

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

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

168.842.amended Board of state canvassers; meeting; time and place, notice, adjournment; expedited canvass of returns.

Sec. 842. (1) Except as otherwise provided under subsection (2), the board of state canvassers, for the purpose of canvassing the returns and ascertaining and determining the result of an election, shall meet on or before the twentieth day after the election. The secretary of the board of state canvassers shall appoint the day of the meeting, which must be as soon as practicable after the receipt of the returns from the boards of county canvassers, and shall notify the other members of the board. Except as otherwise provided under subsections (2) and (3), the board shall complete the canvass and announce the board's determination not later than the twentieth day after the election. The board may at the time of its meeting canvass the returns for any office for which the returns have been received.

(2) If the unofficial election returns show that the election of electors of President and Vice President of the United States is determined by a vote differential between the first place and second place candidates for President and Vice President of the United States of less than 25,000 votes, the secretary of state shall direct the boards of county canvassers to canvass returns on an expedited schedule. The secretary of state may direct the boards of county canvassers to complete the canvass and certify the statements as required by law not later than the tenth day after the election.

(3) The secretary of the board of state canvassers may appoint the day for the board of state canvassers to conduct the expedited canvass of the returns as required under subsection (2) and determine the results of that election. The day appointed for the expedited canvass must be as soon as practicable after receipt of the returns from the boards of county canvassers, but the board of state canvassers shall complete the canvass and announce the board's determination no later than the thirteenth day after the election.

(4) If any statewide primary election has an unofficial vote differential of 1,500 votes or less, the secretary of state shall direct the board of state canvassers to canvass the returns of that statewide primary election on an expedited schedule and shall appoint the day for the board of state canvassers to conduct the expedited canvass.

(5) It is the ministerial, clerical, and nondiscretionary duty of the board of state canvassers, and each of the members of the board of state canvassers, to certify election results based solely on the certified statements of votes from counties.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 2004, Act 92, Imd. Eff. Apr. 26, 2004;—Am. 2018, Act 382, Eff. Mar. 19, 2019;—Am. 2023, Act 269, Eff. Feb. 13, 2024;—Am. 2024, Act 74, Eff. (sine die).

Compiler's note: Act 269 of 2001, which was approved by the Governor and filed with the Secretary of State on January 11, 2002, provided for the amendment of MCL 168.31, 168.73, 168.283, 168.393, 168.509y, 168.509aa, 168.561a, 168.624, 168.624a, 168.686, 168.706, 168.727, 168.737, 168.745, 168.769, 168.782b, 168.795, 168.795c, 168.797a, 168.798c, 168.799a, 168.803, 168.804, 168.842, and 168.931 of, the addition of Sec. 701 to, and the repeal of Sec. 509 of, Act 116 of 1954, known as the Michigan Election Law. A petition seeking a referendum on Act 269 of 2001 was filed with the Secretary of State. The Board of State Canvassers officially declared the sufficiency of the referendum petition on May 14, 2002. Const 1963, art 2, sec 9, provides that no law as to which the power of referendum properly has been invoked shall be effective thereafter unless approved by a majority of the electors voting thereon at the next general election. A referendum on Act 269 of 2001 was presented to the electors at the November 5, 2002, general election as Proposal 02-1, which read as follows:

"A REFERENDUM ON PUBLIC ACT 269 OF 2001--AN ACT TO AMEND CERTAIN SECTIONS OF MICHIGAN ELECTION LAW

Public Act 269 of 2001 would:

- Eliminate "straight party" vote option on partisan general election ballots.
- Require Secretary of State to obtain training reports from local election officials.
- Require registered voters who do not appear on registration list to show picture identification before voting a challenged ballot.
- Require expedited canvass if presidential vote differential is under 25,000.
- Require ballot counting equipment to screen ballots for voting errors to ensure the accurate tabulation of absentee ballots. Permit voters in polls to correct errors.
- Provide penalties for stealing campaign signs or accepting payment for campaign work while being paid as a public employee to perform election duties.

Should this law be approved?

Yes _____
No _____

Act 269 of 2001 was not approved by a majority of the electors voting thereon at the November 5, 2002, general election.

Popular name: Election Code