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MICHIGAN HOUSE OF REPRESENTATIVES

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September 19, 2025

Jocelyn Benson
Department of State
Bureau of Elections
Richard F. Austin Building-1st Floor
430 West Allegan Street
Lansing, MI 48918

Re: Secretary of State Interpretive Statement Request

Dear Secretary Benson,

We are writing to request an Interpretive Statement on the use of campaign funds to pay for expenses related to security.

Are security expenses incurred as a direct result of campaign activity and holding office deemed a permissible expenditure in the State of Michigan?

Under federal guidelines, campaign funds may be used to pay for the reasonable cost of security measures for a federal candidate, federal officeholder, member of the family and employees — as defined in 26 CFR 31.3401 (c) (1)— of the candidate's campaign or the federal officeholder's office, so long as the security measures address ongoing dangers or threats that would not exist irrespective of the individual's status or duties as a federal candidate or officeholder.

Pursuant to the Federal Election Commission (FEC) rules that took effect in January 2025, federal candidates and officeholders may use campaign funds for security expenses, provided the threats would not exist regardless of their political position. California, Louisiana and Minnesota allow candidates to use campaign funds for security for themselves and family members.

Under the current law in the State of Michigan, it is unclear if security costs as a direct result of candidacy is considered a necessary and permissible expenditure.

According to the Michigan Campaign Finance Act, Section 169.206, candidates for public office have to abide by the following guidelines:

“Expenditure” means a payment, donation, loan, or promise of payment of money or anything of ascertainable monetary value for goods, materials, services, or facilities in assistance of, or in opposition to, the nomination or election of a candidate, the qualification, passage, or defeat of a ballot question, or the qualification of a new political party. Expenditure includes, but is not limited to, any of the following:

- A contribution or a transfer of anything of ascertainable monetary value for purposes of influencing the nomination or election of a candidate, the qualification, passage, or defeat of a ballot question, or the qualification of a new political party.
- Except as provided in subsection (2)(f) or (g), an expenditure for voter registration or get-out-the-vote activities made by a person who sponsors or finances the activity or who is identified by name with the activity.
- Except as provided in subsection (2)(c), the cost of establishing and administering a payroll deduction plan to collect and deliver a contribution to a committee.”

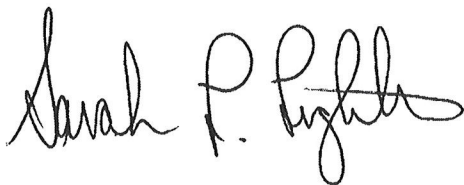
In addition, under current law in the State of Michigan, it is unclear if security costs as a direct result of legislative duties are considered a necessary and permissible expenditure. According to the Expenditures and Disbursements page on the Michigan Bureau of Elections website, state and local office holders have to abide by the following guidelines:

“Incidental Expense” means an expenditure that is an ordinary and necessary expense paid or incurred in carrying out the business of an elective office. The Candidate Committee account of a candidate who is holding office may be used to make disbursements to pay for expenses that are incidental to holding that office.

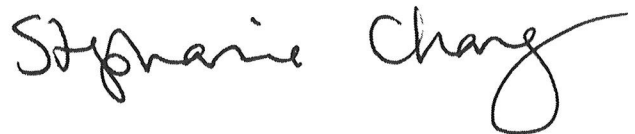
We are requesting that your office determine and issue a ruling on the question of whether security expenses incurred in connection with running for office or holding public office in Michigan are considered personal use under the law or are considered a permissible campaign expenditure.

If you have any questions or need additional information in connection with this ruling request, please contact us at SarahLightner@house.michigan.gov and SChang@senate.michigan.gov.

Sincerely,



Sarah L. Lightner
House Judiciary Chair
State Representative
45th District



Stephanie Chang
Senate Civil Rights, Judiciary,
and Public Safety Chair
State Senator
3rd District