



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).

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~~

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.