



# HOUSE BILL No. 4896

September 28, 1999, Introduced by Rep. Law and referred to the Committee on Constitutional Law and Ethics.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
by amending section 4545 (MCL 600.4545).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 4545. (1) An action may be brought in the circuit  
2 court of any county of this state whenever it appears that mate-  
3 rial fraud or error has been committed at ~~any~~ AN election in  
4 ~~such~~ THAT county at which there has been submitted ~~any~~ A con-  
5 stitutional amendment, question, or proposition to the electors  
6 of ~~the~~ THIS state or ~~any~~ OF A county, township, or  
7 municipality. ~~thereof.~~

8       (2) ~~Such~~ THE action DESCRIBED IN SUBSECTION (1) shall be  
9 brought within 30 days after ~~such election~~ THE FINAL  
10 CERTIFICATION OF THE ELECTION BY THE BOARD OF CANVASSERS,  
11 INCLUDING ANY CERTIFICATION THAT OCCURS AFTER THE INITIAL

1 CERTIFICATION DUE TO THE RECOUNT OF ANY OR ALL OF THE VOTES CAST  
2 AT THE ELECTION OR THE HOLDING OF A SPECIAL MAIL ELECTION IN 1 OR  
3 MORE OF THE PRECINCTS INVOLVED IN THE ELECTION PURSUANT TO SEC-  
4 TIONS 831 TO 839 OF THE MICHIGAN ELECTION LAW, 1954 PA 116, MCL  
5 168.831 TO 168.839. THE ACTION SHALL BE BROUGHT by ~~the~~ ANY OF  
6 THE FOLLOWING:

7 (A) THE attorney general or the prosecuting attorney of the  
8 ~~proper~~ county IN WHICH THE ELECTION OCCURRED on his ~~own~~  
9 ~~relation~~ OR HER OWN BEHALF, or on ~~the relation~~ BEHALF of ~~any~~  
10 A citizen of ~~said~~ THE county without leave of the court. ~~, or~~  
11 ~~by any~~

12 (B) A citizen of the county by special leave of the court or  
13 a judge. ~~thereof. Such~~

14 (3) THE action shall be brought against the municipality  
15 ~~wherein such~~ IN WHICH THE fraud or error ~~is alleged to have~~  
16 ~~been committed~~ ALLEGEDLY OCCURRED.

17 (4) ~~(3)~~ After such action is brought, the procedure shall  
18 conform as near as may be to that provided by law for actions for  
19 quo warranto.