



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

MEMORANDUM

DATE: December 28, 2012
TO: Statewide Ballot Question Committees
FROM: Michigan Department of State, Bureau of Elections
SUBJECT: **2013 Campaign Finance Filing Deadlines**

KEEP FOR EASY AND QUICK REFERENCE!

Carefully read this memo to determine if the described filings are required of your committee. This memo provides all filing information for 2013. Please keep this in a handy place for easy and quick reference.

- **Covered in this Memo:**

- **Electronic Filing Requirement**
- **Updated Version of MERTS Software**
- **Reporting Waiver Provisions**
- **Campaign Statement Filing Deadlines for 2013 Calendar Year**
- **Coverage Dates of Statements**
- **Forms; Number of Copies Required**
- **Late Contribution Reports – Failing to File will be Expensive!**
- **Ensure Timely Filing**
- **Avoid Late Filing Fees!**
- **Accurate Campaign Statements Required**
- **Statement of Organization Amendments Required With Campaign Statement**
- **Identification Requirements**
- **Dissolution Information**
- **Questions?**

This memorandum will be the main correspondence you will receive from the Bureau of Elections regarding your filing requirements for the 2013 calendar year and is available on our web site: www.Michigan.gov/elections. In addition, it is the only reminder you will receive by regular mail to file the 2013 Annual Campaign Statement.

In addition to this memorandum, committees that provide an up-to-date email address on the committee's Statement of Organization will receive an email filing reminder. Information on

filing an amendment to the Statement of Organization is covered later in this memo. Follow us on Twitter @MichCFR for additional filing reminders.

Electronic Filing Requirement

Committees that received or spent \$20,000.00 or more in the preceding calendar year or that expect to receive or expend \$20,000.00 or more in the current calendar year are required by law to file electronically. A committee may become subject to the electronic filing requirement mid-year if its contributions or expenditures equal or exceed \$20,000.00. A committee that has reached the \$20,000.00 threshold since 2004 is required to continue filing electronically even if the committees balance falls below \$20,000.00. Committees that are not required to file electronically are encouraged to voluntarily file electronically.

Electronic filing software for filing Campaign Statements is provided free of charge. A separate internet application is provided for filing Late Contribution Reports. For additional information on filing electronically, go to www.Michigan.gov/elections and select:

1. "Campaign Finance Disclosure"
2. "E-Filing"

Updated Version of MERTS Software

An updated version of the MERTS software is now available at www.Mertsplus.com. The new version provides for the filing of the quarterly campaign statements required by legislation enacted in July of 2012.

If you are not currently using the MERTS software to file your Campaign Statements, you can go to www.Mertsplus.com for instructions on downloading and using the MERTS software.

Reporting Waiver Provisions

A committee that does not expect to receive or spend more than \$1,000.00 for any election is eligible for a [Reporting Waiver](#). A committee that qualifies for, and receives a Reporting Waiver is exempt from filing Campaign Statements.

- 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 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 committee that does not check item 10 on its Statement of Organization must file Campaign Statements regardless of the amount received or spent during the reporting period.

- A committee automatically 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.

Campaign Statement Filing Deadlines for 2013 Calendar Year

Please read this section carefully as the requirements for filing campaign statements have changed from previous years.

Ballot Question Committees that do not maintain a Reporting Waiver are required to file Pre and Post Election Campaign Statements for any election in which the committee makes an expenditure to support or oppose a ballot question on the ballot. The Pre and Post Election Campaign Statements are required according to the schedule provided below. When a committee files a Pre-Election Campaign Statement, the corresponding quarterly campaign statement as listed below may be waived. For example, if the committee filed a Pre-Election Campaign Statement for the 2013 May Election, the April Quarterly Campaign Statement is waived. If the committee is required to file the Pre-Election Campaign Statement, the Post-Election Campaign Statement must be filed as well. If the committee is not required to file pre and post election campaign statements, the quarterly statements listed below are required to be filed. Contact the Bureau of Elections if you have any questions concerning the required filings. The *2013 Dates to Remember Card* that provides specific Pre and Post Election Campaign Statement filing dates for 2013 is enclosed for your convenience as well.

2013 Close of books for Pre-Election CS	16 days before election date
2013 Pre-Election CS filing deadline	11 days before election date
2013 Close of books for Post-Election CS	20 days after election date
2013 Post-Election CS filing deadline	30 days after election date

If the committee does not file the Pre and Post Election Campaign Statements as explained above, the committee must file the following campaign statements during 2013.

2013 Close of books for Annual reporting period	December 31, 2012
2013 Annual Campaign Statement filing deadline	January 31, 2013
(Waived if the Committee filed a Post-General Campaign Statement during December 2012)	

2013 Close of books for February Quarterly CS	February 10, 2013
2013 February Quarterly CS filing deadline	February 15, 2013
(Waived if Pre-Election is filed for 2013 February Election)	

2013 Close of books for April Quarterly CS	April 20, 2013
2013 April Quarterly CS filing deadline	April 25, 2013
(Waived if Pre-Election is filed for 2013 May Election)	

2013 Close of books for July Quarterly CS
2013 July Quarterly CS filing deadline
(Waived if Pre-Election is filed for 2013 August Election)

July 20, 2013
July 25, 2013

2013 Close of books for October Quarterly CS
2013 October Quarterly CS filing deadline
(Waived if Pre-Election is filed for 2013 November Election)

October 20, 2013
October 25, 2013

2014 Close of books for Annual reporting period
2014 Annual Campaign Statement filing deadline

December 31, 2013
January 31, 2014

Petition Proposal Campaign Statement: A state level Ballot Question Committee that participates in the filing of a petition proposal as required by MCL 168.483a of Michigan Election Law is required to file the Petition Proposal Campaign Statement according to the following schedule. **This statement is not waived by the Reporting Waiver.**

2013 Close of books for Petition Proposal CS
2013 Petition Proposal CS filing deadline

28 days following filing date
35 days following filing date

Note: The **close of books** date is the cut off date or the last date covered by the statement. The committee is not required to provide information on the statement beyond the close of books.

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 through the close of books for the Campaign Statement. If the committee has never filed a Campaign Statement, 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.

The **close of books** date is the cut off date or the last date covered by the statement. The committee is not required to provide information on the statement beyond the close of books.

Forms; Number of Copies Required

A Committee required to file electronically cannot file paper forms in lieu of filing electronically. See the *Electronic Filing Requirement* section above for more information. If the committee is eligible to file on paper, [forms](#) for filing Campaign Statements are available on our web site at www.Michigan.gov/elections.

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

Late Contribution Reports – Failing to File will be Expensive!

A Ballot Question Committee that participates in an election in 2013 is required to file a "Late Contribution Report" if the committee meets both conditions stipulated below:

- Makes an expenditure during the late contribution reporting period to a ballot question appearing on the ballot; and
- Receives a single contribution or cumulative contribution from the same person of \$2,500.00 during the late contribution reporting period. See chart below.

Election Date	Late Contribution Reporting Period
February 26, 2013	02/11/2013 through 02/23/2013
May 7, 2013	04/22/2013 through 05/04/2013
August 6, 2013	07/22/2013 through 08/03/2013
November 5, 2013	10/21/2013 through 11/2/2013

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 also be disclosed on the next Campaign Statement filed by the committee.**

Committees that file electronically must use [e-IDR](#) (Immediate Disclosure Reporting) to file Late Contribution Reports. However, committees that file paper reports 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/elections and select:

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

For committees not required to file electronically and that choose not to use the e-IDR Internet application, 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 at www.Michigan.gov/elections.

- Late Contribution Reports are not waived by the 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 Ballot Question Committee Manual details how quickly this fee accumulates.**

Ensure Timely Filing

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.

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

An Annual, Post-Election or Quarterly 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](#). The fees are assessed in prescribed increments for every business day the statement remains unfiled and can reach as much as \$2,000.00 per statement. Appendix E of the Ballot Question Committee Manual details how these fees accumulate.

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 left off, figures are wrong, addresses are incorrect, etc. The committee is then required to file an amendment to correct the error.

- A Campaign Statement submitted on paper by a committee required to file electronically will not be accepted.
- 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 will not be accepted if it is illegible, does not bear a proper signature or is not the proper size.

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 Ballot Question Committees go to www.Michigan.gov/elections and select:

3. "Campaign Finance Disclosure"
4. "Forms and Filing Materials"
5. "Ballot Question Committee"

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.

Identification Requirements

Ballot Question Committees are required to add the statement "**paid for with regulated funds**" to the identification or disclaimer included on printed matter or in paid radio or television advertisements. The use of the phrase, "Paid for with regulated funds by (name and address of committee)" is recommended. See [Appendix J](#) of the Political Party Manual for more information.

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 Ballot Question Committee manual for additional details on dissolving the committee. See [Appendix W](#) of the Political Party Manual for more information.

Questions?

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

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Lansing, Michigan 48901-0726
Email: Disclosure@Michigan.gov
Follow us on Twitter @MichCFR

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

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