

REPRINT

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4523**

(As Passed the Senate February 22, 2000)

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
by amending section 35 (MCL 169.235), as amended by 1999 PA 238.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 35. (1) In addition to any other requirements of this
2 act 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.
7 The period covered by the campaign statement filed pursuant to
8 this subsection ~~shall begin~~ BEGINS the day after the closing
9 date of the previous campaign statement. A campaign statement
10 filed pursuant to this subsection shall be waived if a
11 postelection campaign statement has been filed ~~which~~ THAT has a

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1 filing deadline within 30 days of the closing date of the
2 campaign statement required by this subsection.

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

9 (3) A committee, candidate, treasurer, or other individual
10 designated as responsible for the record keeping, report prepara-
11 tion, or report filing for a candidate committee of a candidate
12 for state elective office or a judicial office who fails to file
13 a campaign statement under this section shall ~~pay~~ BE ASSESSED a
14 late filing fee. If the committee has raised \$10,000.00 or less
15 during the previous 2 years, the late filing fee shall be \$25.00
16 for each business day the campaign statement remains unfiled, but
17 not to exceed \$500.00. If the committee has raised more than
18 \$10,000.00 during the previous 2 years, the late filing fee shall
19 be \$50.00 for each business day the campaign statement remains
20 unfiled, but not to exceed \$1,000.00. THE LATE FILING FEE
21 ASSESSED UNDER THIS SUBSECTION SHALL BE PAID BY THE CANDIDATE,
22 AND THE CANDIDATE SHALL NOT USE COMMITTEE FUNDS TO PAY THAT FEE.
23 A committee, treasurer, or other individual designated as respon-
24 sible for the record keeping, report preparation, or report
25 filing for a committee other than a candidate committee of a can-
26 didate for state elective office or a judicial office who fails
27 to file a campaign statement under this section shall pay a late

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1 filing fee of \$25.00 for each business day the ~~committee~~
2 CAMPAIGN statement remains not filed in violation of this
3 section. The late filing fee shall not exceed \$500.00.

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

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

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

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Sub. H.B. 4523 (S-1) as amended March 16, 2000

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1 other designated individual is subject to a civil fine of not
2 more than \$1,000.00.

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