

SENATE BILL NO. 655

November 09, 2023, Introduced by Senators MCCANN, IRWIN, MCBROOM and CHANG and referred to the Committee on Elections and Ethics.

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 52, 52a, and 69 (MCL 169.252, 169.252a, and 169.269), section 52 as amended by 2015 PA 269 and sections 52a and 69 as amended by 2013 PA 252; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 52. (1) Except as provided in subsection (5) or (11) and
2 subject to ~~section 46 and~~ subsection (8), a person other than an
3 independent committee or a political party committee shall not make

1 contributions to a candidate committee of a candidate for elective
2 office that, with respect to an election cycle, are more than the
3 following:

4 (a) ~~\$6,800.00~~ **\$3,400.00** for a candidate for state elective
5 office other than the office of state legislator, or for a
6 candidate for local elective office if the district from which ~~he~~
7 ~~or she~~ **the candidate** is seeking office has a population of more
8 than 250,000.

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

13 (c) ~~\$1,000.00~~ **\$500.00** for a candidate for state
14 representative, or for a candidate for local elective office if the
15 district from which ~~he or she~~ **the candidate** is seeking office has a
16 population of 85,000 or less.

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

27 (a) A house political party caucus committee or a senate
28 political party caucus committee shall not pay a debt incurred by a
29 candidate if that debt was incurred while the candidate was seeking

1 nomination at a primary election and the candidate was opposed at
2 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 the
11 amount permitted a person other than an independent committee or
12 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
20 candidate for state senator, state representative, or local
21 elective office that are more than 10 times the amount permitted a
22 person other than an independent committee or political party
23 committee 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 from
26 the limitations of subsection (1).

27 (6) Consistent with the provisions of this section, a
28 contribution designated in writing for a particular election cycle
29 is considered made for that election cycle. A contribution made

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

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

10 (b) The contribution limits for the current election cycle
11 apply to that contribution.

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

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

21 (8) The contribution limits in subsection (1) for a candidate
22 for local elective office are effective on the effective date of
23 the amendatory act that provides for those contribution limits,
24 however, only contributions received by that candidate on and after
25 that date ~~shall~~**may** be used to determine if the contribution limit
26 has been reached.

27 (9) A person ~~who~~**that** knowingly violates this section is
28 guilty of a misdemeanor punishable, if the person is an individual,
29 by a fine of not more than \$1,000.00 or imprisonment for not more

1 than 90 days, or both, or, if the person is not an individual, by a
2 fine of not more than \$10,000.00.

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

12 (a) All of the political committees and independent committees
13 established by a for profit corporation or joint stock company, by
14 a subsidiary of the for profit corporation or joint stock company,
15 or by any combination thereof, are treated as a single independent
16 committee.

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

25 (c) All of the political committees and independent committees
26 established by an organization of national or international unions,
27 by a state central body of that organization, by a local central
28 body of that organization, or by any combination thereof, are
29 treated as a single independent committee.

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

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

19 (12) The limitation on an independent committee's
20 contributions under subsection (2) does not apply to contributions
21 that are part of 1 or more bundled contributions delivered to the
22 candidate committee of a candidate for statewide elective office
23 and that are attributed to the independent committee as prescribed
24 in section 31. An independent committee shall not make
25 contributions to a candidate committee of a candidate for statewide
26 elective office that are part of 1 or more bundled contributions
27 delivered to that candidate committee, that are attributed to the
28 independent committee as prescribed in section 31, and that, in the
29 aggregate for that election cycle, are more than 10 times the

1 amount permitted a person other than an independent committee or
2 political party committee in subsection (1).

3 Sec. 52a. (1) ~~Subject to section 46, a~~ **A** person shall not make
4 contributions to a house political party caucus committee or a
5 senate political party caucus committee that exceed \$40,000.00 in a
6 calendar year. A house political party caucus committee or a senate
7 political party caucus committee or a treasurer or agent of the
8 committee shall not accept a contribution with respect to a 2-year
9 election cycle that exceeds the limitation in this section.

10 (2) A person ~~who~~ **that** knowingly violates this section is
11 guilty of a misdemeanor punishable, if the person is an individual,
12 by a fine of not more than \$1,000.00 or imprisonment for not more
13 than 90 days, or both, or, if the person is not an individual, by a
14 fine of not more than \$10,000.00.

15 Sec. 69. (1) Except as provided in subsection (6) or (10), ~~and~~
16 ~~subject to section 46,~~ a person other than an independent committee
17 or a political party committee shall not make contributions to a
18 candidate committee of a candidate that are more than ~~\$6,800.00~~
19 **\$3,400.00** in value for an election cycle.

20 (2) Except as provided in subsection (11), an independent
21 committee shall not make contributions to a candidate committee
22 that for an election cycle are more than 10 times the amount
23 permitted a person other than an independent committee or political
24 party committee in subsection (1).

25 (3) A political party committee that is a state central
26 committee shall not make contributions to a candidate committee
27 that for an election cycle are more than \$750,000.00.

28 (4) A political party committee that is a congressional
29 district or county committee shall not make contributions to a

1 candidate committee that for an election cycle are more than
2 \$30,000.00.

3 (5) A candidate committee, a candidate, or a treasurer or
4 agent shall not accept a contribution with respect to an election
5 cycle that exceeds a limitation in subsections (1) to (4), or (10).

6 (6) As used in this subsection, "immediate family" means a
7 spouse, parent, brother, sister, son, or daughter. A candidate and
8 members of that candidate's immediate family may not contribute in
9 total to that person's candidate committee an amount that is more
10 than \$50,000.00 in value for an election cycle.

11 (7) Sections 5(3) and 52(6) apply to determining when an
12 election cycle begins and ends and to which election cycle a
13 particular contribution is attributed.

14 (8) The candidate committee of a candidate for governor that
15 does not apply for funds from the state campaign fund and that
16 accepts from the candidate and the candidate's immediate family
17 contributions that total for an election cycle more than
18 \$340,000.00 shall notify the secretary of state in writing within
19 48 hours after receipt of this amount. Within 2 business days after
20 receipt of this notice, the secretary of state shall send notice to
21 all candidates who are either seeking the same nomination, in the
22 case of a primary election, or election to that same office, in the
23 case of a general election, informing those candidate committees of
24 all of the following:

25 (a) That the expenditure limits provided in section 67 are
26 waived for the remainder of that election for those notified
27 candidate committees that receive funds from the state campaign
28 fund under this act.

29 (b) That the expenditure limits of section 67 are not waived

1 for the purpose of determining the amount of public funds available
2 to a candidate under section 64 or 65.

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

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

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

1 independent committee as prescribed in section 31, and that, in the
2 aggregate for that election cycle, are more than 10 times the
3 amount permitted a person other than an independent committee or
4 political party committee in subsection (1).

5 Enacting section 1. Section 46 of the Michigan campaign
6 finance act, 1976 PA 388, MCL 169.246, is repealed.