

**DEPARTMENT OF STATE**

**ELECTIONS DIVISION**

**CAMPAIGN FINANCING**

(By authority conferred on the secretary of state by section 15 of Act No. 388 of the Public Acts of 1976, as amended, being S169.215 of the Michigan Compiled Laws)

**PART 1. GENERAL PROVISIONS**

**R 169.1 Definitions.**

Rule 1. (1) As used in these rules:

(a) "Act" means Act No. 388 of the Public Acts of 1976, being S169.201 et seq. of the Michigan Compiled Laws.

(b) "Address" means building number, street or rural route, city, state, and zip code.

(c) "Campaign" or "candidate's campaign" means the candidate committee's activities for a specific election.

(d) "Official depository" means a bank, savings and loan association, or credit union, chartered by the state or the United States, and located and doing business in Michigan.

(e) "Value," "ascertainable monetary value," "anything of value," "thing of value," or "cash equivalent" means the amount usually received in the open market for goods and services.

(2) The terms defined in the act have the same meaning when used in these rules.

History: 1979 AC.

**R 169.2 Secretary of state and county clerk; duties and requirements.**

Rule 2. (1) The duties and requirements imposed upon the secretary of state by the act and these rules may be performed by an agent, and at a place, designated by the secretary of state.

(2) The duties and requirements imposed upon a county clerk by the act and these rules may be performed by an agent, and at a place, designated by the county clerk.

History: 1979 AC.

**R 169.3 Statements, reports, amendments, or applications; form; attachments; entries; signature; inspection and copying.**

Rule 3. (1) A statement, report, amendment, or application required to be filed by the act shall be filed in duplicate on a form prescribed or approved previously by the

secretary of state. An attachment to a form shall not be on a page differing in size from the form prescribed, unless approved previously by the filing official.

(2) An entry on a statement, report, amendment, or application shall be printed legibly in ink or typed and shall be suitable for reproduction.

(3) A person filing a statement or report required by the act shall complete each item of information requested or shall note clearly that the item of information is not applicable to the filer.

(4) Committee statements and reports shall be signed by the treasurer of the committee and, if a candidate committee, also by the candidate, on the line indicated following the verification statement. A person, other than a committee, required to file by the act shall sign a document on the line indicated following the verification statement.

(5) Inspection and copying of statements and reports shall take place only at the office of the filing official.

(6) A filing official shall prepare and post a list of general guidelines and rules with respect to the inspection and copying of documents and shall post a schedule of charges for copies.

History: 1979 AC; 1982 AACCS.

#### **R 169.4 Reports or statements; late filing fee; date of filing.**

Rule 4. (1) If a report or statement is filed after the filing date and is not accompanied by a late filing fee, the report or statement shall be received and considered filed as of that date. The filer shall be given a written notice of the amount of the late filing fee due and unpaid.

(2) If payment of the late filing fee assessed by the secretary of state is not made within 30 days of the date of the written notice, the filing official shall notify immediately the Michigan department of treasury of the failure to pay so the latter may collect the late filing fee.

(3) A late filing fee assessed by the secretary of state shall be forwarded to the state treasurer for deposit to the credit of the general fund of the state.

History: 1979 AC; 1982 AACCS.

#### **R 169.5 Reports or statements; nonreceipt; list; requests for information; telephone inquiries.**

Rule 5. (1) A filing official, within 5 business days following a filing date required by the act, shall prepare a list of persons whose required reports or statements have not been received. This list shall be available for public inspection and copying. Prior to completion of the list, inquiries relative to the receipt of filings shall be submitted only in writing or in person.

(2) Upon receipt of any inquiry requesting information relative to the contents of any report or statement filed with a filing official, the filing official shall inform the person requesting information of all of the following:

(a) The report or statement is available for inspection or copying at the office of the filing official.

(b) A copy of any page of the report or statement requested may be obtained by payment of the applicable copying charge.

(c) A request for a copy of a report or statement shall not be honored until receipt by the filing official of the applicable copying charge.

(3) A telephone inquiry relative to a substantive matter in a filed report or statement shall not be answered. A telephone inquiry by a filer or an agent of the filer relative to a report or statement of the filer shall be answered.

History: 1979 AC; 1982 AACCS.

### **R 169.6 Declaratory rulings.**

Rule 6. (1) The secretary of state, on written request of an interested person, may issue a declaratory ruling as to the applicability of the act or these rules to an actual statement of facts. An interested person is a person whose course of action would be affected by the declaratory ruling. A brief or other reference to legal authorities, upon which the person relies for determination of the applicability of the act or of a rule to the statement of facts, may be submitted with the request.

(2) If the secretary of state decides to issue a declaratory ruling, the person requesting it shall be furnished with a statement to that effect. The statement shall set forth the time in which the ruling shall be issued.

(3) The secretary of state may refuse to issue a declaratory ruling if the request is anonymous, or it is determined the subject matter is frivolous on its face, indefinite, or lacks specificity. If the secretary of state refuses to issue a declaratory ruling, the person making the request, if known, shall be notified of the reason for the refusal.

(4) A ruling shall include the statement of facts, the legal authority, if any, and the rationale on which the secretary of state relies for the ruling, and the determination.

History: 1979 AC.

## **PART 2. COMMITTEES**

### **R 169.21 Rescinded.**

History: 1979 AC; 2026 MR 11, Eff. June 15, 2026.

### **R 169.22 Rescinded.**

History: 1979 AC; 1982 AACCS; 2026 MR 11, Eff. June 15, 2026.

### **R 169.23 Rescinded.**

History: 1979 AC; 1982 AACCS.

**R 169.24 Rescinded.**

History: 1979 AC; 2026 MR 11, Eff. June 15, 2026.

**R 169.25 Rescinded.**

History: 1979 AC; 1982 AACCS; 2026 MR 11, Eff. June 15, 2026.

**R 169.26 Rescinded.**

History: 1979 AC; 2026 MR 11, Eff. June 15, 2026.

**R 169.27 Rescinded.**

History: 1979 AC; 2026 MR 11, Eff. June 15, 2026.

**R 169.28 Rescinded.**

History: 1979 AC; 1982 AACCS; 2026 MR 11, Eff. June 15, 2026.

**R 169.29 Rescinded.**

History: 1996 AACCS; 2026 MR 11, Eff. June 15, 2026.

**R 169.29a Rescinded.**

History: 1996 AACCS; 2026 MR 11, Eff. June 15, 2026.

**R 169.29b Rescinded.**

History: 1996 AACCS; 2026 MR 11, Eff. June 15, 2026.

**R 169.29c Rescinded.**

History: 1996 AACCS; 2026 MR 11, Eff. June 15, 2026.

**R 169.29d Rescinded.**

History: 1997 AACS; 2026 MR 11, Eff. June 15, 2026.

**PART 3. REPORTS, CONTRIBUTIONS, AND EXPENDITURES**

**R 169.31 Rescinded.**

History: 1979 AC; 2026 MR 11, Eff. June 15, 2026.

**R 169.32 Rescinded.**

History: 1979 AC; 1982 AACS; 2026 MR 11, Eff. June 15, 2026.

**R 169.33 Rescinded.**

History: 1979 AC; 2026 MR 11, Eff. June 15, 2026.

**R 169.34 Rescinded.**

History: 1979 AC; 1982 AACS; 2026 MR 11, Eff. June 15, 2026.

**R 169.35 Rescinded.**

History: 1979 AC; 1982 AACS; 2026 MR 11, Eff. June 15, 2026.

**R 169.35a Rescinded.**

History: 1979 AC; 1982 AACS; 2026 MR 11, Eff. June 15, 2026.

**R 169.36 Rescinded.**

History: 1979 AC; 1982 AACS; 2026 MR 11, Eff. June 15, 2026.

**R 169.37 Rescinded.**

History: 1982 AACS; 2026 MR 11, Eff. June 15, 2026.

**R 169.38 Rescinded.**

History: 1979 AC; 1982 AACS; 2026 MR 11, Eff. June 15, 2026.

**R 169.39 Rescinded.**

History: 1979 AC; 1989 AACS.

**R 169.39a Rescinded.**

History: 1982 AACS; 2026 MR 11, Eff. June 15, 2026.

**R 169.39b Rescinded.**

History: 1998 - 2000 AACS; 2026 MR 11, Eff. June 15, 2026.

**R 169.39c Rescinded.**

History: 1998 - 2000 AACS; 2026 MR 11, Eff. June 15, 2026.

**R 169.39d Rescinded.**

History: 1998 - 2000 AACS; 2026 MR 11, Eff. June 15, 2026.

**R 169.39e Rescinded.**

History: 1998 - 2000 AACS; 2026 MR 11, Eff. June 15, 2026.

**PART 4. STATE CAMPAIGN FUND**

**R 169.41 State campaign fund; reservation of funds.**

Rule 41. On or before January 1 of each year in which an election for governor is held, the state treasurer shall:

(a) Reserve 3% of the funds available in the state campaign fund to make necessary adjustments required by formulas set forth in section 65(2),

(3), (4), and (5) of the act.

(b) Reserve the maximum amount that each candidate for governor of a major political party is entitled to receive for the general election.

History: 1979 AC.

**R 169.42 State campaign fund; payments to candidates.**

Rule 42. The state treasurer, beginning on January 1 of each year in which an election for governor is held, shall make payment immediately from the state campaign fund to eligible candidates on the basis of candidate applications which have been approved by the secretary of state and forwarded to the state treasurer.

History: 1979 AC.

**R 169.43 Public funding of elections; qualifying contributions.**

Rule 43. Qualifying contributions for public funding of the primary or general elections may be obtained from April 1 of the year preceding the year in which a governor is elected until December 31 of the year in which a governor is elected, or until the candidate committee files a dissolution statement, whichever occurs first.

History: 1979 AC.

**R 169.44 Public funding of elections; application; approval.**

Rule 44. An application for public funds shall be submitted to the secretary of state not later than December 15 following the election. The secretary of state shall not approve a post-election application unless the committee demonstrates that the amount applied for is necessary to pay qualified campaign expenditures.

History: 1982 AACs.

**R 169.45 Public funding of elections; post-election application; accompanying statement; contents.**

Rule 45. A post-election application for public funds shall be accompanied by a statement which indicates the balance of the committee's public funds on hand and a list of receipts and expenditures of public funds between the closing date of the last campaign statement filed and the date the application is filed.

History: 1982 AACs.

**R 169.46 Public funding of elections; return of funds; post-election returns; return period; exception.**

Rule 46. (1) Public funds held by a committee shall be returned to the state within 60 days after the election, unless the committee has obtained prior written approval for retention of the funds from the secretary of state and the funds retained are directed to, and not in excess of, qualified campaign expenditures.

(2) The secretary of state may require a committee to file a monthly report accounting for the use of any funds retained pursuant to subrule (1) of this rule.

History: 1982 AACCS.

**R 169.47 Public funding of elections; return of funds; voluntary returns; accompanying statement; contents; prompt returns.**

Rule 47. (1) When a committee voluntarily terminates its public fund account, it shall return any balance to the state. If the account is terminated after the closing date of the post-election campaign statement for the election for which public funds were received, the committee shall provide the secretary of state with a written statement indicating that the committee's public fund account contains a zero balance. The statement shall be accompanied by a list of receipts and expenditures of public funds between the closing date of the last campaign statement filed and the date the written statement is filed.

(2) A committee which has terminated its public fund account shall promptly return to the state any refund or rebate arising out of expenditures for which public funds were originally used or any proceeds from the sale of assets originally purchased with public funds.

History: 1982 AACCS.

**R 169.48 Public funding of elections; return of funds; submission by written instrument.**

Rule 48. Public funds returned to the state shall be submitted to the secretary of state by written instrument made payable to: "State of Michigan."

History: 1982 AACCS.

## **PART 5. COMPLAINTS AND INVESTIGATIONS**

**R 169.51 Complaint generally.**

Rule 51. A person who believes a violation of the act or these rules has occurred may file a written complaint in person or by mail with the secretary of state.

History: 1979 AC.

**R 169.52 Complaint; form and contents.**

Rule 52. (1) A complaint shall be typewritten or handwritten in ink. The complainant's name, address, and telephone number shall be typewritten or handprinted upon the complaint. A complaint shall include the following verification statement: "I certify that the statements set forth above are true to the best of my knowledge and belief." A complaint shall be signed by the complainant immediately following the verification statement.

(2) A complaint shall name the alleged violator, set forth the alleged violator's address, describe in reasonable detail the alleged violation, and identify all available evidentiary material.

History: 1979 AC.

**R 169.53 Complaint; dismissal.**

Rule 53. If, upon reading the complaint, the secretary of state determines a complaint is frivolous, illegible, indefinite, or unsigned, or does not identify an alleged violator, allege a violation of the act or these rules, or contain a verification statement, the secretary of state may summarily dismiss the complaint without prejudice. If a complaint is summarily dismissed, the complainant shall be notified in writing as to the reason the complaint was dismissed.

History: 1979 AC.

**R 169.54 Complaint; indication to person against whom allegation made.**

Rule 54. If a complaint is not summarily dismissed, or if the secretary of state, upon examination of a report filed pursuant to the act, finds there may be reason to believe a violation of the act or these rules has occurred, the secretary of state shall indicate immediately, to the person against whom an allegation is made, the following:

- (a) A complaint has been made alleging, or examination of a filed report indicates, possible violation of the act or these rules.
- (b) The specifics of the alleged violation.
- (c) The identity of the complainant if a complaint has been filed.
- (d) The provisions of these rules relative to complaints and investigations.

History: 1979 AC.

**R 169.55 Preliminary review of alleged violation; dismissal of complaint; notice of informal hearing.**

Rule 55. (1) The secretary of state, upon written complaint or examination of a report filed pursuant to the act, may conduct a preliminary review of an alleged violation to determine if there may be reason to believe a violation of the act or these rules has occurred.

(2) If, following a preliminary review, the secretary of state determines there is no reason to believe an allegation is true, the complaint shall be dismissed. Notice of this decision shall be given by the secretary of state to the complainant and the person against whom an allegation has been made.

(3) If, following a preliminary review, the secretary of state determines there may be reason to believe an allegation is true, the secretary of state may take either of the following actions:

(a) Notify the person against whom the allegation is made and the complainant that an informal hearing will be held to determine whether there is reason to believe a violation of the act or these rules has occurred.

(b) Attempt to correct or prevent further violation by informal methods of conference, conciliation, and persuasion, and enter into a conciliation agreement with the person involved. If the secretary of state is unable to correct or prevent further violation by these informal methods, the person

against whom the allegation is made and the complainant shall be notified that an informal hearing shall be held to determine whether there is reason to believe a violation of the act or these rules has occurred.

(4) The notice shall give the parties involved reasonable time to appear, if they choose to do so. The parties shall be notified of the time and place of the hearing, that they may appear in person or by counsel, and that they may give testimony.

History: 1979 AC; 1982 AACS.

#### **R 169.56 Informal hearing; dismissal of complaint; notice of decision.**

Rule 56. (1) If, following the informal hearing, the secretary of state determines there is no reason to believe a violation of the act or these rules has occurred, the complaint shall be dismissed. The parties shall be notified of this decision.

(2) If, following the informal hearing, the secretary of state determines that the alleged violation may be corrected, or further violation may be prevented, by informal methods of conference, conciliation, and persuasion, the secretary of state may enter into a conciliation agreement with the person involved.

(3) If, following the informal hearing, the secretary of state determines there is reason to believe a violation of the act or these rules has occurred, the secretary of state may notify the attorney general of the decision if the allegation was made as the result of a complaint. If the allegation was made as the result of an examination of a report filed pursuant to the act, the secretary of state shall notify the attorney general of the decision.

(4) If, following the informal hearing, the secretary of state determines not to report the hearing's results to the attorney general, the secretary of state shall notify the parties of this decision.

History: 1979 AC; 1982 AACS.

### **PART 6. OFFICEHOLDER'S EXPENSE FUND**

#### **R 169.61 Rescinded.**

History: 1989 AACS; 2026 MR 11, Eff. June 15, 2026.

**R 169.62 Rescinded.**

History: 1989 AACCS; 2026 MR 11, Eff. June 15, 2026.

**R 169.63 Rescinded.**

History: 1989 AACCS; 2026 MR 11, Eff. June 15, 2026.

**R 169.64 Rescinded.**

History: 1989 AACCS; 2026 MR 11, Eff. June 15, 2026.

**R 169.65 Rescinded.**

History: 1989 AACCS; 2026 MR 11, Eff. June 15, 2026.