Disclaimer

- We hope that the above resources will be helpful to you. Before utilizing them, please check with your municipal attorney concerning compliance with the Campaign Finance Act and other applicable laws. The Act (specifically Section 57, at MCL 169.257) generally prohibits the use of public resources to promote or oppose a ballot proposal.

- There are qualifications and exceptions however. The exceptions include: the production and dissemination of factual, rather than promotional, information; expression of opinions by public officials in their policy making roles; use of a public facility if there is an equal opportunity for those with an opposing point of view to use it; production and dissemination of debates, interviews, etc. in a newspaper, magazine or other publication in the regular course of publication; and a public official who, on his or her own time and at his or her own expense, while not acting for a public body, expressing his or her own personal views, including a letter to the editor using the official's municipal title.

- The Secretary of State has interpreted the Act and its exceptions to mean that public bodies may debate and pass resolutions to support or oppose a ballot question, however the use of public resources to distribute or publicize the resolution beyond the regular provision of factual information regarding actions taken by the public body would be a violation. The occasional or incidental use of public resources (e.g. phone or email) to communicate with a citizen or the media is not a violation; however, a mass email or mailing would be. A municipality may not put a link on its website to a site that expressly advocates one point of view on a ballot question.

Again, for guidance to specific questions and elaboration, please consult your municipal attorney, who is encouraged to contact the League for additional resources if needed.