

Act No. 53  
Public Acts of 2010  
Approved by the Governor  
April 22, 2010  
Filed with the Secretary of State  
April 22, 2010  
EFFECTIVE DATE: April 22, 2010

**STATE OF MICHIGAN  
95TH LEGISLATURE  
REGULAR SESSION OF 2010**

**Introduced by Senator Brown**

# **ENROLLED SENATE BILL No. 455**

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 866 (MCL 168.866).

*The People of the State of Michigan enact:*

Sec. 866. (1) Except as otherwise provided in subsection (2), recount petitions, either for an office or proposition, other than those filed with the board of state canvassers, shall be filed with the clerk of the board of canvassers, which board originally conducted the canvass.

(2) For a school district election, recount petitions, either for an office or proposition, shall be filed with the clerk of the board of canvassers, which board certified the result of the school district election.

(3) Recount petitions shall be filed within 6 days after the original canvass has been completed by the county, city, township, village, or district board of canvassers. A copy of the recount petition shall also be filed with the secretary of state within 2 days after the time the original recount petition is filed with the board of county canvassers as provided in this section. If the office or proposition in question is a city, ward, township, village, or district office or proposition, a copy of the recount petition shall not be filed with the secretary of state, but a copy shall be transmitted within 24 hours to the clerk of the board of county canvassers by the appropriate local clerk if the recount fee has been paid.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 95th Legislature are enacted into law:

- (a) Senate Bill No. 129.
- (b) Senate Bill No. 130.

This act is ordered to take immediate effect.

*Carol Morey Viventi*

Secretary of the Senate

*Richard J. Brown*

Clerk of the House of Representatives

Approved .....

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Governor

**Compiler's note:** Senate Bill No. 129, referred to in enacting section 1, was filed with the Secretary of State April 22, 2010, and became 2010 PA 52, Imd. Eff. Apr. 22, 2010.

Senate Bill No. 130, also referred to in enacting section 1, was filed with the Secretary of State April 22, 2010, and became 2010 PA 55, Imd. Eff. Apr. 22, 2010.