

HOUSE BILL No. 4714

March 26, 2009, Introduced by Reps. Durhal, Cushingberry, Lipton, Geiss, Jackson, Donigan, Stanley, Miller, Tlaib, Womack, Warren, Lemmons, Haugh, Liss, Dean and Meadows and referred to the Committee on Ethics and Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 848 (MCL 168.848), as added by 2003 PA 119.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 848. (1) Each elected candidate subject to the Michigan
2 campaign finance act, 1976 PA 388, MCL 169.201 to 169.282, and
3 whose candidate committee received or expended more than \$1,000.00
4 during the election cycle shall file a postelection statement with
5 the filing official designated to receive the elected candidate's
6 candidate committee campaign statements under section 36 of the
7 Michigan campaign finance act, 1976 PA 388, MCL 169.236. All of the
8 following apply to a postelection statement required by this
9 section:

1 (a) The postelection statement must be on a form prescribed by
2 the secretary of state.

3 (b) The elected candidate shall file the postelection
4 statement before the elected candidate assumes office.

5 (c) The postelection statement shall include an attestation
6 signed by the elected candidate that, as of the date of the
7 postelection statement, all statements, reports, late filing fees,
8 and fines required of the candidate or a candidate committee
9 organized to support the candidate's election under the Michigan
10 campaign finance act, 1976 PA 388, MCL 169.201 to 169.282, have
11 been filed or paid **OR THAT THE CANDIDATE HAS ENTERED INTO A PAYMENT**
12 **PLAN WITH THE SECRETARY OF STATE UNDER SECTION 15 OF THE MICHIGAN**
13 **CAMPAIGN FINANCE ACT, 1976 PA 388, MCL 169.215.**

14 (d) The postelection statement shall include an attestation
15 signed by the elected candidate acknowledging that making a false
16 statement in a postelection statement is punishable by a fine of
17 not more than \$1,000.00 or imprisonment for not more than 5 years,
18 or both.

19 (2) Failure to file a postelection statement as required by
20 subsection (1) is a misdemeanor punishable by a fine of not more
21 than \$500.00 or imprisonment for not more than 93 days, or both.

22 (3) Making a false statement in a postelection statement
23 required under subsection (1) is perjury, punishable as provided in
24 section 936.