

SENATE BILL NO. 651

July 2, 1997, Introduced by Senators GEAKE, SHUGARS, STILLE
STEIL, BULLARD, ROGERS, CARL and NORTH and referred to the
Committee on Government Operations.

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
by amending section 55 (MCL 169.255), as amended by 1995 PA 264.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 55. (1) A corporation organized on a for profit or
2 nonprofit basis, a joint stock company, a domestic dependent sov-
3 ereign, or a labor organization formed under the laws of this or
4 another state or foreign country may make an expenditure for the
5 establishment and administration and solicitation of contribu-
6 tions to a separate segregated fund to be used for political
7 purposes. A separate segregated fund established under this sec-
8 tion shall be limited to making contributions to, and expendi-
9 tures on behalf of, candidate committees, ballot question
10 committees, political party committees, political committees, and
11 independent committees.

1 (2) Contributions for a separate segregated fund established
2 by a corporation, organized on a for profit basis, or a joint
3 stock company under this section may be solicited from any of the
4 following persons or their spouses:

5 (a) Stockholders of the corporation or company.

6 (b) Officers and directors of the corporation or company.

7 (c) Employees of the corporation or company who have policy
8 making, managerial, professional, supervisory, or administrative
9 nonclerical responsibilities.

10 (3) Contributions for a separate segregated fund established
11 under this section by a corporation organized on a nonprofit
12 basis may be solicited from any of the following persons or their
13 spouses:

14 (a) Members of the corporation who are individuals.

15 (b) Stockholders of members of the corporation.

16 (c) Officers or directors of members of the corporation.

17 (d) Employees of the members of the corporation who have
18 policy making, managerial, professional, supervisory, or adminis-
19 trative nonclerical responsibilities.

20 (e) Employees of the corporation who have policy making,
21 managerial, professional, supervisory, or administrative noncler-
22 ical responsibilities.

23 (4) Contributions for a separate segregated fund established
24 under this section by a labor organization may be solicited from
25 any of the following persons or their spouses:

26 (a) Members of the labor organization who are individuals.

1 (b) Officers or directors of the labor organization.

2 (c) Employees of the labor organization who have policy
3 making, managerial, professional, supervisory, or administrative
4 nonclerical responsibilities.

5 (5) Contributions for a separate segregated fund established
6 under this section by a domestic dependent sovereign may be
7 solicited from an individual who is a member of any domestic
8 dependent sovereign.

9 (6) Contributions shall not be obtained for a separate seg-
10 regated fund established under this section by use of coercion or
11 physical force, by making a contribution a condition of employ-
12 ment or membership, or by using or threatening to use job dis-
13 crimination or financial reprisals. A corporation organized on a
14 for profit or nonprofit basis, a joint stock company, a domestic
15 dependent sovereign, or a labor organization shall not solicit or
16 obtain contributions for a separate segregated fund established
17 under this section from an individual described in subsection
18 (2), (3), (4), or (5) on an automatic or passive basis including
19 but not limited to a payroll deduction plan or reverse checkoff
20 method. A corporation organized on a for profit or nonprofit
21 basis, a joint stock company, a domestic dependent sovereign, or
22 a labor organization may solicit or obtain contributions for a
23 separate segregated fund established under this section from an
24 individual described in subsection (2), (3), ~~-(4)-~~ OR (4)(B) OR
25 (C), or SUBSECTION (5) on an automatic basis, including but not
26 limited to a payroll deduction plan, only if the individual who
27 is contributing to the fund affirmatively consents to the

1 contribution at least once in every calendar year. A LABOR
2 ORGANIZATION MAY SOLICIT OR OBTAIN CONTRIBUTIONS FOR A SEPARATE
3 SEGREGATED FUND ESTABLISHED UNDER THIS SECTION FROM AN INDIVIDUAL
4 DESCRIBED IN SUBSECTION (4)(A) ON AN AUTOMATIC BASIS, INCLUDING
5 BUT NOT LIMITED TO A PAYROLL DEDUCTION PLAN, ONLY IF THE INDIVID-
6 UAL WHO IS CONTRIBUTING TO THE FUND CONSENTS TO THE CONTRIBUTION
7 BY SIGNING A WRITTEN AUTHORIZATION FORM DESCRIBED IN SECTION 2 OF
8 THE CONTRIBUTION DISCLOSURE ACT AT LEAST ONCE EACH CALENDAR YEAR
9 IN WHICH HE OR SHE MAKES THE CONTRIBUTION.

10 (7) A person who knowingly violates this section is guilty
11 of a felony punishable, if the person is an individual, by a fine
12 of not more than \$5,000.00 or imprisonment for not more than 3
13 years, or both, or, if the person is not an individual, by a fine
14 of not more than \$10,000.00.

15 (8) If a corporation, joint stock company, domestic depen-
16 dent sovereign, or labor organization that obtains contributions
17 for a separate segregated fund from individuals described in sub-
18 section (2), (3), (4), or (5) pays to 1 or more of those individ-
19 uals a bonus or other remuneration for the purpose of reimbursing
20 those contributions, then that corporation, joint stock company,
21 domestic dependent sovereign, or labor organization is subject to
22 a civil fine equal to 2 times the total contributions obtained
23 from all individuals for the separate segregated fund during that
24 calendar year.

25 Enacting section 1. This amendatory act does not take
26 effect unless Senate Bill No. 650

1 of the 89th Legislature is enacted into
2 law.