

SENATE BILL No. 560

September 13, 2017, Introduced by Senator SCHMIDT and referred to the Committee on Outdoor Recreation and Tourism.

A bill to amend 2008 PA 288, entitled
"Legal defense fund act,"
by amending section 11 (MCL 15.531).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11. (1) The secretary of state shall make a statement or
2 report required to be filed under this act available for public
3 inspection and reproduction, ~~commencing~~ as soon as practicable, but
4 not later than the third business day following the day on which it
5 is received, during regular business hours of the filing official.
6 The secretary of state shall also make the report or all of the
7 contents of the report available to the public on the internet,
8 without charge, as soon as practicable, at a single website
9 established and maintained by the secretary of state.

1 (2) A copy of a statement or part of a statement shall be
2 provided by the secretary of state at a reasonable charge.

3 (3) A statement open to the public under this act shall not be
4 used for any commercial purpose.

5 (4) Except as otherwise provided in this subsection, a
6 statement of organization filed under this act with the secretary
7 of state shall be preserved by the secretary of state for 15 years
8 from the official date of the committee's dissolution. Any other
9 statement or report filed under this act with the secretary of
10 state shall be preserved by the secretary of state for 15 years
11 from the date the filing occurred. Upon a determination that a
12 violation of this act has occurred, all complaints, orders,
13 decisions, or other documents related to that violation shall be
14 preserved by the filing official who is not the secretary of state
15 or the secretary of state for 15 years from the date of the court
16 determination or the date the ~~violations are~~ **VIOLATION IS**
17 corrected, whichever is later. Statements and reports filed under
18 this act may be reproduced pursuant to the records ~~media~~
19 **REPRODUCTION** act, 1992 PA 116, MCL 24.401 to 24.406. After the
20 required preservation period, the statements and reports, or the
21 reproductions of the statements and reports, may be disposed of in
22 the manner prescribed in the management and budget act, 1984 PA
23 431, MCL 18.1101 to 18.1594, and ~~1913 PA 271, MCL 399.1 to~~
24 ~~399.10.~~ **SECTION 11 OF THE MICHIGAN HISTORY CENTER ACT, 2016 PA 470,**
25 **MCL 399.811.**

26 (5) A ~~charge~~ **FILING OFFICIAL** shall not be ~~collected by a~~
27 ~~filing official~~ **COLLECT A CHARGE** for the filing of a required

1 statement or report or for a form upon which the statement or
2 report is to be prepared, except a late filing fee required by this
3 act.

4 (6) The secretary of state shall determine whether a statement
5 or report filed under this act complies, on its face, with the
6 requirements of this act. The secretary of state shall determine
7 whether a statement or report that is required to be filed under
8 this act is in fact filed. Within 4 business days after the
9 deadline for filing a statement or report under this act, the
10 secretary of state shall give notice to the filer by registered
11 mail of an error or omission in the statement or report and give
12 notice to a person the secretary of state has reason to believe is
13 a person required to and who failed to file a statement or report.
14 A failure to give notice by the secretary of state under this
15 subsection is not a defense to a criminal action against the person
16 required to file.

17 (7) Within 9 business days after the report or statement is
18 required to be filed, the filer shall make any corrections in the
19 statement or report filed with the secretary of state. If the
20 report or statement was not filed, then the report or statement
21 shall be late filed within 9 business days after the time it was
22 required to be filed and shall be subject to late filing fees.

23 (8) After 9 business days and before 12 business days have
24 expired after the deadline for filing the statement or report, the
25 secretary of state shall report errors or omissions that were not
26 corrected and failures to file to the attorney general.

27 (9) A statement or report required to be filed under this act

1 ~~shall~~**MUST** be filed not later than 5 p.m. of the day in which it is
2 required to be filed. A transaction report that is postmarked by
3 registered or certified mail, or sent by express mail or other
4 overnight delivery service, at least 2 days before the deadline for
5 filing is filed within the prescribed time regardless of when it is
6 actually delivered. Any other statement or report required to be
7 filed under this act that is postmarked by registered or certified
8 mail or sent by express mail or other overnight delivery service on
9 or before the deadline for filing is filed within the prescribed
10 time regardless of when it is actually delivered.

11 Enacting section 1. This amendatory act takes effect 90 days
12 after the date it is enacted into law.

13 Enacting section 2. This amendatory act does not take effect
14 unless Senate Bill No. 564

15 of the 99th Legislature is enacted into law.