

# HOUSE BILL No. 6055

April 20, 2010, Introduced by Reps. Miller, Espinoza and Liss and referred to the Committee on Ethics and Elections.

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 54 (MCL 169.254), as amended by 1995 PA 264.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 54. (1) Except with respect to the exceptions and  
2 conditions in subsections (2) and (3) and section 55, and to loans  
3 made in the ordinary course of business, a corporation, joint stock  
4 company, domestic dependent sovereign, or labor organization shall  
5 not make a contribution ~~or expenditure~~ or provide volunteer  
6 personal services that are excluded from the definition of a  
7 contribution pursuant to section 4(3)(a).

8           (2) An officer, director, stockholder, attorney, agent, or any  
9 other person acting for a labor organization, a domestic dependent

1 sovereign, or a corporation or joint stock company, whether  
2 incorporated under the laws of this or any other state or foreign  
3 country, except corporations formed for political purposes, shall  
4 not make a contribution ~~or expenditure~~ or provide volunteer  
5 personal services that are excluded from the definition of a  
6 contribution pursuant to section 4(3)(a).

7 (3) A corporation, joint stock company, domestic dependent  
8 sovereign, or labor organization may make a contribution to a  
9 ballot question committee subject to this act. A

10 (4) **SUBJECT TO SUBSECTION (5),** A corporation, joint stock  
11 company, domestic dependent sovereign, or labor organization may  
12 make an independent expenditure. ~~in any amount for the~~  
13 ~~qualification, passage, or defeat of a ballot question. A~~  
14 ~~corporation, joint stock company, domestic dependent sovereign, or~~  
15 ~~labor organization that makes an independent expenditure under this~~  
16 ~~subsection is considered a ballot question committee for the~~  
17 ~~purposes of this act.~~

18 (5) **A CORPORATION MAY MAKE AN INDEPENDENT EXPENDITURE ONLY IF**  
19 **IT DISCLOSES THE AMOUNT AND NATURE OF THE INDEPENDENT EXPENDITURE**  
20 **TO EACH SHAREHOLDER AND A MAJORITY OF THE SHAREHOLDERS**  
21 **AFFIRMATIVELY CONSENT TO THE INDEPENDENT EXPENDITURE.**

22 (6) ~~(4)~~ A person who knowingly violates this section is guilty  
23 of a felony punishable, if the person is an individual, by a fine  
24 of not more than \$5,000.00 or imprisonment for not more than 3  
25 years, or both, or, if the person is not an individual, by a fine  
26 of not more than \$10,000.00.