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CAUSE OF ACTION AFTER FINAL CERTIFICATION OF AN ELECTION

House Bill 4896

Sponsor: Rep. Gerald Law

Committee: Constitutional Law and Ethics

Complete to 7-25-00

A SUMMARY OF HOUSE BILL 4896 AS INTRODUCED 9-28-99

Currently, under the Revised Judicature Act, an action alleging material election fraud or error may be filed in the circuit court within 30 days after an election on a constitutional amendment, question, or proposition to the electors of the state, or of a county, township, or municipality. The action may be brought without leave of the court by the attorney general or the prosecuting attorney of the county (either on his or her own behalf or on behalf of any citizen of the county) or by a citizen of the county by special leave of the court or judge of the county, and must be brought against the municipality in which the fraud or error is alleged to have occurred.

The bill would amend the act to require that such actions alleging material election fraud or error be brought within 30 days after the final certification of the election by the board of canvassers (including any certification due to the recount of any or all of the votes cast at the election or the holding of a special mail election under the Michigan Election Law).

MCL 600.4545

House Bill 4896 (7-25-00)

Analyst: S. Ekstrom

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.