

SENATE BILL NO. 288

March 24, 2021, Introduced by Senators BUMSTEAD, LASATA, HORN, THEIS, STAMAS, ZORN, BIZON, BARRETT, VICTORY, DALEY, OUTMAN and VANDERWALL and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 31a (MCL 168.31a), as amended by 2018 PA 603.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

4 (2) ~~The~~ **Subject to subsections (3) and (4),** the secretary of

1 state shall prescribe the procedures for election audits that
2 include reviewing the documents, ballots, and procedures used
3 during an election as required in section 4 of article II of the
4 state constitution of 1963. The secretary of state and county
5 clerks shall conduct election audits, including statewide election
6 audits, as set forth in the prescribed procedures. The secretary of
7 state shall train and certify county clerks and their staffs for
8 the purpose of conducting election audits of precincts randomly
9 selected by the secretary of state in their counties. An election
10 audit must include an audit of the results of at least 1 race in
11 each precinct selected for an audit. A statewide election audit
12 must include an audit of the results of at least 1 statewide race
13 or statewide ballot question in a precinct selected for an audit.
14 An audit conducted under this section is not a recount and does not
15 change any certified election results. The secretary of state shall
16 supervise each county clerk in the performance of election audits
17 conducted under this section.

18 **(3) Not less than 5 days before the date of an election audit**
19 **under this section, the appropriate city or township board of**
20 **election commissioners where each precinct to be audited is located**
21 **must appoint 2 election inspectors, 1 from each major political**
22 **party, for the efficient, speedy, and proper conduct of the**
23 **election audit. The board of election commissioners must appoint**
24 **the election inspectors as provided in section 674. In addition,**
25 **each election inspector appointed must meet the qualifications as**
26 **provided in section 677.**

27 **(4) At each precinct randomly selected for an election audit**
28 **under subsection (2), each political party may designate 2**
29 **observers to monitor the proceedings of the election audit in**

1 person at the location where the election audit for that precinct
2 is being conducted. In addition, the secretary of state shall
3 provide live video streaming of the election audit in each precinct
4 on the secretary of state's website.

5 (5) ~~(3)~~—Each county clerk who conducts an election audit under
6 this section shall provide the results of the election audit to the
7 secretary of state within 20 days after the election audit.