

Act No. 225
Public Acts of 1996
Approved by the Governor
May 29, 1996
Filed with the Secretary of State
May 30, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Rep. Fitzgerald

Reps. Alley, Bankes, Bodem, Brackenridge, Bush, Byl, Ciaramitaro, Clack, Dalman, DeHart, DeMars, Gagliardi, Gilmer, Gire, Gnodtke, Goschka, Green, Hammerstrom, Harder, Hill, Horton, Jersevic, Johnson, Kaza, Kelly, Kukuk, Law, McBryde, McManus, McNutt, Middleton, Olshove, Palamara, Parks, Profit, Prusi, Rocca, Ryan, Scott, Tesanovich, Varga, Vaughn, Weeks, Wetters and Yokich named co-sponsors

ENROLLED HOUSE BILL No. 5765

AN ACT to amend section 47 of Act No. 388 of the Public Acts of 1976, entitled as amended "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 certain funds; to provide for reversion, retention, or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; 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:

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

Sec. 47. (1) Except as otherwise provided in this subsection, a billboard, placard, poster, pamphlet, or other printed matter having reference to an election, a candidate, or a ballot question, shall bear upon it the name and address of the person paying for the matter. Except as otherwise provided in this subsection, if the printed matter relating to a candidate is an independent expenditure that is not authorized in writing by the candidate committee of that candidate, the printed matter shall contain the following disclaimer: "Not authorized by any candidate committee". An individual other than a candidate is not subject to this subsection if the individual is acting independently and not acting as an agent for a candidate or any committee.

(2) A radio or television paid advertisement having reference to an election, a candidate, or a ballot question shall identify the sponsoring person as required by the federal communications commission, shall bear the name of the person paying for the advertisement, and shall be in compliance with the following:

(a) If the radio or television paid advertisement relates to a candidate and is an independent expenditure, the advertisement shall contain the following disclaimer: "Not authorized by any candidate".

(b) If the radio or television paid advertisement relates to a candidate and is not an independent expenditure but is paid for by a person other than the candidate to which it is related, the advertisement shall contain the following disclaimer: "Authorized by".
(name of candidate or name of candidate committee)

(3) The size and placement of an identification or disclaimer required by this section shall be determined by rules promulgated by the secretary of state. The rules may exempt printed matter and certain other items such as campaign buttons or balloons, the size of which makes it unreasonable to add an identification or disclaimer, from the identification or disclaimer required by this section.

(4) A person who knowingly violates this section is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00, or imprisonment for not more than 93 days, or both.

Section 2. If any portion of this amendatory act or the application of this amendatory act to any person or circumstance is found to be invalid by a court, the invalidity does not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if those remaining portions are not determined by the court to be inoperable. To this end, this amendatory act is declared to be severable.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.