

HOUSE BILL NO. 5252

October 25, 2023, Introduced by Reps. Hill, Miller, MacDonell, Morgan, Stone, Byrnes, Conlin, Andrews, Coffia, McFall, Skaggs, Price, Hope, Rheingans, Brixie, Wilson, Paiz, Dievendorf, Brabec, McKinney, Martus and Arbit.

A bill to regulate political activity; to require state senators to file financial reports; to prescribe the powers and duties of certain state officers and agencies; to impose fees; to prescribe penalties and civil sanctions; and to provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "state senator financial
2 disclosure act".

3 Sec. 2. As used in this act:

4 (a) "Beneficial interest" includes, but is not limited to, the
5 interest in a trust of a qualified trust beneficiary or a trust

1 beneficiary as those terms are defined in section 7103 of the
2 estates and protected individuals code, 1998 PA 386, MCL 700.7103.

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

5 (c) "Dependent" means an individual claimed by the state
6 official or the state official's spouse as a dependent for federal
7 income tax purposes.

8 (d) "Earned income" means salaries, wages, tips, bonuses,
9 commissions, or other compensation or net earnings from self-
10 employment for the taxable year.

11 (e) "Gift" means that term as defined in section 4 of 1978 PA
12 472, MCL 4.414.

13 (f) "Immediate family member" means the spouse or a dependent
14 of the state official.

15 (g) "Income" means money or any thing of value received, or to
16 be received as a claim on future services, whether in the form of a
17 fee, salary, expense, allowance, forbearance, forgiveness,
18 interest, dividend, royalty, rent, capital gain, or any other form
19 of recompense that is considered income under the internal revenue
20 code of 1986, 26 USC 1 to 9834.

21 (h) "Liabilities" means what a person owes to another person,
22 including, but not limited to, mortgages or other debts. For
23 purposes of this act, a debt does not include a revolving or
24 unsecured debt that is from a financial institution or the federal
25 government.

26 (i) "Lobbyist" means that term as defined in section 5 of 1978
27 PA 472, MCL 4.415.

28 (j) "Lobbyist agent" means that term as defined in section 5
29 of 1978 PA 472, MCL 4.415.

1 (k) "Person" means an individual, partnership, corporation,
2 association, or other legal entity.

3 (l) "Reporting period" means both of the following:

4 (i) For the first report required to be filed under section 3,
5 from January 1, 2024 to April 15, 2024.

6 (ii) For subsequent reports required to be filed under section
7 3, January 1 to December 31 of the preceding calendar year in which
8 the report is filed.

9 (m) "Spouse" means an individual who is lawfully married to
10 the state official as described under 26 CFR 301.7701-18.

11 (n) "State official" means an individual who is serving in the
12 office of state senator.

13 (o) "Unearned income" means income that is not earned from
14 employment, including, but not limited to, inheritance money,
15 financial prize, unemployment benefits, annuities, stock dividends,
16 deferred compensation, pension, profit sharing, or retirement
17 income.

18 Sec. 3. (1) An individual who is a state official at any time
19 during a calendar year shall electronically file with the secretary
20 of state a report that meets the requirements of section 4. The
21 report required to be filed under this subsection must first be
22 filed by April 15, 2024 and by May 15 of each year thereafter. This
23 subsection does not apply to an individual who was a state official
24 only on the first day of the calendar year or who, under any of the
25 following acts, files a report in the current calendar year:

26 (a) State board of education financial disclosure act.

27 (b) Candidate for the state board of education financial
28 disclosure act.

29 (c) Executive office financial disclosure act.

1 (d) Candidate for executive office financial disclosure act.

2 (e) State representative financial disclosure act.

3 (f) Candidate for state representative financial disclosure

4 act.

5 (g) Candidate for state senator financial disclosure act.

6 (h) University board member financial disclosure act.

7 (i) Candidate for university board member financial disclosure

8 act.

9 (2) If a state official who is required to file a report under
10 this act receives notice from the secretary of state under section
11 6(1)(g), the state official shall, within 9 business days after
12 receiving the notice, file corrections to the errors or omissions
13 or file the report, as applicable.

14 Sec. 4. (1) Subject to subsection (4) and except as provided
15 in section 5, a report required under section 3 must include a
16 complete statement of all of the following:

17 (a) The following information regarding the state official
18 during the reporting period:

19 (i) The full name, mailing address, and occupation of the state
20 official.

21 (ii) The name, address, and principal activity of each employer
22 of the state official.

23 (iii) The source and type of all income, including earned and
24 unearned income, received by the state official. For purposes of
25 this subparagraph, the state official shall report a source of
26 income only if the income received from that source is \$1,000.00 or
27 more and indicate whether the amount of income received from each
28 source of income is between \$1,000.00 and \$49,999.99 or \$50,000.00
29 or more.

1 (iv) A description of each real property or property that the
2 state official has an ownership interest in, including, but not
3 limited to, commercial, industrial, or agricultural buildings. For
4 purposes of this subparagraph, the state official is required to
5 include a real property or property described under this
6 subparagraph in the report only if that real property or property
7 has a fair market value of \$1,000.00 or more during the reporting
8 period. A state official may exclude the street number of a parcel
9 of real property or property listed under this subparagraph.

10 (v) A description of any stocks, bonds, commodities, futures,
11 shares in mutual funds, or other forms of securities defined under
12 26 USC 1236 held by the state official or held jointly with the
13 state official's spouse. For purposes of this subparagraph, the
14 state official is required to include a security described under
15 this subparagraph in the report only if that security has a total
16 value of \$1,000.00 or more on a specified day that is within the
17 final month of the calendar year covered in the reporting period.

18 (vi) A description of all liabilities owed by the state
19 official and the identity of each creditor. For purposes of this
20 subparagraph, the state official is required to report a liability
21 under this subparagraph only if the liability owed to a creditor is
22 \$1,000.00 or more during that reporting period.

23 (vii) The identity of all compensated positions held by the
24 state official as an officer, director, member, trustee, partner,
25 proprietor, representative, employee, or consultant of a
26 corporation, limited liability company, limited partnership,
27 partnership, or other business enterprise; of a nonprofit
28 organization; of a labor organization; or of an educational
29 institution or other institution other than this state, if the

1 total compensation received from a position equals \$1,000.00 or
2 more during the reporting period. A position reported under this
3 subparagraph must include the title of the position, the name of
4 the entity within which the position exists, and the principal
5 activity of the entity. A position held in any religious, social,
6 fraternal, or political entity, or a position that is solely of an
7 honorary nature, is excluded under this subparagraph.

8 (viii) The date, parties to, and general terms of any agreements
9 or arrangements with respect to future employment, a leave of
10 absence while serving as a state official, continuation or deferral
11 of payments by a former or current employer other than this state,
12 or continuing participation in an employee welfare or benefit plan
13 maintained by a former employer.

14 (ix) A list of all gifts and expenditures for food and
15 beverages reported by a lobbyist or lobbyist agent under state law.

16 (x) A list of all travel and expenses paid for or reimbursed
17 by a lobbyist or lobbyist agent that are reported by the lobbyist
18 or lobbyist agent under state law.

19 (xi) A description of each payment made by a lobbyist or
20 lobbyist agent to a charity in lieu of honoraria.

21 (xii) If the state official filing the report or an immediate
22 family member of that state official was required during the
23 reporting period to register as a lobbyist or lobbyist agent under
24 section 7 of 1978 PA 472, MCL 4.417, the name, address, and
25 principal activity of all persons who gave compensation to or
26 reimbursed the state official or the state official's immediate
27 family member for lobbying.

28 (xiii) A description of any interest the state official had
29 during the reporting period in a legal entity that conducts

1 business in this state, if the interest has a book value of
2 \$1,000.00 or more. For purposes of this subparagraph, the state
3 official shall indicate for each legal entity the state official
4 has an interest in the name of the legal entity and if the
5 financial value in the legal entity is between \$1,000.00 and
6 \$49,999.99 or \$50,000.00 and more.

7 (xiv) A description of all contracts entered into, or in which
8 the state official or the state official's immediate family member
9 has an interest, with this state.

10 (xv) A description of any employment that the state official or
11 the state official's immediate family member had with this state at
12 any time during the reporting period. For purposes of this
13 subparagraph, if the state official or the state official's
14 immediate family member was employed by this state, the name of the
15 state agency or department and a description of the position with
16 the state agency or department must be included.

17 (xvi) A description of any transfers made by the state official
18 of real property or securities from the state official's name into
19 the name of an immediate family member of the state official over
20 the previous 2 calendar years that have a value of \$50,000.00 or
21 more.

22 (b) Beginning January 1, 2028, the following information
23 regarding the spouse of the state official during the reporting
24 period:

25 (i) The name of the spouse of the state official.

26 (ii) The principal activity of the spouse of the state
27 official, if the spouse's total earned income from the employer
28 equals \$50,000.00 or more during that reporting period.

29 (iii) The source and type of all income, including earned and

1 unearned income received by the spouse of the state official. For
2 purposes of this subparagraph, the spouse of the state official is
3 required to include the source of income described under this
4 subparagraph only if the total income from that source equals
5 \$50,000.00 or more during that reporting period.

6 (iv) A description of each real property or property that the
7 spouse of the state official has an ownership interest in,
8 including, but not limited to, commercial, industrial, or
9 agricultural buildings. For purposes of this subparagraph, the
10 spouse of the state official is required to include a real property
11 or property described under this subparagraph in the report only if
12 the real property or property had a fair market value of \$50,000.00
13 or more at any time the real property was held during that
14 reporting period. The street number of a parcel of real property
15 listed under this subparagraph may be excluded from the report.

16 (v) A description of any stocks, bonds, commodities, futures,
17 shares in mutual funds, or other forms of securities held by the
18 spouse of the state official. For purposes of this subparagraph,
19 the spouse of the state official is required to include a security
20 described under this subparagraph in the report only if the
21 security has a total aggregate fair market value of \$50,000.00 or
22 more on a specified day that is within the final month of the
23 calendar year covered in the reporting period.

24 (vi) A description of any interest the spouse of the state
25 official had during the reporting period in a legal entity that
26 conducts business in this state, if the interest has a book value
27 of \$50,000.00 or more.

28 (c) Beginning January 1, 2028, the following information
29 regarding a dependent of the state official during the reporting

1 period; for purposes of this subdivision, the state official may
2 refer to each dependent using the dependent's first and last
3 initial:

4 (i) The number of dependents that the state official and the
5 spouse of the state official claim for federal income tax purposes.

6 (ii) The principal activity of each employer of each dependent
7 of the state official, if the dependent's total earned income from
8 the employer equals \$50,000.00 or more during the reporting period.

9 (iii) The source and type of all income, including earned and
10 unearned income received by each dependent of the state official,
11 if the source of income described under this subparagraph equals
12 \$50,000.00 or more during that reporting period.

13 (iv) A description of each real property or property that each
14 dependent of the state official has an ownership interest in,
15 including, but not limited to, commercial, industrial, or
16 agricultural buildings. For purposes of this subparagraph, the
17 dependent is required to include a real property or property
18 described under this subsection only if the real property or
19 property had a fair market value of \$50,000.00 or more at any time
20 that the real property or property was held during that reporting
21 period. The street number of a parcel of real property or property
22 listed under this subparagraph may be excluded from the report.

23 (v) A description of any stocks, bonds, commodities, futures,
24 shares in mutual funds, or other forms of securities held by each
25 dependent of the state official. For purposes of this subparagraph,
26 each dependent of the state official is required to include a
27 security described under this subparagraph in the report only if
28 the security has a total aggregate fair market value of \$50,000.00
29 or more on a specified day that is within the final month of the

1 calendar year covered in the reporting period.

2 (vi) A description of any interest each dependent of the state
3 official had during the reporting period in a legal entity that
4 conducts business in this state, if the interest has a book value
5 of \$50,000.00 or more.

6 (2) Subject to subsection (4), information a state official is
7 required to report under this section includes information with
8 respect to the income from a trust or other financial arrangement
9 from which income is received by, or with respect to which a
10 beneficial interest in principal or income is held by, the state
11 official required to file a report under this section or that state
12 official's immediate family member.

13 (3) A state official is not required to disclose the value of
14 any real item reported under subsection (1) (a) (iii), (iv) to (vii), (xiii),
15 or (xvi), (1) (b) (iii), or (iv) to (vi), or (1) (c) (iii), or (iv) to (vi).

16 (4) If a state official required to file a report under
17 section 3 or that state official's immediate family member holds a
18 beneficial interest in a blind trust, the state official is not
19 required to include the interests or assets of the blind trust in
20 the state official's statement under subsection (1). However, the
21 state official must indicate in the state official's report that
22 the state official or the state official's immediate family member
23 holds a beneficial interest in a blind trust.

24 (5) A state official shall preserve the records used to
25 prepare a report under this act for 5 years and make the records
26 available for inspection, on request.

27 Sec. 5. A state official filing a report under section 3 may
28 omit any of the following:

29 (a) Information an individual is required to report under the

1 Michigan campaign finance act, 1976 PA 388, MCL 169.201 to 169.282.

2 (b) An item otherwise required to be reported under section
3 4(1)(a)(iv) or (v), (b)(iv) or (v), or (c)(iv) or (v) if all of the
4 following apply:

5 (i) The item represents the exclusive financial interest and
6 responsibility of the spouse or dependent of the state official
7 about which the state official does not have actual knowledge.

8 (ii) The item is not in any way, past or present, derived from
9 the income, assets, or activities of the state official.

10 (iii) The state official does not derive, or expect to derive,
11 financial benefit from the item.

12 (c) An item that concerns a spouse who is living separate and
13 apart from the state official with the intention of terminating the
14 marriage or maintaining a legal separation.

15 (d) An item that concerns income of the state official or the
16 spouse of that state official arising from dissolution of the state
17 official's marriage or a permanent legal separation from the state
18 official's spouse.

19 (e) Benefits received under the social security act, chapter
20 531, 49 Stat 620.

21 Sec. 6. (1) The secretary of state shall do all of the
22 following:

23 (a) Make available through the secretary of state's offices
24 appropriate forms, instructions, and manuals required by this act.

25 (b) Create and operate an electronic, internet-accessible
26 system to receive all statements and reports required by this act
27 to be filed with the secretary of state.

28 (c) Create all forms, instructions, and manuals required under
29 this act.

1 (d) Promulgate rules and issue declaratory rulings to
2 implement this act under the administrative procedures act of 1969,
3 1969 PA 306, MCL 24.201 to 24.328.

4 (e) On receiving a written request and the required filing,
5 waive payment of a late filing fee if the request for the waiver is
6 based on good cause and accompanied by adequate documentation. One
7 or more of the following reasons constitute good cause for a late
8 filing fee waiver:

9 (i) The incapacitating physical illness, hospitalization,
10 accident involvement, death, or incapacitation for medical reasons
11 of a state official.

12 (ii) Other unique, unintentional factors beyond the state
13 official's control that are not the result of a negligent act or
14 nonaction so that a reasonably prudent person would excuse the
15 filing on a temporary basis. These factors include the loss or
16 unavailability of records because of a fire, flood, theft, or
17 similar reason and difficulties related to the transmission of the
18 filing to the secretary of state, such as exceptionally bad
19 weather.

20 (f) As soon as practicable, but not later than 5 business days
21 after a report required to be filed under this act is received,
22 make the report or all of the contents of the report available
23 without charge to the public on a separate internet webpage or its
24 website homepage.

25 (g) Within 9 business days after the deadline for filing a
26 report under this act, notify an individual of any error or
27 omission in the individual's report or that the individual failed
28 to file the required report.

29 (2) Except as otherwise provided in subsection (13), the

1 secretary of state shall issue a declaratory ruling under this
2 section only if the person requesting the ruling has provided a
3 reasonably complete statement of facts necessary for the ruling or
4 if the person requesting the ruling has, with the permission of the
5 secretary of state, supplied supplemental facts necessary for the
6 ruling. Within 2 business days after receiving a request for a
7 declaratory ruling, the secretary of state shall make the request
8 available in the manner provided for under subsection (1)(f). An
9 interested person may submit written comments regarding the request
10 to the secretary of state within 10 business days after the date
11 the request is made available to the public. Within 45 business
12 days after receiving a declaratory ruling request, the secretary of
13 state shall make a proposed response available in the manner
14 provided for under subsection (1)(f). An interested person may
15 submit written comments regarding the proposed response to the
16 secretary of state within 5 business days after the date the
17 proposal is made available to the public. Except as otherwise
18 provided in this section, the secretary of state shall issue a
19 declaratory ruling within 60 business days after receiving a
20 request for a declaratory ruling. If the secretary of state refuses
21 to issue a declaratory ruling, the secretary of state shall notify
22 the person making the request of the reasons for the refusal and
23 issue an interpretative statement providing an informational
24 response to the question presented within the 60-day period. A
25 declaratory ruling or interpretative statement issued under this
26 section must not state a general rule of law, other than that which
27 is stated in this act, until the general rule of law is promulgated
28 by the secretary of state as a rule under the administrative
29 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, or under

1 judicial order.

2 (3) Under extenuating circumstances, the secretary of state
3 may issue a notice extending, for not more than 30 business days,
4 the period during which the secretary of state shall respond to a
5 request for a declaratory ruling. The secretary of state shall not
6 issue more than 1 notice of extension for a particular request. A
7 person requesting a declaratory ruling may waive, in writing, the
8 time limitations provided by this section.

9 (4) A person may file with the secretary of state a complaint
10 that alleges a violation of this act. Within 5 business days after
11 a complaint that meets the requirements of subsection (5) is filed,
12 the secretary of state shall notify the person against whom the
13 complaint is filed. The notice must be in writing and include a
14 copy of the complaint. Within 15 business days after the
15 notification, the person against whom the complaint was filed may
16 submit a response to the secretary of state. The secretary of state
17 may extend the period for submitting a response an additional 15
18 business days for good cause. The secretary of state shall send a
19 copy of a response received to the complainant. Within 10 business
20 days after the response is sent, the complainant may submit a
21 rebuttal statement to the secretary of state. The secretary of
22 state may extend the period for submitting a rebuttal statement an
23 additional 10 business days for good cause. The secretary of state
24 shall provide a copy of the rebuttal statement to the person
25 against whom the complaint was filed. If, on review of the
26 complaint, the secretary of state determines that the complaint is
27 frivolous, illegible, indefinite, or unsigned, or does not identify
28 an alleged violator, allege a violation of the act or the rules
29 promulgated under this act, or contain a verification statement,

1 the secretary of state may summarily dismiss the complaint without
2 prejudice. If a complaint is summarily dismissed, the complainant
3 shall be notified in writing as to the reason the complaint was
4 dismissed.

5 (5) A complaint filed under subsection (4) must satisfy all of
6 the following requirements:

7 (a) Be signed by the complainant.

8 (b) State the name, address, and telephone number of the
9 complainant.

10 (c) Include the complainant's certification that, to the best
11 of the complainant's knowledge, information, and belief, formed
12 after a reasonable inquiry under the circumstances, each factual
13 contention of the complaint is supported by evidence. However, if,
14 after a reasonable inquiry under the circumstances, the complainant
15 is unable to certify that certain factual contentions are supported
16 by evidence, the complainant may certify that, to the best of the
17 complainant's knowledge, information, or belief, there are grounds
18 to conclude that those specifically identified factual contentions
19 are likely to be supported by evidence after a reasonable
20 opportunity for further inquiry.

21 (6) A person shall not file a complaint with a false
22 certificate under subsection (5)(c). A person may file a complaint
23 under subsection (4) alleging that another person has filed a
24 complaint with a false certificate under subsection (5)(c).

25 (7) The secretary of state shall investigate allegations
26 brought under this act under the rules promulgated under this act.
27 If an allegation involves the secretary of state, or a spouse or
28 dependent of the secretary of state, the secretary of state shall
29 refer the matter to the attorney general to determine whether a

1 violation of this act occurred.

2 (8) No later than 45 business days after receiving a rebuttal
3 statement submitted under subsection (4) or, if no response or
4 rebuttal is received under subsection (4), 45 business days after
5 receiving a complaint under subsection (4), the secretary of state
6 shall post on the secretary of state's website whether there may be
7 reason to believe that a violation of this act occurred. If the
8 secretary of state determines whether there may be reason to
9 believe that a violation of this act occurred or determines to
10 terminate its proceedings, the secretary of state shall, within 30
11 days after that determination, post on the secretary of state's
12 website any complaint, response, or rebuttal statement received
13 under subsection (4) regarding that violation or alleged violation
14 and any correspondence that is dispositive of that violation or
15 alleged violation between the secretary of state and the
16 complainant or the person against whom the complaint was filed. If
17 the secretary of state determines that there may be reason to
18 believe that a violation of this act occurred, the secretary of
19 state shall endeavor to correct the violation or prevent a further
20 violation by using informal methods such as a conference,
21 conciliation, or persuasion, and may enter into a conciliation
22 agreement with the person involved. Unless violated, a conciliation
23 agreement is a complete bar to any further civil action with
24 respect to matters covered in the conciliation agreement. The
25 secretary of state shall, within 30 days after a conciliation
26 agreement is signed, post that agreement on the secretary of
27 state's website. If, after 90 business days, the secretary of state
28 is unable to correct or prevent further violation by these informal
29 methods, the secretary of state may commence a hearing as provided

1 in subsection (9) for enforcement of this act.

2 (9) The secretary of state may commence a hearing to determine
3 whether a violation of this act occurred. The hearing must be
4 conducted under chapter 4 of the administrative procedures act of
5 1969, 1969 PA 306, MCL 24.271 to 24.288.

6 (10) A final decision or order issued by the secretary of
7 state under this act is subject to judicial review as provided by
8 chapter 6 of the administrative procedures act of 1969, 1969 PA
9 306, MCL 24.301 to 24.306. The secretary of state shall deposit a
10 civil fine imposed under this act in the general fund. The
11 secretary of state may bring an action in circuit court to recover
12 the amount of a civil fine.

13 (11) The secretary of state shall review a report or statement
14 filed under this act and may investigate an apparent violation of
15 this act under the rules promulgated under this act. If the
16 secretary of state determines that there may be reason to believe a
17 violation of this act occurred, the secretary of state may commence
18 a hearing under subsection (9) to determine whether a violation of
19 this act occurred.

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

24 (13) The secretary of state may refuse to issue a declaratory
25 ruling under subsection (2) if the request is anonymous, the
26 secretary of state determines that the subject matter of the
27 request is frivolous on its face, or the request is indefinite or
28 lacks specificity. If the secretary of state refuses to issue a
29 declaratory ruling, the person requesting the ruling, if known,

1 shall be notified of the reason for the refusal.

2 Sec. 7. (1) The secretary of state shall provide a copy of a
3 report, or part of a report, required to be filed under this act at
4 a reasonable charge.

5 (2) A report that is made available to the public under this
6 act must not be used for any commercial purpose.

7 (3) The secretary of state shall preserve a report filed under
8 this act for 15 years after the date the report is filed. If the
9 secretary of state or attorney general determines under section 6
10 that a violation of this act occurred, the secretary of state shall
11 preserve all complaints, orders, decisions, or other documents
12 related to that violation for 15 years after the date of the
13 determination or the date the violation is corrected, whichever is
14 later. Reports filed under this act may be reproduced under the
15 records reproduction act, 1992 PA 116, MCL 24.401 to 24.406. After
16 the required preservation period, the reports, or the reproductions
17 of the reports, may be disposed of in the manner prescribed in the
18 management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, and
19 section 11 of the Michigan history center act, 2016 PA 470, MCL
20 399.811.

21 (4) The secretary of state shall not charge a fee for the
22 filing of a report under this act, except a late filing fee
23 required by this act.

24 (5) The secretary of state shall determine whether a statement
25 or report filed under this act complies, on its face, with the
26 requirements of this act and the rules promulgated under this act.
27 The secretary of state shall determine whether a statement or
28 report that is required to be filed under this act is in fact
29 filed.

1 (6) A report required to be filed under this act must be filed
2 not later than 5 p.m. of the day it is required to be filed.

3 Sec. 8. (1) A state official who fails to file a report as
4 required under this act shall pay a late filing fee determined as
5 follows:

6 (a) Twenty-five dollars for each of the first 10 business days
7 that the report remains unfiled.

8 (b) Fifty dollars for each business day after the first 10
9 business days that the report remains unfiled.

10 (c) In addition to the late filing fees imposed under
11 subdivisions (a) and (b), \$5,000.00 if the report remains unfiled
12 for more than 105 business days.

13 (2) If a state official required to file a report under this
14 act knowingly files an incomplete or inaccurate report, the state
15 official shall be ordered to pay a civil fine of not more than
16 \$10,000.00.

17 (3) A late filing fee collected under this act must be
18 deposited into the general fund.

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

22 Enacting section 1. This act takes effect January 1, 2024.