

Senate Fiscal Agency  
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Lansing, Michigan 48909-7536

**SFA****BILL ANALYSIS**

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House Bill 4026 (Substitute H-4 as passed by the House)  
Sponsor: Representative Scott Shackleton  
House Committee: Constitutional Law and Ethics  
Senate Committee: Government Operations

Date Completed: 2-9-00

### **CONTENT**

**The bill would amend the Michigan Campaign Finance Act to extend the time filing officials must keep certain campaign statements and reports, from five years to 15 years.**

Currently, a committee's statement of organization, and any other statement or report filed under the Act, must be preserved by the filing official (and made available for public inspection) for five years after the committee's dissolution or after the filing occurred, as applicable. (The filing official is either the Secretary of State or a local clerk, as prescribed in the Act for various candidates or campaign committees.)

The bill provides that a statement of organization, or any other statement or report, filed under the Act, that was filed with the Secretary of State would have to be preserved for 15 years from the date of a committee's dissolution (for a statement of organization) or from the date filed (for any other statement or report). A statement of organization, or any other statement or report, filed with a local filing official would have to be preserved for 15 years if filed by a committee that received more than \$50,000 in an election cycle; and preserved for five years if the committee received less than \$50,000 in an election cycle.

The Act also provides that a statement or report filed by a candidate for an office with a term exceeding four years must be preserved for one year beyond that candidate's term of office. The bill would delete that provision.

Currently, statements and reports filed under the Act must be destroyed after the required preservation period. The bill provides instead that after the required preservation period statements and reports could be disposed of in the manner prescribed in the Management and Budget Act and Public Act 271 of 1913, which prescribes the powers and duties of the Michigan Historical Commission. (Under the Management and Budget Act, the Secretary of State must determine whether records possess archival value; any record considered to have archival value must be retained rather than disposed of as prescribed in the Act. Public Act 271 specifies procedures whereby records placed in the custody of the Michigan Historical Commission may be preserved or destroyed.)

MCL 169.216

Legislative Analyst: G. Towne

## **FISCAL IMPACT**

State and local governments could incur costs due to the storage and retrieval requirements of this bill. Because the costs would depend on the medium of storage and the volume of storage, the fiscal impact of this bill is indeterminate.

Fiscal Analyst: E. Limbs

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.