

Act No. 255  
Public Acts of 2023  
Approved by the Governor  
November 30, 2023  
Filed with the Secretary of State  
December 1, 2023  
EFFECTIVE DATE: February 13, 2024

**STATE OF MICHIGAN  
102ND LEGISLATURE  
REGULAR SESSION OF 2023**

Introduced by Senator Cavanagh

## **ENROLLED SENATE BILL No. 590**

AN ACT to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending section 13 (MCL 168.13) and by adding section 845a.

*The People of the State of Michigan enact:*

Sec. 13. (1) Notwithstanding any other provision of the law to the contrary, and except as otherwise provided under subsection (2), anything required by this act to be done by a day certain, if that day falls on a Saturday, Sunday or legal holiday, may be done within the same time limits on the next secular day.

(2) This section does not apply to either of the following:

- (a) The final day for applying for an absent voter ballot.
- (b) Any deadline provided for under section 845a.

Sec. 845a. (1) A candidate listed on the ballot for the office of President or Vice President of the United States who is aggrieved by an error in the certification or determination of the results of a presidential election by the board of state canvassers may seek judicial review of the certification or determination by a complaint for mandamus filed in the supreme court as provided in this section. A candidate is aggrieved for purposes of this subsection only if, but for the error, the candidate would have received the largest number of votes eligible to be counted in the presidential election.

(2) The supreme court has original and exclusive jurisdiction to consider a complaint for mandamus under subsection (1). A complaint for mandamus under subsection (1) must be filed with the supreme court within 48 hours after the certification or determination of the results of a presidential election and must name the board of state canvassers as a defendant. The governor, the attorney general, the secretary of state, and the candidate certified or determined by the board of state canvassers to be the winner of the presidential election may intervene in a proceeding described under subsection (1). To have conclusive effect on the determination of electors appointed by this state, the supreme court’s final order in a proceeding described under subsection (1) must be issued not later than the day before the date that the electors for President and Vice President of the United States convene under section 47.

(3) A proceeding described under subsection (1) must not delay any of the following:

(a) The board of state canvassers certifying or determining the results of a presidential election as required under this act.

(b) The governor issuing or transmitting a certificate of ascertainment under section 46.

(c) A recount as provided under chapter XXXIII.

(4) A party in a proceeding described under subsection (1) shall not seek preliminary relief.

(5) A proceeding described under subsection (1) is not an election audit under this act.

(6) A proceeding described under subsection (1) is the exclusive means of seeking judicial relief from the certification or determination of the results of a presidential election.

(7) As used in this section, "presidential election" means the statewide general November election in 2024, and the statewide general November election every 4 years after 2024, that is determined solely by the vote of electors casting ballots in the election for a candidate for President and Vice President of the United States, including the election of electors of President and Vice President of the United States as provided under chapter IV.

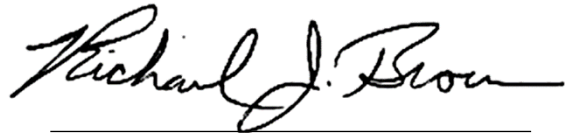
Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 102nd Legislature are enacted into law:

(a) Senate Bill No. 529.

(b) Senate Bill No. 591.



Secretary of the Senate



Clerk of the House of Representatives

Approved \_\_\_\_\_

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Governor

**Compiler's note:** Senate Bill No. 529, referred to in enacting section 1, was filed with the Secretary of State December 1, 2023, and became 2023 PA 269, Eff. Feb. 13, 2024.

Senate Bill No. 591, also referred to in enacting section 1, was filed with the Secretary of State December 1, 2023, and became 2023 PA 256, Eff. Feb. 13, 2024.