

Legislative Analysis



COSTS FOR ELECTION RECOUNT

Phone: (517) 373-8080
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House Bill 6097 as introduced
Sponsor: Rep. Lisa Posthumus Lyons
Committee: Elections
Complete to 12-5-16

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 6097 would amend two sections of the Michigan Election Law to provide that a candidate who petitions for a recount, citing fraud or a mistake in the canvass or return of the votes by the elections inspectors (under Sections 862, 863, 879, or 880), may have to pay for 100% of the estimated cost of the recount, depending on the percentage differential between the winner and petitioner. One of those sections addresses elections conducted by county, city, township, and village boards of canvassers; the other addresses elections conducted by the State Bureau of Elections.

Specifically, for a race in which only one candidate will be elected, if there is more than a 5% difference between the votes counted for the winning candidate and the petitioner, the petitioner must pay for 100% of the estimated cost of the recount for each precinct referred to in the petition for recount.

In the case of a primary election for a nonpartisan office where only one candidate will be elected, the candidate whose nomination is at issue under the recount is the one with the lesser number of votes of the two candidates who would proceed to the general election.

If the percentage differential is less than 5%, the current law—that the petitioner must only pay \$25 per district for which the petitioner is requesting a recount—will remain in effect.

This bill would be retroactive to January 1, 2016.

FISCAL IMPACT:

A fiscal analysis is in process.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.