

# HOUSE BILL No. 6247

September 29, 2004, Introduced by Reps. Nofs, Hune and Gaffney and referred to the Committee on Government Operations.

A bill to amend 1976 PA 388, entitled  
"Michigan campaign finance act,"  
by amending section 47 (MCL 169.247), as amended by 2001 PA 250.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

1 individual other than a candidate is not subject to this  
2 subsection if the individual is acting independently and not  
3 acting as an agent for a candidate or any committee.

4 (2) A radio or television paid advertisement having reference  
5 to an election, a candidate, or a ballot question shall identify  
6 the sponsoring person as required by the federal communications  
7 commission, shall bear the name of the person paying for the  
8 advertisement, and shall be in compliance with subsection (3) and  
9 with the following:

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

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

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

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

27 (4) Except for a candidate committee's printed matter or

1 radio or television paid advertisements, each identification or  
2 disclaimer required by this section shall also indicate that the  
3 printed matter or radio or television paid advertisement is paid  
4 for "with regulated funds". Printed matter or a radio or  
5 television paid advertisement that is not subject to this act  
6 shall not bear the statement required by this subsection.

7       **(5) The purchaser of paid advertising that refers to an**  
8 **election, candidate, or ballot question and that includes a**  
9 **likeness of a candidate shall give that candidate at least 24**  
10 **hours' advance notice of the content and the proposed**  
11 **distribution medium for the advertisement before the purchaser**  
12 **allows its display, distribution, broadcast, or other public**  
13 **dissemination.**

14       **(6) —(5)—** A person who knowingly violates this section is  
15 guilty of a misdemeanor punishable by a fine of not more than  
16 \$1,000.00 —, or imprisonment for not more than 93 days, or  
17 both.