



Michigan Department of State Campaign Finance Complaint Form

BUREAU OF ELECTIONS • RICHARD H. AUSTIN BUILDING - 1st Floor
430 W. ALLEGAN STREET • LANSING, MICHIGAN 48918

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MICHIGAN DEPT OF STATE

2022 JUL 21 PM 2:38

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (MCFA). For instructions on how to complete this form, see the Campaign Finance Complaint Guidebook & Procedures document. All spaces are required unless otherwise indicated.

Section 1. Complainant		
Your Name Cody A. Mott		Daytime Telephone Number 616-644-5596
Mailing Address 1874 Leffingwell Ave. NE,		
City Grand Rapids	State MI	Zip 49525
Email (optional) codyamott@gmail.com		

Section 2. Alleged Violator		
Name Citizens for Bill Hirsch		
Mailing Address PO Box 375		
City Caledonia	State MI	Zip 49316
Email (optional)		

Section 3. Allegations (Use additional sheets if more space is needed.)

Section(s) of the MCFA alleged to be violated: MCL 169.247(1).

Explain how those sections were violated:

Section 47 of the MCFA states that a "billboard, placard, poster, pamphlet, or other printed matter having reference to an election, [or] a candidate . . . shall bear upon it an identification that contains the *name and address* of the person paying for the matter." MCL 169.247(1) (emphasis added). The Michigan Department of State has issued guidance that candidate yard signs must include this identifier statement. See Committee Manual, Appendix J. Candidate Hirsch has violated this provision in near every way possible – he has distributed placards without an address, passed out printed screenshots without any identification statement, displayed "meet the candidate" signs without an identification statement, and other signs without an address.

Evidence included with the submission of the complaint that supports the allegations:

See attached placards and signs.

Section 4. Certification (Required)

I certify that to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this complaint is supported by evidence.

X



Signature of Complainant

07/15/2022

Date

Section 5. Certification without Evidence (Supplemental to Section 4)

If, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence as indicated above, you may make the following certification:

I certify that to the best of my knowledge, information, or belief, there are grounds to conclude that the following specifically identified factual contentions are likely to be supported by evidence after a reasonable opportunity for further inquiry. Those specific contentions are:

X

Signature of Complainant

Date

Section 15(8) of the MCFA provides that a person who files a complaint with a false certification is responsible for a civil violation of the MCFA. The person may be required to pay a civil fine of up to \$1,000.00 and some, or all, of the expenses incurred by the Michigan Department of State and the alleged violator as a direct result of the filing of the complaint.

Section 6. Submission

Once completed, mail or hand deliver the complaint form with your evidence to the address below. The complaint is considered filed upon receipt by the Bureau of Elections.

Michigan Department of State
Bureau of Elections
Richard H. Austin Building – 1st Floor
430 West Allegan Street
Lansing, Michigan 48918

Elect



BILL

Hirsch

FOR COUNTY COMMISSIONER

YOUR VOTE MATTERS

Defending the REPUBLICANS *in Kent County*



Yes!

I've signed the contract!

kentcontract.com

Paid for by the Committee to Elect Bill Hirsch

A Return to Common Sense

Hi. I'm Bill Hirsch.

I proudly served as a Kent County Commissioner for District 10 for two terms beginning in 2008. I have since been focusing on my family and farm. Several good friends and supporters asked me to run again after witnessing the lack of action and accountability by the current board. So, I have decided to step up to the plate. **I vow to be a strong voice in our community, while working hard toward making much-needed changes at the local level, where families need it most.** I hope to gain your support and look forward to representing **YOU** as your next Kent County Commissioner.

I will defend:

- Health Freedom
- Election Integrity
- Appropriate Education
- Constitutional Rights
- Accountable Government
- Life of the Unborn
- Fiscal Responsibility
- Responsible Development
- Safety in our Community

Vote in the Primary Aug 2!



bill@electbillhirsch.com



[@BillHirsch4KCC](https://www.facebook.com/BillHirsch4KCC)



616-723-2288



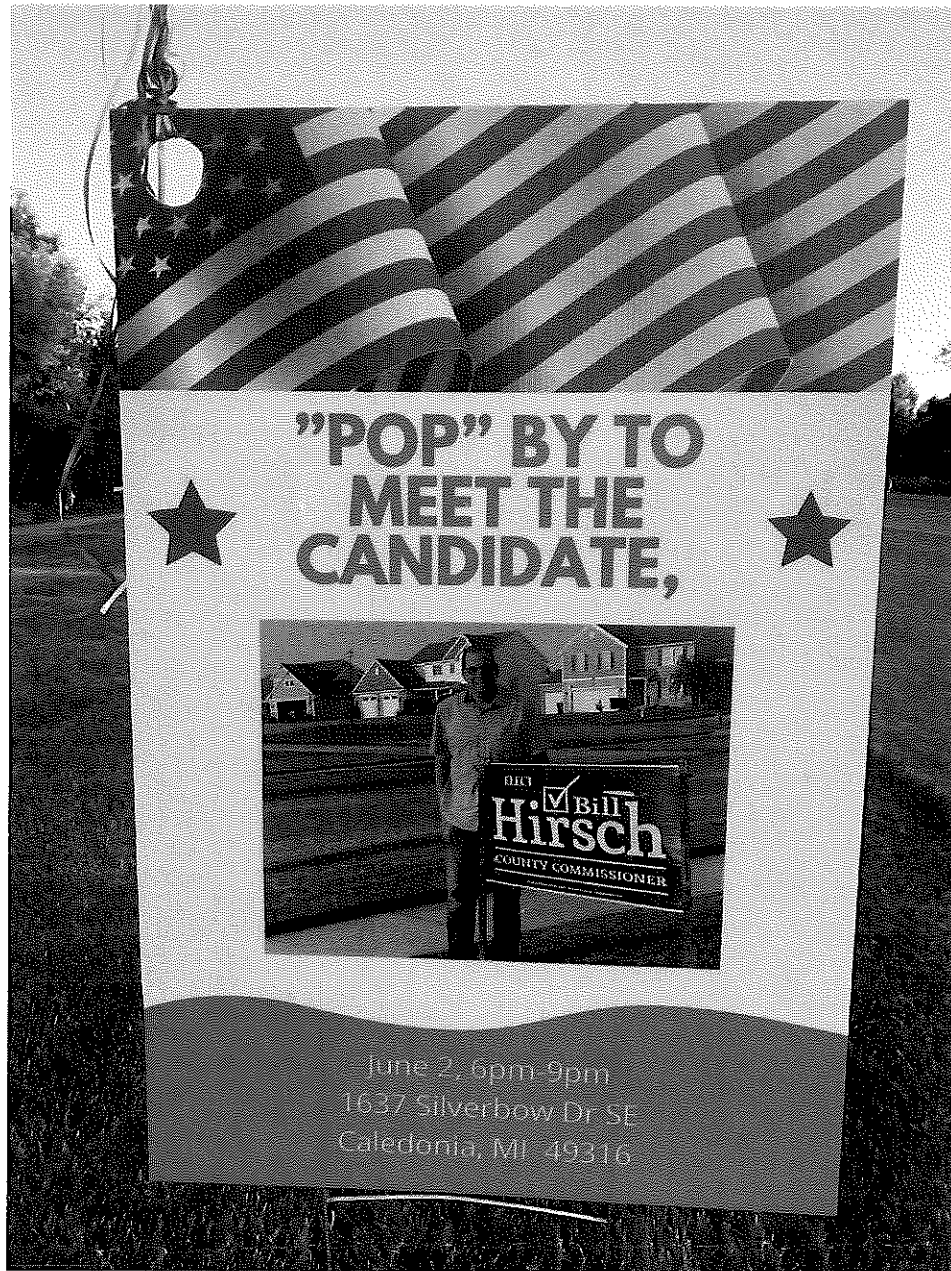
electbillhirsch.com

EMILY POST
BRIEVE
Republican County Commission

Paid for by TGIF Victory Fund
PO Box 223
Grandville, Michigan 49468

Receiving Committee	Committee ID-Type	Schedule Type	Description	Received From	State Zip	Date	Amount	Current
TGIF VICTORY FUND	411723-IND	DIRECT	DAN HESBA 7554 BYRON STATION COURT SW OWNER LAND & COMPANY	BYRON CENTER MI 49315	03/08/2022	\$20,000.00	\$20,000.00	
TGIF VICTORY FUND	411723-IND	DIRECT	HAROLD JH VOORHEES 2580 8TH AVE SW INVESTOR SELF	BYRON CENTER MI 49315	04/20/2022	\$25,000.00	\$25,000.00	

Candidate Hirsch was distributing this flyer, which shows TGIF Victory Fund making an independent expenditure and a screenshot of their campaign statement.



Candidate Hirsch hosted a meet and greet, which does not include any identification statement.



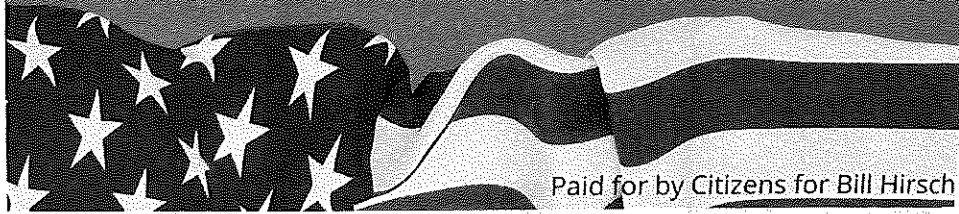
Elect



BILL

Hirsch

FOR COUNTY COMMISSIONER



Paid for by Citizens for Bill Hirsch



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

September 8, 2022

Citizens for Bill Hirsch
P.O. Box 375
Caledonia, MI 49316

Re: *Mott v Citizens for Bill Hirsch*
Campaign Finance Complaint No. 2022-07-57-247

Dear Committee Chairperson:

The Department of State (Department) has received a formal complaint alleging you have violated MCL 169.247 of the Michigan Campaign Finance Act (MCFA) by failing to include campaign identifiers on placards and signs; a copy of the complaint is enclosed.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), R 169.36(2). A knowing violation constitutes a misdemeanor offense punishable by a fine of up to \$1,000.00, imprisonment for up to 93 days, or both. MCL 169.247(6).

Upon review, the evidence submitted supports the conclusion that a potential violation of the Act has occurred. From the outset, the Department must consider whether the materials fall within the ambit of the MCFA. Because the materials explicitly advocate for the election or defeat of a candidate, or for the passage or defeat of a ballot proposal, the materials contain express advocacy as defined by the Act. MCL 169.206(2)(j). As explained above, such materials must contain a "paid for by" statement listing the name and address of the committee purchasing the materials. However, the evidence shows that the materials at issue here omit part or all of that required statement. That absence supports the conclusion that a potential violation of the MCFA has occurred.

After reaching this conclusion, the Act requires the Department to "endeavor to correct the violation or prevent a further violation by using informal methods" if it finds that "there may be reason to believe that a violation ... has occurred [.]". MCL 169.215(10). The objective of an informal resolution is "to correct the violation or prevent a further violation." *Id.*

Given this, the Department concludes that a formal warning is a sufficient resolution to the complaint and is hereby advising you that MCL 169.247(1) and R 169.36(2) require you to print

a complete and accurate identification statement on all campaign materials, consisting of the phrase “paid for by” followed by the full name and address of your committee.

Note that all printed materials referencing you or your candidacy produced in the future must include this identification statement. For all materials currently in circulation, the paid for by statement must be corrected. If this information has been included in your materials and you wish to rebut the Department’s conclusion, you must respond in writing to the Department at BOERegulatory@michigan.gov within 15 business days of the date of this letter otherwise the Department will treat the complaint as resolved.

Please be advised that this notice has served to remind you of your obligation under the Act to identify your printed matter and may be used in future proceedings as evidence that tends to establish a knowing violation of the Act. A knowing violation is a misdemeanor offense and may merit referral to the Attorney General for enforcement action. MCL 169.247(6), 215(10).

Sincerely,

Regulatory Section
Bureau of Elections
Michigan Department of State

Attachment

c: Mr. Cody A. Mott – Via email at codyamott@gmail.com