

STATE CONSTITUTION (EXCERPT)
CONSTITUTION OF MICHIGAN OF 1963

§ 7 Boards of canvassers, certification of election results.

Sec. 7. (1) The outcome of every election in this state shall be determined solely by the vote of electors casting ballots in the election.

(2) A board of state canvassers of four members shall be established by law. No candidate for an office to be canvassed nor any inspector of elections shall be eligible to serve as a member of a board of canvassers. A majority of any board of canvassers shall not be composed of members of the same political party. The legislature may by law establish boards of county canvassers.

(3) It shall be the ministerial, clerical, nondiscretionary duty of a board of canvassers, and of each individual member thereof, to certify election results based solely on: (1) certified statements of votes from counties; or (2) in the case of boards of county canvassers, statements of returns from the precincts and absent voter counting boards in the county and any corrected returns. The board of state canvassers is the only body or entity in this state authorized to certify the results of an election for statewide or federal office and to determine which person is elected in such election.

(4) If the certified results for any office certified by the board of state canvassers show a tie among two (2) or more persons, the tie shall be resolved and the winner certified by the drawing of lots under rules promulgated by the board of state canvassers. If the certified results for an office certified by a board of county canvassers show a tie among two (2) or more persons, the tie shall be resolved and the winner certified by such board of canvassers under procedures prescribed by law.

(5) The certification of any election results by the board of state canvassers shall be final subject only to (a) a post-certification recount of the votes cast in that election supervised by the board of state canvassers under procedures prescribed by law; or (b) a post-certification court order.

(6) A board of canvassers is authorized to conduct post-certification recounts of election results under procedures prescribed by law.

(7) For purposes of this section "to certify" means to make a signed, written statement.

History: Const. 1963, Art. II, § 7, Eff. Jan. 1, 1964;—Am. Initiated Law, approved Nov. 8, 2022, Eff. Dec. 24, 2022.

Former constitution: See Const. 1908, Art. III, § 9.

Transfer of powers: See MCL 16.128.