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House Bill 4522 (Substitute H-1 as reported without amendment)
Sponsor: Representative Sal Rocca
House Committee: Government Operations
Senate Committee: Government Operations

CONTENT

The bill would amend the Michigan Election Law to require elected candidates to file a postelection statement with the filing official designated under Section 36 of the Michigan Campaign Finance Act, instead of filing an affidavit with the county clerk or the Secretary of State under the Election Law.

Section 36 of the Michigan Campaign Finance Act requires candidates and candidate committees to file campaign reports with the Secretary of State or a county clerk, or both, depending upon the type of office the candidate seeks to fill.

Under the Election Law, each elected candidate who has been issued a certificate of election must file an affidavit with the county clerk or the Secretary of State, if the candidate's candidate committee received or spent more than \$1,000 during the election cycle. The bill would delete this requirement. Instead, an elected candidate who was subject to the Campaign Finance Act, and whose candidate committee received or spent more than \$1,000 during the election cycle, would have to file a postelection statement with the filing official designated to receive the candidate's campaign committee campaign statements under Section 36 of the Campaign Finance Act.

The Election Law requires the affidavit to be filed on a form prescribed by the Secretary of State; certify that all statements, reports, late filing fees, and fines have been filed or paid; and be filed before the candidate assumes office. The Law also prescribes criminal penalties for making a false statement or failing to file an affidavit. The bill would retain these provisions but apply them to the postelection statement rather than the affidavit.

MCL 168.826 et al.

Legislative Analyst: George Towne

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 6-26-03

Fiscal Analyst: Bill Bowerman