

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

***** 168.861.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT
OF THE 2024 REGULAR SESSION SINE DIE *****

168.861.amended Postcertification recounts; administrative process; denial of petitions for investigation or audit; liberal construction of chapter; "precinct" defined.

Sec. 861. (1) A board of canvassers is authorized to conduct postcertification recounts of election results under procedures described in this chapter, and all recounts in this state must be conducted under the procedures described in this chapter.

(2) A recount conducted under this chapter by a board of canvassers is an administrative process limited to determining the number of votes cast on ballots for each candidate seeking a particular office or determining the number of votes cast for or against a ballot question.

(3) A recount is not an investigation or an audit of the conduct of an election, and a recount does not assess the qualifications of electors participating in an election or the manner in which ballots are applied for or issued to electors. If a board of canvassers receives a petition to conduct an investigation or an audit of the conduct of an election, a petition to assess the qualifications of electors participating in an election or the manner in which ballots are applied for or issued to electors, or a petition to do anything other than conduct a recount as described in subsection (2), the board of canvassers must deny that petition.

(4) This chapter shall be liberally construed to achieve the purpose of fair, impartial, uniform, and expeditious recounts in this state.

(5) As used in this chapter, "precinct" means any of the following:

- (a) An election day precinct.
- (b) A precinct at an absent voter counting board.
- (c) A precinct at an early voting site.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 38, Imd. Eff. Dec. 27, 1963;—Am. 2024, Act 74, Eff. (sine die).

Popular name: Election Code