

SENATE BILL NO. 305

March 24, 2021, Introduced by Senators ZORN, HORN, THEIS and STAMAS and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
(MCL 168.1 to 168.992) by adding section 931b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 931b. (1) Notwithstanding any provision of law to the
2 contrary, the name or likeness of an elected or appointed official
3 must not appear on or be used in any communication that is paid for
4 with public money and involves an election related activity.

5 (2) An individual who violates this section is guilty of a

1 misdemeanor punishable by a fine of not more than \$100.00 for a
2 first offense and is guilty of a misdemeanor punishable by a fine
3 of not more than \$250.00 for a second or subsequent offense.

4 (3) As used in this section:

5 (a) "Communication" includes, but is not limited to, any of
6 the following:

7 (i) Mail.

8 (ii) Billboards.

9 (iii) Radio or television advertisements.

10 (iv) Social media posts or advertisements.

11 (b) "Elected or appointed official" means any of the
12 following:

13 (i) The secretary of state.

14 (ii) A county clerk.

15 (iii) A city, village, or township clerk.

16 (c) "Election related activity" includes, but is not limited
17 to, any of the following:

18 (i) Voting.

19 (ii) Registering to vote.

20 (iii) Applying for an absent voter ballot.

21 (iv) Submitting an absent voter ballot by mail, at a clerk's
22 office, or absent voter ballot drop box.

23 (v) Finding a polling location.

24 (vi) Monitoring the status of an absent voter ballot online.

25 (vii) Recruiting individuals to be precinct election
26 inspectors.

27 (d) "Name or likeness" does not include an office title,
28 address, or telephone number, or other contact information, as long

1 as that contact information does not include the name or likeness
2 of an elected or appointed official.