

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 99

A bill to amend 2023 PA 281, entitled  
"Public officers financial disclosure act,"  
by amending sections 3, 5, 7, 8, 11, 13, and 15 (MCL 15.703,  
15.705, 15.707, 15.708, 15.711, 15.713, and 15.715) and by adding  
section 6.

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

1       Sec. 3. As used in this act:

2       (a) "Blind trust" means a qualified blind trust or qualified  
3       diversified trust as those terms are defined in 5 CFR 2634.403.

4       (b) "Consumer Price Index" means the most comprehensive index  
5       of consumer prices available for the Detroit-Warren-Dearborn area  
6       from the Bureau of Labor Statistics of the United States Department  
7       of Labor.

1           (c) ~~(b)~~ "Department" means the department of state.

2           (d) ~~(e)~~ "Earned income" means salaries, wages, tips, bonuses,  
3 commissions, or other compensation or earnings from employment  
4 earned during the reporting period.

5           (e) ~~(d)~~ "Form" means the financial disclosure form ~~created~~  
6 **provided under section 6 and published** by the department in  
7 accordance with section 11.

8           (f) ~~(e)~~ "Gift" means ~~that term as defined in section 7 of the~~  
9 ~~Michigan campaign finance act, 1976 PA 388, MCL 169.207.~~ **any item a**  
10 **public officer receives that is required to be reported by a**  
11 **lobbyist or lobbyist agent under 1978 PA 472, MCL 4.411 to 4.431.**

12           (g) ~~(f)~~ "Honorarium" means that term as defined in section 7  
13 of the Michigan campaign finance act, 1976 PA 388, MCL 169.207.

14           (h) ~~(g)~~ "Liabilities" means what a person owes to another  
15 person, including, but not limited to, mortgages or other debts.  
16 For purposes of this act, a debt does not include a revolving debt,  
17 an unsecured debt that is from a financial institution or the  
18 federal government, or a debt owed by a business entity.

19           (i) ~~(h)~~ "Lobbyist" means that term as defined in section 5 of  
20 1978 PA 472, MCL 4.415.

21           (j) ~~(i)~~ "Lobbyist agent" means that term as defined in section  
22 5 of 1978 PA 472, MCL 4.415.

23           ~~(j) "Spouse" means an individual who is lawfully married to a~~  
24 ~~public officer as described under 26 CFR 30.7701-18.~~

25           (k) "Public officer" means all of the following:

26           (i) A state representative.

27           (ii) A state senator.

28           (iii) The attorney general.

29           (iv) The governor.

1 (v) The lieutenant governor.

2 (vi) The secretary of state.

3 (l) "Report" means the financial disclosure report required  
4 under section 10 of article IV of the state constitution of 1963.

5 **The report must be in the form provided under section 6.**

6 (m) "Reporting period" means the preceding calendar year.

7 (n) "Spouse" means an individual who is lawfully married to a  
8 **public officer as described under 26 CFR 301.7701-18.**

9 (o) ~~(n)~~—"Unearned income" means income that is not earned from  
10 employment, including, but not limited to, financial prize,  
11 unemployment benefits, annuities, stock dividends, deferred  
12 compensation, pension, profit sharing, or retirement income.  
13 Unearned income does not include inheritance money or a familial  
14 gift.

15 Sec. 5. (1) ~~A~~ **Except as otherwise provided in subsection (3),**  
16 **a** public officer shall file an annual financial disclosure report  
17 with the department -

18 ~~(2) The report required under this section must first be filed~~  
19 ~~by April 15, 2024, and by~~ **not later than** May 15 of each year.  
20 ~~thereafter.~~ This subsection does not apply to an individual who was  
21 a public officer only on the first day of the calendar year.

22 (2) ~~(3)~~—If a public officer who is required to file a report  
23 under this act receives notice from the secretary of state under  
24 section ~~13(1)(g),~~ **13(1)(h)**, the public officer shall, ~~within~~ **not**  
25 **later than** 9 business days after receiving the notice, file  
26 corrections to the errors or omissions or file the report, as  
27 applicable.

28 (3) **A public officer shall file the financial disclosure**  
29 **report for the reporting period of January 1, 2024 to December 31,**

1 2024 not later than June 13, 2025.

2 Sec. 6. A financial disclosure report must be in the following  
3 form:

4 Basic Identifying Information

5 1. Full name: \_\_\_\_\_

6 2. Mailing address: \_\_\_\_\_

7 3. Telephone number: \_\_\_\_\_

8 4. Email address: \_\_\_\_\_

9 5. Are you filing as a public officer or a  
10 candidate? \_\_\_\_\_

11 (If you were both a public officer and a candidate during the  
12 reporting period, file as a public officer.)

13 Spousal Information

14 6. Were you married during the reporting period?  
15 (yes/no) \_\_\_\_\_

16 7. Spouse's name: \_\_\_\_\_

17 8. Was your spouse a registered lobbyist in the State of  
18 Michigan during the reporting period? \_\_\_\_\_

19 9. For any employer that paid your spouse more than \$1,000 in  
20 annual income during the reporting period, list the name of  
21 the employer(s) and the occupation(s) held:

22 \_\_\_\_\_  
23 \_\_\_\_\_  
24 \_\_\_\_\_

25 Employment & Income

26 10. List the name and address of each employer that paid you  
27 more than \$1,000 and the positions held in the reporting period:

28 \_\_\_\_\_  
29 \_\_\_\_\_

1 \_\_\_\_\_  
 2 11. Did you receive unearned income over \$200 in the reporting  
 3 period (e.g., financial prize, unemployment benefits, annuities,  
 4 stock dividends, deferred compensation, pension, profit sharing,  
 5 retirement income)? If yes, list the sources of unearned income,  
 6 including the origins and addresses of the sources of unearned  
 7 income:

8 \_\_\_\_\_  
 9 \_\_\_\_\_  
 10 \_\_\_\_\_

11 **Organizational Roles**

12 12. List all positions you held in any organization,  
 13 corporation, firm, partnership, or other business enterprise,  
 14 nonprofit organization, labor organization, or educational or other  
 15 institution other than this state during the reporting period  
 16 (e.g., officer, director, trustee, partner, proprietor,  
 17 representative, employee, or consultant). If applicable, for each,  
 18 please provide the name of the organization and the position held:

19 (You do not need to include positions in any: religious,  
 20 social, fraternal, or political entity, or any position solely  
 21 honorary in nature.)

22 \_\_\_\_\_  
 23 \_\_\_\_\_  
 24 \_\_\_\_\_  
 25 \_\_\_\_\_

26 **Assets**

27 13. List any real property in which you held an ownership  
 28 interest during the reporting period:

29 (Include only real property valued over \$1,000; you may choose

1 to exclude the street number, if applicable.)

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
5 \_\_\_\_\_

6 14. List any securities or investments (stocks, bonds, mutual  
7 funds, etc.) you held or held jointly with your spouse with a fair  
8 market value over \$1,000 during the reporting period, including the  
9 origins and addresses of the securities or investments:

10 (You are not required to disclose a stock within a widely held  
11 investment fund if neither you nor your spouse exercise control  
12 over the financial interests held by the fund and the fund is  
13 publicly traded or the assets of the fund are widely diversified.)

14 \_\_\_\_\_  
15 \_\_\_\_\_  
16 \_\_\_\_\_  
17 \_\_\_\_\_

18 15. List any other assets, other than business assets, held  
19 for the production of income, or for investment purposes, exceeding  
20 \$1,000 in value that you owned during the reporting period:

21 \_\_\_\_\_  
22 \_\_\_\_\_  
23 \_\_\_\_\_

24 16. Do you hold a beneficial interest in any blind trusts?  
25 (yes/no)

26 \_\_\_\_\_

27 **Liabilities**

28 17. List any liabilities over \$10,000 you (solely or jointly)  
29 owed at any point during the reporting period (e.g., mortgages,

1 loans, credit lines):

2 (You may exclude: any unsecured debt from a financial  
3 institution or the federal government, any revolving debt, or a  
4 business debt.)

5 \_\_\_\_\_  
6 \_\_\_\_\_  
7 \_\_\_\_\_

8 **Employment Agreements**

9 18. List any agreements or arrangements made or in effect  
10 during the reporting period with respect to the following:

11 (a) Any future employment that would commence after you leave  
12 office.

13 (b) A leave of absence from any former or current employer  
14 taken while serving as a public officer.

15 (c) A continuation or deferral of payments by a former or  
16 current employer other than this state to you, or your continuing  
17 participation in an employee welfare or benefit plan maintained by  
18 a former employer.

19 (If a public officer is not reelected or is not seeking  
20 reelection to public office, MCL 15.708 requires the public officer  
21 to disclose any future employment agreement within 10 days of  
22 entering into the agreement.)

23 \_\_\_\_\_  
24 \_\_\_\_\_  
25 \_\_\_\_\_  
26 \_\_\_\_\_

27 **Lobbyist Interactions**

28 19. Did you receive any gift required to be reported by a  
29 lobbyist or lobbyist agent during the reporting period? If yes,

1 please list the lobbyist's name and the gift received:

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

5 20. Did you receive any payments for travel required to be  
6 reported by a lobbyist or lobbyist agent during the reporting  
7 period? If yes, please list the lobbyist's name and the travel  
8 payment received:

9 \_\_\_\_\_  
10 \_\_\_\_\_  
11 \_\_\_\_\_  
12 \_\_\_\_\_

13 21. Did you receive any payments to a charity in lieu of  
14 honoraria required to be reported by a lobbyist or lobbyist agent  
15 during the reporting period? If yes, please list the lobbyist's  
16 name and the payment to charity received:

17 \_\_\_\_\_  
18 \_\_\_\_\_  
19 \_\_\_\_\_  
20 \_\_\_\_\_

21 **State Contracts**

22 22. Do you or your spouse hold a majority financial interest  
23 in any current or prospective contracts with the State of Michigan?  
24 If yes, provide the name of the company and a description of all  
25 contracts:

26 \_\_\_\_\_  
27 \_\_\_\_\_  
28 \_\_\_\_\_  
29 \_\_\_\_\_



1       **Additional disclosures**

2       \_\_\_\_\_

3       \_\_\_\_\_

4       \_\_\_\_\_

5       \_\_\_\_\_

6       **Certification**

7       **"I certify that the statements I have made on this financial**

8 **disclosure form are true, complete, and correct to the best of my**

9 **knowledge and belief, and that I have not moved assets during the**

10 **reporting period for purpose of avoiding disclosure under the**

11 **public officers financial disclosure act."**

12       **Signed:** \_\_\_\_\_

13       Sec. 7. (1) A report required under section 5 must include a

14 complete statement of all of the following:

15       (a) The full name, mailing address, telephone number, and

16 email address of the public officer.

17       (b) The name and address of the public officer's employer **or**

18 **employers** and the positions held during the reporting period, if

19 the public officer receives \$1,000.00 or more in annual income from

20 each position.

21       (c) The name of the spouse of the public officer ~~and, if the~~

22 **public officer's spouse receives \$1,000.00 or more in annual**

23 **income,** the occupation of the public officer's spouse ~~and the~~

24 name of the employer or employers of the public officer's spouse.

25       (d) Whether the public officer's spouse was registered as a

26 lobbyist or lobbyist agent under 1978 PA 472, MCL 4.411 to 4.431,

27 during the reporting period.

28       (e) A list of all positions currently held as an officer,

29 director, trustee, partner, proprietor, representative, employee,

1 or consultant of any organization, corporation, firm, partnership,  
2 or other business enterprise, nonprofit organization, labor  
3 organization, or educational or other institution other than this  
4 state. If this subdivision applies, the public officer shall  
5 include the name of the organization. For purposes of this  
6 subdivision, positions held in any religious, social, fraternal, or  
7 political entity, or positions that are solely of an honorary  
8 nature, are excluded.

9 (f) The source of earned income received during the reporting  
10 period by the public officer. For purposes of this subdivision, the  
11 public officer must ~~report~~ **disclose** each source of income received  
12 during the reporting period that is \$1,000.00 or more.

13 (g) Except as otherwise provided in this subdivision, a list  
14 of each asset, excluding a business asset, held for investment or  
15 production of income with a fair market value of \$1,000.00 or more  
16 during the reporting period and any sources of unearned income that  
17 exceed \$200.00 during the reporting period, **including the origins**  
18 **and addresses of the sources of unearned income**. The fair market  
19 value for the purpose of listing each asset, excluding a business  
20 asset, held for investment or production of income under this  
21 subdivision must be adjusted for inflation every 4 years using the  
22 ~~Detroit~~ Consumer Price Index, and rounded up to the nearest  
23 \$1,000.00.

24 (h) A list of all liabilities that exceed \$10,000.00 owed by  
25 the public officer to a creditor at any time during the reporting  
26 period.

27 (i) Except as otherwise provided in this subdivision, a list  
28 of any stocks, bonds, or other forms of securities held by the  
29 public officer or held jointly with the public officer's spouse

1 during the reporting period, **including the origin and address of**  
2 **the security**, if the security has a total aggregate fair market  
3 value of \$1,000.00 or more. The fair market value for the purpose  
4 of listing stocks, bonds, or other forms of securities under this  
5 subdivision must be adjusted for inflation every 4 years using the  
6 ~~Detroit~~ Consumer Price Index, and rounded up to the nearest  
7 \$1,000.00. For purposes of this act, a public officer is not  
8 required to disclose a stock ~~in~~**within** a widely held investment  
9 fund, including, but not limited to, a mutual fund, regulated  
10 investment company, pension or deferred compensation plan, or other  
11 investment fund, if both of the following apply:

12 (i) Either the fund is publicly traded or the assets of the  
13 fund are widely diversified.

14 (ii) The public officer or the public officer's spouse does not  
15 exercise control over or have the ability to exercise control over  
16 the financial interests held by the fund.

17 (j) A list of any real property in which the public officer  
18 holds an ownership or other financial interest. For purposes of  
19 this subdivision, the public officer is required to include a real  
20 property in the report only if that real property has a fair market  
21 value of \$1,000.00 or more during the reporting period. A public  
22 officer filing a report may exclude the street number of a parcel  
23 of real property under this subdivision.

24 (k) The date **of**, identity of parties to, and general terms of  
25 any agreements or arrangements **made or in effect during the**  
26 **reporting period** with respect to **the following**:

27 (i) **Any** future employment ~~—a—~~**that would commence after the**  
28 **public officer leaves office.**

29 (ii) **A** leave of absence **from any former or current employer**

1 **taken** while serving as a public officer. 7

2 **(iii) A** continuation or deferral of payments by a former or  
3 current employer other than this state **to the public officer,** or  
4 **the public officer's** continuing participation in an employee  
5 welfare or benefit plan maintained by a former employer. ~~As~~  
6 ~~provided in section 8, there is an ongoing duty to report any~~  
7 ~~agreement or arrangement entered into by a public officer after the~~  
8 ~~filing deadline described in section 5(2).~~

9 **(l)** A list of all gifts received and **required to be** reported  
10 **during the reporting period** by a lobbyist or lobbyist agent under  
11 state law, **including the name of the lobbyist or lobbyist agent**  
12 **that provided the gift.**

13 **(m)** A list of all travel payments received and **required to be**  
14 reported **during the reporting period** by a lobbyist or lobbyist  
15 agent under state law, **including the name of the lobbyist or**  
16 **lobbyist agent that provided the travel payment.**

17 **(n)** A list of each payment made by a lobbyist or lobbyist  
18 agent **during the reporting period** to a charity in lieu of  
19 honoraria, **including the name of the lobbyist or lobbyist agent**  
20 **that made the payment.**

21 **(o)** If applicable, a statement indicating that the public  
22 officer or the public officer's spouse is a registered vendor with  
23 this state, has a majority interest in a company that is a  
24 registered vendor with this state, or is employed by a company that  
25 is a registered vendor with this state. If the public officer or  
26 the public officer's spouse is a registered vendor with this state  
27 or has a majority interest in a company that is a registered vendor  
28 with this state, the public officer shall include the name of the  
29 company and a description of all contracts entered into with this

1 state by the public officer, public officer's spouse, or company in  
2 which the public officer or public officer's spouse has a majority  
3 interest during the reporting period. If the public officer or  
4 public officer's spouse is employed by a company that is a  
5 registered vendor with this state, the public officer shall include  
6 the name of the company and a description of all contracts entered  
7 into with this state that the public officer or the public  
8 officer's spouse worked on directly during the reporting period.

9 (2) A public officer is not required to disclose the value of  
10 any ~~real property or property disclosed~~ **disclosure** under subsection  
11 (1).

12 (3) If a public officer required to file a report under this  
13 section holds a beneficial interest in a blind trust, the public  
14 officer is not required to include the interests or assets of the  
15 blind trust in the report. However, the public officer must  
16 indicate in the public officer's report that the public officer  
17 holds a beneficial interest in a blind trust. For purposes of this  
18 subsection, ~~beneficial~~ **"beneficial interest"** includes, but is not  
19 limited to, the interest in a trust of a qualified trust  
20 beneficiary or trust beneficiary as those terms are defined under  
21 section 7103 of the estates and protected individuals code, 1998 PA  
22 386, MCL 700.7103.

23 (4) A report required under section 5 must include the  
24 following certification: "I certify that the statements I have made  
25 on this financial disclosure form are true, complete, and correct  
26 to the best of my knowledge and belief, and that I have not moved  
27 assets during the reporting period for the purpose of avoiding  
28 disclosure under the public officers financial disclosure act".

29 **Sec. 8. A-Not later than 10 days after entering into an**

1 **agreement or arrangement for future employment that would begin not**  
2 **later than 1 year after the public officer leaves office, a public**  
3 officer who is not reelected or seeking reelection to public office  
4 ~~must report to the department within 10 days after entering into~~  
5 ~~any agreement or arrangement described in section 7(1)(k)~~ **disclose**  
6 **in writing to the department** the date of, the identity of the  
7 parties to, and the general terms of ~~any~~ **the** agreement or  
8 arrangement. ~~with respect to future employment that the public~~  
9 ~~officer is to begin within 1 year after the end of the public~~  
10 ~~officer's term of office.~~ **The secretary of state shall make any**  
11 **disclosure under this section easily accessible on the secretary of**  
12 **state's website.**

13 Sec. 11. ~~(1) Within 30 days after the effective date of this~~  
14 ~~act, the department shall create a standard financial disclosure~~  
15 ~~form that incorporates the requirements of section 7 for use by a~~  
16 ~~public officer to file the financial disclosure report required~~  
17 ~~under this act.~~

18 **(1) (2) The Except as otherwise provided in subsection (2),**  
19 **the** department shall, ~~no later~~ **not less** than ~~March 15, 2024,~~ **30**  
20 **days before a report is due each year, make the most current**  
21 **version of the financial disclosure report** form created under ~~this~~  
22 section **6** easily accessible on its website.

23 **(2) For the financial disclosure report due on June 13, 2025,**  
24 **the department shall make the financial disclosure report form**  
25 **provided under section 6 easily accessible on its website not later**  
26 **than May 31, 2025.**

27 Sec. 13. (1) The secretary of state shall do all of the  
28 following:

29 (a) Make available through the secretary of state's offices

1 appropriate forms, instructions, and manuals required by this act.

2 (b) Create and operate an electronic, internet-accessible  
3 system to receive ~~all~~ statements and reports required ~~by~~ **under** this  
4 act to be filed with the secretary of state.

5 **(c) Accept statements and reports required by this act to be**  
6 **filed with the secretary of state that are filed via email as an**  
7 **acceptable alternative to the electronic filing system created**  
8 **under subdivision (b). This subdivision applies retroactively to**  
9 **statements and reports filed by email for the reporting period of**  
10 **January 1, 2023 to December 31, 2023.**

11 **(d) ~~(c) Create all forms,~~ Publish the financial disclosure**  
12 **report form described in section 6, and create the** instructions ~~7~~  
13 and manuals required under this act.

14 **(e) ~~(d)~~** Issue declaratory rulings to implement this act under  
15 the administrative procedures act of 1969, 1969 PA 306, MCL 24.201  
16 to 24.328.

17 **(f) ~~(e)~~** On receiving a written request and the required  
18 filing, waive payment of a late filing fee if the request for the  
19 waiver is based on good cause and accompanied by adequate  
20 documentation. One or more of the following reasons constitute good  
21 cause for a late filing fee waiver:

22 (i) The incapacitating physical illness, hospitalization,  
23 accident involvement, death, or incapacitation for medical reasons  
24 of a public officer or an individual whose participation is  
25 essential to the preparation of the report.

26 (ii) Other unique, unintentional factors beyond the control of  
27 the public officer that are not the result of a negligent act or  
28 nonaction so that a reasonably prudent person would excuse the  
29 filing on a temporary basis. These factors include the loss or

1 unavailability of records because of a fire, flood, theft, or  
2 similar reason and difficulties related to the transmission of the  
3 filing to the secretary of state, such as exceptionally bad  
4 weather.

5 **(g)** ~~(f)~~—As soon as practicable, but not later than 5 business  
6 days after a report required to be filed under this act is  
7 received, make the report or all of the contents of the report  
8 available without charge to the public on a separate ~~internet~~  
9 webpage or its website homepage.

10 **(h)** ~~(g)~~ ~~Within~~ **Not later than** 9 business days after the  
11 deadline for filing a report under this act, notify, by registered  
12 mail or email, an individual of any error or omission in the  
13 individual's report or that the individual failed to file the  
14 required report.

15 (2) The secretary of state shall issue a declaratory ruling  
16 under this section only if the person requesting the ruling has  
17 provided a reasonably complete statement of facts necessary for the  
18 ruling or if the person requesting the ruling has, with the  
19 permission of the secretary of state, supplied supplemental facts  
20 necessary for the ruling. ~~Within~~ **Not later than** 2 business days  
21 after receiving a request for a declaratory ruling, the secretary  
22 of state shall make the request available in the manner provided  
23 for under subsection ~~(1)(f)~~. **(1)(g)**. An interested person may  
24 submit written comments regarding the request to the secretary of  
25 state ~~within~~ **not later than** 10 business days after the date the  
26 request is made available to the public. ~~Within~~ **Not later than** 45  
27 business days after receiving a declaratory ruling request, the  
28 secretary of state shall make a proposed response available in the  
29 manner provided for under subsection ~~(1)(f)~~. **(1)(g)**. An interested



1 person may submit written comments regarding the proposed response  
2 to the secretary of state ~~within~~**not later than** 5 business days  
3 after the date the proposal is made available to the public. Except  
4 as otherwise provided in this section, the secretary of state shall  
5 issue a declaratory ruling ~~within~~**not later than** 60 business days  
6 after receiving a request for a declaratory ruling. The secretary  
7 of state may refuse to issue a declaratory ruling or an  
8 interpretive statement under this act if the request is anonymous,  
9 the secretary of state determines that the subject matter of the  
10 request is frivolous on its face, or the request is indefinite or  
11 lacks specificity. If the secretary of state refuses to issue a  
12 declaratory ruling, the secretary of state shall notify the person  
13 making the request of the reasons for the refusal and issue an  
14 interpretive statement providing an informational response to the  
15 question presented within the 60-day period. A declaratory ruling  
16 or interpretive statement issued under this section must not state  
17 a general rule of law, other than that which is stated in this act,  
18 or under judicial order.

19 (3) Under extenuating circumstances, the secretary of state  
20 may issue a notice extending, for not more than 30 business days,  
21 the period during which the secretary of state shall respond to a  
22 request for a declaratory ruling. The secretary of state shall not  
23 issue more than 1 notice of extension for a particular request. A  
24 person requesting a declaratory ruling may waive, in writing, the  
25 time limitations provided by this section.

26 (4) The secretary of state shall make available to the public  
27 an annual summary of the declaratory rulings and interpretive  
28 statements issued by the secretary of state under this section.

29 (5) A person may file with the secretary of state a complaint

1 that alleges a violation of this act. ~~Within~~**Not later than** 5  
2 business days after a complaint that meets the requirements of  
3 subsection (6) is filed, the secretary of state shall mail notice  
4 to the person against whom the complaint is filed. The notice must  
5 include a copy of the complaint. ~~Within~~**Not later than** 15 business  
6 days after the notice is mailed, the person against whom the  
7 complaint was filed may submit a response to the secretary of  
8 state. The secretary of state may extend the period for submitting  
9 a response an additional 15 business days for good cause. The  
10 secretary of state shall mail a copy of a response received to the  
11 complainant. ~~Within~~**Not later than** 10 business days after the  
12 response is mailed, the complainant may submit a rebuttal statement  
13 to the secretary of state. The secretary of state may extend the  
14 period for submitting a rebuttal statement an additional 10  
15 business days for good cause. The secretary of state shall provide  
16 a copy of the rebuttal statement to the person against whom the  
17 complaint was filed. If, on review of the complaint, the secretary  
18 of state determines that the complaint is frivolous, illegible,  
19 indefinite, or unsigned, or does not identify an alleged violator,  
20 allege a violation of the act, or contain a verification statement,  
21 the secretary of state may summarily dismiss the complaint without  
22 prejudice. If a complaint is summarily dismissed, the complainant  
23 must be notified in writing as to the reason the complaint was  
24 dismissed. The secretary of state may consolidate similar  
25 complaints.

26 (6) A complaint filed under subsection (5) must satisfy all of  
27 the following requirements:

28 (a) Be signed by the complainant.

29 (b) State the name, address, and telephone number of the

1 complainant.

2 (c) Include the complainant's certification that, to the best  
3 of the complainant's knowledge, information, and belief, formed  
4 after a reasonable inquiry under the circumstances, each factual  
5 contention of the complaint is supported by evidence. However, if,  
6 after a reasonable inquiry under the circumstances, the complainant  
7 is unable to certify that certain factual contentions are supported  
8 by evidence, the complainant may certify that, to the best of the  
9 complainant's knowledge, information, or belief, there are grounds  
10 to conclude that those specifically identified factual contentions  
11 are likely to be supported by evidence after a reasonable  
12 opportunity for further inquiry.

13 (7) A person shall not file a complaint with a false  
14 certificate under subsection (6)(c). A person may file a complaint  
15 under subsection (5) alleging that another person has filed a  
16 complaint with a false certificate under subsection (6)(c).

17 (8) The secretary of state shall investigate allegations  
18 brought under this act. If an allegation involves the secretary of  
19 state, or the secretary of state's spouse, the secretary of state  
20 shall refer the matter to the attorney general to determine whether  
21 a violation of this act occurred.

22 (9) ~~No~~**Not** later than 45 business days after receiving a  
23 rebuttal statement submitted under subsection (5) or, if no  
24 response or rebuttal is received under subsection (5), 45 business  
25 days after receiving a complaint under subsection (5), the  
26 secretary of state shall post on the secretary of state's website  
27 whether there may be reason to believe that a violation of this act  
28 occurred. If the secretary of state determines there may be reason  
29 to believe that a violation of this act occurred or determines to

1 terminate its proceedings, the secretary of state shall, ~~within~~**not**  
2 **later than** 30 days after that determination, post on the secretary  
3 of state's website any complaint, response, or rebuttal statement  
4 received under subsection (5) regarding that violation or alleged  
5 violation and any correspondence that is dispositive of that  
6 violation or alleged violation between the secretary of state and  
7 the complainant or the person against whom the complaint was filed.  
8 If the secretary of state determines that there may be reason to  
9 believe that a violation of this act occurred, the secretary of  
10 state shall endeavor to correct the violation or prevent a further  
11 violation by using informal methods such as a conference,  
12 conciliation, or persuasion, and may enter into a conciliation  
13 agreement with the person involved. Unless violated, a conciliation  
14 agreement is a complete bar to any further civil action with  
15 respect to matters covered in the conciliation agreement. The  
16 secretary of state shall, ~~within~~**not later than** 30 days after a  
17 conciliation agreement is signed, post that agreement on the  
18 department's website. If, after 90 business days, the secretary of  
19 state is unable to correct or prevent further violation by these  
20 informal methods, the secretary of state may commence a hearing as  
21 provided in subsection (10) for enforcement of this act.

22 (10) The secretary of state may commence a hearing to  
23 determine whether a violation of this act occurred. The hearing  
24 must be conducted in accordance with chapter 4 of the  
25 administrative procedures act of 1969, 1969 PA 306, MCL 24.271 to  
26 24.288.

27 (11) A final decision or order issued by the secretary of  
28 state under this act is subject to judicial review as provided  
29 under chapter 6 of the administrative procedures act of 1969, 1969

1 PA 306, MCL 24.301 to 24.306. The secretary of state shall deposit  
2 a civil fine imposed under this act in the general fund. The  
3 secretary of state may bring an action in circuit court to recover  
4 the amount of a civil fine.

5 (12) The secretary of state shall review a report or statement  
6 filed under this act and may investigate an apparent violation of  
7 this act. If the secretary of state determines that there may be  
8 reason to believe a violation of this act occurred and the  
9 procedures prescribed in subsection (9) have been complied with,  
10 the secretary of state may commence a hearing under subsection (10)  
11 to determine whether a violation of this act occurred.

12 (13) There is no private right of action, either in law or in  
13 equity, under this act. The remedies provided in this act are the  
14 exclusive means by which this act may be enforced and by which any  
15 harm resulting from a violation of this act may be redressed.

16 (14) The secretary of state shall preserve a report filed  
17 under this act for 15 years after the date the report is filed. If  
18 the secretary of state or attorney general determines under this  
19 section that a violation of this act occurred, the secretary of  
20 state shall preserve all complaints, orders, decisions, or other  
21 documents related to that violation for 15 years after the date of  
22 the determination or the date the violation is corrected, whichever  
23 is later. Reports filed under this act may be reproduced under the  
24 records reproduction act, 1992 PA 116, MCL 24.401 to 24.406. After  
25 the required preservation period, the reports, or the reproductions  
26 of the reports, may be disposed of in the manner prescribed in the  
27 management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, and  
28 section 11 of the Michigan history center act, 2016 PA 470, MCL  
29 399.811.

1           Sec. 15. (1) An individual who fails to file a report as  
2 required under this act shall pay a late filing fee of \$25.00 for  
3 each business day after the first 10 business days that the report  
4 remains unfiled. The fee imposed under this subsection must not  
5 exceed \$1,000.00.

6           (2) A late filing fee collected under this act must be  
7 deposited into the general fund.

8           (3) An individual who knowingly files an incomplete or  
9 inaccurate report in violation of this act may be ordered to pay a  
10 civil fine of not more than \$2,000.00.

11           (4) A late filing fee assessed or civil fine imposed under  
12 this act that remains unpaid for more than 180 days must be  
13 referred to the department of treasury for collection.

14           (5) The amount of a late filing fee assessed or civil fine  
15 imposed under this act must be adjusted for inflation every 4 years  
16 using the ~~Detroit~~-Consumer Price Index.