

HOUSE BILL NO. 4326

March 22, 2023, Introduced by Reps. Bollin, Prestin, DeBoyer, Hoadley, Phil Green, Jaime Greene and Thompson and referred to the Committee on Elections.

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 3, 11, 12, 21, 24, and 52 (MCL 169.203, 169.211, 169.212, 169.221, 169.224, and 169.252), sections 3 and 11 as amended by 2017 PA 119, sections 12, 21, and 24 as amended by 2019 PA 93, and section 52 as amended by 2015 PA 269, and by adding section 21b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) "Candidate" means an individual who meets 1 or
2 more of the following criteria:

3 (a) Files a fee, an affidavit of incumbency, or a nominating
4 petition for an elective office.

5 (b) Is nominated as a candidate for elective office by a
6 political party caucus or convention and whose nomination is
7 certified to the appropriate filing official.

8 (c) Receives a contribution, makes an expenditure, or gives
9 consent for another person to receive a contribution or make an
10 expenditure with a view to bringing about the individual's
11 nomination or election to an elective office, whether or not the
12 specific elective office for which the individual will seek
13 nomination or election is known at the time the contribution is
14 received or the expenditure is made.

15 (d) Is ~~an officeholder who is the subject of a recall~~
16 ~~vote.~~ **candidate.**

17 (e) Holds an elective office, unless the officeholder is
18 constitutionally or legally barred from seeking reelection or fails
19 to file for reelection to that office by the applicable filing
20 deadline. An individual described in this subdivision is considered
21 to be a candidate for reelection to that same office for the
22 purposes of this act only.

23 For purposes of sections 61 to 71, "candidate" only means, in
24 a primary election, a candidate for the office of governor and, in
25 a general election, a candidate for the office of governor or
26 lieutenant governor. However, the candidates for the office of
27 governor and lieutenant governor of the same political party in a
28 general election are considered as 1 candidate.

29 (2) "Candidate committee" means the committee designated in a

1 candidate's filed statement of organization as that individual's
2 candidate committee. A candidate committee must be under the
3 control and direction of the candidate named in the same statement
4 of organization. Notwithstanding subsection (4), an individual,
5 **except for a recall candidate**, shall form a candidate committee
6 under section 21 if the individual becomes a candidate under
7 subsection (1).

8 (3) "Closing date" means the date through which a campaign
9 statement is required to be complete.

10 (4) "Committee" means a person that receives contributions or
11 makes expenditures for the purpose of influencing or attempting to
12 influence the action of the voters for or against the nomination or
13 election of a candidate, the qualification, passage, or defeat of a
14 ballot question, or the qualification of a new political party, if
15 contributions received total \$500.00 or more in a calendar year or
16 expenditures made total \$500.00 or more in a calendar year. Except
17 as restricted or prohibited by this act or other state or federal
18 law, a committee may also make other lawful disbursements. An
19 individual, other than a candidate, does not constitute a
20 committee. A person, other than a committee registered under this
21 act, making an expenditure to a ballot question committee or an
22 independent expenditure committee, ~~shall is~~ not, for that reason,
23 ~~be~~ considered a committee or ~~be~~ required to file a report for the
24 purposes of this act unless the person solicits or receives
25 contributions for the purpose of making an expenditure to that
26 ballot question committee or independent expenditure committee.

27 Sec. 11. (1) "Payroll deduction plan" means any system in
28 which an employer deducts any amount of money from the wages,
29 earnings, or compensation of an employee.

1 (2) "Person" means a business, individual, proprietorship,
2 limited liability company, firm, partnership, joint venture,
3 syndicate, business trust, labor organization, company,
4 corporation, association, committee, or any other organization or
5 group of persons acting jointly.

6 (3) "Political committee" means a committee that is not a
7 candidate committee, **recall committee**, political party committee,
8 house or senate political party caucus committee, independent
9 committee, independent expenditure committee, or ballot question
10 committee.

11 (4) "Political merchandise" means goods such as bumper
12 stickers, pins, hats, beverages, literature, or other items sold by
13 a person at a fund raiser or to the general public for publicity or
14 for the purpose of raising funds to be used in supporting or
15 opposing a candidate for nomination for or election to an elective
16 office, in supporting or opposing the qualification, passage, or
17 defeat of a ballot question, or in supporting or opposing the
18 qualification of a new political party.

19 (5) "Political party" means a political party that has a right
20 under law to have the names of its candidates listed on the ballot
21 in a general election.

22 (6) "Political party committee" means a state central,
23 district, or county committee of a political party or a party
24 attempting to qualify as a new political party under section 685 of
25 the Michigan election law, 1954 PA 116, MCL 168.685, that is a
26 committee. Each state central committee shall designate the
27 official party county and district committees. There must not be
28 more than 1 officially designated political party committee per
29 county and per congressional district.

1 (7) "Public body" means 1 or more of the following:

2 (a) A state agency, department, division, bureau, board,
3 commission, council, authority, or other body in the executive
4 branch of state government.

5 (b) The legislature or an agency, board, commission, or
6 council in the legislative branch of state government.

7 (c) A county, city, township, village, intercounty, intercity,
8 or regional governing body; a council, school district, special
9 district, or municipal corporation; or a board, department,
10 commission, or council or an agency of a board, department,
11 commission, or council.

12 (d) Any other body that is created by state or local authority
13 or is primarily funded by or through state or local authority, if
14 the body exercises governmental or proprietary authority or
15 performs a governmental or proprietary function.

16 Sec. 12. (1) "Qualifying contribution" means a contribution of
17 money made by a written instrument, credit card, or debit card by
18 an individual to the candidate committee of a candidate for the
19 office of governor that is \$100.00 or less and made after April 1
20 of the year preceding a year in which a governor is to be elected.
21 Not more than \$100.00 of an individual's total aggregate
22 contribution may be used as a qualifying contribution in a calendar
23 year. Qualifying contribution does not include a subscription,
24 loan, advance, deposit of money, in-kind contribution or
25 expenditure, or anything else of value except as prescribed in this
26 act. Qualifying contribution does not include a contribution by an
27 individual who resides outside of this state. For purposes of this
28 subsection, an individual is considered to reside in this state if
29 he or she is considered a resident of this state under the Michigan

1 election law, 1954 PA 116, MCL 168.1 to 168.992.

2 (2) "Recall candidate" means an officeholder for whom a recall
3 petition has been determined to be valid for circulation under
4 section 951a(8) or 952(8) of the Michigan election law, 1954 PA
5 116, MCL 168.951a and 168.952.

6 (3) "Recall committee" means the committee designated in a
7 recall candidate's filed statement of organization as that
8 individual's recall committee.

9 (4) ~~(2)~~—"Senate political party caucus committee" means an
10 independent committee established by a political party caucus of
11 the state senate under section 24a.

12 (5) ~~(3)~~—"State elective office" means a statewide elective
13 office or the office of state legislator.

14 (6) ~~(4)~~—"Statewide elective office" means the office of
15 governor, lieutenant governor, secretary of state, or attorney
16 general, justice of the supreme court, member of the state board of
17 education, regent of the University of Michigan, member of the
18 board of trustees of Michigan State University, or member of the
19 board of governors of Wayne State University.

20 Sec. 21. (1) A candidate, **except for a recall candidate,**
21 within 10 days after becoming a candidate, shall form a candidate
22 committee. An individual who is a candidate for more than 1 office
23 shall form a candidate committee for each office for which the
24 individual is a candidate, if at least 1 of the offices is a state
25 elective office. A candidate shall not form more than 1 candidate
26 committee for each office for which the individual is a candidate.

27 (2) A candidate committee must have a treasurer who is a
28 qualified elector of this state. A candidate may appoint himself or
29 herself as the candidate committee treasurer.

1 (3) A committee other than a candidate committee **or a recall**
2 **committee** must have a treasurer who is a qualified elector of this
3 state if the committee conducts business through an office or other
4 facility located in this state.

5 (4) If a committee is not required to have as its treasurer an
6 individual who is a qualified elector of this state, the committee
7 may have as its treasurer an individual who is a resident of
8 another state. A committee with a nonresident treasurer shall file,
9 with its statement of organization, an irrevocable written
10 stipulation, signed by the treasurer, agreeing that legal process
11 affecting the committee, served on the secretary of state or an
12 agent designated by the secretary of state, has the same effect as
13 if personally served on the committee. This appointment remains in
14 force as long as any liability of the committee remains outstanding
15 within this state.

16 (5) If the secretary of state or designated agent of the
17 secretary of state is served with legal process under subsection
18 (4), the secretary of state shall promptly notify the committee's
19 treasurer by certified mail at the last known address of the
20 committee shown on the committee's statement of organization.

21 (6) Except as provided by law, a candidate committee or a
22 committee described in subsection (3) shall have 1 account in a
23 financial institution in this state as an official depository to
24 deposit all contributions received by the committee in the form of
25 or which are converted to money, checks, or other negotiable
26 instruments and to make all expenditures. The committee shall
27 designate that financial institution as its official depository.
28 The establishment of an account in a financial institution is not
29 required until the committee receives a contribution or makes an

1 expenditure. Candidate committees shall only use secondary
2 depositories to deposit contributions and promptly transfer the
3 deposits to the committee's official depository, or to deposit the
4 proceeds of a joint fund-raiser under section 44(4) and transfer
5 each committee's share of any receipts from the joint fund-raiser.
6 A committee described in subsection (3) shall only use secondary
7 depositories for any of the following:

8 (a) To deposit contributions and promptly transfer the
9 deposits to the committee's official depository.

10 (b) To deposit the proceeds of a joint fund-raiser under
11 section 44(4) and transfer each committee's share of any receipts
12 from the joint fund-raiser.

13 (c) To deposit, divide, and transfer contributions that are
14 aggregated with dues or other payments.

15 (7) Except as provided by law, a committee described in
16 subsection (4) shall have 1 account in a financial institution as
17 its official depository to deposit all contributions received by
18 the committee in the form of or which are converted to money,
19 checks, or other negotiable instruments and to make all
20 expenditures. The committee shall designate that financial
21 institution as its official depository. The establishment of an
22 account in a financial institution is not required until the
23 committee receives a contribution or makes an expenditure. A
24 committee described in subsection (4) shall only use secondary
25 depositories for any of the following:

26 (a) To deposit contributions and promptly transfer the
27 deposits to the committee's official depository.

28 (b) To deposit the proceeds of a joint fund-raiser under
29 section 44(4) and transfer each committee's share of any receipts

1 from the joint fund-raiser.

2 (c) To deposit, divide, and transfer contributions that are
3 aggregated with dues or other payments.

4 (8) A committee shall not accept a contribution or make an
5 expenditure if that committee does not have a treasurer. When the
6 office of treasurer in a candidate committee is vacant, the
7 candidate is the treasurer until the candidate appoints a new
8 treasurer.

9 (9) A committee shall not make an expenditure without the
10 authorization of the treasurer or the treasurer's designee. The
11 contributions received or expenditures made by a candidate or an
12 agent of a candidate are considered received or made by the
13 candidate committee.

14 (10) Contributions received by an individual acting in behalf
15 of a committee must be reported promptly to the committee's
16 treasurer not later than 5 days before the closing date of any
17 campaign statement required to be filed by the committee, and must
18 be reported to the committee treasurer immediately if the
19 contribution is received less than 5 days before the closing date.

20 (11) A contribution is considered received by a committee when
21 it is received by the committee treasurer or a designated agent of
22 the committee treasurer although the contribution may not be
23 deposited in the official depository by the reporting deadline.

24 (12) Contributions received by a committee must not be
25 commingled with other funds of an agent of the committee or of any
26 other person. Contributions are not considered to be commingled if
27 that contribution is either of the following:

28 (a) A contribution received by a person for transmission to a
29 separate segregated fund as described in section 55(7).

1 (b) A contribution made by 1 or more persons through a person
2 if all of the following are met:

3 (i) The individual contribution or aggregated contribution is
4 accompanied by or logically associated with all information
5 required under section 26 for each individual contributor.

6 (ii) The person making the contribution is the original source
7 of the contribution.

8 (iii) The contribution is not obtained through use of coercion
9 or physical force, as a condition of employment or membership, or
10 by using or threatening to use job discrimination or financial
11 reprisals.

12 (iv) Only the person making the contribution exercises any
13 control over the making of, or the amount or recipient of, the
14 contribution.

15 (v) The contribution is not otherwise prohibited by this act.

16 (13) A person that violates this section is subject to a civil
17 fine of not more than \$1,000.00.

18 **Sec. 21b. (1) A recall candidate, within 10 days after**
19 **becoming a recall candidate, shall form a recall committee. An**
20 **individual shall not form more than 1 recall committee and shall**
21 **not form a recall committee until that individual becomes a recall**
22 **candidate.**

23 **(2) A recall committee must have a treasurer who is a**
24 **qualified elector of this state. A candidate may appoint himself or**
25 **herself as the recall committee treasurer.**

26 **(3) Except as provided by law, a recall committee shall have 1**
27 **account in a financial institution in this state as an official**
28 **depository to deposit all contributions received by the recall**
29 **committee in the form of or that are converted to money, checks, or**

1 other negotiable instruments and to make all expenditures. The
2 recall committee shall designate that financial institution as its
3 official depository. The establishment of an account in a financial
4 institution is not required until the recall committee receives a
5 contribution or makes an expenditure.

6 (4) A recall committee shall not accept a contribution or make
7 an expenditure if that recall committee does not have a treasurer.
8 When the office of treasurer in a recall committee is vacant, the
9 recall candidate is the treasurer until the recall candidate
10 appoints a new treasurer. A recall committee shall not make an
11 expenditure until the filing official with whom the recall petition
12 is filed makes an official declaration of the sufficiency of the
13 recall petition under section 963 of the Michigan election law,
14 1954 PA 116, MCL 168.963.

15 (5) A recall committee shall not make an expenditure without
16 the authorization of the treasurer or the treasurer's designee. The
17 contributions received or expenditures made by a recall candidate
18 or an agent of a recall candidate are considered received or made
19 by the recall committee.

20 (6) Contributions received by an individual acting in behalf
21 of a recall committee must be reported promptly to the recall
22 committee's treasurer not later than 5 days before the closing date
23 of any campaign statement required to be filed by the recall
24 committee, and must be reported to the recall committee treasurer
25 immediately if the contribution is received less than 5 days before
26 the closing date.

27 (7) A contribution is considered received by a recall
28 committee when it is received by the recall committee treasurer or
29 a designated agent of the recall committee treasurer although the

1 contribution may not be deposited in the official depository by the
2 reporting deadline.

3 (8) Contributions received by a recall committee must not be
4 commingled with other funds of an agent of the recall committee or
5 of any other person.

6 (9) The recall committee shall return unexpended funds in the
7 recall committee to donors no later than 30 days after 1 of the
8 following:

9 (a) The filing official with whom the recall petition is filed
10 makes an official declaration of the insufficiency of the recall
11 petition under section 963 of the Michigan election law, 1954 PA
12 116, MCL 168.963.

13 (b) The results of the recall election have been certified.

14 (10) A person that violates this section is subject to a civil
15 fine of not more than \$1,000.00.

16 Sec. 24. (1) A committee shall file a statement of
17 organization with the filing officials designated in section 36 to
18 receive the committee's campaign statements. A committee shall file
19 a statement of organization within 10 days after the committee is
20 formed. A filing official shall maintain a statement of
21 organization filed by a committee until 5 years after the official
22 date of the committee's dissolution. A person who fails to file a
23 statement of organization required by this subsection shall pay a
24 late filing fee of \$10.00 for each business day the statement
25 remains not filed in violation of this subsection. The late filing
26 fee must not exceed \$300.00. A person who violates this subsection
27 by failing to file for more than 30 days after a statement of
28 organization is required to be filed is guilty of a misdemeanor
29 punishable by a fine of not more than \$1,000.00.

1 (2) The statement of organization required to be filed under
2 subsection (1) must include the following information:

3 (a) The name, street address, and if available, the ~~electronic~~
4 ~~mail-email~~ address and telephone number of the committee, and the
5 ~~electronic mail-email~~ address of the candidate. If a committee is a
6 candidate committee **or recall committee**, the committee name must
7 include the first and last name of the candidate. A committee
8 address may be the home address of the candidate or treasurer of
9 the committee.

10 (b) The name, street address, and if available, the ~~electronic~~
11 ~~mail-email~~ address and telephone number of the treasurer or other
12 individual designated as responsible for the committee's record
13 keeping, report preparation, or report filing.

14 (c) The name and address of the financial institution in which
15 the official committee depository is or is intended to be located,
16 and the name and address of each financial institution in which a
17 secondary depository is or is intended to be located.

18 (d) The full name of the office being sought by, including
19 district number or jurisdiction, and the county residence of each
20 candidate supported or opposed by the committee.

21 (e) A brief statement identifying the substance of each ballot
22 question supported or opposed by the committee. If the ballot
23 question supported or opposed by the committee is a local ballot
24 question, the committee shall identify the county in which the
25 greatest number of registered voters eligible to vote on the ballot
26 question reside.

27 (f) Identification of the committee as a candidate committee,
28 **recall committee**, political party committee, independent committee,
29 independent expenditure committee, political committee, or ballot

1 question committee if it is identifiable as such a committee.

2 (3) An independent committee or political committee shall
3 include in the name of the committee the name of the person or
4 persons that sponsor the committee, if any, or with whom the
5 committee is affiliated. A person, other than an individual or a
6 committee, sponsors or is affiliated with an independent committee
7 or political committee if that person establishes, directs,
8 controls, or financially supports the administration of the
9 committee. For the purposes of this subsection, a person does not
10 financially support the administration of a committee by merely
11 making a contribution to the committee.

12 (4) If any of the information required in a statement of
13 organization is changed, the committee shall file an amendment when
14 the next campaign statement is required to be filed.

15 (5) When filing a statement of organization, a committee,
16 other than an independent committee, a political committee, or a
17 political party committee, may indicate in a written statement
18 signed by the treasurer of the committee that the committee does
19 not expect for each election to receive an amount in excess of
20 \$1,000.00 or expend an amount in excess of \$1,000.00. The treasurer
21 of a committee of an incumbent judge or supreme court justice is
22 considered to have made the statement required under this
23 subsection following appointment or election of that judge or
24 justice and is not required to file a written statement under this
25 subsection indicating that the committee does not expect for each
26 election to receive or expend an amount in excess of \$1,000.00.

27 (6) When filing a statement of organization, an independent
28 committee, an independent expenditure committee, a political
29 committee, or a political party committee may indicate in a written

1 statement signed by the treasurer of the committee that the
 2 committee does not expect in a calendar year to receive or expend
 3 an amount in excess of \$1,000.00.

4 (7) Upon the dissolution of a committee, the committee shall
 5 file a statement indicating dissolution with the filing officials
 6 with whom the committee's statement of organization was filed.
 7 Dissolution of a committee must be accomplished pursuant to rules
 8 promulgated by the secretary of state under the administrative
 9 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

10 (8) A candidate committee that files a written statement under
 11 subsection (5) or that is considered to have made a statement under
 12 subsection (5) is not required to file a dissolution statement
 13 under subsection (7) if the committee failed to receive or expend
 14 an amount in excess of \$1,000.00 and 1 of the following applies:

15 (a) The candidate was defeated in an election and has no
 16 outstanding campaign debts or assets.

17 (b) The candidate vacates an elective office and has no
 18 outstanding campaign debts or assets.

19 (9) A political committee organized for the purpose of making
 20 independent expenditures formed before December 31, 2019 is
 21 considered an independent expenditure committee. The secretary of
 22 state may amend the statement of organization for any committee
 23 affected by this subsection.

24 Sec. 52. (1) Except as provided in subsection ~~(5)~~~~(6)~~ or ~~(11)~~
 25 **(12)** and subject to section 46 and subsection ~~(8)~~~~(9)~~, a person
 26 other than an independent committee or a political party committee
 27 shall not make contributions to a candidate committee of a
 28 candidate for elective office that, with respect to an election
 29 cycle, are more than the following:

1 (a) \$6,800.00 for a candidate for state elective office other
2 than the office of state legislator, or for a candidate for local
3 elective office if the district from which he or she is seeking
4 office has a population of more than 250,000.

5 (b) \$2,000.00 for a candidate for state senator, or for a
6 candidate for local elective office if the district from which he
7 or she is seeking office has a population of more than 85,000 but
8 250,000 or less.

9 (c) \$1,000.00 for a candidate for state representative, or for
10 a candidate for local elective office if the district from which he
11 or she is seeking office has a population of 85,000 or less.

12 **(2) Except as provided in subsection (6) and subject to**
13 **section 46, a person other than an independent committee or a**
14 **political party committee shall not make contributions to a recall**
15 **committee of a recall candidate that, with respect to an election**
16 **cycle, are more than the following:**

17 (a) \$6,800.00 for an individual in state elective office other
18 than the office of state legislator, or for an individual in local
19 elective office if the district the individual represents has a
20 population of more than 250,000.

21 (b) \$2,000.00 for a state senator, or for an individual in
22 local elective office if the district the individual represents has
23 a population of more than 85,000 but 250,000 or less.

24 (c) \$1,000.00 for a state representative, or for an individual
25 in local elective office if the district the individual represents
26 has a population of 85,000 or less.

27 **(3) ~~(2)~~—Except as otherwise provided in this subsection and**
28 **subsection ~~(12)~~, ~~(13)~~, an independent committee shall not make**
29 **contributions to a candidate committee of a candidate for elective**

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

14 (a) A house political party caucus committee or a senate
 15 political party caucus committee shall not pay a debt incurred by a
 16 candidate if that debt was incurred while the candidate was seeking
 17 nomination at a primary election and the candidate was opposed at
 18 that primary.

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

24 **(4) ~~(3)~~—**A political party committee other than a state central
 25 committee shall not make contributions to the candidate committee
 26 of a candidate for elective office that are more than 10 times the
 27 amount permitted a person other than an independent committee or
 28 political party committee in subsection (1). **A political party**
 29 **committee other than a state central committee shall not make**

1 contributions to the recall committee of a recall candidate that
 2 are more than 10 times the amount permitted a person other than an
 3 independent committee or political party committee in subsection
 4 (2).

5 (5) ~~(4)~~—A state central committee of a political party shall
 6 not make contributions to the candidate committee of a candidate
 7 for state elective office other than a candidate for the
 8 legislature that are more than 20 times the amount permitted a
 9 person other than an independent committee or political party
 10 committee in subsection (1). **A state central committee of a**
 11 **political party shall not make contributions to the recall**
 12 **committee of an individual in state elective office other than a**
 13 **member of the legislature that are more than 20 times the amount**
 14 **permitted a person other than an independent committee or political**
 15 **party committee in subsection (2).** A state central committee of a
 16 political party shall not make contributions to the candidate
 17 committee of a candidate for state senator, state representative,
 18 or local elective office that are more than 10 times the amount
 19 permitted a person other than an independent committee or political
 20 party committee in subsection (1). **A state central committee of a**
 21 **political party shall not make contributions to the recall**
 22 **committee of a state senator, state representative, or individual**
 23 **in local elective office that are more than 10 times the amount**
 24 **permitted a person other than an independent committee or political**
 25 **party committee in subsection (2).**

26 (6) ~~(5)~~—A contribution from a member of a candidate's
 27 immediate family to the **recall committee or the** candidate committee
 28 of that candidate is exempt from the limitations of subsection (1)
 29 or (2).

1 (7) ~~(6)~~—Consistent with the provisions of this section, a
2 contribution designated in writing for a particular election cycle
3 is considered made for that election cycle. A contribution made
4 after the close of a particular election cycle and designated in
5 writing for that election cycle ~~shall~~**must** be made only to the
6 extent that the contribution does not exceed the candidate
7 committee's net outstanding debts and obligations from the election
8 cycle so designated. If a contribution is not designated in writing
9 for a particular election cycle, all of the following apply to that
10 contribution:

11 (a) The contribution is considered made for the election cycle
12 that corresponds to the date of the written instrument.

13 (b) The contribution limits for the current election cycle
14 apply to that contribution.

15 (c) A candidate committee may use that contribution to pay
16 outstanding debts and obligations from a previous election cycle
17 regardless of whether the contribution, when aggregated with any
18 contributions made in that previous election cycle, would exceed
19 the contribution limits for that previous election cycle.

20 (8) ~~(7)~~—A candidate committee, ~~a~~**recall committee**, candidate,
21 **recall candidate**, or ~~a~~—treasurer or agent of a candidate committee
22 shall not accept a contribution with respect to an election cycle
23 that exceeds the limitations in subsection (1), (2), (3), (4),
24 ~~(11), or~~ **(5)**, (12), **or (13)**.

25 (9) ~~(8)~~—The contribution limits in subsection (1) for a
26 candidate for local elective office are effective on the effective
27 date of the amendatory act that provides for those contribution
28 limits, however, only contributions received by that candidate on
29 and after that date shall be used to determine if the contribution

1 limit has been reached.

2 **(10)** ~~(9)~~—A person who knowingly violates this section is
 3 guilty of a misdemeanor punishable, if the person is an individual,
 4 by a fine of not more than \$1,000.00 or imprisonment for not more
 5 than 90 days, or both, or, if the person is not an individual, by a
 6 fine of not more than \$10,000.00.

7 **(11)** ~~(10)~~—For purposes of the limitations provided in
 8 subsections (1), ~~and~~ (2), **and (3)**, all contributions made by
 9 political committees or independent committees established by any
 10 corporation, joint stock company, domestic dependent sovereign, or
 11 labor organization, including any parent, subsidiary, branch,
 12 division, department, or local unit thereof, ~~shall be~~ **are**
 13 considered to have been made by a single independent committee. By
 14 way of illustration and not limitation, all of the following apply
 15 as a result of the application of this requirement:

16 (a) All of the political committees and independent committees
 17 established by a for profit corporation or joint stock company, by
 18 a subsidiary of the for profit corporation or joint stock company,
 19 or by any combination thereof, are treated as a single independent
 20 committee.

21 (b) All of the political committees and independent committees
 22 established by a single national or international labor
 23 organization, by a labor organization of that national or
 24 international labor organization, by a local labor organization of
 25 that national or international labor organization, or by any other
 26 subordinate organization of that national or international labor
 27 organization, or by any combination thereof, are treated as a
 28 single independent committee.

29 (c) All of the political committees and independent committees

1 established by an organization of national or international unions,
 2 by a state central body of that organization, by a local central
 3 body of that organization, or by any combination thereof, are
 4 treated as a single independent committee.

5 (d) All of the political committees and independent committees
 6 established by a nonprofit corporation, by a related state entity
 7 of that nonprofit corporation, by a related local entity of that
 8 nonprofit corporation, or by any combination thereof, are treated
 9 as a single independent committee.

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

23 **(13)** ~~(12)~~—The limitation on an independent committee's
 24 contributions under subsection (2) does not apply to contributions
 25 that are part of 1 or more bundled contributions delivered to the
 26 candidate committee of a candidate for statewide elective office
 27 and that are attributed to the independent committee as prescribed
 28 in section 31. An independent committee shall not make
 29 contributions to a candidate committee of a candidate for statewide

1 elective office that are part of 1 or more bundled contributions
2 delivered to that candidate committee, that are attributed to the
3 independent committee as prescribed in section 31, and that, in the
4 aggregate for that election cycle, are more than 10 times the
5 amount permitted a person other than an independent committee or
6 political party committee in subsection (1).