

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

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

168.822.amended Board of county canvassers; canvass of returns, conclusion; failure to certify election results.

Sec. 822. (1) The board of county canvassers shall then proceed without delay to canvass the returns of votes cast for all candidates for offices voted for and all questions voted on at the election, according to the precinct returns, early voting returns, and absent voter counting board returns filed with the probate judge or presiding probate judge by the county, city, and township clerks, or for local elections according to the precinct returns filed with the county clerk, and must conclude the canvass at the earliest possible time and, except as otherwise provided in section 842(2), in every case no later than the fourteenth day after the election.

(2) Subject to section 842(2), if the board of county canvassers fails to certify the results of any election for any officer or proposition by the fourteenth day after the election as provided, the board of county canvassers shall immediately deliver to the secretary of the board of state canvassers all records and other information pertaining to the election. Subject to section 842(2) and (3), the board of state canvassers shall meet immediately and make the necessary determinations and certify the results not later than the twentieth day after the election. The board of county canvassers and all other county staff necessary to complete the canvass must be present at all times during the completion of the canvass by the board of state canvassers. All costs associated with the completion of the canvass must be borne by the county involved.

(3) It is the ministerial, clerical, and nondiscretionary duty of each board of county canvassers, and each of the members of the board of county canvassers, to certify election results based solely on the statements of returns from the election day precincts, early voting sites, and absent voter counting boards in the county and any corrected returns.

(4) As used in this section and section 842, "to certify" means to make a signed, written statement.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1958, Act 192, Eff. Sept. 13, 1958;—Am. 1963, 2nd Ex. Sess., Act 38, Imd. Eff. Dec. 27, 1963;—Am. 1968, Act 65, Eff. July 1, 1968;—Am. 2013, Act 51, Imd. Eff. June 11, 2013;—Am. 2018, Act 614, Eff. Mar. 28, 2019;—Am. 2023, Act 269, Eff. Feb. 13, 2024;—Am. 2024, Act 74, Eff. (sine die).

Compiler's note: Section 3 of Act 65 of 1968 provides: "This act shall take effect on July 1, 1968, except in any county with a population of 400,000 or more it shall take effect on July 1, 1970."

Popular name: Election Code