

HOUSE BILL No. 5878

May 20, 1998, Introduced by Rep. Law and referred to the Committee on Local Government.

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 election in ~~such~~
4 THAT county at which there has been submitted any constitutional
5 amendment, question, or proposition to the electors of ~~the~~ THIS
6 state or OF any county, township, or municipality. ~~thereof.~~
7 (2) ~~Such~~ THE action DESCRIBED IN SUBSECTION (1) shall be
8 brought within 30 days after ~~such election~~ THE FINAL CERTIFICA-
9 TION OF THE ELECTION BY THE BOARD OF CANVASSERS, INCLUDING ANY
10 CERTIFICATION THAT OCCURS AFTER THE INITIAL CERTIFICATION DUE TO
11 THE RECOUNT OF ANY OR ALL OF THE VOTES CAST AT THE ELECTION OR

1 THE HOLDING OF A SPECIAL MAIL ELECTION IN 1 OR MORE OF THE
2 PRECINCTS INVOLVED IN THE ELECTION PURSUANT TO SECTIONS 831 TO
3 839 OF THE MICHIGAN ELECTION LAW, 1954 PA 116, MCL 168.831 TO
4 168.839. THE ACTION SHALL BE BROUGHT by ~~the~~ ANY OF THE
5 FOLLOWING:

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

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

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

16 (4) ~~(3)~~ After such action is brought, the procedure shall
17 conform as near as may be to that provided by law for actions for
18 quo warranto.