

MICHIGAN DEPARTMENT OF STATE

RICHARD H. AUSTIN

SECRETARY OF STATE

STATE TREASURY BUILDING



LANSING

MICHIGAN 48918

August 21, 1979

Mr. Art Kelsey
4602 East Clinton Trail
Eaton Rapids, Michigan 48827

Dear Mr. Kelsey:

This is in response to your inquiry concerning the applicability of the Campaign Finance Act ("the Act"), P.A. 388 of 1976, as amended, to the use for campaign purposes of a demonstration vehicle provided previously for other purposes by a corporation.

You state "As the spouse of an auto dealer I am entitled to the full use of a 'demo' vehicle, per agreement with Ford Motor Company. I am presently using this vehicle for campaigning."

You ask whether use of this vehicle for campaigning is permissible under the Act.

Section 54(1) of the Act (MCLA §169.254(1)) provides a corporation may not make a contribution or expenditure to a candidate committee. The definitions of "contribution" in Section 4 (MCLA §169.204) and "expenditure" in Section 6 (MCLA §169.206) include the transfer of anything of ascertainable monetary value to an individual for the purpose of influencing the nomination or election of a candidate.

Although it may be stated the vehicle was not placed initially in your possession for the purpose of using it to campaign for office, its usage in a campaign by a candidate is a transfer of an object of ascertainable monetary value for the purpose of influencing an election. The use of corporate property by a candidate committee is prohibited by the Act.

Accordingly, you may use the demonstration vehicle for any purpose allowed in agreement with Ford Motor Company, but you may not use the vehicle for campaign purposes.

This response constitutes a declaratory ruling concerning the applicability of the Act to the facts enumerated in your request.

Sincerely,

A handwritten signature in cursive script that reads "Richard H. Austin".

Richard H. Austin
Secretary of State

RHA/PTF/jmp