

SENATE BILL NO. 570

October 10, 2023, Introduced by Senators MCMORROW and MOSS and referred to the Committee on Elections and Ethics.

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 secretary of state shall prescribe the procedures for
5 election audits that include reviewing the documents, ballots, and

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

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

1 **(4) ~~(3)~~—Each county clerk, or the designee of a county clerk**
2 **as provided under subsection (3),** who conducts an election audit
3 under this section shall provide the results of the election audit
4 to the secretary of state within 20 days after the election audit.