

HOUSE BILL No. 4915

June 6, 2001, Introduced by Reps. Lemmons, Jacobs, Bradstreet, Thomas, Hardman, Frank, Whitmer, Zelenko, Murphy, O'Neil, Schermesser, Basham, Gielegem, Kolb, Williams, Wojno, Lipsey, McConico, Phillips, Switalski, Neumann, Cameron Brown, Bernero, Gosselin, Ehardt, Adamini, Anderson, Plakas, Jamnick, Bogardus, Minore, Clark, Hansen, Rocca, Pestka, DeRossett, Newell, Kuipers, Sheltroun, Woodward, Bovin, Clarke, Dennis, Richner, Cassis, Kooiman, Allen, Lockwood, Vear, Scranton, Bishop, Toy, Caul, Shackleton, Van Woerkom, Meyer, Faunce, George, Tabor, Hart, Rison, DeVuyst, Pappageorge, Jelinek, Pumford, Mead, Vander Roest, Stewart, Julian, Daniels, Rivet, Waters, Hager, Reeves, Jansen, Middaugh and Richardville and referred to the Committee on Redistricting and Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 867 (MCL 168.867), as amended by 1980
PA 200.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 867. The candidate or elector filing a recount peti-
2 tion with the clerk of the correct board of canvassers shall at
3 the same time deposit with the clerk the sum of \$10.00 for each
4 precinct referred to in his or her petition. If, by reason of
5 the recount, the petitioner establishes sufficient fraud or mis-
6 take as set forth in his or her petition to change the result of
7 the election and receives a certificate of election or estab-
8 lishes sufficient fraud or mistake to change the result ~~—, upon~~
9 ON an amendment or proposition, the votes for and against,
10 ~~—which~~ THAT were recounted, the money deposited by the

1 petitioner shall be refunded. If the petitioner does not
2 establish a fraud or mistake as set forth in his or her petition,
3 the sum deposited shall be paid by the clerk of the board of
4 county, city, township, or village canvassers to the treasurer of
5 the county, city, township, or village. IF A PRECINCT REFERRED
6 TO IN THE PETITION IS UNABLE TO BE RECOUNTED FOR ANY REASON, THE
7 MONEY DEPOSITED FOR THE RECOUNT OF THAT PRECINCT BY THE PETI-
8 TIONER SHALL BE REFUNDED.