



SENATE BILL No. 799

August 31, 1993, Introduced by Senators POLLACK, CHERRY and KELLY and referred to the Committee on Government Operations.

A bill to amend the title and sections 3, 5, 9, 12, 61, 62, 63, 64, 65, 66, 67, and 69 of Act No. 388 of the Public Acts of 1976, entitled

"Michigan campaign finance act,"

sections 3, 61, 64, 66, 67, and 69 as amended by Act No. 95 of the Public Acts of 1989, section 5 as amended by Act No. 7 of the Public Acts of 1992, and section 65 as amended by Act No. 204 of the Public Acts of 1980, being sections 169.203, 169.205, 169.209, 169.212, 169.261, 169.262, 169.263, 169.264, 169.265, 169.266, 169.267, and 169.269 of the Michigan Compiled Laws; and to add sections 61a, 72, 73, 74, 75, 76, 77, 78, 79, and 80.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 3, 5, 9, 12, 61, 62, 63,
2 64, 65, 66, 67, and 69 of Act No. 388 of the Public Acts of 1976,
3 sections 3, 61, 64, 66, 67, and 69 as amended by Act No. 95 of

1 the Public Acts of 1989, section 5 as amended by Act No. 7 of the
 2 Public Acts of 1992, and section 65 as amended by Act No. 204 of
 3 the Public Acts of 1980, being sections 169.203, 169.205,
 4 169.209, 169.212, 169.261, 169.262, 169.263, 169.264, 169.265,
 5 169.266, 169.267, and 169.269 of the Michigan Compiled Laws, are
 6 amended and sections 61a, 72, 73, 74, 75, 76, 77, 78, 79, and 80
 7 are added to read as follows:

8 TITLE

9 An act to regulate political activity; to regulate campaign
 10 financing; to restrict campaign contributions and expenditures;
 11 to require campaign statements and reports; to regulate anonymous
 12 contributions; to regulate campaign advertising and literature;
 13 to provide for segregated funds for political purposes; to pro-
 14 vide for the use of public funds for political purposes; to
 15 create a state campaign fund; to provide for reversion, ~~of~~
 16 RETENTION, or refunding of ~~—~~ unexpended balances IN CERTAIN
 17 FUNDS; to require OTHER STATEMENTS AND reports; TO PRESCRIBE THE
 18 POWERS AND DUTIES OF CERTAIN STATE DEPARTMENTS AND STATE AND
 19 LOCAL OFFICIALS AND EMPLOYEES; to provide appropriations; to pre-
 20 scribe penalties AND PROVIDE REMEDIES; and to repeal certain acts
 21 and parts of acts.

22 Sec. 3. (1) ~~"Candidate"~~ EXCEPT AS PROVIDED IN
 23 SUBSECTION (2), "CANDIDATE" means an individual WHO MEETS 1 OR
 24 MORE OF THE FOLLOWING REQUIREMENTS:

25 (a) ~~who~~ HE OR SHE files a fee, affidavit of incumbency, or
 26 nominating petition for an elective office. ~~—~~

1 (b) ~~whose nomination~~ HE OR SHE IS NOMINATED as a candidate
 2 for elective office by a political party caucus or convention,
 3 WHICH NOMINATION is certified to the appropriate filing
 4 official. ~~—~~

5 (c) ~~who~~ HE OR SHE receives a contribution, makes an expen-
 6 diture, or gives consent for another person to receive a contri-
 7 bution or make an expenditure with a view to bringing about the
 8 individual's nomination or election to an elective office,
 9 whether or not the specific elective office for which the indi-
 10 vidual will seek nomination or election is known at the time the
 11 contribution is received or the expenditure is made. ~~—, or~~

12 (d) ~~who~~ HE OR SHE is an officeholder who is the subject of
 13 a recall vote. ~~Unless~~

14 (E) HE OR SHE IS AN OFFICEHOLDER, UNLESS the officeholder is
 15 constitutionally or legally barred from seeking reelection or
 16 fails to file for reelection to that office by the applicable
 17 filing deadline. ~~—, an~~ AN elected officeholder ~~shall be~~ IS
 18 considered to be a candidate for reelection to that same office
 19 for the purposes of this act only.

20 (2) ~~For purposes of~~ AS USED IN sections 61 to 71,
 21 "candidate" only means, in a primary election, a candidate for
 22 the office of governor and, in a general election, a candidate
 23 for the office of governor or lieutenant governor. However, the
 24 candidates for the office of governor and lieutenant governor of
 25 the same political party in a general election ~~shall be~~ ARE
 26 considered ~~as~~ TO BE 1 candidate. AS USED IN SECTIONS 72 TO 79,
 27 "CANDIDATE" ONLY MEANS A CANDIDATE FOR LEGISLATIVE OFFICE.

1 (3) ~~(2)~~ "Candidate committee" means the committee
2 designated in a candidate's filed statement of organization as
3 that individual's candidate committee. A candidate committee
4 shall be under the control and direction of the candidate named
5 in the same statement of organization. Notwithstanding subsec-
6 tion ~~(4)~~ (5), an individual shall form a candidate committee
7 pursuant to section 21 when the individual becomes a candidate
8 under subsection (1).

9 (4) ~~(3)~~ "Closing date" means the date through which a cam-
10 paign statement is required to be complete.

11 (5) ~~(4)~~ "Committee" means a person who receives contribu-
12 tions or makes expenditures for the purpose of influencing or
13 attempting to influence the action of the voters for or against
14 the nomination or election of a candidate, or the qualification,
15 passage, or defeat of a ballot question, if contributions
16 received total \$500.00 or more in a calendar year or expenditures
17 made total \$500.00 or more in a calendar year. An individual,
18 other than a candidate, does not constitute a committee. A
19 person, other than a committee registered under this act, making
20 an expenditure to a ballot question committee shall for that
21 reason not be considered a committee for the purposes of this act
22 unless the person solicits or receives contributions for the pur-
23 pose of making an expenditure to that ballot question committee.

24 (6) "COMPETITIVE DISTRICT" MEANS A SENATE DISTRICT OR HOUSE
25 OF REPRESENTATIVES DISTRICT IN WHICH THE PERSON LAST ELECTED TO
26 THE OFFICE OF STATE BOARD OF EDUCATION IN A CONTESTED GENERAL

1 NOVEMBER ELECTION RECEIVED LESS THAN 60% OF THE VOTES CAST FOR
2 THAT OFFICE IN THAT DISTRICT.

3 Sec. 5. (1) "Election" means a primary, general, special,
4 or millage election held in this state or a convention or caucus
5 of a political party held in this state to nominate a candidate.
6 Election includes AN ELECTION HELD FOR a recall vote.

7 (2) "Elective office" means a public office filled by an
8 election, except for federal offices. A person who is appointed
9 to fill a vacancy in a public office that is ordinarily elective
10 holds an elective office. Elective office does not include the
11 office of precinct delegate. Except for the purposes of
12 sections 47, 54, and 55, elective office does not include a
13 school board member in a school district that has a pupil member-
14 ship of 2,400 or less enrolled on the most recent pupil member-
15 ship count day. However, elective office includes a school board
16 member in a school district that has a pupil membership of 2,400
17 or less, if a candidate committee of a candidate for the office
18 of school board member in that school district receives an amount
19 in excess of \$1,000.00 or expends an amount in excess of
20 \$1,000.00.

21 (3) "ELIGIBLE CANDIDATE FOR GOVERNOR" MEANS A CANDIDATE FOR
22 THE OFFICE OF GOVERNOR WHO IS ELIGIBLE TO RECEIVE MONEY FROM THE
23 STATE CAMPAIGN FUND PURSUANT TO THIS ACT.

24 (4) "ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE" MEANS A CAN-
25 DIDATE FOR THE OFFICE OF STATE REPRESENTATIVE OR STATE SENATOR
26 WHO IS ELIGIBLE TO RECEIVE MONEY FROM THE STATE CAMPAIGN FUND
27 PURSUANT TO THIS ACT.

1 Sec. 9. (1) "Independent expenditure" means an expenditure
2 ~~as defined in section 6 by a person if the expenditure is not~~
3 ~~made at the direction of, or under the control of, another person~~
4 ~~and if the expenditure is not a contribution to a committee~~ MADE
5 DURING AN ELECTION CYCLE IN WHICH A CANDIDATE SEEKS NOMINATION OR
6 ELECTION BY A PERSON OTHER THAN THE CANDIDATE COMMITTEE AND NOT
7 MADE WITH THE COOPERATION OF, IN CONSULTATION WITH, AT THE
8 REQUEST OR SUGGESTION OF, OR IN CONCERT WITH THE CANDIDATE, THE
9 CANDIDATE COMMITTEE, OR AN AGENT OF THE CANDIDATE. INDEPENDENT
10 EXPENDITURE DOES NOT INCLUDE ANY OF THE FOLLOWING:

11 (A) AN EXPENDITURE IF THERE IS ANY ARRANGEMENT, COORDINA-
12 TION, COOPERATION, OR DIRECTION WITH RESPECT TO THE EXPENDITURE
13 BETWEEN THE CANDIDATE, THE CANDIDATE COMMITTEE, OR AGENT OF THE
14 CANDIDATE AND THE PERSON MAKING THE EXPENDITURE.

15 (B) AN EXPENDITURE IF THE PERSON MAKING THE EXPENDITURE IS
16 OR HAS BEEN AUTHORIZED TO RAISE OR EXPEND FUNDS ON BEHALF OF THE
17 CANDIDATE OR THE CANDIDATE COMMITTEE.

18 (C) AN EXPENDITURE IF THE PERSON MAKING THE EXPENDITURE
19 SERVED OR IS SERVING AS A MEMBER, EMPLOYEE, OR AGENT OF THE CAN-
20 DIDATE COMMITTEE IN AN EXECUTIVE OR POLICY-MAKING POSITION.

21 (D) AN EXPENDITURE IF THE PERSON MAKING THE EXPENDITURE HAS
22 ADVISED OR COUNSELED THE CANDIDATE OR AN AGENT OF THE CANDIDATE
23 AT ANY TIME ON THE CANDIDATE'S PLANS, PROJECTS, OR NEEDS RELATING
24 TO THE CANDIDATE'S PURSUIT OF NOMINATION OR ELECTION TO ELECTIVE
25 OFFICE, INCLUDING ANY ADVICE RELATING TO THE CANDIDATE'S DECISION
26 TO SEEK ELECTIVE OFFICE.

1 (E) AN EXPENDITURE IF THE PERSON MAKING THE EXPENDITURE
2 RETAINS THE PROFESSIONAL SERVICES OF A PERSON ALSO PROVIDING
3 THOSE SERVICES IN THE SAME ELECTION CYCLE TO THE CANDIDATE IN
4 CONNECTION WITH THE CANDIDATE'S PURSUIT OF NOMINATION OR ELECTION
5 TO ELECTIVE OFFICE, INCLUDING ANY SERVICES RELATING TO THE
6 CANDIDATE'S DECISION TO SEEK ELECTIVE OFFICE.

7 (F) AN EXPENDITURE IF THE PERSON MAKING THE EXPENDITURE HAS
8 CONSULTED AT ANY TIME DURING THE ELECTION CYCLE ABOUT THE
9 CANDIDATE'S PLANS, PROJECTS, OR NEEDS RELATING TO THE CANDIDATE'S
10 PURSUIT OF NOMINATION OR ELECTION TO ELECTIVE OFFICE WITH ANY
11 OFFICER, DIRECTOR, EMPLOYEE, OR AGENT OF A POLITICAL PARTY COM-
12 MITTEE THAT HAS MADE OR INTENDS TO MAKE AN EXPENDITURE OR CONTRI-
13 BUTION IN CONNECTION WITH THE CANDIDATE'S CAMPAIGN.

14 (G) AN EXPENDITURE BASED UPON INFORMATION PROVIDED TO THE
15 PERSON MAKING THE EXPENDITURE DIRECTLY OR INDIRECTLY BY THE CAN-
16 DIDATE, THE CANDIDATE COMMITTEE, OR AN AGENT OF THE CANDIDATE
17 ABOUT THE CANDIDATE'S PLANS, PROJECTS, OR NEEDS, PROVIDED THAT
18 THE CANDIDATE, THE CANDIDATE COMMITTEE, OR THE CANDIDATE'S AGENT
19 IS AWARE THAT THE OTHER PERSON HAS MADE OR IS PLANNING TO MAKE
20 EXPENDITURES EXPRESSLY ADVOCATING THE CANDIDATE'S NOMINATION OR
21 ELECTION TO ELECTIVE OFFICE.

22 (H) AN EXPENDITURE IF THE EXPENDITURE IS MADE ON BEHALF OF
23 OR FOR THE BENEFIT OF A CANDIDATE BY A POLITICAL COMMITTEE THAT
24 HAS MADE A CONTRIBUTION TO THE CANDIDATE OR TO THE CANDIDATE
25 COMMITTEE.

1 (2) "In-kind contribution or expenditure" means a
2 contribution ~~as defined in section 4~~ or expenditure ~~as defined~~
3 ~~in section 6~~ other than money.

4 (3) "Loan" means a transfer of money, property, or anything
5 of ascertainable monetary value in exchange for an obligation
6 conditional or not, to repay in whole or part.

7 Sec. 12. (1) "QUALIFIED CAMPAIGN EXPENDITURE" MEANS AN
8 EXPENDITURE FOR SERVICES, MATERIALS, FACILITIES, OR OTHER THINGS
9 OF VALUE TO FURTHER THE CANDIDATE'S NOMINATION OR ELECTION TO
10 OFFICE DURING THE YEAR IN WHICH THE PRIMARY, SPECIAL, OR GENERAL
11 ELECTION IN WHICH THE CANDIDATE SEEKS NOMINATION OR ELECTION IS
12 HELD. QUALIFIED CAMPAIGN EXPENDITURE DOES NOT INCLUDE ANY OF THE
13 FOLLOWING:

14 (A) AN EXPENDITURE IN VIOLATION OF ANY LAW OF THE UNITED
15 STATES OR OF THIS STATE.

16 (B) A PAYMENT MADE TO AN ELIGIBLE CANDIDATE FOR GOVERNOR OR
17 AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE, TO A RELATIVE
18 WITHIN THE THIRD DEGREE OF CONSANGUINITY OF THE ELIGIBLE CANDI-
19 DATE, OR TO A BUSINESS WITH WHICH THE ELIGIBLE CANDIDATE OR THE
20 RELATIVE IS ASSOCIATED.

21 (C) A PAYMENT TO THE EXTENT CLEARLY IN EXCESS OF THE FAIR
22 MARKET VALUE OF SERVICES, MATERIALS, FACILITIES, OR OTHER THINGS
23 OF VALUE RECEIVED IN EXCHANGE.

24 (D) THAT PORTION OF ANY SALARY OR WAGE TO AN INDIVIDUAL IN
25 EXCESS OF \$5,000.00 PER MONTH.

26 (E) PAYMENT FROM PETTY CASH.

1 (F) GIFTS, EXCEPT BROCHURES, BUTTONS, SIGNS, AND OTHER
2 PRINTED CAMPAIGN MATERIAL.

3 (G) PAYMENT TO A DEFENSE FUND.

4 (H) EXPENDITURES MADE FOR THE SOLICITATION OF CONTRIBUTIONS
5 THAT ARE EXEMPTED FROM THE EXPENDITURE LIMITS UNDER SECTION 67(2)
6 OR 78(6).

7 (I) AN INDEPENDENT EXPENDITURE.

8 (2) ~~(1) "Qualifying"~~ FOR A CANDIDATE FOR GOVERNOR,

9 "QUALIFYING contribution" means a contribution of money made by a
10 written instrument by a person other than the candidate or the
11 candidate's immediate family, to the candidate committee of a
12 candidate for the office of governor ~~which~~ THAT is \$100.00 or
13 less and made after April 1 of the year IMMEDIATELY preceding a
14 year in which a ~~governor~~ PERSON is to be elected TO THE OFFICE
15 OF GOVERNOR. FOR A CANDIDATE FOR LEGISLATIVE OFFICE, "QUALIFYING
16 CONTRIBUTION" MEANS A CONTRIBUTION OF MONEY MADE BY WRITTEN
17 INSTRUMENT BY A PERSON OTHER THAN THE CANDIDATE OR THE
18 CANDIDATE'S IMMEDIATE FAMILY TO THE CANDIDATE COMMITTEE OF A CAN-
19 DIDATE FOR LEGISLATIVE OFFICE THAT IS \$100.00 OR LESS AND MADE
20 AFTER NOVEMBER 1 OF THE YEAR IMMEDIATELY PRECEDING A YEAR IN
21 WHICH A PERSON IS TO BE ELECTED TO THE OFFICE BEING SOUGHT. Not
22 more than \$100.00 of a person's total aggregate contribution may
23 be used as a qualifying contribution in any calendar year.
24 Qualifying contribution does not include a subscription, loan,
25 advance, deposit of money, in-kind contribution or expenditure,
26 or anything else of value except as prescribed in this act.

1 (3) ~~(2)~~ "State elective office" means the office of
2 governor, lieutenant governor, secretary of state, attorney
3 general, justice of the supreme court, member of the state board
4 of education, regent of the university of Michigan, member of the
5 board of trustees of Michigan state university, member of the
6 board of governors of Wayne state university, and member of the
7 state legislature.

8 Sec. 61. (1) The state campaign fund is ~~hereby~~ created.
9 The state treasurer shall administer the state campaign fund ~~in~~
10 ~~accordance with this act~~ PURSUANT TO THIS SECTION AND
11 SECTIONS 61A TO 80. THE STATE TREASURER SHALL CREDIT TO THE
12 STATE CAMPAIGN FUND THE AMOUNTS DESIGNATED ON TAX RETURNS UNDER
13 THIS SECTION AND APPROPRIATIONS MADE TO THE STATE CAMPAIGN FUND
14 BY THE LEGISLATURE. THE STATE TREASURER SHALL CREDIT TO THE
15 APPROPRIATE ACCOUNTS OF THE STATE CAMPAIGN FUND PAYMENTS TO THE
16 STATE CAMPAIGN FUND BY CANDIDATES UNDER SECTIONS 61A TO 80.

17 (2) An individual whose tax liability under the income tax
18 act of 1967, Act No. 281 of the Public Acts of 1967, as amended,
19 being sections 206.1 to 206.532 of the Michigan Compiled Laws,
20 for a taxable year is ~~\$2.00~~ \$5.00 or more may designate that
21 ~~\$2.00~~ HE OR SHE DOES NOT WANT \$5.00 TO be credited to the state
22 campaign fund. In the case of a joint return of husband and wife
23 having an income tax liability of ~~\$4.00~~ \$10.00 or more, each
24 spouse may designate that ~~\$2.00~~ THEY DO NOT WANT \$5.00 TO be
25 credited to the state campaign fund. IF AN INDIVIDUAL OR A HUS-
26 BAND AND WIFE DO NOT DESIGNATE THAT THEY DO NOT WANT THE AMOUNTS
27 IN THIS SUBSECTION CREDITED TO THE STATE CAMPAIGN FUND, THOSE

1 AMOUNTS SHALL BE APPROPRIATED IN THE MANNER PROVIDED IN SECTION
2 61A.

3 (3) The tax designation authorized in this section shall be
4 clearly and unambiguously printed on the first page of the state
5 individual income tax return.

6 ~~(4) An amount equal to the cumulative amounts designated~~
7 ~~under subsection (2) each year shall be appropriated annually~~
8 ~~from the general fund of the state to the state campaign fund to~~
9 ~~be available beginning January 1 and continuing through December~~
10 ~~31 of each year in which a governor is elected. The amounts~~
11 ~~appropriated under this section shall not revert to the general~~
12 ~~fund but shall remain available to the state campaign fund for~~
13 ~~distribution without fiscal year limitation except that any~~
14 ~~amounts remaining in the state campaign fund on December 31 imme-~~
15 ~~diately following a gubernatorial general election shall revert~~
16 ~~to the general fund.~~

17 ~~(5) Before the distribution of funds under this act to qual-~~
18 ~~ifying primary election candidates, the state treasurer shall set~~
19 ~~aside sufficient funds from the state campaign fund to fully~~
20 ~~implement the formula for distributing funds to qualifying gen-~~
21 ~~eral election candidates. If insufficient funds exist in the~~
22 ~~state campaign fund to provide full funding to eligible primary~~
23 ~~election candidates, the campaign funds shall be distributed to~~
24 ~~those candidates on a pro rata basis.~~

25 SEC. 61A. (1) AN AMOUNT EQUAL TO 15% OF THE CUMULATIVE
26 AMOUNTS DESIGNATED BY TAX RETURNS UNDER SECTION 61 EACH YEAR
27 SHALL BE APPROPRIATED ANNUALLY FROM THE GENERAL FUND OF THIS

1 STATE TO THE GUBERNATORIAL ACCOUNT IN THE CAMPAIGN FUND. THE
2 AMOUNTS APPROPRIATED TO THE GUBERNATORIAL ACCOUNT UNDER THIS SUB-
3 SECTION SHALL BE AVAILABLE BEGINNING JANUARY 1 AND CONTINUING
4 THROUGH DECEMBER 31 OF EACH YEAR IN WHICH A GOVERNOR IS ELECTED.

5 (2) AN AMOUNT EQUAL TO 55% OF THE CUMULATIVE AMOUNTS DESIG-
6 NATED BY TAX RETURNS UNDER SECTION 61 EACH YEAR SHALL BE APPRO-
7 PRIATED ANNUALLY FROM THE GENERAL FUND OF THIS STATE TO THE HOUSE
8 OF REPRESENTATIVES ACCOUNT IN THE STATE CAMPAIGN FUND. THE
9 AMOUNTS APPROPRIATED TO THE HOUSE OF REPRESENTATIVES ACCOUNT
10 UNDER THIS SUBSECTION SHALL BE AVAILABLE BEGINNING ON THE FILING
11 DEADLINE FOR STATE REPRESENTATIVES CONTAINED IN SECTION 163 OF
12 THE MICHIGAN ELECTION LAW, ACT NO. 116 OF THE PUBLIC ACTS OF
13 1954, BEING SECTION 168.163 OF THE MICHIGAN COMPILED LAWS, AND
14 CONTINUING THROUGH DECEMBER 31 OF EACH YEAR IN WHICH A GENERAL
15 NOVEMBER ELECTION IS HELD.

16 (3) AN AMOUNT EQUAL TO 30% OF THE CUMULATIVE AMOUNTS DESIG-
17 NATED BY TAX RETURNS UNDER SECTION 61 EACH YEAR SHALL BE APPRO-
18 PRIATED ANNUALLY FROM THE GENERAL FUND OF THIS STATE TO THE
19 SENATE ACCOUNT IN THE STATE CAMPAIGN FUND. THE AMOUNTS APPROPRI-
20 ATED TO THE SENATE ACCOUNT UNDER THIS SUBSECTION SHALL BE AVAIL-
21 ABLE BEGINNING ON THE FILING DEADLINE FOR STATE SENATORS CON-
22 TAINED IN SECTION 163 OF THE MICHIGAN ELECTION LAW, ACT NO. 116
23 OF THE PUBLIC ACTS OF 1954, BEING SECTION 168.163 OF THE MICHIGAN
24 COMPILED LAWS, AND CONTINUING THROUGH DECEMBER 31 OF EACH YEAR IN
25 WHICH SENATORS ARE ELECTED IN A GENERAL NOVEMBER ELECTION.

26 (4) THE AMOUNTS APPROPRIATED UNDER THIS SECTION SHALL NOT
27 REVERT TO THE GENERAL FUND BUT SHALL REMAIN AVAILABLE TO THE

1 STATE CAMPAIGN FUND FOR DISTRIBUTION WITHOUT FISCAL YEAR
2 LIMITATION.

3 (5) BEFORE THE DISTRIBUTION OF FUNDS UNDER THIS ACT TO ELI-
4 GIBLE PRIMARY ELECTION CANDIDATES FOR GOVERNOR OR LEGISLATIVE
5 OFFICE, THE STATE TREASURER SHALL SET ASIDE SUFFICIENT FUNDS FROM
6 THE STATE CAMPAIGN FUND TO FULLY IMPLEMENT THE FORMULA FOR DIS-
7 TRIBUTING FUNDS TO ELIGIBLE GENERAL ELECTION CANDIDATES FOR GOV-
8 ERNOR OR LEGISLATIVE OFFICE. IF INSUFFICIENT FUNDS EXIST IN THE
9 STATE CAMPAIGN FUND TO PROVIDE FULL FUNDING TO ELIGIBLE PRIMARY
10 ELECTION CANDIDATES FOR GOVERNOR OR LEGISLATIVE OFFICE, THE CAM-
11 PAIGN FUND MONEY SHALL BE DISTRIBUTED TO ELIGIBLE PRIMARY ELEC-
12 TION CANDIDATES FOR GOVERNOR OR LEGISLATIVE OFFICE ON A PRO RATA
13 BASIS.

14 Sec. 62. (1) Only a candidate FOR THE OFFICE OF GOVERNOR
15 who ~~established~~ ESTABLISHES a single candidate committee ~~which~~
16 ~~submitted~~ THAT SUBMITS a statement of organization according to
17 procedures established by ~~law~~ THIS ACT may receive ~~moneys~~
18 MONEY FROM THE STATE CAMPAIGN FUND under this act. ~~Moneys~~
19 MONEY received by ~~a~~ AN ELIGIBLE candidate FOR GOVERNOR pursuant
20 to ~~this act~~ SECTION 63 shall be spent only through the candi-
21 date committee and shall be reported by the candidate committee
22 according to procedures established by ~~law~~ THIS ACT.

23 (2) If a candidate FOR THE OFFICE OF GOVERNOR desires to
24 receive ~~moneys~~ MONEY from the state campaign fund, the candi-
25 date shall file a statement of organization indicating the intent
26 to seek qualifying contributions ~~or~~ AND to make ~~qualifying~~
27 QUALIFIED CAMPAIGN expenditures. ~~Contributions~~ A CONTRIBUTION

1 received or ~~expenditures~~ EXPENDITURE made before the filing of
2 a statement of organization for the office of governor ~~shall not~~
3 ~~be considered as~~ IS NOT a qualifying contribution OR QUALIFIED
4 CAMPAIGN EXPENDITURE UNDER THIS ACT.

5 (3) A candidate FOR THE OFFICE OF GOVERNOR who does not
6 apply for ~~moneys~~ MONEY from the state campaign fund is not
7 subject to THIS SECTION OR sections ~~61~~ 63 to 71.

8 Sec. 63. (1) The secretary of state shall receive and keep
9 a record of ~~each candidate's~~ THE certified statements of quali-
10 fying contributions OF EACH ELIGIBLE CANDIDATE FOR GOVERNOR. A
11 statement shall include in alphabetical order the full name and
12 street address of each person from whom a qualifying contribution
13 is received during the reporting period, together with the amount
14 of each contribution and the date received by the treasurer of
15 the CANDIDATE committee.

16 (2) The secretary of state shall promptly notify a candidate
17 for ~~nomination for~~ THE OFFICE OF governor when that candidate
18 ~~qualifies~~ IS ELIGIBLE under this act to receive ~~moneys~~ MONEY
19 from the state campaign fund.

20 (3) If a candidate FOR THE OFFICE OF GOVERNOR desires to
21 receive ~~moneys~~ MONEY from the state campaign fund and HAS
22 received notice of ~~qualification~~ ELIGIBILITY for funding under
23 subsection (2), the ELIGIBLE candidate FOR GOVERNOR shall apply
24 to the secretary of state. The ELIGIBLE candidate FOR GOVERNOR
25 shall state the amount of ~~moneys~~ MONEY desired from the state
26 campaign fund in the application. The ELIGIBLE candidate FOR
27 GOVERNOR shall state in the application for state campaign fund

1 money that the ELIGIBLE candidate FOR GOVERNOR and the
2 candidate's committee agree to adhere to expenditure limitations
3 stated in section 67.

4 (4) The secretary of state shall determine the maximum
5 amount for which the ELIGIBLE candidate FOR GOVERNOR qualifies
6 under this ~~act~~ SECTION AND SECTIONS 64 AND 65. The secretary
7 of state shall forward information as to this amount and the
8 application for funding to the state treasurer.

9 (5) The state treasurer shall issue a warrant drawn on the
10 GUBERNATORIAL ACCOUNT IN THE state campaign fund for an amount
11 equal to the maximum amount ~~which~~ THAT the candidate FOR
12 GOVERNOR is ~~qualified~~ ELIGIBLE to receive or the amount applied
13 for, whichever is less. The warrant shall not be issued before
14 January 1 of the year in which the GENERAL election for governor
15 is to be held.

16 Sec. 64. (1) ~~A~~ AN ELIGIBLE candidate FOR GOVERNOR in a
17 primary election may obtain funds from the state campaign fund in
18 an amount equal to \$2.00 for each \$1.00 of qualifying contribu-
19 tion if the ELIGIBLE candidate FOR GOVERNOR certifies to the sec-
20 retary of state both of the following:

21 (a) That the candidate committee of the ELIGIBLE candidate
22 FOR GOVERNOR received an amount of qualifying contributions at
23 least equal to 5% of the candidate's designated spending limit.

24 (b) That the full name and address of each person making a
25 qualifying contribution is recorded by the candidate committee of
26 the ELIGIBLE candidate ~~certifying~~ FOR GOVERNOR MAKING THE
27 CERTIFICATE. This requirement is in addition to and not in lieu

1 of any other requirements relating to the recording and reporting
2 of contributions.

3 (2) A candidate FOR THE OFFICE OF GOVERNOR is not entitled
4 to funds from the state campaign fund for a primary election if
5 it is determined the name of the candidate FOR THE OFFICE OF
6 GOVERNOR is ineligible to appear on the primary election ballot
7 pursuant to section 53 of THE MICHIGAN ELECTION LAW, Act No. 116
8 of the Public Acts of 1954, as amended, being section 168.53 of
9 the Michigan Compiled Laws. A candidate who does not file nomi-
10 nating petitions for the office of governor or who files an
11 insufficient petition for that office shall return all funds
12 received from the state campaign fund for that primary election.

13 (3) A candidate FOR THE OFFICE OF GOVERNOR shall not receive
14 from the state campaign fund for a primary more than 66% of the
15 candidate's expenditure limit designated in section 67(1).

16 (4) For purposes of this section, primary election is the
17 election described in section 52 of Act No. 116 of the Public
18 Acts of 1954, as amended, being section 168.52 of the Michigan
19 Compiled Laws.

20 Sec. 65. (1) A major political party nominee FOR THE OFFICE
21 OF GOVERNOR is entitled to ~~payment~~ AN AMOUNT FROM THE STATE
22 CAMPAIGN FUND of not more than 75% of the spending limit as des-
23 ignated in section 67 for a general election. A candidate ~~may~~
24 FOR THE OFFICE OF GOVERNOR, subject to ~~law~~ THIS ACT, MAY raise
25 the remaining 25% of the permissible expenditure limit in private
26 contributions. An eligible candidate FOR GOVERNOR in a general
27 election may elect to accept partial payment of ~~moneys~~ MONEY

1 from the state campaign fund and instead raise private
2 contributions as provided by ~~law which~~ THIS ACT THAT, when
3 added to the amount received from the state campaign fund, ~~does~~
4 DO not exceed the expenditure limit designated in section 67.

5 (2) A minor political party nominee FOR THE OFFICE OF
6 GOVERNOR whose party received 5% or more of the vote for the same
7 office in the last election is entitled to an amount FROM THE
8 STATE CAMPAIGN FUND of not more than 75% of the spending limit as
9 designated in section 67, multiplied by the number of popular
10 votes the minor party received in the preceding general election
11 for governor ~~which is~~ AND THEN divided by the average number of
12 votes the major parties received in that general election for
13 governor.

14 (3) A minor political party nominee FOR THE OFFICE OF
15 GOVERNOR not eligible under subsection (2) but who receives more
16 than 5% of the vote in that general election for governor is
17 entitled to reimbursement FROM THE STATE CAMPAIGN FUND in an
18 amount of not more than 75% of the spending limit as designated
19 in section 67, multiplied by the number of popular votes the
20 minor party received in the preceding general election for gover-
21 nor ~~which is~~ AND THEN divided by the average number of votes
22 the major parties received in that general election for
23 governor.

24 (4) A minor political party nominee FOR THE OFFICE OF
25 GOVERNOR qualified under subsection (2) who receives more popular
26 votes in an election than the candidate of that minor political

1 party received at the preceding GENERAL election is entitled to
2 additional reimbursement in an amount determined as follows:

3 (a) Compute the amount ~~which~~ THAT the candidate FOR THE
4 OFFICE OF GOVERNOR would have received under subsection (3) had
5 the candidate otherwise qualified.

6 (b) Subtract the amount received under subsection (2) from
7 the amount computed under subdivision (a).

8 (5) ~~A~~ AN ELIGIBLE candidate FOR GOVERNOR listed on the
9 ballot in the general election is entitled to \$1.00 for each
10 \$1.00 of qualifying contributions certified to the secretary of
11 state pursuant to this act up to 50% of the candidate's spending
12 limit pursuant to section 67, if the candidate has certified to
13 the secretary of state an amount of dollars in qualifying contri-
14 butions equal to 5% of the candidate's designated spending
15 limit. ~~A~~ AN ELIGIBLE candidate governor who chooses to receive
16 ~~any~~ public funds under this subsection ~~may~~ SHALL not receive
17 any ~~moneys~~ MONEY under subsection (1), (2), (3), or (4).

18 (6) A major political party nominee FOR THE OFFICE OF
19 GOVERNOR shall receive from the state treasurer 5% of ~~any~~ THE
20 funds ~~which~~ THAT the ELIGIBLE candidate FOR GOVERNOR may be
21 entitled to under this section not later than 10 days after the
22 primary election, unless there is less than a 2% difference in
23 vote totals of the top 2 primary election candidates of the same
24 political party according to unofficial vote totals available to
25 the secretary of state. The balance of any funds owed to a major
26 political party nominee FOR THE OFFICE OF GOVERNOR under this
27 section shall be payable by the state treasurer within 3 days

1 after the board of state canvassers' certification of the primary
2 election results, but not later than 30 days after the primary
3 election. Any funds paid to a major political party nominee FOR
4 THE OFFICE OF GOVERNOR under this section either erroneously or
5 based on election results ~~which~~ THAT are reversed due to a
6 recount or fraud shall be repaid by that major political party
7 nominee FOR THE OFFICE OF GOVERNOR to the state treasurer within
8 60 days of receipt of notification by certified mail from the
9 state treasurer.

10 Sec. 66. (1) ~~A~~ AN ELIGIBLE candidate FOR GOVERNOR may
11 only apply the funds received under this act FROM THE STATE CAM-
12 PAIGN FUND against qualified campaign expenditures.

13 ~~(2) As used in this section, "qualified campaign~~
14 ~~expenditure" means an expenditure for services, materials, facil-~~
15 ~~ities, or other things of value by the candidate committee to~~
16 ~~further the candidate's nomination or election to office during~~
17 ~~the year in which the primary or general election in which the~~
18 ~~candidate seeks nomination or election is held. Qualified cam-~~
19 ~~paign expenditure does not include:~~

20 ~~(a) An expenditure in violation of any law of the United~~
21 ~~States or of this state.~~

22 ~~(b) A payment made to the candidate or a relative within the~~
23 ~~third degree of consanguinity of the candidate, or to a business~~
24 ~~with which the candidate or the relative is associated.~~

25 ~~(c) A payment to the extent clearly in excess of the fair~~
26 ~~market value of services, materials, facilities, or other things~~
27 ~~of value received in exchange.~~

1 ~~(d) That portion of any salary or wage to an individual in~~
 2 ~~excess of \$5,000.00 per month.~~

3 ~~(e) Payment from petty cash.~~

4 ~~(f) Gifts, except brochures, buttons, signs, and other~~
 5 ~~printed campaign material.~~

6 ~~(g) Payment to a defense fund.~~

7 ~~(h) Expenditures made for the solicitation of contributions~~
 8 ~~which are exempted from the candidate's expenditure limits under~~
 9 ~~section 67(2).~~

10 (2) ~~(3) A~~ AN ELIGIBLE candidate FOR GOVERNOR shall keep
 11 ~~those~~ THE funds received FROM THE STATE CAMPAIGN FUND under
 12 this act in a separate account. The ~~candidate's~~ qualified
 13 CAMPAIGN expenditures OF THE ELIGIBLE CANDIDATE FOR GOVERNOR may
 14 be paid from ~~this~~ THE SEPARATE account unless the account does
 15 not have a balance. An unexpended balance in ~~this~~ THE SEPARATE
 16 account shall be refunded and credited to the ~~general~~ STATE
 17 CAMPAIGN fund within 60 days after the election for which the
 18 funds were received. ~~Payment~~ MONEY received from the state
 19 campaign fund for expenditures in 1 election shall not be used
 20 for expenditures in a subsequent election.

21 (3) ~~(4)~~ A person who knowingly violates this section is
 22 guilty of a felony punishable, if the person is an individual, by
 23 a fine of not more than \$2,000.00, or imprisonment for not more
 24 than 3 years, or both, or, if the person IS not an individual, by
 25 a fine of not more than \$10,000.00.

26 Sec. 67. (1) Expenditures made by a candidate committee to
 27 further the nomination or election of ~~a~~ AN ELIGIBLE candidate

1 ~~may~~ FOR GOVERNOR SHALL not exceed \$1,500,000.00 in the
2 aggregate for 1 election.

3 (2) Expenditures made by a candidate committee for the
4 solicitation of contributions ~~which expenditures~~ THAT are not
5 more than 20% of the candidate committee's expenditure limit des-
6 ignated in subsection (1) shall not be considered as expenditures
7 for the purposes of the expenditure limitations set forth in sub-
8 section (1).

9 (3) An expenditure by a candidate committee to purchase
10 space in a newspaper or other periodical or time on radio or
11 television for the purpose of responding to an editorial in the
12 same newspaper or periodical or on the same station or channel
13 ~~which~~ THAT was unfavorable to the committee's candidate FOR THE
14 OFFICE OF GOVERNOR or ~~which endorsed~~ THAT ENDORSED the
15 candidate's opponent shall not be considered an expenditure for
16 the purposes of the expenditure limitations set forth in subsec-
17 tion (1). This subsection only applies to 1 response made to a
18 particular editorial, unfavorable report, or endorsement of an
19 opponent and ~~shall~~ DOES not apply unless the candidate is
20 refused free space or time in which to answer.

21 (4) A person who knowingly violates subsection (1) is guilty
22 of a misdemeanor punishable by a fine of not more than \$1,000.00,
23 or imprisonment for not more than 90 days, or both.

24 (5) If a person ~~who is~~ subject to this section is found
25 guilty OF VIOLATING THIS SECTION, the circuit court of that
26 county, on application by the attorney general, may prohibit that

1 person from assuming the duties of a public office or from
2 receiving compensation from public funds, or both.

3 Sec. 69. (1) Except as provided in subsection (6), a person
4 other than an independent committee or a political party commit-
5 tee shall not make contributions to a candidate committee of ~~a~~
6 AN ELIGIBLE candidate ~~which~~ FOR GOVERNOR THAT are more than
7 \$3,400.00 in value for an election cycle.

8 (2) An independent committee shall not make contributions to
9 a candidate committee ~~which~~ OF AN ELIGIBLE CANDIDATE FOR GOVER-
10 NOR THAT, for that election cycle, are more than 10 times the
11 amount permitted a person other than an independent committee or
12 political party committee in subsection (1).

13 (3) A political party committee that is a state central com-
14 mittee shall not make contributions to a candidate committee
15 ~~which for an election cycle~~ OF AN ELIGIBLE CANDIDATE FOR GOVER-
16 NOR THAT are more than \$750,000.00 IN VALUE FOR AN ELECTION
17 CYCLE.

18 (4) A political party committee that is a congressional dis-
19 trict or county committee shall not make contributions to a can-
20 didate committee ~~which for an election cycle~~ OF AN ELIGIBLE
21 CANDIDATE FOR GOVERNOR THAT are more than \$30,000.00 IN VALUE FOR
22 AN ELECTION CYCLE.

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

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

1 ELIGIBLE candidate FOR GOVERNOR and members of that candidate's
 2 immediate family may not contribute in total to that person's
 3 candidate committee an amount ~~which~~ THAT is more than
 4 \$50,000.00 in value for an election cycle.

5 (7) Section ~~52(2) and 52(7) apply~~ 52(2) AND (7) APPLIES to
 6 determining when an election cycle begins and ends and to which
 7 election cycle a particular contribution shall be attributed.

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

19 (a) That the expenditure limits provided in section 67 are
 20 waived for the remainder of that election for those notified can-
 21 didate committees that receive state campaign funds under ~~this~~
 22 ~~act~~ SECTION 63.

23 (b) That the expenditure limits of section 67 are not waived
 24 for the purpose of determining the amount of public funds avail-
 25 able to a candidate FOR THE OFFICE OF GOVERNOR under section 64
 26 or 65.

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

6 SEC. 72. (1) ONLY A CANDIDATE FOR LEGISLATIVE OFFICE WHO
7 ESTABLISHES A SINGLE CANDIDATE COMMITTEE THAT SUBMITS A STATEMENT
8 OF ORGANIZATION ACCORDING TO PROCEDURES ESTABLISHED BY THIS ACT
9 MAY RECEIVE MONEY FROM THE STATE CAMPAIGN FUND UNDER THIS ACT.
10 MONEY RECEIVED BY AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE
11 PURSUANT TO THIS ACT SHALL BE SPENT ONLY THROUGH THE CANDIDATE
12 COMMITTEE AND SHALL BE REPORTED BY THE CANDIDATE COMMITTEE
13 ACCORDING TO PROCEDURES ESTABLISHED BY THIS ACT.

14 (2) IF A CANDIDATE FOR LEGISLATIVE OFFICE DESIRES TO RECEIVE
15 MONEY FROM THE STATE CAMPAIGN FUND, THE CANDIDATE SHALL FILE A
16 STATEMENT OF ORGANIZATION INDICATING THE INTENT TO SEEK QUALIFY-
17 ING CONTRIBUTIONS AND TO MAKE QUALIFIED CAMPAIGN EXPENDITURES. A
18 CONTRIBUTION RECEIVED BEFORE THE FILING OF A STATEMENT OF ORGANI-
19 ZATION FOR THE LEGISLATIVE OFFICE BEING SOUGHT IS NOT A QUALIFY-
20 ING CONTRIBUTION UNDER THIS ACT.

21 (3) A CANDIDATE FOR LEGISLATIVE OFFICE WHO DOES NOT APPLY
22 FOR MONEY FROM THE STATE CAMPAIGN FUND IS NOT SUBJECT TO THIS
23 SECTION AND SECTIONS 73 TO 78. A CANDIDATE FOR LEGISLATIVE
24 OFFICE IS SUBJECT TO SECTION 79.

25 SEC. 73. (1) THE SECRETARY OF STATE SHALL RECEIVE AND KEEP
26 A RECORD OF THE CERTIFIED STATEMENTS OF QUALIFYING CONTRIBUTIONS
27 OF EACH ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE OR, IF THE

1 CANDIDATE IS MEETING THE SIGNATURE REQUIREMENTS OF SECTION 74,
2 THE SIGNATURES AND ADDRESSES OF INDIVIDUALS WHO ARE REGISTERED
3 ELECTORS AND WHO RESIDE IN THE DISTRICT REPRESENTED BY THE OFFICE
4 BEING SOUGHT BY THE CANDIDATE. A STATEMENT SHALL INCLUDE IN
5 ALPHABETICAL ORDER THE FULL NAME AND STREET ADDRESS OF EACH
6 PERSON FROM WHOM A QUALIFYING CONTRIBUTION IS RECEIVED DURING THE
7 REPORTING PERIOD, TOGETHER WITH THE AMOUNT OF EACH CONTRIBUTION
8 AND THE DATE RECEIVED BY THE TREASURER OF THE CANDIDATE COMMITTEE
9 OR, IF THE CANDIDATE IS MEETING THE SIGNATURE REQUIREMENTS OF
10 SECTION 74, THE SIGNATURES AND ADDRESSES RECEIVED FROM INDIVIDU-
11 ALS WHO ARE REGISTERED ELECTORS AND WHO RESIDE IN THE DISTRICT
12 REPRESENTED BY THE OFFICE BEING SOUGHT BY THE CANDIDATE.

13 (2) THE SECRETARY OF STATE SHALL PROMPTLY NOTIFY A CANDIDATE
14 FOR LEGISLATIVE OFFICE WHEN THAT CANDIDATE IS ELIGIBLE UNDER THIS
15 ACT TO RECEIVE MONEY FROM THE STATE CAMPAIGN FUND AND THE AMOUNT
16 OF STATE CAMPAIGN FUND MONEY THE CANDIDATE IS ELIGIBLE TO
17 RECEIVE.

18 (3) IF A CANDIDATE FOR LEGISLATIVE OFFICE DESIRES TO RECEIVE
19 MONEY FROM THE STATE CAMPAIGN FUND AND HAS RECEIVED NOTICE OF
20 ELIGIBILITY FOR FUNDING UNDER SUBSECTION (2), THE ELIGIBLE CANDI-
21 DATE FOR LEGISLATIVE OFFICE SHALL APPLY TO THE SECRETARY OF
22 STATE. THE ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE SHALL STATE
23 IN THE APPLICATION FOR STATE CAMPAIGN FUND MONEY ALL OF THE
24 FOLLOWING:

25 (A) THE AMOUNT OF MONEY DESIRED FROM THE STATE CAMPAIGN
26 FUND.

1 (B) THAT THE ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE AND
2 THE CANDIDATE'S COMMITTEE AGREE TO ADHERE TO THE EXPENDITURE
3 LIMITATIONS STATED IN SECTION 78.

4 (C) THAT THE CANDIDATE FOR STATE REPRESENTATIVE RECEIVED
5 \$10,000.00 OR MORE OF QUALIFYING CONTRIBUTIONS OR COLLECTED 3,000
6 SIGNATURES OF INDIVIDUALS THAT MEET THE REQUIREMENTS OF SECTION
7 74(1)(B) OR THAT THE CANDIDATE FOR STATE SENATOR RECEIVED
8 \$20,000.00 OR MORE OF QUALIFYING CONTRIBUTIONS OR COLLECTED 7,500
9 SIGNATURES OF INDIVIDUALS THAT MEET THE REQUIREMENTS OF SECTION
10 74(1)(D).

11 (D) THAT 50% OR MORE OF THE QUALIFYING CONTRIBUTIONS
12 RECEIVED BY THE ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE, IF
13 ANY, HAVE BEEN RECEIVED FROM INDIVIDUALS WHO RESIDE WITHIN THE
14 DISTRICT REPRESENTED BY THE OFFICE BEING SOUGHT BY THAT
15 CANDIDATE.

16 (E) THAT THE FULL NAME AND ADDRESS OF EACH PERSON MAKING A
17 QUALIFYING CONTRIBUTION IS RECORDED BY THE CANDIDATE COMMITTEE OF
18 THE CANDIDATE FOR LEGISLATIVE OFFICE MAKING THE CERTIFICATE.
19 THIS REQUIREMENT IS IN ADDITION TO AND NOT IN LIEU OF ANY OTHER
20 REQUIREMENTS RELATING TO THE RECORDING AND REPORTING OF CONTRIBU-
21 TIONS UNDER THIS ACT.

22 (F) THAT THE ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE SHALL
23 RETURN TO THE STATE CAMPAIGN FUND ALL MONEY RECEIVED FROM THE
24 STATE CAMPAIGN FUND THAT IS NOT USED FOR QUALIFIED CAMPAIGN
25 EXPENDITURES OR IF EXPENDED UNDER THIS ACT WOULD CAUSE THE CANDI-
26 DATE TO EXCEED THE EXPENDITURE LIMITATIONS STATED IN SECTION 78.

1 (4) THE SECRETARY OF STATE SHALL DETERMINE THE MAXIMUM

2 AMOUNT FOR WHICH THE ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE
3 QUALIFIES UNDER THIS SECTION AND SECTIONS 74, 75, AND 76. THE
4 SECRETARY OF STATE SHALL FORWARD INFORMATION AS TO THIS AMOUNT
5 AND THE APPLICATION FOR FUNDING TO THE STATE TREASURER.

6 (5) THE STATE TREASURER SHALL ISSUE A WARRANT DRAWN ON THE

7 HOUSE OF REPRESENTATIVES OR SENATE ACCOUNT IN THE STATE CAMPAIGN
8 FUND FOR AN AMOUNT EQUAL TO THE MAXIMUM AMOUNT THAT THE CANDIDATE
9 FOR LEGISLATIVE OFFICE IS ELIGIBLE TO RECEIVE FOR THE PRIMARY
10 ELECTION OR THE AMOUNT APPLIED FOR, WHICHEVER IS LESS. FOR A
11 CANDIDATE FOR STATE REPRESENTATIVE, THE WARRANT SHALL NOT BE
12 ISSUED BEFORE THE FILING DEADLINE CONTAINED IN SECTION 163 OF THE
13 MICHIGAN ELECTION LAW, ACT NO. 116 OF THE PUBLIC ACTS OF 1954,
14 BEING SECTION 168.163 OF THE MICHIGAN COMPILED LAWS, TO OBTAIN
15 THE PRINTING OF THE CANDIDATE'S NAME ON THE OFFICIAL PRIMARY
16 BALLOT IN THE YEAR IN WHICH THE GENERAL NOVEMBER ELECTION IS TO
17 BE HELD. FOR A CANDIDATE FOR STATE SENATOR, THE WARRANT SHALL
18 NOT BE ISSUED BEFORE THE FILING DEADLINE CONTAINED IN SECTION 163
19 OF THE MICHIGAN ELECTION LAW, ACT NO. 116 OF THE PUBLIC ACTS OF
20 1954, BEING SECTION 168.163 OF THE MICHIGAN COMPILED LAWS, TO
21 OBTAIN THE PRINTING OF THE CANDIDATE'S NAME ON THE OFFICIAL PRI-
22 MARY BALLOT IN THE YEAR IN WHICH SENATORS ARE ELECTED IN A GEN-
23 ERAL NOVEMBER ELECTION.

24 SEC. 74. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, A

25 CANDIDATE FOR LEGISLATIVE OFFICE IS ELIGIBLE TO RECEIVE MONEY
26 FROM THE STATE CAMPAIGN FUND UNDER THIS ACT IF 1 OF THE FOLLOWING
27 CONDITIONS IS MET:

1 (A) FOR A CANDIDATE FOR THE OFFICE OF STATE REPRESENTATIVE,
2 THE CANDIDATE RECEIVES QUALIFYING CONTRIBUTIONS IN THE AMOUNT OF
3 \$10,000.00 OR MORE AND 50% OR MORE OF THOSE QUALIFYING CONTRIBU-
4 TIONS ARE RECEIVED FROM INDIVIDUALS WHO RESIDE WITHIN THE DIS-
5 TRICT REPRESENTED BY THE OFFICE BEING SOUGHT BY THAT CANDIDATE.

6 (B) FOR A CANDIDATE FOR THE OFFICE OF STATE REPRESENTATIVE,
7 THE CANDIDATE COLLECTS 3,000 SIGNATURES AND ADDRESSES OF INDIVID-
8 UALS WHO ARE REGISTERED ELECTORS AND WHO RESIDE WITHIN THE DIS-
9 TRICT REPRESENTED BY THE OFFICE BEING SOUGHT BY THAT CANDIDATE
10 AND THOSE SIGNATURES WERE COLLECTED DURING ANY CONSECUTIVE 30-DAY
11 PERIOD BEGINNING ON OR AFTER NOVEMBER 1 OF THE YEAR IMMEDIATELY
12 PRECEDING THE YEAR IN WHICH A GENERAL NOVEMBER ELECTION IS HELD.

13 (C) FOR A CANDIDATE FOR THE OFFICE OF STATE SENATOR, THE
14 CANDIDATE RECEIVES QUALIFYING CONTRIBUTIONS IN THE AMOUNT OF
15 \$20,000.00 OR MORE AND 50% OR MORE OF THOSE QUALIFYING CONTRIBU-
16 TIONS ARE RECEIVED FROM INDIVIDUALS WHO RESIDE WITHIN THE DIS-
17 TRICT REPRESENTED BY THE OFFICE BEING SOUGHT BY THAT CANDIDATE.

18 (D) FOR A CANDIDATE FOR THE OFFICE OF STATE SENATOR, THE
19 CANDIDATE COLLECTS 7,500 SIGNATURES AND ADDRESSES OF INDIVIDUALS
20 WHO ARE REGISTERED ELECTORS AND WHO RESIDE WITHIN THE DISTRICT
21 REPRESENTED BY THE OFFICE BEING SOUGHT BY THAT CANDIDATE AND
22 THOSE SIGNATURES WERE COLLECTED DURING ANY CONSECUTIVE 30-DAY
23 PERIOD BEGINNING ON OR AFTER NOVEMBER 1 OF THE YEAR IMMEDIATELY
24 PRECEDING THE YEAR IN WHICH SENATORS WILL BE ELECTED AT A GENERAL
25 NOVEMBER ELECTION.

26 (2) A CANDIDATE FOR LEGISLATIVE OFFICE IS NOT ENTITLED TO
27 FUNDS FROM THE STATE CAMPAIGN FUND FOR A PRIMARY ELECTION IF IT

1 IS DETERMINED THE NAME OF THE CANDIDATE FOR LEGISLATIVE OFFICE IS
2 INELIGIBLE TO APPEAR ON THE PRIMARY ELECTION BALLOT PURSUANT TO
3 SECTION 163 OF THE MICHIGAN ELECTION LAW, ACT NO. 116 OF THE
4 PUBLIC ACTS OF 1954, BEING SECTION 168.163 OF THE MICHIGAN
5 COMPILED LAWS. A CANDIDATE WHO DOES NOT FILE NOMINATING PETI-
6 TIONS FOR THE LEGISLATIVE OFFICE BEING SOUGHT OR WHO FILES AN
7 INSUFFICIENT PETITION FOR THAT OFFICE SHALL RETURN ALL FUNDS
8 RECEIVED FROM THE STATE CAMPAIGN FUND FOR THAT PRIMARY ELECTION.
9 FOR PURPOSES OF THIS SECTION, PRIMARY ELECTION IS THE ELECTION
10 DESCRIBED IN SECTION 162 OF ACT NO. 116 OF THE PUBLIC ACTS OF
11 1954, BEING SECTION 168.162 OF THE MICHIGAN COMPILED LAWS.

12 SEC. 75. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,
13 AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE IS ENTITLED TO MONEY
14 FROM THE STATE CAMPAIGN FUND FOR THE PRIMARY ELECTION IN THE FOL-
15 LOWING AMOUNTS, AS APPLICABLE:

16 (A) FOR A CANDIDATE FOR THE OFFICE OF STATE REPRESENTATIVE,
17 \$20,000.00.

18 (B) FOR A CANDIDATE FOR THE OFFICE OF STATE SENATOR,
19 \$40,000.00.

20 (2) IF AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE DOES NOT
21 HAVE AN OPPONENT IN THE PRIMARY FOR THAT POLITICAL PARTY, BUT
22 THERE IS A CONTESTED PRIMARY FOR THE OFFICE BEING SOUGHT FOR
23 ANOTHER POLITICAL PARTY, THE ELIGIBLE CANDIDATE FOR LEGISLATIVE
24 OFFICE IS ENTITLED TO AN AMOUNT FROM THE STATE CAMPAIGN FUND FOR
25 THE PRIMARY ELECTION EQUAL TO 50% OF THE AMOUNT SPECIFIED FOR
26 THAT CANDIDATE IN SUBSECTION (1).

1 (3) IF AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE DOES NOT
2 HAVE AN OPPONENT IN THE PRIMARY FOR THAT POLITICAL PARTY, AND
3 THERE IS NOT A CONTESTED PRIMARY FOR THE OFFICE BEING SOUGHT FOR
4 ANY OTHER POLITICAL PARTY, THE ELIGIBLE CANDIDATE FOR LEGISLATIVE
5 OFFICE IS NOT ENTITLED TO ANY MONEY FROM THE STATE CAMPAIGN FUND
6 FOR THAT PRIMARY ELECTION.

7 SEC. 76. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,
8 AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE IS ENTITLED TO MONEY
9 FROM THE STATE CAMPAIGN FUND FOR THE GENERAL NOVEMBER ELECTION IN
10 THE FOLLOWING AMOUNTS AS APPLICABLE:

11 (A) FOR A CANDIDATE FOR THE OFFICE OF STATE REPRESENTATIVE
12 IN A COMPETITIVE DISTRICT, \$40,000.00.

13 (B) FOR A CANDIDATE FOR THE OFFICE OF STATE REPRESENTATIVE
14 IN A DISTRICT THAT IS NOT A COMPETITIVE DISTRICT, \$20,000.00.

15 (C) FOR A CANDIDATE FOR THE OFFICE OF STATE SENATOR IN A
16 COMPETITIVE DISTRICT, \$100,000.00.

17 (D) FOR A CANDIDATE FOR THE OFFICE OF STATE SENATOR IN A
18 DISTRICT THAT IS NOT A COMPETITIVE DISTRICT, \$50,000.00.

19 (2) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A CANDI-
20 DATE FOR LEGISLATIVE OFFICE WHOSE NAME DID NOT APPEAR ON THE PRI-
21 MARY BALLOT BUT WHO IS A NOMINEE OF A POLITICAL PARTY FOR LEGIS-
22 LATIVE OFFICE IS ENTITLED TO MONEY FROM THE STATE CAMPAIGN FUND
23 FOR THE GENERAL ELECTION IN 1 OF THE FOLLOWING AMOUNTS, AS
24 APPLICABLE:

25 (A) FOR A CANDIDATE FOR THE OFFICE OF STATE REPRESENTATIVE
26 IN A COMPETITIVE DISTRICT, IF THAT CANDIDATE HAS MET THE

1 QUALIFYING CONTRIBUTION OR SIGNATURE REQUIREMENT OF SECTION 74,
2 \$40,000.00.

3 (B) FOR A CANDIDATE FOR THE OFFICE OF STATE REPRESENTATIVE
4 IN A COMPETITIVE DISTRICT, IF THAT CANDIDATE HAS NOT MET THE
5 QUALIFYING CONTRIBUTION OR SIGNATURE REQUIREMENT OF SECTION 74,
6 \$20,000.00.

7 (C) FOR A CANDIDATE FOR THE OFFICE OF STATE REPRESENTATIVE
8 IN A DISTRICT THAT IS NOT A COMPETITIVE DISTRICT, IF THAT CANDI-
9 DATE HAS MET THE QUALIFYING CONTRIBUTION OR SIGNATURE REQUIREMENT
10 OF SECTION 74, \$20,000.00.

11 (D) FOR A CANDIDATE FOR THE OFFICE OF STATE REPRESENTATIVE
12 IN A DISTRICT THAT IS NOT A COMPETITIVE DISTRICT, IF THAT CANDI-
13 DATE HAS NOT MET THE QUALIFYING CONTRIBUTION OR SIGNATURE
14 REQUIREMENT OF SECTION 74, \$10,000.00.

15 (E) FOR A CANDIDATE FOR THE OFFICE OF STATE SENATOR IN A
16 DISTRICT THAT IS A COMPETITIVE DISTRICT, IF THAT CANDIDATE HAS
17 MET THE QUALIFYING CONTRIBUTION OR SIGNATURE REQUIREMENT OF SEC-
18 TION 74, \$100,000.00.

19 (F) FOR A CANDIDATE FOR THE OFFICE OF STATE SENATOR IN A
20 DISTRICT THAT IS A COMPETITIVE DISTRICT, IF THAT CANDIDATE HAS
21 NOT MET THE QUALIFYING CONTRIBUTION OR SIGNATURE REQUIREMENT OF
22 SECTION 74, \$50,000.00.

23 (G) FOR A CANDIDATE FOR THE OFFICE OF STATE SENATOR IN A
24 DISTRICT THAT IS NOT A COMPETITIVE DISTRICT, IF THAT CANDIDATE
25 HAS MET THE QUALIFYING CONTRIBUTION OR SIGNATURE REQUIREMENT OF
26 SECTION 74, \$50,000.00.

1 (H) FOR A CANDIDATE FOR THE OFFICE OF STATE SENATOR IN A
2 DISTRICT THAT IS NOT A COMPETITIVE DISTRICT, IF THAT CANDIDATE
3 HAS NOT MET THE QUALIFYING CONTRIBUTION OR SIGNATURE REQUIREMENT
4 OF SECTION 74, \$25,000.00.

5 (3) IF AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE DOES NOT
6 HAVE AN OPPONENT IN THE GENERAL NOVEMBER ELECTION, THE ELIGIBLE
7 CANDIDATE FOR LEGISLATIVE OFFICE IS NOT ENTITLED TO ANY MONEY
8 FROM THE STATE CAMPAIGN FUND FOR THAT GENERAL NOVEMBER ELECTION.

9 (4) EXCEPT AS PROVIDED IN SUBSECTION (2), A CANDIDATE FOR
10 LEGISLATIVE OFFICE WHO DID NOT APPLY FOR MONEY FROM THE STATE
11 CAMPAIGN FUND FOR A PRIMARY ELECTION AS PROVIDED IN SECTION 75
12 SHALL NOT RECEIVE MONEY FROM THE STATE CAMPAIGN FUND UNDER THIS
13 SECTION.

14 (5) THE STATE TREASURER SHALL DELIVER TO AN ELIGIBLE CANDI-
15 DATE FOR LEGISLATIVE OFFICE 25% OF ANY FUNDS THAT THE ELIGIBLE
16 CANDIDATE FOR LEGISLATIVE OFFICE IS ENTITLED TO UNDER THIS SEC-
17 TION NOT LATER THAN 10 DAYS AFTER THE PRIMARY ELECTION, UNLESS
18 THERE IS LESS THAN A 2% DIFFERENCE IN VOTE TOTALS OF THE TOP 2
19 PRIMARY ELECTION CANDIDATES OF THE SAME POLITICAL PARTY FOR THE
20 SAME OFFICE ACCORDING TO UNOFFICIAL VOTE TOTALS AVAILABLE TO THE
21 SECRETARY OF STATE. THE STATE TREASURER SHALL PAY TO THE ELIGI-
22 BLE CANDIDATE FOR LEGISLATIVE OFFICE THE BALANCE OF ANY FUNDS
23 OWED TO THAT CANDIDATE UNDER THIS SECTION NOT LATER THAN 3 DAYS
24 AFTER THE BOARD OF STATE CANVASSERS HAS CERTIFIED THE PRIMARY
25 ELECTION RESULTS, BUT NOT LATER THAN 30 DAYS AFTER THE PRIMARY
26 ELECTION.

1 SEC. 77. (1) AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE
2 SHALL REPAY TO THE STATE CAMPAIGN FUND ANY AMOUNTS PAID TO THE
3 ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE UNDER SECTION 75, 76,
4 OR 79 EITHER ERRONEOUSLY OR BASED UPON ELECTION RESULTS THAT ARE
5 REVERSED DUE TO A RECOUNT OR FRAUD. THE STATE TREASURER, BY CER-
6 TIFIED MAIL, SHALL NOTIFY AN ELIGIBLE CANDIDATE FOR LEGISLATIVE
7 OFFICE OF THE AMOUNTS THAT SHALL BE REPAID UNDER THIS SECTION.
8 THE ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE SHALL REPAY THE
9 AMOUNTS DUE UNDER THIS SECTION NOT LATER THAN THE EXPIRATION OF
10 60 DAYS AFTER RECEIPT OF NOTIFICATION BY THE STATE TREASURER.

11 (2) AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE SHALL ONLY
12 USE THE MONEY RECEIVED FROM THE STATE CAMPAIGN FUND UNDER THIS
13 ACT FOR QUALIFIED CAMPAIGN EXPENDITURES.

14 (3) AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE SHALL KEEP
15 MONEY RECEIVED FROM THE STATE CAMPAIGN FUND IN A SEPARATE
16 ACCOUNT. THE CANDIDATE MAY PAY QUALIFIED CAMPAIGN EXPENDITURES
17 FROM THE SEPARATE ACCOUNT UNLESS THE ACCOUNT DOES NOT HAVE A
18 BALANCE.

19 (4) AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE WHO DOES
20 NOT PREVAIL IN THE PRIMARY ELECTION SHALL RETURN THE UNEXPENDED
21 BALANCE IN THE SEPARATE ACCOUNT CONTAINING MONEY RECEIVED FROM
22 THE STATE CAMPAIGN FUND NOT LATER THAN THE EXPIRATION OF 60 DAYS
23 AFTER THE PRIMARY ELECTION. AN ELIGIBLE CANDIDATE FOR LEGISLA-
24 TIVE OFFICE WHO PREVAILS IN THE PRIMARY ELECTION MAY RETAIN THE
25 UNEXPENDED BALANCE IN THE SEPARATE ACCOUNT CONTAINING MONEY
26 RECEIVED FROM THE STATE CAMPAIGN FUND. AN ELIGIBLE CANDIDATE FOR
27 LEGISLATIVE OFFICE WHO RECEIVES MONEY FROM THE STATE CAMPAIGN

1 FUND FOR THE GENERAL NOVEMBER ELECTION SHALL RETURN THE
2 UNEXPENDED BALANCE IN THE SEPARATE ACCOUNT CONTAINING THAT MONEY
3 NOT LATER THAN THE EXPIRATION OF 60 DAYS AFTER THE GENERAL
4 NOVEMBER ELECTION.

5 (5) A PERSON WHO KNOWINGLY VIOLATES THIS SECTION IS GUILTY
6 OF A FELONY PUNISHABLE, IF THE PERSON IS AN INDIVIDUAL, BY A FINE
7 OF NOT MORE THAN \$2,000.00 OR IMPRISONMENT FOR NOT MORE THAN 3
8 YEARS, OR BOTH, OR, IF THE PERSON IS NOT AN INDIVIDUAL, BY A FINE
9 OF NOT MORE THAN \$10,000.00.

10 SEC. 78. (1) AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE
11 WHO RECEIVES MONEY FROM THE STATE CAMPAIGN FUND SHALL NOT MAKE
12 QUALIFIED CAMPAIGN EXPENDITURES FOR A PRIMARY ELECTION THAT
13 EXCEED THE SUM OF THE FOLLOWING:

14 (A) THE AMOUNT OF QUALIFYING CONTRIBUTIONS ACCEPTED BY THE
15 CANDIDATE, IF ANY, NOT TO EXCEED \$10,000.00 FOR A CANDIDATE FOR
16 THE OFFICE OF STATE REPRESENTATIVE OR \$20,000.00 FOR A CANDIDATE
17 FOR THE OFFICE OF STATE SENATOR. IF THE CANDIDATE FOR LEGISLA-
18 TIVE OFFICE MEETS THE SIGNATURE REQUIREMENTS OF SECTION 74 BUT IS
19 NOT ELIGIBLE FOR MONEY FROM THE STATE CAMPAIGN FUND UNDER SECTION
20 75, THE AMOUNT UNDER THIS SUBDIVISION IS EQUAL TO \$10,000.00 FOR
21 A CANDIDATE FOR THE OFFICE OF STATE REPRESENTATIVE AND \$20,000.00
22 FOR A CANDIDATE FOR THE OFFICE OF STATE SENATOR.

23 (B) THE AMOUNT OF MONEY RECEIVED FROM THE STATE CAMPAIGN
24 FUND FOR THE PRIMARY ELECTION PURSUANT TO SECTION 75.

25 (2) AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE WHO
26 RECEIVES MONEY FROM THE STATE CAMPAIGN FUND SHALL NOT MAKE
27 QUALIFIED CAMPAIGN EXPENDITURES IN THE AGGREGATE FOR A PRIMARY

1 AND A GENERAL NOVEMBER ELECTION THAT EXCEED THE SUM OF THE
2 FOLLOWING:

3 (A) THE AMOUNT OF QUALIFYING CONTRIBUTIONS ACCEPTED BY THE
4 CANDIDATE, IF ANY, NOT TO EXCEED \$10,000.00 FOR A CANDIDATE FOR
5 THE OFFICE OF STATE REPRESENTATIVE OR \$20,000.00 FOR A CANDIDATE
6 FOR THE OFFICE OF STATE SENATOR.

7 (B) THE AMOUNT OF MONEY RECEIVED FROM THE STATE CAMPAIGN
8 FUND FOR A PRIMARY ELECTION PURSUANT TO SECTION 75, IF ANY.

9 (C) THE AMOUNT OF MONEY RECEIVED FROM THE STATE CAMPAIGN
10 FUND FOR THE GENERAL NOVEMBER ELECTION PURSUANT TO SECTION 76, IF
11 ANY.

12 (3) THE EXPENDITURE LIMITS DESIGNATED IN SUBSECTIONS (1) AND
13 (2) SHALL BE INCREASED BY ANY AMOUNT RECEIVED BY THE ELIGIBLE
14 CANDIDATE FOR LEGISLATIVE OFFICE FROM THE STATE CAMPAIGN FUND
15 PURSUANT TO SECTION 79.

16 (4) AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE MAY ELECT
17 TO ACCEPT PARTIAL PAYMENT OF MONEY FROM THE STATE CAMPAIGN FUND
18 AND INSTEAD RAISE PRIVATE CONTRIBUTIONS AS PROVIDED BY THIS ACT,
19 INCLUDING QUALIFYING CONTRIBUTIONS, THAT, WHEN ADDED TO THE
20 AMOUNT RECEIVED FROM THE STATE CAMPAIGN FUND, DO NOT EXCEED THE
21 EXPENDITURE LIMIT DESIGNATED FOR THAT CANDIDATE UNDER THIS
22 SECTION.

23 (5) AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE WHO
24 RECEIVES MONEY FROM THE STATE CAMPAIGN FUND UNDER THIS ACT AND
25 WHO SUBSEQUENTLY ACCEPTS PRIVATE CONTRIBUTIONS SHALL COMPLY WITH
26 THIS SUBSECTION. IF THE CANDIDATE ACCEPTS THE PRIVATE
27 CONTRIBUTIONS ON OR BEFORE THE CLOSING DATE FOR THE LAST CAMPAIGN

1 STATEMENT THAT IS REQUIRED TO BE FILED UNDER THIS ACT BEFORE THE
2 GENERAL NOVEMBER ELECTION, THE CANDIDATE SHALL PAY TO THE STATE
3 CAMPAIGN FUND AN AMOUNT EQUAL TO THE AMOUNT OF PRIVATE CONTRIBU-
4 TIONS ACCEPTED. HOWEVER, IF THE CANDIDATE ACCEPTS THE PRIVATE
5 CONTRIBUTIONS AFTER THE CLOSING DATE FOR THE LAST CAMPAIGN STATE-
6 MENT THAT IS REQUIRED TO BE FILED UNDER THIS ACT BEFORE THE GEN-
7 ERAL NOVEMBER ELECTION, THE CANDIDATE SHALL PAY TO THE STATE CAM-
8 PAIGN FUND AN AMOUNT EQUAL TO 5 TIMES THE AMOUNT OF PRIVATE CON-
9 TRIBUTIONS ACCEPTED.

10 (6) AN EXPENDITURE MADE BY AN ELIGIBLE CANDIDATE FOR LEGIS-
11 LATIVE OFFICE FOR THE SOLICITATION OF CONTRIBUTIONS THAT ARE NOT
12 MORE THAN 10% OF THE EXPENDITURE LIMIT FOR THAT CANDIDATE UNDER
13 THIS SECTION SHALL NOT BE CONSIDERED AN EXPENDITURE FOR THE PUR-
14 POSES OF THE EXPENDITURE LIMITS DESIGNATED FOR THAT CANDIDATE
15 UNDER THIS SECTION.

16 (7) AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE WHO MAKES
17 EXPENDITURES THAT EXCEED THE EXPENDITURE LIMITS DESIGNATED FOR
18 THAT CANDIDATE UNDER THIS SECTION BY LESS THAN 5% SHALL PAY TO
19 THE STATE CAMPAIGN FUND AN AMOUNT EQUAL TO THE EXCESSIVE
20 EXPENDITURES. THE AMOUNT PAYABLE UNDER THIS SUBSECTION MAY BE
21 PAID FROM MONEY HELD BY THE CANDIDATE COMMITTEE OF THAT CANDIDATE
22 AND IS NOT AN EXPENDITURE FOR THE PURPOSES OF THIS ACT.

23 (8) AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE WHO MAKES
24 EXPENDITURES THAT EXCEED THE EXPENDITURE LIMIT DESIGNATED FOR
25 THAT CANDIDATE UNDER THIS SECTION BY 5% OR MORE BUT LESS THAN 25%
26 SHALL PAY TO THE STATE CAMPAIGN FUND AN AMOUNT EQUAL TO 10 TIMES
27 THE EXCESSIVE EXPENDITURES. THE AMOUNT PAYABLE UNDER THIS

1 SUBSECTION SHALL NOT BE PAID FROM MONEY HELD BY THE CANDIDATE
2 COMMITTEE OF THAT CANDIDATE. THE CANDIDATE IS PERSONALLY LIABLE
3 FOR ANY AMOUNTS PAYABLE UNDER THIS SUBSECTION.

4 (9) AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE WHO MAKES
5 EXPENDITURES THAT EXCEED THE EXPENDITURE LIMIT DESIGNATED FOR
6 THAT CANDIDATE UNDER THIS SECTION BY 25% OR MORE SHALL PAY TO THE
7 STATE CAMPAIGN FUND AN AMOUNT EQUAL TO 10 TIMES THE EXCESSIVE
8 EXPENDITURES. THE AMOUNT PAYABLE UNDER THIS SUBSECTION SHALL NOT
9 BE PAID FROM MONEY HELD BY THE CANDIDATE COMMITTEE OF THAT
10 CANDIDATE. THE CANDIDATE IS PERSONALLY LIABLE FOR ANY AMOUNTS
11 PAYABLE UNDER THIS SUBSECTION. AN ELIGIBLE CANDIDATE FOR LEGIS-
12 LATIVE OFFICE WHO MAKES EXPENDITURES THAT EXCEED THE EXPENDITURE
13 LIMIT DESIGNATED FOR THAT CANDIDATE UNDER THIS SECTION BY 25% OR
14 MORE IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR
15 NOT MORE THAN 1 YEAR.

16 (10) IF A PERSON SUBJECT TO THIS SECTION IS FOUND GUILTY OF
17 A MISDEMEANOR UNDER SUBSECTION (9), THE CIRCUIT COURT OF THAT
18 COUNTY ON APPLICATION BY THE ATTORNEY GENERAL MAY PROHIBIT THAT
19 PERSON FROM ASSUMING THE DUTIES OF A PUBLIC OFFICE OR FROM
20 RECEIVING COMPENSATION FROM PUBLIC FUNDS, OR BOTH.

21 SEC. 79. (1) A CANDIDATE FOR LEGISLATIVE OFFICE WHO HAS NOT
22 FILED AN APPLICATION FOR MONEY FROM THE STATE CAMPAIGN FUND SHALL
23 COMPLY WITH THIS SUBSECTION. IF A CANDIDATE DESCRIBED IN THIS
24 SUBSECTION ACCEPTS PRIVATE CONTRIBUTIONS THAT IN THE AGGREGATE
25 EXCEED \$10,000.00 FOR A CANDIDATE FOR THE OFFICE OF STATE REPRE-
26 SENTATIVE OR \$20,000.00 FOR A CANDIDATE FOR THE OFFICE OF STATE
27 SENATOR, THAT CANDIDATE SHALL NOTIFY THE SECRETARY OF STATE OF

1 THAT FACT WITHIN 24 HOURS OF ACCEPTING THE CONTRIBUTIONS THAT IN
2 THE AGGREGATE EQUAL OR EXCEED THAT AMOUNT. THE SECRETARY OF
3 STATE SHALL NOTIFY A CANDIDATE THAT PROVIDES THE CONTRIBUTION
4 NOTIFICATION UNDER THIS SECTION THAT THE CANDIDATE, WITHIN 5 DAYS
5 OF THE RECEIPT OF THE SECRETARY OF STATE'S NOTIFICATION, MAY VOL-
6 UNTARILY LIMIT HIS OR HER EXPENDITURES AS PROVIDED IN SECTION
7 78. IF THE CANDIDATE UNDER THIS SUBSECTION VOLUNTARILY LIMITS
8 HIS OR HER EXPENDITURES PURSUANT TO THIS SUBSECTION, AN ELIGIBLE
9 CANDIDATE FOR LEGISLATIVE OFFICE SHALL NOT RECEIVE ADDITIONAL
10 MONEY FROM THE STATE CAMPAIGN FUND UNDER THIS SECTION.

11 (2) IF AN OPPONENT OF THE SAME POLITICAL PARTY OF THE ELIGI-
12 BLE CANDIDATE FOR LEGISLATIVE OFFICE IN A PRIMARY ELECTION DOES
13 NOT RECEIVE MONEY FROM THE STATE CAMPAIGN FUND, DOES RECEIVE PRI-
14 VATE CONTRIBUTIONS THAT IN THE AGGREGATE EQUAL OR EXCEED THE
15 AMOUNT DESCRIBED IN SUBSECTION (1), AND DOES NOT VOLUNTARILY
16 AGREE TO LIMIT HIS OR HER EXPENDITURES UNDER SUBSECTION (1), THAT
17 ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE IS ENTITLED TO RECEIVE
18 ADDITIONAL MONEY FROM THE STATE CAMPAIGN FUND AS PROVIDED IN THIS
19 SUBSECTION. THE EXPENDITURE LIMITS CONTAINED IN SECTION 78 FOR
20 THE ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE SHALL BE INCREASED
21 BY THE ADDITIONAL AMOUNT OF STATE CAMPAIGN FUND MONEY RECEIVED
22 PURSUANT TO THIS SUBSECTION. AN ELIGIBLE CANDIDATE FOR LEGISLA-
23 TIVE OFFICE DESCRIBED IN THIS SUBSECTION SHALL RECEIVE FROM THE
24 STATE CAMPAIGN FUND 1 OF THE FOLLOWING AMOUNTS, AS APPLICABLE:

25 (A) FOR AN ELIGIBLE CANDIDATE FOR THE OFFICE OF STATE REPRE-
26 SENTATIVE, \$30,000.00.

(B) FOR AN ELIGIBLE CANDIDATE FOR THE OFFICE OF STATE SENATOR, \$60,000.00.

(3) IF AN OPPONENT OF AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE IN A GENERAL NOVEMBER ELECTION DOES NOT RECEIVE MONEY FROM THE STATE CAMPAIGN FUND, DOES RECEIVE PRIVATE CONTRIBUTIONS THAT IN THE AGGREGATE EQUAL OR EXCEED THE AMOUNT DESCRIBED IN SUBSECTION (1), AND DOES NOT VOLUNTARILY AGREE TO LIMIT HIS OR HER EXPENDITURES UNDER SUBSECTION (1), THAT ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE IS ENTITLED TO RECEIVE ADDITIONAL MONEY FROM THE STATE CAMPAIGN FUND AS PROVIDED IN THIS SUBSECTION. THE EXPENDITURE LIMITS CONTAINED IN SECTION 78 FOR THE ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE SHALL BE INCREASED BY THE ADDITIONAL AMOUNT OF STATE CAMPAIGN FUND MONEY RECEIVED PURSUANT TO THIS SUBSECTION. AN ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE DESCRIBED IN THIS SUBSECTION SHALL RECEIVE FROM THE STATE CAMPAIGN FUND 1 OF THE FOLLOWING AMOUNTS, AS APPLICABLE:

(A) FOR AN ELIGIBLE CANDIDATE FOR THE OFFICE OF STATE REPRESENTATIVE IN A COMPETITIVE DISTRICT, \$40,000.00.

(B) FOR AN ELIGIBLE CANDIDATE FOR THE OFFICE OF STATE REPRESENTATIVE IN A DISTRICT THAT IS NOT A COMPETITIVE DISTRICT, \$20,000.00.

(C) FOR AN ELIGIBLE CANDIDATE FOR THE OFFICE OF STATE SENATOR IN A COMPETITIVE DISTRICT, \$100,000.00.

(D) FOR AN ELIGIBLE CANDIDATE FOR THE OFFICE OF STATE SENATOR IN A DISTRICT THAT IS NOT A COMPETITIVE DISTRICT, \$50,000.00.

1 (4) THE SECRETARY OF STATE SHALL NOTIFY AN ELIGIBLE
2 CANDIDATE FOR LEGISLATIVE OFFICE WHEN THAT CANDIDATE IS ENTITLED
3 TO RECEIVE ADDITIONAL STATE CAMPAIGN FUND MONEY UNDER THIS
4 SECTION. THE SECRETARY OF STATE SHALL DIRECT THE STATE TREASURER
5 TO PAY TO THE ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE THE
6 AMOUNT THAT CANDIDATE IS ELIGIBLE TO RECEIVE AS SOON AS PRACTICA-
7 BLE AFTER A DETERMINATION IS MADE THAT THE CANDIDATE IS ENTITLED
8 TO THE ADDITIONAL MONEY. THE STATE TREASURER SHALL PAY TO THE
9 ELIGIBLE CANDIDATE FOR LEGISLATIVE OFFICE THE AMOUNTS HE OR SHE
10 IS ENTITLED TO UNDER THIS SECTION FROM THE APPROPRIATE ACCOUNT OF
11 THE STATE CAMPAIGN FUND.

12 SEC. 80. BEGINNING JANUARY 1, 1997 AND EVERY ODD NUMBERED
13 YEAR AFTER 1997, THE SECRETARY OF STATE SHALL ADJUST THE DOLLAR
14 AMOUNTS DESIGNATED FOR CONTRIBUTIONS AND EXPENDITURES IN SECTIONS
15 72 TO 79. THE SECRETARY OF STATE SHALL MAKE THE ADJUSTMENT
16 REQUIRED BY THIS SECTION BY FEBRUARY 1 OF THE ODD NUMBERED YEAR,
17 WHICH ADJUSTMENT IS RETROACTIVE TO JANUARY 1 OF THAT YEAR. THE
18 SECRETARY OF STATE SHALL BASE THE ADJUSTMENT UNDER THIS SECTION
19 UPON THE UNITED STATES DEPARTMENT OF COMMERCE'S CONSUMER PRICE
20 INDEX.

21 Section 2. This amendatory act shall take effect January 1,
22 1995.