



STATE OF MICHIGAN
EXECUTIVE OFFICE
LANSING

RICK SNYDER
GOVERNOR

BRIAN CALLEY
LT. GOVERNOR

December 28, 2018

Michigan House of Representatives
Michigan Senate
State Capitol Building
Lansing, Michigan 48913

Ladies and Gentlemen:

I am writing to inform you that I do not approve Senate Bill 1176.

This bill, which would have created the Personal Privacy Protection Act to prohibit certain public agencies from requiring disclosure of personal information, including donor rolls, of entities organized under section 501(c) of the Internal Revenue Code, generated significant media coverage, and significant, and surprisingly broad support from nonprofit organizations of all stripes and political affiliations.

Sixty years ago, the Supreme Court of the United States ruled in *NAACP v Alabama* that "effective advocacy of both public and private points of view, particularly controversial ones, is undeniably enhanced by group association," and that the "freedom to engage in association for the advancement of beliefs and ideas is an inseparable aspect of the 'liberty' assured by the Due Process Clause." Compelling disclosure of donor rolls and membership lists, the Court concluded, would have a deterrent effect on the free exercise of the constitutionally protected right of association.

I understand and appreciate the goals of this legislation: to prevent the creation of target lists of donors to nonprofit organizations that may espouse controversial views. In today's hyper-partisan, and emotionally charged political environment, individuals should not feel like they are at risk of intimidation or threats because of the nonprofit organizations they support. That is a laudable goal.

But I am concerned first that this bill's broad prohibitions will impair the executive branch's ability to effectively protect the donors of organizations. Moreover, I believe this legislation is a solution in search of a problem that does not exist in Michigan. While other state attorneys general have probed for information relative to nonprofit donors, that has not been the case here in Michigan. And I believe the Supreme Court's decision in *NAACP v Alabama* effectively prohibits the type of activities that this legislation is seeking to prohibit.

Because the Supreme Court has already spoken on this issue, I do not think this legislation is necessary. Accordingly, I am vetoing Senate Bill 1176. I trust that the legislature and next administration will revisit this issue if it becomes necessary to ensure appropriate protections for the First Amendment rights of Michiganders.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Snyder", with a long horizontal flourish extending to the right.

Rick Snyder
Governor