



STATE OF MICHIGAN  
TERRI LYNN LAND, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

**MEMORANDUM**

**DATE:** December 28, 2009  
**TO:** Candidate Committees Registered on the State Level  
**FROM:** Michigan Department of State, Bureau of Elections  
**SUBJECT:** **2010 CAMPAIGN STATEMENT FILING DEADLINES**

**Carefully read this memo to determine if the described filings are required of your committee during 2010.**

- **Covered in this memo:**

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This memorandum will be the main correspondence you will receive from the Bureau of Elections regarding your filing requirements for the 2010 calendar year. This memorandum is also available on our Web site: [www.Michigan.gov/sos](http://www.Michigan.gov/sos).

You will receive a postcard before each required filing. However, it will just be a reminder and will not contain all of the following information. In addition, committees that provide an up-to-date email address on the committee's Statement of Organization will receive an email filing reminder in addition to the postcard. See page 5 of this memo for information on filing an amendment to the Statement of Organization.

### **Updated Version of MERTS Plus Software**

An updated version of the MERTS Plus software is now available at [www.Mertsplus.com](http://www.Mertsplus.com). The new version has added features that afford greater usability and flexibility over the previous version. Current users of the software received an e-mail explaining how to obtain the new version and how it has changed. The memo can be found at [www.Michigan.gov/sos](http://www.Michigan.gov/sos). Select:

1. "Elections in Michigan"
2. "Campaign Finance Disclosure"
3. "Spotlight"

If you are not currently using the MERTS Plus software to file your Campaign Statements, you can go to [www.Mertsplus.com](http://www.Mertsplus.com) and take online training or sign-up to take training at the Bureau of Elections. After you have completed training, you will be provided with instructions on how to download the software.

### **Campaign Statement Filing Deadlines for 2010 Calendar Year**

Close of books for Annual reporting period	December 31, 2009
Annual Campaign Statement filing deadline	February 1, 2010
Close of books for Pre-Primary reporting period	July 18, 2010
Pre-Primary Campaign Statement filing deadline	July 23, 2010
<b>PRIMARY ELECTION</b>	<b>August 3, 2010</b>
Close of books for Post-Primary reporting period	August 23, 2010
Post-Primary Campaign Statement filing deadline	September 2, 2010
Close of books for Pre-General reporting period	October 17, 2010
Pre-General Campaign Statement filing deadline	October 22, 2010
<b>GENERAL ELECTION</b>	<b>November 2, 2010</b>
Close of books for Post-General reporting period	November 22, 2010
Post-General Campaign Statement filing deadline	December 2, 2010

### **Coverage Dates of Statements**

A Campaign Statement's opening date is the day after the closing date of the last Campaign Statement filed by the committee. If the committee has never filed Campaign Statements, the opening date of the first Campaign Statement filed is the earlier of the following two dates: 1) the committee's formation date or 2) the date the committee accepted its first contribution or made its first expenditure.

### **Forms; Number of Copies Required**

Forms for filing Campaign Statements are available on our Web site at [www.Michigan.gov/sos](http://www.Michigan.gov/sos).

- When filing on paper, one original copy of the Campaign Statement is required. A duplicate copy is not required.
- When filing electronically, a paper submission is not required.

### **Late Contribution Reports**

A Candidate Committee that participates in the August 3 primary and/or November 2 general election is required to file a "Late Contribution Report" if the committee receives a contribution of \$200.00 or more from a single contributor as indicated below.

<b>Election Date</b>	<b>Late Contribution Dates</b>
<b>August 3, 2010</b>	<b>07/19/2010 through 07/31/2010</b>
<b>November 2, 2010</b>	<b>10/18/2010 through 10/30/2010</b>

A Late Contribution Report must be received by this office within 48 hours after the committee's receipt of the contribution. A Late Contribution Report must contain the date and amount of the contribution along with the contributor's name, street address, occupation, employer and principal place of business. **The late contribution must be disclosed on the next Campaign Statement filed by the committee.**

Committees that file electronically must use e-IDR to file Late Contribution Reports. However, all committees are encouraged to use the e-IDR program voluntarily. Late filing fees will be assessed in instances where reports that must be submitted electronically are not filed using e-IDR.

To file using e-IDR, go to [www.Michigan.gov/sos](http://www.Michigan.gov/sos) and select:

1. "Elections in Michigan"
2. "Campaign Finance Disclosure"
3. "E-Filing"
4. "Immediate Disclosure Reports (e-IDR)"

For committees not required to file electronically the report may be submitted by fax or any other means of written communication. The fax number for the Bureau of Elections is (517) 373-0941. A Late Contribution Report need not contain an original signature. A form for filing a Late Contribution Report on paper is available on our Web site: [www.Michigan.gov/sos](http://www.Michigan.gov/sos).

- **Late Contribution Reports are not waived by a Reporting Waiver.** However, committees with a Reporting Waiver are not required to show late contributions on a Campaign Statement.

A committee treasurer or designated record keeper who fails to file a Late Contribution Report required under Michigan's Campaign Finance Act is responsible for the payment of a late filing fee up to \$2,000.00. NOTE: Appendix E of the Candidate Committee manual details how quickly this fee accumulates.

### **Ensure Timely Filing!**

A Campaign Statements that is hand-delivered or sent by first class mail must reach this office before 5:00 p.m. on the due date. Be sure to allow ample mailing time if sending first class.

An electronic filing sent via the Internet must be transmitted and received by the Bureau of Elections by 5:00 p.m. on the date the Campaign Statement is due.

An Annual or Post-Election Campaign Statement filed on paper or removable media that is mailed by registered mail, certified mail or an overnight delivery service and postmarked on or before the filing deadline will be viewed as a timely filing regardless of when it arrives.

A Pre-Election Campaign Statement filed on paper or removable media that is mailed by registered mail, certified mail or an overnight delivery service and postmarked two or more calendar days prior to the due date will be viewed as a timely filing regardless of when it arrives.

### **Avoid Late Filing Fees!**

Campaign Statements are required to be filed timely. Committees that file Campaign Statements late are assessed late filing fees.

A Candidate Committee that fails to file a required Annual Campaign Statement is assessed a late filing fee as follows:

- If the committee raised **\$10,000.00 or less** during the previous 2 years, a \$25.00 late filing fee will be assessed each business day the Statement remains unfiled up to a maximum of \$500.00
- If the committee raised **more than \$10,000.00** during the previous 2 years, a \$50.00 late filing fee will be assessed each business day the Statement remains unfiled up to a maximum of \$1,000.00.

A late filing fee for the Annual Campaign Statement must be paid by the candidate and cannot be paid with committee funds.

A Candidate Committee that fails to file a required Pre-Election or Post-Election Campaign Statement is assessed a late filing fee as follows:

- If the committee raised **\$10,000.00 or less** during the previous 2 years, a \$25.00 late filing fee will be assessed each business day the Statement remains unfiled up to a maximum of \$500.00.
- If the committee raised **more than \$10,000.00** during the previous 2 years, the maximum fee that can be assessed is increased to \$1,000.00.

### **Accurate Campaign Statements Required!**

Be sure to include complete and accurate information on the Statement forms. Notices will be sent to the committee if forms are omitted, figures or cumulatives are wrong, addresses are incorrect, etc. The committee is then required to file an amendment to correct the error. Note: For information on calculating cumulative contributions, see the [Election Cycles Chart](#) on our Web site.

- A Campaign Statement will not be accepted if it is illegible, does not bear the proper signature(s), is not the proper size, does not contain the Schedule(s) required to substantiate the information listed on the Summary Page, or is presented in a computerized format that has not been pre-approved by the Bureau of Elections.
- A Campaign Statement that is filed by removable media will not be considered filed if it cannot be loaded due to circumstances that are not within the Department's control including missing files, incorrect file attachments or corrupt files.
- A Campaign Statement submitted on paper by a committee required to file electronically will not be accepted.

### **Statement of Organization Amendments Required With Campaign Statement**

We urge you to review your committee's Statement of Organization before you file a Campaign Statement. If any information on the Statement of Organization has changed, be sure to file an appropriate amendment to the form no later than the due date of the Campaign Statement. The committee is encouraged to file an amended Statement of Organization as soon as a change of information takes place. An amended Statement of Organization cannot be filed electronically.

If a committee has a Reporting Waiver and is not required to file Campaign Statements, amendments to the Statement of Organization may be filed any time information on the form changes.

To download a Statement of Organization form for Candidate Committees go to [www.Michigan.gov/sos](http://www.Michigan.gov/sos) and select:

1. "Elections in Michigan"
2. "Campaign Finance Disclosure"
3. "Forms and Filing Materials"
4. "Candidate\Gubernatorial Committees"

Committees are responsible for notifying the Bureau of Elections when the committee's mailing address changes. Failure to receive correspondence from the Bureau of Elections is not a defense for failing to file a required Statement in a timely manner.

### **Committees Exempt From Filing the Annual Campaign Statement**

A Candidate Committee that does not fall into one of the following exemptions must file the Annual Campaign Statement:

- Has a Reporting Waiver or qualifies for and obtains a Reporting Waiver on or before February 1, 2010. (The Reporting Waiver exemption is discussed in greater detail later in this memo.)
- An officeholder whose salary is less than \$100.00 a month. **PLEASE NOTE:** To be eligible for this exemption, the committee must not have received any contributions or made any expenditures during the period of time covered by the Annual Campaign Statement.

- Files a Post-General Campaign Statement during December 2009.
- An incumbent judge.

### **Pre-Election and Post-Election Campaign Statements**

A Candidate Committee must file the Pre-Election and Post-Election Campaign Statements if the candidate's name appears on the August 3 primary and/or November 2 general election ballots or if the candidate receives or spends funds in connection with a write-in campaign.

**NOTE:** A write-in candidate who is nominated at the primary election who did not receive or spend any funds in connection with the campaign should contact the Bureau of Elections in Lansing for filing instructions.

### **Reporting Waiver Provisions**

A Candidate Committee is exempt from the Campaign Statement filing requirements if it currently has a Reporting Waiver or qualifies for and obtains a Reporting Waiver on or before the due date of a required Campaign Statement. A Candidate Committee that does not expect to receive or spend more than \$1,000.00 for any election is eligible for a Reporting Waiver.

To become eligible for a Reporting Waiver, the Candidate 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 for any election. The committee can check item 10 on its original Statement of Organization or on an amendment to its Statement of Organization.

- A Reporting Waiver cannot be obtained between the Pre-Election Campaign Statement and the Post-Election Campaign Statement. A Candidate Committee that is required to file a Pre-Election Campaign Statement must also file a Post-Election Campaign Statement.
- A Candidate 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 Campaign Statements regardless of the amount received or spent during the reporting period.
- A Candidate Committee loses its Reporting Waiver if it receives or spends more than \$1,000.00 for an election. Funds held by the committee after the date of an election count toward the "amount received" for the next election. If the Reporting Waiver is lost, the committee must file the next required Campaign Statement.

### **Dissolution Information**

Committees that no longer participate in Michigan elections are encouraged to dissolve. A dissolved committee has no further filing obligations. Please refer to the Candidate Committee manual for additional details on dissolving the committee.

**Questions?**

If you have any questions, please phone us at (517) 373-2540 or write us at the address indicated below. The address below should also be used to mail your filing by first class mail, registered mail or certified mail.

Michigan Department of State  
Bureau of Elections  
Post Office Box 20126  
Lansing, Michigan 48901-0726  
Email: [Disclosure@Michigan.gov](mailto:Disclosure@Michigan.gov)

If you would like to visit our office or use an overnight delivery service, the address below is provided.

Michigan Department of State  
Bureau of Elections  
Richard H. Austin Building, 1<sup>st</sup> Floor  
430 West Allegan Street  
Lansing, Michigan 48933

Enclosures: 2010 Campaign Finance Reporting Dates to Remember