

MICHIGAN DEPARTMENT OF STATE

RICHARD H. AUSTIN

SECRETARY OF STATE

STATE TREASURY BUILDING



LANSING

MICHIGAN 48918

August 21, 1979

Mr. Donald J. Reis  
Williams, Damon & Reis  
400 Frey Bldg.  
Union Bank Plaza  
Grand Rapids, Michigan 49503

Dear Mr. Reis:

This is in response to your inquiry concerning the Campaign Finance Act ("the Act"), P.A. 388 of 1976, as amended.

You state "An individual contributed to the candidate committee of a candidate for State Representative the sum of \$250 prior to the general election. This contribution was properly reported as required by the Statute. After the election, the candidate has outstanding bills related to his successful campaign. The contributor offers to make an additional contribution to help pay off the campaign debt."

The question presented is whether or not a candidate can receive an additional contribution from this individual after the election in order to retire the prior campaign debt.

Section 52(1) (c) of the Act (MCLA § 169.252 (1)(c)) provides a contributor may not contribute more than \$250 for a candidate for state representative "with respect to a single election." Section 52(2) (MCLA § 169.252 (2)) states:

"'With respect to a single election' means, in the case of a contribution designated in writing for a particular election, the election so designated. A contribution made after a primary election, general election, caucus, or convention and designated for the primary election, debts and obligations from the primary election, general election, caucus, or convention. If a contribution is not designated in writing for a particular election, the contribution shall be considered made for a primary election, general election, caucus, or convention if made on or before the date of the primary election, general election, caucus or convention.

From the facts presented, it may reasonably be assumed that the \$250 contributed prior to the general election was not designated for any particular election.

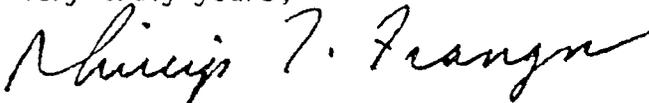
Mr. Donald J. Reis  
Page 2

Consequently, pursuant to the last sentence of the quoted statutory provision the \$250 contributed prior to the general election is construed as a contribution for the general election. Therefore, the contributor may not contribute further to the general election or make any additional contribution to help pay off campaign debts attributed to that election.

However, if the contributor has not reached his or her contribution limit for the primary election and there are outstanding debts attributable to the primary election, the contributor may make a contribution designated in writing for the primary election only to the extent that the contribution does not exceed still outstanding debts and obligations from the primary election.

Since your request did not present a detailed statement of facts as required by Rule 169.6 of the Administrative Rules promulgated to implement the Act for the issuance of declaratory rulings, this response is informational only and does not constitute a declaratory ruling.

Very truly yours,



Phillip T. Frangos, Director  
Office of Hearings and Legislation

PTF:dt:mw