

SUBSTITUTE FOR
SENATE BILL NO. 590

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 13 (MCL 168.13) and by adding section 845a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

8 **(a) The final day for applying for an absent voter ballot.**

9 **(b) Any deadline provided for under section 845a.**

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

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

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

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

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

3 (c) A recount as provided under chapter XXXVIII.

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

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

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

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

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

21 (a) Senate Bill No. 529.

22 (b) Senate Bill No. 591.