



HOUSE BILL No. 4187

February 9, 1993, Introduced by Reps. Brackenridge, Voorhees, Middaugh, Baade, Hammerstrom, Gnodtke, DeLange, Dolan, Dobronski, Dalman, McNutt, Stille, Dobb, McBryde and Pitoniak and referred to the Committee on Local Government.

A bill to amend section 952 of Act No. 116 of the Public Acts of 1954, entitled "Michigan election law," as amended by Act No. 456 of the Public Acts of 1982, being section 168.952 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 952 of Act No. 116 of the Public Acts of
2 1954, as amended by Act No. 456 of the Public Acts of 1982, being
3 section 168.952 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 952. (1) ~~The petitions~~ A PETITION for the recall of
6 an officer shall ~~be~~ MEET ALL OF THE FOLLOWING REQUIREMENTS:

7 (A) BE in the size and print types required by section 544c.
8 ~~, shall be printed, shall state~~

1 (B) BE PRINTED.

2 (C) STATE clearly ~~the~~ EACH reason ~~or reasons~~ for the
3 recall. ~~which reasons~~ EACH REASON FOR THE RECALL SHALL BE BASED
4 UPON THE OFFICER'S CONDUCT DURING HIS OR HER CURRENT TERM OF
5 OFFICE. THE REASON FOR THE RECALL may be typewritten. ~~, shall~~
6 ~~contain~~

7 (D) CONTAIN a certificate of the circulator. ~~which~~ THE
8 CERTIFICATE OF THE CIRCULATOR may be printed on the reverse side
9 of the petition. ~~, and shall be~~

10 (E) BE in a form prescribed by the secretary of state.

11 (2) Before being circulated, a petition for THE recall of an
12 officer shall be submitted to the board of county election com-
13 missioners of the county in which the officer whose recall is
14 sought resides.

15 (3) The board of county election commissioners, not less
16 than 10 days ~~nor~~ OR more than 20 days after submission to it of
17 a petition for THE recall OF AN OFFICER, shall meet and shall
18 determine whether ~~the reasons~~ EACH REASON for THE recall stated
19 in the petition ~~are or are not~~ IS of sufficient clarity to
20 enable the officer whose recall is sought and the electors to
21 identify the course of conduct ~~which~~ THAT is the basis for the
22 recall. Failure of the board of county election commissioners to
23 comply with this subsection shall constitute a determination that
24 ~~the reasons~~ EACH REASON for THE recall stated in the ~~petitions~~
25 ~~are~~ PETITION IS of sufficient clarity to enable the officer
26 whose recall is being sought and the electors to identify the
27 course of conduct ~~which~~ THAT is the basis for the recall.

1 (4) The board of county election commissioners shall notify,
2 not later than 24 hours after receipt of a petition for THE
3 recall OF AN OFFICER, the officer whose recall is sought of ~~the~~
4 ~~reasons~~ EACH REASON stated in the petition ~~for recall,~~ and of
5 the date of the meeting of the ~~commission~~ BOARD OF COUNTY ELEC-
6 TION COMMISSIONERS to consider ~~these reasons~~ THE CLARITY OF
7 EACH REASON.

8 (5) ~~Upon being notified of the reason or reasons for recall~~
9 ~~by the board of county election commissioners, the~~ THE officer
10 whose recall is sought and the sponsors of the petition may
11 appear at the meeting and present arguments on the clarity of
12 ~~the~~ EACH reason. ~~or reasons.~~

13 (6) The determination by the board of county election com-
14 missioners may be appealed by the officer whose recall is sought
15 or by the sponsors of the petition drive to the circuit court in
16 the county. The appeal shall be filed not more than 10 days
17 after the determination of the board of county election
18 commissioners.