



Michigan Department of State Campaign Finance Complaint Form

This complaint form may be used to file a complaint alleging that someone violated the [Michigan Campaign Finance Act](#) (MCFA). Electronic submission of the form to BOERegulatory@Michigan.gov is strongly recommended. 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 | | Daytime telephone number |
| Mailing address | | |
| City | State | Zip |
| Email (<i>recommended</i>) | | |

Section 2. Alleged Violator (Respondent)

| | | |
|----------------------------------|-------|-----|
| Name | | |
| Mailing address | | |
| City | State | Zip |
| Email (<i>recommended</i>) | | |
| Committee ID (<i>optional</i>) | | |

Please include email addresses to expedite processing time and mitigate mail delays.

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


Section(s) of the MCFA alleged to be violated:

Explain how these sections were violated:

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

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.



Signature of complainant 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:

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 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

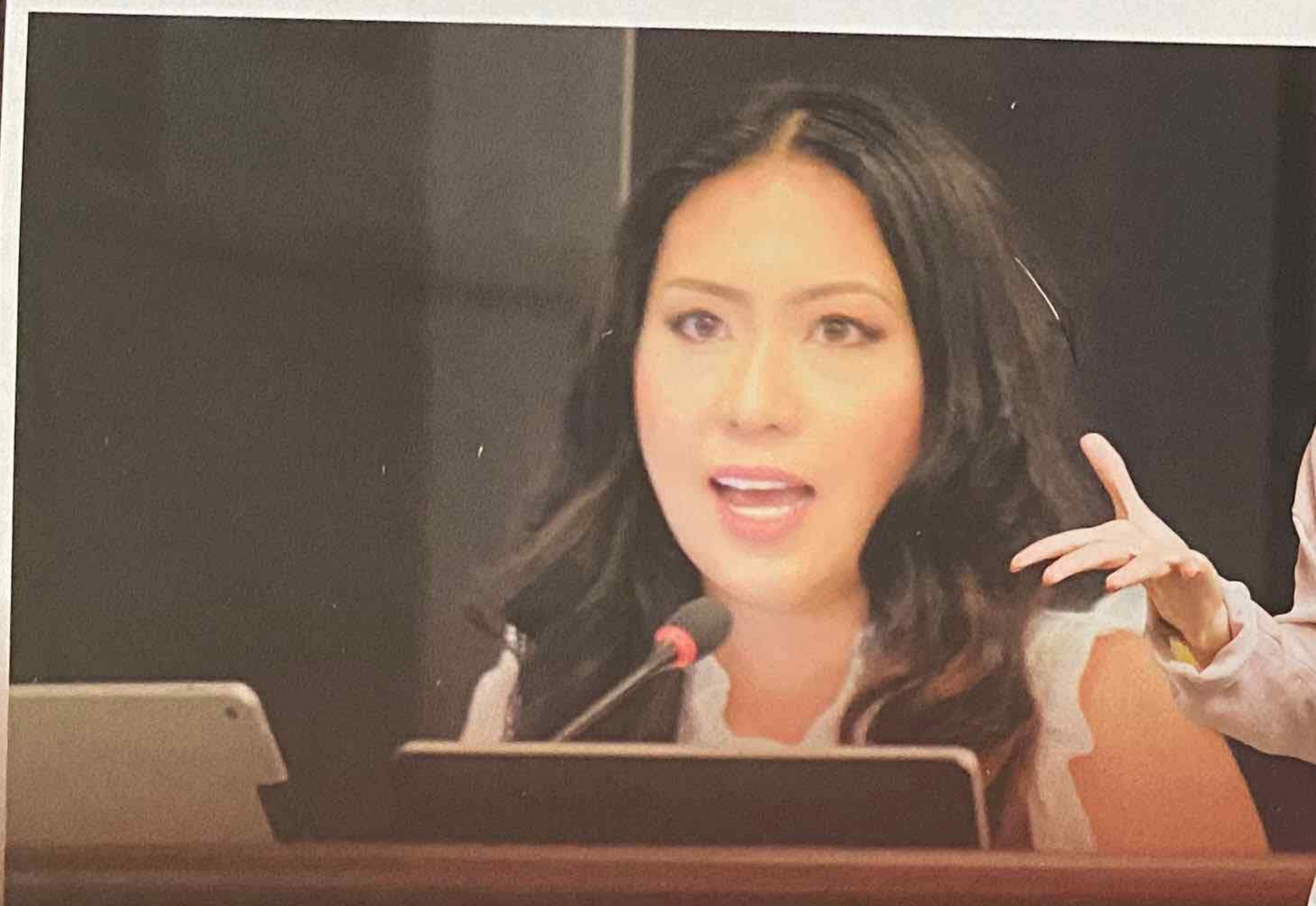
Once completed, submit the complaint form with your evidence to BOERegulatory@Michigan.gov. Alternatively, you may mail or hand deliver the complaint form with your evidence to the address below. The complaint is considered filed upon receipt by the Bureau of Elections.

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

NEWS > CRIME AND PUBLIC SAFETY

Macomb County commissioner opposes Patriot Week, 9/11 proclamation

Mai Xiong says 9/11 should be time of mourning, not
celebration



Macomb County Commissioner Mai Xiong speaks at a Board of Commis...

Who opposes a Patriot Week, 9/11 proclamation?

Paid for by Macomb Citizens for Responsible Government

Presort Standard
Postage Paid
Permit 908
Royal Oak MI



Our Friends At

7

Warren MI 48088-6802

Mai Xiong Has Been CASHING IN ON THE TAXPAYERS



COVID Relief Funds

June 9, 2021

Pay to the order of Mai Xiong

Amount Seventeen Thousand One Hundred Seventy Four and ⁰²/₁₀₀

\$17,174.02

Warren Taxpayers

Department: 9850 UNALLOCATED EXPENSES
06/09/2021 POOL 628838 MAI & CO LLC MICROENTERPRISE GRANT 80185 9850 10,000.00
06/09/2021 POOL 628844 THE LOTUS POND RESTAURANT LLC MICROENTERPRISE GRANT 80185 9850 10,000.00

| Batch ID | Rec Num | Status | Description | PYMT TYPE | CK job # | Post Date |
|------------|---------|--------|-------------|-----------|----------|------------|
| Prep ID | | | CKID/CK # | | | CK Date |
| MAI&CO LLC | | V74066 | 01 | | | 07/07/20 |
| 20322220 | 95199 | | OH015527 | CARES ACT | GEN | 07/06/2020 |

| Batch ID | Rec Num | Status | Description | PYMT TYPE | CK job # | Post Date |
|------------|---------|--------|-------------|-----------|----------|------------|
| Prep ID | | | CKID/CK # | | | CK Date |
| MAI&CO LLC | | V74066 | 01 | | | 10/28/20 |
| 20322220 | 95199 | | OH1000777 | CARES | IPLN | 10/26/2020 |

5,000.00 5,000.00

2,174.02 2,174.02

While Warren Residents have been struggling to make ends meet, Mai Xiong has been raking in tens of thousands of dollars in free government money.

- ✓ Taxpayer-Funded Certificate from Harvard Kennedy School
- ✓ \$10,000 from the City of Warren's Community Block Grant Fund
- ✓ \$7,500 for Macomb County's CARES ACT Fund

MAI XIONG HAS CASHED IN ENOUGH. VOTE NO ON MAI XIONG!



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

July 20, 2023

Shannon Gregory Price
9613 Tennyson Dr
Plymouth, MI 48170

Re: *Xiong v. Price*
Campaign Finance Complaint No. 23-047

Dear Mr. Price:

The Department of State (Department) has received a formal complaint filed against you by Mia Xiong alleging that you have violated the Michigan Campaign Finance Act (MCFA or Act). Specifically, the complaint alleges that you failed to include a complete identification statement on a mailer that was received by Macomb County Commission District 11 voters residing in Warren, MI, on August 1, 2022. The complaint alleges that the mailer included the disclaimer "Paid for by Macomb Citizens for Responsible Government" without an address accompanying the mailer. The complaint further alleges that the permit used to send the mailer belongs to Dave Grudzinski, and that Mr. Grudzinski informed Ms. Xiong that the mailer was paid for and sent by you on August 1, 2022. Pictures of the mailer were included with the complaint; a copy of the complaint is enclosed.

Additionally, the complaint alleges that the political committee listed on the mailer is not registered with the county or the state. The complaint alleges that no statement of organization has been filed or exists for Macomb Citizens for Responsible Government and no such independent expenditure committee exists. The complaint further alleges failure to file campaign statements of committee for Macomb Citizens for Responsible Government as a committee supporting or opposing a candidate for local elective office.

Section 24 requires committees to file a statement of organization with the proper filing official within 10 days after the committee is formed. MCL 169.224(1). Section 24 details specific requirements for all statements of organization that must be filed. See MCL 169.224(2)-(3). A person who fails to file a timely statement is subject to a civil fine of up to \$1,000. MCL 169.221(13). A person who fails to file a statement of organization shall pay a late filing fee of \$10.00 per business day the report is not filed, not to exceed \$300. MCL 169.224(1). A person failing to file a statement of organization after 30 days is guilty of a misdemeanor punishable by a fine of up to \$1,000. *Id.*

By statutory definition, a committee is formed when “a person receives contributions or makes expenditures for the purpose of influencing or attempting to influence the action of the voters for or against [candidate, ballot question, etc.] if contributions received total \$500.00 or more in a calendar year or expenditures made total \$500.00 or more in a calendar year.” MCL 169.203(4). For purposes of determining whether a committee exists, the word “person” includes “a group of persons acting jointly.” 169.211(2).

Section 24b prohibits an independent expenditure committee from making a contribution to a candidate committee. MCL 169.224b. Violation of the section by an individual is a felony punishable by imprisonment for not more than 3 years or a fine of not more than \$5,000, or both. If the person is not an individual, violation is punishable by a fine of not more than \$20,000 or a fine of not more than triple the amount of the improper contribution or expenditure, whichever is greater. *Id.*

Section 26 requires that candidates and committees record the full name, street address, amount contributed, and date of contribution for each individual from whom contributions are received. MCL 169.226(1)(e). Further, if the individual’s cumulative contributions are more than \$100.00, the candidate or committee must also report the individual’s occupation, employer, and principal place of business. *Id.* For each person other than an individual, candidates and committees need not include the additional employment information but must provide all other contributor information previously listed. MCL 169.226(1)(g).

Section 33 requires committees to file contributions and expenditures with the appropriate filing official by specific dates. MCL 169.233(1) – (3). The Act requires a committee that receives or expends more than \$1,000 during any election to file campaign finance reports in compliance with the act. MCL 16.233(6). A person who knowingly omits or underreports expenditures required to be disclosed by the Act is subject to a civil fine of not more than \$1,000 or the amount of the expenditures omitted or underreported, whichever is greater. MCL 169.233(11).

Section 35 requires committees to file an annual report by January 31 of each year with the appropriate filing official. MCL 169.235. If the committee raised \$10,000 or less in the previous two years, the late filing fee is \$25 for each business day, but not to exceed \$500. If the committee raised more than \$10,000 in the previous two years, the late filing fee is \$50 for each business day, but not to exceed \$1,000. MCL 169.235(3).

Section 36 requires committees to file copies of campaign statements with the appropriate filing official. MCL 169.236. The Act requires a committee that supports or opposes a candidate for local elective office, if the office is to be voted on in more than one county but not statewide, to file a copy of the campaign statement required under this Act with the clerk of the county in which the greatest number of registered voters eligible to vote on the office reside. MCL 169.236(4).

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).

Determination

Upon review, the evidence submitted regarding the Section 24, Section 24b, Section 33, Section 35, and Section 36 allegations is not sufficient to allow the Department to determine whether a potential violation of the MCFA has occurred. The Department has confirmed that Macomb Citizens for Responsible Government is not registered as a committee with Macomb County or the Secretary of State; that no statement of organization has been filed or exists under this name; that no independent expenditure committee exists under this name; and that campaign statements and reports required to be filed with the appropriate filing official by specific dates have not been filed under this name. Because the complaint does not identify a potential violator, the Department dismisses the Section 24, Section 24b, Section 33, Section 35, and Section 36 allegations without prejudice and considers this part of the complaint closed.

Upon review, the evidence submitted supports the conclusion that a potential violation of Section 47 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 defeat of a candidate, 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 full name and address of the person or committee purchasing the materials. While the evidence shows that the materials at issue here include the statement “Paid for by Macomb Citizens for Responsible Government,” they nevertheless omit the committee’s address. That absence supports the conclusion that a potential violation of the MCFA has occurred.

As mentioned above, Ms. Xiong alleges that the permit used to send the mailer belongs to Dave Grudzinski, and that Mr. Grudzinski informed Ms. Xiong that the mailer was paid for and sent by you on August 1, 2022. Accordingly, the Department has determined that you are the appropriate party to receive this letter.

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 the committee.

Note that all printed materials 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 the materials and you wish to rebut the Department's conclusion, you must respond in writing to the Department within 15 business days of the date of this letter; otherwise the Department will treat the complaint as resolved. A copy of your answer will be provided to Ms. Xiong who will have an opportunity to submit a rebuttal statement to the Department.

Please be advised that this notice has served to remind you of your obligation under the Act to identify 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).

If you have any questions concerning this matter, you may consult the Department's campaign finance complaint [guidebook](#) or contact the Regulatory Section of the Bureau of Elections at BOERegulatory@Michigan.gov.

Sincerely,

Regulatory Section
Bureau of Elections
Michigan Department of State

c: Mia Xiong