

## PROCEDURE FOR MICHIGAN CAMPAIGN FINANCE ACT COMPLAINTS RELATED TO SECRETARY OF STATE

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<http://www.house.mi.gov/hfa>

**House Bill 4642 as introduced**  
**Sponsor: Rep. Angela Rigas**  
**Committee: Election Integrity**  
**Complete to 7-14-25**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 4642 would amend the Michigan Campaign Finance Act to provide procedures for the attorney general to investigate and resolve an alleged violation of the act that involves the secretary of state, an immediate family member of the secretary of state, or a committee (as defined in the act, for example a candidate committee or ballot question committee) that the secretary of state is directly or indirectly connected with. The act now requires the secretary of state to refer those matters to the attorney general to determine whether a violation of the act has occurred.

Under the bill, if the secretary of state refers a matter to the attorney general as described above, the attorney general would have to investigate and resolve it in the same way the secretary of state handles other allegations of violations of the act, and the requirements and procedures that apply to complaints received by the secretary of state would apply to complaints referred to the attorney general under the bill.<sup>1</sup>

If the attorney general determines that there may be reason to believe that a violation of the Michigan Campaign Finance Act occurred, the attorney general would have to do any of the following, as applicable:

- If the violation is not a felony, resolve the matter using informal methods such as a conference, conciliation, or persuasion. The attorney general could enter into a conciliation agreement with the person involved, which, unless violated, would be a bar to any further civil or criminal action with respect to matters covered in it.
- If the violation is not a felony and the attorney general has attempted to resolve the matter using informal methods as described above, the attorney general could enforce a criminal penalty provided by the Michigan Campaign Finance Act or commence a hearing under the Administrative Procedures Act to determine whether a civil violation of this act has occurred.
- If the violation is a felony, the attorney general would have to enforce a criminal penalty provided by the Michigan Campaign Finance Act or commence a hearing under the Administrative Procedures Act to determine whether a civil violation of the Michigan Campaign Finance Act has occurred.

MCL 169.215

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<sup>1</sup> See <https://www.legislature.mi.gov/Laws/MCL?objectName=MCL-169-215> and [https://ars.apps.lara.state.mi.us/AdminCode/DownloadAdminCodeFile?FileName=1300\\_2013-102ST\\_AdminCode.pdf&ReturnHTML=True](https://ars.apps.lara.state.mi.us/AdminCode/DownloadAdminCodeFile?FileName=1300_2013-102ST_AdminCode.pdf&ReturnHTML=True)

**FISCAL IMPACT:**

The bill would have no significant impact on the Department of Attorney General (AG). In addition to the existing requirement that the AG investigate matters pertaining to the secretary of state, the bill would require the AG to conduct its investigation in such a way that complies with the notification processes under the Michigan Campaign Finance Act otherwise required for investigations conducted by the secretary of state. These notifications and processes would require little additional costs and would require no additional state resources.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.