

HOUSE BILL No. 4596

May 13, 2015, Introduced by Rep. Lyons and referred to the Committee on Elections.

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
by amending section 24 (MCL 169.224), as amended by 1999 PA 237.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 24. (1) A committee shall file a statement of
2 organization with the filing officials designated in section 36 to
3 receive the committee's campaign statements. A statement of
4 organization shall be filed within 10 days after a committee is
5 formed. A filing official shall maintain a statement of
6 organization filed by a committee until 5 years after the official
7 date of the committee's dissolution. A person who fails to file a
8 statement of organization required by this subsection shall pay a
9 late filing fee of \$10.00 for each business day the statement
10 remains not filed in violation of this subsection. The late filing
11 fee shall not exceed \$300.00. A person who violates this subsection

1 by failing to file for more than 30 days after a statement of
2 organization is required to be filed is guilty of a misdemeanor
3 punishable by a fine of not more than \$1,000.00.

4 (2) The statement of organization required by subsection (1)
5 shall include the following information:

6 (a) The name, street address, and if available, the telephone
7 number of the committee. If a committee is a candidate committee,
8 the committee name shall include the first and last name of the
9 candidate. A committee address may be the home address of the
10 candidate or treasurer of the committee.

11 (b) The name, street address, and if available, the telephone
12 number of the treasurer or other individual designated as
13 responsible for the committee's record keeping, report preparation,
14 or report filing.

15 (c) The name and address of the financial institution in which
16 the official committee depository is or is intended to be located,
17 and the name and address of each financial institution in which a
18 secondary depository is or is intended to be located.

19 (d) The full name of the office being sought by, including
20 district number or jurisdiction, and the county residence of each
21 candidate supported or opposed by the committee.

22 (e) A brief statement identifying the substance of each ballot
23 question supported or opposed by the committee. If the ballot
24 question supported or opposed by the committee is not statewide,
25 the committee shall identify the county in which the greatest
26 number of registered voters eligible to vote on the ballot question
27 reside.

1 (f) Identification of the committee as a candidate committee,
2 political party committee, independent committee, political
3 committee, or ballot question committee if it is identifiable as
4 such a committee.

5 (3) An independent committee or political committee shall
6 include in the name of the committee the name of the person or
7 persons that sponsor the committee, if any, or with whom the
8 committee is affiliated. A person, other than an individual or a
9 committee, sponsors or is affiliated with an independent committee
10 or political committee if that person establishes, directs,
11 controls, or financially supports the administration of the
12 committee. For the purposes of this subsection, a person does not
13 financially support the administration of a committee by merely
14 making a contribution to the committee.

15 (4) If any of the information required in a statement of
16 organization is changed, the committee shall file an amendment when
17 the next campaign statement is required to be filed. An independent
18 committee or political committee whose name does not include the
19 name of the person or persons that sponsor the committee or with
20 whom the committee is affiliated as required by subsection (3)
21 shall file an amendment to the committee's statement of
22 organization not later than the date the next campaign statement is
23 required to be filed after ~~the effective date of the amendatory act~~
24 ~~that added this sentence.~~ **APRIL 1, 1995.**

25 (5) When filing a statement of organization, a committee,
26 other than an independent committee, a political committee, or a
27 political party committee, may indicate in a written statement

signed by the treasurer of the committee that the committee does not expect for each election to receive an amount in excess of \$1,000.00 or expend an amount in excess of \$1,000.00. **THE TREASURER OF A COMMITTEE OF AN INCUMBENT JUDGE OR JUSTICE IS CONSIDERED TO HAVE MADE THE STATEMENT REQUIRED UNDER THIS SUBSECTION FOLLOWING APPOINTMENT OR ELECTION OF THAT JUDGE OR JUSTICE AND IS NOT REQUIRED TO FILE A WRITTEN STATEMENT UNDER THIS SUBSECTION INDICATING THAT THE COMMITTEE DOES NOT EXPECT FOR EACH ELECTION TO RECEIVE OR EXPEND AN AMOUNT IN EXCESS OF \$1,000.00.**

(6) When filing a statement of organization, an independent committee, a political committee, or a political party committee may indicate in a written statement signed by the treasurer of the committee that the committee does not expect in a calendar year to receive or expend an amount in excess of \$1,000.00.

(7) Upon the dissolution of a committee, the committee shall file a statement indicating dissolution with the filing officials with whom the committee's statement of organization was filed. Dissolution of a committee shall be accomplished pursuant to rules promulgated by the secretary of state under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(8) A candidate committee that files a written statement ~~pursuant to~~ **UNDER** subsection (5) ~~shall~~ **OR THAT IS CONSIDERED TO HAVE MADE A STATEMENT UNDER SUBSECTION (5) IS** not be required to file a dissolution statement ~~pursuant to~~ **UNDER** subsection (7) if the committee failed to receive or expend an amount in excess of \$1,000.00 and 1 of the following applies:

(a) The candidate was defeated in an election and has no

1 outstanding campaign debts or assets.

2 (b) The candidate vacates an elective office and has no
3 outstanding campaign debts or assets.

4 Enacting section 1. This amendatory act takes effect 90 days
5 after the date it is enacted into law.

6 Enacting section 2. This amendatory act does not take effect
7 unless Senate Bill No. ____ or House Bill No. 4597 (request no.
8 01464'15) of the 98th Legislature is enacted into law.