

HOUSE BILL No. 5876

September 21, 1988, Introduced by Rep. SCOTT and referred to the Committee on House Oversight.

A bill to amend section 47 of Act No. 388 of the Public Acts of 1976, entitled

"An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create a state campaign fund; to provide for reversion of, or refunding of, unexpended balances; to require reports; to provide appropriations; to prescribe penalties; and to repeal certain acts and parts of acts,"

being section 169.247 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 47 of Act No. 388 of the Public Acts of
2 1976, being section 169.247 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 47. (1) ~~—A~~ EXCEPT AS OTHERWISE PROVIDED IN
5 SUBSECTION (2), A billboard, placard, poster, pamphlet, or other

1 printed matter having reference to an election, a candidate, or A
2 ballot question ~~—~~ shall bear upon it the name and address of
3 the person paying for the matter.

4 (2) IF 2 OR MORE PIECES OF PRINTED MATTER ARE DELIVERED OR
5 ARE INTENDED TO BE DELIVERED TO THE FINAL RECIPIENT IN 1 SEALED
6 ENVELOPE, ONLY 1 OF THE PIECES OF PRINTED MATTER NEED BEAR UPON
7 IT THE NAME AND ADDRESS OF THE PERSON PAYING FOR THE MATTER.
8 THIS SUBSECTION DOES NOT APPLY TO PRINTED MATTER DESCRIBED BY
9 SUBSECTION (4).

10 (3) ~~(2)~~ A radio or television paid advertisement having
11 reference to an election, a candidate, or A ballot question shall
12 identify the sponsoring person as required by the federal commu-
13 nications commission ~~—~~ AND shall bear the name of the person
14 paying for the advertisement. ~~—, and shall be in compliance with~~
15 ~~the following: (a)~~ If the radio or television paid advertise-
16 ment relates to a candidate and is an independent expenditure,
17 the advertisement shall contain the following disclaimer: "Not
18 authorized by any candidate". ~~(b)~~ If the radio or television
19 paid advertisement relates to a candidate and is not an indepen-
20 dent expenditure but is paid for by a person other than the can-
21 didate to which it is related, the advertisement shall contain
22 the following disclaimer:

23 "Authorized by".

24 (name of candidate or name of candidate committee)

25 (4) ~~(3)~~ If the printed matter relating to a candidate is
26 an independent expenditure ~~which was~~ not authorized in writing

1 by the candidate committee of that candidate, the printed matter
2 shall contain the following disclaimer: "Not authorized by the
3 candidate committee of".

4 (candidate's name)

5
6 The size and placement of the disclaimer shall be determined by
7 rules promulgated by the secretary of state PURSUANT TO THE
8 ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT NO. 306 OF THE PUBLIC
9 ACTS OF 1969, BEING SECTIONS 24.201 TO 24.328 OF THE MICHIGAN
10 COMPILED LAWS. The rules may exempt printed matter and certain
11 other items such as campaign buttons or balloons, the size of
12 which makes it unreasonable to add an identification or disclaim-
13 er, from the identification or disclaimer required by this
14 section.

15 (5) ~~(4)~~ A person who knowingly violates this section is
16 guilty of a misdemeanor and shall be punished by a fine of not
17 more than \$1,000.00, or imprisoned for not more than 90 days, or
18 both.