

SENATE BILL No. 144

January 29, 2009, Introduced by Senators McMANUS, BARCIA, HARDIMAN and BROWN and referred to the Committee on Campaign and Election Oversight.

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
by amending section 34 (MCL 169.234), as amended by 1999 PA 238.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 34. (1) A ballot question committee shall file a campaign
2 statement as required by this act according to the following
3 schedule:

4 (a) A preelection campaign statement, the closing date of
5 which shall be the sixteenth day before the election, shall not be
6 filed later than the eleventh day before the election.

7 ~~(b) A postelection campaign statement, the closing date of~~
8 ~~which shall be the twentieth day following the election, shall not~~
9 ~~be filed later than the thirtieth day following an election. If all~~
10 ~~liabilities of the committee are paid before the closing date and~~

~~additional contributions are not expected, the campaign statement may be filed at any time after the election, but not later than the thirtieth day following the election.~~

(B) CAMPAIGN STATEMENTS NOT LATER THAN THE FOLLOWING DATES EVERY YEAR:

(i) JANUARY 25 WITH A CLOSING DATE OF DECEMBER 31 OF THE PREVIOUS YEAR.

(ii) APRIL 25 WITH A CLOSING DATE OF MARCH 31.

(iii) JULY 25 WITH A CLOSING DATE OF JUNE 30.

(iv) OCTOBER 25 WITH A CLOSING DATE OF SEPTEMBER 30.

~~—— (2) A ballot question committee supporting or opposing a statewide ballot question shall file a campaign statement, of which the closing date shall be the twenty eighth day after the qualification of the measure, not later than 35 days after the ballot question is qualified for the ballot. If the ballot question fails to qualify for the ballot, the ballot question committee shall file the campaign statement within 35 days after the final deadline for qualifying, the closing date of which shall be the twenty eighth day after the deadline.~~

(2) (3) If a ballot question committee supporting or opposing a statewide ballot question fails to file a preelection statement under this section, that committee or its treasurer shall pay a late filing fee for each business day the statement remains not filed in violation of this section, not to exceed \$1,000.00, pursuant to the following schedule:

(a) First day--\$25.00.

(b) Second day--\$50.00.

1 (c) Third day--\$75.00.

2 (d) Fourth day and for each subsequent day that the statement
3 remains unfiled--\$100.00.

4 (3) ~~(4)~~—If a treasurer or other individual designated as
5 responsible for the record keeping, report preparation, or report
6 filing of a ballot question committee supporting or opposing a
7 statewide ballot question fails to file a statement, other than a
8 preelection statement, under this section, that committee,
9 treasurer, or other designated individual shall pay a late filing
10 fee. If the committee has raised \$10,000.00 or less during the
11 previous 2 years, the late filing fee shall be \$25.00 for each
12 business day the campaign statement remains unfiled, but not to
13 exceed \$1,000.00. If the committee has raised more than \$10,000.00
14 during the previous 2 years, the late filing fee shall be \$50.00
15 for each business day the campaign statement remains unfiled, but
16 not to exceed \$2,000.00.

17 (4) ~~(5)~~—If a treasurer or other individual designated as
18 responsible for the record keeping, report preparation, or report
19 filing of a ballot question committee supporting or opposing other
20 than a statewide ballot question fails to file a statement under
21 this section, that committee, treasurer, or other designated
22 individual shall pay a late filing fee. If the committee has raised
23 \$10,000.00 or less during the previous 2 years, the late filing fee
24 shall be \$25.00 for each business day the campaign statement
25 remains unfiled, but not to exceed \$1,000.00. If the committee has
26 raised more than \$10,000.00 during the previous 2 years, the late
27 filing fee shall be \$50.00 for each business day the campaign

1 statement remains unfiled, but not to exceed \$2,000.00.

2 (5) ~~(6)~~—If a treasurer or other individual designated as
3 responsible for the record keeping, report preparation, or report
4 filing of a ballot question committee fails to file a statement as
5 required by subsection (1) ~~or (2)~~ for more than 7 days, that
6 treasurer or other designated individual is guilty of a
7 misdemeanor, punishable by a fine of not more than \$1,000.00, or
8 imprisonment for not more than 90 days, or both.

9 (6) ~~(7)~~—If a treasurer or other individual designated as
10 responsible for the record keeping, report preparation, or report
11 filing of a ballot question committee knowingly files an incomplete
12 or inaccurate statement or report required by this section, that
13 treasurer or other designated individual is subject to a civil fine
14 of not more than \$1,000.00.