

**SUBSTITUTE FOR  
SENATE BILL NO. 661**

A bill to amend 1976 PA 388, entitled  
"Michigan campaign finance act,"  
by amending sections 4, 6, 26, 33, 46, 52, 52a, 55, and 69 (MCL  
169.204, 169.206, 169.226, 169.233, 169.246, 169.252, 169.252a,  
169.255, and 169.269), sections 4, 6, and 33 as amended by 2012 PA  
273, sections 26, 52, and 69 as amended by 2001 PA 250, section 52a  
as added by 1995 PA 264, and section 55 as amended by 2012 PA 277.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 4. (1) "Contribution" means a payment, gift,  
2       subscription, assessment, expenditure, contract, payment for  
3       services, dues, advance, forbearance, loan, or donation of money or  
4       anything of ascertainable monetary value, or a transfer of anything  
5       of ascertainable monetary value to a person, made for the purpose  
6       of influencing the nomination or election of a candidate, for the

1 qualification, passage, or defeat of a ballot question, or for the  
2 qualification of a new political party.

3 (2) Contribution includes the full purchase price of tickets  
4 or payment of an attendance fee for events such as dinners,  
5 luncheons, rallies, testimonials, and other fund-raising events; an  
6 individual's own money or property other than the individual's  
7 homestead used on behalf of that individual's candidacy; the  
8 granting of discounts or rebates not available to the general  
9 public; or the granting of discounts or rebates by broadcast media  
10 and newspapers not extended on an equal basis to all candidates for  
11 the same office; and the endorsing or guaranteeing of a loan for  
12 the amount the endorser or guarantor is liable. Except for the  
13 purposes of section 57, contribution does not include a  
14 contribution to a federal candidate or a federal committee.

15 (3) Contribution does not include any of the following:

16 (a) Volunteer personal services provided without compensation,  
17 or payments of costs incurred of less than \$500.00 in a calendar  
18 year by an individual for personal travel expenses if the costs are  
19 voluntarily incurred without any understanding or agreement that  
20 the costs shall be, directly or indirectly, repaid.

21 (b) Food and beverages, not to exceed ~~\$100.00~~ **\$1,000.00** in  
22 value during a calendar year, ~~which~~ **THAT** are donated by an  
23 individual and for which reimbursement is not given.

24 (c) An offer or tender of a contribution if expressly and  
25 unconditionally rejected, returned, or refunded in whole or in part  
26 within 30 business days after receipt.

27 Sec. 6. (1) "Expenditure" means a payment, donation, loan, or

1 promise of payment of money or anything of ascertainable monetary  
2 value for goods, materials, services, or facilities in assistance  
3 of, or in opposition to, the nomination or election of a candidate,  
4 the qualification, passage, or defeat of a ballot question, or the  
5 qualification of a new political party. Expenditure includes, but  
6 is not limited to, any of the following:

7 (a) A contribution or a transfer of anything of ascertainable  
8 monetary value for purposes of influencing the nomination or  
9 election of a candidate, the qualification, passage, or defeat of a  
10 ballot question, or the qualification of a new political party.

11 (b) Except as provided in subsection (2)(f) or (g), an  
12 expenditure for voter registration or get-out-the-vote activities  
13 made by a person who sponsors or finances the activity or who is  
14 identified by name with the activity.

15 (c) Except as provided in subsection (2)(f) or (g), an  
16 expenditure made for poll watchers, challengers, distribution of  
17 election day literature, canvassing of voters to get out the vote,  
18 or transporting voters to the polls.

19 (d) Except as provided in subsection (2)(c), the cost of  
20 establishing and administering a payroll deduction plan to collect  
21 and deliver a contribution to a committee.

22 (2) Expenditure does not include any of the following:

23 (a) An expenditure for communication by a person with the  
24 person's paid members or shareholders and those individuals who can  
25 be solicited for contributions to a separate segregated fund under  
26 section 55.

27 (b) An expenditure for communication on a subject or issue if

1 the communication does not support or oppose a ballot question or  
2 candidate by name or clear inference.

3 (c) An expenditure for the establishment, administration, or  
4 solicitation of contributions to a separate segregated fund if that  
5 expenditure was made by the person who established the separate  
6 segregated fund as authorized under section 55.

7 (d) An expenditure by a broadcasting station, newspaper,  
8 magazine, or other periodical or publication for a news story,  
9 commentary, or editorial in support of or opposition to a candidate  
10 for elective office or a ballot question in the regular course of  
11 publication or broadcasting.

12 (e) An offer or tender of an expenditure if expressly and  
13 unconditionally rejected or returned.

14 (f) An expenditure for nonpartisan voter registration or  
15 nonpartisan get-out-the-vote activities made by an organization  
16 that is exempt from federal income tax under section 501(c)(3) of  
17 the internal revenue code of 1986, 26 USC 501, or any successor  
18 statute.

19 (g) An expenditure for nonpartisan voter registration or  
20 nonpartisan get-out-the-vote activities performed under chapter  
21 XXIII of the Michigan election law, 1954 PA 116, MCL 168.491 to  
22 168.524, by the secretary of state and other registration officials  
23 who are identified by name with the activity.

24 (h) An expenditure by a state central committee of a political  
25 party or a person controlled by a state central committee of a  
26 political party for the construction, purchase, or renovation of 1  
27 or more office facilities in Ingham county if the facility is not

1 constructed, purchased, or renovated for the purpose of influencing  
2 the election of a candidate in a particular election. Items  
3 excluded from the definition of expenditure under this subdivision  
4 include expenditures approved in federal election commission  
5 advisory opinions 1993-9, 2001-1, and 2001-12 as allowable  
6 expenditures under the federal election campaign act of 1971,  
7 Public Law 92-225, 2 USC 431 to 457, and regulations promulgated  
8 under that act, regardless of whether those advisory opinions have  
9 been superseded.

10 (i) Except for the purposes of section 57, an expenditure to  
11 or for a federal candidate or a federal committee.

12 (J) AN EXPENDITURE FOR A COMMUNICATION IF THE COMMUNICATION  
13 DOES NOT IN EXPRESS TERMS ADVOCATE THE ELECTION OR DEFEAT OF A  
14 CLEARLY IDENTIFIED CANDIDATE SO AS TO RESTRICT THE APPLICATION OF  
15 THIS ACT TO COMMUNICATIONS CONTAINING EXPRESS WORDS OF ADVOCACY OF  
16 ELECTION OR DEFEAT, SUCH AS "VOTE FOR", "ELECT", "SUPPORT", "CAST  
17 YOUR BALLOT FOR", "SMITH FOR GOVERNOR", "VOTE AGAINST", "DEFEAT",  
18 OR "REJECT".

19 Sec. 26. (1) A campaign statement of a committee, other than a  
20 political party committee, required by this act shall contain all  
21 of the following information:

22 (a) The filing committee's name, address, and telephone  
23 number, and the full name, residential and business addresses, and  
24 telephone numbers of the committee treasurer or other individual  
25 designated as responsible for the committee's record keeping,  
26 report preparation, or report filing.

27 (b) Under the heading "receipts", the total amount of

1 contributions received during the period covered by the campaign  
2 statement; under the heading "expenditures", the total amount of  
3 expenditures made during the period covered by the campaign  
4 statement; and the cumulative amount of those totals. Forgiveness  
5 of a loan shall not be included in the totals. Payment of a loan by  
6 a third party shall be recorded and reported as an in-kind  
7 contribution by the third party. In-kind contributions or  
8 expenditures shall be listed at fair market value and shall be  
9 reported as both contributions and expenditures. A contribution or  
10 expenditure that is by other than completed and accepted payment,  
11 gift, or other transfer, that is clearly not legally enforceable,  
12 and that is expressly withdrawn or rejected and returned before a  
13 campaign statement closing date need not be included in the  
14 campaign statement and if included may, in a later or amended  
15 statement, be shown as a deduction, but the committee shall keep  
16 adequate records of each instance.

17 (c) The balance of cash on hand at the beginning and the end  
18 of the period covered by the campaign statement.

19 (d) The following information regarding each fund-raising  
20 event shall be included in the report:

21 (i) The type of event, date held, address and name, if any, of  
22 the place where the activity was held, and approximate number of  
23 individuals participating or in attendance.

24 (ii) The total amount of all contributions.

25 (iii) The gross receipts of the fund-raising event.

26 (iv) The expenditures incident to the event.

27 (e) The full name of each individual from whom contributions

1 are received during the period covered by the campaign statement,  
2 together with the individual's street address, the amount  
3 contributed, the date on which each contribution was received, and  
4 the cumulative amount contributed by that individual. The  
5 occupation, employer, and principal place of business shall be  
6 stated if the individual's cumulative contributions are more than  
7 \$100.00. **FOR CONTRIBUTIONS OF \$5.00 OR LESS BY AN INDIVIDUAL TO A**  
8 **POLITICAL COMMITTEE OR INDEPENDENT COMMITTEE, THE SECRETARY OF**  
9 **STATE SHALL ACCEPT FOR FILING ANY WRITTEN COMMUNICATION FROM THE**  
10 **POLITICAL COMMITTEE OR INDEPENDENT COMMITTEE THAT CONTAINS THE**  
11 **INFORMATION OTHERWISE REQUIRED UNDER THIS SUBSECTION. ANY SUCH**  
12 **WRITTEN COMMUNICATION DOES NOT NEED TO CONTAIN AN ORIGINAL**  
13 **SIGNATURE.**

14 (f) The cumulative amount contributed and the name and address  
15 of each individual, except those individuals reported under  
16 subdivision (e), who contributed to the committee. The occupation,  
17 employer, and principal place of business shall be stated for each  
18 individual who contributed more than \$100.00.

19 (g) The name and street address of each person, other than an  
20 individual, from whom contributions are received during the period  
21 covered by the campaign statement, together with an itemization of  
22 the amounts contributed, the date on which each contribution was  
23 received, and the cumulative amount contributed by that person.

24 (h) The name, address, and amount given by an individual who  
25 contributed to the total amount contributed by a person who is  
26 other than a committee or an individual. The occupation, employer,  
27 and principal place of business shall be stated if the individual

1 contributed more than \$100.00 of the total amount contributed by a  
2 person who is other than a committee or an individual.

3 (i) The cumulative total of expenditures of \$50.00 or less  
4 made during the period covered by the campaign statement except for  
5 expenditures made to or on behalf of another committee, candidate,  
6 or ballot question.

7 (j) The full name and street address of each person to whom  
8 expenditures totaling more than \$50.00 were made, together with the  
9 amount of each separate expenditure to each person during the  
10 period covered by the campaign statement; the purpose of the  
11 expenditure; the full name and street address of the person  
12 providing the consideration for which any expenditure was made if  
13 different from the payee; the itemization regardless of amount of  
14 each expenditure made to or on behalf of another committee,  
15 candidate, or ballot question; and the cumulative amount of  
16 expenditures for or against that candidate or ballot question for  
17 an election cycle. An expenditure made in support of more than 1  
18 candidate or ballot question, or both, shall be apportioned  
19 reasonably among the candidates or ballot questions, or both.

20 (2) A candidate committee or ballot question committee shall  
21 report all cumulative amounts required by this section on a per  
22 election cycle basis. Except for subsection (1)(j), an independent  
23 committee or political committee shall report all cumulative  
24 amounts required by this section on a calendar year basis.

25 (3) A campaign statement of a committee, in addition to the  
26 other information required by this section, shall include an  
27 itemized list of all expenditures during the reporting period for



1 election day busing of electors to the polls, get-out-the-vote  
2 activities, slate cards, challengers, poll watchers, and poll  
3 workers.

4 (4) For a reporting period in which a contribution is received  
5 that is to be part of a bundled contribution or a reporting period  
6 in which a bundled contribution is delivered to the candidate  
7 committee of a candidate for statewide elective office, a bundling  
8 committee shall report to the secretary of state, on a form  
9 provided by the secretary of state, all of the following  
10 information, as applicable, about each contribution received or  
11 delivered as part of a bundled contribution, and about each bundled  
12 contribution delivered, in the reporting period:

13 (a) The amount of each contribution, the date it was received  
14 by the bundling committee, and the candidate for statewide elective  
15 office whom the contributor designated as the intended recipient.

16 (b) Each contributor's name and address and, for each  
17 contribution exceeding \$100.00, the contributor's occupation,  
18 employer, and principal place of business.

19 (c) The date each contribution is delivered to the candidate's  
20 statewide elective office candidate committee.

21 (d) The total amount of bundled contributions delivered to  
22 that candidate committee during the reporting period and during the  
23 election cycle.

24 (5) With its delivery of a bundled contribution to the  
25 candidate committee of a candidate for statewide elective office, a  
26 bundling committee shall deliver a report to that candidate  
27 committee, on a form provided by the secretary of state, that

1 includes all of the following information, as applicable, about  
2 each contribution delivered as part of the bundled contribution,  
3 and about all bundled contributions delivered to that candidate  
4 committee in the election cycle:

5 (a) The amount of each contribution, the date it was received  
6 by the bundling committee, and the statewide elective office  
7 candidate the contributor designated as the intended recipient.

8 (b) Each contributor's name and address and, for each  
9 contribution exceeding \$100.00, the contributor's occupation,  
10 employer, and principal place of business.

11 (c) The total amount of bundled contributions delivered to  
12 that candidate committee during the reporting period and during the  
13 election cycle.

14 (6) For a reporting period in which a bundled contribution is  
15 received, a candidate committee of a candidate for statewide  
16 elective office shall report to the secretary of state, on a form  
17 provided by the secretary of state, all of the following  
18 information, as applicable, about each contribution delivered as  
19 part of a bundled contribution received in the reporting period and  
20 about all bundled contributions received by that candidate  
21 committee:

22 (a) The amount of each contribution, the date it was received  
23 by the candidate committee, and the name of the bundling committee  
24 that delivered the contribution.

25 (b) Each contributor's name and address and, for each  
26 contribution exceeding \$100.00, the contributor's occupation,  
27 employer, and principal place of business.

1 (c) The total amount of bundled contributions received by that  
2 candidate committee during the reporting period and during the  
3 election cycle.

4 Sec. 33. (1) A committee, other than an independent committee  
5 or a political committee required to file with the secretary of  
6 state, supporting or opposing a candidate shall file complete  
7 campaign statements as required by this act and the rules  
8 promulgated under this act. The campaign statements shall be filed  
9 according to the following schedule:

10 (a) A preelection campaign statement shall be filed not later  
11 than the eleventh day before an election. The closing date for a  
12 campaign statement filed under this subdivision shall be the  
13 sixteenth day before the election.

14 (b) A postelection campaign statement shall be filed not later  
15 than the thirtieth day following the election. The closing date for  
16 a campaign statement filed under this subdivision shall be the  
17 twentieth day following the election. A committee supporting a  
18 candidate who loses the primary election shall file closing  
19 campaign statements in accordance with this section. If all  
20 liabilities of that candidate or committee are paid before the  
21 closing date and additional contributions are not expected, the  
22 campaign statement may be filed at any time after the election, but  
23 not later than the thirtieth day following the election.

24 **(C) IN A YEAR IN WHICH THERE IS NO ELECTION FOR THE CANDIDATE**  
25 **THE COMMITTEE IS SUPPORTING OR OPPOSING:**

26 **(i) NOT LATER THAN JULY 25 WITH A CLOSING DATE OF JULY 20 OF**  
27 **THAT YEAR.**

1           (ii) NOT LATER THAN OCTOBER 25 WITH A CLOSING DATE OF OCTOBER  
2 20 OF THAT YEAR.

3           (2) For the purposes of subsection (1):

4           (a) A candidate committee shall file a preelection campaign  
5 statement and a postelection campaign statement for each election  
6 in which the candidate seeks nomination or election, except if an  
7 individual becomes a candidate after the closing date for the  
8 preelection campaign statement only the postelection campaign  
9 statement is required for that election.

10           (b) A committee other than a candidate committee shall file a  
11 campaign statement for each period during which expenditures are  
12 made for the purpose of influencing the nomination or election of a  
13 candidate or for the qualification, passage, or defeat of a ballot  
14 question.

15           (3) An independent committee or a political committee other  
16 than a house political party caucus committee or senate political  
17 party caucus committee required to file with the secretary of state  
18 shall file campaign statements as required by this act according to  
19 the following schedule:

20           (a) Not later than February 15 of each year with a closing  
21 date of February 10 of that year.

22           (b) Not later than April 25 of each year with a closing date  
23 of April 20 of that year.

24           (c) Not later than July 25 of each year with a closing date of  
25 July 20 of that year.

26           (d) Not later than October 25 of each year with a closing date  
27 of October 20 of that year.

1           (4) A house political party caucus committee or a senate  
2 political party caucus committee required to file with the  
3 secretary of state or a political party committee for a party  
4 attempting to qualify as a new political party under section 685 of  
5 the Michigan election law, 1954 PA 116, MCL 168.685, shall file  
6 campaign statements as required by this act according to the  
7 following schedule:

8           (a) Not later than January 31 of each year with a closing date  
9 of December 31 of the immediately preceding year.

10           (b) Not later than April 25 of each year with a closing date  
11 of April 20 of that year.

12           (c) Not later than July 25 of each year with a closing date of  
13 July 20 of that year.

14           (d) Not later than October 25 of each year with a closing date  
15 of October 20 of that year.

16           (e) For the period beginning on the fourteenth day immediately  
17 preceding a primary or special primary election and ending on the  
18 day immediately following the primary or special primary election,  
19 not later than 4 p.m. each business day with a closing date of the  
20 immediately preceding day, only for a contribution received or  
21 expenditure made that exceeds \$1,000.00 per day.

22           (f) For the period beginning on the fourteenth day immediately  
23 preceding a general or special election and ending on the day  
24 immediately following the general or special election, not later  
25 than 4 p.m. each business day with a closing date of the  
26 immediately preceding day, only for a contribution received or  
27 expenditure made that exceeds \$1,000.00 per day.

1           (5) Notwithstanding subsection (3) or (4) or section 51, if an  
2 independent expenditure is made within 45 days before a special  
3 election by an independent committee or a political committee  
4 required to file a campaign statement with the secretary of state,  
5 a report of the expenditure shall be filed by the committee with  
6 the secretary of state within 48 hours after the expenditure. The  
7 report shall be made on a form provided by the secretary of state  
8 and shall include the date of the independent expenditure, the  
9 amount of the expenditure, a brief description of the nature of the  
10 expenditure, and the name and address of the person to whom the  
11 expenditure was paid. The brief description of the expenditure  
12 shall include either the name of the candidate and the office  
13 sought by the candidate or the name of the ballot question and  
14 shall state whether the expenditure supports or opposes the  
15 candidate or ballot question. This subsection does not apply if the  
16 committee is required to report the independent expenditure in a  
17 campaign statement that is required to be filed before the date of  
18 the election for which the expenditure was made.

19           (6) A candidate committee or a committee other than a  
20 candidate committee that files a written statement under section  
21 24(5) or (6) is not required to file a campaign statement under  
22 subsection (1), (3), or (4) unless it received or expended an  
23 amount in excess of \$1,000.00. If the committee receives or expends  
24 an amount in excess of \$1,000.00 during a period covered by a  
25 filing, the committee is then subject to the campaign filing  
26 requirements under this act.

27           (7) A committee, candidate, treasurer, or other individual

1 designated as responsible for the committee's record keeping,  
2 report preparation, or report filing who fails to file a statement  
3 as required by this section shall pay a late filing fee. If the  
4 committee has raised \$10,000.00 or less during the previous 2  
5 years, the late filing fee shall be \$25.00 for each business day  
6 the statement remains unfiled, but not to exceed \$500.00. If the  
7 committee has raised more than \$10,000.00 during the previous 2  
8 years, the late filing fee shall not exceed \$1,000.00, determined  
9 as follows:

10 (a) Twenty-five dollars for each business day the report  
11 remains unfiled.

12 (b) An additional \$25.00 for each business day after the first  
13 3 business days the report remains unfiled.

14 (c) An additional \$50.00 for each business day after the first  
15 10 business days the report remains unfiled.

16 (8) If a candidate, treasurer, or other individual designated  
17 as responsible for the committee's record keeping, report  
18 preparation, or report filing fails to file 2 statements required  
19 by this section or section 35 and both of the statements remain  
20 unfiled for more than 30 days, that candidate, treasurer, or other  
21 designated individual is guilty of a misdemeanor punishable by a  
22 fine of not more than \$1,000.00 or imprisonment for not more than  
23 90 days, or both.

24 (9) If a candidate is found guilty of a violation of this  
25 section, the circuit court for that county, on application by the  
26 attorney general or the prosecuting attorney of that county, may  
27 prohibit that candidate from assuming the duties of a public office

1 or from receiving compensation from public funds, or both.

2 (10) If a candidate, treasurer, or other individual designated  
3 as responsible for a committee's record keeping, report  
4 preparation, or report filing knowingly files an incomplete or  
5 inaccurate statement or report required by this section, that  
6 individual is subject to a civil fine of not more than \$1,000.00.

7 (11) If a candidate, treasurer, or other individual designated  
8 as responsible for a committee's record keeping, report  
9 preparation, or report filing knowingly omits or underreports  
10 individual contributions or individual expenditures required to be  
11 disclosed by this act, that individual is subject to a civil fine  
12 of not more than \$1,000.00 or the amount of the contributions and  
13 expenditures omitted or underreported, whichever is greater.

14 (12) If a candidate committee's account has a balance of  
15 \$20,000.00 or more and a candidate, treasurer, or other individual  
16 designated as responsible for that committee's record keeping,  
17 report preparation, or report filing fails to file campaign  
18 statements required under this act for 2 consecutive years, that  
19 candidate, treasurer, or other individual is guilty of a felony  
20 punishable by imprisonment for not more than 3 years or a fine of  
21 not more than \$5,000.00, or both. Any money in a candidate  
22 committee account described in this subsection is subject to  
23 seizure by, and forfeiture to, this state as provided in this  
24 section.

25 (13) Not more than 5 business days after seizure of money  
26 under subsection (12), the secretary of state shall deliver  
27 personally or by registered mail to the last known address of the



1 candidate from whom the seizure was made an inventory statement of  
2 the money seized. The inventory statement shall also contain notice  
3 to the effect that unless demand for hearing as provided in this  
4 section is made within 10 business days, the money is forfeited to  
5 this state. Within 10 business days after the date of service of  
6 the notice, the candidate may by registered mail, facsimile  
7 transmission, or personal service file with the secretary of state  
8 a demand for a hearing before the secretary of state or a person  
9 designated by the secretary of state for a determination as to  
10 whether the money was lawfully subject to seizure and forfeiture.  
11 The candidate is entitled to appear before the secretary of state  
12 or a person designated by the secretary of state, to be represented  
13 by counsel, and to present testimony and argument. Upon receipt of  
14 a request for hearing, the secretary of state or a person  
15 designated by the secretary of state shall hold the hearing within  
16 15 business days. The hearing is not a contested case proceeding  
17 and is not subject to the administrative procedures act of 1969,  
18 1969 PA 306, MCL 24.201 to 24.328. After the hearing, the secretary  
19 of state or a person designated by the secretary of state shall  
20 render a decision in writing within 10 business days of the hearing  
21 and, by order, shall either declare the money subject to seizure  
22 and forfeiture or declare the money returnable to the candidate.  
23 If, within 10 business days after the date of service of the  
24 inventory statement, the candidate does not file with the secretary  
25 of state a demand for a hearing before the secretary of state or a  
26 person designated by the secretary of state, the money seized is  
27 forfeited to this state by operation of law. If, after a hearing

1 before the secretary of state or a person designated by the  
2 secretary of state, the secretary of state or a person designated  
3 by the secretary of state determines that the money is lawfully  
4 subject to seizure and forfeiture and the candidate does not appeal  
5 to the circuit court of the county in which the seizure was made  
6 within the time prescribed in this section, the money seized is  
7 forfeited to this state by operation of law. If a candidate is  
8 aggrieved by the decision of the secretary of state or a person  
9 designated by the secretary of state, that candidate may appeal to  
10 the circuit court of the county where the seizure was made to  
11 obtain a judicial determination of the lawfulness of the seizure  
12 and forfeiture. The action shall be commenced within 20 days after  
13 notice of a determination by the secretary of state or a person  
14 designated by the secretary of state is sent to the candidate. The  
15 court shall hear the action and determine the issues of fact and  
16 law involved in accordance with rules of practice and procedure as  
17 in other in rem proceedings.

18       Sec. 46. (1) At the beginning of every odd numbered year, the  
19 secretary of state shall recommend adjustments to and which shall  
20 be approved by the legislature of the ~~dollar value contribution~~  
21 ~~limits provided in this act, together with the dollar value floor~~  
22 for reporting of the name, address, occupation, and employer, or  
23 principal place of business of persons who make contributions  
24 pursuant to this ~~chapter~~ **ACT**, on the basis of the ~~United States~~  
25 ~~department of commerce's~~ consumer price index and the number of  
26 registered voters in the state.

27       **(2) BEGINNING JANUARY 1, 2019 AND EVERY 4 YEARS THEREAFTER,**

1 THE SECRETARY OF STATE SHALL ADJUST THE DOLLAR VALUE CONTRIBUTION  
2 LIMITS PROVIDED IN SECTIONS 52, 52A, AND 69(1). THE SECRETARY OF  
3 STATE SHALL ADJUST THE LIMITS IN SECTIONS 52, 52A, AND 69(1) BY  
4 COMPARING THE PERCENTAGE INCREASE OR DECREASE IN THE CONSUMER PRICE  
5 INDEX FOR THE PRECEDING AUGUST BY THE CORRESPONDING CONSUMER PRICE  
6 INDEX 4 YEARS EARLIER. THE SECRETARY OF STATE SHALL MULTIPLY THAT  
7 PERCENTAGE CHANGE BY THE AMOUNTS IN SECTIONS 52, 52A, AND 69(1).  
8 THE SECRETARY OF STATE SHALL ROUND UP EACH DOLLAR VALUE ADJUSTMENT  
9 MADE UNDER THIS SUBSECTION TO THE NEAREST \$25.00. THE SECRETARY OF  
10 STATE SHALL ANNOUNCE THE ADJUSTMENTS MADE UNDER THIS SUBSECTION BY  
11 DECEMBER 15 OF EACH YEAR.

12 (3) AS USED IN THIS SECTION, "CONSUMER PRICE INDEX" MEANS THE  
13 MOST COMPREHENSIVE INDEX OF CONSUMER PRICES AVAILABLE FOR THE  
14 DETROIT AREA FROM THE BUREAU OF LABOR STATISTICS OF THE UNITED  
15 STATES DEPARTMENT OF LABOR.

16 Sec. 52. (1) Except as provided in subsection (5) or (11) and  
17 subject to SECTION 46 AND subsection (8), a person other than an  
18 independent committee or a political party committee shall not make  
19 contributions to a candidate committee of a candidate for elective  
20 office that, with respect to an election cycle, are more than the  
21 following:

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

26 (b) ~~\$1,000.00~~ \$2,000.00 for a candidate for state senator, or  
27 for a candidate for local elective office if the district from

1 which he or she is seeking office has a population of more than  
2 85,000 but 250,000 or less.

3 (c) ~~\$500.00~~ **\$1,000.00** for a candidate for state  
4 representative, or for a candidate for local elective office if the  
5 district from which he or she is seeking office has a population of  
6 85,000 or less.

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

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

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

27 (3) A political party committee other than a state central

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

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

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

1 the election cycle that corresponds to the date of the written  
2 instrument.

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

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

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

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

27 (a) All of the political committees and independent committees

1 established by a for profit corporation or joint stock company, by  
2 a subsidiary of the for profit corporation or joint stock company,  
3 or by any combination thereof, are treated as a single independent  
4 committee.

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

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

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

23 (11) The limitation on a political committee's contributions  
24 under subsection (1) does not apply to contributions that are part  
25 of 1 or more bundled contributions delivered to the candidate  
26 committee of a candidate for statewide elective office and that are  
27 attributed to the political committee as prescribed in section 31.

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

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

22 Sec. 52a. (1) ~~A~~ **SUBJECT TO SECTION 46, A** person shall not make  
23 contributions to a house political party caucus committee or a  
24 senate political party caucus committee that exceed ~~\$20,000.00~~  
25 **\$40,000.00** in a calendar year. A house political party caucus  
26 committee or a senate political party caucus committee or a  
27 treasurer or agent of the committee shall not accept a contribution



1 with respect to a 2-year election cycle that exceeds the limitation  
2 in this section.

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

8 Sec. 55. (1) A corporation organized on a for profit or  
9 nonprofit basis, a joint stock company, a domestic dependent  
10 sovereign, or a labor organization formed under the laws of this or  
11 another state or foreign country may make an expenditure for the  
12 establishment and administration and solicitation of contributions  
13 to a separate segregated fund to be used for political purposes. A  
14 separate segregated fund established under this section shall be  
15 limited to making contributions to, and expenditures on behalf of,  
16 candidate committees, ballot question committees, political party  
17 committees, political committees, independent committees, and other  
18 separate segregated funds.

19 (2) Contributions for a separate segregated fund established  
20 by a corporation, organized on a for profit basis, or a joint stock  
21 company under this section may be solicited from any of the  
22 following persons or their spouses:

23 (a) Stockholders of the corporation or company.

24 (b) Officers and directors of the corporation or company.

25 (c) Employees of the corporation or company who have policy  
26 making, managerial, professional, supervisory, or administrative  
27 nonclerical responsibilities.

1           (3) Contributions for a separate segregated fund established  
2 under this section by a corporation organized on a nonprofit basis  
3 may be solicited from any of the following persons or their  
4 spouses:

5           (a) Members of the corporation who are individuals.

6           (b) Stockholders **OR MEMBERS** of members of the corporation.

7           (c) Officers or directors of members of the corporation.

8           (d) Employees of the members of the corporation who have  
9 policy making, managerial, professional, supervisory, or  
10 administrative nonclerical responsibilities.

11           (e) Employees of the corporation who have policy making,  
12 managerial, professional, supervisory, or administrative  
13 nonclerical responsibilities.

14           (4) Contributions for a separate segregated fund established  
15 under this section by a labor organization may be solicited from  
16 any of the following persons or their spouses:

17           (a) Members of the labor organization who are individuals.

18           (b) Officers or directors of the labor organization.

19           (c) Employees of the labor organization who have policy  
20 making, managerial, professional, supervisory, or administrative  
21 nonclerical responsibilities.

22           (5) Contributions for a separate segregated fund established  
23 under this section by a domestic dependent sovereign may be  
24 solicited from an individual who is a member of any domestic  
25 dependent sovereign.

26           (6) Contributions shall not be obtained for a separate  
27 segregated fund established under this section by use of coercion

1 or physical force, by making a contribution a condition of  
2 employment or membership, or by using or threatening to use job  
3 discrimination or financial reprisals. A corporation organized on a  
4 for profit or nonprofit basis, a joint stock company, a domestic  
5 dependent sovereign, or a labor organization shall not solicit or  
6 obtain contributions for a separate segregated fund established  
7 under this section from an individual described in subsection (2),  
8 (3), (4), or (5) on an automatic or passive basis including but not  
9 limited to a payroll deduction plan or reverse checkoff method. A  
10 corporation organized on a for profit or nonprofit basis, a joint  
11 stock company, a domestic dependent sovereign, or a labor  
12 organization may solicit or obtain contributions for a separate  
13 segregated fund established under this section from an individual  
14 described in subsection (2), (3), (4), or (5) on an automatic  
15 basis, including but not limited to a payroll deduction plan, only  
16 if the individual who is contributing to the fund affirmatively  
17 consents to the contribution at least once in every calendar year.

18 (7) A person who knowingly violates this section is guilty of  
19 a felony punishable, if the person is an individual, by a fine of  
20 not more than \$5,000.00 or imprisonment for not more than 3 years,  
21 or both, or, if the person is not an individual, by a fine of not  
22 more than \$10,000.00.

23 (8) If a corporation, joint stock company, domestic dependent  
24 sovereign, or labor organization that obtains contributions for a  
25 separate segregated fund from individuals described in subsection  
26 (2), (3), (4), or (5) pays to 1 or more of those individuals a  
27 bonus or other remuneration for the purpose of reimbursing those

1 contributions, then that corporation, joint stock company, domestic  
2 dependent sovereign, or labor organization is subject to a civil  
3 fine equal to 2 times the total contributions obtained from all  
4 individuals for the separate segregated fund during that calendar  
5 year.

6 Sec. 69. (1) Except as provided in subsection (6) or (10) **AND**  
7 **SUBJECT TO SECTION 46**, a person other than an independent committee  
8 or a political party committee shall not make contributions to a  
9 candidate committee of a candidate that are more than ~~\$3,400.00~~  
10 **\$6,800.00** in value for an election cycle.

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

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

19 (4) A political party committee that is a congressional  
20 district or county committee shall not make contributions to a  
21 candidate committee that for an election cycle are more than  
22 \$30,000.00.

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

26 (6) As used in this subsection, "immediate family" means a  
27 spouse, parent, brother, sister, son, or daughter. A candidate and

1 members of that candidate's immediate family may not contribute in  
2 total to that person's candidate committee an amount that is more  
3 than \$50,000.00 in value for an election cycle.

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

7 (8) The candidate committee of a candidate for governor that  
8 does not apply for funds from the state campaign fund and that  
9 accepts from the candidate and the candidate's immediate family  
10 contributions that total for an election cycle more than  
11 \$340,000.00 shall notify the secretary of state in writing within  
12 48 hours after receipt of this amount. Within 2 business days after  
13 receipt of this notice, the secretary of state shall send notice to  
14 all candidates who are either seeking the same nomination, in the  
15 case of a primary election, or election to that same office, in the  
16 case of a general election, informing those candidate committees of  
17 all of the following:

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

22 (b) That the expenditure limits of section 67 are not waived  
23 for the purpose of determining the amount of public funds available  
24 to a candidate under section 64 or 65.

25 (9) A person who knowingly violates this section is guilty of  
26 a misdemeanor punishable, if the person is an individual, by a fine  
27 of not more than \$1,000.00 or imprisonment for not more than 90

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

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

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

1 political party committee in subsection (1).