

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 4523

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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1 other designated individual is subject to a civil fine of not

2 more than \$1,000.00.

Enacting section 1. This amendatory act takes effect March 10,  
2000.