

MICHIGAN CAMPAIGN FINANCE ACT (EXCERPT)
Act 388 of 1976

169.217 Payment of late filing fee; disposition of late filing fees and copying charges; unpaid filing fee; exceptions.

Sec. 17. (1) A person paying a late filing fee as a result of that person's failure to file a statement or report shall pay that fee to the filing official with whom the statement or report was required to be filed.

(2) The late filing fees collected under sections 24, 33, 34, 35, and 51, and copying charges collected under section 16, must be retained by and for the use of the filing officials collecting the fees or charges to cover their expenses in administering this act. A late filing fee assessed by a county clerk that remains unpaid for more than 60 days is considered a debt of the county, and the county treasurer shall collect that fee in the same manner as other county debts are collected. A late filing fee assessed by the secretary of state that remains unpaid for more than 180 days must be referred to the department of treasury for collection.

(3) A committee, other than a candidate committee or a committee making expenditures in assistance of or in opposition to the qualification, passage, or defeat of a ballot question, required to file with the secretary of state is not required to pay a late filing fee under sections 24, 33, 34, and 35, if all of the following conditions are met:

(a) A committee required to register as a committee fails to file a statement of organization.

(b) The secretary of state sends to that committee notice of the committee's failure to file a statement of organization.

(c) At the same time or after the notice described in subdivision (b) is sent, the secretary of state sends to that committee notice of the committee's failure to file a campaign statement that was due for a period that occurred before the notice of failure to file a statement of organization was sent.

(d) Within 10 business days after the notice of failure to file a statement of organization is sent, the committee files a statement of organization.

(e) Within 10 business days after the notice of failure to file a campaign statement is sent, the committee files every campaign statement that is due.

(4) Late filing fees that would have occurred except for subsection (3) must be assessed for each statement not filed before the eleventh business day after a notice of failure to file is sent under subsection (3).

(5) A committee other than a candidate committee that has not previously filed a statement of organization is not required to pay a late filing fee under sections 24, 33, 34, and 35, if the committee files a statement of organization and every campaign statement that is due, before the secretary of state sends a notice to that committee under subsection (3).

History: Add. 1977, Act 313, Imd. Eff. Jan. 4, 1978;—Am. 1978, Act 172, Imd. Eff. May 27, 1978;—Am. 1989, Act 95, Imd. Eff. June 21, 1989;—Am. 2017, Act 119, Imd. Eff. Sept. 20, 2017.