



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

**MEMORANDUM**

**DATE:** January 7, 2015  
**TO:** Political Party Committees  
**FROM:** Michigan Department of State, Bureau of Elections  
**SUBJECT:** 2015 Campaign Finance Filing Deadlines

**KEEP AND REFERENCE THROUGH 2015**

Carefully read this memo to determine if the described filings are required of your committee. This memo provides filing information for 2015. Please keep this in a handy place for easy and quick reference.

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**Filing Reminder Communications**

This memorandum or memo will be the main correspondence you will receive from the Bureau of Elections regarding your filing requirements for the 2015 calendar year. It is also available on our Website: [www.Michigan.gov/elections](http://www.Michigan.gov/elections). Select “[Campaign Finance Disclosure](#)” on the left and find it in the “Spotlight” section.

The following reminders will be sent by the Bureau of Elections. All reminders are sent as a courtesy. Failure to receive a reminder does not exempt the committee from filing statements timely.

- This memo serves as a reminder to file the 2015 Annual Campaign Statement due on February 2, 2015. No postcard reminder will be sent by regular mail for the 2015 Annual Campaign Statement.
- The Bureau of Elections will send a postcard or other regular mail reminder before the pre-election and post-election statements for the Special May 5, 2015 statewide election to the committee mailing address on record. A reminder will also be sent before the July and October Quarterly Campaign Statements. No regular mail reminder will be sent for the February Election, August Primary or November General Election pre/post statements.
- The Bureau of Elections will send an email reminder before the pre-election and post-election statements for the Special May 5, 2015 statewide election to the committee email address on record. An email reminder will also be sent before the July and October Quarterly Campaign Statements. No email reminder will be sent for the February Election, August Primary or November General Election pre/post statements.
- Finally, the Bureau of Elections will post filing reminders on Twitter @MichCFR.

Committees are encouraged to keep the committee's information up-to-date to ensure that the reminders that are sent by the Bureau are received by the committee. Amending the Statement of Organization form is outlined later in this memo.

### **Electronic Filing Requirement**

Committees that spent or received \$5,000.00 or more in 2014 or that expect to spend or receive \$5,000.00 or more in 2015 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 \$5,000.00. In this case, the committee is required to **notify this office within 10 business days of reaching the threshold** and must file all subsequent statements electronically. Once the electronic filing requirement is met, a committee is required to continue filing electronically even if the committee's balance falls below \$5,000.00. 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](http://www.michigan.gov/elections).

1. [“Campaign Finance Disclosure”](#)
2. [“E-Filing”](#)

### **Tips for MERTS Users**

**Back up your MERTS file!** Having an extra copy of your file on a separate removable media is essential to ensure the committee is able to file accurate statements in the event of a catastrophic loss of data. It happens more often than you think! The Bureau of Elections does not have a copy of the committee's .DCF or back-up file.

**Only create one file for the committee.** To ensure accurate filings, the committee must use and create only one file in MERTS. A new report is created in the **Reports Tab**, not by creating a new committee file. After your initial set up of the committee, always select "**Open an Existing Committee**" upon opening the software.

**Create Campaigns.** Instructions for creating Campaigns in the software can be found in the [MERTS User Guide](#). Using Campaigns ensures that the software is able to report cumulative totals accurately and the committee files complete and accurate statements. Committees that do not complete the campaigns will receive a Notice of Error or Omission requesting the missing information.

**Start entering data early and file early.** Don't wait for the Close of Books to begin adding information. The data can be saved and changed as needed before the filing deadline. Don't forget to **back-up** the file after each session.

### **Webinar Training Schedule**

The 2015 MERTS and Compliance Training Schedule is posted on our website at [www.michigan.gov/elections](http://www.michigan.gov/elections). Select "[Campaign Finance Disclosure](#)" on the left and find it in the "Spotlight" section.

### **Campaign Statement Filing Deadlines for the 2015 Calendar Year**

A Political Party Committee owes the Annual Campaign Statement and pre and/or post-election campaign statements corresponding to each election in which the committee participates in by supporting or opposing a candidate or ballot proposal on a ballot during 2015. If the committee does not support or oppose a candidate during 2015, the committee must file the July and October Quarterly Campaign Statements. For a full schedule see our [2015 & 2016 Campaign Statement Due Dates](#) schedule on our website.

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

December 31, 2014  
February 2, 2015 by 5:00pm

If the committee participates in the Special May Statewide Ballot Proposal:

Close of books for Pre-May Election reporting period	April 19, 2015
Pre-May Election Campaign Statement filing deadline	April 24, 2015 by 5:00pm
<b>MAY ELECTION</b>	<b>MAY 5, 2015</b>
Close of books for Post-May Election reporting period	May 25, 2015
Post-May Election Campaign Statement filing deadline	June 4, 2015 by 5:00pm

Close of books for July Quarterly	July 20, 2015
July Quarterly filing deadline	July 27, 2015 by 5:00pm

Close of books for October Quarterly	October 20, 2015
October Quarterly filing deadline	October 26, 2015 by 5:00pm

Note: These statements are waived by the Reporting Waiver. A Reporting Waiver maintained by Political Party Committee is lost if the committee spends or receives more than \$1,000.00 during the course of the year, has an account balance over \$1,000.00 or has over \$1,000.00 in debts.

### **Annual Campaign Statement Exemption**

A Political Party Committee that does not fall under one of the following exemptions must file the Annual Campaign Statement:

- Currently has a Reporting Waiver or qualifies for and obtains a Reporting Waiver by amending the Statement of Organization on or before February 2, 2015. (The Reporting Waiver exemption is discussed in greater detail later in this memo.)
- Filed a Post-General Campaign Statement due during December 2014.

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

A Political Party Committee must file pre and/or post-election campaign statements based on its participation in an election. A Political Party Committee participates in an election by:

- making an expenditure to support or oppose a candidate whose name appears on the ballot;
- making an expenditure to support or oppose a candidate involved in a write in campaign;
- making an expenditure to support or oppose a ballot question on the ballot; or
- making an expenditure for a get-out-the-vote activity related to the election.

The following decision tree is provided to assist Political Party Committees to determine what pre and/or post-election statement is owed. Notices of Late Filing Fee due will be sent for missed campaign statements.

1. Note the date of the expenditure.
2. Note the date of the related election for the expenditure.
  - If the expenditure has been reported on a previous campaign statement, no additional reporting is required.
  - If the expenditure has not yet been reported review the pre and post-election campaign statement due dates for the election.
    - If the date of the expenditure is on or before the close of books for the pre-election campaign statement, the committee must file the pre-election campaign statement covering all of the committee activity through the close date of the statement.
    - If the date of the expenditure is after the close of books for the pre-election campaign statement, the committee must file the post-election campaign statement covering all of the committee activity through the close date of the statement.

Political Party Committees are required to file two (2) additional quarterly campaign statements in a year that the committee does not support or oppose **candidates**. This means that the committee cannot file two (2) Annual Campaign Statements consecutively without an intervening pre/post or quarterly statement. The July and October Quarterly Campaign Statement due dates are detailed above under the *Campaign Statement Filing Deadline for the 2015 Calendar Year* section. Because the requirement to file the July and October Quarterly Campaign Statements is based on the **absence of participation**, it is recommended that the statements be filed if the committee has not yet supported or opposed a candidate in an election in 2015 by the statement close of books to ensure that the committee does not inadvertently incur late filing fees. Notices of Late Filing Fee due will be sent for missed campaign statements.

### **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 date the committee accepted its first contribution or made its first expenditure or
- 2) the committee's formation date.

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

A committee that is subject to the mandatory electronic filing requirement 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 website at [www.Michigan.gov/elections](http://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.

**48 Hour Reports/Late Contribution Reports – Failing to File will be Expensive!**

A Political Party Committee that participates in an election in 2015 is required to file a "[48 Hour/Late Contribution Report](#)" if the committee meets both conditions stipulated below:

- Makes an expenditure during the late contribution reporting period to a ballot question or candidate 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.

<b>Election Date</b>	<b>Late Contribution Reporting Period</b>
<b>February 24, 2015</b>	<b>02-9-2015 through 02-21-2015</b>
<b>May 5, 2015</b>	<b>04-20-2015 through 05-02-2015</b>
<b>August 4, 2015</b>	<b>07-20-2015 through 08-01-2015</b>
<b>November 3, 2015</b>	<b>10-19-2015 through 10-31-2015</b>

A 48 Hour/Late Contribution Report must be received by this office within 48 hours after the committee's receipt of the contribution. A 48 Hour/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.

**SPECIAL NOTE: Late filing fees will be assessed for missed late contributions that are not reported timely and later reported on a campaign statement.**

Committees that file electronically must use e-IDR (Immediate Disclosure Reporting) to file 48 Hour/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](http://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 48 Hour/Late Contribution Report need not contain an original signature. A form for filing a 48 Hour/Late Contribution Report on paper is available on our website at [www.Michigan.gov/elections](http://www.Michigan.gov/elections).

- 48 Hour/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 48 Hour/Late Contribution Report is responsible for the payment of a late filing fee up to \$2,000.00. **NOTE: [Appendix E](#) of the Political Party Committee Manual details how quickly this fee accumulates.**

### **Ensure Timely Filing**

An electronic filing that is 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 due date. Be sure to allow ample mailing time if sending first class.

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.

A July or October Quarterly 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 Political Party Committee that fails to file a required Annual Campaign Statement is assessed a late filing fee as follows:

- A \$25.00 late filing fee will be assessed each business day the Statement remains unfiled up to \$500.00.

A Political Party Committee that fails to file a required Pre-Election, Post-Election or Quarterly 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 \$500.00.
- If the committee raised **more than \$10,000.00** during the previous 2 years, a late filing fee will be assessed each business day the Statement remains unfiled up to \$1,000.00.
- A campaign statement submitted on paper by a committee required to file electronically will not be accepted.

### **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 cumulative totals are wrong, required information is missing, 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 website.**

- A campaign statement will not be accepted if it is illegible, does not bear a proper signature or is not the proper size.
- 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.

### **Reporting Waiver Provisions**

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

To become eligible for a Reporting Waiver, the committee must check YES to item 10 on its Statement of Organization and file the Statement of Organization on or before the applicable filing deadline. This tells the filing official that the committee does not expect to spend or receive more than \$1,000.00 in a calendar year. The committee can check YES to item 10 on its original Statement of Organization or on an amendment to its Statement of Organization.

- A committee that does not check YES to 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 spends or receives more than \$1,000.00 in a calendar year. Note that funds leftover at the end of the year count toward the amount received for the next calendar year. If the Reporting Waiver is lost, the committee must file the next required campaign statement.



### **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 Political Party Committees go to [www.Michigan.gov/elections](http://www.Michigan.gov/elections) and select:

1. [“Campaign Finance Disclosure”](#)
2. [“Political Party 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**

Political Party 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.

PA 252 signed by the Governor on December 27, 2013 with immediate effect requires committees to provide an identification statement on mass mailings that in express terms advocate the election or defeat of a clearly identified candidate or ballot question. “Mass mailing” means a mailing by United States mail or facsimile of more than 500 pieces of mail matter of an identical or substantially similar nature within any 30-day period.

In addition, the amendment requires committees to provide an identification statement on prerecorded telephone messages or robo-calls that in express terms advocates the election or defeat of a clearly identified candidate or ballot question. The identifier must contain the name, telephone number, address or other contact information of the person paying for the robo-call.

### **Dissolution Information**

Committees that no longer participate in Michigan elections are encouraged to promptly dissolve. A dissolved committee has no further filing obligations. Please refer to the Political

Party 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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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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