

Legislative Analysis



ISSUE AD DISCLOSURE PERIOD

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House Bill 5222

Sponsor: Rep. Anthony G. Forlini

Committee: Elections and Ethics

Complete to 1-28-14

A SUMMARY OF HOUSE BILL 5222 AS INTRODUCED 1-15-14

Currently under Section 47 of the Michigan Campaign Finance Act, a communication that is otherwise exempt from the act under Section 6(2)j* remains subject to the provisions requiring the identification of sponsors if that communication references a clearly identified candidate or ballot question within 60 days before a general election or 30 days before a primary. This applies if the communication is targeted to the relevant electorate where the candidate or ballot question appears on the ballot by means of radio, television, mass mailing, or prerecorded telephone message.

House Bill 5222 would make that provision in Section 47 refer instead refer to 60 days before "an election." (The bill strikes separate references to "general election" and "primary election," thus making the 60 days apply to all elections.)

[*Note: Section 169.206(2)(j) of the Michigan Campaign Finance Act exempts from the definition of "expenditure", an expenditure for a communication if that communication does not in express terms advocate the election or defeat of a clearly identified candidate, so as to restrict the application of the act to communications containing express words of advocacy of election or defeat, such as 'vote for,' 'elect,' 'support,' 'cast your ballot for,' 'Smith for governor,' 'vote against,' 'defeat,' or 'reject'. However, the section says that this exemption from the definition of "expenditure" does not apply for the purposes of Section 47, which is the section the bill is amending.]

MCL 169.247

FISCAL IMPACT:

The bill has no state or local fiscal implications.

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