MEMORANDUM

DATE: May 28, 2015
TO: County Clerks
FROM: Michigan Department of State, Bureau of Elections
SUBJECT: May 5, 2015 Election Certification - Recounts; Release of Voting Equipment

Please be advised that the Board of State Canvassers completed its canvass of the May 5, 2015 special election on Tuesday, May 26, 2015. The following information outlines instructions with respect to the conduct of any requested local recounts and the release of voting equipment and materials from the May 5, 2015 special election:

**CONDUCT OF LOCAL RECOUNTS:** Any recounts that have been requested for local offices or proposals may proceed at this time. Please remember to send a copy of all locally-filed recount requests to the Bureau of Elections (email preferred: elections@michigan.gov). Each requested recount must be completed no later than 30 days after 1) the deadline for filing a counter petition or 2) the first date the recount may lawfully begin (MCL 168.875).

**CONDUCT OF POST-ELECTION AUDITS:** If a recount has been requested involving a precinct that has been selected for a post-election audit, the audit may not begin until after the recount has been completed. **All other post-election audits may proceed at this time.**

**RELEASE OF VOTING EQUIPMENT:** The security of ballots and election equipment is released as follows:

*Ballots, programs and related materials:* The security of all optical scan ballots, programs, test decks, accuracy test results, edit listings and any other related materials is released under the Rules for Electronic Voting Systems, R 168.790(18), as of June 25, 2015 except in those areas where local recounts extend beyond June 25, 2015. Optical scan ballots and materials involved in local recounts which extend beyond June 25 can be released by the Board of County Canvassers upon the successful completion of the recount.

*AutoMARK flashcards:* The security of the AutoMARK flashcards is released as of June 25, 2015.

*E-Pollbook (EPB) laptops and flash drives:* The EPB software and associated files must be deleted from all devices by the seventh calendar day following the final canvass and certification of the election (i.e., June 2, 2015) unless a petition for recount has been filed and the recount has not been completed, a post-election audit is planned but has not yet been completed or the deletion of the data has been stayed by an order of the court or the Secretary of State.
REMINDER: 2012 ELECTION LAW CHANGES: As a reminder, PA 271 of 2012 made several changes to the required retention of certain election materials, including:

- **Lengthening** the amount of time that Applications to Vote and AV Ballot Applications must be preserved from two to **six years**.
- **Requiring** that all Affidavits from Voters not in Possession of Photo ID be retained for **six years**.
- **Shortening** the minimum retention period for master cards to **five years** (from ten years) after the date of cancellation.

Questions?

If you have any questions, please do not hesitate to contact this office via email at elections@michigan.gov, or by phone at (517) 373-2540 or (800) 292-5973.