

MICHIGAN CAMPAIGN FINANCE ACT (EXCERPT)
Act 388 of 1976

169.224c Defeat of independent nature of independent expenditure; punishment; exception.

Sec. 24c. (1) If the independent nature of an independent expenditure is defeated, the resulting contribution is punishable as follows:

(a) For an independent expenditure committee or its agent, under section 24b(5) if the resulting contribution violates section 24b(4).

(b) For an entity described under section 54(1) or a person acting for any such entity under section 54(2), under section 54(5) if the resulting contribution violates section 54.

(c) For any other person, as otherwise provided for a violation of this act.

(2) The independent nature of an independent expenditure is not defeated under any of the following:

(a) Where a person making an independent expenditure related to a ballot question committee, candidate, candidate committee, or political party committee engages an attorney, vendor, or other agent that is also or has been engaged by that candidate or committee, if the attorney, vendor, or other agent does not do any of the following:

(i) For the creation, production, or distribution of a communication, convey information to the person making the communication about the campaign plans, projects, activities, or needs of that candidate or committee that he or she also provides or has provided services for and that has been obtained from that candidate or committee or its agents.

(ii) For the creation, production, or distribution of a communication, use any information about the campaign plans, projects, activities, or needs of that candidate or committee that he or she also provides or has provided services for and that has been obtained from that candidate or committee or its agents.

(iii) Convey information about the creation, production, or distribution of the communication to the candidate or committee that he or she also provides or has provided services for.

(b) Where a candidate, candidate committee, political party committee, or an agent of the candidate or any such committee, solicits contributions on behalf of an independent expenditure committee, but does not request or suggest action by, or further cooperate, consult, act in concert, or otherwise coordinate in any way with the independent expenditure committee related to any independent expenditure made on behalf of that candidate or committee. This subdivision does not preserve the independent nature of an independent expenditure if the independent expenditure committee makes independent expenditures during an election cycle related solely to 1 candidate, and that candidate, that candidate's candidate committee, or that candidate's agent solicits funds on the independent expenditure committee's behalf.

History: Add. 2017, Act 119, Imd. Eff. Sept. 20, 2017.