

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

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

168.879.amended Candidate petition for recount; requirements; good-faith belief in winning; petition by state political party chairperson; report; authority of legislature.

Sec. 879. (1) Subject to subsection (2), a candidate voted for at an election for an office may petition the board of state canvassers for a recount of the votes if the candidate believes that, but for error, a different candidate would have been elected, and all of the following requirements are met:

(a) The office is an office for which the votes are canvassed by the board of state canvassers under section 841 or is the office of Representative in Congress, state representative, or state senator for a district located wholly within 1 county.

(b) The candidate meets the requirements under section 862.

(c) The petition for a recount is filed not later than 5 p.m. of the second day after the day the board of state canvassers certifies the results of the election.

(d) The petition is filed with the secretary of state.

(e) The petition is written or printed and is signed and sworn to by the candidate.

(f) The candidate uses the petition form required under section 865(1).

(2) If a state senatorial race is determined by a vote differential of 500 votes or less or a state representative race is determined by a vote differential of 200 votes or less, the chairperson of a state political party may petition for a recount of the votes on behalf of a candidate in that race in the manner prescribed in subsection (1). Notwithstanding subsection (1)(e), the petition must be signed by the chairperson of the state political party filing the petition.

(3) On the completion of a recount for a federal or state legislative office, the board of state canvassers, in addition to the certification required by section 892, shall forward to the appropriate federal or state legislative body a report of the results of the recount.

(4) This section does not limit the authority of the legislature under section 16 of article IV of the state constitution of 1963.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1973, Act 157, Imd. Eff. Dec. 6, 1973;—Am. 1980, Act 61, Imd. Eff. Apr. 1, 1980;—Am. 1995, Act 261, Eff. Mar. 28, 1996;—Am. 1999, Act 216, Imd. Eff. Dec. 28, 1999;—Am. 2018, Act 128, Eff. Aug. 1, 2018;—Am. 2024, Act 74, Eff. (sine die).

Popular name: Election Code