



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

MEMORANDUM

DATE: January 3, 2011
TO: Certain Candidate Committees Registered on the State Level
FROM: Michigan Department of State, Bureau of Elections
SUBJECT: 2011 ANNUAL CAMPAIGN STATEMENT FILING DEADLINE

Our records indicate 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 filing is required of your committee.

- **Covered in this memo:**

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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	February 1, 2011

Committees Exempt From Filing the Annual Campaign Statement

A Candidate Committee that does not fall into one of the following exemptions must file the Annual Campaign Statement:

- 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.)
- An officeholder whose salary is less than \$100.00 a month. **PLEASE NOTE:** To be eligible for this exemption, the committee must not have received any contributions or made any expenditures during the period of time covered by the Annual Campaign Statement.
- Files a Post-General Campaign Statement during December 2010.
- An incumbent judge.

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 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 due date. 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!

Campaign Statements are required to be filed timely. Committees that file Campaign Statements late are assessed late filing fees.

A Candidate Committee that fails to file a required Annual 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 a maximum of \$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 a maximum of \$1,000.00.

A late filing fee for the Annual Campaign Statement must be paid by the candidate and cannot be paid with committee funds.

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 the proper signature(s), is not the proper size, does not contain the Schedule(s) required to substantiate the information listed on the Summary Page, or is presented in a computerized format that has not been pre-approved by the 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 Candidate Committees go to www.Michigan.gov/sos and select:

1. "Elections in Michigan"
2. "Campaign Finance Disclosure"
3. "Forms and Filing Materials"
4. "Candidate\Gubernatorial Committees"

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 Candidate Committee is exempt from the Campaign Statement filing requirements if it currently has a Reporting Waiver or qualifies for and obtains a Reporting Waiver on or before the due date of a required Campaign Statement. A Candidate Committee that does not expect to receive or spend more than \$1,000.00 for any election is eligible for a Reporting Waiver.

To become eligible for a Reporting Waiver, the Candidate 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 Reporting Waiver cannot be obtained between the Pre-Election Campaign Statement and the Post-Election Campaign Statement. A Candidate Committee that is required to file a Pre-Election Campaign Statement must also file a Post-Election Campaign Statement.
- A Candidate Committee that does not check item 10 on its Statement of Organization is not eligible for a Reporting Waiver. This means that the committee must file Campaign Statements regardless of the amount received or spent during the reporting period.
- A Candidate 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.

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 Candidate Committee manual for additional details on dissolving the committee.

Questions?

If you have any questions, please phone us at (517) 373-2540 or write us at the address indicated below. The address below should also be used to mail your filing 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 use an overnight delivery service, the address below is provided.

Michigan Department of State
Bureau of Elections
Richard H. Austin Building, 1st Floor
430 West Allegan Street
Lansing, Michigan 48933