

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

168.23 Board of county election commissioners; membership; quorum; officers; absence or disqualification of member; appointment of county officer; board member involved in recall of officer.

Sec. 23. (1) The chief or only judge of probate of the county or probate court district, the county clerk, and the county treasurer shall constitute a board of county election commissioners for each county. The chief or only judge of probate of the county or probate court district and the county clerk shall act respectively as chairperson and secretary of the board. In the absence or disqualification of the county clerk from any meeting of the board of county election commissioners, the board may select 1 of the county clerk's deputies to act in the county clerk's place. In the absence or disqualification of any member of the board of county election commissioners other than the county clerk, the members of the board who are present shall appoint the county prosecuting attorney, county sheriff, or register of deeds in the absent or disqualified member's place, and the appointed county officer, on being notified, shall attend without delay and act as a member of the board.

(2) If a member of the board is involved in the recall of an officer, either by assisting in the preparation of the petition for recall or by being an officer whose recall is sought, then the member of the board is disqualified with respect to any determination under section 952 and must be replaced as provided in this section.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1982, Act 456, Imd. Eff. Dec. 30, 1982;—Am. 2012, Act 417, Imd. Eff. Dec. 20, 2012;—Am. 2018, Act 614, Eff. Mar. 28, 2019.

Compiler's note: Enacting section 2 of Act 417 of 2012 provides:

"Enacting section 2. As provided in section 5 of 1846 RS 1, MCL 8.5, this act is severable."

Enacting section 3 of Act 417 of 2012 provides:

"Enacting section 3. The legislature recognizes the importance of the electoral process, and it is the intent of the legislature that this amendatory act uphold each of the following:

- (a) Section 4 of article II of the state constitution of 1963.
- (b) Section 8 of article II of the state constitution of 1963.
- (c) Section 26 of article V of the state constitution of 1963."

Popular name: Election Code