

HOUSE BILL No. 4606

May 1, 2003, Introduced by Reps. Koetje, Byrum, Lipsey, Tobocman, Howell and Drolet and referred to the Committee on Government Operations.

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 6 (MCL 169.206), as amended by 1995 PA 264.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) "Expenditure" means a payment, donation, loan,
2 or promise of payment of money or anything of ascertainable
3 monetary value for goods, materials, services, or facilities in
4 assistance of, or in opposition to, the nomination or election of
5 a candidate, or the qualification, passage, or defeat of a ballot
6 question. Expenditure includes but is not limited to any of the
7 following:

8 (a) A contribution or a transfer of anything of ascertainable
9 monetary value for purposes of influencing the nomination or
10 election of a candidate or the qualification, passage, or defeat
11 of a ballot question.

1 (b) Except as ~~otherwise~~ provided in subsection (2)(f) or
2 (g), an expenditure for voter registration or get-out-the-vote
3 activities made by a person who sponsors or finances the activity
4 or who is identified by name with the activity.

5 (c) Except as ~~otherwise~~ provided in subsection (2)(f) or
6 (g), an expenditure made for poll watchers, challengers,
7 distribution of election day literature, canvassing of voters to
8 get out the vote, or transporting voters to the polls.

9 (2) Expenditure does not include any of the following:

10 (a) An expenditure for communication by a person with the
11 person's paid members or shareholders and those individuals who
12 can be solicited for contributions to a separate segregated fund
13 under section 55.

14 (b) An expenditure for communication on a subject or issue if
15 the communication does not support or oppose a ballot question or
16 candidate by name or clear inference.

17 (c) An expenditure for the establishment, administration, or
18 solicitation of contributions to a separate segregated fund or
19 independent committee.

20 (d) An expenditure by a broadcasting station, newspaper,
21 magazine, or other periodical or publication for a news story,
22 commentary, or editorial in support of or opposition to a
23 candidate for elective office or a ballot question in the regular
24 course of publication or broadcasting.

25 (e) An offer or tender of an expenditure if expressly and
26 unconditionally rejected or returned.

27 (f) An expenditure for nonpartisan voter registration or

1 nonpartisan get-out-the-vote activities made by an organization
2 that is exempt from federal income tax pursuant to section
3 501(c)(3) of the internal revenue code of 1986, 26 U.S.C. 501, or
4 any successor statute.

5 (g) An expenditure for nonpartisan voter registration or
6 nonpartisan get-out-the-vote activities performed pursuant to
7 ~~sections 491 to 524~~ **chapter XXIII** of the Michigan election law,
8 ~~Act No. 116 of the Public Acts of 1954, being sections 168.491~~
9 ~~to 168.524 of the Michigan Compiled Laws~~ **1954 PA 116,**
10 **MCL 168.491 to 168.524,** by the secretary of state and other
11 registration officials who are identified by name with the
12 activity.

13 (h) An expenditure by a state central committee of a
14 political party or a person controlled by a state central
15 committee of a political party for the construction, purchase, or
16 renovation of 1 or more office facilities in Ingham county if the
17 facility is not constructed, purchased, or renovated for the
18 purpose of influencing the election of a candidate in a
19 particular election. Items excluded from the definition of
20 expenditure under this subdivision include expenditures approved
21 in federal election commission advisory opinions 1993-9, 2001-1,
22 and 2001-12 as allowable expenditures under the federal election
23 campaign act of 1971, Public Law 92-225, 2 U.S.C. 431 to 434,
24 437, 437c to 439a, 439c, 441a to 441h, and 442 to 455, and
25 regulations promulgated under that act, regardless of whether
26 those advisory opinions have been superseded.