

MICHIGAN CAMPAIGN FINANCE ACT (EXCERPT)
Act 388 of 1976

169.234 Campaign statement of ballot question committee; filing schedule; late filing fees; failure to file statement as misdemeanor; penalty; filing incomplete or inaccurate statement or report; civil fine.

Sec. 34.

(1) A ballot question committee shall file a campaign statement as required by this act according to the following schedule:

(a) A preelection campaign statement, the closing date of which is the sixteenth day before the election, must not be filed later than the eleventh day before the election.

(b) A postelection campaign statement, the closing date of which is the twentieth day following the election, must not be filed later than the thirtieth day following an election. If all liabilities of the committee are paid before the closing date and additional contributions are not expected, the campaign statement may be filed at any time after the election, but not later than the thirtieth day following the election.

(c) Campaign statements not later than the following dates every year:

(i) April 25 with a closing date of April 20 of that year.

(ii) July 25 with a closing date of July 20 of that year.

(d) In every odd numbered year, a campaign statement not later than October 25 with a closing date of October 20 of that year.

(2) A ballot question committee supporting or opposing a statewide ballot question shall file a campaign statement, of which the closing date is the twenty-eighth day after the filing of the petition form, not later than 35 days after the petition form is filed under section 483a of the Michigan election law, 1954 PA 116, MCL 168.483a.

(3) If a ballot question committee supporting or opposing a statewide ballot question fails to file a preelection statement under this section, that committee or its treasurer shall pay a late filing fee for each business day the statement remains not filed in violation of this section, not to exceed \$1,000.00, pursuant to the following schedule:

(a) First day—\$25.00.

(b) Second day—\$50.00.

(c) Third day—\$75.00.

(d) Fourth day and for each subsequent day that the statement remains unfiled—\$100.00.

(4) If a treasurer or other individual designated as responsible for the record keeping, report preparation, or report filing of a ballot question committee supporting or opposing a statewide ballot question fails to file a statement, other than a preelection statement, under this section, that committee, treasurer, or other designated individual shall pay 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 \$1,000.00. 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 \$2,000.00.

(5) If a treasurer or other individual designated as responsible for the record keeping, report preparation, or report filing of a ballot question committee supporting or opposing other than a statewide ballot question fails to file a statement under this section, that committee, treasurer, or other designated individual shall pay 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 \$1,000.00. 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 \$2,000.00.

(6) If a treasurer or other individual designated as responsible for the record keeping, report preparation, or report filing of a ballot question committee fails to file a statement as required by subsection (1) or (2) for more than 7 days, that 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 treasurer or other individual designated as responsible for the record keeping, report preparation, or report filing of a ballot question committee knowingly files an incomplete or inaccurate statement or report required by this section, that treasurer or other designated individual is subject to a civil fine of not more than \$1,000.00 or the amount of the undisclosed contribution, whichever is greater.

History: 1976, Act 388, Eff. June 1, 1977 ;-- Am. 1980, Act 181, Imd. Eff. July 2, 1980 ;-- Am. 1989, Act 95, Imd. Eff. June 21, 1989 ;-- Am. 1999, Act 238, Imd. Eff. Dec. 28, 1999 ;-- Am. 2012, Act 277, Imd. Eff. July 3, 2012 ;-- Am. 2019, Act 93, Imd. Eff. Oct. 10, 2019