

MICHIGAN CAMPAIGN FINANCE ACT (EXCERPT)
Act 388 of 1976

169.235 Additional campaign statement; filing; deadline; period covered; waiver; exception; late filing fees; receipts or expenditures subjecting committee to campaign filing requirements; failure to file as misdemeanor; penalty; filing incomplete or inaccurate statement or report; civil fine.

Sec. 35.

(1) In addition to any other requirements of this act for filing a campaign statement, a committee shall also file a campaign statement not later than January 31 of each year. The campaign statement has a closing date of December 31 of the previous year. The period covered by the campaign statement filed under this subsection begins the day after the closing date of the previous campaign statement. A campaign statement filed under this subsection is waived if a postelection campaign statement has been filed that has a filing deadline within 30 days of the closing date of the campaign statement required by this subsection.

(2) Subsection (1) does not apply to a candidate committee for an officeholder who is a judge or a supreme court justice, or who holds an elective office for which the salary is less than \$100.00 a month and who does not receive any contribution or make any expenditure during the time that would be otherwise covered in the statement.

(3) A committee, candidate, treasurer, or other individual designated as responsible for the record keeping, report preparation, or report filing for a candidate committee of a candidate for state elective office or a judicial office who fails to file a campaign statement under this section shall be assessed a late filing fee. If the committee has raised \$10,000.00 or less during the previous 2 years, the late filing fee is \$25.00 for each business day the campaign statement remains unfiled, but not to exceed \$500.00. If the committee has raised more than \$10,000.00 during the previous 2 years, the late filing fee is \$50.00 for each business day the campaign statement remains unfiled, but not to exceed \$1,000.00. The candidate shall pay the late filing fee assessed under this subsection, and the candidate shall not use committee funds to pay that fee. A committee, treasurer, or other individual designated as responsible for the record keeping, report preparation, or report filing for a committee other than a candidate committee of a candidate for state elective office or a judicial office who fails to file a campaign statement under this section shall pay a late filing fee of \$25.00 for each business day the campaign statement remains not filed in violation of this section. The late filing fee must not exceed \$500.00.

(4) A committee filing a written statement under section 24(5) or (6) need not file a statement in accordance with subsection (1). If a committee receives or expends more than \$1,000.00 during a time period prescribed by section 24(5) or (6), the committee is then subject to the campaign filing requirements under this act and shall file a campaign statement for the period beginning the day after the closing date of the last postelection campaign statement or an annual campaign statement that is waived under subsection (1), whichever occurred earlier.

(5) A separate segregated fund filing a campaign statement under this section shall report on the campaign statement the number of items for each item type sold or offered in exchange for a contribution for fundraising purposes where a connected organization paid any costs of the item under section 55(8) during the previous calendar year.

(6) If a candidate, treasurer, or other individual designated as responsible for the record keeping, report preparation, or report filing fails to file 2 statements required by this section or section 33 and both of the statements remain unfiled for more than 30 days, that candidate, treasurer, or other designated individual is guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00, or imprisonment for not more than 90 days, or both.

(7) If a candidate, treasurer, or other individual designated as responsible for the record keeping, report preparation, or report filing for a committee required to file a campaign statement under subsection (1) knowingly files an incomplete or inaccurate statement or report required by this section, that individual is subject to a civil fine of not more than \$1,000.00.

History: 1976, Act 388, Eff. June 30, 1978 ;-- Am. 1980, Act 215, Imd. Eff. July 18, 1980 ;-- Am. 1989, Act 95, Imd. Eff. June 21, 1989 ;-- Am. 1999, Act 238, Imd. Eff. Dec. 28, 1999 ;-- Am. 2000, Act 75, Eff. Mar. 28, 2001 ;-- Am. 2012, Act 273, Eff. Dec. 30, 2012 ;-- Am. 2015, Act 269, Imd. Eff. Jan. 6, 2016 ;-- Am. 2017, Act 119, Imd. Eff. Sept. 20, 2017 ;-- Am. 2019, Act 93, Imd. Eff. Oct. 10, 2019