

SUBSTITUTE FOR  
HOUSE BILL NO. 4026

A bill to amend 1976 PA 388, entitled  
"Michigan campaign finance act,"  
by amending section 16 (MCL 169.216), as amended by 1992 PA 188.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1       Sec. 16. (1) A filing official shall make a statement or  
2 report required to be filed under this act available for public  
3 inspection and reproduction, commencing as soon as practicable,  
4 but not later than the third business day following the day on  
5 which it is received, during regular business hours of the filing  
6 official.
- 7       (2) A copy of a statement or part of a statement shall be  
8 provided by a filing official at a reasonable charge.
- 9       (3) A statement open to the public under this act shall not  
10 be used for any commercial purpose.

**HB4026, As Passed House, April 20, 1999**

Sub. H.B. 4026 (H-4) as amended April 20, 1999

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1           (4) ~~A~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A  
2 statement of organization filed under this act WITH A FILING  
3 OFFICIAL WHO IS NOT THE SECRETARY OF STATE shall be preserved by  
4 ~~the~~ THAT filing official for 5 years from the official date of  
5 the committee's dissolution. A STATEMENT OF ORGANIZATION FILED  
6 UNDER THIS ACT WITH A FILING OFFICIAL WHO IS NOT THE SECRETARY OF  
7 STATE THAT IS FILED BY A COMMITTEE THAT [RECEIVED] MORE THAN  
8 \$50,000.00 IN AN ELECTION CYCLE SHALL BE PRESERVED BY THAT FILING  
9 OFFICIAL FOR 15 YEARS FROM THE OFFICIAL DATE OF THE COMMITTEE'S  
10 DISSOLUTION. A statement ~~or report filed under this act by a~~  
11 ~~candidate for an office with a term exceeding 4 years shall be~~  
12 ~~preserved by the filing official for 1 year beyond that~~  
13 ~~candidate's term of office~~ OF ORGANIZATION FILED UNDER THIS ACT  
14 WITH THE SECRETARY OF STATE SHALL BE PRESERVED BY THE SECRETARY  
15 OF STATE FOR 15 YEARS FROM THE OFFICIAL DATE OF THE COMMITTEE'S  
16 DISSOLUTION. ~~Any~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSEC-  
17 TION, ANY other statement or report filed under this act WITH A  
18 FILING OFFICIAL WHO IS NOT THE SECRETARY OF STATE shall be pre-  
19 served by ~~the~~ THAT filing official for 5 years from the date  
20 the filing occurred. ANY OTHER STATEMENT OR REPORT FILED UNDER  
21 THIS ACT WITH A FILING OFFICIAL WHO IS NOT THE SECRETARY OF STATE  
22 THAT IS FILED BY A COMMITTEE THAT [RECEIVED] MORE THAN \$50,000.00 IN  
23 AN ELECTION CYCLE SHALL BE PRESERVED BY THAT FILING OFFICIAL FOR  
24 15 YEARS FROM THE DATE THE [FILING] OCCURRED. ANY OTHER STATEMENT  
25 OR REPORT FILED UNDER THIS ACT WITH THE SECRETARY OF STATE SHALL  
26 BE PRESERVED BY THE SECRETARY OF STATE FOR 15 YEARS FROM THE DATE  
27 THE FILING OCCURRED. Statements and reports filed under this act

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1 may be reproduced pursuant to the records media act, 1992 PA 116,  
2 MCL 24.401 TO 24.403. After the required preservation period,  
3 the statements and reports, or the reproductions of the state-  
4 ments and reports, ~~shall~~ MAY be [destroyed DISPOSED OF IN THE  
MANNER PRESCRIBED IN THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL  
18.1101 TO 18.1594, AND 1913 PA 271, MCL 399.1 TO 399.10].

5 (5) A charge shall not be collected by a filing official for  
6 the filing of a required statement or report or for a form upon  
7 which the statement or report is to be prepared, except a late  
8 filing fee required by this act.

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

23 (7) Within 9 business days after the report or statement is  
24 required to be filed, the filer shall make any corrections in the  
25 statement or report filed with the appropriate filing official.  
26 If the report or statement was not filed, then it shall be late

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