

MICHIGAN DEPARTMENT OF STATE

RICHARD H. AUSTIN

SECRETARY OF STATE

STATE TREASURY BUILDING



LANSING

MICHIGAN 48918

February 6, 1980

Mr. Howard Altman
Director of Elections
Oakland County Clerk Office
Pontiac, Michigan 48053

Dear Mr. Altman:

You have requested an interpretation of the Campaign Finance Act ("the Act"), 1976 PA 388, as amended, regarding the transfer of funds between two candidate committees of the same person.

Section 45(1) of the Act (MCL 169.245(1)) states:

"A person may transfer any unexpended funds from 1 candidate committee to another candidate committee of that person if the contribution limits prescribed in section 52 for the candidate committee receiving the funds are equal to or greater than the contribution limits for the candidate committee transferring the funds and if the candidate committees are simultaneously held by the same person."

You ask if this language prohibits a transfer of funds from a candidate committee for a local elective office to a candidate committee for a state elective office.

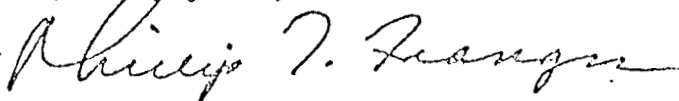
All state elective offices are subject to contribution limitations provided in section 52 of the Act (MCL 169.252); the Act sets no contribution limitations on local elective offices. In view of the latter fact, a local candidate committee has an unlimited contribution limitation and, consequently, can receive potentially far larger contributions than a state candidate committee.

Therefore, pursuant to section 45(1), funds may be transferred from an individual's state candidate committee to that person's local candidate committee, but funds may not be transferred from the local candidate committee to the state candidate committee.

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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/s