

HOUSE BILL No. 6494

September 14, 2006, Introduced by Rep. Marleau and referred to the Committee on House Oversight, Elections, and Ethics.

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 24 (MCL 169.224), as amended by 1999 PA 237.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 24. (1) A committee shall file a statement of
2 organization with the filing officials designated in section 36 to
3 receive the committee's campaign statements. A statement of
4 organization shall be filed within 10 days after a committee is
5 formed. ~~A filing official shall maintain a statement of~~
6 ~~organization filed by a committee until 5 years after the official~~
7 ~~date of the committee's dissolution.~~ A person who fails to file a
8 statement of organization required by this subsection shall pay a
9 late filing fee of \$10.00 for each business day the statement

1 remains not filed in violation of this subsection. The late filing
2 fee shall not exceed \$300.00. A person who violates this subsection
3 by failing to file for more than 30 days after a statement of
4 organization is required to be filed is guilty of a misdemeanor
5 punishable by a fine of not more than \$1,000.00.

6 (2) The statement of organization required by subsection (1)
7 shall include the following information:

8 (a) The name, street address, and if available, the telephone
9 number of the committee. If a committee is a candidate committee,
10 the committee name shall include the first and last name of the
11 candidate. A committee address may be the home address of the
12 candidate or treasurer of the committee.

13 (b) The name, street address, and if available, the telephone
14 number of the treasurer or other individual designated as
15 responsible for the committee's record keeping, report preparation,
16 or report filing.

17 (c) The name and address of the financial institution in which
18 the official committee depository is or is intended to be located,
19 and the name and address of each financial institution in which a
20 secondary depository is or is intended to be located.

21 (d) The full name of the office being sought by, including
22 district number or jurisdiction, and the county **OF** residence of
23 each candidate supported or opposed by the committee.

24 (e) A brief statement identifying the substance of each ballot
25 question supported or opposed by the committee. If the ballot
26 question supported or opposed by the committee is not statewide,
27 the committee shall identify the county in which the greatest

1 number of registered voters eligible to vote on the ballot question
2 reside.

3 (f) Identification of the committee as a candidate committee,
4 political party committee, independent committee, political
5 committee, or ballot question committee if it is identifiable as
6 such a committee.

7 (G) A MAILING ADDRESS FOR THE COMMITTEE AND A STATEMENT THAT
8 THE COMMITTEE WILL KEEP THE SECRETARY OF STATE ADVISED OF ANY
9 CHANGES IN THE MAILING ADDRESS AND THAT ANY NOTICE REQUIRED BY THIS
10 ACT OR RULES PROMULGATED PURSUANT TO THIS ACT TO BE GIVEN TO THE
11 COMMITTEE BY MAIL IS ADEQUATELY SERVED ON THE COMMITTEE IF IT IS
12 MAILED TO THE MOST RECENT MAILING ADDRESS PROVIDED TO THE SECRETARY
13 OF STATE.

14 (3) An independent committee or political committee shall
15 include in the name of the committee the name of the person or
16 persons that sponsor the committee, if any, or with whom the
17 committee is affiliated. A person, other than an individual or a
18 committee, sponsors or is affiliated with an independent committee
19 or political committee if that person establishes, directs,
20 controls, or financially supports the administration of the
21 committee. For the purposes of this subsection, a person does not
22 financially support the administration of a committee by merely
23 making a contribution to the committee.

24 (4) If any of the information required in a statement of
25 organization is changed, the committee shall file an amendment when
26 the next campaign statement is required to be filed. An independent
27 committee or political committee whose name does not include the

1 name of the person or persons that sponsor the committee or with
2 whom the committee is affiliated as required by subsection (3)
3 shall file an amendment to the committee's statement of
4 organization not later than the date the next campaign statement is
5 required to be filed. ~~after the effective date of the amendatory~~
6 ~~act that added this sentence.~~

7 (5) When filing a statement of organization, a committee,
8 other than an independent committee, a political committee, or a
9 political party committee, may indicate in a written statement
10 signed by the treasurer of the committee that the committee does
11 not expect for each election to receive an amount in excess of
12 \$1,000.00 or expend an amount in excess of \$1,000.00.

13 (6) When filing a statement of organization, an independent
14 committee, a political committee, or a political party committee
15 may indicate in a written statement signed by the treasurer of the
16 committee that the committee does not expect in a calendar year to
17 receive or expend an amount in excess of \$1,000.00.

18 **(7) THE STATEMENT OF ORGANIZATION FILED BY A CANDIDATE**
19 **COMMITTEE SHALL INCLUDE A DECLARATION BY THE MEMBERS OF THE**
20 **COMMITTEE, CERTIFYING THAT EACH MEMBER IS AWARE OF THE REQUIREMENTS**
21 **OF THIS ACT AND THAT ANY VIOLATION OF THE ACT BY THE MEMBER IS A**
22 **KNOWING VIOLATION.**

23 (8) ~~(7)~~ Upon the dissolution of a committee, the committee
24 shall file a statement indicating dissolution with the filing
25 officials with whom the committee's statement of organization was
26 filed. Dissolution of a committee shall be accomplished pursuant to
27 rules promulgated by the secretary of state under the

1 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
2 24.328.

3 **(9)** ~~-(8)-~~ A candidate committee that files a written statement
4 pursuant to subsection (5) ~~-shall-~~ **IS** not ~~-be-~~ required to file a
5 dissolution statement pursuant to subsection ~~-(7)-~~ **(8)** if the
6 committee ~~-failed to-~~ **DOES NOT** receive or expend an amount in
7 excess of \$1,000.00 and 1 of the following applies:

8 (a) The candidate was defeated in an election and has no
9 outstanding campaign debts or assets.

10 (b) The candidate vacates an elective office and has no
11 outstanding campaign debts or assets.