

HOUSE BILL No. 5080

August 3, 2005, Introduced by Rep. Bieda and referred to the Committee on House Oversight, Elections, and Ethics.

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
by amending section 24 (MCL 169.224), as amended by 1999 PA 237.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 24. (1) A committee shall file a statement of
2 organization with the filing officials designated in section 36 to
3 receive the committee's campaign statements. A statement of
4 organization shall be filed within 10 days after a committee is
5 formed. A filing official shall maintain a statement of
6 organization filed by a committee until 5 years after the official
7 date of the committee's dissolution. A person who fails to file a
8 statement of organization required by this subsection shall pay a
9 late filing fee of \$10.00 for each business day the statement

1 remains not filed in violation of this subsection. The late filing
2 fee shall not exceed \$300.00. A person who violates this subsection
3 by failing to file for more than 30 days after a statement of
4 organization is required to be filed is guilty of a misdemeanor
5 punishable by a fine of not more than \$1,000.00.

6 (2) The statement of organization required by subsection (1)
7 shall include the following information:

8 (a) The name, street address, and, if available, the telephone
9 number of the committee. If a committee is a candidate committee,
10 the committee name shall include the first and last name of the
11 candidate. A committee address may be the home address of the
12 candidate or treasurer of the committee.

13 (b) The name, street address, and, if available, the telephone
14 number of the treasurer or other individual designated as
15 responsible for the committee's record keeping, report preparation,
16 or report filing.

17 **(C) IF THE COMMITTEE IS AN INDEPENDENT COMMITTEE OR A**
18 **POLITICAL COMMITTEE, THE NAME, STREET ADDRESS, AND, IF AVAILABLE,**
19 **TELEPHONE NUMBER OF A SUCCESSOR TREASURER WHO WILL SERVE AS THE**
20 **TREASURER OR OTHER INDIVIDUAL DESIGNATED AS RESPONSIBLE FOR THE**
21 **COMMITTEE'S RECORD KEEPING, REPORT PREPARATION, OR REPORT FILING IF**
22 **THE INDIVIDUAL NAMED UNDER SUBDIVISION (B) RESIGNS, DIES, OR IS**
23 **INCAPACITATED.**

24 **(D) ~~(e)~~** The name and address of the financial institution in
25 which the official committee depository is or is intended to be
26 located, and the name and address of each financial institution in
27 which a secondary depository is or is intended to be located.

1 **(E)** ~~—(d)—~~ The full name of the office being sought by,
2 including district number or jurisdiction, and the county residence
3 of each candidate supported or opposed by the committee.

4 **(F)** ~~—(e)—~~ A brief statement identifying the substance of each
5 ballot question supported or opposed by the committee. If the
6 ballot question supported or opposed by the committee is not
7 statewide, the committee shall identify the county in which the
8 greatest number of registered voters eligible to vote on the ballot
9 question reside.

10 **(G)** ~~—(f)—~~ Identification of the committee as a candidate
11 committee, political party committee, independent committee,
12 political committee, or ballot question committee if it is
13 identifiable as such a committee.

14 (3) An independent committee or political committee shall
15 include in the name of the committee the name of the person or
16 persons that sponsor the committee, if any, or with whom the
17 committee is affiliated. A person, other than an individual or a
18 committee, sponsors or is affiliated with an independent committee
19 or political committee if that person establishes, directs,
20 controls, or financially supports the administration of the
21 committee. For the purposes of this subsection, a person does not
22 financially support the administration of a committee by merely
23 making a contribution to the committee.

24 (4) If any of the information required in a statement of
25 organization is changed, the committee shall file an amendment when
26 the next campaign statement is required to be filed. An independent
27 committee or political committee whose name does not include the

1 name of the person or persons that sponsor the committee or with
2 whom the committee is affiliated as required by subsection (3)
3 shall file an amendment to the committee's statement of
4 organization not later than the date the next campaign statement is
5 required to be filed after ~~the effective date of the amendatory~~
6 ~~act that added this sentence~~ **APRIL 1, 1995.**

7 (5) When filing a statement of organization, a committee,
8 other than an independent committee, a political committee, or a
9 political party committee, may indicate in a written statement
10 signed by the treasurer of the committee that the committee does
11 not expect for each election to receive an amount in excess of
12 \$1,000.00 or expend an amount in excess of \$1,000.00.

13 (6) When filing a statement of organization, an independent
14 committee, a political committee, or a political party committee
15 may indicate in a written statement signed by the treasurer of the
16 committee that the committee does not expect in a calendar year to
17 receive or expend an amount in excess of \$1,000.00.

18 (7) Upon the dissolution of a committee, the committee shall
19 file a statement indicating dissolution with the filing officials
20 with whom the committee's statement of organization was filed.
21 Dissolution of a committee shall be accomplished pursuant to rules
22 promulgated by the secretary of state under the administrative
23 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

24 (8) A candidate committee that files a written statement
25 pursuant to subsection (5) shall not be required to file a
26 dissolution statement pursuant to subsection (7) if the committee
27 failed to receive or expend an amount in excess of \$1,000.00 and 1

1 of the following applies:

2 (a) The candidate was defeated in an election and has no
3 outstanding campaign debts or assets.

4 (b) The candidate vacates an elective office and has no
5 outstanding campaign debts or assets.