§ 9-208. Provisions for recanvass of vote in every election district in the state; procedure in case of discrepancy. 1. Within fifteen days after each general or special election, and within twenty days after a primary election, and within seven days after every village election conducted by the board of elections at which ballot scanners are used, the board of elections, or a bipartisan committee of or appointed by said board shall, in each county using ballot scanners, make a record of the serial number of each ballot scanner used in each election district in such general, special or primary election. No person who was a candidate at such election shall be appointed to membership on the committee. Such board of elections or bipartisan committee shall recanvass the tabulated result tape from each ballot scanner used in each election district by comparing such tape with the numbers as recorded on the return of canvass. The said board or committee shall also make a recanvass of any election day paper ballots that have not been scanned and were hand counted pursuant to subdivision two of section 9-110 of this article and compare the results with the number as recorded on the return of canvass. The board or committee shall then recanvass write-in votes, if any, on ballots which were otherwise scanned and canvassed at polling places on election night. The board or committee shall validate and prove such sums. Before making such canvass the board of elections, with respect to each election district to be recanvassed, shall give notice in writing to the voting machine custodian thereof, to the state and county chair of each party or independent body which shall have nominated candidates for the said general or special election or nominated or elected candidates at the said primary election and to each individual candidate whose name appears on the office ballot, of the time and place where such canvass is to be made; and the state and county chair of each such party or independent body and each such individual candidate may send a representative to be present at such recanvass. Each candidate whose name appears on the official ballot, or his or her representative, shall have the right personally to examine and make a record of the vote recorded on the tabulated result tape and any ballots which were hand counted.

2. If upon such recanvass, it shall be found that the original canvass

of the returns of an election district has been incorrectly made from any tabulated result tape plus any ballots which were hand counted, a statement in writing shall be prepared giving the details for any corrections made for such election district. The result of the recanvass, and such statement shall be witnessed by the persons required to be present and shall be filed with the board of elections. Such recanvass of votes made pursuant hereto shall thereupon supersede the returns filed by the inspectors of election of the election district in which the canvass was made.

3. If upon the recanvass of an election district, it shall be found that a discrepancy exists between the number of voters who cast a vote in an election district and the number of votes recorded on the tabulated results tape plus any election day paper ballots counted by hand the board of elections, or the committee thereof, shall proceed thoroughly to examine all the election day paper ballots in that election district to determine the result from such election district. The result of this examination of election day ballots shall supersede the returns filed by the inspectors of election of the election district in which the canvass was made. After the completion of such examination, the board of elections, or the committee thereof, shall then and there prepare a statement in writing giving in detail the result thereof, and such statement shall be witnessed by the persons required to be present and shall be filed in the office of the board of elections.

4. (a) The board of elections or a bipartisan committee appointed by the board shall conduct a full manual recount of all ballots for a particular contest:

i. Where the margin of victory is twenty votes or less; or

ii. Where the margin of victory is 0.5% or less; or

iii. In a contest where one million or more ballots have been cast and the margin of victory is less than 5,000 votes.

(b) For the purposes of this section, the term margin of victory shall mean the margin between all votes cast in the entire contest following

the recanvass of votes.

(c) Where the contest involves portions of two or more counties, the margin of victory shall be determined by the state board of elections based on the most recent recanvass results for the contest submitted by the boards of elections of the counties involved.

(d) No board of elections shall commence a full manual recount of a particular contest unless and until such board of elections has completed and announced the results of the recanvass required by subdivision one of this section, for each applicable election district.

(e) The result of the manual recount of ballots shall supersede the returns filed by the inspectors of election of the election district in which the canvass was initially made.