

Legislative Analysis



ALLOW CANDIDATE TO ENTER PAYMENT PLAN FOR CAMPAIGN FINANCE FEES & FINES OWED

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House Bills 5511 & 5512

Sponsor: Rep. Fred Durhal, Jr.

Committee: Redistricting and Elections

Complete to 9-8-12

A SUMMARY OF HOUSE BILLS 5511 AND 5512 AS INTRODUCED 3-27-12

The bills would modify the laws concerning post-election campaign reports in order to allow candidates to enter into a 12-month payment plan with the Secretary of State if the candidates have any outstanding late filing fees or fines under the Michigan Campaign Finance Act.

House Bill 5511 is tie-barred to House Bill 5512, meaning that House Bill 5511 could not go into effect unless House Bill 5512 is also enacted into law. A more detailed description of each bill follows.

Specifically, House Bill 5511 would amend the Michigan Election Law (MCL 168.848) to allow a candidate who owes late fees or fines to enter into a payment plan with the Secretary of State under Section 15 of the Michigan Campaign Finance Act. Now under the law, an elected candidate is required to file a post-election statement before assuming office. The post-election statement must include an attestation signed by the elected candidate that all statements, reports, late filing fees, and fines required of the candidate or a candidate committee have been filed or paid. House Bill 5511 would retain this provision, but modify it to say "*or that the candidate has entered into a payment plan with the Secretary of State under Section 15 of the Michigan Campaign Finance Act, 1976 PA 388, MCL 169.215.*"

House Bill 5512 would amend the Michigan Campaign Finance Act (MCL 169.215) to add a new provision that says "*the Secretary of State may allow the payment of any fine or fee imposed under this act by installments for a period not to exceed 12 months.*"

FISCAL IMPACT:

The bills would have no fiscal impact on state or local government.

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