

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

168.31a Election audit; procedures.

Sec. 31a. (1) In order to ensure compliance with the provisions of this act, after each election the secretary of state may audit election precincts.

(2) The secretary of state shall prescribe the procedures for election audits that include reviewing the documents, ballots, and procedures used during an election as required in section 4 of article II of the state constitution of 1963. The secretary of state and, except as otherwise provided under subsection (3), county clerks shall conduct election audits, including statewide election audits, as set forth in the prescribed procedures. The secretary of state shall train and certify county clerks, the county clerk's staffs, and, if required under subsection (3), the designee of a county clerk, for the purpose of conducting election audits of precincts randomly selected by the secretary of state in the counties. An election audit must include an audit of the results of at least 1 race in each precinct selected for an audit. A statewide election audit must include an audit of the results of at least 1 statewide race or statewide ballot question in a precinct selected for an audit. An audit conducted under this section is not a recount and does not change any certified election results. The secretary of state shall supervise each county clerk, or the county clerk's designee as provided under subsection (3), in the performance of election audits conducted under this section.

(3) If a county clerk is an officer or member of the governing body of a national, state, or local political party, or is a precinct delegate of a political party, that county clerk is prohibited from having any role in the direction, supervision, or conduct of an election audit, and that county clerk must, subject to this subsection, appoint a designee to conduct any election audit in that county. The county clerk shall not appoint a designee who is an officer or member of the governing body of a national, state, or local political party, or is a precinct delegate of a political party.

(4) Each county clerk, or the designee of a county clerk as provided under subsection (3), who conducts an election audit under this section shall provide the results of the election audit to the secretary of state within 20 days after the election audit.

History: Add. 2012, Act 271, Eff. Aug. 15, 2012;—Am. 2018, Act 603, Imd. Eff. Dec. 28, 2018;—Am. 2023, Act 254, Eff. Feb. 13, 2024.

Popular name: Election Code