



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

**MEMORANDUM**

**DATE:** January 13, 2014  
**TO:** Political Party Committees  
**FROM:** Michigan Department of State, Bureau of Elections  
**SUBJECT:** **2014 Campaign Finance Filing Deadlines**

2013 AMENDMENTS TO THE MICHIGAN CAMPAIGN FINANCE ACT ARE IN EFFECT!

Carefully read this memo to determine if the described filings are required of your committee. This memo provides all filing information for 2014. 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 2014 calendar year. It is also available on our Web site: [www.Michigan.gov/elections](http://www.Michigan.gov/elections).

The following reminders will be sent by the Bureau of Elections.

- This memo serves as a reminder to file the 2014 Annual Campaign Statement due on January 31, 2014, in addition to the other filing requirements outlined in the memo. No additional reminder will be sent by regular mail for the 2014 Annual Campaign Statement.
- The Bureau of Elections will send a postcard reminder before the pre-election and post-election statements for the August Primary and November General elections to the mailing address on record. No reminder postcards will be sent for the February or May election statements
- The Bureau of Elections will send an email reminder before the pre-election and post-election statements for the August Primary and November General elections to committees that have provided up at least one up-to-date email address on the committee's Statement of Organization. All email addresses provided will be used to notify the committee. No reminder emails will be sent for the February or May election 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 reminders that are sent by the Bureau are received by the committee. All reminders are sent as a courtesy. Failure to receive a reminder does not exempt the committee from filing statements timely, and does not excuse the assessment of late filing fees. The process for amending the Statement of Organization form is outlined later in this memo.

### **Electronic Filing Requirement and MERTS Software – NEW LOWER THRESHOLD!**

Committees that spent or received \$5,000.00 or more in 2013 or that expect to spend or receive \$5,000.00 or more in 2014 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. A committee that has reached the \$5,000.00 threshold is required to continue filing electronically even if the committee's balance falls below \$5,000.00. Committees that were previously required to file electronically are required to continue to file electronically. The lower threshold does not reset the electronic filing requirement. Committees that are not required to file electronically are encouraged to voluntarily file electronically.

**NOTE PA 258 SIGNED BY THE GOVERNOR ON DECEMBER 27, 2013 LOWERS THE ELECTRONIC FILING THRESHOLD FROM \$20,000 TO \$5,000 WITH IMMEDIATE**

**EFFECT. THIS MEANS THAT YOUR COMMITTEE IS REQUIRED TO FILE THE 2014 ANNUAL CAMPAIGN STATEMENT DUE JANUARY 31, 2014 ELECTRONICALLY IF IN 2013 YOUR COMMITTEE SPENT OR RECEIVED \$5,000.00 OR MORE.**

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) and select:

1. “Campaign Finance Disclosure”
2. “E-Filing”

If you are not currently using the MERTS software to file your Campaign Statements, you can go to [www.Mertsplus.com](http://www.Mertsplus.com) for instructions on downloading and using the MERTS software.

**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!

**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 track contribution limits to candidates, report cumulative totals accurately and the committee files complete and accurate statements. Committees that do not complete the *Campaigns* tab information 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.

**Campaign Statement Filing Deadlines for the 2014 Calendar Year**

Close of books for Annual reporting period	December 31, 2013
Annual Campaign Statement filing deadline	January 31, 2014, by 5:00pm
Close of books for Pre-Primary reporting period	July 20, 2014
Pre-Primary Campaign Statement filing deadline	July 25, 2014; by 5:00pm
<b>PRIMARY ELECTION</b>	<b>August 5, 2014</b>
Close of books for Post-Primary reporting period	August 25, 2014
Post-Primary Campaign Statement filing deadline	September 4, 2014; by 5:00pm

Close of books for Pre-General reporting period	October 19, 2014
Pre-General Campaign Statement filing deadline	October 24, 2014; by 5:00pm
<b>GENERAL ELECTION</b>	<b>November 4, 2014</b>
Close of books for Post-General reporting period	November 24, 2014
Post-General Campaign Statement filing deadline	December 4, 2014; by 5:00pm

Note: These statements are waived for any committee that amends its Statement of Organization to claim the Reporting Waiver. The Reporting Waiver is automatically lost if the committee spends or receives more than \$1,000.00 for any election.

### **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 by amending the Statement of Organization on or before January 31, 2014. (The Reporting Waiver exemption is discussed in greater detail later in this memo.)
- Files a Post-General Campaign Statement during December 2013.

### **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 Committee makes an expenditure outlined above, the following chart can be used to determine which campaign statements required of the committee.

#### **Campaign Statement Owed:**

#### **If Expenditure is Between These Dates:**

**Pre-Primary Campaign Statement**  
**Post-Primary Campaign Statement**  
**Pre-General Campaign Statement**  
**Post-General Campaign Statement**

**By July 20**  
**July 21 and August 25**  
**August 26 and October 19**  
**October 20 and November 24**

The Pre-Election and Post-Election Campaign Statements also apply to committees that participate in local elections held on February 25, 2014 and May 6, 2014. See the "2014 Campaign Finance Reporting Dates to Remember" insert for details.

**ADDITIONAL FILINGS REQUIRED IN OFF-ELECTION YEARS!**

PA 252 signed by the Governor on December 27, 2013 with immediate effect requires committees to file additional campaign statements each year in which there is no election that the committee supports or opposes a candidate. Political Party Committees are now required to file two (2) additional campaign statements in a year that the committee does not support or oppose candidates. The new statements are detailed below.

STATEMENT	CLOSING DATE	DUE DATE
JULY QUARTERLY	JULY 20	JULY 25
OCTOBER QUARTERLY	OCTOBER 20	OCTOBER 25

Statement due dates that fall on a weekend or state holiday are due on the next business day.

**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 Web Site 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.

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

A Political Party Committee that participates in an election in 2014 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 multiple contributions from the same person with a cumulative total of \$2,500.00 or more during the late contribution reporting period. See chart below.

<b>Election Date</b>	<b>Late Contribution Reporting Period</b>
<b>February 25, 2014</b>	<b>02/10/2014 through 02/22/2014</b>
<b>May 6, 2014</b>	<b>04/21/2014 through 05/03/2014</b>
<b>August 5, 2014</b>	<b>07/21/2014 through 08/02/2014</b>
<b>November 4, 2014</b>	<b>10/20/2014 through 11/1/2014</b>

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

- ✓ **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 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 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](http://www.Michigan.gov/elections).

- **Note: The obligation to file Late Contribution Reports is 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.

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 on or before the filing deadline** 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 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.

### **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. "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.

### **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.

### **SPECIAL INFORMATION; NEW HIGHER CONTRIBUTION LIMITS!**

PA 252 signed by the Governor on December 27, 2013 with immediate effect amends Sections 52, 52a, and 69, doubling contribution limits for all offices indicated below and caucus committees. See chart below for new contributions limits. These limits take immediate effect and apply to any contributions received on or after December 27, 2013.

<b>Office/Population</b>	<b>Previous Limit per Election Cycle for an Individual and political committee</b>	<b>New Limit per Election Cycle for an Individual and political committee</b>	<b>New Limit per Election Cycle for an Independent committee with status</b>
State Representative and Districts with a population up to 85,000.	\$500.00	\$1,000.00	\$10,000.00
State Senate and Districts with a population up to 85,001 – 250,000.	\$1,000.00	\$2,000.00	\$20,000.00
Statewide Offices and Districts with a population over 250,000.	\$3,400.00	\$6,800.00	\$68,000.00
Gubernatorial Committee accepting public funding.	\$3,400.00	\$6,800.00	\$68,000.00
Caucus Committee (Per Calendar Year)	\$20,000.00	\$40,000.00	\$40,000.00

In addition, the bill allows committees to accept up to \$1000.00 per calendar year in food and beverage from a donor without it affecting the donor's contribution limit. The threshold previously was \$100.00.

**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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 Bureau of Elections  
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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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