

Proposal 2 of 2026: Summary and Analysis

By Michael Van Beek

Oct. 7, 2026 | S2026-10 | ISBN: 978-1-968605-10-0

Introduction

Michigan voters will be asked to approve or reject Proposal 2 on Nov. 3, 2026.* The proposal is voter-initiated legislation that would amend the state's campaign finance laws.†

These laws govern how political money can be raised and spent in state and local elections. They define what counts as campaign spending and limit how much people can donate to candidates, political parties and other organizations. They also require people who engage in certain campaign-related activities to register with the government and disclose certain financial information.

These are part of the Michigan Campaign Finance Act of 1976. The Act contains about 70 sections and has been amended dozens of times since it was passed 50 years ago.¹ Proposal 2 would modify eight sections of the law and add two new ones.

This policy brief does not take a position on Proposal 2. It attempts to explain in plain language the changes this ballot question would make to Michigan elections and to communications about

them. It briefly describes the arguments used in support of the proposal and the arguments used against it. The purpose of this brief is to help voters make a better-informed decision on Nov. 3, 2026.

The Proposal's Key Reforms

Proposal 2 would make significant changes to state laws about campaign finance and elections. The most substantial are:

- 1) Subject anyone who posts, publishes or promotes public content that references a candidate within 100 days of an election to new reporting requirements.
- 2) Require a disclaimer be shown on content that references a candidate within 100 days of an election.
- 3) Expand the definition of campaign expenditure so that more communications and messages become subject to the law.
- 4) Restrict certain campaign contributions made by some people affiliated with some public utility companies and government contractors.

These changes are described in more detail in the following sections, as are a couple of other more minor changes.

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* To read the summary of the proposal as it will appear on the ballot, see "Appendix A: Summary of Ballot Language."

† To view the full text of the proposed changes, see "Appendix B: Full Text of Proposal 2 of 2026."

Electioneering Communication

Definitions and examples

Proposal 2 would create a new term in the law called “electioneering communication.” This would expand what types of messages and content are subject to the state’s campaign finance laws. The proposal defines electioneering communication as a public message that:

- Occurs within 100 days of general elections (or within 30 days of primary and special elections).²
- Is “targeted to the relevant electorate.”³
- “References a clearly identifiable candidate.”⁴

What it means to be “targeted to the relevant electorate” is not defined in Proposal 2. The Secretary of State would determine the meaning of this phrase.⁵ The term “clearly identifiable” is defined as “identifying a candidate by name, photograph, nickname, drawing, image or inference” or other “unambiguous reference.”⁶

If Proposal 2 were in effect this year, the law would apply to all public messages posted or published after July 26 that reference a political candidate.* Electioneering communication includes broadcasts, newspapers, magazines, billboards, mailings or “any other form of general communication.”⁷

This broad definition seems to include many types of messages and communications that would not be considered political activity under the current law. Some examples of content that could be electioneering communication include:

- Newspaper articles or other media content that mention local candidates running for office.[†]
- Publicly available voter guides published by media outlets, nonprofit groups or other organizations.

- Trade association magazines that refer to candidates’ positions on issues relevant to an industry.
- Social media messages posted or promoted by a public body, such as “Mayor Smith cuts ribbon at new splash pad” or “Drain Commissioner Robinson participates in local forum.”

Electioneering communication includes digital advertising and promoting online content. The proposal calls this “internet communication.”⁸ It means “any public communication over the internet that is placed or promoted for a fee on another person’s website, digital device, or advertising platform.”⁹

Internet communication does not include social media posts or other online content that is not promoted or placed for a fee. This content could still be subject to the law as electioneering communication, however, if it were publicly accessible, referenced a candidate within 100 days of an election and meets the Secretary of State’s definition of “targeted to the relevant electorate.” It would seem to meet the proposal’s definition of “any other form of general communication.”

Proposal 2 would make messages that do not advocate for or against a candidate subject to the Campaign Finance Act. The law currently only regulates communications that expressly advocate for or against a candidate. This would be a significant expansion of the statute’s scope.

Under the proposal, messages would be considered electioneering communication “regardless of whether the communication contains express advocacy.”¹⁰ Any public communication that references a candidate within the 100-day window and is aimed at a relevant group of voters would be subject to the law. The term “public communication” is not defined in Proposal 2 nor in existing Michigan law.

* The primary elections this year were on Aug. 4. If Proposal 2 were in effect, that would cover all speech related to those elections beginning July 5.

† State law exempts newspapers and other media from the law’s requirements for making campaign expenditures for content they publish “in the regular course of publication or broadcasting.” MCL § 169.206(2)(d). But no exemption is included in Proposal 2’s definition of “electioneering communication.”

Identification and disclosure requirements

Proposal 2 would make electioneering communications, including internet communication, subject to identification and disclosure requirements.* Knowingly violating this law is a misdemeanor that carries up to a \$1,000 fine and imprisonment of up to 93 days.¹¹

These rules currently apply to billboards, posters and other printed materials as well as television and radio advertisements that reference candidates or ballot questions. These communications would need to “display an identification that contains the name and address of the person paying for the matter.”¹² If the communication is not authorized by the candidate, it must include the disclaimer: “Not authorized by any candidate committee.”¹³

The proposal adds stipulations specifically for internet communications. If it is “not technologically possible” to display all of the disclosure information in an internet communication, it must, at a minimum, “state the name of the person who paid for the communication” and “provide a means ... to immediately obtain the remainder of the information ... with minimum effort.”¹⁴

Reporting mandates

Anyone who “makes electioneering communications aggregating \$5,000 or more in a calendar year” must do the following:

- Complete a state report.
- Submit the report within 10 days of “aggregating \$5,000.”
- Submit additional reports within 10 days of each additional \$5,000.¹⁵

It is not clear from a plain reading what spending would count toward the \$5,000 threshold. For example, consider an organization that prints and mails copies of a publication that lists the

candidates for an upcoming election. Would the \$5,000 threshold include what was spent on employee compensation and other costs used to produce the voters’ guide? Or would it only include the costs the organization spent on promoting and distributing the publication?

The information required to be disclosed in the report includes:

- Spending records of each electioneering communication expense.
- The name and address of whomever received this spending.
- The name, address, occupation, employer and “principal place of business” of each person who contributed more than \$100 to pay for electioneering communication.
- “And any other information the Secretary of State determines is necessary.”¹⁶

The proposal does not provide further details about these requirements. It is not clear how organizations would track the people who may have contributed to them to make an electioneering communication.

Consider again a voters’ guide published by a donor-funded, nonprofit organization. Would the organization have to earmark contributions it receives that are meant specifically for distributing and promoting the publication and only report those donors? If the organization uses general contributions to produce or promote electioneering communication, which donors would it have to disclose?

If voters pass Proposal 2, some of these questions may be determined by the Secretary of State. The proposal would give the secretary the duty of providing the report that individuals and organizations will need to submit. Some of the questions about these requirements may be addressed by that report. The secretary may also

* Proposal 2, Sec. 47(1). These requirements may only apply to candidates and political committees. The proposal leaves unchanged, “An individual other than a candidate is not subject to this subsection if the individual is acting independently and not acting as an agent for a candidate or any committee.” MCL § 169.247(1).

require that additional information be included in the report in addition to what Proposal 2 demands.

A person or organization who fails to file this electioneering communication report on time would have to pay a penalty. The proposal does not specify the size of this fee.^{*} If this report is not filed within 30 days of being due, the person responsible would be guilty of a misdemeanor and subject to up to 90 days in prison, a \$1,000 fine, or both.¹⁷

New standard for campaign “expenditure”

The Michigan Campaign Finance Act uses the term “expenditure” to identify spending that is subject to the law. The term refers to any money, goods or services used “in assistance of, or in opposition to” the election of a candidate or passage of a ballot question.[†] Unlike electioneering communications, these expenditures can occur at any time — not just within a certain period before an election.

Under current state law, expenditures apply to “communications containing express words of advocacy of election or defeat, such as ‘vote for’, ‘elect’, ‘support’, ‘cast your ballot for’, Smith for governor’, ‘vote against’, ‘defeat’, or ‘reject’.”¹⁸ In other words, only communication that contains “express words of advocacy” are campaign expenditures.

This functions as a bright line that identifies messages that are subject to the law. If certain words are used, individuals and organizations can reasonably expect their message will be considered a campaign expenditure. If those words are not used, one can reasonably expect the opposite.

Proposal 2 would delete this section and create new standards for determining whether a communication would be subject to state law. A campaign expenditure would be any public communication that: 1) “expressly advocates,” or

2) “promotes, supports, attacks, or opposes” a candidate or ballot question.¹⁹ Proposal 2 does not define these terms.

The effect of these changes would be that more communications would qualify as a campaign expenditure. The current standard requires messages to expressly advocate using specific words to be subject to the statute. With Proposal 2’s amendments, messages could be considered campaign expenditures “regardless of whether the communication expressly advocates.”²⁰

This wording would make messages that would not be considered advocacy under current law into campaign expenditures. This could increase the number and types of organizations considered to be a “committee” under the Campaign Finance Act. An organization that makes more than \$500 in campaign expenditures is defined as a “committee” and subject to several other statutory requirements.[‡]

If voters approve Proposal 2, what communication “promotes, supports, attacks or opposes” a candidate or ballot question would likely be left to Michigan courts to decide after the fact. It is likely that this change will increase the types of communications subject to the Michigan Campaign Finance Act.

Ban on political giving for some public utilities and their affiliates

Proposal 2 would create a new section in the Campaign Finance Act that would ban some electric and gas utilities and certain people and organizations affiliated with them from making contributions to some election campaigns.

The affected electric and gas utilities are those regulated by the Michigan Public Service Commission.²¹ There are seven such electric

^{*} The section of the law that the proposal modifies to create this late filing fee only provides specifics about fees related to independent expenditures. It appears these would not apply to electioneering communication, so the size of these penalties remains unknown. Proposal 2, Sec. 51(2).

[†] Unlike electioneering communication, spending can count as a campaign expenditure at any time, not just within 100 days of a general election. MCL § 169.206(1).

[‡] MCL § 169.203(4). Committees are subject to MCL § 169.224 and MCL § 169.233, for example, and several other statutes, depending on the committee type.

utilities, according to the Commission.* There are nine gas utilities that meet this definition and would be subject to Proposal 2's prohibition.²² The table below lists the affected utilities.[†]

Graphic 1: Utilities affected by Proposal 2

Electric	Gas
Alpena Power Company	Citizens Gas Fuel Company
Consumers Energy Company	Consumers Energy Company
DTE Electric Company	DTE Gas Company
Indiana Michigan Power Company	Michigan Gas Utilities Corporation
Xcel Energy	Xcel Energy
Upper Michigan Energy Resources Corporation	Upper Michigan Energy Resources Corporation
Upper Peninsula Power Company	SEMCO Energy Gas Company
	Superior Energy Company
	Presque Isle Electric & Gas Coop, Inc.

People affiliated with these utilities would be banned from making certain campaign contributions. Those subject to these restrictions include:

- A member of the utility's board of directors.²³
- Anyone with more than 5% ownership in the utility.²⁴
- The utility's president, CEO, treasurer and other employees with "similar responsibilities."[‡]
- An immediate family member of anyone listed above.[§]

- An "agent," such as a lobbyist, for the utility or any of the people listed above.²⁵

Any other entity that is "directly or indirectly established, financed, maintained, or controlled" by one of these utilities or any of the people listed above is also prohibited from certain types of political spending.²⁶

The utility companies and affiliated people and entities would be banned from contributing "directly or indirectly" to certain candidates, political committees and public officials.²⁷ These are:

- The governor and gubernatorial candidates.
- The attorney general and candidates for the office.
- State senators and candidates for the Senate.
- State representatives and candidates for the House.
- Campaign committees that contribute to the offices listed above or candidates for those positions.
- Members of the Michigan Public Service Commission.
- Entities affiliated with one of the offices listed above or candidates for them that spend more than \$500 on campaign contributions or that reimburse the expenses of people serving in or seeking those offices.^{**}
- State and local political party committees.²⁸

If a utility violates this law, it is subject to a civil fine of not more than 10 times the amount of the illicit

* Municipal-owned electric utilities are not included. "Electric Utility Addresses & Contacts" (Michigan Public Service Commission, 2026), <https://perma.cc/6UK9-SCBY>.

† It is not clear whether Proposal 2 would apply to the 11 electric utility cooperatives that operate in the state. These are partially regulated by the Michigan Public Service Commission. They differ from the investor-owned utilities in that, among other things, the rates they charge their members are not regulated by the Commission.

‡ Proposal 2 Sec. 30A(5)(D)(II). It is not clear which employees might qualify as having "similar responsibilities" as the president, CEO or treasurer.

§ Proposal 2 Sec. 30A(5)(D)(IV). Immediate family member is not defined in Proposal 2. Elsewhere in the Michigan Campaign Finance Act the term means a spouse, children residing in the same house, and anyone claimed as a dependent for tax purposes (MCL § 169.208(2)). Michigan's Lobby Act uses the same definition (MCL § 4.414(2)). However, one section of the Michigan Campaign Finance Act and the Michigan Election Law use a broader definition that includes spouses, parents, siblings and children, regardless of residency (MCL § 169.269(6); MCL § 168.2(o)).

** The proposal defines an affiliated entity as one that the person serving in one of the named offices or a candidate for it "directly or indirectly established, finances, maintains, or controls," or "has solicited funds for the entity within the prior two years" (unless it is a 501(c)(3) organization), or "serves in an executive or managerial capacity for the entity." Proposal 2 Sec. 30A(3)(A)-(C).

spending. Proposal 2 empowers the Secretary of State to investigate potential violations. There are no penalties listed in the proposal for the affiliated individuals or entities that are subject to the same prohibitions.*

Restrictions on political giving for some government contractors

Proposal 2 would prohibit some political spending by certain businesses that contract with the government. The restrictions also apply to individuals and entities affiliated with these government contractors. The prohibition is structured similarly to the one for public utilities.

Any company that contracts with the state or local government unit for an amount that exceeds \$250,000 is subject to these restrictions.²⁹ The rules extend to affiliated entities owned, funded or controlled by the contractor.³⁰ It also restricts certain political spending by board members, owners with 5% or greater share and company lobbyists. The president, CEO, treasurer and similar officers of the company, and their immediate family members, are also restricted in their political giving.³¹

Companies that contract with the state would be prohibited from donating to candidates for state office, committees that contribute to such candidates, and affiliated entities.[†] Companies that contract with local governments would be banned from giving to candidates for offices (or their campaign committees and affiliated entities) in the relevant jurisdiction.³²

The penalty for violating Proposal 2's rules for government contractors is less clear than those used for public utilities. Contractors and their affiliates must "knowingly and willingly" make a prohibited donation to be penalized. If they do, the state or local unit may cancel the company's contract, but they are not required to. Contractors who violate these rules would be banned from any

new contracts with government entities for 12 months after the election in which the improper contribution was made.³³ However, if the prohibited contribution is returned within 30 days, there is no violation.³⁴

Proposal 2 seems to leave it to the Secretary of State to determine penalties for violations. It states, "In determining any penalties for violations ... the Secretary of State may consider mitigating and aggravating factors."³⁵ But no specific penalties for violating these rules are provided in the proposal.

Higher reporting threshold for independent expenditures

The Michigan Campaign Finance Act defines "independent expenditure" as a campaign expenditure that "is not made in cooperation, consultation, or concert with, or at the request or suggestion of" a candidate, election committee or other political organization.³⁶ Anyone who spends more than \$100 in a calendar year as an independent expenditure must file a report with their local county clerk or with the Secretary of State, if the spending related to a statewide election.³⁷

Proposal 2 would increase the reporting threshold to \$500.³⁸ The proposal would also clarify that the \$500 threshold is an aggregate amount and that additional reports are required for each additional \$500 spent. This appears to be the way the current reporting requirement works, according to information from the State Department.³⁹

* Proposal 2 Sec. 30A(4). The default penalty for violating the Campaign Finance Act appears to be a \$1,000 civil fine for each violation. MCL § 169.215(15).

† An affiliated entity is defined in the same way it was for the section on utility political spending. It spends more than \$500 in an election cycle in support of a candidate or that reimburses a candidate's expenses and is directly or indirectly controlled or financed by the candidate, his or her agents, immediate family or staff members. Proposal 2 Sec. 30B(1)(A)-(C); Proposal 2 Sec. 30(B)(6)(A)-(C).

The proposal does not address the relationship between the reporting requirements for independent expenditures and electioneering communication. Both are expenditures made by people or groups that are not part of a political committee. A plain reading suggests that some expenditures for electioneering communications could also meet the definition of an independent expenditure.

If that is the case, it is not clear if a person would have to file both an independent expenditure report and electioneering communication for the same spending or if one report would take precedence over the other.

Severability clause

Proposal 2 includes one other minor change. It adds what is known as a severability clause to the Michigan Campaign Finance Act. This text declares that the Act will remain valid even if one part of it is found to be “void, invalid, or unenforceable.”⁴⁰ In other words, the whole law would not be rescinded if courts found a portion of it to be unconstitutional.

These clauses are common in Michigan law.^{*} Although an overarching statute makes severability the default for all laws, legislators often add their own severability clauses.⁴¹ Most of these simply reinforce the legislative intent of making the statute severable. Some create custom rules about severability, however, such as making certain sections of the statute non-severable.[†]

The severability clause in Proposal 2 only reinforces the default severability.[‡]

Arguments for the proposal

Michiganders for Money Out of Politics is the ballot committee that collected signatures and petitioned to add Proposal 2 to the Michigan ballot on Nov. 3, 2026. It is a coalition of eight organizations: Clean Water Action, Climate Cabinet, Detroit Action, Hip Hop Caucus Action Fund, Michigan League of Conservation Voters, Michigan United Action, MOSES Action, and Voters Not Politicians.⁴²

The organization’s website argues that public utilities and government contractors have too much political influence in Lansing. It claims that “[t]oo many Lansing politicians refuse to fix a problem that they can profit from.”⁴³ Further, Proposal 2 is needed because “[a]llowing regulated utilities and corporations with state contracts to spend in politics is an inherent conflict of interest.”⁴⁴ This implies that campaign contributions made by public utilities and government contractors prevent policy makers from enacting reforms that would benefit Michigan residents.

Michiganders for Money Out of Politics also states that “[v]oters deserve to know who is spending money, and where that money comes from.” Proposal 2 will “close the ‘issue ad loophole’ by mandating disclosure of ad spending of \$5,000 or more by dark money groups,” according to the organization. This will “modernize Michigan’s campaign finance disclosure requirements,” according to the ballot committee.⁴⁵

* Some examples: Mich Const, Art. XII, § 4; Michigan Medical Marihuana Act, MCL § 333.26430; Michigan Antitrust Reform Act, MCL § 445.786; Uniform Securities Act, MCL § 451.2612; Michigan Liquor Control Code, MCL § 436.1925.

† One example is MCL § 500.1767.

‡ It states: “if any portion or subsection of this act is found void, invalid, or unenforceable by a court of competent jurisdiction, such finding will not affect the validity or enforceability of the remaining portions of this act.” Proposal 2 Sec. 1(3).

Arguments against the proposal

Protect MI Free Speech is the ballot committee opposing Proposal 2. According to state records, the organization is supported by the Michigan Infrastructure and Transportation Association, Michigan Citizens for Better Health, Blue Cross Blue Shield of Michigan, Comcast, Consumers Energy, and Michigan Energy First, among others.* The organization does not have a dedicated website, so the following information comes from press releases and media reports that cite spokespeople with Protect MI Free Speech or its supporting organizations.

One concern raised by opponents relates to free speech rights under the First Amendment to the U.S. Constitution. A Protect MI Free Speech press release claims Proposal 2 will expand “government control over political speech and association, stripping businesses of core First Amendment rights.”⁴⁶ A spokesperson for Consumers Energy claims Proposal 2 would “disenfranchise over 900 state contractors.”⁴⁷

Another issue raised by opponents is the alleged broad impact of the proposal. Protect MI Free Speech says Proposal 2 “blurs the line between campaign activity and issue advocacy, potentially chilling grassroots civic engagement.”⁴⁸ A Michigan Chamber spokesperson told a reporter it would affect “the ability for everyday citizens to make their voice heard in the legislative process.”⁴⁹

Conclusion

Proposal 2 would make several changes to Michigan laws about campaign finance. It would extend the Michigan Campaign Finance Act to regulate more speech. Any public communication that references a candidate within 100 days of a general election could be considered “electioneering communication” and subject to reporting requirements that carry criminal penalties.

The proposal would expand what qualifies as a campaign expenditure and would be subject to the law. More messages would need to disclose the identity of the people or organizations responsible for them. Financial information about these communications would need to be reported to the state if certain spending thresholds were met.

Proposal 2 also restricts some public utilities and government contractors from certain types of campaign contributions. These restrictions would apply to some of the affected companies’ shareholders, board members and affiliates, as well as some of their employees and the immediate family members of these people.

Among other restrictions, the affected public utilities and state contractors could not donate money to support the election of a candidate for a state office, such as governor, attorney general or the Michigan House or Senate. Local government contractors would be prohibited from donating to candidates in the jurisdiction of the public body paying for the contract.

The full effects of Proposal 2’s proposed amendments to the Michigan Campaign Finance Act are difficult to know. Some of the changes would be implemented based on the Secretary of State’s own interpretation of the law. Existing judicial rulings may influence how these amendments would work as well. Still other elements of the proposal may be challenged legally, which could result in courts deciding what impact Proposal 2 ultimately has.

* These groups gave the committee more than \$50,000, according to state reports. Michigan Citizens for Better Health is affiliated with the Michigan Health & Hospitals Association. “Report Summary and Schedules Report: July CS: Protect MI Free Speech” (Michigan Department of State, July 20, 2026), <https://perma.cc/MX4Q-ZLB9>.

Endnotes

- 1 “Michigan Campaign Finance Act (Act 388 of 1976)” (State of Michigan, 2026), <https://perma.cc/QPM8-26ZS>.
- 2 Proposal 2, Sec. 5(4)(A).
- 3 Proposal 2, Sec. 5(4)(B).
- 4 Proposal 2, Sec. 5(4)(A).
- 5 Proposal 2, Sec. 5(4)(B).
- 6 Proposal 2, Sec. 1(3).
- 7 Proposal 2, Sec. 5(4).
- 8 Proposal 2, Sec. 5(4).
- 9 Proposal 2, Sec. 9(5).
- 10 Proposal 2, Sec. 5(4)(A).
- 11 MCL § 169.247(6).
- 12 MCL § 169.247(1).
- 13 MCL § 169.247(1).
- 14 Proposal 2, Sec. 47(3)(A)-(B).
- 15 Proposal 2, Sec. 51(3).
- 16 Proposal 2, Sec. 51(3).
- 17 Proposal 2, Sec. 51(2).
- 18 MCL § 169.206(2)(j).
- 19 Proposal 2, Sec. 6(B)(I)-(III).
- 20 Proposal 2, Sec. 6(B)(II)-(III).
- 21 Proposal 2, Sec. 30A(5)(A).
- 22 “Gas Utility Addresses & Contacts” (Michigan Public Service Commission, 2026), <https://perma.cc/4VLZ-5BZP>.
- 23 Proposal 2, Sec. 30A(5)(D)(I).
- 24 Proposal 2, Sec. 30A(5)(F).
- 25 Proposal 2, Sec. 30A(5)(D)(III).
- 26 Proposal 2, Sec. 30A(2).
- 27 Proposal 2, Sec. 30A(1).
- 28 Proposal 2, Sec. 30A(1)(A)-(E).
- 29 Proposal 2, Sec. 30B(9)(D),(I).
- 30 Proposal 2, Sec. 30B(5).
- 31 Proposal 2, Sec. 30B(9)(F).
- 32 Proposal 2, Sec. 30B(2)(A)-(C).
- 33 Proposal 2, Sec. 30B(7).
- 34 Proposal 2, Sec. 30B(8).
- 35 Proposal 2, Sec. 30B(8).
- 36 MCL § 169.209(2).
- 37 MCL § 169.251(1).
- 38 Proposal 2, Sec. 51(1).
- 39 “Independent Expenditure Reporting for Individuals & Unregistered Groups/Organizations” (Michigan Department of State, 2026), <https://perma.cc/DY23-8HBV>.
- 40 Proposal 2, Sec. 1(3).
- 41 MCL § 8.5.
- 42 “About MMOP: Who’s Behind the Fight to Get Money Out of Politics” (Michiganders for Money Out of Politics, 2026), <https://perma.cc/7NZL-9UBY>.
- 43 “The Solution: Ban Corporate Money in Michigan Politics” (Michiganders for Money Out of Politics, 2026), <https://perma.cc/5PCZ-VDYC>.
- 44 “The Solution: Ban Corporate Money in Michigan Politics” (Michiganders for Money Out of Politics, 2026), <https://perma.cc/5PCZ-VDYC>.
- 45 “The Solution: Ban Corporate Money in Michigan Politics” (Michiganders for Money Out of Politics, 2026), <https://perma.cc/5PCZ-VDYC>.
- 46 “Summary of the ‘Michiganders for Money Out of Politics’ Ballot Initiative” (Protect MI Free Speech), <https://perma.cc/Y4ZZ-CKAC>.
- 47 Simon D. Schuster, “Consumers, Blue Cross Fight Michigan Proposal to Keep ‘Money out of Politics’” *Bridge Michigan* (November 12, 2025), <https://perma.cc/ZT3L-9W2E>.
- 48 “Summary of the ‘Michiganders for Money Out of Politics’ Ballot Initiative” (Protect MI Free Speech), <https://perma.cc/Y4ZZ-CKAC>.
- 49 Colin Jackson, “Petition Drive to Get ‘Money out of Politics’ Submits Signatures for Ballot Campaign” (Michigan Public Radio, May 27, 2026), <https://perma.cc/5VRW-9TK2>.

Appendix A: Summary of Ballot Language

The language below is the 100-word summary of the proposal approved by the Michigan Board of State Canvassers on Aug. 17, 2026:

A PROPOSED INITIATED LAW TO PROHIBIT CAMPAIGN CONTRIBUTIONS FROM CERTAIN REGULATED UTILITIES AND GOVERNMENT CONTRACTORS AND APPLY CAMPAIGN FINANCE LAWS AND REGULATIONS TO ADDITIONAL TYPES OF POLITICAL COMMUNICATIONS

The proposal would:

- Prohibit regulated electric and gas utilities, contractors with over \$250,000 annually in government contracts, and people and organizations with substantial connections to these utilities/contractors from making direct or indirect campaign contributions to those who run for or hold offices that impact them.*
- Expand laws regulating spending on political communications, including those requiring disclosing donor information, to apply to communications clearly identifying candidates or ballot questions, even if they do not expressly advocate voting for/against them.*
- Expressly apply the law requiring disclosure of who paid for political communications to internet political communications.*

Appendix B: Full Text of Proposal 2 of 2026

Added text appears in capital letters (CAPITAL LETTERS). Deletions are struck out (~~struck out~~).

The People of the State of Michigan enact:

Sec. 1. (1) This act shall be known and may be cited as the “Michigan campaign finance act”.

(2) Except as otherwise defined in this act, the words and phrases defined in sections 2 to 12 shall, for the purposes of this act, have the meanings ascribed to them in those sections.

(3) IF ANY PORTION OR SUBSECTION OF THIS ACT IS FOUND VOID, INVALID, OR UNENFORCEABLE BY A COURT OF COMPETENT JURISDICTION, SUCH FINDING WILL NOT AFFECT THE VALIDITY OR ENFORCEABILITY OF THE REMAINING PORTIONS OF THIS ACT.

Sec. 3. (1) “Candidate” means an individual who meets 1 or more of the following criteria:

(a) Files a fee, an affidavit of incumbency, or a nominating petition for an elective office.

(b) Is nominated as a candidate for elective office by a political party caucus or convention and whose nomination is certified to the appropriate filing official.

(c) Receives a contribution, makes an expenditure, or gives consent for another person to receive a contribution or make an expenditure with a view to bringing about the individual’s nomination or election to an elective office, whether or not the specific elective office for which the individual will seek nomination or election is known at the time the contribution is received or the expenditure is made.

(d) Is an officeholder who is the subject of a recall vote.

(e) Holds an elective office, unless the officeholder is constitutionally or legally barred from seeking reelection or fails to file for reelection to that office by the applicable filing deadline. An individual described in this subdivision is considered to be a candidate for reelection to that same office for the purposes of this act only.

For purposes of sections 61 to 71, “candidate” only means, in a primary election, a candidate for the office of governor and, in a general election, a candidate for the office of governor or lieutenant governor. However, the candidates for the office of governor and lieutenant governor of the same political party in a general election are considered as 1 candidate.

(2) “Candidate committee” means the committee designated in a candidate’s filed statement of organization as that individual’s candidate committee. A candidate committee must be under the control and direction of the candidate named in the same statement of organization. Notwithstanding subsection (4), an individual shall form a candidate committee under section 21 if the individual becomes a candidate under subsection (1).

(3) “CLEARLY IDENTIFY OR CLEARLY IDENTIFIABLE” MEANS IDENTIFYING A CANDIDATE BY NAME, PHOTOGRAPH, NICKNAME, DRAWING, IMAGE OR INFERENCE; IDENTIFYING A BALLOT QUESTION BY NAME, ACRONYM, POPULAR TITLE, OFFICIAL TITLE, NUMBER, OR SYMBOL ASSOCIATED WITH THE BALLOT QUESTION; OR MAKING AN UNAMBIGUOUS REFERENCE TO A CANDIDATE OR BALLOT QUESTION USING A PHRASE SUCH AS “THE GOVERNOR”, “THE INCUMBENT,” OR “YOUR REPRESENTATIVE” OR THROUGH AN UNAMBIGUOUS REFERENCE TO HIS OR HER STATUS AS A CANDIDATE SUCH AS “THE REPUBLICAN CANDIDATE FOR SECRETARY OF STATE”.

~~(3)~~(4) “Closing date” means the date through which a campaign statement is required to be complete.

~~(4)~~(5) “Committee” means a person that receives contributions or makes expenditures for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of a candidate, the qualification, passage, or defeat of a ballot question, or the qualification of a new political party, if contributions received total \$500.00 or more in a calendar year or expenditures made total \$500.00 or more in a calendar year. Except as restricted or prohibited by this act or other state or federal law, a committee may also make other lawful disbursements. An individual, other than a candidate, does not constitute a committee. A person, other than a committee registered under this act, making an expenditure to a ballot question committee or an independent expenditure committee, shall not, for that reason, be considered a committee or be required to file a report for the purposes of this act unless the person solicits or receives contributions for the purpose of making an expenditure to that ballot question committee or independent expenditure committee.

Sec. 5. (1) “Domestic dependent sovereign” means an Indian tribe that has been acknowledged, recognized, restored, or reaffirmed as an Indian tribe by the secretary of the interior pursuant to 25 USC 5101 to 5144, commonly referred to as the Indian reorganization act, or has otherwise been acknowledged by the United States government as an Indian tribe.

(2) “Election” means a primary, general, special, or millage election held in this state or a convention or caucus of a political party held in this state to nominate a candidate. Election includes a recall vote.

(3) “Election cycle” means 1 of the following:

(a) For a general election, the period beginning the day following the last general election in which the office appeared on the ballot and ending on the day of the general election in which the office next appears on the ballot.

(b) For a special election, the period beginning the day a special general election is called or the date the office becomes vacant, whichever is earlier, and ending on the day of the special general election.

(4) "ELECTIONEERING COMMUNICATION" MEANS A PUBLIC COMMUNICATION BY MEANS OF ANY BROADCAST, CABLE, OR SATELLITE COMMUNICATION, NEWSPAPER, MAGAZINE, OUTDOOR ADVERTISING FACILITY, MASS MAILING, TELEPHONE CALLS (LIVE OR PRERECORDED MESSAGES) OF AN IDENTICAL OR SUBSTANTIALLY SIMILAR NATURE, INTERNET COMMUNICATION, OR ANY OTHER FORM OF GENERAL PUBLIC COMMUNICATION THAT:

(A) REFERENCES A CLEARLY IDENTIFIABLE CANDIDATE, REGARDLESS OF WHETHER THE COMMUNICATION CONTAINS EXPRESS ADVOCACY, WITHIN 100 DAYS BEFORE A GENERAL ELECTION OR WITHIN 30 DAYS BEFORE A PRIMARY OR SPECIAL ELECTION WHERE THE CANDIDATE APPEARS ON THE BALLOT; AND

(B) IS TARGETED TO THE RELEVANT ELECTORATE WHERE THE CANDIDATE APPEARS ON THE BALLOT. THE SECRETARY OF STATE SHALL PROMULGATE RULES DEFINING THE MEANING OF "TARGETED TO THE RELEVANT ELECTORATE" FOR PURPOSES OF THIS SECTION.

~~(4)~~(5) "Elective office" means a public office filled by an election. An individual who is appointed to fill a vacancy in a public office that is ordinarily elective holds an elective office. Elective office does not include the office of precinct delegate. Except for the purposes of sections 47, 54, and 55, elective office does not include a school board member in a school district that has a pupil membership of 2,400 or less enrolled on the most recent pupil membership count day. However, elective office includes a school board member in a school district that has a pupil membership of 2,400 or less, if a candidate committee of a candidate for the office of school board member in that school district receives an amount in excess of \$1,000.00 or expends an amount in excess of \$1,000.00. Elective office does not include a federal office except for the purposes of section 57.

Sec. 6. (1) "Expenditure" means a payment, donation, loan, or promise of payment of money or anything of ascertainable monetary value for goods, materials, services, or facilities in assistance of, or in opposition to, the nomination or election of a candidate, the qualification, passage, or defeat of a ballot question, or the qualification of a new political party. Expenditure includes, but is not limited to, any of the following:

(a) A contribution or a transfer of anything of ascertainable monetary value for purposes of influencing the nomination or election of a candidate, the qualification, passage, or defeat of a ballot question, or the qualification of a new political party.

(B) A PUBLIC COMMUNICATION THAT DOES ANY OF THE FOLLOWING:

(I) EXPRESSLY ADVOCATES FOR OR AGAINST THE NOMINATION OR ELECTION OF A CANDIDATE OR THE QUALIFICATION, PASSAGE, OR DEFEAT OF A BALLOT QUESTION.

(II) PROMOTES, SUPPORTS, ATTACKS, OR OPPOSES A CANDIDATE, REGARDLESS OF WHETHER THE COMMUNICATION EXPRESSLY ADVOCATES THE ELECTION OR DEFEAT OF A CANDIDATE.

(III) PROMOTES, SUPPORTS, ATTACKS, OR OPPOSES THE QUALIFICATION, PASSAGE, OR DEFEAT OF A BALLOT QUESTION, REGARDLESS OF WHETHER THE COMMUNICATION EXPRESSLY ADVOCATES FOR OR AGAINST SUCH QUALIFICATION, PASSAGE, OR DEFEAT.

~~(b)~~(C) Except as provided in subsection (2)(f) or (g), an expenditure for voter registration or get-out-the-vote activities made by a person who sponsors or finances the activity or who is identified by name with the activity.

~~(c)~~(D) Except as provided in subsection (2)(f) or (g), an expenditure made for poll watchers, challengers, distribution of election day literature, canvassing of voters to get out the vote, or transporting voters to the polls.

(2) Expenditure does not include any of the following:

(a) An expenditure for communication by a person with the person's paid members or shareholders and those individuals who can be solicited for contributions to a separate segregated fund under section 55.

(b) An expenditure for communication on a subject or issue if the communication does not ~~support or oppose~~ CLEARLY IDENTIFY a ballot question or candidate ~~by name or clear inference~~ AND IS NOT AN ELECTIONEERING COMMUNICATION.

(c) An expenditure for the establishment or administration of, or solicitation, collection, or transfer of contributions to, a separate segregated fund, including through a payroll deduction plan, or for mailing or shipping of an item or prize purchased under section 55(8).

(d) An expenditure by a broadcasting station, newspaper, magazine, or other periodical or publication for a news story, commentary, or editorial in support of or opposition to a candidate for elective office or a ballot question in the regular course of publication or broadcasting.

(e) An offer or tender of an expenditure if expressly and unconditionally rejected or returned.

(f) An expenditure for nonpartisan voter registration or nonpartisan get-out-the-vote activities made by an organization that is exempt from federal income tax under section 501(c)(3) of the internal revenue code, 26 USC 501, or any successor statute.

(g) An expenditure for nonpartisan voter registration or nonpartisan get-out-the-vote activities performed under chapter XXIII of the Michigan election law, 1954 PA 116, MCL 168.491 to 168.523a, by the secretary of state and other registration officials who are identified by name with the activity.

(h) An expenditure by a state central committee of a political party or a person controlled by a state central committee of a political party for the construction, purchase, or renovation of 1 or more office facilities in Ingham County if the facility is not constructed, purchased, or renovated for the purpose of influencing the election of a candidate in a particular election. Items excluded from the definition of expenditure under this subdivision include expenditures approved in Federal Election Commission advisory opinions 1993-9, 2001-1, and 2001-12 as allowable expenditures under the federal election campaign act of 1971, 52 USC 30101 to 30146, and regulations promulgated under that act, regardless of whether those advisory opinions have been superseded.

(i) Except only for the purposes of section 57, an expenditure to or for a federal candidate or a federal committee.

~~(j) Except only for the purposes of section 47, an expenditure for a communication if the communication does not in express terms advocate the election or defeat of a clearly identified candidate so as to restrict the application of this act to communications containing express words of advocacy of election or defeat, such as "vote for", "elect", "support", "cast your ballot for", "Smith for governor", "vote against", "defeat", or "reject".~~

Sec. 9. (1) "Incidental expense" means an expenditure that is an ordinary and necessary expense, paid or incurred in carrying out the business of an elective office. Incidental expense includes, but is not limited to, any of the following:

- (a) A disbursement necessary to assist, serve, or communicate with a constituent.
 - (b) A disbursement for equipment, furnishings, or supplies for the office of the public official.
 - (c) A disbursement for a district office if the district office is not used for campaign-related activity.
 - (d) A disbursement for the public official or his or her staff, or both, to attend a conference, meeting, reception, or other similar event.
 - (e) A disbursement to maintain a publicly owned residence or a temporary residence at the seat of government.
 - (f) An unreimbursed disbursement for travel, lodging, meals, or other expenses incurred by the public official, a member of the public official's immediate family, or a member of the public official's staff in carrying out the business of the elective office.
 - (g) A donation to a tax-exempt charitable organization, including, but not limited to, the purchase of tickets to charitable or civic events, as long as the candidate is not an officer or director of or does not receive compensation, either directly or indirectly, from that organization.
 - (h) A disbursement to a ballot question committee.
 - (i) A purchase of tickets for use by that public official and members of his or her immediate family and staff to a fund raising event sponsored by a candidate committee, independent committee, political party committee, or a political committee that does not exceed \$100.00 per committee in any calendar year.
 - (j) A disbursement for an educational course or seminar that maintains or improves skills employed by the public official in carrying out the business of the elective office.
 - (k) A purchase of advertisements in testimonials, program books, souvenir books, or other publications if the advertisement does not support or oppose the nomination or election of a candidate.
 - (l) A disbursement for consultation, research, polling, and photographic services not related to a campaign.
 - (m) A fee paid to a fraternal, veteran, or other service organization.
 - (n) A payment of a tax liability incurred as a result of authorized transactions by the candidate committee of the public official.
 - (o) A fee for accounting, professional, or administrative services for the candidate committee of the public official.
 - (p) A debt or obligation incurred by the candidate committee of a public official for a disbursement authorized by subdivisions (a) to (o), if the debt or obligation was reported in the candidate committee report filed for the year in which the debt or obligation arose.
- (2) "Independent expenditure" means an expenditure by a person if the expenditure is not made in cooperation, consultation, or concert with, or at the request or suggestion of, a ballot question committee or a candidate, a candidate committee or its agents, or a political party committee or its agents, and if the expenditure is not a contribution to a committee.
- (3) "Independent expenditure committee" means a committee formed under section 24b for the purpose of making independent expenditures under this act.
- (4) "In-kind contribution or expenditure" means a contribution or expenditure other than money.
- (5) "INTERNET COMMUNICATION" MEANS ANY PUBLIC COMMUNICATION OVER THE INTERNET THAT IS PLACED OR PROMOTED FOR A FEE ON ANOTHER PERSON'S WEBSITE, DIGITAL DEVICE, APPLICATION, OR ADVERTISING PLATFORM. A PUBLIC COMMUNICATION IS PROMOTED FOR A FEE WHERE A PAYMENT IS MADE TO A WEBSITE, DIGITAL DEVICE, APPLICATION, OR ADVERTISING PLATFORM IN ORDER TO INCREASE THE CIRCULATION, PROMINENCE, OR AVAILABILITY OF THE COMMUNICATION ON THAT WEBSITE, DIGITAL DEVICE, APPLICATION, OR ADVERTISING PLATFORM.
- ~~(5)~~(6) "Loan" means a transfer of money, property, or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part.
- ~~(6)~~(7) "Local ballot question" means a ballot question of a local unit of government to be voted upon in that local unit of government.
- ~~(7)~~(8) "Local elective office" means an elective office at the local unit of government level. Local elective office also includes judge of the court of appeals, judge of the circuit court, judge of the district court, judge of the probate court, and judge of a municipal court.
- ~~(8)~~(9) "Local unit of government" means a district, authority, county, city, village, township, board, school district, intermediate school district, or community college district.

SEC. 30A. (1) AN ELECTRIC UTILITY, GAS UTILITY, PRINCIPAL OF AN ELECTRIC UTILITY OR GAS UTILITY, OR ENTITY THAT IS AFFILIATED WITH AN ELECTRIC UTILITY OR GAS UTILITY SHALL NOT MAKE A CONTRIBUTION OR DONATION DIRECTLY OR INDIRECTLY TO ANY OF THE FOLLOWING:

(A) THE GOVERNOR, ATTORNEY GENERAL, STATE SENATOR, STATE REPRESENTATIVE, OR A CANDIDATE FOR SUCH OFFICE.

(B) A STATE OR LOCAL PARTY COMMITTEE.

(C) A COMMITTEE, OTHER THAN AN INDEPENDENT EXPENDITURE COMMITTEE OR BALLOT QUESTION COMMITTEE, THAT MAKES CONTRIBUTIONS TO A CANDIDATE FOR OFFICE UNDER PARAGRAPH (A).

(D) A MEMBER OF THE MICHIGAN PUBLIC SERVICE COMMISSION.

(E) AN ENTITY THAT IS AFFILIATED WITH THE GOVERNOR, ATTORNEY GENERAL, STATE SENATOR, STATE REPRESENTATIVE, A CANDIDATE FOR SUCH OFFICES, OR MEMBER OF THE MICHIGAN PUBLIC SERVICE COMMISSION AND DOES AT LEAST ONE OF THE FOLLOWING:

(I) SPENDS MORE THAN \$500 IN THE AGGREGATE IN AN ELECTION CYCLE TO MAKE CONTRIBUTIONS TO THE PERSON AFFILIATED WITH THE ENTITY, MAKE EXPENDITURES IN SUPPORT OF THE PERSON AFFILIATED WITH THE ENTITY OR OPPOSING THE PERSON'S OPPONENT, OR MAKE ELECTIONEERING COMMUNICATIONS REFERENCING THE PERSON AFFILIATED WITH THE ENTITY OR THE PERSON'S OPPONENT.

(II) PAYS FOR OR REIMBURSES EXPENSES, SUCH AS TRAVEL, MEALS, OR CONFERENCE FEES, OF THE PERSON AFFILIATED WITH THE ENTITY.

(2) AN ENTITY IS AFFILIATED WITH AN ELECTRIC UTILITY OR GAS UTILITY IF THE ENTITY IS DIRECTLY OR INDIRECTLY ESTABLISHED, FINANCED, MAINTAINED, OR CONTROLLED BY THE ELECTRIC UTILITY, GAS UTILITY, OR PRINCIPAL OF AN ELECTRIC UTILITY OR GAS UTILITY.

(3) AN ENTITY IS AFFILIATED UNDER SUBSECTION (1)(E) OF THIS SECTION IF THE GOVERNOR, ATTORNEY GENERAL, STATE SENATOR, STATE REPRESENTATIVE, A CANDIDATE FOR SUCH OFFICE, MEMBER OF THE MICHIGAN PUBLIC SERVICE COMMISSION, OR THE AGENTS, IMMEDIATE FAMILY, OR STAFF MEMBERS OF SUCH PERSONS DOES AT LEAST ONE OF THE FOLLOWING:

(A) DIRECTLY OR INDIRECTLY ESTABLISHED, FINANCES, MAINTAINS, OR CONTROLS THE ENTITY.

(B) HAS SOLICITED FUNDS FOR THE ENTITY WITHIN THE PRIOR TWO YEARS, UNLESS THE ENTITY IS AN ORGANIZATION EXEMPT FROM FEDERAL INCOME TAX UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE, 26 USC 501, OR ANY SUCCESSOR STATUTE.

(C) SERVES IN AN EXECUTIVE OR MANAGERIAL CAPACITY FOR THE ENTITY. THIS PARAGRAPH DOES NOT APPLY IF THE PERSON IS A COVERED CANDIDATE'S OR OFFICIAL'S AGENT, IMMEDIATE FAMILY, OR STAFF MEMBER WHO DOES NOT PARTICIPATE IN AND DOES NOT HAVE ACTUAL OR IMPLICIT AUTHORITY TO AFFECT THE ENTITY'S DECISIONS CONCERNING SPENDING DESCRIBED UNDER SUBSECTION (1)(E)(I) OR (II).

(4) AN ELECTRIC UTILITY OR GAS UTILITY THAT VIOLATES THIS SECTION IS SUBJECT TO A CIVIL FINE OF NOT MORE THAN 10 TIMES THE AMOUNT OF THE CONTRIBUTION OR DONATION. THE SECRETARY OF STATE SHALL INVESTIGATE ALLEGED VIOLATIONS OF THIS SUBSECTION CONSISTENT WITH THE PROCESS IN THE ACT FOR VIOLATIONS. IF THE SECRETARY OF STATE DETERMINES THAT THERE MAY BE REASON TO BELIEVE THAT A VIOLATION OF THIS SUBSECTION OCCURRED, AND IF THE OFFENDING ELECTRIC UTILITY OR GAS UTILITY REFUSES TO PAY ITS CIVIL FINE, THEN THE ATTORNEY GENERAL MAY BRING AN ACTION TO COLLECT THE FINE.

(5) FOR PURPOSES OF THIS SECTION:

(A) "ELECTRIC UTILITY" AND "GAS UTILITY" MEAN SUCH UTILITIES REGULATED BY THE MICHIGAN PUBLIC SERVICE COMMISSION.

(B) "MAJORITY OWNER" MEANS A PERSON WHO HOLDS AN OWNERSHIP INTEREST OF MORE THAN 50% OF AN ENTITY.

(C) "MEMBER OF THE MICHIGAN PUBLIC SERVICE COMMISSION" INCLUDES ANY PERSON WHO IS A MEMBER OF, OR IS NOMINATED TO SERVE AS A MEMBER OF, THE MICHIGAN PUBLIC SERVICE COMMISSION.

(D) "PRINCIPAL OF AN ELECTRIC UTILITY OR GAS UTILITY" INCLUDES:

(I) AN INDIVIDUAL WHO IS A MEMBER OF THE BOARD OF DIRECTORS, A MAJORITY OWNER, OR SUBSTANTIAL OWNER OF THE ELECTRIC UTILITY OR GAS UTILITY.

(II) AN INDIVIDUAL WHO IS EMPLOYED BY THE ELECTRIC UTILITY OR GAS UTILITY AS A PRESIDENT, CHIEF EXECUTIVE OFFICER, TREASURER, OR OFFICER WHO HOLDS SIMILAR RESPONSIBILITIES WITH RESPECT TO THE ELECTRIC UTILITY OR GAS UTILITY.

(III) AN AGENT OF THE ELECTRIC UTILITY, GAS UTILITY, OR PRINCIPAL OF THE ELECTRIC UTILITY OR GAS UTILITY, INCLUDING THEIR LOBBYIST OR LOBBYIST AGENT, AS DEFINED IN SECTION 5 OF THE LOBBY ACT, 1978 ACT 472, MCL 4.415..

(IV) IMMEDIATE FAMILY OF ANY PERSON IN PARAGRAPHS (I) OR (II).

(E) "STAFF MEMBER" MEANS AN INDIVIDUAL WHO, DURING THE PRIOR TWO YEARS, HAS BEEN:

(I) EMPLOYED OR SERVED IN AN EXECUTIVE OR MANAGERIAL CAPACITY BY A PUBLIC OFFICIAL OR CANDIDATE LISTED UNDER SUBSECTION (1) OF THIS SECTION OR BY THE CANDIDATE COMMITTEE OF THE PUBLIC OFFICIAL OR CANDIDATE.

(II) RETAINED BY A PUBLIC OFFICIAL OR CANDIDATE LISTED UNDER SUBSECTION (1) OF THIS SECTION OR BY THE CANDIDATE COMMITTEE OF THE PUBLIC OFFICIAL OR CANDIDATE TO PROVIDE PROFESSIONAL SERVICES, OTHER THAN ACCOUNTING OR LEGAL SERVICES.

(F) "SUBSTANTIAL OWNER" MEANS A PERSON WHO HOLDS AN OWNERSHIP INTEREST OF 5% OR MORE OF AN ENTITY.

SEC. 30B. (1) A STATE GOVERNMENT CONTRACTOR, PRINCIPAL OF A STATE GOVERNMENT CONTRACTOR, OR ENTITY THAT IS AFFILIATED WITH A STATE GOVERNMENT CONTRACTOR SHALL NOT MAKE A CONTRIBUTION OR DONATION DIRECTLY OR INDIRECTLY TO ANY OF THE FOLLOWING:

(A) A CANDIDATE FOR STATE ELECTIVE OFFICE.

(B) A COMMITTEE, OTHER THAN AN INDEPENDENT EXPENDITURE COMMITTEE OR BALLOT QUESTION COMMITTEE, THAT MAKES CONTRIBUTIONS TO ONE OR MORE CANDIDATES FOR STATE ELECTIVE OFFICE.

(C) AN ENTITY THAT IS AFFILIATED WITH A CANDIDATE FOR STATE ELECTIVE OFFICE AND DOES AT LEAST ONE OF THE FOLLOWING:

(I) SPENDS MORE THAN \$500 IN THE AGGREGATE IN AN ELECTION CYCLE TO MAKE CONTRIBUTIONS TO THE CANDIDATE AFFILIATED WITH THE ENTITY, MAKE EXPENDITURES IN SUPPORT OF THE CANDIDATE AFFILIATED WITH THE ENTITY OR OPPOSING THE CANDIDATE'S OPPONENT, OR MAKE ELECTIONEERING COMMUNICATIONS REFERENCING THE CANDIDATE AFFILIATED WITH THE ENTITY OR THE CANDIDATE'S OPPONENT.

(II) PAYS FOR OR REIMBURSES EXPENSES, SUCH AS TRAVEL, MEALS, OR CONFERENCE FEES, OF THE CANDIDATE.

(2) A LOCAL GOVERNMENT CONTRACTOR, PRINCIPAL OF A LOCAL GOVERNMENT CONTRACTOR, OR ENTITY THAT IS AFFILIATED WITH A LOCAL GOVERNMENT CONTRACTOR SHALL NOT MAKE A CONTRIBUTION OR DONATION DIRECTLY OR INDIRECTLY TO ANY OF THE FOLLOWING:

(A) A CANDIDATE FOR ELECTIVE OFFICE IN THE CONTRACTING JURISDICTION.

(B) A COMMITTEE, OTHER THAN AN INDEPENDENT EXPENDITURE COMMITTEE OR BALLOT QUESTION COMMITTEE, THAT MAKES CONTRIBUTIONS TO ONE OR MORE CANDIDATES FOR ELECTIVE OFFICE IN THE CONTRACTING JURISDICTION.

(C) AN ENTITY THAT IS AFFILIATED WITH A CANDIDATE FOR ELECTIVE OFFICE IN THE CONTRACTING JURISDICTION AND DOES AT LEAST ONE OF THE FOLLOWING:

(I) SPENDS MORE THAN \$500 IN THE AGGREGATE IN AN ELECTION CYCLE TO MAKE CONTRIBUTIONS TO THE CANDIDATE AFFILIATED WITH THE ENTITY, MAKE EXPENDITURES IN SUPPORT OF THE CANDIDATE AFFILIATED WITH THE ENTITY OR OPPOSING THE CANDIDATE'S OPPONENT, OR MAKE ELECTIONEERING COMMUNICATIONS REFERENCING THE CANDIDATE AFFILIATED WITH THE ENTITY OR THE CANDIDATE'S OPPONENT.

(II) PAYS FOR OR REIMBURSES EXPENSES, SUCH AS TRAVEL, MEALS, OR CONFERENCE FEES, OF THE CANDIDATE.

(3) THE PROHIBITIONS UNDER SUBSECTIONS (1) AND (2) ARE NOT ENFORCEABLE UNTIL 18 MONTHS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION.

(4) SUBJECT TO SUBSECTION (3), THE PROHIBITION UNDER SUBSECTION (1) OR (2) APPLIES DURING THE PERIOD BEGINNING WHEN NEGOTIATIONS FOR THE RELEVANT CONTRACT COMMENCE OR THE REQUEST FOR PROPOSALS OR REQUEST FOR QUALIFICATIONS IS RELEASED, WHICHEVER IS EARLIER. THE PROHIBITION UNDER SUBSECTION (1) OR (2) ENDS 18 MONTHS AFTER THE TERMINATION OF THE RELEVANT CONTRACT.

(5) AN ENTITY IS AFFILIATED WITH A GOVERNMENT CONTRACTOR IF THE ENTITY IS DIRECTLY OR INDIRECTLY ESTABLISHED, FINANCED, MAINTAINED, OR CONTROLLED BY THE GOVERNMENT CONTRACTOR OR A PRINCIPAL OF THE GOVERNMENT CONTRACTOR.

(6) AN ENTITY IS AFFILIATED UNDER SUBSECTION (1)(C) OR (2)(C) OF THIS SECTION IF THE CANDIDATE, OR THE AGENTS, IMMEDIATE FAMILY, OR STAFF MEMBERS OF SUCH PERSONS DOES AT LEAST ONE OF THE FOLLOWING:

(A) DIRECTLY OR INDIRECTLY ESTABLISHED, FINANCES, MAINTAINS, OR CONTROLS THE ENTITY.

(B) HAS SOLICITED FUNDS FOR THE ENTITY WITHIN THE PRIOR TWO YEARS, UNLESS THE ENTITY IS AN ORGANIZATION EXEMPT FROM FEDERAL INCOME TAX UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE, 26 USC 501, OR ANY SUCCESSOR STATUTE.

(C) SERVES IN AN EXECUTIVE OR MANAGERIAL CAPACITY FOR THE ENTITY. THIS PARAGRAPH DOES NOT APPLY IF THE PERSON IS A COVERED CANDIDATE'S AGENT, IMMEDIATE FAMILY, OR STAFF MEMBER WHO DOES NOT PARTICIPATE IN AND DOES NOT HAVE ACTUAL OR IMPLICIT AUTHORITY TO AFFECT THE ENTITY'S DECISIONS CONCERNING SPENDING DESCRIBED UNDER SUBSECTION (1)(C)(I) OR (II) OR SUBSECTION (2)(C)(I) OR (II).

(7) IF A GOVERNMENT CONTRACTOR, PRINCIPAL OF A GOVERNMENT CONTRACTOR, OR ENTITY THAT IS AFFILIATED WITH A GOVERNMENT CONTRACTOR KNOWINGLY AND WILLINGLY MAKES A CONTRIBUTION OR DONATION PROHIBITED UNDER SUBSECTION (1) OR (2) OF THIS SECTION, THE CONTRACTING STATE OR LOCAL AGENCY MAY CANCEL THE EXISTING CONTRACT WITH SUCH GOVERNMENT CONTRACTOR AND NO STATE OR LOCAL AGENCY MAY AWARD THE GOVERNMENT CONTRACTOR A CONTRACT FOR 12 MONTHS AFTER THE ELECTION FOR WHICH THE CONTRIBUTION OR DONATION WAS MADE.

(8) A PERSON DOES NOT VIOLATE THE PROHIBITIONS UNDER SUBSECTIONS (1) OR (2) IF THE PROHIBITED CONTRIBUTION OR DONATION IS RETURNED TO THE CONTRIBUTOR OR DONOR NO LATER THAN 30 DAYS FROM THE DATE THE RECIPIENT KNOWS OR SHOULD HAVE KNOWN THE CONTRIBUTION OR DONATION WAS MADE BY A SOURCE PROHIBITED UNDER SUBSECTIONS (1) OR (2). IN DETERMINING ANY PENALTIES FOR VIOLATIONS OF SUBSECTIONS (1) OR (2), THE SECRETARY OF STATE MAY CONSIDER MITIGATING AND AGGRAVATING FACTORS, INCLUDING WHETHER THE PERSON MAKING THE CONTRIBUTION OR DONATION REQUESTED THAT THE UNLAWFUL CONTRIBUTION OR DONATION BE RETURNED WITHIN 30 DAYS OF BEING MADE.

(9) FOR PURPOSES OF THIS SECTION:

(A) "CONTRACT" MEANS AN AGREEMENT OF CONTRACT, LET THROUGH A PROCUREMENT PROCESS OR OTHERWISE, FOR THE RENDITION OF SERVICES; THE FURNISHING OF ANY GOODS, MATERIAL, SUPPLIES, EQUIPMENT, OR ANY ITEMS OF ANY KIND; THE CONSTRUCTION, ALTERATION, OR REPAIR OF ANY PUBLIC BUILDING OR PUBLIC WORK; OR THE ACQUISITION, SALE, OR LEASE OF ANY LAND OR BUILDING. CONTRACT DOES NOT MEAN ANY OF THE FOLLOWING:

(I) LOANS OR LOAN GUARANTEES.

(II) SUBSIDIES OR GRANTS ALLOCATED THROUGH THE APPROPRIATIONS PROCESS.

(III) COLLECTIVE BARGAINING AGREEMENTS.

(IV) AGREEMENTS BETWEEN POLITICAL SUBDIVISIONS OF THIS STATE SUCH AS COUNTIES OR MUNICIPALITIES THAT HAVE AGREEMENTS WITH THE STATE OR ONE ANOTHER.

(B) "CONTRACTING JURISDICTION" MEANS A LOCAL UNIT OF GOVERNMENT THAT HAS A CONTRACT WITH A LOCAL GOVERNMENT CONTRACTOR.

(C) "GOVERNMENT CONTRACTOR" MEANS A STATE GOVERNMENT CONTRACTOR OR A LOCAL GOVERNMENT CONTRACTOR.

(D) "LOCAL GOVERNMENT CONTRACTOR" MEANS ANY PERSON WHO HAS ENTERED INTO OR IS SEEKING TO ENTER INTO ONE OR MORE CONTRACTS WITH A LOCAL UNIT OF GOVERNMENT THAT EXCEED \$250,000 IN THE AGGREGATE IN A CALENDAR YEAR. "LOCAL GOVERNMENT CONTRACTOR" INCLUDES ANY SUBCONTRACTOR WHO HAS BEEN HIRED TO PERFORM ANY PART OF AN ORIGINAL LOCAL UNIT OF GOVERNMENT CONTRACT AND WHOSE AGGREGATE CONTRACTS OR SUBCONTRACTING AGREEMENTS EXCEED \$250,000 IN THE AGGREGATE IN A CALENDAR YEAR.

(E) "MAJORITY OWNER" MEANS A PERSON WHO HOLDS AN OWNERSHIP INTEREST OF MORE THAN 50% OF AN ENTITY.

(F) "PRINCIPAL OF A GOVERNMENT CONTRACTOR" INCLUDES:

(I) AN INDIVIDUAL WHO IS A MEMBER OF THE BOARD OF DIRECTORS, A MAJORITY OWNER, OR SUBSTANTIAL OWNER OF THE GOVERNMENT CONTRACTOR.

(II) AN INDIVIDUAL WHO IS EMPLOYED BY THE GOVERNMENT CONTRACTOR AS A PRESIDENT, CHIEF EXECUTIVE OFFICER, TREASURER, OR OFFICER WHO HOLDS SIMILAR RESPONSIBILITIES WITH RESPECT TO THE GOVERNMENT CONTRACTOR.

(III) AN AGENT OF THE GOVERNMENT CONTRACTOR, INCLUDING THE CONTRACTOR'S LOBBYIST AGENT, AS DEFINED IN SECTION 15 OF THE LOBBY ACT, 1978 ACT 472, MCL 4.415.

(IV) IMMEDIATE FAMILY OF ANY PERSON IN PARAGRAPHS (I) OR (II).

(G) "STAFF MEMBER" MEANS AN INDIVIDUAL WHO, DURING THE PRIOR TWO YEARS, HAS BEEN: (I) EMPLOYED OR SERVED IN AN EXECUTIVE OR MANAGERIAL CAPACITY FOR THE CANDIDATE.

(II) RETAINED BY A PUBLIC OFFICIAL OR CANDIDATE TO PROVIDE PROFESSIONAL SERVICES, OTHER THAN ACCOUNTING OR LEGAL SERVICES.

(H) "STATE GOVERNMENT" MEANS AN OFFICE, DEPARTMENT, BOARD, COUNCIL, COMMISSION, INSTITUTION, OR OTHER AGENCY IN THE EXECUTIVE OR LEGISLATIVE BRANCH OF STATE GOVERNMENT.

(I) "STATE GOVERNMENT CONTRACTOR" MEANS ANY PERSON WHO HAS ENTERED INTO OR IS SEEKING TO ENTER INTO ONE OR MORE CONTRACTS WITH STATE GOVERNMENT THAT EXCEED \$250,000 IN THE AGGREGATE IN A CALENDAR YEAR. "STATE GOVERNMENT CONTRACTOR" INCLUDES ANY SUBCONTRACTOR WHO HAS BEEN HIRED TO PERFORM ANY PART OF AN ORIGINAL STATE GOVERNMENT CONTRACT AND WHOSE AGGREGATE CONTRACTS OR SUBCONTRACTING AGREEMENTS EXCEED \$250,000 IN THE AGGREGATE IN A CALENDAR YEAR.

(J) "SUBSTANTIAL OWNER" MEANS A PERSON WHO HOLDS AN OWNERSHIP INTEREST OF 5% OR MORE OF AN ENTITY.

Sec. 44. (1) A person shall not make a contribution to another person with the agreement or arrangement that the person receiving the contribution will then transfer that contribution to a particular ~~candidate~~ committee.

(2) Except as otherwise provided in this section and sections 21a, 44a, 45, and 71, a candidate committee shall not make an expenditure or other disbursement except to further the nomination or election of the candidate for which it is formed. A candidate committee shall not make a contribution to or an independent expenditure on behalf of another candidate committee. This subsection does not prohibit the purchase of tickets to another candidate committee's fund-raising event that does not exceed \$100.00 per candidate committee in any calendar year.

(3) An individual, other than a committee treasurer or the individual designated as responsible for the record keeping, report preparation, or report filing for a committee, who obtains possession of a committee's contribution for the purpose of delivering the contribution to another committee shall deliver the contribution to that committee, that committee's treasurer, or that committee's agent, or return the contribution to the payor, not later than 10 business days after obtaining possession of the contribution.

(4) Two or more persons, other than individuals, may hold a joint fund-raiser if the receipts and expenses of the fund raiser are shared proportionately.

(5) A person who knowingly violates this section 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. 47. (1) Except as otherwise provided in this subsection and subject to subsections (3), ~~and~~ (4), AND (5), AN INTERNET COMMUNICATION, a billboard, placard, poster, pamphlet, or other printed matter having reference to an election, a candidate, or a ballot question, must display an identification that contains the name and address of the person paying for the matter. Except as otherwise provided in this subsection ~~and subsection (5)~~ and subject to subsections (3) and ~~(4)(5)~~, if the printed matter relating to a candidate is an independent expenditure that is not authorized in writing by the candidate committee of that candidate, in addition to the identification required under this subsection, the printed matter shall contain the following disclaimer: "Not authorized by any candidate committee". An individual other than a candidate is not subject to this subsection if the individual is acting independently and not acting as an agent for a candidate or any committee. This subsection does not apply to communications between a separate segregated fund established under section 55 and individuals who can be solicited for contributions to that separate segregated fund under section 55.

(2) ~~A radio or television~~AN AUDIO OR VIDEO paid advertisement having reference to an election, a candidate, or a ballot question must identify the sponsoring person as required by the Federal Communications Commission, bear an identification that contains the name of the person paying for the advertisement, and be in compliance with subsection (3) and ~~, except as otherwise provided by subsection (5),~~ with the following:

(a) If the ~~radio or television~~AUDIO OR VIDEO paid advertisement relates to a candidate and is an independent expenditure, the advertisement must contain the following disclaimer: "Not authorized by any candidate".

(b) If the ~~radio or television~~AUDIO OR VIDEO paid advertisement relates to a candidate and is not an independent expenditure but is paid for by a person other than the candidate to which it is related, the advertisement must contain the following disclaimer:

"Authorized by.....".

(name of candidate or name of candidate committee)

(3) The size and placement of an identification or disclaimer required by this section must be determined by rules promulgated by the secretary of state. The rules may exempt printed matter and certain other items such as campaign buttons or balloons, the size of which makes it unreasonable to add an identification or disclaimer, from the identification or disclaimer required by this section. IN THE CASE OF ANY INTERNET COMMUNICATION DISSEMINATED THROUGH A MEDIUM IN WHICH THE PROVISION OF ALL THE INFORMATION SPECIFIED IS NOT TECHNOLOGICALLY POSSIBLE, THE COMMUNICATION SHALL, IN A CLEAR AND CONSPICUOUS MANNER:

(A) STATE THE NAME OF THE PERSON WHO PAID FOR THE COMMUNICATION.

(B) PROVIDE A MEANS FOR THE RECIPIENT OF THE COMMUNICATION TO IMMEDIATELY OBTAIN THE REMAINDER OF THE INFORMATION REQUIRED UNDER THIS SECTION WITH MINIMAL EFFORT AND WITHOUT RECEIVING OR VIEWING ANY ADDITIONAL MATERIAL OTHER THAN THE REQUIRED INFORMATION.

(4) A PERSON THAT CLAIMS ITS INTERNET COMMUNICATION LACKS SUFFICIENT SPACE FOR THE INFORMATION REQUIRED UNDER THIS SECTION MUST BE ABLE TO ESTABLISH, AT THE SECRETARY OF STATE'S REQUEST, THAT THIS EXEMPTION HAS BEEN MET.

~~(4)(5)~~ Except for a communication described in subsection (5) and ~~except~~ for a candidate committee's printed matter or ~~radio or television~~AUDIO OR VIDEO paid advertisements, each identification required by this section must also indicate that the printed matter or ~~radio or television~~AUDIO OR VIDEO paid advertisement is paid for "with regulated funds". Printed matter or ~~a radio or television~~AN AUDIO OR VIDEO paid advertisement that is not subject to this act must not bear the statement required by this subsection.

~~(5)(6)~~ THE REQUIREMENTS UNDER THIS SECTION APPLY TO ELECTIONEERING COMMUNICATIONS. ~~A communication otherwise entirely exempted from this act under section 6(2)(j) is subject to both of the following: (a) Must contain the identification required by subsection (1), (2), or (7) if that communication references a clearly identified candidate or ballot question within 60 days before a general election or 30 days before a primary election in which the candidate or ballot question appears on a ballot and is targeted to the relevant electorate where the candidate or ballot question appears on the ballot by means of radio, television, mass mailing, or prerecorded telephone message. (b) Is not required to contain the disclaimer required by subsection (1) or (2).~~

~~(6)(7)~~ A person who knowingly violates this section is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00, or imprisonment for not more than 93 days, or both.

~~(7)(8)~~ A prerecorded telephone message that in express terms advocates the election or defeat of a clearly ~~identified~~ IDENTIFIABLE candidate, or the qualification, passage, or defeat of a CLEARLY IDENTIFIABLE ballot question, must bear an identification that contains the name and telephone number, address, or other contact information of the person paying for the prerecorded telephone message, and must be in compliance with subsection ~~(4)(5)~~. Except as otherwise provided in this subsection, a prerecorded telephone message subject to this subsection is not required to contain a disclaimer. If the prerecorded telephone message is generated in whole or substantially by artificial intelligence, the prerecorded telephone message must contain the following disclaimer: "This message was generated in whole or substantially by artificial intelligence."

Sec. 51. (1) A person, other than a committee, that makes an independent expenditure EXPENDITURES, advocating the election or defeat of a candidate or the qualification, passage, or defeat of a ballot question, in an AGGREGATE amount of \$500.01~~100.04~~ or more in a calendar year shall file a report of the independent expenditure EXPENDITURES, within 10 days after making that independent expenditure EXPENDITURES AGGREGATING IN EXCESS OF \$500.01, with the clerk of the county of residence of that person. If the independent expenditure advocates the election or defeat of a candidate for state elective office or for judicial office, or for the qualification, passage, or defeat of a statewide ballot question, or if the person making the independent expenditure is not a resident of this state, the person shall file the report with the secretary of state in lieu of filing with a clerk of a county. THE PERSON SHALL FILE A SUBSEQUENT REPORT WITHIN 10 DAYS OF MAKING ADDITIONAL INDEPENDENT EXPENDITURES AGGREGATING \$500.01 OR MORE IN THE CALENDAR YEAR. The report required under this section must be made on an independent expenditure report form provided by the secretary of state, include the date of the expenditure, a brief description of the nature of the expenditure, the amount, the name and address of the person to whom it was paid, the name and address of the person filing the report, together with the name, address, occupation, employer, and principal place of business of each person that contributed \$100.01 or more to the FOR MAKING INDEPENDENT expenditure EXPENDITURES, and identify the candidate or ballot question for or against which the independent expenditure EXPENDITURES were made. The filing official receiving the report shall forward copies, as required, to the appropriate filing officers as described in section 36.

(2) If a person MAKING INDEPENDENT EXPENDITURES OR ELECTIONEERING COMMUNICATIONS fails to file a report as required under this section, that person shall pay a late filing fee. If the person has made independent expenditures totaling less than \$10,000.00, the 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.

(3) ANY PERSON, OTHER THAN A COMMITTEE, WHO MAKES ELECTIONEERING COMMUNICATIONS AGGREGATING \$5,000 OR MORE IN A CALENDAR YEAR SHALL FILE A REPORT IN THE SAME MANNER AS DESCRIBED UNDER SUBSECTION (1) WITHIN 10 DAYS OF MAKING ELECTIONEERING COMMUNICATIONS IN EXCESS OF \$5,000. THE PERSON SHALL FILE A SUBSEQUENT REPORT WITHIN 10 DAYS OF MAKING ADDITIONAL ELECTIONEERING COMMUNICATIONS AGGREGATING IN EXCESS OF \$5,000 IN THE CALENDAR YEAR. THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL BE MADE ON AN ELECTIONEERING COMMUNICATION REPORT FORM PROVIDED BY THE SECRETARY OF STATE, INCLUDE THE DATES OF THE DISBURSEMENTS FOR THE COMMUNICATIONS, ALL CANDIDATES CLEARLY IDENTIFIED IN THE COMMUNICATIONS, THE AMOUNT OF THE DISBURSEMENTS, THE NAME AND ADDRESS TO WHOM ANY DISBURSEMENTS WERE MADE, THE NAME AND ADDRESS OF THE PERSON FILING THE REPORT, THE DATE ON WHICH THE PERSON'S ELECTIONEERING COMMUNICATIONS EXCEEDED \$5,000 IN THE AGGREGATE TO REQUIRE THE REPORT, TOGETHER WITH THE NAME, ADDRESS, OCCUPATION, EMPLOYER, AND PRINCIPAL PLACE OF BUSINESS OF EACH PERSON THAT CONTRIBUTED \$100.01 OR MORE FOR MAKING ELECTIONEERING COMMUNICATIONS AND ANY OTHER INFORMATION THE SECRETARY OF STATE DETERMINES IS NECESSARY. THE FILING OFFICIAL RECEIVING THE REPORT SHALL FORWARD COPIES, AS REQUIRED TO THE APPROPRIATE FILING OFFICERS AS DESCRIBED IN SECTION 36. A PERSON WHOSE SOLE ACTIVITY UNDER THIS ACT IS SPENDING \$5,000 OR MORE ON ELECTIONEERING COMMUNICATIONS WITHIN A CALENDAR YEAR SHALL NOT BE REQUIRED TO REGISTER AS A POLITICAL COMMITTEE UNDER THIS ACT.



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