

**MICHIGAN ELECTION LAW (EXCERPT)**  
**Act 116 of 1954**

**168.813 Provisional ballot; tabulation; report.**

Sec. 813. (1) Within 6 days after an election, for each provisional ballot that was placed in a provisional ballot return envelope, the city or township clerk shall determine whether the individual voting the provisional ballot was eligible to vote a ballot and whether to tabulate the provisional ballot. In making this determination, the city or township clerk shall not open the provisional ballot return envelope. A provisional ballot must only be tabulated if a valid voter registration record for the elector is located or if the identity and residence of the elector is established using identification for election purposes, along with a current utility bill, bank statement, paycheck, government check, or other government document to establish the voter's current residence address if the identification for election purposes used by the elector does not contain the voter's current residence address. Before the provisional ballot is tabulated, election officials shall process the ballot as a challenged ballot under sections 745 and 746.

(2) Within 7 days after an election, but sooner if practicable, the city or township clerk shall transmit the results of provisional ballots tabulated after the election to the board of county canvassers. The results must be transmitted in a form prescribed by the secretary of state.

(3) Within 7 days after an election, the city or township clerk shall transmit to the county clerk a provisional ballot report for each precinct in the jurisdiction. The report must include for each precinct the number of provisional ballots issued, the number of provisional ballots tabulated on election day, the number of provisional ballots forwarded to the clerk to be determined after the election, the number of provisional ballots tabulated by the clerk after election day, and any additional information concerning provisional ballots as required by the secretary of state.

(4) Within 7 days after an election, the city or township clerk shall transmit to the county clerk an affidavit report that includes the number of affidavits signed by voters under section 523(2). The affidavit report must be transmitted to the county clerk in a form prescribed by the secretary of state.

(5) Within 7 days after an election, the city or township clerk shall ensure that the qualified voter file is current and includes any individual who registered to vote under section 497(3) and (4).

**History:** Add. 2004, Act 92, Imd. Eff. Apr. 26, 2004;—Am. 2012, Act 523, Eff. Mar. 28, 2013;—Am. 2018, Act 129, Imd. Eff. May 3, 2018;—Am. 2018, Act 603, Imd. Eff. Dec. 28, 2018.

**Popular name:** Election Code