

MICHIGAN CAMPAIGN FINANCE ACT (EXCERPT)
Act 388 of 1976

169.254 Contributions, expenditures, or volunteer personal services by corporation, joint stock company, domestic dependent sovereign, or labor organization; contribution to ballot question committee or independent expenditure committee; independent expenditures as to ballot questions; violation; penalty.

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 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 corporation, joint stock company, domestic dependent sovereign, or labor organization may make an independent expenditure in any amount advocating for the election or defeat of a candidate, or the qualification, passage, or defeat of a ballot question and does not for this reason become a committee, unless it solicits or receives contributions in excess of \$500.00 for the purpose of making the independent expenditure, but is subject to the independent expenditure reporting requirements under section 51.

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

History: 1976, Act 388, Eff. June 1, 1977 ;-- Am. 1989, Act 95, Imd. Eff. June 21, 1989 ;-- Am. 1994, Act 117, Eff. Apr. 1, 1995 ;-- Am. 1995, Act 264, Eff. Mar. 28, 1996 ;-- Am. 2015, Act 269, Imd. Eff. Jan. 6, 2016 ;-- Am. 2017, Act 119, Imd. Eff. Sept. 20, 2017 ;-- Am. 2019, Act 93, Imd. Eff. Oct. 10, 2019 ;-- Am. 2023, Act 244, Eff. Feb. 13, 2024

Constitutionality: Subsection (1) of this section does not violate the First Amendment and does not violate the Equal Protection Clause of the Fourteenth Amendment of the US Constitution. *Austin v Michigan Chamber of Commerce*, 494 US 652; 110 S Ct 1391; 108 L Ed 2d 652 (1990).

Compiler's Notes: Section 2 of Act 264 of 1995 provides: "If any portion of this amendatory act or the application of this amendatory act to any person or circumstance is found to be invalid by a court, the invalidity does not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if those remaining portions are not determined by the court to be inoperable. To this end, this amendatory act is declared to be severable."