

SENATE BILL NO. 381

June 08, 2023, Introduced by Senators RUNESTAD, JOHNSON, BELLINO, MCBROOM, DALEY, BUMSTEAD, DAMOOSE, LINDSEY and WEBBER and referred to the Committee on Elections and Ethics.

A bill to regulate political activity; to require certain state officials to file certain reports; to prescribe penalties and civil sanctions; and to provide for the powers and duties of certain state officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "Turks and Caicos act".

2 Sec. 3. As used in this act:

3 (a) "Department" means the department of state.

4 (b) "Gift" means a payment, subscription, advance,

1 forbearance, rendering, or deposit of money, services, or anything
2 of value, the value of which exceeds \$50.00, unless consideration
3 of equal or greater value is given in exchange. For purposes of
4 this act, gift does not include a gift received from an immediate
5 family member of a state official.

6 (c) "Immediate family member" means a parent, stepparent,
7 adoptive parent, foster parent standing in loco parentis, child,
8 stepchild, adopted child, sibling, half-sibling, spouse, or
9 grandparent.

10 (d) "Lobbyist" means that term as defined in section 5 of 1978
11 PA 472, MCL 4.415.

12 (e) "Lobbyist agent" means that term as defined in section 5
13 of 1978 PA 472, MCL 4.415.

14 (f) "Person" means an individual, a partnership, a limited
15 partnership, a corporation, an association, a limited liability
16 company, an organization, including, but not limited to, a
17 nonprofit organization that is exempt from taxation under section
18 501(c)(3) or (4) of the internal revenue code of 1986, 26 USC
19 501(c), or other entity.

20 (g) "Report" means the financial disclosure report required to
21 be filed under section 5.

22 (h) "Reporting period" means the preceding calendar year.

23 (i) "State official" means any of the following individuals:

24 (i) Each member of the legislature.

25 (ii) The attorney general.

26 (iii) The governor.

27 (iv) The lieutenant governor.

28 (v) The secretary of state.

29 (vi) A director or head of any department in this state.

1 Sec. 5. (1) A state official shall annually file a financial
2 disclosure report with the department. The report must first be
3 filed by September 1, 2024 and by September 1 of each year
4 thereafter.

5 (2) The report required under subsection (1) must include all
6 of the following information:

7 (a) The name and signature of the state official.

8 (b) The name of the state official's spouse, if applicable.

9 (c) The name and mailing address of the current employer of
10 the state official.

11 (d) The name and mailing address of the current employer of
12 the state official's spouse, if applicable.

13 (e) The name and mailing address of the state official's
14 employer during the reporting period, if different from the
15 employer under subdivision (c).

16 (f) For each employer described in subdivision (c) or (e), a
17 brief description of the employment, including the state official's
18 occupation and job title.

19 (g) Gifts received from any person during the reporting period
20 that are not required to be reported by a lobbyist or lobbyist
21 agent under state law.

22 (h) Gifts received from any person during the reporting period
23 that are required to be reported by a lobbyist or lobbyist agent
24 under state law.

25 (i) Travel and lodging expenses received during the reporting
26 period that exceed \$500.00 and are not required to be reported by a
27 lobbyist or lobbyist agent under state law.

28 (j) Travel and lodging expenses received during the reporting
29 period that exceed \$500.00 and are required to be reported by a

1 lobbyist or lobbyist agent under state law.

2 (k) For each gift reported under subdivision (g) or (h), all
3 of the following information:

4 (i) The nature of the gift.

5 (ii) The name and address of the donor of the gift.

6 (iii) The fair market value of the gift.

7 (iv) The date the gift was received.

8 Sec. 7. The department shall do both of the following:

9 (a) Make the contents of a report filed under this act
10 available without charge to the public on the department's website.

11 (b) On request by any person, provide a copy of a report, or
12 part of a report, required to be filed under this act at a
13 reasonable charge.

14 Sec. 9. A state official who intentionally or knowingly fails
15 to file a financial disclosure report in violation of this act is
16 subject to a civil fine of not more than \$50.00 per day for each
17 day of violation.