

Legislative Analysis



EXCEPTION FOR DE MINIMIS LOBBYIST GIFTS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5584 as introduced
Sponsor: Rep. Jenn Hill
Committee: Ethics and Oversight
Complete to 12-11-24

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5584 would amend 1978 PA 472, known as the lobbyist registration act, to provide that things given to a public official by a lobbyist that are of a negligible value below specified amounts are not prohibited “gifts” under the act.

The act prohibits lobbyists from giving public officials a payment, advance, forbearance, or money, services, or anything of value, that has a value of more than \$76 in any one-month period. The act then lists some things that this prohibition does not apply to, and so allows them to be given to public officials by lobbyists.

Under the bill, the above prohibition would not apply to a lobbyist’s giving an official anything of value that is so de minimis (i.e., so small as to be beneath consideration) that its receipt by the elected official¹ could not reasonably be expected to influence how the public official performs work or makes decisions, including attendance at a conference, a training session, or another meeting if attendance is primarily for the benefit of the state and the expenses incurred by the elected official would be reimbursable items under the applicable travel regulations or other policies. Except for those properly reimbursable expenses, anything of value that is so de minimis as described above could not exceed either of the following limits:

- A single tangible or intangible item with a fair market value of over \$20.
- A combination of tangible and intangible items during any three-month period with an aggregate fair market value of more than \$80.

MCL 4.414

FISCAL IMPACT:

House Bill 5584 would have no fiscal impact on the state or local units of government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

¹ The act generally applies to individuals in both the executive and legislative branches of government, both elected and nonelected. The bill would limit its provisions to apply only those individuals in either branch who have been elected to office.