



April 7, 1978

Mr. J. Edward Wyszynski, Jr.
Macomb County Republican Committee
Two Crocker Boulevard
Mt. Clemens, Michigan 48043

Dear Mr. Wyszynski:

This is in response to your request for a declaratory ruling concerning the applicability of the Campaign Finance Act, P.A. 388 of 1976 ("the Act") to a credit card system for acceptance of contributions.

You indicate the Macomb County Republican Committee ("the MCRC") has been contemplating implementation of a credit card system for acceptance of contributions. A bank, other than the one in which the MCRC's official depository is located, has offered the organization better collection rates. You state it will be necessary to open and maintain a checking account at the second bank in order to avail the MCRC of the better offer.

You question whether it is permissible to maintain an auxiliary checking account provided all funds prior to their expenditure are deposited in the MCRC's official depository as recorded on the MCRC's statement of organization.

Section 21 of the Act (MCLA § 169.221) provides "secondary depositories shall be used for the sole purpose of depositing contributions and promptly transferring the deposits to the committee's official depository." Section 24 of the Act (MCLA § 169.224) indicates a committee's statement of organization must include "the name and address of each financial institution in which a secondary deposit is or is intended to be located."

An auxiliary account of the type contemplated in your letter may be considered a secondary depository. However, a committee which establishes a secondary depository must file an amendment to its statement of organization within 10 days if a statement has been filed.

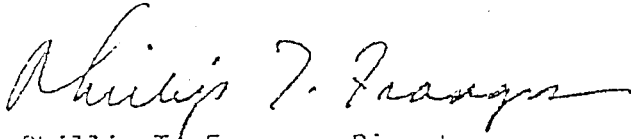
In accepting contributions made through credit cards, the committee treasurer should obtain all information concerning the contributor required by the reporting provisions of the Act. For example, Section 29 of the Act (MCLA § 169.229) requires a political committee to state the full name, address, occupation, employer, and principal place of business for each person who contributed more than \$200.00 to the committee.

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In view of the fact your letter was general in nature and lacked the specificity required by Section 63 of the Michigan Administrative Procedures Act (MCLA § 169.263), which establishes the criteria for requesting and issuing a declaratory ruling, this response may be considered as informational only and not as constituting a declaratory ruling.

Very truly yours,

A handwritten signature in cursive script that reads "Phillip T. Frangos". The signature is written in dark ink and is positioned above the typed name and title.

Phillip T. Frangos, Director
Office of Hearings and Legislation

PTF:pk