



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

BILL



ANALYSIS

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

House Bill 5059 (Substitute S-1 as reported by the Committee of the Whole)

Sponsor: Representative Sharon Tyler

House Committee: Redistricting and Elections

Senate Committee: Local Government and Elections

## **CONTENT**

The bill would amend the Michigan Campaign Finance Act to do the following:

- Include in the definition of "committee" a person who receives contributions or makes expenditures to influence voters regarding the qualification of a new political party.
- Extend certain campaign statement filing requirements to a committee for a political party attempting to qualify as a new party.
- Eliminate separate campaign statement filing schedules for odd- and even-numbered years, and require four annual statements rather than three, for independent committees and certain political committees.
- Include a candidate among the individuals subject to the penalty (a maximum civil fine of \$1,000) for knowingly filing an incomplete or inaccurate campaign finance statement or report.
- Prescribe a civil fine of up to \$1,000, or the amount omitted or underreported, whichever was greater, for knowingly omitting or underreporting individual contributions or expenditures.
- Designate failure to file required campaign statements for two years for a candidate committee with an account balance of at least \$20,000 as a felony, punishable by imprisonment for up to three years and/or a maximum fine of \$5,000; and provide that money in the account would be subject to seizure by and forfeiture to the State.

The bill is tie-barred to Senate Bill 753, which would add to the sentencing guidelines the failure to file required campaign statements for a candidate committee.

The bill would take effect on January 1, 2013.

MCL 169.203

Legislative Analyst: Julie Cassidy

## **FISCAL IMPACT**

The bill could increase the Secretary of State's administrative costs associated with having to review campaign statements filed by political parties trying to qualify as a party and the proposed required hearings. The additional cost is indeterminate and would depend on the number of political parties trying to qualify as a party and the number of elections for which they were trying to qualify, or the number of hearings that would be held. The political parties trying to qualify as a party would incur the costs associated with the filing of the six required campaign statements. The costs are indeterminate.

The bill also would have an indeterminate, but likely minor, fiscal impact on criminal justice systems of State and local government. The proposed felony could result in a marginal increase in incarceration costs and/or the costs of community supervision. The revenue from the penal fine would benefit public libraries.

Date Completed: 6-12-12

Fiscal Analyst: Joe Carrasco, Dan O'Connor

[floor/hb5059](#)

Bill Analysis @ [www.senate.michigan.gov/sfa](http://www.senate.michigan.gov/sfa)

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