



Senate Fiscal Agency  
P.O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986

House Bill 4131 (Substitute H-3 as passed by the House)  
Sponsor: Representative Terry Sabo  
House Committee: Elections and Ethics  
Senate Committee: Elections

Date Completed: 4-16-21

### **CONTENT**

**The bill would amend the Michigan Campaign Finance Act to do the following:**

- **Require a filing official to notify a person who failed to file a statement report up to 30 business days after the filing deadline.**
- **Allow a statement or report to be considered filed under the Act if a notice of an error or omission were not given to the filer by the filing official within 30 business days after the filing deadline.**
- **Allow a filer up to 35 business days after a report or statement was required to be filed to make any corrections.**
- **Require a filing official, within 10 business days, to notify the filer whether any corrections made to a statement or report were sufficient.**
- **Require a report or statement that was not filed to be late filed within 35 business days after the filing deadline.**
- **Require a filing official to report uncorrected errors, omissions, or failures to file to the Attorney General between 35 to 38 business days after the filing deadline.**

Under the Act, a filing official must determine whether a statement or report filed under the Act complies, on its face, with the requirements of the Act and the rules promulgated under it. The filing official must determine whether a statement or report that must be filed is in fact filed. Within four business days after the deadline for filing a statement or report under the Act, the filing official must notify the filer by registered mail of an error or omission in the statement or report and must notify a person the filling official has reason to believe is a person required to file a statement or report and has failed to do so. Under the bill, the filing official would have up to 30 business days after the filing deadline to notify a filer. Additionally, the filing official would have to do so by first-class mail or first-class mail and email.

If a notice of an error or omission were not given by the filing official within 30 business days after the deadline for filing a statement or report under the Act, the statement or report would be considered filed under the Act, even if the statement or report were later amended.

Within nine business days after the report or statement is required to be filed, the filer must make any corrections in the statement or report filed with the appropriate filing official. If the report or statement was not filed, the report or statement must be late filed within nine business days after the time it was required to be filed and must be subject to a late filing fee.

Under the bill, the filer would have up to 35 business days after the report or statement was required to be filed to make any corrections. Within ten business days after receiving any corrections, the filing official would have to notify the filer whether the corrections made to the statement or report were sufficient. If the report or statement were not filed, it would have to be late filed within 35 business days after the time it was required to be filed.

Under the Act, after nine business days and before 12 business days have expired after the deadline for filing the statement or report, the filing official must report errors or omissions that were not corrected and failures to file to the Attorney General. Under the bill, the filing official would have to report uncorrected errors or omissions or failures to file to the Attorney General after 35 business days and before 38 business days.

MCL 169.216

Legislative Analyst: Dana Adams

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local units of government.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.