

REVISE RECALL PROTOCOLS

House Bill 4638 (Substitute H-2)
Sponsor: Rep. John Gleason
Committee: Local Government and
Urban Policy

Complete to 12-10-03

**A SUMMARY OF HOUSE BILL 4638 AS REPORTED FROM THE HOUSE
COMMITTEE ON LOCAL GOVERNMENT AND URBAN POLICY 12-9-03.**

House Bill 4638 (H-2) would amend the Michigan Election Law to prohibit the recall of elected officials whose terms of office are more than two years, until they have actually performed the duties of their office to which they were elected for a period of one year. Further, petitions to recall those officials could not be filed during the final year of the term of office.

Currently under the law, an elected official is not subject to recall until the official performs the duties of the office for a period of six months, and the law also prohibits the filing of a recall petition during the last six months of the official's term. The bill would retain this provision but apply it to an elected official whose term of office was two years or less.

In addition, the bill specifies that notwithstanding the recall prohibitions, if, on the effective date of this legislation, language to recall an officer had already been submitted and approved, then a recall petition could be filed, if the officer had actually performed the duties of the office for a period of six months, and was not in the last six months of his or her term.

MCL 168.951

House Bill 4638 (12-10-03)

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.