

**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2023**

Introduced by Senators McMorrow and Moss

ENROLLED SENATE BILL No. 570

AN ACT to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending section 31a (MCL 168.31a), as amended by 2018 PA 603.

The People of the State of Michigan enact:

Sec. 31a. (1) In order to ensure compliance with the provisions of this act, after each election the secretary of state may audit election precincts.

(2) The secretary of state shall prescribe the procedures for election audits that include reviewing the documents, ballots, and procedures used during an election as required in section 4 of article II of the state constitution of 1963. The secretary of state and, except as otherwise provided under subsection (3), county clerks shall conduct election audits, including statewide election audits, as set forth in the prescribed procedures. The secretary of state shall train and certify county clerks, the county clerk’s staffs, and, if required under subsection (3), the designee of a county clerk, for the purpose of conducting election audits of precincts randomly selected by the secretary of state in the counties. An election audit must include an audit of the results of at least 1 race in each precinct selected for an audit. A statewide election audit must include an audit of the results of at least 1 statewide race or statewide ballot question in a precinct selected for an audit. An audit conducted under this section is not a recount and does not change any certified election results. The secretary of state shall supervise each county clerk, or the county clerk’s designee as provided under subsection (3), in the performance of election audits conducted under this section.

(3) If a county clerk is an officer or member of the governing body of a national, state, or local political party, or is a precinct delegate of a political party, that county clerk is prohibited from having any role in the direction, supervision, or conduct of an election audit, and that county clerk must, subject to this subsection, appoint a designee to conduct any election audit in that county. The county clerk shall not appoint a designee who is an officer or member of the governing body of a national, state, or local political party, or is a precinct delegate of a political party.

(4) Each county clerk, or the designee of a county clerk as provided under subsection (3), who conducts an election audit under this section shall provide the results of the election audit to the secretary of state within 20 days after the election audit.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor