

<p style="text-align: center;">Appendix A COMMITTEE TREASURER, DESIGNATED RECORD KEEPER AND DEPOSITORY</p>
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COMMITTEE TREASURER

- The treasurer must be a qualified elector of Michigan.*
- The treasurer assumes legal responsibility for the committee.
- The treasurer is responsible for keeping the committee's accounts, records, bills, and receipts of the committee for 5 years
- The treasurer must authorize all contributions received and expenditures made by the committee.
- The treasurer is responsible for the timely filing of Campaign Statements.
- The treasurer is responsible for responding in writing to all Notices of Error or Omission sent to the committee, and for timely payment of all late filing fees assessed the committee.
- The treasurer must sign the original and all amendments to the committee's Statement of Organization.
- The candidate of a candidate committee, other than a judicial candidate, may serve as treasurer.

*The treasurer of a PAC or Ballot Question must be a qualified elector of Michigan if the committee conducts business through an office or facility located in Michigan. A committee that wishes to have a treasurer who is not a Michigan resident is required to complete the "irrevocable written stipulation" on the Statement of Organization.

COMMITTEE RECORDKEEPER

- A committee may designate someone other than the committee treasurer as the person responsible for the committee's records and filings; commonly called the committee's "designated record keeper."
- Any individual can serve as the committee's designated record keeper.
- A designated record keeper shares legal responsibility for the committee with the treasurer.
- A designated record keeper may sign the committee's Campaign Statements in place of the committee treasurer.
- A designated record keeper does **not** have the authority to sign the committee's Statement of Organization or any amended Statement of Organization filed by the committee except for providing the signature for electronic filing purposes.
- The candidate of a candidate committee, other than a judicial candidate, may serve as the record keeper.

COMMITTEE DEPOSITORY

- The committee's official depository must be a bank, savings and loan association or credit union located in Michigan.*
- All contributions received by a Committee must be deposited into the committee's "official depository" as identified on the committee's Statement of Organization.

- A candidate making all expenditures from personal funds, the bank, credit union or savings and loan association where the personal account is located is the committee depository.
- Funds in the committee's official depository can be transferred to an account in a Michigan bank, savings and loan, or credit union in order to earn interest. Such an account would be a "secondary depository" and must be identified on the committee's Statement of Organization if it is in a different financial institution than the official depository. The funds may be placed into a savings or share account or a certificate of deposit and must be transferred back to the official account before being spent.
- Committee funds may not be used to purchase commodities, stocks, bonds, mutual funds, or land contracts; or placed in money market accounts or in any type of brokerage account unless the firm is chartered as a bank.
- A depository must be listed on the Statement of Organization; however, an account does not have to be opened at the designated bank, savings and loan association or credit union until a contribution is accepted.
- Depositories may require an employer identification number in order to open an account. Please contact the IRS @ www.IRS.gov for more information

*The depository of a PAC or Ballot Question must be a bank, savings and loan association or credit union located in Michigan if the committee conducts business through an office or facility located in Michigan.

Appendix B
REGISTERING A COMMITTEE WITH A STATEMENT OF
ORGANIZATION FORM AND OTHER FILING
INFORMATION

FILING THE STATEMENT OF ORGANIZATION FORM

Committee Type	Special Note	Filing Official to Receive Statement of Organization	When is the Statement of Organization Due
Candidate for any Judgeship: <ul style="list-style-type: none"> • Supreme Court • Court of Appeals <ul style="list-style-type: none"> • Circuit Court • District Court • Probate Court • Municipal Court 		Bureau of Elections in Lansing	10 calendar days after the committee is formed**
Candidate for any Statewide office: <ul style="list-style-type: none"> • Governor, • Lt. Governor • Secretary of State • Attorney General • State Board of Education <ul style="list-style-type: none"> • UofM Regent • MSU Trustee • WSU Governor 		Bureau of Elections in Lansing	10 calendar days after the committee is formed**
Candidate for State Legislature: <ul style="list-style-type: none"> • State Representative • State Senate 		Bureau of Elections in Lansing	10 calendar days after the committee is formed**
Candidate for County, City, Township, Village, Public School Board, Community College Board		Local County Clerk's Office*	10 calendar days after the committee is formed**
Candidate For Federal Office		Fed. Election Comm.	
PACs <ul style="list-style-type: none"> • Political Committee • Independent Committee • Caucus Committee 	Districts of candidates or ballot questions supported/opposed by PAC are within the same county Exception: Committees involved in State Level Recall Elections file with the Bureau of Elections in Lansing (See Appendix M).	Local County Clerk's Office	10 calendar days after the committee spends or receives \$500 in a calendar year.

<p>PACs</p> <ul style="list-style-type: none"> • Political Committee • Independent Committee • Caucus Committee 	<p>Districts of candidates or ballot questions supported/opposed by PAC are not within the same county</p> <p>Exception: Committees involved in State Level Recall Elections file with the Bureau of Elections in Lansing (See Appendix M).</p>	<p>Bureau of Elections in Lansing</p>	<p>10 calendar days after the committee spends or receives \$500 in a calendar year.</p>
<p>Political Party Committee</p> <ul style="list-style-type: none"> • State Central • Congressional District • County 	<p>Bureau of Elections in Lansing</p>		<p>10 calendar days after the committee spends or receives \$500 in a calendar year.</p>
<p>Ballot Question Committee</p>	<p>Ballot Question will be voted on in one county</p>	<p>Clerk of that County</p>	<p>10 calendar days after the committee spends or receives \$500 in a calendar year.</p>
<p>Ballot Question Committee</p>	<p>Ballot Question will be voted on in more than one county</p>	<p>Clerk of that County having the greatest number of registered voters eligible to vote on the Ballot Question</p>	<p>10 calendar days after the committee spends or receives \$500 in a calendar year.</p>
<p>Ballot Question Committee</p>	<p>Ballot Question will be voted on Statewide</p>	<p>Bureau of Elections in Lansing</p>	<p>10 calendar days after the committee spends or receives \$500 in a calendar year.</p>

*A candidate whose district crosses county boundaries files with the County Clerk of the county having the greatest number of voters eligible to vote in the election.

**Formed is defined as selecting a treasurer and selecting a depository. Formation must take place on or before the 10th day following the date the candidate met the definition for becoming a candidate under the Act.

KEEPING THE COMMITTEE'S STATEMENT OF ORGANIZATION UP-TO-DATE

The committee is required to amend its Statement of Organization if any information presented on the form changes. Statement of Organization amendments must be filed no later than the due date of the next upcoming Campaign Statement required of the committee. A committee is free to file required Statement of Organization amendments earlier if desired.

The candidate and the committee treasurer serving at the time the change took place must sign Statement of Organization amendments.

NUMBER OF CAMPAIGN STATEMENTS REQUIRED

The number of Campaign Statements required varies with each filing official. Please consult your filing official on the appropriate number of Campaign Statements required with each filing.

ENSURING TIMELY FILINGS

- Electronic filings must be transmitted and received by the Bureau of Elections before 5:00 p.m. on the due date.
- Paper filings that are hand delivered or sent by first class mail must reach the filing official designated to receive the filings before 5:00 p.m. on the due date. (The postmarked date is not used in this instance to determine the timeliness of the filing.) Committees must be sure to allow adequate mailing time when sending a filing by first class mail.
- Diskettes or other electronic filing media that are hand delivered or sent by first class mail must reach the Bureau of Elections before 5:00 p.m. on the due date. (The postmarked date is not used in this instance to determine the timeliness of the filing.) Committees must be sure to allow adequate mailing time when sending a filing by first class mail.
- A Statement of Organization, Annual Campaign Statement or a Post-Campaign Statement, a January 31 Triannual Campaign Statement, a January 31 Quarterly Caucus Committee Campaign Statement, an April 25 Triannual Campaign Statement or an April 25 Quarterly Caucus Committee Campaign Statement that is sent by *registered mail, certified mail or an overnight delivery service and postmarked **on or before** the filing deadline* will be accepted as a timely filing regardless of when it is delivered.
- A Pre-Election Campaign Statement, a July 25 Triannual Campaign Statement, a July 25 Quarterly Caucus Committee Campaign Statement, an October 25 Triannual Campaign Statement or an October 25 Quarterly Caucus Committee Campaign Statement that is sent by registered mail, certified mail or an overnight delivery service and postmarked **two or more days** before the filing deadline will be accepted as a timely filing regardless of when it is delivered.

REQUIREMENTS FOR ACCEPTABLE FILINGS

Paper Filings:

- A Campaign Statement, filed on paper, may not be accepted if it is illegible, does not bear a proper signature, is printed on paper that is not the proper size, or is not filed on paper forms provided by the Department of State or forms previously approved in writing by the department's Bureau of Elections or designated filing official. Please contact the Bureau of Elections for information and written approval of substitute forms before using them for a filing.
- A Campaign Statement, filed on paper, must be complete and accurate, and verified as such by the committee treasurer or designated record keeper. The Campaign Statement must be signed by the committee treasurer or designated record keeper. The designated record keeper may sign the statement in place of the committee treasurer. If the committee is a candidate committee, the candidate must sign the Campaign Statement as well.

Electronic Filings (State Offices only):

- Campaign Statements may be filed electronically using MERTS software or other privately purchased software that meets the file layout and format requirements of the Secretary of State. By using the MERTS software, a committee may file Campaign Statements over the Internet or by computer disk.
- Electronic filings must meet all specifications of the Department of State and must be filed in compliance with instructions provided by the Department. Please contact the Bureau of Elections for specifications and software format for electronic filing.

- The committee may obtain the MERTS filing software from the Bureau of Elections, free of charge, upon completion of a MERTS training class by the committee treasurer, designated record keeper or other person designated by the committee.
- The committee must have appropriate signatures on file and passwords issued before filing electronically with the Bureau of Elections.

<p style="text-align: center;">Appendix C THE REPORTING WAIVER</p>
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A **Political Party Committee or Political or Independent Committee (PAC)** that does not expect to receive or spend more than \$1,000.00 in a calendar year is eligible for a Reporting Waiver. A **Candidate Committee or Ballot Question Committee** that does not expect to receive or spend more than \$1,000.00 in an election is eligible for a Reporting Waiver. A committee that qualifies for, and receives, a Reporting Waiver is exempt from filing detailed Campaign Statements until it exceeds \$1,000.00 in receipts, expenditures or debt.

ELIGIBILITY FOR THE WAIVER: To become eligible for a reporting waiver, the committee must check Item 10 on its Statement of Organization. This tells the filing official that the committee does not expect to receive or spend more than \$1,000.00 in the calendar year or election as is applicable. The committee can check Item 10 on its original Statement of Organization or on an amended Statement of Organization. *A committee that does not check Item 10 on its Statement of Organization is not eligible for a Reporting Waiver.* This means that the committee must file all required Campaign Statements regardless of the amount spent or received. *A committee cannot amend its Statement of Organization to exempt itself from Campaign Statements that are past due.*

WHAT COUNTS AGAINST THE \$1,000.00 THRESHOLD?: Direct contributions, in-kind contributions, membership dues, expenditures and outstanding debt count toward the \$1,000.00 threshold. Funds left over in the committee's account at the end of the calendar year or election counts toward the "amount received" for the next calendar year or election.

LOSS OF THE WAIVER: The committee automatically loses its reporting waiver if it exceeds \$1,000.00 in receipts, expenditures or debt. If the Reporting Waiver is lost, the committee must file the next required Campaign Statement and all subsequent Statements until the Reporting Waiver is regained. The first Campaign Statement filed after the loss of a Reporting Waiver must begin with the day after the closing date of the last Campaign Statement that was filed or January 1 of the year in which the Reporting Waiver was lost. If the committee loses the Reporting Waiver and has never filed a Campaign Statement, the first Campaign Statement must begin with January 1 of the year in which the Reporting Waiver was lost. A committee that loses the Reporting Waiver is not required to amend its Statement of Organization to un-check Item 10. The filing official will change its records to show that the committee no longer has a Reporting Waiver when the committee files a Campaign Statement that shows that the committee has exceeded \$1,000.00 in receipts, expenditures or debt.

REGAINING THE REPORTING WAIVER: If, after filing the required Campaign Statement(s) the committee wishes to obtain another Reporting Waiver, it must amend its Statement of Organization (checking Item 10) to indicate to the filing official that the committee does not expect to receive or spend more than \$1,000.00 in the next calendar year or election. To regain the Reporting Waiver, the balance in the committee's account must be \$1,000.00 or less and the committee must have \$1,000.00 or less in debts. A late filing fee assessed a committee is a debt until paid. If a committee that loses its Reporting Waiver does not amend its Statement of Organization to obtain a new Reporting Waiver, the committee must file all required Campaign Statements regardless of the amount received or spent.

A COMMITTEE THAT HAS A REPORTING WAIVER IS NOT EXEMPT FROM KEEPING COMPLETE RECORDS OF THE COMMITTEE'S FINANCIAL ACTIVITY OR FROM FILING LATE CONTRIBUTION REPORTS.

Appendix D
ELECTRONIC FILING OF CAMPAIGN
STATEMENTS
STATE REGISTERED COMMITTEES ONLY

PA 238 of 1999 requires committees registered under Michigan's Campaign Finance Act on the state level (i.e., registered with the Michigan Department of State's Bureau of Elections) to file their campaign finance reports electronically if the committee 1.) spent or received \$20,000.00 or more in the preceding calendar year, or 2.) expects to spend or receive \$20,000.00 or more in the current calendar year.

To assist you with the electronic disclosure requirement, a cost-free software program has been developed for use by your committee. Details concerning the software program are provided below. All committees that file with the Bureau of Elections are encouraged to file electronically even if the committee does not expect to meet the \$20,000.00 receipt/expenditure threshold explained above.

MERTS PLUS SOFTWARE REGISTRATION

The software developed by the State, commonly called MERTS Plus (Michigan Electronic Reporting and Tracking System), is available free of charge. The software program includes a variety of features to assist with campaign finance disclosure obligations:

- Permits submission of filings via the Internet or removable media.
- Incorporates specially designed user-friendly data entry screens.
- Permits import and export of names and simple receipt and expenditure records.
- Includes an error detection message that informs the filer of missing information, excess contributions and other potential errors.
- Creates amendments that can be filed electronically.
- Provides a timed, automatic prompt for saving data.
- Provides immediate on screen notification confirming the receipt of the electronic filing when filed via the Internet.

To register for the software, simply fill out and file an original or amended Statement of Organization form that includes the electronic filing certified statement. Please take special care in filling out the *Electronic Filing* section and obtaining all of the applicable signatures.

Treasurers or designated record keepers that are responsible for several committees must submit a separate Electronic Filing registration for each committee; a single Electronic Filing registration *cannot* be used for multiple committees.

Current MERTS Plus Users

If you are a current user of the software, please ensure that the signatures and verification statement on file for the committee are up-to-date.

Software Training

Committee members can take an on-line training course or can sign up for MERTS Plus training in Lansing.

- To sign up for on-site training, log on to www.mertsplus.com and click on the “Lansing Training” button located on the right hand side of the page. Training consists of a Power Point presentation given in Lansing that averages two hours.
- To take the on-line training, log on to www.mertsplus.com and click on the “Online Training Sessions” button located on the right hand side of the page. Training consists of a Power Point presentation that averages one-hour and a simple quiz. After completing the training, committees are given an opportunity to download the software and obtain a password to file via the Internet.

The software is not distributed to a committee unless and until a committee representative has completed the MERTS Plus training.

If you do not have access to the Internet, you can sign up for training by contacting the Bureau of Elections at 517-373-2540.

After completing the training, MERTS Plus Help Desk staff can assist with any questions you may have. Phone: 703-749-4642. Questions can also be submitted via email through www.mertsplus.com.

Password to File Via the Internet

Committees that wish to file via the Internet are issued a password. After you have been trained, you can request a password via www.mertsplus.com. Simply click on “Password Assignment” on the right hand side of the page. Once the password has been issued, it does not expire and can be used for all of the Committee filings. Each committee wishing to file via the Internet must have its own password. The Bureau of Elections does not keep a record of your password. If you lose or misplace your password, you must request a new one at www.mertsplus.com.

Requirements

You are encouraged to register and receive training as soon as possible. Once a committee meets the requirement to file electronically, all Campaign Statements (with the exception of the Statement of Organization form) from that point forward must be filed electronically. Late filing fees will be assessed for a report subject to the electronic filing requirement that is filed by some other means.

Other Software Suppliers

A list of vendors that have software certified by the Bureau of Elections to file electronically are available on our website at www.michigan.gov/sos.

e-IDR

Late Contribution Reports, Special Election Independent Expenditure Reports and 24-Hour Reports (Caucus Committees Only)

The Michigan Department of State's Bureau of Elections Immediate Disclosure Reporting or "e-IDR" program allows committees registered with the Department of State to file Late Contribution Reports, Special Election Independent Expenditure Reports and 24-Hour Reports (Caucus Committees only) electronically.

All committees are encouraged to use the e-IDR program voluntarily. However, committees that are required to file electronically because they have exceeded the \$20,000.00 threshold must also file Late Contribution Reports, Special Election Independent Expenditure Reports and 24-Hour Reports (Caucus Committees only) using e-IDR. Paper, email or fax copies no longer meet the filing requirements of the Michigan Campaign Finance Act; late filing fees may be assessed on reports that are required to be filed electronically and are not filed using e-IDR. The password you used to file using MERTS Plus is the same password you will use when filing using the e-IDR program.

To file using e-IDR, go to www.michigan.gov/sos and click the following: "Election in Michigan," "Campaign Finance Disclosure," "E-filing" and then any of the information found in the box with the heading e-IDR Electronic Filing Program.

See Appendix G for specific information on the requirements of the above referenced reports.

Appendix E: LATE FILING FEES, WAIVERS AND REVIEWS

B u s. D a y s	1 Statement of Organization	2 Late Contribution Reports	3 BQ: Annuals, PAC: Received \$10K or Less PP: Annuals &Pre/Post Received \$10K or Less CAND: Pre/Post /Annuals for Locals and State level Receiving \$10K or Less	4 BQ Pre State- Wide Only	5 BQ Local: Pre/Post Statewide: Qual/Non Qual/Post Received \$10K or Less	6 BQ Local: Pre/Post Statewide: Qual/Non Qual/Post Received More than \$10K	7 PAC: Received \$10K Or More PP or CAN: Pre/Post Received \$10K or More	8 CAN: Annuals For State Filers Received More Than \$10K
1	\$10.00	\$25.00	\$25.00	\$25.00	\$25.00	\$50.00	\$25.00	\$50.00
2	\$20.00	\$50.00	\$50.00	\$75.00	\$50.00	\$100.00	\$50.00	\$100.00
3	\$30.00	\$75.00	\$75.00	\$150.00	\$75.00	\$150.00	\$75.00	\$150.00
4	\$40.00	\$125.00	\$100.00	\$250.00	\$100.00	\$200.00	\$125.00	\$200.00
5	\$50.00	\$175.00	\$125.00	\$350.00	\$125.00	\$250.00	\$175.00	\$250.00
6	\$60.00	\$225.00	\$150.00	\$450.00	\$150.00	\$300.00	\$225.00	\$300.00
7	\$70.00	\$275.00	\$175.00	\$550.00	\$175.00	\$350.00	\$275.00	\$350.00
8	\$80.00	\$325.00	\$200.00	\$650.00	\$200.00	\$400.00	\$325.00	\$400.00
9	\$90.00	\$375.00	\$225.00	\$750.00	\$225.00	\$450.00	\$375.00	\$450.00
10	\$100.00	\$425.00	\$250.00	\$850.00	\$250.00	\$500.00	\$425.00	\$500.00
11	\$110.00	\$525.00	\$275.00	\$950.00	\$275.00	\$550.00	\$525.00	\$550.00
12	\$120.00	\$625.00	\$300.00	\$1,000.00	\$300.00	\$600.00	\$625.00	\$600.00
13	\$130.00	\$725.00	\$325.00		\$325.00	\$650.00	\$725.00	\$650.00
14	\$140.00	\$825.00	\$350.00		\$350.00	\$700.00	\$825.00	\$700.00
15	\$150.00	\$925.00	\$375.00		\$375.00	\$750.00	\$925.00	\$750.00
16	\$160.00	\$1,025.00	\$400.00		\$400.00	\$800.00	\$1,000.00	\$800.00
17	\$170.00	\$1,125.00	\$425.00		\$425.00	\$850.00		\$850.00
18	\$180.00	\$1,225.00	\$450.00		\$450.00	\$900.00		\$900.00
19	\$190.00	\$1,325.00	\$475.00		\$475.00	\$950.00		\$950.00
20	\$200.00	\$1,425.00	\$500.00		\$500.00	\$1,000.00		\$1,000.00
21	\$210.00	\$1,525.00			\$525.00	\$1,050.00		
22	\$220.00	\$1,625.00			\$550.00	\$1,100.00		
23	\$230.00	\$1,725.00			\$575.00	\$1,150.00		
24	\$240.00	\$1,825.00			\$600.00	\$1,200.00		
25	\$250.00	\$1,925.00			\$625.00	\$1,250.00		
26	\$260.00	\$2,000.00			\$650.00	\$1,300.00		
27	\$270.00				\$675.00	\$1,350.00		
28	\$280.00				\$700.00	\$1,400.00		
29	\$290.00				\$725.00	\$1,450.00		
30	\$300.00				\$750.00	\$1,500.00		
31					\$775.00	\$1,550.00		
32					\$800.00	\$1,600.00		
33					\$825.00	\$1,650.00		
34					\$850.00	\$1,700.00		
35					\$875.00	\$1,750.00		
36					\$900.00	\$1,800.00		
37					\$925.00	\$1,850.00		
38					\$950.00	\$1,900.00		
39					\$975.00	\$1,950.00		
40					\$1,000.00	\$2,000.00		

PP = Political Party; BQ = Ballot Question; CAN = Candidate and PAC = Political Action Committee (Independent or Political)

LATE FILING FEES

Ballot Question Committee Late Filing Fees:

- Statement of Organizations: Column 1
- Late Contribution Reports: Column 2
- Statewide Annuals: Column 3
- Statewide Ballot Question Committee Pre-Election Campaign Statements: Column 4
- Statewide Ballot Question Committee that received \$10,000 or less during the previous 2 years Post-Election, Qualification or Non-Qualification Campaign Statement: Column 5
- Statewide Ballot Question Committee that received more than \$10,000 during the previous 2 years Post-Election, Qualification or Non-Qualification Campaign Statement: Column 6
- Local Ballot Question Committee that received \$10,000 or less during the previous 2 years Pre-Election and Post-Election Campaign Statement: Column 5
- Local Ballot Question Committee that received more than \$10,000 during the previous 2 years Pre-Election and Post-Election Campaign Statement: Column 6

Candidate Committee Late Filing Fees:

- Statement of Organization: Column 1
- Late Contribution Reports: Column 2
- Local Committees Annual Campaign Statements: Column 3
- State Level Committees Annual Campaign Statements: Column 8
- Local and State Level Committees that received \$10,000 or less during the previous 2 years all other reports: Column 3
- Local and State Level Committees that received more than \$10,000 during the previous 2 years all other reports: Column 7

PAC Late Filing Fees:

- Statement of Organization: Column 1
- Late Contribution Reports: Column 2
- Annual Campaign Statements (local only): Column 3
- Local and State Committees that received \$10,000 or less during the previous 2 years all other reports (including 24 Hour Reports and Special Election Independent Expenditure Reports): Column 3
- Local and State Committees that received more than \$10,000 during the previous 2 years all other reports (including 24 Hour Reports and Special Election Independent Expenditure Reports): Column 7

Political Party Committee Late Filing Fees:

- Statement of Organization: Column 1
- Late Contribution Reports: Column 2
- All Annuals: Column 3
- Political Party Committee that received more than \$10,000 during the previous 2 years Pre-Election and Post-Election Campaign Statement: Column 3
- Political Party Committee that that received \$10,000 or more 2 years Pre Election and Post-Election Campaign Statement: Column 7

LATE FILING FEE WAIVERS

The Department of State and the county clerks throughout the state have the authority to waive a late filing fee for reasons of incapacitating physical illness, hospitalization, accident involvement, death, incapacitation for medical reasons or other unique, unintentional factors beyond the filer's control not stemming from a negligent act or non-action. A request for a late filing fee waiver must be accompanied by documentation that supports the reason for the request. A filing official does **not** have the authority to waive a late filing fee for any of the following reasons:

- not receiving notice of the filing requirements;
- not being in town or picking up the mail;
- not being aware of the filing requirements;
- not knowing where to get forms; or
- sending the filing to the wrong office.

LATE FILING FEE REQUEST FOR REVIEW OF LATE FILING FEE - STATE REGISTERED CANDIDATES ONLY

The Campaign Finance Act holds treasurers and designated record keepers and candidates equally and severally liable for late filing fees. The Department of Treasury may take collection actions against the personal financial holdings of these individuals to bring the late filing fee account balance to zero. Collection actions by the Department of Treasury could include levy on wages, set-off against state income tax refunds or any other means at the Department of Treasury's disposal. Committees are urged to promptly pay late filing fees to avoid collection by the Department of Treasury, State Agency Collections Division.

Before a late filing fee is referred for collection, the committee will be notified of their right to request a review to contest the validity of any late filing fee. A review must be requested in writing within 28 days after being notified of the assessment of the late filing fee. Failure to request a review waives any rights you may have to a review.

Please note that if the debt is uncontested or if a ruling is entered at the review that the late filing fees are due, the committee's account will be assigned to the Michigan Department of Treasury for collection. When Treasury receives the account, the Michigan income tax refund of the committee treasurer, the designated record keeper and/or the candidate may be applied to this debt. Treasury may also levy on salary and wages or seize any money or other assets held by these individuals in order to collect on this debt.

To pay an unpaid late filing fee, send the remittance made payable to the "State of Michigan" to:

Michigan Department of State
Bureau of Elections
P.O. Box 20126
Lansing, Michigan 48901-0726

Write the committee's Campaign Finance Identification Number on the check or money order that is submitted for payment.

Appendix F FUNDRAISERS

All committees must ensure that appropriate records are kept at fund raising events. “Fund raising event” means an event such as a dinner, reception, auction or similar affair through which contributions are solicited or received by purchase of a ticket, payment of an attendance fee, making a donation or purchase of goods or services. The definition of “fund raising event” in the Act does not include “bingo” and “purchases of chances for prizes” as methods of soliciting or receiving a contribution.

A Committee planning a fundraiser should consult with local governmental units, the Liquor Control Commission and the Bureau of State Lottery for necessary licenses or permits prior to the event.

All contributions and expenditures for a fundraiser must be reported in detail on the Campaign Statement that covers the period during which the fundraiser is held. A committee, other than a Political Party Committee, must also complete a Fund Raiser Schedule to document the event. The Fund Raiser Schedule is filed with the Campaign Statement that includes the date the Fund Raiser was held. Committees that maintain a Reporting Waiver are not required to file Campaign Statements and are, therefore, not required to file the Fund Raiser Schedule.

JOINT FUNDRAISERS

A Committee may hold a joint fund raiser with any other Committee or organization as long as the percentage of the expenditures paid by the Committees and receipts received in connection with the event do not exceed any applicable contribution limits or allows for any prohibited contributions to any of the participating Committees.

Unregistered groups making contributions to a committee may be subject under the Campaign Finance Act as soon as it contributes \$500.00 or more to influence Michigan elections.

Committees who wish to hold a joint fundraiser must adhere to the following procedures required by the Act.

Written Agreement

Participants of the joint fundraiser must develop a written agreement. The treasurer of each of the participating Committees must keep a copy of the agreement with the committee's records. The written agreement is **not** filed with any filing official.

- The written agreement must describe what each participants contribution and expenditure share will be. Contribution and expenditure shares must be expressed as percentages.
- The written agreement cannot allow for the contribution limits between the participants to be exceeded. For example: a fundraiser between Candidate Committees must provide for the expenditure share to equal the committee's contribution share as Candidate Committees are not allowed to give contributions of this type to each other.

- The written agreement must detail how expenditures will be handled. Expenditures can be handled in two ways.

1. each committee agrees to pay its expenditure share at the time each expenditure is made or billed.

2. one of the committees agrees to make all of the expenditures and the other committees agree to provide the necessary reimbursement. The reimbursements must be made within a reasonable period of time and must correspond to the agreed upon expenditure split.

- The written agreement must state that the participants agree to open a joint account in a bank, credit union or savings and loan association for the deposit of all contributions and other receipts related to the fundraiser.

Establishing a Joint Account and Distributing the Contributions

- Each of the participating committees must amend their Statement of Organization to reflect the establishment of a "secondary depository." The Statement of Organization amendment must be made no later than the due date of the next Campaign Statement required of the participating committees after establishment of the account.

- Funds deposited in the joint account must be transferred, without delay, into the committees' official depository accounts. The fund transfers must correspond to each committee's agreed upon contribution share. Expenditures cannot be made from the joint account established by the committees for the fundraiser.

- Each contributor to a joint fund raising event must make a contribution to each of the participating committees in the ratio publicized to the contributors; the contributor may not choose to allocate his or her contributions differently.

Record Keeping and Reporting Requirements:

The treasurer or the designated record keeper of the participating committees must carefully record the expenditures made for the event and the contributions and other receipts received in connection with the event. Participating committees that are required to file Campaign Statements must accurately report the recorded information. Record keeping and reporting requirements related to joint fund raising events are detailed below.

- Each participating committee **records** the name and address of each contributor, the date of the contributor's contribution, and the amount the committee received from the contributor's contribution.

- Each participating committee **reports** the name and address of each contributor. The date the contributor made the contribution is also reported. Each committee reports only the proportional amount of the contributor's contribution received by that committee, not the entire amount of the contribution.

- If one of the participating committees has been designated to make all of the expenditures related to the fundraiser, the designated committee must itemize all expenditures that exceed \$50.00. When reporting these expenditures, the committee must specify, under the "Purpose" column on the Itemized Expenditures Schedule, that the expenditures were related to a joint fundraiser. When the other participating committees reimburse the committee that reports the

expenditures, the reimbursements are reported as "Other Receipts" on the Itemized Other Receipts Schedule. The committee must check the "miscellaneous" box and indicate that the "other receipt" was a reimbursement received in connection with a joint fundraiser.

The committees that provide reimbursement for the expenditures must report the purpose of the expenditure as reimbursement for joint fundraiser expenses. If the amount a committee must reimburse for any given expenditure made for the fund raiser exceeds \$50.00, the reimbursement for the expenditure must be separately itemized on the Itemized Expenditures Schedule with the following information entered in the "Purpose" column: (1) an explanation that the amount expended was reimbursement for a joint fund raiser expense, and (2) the name and address of the person originally paid by the committee being reimbursed.

- If each participant pays its share of the expenditures as they arise, the committee must report its respective share of each of the expenditures. If a participating committee's share of any given expenditure exceeds \$50.00, the expenditure share must be itemized on the Itemized Expenditures Schedule.

- A committee, other than a Political Party Committee, must also complete a Fund Raiser Schedule to document the event. The Fund Raiser Schedule is filed with the Campaign Statement that includes the date the Fund Raiser was held. Committees that maintain a Reporting Waiver are not required to file Campaign Statements and are, therefore, not required to file the Fund Raiser Schedule.

Advertising the Event

Advertisements and invitations for a joint fund raising event must include the information detailed below.

- An explanation that the event to be held is a joint fundraiser.
- The names of the participating committees and the names and the office sought of any participating candidates.
- What each participating committee's contribution share will be.
- The contribution limitations of the participating committee, if any. This allows the contributors to gauge whether they may exceed the applicable contribution limitation by participating in the fundraiser.
- An identification statement.
- Specific instructions on how checks should be made out to the fundraising event.

Additional Notes on Joint Fund Raisers

- If a candidate of a participating committee decides not to run for office, the funds received by the committee from the joint fund raiser must be given to a tax exempt charitable institution, contributed to a Political Party Committee or returned to the contributors who gave the funds. The funds **cannot** be given to the others who participated in the fundraiser.
- Corporations, Indian Tribes and labor unions may only contribute from treasury funds to fund raisers of a Ballot Question Committee. Otherwise, contributions and ticket purchases must be made from their separate segregated funds.
- A Political Party Committee may not commingle corporate and non-corporate funds that are to be utilized in candidate elections. A Political Party Committee may sponsor a fundraiser specifically to raise money for the committee's administrative non-campaign account. All contributions raised at such an event, including contributions received from the treasury funds of a corporation, labor organization, or domestic dependent sovereign (Indian Tribe) must be deposited into the administrative account with no transfers from that account to the account used for candidate support or opposition. None of the fundraiser's receipts or expenses would be reported on the Political Party Committee's campaign statements.

Appendix G
IMMEDIATE DISCLOSURE REPORTS
LATE CONTRIBUTION REPORTS
SPECIAL ELECTION INDEPENDENT EXPENDITURE REPORTS
24 HOUR REPORTS

Late Contribution Reports: The treasurer or designated record keeper of any Committee must report all “late contributions” received by the committee. A late contribution is any single contribution of \$200.00 or more received between the day following the close of books of the last campaign statement required to be filed and the 3rd day before the date of any election in which the committee participates.

- Electronic filers or those whose receipts *or expenditures* are \$20,000 *or more* in a calendar year must file electronically using E-IDR.
- The filing official must receive a Late Contribution Report within 48 hours after the committee’s receipt of the contribution. The receipt date is not the date the check or other written instrument was written or the date the contribution was deposited into the committee’s bank account. A contribution is *received by a committee* on the date that the monetary funds, written instrument, or in-kind contribution of goods from the contributor have come into the *physical possession of the committee treasurer, designated record keeper or other person acting as an agent of the committee*.
- For purposes of reporting the receipt of a late contribution of an in-kind contribution of services, the in-kind contribution is considered to be *received by the committee on the date the committee treasurer, designated record keeper or other person acting as an agent of the committee receives verbal or written notice from the contributor that the contribution has, in fact, been made*.
- In addition to this Report, a late contribution must be included on the next Campaign Statement filed by the recipient committee. **A Reporting Waiver does not exempt a committee from filing Late Contribution Reports.**
- A Late Contribution Report must contain the date and amount of the contribution along with the contributor’s name, street address, occupation, employer’s name and principal place of business. The report is not made on Campaign Statement forms and may be made by fax, telegram or any other means of written communication. The fax number for the Bureau of Elections is (517) 241-4785.
- A Late Contribution Report form is provided for you and can be found at www.Michigan.gov/sos. The Late Contribution Report need not contain a signature and may be filed on letterhead stationery or plain paper.

Special Election Independent Expenditure Report: An Independent or Political Committee registered on the *state level* is required to file a Special Election Independent Expenditure Report if the committee makes an independent expenditure to support or oppose a candidate or ballot question within 45 calendar days before a *Special Election* in which the candidate or ballot question is involved.

The report must be filed with the Department of State's Bureau of Elections within 48 hours after the independent expenditure is made. The report is waived if the committee makes the independent expenditure before the closing date of a Campaign Statement that is due before the date of the Special Election and the independent expenditure is included in that Campaign Statement.

A Special Election Independent Expenditure Report is made by attaching an Itemized Independent Expenditures Schedule (2B-1) to a Campaign Statement Cover Page, entering the appropriate information and submitting the forms within the 48-hour period explained above. The Cover Page must list the committee's name and identification number and be signed by the committee's treasurer or designated record keeper. The Itemized Independent Expenditures Schedule must list the date and the amount of the independent expenditure; the name of the candidate and the office he or she seeks, or the name of the ballot question; the name and address of the person to whom the independent expenditure was paid; and a description of the independent expenditure which specifies whether the independent expenditure was made to support or oppose the candidate or ballot question involved. An independent expenditure that is reported in the above manner must also be included on the committee's next required Campaign Statement.

A committee that has a Reporting Waiver is *not* exempt from filing the Special Election Independent Expenditure Report when applicable. Special Election Independent Expenditure Reports are not required of Independent and Political Committees registered on the county level. Refer to Appendix E applicable late filing fees.

24 - Hour Report: A Caucus committee is required to file daily reports (24-Hour Report) from the 14th day preceding a primary, general or special election to the day after the primary, general or special election, if the committee receives a contribution or makes an expenditure of more than \$1,000.00 per day. The report is similar to a "Late Contribution Report" except that it will include only those receipts or expenditures that exceed \$1,000.00.

A 24-Hour Report is due no later than 4:00 p.m. on the first business day following the date the contribution in excess of \$1,000.00 is received or the expenditure in excess of \$1,000.00 is made. The 24-Hour Report closes on the day the contribution is received or the expenditure is made. Refer to Appendix E for applicable late filing fees.

Appendix H COMMITTEE TYPES

Candidate Committee

A **Candidate Committee** is the committee designated in a candidate's filed Statement of Organization as that individual's Candidate Committee and must be filed after the candidate meets the definition of a candidate under the Act. (See Definition of Candidate on page 5 of the Candidate Committee Manual) Candidates seeking state, judicial, county, city, township, village and certain school offices in Michigan must file a Statement of Organization form and meet the other disclosure obligations provided under Michigan's Campaign Finance Act. This is true even if he or she uses personal funds to campaign; does not receive or spend any funds when seeking office; or is running a write-in campaign. A candidate may have only one committee for each office sought. A Candidate Committee is under the direction and control of the candidate. All money received or spent by a Candidate Committee is to be spent to further the nomination or election of that candidate or to pay expenses incidental to holding the elective office if the candidate is an officeholder.

A Candidate Committee may not accept contributions from the treasury funds of a corporation, joint stock company, labor organization, domestic dependent sovereign, from a person holding an interest in one of the three casinos located in Detroit or from foreign nationals.

As soon as a person becomes a "candidate" under the Act he or she is required to form and register a Candidate Committee. A candidate registers a Candidate Committee by filing a Statement of Organization with his or her filing official.

Political Committee, Independent Committee and Caucus Committee

Political Committee (PAC) is formed to support one or more candidates and may also support or oppose ballot questions. A Political Committee may not accept contributions from the treasury funds of a corporation, joint stock company, labor organization, domestic dependent sovereign or from a person holding an interest in one of the three casinos located in Detroit or from foreign national. A Political Committee must observe the same contribution limits as an individual when making contributions to, or expenditures in support of, or in opposition to, the nomination or election of a candidate.

Two or more individuals acting together that receive or spend \$500.00 or more in a calendar year to influence voters must register as a Political Committee or as an Independent Committee (see below).

Independent Committee (PAC) is formed to support one or more candidates and may also support or oppose ballot questions. An Independent Committee also may not accept contributions from the treasury funds of a corporation, joint stock company, labor organization, domestic dependent sovereign, from a person holding an interest in one of the three casinos located in Detroit or from foreign nationals.

An Independent Committee that meets the following three criteria may give a candidate for elective office ten times the amount a Political Committee or an individual is permitted to give the candidate.

1. registers as an Independent Committee at least six months before the election for which it expects to make expenditures at the maximum contribution limits in support of, or in opposition to, a candidate for nomination or election to an elective office;
2. receives contributions from at least 25 persons; and
3. in the same calendar year that the 25 contributions are received, expends funds to support or oppose three candidates for elective office in Michigan. These three expenditures must not exceed the contribution limits applicable to an individual or a Political Committee. An Independent Committee must adhere to contribution limits applicable to a Political Committee until the committee meets all of the criteria listed above.

Please note: A committee that deserves to change from a Political Committee to an Independent Committee must meet all criteria for an Independent Committee after filing the Amended Statement of Organization to make the change in committee type.

Corporations, labor organizations and Indian tribes that wish to make expenditures in candidate elections in Michigan may make expenditures for the establishment, administration and solicitation of contributions to a separate segregated fund to be used for political purposes. When the separate segregated fund has received or spent a total of \$500.00 in a calendar year to influence voters for or against the nomination or election of a state or local candidate in Michigan, or the qualification, passage or defeat of a ballot question in Michigan, the fund has met the definition of “committee.” The “committee” must then file a Statement of Organization to register as a Political or Independent Committee within 10 calendar days after reaching the \$500.00 threshold.

An Independent Committee or Political Committee is required to include in the name of the committee the name of the person or persons that sponsor the committee, if any, or with whom the committee is affiliated. A person, other than an individual or a committee, sponsors or is affiliated with an Independent Committee or Political Committee if that person establishes, directs, controls, or financially supports the administration of the committee. A person does not financially support the administration of a committee by merely making a contribution to the committee.

Caucus Committee (PAC) A “house political party caucus committee” is an Independent Committee established by a political party caucus of the Michigan House of Representatives. A “senate political party caucus committee” is an Independent Committee established by a political party caucus of the Michigan Senate. As of the writing of this manual, there are four caucus committees. Each major political party in the legislature may have one caucus committee in the Michigan House of Representatives and one caucus committee in the Michigan Senate.

Note: Independent Committees and Political Committees are both commonly referred to as “PACs” or Political Action Committees. Other names and labels are often applied to these

types of committees, although the terms are not found in the Campaign Finance Act; e.g. Leadership PAC, Legislative PAC, Leadership Fund, Victory Fund, Majority Fund, Minority Fund, etc. All are either Political Committees or Independent Committees and must follow all the requirements of the Campaign Finance Act that are applicable to other Independent or Political Committees.

Ballot Question Committee is a committee that receives contributions and makes expenditures in support of, or in opposition to, the qualification, passage or defeat of a ballot question.

- A Ballot Question Committee is prohibited from making contributions or expenditures to influence the nomination or election of a candidate.
- A Ballot Question Committee is permitted to accept contributions from the treasury funds of a corporation, joint stock company, labor organization, domestic dependent sovereign or from a person holding an interest in one of the three casinos located in Detroit but may not accept money from foreign nationals.

The Act covers a ballot question committee as soon as an organization or group receives \$500.00 in contributions or makes independent expenditures totaling \$500.00 in a calendar year to influence voters for or against the qualification, passage or defeat of one or more ballot questions in Michigan. An organization or group of persons that is covered by the Campaign Finance Act registers a committee by filing a Statement of Organization form with the appropriate filing official.

Political Party Committee is a committee formed by a state central, congressional district, or county committee of a political party. Each state central committee designates one official county political party committee in each county, and one official congressional district political party committee in each congressional district. An organization that is not the official state level organization designated congressional district organization or county level organization of a political party is not permitted to register as a Political Party Committee under the Act. However they may register on a Political or Independent Committee.

The Act covers a political party organization as soon as it receives or spends \$500.00 or more in a calendar year to influence voters for or against the nomination or election of one or more candidates or the qualification, passage or defeat of one or more ballot questions in Michigan. All Political Party committees file with the Bureau of Elections.

Appendix I
USE OF PUBLIC FACILITIES, FUNDS, ETC.
PROHIBITED

Section 57 of the Michigan Campaign Finance Act provides that a public body or an individual acting for a public body shall not use or authorize the use of funds, personnel, office space, property, stationery, postage, vehicles, equipment, supplies, or other public resources to make a contribution or expenditure or provide volunteer personal services to further the nomination or election of a candidate or the qualification, passage or defeat of a ballot question.

The prohibition does not apply to any of the following:

- The expression of views by an elected or appointed public official who has policy-making responsibilities.
- The production or dissemination of factual information concerning issues relevant to the function of the public body.
- The production or dissemination of debates, interviews, commentary, or information by a broadcasting station, newspaper, magazine, or other periodical or publication in the regular course of broadcasting or publication.
- The use of a public facility owned or leased by or on behalf of a public body if any candidate or committee has an equal opportunity to use the public facility.
- The use of a public facility owned or leased by or on behalf of a public body if that facility is primarily used as a family dwelling and is not used to conduct a fund raising event.
- An elected or appointed public official or an employee of a public body who, when not acting for a public body but is on his or her own personal time, is expressing his or her own personal views, is expending his or her own personal funds, or is providing his or her own personal volunteer services.

A public body is defined in the Act as one or more of the following:

- (a) A state agency, department, division, bureau, board, commission, council, authority, or other body in the executive branch of state government.
- (b) The legislature or an agency, board, commission or council in the legislative branch of state government.
- (c) A county, city, township, village, intercounty, intercity, or regional board; a council, school district, special district, or municipal corporation; or a board, department, commission, or council or an agency of a board, department, commission, or council.
- (d) Any other body that is created by state or local authority or is primarily funded by or through state or local authority, which body exercises governmental or proprietary authority or performs a government or proprietary function.

A person who knowingly violates this section of the Act is guilty of a misdemeanor punishable, if the person is an individual, by a fine of not more than \$1,000.00 or imprisonment for not more than 1 year, or both, or if the person is not an individual, by one of the following, whichever is greater:

- (a) A fine of not more than \$20,000.00.
- (b) A fine equal to the amount of the improper contribution or expenditure.

Appendix J
IDENTIFICATION REQUIREMENTS

The Act requires all paid advertisements having reference to an election, a candidate or a ballot question to contain an identification statement and, if applicable, a disclaimer statement. The identification must be clear to the reader or listener and worded as follows:

- All printed matter having reference to a candidate, election or a ballot question, including yard signs, brochures, billboards, poll cards, fund raiser tickets, stationery, etc., must contain: “Paid for by” followed by the full name of the person or committee paying for the material and the person’s or committee’s street number or post office box, city or town, state and zip code.
- If the printed matter is an independent expenditure relating to a candidate that is not authorized in writing by the candidate, the printed matter must contain: “Paid for by (name and address of person, group or committee paying for the matter). Not authorized by any Candidate Committee.”
- The identification or disclaimer on printed material having reference to a candidate, or a ballot question must be in a place and in a print clearly visible to and readable by an observer. Any other medium used for campaign purposes shall clearly and unequivocally include the identification or disclaimer, or both.
- An individual other than a candidate is not subject to the identification requirement provision as it relates to printed matter only if the individual is acting independently and not acting as an agent for a candidate or any committee.
- All paid political advertisements broadcast by television or radio having reference to a candidate election or ballot question shall identify the sponsoring person as required by the Federal Communications Commission, shall bear the name of the person paying for the advertisement, and shall be in compliance with the following:

(a) If the radio or television paid advertisement relates to a candidate and is an independent expenditure, the advertisement shall contain the following disclaimer:

“Not authorized by any candidate”

(b) If the radio or television paid advertisement relates to a candidate and is not an independent expenditure but is paid for by a person other than the candidate to which it is related, the advertisement shall contain the following disclaimer:

“Authorized by”
(Name of candidate or name of Candidate Committee)

- Except for a Candidate Committee’s printed matter or radio or television paid advertisement, each identification or disclaimer must also indicate that the printed matter or radio or television paid advertisement is paid for “with regulated funds”.

The identification requirements of the Act do not apply to videotapes produced by political candidates and cable cast on a public access channel if use of the public access video taping equipment and the public access time is free. The identification requirements only apply to paid political advertisements.

EXEMPTIONS

Certain items are exempt from the identification or disclaimer requirement due to their size or difficulty of placement. Following is a listing of the exempted items:

Aerial Banners	Frisbees	Pens
Ashtrays	Glasses	Pinwheels
Badges & Badge Holders	Golf Balls	Plastic Tableware
Balloons	Golf Tees	Pocket Protectors
Bingo Chips	Hats	Pot Holders
Brushes	Horns	Refrigerator Magnets
Bumper Stickers (4" X 15" Or Smaller)	Ice Scrapers	Ribbons
Buttons	Jar Lid Grippers (5" Or Smaller)	Shoe Horns
Campaign Stickers (3" X 1 ½" Or Smaller)	Key Rings	Staple Removers
Candy Wrappers (1 ½" X 2 ½" Or Smaller)	Knives	Sun Glasses
Cigarette Lighters	Labels	Sun Visors
Cloth Pot Holders	Lapel Pins/Stickers	Sweatshirts
Clothes Pins	Magnifying Glasses	Swizzle Sticks
Clothing	Matchbooks	T-Shirts
Coasters	Nail Clippers	TV Scroll Advertisement
Combs	Nail Files	Whistles
Cups	Noisemakers	Wooden Nickels (Approx. Size of a 5-Cent Coin)
Drinking Glasses	Paper & Plastic Cups	Wooden Rulers (12" Or Smaller)
Earrings	Paper & Plastic Plates	Yo-Yo's
Emery Boards	Paper Weights	
Envelopes	Pencils	
Erasers	Pendants	
Fortune Cookie Messages (1/2" X 2" Or Smaller)	Pennants	

Any item not included in this list and must contain an identification statement, and if applicable, a disclaimer statement.

Committee Address Change

A committee that has filed an amendment to its Statement of Organization to show a change of committee address is not required to note the change of address on printed matter it previously purchased as long as the printed matter contains an identification statement that was correct at the time the printed matter was produced.

Appendix K

OUT-OF-STATE GROUPS

Receipt of Out-Of-State Contributions: A committee registered under the Michigan Campaign Finance Act may accept contributions from out-of-state contributors. A statement must be included with any out-of-state contribution if the contributor is not an individual and the contributing group is not registered as a committee under the Act. The statement must include the date the contribution was made, the amount of the contribution, the full name and address of each person or committee contributing to the contribution and the occupation, employer and principal place of business of each person contributing \$100.01 or more of the contribution. The statement must also include language to the effect that the contribution involved was not made from an account containing funds provided by a corporation, joint stock company, labor organization, domestic dependent sovereign or any other source prohibited in Michigan. An officer of the contributing group or other contributing person must certify that the statement is true and correct.

A committee registered under the Act may not accept a contribution from an out-of-state group unless the statement is submitted with the contribution. Information from the statement must be included in the next Campaign Statement owed by the recipient committee.

Out-of-State Groups Covered by Michigan Campaign Finance Act: Michigan's Campaign Finance Act requires a group operating out-of-state to form and register a Michigan committee within 10 calendar days after it receives or spends \$500.00 or more in a calendar year to influence voters for or against the nomination or election of one or more candidates in Michigan or the qualification, passage or defeat of one or more ballot questions in Michigan. Contributions that apply toward the \$500.00 threshold include contributions to Candidate Committees as well as any contributions made to Independent, Political, Political Party and Ballot Question Committees.

To register, the committee must file a Statement of Organization form. After registering, the committee must file periodic Campaign Statements as required to disclose its political activity. A Committee that receives a contribution from an out-of-state group or organization is urged to advise them of the registration and reporting requirements of the Act.

Out-of-State Treasurer, Depository, and Office: The Michigan Campaign Finance Act (MCFA) allows an out-of-state committee to have a treasurer who does not reside in Michigan and a depository that is not located in Michigan if the committee does not conduct business through an office or facility located in Michigan. An out-of-state committee that has a treasurer who is not a Michigan resident must complete the "irrevocable written stipulation" on its Statement of Organization. By checking the box and signing the Statement of Organization the treasurer stipulation agrees that 1) any legal process affecting the committee which is served on the Secretary of State or an agent designated by the Secretary of State will have the same effect as if personally served on the committee and 2) that the appointment will remain in force as long as any liability of the committee remains outstanding in Michigan. The committee treasurer must sign the statement.

Itemization of Contributions and Expenditures: A Political Action Committee (PAC) registered under Michigan's Campaign Finance Act may not receive lump sum fund transfers from a "parent" committee registered under federal law or the laws of any other state. It may, however, receive itemized contributions. A Michigan PAC is commonly referred to as an "affiliate PAC" if it receives fund transfers from a "parent" committee registered under federal law or the laws of another state.

Itemized fund transfers received by an affiliate PAC from a parent committee may be disclosed under the Campaign Finance Act through the "Last-In-First-Out" (LIFO) accounting method or any other reasonable accounting method. Under the LIFO accounting method, the amount transferred is attributed to the most recent contributors to the account from which the funds were drawn. Persons designated as contributors of funds transferred into the affiliate PAC's depository need not reside in or be located in Michigan. However, they must be eligible under Michigan Law to contribute to the affiliate.

An out-of-state PAC that registers in Michigan and qualifies to keep its funds in an out-of-state depository is not required to have a separate account from which to make expenditures in Michigan. Expenditures to Michigan candidates, PACs, Political Party Committees or Ballot Question Committees may be made directly from the committee's out-of-state account and reported through the LIFO accounting method or any other reasonable accounting method. The campaign statement filed by the committee would itemize on the Receipts Schedule only the receipts (based on LIFO or any other reasonable accounting method) making up the expenditures made in assistance of, or in opposition to, Michigan candidates, committees, and ballot issues. The Expenditure Schedule would itemize only the expenditures made in assistance of, or in opposition to, the nomination or election of Michigan candidates, or the qualification, passage, or defeat of a Michigan ballot question. Therefore, the total amount of contributions reported on the Receipts Schedule will equal the total amount of expenditures reported on the Expenditure Schedule, and the Summary Page will reflect a zero ending balance.

Contributions received by a MCFA committee must conform with the requirements of Section 55 (6). Therefore, an out-of-state PAC or a federal PAC that collects automatic contributions, including through payroll deduction, must comply with the annual affirmative consent requirement for those funds that are used to make expenditures to support or oppose state and local candidates or ballot questions in Michigan. Contributions from individuals who have not provided annual affirmative consent may not be used.

Certification for Contributions Received on an Automatic Basis: A Candidate Committee, Political Party Committee, Independent or Political Committee shall not accept a contribution from an out-of-state committee which receives contributions on an automatic basis, including, but not limited to a payroll deduction plan, unless the contribution is accompanied by a statement certified as true and correct by an officer of the contributing person, with language to the effect that all contributions received on an automatic basis are in full compliance with Section 55. The certified statement must be provided to the recipient committee along with the contribution. The treasurer of the recipient committee must retain the certified statement in the committee's records.

The statement is not required if the out-of-state group making the contribution is registered as a committee under the Michigan Campaign Finance Act.

Appendix L
INDEPENDENT CONTRACTORS
Media Buyers and Other Vendors Purchasing Goods for the Committee

A Committee that contracts with an agent or an independent contractor to make expenditures on its behalf must disclose the expenditures made to and by the agent or independent contractor as detailed below.

- Agents and independent contractors typically employed by committees are: political consultants; public relations consultants; political consulting firms; public relation firms; media buyers; advertising agencies; and marketing firms.
- Services typically provided to Committees by agents and independent contractors are: purchasing radio and television time; producing radio and television spots; producing or purchasing still photographs; producing or purchasing printed materials; producing or purchasing buttons, hats, bumper stickers, and other campaign materials; conducting polls and surveys; purchasing mail lists; conducting direct mail activities; and employing temporary help.

Expenditures by Committee to An Agent or Independent Contractor

The total of each expenditure made by a Committee to an agent or independent contractor must be reported on the appropriate schedule of the campaign statement that covers the reporting period in which the expenditure was made.

Expenditures Made by An Agent or Independent Contractor on Behalf of a Committee

In addition to the above, any expenditure made by an agent or independent contractor on behalf of a Committee must be disclosed with the campaign statement that covers the reporting period in which the expenditure was made if:

- 1) the expenditure is one that the committee would have made itself, or
- 2) the expenditure was made to a subcontractor supplying services to the agent or independent contractor.

To enable committees to meet this disclosure requirement, the Campaign Finance Act, MCL 169.243, requires agents and independent contractors working for a committee to provide the committee with a listing of the expenditures made on the committee's behalf. Agents and subcontractors are **not** required to provide an accounting of funds received from a committee that are taken as a profit or used to meet normal operating expenses. Expenditure listings supplied to a committee by an agent or independent contractor must list the name and address of each individual or business that received more than \$50.00 through a single expenditure or through a series of expenditures made by the agent or independent contractor during the campaign statement reporting period, the purpose and amount of each expenditure, and the date each expenditure was made. Single or cumulative expenditures of \$50.00 or less made by an agent or independent contractor to an individual or business during the campaign statement reporting period can be shown as a lump sum.

If the independent contractor sub-contracts the work to another person, itemization is also required from the sub-contractor to report the names and addresses, dates and amounts for expenditures made by the sub-contractor on behalf of the Committee.

Appendix M RECALL ELECTIONS

Section 5 of the Michigan Campaign Finance Act (MCFA) provides that a recall vote is an election. Therefore, the funds spent or received by elected officeholders to defend themselves from a recall and the funds spent or received by groups supporting or opposing the recall of an elected official are regulated under the MCFA.

A recall vote is not an election to fill an office where the opponents are two or more candidates operating under the same restrictions. In a recall the officeholder is defending against the recall and outside groups (PACs) are supporting or opposing the recall. The MCFA provides that officeholders must use their candidate committees to defend themselves against the recall. However, the contribution limits do not apply to contributions received by the candidate committee to defend the officeholder against the recall provided the contributions are designated for a recall election.

Consistent with the MCFA, recall proponents and opponents and officeholders facing a recall election may not accept contributions from the general treasury funds of corporations, labor organizations, Native American tribes, joint stock companies or anonymous sources. Public resources must not be used to make a contribution or expenditure in support of or opposition to a recall. All regulations and filing requirements of the MCFA must be followed by committees participating in a recall election with the exceptions listed below.

CANDIDATE COMMITTEES INVOLVED IN A RECALL ELECTION

An officeholder facing a recall must use his or her candidate committee to defend against the recall.

The funds must be deposited into and expenditures made from the officeholder's candidate committee account. Candidate committees are urged to secure accounting resources to ensure that all recall contributions and expenditures are separately identified. This will assist the candidate committee in properly reporting recall activity and accounting for recall contributions that are in excess of the limits.

The candidate committee of an officeholder subject to a recall is not subject to the contributions limits set forth by the MCFA provided the contributions are designated for a recall election.

Accepting Contributions Designated for Recall

The committee may continue to accept contributions within the contribution limit whether designated for the recall or not designated for the recall. All contributions received by the candidate committee may be used to defend the officeholder against the recall. However, an undesignated contribution will be subject to the contribution limit for the next election for the office held by the officeholder.

The candidate committee may accept contributions in excess of the normal contribution limit only if the officeholder's recall is actively being sought. Actively being sought means 1) a committee has been organized to gather petition signatures and to promote a particular officeholder's recall or 2) petition language stating the reason(s) for the recall has been filed with the county clerk for the purpose of a clarity hearing. Whichever of these two conditions is met first determines when the candidate committee may begin to accept contributions in excess of the normal contribution limit.

The period for accepting contributions in excess of the normal contribution limit ends on the day of the recall election or on the day that the appropriate election official finds the petitions insufficient and determines that no recall election will be scheduled. It is recommended that the candidate committee use a designation form that specifies the contributions for the recall election and how any excess contributions remaining after the recall shall be disposed of. Using an acceptable accounting method the candidate committee may be required to dispose of leftover funds. (See “Leftover Funds” below).

Expenditures for a Recall

A recall is an election, therefore, expenses attendant to opposing a recall (including legal fees) are legitimate campaign expenditures that may be paid with candidate committee funds.

A candidate committee of an officeholder facing a recall election may make an expenditure to a political or independent committee, if the purpose of the expenditure is to materially aid the candidate in opposing the officeholder’s recall and is not included in the definition of a prohibited contribution or expenditure under the MCFA. Committee records must be maintained that document that the committee receiving the expenditure from the candidate committee made expenditures materially aiding the officeholder in opposing the recall.

Leftover Funds

After the recall election or the date the recall is terminated (petition is insufficient or no petition is filed 180 days after the clarity hearing) it may be necessary to determine whether recall contributions in excess of the contribution limits are part of the leftover funds. A candidate committee will make this determination by using a normally accepted accounting procedure such as LIFO (last in, first out). For example, if the contribution limit is \$500.00 and the last contribution received by the committee was \$700.00, then \$200.00 must be returned to the contributor. The remaining \$500.00 would be the maximum amount the contributor could give to the candidate committee for the next election.

In addition to any excess contributions that must be returned to contributors, section 45 provides that leftover funds can be:

- voluntarily returned to contributors of the funds;
- transferred to another candidate committee of the candidate. (Certain restrictions apply, see detailed information on transferring funds in the Candidate Committee Manual);
- given to a Political Party Committee (state central, congressional district or county);
- given to a tax-exempt charitable organization as long as the candidate does not become an officer or director of or receive compensation, either directly or indirectly, from that organization. (A committee that chooses to donate any of its remaining assets to a tax-exempt charity must provide verification of the disposition of the funds to their filing official. This verification can be in the form of a receipt or letter of acknowledgement on the charity’s letterhead.);
- given to a House Political Party Caucus Committee if the person was being recalled for the office of State Representative;
- given to a Senate Political Party Caucus Committee if the person was being recalled for the office of State Senator;
- given to an Independent Committee; or
- given to a Ballot Question Committee.

Term Limited Candidates

The candidate committee of an officeholder who cannot seek re-election due to term limits is not prohibited from accepting contributions or making expenditures if subject to a recall provided all other requirements of the MCFA are adhered to by the candidate committee.

POLITICAL COMMITTEES AND INDEPENDENT COMMITTEES (PACs) INVOLVED IN A RECALL ELECTION

Proponents and opponents, other than the candidate's committee, of a recall election must file a Statement of Organization with the appropriate filing official as a political committee or an independent committee.

The filing official for recalls involving a state elective office which includes State Representative or State Senator is the Michigan Department of State, Bureau of Elections. The filing official for recalls involving a local office where the district is solely contained in one county is the county clerk. The filing office for recalls involving a local office where the district is not solely contained in one county is the county clerk of the county with the greatest number of registered voters eligible to vote on the recall.

Contributions to a political or independent committee are not subject to contribution limitations under the MCFA. However, the committee must still abide by the prohibitions specified under the MCFA such as not accepting contributions from the general treasury funds of corporations, labor organizations, Native American tribes, joint stock companies or anonymous sources. Public resources must not be used to make a contribution or expenditure in support of or opposition to a recall.

A political committee or independent committee may make unlimited expenditures to support or oppose a recall. The committee can further make unlimited contributions to the candidate committee of an officeholder whose recall is actively being sought.

Caucus Committees

A caucus committee may make unlimited expenditures in support of or opposition to a recall of a state elective officeholder. The \$20,000.00 contribution limit on contributions made to a caucus committee is not lifted when the committee participates in a recall election and continues to apply.

POLITICAL PARTY COMMITTEES INVOLVED IN A RECALL ELECTION

Political party committees may receive unlimited contributions and make unlimited expenditures in support of or opposition to a recall. However, the committee must still abide by the prohibitions specified under the MCFA such as not accepting contributions from the general treasury funds of corporations, labor organizations, Native American tribes, joint stock companies or anonymous sources. Public resources must not be used to make a contribution or expenditure in support of or opposition to a recall

REQUIRED FILINGS

As a recall election is an election under the MCFA, all applicable filing deadlines for all campaign statements and reports must be followed. This includes detailed Campaign Statements, Late Contribution Reports, 24 Hour Reports and Special Election Independent Expenditure Reports.

Appendix N
PENALTIES

Civil:

Act - 15(8), 15(11)

Authority to Recover - 15(11)

Deposit in General Fund - 15(12)

Sections with Civil Penalties:

15(8)Act

15(11) Act

21(13) Committee Responsibilities

22 Treasurer/Designee Responsibilities

23 Petty Cash

33(10) - Filing Incomplete/Inaccurate Reports

34(7) & 35(6) - Incomplete/Inaccurate Reports

55(8) - Remuneration for Reimbursing Contributions

Criminal - 15(10), 15(13)

Felony:

54(4) Corporate Activity

55(7) Contributions Separate Segregated Fund

66(4) Public Funding

Misdemeanors:

24(1) Statement of Organization

33(8) Failure to File 2 or More Reports

34(6) Failure to File More than 7 Days (Ballot Question Committees)

35(5) Failure to File

41(1) Cash Contributions & Expenditures

41(2) Anonymous Contribution

41(3) Contribution in Name of Another

42(1) Intermediary

42(3) Reporting Contributions

42(4) Out-of-State Contribution – Certified Statement

43 Independent Contractors

44(5) Earmarking, Contribution Between Candidates, Bundling, Fund Raisers

47(5) Identifier

50 Honorariums

52(9) Contribution Limits

52a(2) Excess Contributions

57(2) Public Body

67(3) Public Funding

68(1) Public Funding

69(9) Gubernatorial Contribution Limits

71(2) Candidate-to-Candidate Contribution

Prohibit Candidate from Assuming Office - 33(9), 67(4), 68(2)

Effective Date for - 82(1), 82(2)

<p style="text-align: center;">Appendix O PROHIBITED CONTRIBUTIONS</p>
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Certain contributions are prohibited by the Act. A prohibited contribution must be returned as soon as the committee recognizes that it has received a contribution that cannot be accepted. If a prohibited contribution has been deposited in the committee's account, an expenditure from the account must be made to return the prohibited contribution. If the prohibited contribution has not been deposited, the actual contribution must be returned.

A contribution that is returned within 30 business days of receipt is not considered to be a contribution and is, therefore, not a violation of the Act.

The Michigan Campaign Finance Act prohibits the following contributions:

- Anonymous Contributions: A committee may not accept an anonymous contribution. If a contribution is received without name and address information, it must be donated to a tax-exempt charitable organization and a receipt is needed for committee records.
- Cash Contributions over \$20.00: A committee may not accept contributions of \$20.01 or more in cash. Cash contributions of \$20.00 or less may be accepted and must be reported in detail with name, address, date and amount of each contribution. This requirement includes money received through the sale of political merchandise, fundraisers or through any other source.
- Candidate Committee to Candidate Committee: A *Candidate* Committee must not accept a contribution from another *Candidate* Committee except for the purchase of a fundraiser ticket, not to exceed \$100.00 from that *Candidate* Committee in a calendar year.
- Earmarking: A committee may not accept a contribution with the agreement or arrangement that the committee will transfer the contribution to a particular *Candidate* Committee.
- Foreign Nationals: The Federal Election Campaign Act prohibits Foreign Nationals from making any contribution or expenditure (including independent expenditures) in connection with any U.S. elections. It is also unlawful for any person to solicit, accept or receive a contribution from a foreign national.
- Contribution in the Name of Another: A person shall not make a contribution by any name other than the name by which that person is identified for legal reasons.
- Corporations, Joint Stock Companies, Labor Organizations, Domestic Dependent Sovereigns (Indian tribes): A Committee, *other than a Ballot Question Committee*, may not accept a contribution of money from treasury funds, goods, services, discounts or free use of facilities from a corporation, a joint stock company, a labor organization, or a domestic dependent sovereign.

A corporation, joint stock company, labor union or domestic dependent sovereign may not purchase fund raiser or dinner tickets to committee events; may not donate prizes or awards for fund raisers or other events sponsored by or for the benefit of a committee; may not provide a discount unavailable to the general public to a committee; and may not pay off or forgive a committee debt for a committee.

Prohibitions against corporate contributions apply to all types of corporations, including large and small corporations, non-profit and for-profit corporations, professional corporations and sub-chapter S corporations. The only exception is for a corporation formed strictly for political purposes only.

- Casino Interest Holders: Public Act 69 of 1997 amended the Michigan Casino Revenue and Control Act to prohibit persons having a casino interest in one of the three Detroit casinos from making campaign contributions during certain periods of time.

The Michigan Gaming Control Board enforces this prohibition. A person who makes a prohibited contribution is guilty of a felony, punishable by imprisonment for 10 years and/or a fine of not more than \$100,000.00.

The persons who are prohibited from making contributions are:

1. a casino licensee or a supplier licensee;
2. a person who holds at least a 1% interest in a casino licensee, a supplier licensee or a casino enterprise;
3. a person who is an officer or a managerial employee of the licensee or casino enterprise as defined by rules promulgated by the Casino Gaming Board;
4. a person who is an officer of the person who holds at least a 1% interest in the licensee or casino enterprise;
5. the Independent Committee of a licensee or casino enterprise.

Casino Licensee - Contributions may not be made from a date one year prior to applying to the MGCB for a Casino License, and continuing until three years after the license expires. The prohibited period includes all time in between these dates, including the period when the MGCB is still considering a license application.

Supplier Licensee - Contributions may not be made from the date an application is submitted to the MGCB for a Supplier License, and continuing until three years after the license expires.

Public Act 71 of 1997 amended the Act to provide that a committee shall not knowingly maintain receipt of a contribution from a person prohibited from making a contribution during the prohibited period under Public Act 69. For purposes of this section of Public Act 71, a committee is only considered to have knowingly maintained receipt of a contribution prohibited under Public Act 69 and is subject to penalty for that violation if both of the following circumstances exist:

- The Secretary of State has, by registered mail, notified the committee that the committee has received a contribution in violation of this section and has specifically identified that contribution.
 - The committee fails to return the contribution identified on or before the thirtieth business day after the date the committee receives the notification.
- Solicitation and Acceptance of Contributions by Separate Segregated Funds: A Political or Independent Committee that is established as a separate segregated fund is not permitted to solicit or accept contributions from another Political or Independent Committee or from any person who is not allowed to contribute to the separate segregated fund.

Appendix P

SPECIAL ELECTIONS

Section 5 of the Michigan Campaign Finance Act (MCFA) provides that a special election is an election for the purposes of the Act. Therefore, the funds spent or received by elected officeholders to seek office at a special election are regulated under the MCFA.

To comply with the contribution limits set out by the MCFA for an office being elected at a special election, the committee must understand the definition of “election cycle.” Election cycle is defined below.

- For a general election, the period beginning the day following the last general election in which the office appeared on the ballot and ending on the day of the general election in which the office next appears on the ballot.
- For a special election, the period beginning the day a special general election is called or the date the office becomes vacant, whichever is earlier, and ending on the day of the special general election.

Election cycles are date ranges used to accumulate contributions and expenditures for reporting and contribution limit purposes. Election cycles must be understood to avoid violating the MCFA by accepting or making an excess contribution. Contribution limits for all offices are based on the election cycle of the office. For the contribution limits of specific offices, please see Contribution Limits - State Elective Offices and Contribution Limits - Local Candidates.

CANDIDATE COMMITTEES INVOLVED IN A SPECIAL ELECTION ONLY

A candidate participating in a special election must register his or her Candidate Committee with the appropriate filing official. Every candidate is required to establish a Candidate Committee to further his/her nomination or election. In the case of a candidate who seeks election to an office being filled at a special election, the contribution limits are set within the dates mapped out by the above definition of election cycle.

The funds must be deposited into and expenditures made from the Candidate Committee account.

CANDIDATE COMMITTEES INVOLVED IN A SPECIAL ELECTION AND A REGULAR ELECTION

A candidate participating in a special election and a regular election for the same office must register a single Candidate Committee with the appropriate filing official. Every candidate is required to establish a Candidate Committee to further his/her nomination or election. If a committee has already been established for that office, the existing committee must be used for both the regular election and the special election.

Committees of candidates participating in both a special election and a regular election may receive contributions for both the regular election and the special election. Care must be taken to ensure that the contribution limits are not violated.

- Contributions received before the beginning of the election cycle of the special election are attributed toward the contribution limit of the contributor for the regular election.
- Contributions received during the election cycle of the special election that are designated in writing for the special election must not exceed the contribution limit of the contributor for the election cycle of the special election.
- Contributions received during the election cycle of the special election that are designated in writing for the regular election must not exceed the contribution limit of the contributor for the election cycle of the regular election. These contributions must be accumulated with the contributions received prior to the election cycle of the special election in order to calculate the amount contributed for the regular election.
- Undesignated contributions received during the overlapping period of the election cycles can be applied by the committee to either the special election or general election, but not both. Again, the contribution must not exceed the contribution limit of the contributor.
- Contributions made after the date of the special election can be designated in writing for the special election only if the contribution does not exceed either the contribution limit of the contributor or the Candidate Committee's net outstanding debts and obligations from the special election.
- Contributions made after the date of the special election are attributed toward the contribution limit of the contributor for the regular election unless they are specifically designated in writing for the special election. These contributions must be accumulated with the contributions received throughout the entire election cycle of the regular election in order to calculate the amount contributed for the regular election.

All contributions must be deposited into and expenditures made from the Candidate Committee account. Candidate Committees are urged to secure accounting resources to ensure that all special election and regular election contributions are separately identified as the election cycles for the two elections are running concurrently. This will assist the Candidate Committee in properly reporting special election activity and accounting for all contributions.

Leftover Funds

After the date of the special election it may be necessary to determine whether the contributions designated for the special election are a part of the leftover funds. Left over funds are contributions designated for the special election in excess of the amount spent by the committee for special election expenditures. A candidate committee will make this determination by using a normally accepted accounting procedure such as LIFO (last in, first out). Left over funds can be returned to contributors, re-designated by the committee to the regular election to the extent that this re-designation does not exceed the contribution limits of the regular election, or disposed of according to the provisions of section 45 of the MCFA.

POLITICAL COMMITTEE, INDEPENDENT COMMITTEE AND POLITICAL PARTY COMMITTEE PARTICIPATION IN A SPECIAL ELECTION

Other committees that wish to participate in a special election must also understand the election cycle definition to avoid violating the MCFA by making an excess contribution. Committees are encouraged to track the contribution limits by clearly designating the contributions for the special election verses any regular elections that the committee may be participating in by contributing to candidates.

REQUIRED FILINGS

As a special election is an election under the MCFA, all applicable filing deadlines for all Campaign Statements and reports must be followed. This includes detailed Campaign Statements, Late Contribution Reports, 24-Hour Reports and Special Election Independent Expenditure Reports.

Appendix W DISSOLUTION OF A COMMITTEE
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The Campaign Finance Act specifies when and under what conditions a committee may be dissolved. A dissolved committee has no further filing obligations under the Act. All committees are encouraged to request dissolution when activity in the committee ends. A committee that has not been dissolved and does not have a Reporting Waiver must continue to file Campaign Statements as required by the Act.

To be eligible for dissolution, a committee must have no assets or outstanding debts. An unpaid late filing fee is considered to be a committee debt and must be paid before the committee can be dissolved. *(An officeholder cannot dissolve his or her Candidate Committee until his or her term of office expires. An exception to this provision exists for officeholders who are not qualified to seek reelection).*

- If the committee has maintained a Reporting Waiver, dissolution may be requested by filing a Single-Page Dissolution Statement with their filing official. On the Statement, the signers verify that the committee: 1.) Obtained and maintained the Reporting Waiver; 2.) Has no outstanding late filing fees or other debts; and 3.) Has no remaining assets.

Automatic Dissolution of Candidate Committees: The filing official may automatically dissolve a Candidate Committee with a Reporting Waiver when an officeholder vacates office or an individual is defeated in the election, providing the committee meets all of the requirements to dissolve. A committee that qualifies for automatic dissolution will not be dissolved if the candidate expresses a desire, in writing, to keep the committee active.

- If the committee does not have a Reporting Waiver, dissolution may be requested by filing a final Campaign Statement with supporting Schedules with their filing official. A Dissolution Campaign Statement can be combined with another Campaign Statement required of the committee as long as the committee dissolves on or before the closing date of the Campaign Statement. A Dissolution Campaign Statement must open on the day after the closing date of the last Campaign Statement filed by the committee and close on the date of the committee's dissolution.

Disposition of Unexpended Funds

Independent, Political, Ballot Question and Political Party Committees may dispose of leftover funds in any legal manner.

Unexpended funds of a Candidate Committee that are not eligible for transfer to another Candidate Committee of the person must be disbursed in the following ways.

- a) Given to a Political Party Committee (state central, congressional district or county).
- b) Given to a tax-exempt charitable organization as long as the candidate does not become an officer or director of or receive compensation, either directly or indirectly, from that organization. *
- c) Returned to contributors of the funds.
- d) Given to a House Political Party Caucus Committee if the person was a candidate for the office of State Representative. (Maximum contribution of \$20,000.00 per year allowed).
- e) Given to a Senate Political Party Caucus Committee if the person was a candidate for the office of State Senator. (Maximum contribution of \$20,000.00 per year allowed).

- f) Given to an Independent Committee.
- g) Given to a Ballot Question Committee.

*A committee that chooses to donate any of its remaining assets to a tax-exempt charity must provide verification of the disposition of the funds to their filing official. This verification can be in the form of a receipt or letter of acknowledgement on the charity's letterhead.

Appendix X
DECLARATORY RULINGS AND
INTERPRETIVE STATEMENTS

The Department of State responds to questions regarding the application of the Act by two methods:

- The most formal procedure is a Declaratory Ruling. A Declaratory Ruling is issued when a request for a Ruling concerns a specific, factual situation. A person who will be directly affected by the Ruling must make the request. The Ruling is binding on the Secretary of State and on the person requesting the Ruling unless modified or set aside by a court. A person requesting a Declaratory Ruling should:

1. State that a Declaratory Ruling is being requested.
2. Indicate the specific, existing set of facts involved.
3. Cite, if known, the legal authority upon which the request is based.

- Less formal than a Declaratory Ruling is an Interpretive Statement. An Interpretive Statement is issued when a request for a Declaratory Ruling is not specific enough to warrant a Ruling or when a request concerns a hypothetical situation. Interpretive Statements are also issued when a request for information is received which is significant for the general public but does not come in the form required for a Declaratory Ruling. An Interpretive Statement does not have the force and effect of law and is merely explanatory. A person requesting an Interpretive Statement should state the question as specifically and clearly as possible.

The Campaign Finance Act requires that the Department of State observe the following timetable when a proper request for a Declaratory Ruling is received:

1. The Declaratory Ruling request is made available for public inspection within 48 hours after its receipt.
2. Written comments on the Declaratory Ruling request are accepted from interested parties up to 10 business days after the request is received.
3. A proposed response to the Declaratory Ruling request is made available for public inspection within 45 business days after the request is received.
4. Written comments on the proposed response to the Declaratory Ruling request are accepted from interested parties up to 5 business days after the proposed response is made available to the public.
5. The Declaratory Ruling is issued within 60 business days after the request for the ruling is received.

Under extenuating circumstances, the Department of State may extend the above timetable for 30 business days. A person who requests a Declaratory Ruling has the authority to waive the 60-day timetable.

Mail all requests for Declaratory Rulings and Interpretive Statements to:

Michigan Department of State
Legal and Regulatory Services Administration
Richard H. Austin Building – 4th Floor
430 West Allegan Street
Lansing, Michigan 48918
(517) 373-8252

Appendix Y COMPLAINT PROCESS

If you believe someone has violated the Michigan Campaign Finance Act (MCFA) you may file a written complaint with the Department of State. A form for filing a complaint may be obtained from the Bureau of Elections or on the Department's web site at <http://www.michigan.gov/sos/> and click on Elections in Michigan and then Publications and Forms. The complaint must include all of the following:

- Your name, address and telephone number.
- The alleged violator's name and address.
- A description in reasonable detail of the alleged violation, including the section or sections of the MCFA you believe were violated, an explanation of how you believe the MCFA was violated, and any other pertinent information.
- Evidence that supports your allegations.
- A certification that:
To the best of your knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of the complaint is supported by evidence.
- However, in addition, if after a reasonable inquiry under the circumstances, you are unable to certify that certain specifically identified factual contentions of the complaint are supported by evidence, you may also certify that:
To the best of your knowledge, information, or belief, there are grounds to conclude that those specifically identified factual contentions are likely to be supported by evidence after a reasonable opportunity for further inquiry.
- Your signature immediately after the certification or certifications.

If you wish to have your complaint considered, it must include all of the required information. The Department may dismiss your complaint if any item is not included, or if the complaint is determined to be frivolous, illegible, or indefinite. If the complaint is dismissed, both you and the alleged violator will be notified.

The completed form should be sent to the following address:

Michigan Department of State
Legal and Regulatory Services Administration
Richard H. Austin Building – 4th Floor
430 West Allegan Street
Lansing, MI 48918
Telephone: (517) 373-8252

If your complaint meets the above requirements, the Department will notify the alleged violator that a complaint has been filed. The notification will include a copy of your complaint. The alleged violator will have an opportunity to file a response. You will have an opportunity to file a rebuttal to any response. You and the alleged violator will receive periodic reports about the actions taken by the Department concerning your complaint.

If the Department finds no reason to believe that your allegations are true, your complaint will be dismissed.

If the Department finds that there may be reason to believe your allegations are true, the Department must attempt to correct the violation or prevent further violations by informal methods such as a conference, conciliation, or persuasion, and may enter into a conciliation agreement with the alleged violator.

If the Department is unable to correct the violation or prevent further violations informally, an administrative hearing may be held to determine whether a civil violation of the MCFA has occurred, or the matter may be referred to the Attorney General for the enforcement of criminal penalties. An administrative hearing could result in the assessment of a civil penalty. Such a hearing would be conducted in accordance with the Michigan Administrative Procedures Act. An order issued as a result of such a hearing may be appealed to the appropriate circuit court.

WARNING: Section 15(8) of the MCFA (MCL 169.215) provides that a person who files a complaint with a false certification is responsible for a civil violation of the MCFA. Under section 15(14) of the MCFA (MCL 169.215), the Secretary of State may require a person who files a complaint with a false certification to:

- Pay the Department some or all of the expenses incurred by the Department as a direct result of the filing of the complaint.
- Pay the alleged violator some or all of the expenses, including, but not limited to, reasonable attorney fees, incurred by that person as a direct result of the filing of the complaint.
- Pay a civil fine of up to \$1,000.00.

<p style="text-align: center;">Appendix Z REFERENCE INFORMATION</p>

ELECTRONIC FILING HELP DESK:

Merts Plus Helpdesk: 703-749-4642
Merts Plus Email: mertstechsupport@nicusa.com

TAX QUESTIONS

Federal

For information on the following questions:

- Federal Withholding on Campaign Workers
- Independent Contractor Rules
- Federal filing and deposit requirements for payroll tax returns

To request assistance with preparation of a form, call **1-800- 829-1040**

Forms may be downloaded from the Internal Revenue Service website at <http://www.irs.ustreas.gov/> or call **1-800-829-3676** or visit the closest Internal Revenue Service Office.

- U.S. Income Tax Return for Certain Political Organizations
- Employer's Quarterly Federal Tax Return
- Employer's Annual Federal Unemployment Tax Return
- Wage and Tax Statement
- Request for a **Federal Employer Tax ID#**

State of Michigan

Michigan Department of Treasury **(517) 373-3190**. Questions regarding registration, filing, and deposit requirements for State of Michigan Income Tax Withholding for Campaign Workers.

State Forms: 1-800-367-6263

- Concessionaire return (for one-time fund raising event) for remitting sales tax
- Sales, Use & Withholding Tax

OTHER QUESTIONS

• Michigan Department of Labor **(517) 241-6470**. To determine if a potential contributor is registered as a corporation in Michigan. The information includes the name of the entity, date of formation, whether it has been dissolved, current resident agent and registered office, date of last annual report filed. http://www.cis.state.mi.us/bcs_corp/sr_corp.asp.

• Michigan Bureau of State Lottery **(517) 335-5780**.

- Liquor Control Commission, Michigan Department of Labor **(517) 322-1400**. To secure liquor license as well as information for fundraisers, receptions, events, etc. where alcohol may be served or sold. For information on posting campaign signs on buildings where alcohol is served or sold.