

SENATE BILL NO. 704

January 08, 2020, Introduced by Senator MCBROOM and referred to the Committee on Elections.

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
(MCL 169.201 to 169.282) by adding section 30a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 30a. (1) A person shall not make a contribution to a
2 committee of a judge or supreme court justice if that person is a
3 party to an action or other legal matter pending before that judge
4 or justice.

5 (2) An independent committee or a political committee shall
6 not make a contribution to a committee of a judge or supreme court

1 justice if that independent committee or political committee is
2 primarily funded by members of a limited liability company and
3 either of the following is true:

4 (a) The limited liability company is a party to an action or
5 other legal matter pending before that judge or justice.

6 (b) An officer, director, or manager of the limited liability
7 company is a party to an action or other legal matter pending
8 before that judge or justice that relates in any way to that
9 party's conduct as an officer, director, or manager of that limited
10 liability company.

11 (3) For purposes of this section, an independent committee or
12 political committee is primarily funded by members of a limited
13 liability company if members of the limited liability company
14 contributed 50% or more of the total amount of contributions to the
15 independent committee or political committee during the 1-year
16 period before the date of a contribution prohibited by this
17 section.

18 (4) An independent committee or political committee shall
19 include with a contribution to a committee of a judge or supreme
20 court justice a written statement indicating whether that
21 contributing committee is primarily funded by members of a limited
22 liability company. If the contributing committee is primarily
23 funded by members of a limited liability company, the contributing
24 committee shall disclose in the written statement the name and
25 address of the limited liability company.

26 (5) A committee of an incumbent judge or supreme court justice
27 shall not accept a contribution from any of the following:

28 (a) A person prohibited from making a contribution under
29 subsection (1).

1 (b) An independent or political committee prohibited from
2 making a contribution under subsection (2).

3 (c) An independent or political committee without a written
4 statement required under subsection (4).

5 (6) A person who violates subsection (1) is guilty of a
6 misdemeanor punishable by a fine of not more than 3 times the
7 amount of the prohibited contribution or imprisonment for not more
8 than 1 year, or both.

9 (7) A person who authorizes a contribution by an independent
10 or political committee prohibited by subsection (2) is guilty of a
11 misdemeanor punishable by a fine of not more than 3 times the
12 amount of the prohibited contribution or imprisonment for not more
13 than 1 year, or both.

14 (8) An incumbent judge or supreme court justice whose
15 committee accepts a contribution prohibited by this section is
16 guilty of a misdemeanor punishable by a fine of not more than 3
17 times the amount of the prohibited contribution or imprisonment for
18 not more than 1 year, or both. A committee is considered to have
19 accepted a contribution prohibited by this section if the committee
20 does not return the prohibited contribution to the contributor
21 within 7 days after receiving the contribution.

22 (9) The treasurer of a committee of an incumbent judge or
23 supreme court justice who accepts a contribution in violation of
24 this section is guilty of a misdemeanor punishable by a fine of not
25 more than 3 times the amount of the prohibited contribution or
26 imprisonment for not more than 1 year, or both. A committee is
27 considered to have accepted a contribution prohibited by this
28 section if the committee does not return the prohibited
29 contribution to the contributor within 7 days after receiving the

1 contribution.