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

MEMORANDUM

DATE: December 16, 2011
TO: Political Party Committees
FROM: Michigan Department of State, Bureau of Elections
SUBJECT: **2012 Campaign Finance Filing Deadlines – UPDATED 10/12**

Carefully read this memo to determine if the described filings are required of your committee. This memo provides all filing information for 2012. Please keep this in a handy place for easy and quick reference.

- **Covered in this memo:**

  Electronic Filing Requirement
  Updated Version of MERTS Software
  Campaign Statement Filing Deadlines for the 2012 Calendar Year
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This memorandum will be the main correspondence provided by the Bureau of Elections regarding filing requirements for the 2012 calendar year. This memorandum is also available on our Web site: www.Michigan.gov/elections.

A postcard will be sent 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. 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 has added features that afford greater usability and flexibility over the previous version. Current users of the software received a memorandum explaining how to obtain the new version and how it has changed. The memo can be found at www.Michigan.gov/elections. You must switch to the new software version as soon as possible. Select:

1. "Campaign Finance Disclosure"
2. "Spotlight"

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.

Campaign Statement Filing Deadlines for the 2012 Calendar Year

Close of books for Annual reporting period	December 31, 2011
Annual Campaign Statement filing deadline	January 31, 2012
Close of books for Pre-Primary reporting period	July 22, 2012
Pre-Primary Campaign Statement filing deadline	July 27, 2012
PRIMARY ELECTION	**August 7, 2012**
Close of books for Post-Primary reporting period	August 27, 2012
Post-Primary Campaign Statement filing deadline	September 6, 2012
Close of books for Pre-General reporting period	October 21, 2012
Pre-General Campaign Statement filing deadline	October 26, 2012
GENERAL ELECTION	**November 6, 2012**
Close of books for Post-General reporting period	November 26, 2012
Post-General Campaign Statement filing deadline	December 6, 2012

Note: A Reporting Waiver maintained by Candidate Committee is lost if the committee receives or spends more than $1,000.00 during for any election.

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 required to file electronically cannot file paper forms in lieu of filing electronically. See the *Electronic Filing Requirement* section above form 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! –UPDATED 10/12

A Political Party Committee that participates in an election in 2012 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 candidate or 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 28, 2012	**02/13/2012 through 02/25/2012**
May 8, 2012	**04/23/2012 through 05/05/2012**
August 7, 2012	**07/23/2012 through 08/04/2012**
November 6, 2012	**10/22/2012 through 11/3/2012**

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 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 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.

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 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 $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.

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, 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 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.

- 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 Political Party Committees go to www.Michigan.gov/elections and select:

1. "Campaign Finance Disclosure"
2. "Forms and Filing Materials"
3. "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.

Annual Campaign Statement

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 on or before January 31, 2012. (The Reporting Waiver exemption is discussed in greater detail later in this memo.)

- Files a Post-General Campaign Statement during December 2011.

Pre-Election and Post-Election Campaign Statements

A Political Party Committee must file Pre-Election and 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.

After a Political Party Committees makes an expenditure outlined above, the following chart can be used to determine the campaign statements required of the committee.

Campaign Statement Owed:	**If Expenditure is Between These Dates:**
Pre-Primary Campaign Statement	**By July 22**
Post Primary Campaign Statement	**July 23 and August 27**
Pre-General Campaign Statement	**August 28 and October 21**
Post-General Campaign Statement	**October 22 and November 26**

The Pre-Election and Post-Election Campaign Statements also apply to committees that participate in local elections held on February 28, 2012 and May 8, 2012. See the "2012 Campaign Finance Reporting Dates to Remember" insert for details.

Reporting Waiver Provisions

A committee that does not expect to receive or spend 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.

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 a calendar year. 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 loses its Reporting Waiver if it receives or spends 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.

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.

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 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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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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2012 CFR Dates
2012 Training Schedule