

SENATE BILL NO. 52

January 26, 1999, Introduced by Senators SIKKEMA, HAMMERSTROM, BENNETT, MCCOTTER, GOSCHKA, BULLARD, SHUGARS and SCHUETTE and referred to the Committee on Government Operations.

A bill to amend 1976 PA 388, entitled
"Michigan campaign finance act,"
by amending section 16 (MCL 169.216), as amended by 1992 PA 188.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16. (1) A filing official 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,
4 but not later than the third business day following the day on
5 which it is received, during regular business hours of the filing
6 official.

7 (2) A copy of a statement or part of a statement shall be
8 provided by a filing official at a reasonable charge.

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

1 (4) ~~A statement of organization filed under this act shall~~
2 ~~be preserved by the filing official for 5 years from the official~~
3 ~~date of the committee's dissolution. A statement or report filed~~
4 ~~under this act by a candidate for an office with a term exceeding~~
5 ~~4 years shall be preserved by the filing official for 1 year~~
6 ~~beyond that candidate's term of office. Any other statement or~~
7 ~~report filed under this act shall be preserved by the filing~~
8 ~~official for 5 years from the date the filing occurred. A FILING~~
9 ~~OFFICIAL SHALL PRESERVE ALL STATEMENTS AND REPORTS FILED WITH~~
10 ~~THAT FILING OFFICIAL UNDER THIS ACT. Statements and reports filed~~
11 ~~under this act may be reproduced pursuant to the records media~~
12 ~~act, 1992 PA 116, MCL 24.401 TO 24.403. After the required pre-~~
13 ~~servation period, the statements and reports, or the reproduc-~~
14 ~~tions of the statements and reports, shall be destroyed.~~

15 (5) A charge shall not be collected by a filing official for
16 the filing of a required statement or report or for a form upon
17 which the statement or report is to be prepared, except a late
18 filing fee required by this act.

19 (6) A filing official shall determine whether a statement or
20 report filed under this act complies, on its face, with the
21 requirements of this act and the rules promulgated under this
22 act. The filing official shall determine whether a statement or
23 report that is required to be filed under this act is in fact
24 filed. Within 4 business days after the deadline for filing a
25 statement or report under this act, the filing official shall
26 give notice to the filer by registered mail of an error or
27 omission in the statement or report and give notice to a person

1 the filing official has reason to believe is a person required to
2 and who failed to file a statement or report. A failure to give
3 notice by the filing official under this subsection is not a
4 defense to a criminal action against the person required to
5 file.

6 (7) Within 9 business days after the report or statement is
7 required to be filed, the filer shall make any corrections in the
8 statement or report filed with the appropriate filing official.
9 If the report or statement was not filed, then it shall be late
10 filed within 9 business days after the time it was required to be
11 filed and shall be subject to late filing fees.

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

16 (9) A statement or report required to be filed under this
17 act shall be filed not later than 5 p.m. of the day in which it
18 is required to be filed. A preelection statement or report due
19 on July 25 or October 25 under section 33 that is postmarked by
20 registered or certified mail, or sent by express mail or other
21 overnight delivery service, at least 2 days before the deadline
22 for filing is filed within the prescribed time regardless of when
23 it is actually delivered. Any other statement or report required
24 to be filed under this act that is postmarked by registered or
25 certified mail or sent by express mail or other overnight deliv-
26 ery service on or before the deadline for filing is filed within
27 the prescribed time regardless of when it is actually delivered.