

# HOUSE BILL No. 5321

February 8, 2000, Introduced by Reps. Garcia, Mortimer, Richner, Jansen and Birkholz and referred to the Committee on Local Government and Urban Policy.

[A bill to amend 1959 PA 203, entitled  
"Emergency interim local succession act,"  
by amending sections 4 and 5 (MCL 31.104 and 31.105); and to repeal  
acts and parts of acts.]

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 4. ~~Officers~~ AN OFFICER of ~~such~~ A political  
2 ~~subdivisions~~ SUBDIVISION, except A judicial ~~officers and~~  
3 ~~those~~ OFFICER OR AN OFFICER whose ~~positions are~~ POSITION IS IN  
4 THE STATE classified ~~under the~~ civil service, ~~laws,~~ within 30  
5 days of ~~the effective date of this act~~ MARCH 19, 1960, or in  
6 the case of any officer ~~hereafter~~ elected or appointed AFTER  
7 MARCH 19, 1960, within 3 days of his OR HER taking office, shall  
8 designate by title ~~5~~ AN emergency interim ~~successors and spec~~  
9 ~~ify their order of succession~~ SUCCESSOR. The ~~officers~~ OFFICER  
10 shall file ~~a list~~ THE NAME AND TITLE of ~~such~~ HIS OR HER  
11 emergency interim ~~successors, together with their order of~~

**HB5321, As Passed House, May 30, 2000**

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H.B. 5321 as amended May 30, 2000

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1 ~~succession,~~ SUCCESSOR with the clerk or other recording officer  
2 of the political subdivision and with the county clerk. The  
3 officer shall review and as necessary promptly revise the desig-  
4 nation of emergency interim ~~successors~~ SUCCESSOR to ~~insure~~  
5 ENSURE that at all times there ~~are 5~~ IS A qualified emergency  
6 interim ~~successors~~ SUCCESSOR.

7       Sec. 5. If ~~any~~ A political subdivision officer, other  
8 than ~~the~~ A judicial ~~officers and those officers~~ OFFICER OR AN  
9 OFFICER WHOSE POSITION IS IN THE STATE classified ~~under the~~  
10 civil service, ~~laws,~~ is not able or is unavailable to exercise  
11 the powers and discharge the duties of the office because of a  
12 disaster in this state caused by an enemy attack upon the United  
13 States, the legally authorized deputy of the officer shall exer-  
14 cise the powers and discharge the duties of the office. If the  
15 deputy is not able or is unavailable to exercise the powers and  
16 discharge the duties of the office because of a disaster in this  
17 state caused by an enemy attack upon the United States, the  
18 ~~available~~ emergency interim successor ~~, highest in order of~~  
19 ~~succession,~~ shall exercise the powers and discharge the duties  
20 of the office. The emergency interim successor shall exercise  
21 the powers and discharge the duties until ~~such time as~~ a new  
22 officer is appointed or elected and qualified or the regular  
23 incumbent of the office or his OR HER deputy ~~again become~~ IS  
24 available to exercise the powers and discharge the duties of  
25 ~~said~~ THE office.

[Enacting section 1. The emergency interim local succession  
act, 1959 PA 203, MCL 31.101 to 31.115, is repealed effective  
December 31, 2000.]

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Final page.

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