGGREGATE FROM A PERSON IN ANY CALENDAR YEAR IS NOT CONSIDERED AN
5 ANONYMOUS CONTRIBUTION.

6 (4) A PERSON MAKING A CONTRIBUTION PURSUANT TO SUBSECTION
7 (3) THAT IS MORE THAN \$20.00 IN ANY CALENDAR YEAR WHEN ADDED TO
8 ALL OTHER CONTRIBUTIONS MADE TO THAT COMMITTEE BY THAT PERSON
9 SHALL FURNISH THE RECIPIENT WITH THE DONOR'S NAME, ADDRESS, AND
10 THE TOTAL AMOUNT CONTRIBUTED.

11 (5) ~~(3)~~—A contribution shall not be made, directly or
12 indirectly, by any person in a name other than the name by which
13 that person is identified for legal purposes.

14 (6) ~~(4)~~—A person who knowingly violates this section is
15 guilty of a misdemeanor punishable, if the person is an
16 individual, by a fine of not more than \$1,000.00 or imprisonment
17 for not more than 90 days, or both, or, if the person is other
18 than an individual, by a fine of not more than \$10,000.00.

19 Sec. 42. (1) A person who accepts a contribution, other than
20 by written instrument, on behalf of another and acts as the
21 intermediary or agent of the person from whom the contribution
22 was accepted shall disclose to the recipient of the contribution
23 the intermediary's own name and address and the name and address
24 of the actual source of the contribution.

25 (2) A contribution **OF MORE THAN \$20.00** from a person whose
26 treasurer does not reside in, whose principal office is not
27 located in, or whose ~~funds are~~ **MONEY IS** not kept in this state 7

1 shall not be accepted by a person for purposes of supporting or
2 opposing candidates for elective office or the qualification,
3 passage, or defeat of a ballot question unless accompanied by a
4 statement certified as true and correct by an officer of the
5 contributing person setting forth the full name and address along
6 with the amount contributed, of each person who contributed **MORE**
7 **THAN \$20.00** to the total amount of the contribution. The
8 occupation, employer, and principal place of business shall be
9 listed for each person who contributed more than \$100.00 to the
10 total amount of the contribution. The certified statement shall
11 also state that the contribution was not made from an account
12 containing ~~funds~~**MONEY** prohibited by section 54. This subsection
13 does not apply if the contributing person is registered as a
14 committee under section 24.

15 (3) A person shall not receive a contribution from a person
16 other than a committee unless, for purposes of the recipient
17 person's record keeping and reporting requirements, the
18 contribution is accompanied by the name and address of each
19 person who contributed **MORE THAN \$20.00** to the total amount of
20 the contribution and the name, address, occupation, employer, and
21 principal place of business of each person who contributed more
22 than \$100.00 to the total amount of the contribution.

23 (4) A contribution from a person whose treasurer does not
24 reside in, whose principal office is not located in, or whose
25 money is not kept in this state shall not be accepted by a person
26 for purposes of supporting or opposing candidates for elective
27 office if the contributing person has received contributions on

1 an automatic basis, including, but not limited to, a payroll
2 deduction plan, unless the contribution is accompanied by a
3 statement, certified as true and correct by an officer of the
4 contributing person, setting forth that all contributions
5 received on an automatic basis are in full compliance with
6 section 55.

7 (5) A person who knowingly violates this section is guilty
8 of a misdemeanor punishable, if the person is an individual, by a
9 fine of not more than \$1,000.00 or imprisonment for not more than
10 90 days, or both, or, if the person is other than an individual,
11 by a fine of not more than \$10,000.00.

12 **SEC. 43A. (1) A CANDIDATE COMMITTEE SHALL NOT PAY THE**
13 **CANDIDATE, AND A CANDIDATE SHALL NOT RECEIVE FROM HIS OR HER**
14 **CANDIDATE COMMITTEE, WAGES, A SALARY, OR OTHER EMPLOYMENT**
15 **COMPENSATION.**

16 (2) AN INDIVIDUAL WHO KNOWINGLY VIOLATES THIS SECTION IS
17 GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE
18 THAN 90 DAYS OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH. A
19 COMMITTEE THAT VIOLATES THIS SECTION IS SUBJECT TO A FINE OF NOT
20 MORE THAN \$10,000.00.

21 Sec. 46. At the beginning of every odd numbered year, the
22 ~~secretary of state~~ **DIRECTOR OF ELECTIONS** shall recommend
23 adjustments to, ~~and~~ which shall be approved by the legislature,
24 ~~of~~ the dollar value contribution limits provided in this ~~act~~
25 **CHAPTER**, together with the dollar value floor for reporting of
26 the name, address, occupation, and employer, or principal place
27 of business of persons who make contributions pursuant to this

1 ~~chapter~~ **ACT**, on the basis of the United States department of
2 commerce's consumer price index and the number of registered
3 voters in the state.

4 Sec. 47. (1) Except as otherwise provided in this subsection
5 and subject to subsections (3) and (4), a billboard, placard,
6 poster, pamphlet, or other printed matter having reference to an
7 election, a candidate, or a ballot question, shall bear upon it
8 the name and address of the person paying for the matter. Except
9 as otherwise provided in this subsection and subject to
10 subsections (3) and (4), if the printed matter relating to a
11 candidate is an independent expenditure that is not authorized in
12 writing by the candidate committee of that candidate, the printed
13 matter shall contain the following disclaimer: "Not authorized by
14 any candidate committee". An individual other than a candidate is
15 not subject to this subsection if the individual is acting
16 independently and not acting as an agent for a candidate or any
17 committee.

18 (2) A radio or television paid advertisement having
19 reference to an election, a candidate, or a ballot question shall
20 identify the sponsoring person as required by the federal
21 communications commission, shall bear the name of the person
22 paying for the advertisement, and shall be in compliance with
23 subsection (3) and with the following:

24 (a) If the radio or television paid advertisement relates to
25 a candidate and is an independent expenditure, the advertisement
26 shall contain the following disclaimer: "Not authorized by any
27 candidate".

1 (b) If the radio or television paid advertisement relates to
2 a candidate and is not an independent expenditure but is paid for
3 by a person other than the candidate to which it is related, the
4 advertisement shall contain the following disclaimer:

5 ~~"Authorized by~~
6 ~~(name of candidate or name of candidate committee)~~

7 "I AM _____ AND I APPROVE THIS MESSAGE."
8 (NAME OF CANDIDATE)

9 (3) The size and placement of an identification or
10 disclaimer required by this section shall be determined by rules
11 promulgated by the ~~secretary of state~~ **DIRECTOR OF ELECTIONS**. The
12 rules may exempt printed matter and certain other items such as
13 campaign buttons or balloons, the size of which makes it
14 unreasonable to add an identification or disclaimer, from the
15 identification or disclaimer required by this section.

16 (4) Except for a candidate committee's printed matter or
17 radio or television paid advertisements, each identification or
18 disclaimer required by this section shall also indicate that the
19 printed matter or radio or television paid advertisement is paid
20 for "with regulated funds". Printed matter or a radio or
21 television paid advertisement that is not subject to this act
22 shall not bear the statement required by this subsection.

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

26 **SEC. 48. (1) A COMMUNICATION ADVOCATING THE ELECTION OR**

1 DEFEAT OF A CANDIDATE THAT IS DESIGNED TO CONTACT ELECTORS
 2 THROUGH AUTOMATED TELEPHONIC, ELECTRONIC MAIL, OR OTHER
 3 ELECTRONIC MEANS AND TO WHICH SECTION 47 DOES NOT APPLY SHALL
 4 CLEARLY STATE THE NAME OF THE PERSON PAYING FOR THE
 5 COMMUNICATION.

6 (2) IF THE COMMUNICATION DESCRIBED IN SUBSECTION (1)
 7 ADVOCATES THE ELECTION OR DEFEAT OF A CANDIDATE AND IS AN
 8 INDEPENDENT EXPENDITURE NOT AUTHORIZED IN WRITING BY THAT
 9 CANDIDATE'S CANDIDATE COMMITTEE, THE COMMUNICATION SHALL ALSO
 10 CLEARLY STATE THE FOLLOWING DISCLAIMER: "NOT AUTHORIZED BY ANY
 11 CANDIDATE COMMITTEE.". IF THE COMMUNICATION DESCRIBED IN
 12 SUBSECTION (1) ADVOCATES THE ELECTION OR DEFEAT OF A CANDIDATE
 13 AND IS NOT AN INDEPENDENT EXPENDITURE, BUT IS PAID FOR BY A
 14 PERSON OTHER THAN THE CANDIDATE WHOM IT ADVOCATES THE ELECTION OR
 15 DEFEAT OF, THE COMMUNICATION SHALL ALSO CLEARLY STATE THE
 16 FOLLOWING DISCLAIMER:

17 "AUTHORIZED BY _____".
 18 (NAME OF CANDIDATE OR NAME OF CANDIDATE COMMITTEE)

19 (3) A TELEPHONIC COMMUNICATION DESCRIBED IN SUBSECTION (1)
 20 SHALL STATE THE NAME OF THE PERSON PAYING FOR THE COMMUNICATION
 21 AND ANY DISCLAIMERS REQUIRED UNDER SUBSECTION (2) AT THE
 22 BEGINNING OF THE TELEPHONIC COMMUNICATION. A TELEPHONIC
 23 COMMUNICATION DESCRIBED IN SUBSECTION (1) SHALL NOT TAKE PLACE
 24 BETWEEN THE HOURS OF 9 P.M. AND 9 A.M.

25 (4) FOR A VISUAL COMMUNICATION GOVERNED BY THIS SECTION, THE
 26 DIRECTOR OF ELECTIONS SHALL PROMULGATE RULES REGULATING THE SIZE

1 AND PLACEMENT OF AN IDENTIFICATION OR DISCLAIMER REQUIRED BY THIS
2 SECTION.

3 (5) A PERSON WHO KNOWINGLY VIOLATES THIS SECTION IS GUILTY
4 OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90
5 DAYS OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.

6 Sec. 50. ~~A legislator~~ **AN INDIVIDUAL WHO HOLDS STATE ELECTIVE**
7 **OFFICE** shall not accept an honorarium. ~~A person~~ **AN INDIVIDUAL** who
8 knowingly violates this section is guilty of a misdemeanor
9 punishable by a fine of not more than \$1,000.00 or imprisonment
10 for not more than 90 days, or both.

11 Sec. 51. A person, other than a committee, who makes an
12 independent expenditure, advocating the election of a candidate
13 or the defeat of a candidate's opponents or the qualification,
14 passage, or defeat of a ballot question, in an amount of \$100.01
15 or more in a calendar year shall file a report of the independent
16 expenditure, within 10 days, with the clerk of the county of
17 residence of that person. The report shall be made on an
18 independent expenditure report form provided by the ~~secretary of~~
19 ~~state~~ **DIRECTOR OF ELECTIONS** and shall include the date of the
20 expenditure, a brief description of the nature of the
21 expenditure, the amount, the name and address of the person to
22 whom it was paid, the name and address of the person filing the
23 report, together with the name, address, occupation, employer,
24 and principal place of business of each person who contributed
25 \$100.01 or more to the expenditure. The filing official receiving
26 the report shall forward copies, as required, to the appropriate
27 filing officers as described in section 36.

1 Sec. 55. (1) A corporation organized on a for profit or
2 nonprofit basis, a joint stock company, a domestic dependent
3 sovereign, or a labor organization formed under the laws of this
4 or another state or foreign country may make an expenditure for
5 the establishment and administration and solicitation of
6 contributions to a separate segregated fund to be used for
7 political purposes. A separate segregated fund established under
8 this section shall be limited to making contributions to, and
9 expenditures on behalf of, candidate committees, ballot question
10 committees, political party committees, political committees, and
11 independent committees.

12 (2) Contributions for a separate segregated fund established
13 by a corporation, organized on a for profit basis, or a joint
14 stock company under this section may be solicited from any of the
15 following persons or their ~~spouses~~**IMMEDIATE FAMILY**:

16 (a) Stockholders of the corporation or company.

17 (b) Officers and directors of the corporation or company.

18 (c) Employees of the corporation or company who have policy
19 making, managerial, professional, supervisory, or administrative
20 nonclerical responsibilities.

21 (3) Contributions for a separate segregated fund established
22 under this section by a corporation organized on a nonprofit
23 basis may be solicited from any of the following persons or their
24 ~~spouses~~**IMMEDIATE FAMILY**:

25 (a) Members of the corporation who are individuals.

26 (b) Stockholders of members of the corporation.

27 (c) Officers or directors of members of the corporation.

1 (d) Employees of the members of the corporation who have
2 policy making, managerial, professional, supervisory, or
3 administrative nonclerical responsibilities.

4 (e) Employees of the corporation who have policy making,
5 managerial, professional, supervisory, or administrative
6 nonclerical responsibilities.

7 (4) Contributions for a separate segregated fund established
8 under this section by a labor organization may be solicited from
9 any of the following persons or their ~~spouses~~ **IMMEDIATE FAMILY**:

10 (a) Members of the labor organization who are individuals.

11 (b) Officers or directors of the labor organization.

12 (c) Employees of the labor organization who have policy
13 making, managerial, professional, supervisory, or administrative
14 nonclerical responsibilities.

15 (5) Contributions for a separate segregated fund established
16 under this section by a domestic dependent sovereign may be
17 solicited from an individual who is a member of any domestic
18 dependent sovereign.

19 (6) Contributions shall not be obtained for a separate
20 segregated fund established under this section by use of coercion
21 or physical force, by making a contribution a condition of
22 employment or membership, or by using or threatening to use job
23 discrimination or financial reprisals. A corporation organized on
24 a for profit or nonprofit basis, a joint stock company, a
25 domestic dependent sovereign, or a labor organization shall not
26 solicit or obtain contributions for a separate segregated fund
27 established under this section from an individual described in

1 subsection (2), (3), (4), or (5) on ~~an automatic or~~ A passive
2 basis including but not limited to a ~~payroll deduction plan or~~
3 reverse checkoff method. A corporation organized on a for profit
4 or nonprofit basis, a joint stock company, a domestic dependent
5 sovereign, or a labor organization may solicit or obtain
6 contributions for a separate segregated fund established under
7 this section from an individual described in subsection (2), (3),
8 (4), or (5) on an automatic basis, including but not limited to a
9 payroll deduction plan, only if the individual who is
10 contributing to the fund affirmatively consents to the
11 contribution. ~~at least once in every calendar year.~~

12 (7) A person who knowingly violates this section is guilty
13 of a felony punishable, if the person is an individual, by a fine
14 of not more than \$5,000.00 or imprisonment for not more than 3
15 years, or both, or, if the person is not an individual, by a fine
16 of not more than \$10,000.00.

17 (8) If a corporation, joint stock company, domestic
18 dependent sovereign, or labor organization that obtains
19 contributions for a separate segregated fund from individuals
20 described in subsection (2), (3), (4), or (5) pays to 1 or more
21 of those individuals a bonus or other remuneration for the
22 purpose of reimbursing those contributions, then that
23 corporation, joint stock company, domestic dependent sovereign,
24 or labor organization is subject to a civil fine equal to 2 times
25 the total contributions obtained from all individuals for the
26 separate segregated fund during that calendar year.

27 (9) AS USED IN THIS SECTION, "IMMEDIATE FAMILY" MEANS A

1 SPOUSE, A CHILD OF VOTING AGE THAT IS RESIDING IN THE CANDIDATE'S
2 HOUSEHOLD, OR ANY INDIVIDUAL OF VOTING AGE WHO IS CLAIMED BY THE
3 CANDIDATE OR THE CANDIDATE'S SPOUSE AS A DEPENDENT FOR FEDERAL
4 INCOME TAX PURPOSES.

5 Sec. 57. (1) A public body or an individual acting for a
6 public body shall not use or authorize the use of funds,
7 personnel, office space, computer hardware or software, property,
8 stationery, postage, vehicles, equipment, supplies, or other
9 public resources to make a contribution or expenditure or provide
10 volunteer personal services that are excluded from the definition
11 of contribution under section 4(3)(a). This subsection does not
12 apply to any of the following:

13 (a) The expression of views by an elected or appointed
14 public official who has policy making responsibilities.

15 (b) The production or dissemination of factual information
16 concerning issues relevant to the function of the public body.

17 (c) The production or dissemination of debates, interviews,
18 commentary, or information by a broadcasting station, newspaper,
19 magazine, or other periodical or publication in the regular
20 course of broadcasting or publication.

21 (d) The use of a public facility owned or leased by, or on
22 behalf of, a public body if any candidate or committee has an
23 equal opportunity to use the public facility.

24 (e) The use of a public facility owned or leased by, or on
25 behalf of, a public body if that facility is primarily used as a
26 family dwelling and is not used to conduct a fund-raising event.

27 (f) An elected or appointed public official or an employee

1 of a public body who, when not acting for a public body but is on
2 his or her own personal time, is expressing his or her own
3 personal views, is expending his or her own personal funds, or is
4 providing his or her own personal volunteer services.

5 (G) THE USE OF PUBLIC RESOURCES TO PERMIT A PUBLIC EMPLOYEE,
6 INCLUDING, BUT NOT LIMITED TO, EMPLOYEES OF PUBLIC UNIVERSITIES,
7 TO CONTRIBUTE TO A POLITICAL ACTION COMMITTEE OF THE EMPLOYEE'S
8 COLLECTIVE BARGAINING REPRESENTATIVE BY PAYROLL DEDUCTION.

9 (2) A person who knowingly violates this section is guilty
10 of a misdemeanor punishable, if the person is an individual, by a
11 fine of not more than \$1,000.00 or imprisonment for not more than
12 1 year, or both, or if the person is not an individual, by 1 of
13 the following, whichever is greater:

14 (a) A fine of not more than \$20,000.00.

15 (b) A fine equal to the amount of the improper contribution
16 or expenditure.

17 SEC. 57A. (1) A CANDIDATE OR PERSON ACTING ON BEHALF OF A
18 CANDIDATE SHALL NOT SOLICIT OR ACCEPT A CONTRIBUTION IN A
19 FACILITY OWNED OR LEASED BY, OR ON BEHALF OF, THIS STATE, A
20 PUBLIC BODY, OR A DIVISION OR AGENCY OF THE COURT OF JUSTICE OF
21 THIS STATE.

22 (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
23 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS
24 OR A FINE EQUAL TO THE GREATER OF \$1,000.00 OR THE AMOUNT OF THE
25 IMPROPER SOLICITATION OR CONTRIBUTION, OR BOTH IMPRISONMENT AND A
26 FINE.

27 Sec. 63. (1) The ~~secretary of state~~ DIRECTOR OF ELECTIONS

1 shall receive and keep a record of each candidate's certified
2 statements of qualifying contributions. A statement shall include
3 in alphabetical order the full name and street address of each
4 person from whom a qualifying contribution is received during the
5 reporting period, together with the amount of each contribution
6 and the date received by the treasurer of the committee.

7 (2) The ~~secretary of state~~ **DIRECTOR OF ELECTIONS** shall
8 promptly notify a candidate for nomination for governor when that
9 candidate qualifies under this act to receive ~~moneys~~ **MONEY** from
10 the state campaign fund.

11 (3) If a candidate desires to receive ~~moneys~~ **MONEY** from the
12 state campaign fund and received notice of qualification for
13 funding under subsection (2), the candidate shall apply to the
14 ~~secretary of state~~ **DIRECTOR OF ELECTIONS**. The candidate shall
15 state the amount of ~~moneys~~ **MONEY** desired from the state campaign
16 fund in the application. The candidate shall state in the
17 application for state campaign fund money that the candidate and
18 the candidate's committee agree to adhere to expenditure
19 limitations stated in section 67.

20 (4) The ~~secretary of state~~ **DIRECTOR OF ELECTIONS** shall
21 determine the maximum amount for which the candidate qualifies
22 under this act. The ~~secretary of state~~ **DIRECTOR OF ELECTIONS**
23 shall forward information as to this amount and the application
24 for funding to the state treasurer.

25 (5) The state treasurer shall issue a warrant drawn on the
26 state campaign fund for an amount equal to the maximum amount
27 which the candidate is qualified to receive or the amount applied

1 for, whichever is less. The warrant shall not be issued before
2 January 1 of the year in which the election for governor is to be
3 held.

4 Sec. 64. (1) A candidate in a primary election may obtain
5 funds from the state campaign fund in an amount equal to \$2.00
6 for each \$1.00 of qualifying contribution if the candidate
7 certifies to the ~~secretary of state~~ **DIRECTOR OF ELECTIONS** both of
8 the following:

9 (a) That the candidate committee of the candidate received
10 \$75,000.00 or more of qualifying contributions.

11 (b) That the full name and address of each person making a
12 qualifying contribution is recorded by the candidate committee of
13 the candidate certifying. This requirement is in addition to and
14 not in lieu of any other requirements relating to the recording
15 and reporting of contributions.

16 (2) A candidate is not entitled to ~~funds~~ **MONEY** from the
17 state campaign fund for a primary election if it is determined
18 the name of the candidate is ineligible to appear on the primary
19 election ballot pursuant to section 53 of the Michigan election
20 law, ~~Act No. 116 of the Public Acts of 1954, as amended, being~~
21 ~~section 168.53 of the Michigan Compiled Laws~~ **1954 PA 116, MCL**
22 **168.53**. A candidate who does not file nominating petitions for
23 the office of governor or who files an insufficient petition for
24 that office shall return all ~~funds~~ **MONEY** received from the state
25 campaign fund for that primary election.

26 (3) A candidate shall not receive from the state campaign
27 fund for a primary more than \$990,000.00.

1 (4) ~~For purposes of~~ **AS USED IN** this section, "primary
2 election" ~~is~~ **MEANS** the election described in section 52 of ~~Act~~
3 ~~No. 116 of the Public Acts of 1954, as amended, being section~~
4 ~~168.52 of the Michigan Compiled Laws~~ **THE MICHIGAN ELECTION LAW,**
5 **1954 PA 116, MCL 168.52.**

6 Sec. 65. (1) A major political party nominee is entitled to
7 an amount from the state campaign fund of not more than
8 \$1,125,000.00 for a general election. A candidate, subject to
9 law, may raise the remaining amount of the permissible
10 expenditure limit in private contributions. An eligible candidate
11 in a general election may elect to accept partial payment of
12 money from the state campaign fund and instead raise private
13 contributions as provided by law that, when added to the amount
14 received from the state campaign fund, do not exceed the
15 expenditure limit designated in section 67.

16 (2) A minor political party nominee whose party received 5%
17 or more of the vote for the same office in the last election is
18 entitled to an amount from the state campaign fund of not more
19 than \$1,125,000.00, multiplied by the number of popular votes the
20 minor party received in the preceding general election for
21 governor and then divided by the average number of votes the
22 major parties received in that general election for governor.

23 (3) A minor political party nominee not eligible under
24 subsection (2) but who receives more than 5% of the vote in that
25 general election for governor is entitled to reimbursement from
26 the state campaign fund in an amount of not more than
27 \$1,125,000.00, multiplied by the number of popular votes the

1 minor party received in the preceding general election for
2 governor and then divided by the average number of votes the
3 major parties received in that general election for governor.

4 (4) A minor political party nominee qualified under
5 subsection (2) who receives more popular votes in an election
6 than the candidate of that minor political party received at the
7 preceding election is entitled to additional reimbursement from
8 the state campaign fund in an amount determined as follows:

9 (a) Compute the amount that the candidate would have
10 received under subsection (3) had the candidate otherwise
11 qualified.

12 (b) Subtract the amount received under subsection (2) from
13 the amount computed under subdivision (a).

14 (5) A candidate listed on the ballot in the general election
15 is entitled to \$1.00 for each \$1.00 of qualifying contributions
16 certified to the ~~secretary of state~~ **DIRECTOR OF ELECTIONS**
17 pursuant to this act up to \$750,000.00, if the candidate has
18 certified to the ~~secretary of state~~ **DIRECTOR OF ELECTIONS**
19 \$75,000.00 or more in qualifying contributions. A candidate who
20 chooses to receive any public funds under this subsection shall
21 not receive any money under subsection (1), (2), (3), or (4).

22 (6) A major political party nominee shall receive from the
23 state treasurer \$56,250.00 of the funds that the candidate may be
24 entitled to under this section not later than 10 days after the
25 primary election, unless there is less than a 2% difference in
26 vote totals of the top 2 primary election candidates of the same
27 political party according to unofficial vote totals available to

1 the ~~secretary of state~~ **DIRECTOR OF ELECTIONS**. The balance of any
2 funds owed to a major political party nominee under this section
3 shall be payable by the state treasurer within 3 days after the
4 board of state canvassers' certification of the primary election
5 results, but not later than 30 days after the primary election.
6 Any funds paid to a major political party nominee under this
7 section either erroneously or based on election results that are
8 reversed due to a recount or fraud shall be repaid by that major
9 political party nominee to the state treasurer within 60 days of
10 receipt of notification by certified mail from the state
11 treasurer.

12 Sec. 67. (1) Expenditures made by a candidate committee to
13 further the nomination or election of a candidate may not exceed
14 \$2,000,000.00 in the aggregate for 1 election. An expenditure by
15 a candidate committee for an incidental expense under section 21a
16 is not considered an expenditure for the purposes of the
17 expenditure limitations set forth in this subsection.

18 (2) An expenditure by a candidate committee to purchase
19 space in a newspaper or other periodical or time on radio or
20 television for the purpose of responding to an editorial in the
21 same newspaper or periodical or on the same station or channel
22 that was unfavorable to the committee's candidate or that
23 endorsed the candidate's opponent is not considered an
24 expenditure for the purposes of the expenditure limitations set
25 forth in subsection (1). This subsection only applies to 1
26 response made to a particular editorial, unfavorable report, or
27 endorsement of an opponent and does not apply unless the

1 candidate is refused free space or time in which to answer.

2 (3) A person who knowingly violates subsection (1) is guilty
3 of a misdemeanor punishable by a fine of not more than \$1,000.00,
4 or imprisonment for not more than 90 days, or both.

5 (4) If a person who is subject to this section is found
6 guilty, the circuit court, on application by the attorney general
7 **OR THE PROSECUTING ATTORNEY OF THAT COUNTY**, may prohibit that
8 person from assuming the duties of a public office or from
9 receiving compensation from public funds, or both.

10 Sec. 68. (1) A debt for goods, services, materials,
11 facilities, or anything of value in furtherance of, or in
12 opposition to, the nomination for, or election to, office of a
13 candidate shall not be incurred by a person which, when paid,
14 will cause the expenditures of that candidate or person to exceed
15 any limit imposed by this act. A person who knowingly violates
16 this subsection is guilty of a misdemeanor and shall be punished
17 by a fine of not more than \$1,000.00, or imprisoned for not more
18 than 90 days, or both.

19 (2) If a person who is subject to this section is found
20 guilty, the circuit court of that county, on application by the
21 attorney general **OR THE PROSECUTING ATTORNEY OF THAT COUNTY**, may
22 prohibit that person from assuming the duties of a public office
23 or from receiving compensation from public funds, or both.

24 Sec. 69. (1) Except as provided in subsection (6) or (10), a
25 person other than an independent committee or a political party
26 committee shall not make contributions to a candidate committee
27 of a candidate that are more than \$3,400.00 in value for an

1 election cycle.

2 (2) Except as provided in subsection (11), an independent
3 committee shall not make contributions to a candidate committee
4 that for an election cycle are more than 10 times the amount
5 permitted a person other than an independent committee or
6 political party committee in subsection (1).

7 (3) A political party committee that is a state central
8 committee shall not make contributions to a candidate committee
9 that for an election cycle are more than \$750,000.00.

10 (4) A political party committee that is a congressional
11 district or county committee shall not make contributions to a
12 candidate committee that for an election cycle are more than
13 \$30,000.00.

14 (5) A candidate committee, a candidate, or a treasurer or
15 agent shall not accept a contribution with respect to an election
16 cycle that exceeds a limitation in subsections (1) to (4), or
17 (10).

18 (6) As used in this subsection, "immediate family" means a
19 spouse, parent, brother, sister, son, or daughter. A candidate
20 and members of that candidate's immediate family may not
21 contribute in total to that person's candidate committee an
22 amount that is more than \$50,000.00 in value for an election
23 cycle.

24 (7) Sections 5(3) and 52(6) apply to determining when an
25 election cycle begins and ends and to which election cycle a
26 particular contribution is attributed.

27 (8) The candidate committee of a candidate for governor that

1 does not apply for ~~fun~~~~ds~~~~-~~~~MONEY~~ from the state campaign fund and
2 that accepts from the candidate and the candidate's immediate
3 family contributions that total for an election cycle more than
4 \$340,000.00 shall notify the ~~secretary of state~~~~-~~~~DIRECTOR OF~~
5 **ELECTIONS** in writing within 48 hours after receipt of this
6 amount. Within 2 business days after receipt of this notice, the
7 ~~secretary of state~~~~-~~~~DIRECTOR OF ELECTIONS~~ shall send notice to all
8 candidates who are either seeking the same nomination, in the
9 case of a primary election, or election to that same office, in
10 the case of a general election, informing those candidate
11 committees of all of the following:

12 (a) That the expenditure limits provided in section 67 are
13 waived for the remainder of that election for those notified
14 candidate committees that receive ~~fun~~~~ds~~~~-~~~~MONEY~~ from the state
15 campaign fund under this act.

16 (b) That the expenditure limits of section 67 are not waived
17 for the purpose of determining the amount of public ~~fun~~~~ds~~~~-~~~~MONEY~~
18 available to a candidate under section 64 or 65.

19 (9) A person who knowingly violates this section is guilty
20 of a misdemeanor punishable, if the person is an individual, by a
21 fine of not more than \$1,000.00 or imprisonment for not more than
22 90 days, or both, or, if the person is not an individual, by a
23 fine of not more than \$10,000.00.

24 (10) The limitation on a political committee's contributions
25 under subsection (1) does not apply to contributions that are
26 part of 1 or more bundled contributions delivered to the
27 candidate committee of a candidate for statewide elective office

1 and that are attributed to the political committee as prescribed
2 in section 31. A political committee shall not make contributions
3 to a candidate committee of a candidate for statewide elective
4 office that are part of 1 or more bundled contributions delivered
5 to that candidate committee, that are attributed to the political
6 committee as prescribed in section 31, and that, in the aggregate
7 for that election cycle, are more than the amount permitted a
8 person other than an independent committee or political party
9 committee in subsection (1).

10 (11) The limitation on an independent committee's
11 contributions under subsection (2) does not apply to
12 contributions that are part of 1 or more bundled contributions
13 delivered to the candidate committee of a candidate for statewide
14 elective office and that are attributed to the independent
15 committee as prescribed in section 31. An independent committee
16 shall not make contributions to a candidate committee of a
17 candidate for statewide elective office that are part of 1 or
18 more bundled contributions delivered to that candidate committee,
19 that are attributed to the independent committee as prescribed in
20 section 31, and that, in the aggregate for that election cycle,
21 are more than 10 times the amount permitted a person other than
22 an independent committee or political party committee in
23 subsection (1).