

HOUSE BILL NO. 5197

October 30, 2025, Introduced by Reps. Smit and Bruck and referred to Committee on Election Integrity.

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
by amending sections 7, 15, 24, 26, 51, and 54 (MCL 169.207,
169.215, 169.224, 169.226, 169.251, and 169.254), section 7 as
amended by 2001 PA 250, section 15 as amended by 2015 PA 269,
sections 24, 26, and 51 as amended by 2019 PA 93, and section 54 as
amended by 2023 PA 244, and by adding section 34a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) "Filed" means the receipt by the appropriate
2 filing official of a statement or report required to be filed under
3 this act.

4 (2) "Filer" means a person required to file a statement or
5 report under this act.

6 (3) "Filing official" means the official designated under this
7 act to receive required statements and reports.

8 (4) "Foreign national" means any of the following:

9 (a) An individual who is not a citizen or lawful permanent
10 resident of the United States.

11 (b) A government or government subdivision of a foreign
12 country or a municipality of a government or government subdivision
13 of a foreign country.

14 (c) A foreign political party.

15 (d) Any entity, business, or other combination of persons that
16 is organized under the laws of, or has its principal place of
17 business in, a foreign country.

18 (e) Any United States entity or business that is wholly or
19 majority owned by any foreign national, unless both of the
20 following apply:

21 (i) Any contribution or expenditure the entity or business
22 makes derives entirely from funds generated by the business's or
23 entity's United States operations.

24 (ii) All decisions concerning the contribution or expenditure
25 are made by individuals who are United States citizens or permanent
26 residents, except for setting overall budget amounts.

27 (5) ~~(4)~~—"Fund raising event" means an event such as a dinner,
28 reception, testimonial, rally, auction, or similar affair through
29 which contributions are solicited or received by purchase of a

1 ticket, payment of an attendance fee, making a donation, or
2 purchase of goods or services.

3 (6) ~~(5)~~—"Gift" means a payment, subscription, advance,
4 forbearance, rendering, or deposit of money, services, or anything
5 of value, unless consideration of equal or greater value is given
6 in exchange.

7 (7) ~~(6)~~—"Honorarium" means a payment of money to a person
8 holding elective office as consideration for an appearance, a
9 speech, an article, or any activity related to or associated with
10 the performance of duties as an elected official. An honorarium
11 does not include any of the following:

12 (a) Reimbursement for the cost of transportation,
13 accommodations, or meals for the person.

14 (b) Wages, salaries, other employee compensation, and expenses
15 authorized to be paid by this state or a political subdivision of
16 this state to the person holding elective office.

17 (c) An award.

18 Sec. 15. (1) The secretary of state shall do all of the
19 following:

20 (a) Make available through ~~his or her~~ **the secretary of state's**
21 offices, and furnish to county clerks, appropriate forms,
22 instructions, and manuals required by this act.

23 (b) Develop a filing, coding, and cross-indexing system for
24 the filing of required reports and statements consistent with this
25 act, and supervise the implementation of the filing systems by the
26 clerks of the counties.

27 (c) Receive all statements and reports required by this act to
28 be filed with the secretary of state.

29 (d) Prepare forms, instructions, and manuals required under

1 this act.

2 (e) Promulgate rules and issue declaratory rulings to
3 implement this act in accordance with the administrative procedures
4 act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

5 (f) ~~Upon~~**On** receipt of a written request and the required
6 filing, waive payment of a late filing fee if the request for the
7 waiver is based on good cause and accompanied by adequate
8 documentation. One or more of the following reasons constitute good
9 cause for a late filing fee waiver:

10 (i) The incapacitating physical illness, hospitalization,
11 accident involvement, death, or incapacitation for medical reasons
12 of ~~a person~~**an individual** required to file, ~~a person~~**an individual**
13 whose participation is essential to the preparation of the
14 statement or report, or a member of the immediate family of these
15 ~~persons~~**individuals**.

16 (ii) Other unique, unintentional factors beyond the filer's
17 control not stemming from a negligent act or nonaction so that a
18 reasonably prudent person would excuse the filing on a temporary
19 basis. These factors include the loss or unavailability of records
20 due to a fire, flood, theft, or similar reason and difficulties
21 related to the transmission of the filing to the filing official,
22 such as exceptionally bad weather or strikes involving
23 transportation systems.

24 (2) ~~A~~**The secretary of state shall issue a** declaratory ruling
25 ~~shall be issued~~ under this section only if the person requesting
26 the ruling has provided a reasonably complete statement of facts
27 necessary for the ruling or if the person requesting the ruling
28 has, with the permission of the secretary of state, supplied
29 supplemental facts necessary for the ruling. A request for a

1 declaratory ruling that is submitted to the secretary of state
2 ~~shall~~**must** be made available for public inspection ~~within~~**not later**
3 **than** 48 hours after its receipt. An interested person may submit
4 written comments regarding the request to the secretary of state
5 ~~within~~**not later than** 10 business days after the date the request
6 is made available to the public. ~~Within~~**Not later than** 45 business
7 days after receiving a declaratory ruling request, the secretary of
8 state shall make a proposed response available to the public. An
9 interested person may submit written comments regarding the
10 proposed response to the secretary of state ~~within~~**not later than** 5
11 business days after the date the proposal is made available to the
12 public. Except as otherwise provided in this section, the secretary
13 of state shall issue a declaratory ruling ~~within~~**not later than** 60
14 business days after a request for a declaratory ruling is received.
15 If the secretary of state refuses to issue a declaratory ruling,
16 the secretary of state shall notify the person making the request
17 of the reasons for the refusal and shall issue an interpretative
18 statement providing an informational response to the question
19 presented within the same time limitation applicable to a
20 declaratory ruling. A declaratory ruling or interpretative
21 statement issued under this section ~~shall~~**must** not state a general
22 rule of law, other than that which is stated in this act, until the
23 general rule of law is promulgated by the secretary of state as a
24 rule under the administrative procedures act of 1969, 1969 PA 306,
25 MCL 24.201 to 24.328, or under judicial order.

26 (3) Under extenuating circumstances, the secretary of state
27 may issue a notice extending for not more than 30 business days the
28 period during which the secretary of state shall respond to a
29 request for a declaratory ruling. The secretary of state shall not

1 issue more than 1 notice of extension for a particular request. A
2 person requesting a declaratory ruling may waive, in writing, the
3 time limitations provided by this section.

4 (4) The secretary of state shall make available to the public
5 an annual summary of the declaratory rulings and interpretative
6 statements issued by the secretary of state.

7 (5) A person may file with the secretary of state a complaint
8 that alleges a violation of this act. ~~Within~~**Not later than** 5
9 business days after a complaint that meets the requirements of
10 subsection (6) is filed, the secretary of state shall give notice
11 to the person against whom the complaint is filed. The notice ~~shall~~
12 **must** include a copy of the complaint. ~~Within~~**Not later than** 15
13 business days after this notice is mailed, the person against whom
14 the complaint was filed may submit a response to the secretary of
15 state. The secretary of state may extend the period for submitting
16 a response an additional 15 business days for good cause. The
17 secretary of state shall provide a copy of a response received to
18 the complainant. ~~Within~~**Not later than** 10 business days after the
19 response is mailed, the complainant may submit a rebuttal statement
20 to the secretary of state. The secretary of state may extend the
21 period for submitting a rebuttal statement an additional 10
22 business days for good cause. The secretary of state shall provide
23 a copy of the rebuttal statement to the person against whom the
24 complaint was filed.

25 (6) A complaint filed under subsection (5) ~~shall~~**must** satisfy
26 all of the following requirements:

27 (a) Be signed by the complainant.

28 (b) State the name, address, and telephone number of the
29 complainant.

1 (c) Include the complainant's certification that, to the best
2 of the complainant's knowledge, information, and belief, formed
3 after a reasonable inquiry under the circumstances, each factual
4 contention of the complaint is supported by evidence. However, if,
5 after a reasonable inquiry under the circumstances, the complainant
6 is unable to certify that certain factual contentions are supported
7 by evidence, the complainant may certify that, to the best of ~~his~~
8 ~~or her~~ **the complainant's** knowledge, information, or belief, there
9 are grounds to conclude that those specifically identified factual
10 contentions are likely to be supported by evidence after a
11 reasonable opportunity for further inquiry.

12 (7) The secretary of state shall develop a form that satisfies
13 the requirements of subsection (6) and may be used for the filing
14 of complaints.

15 (8) A person who files a complaint with a false certificate
16 under subsection (6)(c) is responsible for a civil violation of
17 this act. A person may file a complaint under subsection (5)
18 alleging that another person has filed a complaint with a false
19 certificate under subsection (6)(c).

20 (9) The secretary of state shall investigate the allegations
21 under the rules promulgated under this act. If the violation
22 involves the secretary of state, the immediate family of the
23 secretary of state, or a campaign or committee with which the
24 secretary of state is connected, directly or indirectly, the
25 secretary of state shall refer the matter to the attorney general
26 to determine whether a violation of this act has occurred.

27 (10) ~~No~~ **Not** later than 45 business days after receipt of a
28 rebuttal statement submitted under subsection (5), or if no
29 response or rebuttal is received under subsection (5), the

1 secretary of state shall post on the secretary of state's ~~Internet~~
2 website whether or not there may be reason to believe that a
3 violation of this act has occurred. When the secretary of state
4 determines whether there may be reason to believe that a violation
5 of this act occurred or did not occur or determines to terminate
6 its proceedings, the secretary of state shall, ~~within~~**not later**
7 **than** 30 days ~~of~~**after** that determination, post on the secretary of
8 state's ~~Internet~~-website any complaint, response, or rebuttal
9 statement received under subsection (5) regarding that violation or
10 alleged violation and any correspondence that is dispositive of
11 that violation or alleged violation between the secretary of state
12 and the complainant or the person against whom the complaint was
13 filed. If the secretary of state determines that there may be
14 reason to believe that a violation of this act occurred, the
15 secretary of state shall endeavor to correct the violation or
16 prevent a further violation by using informal methods such as a
17 conference, conciliation, or persuasion, and may enter into a
18 conciliation agreement with the person involved. Unless violated, a
19 conciliation agreement is a complete bar to any further civil or
20 criminal action with respect to matters covered in the conciliation
21 agreement. The secretary of state shall, ~~within~~**not later than** 30
22 days after a conciliation agreement is signed, post that agreement
23 on the secretary of state's ~~Internet~~-website. If, after 90 business
24 days, the secretary of state is unable to correct or prevent
25 further violation by these informal methods, the secretary of state
26 shall do either of the following:

27 (a) Refer the matter to the attorney general for the
28 enforcement of any criminal penalty provided by this act.

29 (b) Commence a hearing as provided in subsection (11) for

1 enforcement of any civil violation.

2 (11) The secretary of state may commence a hearing to
3 determine whether a civil violation of this act has occurred. The
4 hearing ~~shall~~**must** be conducted in accordance with the procedures
5 set forth in chapter 4 of the administrative procedures act of
6 1969, 1969 PA 306, MCL 24.271 to ~~24.287.~~**24.288.** If after a hearing
7 the secretary of state determines that a violation of this act has
8 occurred, the secretary of state may issue an order requiring the
9 person to pay a civil fine not more than triple the amount of the
10 improper contribution or expenditure plus not more than \$1,000.00
11 for each violation.

12 (12) A final decision and order issued by the secretary of
13 state is subject to judicial review as provided by chapter 6 of the
14 administrative procedures act of 1969, 1969 PA 306, MCL 24.301 to
15 24.306. The secretary of state shall deposit a civil fine imposed
16 under this section in the general fund. The secretary of state may
17 bring an action in circuit court to recover the amount of a civil
18 fine.

19 (13) When a report or statement is filed under this act, the
20 secretary of state shall review the report or statement and may
21 investigate an apparent violation of this act under the rules
22 promulgated under this act. If the secretary of state determines
23 that there may be reason to believe a violation of this act has
24 occurred and the procedures prescribed in subsection (10) have been
25 complied with, the secretary of state may refer the matter to the
26 attorney general for the enforcement of a criminal penalty provided
27 by this act, or commence a hearing under subsection (11) to
28 determine whether a civil violation of this act has occurred.

29 (14) ~~No~~**Not** later than 60 business days after a matter is

1 referred to the attorney general for enforcement of a criminal
2 penalty, the attorney general shall determine whether to proceed
3 with enforcement of that penalty.

4 (15) Unless otherwise specified in this act, a person who
5 violates a provision of this act is subject to a civil fine of not
6 more than \$1,000.00 for each violation. A civil fine is in addition
7 to, but not limited by, a criminal penalty prescribed by this act.

8 (16) In addition to any other sanction provided for by this
9 act, the secretary of state may require a person who files a
10 complaint with a false certificate under subsection (6)(c) to do
11 either or both of the following:

12 (a) Pay to the secretary of state some or all of the expenses
13 incurred by the secretary of state as a direct result of the filing
14 of the complaint.

15 (b) Pay to the person against whom the complaint was filed
16 some or all of the expenses, including, but not limited to,
17 reasonable attorney fees incurred by that person in proceedings
18 under this act as a direct result of the filing of the complaint.

19 (17) ~~Except as otherwise provided in section 57, there~~ **There**
20 is no private right of action, either in law or in equity, under
21 this act. ~~Except as otherwise provided in section 57, the~~ **The**
22 remedies provided in this act are the exclusive means by which this
23 act may be enforced and by which any harm resulting from a
24 violation of this act may be redressed. The criminal penalties
25 provided by this act may only be enforced by the attorney general
26 and only upon referral by the secretary of state as provided under
27 subsection (10) or (13).

28 (18) The secretary of state may waive the filing of a campaign
29 statement required under section 33, 34, or 35 if the closing date

1 of the particular campaign statement falls on the same or a later
 2 date as the closing date of the next campaign statement filed by
 3 the same person, or if the period that would be otherwise covered
 4 by the next campaign statement filed by the same person is 10 days
 5 or less.

6 (19) If the secretary of state or attorney general is
 7 conducting an investigation or proceeding under this section for a
 8 complaint related to a violation of this act by a foreign national
 9 and a tax-exempt organization is involved or implicated, the
 10 disclosure of the information or identity of donors to the tax-
 11 exempt organization is prohibited, except as to the information
 12 directly related to the alleged violation of this act. Except for
 13 information directly related to the alleged violation of this act,
 14 the donor information under this subsection is exempt from
 15 disclosure under the freedom of information act, 1976 PA 442, MCL
 16 15.231 to 15.246. As used in this subsection, "tax-exempt
 17 organization" means an organization exempt from taxation under
 18 section 501(c) of the internal revenue code of 1986, 26 USC 501.

19 (20) ~~(19)~~—The clerk of each county shall do all of the
 20 following:

21 (a) Make available through the county clerk's office the
 22 appropriate forms, instructions, and manuals required by this act.

23 (b) Under the supervision of the secretary of state, implement
 24 the filing, coding, and cross-indexing system prescribed for the
 25 filing of reports and statements required to be filed with the
 26 county clerk's office.

27 (c) Receive all statements and reports required by this act to
 28 be filed with the county clerk's office.

29 (d) ~~Upon~~ **On** written request, waive the payment of a late

1 filing fee if the request for a waiver is based on good cause as
2 prescribed in subsection (1)(f).

3 Sec. 24. (1) A committee shall file a statement of
4 organization with the filing officials designated in section 36 to
5 receive the committee's campaign statements. A committee shall file
6 a statement of organization ~~within~~**not later than** 10 days after the
7 committee is formed. A filing official shall maintain a statement
8 of organization filed by a committee until 5 years after the
9 official date of the committee's dissolution. A person who fails to
10 file a statement of organization required by this subsection shall
11 pay a late filing fee of \$10.00 for each business day the statement
12 remains not filed in violation of this subsection. The late filing
13 fee must not exceed \$300.00. A person who violates this subsection
14 by failing to file for more than 30 days after a statement of
15 organization is required to be filed is guilty of a misdemeanor
16 punishable by a fine of not more than \$1,000.00.

17 (2) The statement of organization required to be filed under
18 subsection (1) must include the following information:

19 (a) The name, street address, and, if available, the
20 ~~electronic mail~~**email** address and telephone number of the
21 committee, and the ~~electronic mail~~**email** address of the candidate.
22 If a committee is a candidate committee, the committee name must
23 include the first and last name of the candidate. A committee
24 address may be the home address of the candidate or treasurer of
25 the committee.

26 (b) The name, street address, and, if available, the
27 ~~electronic mail~~**email** address and telephone number of the treasurer
28 or other individual designated as responsible for the committee's
29 record keeping, report preparation, or report filing.

1 (c) The name and address of the financial institution in which
2 the official committee depository is or is intended to be located,
3 and the name and address of each financial institution in which a
4 secondary depository is or is intended to be located.

5 (d) The full name of the office being sought by, including
6 district number or jurisdiction, and the county residence of each
7 candidate supported or opposed by the committee.

8 (e) A brief statement identifying the substance of each ballot
9 question supported or opposed by the committee. If the ballot
10 question supported or opposed by the committee is a local ballot
11 question, the committee shall identify the county in which the
12 greatest number of registered voters eligible to vote on the ballot
13 question reside.

14 (f) Identification of the committee as a candidate committee,
15 political party committee, independent committee, independent
16 expenditure committee, political committee, or ballot question
17 committee if it is identifiable as such a committee.

18 **(g) If the committee is a ballot question committee, a**
19 **certification that no preliminary activity was directly or**
20 **indirectly funded by a foreign national. As used in this**
21 **subdivision, "preliminary activity" includes, but is not limited**
22 **to, conducting a poll, focus group, or telephone calls, drafting**
23 **ballot measure language, or travel.**

24 (3) An independent committee or political committee shall
25 include in the name of the committee the name of the person or
26 persons that sponsor the committee, if any, or with whom the
27 committee is affiliated. A person, other than an individual or a
28 committee, sponsors or is affiliated with an independent committee
29 or political committee if that person establishes, directs,

1 controls, or financially supports the administration of the
2 committee. For the purposes of this subsection, a person does not
3 financially support the administration of a committee by merely
4 making a contribution to the committee.

5 (4) If any of the information required in a statement of
6 organization is changed, the committee shall file an amendment when
7 the next campaign statement is required to be filed.

8 (5) When filing a statement of organization, a committee,
9 other than an independent committee, a political committee, or a
10 political party committee, may indicate in a written statement
11 signed by the treasurer of the committee that the committee does
12 not expect for each election to receive an amount in excess of
13 \$1,000.00 or expend an amount in excess of \$1,000.00. The treasurer
14 of a committee of an incumbent judge or supreme court justice is
15 considered to have made the statement required under this
16 subsection following appointment or election of that judge or
17 justice and is not required to file a written statement under this
18 subsection indicating that the committee does not expect for each
19 election to receive or expend an amount in excess of \$1,000.00.

20 (6) When filing a statement of organization, an independent
21 committee, an independent expenditure committee, a political
22 committee, or a political party committee may indicate in a written
23 statement signed by the treasurer of the committee that the
24 committee does not expect in a calendar year to receive or expend
25 an amount in excess of \$1,000.00.

26 (7) ~~Upon~~ **On** the dissolution of a committee, the committee
27 shall file a statement indicating dissolution with the filing
28 officials with whom the committee's statement of organization was
29 filed. Dissolution of a committee must be accomplished pursuant to

1 rules promulgated by the secretary of state under the
2 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
3 24.328.

4 (8) A candidate committee that files a written statement under
5 subsection (5) or that is considered to have made a statement under
6 subsection (5) is not required to file a dissolution statement
7 under subsection (7) if the committee failed to receive or expend
8 an amount in excess of \$1,000.00 and 1 of the following applies:

9 (a) The candidate was defeated in an election and has no
10 outstanding campaign debts or assets.

11 (b) The candidate vacates an elective office and has no
12 outstanding campaign debts or assets.

13 (9) A political committee organized for the purpose of making
14 independent expenditures formed before December 31, 2019 is
15 considered an independent expenditure committee. The secretary of
16 state may amend the statement of organization for any committee
17 affected by this subsection.

18 Sec. 26. (1) A campaign statement of a committee, other than a
19 political party committee, required ~~by~~**under** this act must contain
20 all of the following information:

21 (a) The filing committee's name, address, and telephone
22 number, and the full name, residential and business addresses,
23 ~~electronic mail~~**email** address, and telephone numbers of the
24 committee treasurer or other individual designated as responsible
25 for the committee's record keeping, report preparation, or report
26 filing.

27 (b) Under the heading "receipts", the total amount of
28 contributions received during the period covered by the campaign
29 statement; under the heading "expenditures", the total amount of

1 expenditures made during the period covered by the campaign
2 statement; and the cumulative amount of those totals. Forgiveness
3 of a loan must not be included in the totals. Payment of a loan by
4 a third party must be recorded and reported as an in-kind
5 contribution by the third party. In-kind contributions or
6 expenditures must be listed at fair market value and reported as
7 both contributions and expenditures. A contribution or expenditure
8 that is by other than completed and accepted payment, gift, or
9 other transfer, that is clearly not legally enforceable, and that
10 is expressly withdrawn or rejected and returned before a campaign
11 statement closing date need not be included in the campaign
12 statement and if included may, in a later or amended statement, be
13 shown as a deduction, but the committee shall keep adequate records
14 of each instance.

15 (c) The balance of cash on hand at the beginning and the end
16 of the period covered by the campaign statement.

17 (d) The following information regarding each fund-raising
18 event must be included in the report:

19 (i) The type of event, date held, address and name, if any, of
20 the place where the activity was held, and approximate number of
21 individuals participating or in attendance.

22 (ii) The total amount of all contributions.

23 (iii) The gross receipts of the fund-raising event.

24 (iv) The expenditures incident to the event.

25 (e) The full name of each individual from whom contributions
26 are received during the period covered by the campaign statement,
27 together with the individual's street address, the amount
28 contributed, the date on which each contribution was received, and
29 the cumulative amount contributed by that individual. The

1 occupation, employer, and principal place of business must be
 2 stated if the individual's cumulative contributions are more than
 3 \$100.00. For contributions of \$5.00 or less by an individual to a
 4 political committee or independent committee, the secretary of
 5 state shall accept for filing any written communication from the
 6 political committee or independent committee that contains the
 7 information otherwise required under this subsection. Any written
 8 communication under this subdivision does not need to contain an
 9 original signature.

10 (f) ~~The~~ **Except those individuals reported under subdivision**
 11 **(e), the** cumulative amount contributed and the name and address of
 12 each individual ~~, except those individuals reported under~~
 13 ~~subdivision (e),~~ who contributed to the committee. The occupation,
 14 employer, and principal place of business must be stated for each
 15 individual who contributed more than \$100.00.

16 (g) The name and street address of each person, other than an
 17 individual, from whom contributions are received during the period
 18 covered by the campaign statement, together with an itemization of
 19 the amounts contributed, the date on which each contribution was
 20 received, and the cumulative amount contributed by that person.

21 (h) The name, address, and amount given by an individual who
 22 contributed to the total amount contributed by a person who is
 23 other than a committee or an individual. The occupation, employer,
 24 and principal place of business must be stated if the individual
 25 contributed more than \$100.00 of the total amount contributed by a
 26 person who is other than a committee or an individual.

27 (i) ~~The~~ **Except for expenditures made to or on behalf of**
 28 **another committee, candidate, or ballot question, the** cumulative
 29 total of expenditures and other disbursements totaling \$50.00 or

1 less to any person made during the period covered by the campaign
2 statement. ~~except for expenditures made to or on behalf of another~~
3 ~~committee, candidate, or ballot question.~~

4 (j) The full name and street address of each person to whom
5 expenditures or other disbursements totaling more than \$50.00 were
6 made, together with the amount of each separate expenditure or
7 disbursement to each person during the period covered by the
8 campaign statement; the purpose of the expenditure or disbursement;
9 the full name and street address of the person providing the
10 consideration for which any expenditure or disbursement was made if
11 different from the payee; the itemization regardless of amount of
12 each expenditure made to or on behalf of another committee,
13 candidate, or ballot question; and the cumulative amount of
14 expenditures for or against that candidate or ballot question for
15 an election cycle. An expenditure made in support of more than 1
16 candidate or ballot question, or both, must be apportioned
17 reasonably among the candidates or ballot questions, or both.

18 (2) A candidate committee or ballot question committee shall
19 report all cumulative amounts required ~~by~~**under** this section on a
20 per election cycle basis. Except as provided in subsection (1)(j),
21 an independent committee, independent expenditure committee, or
22 political committee shall report all cumulative amounts **as** required
23 ~~by~~**under** this section on a calendar year basis.

24 (3) A campaign statement of a committee, in addition to the
25 other information required ~~by~~**under** this section, must include an
26 itemized list of all expenditures during the reporting period for
27 election day busing of electors to the polls, get-out-the-vote
28 activities, slate cards, challengers, poll watchers, and poll
29 workers.

(4) A campaign statement of a ballot question committee, in addition to the other information required under this section, must include all of the following:

(a) An affirmation that the committee has not knowingly or willfully received, solicited, or accepted contributions or expenditures from a foreign national.

(b) An affirmation that the donor associated with each contribution is not a foreign national and has not knowingly or willfully received, solicited, or accepted contributions or expenditures more than \$100,000.00 in aggregate from foreign nationals in the 4 years immediately preceding the date of the contribution.

(5) ~~(4)~~—For a reporting period in which a contribution is received that is to be part of a bundled contribution or a reporting period in which a bundled contribution is delivered to the candidate committee of a candidate for statewide elective office, a bundling committee shall report to the secretary of state, on a form provided by the secretary of state, all of the following information, as applicable, about each contribution received or delivered as part of a bundled contribution, and about each bundled contribution delivered, in the reporting period:

(a) The amount of each contribution, the date it was received by the bundling committee, and the candidate for statewide elective office whom the contributor designated as the intended recipient.

(b) Each contributor's name and address and, for each contribution exceeding \$100.00, the contributor's occupation, employer, and principal place of business.

(c) The date each contribution is delivered to the candidate's statewide elective office candidate committee.

1 (d) The total amount of bundled contributions delivered to
2 that candidate committee during the reporting period and during the
3 election cycle.

4 (6) ~~(5)~~—With its delivery of a bundled contribution to the
5 candidate committee of a candidate for statewide elective office, a
6 bundling committee shall deliver a report to that candidate
7 committee, on a form provided by the secretary of state, that
8 includes all of the following information, as applicable, about
9 each contribution delivered as part of the bundled contribution,
10 and about all bundled contributions delivered to that candidate
11 committee in the election cycle:

12 (a) The amount of each contribution, the date it was received
13 by the bundling committee, and the statewide elective office
14 candidate the contributor designated as the intended recipient.

15 (b) Each contributor's name and address and, for each
16 contribution exceeding \$100.00, the contributor's occupation,
17 employer, and principal place of business.

18 (c) The total amount of bundled contributions delivered to
19 that candidate committee during the reporting period and during the
20 election cycle.

21 (7) ~~(6)~~—For a reporting period in which a bundled contribution
22 is received, a candidate committee of a candidate for statewide
23 elective office shall report to the secretary of state, on a form
24 provided by the secretary of state, all of the following
25 information, as applicable, about each contribution delivered as
26 part of a bundled contribution received in the reporting period and
27 about all bundled contributions received by that candidate
28 committee:

29 (a) The amount of each contribution, the date it was received

1 by the candidate committee, and the name of the bundling committee
2 that delivered the contribution.

3 (b) Each contributor's name and address and, for each
4 contribution exceeding \$100.00, the contributor's occupation,
5 employer, and principal place of business.

6 (c) The total amount of bundled contributions received by that
7 candidate committee during the reporting period and during the
8 election cycle.

9 (8) ~~(7)~~—For a reporting period in which a connected
10 organization of a separate segregated fund makes a payment for a
11 prize or 1 or more items authorized under section 55(8), the
12 separate segregated fund shall report all of the following, as
13 applicable:

14 (a) The amount of any payment of costs for a prize, the value
15 of the prize, the amount raised by the prize, and the amount, if
16 any, reimbursed to the connected organization by the separate
17 segregated fund for the prize.

18 (b) The amount per item of any payment of costs for items to
19 be sold or offered in return for a contribution as part of
20 ~~fundraising~~ **fund-raising** activities for the separate segregated
21 fund, the amount per item that each item is offered at or offered
22 for sale at, the value of each item, the aggregate amount paid for
23 those items, and the amount, if any, reimbursed to the connected
24 organization by the separate segregated fund for any items. If 1 or
25 more of the same items are sold or offered in return for a
26 contribution, a report by item type satisfies the reporting
27 requirement under this subdivision.

28 (9) ~~(8)~~—As used in subsection ~~(7)~~, **(8)**, "value" means the
29 regular purchase price offered by the vendor from whom an item is

1 purchased, less any customary discount offered based on the number
2 of items purchased in the same transaction.

3 **Sec. 34a. (1) A ballot question committee shall not knowingly**
4 **or willfully receive, solicit, or accept contributions or**
5 **expenditures from a foreign national, whether directly or**
6 **indirectly.**

7 **(2) After a ballot question committee receives a contribution,**
8 **the ballot question committee shall obtain from the donor an**
9 **affirmation that the donor is not a foreign national and has not**
10 **knowingly or willfully received, solicited, or accepted**
11 **contributions or expenditures more than \$100,000.00 in aggregate**
12 **from foreign nationals in the 4 years immediately preceding the**
13 **date of the contribution.**

14 **(3) A ballot question committee shall return a contribution**
15 **made by a person prohibited from making a contribution under**
16 **subsection (1) not later than 30 business days after receiving the**
17 **contribution.**

18 **(4) A person that violates this section is subject to a civil**
19 **fine of not more than double the amount of the undisclosed**
20 **contribution.**

21 **Sec. 51. (1) A person, other than a committee, that makes an**
22 **independent expenditure, advocating the election or defeat of a**
23 **candidate or the qualification, passage, or defeat of a ballot**
24 **question, in an amount of \$100.01 or more in a calendar year shall**
25 **file a report of the independent expenditure, ~~within~~ not later than**
26 **10 days after making that independent expenditure, with the clerk**
27 **of the county of residence of that person. If the independent**
28 **expenditure advocates the election or defeat of a candidate for**
29 **state elective office or for judicial office, or for the**

1 qualification, passage, or defeat of a statewide ballot question,
2 or if the person making the independent expenditure is not a
3 resident of this state, the person shall file the report with the
4 secretary of state in lieu of filing with a clerk of a county. The
5 report required under this section must be made on an independent
6 expenditure report form provided by the secretary of state, include
7 the date of the expenditure, a brief description of the nature of
8 the expenditure, the amount, the name and address of the person to
9 whom it was paid, the name and address of the person filing the
10 report, together with the name, address, occupation, employer, and
11 principal place of business of each person that contributed \$100.01
12 or more to the expenditure, and identify the candidate or ballot
13 question for or against which the independent expenditure was made.
14 **If the independent expenditure advocates for the qualification,**
15 **passage, or defeat of a statewide ballot question, the report must**
16 **include an affirmation that the person making the independent**
17 **expenditure has not knowingly or willfully accepted more than**
18 **\$100,000.00 in aggregate from foreign nationals in the 4 years**
19 **immediately preceding the date the expenditure is made and that the**
20 **entity will not knowingly or willfully accept more than \$100,000.00**
21 **in aggregate from foreign nationals through the date of the**
22 **election in which the ballot question will appear on the ballot.**
23 The filing official receiving the report shall forward copies, as
24 required, to the appropriate filing officers as described in
25 section 36.

26 (2) If a person fails to file a report as required under this
27 section, that person shall pay a late filing fee. If the person has
28 made independent expenditures totaling less than \$10,000.00, the
29 late filing fee is \$25.00 for each business day the report remains

unfiled, but not to exceed \$1,000.00. If the person has made independent expenditures totaling \$10,000.00 or more, the late filing fee is \$50.00 for each business day the report remains unfiled, but not to exceed \$5,000.00. A person that violates this subsection by failing to file a report required under this section for more than 30 days after the report is required to be filed is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$1,000.00, or both.

Sec. 54. (1) Except as otherwise provided in this section and section 55, and except with respect to loans made in the ordinary course of business, a corporation, joint stock company, domestic dependent sovereign, or labor organization shall not make a contribution or expenditure or provide volunteer personal services that are excluded from the definition of a contribution under section 4(3)(a).

(2) An officer, director, stockholder, attorney, agent, or any other person acting for a labor organization, a domestic dependent sovereign, or a corporation or joint stock company, whether incorporated under the laws of this or any other state or foreign country, except corporations formed for political purposes, shall not make a contribution or expenditure or provide volunteer personal services that are excluded from the definition of a contribution under section 4(3)(a).

(3) ~~A-Except as otherwise provided in this section, a~~ corporation, joint stock company, domestic dependent sovereign, or labor organization may make a contribution to a ballot question committee or independent expenditure committee subject to this act. ~~A-Except as otherwise provided in this section, a~~ corporation, joint stock company, domestic dependent sovereign, or labor

1 organization may make an independent expenditure in any amount
2 advocating for the election or defeat of a candidate, or the
3 qualification, passage, or defeat of a ballot question and does not
4 for this reason become a committee, unless it solicits or receives
5 contributions in excess of \$500.00 for the purpose of making the
6 independent expenditure, but is subject to the independent
7 expenditure reporting requirements under section 51.

8 (4) A foreign national shall not do any of the following:

9 (a) Make a contribution, independent expenditure, or
10 expenditure to promote or defeat a ballot question or to qualify a
11 question for placement on the ballot.

12 (b) Solicit, directly or indirectly, a donation, contribution,
13 or expenditure by another person to promote or defeat a ballot
14 question or to qualify a question for placement on the ballot.

15 (c) Direct, dictate, control, or, directly or indirectly,
16 participate in the decision-making process of a person to promote
17 or defeat a ballot question or to qualify a question for placement
18 on the ballot.

19 (5) A foreign national shall not make a contribution or
20 donation to any other person or entity with the express or implied
21 condition that the contribution or donation or any part of it be
22 used for any purpose prohibited under subsection (4).

23 (6) No individual, candidate, political party, committee, or
24 separate segregated fund shall, directly or indirectly through
25 another person or entity, knowingly do either of the following:

26 (a) Solicit, accept, or receive money from a foreign national
27 for any purpose prohibited under subsection (4).

28 (b) Make a contribution, expenditure, or independent
29 expenditure using money received from a foreign national for any

1 **purpose prohibited under subsection (4).**

2 (7) ~~(4)~~—A person that knowingly violates this section is
3 guilty of a felony punishable, if the person is an individual, by
4 imprisonment for not more than 3 years or a fine of not more than
5 \$5,000.00, or both, or, if the person is not an individual, by a
6 fine of not more than \$10,000.00.