



# HOUSE BILL No. 5165

December 7, 1999, Introduced by Reps. Gielegheem, Jacobs, Martinez, Woodward, Minore, Spade, Bishop, Bovin and Bogardus and referred to the Committee on Constitutional Law and Ethics.

A bill to amend 1976 PA 388, entitled  
"Michigan campaign finance act,"  
by amending section 47 (MCL 169.247), as amended by 1996 PA 225.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 47. (1) Except as otherwise provided in this subsec-  
2 tion, a billboard, placard, poster, pamphlet, or other printed  
3 matter having reference to an election, a candidate, or a ballot  
4 question ~~—, shall bear upon it~~ INCLUDE the name and address of  
5 the person paying for the PRINTED matter. Except as otherwise  
6 provided in this subsection, if the printed matter relating to a  
7 candidate is an independent expenditure that is not authorized in  
8 writing by the candidate committee of that candidate, the printed  
9 matter shall contain the following disclaimer: "Not authorized  
10 by any candidate committee". An individual other than a  
11 candidate is not subject to this subsection if the individual is

1 acting independently and not acting as an agent for a candidate  
2 or any committee.

3 (2) A radio or television paid advertisement having refer-  
4 ence to an election, a candidate, or a ballot question shall  
5 identify the sponsoring person as required by the federal commu-  
6 nications commission, shall ~~bear~~ INCLUDE the name of the person  
7 paying for the advertisement, and shall be in compliance with ALL  
8 OF the following:

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

13 (b) If the radio or television paid advertisement relates to  
14 a candidate and is not an independent expenditure but is paid for  
15 by a person other than the candidate to which it is related, the  
16 advertisement shall contain the following disclaimer:

17 "Authorized by .....".  
18 (name of candidate or name of candidate committee)

19 (3) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, MATE-  
20 RIAL POSTED BY A COMMITTEE ON THE INTERNET HAVING REFERENCE TO AN  
21 ELECTION, A CANDIDATE, OR A BALLOT QUESTION SHALL INCLUDE THE  
22 NAME AND ADDRESS OF THE PERSON SPONSORING THE POSTED MATERIAL.  
23 EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, IF THE POSTED  
24 MATERIAL RELATING TO A CANDIDATE IS AN INDEPENDENT EXPENDITURE  
25 THAT IS NOT AUTHORIZED IN WRITING BY THE CANDIDATE COMMITTEE OF  
26 THAT CANDIDATE, THE POSTED MATERIAL SHALL CONTAIN THE FOLLOWING  
27 DISCLAIMER: "NOT AUTHORIZED BY ANY CANDIDATE COMMITTEE". AN  
28 INDIVIDUAL OTHER THAN A CANDIDATE IS NOT SUBJECT TO THIS



1 SUBSECTION IF THE INDIVIDUAL IS ACTING INDEPENDENTLY AND NOT  
2 ACTING AS AN AGENT FOR A CANDIDATE OR ANY COMMITTEE. AS USED IN  
3 THIS SUBSECTION, "INTERNET" MEANS AN INTERCONNECTION OF INDIVID-  
4 UAL COMPUTERS AND COMPUTER NETWORKS AND THE FACILITIES AND EQUIP-  
5 MENT USED TO ACCESS THOSE INTERCONNECTED NETWORKS.

6 (4) ~~-(3)-~~ The size and placement of an identification or  
7 disclaimer required by this section shall be determined by rules  
8 promulgated by the secretary of state. The rules may exempt  
9 printed matter and certain other items such as campaign buttons  
10 or balloons, the size of which makes it unreasonable to add an  
11 identification or disclaimer, from the identification or dis-  
12 claimer required by this section.

13 (5) ~~-(4)-~~ A person who knowingly violates this section is  
14 guilty of a misdemeanor punishable by a fine of not more than  
15 \$1,000.00, or imprisonment for not more than 93 days, or both.