

Source: Manual for Boards of County Canvassers (Michigan)

[https://www.michigan.gov/documents/sos/BCC\\_Manual\\_464331\\_7.pdf](https://www.michigan.gov/documents/sos/BCC_Manual_464331_7.pdf)

#### WHO DECIDES THE OFFICIAL OUTCOME OF AN ELECTION AND HOW DO THEY DECIDE?

The **County Board of Canvassers** decides for local matters and the **State Board of Canvassers** for all other matters – that’s who.

Not the TV pundits; not even your County Clerk, although they might release unofficial results. At your local precinct, a copy of the tabulator tape will be posted so you can see the results there after the polls close. But that, too, is unofficial until reviewed by the Board of Canvassers who verify the proper completion of the records from the election.

#### WHAT IS A “CANVASS”?

The County Board “canvasses” primaries and elections by carefully reviewing and authenticating the various forms and certificates completed by precinct poll workers to document the votes cast at the polls. The canvass begins at 1:00 pm the day following the election (Note: Board may decide to delay until absentee ballot counting is completed) and may continue for up to 14 days (Nov 17 in 2020). If not completed by then, the canvass is transferred to the State Canvassing Board who have up to 10 additional days to complete the canvass. (The investigation of alleged election law violations is not a part of the canvass.)

#### WHAT IS “CERTIFICATION”?

For races and matters totally within their jurisdiction, the Board “certifies” the election by declaring the final vote totals, the names of the nominees (primary) or of the persons elected (general election) and the outcome of any questions on the ballot.

For all other instances, the Board of County Canvassers forwards the votes to the Board of State Canvassers for the certification step.

Just what does the Board do? Read on for a summary of the process or, if you really like details, here is the link to the “Manual For Boards of Canvassers”

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#### WHAT RECORDS DOES THE BOARD REVIEW?

- Poll Books - document the ballots issued, cast, rejected and spoiled in a voting precinct or an absent voter counting board precinct.
- The Statement of Votes – documents the final vote totals obtained in a voting precinct or an absent voter counting board precinct
- And they have the power to direct the opening of Ballot Containers to remove any records related to the election which were inadvertently secured in the ballot containers. (The Board does not have the authority to remove the ballots secured in the ballot boxes.)

#### WHAT DOES THE REVIEW CONSIST OF?

If any of the records are found to be incomplete or to contain errors other than minor omissions, spelling errors or obvious mathematical mistakes, the election inspectors who were responsible for completing the records may be summoned to the canvass to correct the documents or as an alternative county clerk’s staff may be used to assist in completing records and returns. This may include tabulating

ballots discovered to be omitted; re-tabulating ballots; testing and, if necessary, re-programming the software used to tabulate ballots.

The review includes examining the Write-in Tally, the Challenged Voters and Challenged Procedures sections, the Remarks section for any unique circumstances or comments by the Receiving Board indicating any actions taken to complete their precinct canvass the preceding night.

The Board especially checks the Certificate of Election Inspectors on the last page of the Poll Book. This certificate is a reconciliation of the total number of ballots tabulated against the tabulator totals tape and a verification of the total number of voters against the List of Voters in the Poll Book. These are adjusted for absentee ballots tabulated at the precinct, provisional ballots issued, and as noted in the Remarks section. The certificate must be complete in every detail and must be signed by every election inspector who served in the precinct.

The County Canvassers' Report (certified vote totals) must be adjusted to reflect any votes cast on provisional envelope ballots that were ruled valid during the six day determination period following the election.

#### HOW DOES THE BOARD DOCUMENT THE RESULTS OF THE CANVASS?

They complete a County Canvassers' Report, which may be a booklet, a multiple-sheet document or a computer-generated report or combination. The report is certified by the Board of County Canvassers, under their hands and the seal of the Circuit Court of the county, and must be attested by the clerk of the board (county clerk)

An Official County Canvassers' Report consists of the following:

- The Statement of Votes - the name of county, the name of the jurisdiction, the precinct number, the election date, office titles, the names of candidates seeking each office, the headings of ballot questions, and the full text of all ballot questions – all of this reported in detail with precinct by precinct information. NOTE: For each category listed above, the number of votes must be written out in words at length (alpha) and the number of votes must also be stated in figures (numeric)
- Certificate of Determination - the winning candidates and the outcome of ballot questions for those offices and ballot questions which the Board of County Canvassers is responsible for certifying
- Certification of County Canvassers' Report- Each report must be certified by the Board of County Canvassers, under their hands and the seal of the Circuit Court of the county, and must be attested by the clerk of the board (county clerk).
- Additional Notes

#### WHAT HAPPENS TO THE REPORT?

- Forwarded to the Secretary of State - The vote totals provided electronically and on the printed report are used by the Board of State Canvassers to complete the certification of the primary or election for federal and state races not certified at the county level.
- Within 24 hours of sending vote totals to SOS, must send a report with vote details at the precinct level
- Local certifications are disseminated to the appropriate local officials

## SPECIAL MATTERS

- Tie Votes - In those rare instances where it is revealed through the county canvass that two candidates are tied for nomination or election to an office certified by the Board, the tie is determined by a drawing. (A tie vote on a ballot question defeats the ballot question; a tie breaking procedure is not followed.) A date is arranged when the tied candidates and all interested parties can assemble in the office of the county clerk to participate in the drawing. Candidates draw slips from a box to determine ELECTED or NOT ELECTED.
- Recounts - A candidate may petition for a recount of the votes cast in the precincts involved. In addition, a registered elector who voted at an election at which a question appeared on the ballot petition for a recount of the votes cast in the precincts involved. The Board of County Canvassers is responsible for conducting recounts for: County, city, township, village and school offices. The Board of State Canvassers is responsible for conducting recounts for all others. The petition for a recount to be conducted by the state board of canvassers must be in writing and notarized, be accompanied by a monetary deposit that will be refunded if the recount results changing the outcome of the election, and must be received no later than forty-eight hours following the completion of the state canvass.

## HOW ARE RESULTS RELEASED?

- After a general election, the county clerk is required to send the votes cast for candidates seeking the office of state senator or state representative to the newspapers in the county if the office was certified by the Board of County Canvassers
- The county clerk is responsible for sending all candidates declared elected to office by the Board a certificate of election (or nomination)

## WHO SERVES ON THE BOARD OF CANVASSERS AND HOW ARE THEY SELECTED?

Each Board of County Canvassers has four members -two from each of the parties having the greatest number of votes for Secretary of State at the last election. Board members are appointed by the County Board of Commissioners from a list of nominees submitted by the political parties. The county clerk serves as clerk of the Board but does not have a vote