



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

MEMORANDUM

DATE: January 12, 2011
TO: Certain Statewide Ballot Question Committees
FROM: Michigan Department of State, Bureau of Elections
SUBJECT: 2011 Campaign Finance Filing Deadlines

Our records indicate that your committee may be required to file the Annual Campaign Statement due on Monday, January 31, 2011. Carefully read this memo to determine if the described filings are required of your committee.

- **Covered in this Memo:**

- **Electronic Filing Requirement**
- **Annual Campaign Statement Filing Deadlines for 2011**
- **Committees Exempt From Filing the Annual Campaign Statement**
- **Coverage Dates of Statements**
- **Forms; Number of Copies Required**
- **Ensure Timely Filing!**
- **Avoid Late Filing Fees!**
- **Accurate Campaign Statements Required!**
- **Statement of Organization Amendments Required With Campaign Statement**
- **Reporting Waiver Provisions**
- **Identification Requirements**
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This memorandum will be the main correspondence you will receive from the Bureau of Elections regarding your filing requirements for the 2011 calendar year. This memorandum is also available on our Web site: www.Michigan.gov/sos.

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/sos and select:

1. "Elections in Michigan"
2. "Campaign Finance Disclosure"
3. "E-Filing"

Annual Campaign Statement Filing Deadlines for 2011

Close of books for Annual reporting period	December 31, 2010
Annual Campaign Statement filing deadline	January 31, 2011

Committees Exempt From Filing the Annual Campaign Statement

A Ballot Question 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, 2011. (The Reporting Waiver exemption is discussed in greater detail later in this memo.)
- Files a Post-General Campaign Statement during December 2010.

Coverage Dates Campaign 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 committee's formation date or 2) the date the committee accepted its first contribution or made its first expenditure.

Forms; Number of Copies Required

Forms for filing Campaign Statements are available on our Web site at www.Michigan.gov/sos.

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

Ensure Timely Filing!

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 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.

An Annual 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!

A Ballot Question Committee that fails to file a required Annual Campaign Statement, a late filing fee is assessed 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 \$50.00 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 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 will not be accepted if it is illegible, does not bear a proper signature or is not the proper size.
- A Ballot Question Committee planning to file electronically must use MERTS Plus software issued by the Department of State's Bureau of Elections.
- 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 Ballot Question Committees go to www.Michigan.gov/sos and select:

4. "Elections in Michigan"
5. "Campaign Finance Disclosure"
6. "Forms and Filing Materials"
7. "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.

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 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.

Identification Requirements

All PAC's, Ballot Question Committees and 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.

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.

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.

Michigan Department of State
Bureau of Elections
Post Office Box 20126
Lansing, Michigan 48901-0726
Email: Disclosure@Michigan.gov

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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Bureau of Elections
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Lansing, MI 48933