

HOUSE BILL No. 5673

February 14, 2002, Introduced by Rep. Lipsey and referred to the Committee on House Oversight and Operations.

A bill to amend 1879 PA 190, entitled

"An act in relation to removals from and filling vacancies in certain public offices,"

by amending section 1 (MCL 201.91).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) ~~That in case~~ IF a vacancy ~~shall occur~~
2 OCCURS in any public office, ~~which~~ AND THE vacancy may be
3 filled by appointment by the governor or otherwise, notice of
4 ~~such~~ THAT vacancy and of the facts why the ~~same~~ VACANCY
5 exists, shall, within 10 days after ~~such vacancy shall occur~~
6 THE VACANCY OCCURS, be given in writing to the officer, board or
7 body, having power to fill ~~such~~ THE vacancy by appointment.
8 ~~Such~~ THE notice shall be given as follows: ~~→~~

HB5673, As Passed House, March 5, 2002

2

1 (A) If ~~such~~ THE vacancy ~~shall be~~ IS in any county
2 office, ~~excepting~~ EXCEPT FOR THE county clerk, by the clerk of
3 ~~the~~ THAT county. ~~wherein the same shall occur; if~~

4 (B) IF in the office of the circuit judge or judges or
5 recorders of ~~said~~ A city ~~courts~~ COURT, by the clerk of the
6 county ~~wherein such~~ WHERE THAT officer ~~may reside~~ RESIDES at
7 the time OF the vacancy. ~~shall occur; if~~

8 (C) IF THE VACANCY IS in the office of county clerk of any
9 county, by the judge of probate of ~~the same~~ THAT county. ~~if~~

10 (D) IF THE VACANCY IS in the office of secretary of state,
11 by the state treasurer. ~~and in~~

12 (E) IN all other cases, by the secretary of state. ~~In all~~
13 ~~cases where a vacancy may occur~~

14 (2) IF A VACANCY OCCURS in an office the salary ~~of the~~
15 ~~incumbent of which shall be~~ FOR WHICH IS paid in whole or part
16 from the state treasury, the officer, board, or body having the
17 appointing power shall immediately after receiving notice of
18 ~~such~~ THE vacancy notify the ~~auditor general~~ STATE TREASURER
19 of ~~such~~ THAT vacancy.