

HOUSE BILL No. 4397

March 1, 2001, Introduced by Rep. Hart and referred to the Committee on Redistricting and Elections.

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
by amending section 52 (MCL 169.252), as amended by 1996 PA 590.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 52. (1) Except as provided in subsection (5) and
2 subject to subsection (8), a person other than an independent
3 committee or a political party committee shall not make contribu-
4 tions to a candidate committee of a candidate for elective office
5 that, with respect to an election cycle, are more than the
6 following:

7 (a) \$3,400.00 for a candidate for state elective office
8 other than the office of state legislator, or for a candidate for
9 local elective office if the district from which he or she is
10 seeking office has a population of more than 250,000.

1 (b) \$1,000.00 for a candidate for THE OFFICE OF state
2 ~~senator~~ LEGISLATOR, or for a candidate for local elective
3 office if the district from which he or she is seeking office has
4 a population of more than 85,000 but 250,000 or less.

5 (c) \$500.00 ~~for a candidate for state representative, or~~
6 for a candidate for local elective office if the district from
7 which he or she is seeking office has a population of 85,000 or
8 less.

9 (2) Except as otherwise provided in this subsection, an
10 independent committee shall not make contributions to a candidate
11 committee of a candidate for elective office that, in the aggre-
12 gate for that election cycle, are more than 10 times the amount
13 permitted a person other than an independent committee or politi-
14 cal party committee in subsection (1). EXCEPT FOR A HOUSE POLIT-
15 ICAL PARTY CAUCUS COMMITTEE OR A SENATE POLITICAL PARTY CAUCUS
16 COMMITTEE, AN INDEPENDENT COMMITTEE SHALL NOT MAKE CONTRIBUTIONS
17 TO A CANDIDATE COMMITTEE OF A CANDIDATE FOR THE OFFICE OF STATE
18 LEGISLATOR THAT, WITH RESPECT TO AN ELECTION CYCLE, ARE MORE THAN
19 \$1,000.00. A house political party caucus committee or a senate
20 political party caucus committee is not limited under this sub-
21 section in the amount of contributions made to the candidate com-
22 mittee of a candidate for the office of state legislator, except
23 as follows:

24 (a) A house political party caucus committee or a senate
25 political party caucus committee shall not pay a debt incurred by
26 a candidate if that debt was incurred while the candidate was

1 seeking nomination at a primary election and the candidate was
2 opposed at that primary.

3 (b) A house political party caucus committee or a senate
4 political party caucus committee shall not make a contribution to
5 or make an expenditure on behalf of a candidate if that candidate
6 is seeking nomination at a primary election and the candidate is
7 opposed at that primary.

8 (3) A political party committee other than a state central
9 committee shall not make contributions to the candidate committee
10 of a candidate for elective office that are more than 10 times
11 the amount permitted a person other than an independent committee
12 or political party committee in subsection (1).

13 (4) A state central committee of a political party shall not
14 make contributions to the candidate committee of a candidate for
15 state elective office other than a candidate for the legislature
16 that are more than 20 times the amount permitted a person other
17 than an independent committee or political party committee in
18 subsection (1). A state central committee of a political party
19 shall not make contributions to the candidate committee of a can-
20 didate for state senator, state representative, or local elective
21 office that are more than 10 times the amount permitted a person
22 other than an independent committee or political party committee
23 in subsection (1).

24 (5) A contribution from a member of a candidate's immediate
25 family to the candidate committee of that candidate is exempt
26 from the limitations of subsection (1).

1 (6) Consistent with the provisions of this section, a
2 contribution designated in writing for a particular election
3 cycle is considered made for that election cycle. A contribution
4 made after the close of a particular election cycle and desig-
5 nated in writing for that election cycle shall be made only to
6 the extent that the contribution does not exceed the candidate
7 committee's net outstanding debts and obligations from the elec-
8 tion cycle so designated. If a contribution is not designated in
9 writing for a particular election cycle, the contribution is con-
10 sidered made for the election cycle that corresponds to the date
11 of the written instrument.

12 (7) A candidate committee, a candidate, or a treasurer or
13 agent of a candidate committee shall not accept a contribution
14 with respect to an election cycle that exceeds the limitations in
15 subsection (1), (2), (3), or (4).

16 (8) The contribution limits in subsection (1) for a candi-
17 date for local elective office are effective on ~~the effective~~
18 ~~date of the amendatory act that provides for those contribution~~
19 ~~limits,~~ JUNE 21, 1989; however, only contributions received by
20 that candidate on and after that date shall be used to determine
21 if the contribution limit has been reached.

22 (9) A person who knowingly violates this section is guilty
23 of a misdemeanor punishable, if the person is an individual, by a
24 fine of not more than \$1,000.00 or imprisonment for not more than
25 90 days, or both, or, if the person is not an individual, by a
26 fine of not more than \$10,000.00.

1 (10) For purposes of the limitations provided in
2 subsections (1) and (2), all contributions made by political
3 committees or independent committees established by any corpora-
4 tion, joint stock company, domestic dependent sovereign, or labor
5 organization, including any parent, subsidiary, branch, division,
6 department, or local unit, ~~thereof,~~ shall be considered to have
7 been made by a single independent committee. ~~By way of illus-~~
8 ~~tration and not limitation, all of the following apply as a~~
9 ~~result of the application of this requirement~~ EXAMPLES OF A
10 SINGLE INDEPENDENT COMMITTEE FOR PURPOSES OF REPORTING A CONTRI-
11 BUTION IN A CAMPAIGN STATEMENT INCLUDE, BUT ARE NOT LIMITED TO,
12 THE FOLLOWING:

13 (a) All of the political committees and independent commit-
14 tees established by a ~~for profit~~ FOR-PROFIT corporation or
15 joint stock company, by a subsidiary of the ~~for profit~~
16 FOR-PROFIT corporation or joint stock company, or by any combina-
17 tion ~~thereof, are treated as a single independent committee~~ OF
18 THESE.

19 (b) All of the political committees and independent commit-
20 tees established by a single national or international labor
21 organization, by a labor organization of that national or inter-
22 national labor organization, by a local labor organization of
23 that national or international labor organization, or by any
24 other subordinate organization of that national or international
25 labor organization, or by any combination ~~thereof, are treated~~
26 ~~as a single independent committee~~ OF THESE.

1 (c) All of the political committees and independent
2 committees established by an organization of national or
3 international unions, by a state central body of that organiza-
4 tion, by a local central body of that organization, or by any
5 combination ~~thereof, are treated as a single independent~~
6 ~~committee~~ OF THESE.

7 (d) All of the political committees and independent commit-
8 tees established by a nonprofit corporation, by a related state
9 entity of that nonprofit corporation, by a related local entity
10 of that nonprofit corporation, or by any combination ~~thereof,~~
11 ~~are treated as a single independent committee~~ OF THESE.