

# HOUSE BILL No. 6514

November 7, 2002, Introduced by Rep. Jacobs 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 2001 PA 250.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 52. (1) Except as provided in subsection (5) or (11)  
2 and 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 state senator, or for a  
2 candidate for local elective office if the district from which he  
3 or she is seeking office has a population of more than 85,000 but  
4 250,000 or less.

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

8 (2) Except as otherwise provided in this subsection and sub-  
9 section (12), an independent committee shall not make contribu-  
10 tions to a candidate committee of a candidate for elective office  
11 that, in the aggregate for that election cycle, are more than 10  
12 times the amount permitted a person other than an independent  
13 committee or political party committee in subsection (1). A  
14 house political party caucus committee or a senate political  
15 party caucus committee is not limited under this subsection in  
16 the amount of contributions made to the candidate committee of a  
17 candidate for the office of state legislator, except ~~as~~  
18 follows: ~~(a) A~~ THAT A house political party caucus committee or  
19 a senate political party caucus committee shall not pay a debt  
20 incurred by a candidate if that debt was incurred while the can-  
21 didate was seeking nomination at a primary election and the can-  
22 didate was opposed at that primary.

23 ~~(b) A house political party caucus committee or a senate~~  
24 ~~political party caucus committee shall not make a contribution to~~  
25 ~~or make an expenditure on behalf of a candidate if that candidate~~  
26 ~~is seeking nomination at a primary election and the candidate is~~  
27 ~~opposed at that primary.~~

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

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

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

20           (6) Consistent with the provisions of this section, a con-  
21 tribution designated in writing for a particular election cycle  
22 is considered made for that election cycle. A contribution made  
23 after the close of a particular election cycle and designated in  
24 writing for that election cycle shall be made only to the extent  
25 that the contribution does not exceed the candidate committee's  
26 net outstanding debts and obligations from the election cycle so  
27 designated. If a contribution is not designated in writing for a

1 particular election cycle, the contribution is considered made  
2 for the election cycle that corresponds to the date of the writ-  
3 ten instrument.

4 (7) A candidate committee, a candidate, or a treasurer or  
5 agent of a candidate committee shall not accept a contribution  
6 with respect to an election cycle that exceeds the limitations in  
7 subsection (1), (2), (3), (4), (11), or (12).

8 (8) The contribution limits in subsection (1) for a candi-  
9 date for local elective office are effective on the effective  
10 date of the amendatory act that provides for those contribution  
11 limits, however, only contributions received by that candidate on  
12 and after that date shall be used to determine if the contribu-  
13 tion limit has been reached.

14 (9) A person who knowingly violates this section is guilty  
15 of a misdemeanor punishable, if the person is an individual, by a  
16 fine of not more than \$1,000.00 or imprisonment for not more than  
17 90 days, or both, or, if the person is not an individual, by a  
18 fine of not more than \$10,000.00.

19 (10) For purposes of the limitations provided in  
20 subsections (1) and (2), all contributions made by political com-  
21 mittees or independent committees established by any corporation,  
22 joint stock company, domestic dependent sovereign, or labor  
23 organization, including any parent, subsidiary, branch, division,  
24 department, or local unit thereof, shall be considered to have  
25 been made by a single independent committee. By way of illustra-  
26 tion and not limitation, all of the following apply as a result  
27 of the application of this requirement:

1 (a) All of the political committees and independent  
2 committees established by a for profit corporation or joint stock  
3 company, by a subsidiary of the for profit corporation or joint  
4 stock company, or by any combination thereof, are treated as a  
5 single independent committee.

6 (b) All of the political committees and independent commit-  
7 tees established by a single national or international labor  
8 organization, by a labor organization of that national or inter-  
9 national labor organization, by a local labor organization of  
10 that national or international labor organization, or by any  
11 other subordinate organization of that national or international  
12 labor organization, or by any combination thereof, are treated as  
13 a single independent committee.

14 (c) All of the political committees and independent commit-  
15 tees established by an organization of national or international  
16 unions, by a state central body of that organization, by a local  
17 central body of that organization, or by any combination thereof,  
18 are treated as a single independent committee.

19 (d) All of the political committees and independent commit-  
20 tees established by a nonprofit corporation, by a related state  
21 entity of that nonprofit corporation, by a related local entity  
22 of that nonprofit corporation, or by any combination thereof, are  
23 treated as a single independent committee.

24 (11) The limitation on a political committee's contributions  
25 under subsection (1) does not apply to contributions that are  
26 part of 1 or more bundled contributions delivered to the  
27 candidate committee of a candidate for statewide elective office

1 and that are attributed to the political committee as prescribed  
2 in section 31. A political committee shall not make contribu-  
3 tions to a candidate committee of a candidate for statewide elec-  
4 tive office that are part of 1 or more bundled contributions  
5 delivered to that candidate committee, that are attributed to the  
6 political committee as prescribed in section 31, and that, in the  
7 aggregate for that election cycle, are more than the amount per-  
8 mitted a person other than an independent committee or political  
9 party committee in subsection (1).

10 (12) The limitation on an independent committee's contribu-  
11 tions under subsection (2) does not apply to contributions that  
12 are part of 1 or more bundled contributions delivered to the can-  
13 didate committee of a candidate for statewide elective office and  
14 that are attributed to the independent committee as prescribed in  
15 section 31. An independent committee shall not make contribu-  
16 tions to a candidate committee of a candidate for statewide elec-  
17 tive office that are part of 1 or more bundled contributions  
18 delivered to that candidate committee, that are attributed to the  
19 independent committee as prescribed in section 31, and that, in  
20 the aggregate for that election cycle, are more than 10 times the  
21 amount permitted a person other than an independent committee or  
22 political party committee in subsection (1).