

HOUSE BILL NO. 4305

February 23, 2021, Introduced by Reps. Steven Johnson and Bellino and referred to the Committee on Elections and Ethics.

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
by amending section 26 (MCL 169.226), as amended by 2019 PA 93.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 26. (1) A campaign statement of a committee, other than a
2 political party committee, required by this act must contain all of
3 the following information:

4 (a) The filing committee's name, address, and telephone
5 number, and the full name, residential and business addresses,

1 electronic mail address, and telephone numbers of the committee
2 treasurer or other individual designated as responsible for the
3 committee's record keeping, report preparation, or report filing.

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16 is expressly withdrawn or rejected and returned before a campaign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

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

23 (d) The following information regarding each fund-raising
24 event must be included in the report:

25 (i) The type of event, date held, **and** address and name, if any,
26 of the place where the activity was held. ~~, and approximate number~~
27 ~~of individuals participating or in attendance.~~

28 (ii) The total amount of all contributions.

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

1 (iv) The expenditures incident to the event.

2 (e) The full name of each individual from whom contributions
3 are received during the period covered by the campaign statement,
4 together with the individual's street address, the amount
5 contributed, the date on which each contribution was received, and
6 the cumulative amount contributed by that individual. The
7 occupation, employer, and principal place of business must be
8 stated if the individual's cumulative contributions are more than
9 \$100.00. For contributions of \$5.00 or less by an individual to a
10 political committee or independent committee, the secretary of
11 state shall accept for filing any written communication from the
12 political committee or independent committee that contains the
13 information otherwise required under this subsection. Any written
14 communication under this subdivision does not need to contain an
15 original signature.

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

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

26 (h) The name, address, and amount given by an individual who
27 contributed to the total amount contributed by a person who is
28 other than a committee or an individual. The occupation, employer,
29 and principal place of business must 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 and other
4 disbursements totaling \$50.00 or less to any person made during the
5 period covered by the campaign statement except for expenditures
6 made to or on behalf of another committee, candidate, or ballot
7 question.

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

22 (2) A candidate committee or ballot question committee shall
23 report all cumulative amounts required by this section on a per
24 election cycle basis. Except as provided in subsection (1)(j), an
25 independent committee, independent expenditure committee, or
26 political committee shall report all cumulative amounts required by
27 this section on a calendar year basis.

28 (3) A campaign statement of a committee, in addition to the
29 other information required by this section, must include an

1 itemized list of all expenditures during the reporting period for
2 election day busing of electors to the polls, get-out-the-vote
3 activities, slate cards, challengers, poll watchers, and poll
4 workers.

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

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

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

20 (c) The date each contribution is delivered to the candidate's
21 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 the
24 election cycle.

25 (5) With its delivery of a bundled contribution to the
26 candidate committee of a candidate for statewide elective office, a
27 bundling committee shall deliver a report to that candidate
28 committee, on a form provided by the secretary of state, that
29 includes all of the following information, as applicable, about

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

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

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

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

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

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

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

27 (c) The total amount of bundled contributions received by that
28 candidate committee during the reporting period and during the
29 election cycle.

1 (7) For a reporting period in which a connected organization
2 of a separate segregated fund makes a payment for a prize or 1 or
3 more items authorized under section 55(8), the separate segregated
4 fund shall report all of the following, as applicable:

5 (a) The amount of any payment of costs for a prize, the value
6 of the prize, the amount raised by the prize, and the amount, if
7 any, reimbursed to the connected organization by the separate
8 segregated fund for the prize.

9 (b) The amount per item of any payment of costs for items to
10 be sold or offered in return for a contribution as part of
11 fundraising activities for the separate segregated fund, the amount
12 per item that each item is offered at or offered for sale at, the
13 value of each item, the aggregate amount paid for those items, and
14 the amount, if any, reimbursed to the connected organization by the
15 separate segregated fund for any items. If 1 or more of the same
16 items are sold or offered in return for a contribution, a report by
17 item type satisfies the reporting requirement under this
18 subdivision.

19 (8) As used in subsection (7), "value" means the regular
20 purchase price offered by the vendor from whom an item is
21 purchased, less any customary discount offered based on the number
22 of items purchased in the same transaction.