

# HOUSE BILL No. 4507

April 9, 2013, Introduced by Rep. Geiss and referred to the Committee on Elections and Ethics.

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 15, 16, 22, 26, 28, 29, 33, 35, 41, 42, 52, 55, and 57 (MCL 169.215, 169.216, 169.222, 169.226, 169.228, 169.229, 169.233, 169.235, 169.241, 169.242, 169.252, 169.255, and 169.257), sections 15 and 55 as amended by 2012 PA 277, section 16 as amended by 2000 PA 50, sections 22, 28, and 41 as amended by 1999 PA 237, sections 26, 29, 42, and 52 as amended by 2001 PA 250, sections 33 and 35 as amended by 2012 PA 273, and section 57 as amended by 2012 PA 31, and by adding sections 43a and 48.

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

1       Sec. 15. (1) The secretary of state shall do all of the

1 following:

2 (a) Make available through his or her offices, and furnish  
3 to county clerks, appropriate forms, instructions, and manuals  
4 required by this act.

5 (b) Develop a filing, coding, and cross-indexing system for  
6 the filing of required reports and statements consistent with  
7 this act, and supervise the implementation of the filing systems  
8 by the clerks of the counties.

9 (c) Receive all statements and reports required by this act  
10 to be filed with the secretary of state.

11 (d) Prepare forms, instructions, and manuals required under  
12 this act.

13 (e) Promulgate rules and issue declaratory rulings to  
14 implement this act in accordance with the administrative  
15 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

16 (f) Upon receipt of a written request and the required  
17 filing, waive payment of a late filing fee if the request for the  
18 waiver is based on good cause and accompanied by adequate  
19 documentation. One or more of the following reasons constitute  
20 good cause for a late filing fee waiver:

21 (i) The incapacitating physical illness, hospitalization,  
22 accident involvement, death, or incapacitation for medical  
23 reasons of a person required to file, a person whose  
24 participation is essential to the preparation of the statement or  
25 report, or a member of the immediate family of these persons.

26 (ii) Other unique, unintentional factors beyond the filer's  
27 control not stemming from a negligent act or nonaction so that a

1 reasonably prudent person would excuse the filing on a temporary  
2 basis. These factors include the loss or unavailability of  
3 records due to a fire, flood, theft, or similar reason and  
4 difficulties related to the transmission of the filing to the  
5 filing official, such as exceptionally bad weather or strikes  
6 involving transportation systems.

7 (2) A declaratory ruling shall be issued under this section  
8 only if the person requesting the ruling has provided a  
9 reasonably complete statement of facts necessary for the ruling  
10 or if the person requesting the ruling has, with the permission  
11 of the secretary of state, supplied supplemental facts necessary  
12 for the ruling. A request for a declaratory ruling that is  
13 submitted to the secretary of state shall be made available for  
14 public inspection within 48 hours after its receipt. An  
15 interested person may submit written comments regarding the  
16 request to the secretary of state within 10 business days after  
17 the date the request is made available to the public. Within 45  
18 business days after receiving a declaratory ruling request, the  
19 secretary of state shall make a proposed response available to  
20 the public. An interested person may submit written comments  
21 regarding the proposed response to the secretary of state within  
22 5 business days after the date the proposal is made available to  
23 the public. Except as otherwise provided in this section, the  
24 secretary of state shall issue a declaratory ruling within 60  
25 business days after a request for a declaratory ruling is  
26 received. If the secretary of state refuses to issue a  
27 declaratory ruling, the secretary of state shall notify the

1 person making the request of the reasons for the refusal and  
2 shall issue an interpretative statement providing an  
3 informational response to the question presented within the same  
4 time limitation applicable to a declaratory ruling. A declaratory  
5 ruling or interpretative statement issued under this section  
6 shall not state a general rule of law, other than that which is  
7 stated in this act, until the general rule of law is promulgated  
8 by the secretary of state as a rule under the administrative  
9 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, or  
10 under judicial order.

11 (3) Under extenuating circumstances, the secretary of state  
12 may issue a notice extending for not more than 30 business days  
13 the period during which the secretary of state shall respond to a  
14 request for a declaratory ruling. The secretary of state shall  
15 not issue more than 1 notice of extension for a particular  
16 request. A person requesting a declaratory ruling may waive, in  
17 writing, the time limitations provided by this section.

18 (4) The secretary of state shall make available to the  
19 public an annual summary of the declaratory rulings and  
20 interpretative statements issued by the secretary of state.

21 (5) A person may file with the secretary of state a  
22 complaint that alleges a violation of this act. Within 5 business  
23 days after a complaint that meets the requirements of subsection  
24 (6) is filed, the secretary of state shall give notice to the  
25 person against whom the complaint is filed. The notice shall  
26 include a copy of the complaint. Within 15 business days after  
27 this notice is mailed, the person against whom the complaint was

1 filed may submit to the secretary of state a response. The  
2 secretary of state may extend the period for submitting a  
3 response an additional 15 business days for good cause. The  
4 secretary of state shall provide a copy of a response received to  
5 the complainant. Within 10 business days after the response is  
6 mailed, the complainant may submit to the secretary of state a  
7 rebuttal statement. The secretary of state may extend the period  
8 for submitting a rebuttal statement an additional 10 business  
9 days for good cause. The secretary of state shall provide a copy  
10 of the rebuttal statement to the person against whom the  
11 complaint was filed.

12 (6) A complaint under subsection (5) shall satisfy all of  
13 the following requirements:

14 (a) Be signed by the complainant.

15 (b) State the name, address, and telephone number of the  
16 complainant.

17 (c) Include the complainant's certification that, to the  
18 best of the complainant's knowledge, information, and belief,  
19 formed after a reasonable inquiry under the circumstances, each  
20 factual contention of the complaint is supported by evidence.  
21 However, if, after a reasonable inquiry under the circumstances,  
22 the complainant is unable to certify that certain factual  
23 contentions are supported by evidence, the complainant may  
24 certify that, to the best of his or her knowledge, information,  
25 or belief, there are grounds to conclude that those specifically  
26 identified factual contentions are likely to be supported by  
27 evidence after a reasonable opportunity for further inquiry.

1           (7) The secretary of state shall develop a form that  
2 satisfies the requirements of subsection (6) and may be used for  
3 the filing of complaints.

4           (8) A person who files a complaint with a false certificate  
5 under subsection (6)(c) is responsible for a civil violation of  
6 this act. A person may file a complaint under subsection (5)  
7 alleging that another person has filed a complaint with a false  
8 certificate under subsection (6)(c).

9           (9) The secretary of state shall investigate the allegations  
10 under the rules promulgated under this act. If the violation  
11 involves the secretary of state, the immediate family of the  
12 secretary of state, or a campaign or committee with which the  
13 secretary of state is connected, directly or indirectly, the  
14 secretary of state shall refer the matter to the attorney general  
15 to determine whether a violation of this act has occurred.

16           (10) No later than 60 business days after receipt of a  
17 rebuttal statement submitted under subsection (5), or if no  
18 response or rebuttal is received under subsection (5), the  
19 secretary of state shall post on the secretary of state's  
20 internet website whether or not there may be reason to believe  
21 that a violation of this act has occurred. If the secretary of  
22 state determines that there may be reason to believe that a  
23 violation of this act occurred, the secretary of state shall,  
24 within 30 days of that determination, post on the secretary of  
25 state's internet website any complaint, response, or rebuttal  
26 statement received under subsection (5) regarding that violation  
27 and any correspondence regarding that violation between the

1 secretary of state and the complainant or the person against whom  
2 the complaint was filed. If the secretary of state determines  
3 that there may be reason to believe that a violation of this act  
4 occurred, the secretary of state shall endeavor to correct the  
5 violation or prevent a further violation by using informal  
6 methods such as a conference, conciliation, or persuasion, and  
7 may enter into a conciliation agreement with the person involved.  
8 Unless violated, a conciliation agreement is a complete bar to  
9 any further civil or criminal action with respect to matters  
10 covered in the conciliation agreement. The secretary of state  
11 shall, within 30 days after a conciliation agreement is signed,  
12 post that agreement on the secretary of state's internet website.  
13 If, after 90 business days, the secretary of state is unable to  
14 correct or prevent further violation by these informal methods,  
15 the secretary of state shall do either of the following:

16 (a) Refer the matter to the attorney general for the  
17 enforcement of any criminal penalty provided by this act. **IF THE**  
18 **VIOLATION INVOLVES THE ATTORNEY GENERAL OR A CAMPAIGN OR**  
19 **COMMITTEE WITH WHICH THE ATTORNEY GENERAL IS CONNECTED, DIRECTLY**  
20 **OR INDIRECTLY, THE DIRECTOR OF ELECTIONS SHALL REFER THE MATTER**  
21 **TO THE PROSECUTING ATTORNEY FOR THE COUNTY OF INGHAM FOR THE**  
22 **ENFORCEMENT OF A CRIMINAL PENALTY PROVIDED BY THIS ACT.**

23 (b) Commence a hearing as provided in subsection (11) for  
24 enforcement of any civil violation.

25 (11) The secretary of state may commence a hearing to  
26 determine whether a civil violation of this act has occurred. The  
27 hearing shall be conducted in accordance with the procedures set

1 forth in chapter 4 of the administrative procedures act of 1969,  
2 1969 PA 306, MCL 24.271 to 24.287. If after a hearing the  
3 secretary of state determines that a violation of this act has  
4 occurred, the secretary of state may issue an order requiring the  
5 person to pay a civil fine equal to triple the amount of the  
6 improper contribution or expenditure plus not more than \$1,000.00  
7 for each violation.

8 (12) A final decision and order issued by the secretary of  
9 state is subject to judicial review as provided by chapter 6 of  
10 the administrative procedures act of 1969, 1969 PA 306, MCL  
11 24.301 to 24.306. The secretary of state shall deposit a civil  
12 fine imposed under this section in the general fund. The  
13 secretary of state may bring an action in circuit court to  
14 recover the amount of a civil fine.

15 (13) When a report or statement is filed under this act, the  
16 secretary of state shall review the report or statement and may  
17 investigate an apparent violation of this act under the rules  
18 promulgated under this act. If the secretary of state determines  
19 that there may be reason to believe a violation of this act has  
20 occurred and the procedures prescribed in subsection (10) have  
21 been complied with, the secretary of state may refer the matter  
22 to the attorney general for the enforcement of a criminal penalty  
23 provided by this act, or commence a hearing under subsection (11)  
24 to determine whether a civil violation of this act has occurred.  
25 **IF THE VIOLATION INVOLVES THE ATTORNEY GENERAL OR A CAMPAIGN OR**  
26 **COMMITTEE WITH WHICH THE ATTORNEY GENERAL IS CONNECTED, DIRECTLY**  
27 **OR INDIRECTLY, THE DIRECTOR OF ELECTIONS SHALL REFER THE MATTER**



1 TO THE PROSECUTING ATTORNEY FOR THE COUNTY OF INGHAM FOR THE  
2 ENFORCEMENT OF A CRIMINAL PENALTY PROVIDED BY THIS ACT.

3 (14) No later than 60 business days after a matter is  
4 referred to the attorney general for enforcement of a criminal  
5 penalty, the attorney general shall determine whether to proceed  
6 with enforcement of that penalty.

7 (15) Unless otherwise specified in this act, a person who  
8 violates a provision of this act is subject to a civil fine of  
9 not more than \$1,000.00 for each violation. A civil fine is in  
10 addition to, but not limited by, a criminal penalty prescribed by  
11 this act.

12 (16) In addition to any other sanction provided for by this  
13 act, the secretary of state may require a person who files a  
14 complaint with a false certificate under subsection (6)(c) to do  
15 either or both of the following:

16 (a) Pay to the secretary of state some or all of the  
17 expenses incurred by the secretary of state as a direct result of  
18 the filing of the complaint.

19 (b) Pay to the person against whom the complaint was filed  
20 some or all of the expenses, including, but not limited to,  
21 reasonable attorney fees incurred by that person in proceedings  
22 under this act as a direct result of the filing of the complaint.

23 (17) ~~Except as otherwise provided in section 57, there~~**THERE**  
24 is no private right of action, either in law or in equity, under  
25 this act. ~~Except as otherwise provided in section 57, the~~**THE**  
26 remedies provided in this act are the exclusive means by which  
27 this act may be enforced and by which any harm resulting from a

1 violation of this act may be redressed. ~~The criminal penalties~~  
2 ~~provided by this act may only be enforced by the attorney general~~  
3 ~~and only upon referral by the secretary of state as provided~~  
4 ~~under subsection (10) or (13).~~

5 (18) The secretary of state may waive the filing of a  
6 campaign statement required under section 33, 34, or 35 if the  
7 closing date of the particular campaign statement falls on the  
8 same or a later date as the closing date of the next campaign  
9 statement filed by the same person, or if the period that would  
10 be otherwise covered by the next campaign statement filed by the  
11 same person is 10 days or less.

12 (19) The clerk of each county shall do all of the following:

13 (a) Make available through the county clerk's office the  
14 appropriate forms, instructions, and manuals required by this  
15 act.

16 (b) Under the supervision of the secretary of state,  
17 implement the filing, coding, and cross-indexing system  
18 prescribed for the filing of reports and statements required to  
19 be filed with the county clerk's office.

20 (c) Receive all statements and reports required by this act  
21 to be filed with the county clerk's office.

22 (d) Upon written request, waive the payment of a late filing  
23 fee if the request for a waiver is based on good cause as  
24 prescribed in subsection (1)(f).

25 Sec. 16. (1) A filing official shall make a statement or  
26 report required to be filed under this act available for public  
27 inspection and reproduction, commencing as soon as practicable,

1 but not later than the third business day following the day on  
2 which it is received, during regular business hours of the filing  
3 official. If the report is a report of a late contribution under  
4 section 32(1) made to the secretary of state, the secretary of  
5 state shall also make the report or all of the contents of the  
6 report available to the public on the internet, without charge,  
7 as soon as practicable but not later than the end of the business  
8 day on which it is received, at a single website established and  
9 maintained by the secretary of state.

10 (2) A copy of a statement or part of a statement shall be  
11 provided by a filing official at a reasonable charge.

12 (3) A statement open to the public under this act shall not  
13 be used for any commercial purpose.

14 (4) Except as otherwise provided in this subsection, a  
15 statement of organization filed under this act with a filing  
16 official who is not the secretary of state shall be preserved by  
17 that filing official for 5 years from the official date of the  
18 committee's dissolution. A statement of organization filed under  
19 this act with a filing official who is not the secretary of state  
20 that is filed by a committee that received more than \$50,000.00  
21 in an election cycle shall be preserved by that filing official  
22 for 15 years from the official date of the committee's  
23 dissolution. A statement of organization filed under this act  
24 with the secretary of state shall be preserved by the secretary  
25 of state for 15 years from the official date of the committee's  
26 dissolution. Except as otherwise provided in this subsection, any  
27 other statement or report filed under this act with a filing

1 official who is not the secretary of state shall be preserved by  
2 that filing official for 5 years from the date the filing  
3 occurred. Any other statement or report filed under this act with  
4 a filing official who is not the secretary of state that is filed  
5 by a committee that received more than \$50,000.00 in an election  
6 cycle shall be preserved by that filing official for 15 years  
7 from the date the filing occurred. Any other statement or report  
8 filed under this act with the secretary of state shall be  
9 preserved by the secretary of state for 15 years from the date  
10 the filing occurred. Upon a determination under section 15 that a  
11 violation of this act has occurred, all complaints, orders,  
12 decisions, or other documents related to that violation shall be  
13 preserved by the filing official who is not the secretary of  
14 state or the secretary of state for 15 years from the date of the  
15 court determination or the date the violations are corrected,  
16 whichever is later. Statements and reports filed under this act  
17 may be reproduced pursuant to the records ~~media~~**REPRODUCTION** act,  
18 1992 PA 116, MCL 24.401 to ~~24.403~~**24.406**. After the required  
19 preservation period, the statements and reports, or the  
20 reproductions of the statements and reports, may be disposed of  
21 in the manner prescribed in the management and budget act, 1984  
22 PA 431, MCL 18.1101 to 18.1594, and 1913 PA 271, MCL 399.1 to  
23 399.10.

24 (5) A charge shall not be collected by a filing official for  
25 the filing of a required statement or report or for a form upon  
26 which the statement or report is to be prepared, except a late  
27 filing fee required by this act.

1           (6) A filing official shall determine whether a statement or  
2 report filed under this act complies, on its face, with the  
3 requirements of this act and the rules promulgated under this  
4 act. The filing official shall determine whether a statement or  
5 report that is required to be filed under this act is in fact  
6 filed. Within 4 business days after the deadline for filing a  
7 statement or report under this act, the filing official shall  
8 give notice to the filer by registered mail of an error or  
9 omission in the statement or report and give notice to a person  
10 the filing official has reason to believe is a person required to  
11 and who failed to file a statement or report. A failure to give  
12 notice by the filing official under this subsection is not a  
13 defense to a criminal action against the person required to file.

14           (7) Within 9 business days after the report or statement is  
15 required to be filed, the filer shall make any corrections in the  
16 statement or report filed with the appropriate filing official.  
17 If the report or statement was not filed, then the report or  
18 statement shall be late filed within 9 business days after the  
19 time it was required to be filed and ~~shall be~~ **IS** subject to late  
20 filing fees.

21           (8) After 9 business days and before 12 business days have  
22 expired after the deadline for filing the statement or report,  
23 the filing official shall report errors or omissions that were  
24 not corrected and failures to file to the attorney general **OR, IF**  
25 **THE ERRORS OR OMISSIONS OR FAILURE TO FILE INVOLVES THE ATTORNEY**  
26 **GENERAL OR A CAMPAIGN OR COMMITTEE WITH WHICH THE ATTORNEY**  
27 **GENERAL IS CONNECTED, DIRECTLY OR INDIRECTLY, THE DIRECTOR OF**

1 ELECTIONS SHALL REFER THE MATTER TO THE PROSECUTING ATTORNEY FOR  
2 THE COUNTY OF INGHAM FOR THE ENFORCEMENT OF A CRIMINAL PENALTY  
3 PROVIDED BY THIS ACT.

4 (9) A statement or report required to be filed under this  
5 act shall be filed not later than 5 p.m. of the day in which it  
6 is required to be filed. A preelection statement or report due on  
7 July 25 or October 25 under section 33 that is postmarked by  
8 registered or certified mail, or sent by express mail or other  
9 overnight delivery service, at least 2 days before the deadline  
10 for filing is filed within the prescribed time regardless of when  
11 it is actually delivered. Any other statement or report required  
12 to be filed under this act that is postmarked by registered or  
13 certified mail or sent by express mail or other overnight  
14 delivery service on or before the deadline for filing is filed  
15 within the prescribed time regardless of when it is actually  
16 delivered.

17 Sec. 22. A committee treasurer or other individual  
18 designated on the statement of organization as responsible for  
19 the committee's record keeping, report preparation, or report  
20 filing shall keep detailed accounts, records, bills, and receipts  
21 as required to substantiate the information contained in a  
22 statement or report filed ~~pursuant to~~ **UNDER** this act or rules  
23 promulgated under this act. The treasurer shall record the name  
24 and address of a person from whom a contribution is received  
25 **EXCEPT FOR CONTRIBUTIONS OF \$20.00 OR LESS RECEIVED PURSUANT TO**  
26 **SECTION 41(3)**. The records of a committee shall be preserved for  
27 5 years and shall be made available for inspection as authorized

1 by the secretary of state. A treasurer or other individual  
2 designated as responsible for the committee's record keeping,  
3 report preparation, or report filing who knowingly violates this  
4 section is subject to a civil fine of not more than \$1,000.00.

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

8       (a) The filing committee's name, address, and telephone  
9 number, and the full name, residential and business addresses,  
10 and telephone numbers of the committee treasurer or other  
11 individual designated as responsible for the committee's record  
12 keeping, report preparation, or report filing.

13       (b) Under the heading "receipts", the total amount of  
14 contributions received during the period covered by the campaign  
15 statement; under the heading "expenditures", the total amount of  
16 expenditures made during the period covered by the campaign  
17 statement; and the cumulative amount of those totals. Forgiveness  
18 of a loan shall not be included in the totals. Payment of a loan  
19 by a third party shall be recorded and reported as an in-kind  
20 contribution by the third party. In-kind contributions or  
21 expenditures shall be listed at fair market value and shall be  
22 reported as both contributions and expenditures. A contribution  
23 or expenditure that is by other than completed and accepted  
24 payment, gift, or other transfer, that is clearly not legally  
25 enforceable, and that is expressly withdrawn or rejected and  
26 returned before a campaign statement closing date need not be  
27 included in the campaign statement and if included may, in a

1 later or amended statement, be shown as a deduction, but the  
2 committee shall keep adequate records of each instance.

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

5 (D) THE TOTAL AMOUNT OF CONTRIBUTIONS RECEIVED DURING THE  
6 PERIOD COVERED BY THE CAMPAIGN STATEMENT FROM PERSONS WHO  
7 CONTRIBUTED MORE THAN \$20.00.

8 (E) THE TOTAL AMOUNT OF CONTRIBUTIONS RECEIVED DURING THE  
9 PERIOD COVERED BY THE CAMPAIGN STATEMENT FROM PERSONS WHO  
10 CONTRIBUTED \$20.00 OR LESS.

11 (F) THE TOTAL AMOUNT OF CONTRIBUTIONS OF \$20.00 OR LESS  
12 RECEIVED DURING THE PERIOD COVERED BY THE CAMPAIGN STATEMENT AND  
13 THE CUMULATIVE AMOUNT OF THE CONTRIBUTIONS RECEIVED BY THE FILER  
14 PURSUANT TO SECTION 41(3).

15 (G) ~~(d)~~—The following information regarding each fund-  
16 raising event shall be included in the report:

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

20 (ii) The total amount of all contributions **OF MORE THAN**  
21 **\$20.00.**

22 (iii) **THE TOTAL AMOUNT OF CONTRIBUTIONS OF \$20.00 OR LESS.**

23 (iv) ~~(iii)~~—The gross receipts of the fund-raising event.

24 (v) ~~(iv)~~—The expenditures incident to the event.

25 (H) ~~(e)~~—The full name of each individual from whom  
26 contributions **TOTALING MORE THAN \$20.00** are received during the  
27 period covered by the campaign statement, together with the



1 individual's street address, the amount contributed, the date on  
2 which each contribution was received, and the cumulative amount  
3 contributed by that individual. The occupation, employer, and  
4 principal place of business shall be stated if the individual's  
5 cumulative contributions are more than \$100.00.

6 (I) ~~(f)~~—The cumulative amount contributed and the name and  
7 address of each individual, except those individuals reported  
8 under subdivision ~~(e)~~—(H), who contributed **A TOTAL OF MORE THAN**  
9 **\$20.00** to the committee. The occupation, employer, and principal  
10 place of business shall be stated for each individual who  
11 contributed more than \$100.00.

12 (J) ~~(g)~~—The name and street address of each person, other  
13 than an individual, from whom contributions are received during  
14 the period covered by the campaign statement, together with an  
15 itemization of the amounts contributed, the date on which each  
16 contribution was received, and the cumulative amount contributed  
17 by that person.

18 (K) ~~(h)~~—The name, address, and amount given by an individual  
19 who contributed **MORE THAN \$20.00** to the total amount contributed  
20 by a person who is other than a committee or an individual. The  
21 occupation, employer, and principal place of business shall be  
22 stated if the individual contributed more than \$100.00 of the  
23 total amount contributed by a person who is other than a  
24 committee or an individual.

25 (L) ~~(i)~~—The cumulative total of expenditures of \$50.00 or  
26 less made during the period covered by the campaign statement  
27 except for expenditures made to or on behalf of another

1 committee, candidate, or ballot question.

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

16       (2) A candidate committee or ballot question committee shall  
17 report all cumulative amounts required by this section on a per  
18 election cycle basis. Except for subsection ~~(1)(j)~~—(1) (M), an  
19 independent committee or political committee shall report all  
20 cumulative amounts required by this section on a calendar year  
21 basis.

22       (3) A campaign statement of a committee, in addition to the  
23 other information required by this section, shall include an  
24 itemized list of all expenditures during the reporting period for  
25 election day busing of electors to the polls, get-out-the-vote  
26 activities, slate cards, challengers, poll watchers, and poll  
27 workers.

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

11           (a) The amount of each contribution **OF MORE THAN \$20.00**, the  
12 date it was received by the bundling committee, and the candidate  
13 for statewide elective office whom the contributor designated as  
14 the intended recipient.

15           (b) ~~Each contributor's~~ **THE** name and address **OF EACH PERSON**  
16 **THAT CONTRIBUTES MORE THAN \$20.00 DURING THE PERIOD COVERED BY**  
17 **THE STATEMENT** and, for each contribution exceeding \$100.00, the  
18 contributor's occupation, employer, and principal place of  
19 business.

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

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

25           (5) With its delivery of a bundled contribution to the  
26 candidate committee of a candidate for statewide elective office,  
27 a bundling committee shall deliver a report to that candidate

1 committee, on a form provided by the secretary of state, that  
2 includes all of the following information, as applicable, about  
3 each contribution delivered as part of the bundled contribution,  
4 and about all bundled contributions delivered to that candidate  
5 committee in the election cycle:

6 (a) The amount of each contribution **OF MORE THAN \$20.00**, the  
7 date it was received by the bundling committee, and the statewide  
8 elective office candidate the contributor designated as the  
9 intended recipient.

10 (b) ~~Each contributor's~~ **THE** name and address **OF EACH PERSON**  
11 **THAT CONTRIBUTES MORE THAN \$20.00 DURING THE PERIOD COVERED BY**  
12 **THE STATEMENT** and, for each contribution exceeding \$100.00, the  
13 contributor's occupation, employer, and principal place of  
14 business.

15 (c) The total amount of bundled contributions delivered to  
16 that candidate committee during the reporting period and during  
17 the election cycle.

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

26 (a) The amount of each contribution **OF MORE THAN \$20.00**, the  
27 date it was received by the candidate committee, and the name of

1 the bundling committee that delivered the contribution.

2 (b) ~~Each contributor's~~ **THE** name and address **OF EACH PERSON**  
3 **THAT CONTRIBUTES MORE THAN \$20.00 DURING THE PERIOD COVERED BY**  
4 **THE STATEMENT** and, for each contribution exceeding \$100.00, the  
5 contributor's occupation, employer, and principal place of  
6 business.

7 (c) The total amount of bundled contributions received by  
8 that candidate committee during the reporting period and during  
9 the election cycle.

10 Sec. 28. (1) Interest received by a committee on an account  
11 consisting of ~~funds~~ **MONEY** belonging to the committee shall not be  
12 considered a contribution to the committee but the committee  
13 shall report its receipt on a campaign statement as interest. A  
14 committee shall report interest paid by the committee on a  
15 campaign statement as an expenditure.

16 (2) A committee shall report a loan with an outstanding  
17 balance made or received in a separate schedule attached to the  
18 campaign statement providing the date and amount of the loan, the  
19 date and amount of each payment, the amount of cumulative  
20 payments, the amount of the outstanding balance, and whether the  
21 loan payments were made by money, services, property, or other  
22 means. The committee shall provide the name and address of the  
23 lender and each person who is liable directly, indirectly, or  
24 contingently on each loan **OF MORE THAN \$20.00**. The committee  
25 shall provide the occupation and employer, if any, of the lender  
26 and each person if the loan is for more than \$100.00. If a loan  
27 is paid off within a reporting period, this activity need not be

1 reported on a separate schedule to the campaign statement.  
2 However, if a loan is forgiven, the committee shall detail that  
3 fact on a separate schedule to the campaign statement.

4 (3) Accompanying a campaign statement reporting the receipt  
5 of a contribution **OF MORE THAN \$20.00** from a person whose  
6 treasurer does not reside in, whose principal office is not  
7 located in, or whose ~~funds are~~ **MONEY IS** not kept in this state ~~r~~  
8 shall be a statement certified as true and correct by an officer  
9 of the contributing person setting forth the full name, address,  
10 along with the amount contributed, of each person who contributed  
11 **MORE THAN \$20.00** to the total amount of the contribution. The  
12 occupation, employer, and principal place of business shall be  
13 stated for each person who contributed more than \$100.00. This  
14 subsection does not apply if the contributing person is  
15 registered as a committee under section 24.

16 Sec. 29. (1) A campaign statement filed by a political party  
17 committee shall contain all of the following information:

18 (a) The full name and street address of each person from  
19 whom contributions **TOTALING MORE THAN \$20.00** are received in a  
20 calendar year, the amount, and the date or dates contributed;  
21 and, if the person is a committee, the name and address of the  
22 committee and the full name of the committee treasurer, together  
23 with the amount of the contribution and the date received. The  
24 occupation, employer, and principal place of business, if any,  
25 shall be listed for each person from whom contributions totaling  
26 more than \$100.00 are received in a calendar year.

27 (b) Accompanying a campaign statement reporting the receipt

1 of a contribution **OF MORE THAN \$20.00** from a committee or person  
2 whose treasurer does not reside in, whose principal office is not  
3 located in, or whose ~~funds are~~ **MONEY IS** not kept in this state,  
4 and whose committee has not filed a statement of organization as  
5 required in section 24, shall be a statement setting forth the  
6 full name and address of the treasurer of the committee.

7 (c) An itemized list of all expenditures, including in-kind  
8 contributions and expenditures and loans, made during the period  
9 covered by the campaign statement that were contributions to a  
10 candidate committee of a candidate for elective office or a  
11 ballot question committee; or independent expenditures in support  
12 of the qualification, passage, or defeat of a ballot question or  
13 in support of the nomination or election of a candidate for  
14 elective office or the defeat of any of the candidate's  
15 opponents.

16 (d) The total expenditure by the committee for each  
17 candidate for elective office or ballot question in whose behalf  
18 an independent expenditure was made or a contribution was given  
19 for the election cycle.

20 (e) The filer's name, address, and telephone number, if  
21 available, if any, and the full name, address, and telephone  
22 number, if available, of the committee treasurer.

23 (2) The committee shall identify an expenditure listed under  
24 subsection (1)(c) as an independent expenditure or as a  
25 contribution to a candidate committee or a ballot question  
26 committee.

27 (3) The committee shall designate for a contribution to or

1 on behalf of a candidate committee or ballot question committee  
2 listed under subsection (1)(c) the name and address of the  
3 committee, the name of the candidate and the office sought, if  
4 any, the amount contributed, and the date of contribution.

5 (4) The committee shall designate for an independent  
6 expenditure listed under subsection (1)(c) either the name of the  
7 candidate for whose benefit the expenditure was made and the  
8 office sought by the candidate, or a brief description of the  
9 ballot question for which the expenditure was made; the amount,  
10 date, and purpose of the expenditure; and the full name and  
11 address of the person to whom the expenditure was made.

12 (5) The committee shall apportion an expenditure listed that  
13 was made in support of more than 1 candidate or ballot question,  
14 or both, reasonably among the candidates or ballot questions, or  
15 both.

16 (6) A campaign statement of a committee, in addition to the  
17 other information required by this section, shall include an  
18 itemized list of all expenditures during the reporting period for  
19 election day busing of electors to the polls, get-out-the-vote  
20 activities, slate cards, challengers, poll watchers, and poll  
21 workers.

22 Sec. 33. (1) A committee, other than an independent  
23 committee or a political committee required to file with the  
24 secretary of state, supporting or opposing a candidate shall file  
25 complete campaign statements as required by this act and the  
26 rules promulgated under this act. The campaign statements shall  
27 be filed according to the following schedule:



1 (a) A preelection campaign statement shall be filed not  
2 later than the eleventh day before an election. The closing date  
3 for a campaign statement filed under this subdivision shall be  
4 the sixteenth day before the election.

5 (b) A postelection campaign statement shall be filed not  
6 later than the thirtieth day following the election. The closing  
7 date for a campaign statement filed under this subdivision shall  
8 be the twentieth day following the election. A committee  
9 supporting a candidate who loses the primary election shall file  
10 closing campaign statements in accordance with this section. If  
11 all liabilities of that candidate or committee are paid before  
12 the closing date and additional contributions are not expected,  
13 the campaign statement may be filed at any time after the  
14 election, but not later than the thirtieth day following the  
15 election.

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

17 (a) A candidate committee shall file a preelection campaign  
18 statement and a postelection campaign statement for each election  
19 in which the candidate seeks nomination or election, except if an  
20 individual becomes a candidate after the closing date for the  
21 preelection campaign statement only the postelection campaign  
22 statement is required for that election.

23 (b) A committee ~~other than a candidate committee~~ shall file  
24 a campaign statement for each period during which expenditures  
25 are made for the purpose of influencing the nomination or  
26 election of a candidate or for the qualification, passage, or  
27 defeat of a ballot question.

1           (3) An independent committee or a political committee other  
2 than a house political party caucus committee or senate political  
3 party caucus committee required to file with the secretary of  
4 state shall file campaign statements as required by this act  
5 according to the following schedule:

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

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

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

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

14          (4) A house political party caucus committee or a senate  
15 political party caucus committee required to file with the  
16 secretary of state or a political party committee for a party  
17 attempting to qualify as a new political party under section 685  
18 of the Michigan election law, 1954 PA 116, MCL 168.685, shall  
19 file campaign statements as required by this act according to the  
20 following schedule:

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

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

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

27          (d) Not later than October 25 of each year with a closing

1 date of October 20 of that year.

2 (e) For the period beginning on the fourteenth day  
3 immediately preceding a primary or special primary election and  
4 ending on the day immediately following the primary or special  
5 primary election, not later than 4 p.m. each business day with a  
6 closing date of the immediately preceding day, only for a  
7 contribution received or expenditure made that exceeds \$1,000.00  
8 per day.

9 (f) For the period beginning on the fourteenth day  
10 immediately preceding a general or special election and ending on  
11 the day immediately following the general or special election,  
12 not later than 4 p.m. each business day with a closing date of  
13 the immediately preceding day, only for a contribution received  
14 or expenditure made that exceeds \$1,000.00 per day.

15 (5) Notwithstanding subsection (3) or (4) or section 51, if  
16 an independent expenditure is made within 45 days before a  
17 special election by an independent committee or a political  
18 committee required to file a campaign statement with the  
19 secretary of state, a report of the expenditure shall be filed by  
20 the committee with the secretary of state within 48 hours after  
21 the expenditure. The report shall be made on a form provided by  
22 the secretary of state and shall include the date of the  
23 independent expenditure, the amount of the expenditure, a brief  
24 description of the nature of the expenditure, and the name and  
25 address of the person to whom the expenditure was paid. The brief  
26 description of the expenditure shall include either the name of  
27 the candidate and the office sought by the candidate or the name

1 of the ballot question and shall state whether the expenditure  
2 supports or opposes the candidate or ballot question. This  
3 subsection does not apply if the committee is required to report  
4 the independent expenditure in a campaign statement that is  
5 required to be filed before the date of the election for which  
6 the expenditure was made.

7 (6) A candidate committee or a committee other than a  
8 candidate committee that files a written statement under section  
9 24(5) or (6) is not required to file a campaign statement under  
10 subsection (1), (3), or (4) unless it received or expended an  
11 amount in excess of \$1,000.00. If the committee receives or  
12 expends an amount in excess of \$1,000.00 during a period covered  
13 by a filing, the committee is then subject to the campaign filing  
14 requirements under this act.

15 (7) A committee, candidate, treasurer, or other individual  
16 designated as responsible for the committee's record keeping,  
17 report preparation, or report filing who fails to file a  
18 statement as required by this section shall pay a late filing  
19 fee. If the committee has raised \$10,000.00 or less during the  
20 previous 2 years, the late filing fee shall be \$25.00 for each  
21 business day the statement remains unfiled, but not to exceed  
22 \$500.00. If the committee has raised more than \$10,000.00 during  
23 the previous 2 years, the late filing fee shall not exceed  
24 \$1,000.00, determined as follows:

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

27 (b) An additional \$25.00 for each business day after the

1 first 3 business days the report remains unfiled.

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

4 (8) If a candidate, treasurer, or other individual  
5 designated as responsible for the committee's record keeping,  
6 report preparation, or report filing fails to file 2 statements  
7 required by this section or section 35 and both of the statements  
8 remain unfiled for more than 30 days, that candidate, treasurer,  
9 or other designated individual is guilty of a misdemeanor  
10 punishable by a fine of not more than \$1,000.00 or imprisonment  
11 for not more than 90 days, or both.

12 (9) If a candidate is found guilty of a violation of this  
13 section, the circuit court for that county, on application by the  
14 attorney general or the prosecuting attorney of that county, may  
15 prohibit that candidate from assuming the duties of a public  
16 office or from receiving compensation from public funds, or both.

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

23 (11) If a candidate, treasurer, or other individual  
24 designated as responsible for a committee's record keeping,  
25 report preparation, or report filing knowingly omits or  
26 underreports individual contributions or individual expenditures  
27 required to be disclosed by this act, that individual is subject

1 to a civil fine of not more than \$1,000.00 or the amount of the  
2 contributions and expenditures omitted or underreported,  
3 whichever is greater.

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

15 (13) Not more than 5 business days after seizure of money  
16 under subsection (12), the secretary of state shall deliver  
17 personally or by registered mail to the last known address of the  
18 candidate from whom the seizure was made an inventory statement  
19 of the money seized. The inventory statement shall also contain  
20 notice to the effect that unless demand for hearing as provided  
21 in this section is made within 10 business days, the money is  
22 forfeited to this state. Within 10 business days after the date  
23 of service of the notice, the candidate may by registered mail,  
24 facsimile transmission, or personal service file with the  
25 secretary of state a demand for a hearing before the secretary of  
26 state or a person designated by the secretary of state for a  
27 determination as to whether the money was lawfully subject to

1 seizure and forfeiture. The candidate is entitled to appear  
2 before the secretary of state or a person designated by the  
3 secretary of state, to be represented by counsel, and to present  
4 testimony and argument. Upon receipt of a request for hearing,  
5 the secretary of state or a person designated by the secretary of  
6 state shall hold the hearing within 15 business days. The hearing  
7 is not a contested case proceeding and is not subject to the  
8 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to  
9 24.328. After the hearing, the secretary of state or a person  
10 designated by the secretary of state shall render a decision in  
11 writing within 10 business days of the hearing and, by order,  
12 shall either declare the money subject to seizure and forfeiture  
13 or declare the money returnable to the candidate. If, within 10  
14 business days after the date of service of the inventory  
15 statement, the candidate does not file with the secretary of  
16 state a demand for a hearing before the secretary of state or a  
17 person designated by the secretary of state, the money seized is  
18 forfeited to this state by operation of law. If, after a hearing  
19 before the secretary of state or a person designated by the  
20 secretary of state, the secretary of state or a person designated  
21 by the secretary of state determines that the money is lawfully  
22 subject to seizure and forfeiture and the candidate does not  
23 appeal to the circuit court of the county in which the seizure  
24 was made within the time prescribed in this section, the money  
25 seized is forfeited to this state by operation of law. If a  
26 candidate is aggrieved by the decision of the secretary of state  
27 or a person designated by the secretary of state, that candidate

1 may appeal to the circuit court of the county where the seizure  
2 was made to obtain a judicial determination of the lawfulness of  
3 the seizure and forfeiture. The action shall be commenced within  
4 20 days after notice of a determination by the secretary of state  
5 or a person designated by the secretary of state is sent to the  
6 candidate. The court shall hear the action and determine the  
7 issues of fact and law involved in accordance with rules of  
8 practice and procedure as in other in rem proceedings.

9       Sec. 35. (1) In addition to any other requirements of this  
10 act for filing a campaign statement, a committee, other than an  
11 independent committee or a political committee required to file  
12 with the secretary of state, shall also file ~~a~~**EACH OF THE**  
13 **FOLLOWING CAMPAIGN STATEMENTS:**

14       **(A) A** campaign statement not later than January 31 of each  
15 **EVEN NUMBERED** year. The campaign statement shall have a closing  
16 date of December 31 of the previous year. The period covered by  
17 the campaign statement filed under this subsection begins the day  
18 after the closing date of the previous campaign statement. A  
19 campaign statement filed under this subsection shall be waived if  
20 a postelection campaign statement has been filed that has a  
21 filing deadline within 30 days of the closing date of the  
22 campaign statement required by this subsection.

23       **(B) IN EACH EVEN NUMBERED YEAR, A CAMPAIGN STATEMENT NOT**  
24 **LATER THAN APRIL 30 WITH A CLOSING DATE OF MARCH 31.**

25       **(2) IN ADDITION TO ANY OTHER REQUIREMENTS OF THIS ACT FOR**  
26 **FILING A CAMPAIGN STATEMENT, A COMMITTEE SHALL ALSO FILE CAMPAIGN**  
27 **STATEMENTS NOT LATER THAN THE FOLLOWING DATES IN ODD NUMBERED**



1 YEARS:

2 (A) JANUARY 31 WITH A CLOSING DATE OF DECEMBER 31 OF THE  
3 PREVIOUS YEAR.

4 (B) APRIL 25 WITH A CLOSING DATE OF APRIL 20.

5 (C) JULY 25 WITH A CLOSING DATE OF JULY 20.

6 (D) OCTOBER 25 WITH A CLOSING DATE OF OCTOBER 20.

7 (3) ~~(2)~~ Subsection (1) OR (2) does not apply to a candidate  
8 committee for an officeholder who is a judge or a supreme court  
9 justice, or who holds an elective office for which the salary is  
10 less than \$100.00 a month and who does not receive ~~any~~A  
11 contribution or make ~~any~~AN expenditure during the time that  
12 would be otherwise covered in the statement.

13 (4) ~~(3)~~ A committee, candidate, treasurer, or other  
14 individual designated as responsible for the record keeping,  
15 report preparation, or report filing for a candidate committee of  
16 a candidate for state elective office or a judicial office who  
17 fails to file a campaign statement under this section shall be  
18 assessed a late filing fee. If the committee has raised  
19 \$10,000.00 or less during the previous 2 years, the late filing  
20 fee shall be \$25.00 for each business day the campaign statement  
21 remains unfiled, but not to exceed \$500.00. If the committee has  
22 raised more than \$10,000.00 during the previous 2 years, the late  
23 filing fee shall be \$50.00 for each business day the campaign  
24 statement remains unfiled, but not to exceed \$1,000.00. The late  
25 filing fee assessed under this subsection shall be paid by the  
26 candidate, and the candidate shall not use committee funds to pay  
27 that fee. A committee, treasurer, or other individual designated

1 as responsible for the record keeping, report preparation, or  
2 report filing for a committee other than a candidate committee of  
3 a candidate for state elective office or a judicial office who  
4 fails to file a campaign statement under this section shall pay a  
5 late filing fee of \$25.00 for each business day the campaign  
6 statement remains not filed in violation of this section. The  
7 late filing fee shall not exceed \$500.00.

8 (5) ~~(4)~~—A committee filing a written statement under section  
9 24(5) or (6) ~~need not~~ **IS NOT REQUIRED TO** file a statement in  
10 accordance with subsection (1). If a committee receives or  
11 expends more than \$1,000.00 during a time period prescribed by  
12 section 24(5) or (6), the committee is then subject to the  
13 campaign filing requirements under this act and shall file a  
14 campaign statement for the period beginning the day after the  
15 closing date of the last postelection campaign statement or an  
16 annual campaign statement that is waived under subsection (1),  
17 whichever occurred earlier.

18 (6) ~~(5)~~—If a candidate, treasurer, or other individual  
19 designated as responsible for the record keeping, report  
20 preparation, or report filing fails to file 2 statements required  
21 by this section or section 33 and both of the statements remain  
22 unfiled for more than 30 days, that candidate, treasurer, or  
23 other designated individual is guilty of a misdemeanor,  
24 punishable by a fine of not more than \$1,000.00, or imprisonment  
25 for not more than 90 days, or both.

26 (7) ~~(6)~~—If a candidate, treasurer, or other individual  
27 designated as responsible for the record keeping, report

1 preparation, or report filing for a committee required to file a  
2 campaign statement under subsection (1) knowingly files an  
3 incomplete or inaccurate statement or report required by this  
4 section, that individual is subject to a civil fine of not more  
5 than \$1,000.00.

6       Sec. 41. (1) A person shall not make or accept a single  
7 contribution of more than \$20.00 in cash or make or accept a  
8 single expenditure of more than \$50.00 in cash. Contributions of  
9 more than \$20.00 and expenditures of more than \$50.00, other than  
10 an in-kind contribution or expenditure, shall be made by written  
11 instrument containing the names of the payor and the payee.

12       (2) A person shall not accept or expend an anonymous  
13 contribution. An anonymous contribution received by a person  
14 shall not be deposited but shall be given to a tax exempt  
15 charitable organization. The charitable organization receiving  
16 the contribution shall provide the person with a receipt. The  
17 receipt shall be retained by an appropriate committee pursuant to  
18 section 22.

19       **(3) A CONTRIBUTION RECEIVED AS THE RESULT OF A FUND-RAISING**  
20 **EVENT OR CASUAL SERVICES OR FROM THE SALE OF POLITICAL**  
21 **MERCHANDISE THAT IS \$20.00 OR LESS IN THE AGGREGATE FROM A PERSON**  
22 **IN ANY CALENDAR YEAR IS NOT CONSIDERED AN ANONYMOUS CONTRIBUTION.**  
23 **A CONTRIBUTION RECEIVED FROM MEMBERSHIP FEES, DUES, OR**  
24 **SUBSCRIPTIONS FOR POLITICAL PURPOSES TO AN INDEPENDENT COMMITTEE**  
25 **OR A POLITICAL PARTY COMMITTEE THAT IS \$20.00 OR LESS IN THE**  
26 **AGGREGATE FROM A PERSON IN ANY CALENDAR YEAR IS NOT CONSIDERED AN**  
27 **ANONYMOUS CONTRIBUTION.**

1           (4) A PERSON MAKING A CONTRIBUTION PURSUANT TO SUBSECTION  
2 (3) THAT IS MORE THAN \$20.00 IN ANY CALENDAR YEAR WHEN ADDED TO  
3 ALL OTHER CONTRIBUTIONS MADE TO THAT COMMITTEE BY THAT PERSON  
4 SHALL FURNISH THE RECIPIENT WITH THE DONOR'S NAME, ADDRESS, AND  
5 THE TOTAL AMOUNT CONTRIBUTED.

6           (5) ~~(3)~~—A contribution shall not be made, directly or  
7 indirectly, by any person in a name other than the name by which  
8 that person is identified for legal purposes.

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

14           Sec. 42. (1) A person who accepts a contribution, other than  
15 by written instrument, on behalf of another and acts as the  
16 intermediary or agent of the person from whom the contribution  
17 was accepted shall disclose to the recipient of the contribution  
18 the intermediary's own name and address and the name and address  
19 of the actual source of the contribution.

20           (2) A contribution **OF MORE THAN \$20.00** from a person whose  
21 treasurer does not reside in, whose principal office is not  
22 located in, or whose ~~funds are~~ **MONEY IS** not kept in this state ~~7~~  
23 shall not be accepted by a person for purposes of supporting or  
24 opposing candidates for elective office or the qualification,  
25 passage, or defeat of a ballot question unless accompanied by a  
26 statement certified as true and correct by an officer of the  
27 contributing person setting forth the full name and address along

1 with the amount contributed, of each person who contributed **MORE**  
2 **THAN \$20.00** to the total amount of the contribution. The  
3 occupation, employer, and principal place of business shall be  
4 listed for each person who contributed more than \$100.00 to the  
5 total amount of the contribution. The certified statement shall  
6 also state that the contribution was not made from an account  
7 containing ~~funds~~ **MONEY** prohibited by section 54. This subsection  
8 does not apply if the contributing person is registered as a  
9 committee under section 24.

10 (3) A person shall not receive a contribution from a person  
11 other than a committee unless, for purposes of the recipient  
12 person's record keeping and reporting requirements, the  
13 contribution is accompanied by the name and address of each  
14 person who contributed **MORE THAN \$20.00** to the total amount of  
15 the contribution and the name, address, occupation, employer, and  
16 principal place of business of each person who contributed more  
17 than \$100.00 to the total amount of the contribution.

18 (4) A contribution from a person whose treasurer does not  
19 reside in, whose principal office is not located in, or whose  
20 money is not kept in this state shall not be accepted by a person  
21 for purposes of supporting or opposing candidates for elective  
22 office if the contributing person has received contributions on  
23 an automatic basis, including, but not limited to, a payroll  
24 deduction plan, unless the contribution is accompanied by a  
25 statement, certified as true and correct by an officer of the  
26 contributing person, setting forth that all contributions  
27 received on an automatic basis are in full compliance with

1 section 55.

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

7 SEC. 43A. (1) A CANDIDATE COMMITTEE SHALL NOT PAY THE  
8 CANDIDATE, AND A CANDIDATE SHALL NOT RECEIVE FROM HIS OR HER  
9 CANDIDATE COMMITTEE, WAGES, A SALARY, OR OTHER EMPLOYMENT  
10 COMPENSATION. THIS SECTION DOES NOT PROHIBIT REIMBURSEMENTS FROM  
11 A CANDIDATE COMMITTEE TO A CANDIDATE FOR CAMPAIGN-RELATED  
12 EXPENSES MADE BY THE CANDIDATE ON BEHALF OF THE CANDIDATE  
13 COMMITTEE.

14 (2) AN INDIVIDUAL WHO KNOWINGLY VIOLATES THIS SECTION IS  
15 GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE  
16 THAN 90 DAYS OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH. A  
17 COMMITTEE THAT VIOLATES THIS SECTION IS SUBJECT TO A FINE OF NOT  
18 MORE THAN \$10,000.00.

19 SEC. 48. (1) A COMMUNICATION ADVOCATING THE ELECTION OR  
20 DEFEAT OF A CANDIDATE THAT IS DESIGNED TO CONTACT ELECTORS  
21 THROUGH AUTOMATED TELEPHONIC, ELECTRONIC MAIL, OR OTHER  
22 ELECTRONIC MEANS AND TO WHICH SECTION 47 DOES NOT APPLY SHALL  
23 CLEARLY STATE THE NAME AND THE ADDRESS OR TELEPHONE NUMBER OF THE  
24 PERSON PAYING FOR THE COMMUNICATION.

25 (2) IF THE COMMUNICATION DESCRIBED IN SUBSECTION (1)  
26 ADVOCATES THE ELECTION OR DEFEAT OF A CANDIDATE AND IS AN  
27 INDEPENDENT EXPENDITURE NOT AUTHORIZED IN WRITING BY THAT

1 CANDIDATE'S CANDIDATE COMMITTEE, THE COMMUNICATION SHALL ALSO  
 2 CLEARLY STATE THE FOLLOWING DISCLAIMER: "NOT AUTHORIZED BY ANY  
 3 CANDIDATE COMMITTEE.". IF THE COMMUNICATION DESCRIBED IN  
 4 SUBSECTION (1) ADVOCATES THE ELECTION OR DEFEAT OF A CANDIDATE  
 5 AND IS NOT AN INDEPENDENT EXPENDITURE, BUT IS PAID FOR BY A  
 6 PERSON OTHER THAN THE CANDIDATE WHOM IT ADVOCATES THE ELECTION OR  
 7 DEFEAT OF, THE COMMUNICATION SHALL ALSO CLEARLY STATE THE  
 8 FOLLOWING DISCLAIMER:

9 "AUTHORIZED BY \_\_\_\_\_".  
 10 (NAME OF CANDIDATE OR NAME OF CANDIDATE COMMITTEE)

11 (3) A TELEPHONIC COMMUNICATION DESCRIBED IN SUBSECTION (1)  
 12 SHALL STATE THE NAME AND THE ADDRESS OR TELEPHONE NUMBER OF THE  
 13 PERSON PAYING FOR THE COMMUNICATION AND ANY DISCLAIMERS REQUIRED  
 14 UNDER SUBSECTION (2) AT THE BEGINNING OF THE TELEPHONIC  
 15 COMMUNICATION. A TELEPHONIC COMMUNICATION DESCRIBED IN SUBSECTION  
 16 (1) SHALL NOT TAKE PLACE BETWEEN THE HOURS OF 8 P.M. AND 9 A.M.  
 17 IN THE TIME ZONE WITHIN WHICH THE RECIPIENT OF THE TELEPHONIC  
 18 COMMUNICATION IS LOCATED.

19 (4) FOR A VISUAL COMMUNICATION GOVERNED BY THIS SECTION, THE  
 20 DIRECTOR OF ELECTIONS SHALL PROMULGATE RULES REGULATING THE SIZE  
 21 AND PLACEMENT OF AN IDENTIFICATION OR DISCLAIMER REQUIRED BY THIS  
 22 SECTION.

23 (5) THE SECRETARY OF STATE SHALL FURNISH TO CANDIDATES AND  
 24 POST ON ITS INTERNET WEBSITE INFORMATION REGARDING THE  
 25 PROHIBITIONS IN THIS SECTION.

26 (6) A PERSON WHO KNOWINGLY VIOLATES THIS SECTION IS GUILTY

1 OF A CRIME AS FOLLOWS:

2 (A) FOR THE FIRST VIOLATION, THE PERSON IS GUILTY OF A  
3 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS  
4 OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.

5 (B) FOR THE SECOND VIOLATION, THE PERSON IS GUILTY OF A  
6 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 93 DAYS  
7 OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

8 (C) FOR THE THIRD OR SUBSEQUENT VIOLATION, THE PERSON IS  
9 GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE  
10 THAN 93 DAYS OR A FINE OF NOT MORE THAN \$2,500.00, OR BOTH.

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

17 (a) \$3,400.00 for a candidate for state elective office  
18 other than the office of state legislator, or for a candidate for  
19 local elective office if the district from which he or she is  
20 seeking office has a population of more than 250,000.

21 (b) \$1,000.00 for a candidate for state senator, or for a  
22 candidate for local elective office if the district from which he  
23 or she is seeking office has a population of more than 85,000 but  
24 250,000 or less.

25 (c) \$500.00 for a candidate for state representative, or for  
26 a candidate for local elective office if the district from which  
27 he or she is seeking office has a population of 85,000 or less.



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

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

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

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

27           (4) A state central committee of a political party shall not

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

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

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

25 (7) A candidate committee, a candidate, or a treasurer or  
26 agent of a candidate committee shall not accept a contribution  
27 with respect to an election cycle that exceeds the limitations in

1 subsection (1), (2), (3), (4), (11), or (12).

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

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

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

22 (a) All of the political committees and independent  
23 committees established by a for profit corporation or joint stock  
24 company, by a subsidiary of the for profit corporation or joint  
25 stock company, or by any combination thereof, are treated as a  
26 single independent committee.

27 ~~(b) All of the political committees and independent~~

1 ~~committees established by a single national or international~~  
2 ~~labor organization, by a labor organization of that national or~~  
3 ~~international labor organization, by a local labor organization~~  
4 ~~of that national or international labor organization, or by any~~  
5 ~~other subordinate organization of that national or international~~  
6 ~~labor organization, or by any combination thereof, are treated as~~  
7 ~~a single independent committee.~~

8 ~~—— (c) All of the political committees and independent~~  
9 ~~committees established by an organization of national or~~  
10 ~~international unions, by a state central body of that~~  
11 ~~organization, by a local central body of that organization, or by~~  
12 ~~any combination thereof, are treated as a single independent~~  
13 ~~committee.~~

14 (B) ~~(d)~~ All of the political committees and independent  
15 committees established by a nonprofit corporation, by a related  
16 state entity of that nonprofit corporation, by a related local  
17 entity of that nonprofit corporation, or by any combination  
18 thereof, are treated as a single independent committee.

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

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

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

19 Sec. 55. (1) A corporation organized on a for profit or  
20 nonprofit basis, a joint stock company, a domestic dependent  
21 sovereign, or a labor organization formed under the laws of this  
22 or another state or foreign country may make an expenditure for  
23 the establishment and administration and solicitation of  
24 contributions to a separate segregated fund to be used for  
25 political purposes. A separate segregated fund established under  
26 this section shall be limited to making contributions to, and  
27 expenditures on behalf of, candidate committees, ballot question

1 committees, political party committees, political committees,  
2 independent committees, and other separate segregated funds.

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

7 (a) Stockholders of the corporation or company.

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

9 (c) Employees of the corporation or company who have policy  
10 making, managerial, professional, supervisory, or administrative  
11 nonclerical responsibilities.

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

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

17 (b) Stockholders of members of the corporation.

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

19 (d) Employees of the members of the corporation who have  
20 policy making, managerial, professional, supervisory, or  
21 administrative nonclerical responsibilities.

22 (e) Employees of the corporation who have policy making,  
23 managerial, professional, supervisory, or administrative  
24 nonclerical responsibilities.

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

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

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

3 (c) Employees of the labor organization who have policy  
4 making, managerial, professional, supervisory, or administrative  
5 nonclerical responsibilities.

6 (5) Contributions for a separate segregated fund established  
7 under this section by a domestic dependent sovereign may be  
8 solicited from an individual who is a member of any domestic  
9 dependent sovereign.

10 (6) Contributions shall not be obtained for a separate  
11 segregated fund established under this section by use of coercion  
12 or physical force, by making a contribution a condition of  
13 employment or membership, or by using or threatening to use job  
14 discrimination or financial reprisals. A corporation organized on  
15 a for profit or nonprofit basis, a joint stock company, a  
16 domestic dependent sovereign, or a labor organization shall not  
17 solicit or obtain contributions for a separate segregated fund  
18 established under this section from an individual described in  
19 subsection (2), (3), (4), or (5) on ~~an automatic or~~ **A** passive  
20 basis including but not limited to a ~~payroll deduction plan or~~  
21 reverse checkoff method. A corporation organized on a for profit  
22 or nonprofit basis, a joint stock company, a domestic dependent  
23 sovereign, or a labor organization may solicit or obtain  
24 contributions for a separate segregated fund established under  
25 this section from an individual described in subsection (2), (3),  
26 (4), or (5) on an automatic basis, including but not limited to a  
27 payroll deduction plan, only if the individual who is

1 contributing to the fund affirmatively consents **IN WRITING** to the  
2 contribution. ~~at least once in every calendar year.~~

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

8 (8) If a corporation, joint stock company, domestic  
9 dependent sovereign, or labor organization that obtains  
10 contributions for a separate segregated fund from individuals  
11 described in subsection (2), (3), (4), or (5) pays to 1 or more  
12 of those individuals a bonus or other remuneration for the  
13 purpose of reimbursing those contributions, then that  
14 corporation, joint stock company, domestic dependent sovereign,  
15 or labor organization is subject to a civil fine equal to 2 times  
16 the total contributions obtained from all individuals for the  
17 separate segregated fund during that calendar year.

18 Sec. 57. (1) A public body or a person acting for a public  
19 body shall not use or authorize the use of funds, personnel,  
20 office space, computer hardware or software, property,  
21 stationery, postage, vehicles, equipment, supplies, or other  
22 public resources to make a contribution or expenditure or provide  
23 volunteer personal services that are excluded from the definition  
24 of contribution under section 4(3)(a). ~~The prohibition under this~~  
25 ~~subsection includes, but is not limited to, using or authorizing~~  
26 ~~the use of public resources to establish or administer a payroll~~  
27 ~~deduction plan to directly or indirectly collect or deliver a~~



1 ~~contribution to, or make an expenditure for, a committee. Advance~~  
2 ~~payment or reimbursement to a public body does not cure a use of~~  
3 ~~public resources otherwise prohibited by this subsection. This~~  
4 subsection does not apply to any of the following:

5 (a) The expression of views by an elected or appointed  
6 public official who has policy making responsibilities.

7 (b) The production or dissemination of factual information  
8 concerning issues relevant to the function of the public body.

9 (c) The production or dissemination of debates, interviews,  
10 commentary, or information by a broadcasting station, newspaper,  
11 magazine, or other periodical or publication in the regular  
12 course of broadcasting or publication.

13 (d) The use of a public facility owned or leased by, or on  
14 behalf of, a public body if any candidate or committee has an  
15 equal opportunity to use the public facility.

16 (e) The use of a public facility owned or leased by, or on  
17 behalf of, a public body if that facility is primarily used as a  
18 family dwelling and is not used to conduct a fund-raising event.

19 (f) An elected or appointed public official or an employee  
20 of a public body who, when not acting for a public body but is on  
21 his or her own personal time, is expressing his or her own  
22 personal views, is expending his or her own personal funds, or is  
23 providing his or her own personal volunteer services.

24 **(G) THE USE OF PUBLIC RESOURCES TO PERMIT A PUBLIC EMPLOYEE,**  
25 **INCLUDING, BUT NOT LIMITED TO, EMPLOYEES OF PUBLIC UNIVERSITIES,**  
26 **TO CONTRIBUTE TO A SEPARATE SEGREGATED FUND OF THE EMPLOYEE'S**  
27 **COLLECTIVE BARGAINING REPRESENTATIVE BY PAYROLL DEDUCTION,**

1 PROVIDED THAT THE COLLECTIVE BARGAINING REPRESENTATIVE PROVIDES  
2 FULL COMPENSATION FOR THE VALUE OF THE RESOURCES USED TO THE  
3 PUBLIC BODY.

4 ~~—— (2) If the secretary of state has dismissed a complaint  
5 filed under section 15(5) alleging that a public body or person  
6 acting for a public body used or authorized the use of public  
7 resources to establish or administer a payroll deduction plan to  
8 collect or deliver a contribution to, or make an expenditure for,  
9 a committee in violation of this section, or if the secretary of  
10 state enters into a conciliation agreement under section 15(10)  
11 that does not prevent a public body or a person acting for a  
12 public body to use or authorize the use of public resources to  
13 establish or administer a payroll deduction plan to collect or  
14 deliver a contribution to, or make an expenditure for, a  
15 committee in violation of this section, the following apply:~~

16 ~~—— (a) The complainant or any other person who resides, or has  
17 a place of business, in the jurisdiction where the use or  
18 authorization of the use of public resources occurred may bring a  
19 civil action against the public body or person acting for the  
20 public body to seek declaratory, injunctive, mandamus, or other  
21 equitable relief and to recover losses that a public body suffers  
22 from the violation of this section.~~

23 ~~—— (b) If the complainant or any other person who resides, or  
24 has a place of business, in the jurisdiction where the use or  
25 authorization of the use of public resources occurred prevails in  
26 an action initiated under this subsection, a court shall award  
27 the complainant or any other person necessary expenses, costs,~~

1 and reasonable attorney fees.

2 ~~—— (c) Any amount awarded or equitable relief granted by a~~  
3 ~~court under this subsection may be awarded or granted against the~~  
4 ~~public body or an individual acting for the public body, or both,~~  
5 ~~that violates this section, as determined by the court.~~

6 ~~—— (d) A complainant or any other person who resides, or has a~~  
7 ~~place of business, in the jurisdiction where the use or~~  
8 ~~authorization of the use of public resources occurred may bring a~~  
9 ~~civil action under this subsection in any county in which venue~~  
10 ~~is proper. Process issued by a court in which an action is filed~~  
11 ~~under this subsection may be served anywhere in this state.~~

12 (2) ~~(3)~~—A person who knowingly violates this section is  
13 guilty of a misdemeanor punishable, if the person is an  
14 individual, by a fine of not more than \$1,000.00 or imprisonment  
15 for not more than 1 year, or both, or if the person is not an  
16 individual, by 1 of the following, whichever is greater:

17 (a) A fine of not more than \$20,000.00.

18 (b) A fine equal to the amount of the improper contribution  
19 or expenditure.