

HOUSE BILL No. 4422

March 12, 2013, Introduced by Reps. Cochran, LaVoy, Ananich, Brinks, Singh, Smiley, Faris, Knezek, Greimel, Brunner, Barnett, Hovey-Wright, Roberts, Banks, Brown, McCann, Townsend, Irwin, Zemke, Dillon, Switalski, Yanez, Segal, Kosowski, Hobbs, Tlaib, Driskell, Lamonte, Cavanagh, Kandreas, Schor, Slavens, Lipton, Abed and Oakes and referred to the Committee on Elections and Ethics.

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
(MCL 169.201 to 169.282) by adding section 55d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 55D. (1) A CORPORATION OR JOINT STOCK COMPANY SHALL NOT
2 MAKE AN INDEPENDENT EXPENDITURE IF THAT CORPORATION OR JOINT STOCK
3 COMPANY MEETS ANY OF THE FOLLOWING CONDITIONS:

4 (A) IS INCORPORATED IN, ORGANIZED UNDER THE LAWS OF, OR
5 CREATED BY THE LAWS OF A FOREIGN COUNTRY.

6 (B) IS A SUBSIDIARY, AFFILIATE, DIVISION, OR JOINT VENTURE OF
7 A CORPORATION OR JOINT STOCK COMPANY INCORPORATED IN, ORGANIZED
8 UNDER THE LAWS OF, OR CREATED BY THE LAWS OF A FOREIGN COUNTRY.

9 (C) HAS RECEIVED, DIRECTLY OR INDIRECTLY, FUNDS FROM ANY
10 SOURCE IN A FOREIGN COUNTRY, EXCEPT FUNDS RECEIVED AS BONA FIDE

1 PAYMENT FOR GOODS OR SERVICES SOLD BY THE CORPORATION OR JOINT
2 STOCK COMPANY IN A FOREIGN COUNTRY.

3 (D) A FOREIGN NATIONAL DIRECTLY OR INDIRECTLY OWNS OR CONTROLS
4 20% OR MORE OF THE VOTING SHARES OF THE CORPORATION OR JOINT STOCK
5 COMPANY.

6 (E) A MAJORITY OF THE MEMBERS OF THE BOARD OF DIRECTORS OF THE
7 CORPORATION OR JOINT STOCK COMPANY ARE FOREIGN NATIONALS.

8 (F) ONE OR MORE FOREIGN NATIONALS HAVE THE POWER TO DIRECT,
9 DICTATE, OR CONTROL THE DECISION-MAKING PROCESS OF THE CORPORATION
10 OR JOINT STOCK COMPANY WITH RESPECT TO ITS INTERESTS IN THE UNITED
11 STATES.

12 (G) ONE OR MORE FOREIGN NATIONALS HAVE THE POWER TO DIRECT,
13 DICTATE, OR CONTROL THE DECISION-MAKING PROCESS OF THE CORPORATION
14 OR JOINT STOCK COMPANY WITH RESPECT TO ACTIVITIES IN CONNECTION
15 WITH A FEDERAL, STATE, OR LOCAL ELECTION, INCLUDING THE MAKING OF
16 AN INDEPENDENT EXPENDITURE.

17 (2) A PERSON SHALL NOT MAKE AN INDEPENDENT EXPENDITURE USING
18 FUNDS THAT THE PERSON HAS RECEIVED FROM A CORPORATION OR JOINT
19 STOCK COMPANY PROHIBITED FROM MAKING AN INDEPENDENT EXPENDITURE
20 UNDER THIS ACT. THIS SUBSECTION DOES NOT APPLY TO SALARY OR
21 COMPENSATION A PERSON RECEIVES FROM THAT PERSON'S EMPLOYMENT WITH A
22 CORPORATION OR JOINT STOCK COMPANY.

23 (3) AS USED IN THIS SECTION, "FOREIGN NATIONAL" MEANS ANY OF
24 THE FOLLOWING:

25 (A) AN INDIVIDUAL WHO IS NOT A CITIZEN OF THE UNITED STATES.

26 (B) A GOVERNMENT OF A FOREIGN COUNTRY OR OF A POLITICAL
27 SUBDIVISION OF A FOREIGN COUNTRY.

1 (C) A PERSON WHO IS NOT AN INDIVIDUAL AND WHO IS NOT
2 INCORPORATED IN, ORGANIZED UNDER THE LAWS OF, OR CREATED BY THE
3 LAWS OF THE UNITED STATES OR ITS STATES AND TERRITORIES.