

SUBSTITUTE FOR  
HOUSE BILL NO. 4290

A bill to amend 1976 PA 388, entitled  
"Michigan campaign finance act,"  
(MCL 169.201 to 169.282) by adding section 65a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 65a. (1) A candidate who applies for money from the  
2 state campaign fund and whose name is eligible to appear on the  
3 primary election ballot shall participate in 1 or more public  
4 debates with all other candidates of the same party who apply for  
5 money from the state campaign fund and whose names are eligible  
6 to appear on the primary election ballot, if any.

7       (2) A candidate who applies for money from the state campaign  
8 fund and whose name is eligible to appear on the general election  
9 ballot shall participate in 1 or more public debates with all  
10 other candidates who apply for money from the state campaign fund  
11 and whose names are eligible to appear on the general election

## House Bill No. 4290 (H-3) as amended March 19, 2003

1 ballot, if any.

2 (3) A debate or debates required by subsection (1) or (2)  
3 shall be scheduled and conducted as mutually agreed in writing by  
4 all candidates required to participate. An agreement among all  
5 of the candidates required to participate shall be filed with the  
6 director of elections.

7 (4) If an agreement under subsection (3) is not filed by at  
8 least 45 days before the primary or general election, the board  
9 of state canvassers and the director of elections shall, by at  
10 least 38 days before the election, schedule 1 or more public  
11 debates as required by subsection (1) or (2), respectively, and  
12 establish all of the details required by subsection (5). The  
13 concurrence of a majority of the 5 individuals involved in making  
14 a decision under this subsection, the 4 members of the board of  
15 state canvassers and the director of elections, is required for  
16 an official decision under this subsection [[; however, the majority must  
consist of at least 1 member of each major political party appointed to  
the board of state canvassers](#)].

17 (5) A written agreement required by subsection (3) shall  
18 contain at least all of the following details:

19 (a) The number of debates that will be held.

20 (b) The date, time, and place of each debate.

21 (c) The name of the moderator of each debate.

22 (d) The format of each debate.

23 (6) If a candidate whose name is eligible to appear on the  
24 ballot for an election for which a public debate is required by  
25 this section but who is not required to participate in the debate  
26 agrees in a writing filed with the director of elections to abide  
27 by all of the details contained in the agreement under subsection

1 (3) or established by the board of state canvassers and director  
2 of elections under subsection (4), the candidate may participate  
3 in the debate.

4 (7) A candidate who does not participate in a public debate  
5 required under this section shall return all money received by  
6 the candidate from the state campaign fund for that election. A  
7 candidate is personally liable for money required to be returned  
8 under this subsection, and shall return the money by written  
9 instrument within 30 days following the debate in which the  
10 candidate did not participate. However, a candidate who is not  
11 able to participate in a public debate because of exigent  
12 circumstances that are mutually agreed to by all candidates  
13 required to participate in the debate or by the board of state  
14 canvassers is not required to return the money received from the  
15 state campaign fund.