



County of Tuolumne

Requesting a Recount



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Important Notice:

The handbook for requesting a recount is intended to provide general information, and does not have the force and effect of law, regulation or rule.

It is distributed with the understanding that the County of Tuolumne County Clerk/Auditor-Controller is not rendering legal advice and, therefore, the handbook is not to be a substitute for legal counsel for the individual or organization using it.

It is the responsibility of the proponents of those requesting a recount to obtain the most up-to-date information available, reflecting changes in laws or procedure subsequent to the publication of this guide.

General Information

A recount is conducted by the election official for the purpose of verifying the number of votes counted for any office or measure in an election. California Elections Code Sections 15620 to 15634 governs voter-requested recounts.

This guide does NOT cover:

- Court-ordered recounts (EC 15640-15642)
- Elections Official ordered recounts (EC 15610)
- State-funded recounts (EC 15645-15649)

Who can request a recount?

Any voter may file a request for a recount.

EC 15620

When can a request be filed?

The request may, within 5 days after the completion of the official canvass, be filed.



The canvass is complete when the election official signs the Certification of the Election Results.

For contests **in more than one county**, the request may be filed within 5 days beginning the 31st day after the election.

For **statewide** contests, the request may be filed within 5 days beginning the 31st day after the statewide election.

EC 15620, 15621

What should be on the request?

The request must be in writing.

It must:

- Specify the contest to be recounted.
- Specify on behalf of which candidate, slate of electors, or position on a measure (affirmative or negative) it is filed.
- Specify the method of counting to be used. Either the voting system used originally or manually. Only one method may be used for all ballots cast or tabulated by the same type of voting system.

It may:

- Specify the order precincts will be counted.
- Specify any other relevant material to be examined.

EC 15620, 15622, 15627, 15630

Where is the request filed?

The request is filed with the county elections official responsible for conducting the election for that contest, if the contest is not voted on statewide.

For contests **in more than one county**, the request may be filed with the elections official of, and the recount conducted within, any or all of the affected counties.

For **statewide** contests, the request may be filed with the Secretary of State if the contest is voted on statewide.



The Secretary of State will send a copy of the request to each county where a recount is requested.

EC 15620, 15621

Notice of Recount

The recount cannot begin until the day after each appropriate person is notified.

The recount must begin within 7 days of receipt of the request by the elections official to conduct the recount.

EC 15626

When will the notice be posted?

At least 1 day prior to the start of the recount, the notice stating the date and place of the recount will be posted by the elections official.

EC 15628

Who will be sent a notice?

A notice will be mailed to the following persons by any federally regulated overnight mail service:

- **All candidates** for any office which will be recounted.
- **Authorized representatives of presidential candidates** to whom electors are pledged if the votes to be recounted were cast for presidential electors.
- **Proponents** of any initiative or referendum or persons filing ballot arguments for or against any initiative, referendum, or measure placed on the ballot by the governing body which will be recounted.
- The **Secretary of State**, if recounting contests with candidates for any state office, presidential electors, the House of Representatives of the United States, the Senate of the United States, or delegates to a national convention or on any state measure.

EC 15628

Process of a Recount

When will the recount begin?

The recount must begin within 7 days of receipt of the request by the elections official to conduct the recount.

EC 15626

How long will the recount last?

The recount will continue daily, excluding Saturdays, Sundays, and holidays, for at least 6 hours each day until it's complete.

How many days a recount will last depends on many factors including, the number of precincts and the number of ballots within each precinct, and the method of counting (manually or by voting system).

EC 15626

Who is present at a recount?

A recount must be conducted under the supervision of the elections official.



If the office of the elections official is the subject of the recount, the governing body will appoint an officer, other than the elections official, to supervise the special recount boards.

A recount is open to any member of the public. Any observer must first sign in with the Elections Department.

EC 15625, 15629

Who performs the recount?

The elections official will appoint special recount boards, each consisting of 4 voters of the county, to conduct the recount.



If the office of the elections official is the subject of the recount, the governing body will appoint an officer, other than the elections official, to appoint the special recount boards.

EC 15625

What is the cost of a recount?

The election official will determine the amount of the deposit necessary to cover costs of the recount for each day.

The cost of a recount depends on many factors including, the number of special precinct boards used, the number of precincts and the number of ballots within each precinct, and the method of counting (manually or by voting system).

Each member of a recount board will receive the same pay per day as is paid in Tuolumne county to members (other than inspectors) of a precinct board of a polling location on Election Day.

EC 15624, 15625

Who pays for a recount?

Before the recount procedure begins each day, the voter filing the request for recount must deposit the amount estimated by the elections official to cover the cost of the recount for that day.



If the recount results in the requestor receiving the plurality of the votes, and those results are different than the official canvass, all of the deposit will be returned.

EC 15624

Result of a Recount

When the recount is complete, if a different candidate was nominated or elected, a different presidential slate of electors received a plurality, or a measure was defeated instead of approved or approved instead of defeated, the results of the official canvass will be changed.



Every vote in each precinct where the contest appeared must have been recounted. Otherwise the results of a recount will be declared null and void.

A copy of the results of any recount conducted will be posted in the office of the election official.

EC 15632, 15633