

**SUBSTITUTE FOR
HOUSE BILL NO. 4245**

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
by amending section 57 (MCL 169.257), as amended by 2001 PA 250.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

9 (a) The expression of views by an elected or appointed public

1 official who has policy making responsibilities.

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

4 (c) The production or dissemination of debates, interviews,
5 commentary, or information by a broadcasting station, newspaper,
6 magazine, or other periodical or publication in the regular course
7 of broadcasting or publication.

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

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

14 (f) An elected or appointed public official or an employee of
15 a public body who, when not acting for a public body but is on his
16 or her own personal time, is expressing his or her own personal
17 views, is expending his or her own personal funds, or is providing
18 his or her own personal volunteer services.

19 **(G) THE USE OF PUBLIC RESOURCES TO PERMIT A PUBLIC EMPLOYEE,**
20 **INCLUDING, BUT NOT LIMITED TO, EMPLOYEES OF PUBLIC UNIVERSITIES, TO**
21 **CONTRIBUTE TO A SEPARATE SEGREGATED FUND OF THE EMPLOYEE'S**
22 **COLLECTIVE BARGAINING REPRESENTATIVE BY PAYROLL DEDUCTION, PROVIDED**
23 **THAT THE COLLECTIVE BARGAINING REPRESENTATIVE PROVIDES FULL**
24 **COMPENSATION FOR THE VALUE OF THE RESOURCES USED TO THE PUBLIC**
25 **BODY.**

26 (2) A person who knowingly violates this section is guilty of
27 a misdemeanor punishable, if the person is an individual, by a fine

1 of not more than \$1,000.00 or imprisonment for not more than 1
2 year, or both, or if the person is not an individual, by 1 of the
3 following, whichever is greater:

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

5 (b) A fine equal to the amount of the improper contribution or
6 expenditure.