



HOUSE BILL No. 5969

November 30 1994 Introduced by Reps Bobier Fitzgerald Stille and Dolan and referred to the Committee on House Oversight and Ethics

A bill to amend section 16 of Act No 388 of the Public Acts of 1976, entitled as amended

"Michigan campaign finance act,

as amended by Act No 188 of the Public Acts of 1992 being section 169 216 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 16 of Act No 388 of the Public Acts of
2 1976, as amended by Act No 188 of the Public Acts of 1992 being
3 section 169 216 of the Michigan Compiled Laws is amended to read
4 as follows

5 Sec 16 (1) A filing official shall make a statement or
6 report required to be filed under this act available for public
7 inspection and reproduction ~~commencing~~ DURING REGULAR
8 BUSINESS HOURS OF THE FILING OFFICIAL THE FILING OFFICIAL SHALL
9 MAKE A STATEMENT OR REPORT FILED UNDER THIS ACT AVAILABLE as soon

1 as practicable AFTER RECEIPT but not later than the third
 2 business day following the day on which ~~it~~ THE STATEMENT OR
 3 REPORT is received ~~—during regular business hours of the~~
 4 ~~filing official—~~

5 (2) A FILING OFFICIAL SHALL PROVIDE A copy of a statement OR
 6 REPORT or part of a statement ~~shall be provided by a filing~~
 7 ~~official~~ OR REPORT at a reasonable charge

8 (3) A PERSON SHALL NOT USE A statement ~~open~~ OR REPORT
 9 AVAILABLE to the public under this act ~~shall not be used~~ for
 10 any commercial purpose

11 (4) ~~A~~ THE FILING OFFICIAL SHALL PRESERVE A statement of
 12 organization filed under this act ~~shall be preserved by the~~
 13 ~~filing official~~ for 5 years from the official date of the
 14 committee s dissolution ~~A~~ THE FILING OFFICIAL SHALL PRESERVE
 15 A statement or report filed under this act by a candidate for an
 16 office with a term exceeding 4 years ~~shall be preserved by the~~
 17 ~~filing official~~ for ~~1 year~~ 5 YEARS beyond that candidate's
 18 term of office ~~Any~~ THE FILING OFFICIAL SHALL PRESERVE ANY
 19 other statement or report filed under this act ~~shall be pre-~~
 20 ~~served by the filing official~~ for 5 years from the OFFICIAL date
 21 OF the ~~filing occurred~~ COMMITTEE S DISSOLUTION Statements and
 22 reports filed under this act may be reproduced pursuant to the
 23 records media act, ACT NO 116 OF THE PUBLIC ACTS OF 1992 BEING
 24 SECTIONS 24 401 TO 24 403 OF THE MICHIGAN COMPILED LAWS After
 25 the required preservation period, the statements and reports or
 26 the reproductions of the statements and reports, shall be
 27 destroyed

1 (5) A ~~charge~~ FILING OFFICIAL shall not ~~be collected by a~~
2 ~~filing official~~ COLLECT A FEE for the filing of a required
3 statement or report or for a form upon which ~~the~~ A REQUIRED
4 statement or report is to be prepared ~~except~~ HOWEVER A
5 FILING OFFICIAL SHALL COLLECT a late filing fee required by this
6 act

7 (6) A filing official shall determine whether a statement or
8 report filed under this act complies, on its face, with the
9 requirements of this act and the rules promulgated under this
10 act The filing official shall determine whether a statement or
11 report that is required to be filed under this act is in fact
12 filed Within 4 business days after the deadline for filing a
13 statement or report under this act the filing official shall
14 give notice to the filer by registered mail of an error or omis-
15 sion in the statement or report and give notice to a person the
16 filing official has reason to believe is a person required to and
17 who failed to file a statement or report ~~A~~ THE failure OF A
18 FILING OFFICIAL to give notice ~~by the filing official~~ under
19 this subsection is not a defense to a criminal action against the
20 person required to file

21 (7) Within 9 business days after the report or statement is
22 required to be filed the filer shall make any corrections in the
23 statement or report ~~filed~~ AND FILE THE CORRECTIONS with the
24 appropriate filing official If the report or statement was not
25 filed ~~then it shall be late filed~~ THE PERSON SHALL FILE THE
26 REPORT OR STATEMENT WITH THE APPROPRIATE FILING OFFICIAL within 9
27 business days after the time it was required to be filed ~~and~~

1 ~~shall be~~ WHICH REPORT OR STATEMENT IS CONSIDERED LATE FILED AND
2 IS subject to late filing fees

3 (8) After 9 business days and before 12 business days have
4 expired after the deadline for filing the statement or report
5 the filing official shall report errors or omissions that were
6 not corrected and failures to file to the attorney general

7 (9) A PERSON SHALL FILE A statement or report required to be
8 filed under this act ~~shall be filed~~ not later than 5 p m of
9 the day in which it is required to be filed A preelection
10 statement or report due on July 25 or October 25 under section 33
11 that is postmarked by registered or certified mail, or sent by
12 express mail or other overnight delivery service at least 2 days
13 before the deadline for filing is filed within the prescribed
14 time regardless of when it is actually delivered Any other
15 statement or report required to be filed under this act that is
16 postmarked by registered or certified mail or sent by express
17 mail or other overnight delivery service on or before the dead-
18 line for filing is filed within the prescribed time regardless of
19 when it is actually delivered