

SENATE BILL NO. 698

October 30, 2025, Introduced by Senators SINGH and WOJNO and referred to Committee on Elections and Ethics.

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 15, 16, 17, 24b, 33, and 82 (MCL 169.215, 169.216, 169.217, 169.224b, 169.233, and 169.282), section 15 as amended by 2015 PA 269, section 16 as amended by 2017 PA 184, sections 17 and 33 as amended and section 24b as added by 2017 PA 119, and section 82 as amended by 1981 PA 102; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 15. (1) The secretary of state shall do all of the

1 following:

2 (a) Make available through ~~his or her~~ **the secretary of state's**
3 offices, and furnish to county clerks, appropriate forms,
4 instructions, and manuals required by this act.

5 (b) Develop a filing, coding, and cross-indexing system for
6 the filing of required reports and statements consistent with this
7 act, and supervise the implementation of the filing systems by the
8 clerks of the counties.

9 (c) Receive all statements and reports required by this act to
10 be filed with the secretary of state.

11 (d) Prepare forms, instructions, and manuals required under
12 this act.

13 (e) Promulgate rules and issue declaratory rulings to
14 implement this act in accordance with the administrative procedures
15 act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

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

21 (i) The incapacitating physical illness, hospitalization,
22 accident involvement, death, or incapacitation for medical reasons
23 of ~~a person~~ **an individual** required to file, ~~a person~~ **an individual**
24 whose participation is essential to the preparation of the
25 statement or report, or a member of the immediate family of these
26 ~~persons~~ **individuals**.

27 (ii) Other unique, unintentional factors beyond the filer's
28 control not stemming from a negligent act or nonaction so that a
29 reasonably prudent person would excuse the filing on a temporary

1 basis. These factors include the loss or unavailability of records
2 due to a fire, flood, theft, or similar reason and difficulties
3 related to the transmission of the filing to the filing official,
4 such as exceptionally bad weather or strikes involving
5 transportation systems.

6 (2) ~~A~~ **The secretary of state shall issue a** declaratory ruling
7 ~~shall be issued~~ under this section only if the person requesting
8 the ruling has provided a reasonably complete statement of facts
9 necessary for the ruling or if the person requesting the ruling
10 has, with the permission of the secretary of state, supplied
11 supplemental facts necessary for the ruling. A request for a
12 declaratory ruling that is submitted to the secretary of state
13 ~~shall~~ **must** be made available for public inspection ~~within~~ **not later**
14 **than** 48 hours after its receipt. An interested person may submit
15 written comments regarding the request to the secretary of state
16 ~~within~~ **not later than** 10 business days after the date the request
17 is made available to the public. ~~Within~~ **Not later than** 45 business
18 days after receiving a declaratory ruling request, the secretary of
19 state shall make a proposed response available to the public. An
20 interested person may submit written comments regarding the
21 proposed response to the secretary of state ~~within~~ **not later than** 5
22 business days after the date the proposal is made available to the
23 public. Except as otherwise provided in this section, the secretary
24 of state shall issue a declaratory ruling ~~within~~ **not later than** 60
25 business days after a request for a declaratory ruling is received.
26 If the secretary of state refuses to issue a declaratory ruling,
27 the secretary of state shall notify the person making the request
28 of the reasons for the refusal and shall issue an interpretative
29 statement providing an informational response to the question

1 presented within the same time limitation applicable to a
2 declaratory ruling. A declaratory ruling or interpretative
3 statement issued under this section ~~shall~~**must** not state a general
4 rule of law, other than that which is stated in this act, until the
5 general rule of law is promulgated by the secretary of state as a
6 rule under the administrative procedures act of 1969, 1969 PA 306,
7 MCL 24.201 to 24.328, or under judicial order.

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

15 (4) The secretary of state shall make available to the public
16 an annual summary of the declaratory rulings and interpretative
17 statements issued by the secretary of state.

18 (5) A person may file with the secretary of state a complaint
19 that alleges a violation of this act. ~~Within~~**Not later than** 5
20 business days after a complaint that meets the requirements of
21 subsection (6) is filed, the secretary of state shall give notice
22 to the person against whom the complaint is filed. The notice ~~shall~~
23 **must** include a copy of the complaint. ~~Within~~**Not later than** 15
24 business days after this notice is mailed, the person against whom
25 the complaint was filed may submit a response to the secretary of
26 state. The secretary of state may extend the period for submitting
27 a response an additional 15 business days for good cause. The
28 secretary of state shall provide a copy of a response received to
29 the complainant. ~~Within~~**Not later than** 10 business days after the

1 response is mailed, the complainant may submit a rebuttal statement
2 to the secretary of state. The secretary of state may extend the
3 period for submitting a rebuttal statement an additional 10
4 business days for good cause. The secretary of state shall provide
5 a copy of the rebuttal statement to the person against whom the
6 complaint was filed.

7 (6) A complaint filed under subsection (5) ~~shall~~**must** satisfy
8 all of the following requirements:

9 (a) Be signed by the complainant.

10 (b) State the name, address, and telephone number of the
11 complainant.

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

23 (7) The secretary of state shall develop a form that satisfies
24 the requirements of subsection (6) and may be used for the filing
25 of complaints.

26 (8) A person who files a complaint with a false certificate
27 under subsection (6)(c) is responsible for a civil violation of
28 this act. A person may file a complaint under subsection (5)
29 alleging that another person has filed a complaint with a false

1 certificate under subsection (6) (c).

2 (9) The secretary of state shall investigate the allegations
3 under the rules promulgated under this act. If the violation
4 involves the secretary of state, the immediate family of the
5 secretary of state, or a campaign or committee with which the
6 secretary of state is connected, directly or indirectly, the
7 secretary of state shall refer the matter to the attorney general
8 to determine whether a violation of this act has occurred.

9 (10) ~~No~~**Not** later than 45 business days after receipt of a
10 rebuttal statement submitted under subsection (5), or if no
11 response or rebuttal is received under subsection (5), the
12 secretary of state shall post on the secretary of state's ~~Internet~~
13 website whether or not there may be reason to believe that a
14 violation of this act has occurred. When the secretary of state
15 determines whether there may be reason to believe that a violation
16 of this act occurred or did not occur or determines to terminate
17 its proceedings, the secretary of state shall, ~~within~~**not later**
18 **than** 30 days ~~of~~**after** that determination, post on the secretary of
19 state's ~~Internet~~ website any complaint, response, or rebuttal
20 statement received under subsection (5) regarding that violation or
21 alleged violation and any correspondence that is dispositive of
22 that violation or alleged violation between the secretary of state
23 and the complainant or the person against whom the complaint was
24 filed. If the secretary of state determines that there may be
25 reason to believe that a violation of this act occurred, the
26 secretary of state shall endeavor to correct the violation or
27 prevent a further violation by using informal methods such as a
28 conference, conciliation, or persuasion, and may enter into a
29 conciliation agreement with the person involved. Unless violated, a

1 conciliation agreement is a complete bar to any further civil or
2 criminal action with respect to matters covered in the conciliation
3 agreement. The secretary of state shall, ~~within~~**not later than** 30
4 days after a conciliation agreement is signed, post that agreement
5 on the secretary of state's ~~Internet~~-website. If, after 90 business
6 days, the secretary of state is unable to correct or prevent
7 further violation by these informal methods, the secretary of state
8 shall do either of the following:

9 (a) Refer the matter to the attorney general for the
10 enforcement of any criminal penalty provided by this act.

11 (b) Commence a hearing as provided in subsection (11) for
12 enforcement of any civil violation.

13 (11) The secretary of state may commence a hearing to
14 determine whether a civil violation of this act has occurred. The
15 hearing ~~shall~~**must** be conducted in accordance with the procedures
16 set forth in chapter 4 of the administrative procedures act of
17 1969, 1969 PA 306, MCL 24.271 to ~~24.287.~~**24.288**. If after a hearing
18 the secretary of state determines that a violation of this act has
19 occurred, the secretary of state may issue an order requiring the
20 person to pay a civil fine not more than triple the amount of the
21 improper contribution or expenditure plus not more than \$1,000.00
22 for each violation.

23 (12) A final decision and order issued by the secretary of
24 state is subject to judicial review as provided by chapter 6 of the
25 administrative procedures act of 1969, 1969 PA 306, MCL 24.301 to
26 24.306. The secretary of state shall deposit a civil fine imposed
27 under this section in the general fund. The secretary of state may
28 bring an action in circuit court to recover the amount of a civil
29 fine.

1 (13) When a report or statement is filed under this act, the
2 secretary of state shall review the report or statement and may
3 investigate an apparent violation of this act under the rules
4 promulgated under this act. If the secretary of state determines
5 that there may be reason to believe a violation of this act has
6 occurred and the procedures prescribed in subsection (10) have been
7 complied with, the secretary of state may refer the matter to the
8 attorney general for the enforcement of a criminal penalty provided
9 by this act, or commence a hearing under subsection (11) to
10 determine whether a civil violation of this act has occurred.

11 (14) ~~No~~**Not** later than 60 business days after a matter is
12 referred to the attorney general for enforcement of a criminal
13 penalty, the attorney general shall determine whether to proceed
14 with enforcement of that penalty.

15 (15) Unless otherwise specified in this act, a person who
16 violates a provision of this act is subject to a civil fine of not
17 more than \$1,000.00 for each violation. A civil fine is in addition
18 to, but not limited by, a criminal penalty prescribed by this act.

19 (16) In addition to any other sanction provided for by this
20 act, the secretary of state may require a person who files a
21 complaint with a false certificate under subsection (6)(c) to do
22 either or both of the following:

23 (a) Pay to the secretary of state some or all of the expenses
24 incurred by the secretary of state as a direct result of the filing
25 of the complaint.

26 (b) Pay to the person against whom the complaint was filed
27 some or all of the expenses, including, but not limited to,
28 reasonable attorney fees incurred by that person in proceedings
29 under this act as a direct result of the filing of the complaint.

1 (17) ~~Except as otherwise provided in section 57, there~~ **There**
2 is no private right of action, either in law or in equity, under
3 this act. ~~Except as otherwise provided in section 57, the~~ **The**
4 remedies provided in this act are the exclusive means by which this
5 act may be enforced and by which any harm resulting from a
6 violation of this act may be redressed. The criminal penalties
7 provided by this act may only be enforced by the attorney general
8 and only ~~upon~~ **on** referral by the secretary of state as provided
9 under subsection (10) or (13).

10 (18) The secretary of state may waive the filing of a campaign
11 statement required under section 33 ~~, 34, or 35~~ if the closing date
12 of the particular campaign statement falls on the same or a later
13 date as the closing date of the next campaign statement filed by
14 the same person, or if the period that would be otherwise covered
15 by the next campaign statement filed by the same person is 10 days
16 or less.

17 (19) The clerk of each county shall do all of the following:

18 (a) Make available through the county clerk's office the
19 appropriate forms, instructions, and manuals required by this act.

20 (b) Under the supervision of the secretary of state, implement
21 the filing, coding, and cross-indexing system prescribed for the
22 filing of reports and statements required to be filed with the
23 county clerk's office.

24 (c) Receive all statements and reports required by this act to
25 be filed with the county clerk's office.

26 (d) ~~Upon~~ **On** written request, waive the payment of a late
27 filing fee if the request for a waiver is based on good cause as
28 prescribed in subsection (1)(f).

29 Sec. 16. (1) A filing official shall make a statement or

1 report required to be filed under this act available for public
2 inspection and reproduction, as soon as practicable, but not later
3 than the third business day following the day on which it is
4 received, during regular business hours of the filing official. If
5 the report is a report of a late contribution under section 32(1)
6 made to the secretary of state, the secretary of state shall also
7 make the report or all of the contents of the report available to
8 the public on the internet, without charge, as soon as practicable
9 but not later than the end of the business day on which it is
10 received, at a single website established and maintained by the
11 secretary of state.

12 (2) A **filing official shall provide a** copy of a statement or
13 part of a statement ~~shall be provided by a filing official~~ at a
14 reasonable charge.

15 (3) A statement open to the public under this act ~~shall~~**must**
16 not be used for any commercial purpose.

17 (4) Except as otherwise provided in this subsection, a
18 statement of organization filed under this act with a filing
19 official who is not the secretary of state ~~shall~~**must** be preserved
20 by that filing official for 5 years ~~from~~**after** the official date of
21 the committee's dissolution. A statement of organization filed
22 under this act with a filing official who is not the secretary of
23 state that is filed by a committee that received more than
24 \$50,000.00 in an election cycle ~~shall~~**must** be preserved by that
25 filing official for 15 years ~~from~~**after** the official date of the
26 committee's dissolution. A statement of organization filed under
27 this act with the secretary of state ~~shall~~**must** be preserved by the
28 secretary of state for 15 years ~~from~~**after** the official date of the
29 committee's dissolution. Except as otherwise provided in this

1 subsection, any other statement or report filed under this act with
2 a filing official who is not the secretary of state ~~shall~~**must** be
3 preserved by that filing official for 5 years ~~from~~**after** the date
4 the filing occurred. Any other statement or report filed under this
5 act with a filing official who is not the secretary of state that
6 is filed by a committee that received more than \$50,000.00 in an
7 election cycle ~~shall~~**must** be preserved by that filing official for
8 15 years ~~from~~**after** the date the filing occurred. Any other
9 statement or report filed under this act with the secretary of
10 state ~~shall~~**must** be preserved by the secretary of state for 15
11 years ~~from~~**after** the date the filing occurred. ~~Upon~~**On** a
12 determination under section 15 that a violation of this act has
13 occurred, all complaints, orders, decisions, or other documents
14 related to that violation ~~shall~~**must** be preserved by the filing
15 official who is not the secretary of state or the secretary of
16 state for 15 years ~~from~~**after** the date of the ~~court~~ determination
17 **is issued** or the date the violations are corrected, whichever is
18 later. Statements and reports filed under this act may be
19 reproduced ~~pursuant to~~**under** the records reproduction act, 1992 PA
20 116, MCL 24.401 to 24.406. After the required preservation period,
21 the statements and reports, or the reproductions of the statements
22 and reports, may be disposed of in the manner prescribed in the
23 management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, and
24 section 11 of the Michigan history center act, 2016 PA 470, MCL
25 399.811.

26 (5) ~~A~~**Except for a late filing fee required under this act, a**
27 filing official shall not collect a charge for the filing of a
28 required statement or report or for a form ~~upon~~**on** which the
29 statement or report is to be prepared. ~~, except a late filing fee~~

1 ~~required by this act.~~

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

15 (7) ~~Within~~ **Not later than** 9 business days after the report or
16 statement is required to be filed, the filer shall make any
17 corrections in the statement or report filed with the appropriate
18 filing official. If the report or statement was not filed, then the
19 report or statement ~~shall~~ **must** be late filed ~~within~~ **not later than**
20 9 business days after the time it was required to be filed and
21 ~~shall be~~ **is** subject to late filing fees.

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

26 (9) A statement or report required to be filed under this act
27 ~~shall~~ **must** be filed not later than 5 p.m. of the day in which it is
28 required to be filed. A ~~preelection statement or report due on July~~
29 ~~25 or October 25 under section 33 that is postmarked by registered~~

1 ~~or certified mail, or sent by express mail or other overnight~~
2 ~~delivery service, at least 2 days before the deadline for filing is~~
3 ~~filed within the prescribed time regardless of when it is actually~~
4 ~~delivered. Any other statement or report required to be filed under~~
5 this act that is postmarked by registered or certified mail or sent
6 by express mail or other overnight delivery service on or before
7 the deadline for filing is filed within the prescribed time
8 regardless of when it is actually delivered.

9 Sec. 17. (1) A person paying a late filing fee as a result of
10 that person's failure to file a statement or report shall pay that
11 fee to the filing official with whom the statement or report was
12 required to be filed.

13 (2) The late filing fees collected under sections 24, 33, ~~34,~~
14 ~~35,~~ and 51, and copying charges collected under section 16, must be
15 retained by and for the use of the filing officials collecting the
16 fees or charges to cover their expenses in administering this act.
17 A late filing fee assessed by a county clerk that remains unpaid
18 for more than 60 days is considered a debt of the county, and the
19 county treasurer shall collect that fee in the same manner as other
20 county debts are collected. A late filing fee assessed by the
21 secretary of state that remains unpaid for more than 180 days must
22 be referred to the department of treasury for collection.

23 (3) A committee, other than a candidate committee or a
24 committee making expenditures in assistance of or in opposition to
25 the qualification, passage, or defeat of a ballot question,
26 required to file with the secretary of state is not required to pay
27 a late filing fee under sections 24 ~~, and~~ 33 ~~, 34, and 35,~~ if all
28 of the following conditions are met:

29 (a) A committee required to register as a committee fails to

1 file a statement of organization.

2 (b) The secretary of state sends to that committee notice of
3 the committee's failure to file a statement of organization.

4 (c) At the same time or after the notice described in
5 subdivision (b) is sent, the secretary of state sends to that
6 committee notice of the committee's failure to file a campaign
7 statement that was due for a period that occurred before the notice
8 of failure to file a statement of organization was sent.

9 (d) ~~Within~~ **Not later than** 10 business days after the notice of
10 failure to file a statement of organization is sent, the committee
11 files a statement of organization.

12 (e) ~~Within~~ **Not later than** 10 business days after the notice of
13 failure to file a campaign statement is sent, the committee files
14 every campaign statement that is due.

15 (4) Late filing fees that would have occurred except for
16 subsection (3) must be assessed for each statement not filed before
17 the eleventh business day after a notice of failure to file is sent
18 under subsection (3).

19 (5) A committee other than a candidate committee that has not
20 previously filed a statement of organization is not required to pay
21 a late filing fee under sections 24 ~~, and~~ 33 ~~, 34, and 35,~~ if the
22 committee files a statement of organization and every campaign
23 statement that is due, before the secretary of state sends a notice
24 to that committee under subsection (3).

25 Sec. 24b. (1) One or more persons may create an independent
26 expenditure committee and shall file a statement of organization
27 under section 24. An independent expenditure committee shall file
28 campaign statements under ~~sections~~ **section** 33 ~~and 35~~ and as
29 otherwise provided in this act.

1 (2) An independent expenditure committee may receive
2 contributions from any person, except a person prohibited from
3 making a contribution under 52 USC 30121. An independent
4 expenditure committee shall return a contribution made by a person
5 prohibited from making a contribution under this subsection ~~within~~
6 **not later than** 30 business days after receiving that contribution.

7 (3) In addition to any independent expenditures or other
8 disbursements not prohibited by this act or any other law, an
9 independent expenditure committee may make contributions to another
10 independent expenditure committee or to a ballot question
11 committee.

12 (4) An independent expenditure committee shall not make a
13 contribution to a candidate committee, independent committee,
14 political committee, political party committee, or house or senate
15 political party caucus committee.

16 (5) An individual who knowingly violates or causes a person to
17 violate subsection (4) is guilty of a felony punishable by
18 imprisonment for not more than 3 years or a fine of not more than
19 \$5,000.00, or both. A person that violates subsection (4) that is
20 not an individual is subject to 1 of the following, whichever is
21 greater:

22 (a) A fine of not more than \$20,000.00.

23 (b) A fine of not more than triple the amount of the improper
24 contribution or expenditure.

25 Sec. 33. ~~(1) A committee, other than an independent committee,~~
26 ~~an independent expenditure committee, or a political committee~~
27 ~~required to file with the secretary of state, supporting or~~
28 ~~opposing a candidate shall file complete campaign statements as~~
29 ~~required by this act and the rules promulgated under this act~~

1 ~~according to the following schedule:~~

2 ~~(a) A preelection campaign statement must be filed not later~~
 3 ~~than the eleventh day before an election. The closing date for a~~
 4 ~~campaign statement filed under this subdivision is the sixteenth~~
 5 ~~day before the election.~~

6 ~~(b) A postelection campaign statement must be filed not later~~
 7 ~~than the thirtieth day following the election. The closing date for~~
 8 ~~a campaign statement filed under this subdivision is the twentieth~~
 9 ~~day following the election. A committee supporting a candidate who~~
 10 ~~loses the primary election shall file closing campaign statements~~
 11 ~~in accordance with this section. If all liabilities of that~~
 12 ~~candidate or committee are paid before the closing date and~~
 13 ~~additional contributions are not expected, the campaign statement~~
 14 ~~may be filed at any time after the election, but not later than the~~
 15 ~~thirtieth day following the election.~~

16 ~~(c) For candidate committees only, in a year in which there is~~
 17 ~~no election for the candidate the candidate committee is supporting~~
 18 ~~or opposing:~~

19 ~~(i) Not later than July 25 with a closing date of July 20 of~~
 20 ~~that year.~~

21 ~~(ii) Not later than October 25 with a closing date of October~~
 22 ~~20 of that year.~~

23 ~~(2) For the purposes of subsection (1):~~

24 **(1) Candidate committees shall file a postelection campaign**
 25 **statement following the election in which the candidate appeared on**
 26 **the ballot as follows:**

27 (a) A candidate committee shall file a ~~preelection campaign~~
 28 ~~statement and a postelection campaign statement for each election~~
 29 ~~in which the candidate seeks nomination or election. , except if an~~

1 ~~individual becomes a candidate after the closing date for the~~
2 ~~preelection campaign statement only the postelection campaign~~
3 ~~statement is required for that election.~~

4 (b) A candidate committee shall file a postelection campaign
5 statement not more than 14 days after the election. The closing
6 date for a campaign statement filed under this subdivision is 7
7 days after the election. If all liabilities of the candidate or
8 committee are paid before the closing date and additional
9 contributions are not expected, the committee may file the campaign
10 statement any time between the election and 14 days after the
11 election.

12 (c) A committee supporting a candidate who loses the primary
13 election shall file a closing campaign statement under this
14 section.

15 (2) If a candidate appears on the ballot during an election
16 that occurs on a date other than a regular election date as
17 described under section 641(1) of the Michigan election law, 1954
18 PA 116, MCL 168.641, the candidate shall do all of the following,
19 as applicable:

20 (a) File a postelection campaign statement required under
21 subsection (1).

22 (b) If the date of the election is more than 16 days after the
23 due date of a campaign statement required under subsection (4),
24 file a pre-election campaign statement not later than 11 days
25 before the special election. The closing date for a campaign
26 statement filed under this subdivision is 16 days before the
27 election. Notwithstanding other reports required under this act, if
28 the date of the election under this subsection is less than 17 days
29 after the due date of a campaign statement required under

1 subsection (4), the committee has no additional reporting
2 obligations.

3 (3) ~~(b)~~—A committee other than a candidate committee shall
4 file a campaign statement for each period during which expenditures
5 are made for the purpose of influencing the nomination or election
6 of a candidate or for the qualification, passage, or defeat of a
7 ballot question.

8 (4) ~~(3)~~—~~An independent committee, an independent expenditure~~
9 ~~committee, or a political committee other than a house political~~
10 ~~party caucus committee or senate political party caucus committee~~
11 ~~required to file with the secretary of state~~ **All committees** shall
12 file campaign statements as required by this act according to the
13 following schedule:

14 (a) **Not later than January 25 of each year with a closing date**
15 **of January 20 of that year.**

16 (b) ~~(a)~~—Not later than April 25 of each year with a closing
17 date of April 20 of that year.

18 (c) ~~(b)~~—Not later than July 25 of each year with a closing
19 date of July 20 of that year.

20 (d) ~~(e)~~—Not later than October 25 of each year with a closing
21 date of October 20 of that year.

22 (5) **A ballot question committee supporting or opposing a**
23 **statewide ballot question shall file a campaign statement not later**
24 **than 35 days after the petition form is filed under section 483a of**
25 **the Michigan election law, 1954 PA 116, MCL 168.483a, with a**
26 **closing date 28 days after the filing of the petition form.**

27 (6) **A separate segregated fund filing a campaign statement**
28 **under this section shall report on the campaign statement the**
29 **number of items for each item type sold or offered in exchange for**

1 a contribution for fundraising purposes where a connected
 2 organization paid any costs of the item under section 55(8) during
 3 the reporting period covered by the campaign statement.

4 (7) ~~(4) A~~ In addition to the campaign statement reports
 5 required under subsection (4), a house political party caucus
 6 committee or a senate political party caucus committee required to
 7 file with the secretary of state or a political party committee for
 8 a party attempting to qualify as a new political party under
 9 section 685 of the Michigan election law, 1954 PA 116, MCL 168.685,
 10 shall file campaign statements as required by this act according to
 11 the following schedule:

12 ~~(a) Not later than January 31 of each year with a closing date~~
 13 ~~of December 31 of the immediately preceding year.~~

14 ~~(b) Not later than April 25 of each year with a closing date~~
 15 ~~of April 20 of that year.~~

16 ~~(c) Not later than July 25 of each year with a closing date of~~
 17 ~~July 20 of that year.~~

18 ~~(d) Not later than October 25 of each year with a closing date~~
 19 ~~of October 20 of that year.~~

20 (a) ~~(e)~~ For the period beginning ~~on the fourteenth day~~ **14 days**
 21 immediately preceding a primary or special primary election and
 22 ending on the day immediately following the primary or special
 23 primary election, not later than 4 p.m. each business day with a
 24 closing date of the immediately preceding day, only for a
 25 contribution received or expenditure made that exceeds \$1,000.00
 26 per day.

27 (b) ~~(f)~~ For the period beginning ~~on the fourteenth day~~ **14 days**
 28 immediately preceding a general or special election and ending on
 29 the day immediately following the general or special election, not

1 later than 4 p.m. each business day with a closing date of the
2 immediately preceding day, only for a contribution received or
3 expenditure made that exceeds \$1,000.00 per day.

4 (8) ~~(5)~~—Notwithstanding subsection ~~(3)~~—(1) or (4) or section
5 51, if an independent expenditure is made within 45 days before a
6 special election by an independent committee, an independent
7 expenditure committee, or a political committee required to file a
8 campaign statement with the secretary of state, the committee shall
9 file a report of the expenditure with the secretary of state ~~within~~
10 **not later than** 48 hours after the expenditure. The report must be
11 made on a form provided by the secretary of state and must include
12 the date of the independent expenditure, the amount of the
13 expenditure, a brief description of the nature of the expenditure,
14 and the name and address of the person to whom the expenditure was
15 paid. The brief description of the expenditure must include either
16 the name of the candidate and the office sought by the candidate or
17 the name of the ballot question and state whether the expenditure
18 supports or opposes the candidate or ballot question. This
19 subsection does not apply if the committee is required to report
20 the independent expenditure in a campaign statement that is
21 required to be filed before the date of the election for which the
22 expenditure was made.

23 (9) ~~(6)~~—A candidate committee or a committee other than a
24 candidate committee that files a written statement under section
25 24(5) or (6) or that is automatically considered to have made a
26 statement under section 24(5) is not required to file a campaign
27 statement under subsection (1) ~~, (3),~~ or (4) unless it received or
28 expended an amount in excess of \$1,000.00. If the committee
29 receives or expends an amount in excess of \$1,000.00 during a

1 period covered by a filing, the committee is then subject to the
2 campaign filing requirements under this act.

3 (10) ~~(7)~~—A committee, candidate, treasurer, or other
4 individual designated as responsible for the committee's record
5 keeping, report preparation, or report filing who fails to file a
6 statement as required by this section shall pay a late filing fee.
7 If the committee has raised **less than \$1,000.00 during the previous**
8 **2 years, the late filing fee is \$25.00 for each business day the**
9 **statement remains unfiled but not to exceed \$100.00. If the**
10 **committee has raised more than \$1,000.00 but less than \$10,000.00**
11 ~~or less~~ during the previous 2 years, the late filing fee is \$25.00
12 for each business day the statement remains unfiled, but not to
13 exceed \$500.00. If the committee has raised more than \$10,000.00
14 during the previous 2 years, the late filing fee must not exceed
15 \$1,000.00, determined as follows:

16 (a) Twenty-five dollars for each business day the report
17 remains unfiled.

18 (b) An additional \$25.00 for each business day after the first
19 3 business days the report remains unfiled.

20 (c) An additional \$50.00 for each business day after the first
21 10 business days the report remains unfiled.

22 (11) ~~(8)~~—If a candidate, treasurer, or other individual
23 designated as responsible for the committee's record keeping,
24 report preparation, or report filing fails to file 2 statements
25 required by ~~under~~ this section ~~or section 35~~ and both of the
26 statements remain unfiled for more than 30 days, that candidate,
27 treasurer, or other designated individual is guilty of a
28 misdemeanor punishable by ~~a fine of not more than \$1,000.00 or~~
29 imprisonment for not more than 90 days **or a fine of not more than**

1 \$1,000.00, or both.

2 (12) If a treasurer or other individual designated as
3 responsible for the record keeping, report preparation, or report
4 filing of a ballot question committee fails to file a statement as
5 required under subsection (4) for more than 7 days, the treasurer
6 or other designated individual is guilty of a misdemeanor
7 punishable by imprisonment for not more than 90 days or a fine of
8 not more than \$1,000.00, or both.

9 (13) ~~(9)~~—If a candidate is found guilty of a violation of this
10 section, the circuit court for that county, on application by the
11 attorney general or the prosecuting attorney of that county, may
12 prohibit that candidate from assuming the duties of a public office
13 or from receiving compensation from public funds, or both.

14 (14) ~~(10)~~—If a candidate, treasurer, or other individual
15 designated as responsible for a committee's record keeping, report
16 preparation, or report filing knowingly files an incomplete or
17 inaccurate statement or report required by this section, that
18 individual is subject to a civil fine of not more than \$1,000.00.

19 (15) ~~(11)~~—If a candidate, treasurer, or other individual
20 designated as responsible for a committee's record keeping, report
21 preparation, or report filing knowingly omits or underreports
22 individual contributions or individual expenditures required to be
23 disclosed by this act, that individual is subject to a civil fine
24 of not more than \$1,000.00 or the amount of the contributions and
25 expenditures omitted or underreported, whichever is greater.

26 (16) ~~(12)~~—If a candidate committee's account has a balance of
27 \$20,000.00 or more and a candidate, treasurer, or other individual
28 designated as responsible for that committee's record keeping,
29 report preparation, or report filing fails to file campaign

1 statements required under this act for 2 consecutive years, that
2 candidate, treasurer, or other individual is guilty of a felony
3 punishable by imprisonment for not more than 3 years or a fine of
4 not more than \$5,000.00, or both. Any money in a candidate
5 committee account described in this subsection is subject to
6 seizure by, and forfeiture to, this state as provided in this
7 section.

8 **(17)** ~~(13)~~—Not more than 5 business days after seizure of money
9 under subsection ~~(12)~~, **(16)**, the secretary of state shall deliver
10 personally or by registered mail to the last known address of the
11 candidate from whom the seizure was made an inventory statement of
12 the money seized. The inventory statement must also contain notice
13 to the effect that unless demand for hearing as provided in this
14 section is made within 10 business days, the money is forfeited to
15 this state. ~~Within~~ **Not later than** 10 business days after the date
16 of service of the notice, the candidate may by registered mail,
17 facsimile transmission, or personal service file with the secretary
18 of state a demand for a hearing before the secretary of state or a
19 person designated by the secretary of state for a determination as
20 to whether the money was lawfully subject to seizure and
21 forfeiture. The candidate is entitled to appear before the
22 secretary of state or a person designated by the secretary of
23 state, to be represented by counsel, and to present testimony and
24 argument. ~~Upon~~ **On** receipt of a request for hearing, the secretary
25 of state or a person designated by the secretary of state shall
26 hold the hearing within 15 business days. The hearing is not a
27 contested case proceeding and is not subject to the administrative
28 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. After
29 the hearing, the secretary of state or a person designated by the

1 secretary of state shall render a decision in writing ~~within-not~~
 2 **later than** 10 business days of the hearing and, by order, shall
 3 either declare the money subject to seizure and forfeiture or
 4 declare the money returnable to the candidate. If, ~~within-not later~~
 5 **than** 10 business days after the date of service of the inventory
 6 statement, the candidate does not file with the secretary of state
 7 a demand for a hearing before the secretary of state or a person
 8 designated by the secretary of state, the money seized is forfeited
 9 to this state by operation of law. If, after a hearing before the
 10 secretary of state or a person designated by the secretary of
 11 state, the secretary of state or a person designated by the
 12 secretary of state determines that the money is lawfully subject to
 13 seizure and forfeiture and the candidate does not appeal to the
 14 circuit court of the county in which the seizure was made within
 15 the time prescribed in this section, the money seized is forfeited
 16 to this state by operation of law. If a candidate is aggrieved by
 17 the decision of the secretary of state or a person designated by
 18 the secretary of state, that candidate may appeal to the circuit
 19 court of the county where the seizure was made to obtain a judicial
 20 determination of the lawfulness of the seizure and forfeiture. The
 21 action must be commenced ~~within-not later than~~ 20 days after notice
 22 of a determination by the secretary of state or a person designated
 23 by the secretary of state is sent to the candidate. The court shall
 24 hear the action and determine the issues of fact and law involved
 25 in accordance with rules of practice and procedure as in other in
 26 rem proceedings.

27 Sec. 82. (1) The penalty provisions of this act ~~shall-do~~ not
 28 apply to an act or omission occurring before December 1, 1977
 29 except that a late filing fee ~~shall-is~~ not ~~be~~ due or payable for an

1 act or omission occurring before May 16, 1978 provided the act or
2 omission is corrected before May 16, 1978. If a late filing fee has
3 been paid before that date, it ~~shall~~**must** be returned by the person
4 who collected the late filing fee ~~upon~~**on** written request of the
5 person who paid the late filing fee.

6 (2) A penalty or late filing fee imposed ~~pursuant to~~**under**
7 section 24 ~~, 34,~~ or **former section 34 or 35 shall** ~~must~~ neither be
8 enforceable nor due or payable as a result of a person making
9 expenditures of \$200.00 or more as a contribution to a ballot
10 question committee before October 15, 1981. If a person has paid a
11 late filing fee as a result of an expenditure of \$200.00 or more as
12 a contribution to a ballot question committee before July 1, 1981,
13 the late filing fee imposed ~~pursuant to~~**under** section 24 ~~, 34,~~ or
14 **former section 34 or 35 shall** ~~must~~ be returned by the person who
15 collected the late filing fee ~~upon~~**on** written request of the person
16 who paid it.

17 ~~(3) Section 35 shall not take effect until June 30, 1978.~~

18 Enacting section 1. Sections 34 and 35 of the Michigan
19 campaign finance act, 1976 PA 388, MCL 169.234 and 169.235, are
20 repealed.