



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

BILL ANALYSIS



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

Senate Bill 1248, 1251, and 1252 (as reported without amendment)
Senate Bill 1249 (Substitute S-1 as reported)
Senate Bill 1250 (Substitute S-1 as reported)
Sponsor: Senator Dave Robertson
Committee: Elections and Government Reform

CONTENT

Senate Bill 1250 (S-1) would amend the Michigan Campaign Finance Act to do the following:

- Create the Fair Political Practices Commission as an autonomous entity within the Secretary of State (SOS), and provide for the appointment of its members.
- Require the Commission to administer and enforce the Act.
- Modify various references to the SOS to refer instead to the Commission.
- Remove a prohibition on a public person using public funds or resources for a communication referencing a local ballot question and targeting the relevant electorate where the local ballot question appeared on the ballot.
- Prohibit the father, mother, son, daughter, brother, sister, or spouse or a relative of any degree residing in the same household as a candidate from contributing in total to that person's candidate committee, more than \$50,000 in value for an election cycle.
- Prohibit a person from bringing an action to collect a fine or fee imposed under the Act unless the person commenced the action within five years after the violation.

Senate Bill 1249 (S-1) would amend the Code of Criminal Procedure to allow an indictment for a violation of the Michigan Campaign Finance Act could be found and filed up to five years after the offense was committed.

Senate Bill 1248 would amend the lobbyist registration Act to delete references to the SOS and replace them with references to the Fair Political Practices Commission.

Senate Bill 1251 would amend Michigan Election Law to delete references to the SOS and replace them with references to the Fair Political Practices Commission.

Senate Bill 1252 would amend the Legal Defense Fund Act to delete references to the SOS and replace them with references to the Fair Political Practices Commission.

Senate Bills 1248, 1251, and 1252 are tie-barred to Senate Bill 1250.

MCL 4.412 & 4.414 (S.B. 1248)
767.24 (S.B. 1249)
169.203 et al. (S.B. 1250)
168.2 & 168.848 (S.B. 1251)
15.523 et al. (S.B. 1252)

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

Senate Bill 1249 (S-1) could have a positive fiscal impact on the State and local government. Except as provided for specific offenses, an indictment may be filed within six years after a crime is committed. Shortening the statute of limitations for a campaign finance violation from six years to five years would allow fewer people to be charged with violations. Fewer felony and misdemeanor arrests and convictions could reduce resource demands on law enforcement, court systems, community supervision, jails, and correctional facilities. The average cost to State government for felony probation supervision is approximately \$3,024 per probationer per year. For any increase in prison intakes, in the short term, the marginal cost to State government is approximately \$3,764 per prisoner per year. Any associated decrease in fine revenue would decrease funding to public libraries.

Senate Bills 1248, 1257, and 1252 would have no fiscal impact on State or local government.

Senate Bill 1250 (S-1) would have a fiscal impact on the State due the proposed requirement of a salary for commissioners, to be determined and approved by the Legislature. The bill is silent as to which department or agency would be responsible for paying of the proposed salary. The cost is indeterminate and would depend on the salary determined and approved by the Legislature.

Date Completed: 12-17-18

Fiscal Analyst: Joe Carrasco
Abbey Frazier

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.