

HOUSE BILL No. 5572

January 24, 2006, Introduced by Reps. Bieda and Condino and referred to the Committee on House Oversight, Elections, and Ethics.

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) and
2 subject to subsection (8), a person other than an independent
3 committee or a political party committee shall not make
4 contributions to a candidate committee of a candidate for elective
5 office 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 other
8 than the office of state legislator, or for a candidate for local
9 elective office if the district from which he or she is seeking

1 office has a population of more than 250,000.

2 (b) \$1,000.00 for a candidate for state senator, or for a
3 candidate for local elective office if the district from which he
4 or she is seeking office has a population of more than 85,000 but
5 250,000 or less.

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

9 (2) Except as otherwise provided in this subsection and
10 subsection (12), an independent committee shall not make
11 contributions to a candidate committee of a candidate for elective
12 office that, in the aggregate for that election cycle, are more
13 than 10 times the amount permitted a person other than an
14 independent committee or political party committee in subsection
15 (1). A house political party caucus committee or a senate political
16 party caucus committee is not limited under this subsection in the
17 amount of contributions made to the candidate committee of a
18 candidate for the office of state legislator, except as follows:

19 (a) A house political party caucus committee or a senate
20 political party caucus committee shall not pay a debt incurred by a
21 candidate if that debt was incurred while the candidate was seeking
22 nomination at a primary election and the candidate was opposed at
23 that primary.

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

1 opposed at that primary.

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

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

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

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

1 ~~designated.~~— If a contribution is not designated in writing for a
2 particular election cycle, the contribution is considered made for
3 the election cycle that corresponds to the date of the written
4 instrument.

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

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

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

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

1 ~~application of this requirement~~ **ARE EXAMPLES OF THE EFFECT OF THIS**
2 **SUBSECTION:**

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

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

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

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

26 (11) The limitation on a political committee's contributions
27 under subsection (1) does not apply to contributions that are part

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

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