

SENATE BILL No. 714

December 12, 2017, Introduced by Senator CASPERSON and referred to the Committee on Elections and Government Reform.

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
(MCL 169.201 to 169.282) by adding section 30a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 30A. (1) A PERSON SHALL NOT MAKE A CONTRIBUTION TO A
2 COMMITTEE OF A JUDGE OR SUPREME COURT JUSTICE IF THAT PERSON IS A
3 PARTY TO AN ACTION OR OTHER LEGAL MATTER PENDING BEFORE THAT JUDGE
4 OR JUSTICE.

5 (2) AN INDEPENDENT COMMITTEE OR A POLITICAL COMMITTEE SHALL
6 NOT MAKE A CONTRIBUTION TO A COMMITTEE OF A JUDGE OR SUPREME COURT
7 JUSTICE IF THAT INDEPENDENT OR POLITICAL COMMITTEE IS PRIMARILY
8 FUNDED BY MEMBERS OF A LIMITED LIABILITY COMPANY AND EITHER OF THE
9 FOLLOWING IS TRUE:

1 (A) THE LIMITED LIABILITY COMPANY IS A PARTY TO AN ACTION OR
2 OTHER LEGAL MATTER PENDING BEFORE THAT JUDGE OR JUSTICE.

3 (B) AN OFFICER, DIRECTOR, OR MANAGER OF THE LIMITED LIABILITY
4 COMPANY IS A PARTY TO AN ACTION OR OTHER LEGAL MATTER PENDING
5 BEFORE THAT JUDGE OR JUSTICE THAT RELATES IN ANY WAY TO THAT
6 PARTY'S CONDUCT AS AN OFFICER, DIRECTOR, OR MANAGER OF THAT LIMITED
7 LIABILITY COMPANY.

8 (3) FOR PURPOSES OF THIS SECTION, AN INDEPENDENT COMMITTEE OR
9 POLITICAL COMMITTEE IS PRIMARILY FUNDED BY MEMBERS OF A LIMITED
10 LIABILITY COMPANY IF MEMBERS OF THE LIMITED LIABILITY COMPANY
11 CONTRIBUTED 50% OR MORE OF THE TOTAL AMOUNT OF CONTRIBUTIONS TO THE
12 INDEPENDENT COMMITTEE OR POLITICAL COMMITTEE DURING THE 1-YEAR
13 PERIOD BEFORE THE DATE OF A CONTRIBUTION PROHIBITED BY THIS
14 SECTION.

15 (4) AN INDEPENDENT COMMITTEE OR POLITICAL COMMITTEE SHALL
16 INCLUDE WITH A CONTRIBUTION TO A COMMITTEE OF A JUDGE OR SUPREME
17 COURT JUSTICE A WRITTEN STATEMENT INDICATING WHETHER THAT
18 CONTRIBUTING COMMITTEE IS PRIMARILY FUNDED BY MEMBERS OF A LIMITED
19 LIABILITY COMPANY. IF THE CONTRIBUTING COMMITTEE IS PRIMARILY
20 FUNDED BY MEMBERS OF A LIMITED LIABILITY COMPANY, THE CONTRIBUTING
21 COMMITTEE SHALL DISCLOSE IN THE WRITTEN STATEMENT THE NAME AND
22 ADDRESS OF THE LIMITED LIABILITY COMPANY.

23 (5) A COMMITTEE OF AN INCUMBENT JUDGE OR SUPREME COURT JUSTICE
24 SHALL NOT ACCEPT A CONTRIBUTION FROM ANY OF THE FOLLOWING:

25 (A) A PERSON PROHIBITED FROM MAKING A CONTRIBUTION UNDER
26 SUBSECTION (1).

27 (B) AN INDEPENDENT OR POLITICAL COMMITTEE PROHIBITED FROM

1 MAKING A CONTRIBUTION UNDER SUBSECTION (2).

2 (C) AN INDEPENDENT OR POLITICAL COMMITTEE WITHOUT A WRITTEN
3 STATEMENT REQUIRED UNDER SUBSECTION (4).

4 (6) A PERSON THAT VIOLATES SUBSECTION (1) IS GUILTY OF A
5 MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN 3 TIMES THE
6 AMOUNT OF THE PROHIBITED CONTRIBUTION OR IMPRISONMENT FOR NOT MORE
7 THAN 1 YEAR, OR BOTH.

8 (7) A PERSON WHO AUTHORIZES A CONTRIBUTION BY AN INDEPENDENT
9 OR POLITICAL COMMITTEE PROHIBITED BY SUBSECTION (2) IS GUILTY OF A
10 MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN 3 TIMES THE
11 AMOUNT OF THE PROHIBITED CONTRIBUTION OR IMPRISONMENT FOR NOT MORE
12 THAN 1 YEAR, OR BOTH.

13 (8) AN INCUMBENT JUDGE OR SUPREME COURT JUSTICE WHOSE
14 COMMITTEE ACCEPTS A CONTRIBUTION PROHIBITED BY THIS SECTION IS
15 GUILTY OF A MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN 3
16 TIMES THE AMOUNT OF THE PROHIBITED CONTRIBUTION OR IMPRISONMENT FOR
17 NOT MORE THAN 1 YEAR, OR BOTH. A COMMITTEE IS CONSIDERED TO HAVE
18 ACCEPTED A CONTRIBUTION PROHIBITED BY THIS SECTION IF THE COMMITTEE
19 DOES NOT RETURN THE PROHIBITED CONTRIBUTION TO THE CONTRIBUTOR
20 WITHIN 7 DAYS AFTER RECEIVING THE CONTRIBUTION.

21 (9) THE TREASURER OF A COMMITTEE OF AN INCUMBENT JUDGE OR
22 SUPREME COURT JUSTICE THAT ACCEPTS A CONTRIBUTION IN VIOLATION OF
23 THIS SECTION IS GUILTY OF A MISDEMEANOR PUNISHABLE BY A FINE OF NOT
24 MORE THAN 3 TIMES THE AMOUNT OF THE PROHIBITED CONTRIBUTION OR
25 IMPRISONMENT FOR NOT MORE THAN 1 YEAR, OR BOTH. A COMMITTEE IS
26 CONSIDERED TO HAVE ACCEPTED A CONTRIBUTION PROHIBITED BY THIS
27 SECTION IF THE COMMITTEE DOES NOT RETURN THE PROHIBITED

- 1 CONTRIBUTION TO THE CONTRIBUTOR WITHIN 7 DAYS AFTER RECEIVING THE
- 2 CONTRIBUTION.