

# HOUSE BILL No. 4479

March 19, 2013, Introduced by Reps. Schor, LaVoy and Kivela and referred to the  
Committee on Elections and Ethics.

A bill to amend 1976 PA 388, entitled  
"Michigan campaign finance act,"  
by amending section 35 (MCL 169.235), as amended by 2012 PA 273.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 35. (1) In addition to any other requirements of this act  
2       for filing a campaign statement, a committee, other than an  
3       independent committee or a political committee required to file  
4       with the secretary of state, shall also file a campaign statement  
5       not later than January 31 of each year. The campaign statement  
6       shall have a closing date of December 31 of the previous year. The  
7       period covered by the campaign statement filed under this  
8       subsection begins the day after the closing date of the previous

1 campaign statement. A campaign statement filed under this  
2 subsection shall be waived if a postelection campaign statement has  
3 been filed that has a filing deadline within 30 days of the closing  
4 date of the campaign statement required by this subsection.

5 (2) Subsection (1) does not apply to a candidate committee for  
6 an officeholder who is a judge or a supreme court justice, or who  
7 holds an elective office for which the salary is less than \$100.00  
8 a month and who does not receive any contribution or make any  
9 expenditure during the time that would be otherwise covered in the  
10 statement.

11 (3) A committee, candidate, treasurer, or other individual  
12 designated as responsible for the record keeping, report  
13 preparation, or report filing for a candidate committee of a  
14 candidate for state elective office or a judicial office who fails  
15 to file a campaign statement under this section shall be assessed a  
16 late filing fee. If the committee has raised \$10,000.00 or less  
17 during the previous 2 years, the late filing fee shall be \$25.00  
18 for each business day the campaign statement remains unfiled, but  
19 not to exceed \$500.00. If the committee has raised more than  
20 \$10,000.00 during the previous 2 years, the late filing fee shall  
21 be \$50.00 for each business day the campaign statement remains  
22 unfiled, but not to exceed \$1,000.00. ~~The late filing fee assessed~~  
23 ~~under this subsection shall be paid by the candidate, and the~~  
24 ~~candidate shall not use committee funds to pay that fee. A~~  
25 committee, treasurer, or other individual designated as responsible  
26 for the record keeping, report preparation, or report filing for a  
27 committee other than a candidate committee of a candidate for state

1 elective office or a judicial office who fails to file a campaign  
2 statement under this section shall pay a late filing fee of \$25.00  
3 for each business day the campaign statement remains not filed in  
4 violation of this section. The late filing fee shall not exceed  
5 \$500.00.

6 (4) A committee filing a written statement under section 24(5)  
7 or (6) need not file a statement in accordance with subsection (1).  
8 If a committee receives or expends more than \$1,000.00 during a  
9 time period prescribed by section 24(5) or (6), the committee is  
10 then subject to the campaign filing requirements under this act and  
11 shall file a campaign statement for the period beginning the day  
12 after the closing date of the last postelection campaign statement  
13 or an annual campaign statement that is waived under subsection  
14 (1), whichever occurred earlier.

15 (5) If a candidate, treasurer, or other individual designated  
16 as responsible for the record keeping, report preparation, or  
17 report filing fails to file 2 statements required by this section  
18 or section 33 and both of the statements remain unfiled for more  
19 than 30 days, that candidate, treasurer, or other designated  
20 individual is guilty of a misdemeanor, punishable by a fine of not  
21 more than \$1,000.00, or imprisonment for not more than 90 days, or  
22 both.

23 (6) If a candidate, treasurer, or other individual designated  
24 as responsible for the record keeping, report preparation, or  
25 report filing for a committee required to file a campaign statement  
26 under subsection (1) knowingly files an incomplete or inaccurate  
27 statement or report required by this section, that individual is

1 subject to a civil fine of not more than \$1,000.00.