

# HOUSE BILL No. 5164

December 4, 2013, Introduced by Reps. Schor, Segal, Slavens, Hovey-Wright, Kandrevas, Stanley, LaVoy, Dianda, Kivela, Brinks, Lamonte, Faris, Lane, Switalski, Yanez, Cavanagh, Durhal, Talabi, Barnett, Brunner, Rutledge, Roberts, Zemke, Irwin, Haugh, Abed, Cochran, Driskell, Kosowski and Oakes and referred to the Committee on Elections and Ethics.

A bill to amend 1976 PA 388, entitled  
"Michigan campaign finance act,"  
(MCL 169.201 to 169.282) by adding section 48.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           SEC. 48. (1) A PERSON WHO PAYS FOR THE PUBLICATION OR  
2 BROADCAST OF A COMMUNICATION THAT REFERENCES A CANDIDATE OR BALLOT  
3 QUESTION WITHIN 60 DAYS OF AN ELECTION WHERE THAT CANDIDATE OR  
4 BALLOT QUESTION IS ON THE BALLOT SHALL FILE A REPORT TO THE  
5 SECRETARY OF STATE UNDER SUBSECTION (2) WITHIN 7 DAYS OF THE DATE  
6 OF THE FIRST PUBLICATION OR BROADCAST OF THE COMMUNICATION.

7           (2) A REPORT REQUIRED UNDER SUBSECTION (1) SHALL BE FILED  
8 ELECTRONICALLY OVER THE INTERNET IN THE MANNER PRESCRIBED BY THE  
9 SECRETARY OF STATE. THE REPORT SHALL INCLUDE ALL OF THE FOLLOWING  
10 INFORMATION:

1 (A) THE NAME AND ADDRESS OF THE PERSON WHO PAID FOR THE  
2 COMMUNICATION.

3 (B) THE COST OF PUBLISHING OR BROADCASTING THE COMMUNICATION.

4 (C) THE FULL NAME AND STREET ADDRESS OF EACH PERSON FROM WHOM  
5 THE PERSON WHO PAID FOR THE PUBLICATION OR BROADCAST RECEIVED MONEY  
6 THAT WAS INTENDED BY THE PERSON GIVING THE MONEY TO BE USED OR THAT  
7 WAS ACTUALLY USED TO PAY FOR THE PUBLICATION OR BROADCAST, AND THE  
8 AMOUNT OF MONEY RECEIVED.

9 (3) WITHIN 24 HOURS AFTER RECEIVING THE INFORMATION UNDER  
10 SUBSECTION (2), THE SECRETARY OF STATE SHALL POST THAT INFORMATION  
11 ON THE SECRETARY OF STATE'S INTERNET WEBSITE.

12 (4) A PERSON WHO FAILS TO FILE A REPORT AS REQUIRED BY  
13 SUBSECTION (1) SHALL PAY A LATE FILING FEE THAT SHALL NOT EXCEED  
14 THE LESSER OF THE FOLLOWING:

15 (A) THE TOTAL AMOUNT OF THE COST OF PUBLISHING OR BROADCASTING  
16 THE COMMUNICATION.

17 (B) \$2,000.00, DETERMINED AS FOLLOWS:

18 (i) TWENTY-FIVE DOLLARS FOR EACH BUSINESS DAY THE REPORT  
19 REMAINS UNFILED.

20 (ii) AN ADDITIONAL \$25.00 FOR EACH BUSINESS DAY AFTER THE FIRST  
21 3 BUSINESS DAYS THE REPORT REMAINS UNFILED.

22 (iii) AN ADDITIONAL \$50.00 FOR EACH BUSINESS DAY AFTER THE FIRST  
23 10 BUSINESS DAYS THE REPORT REMAINS UNFILED.