

SUBSTITUTE FOR
HOUSE BILL NO. 4638

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 951 (MCL 168.951), as amended by 1993 PA 45.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 951. (1) ~~Every~~ **Each** elective officer, ~~in the~~
2 ~~state,~~ except a judicial officer, is subject to recall by the
3 voters of the electoral district in which the officer is elected
4 as provided in this chapter. ~~A~~ **If an officer's term of office**
5 **is 2 years or less, a recall** petition shall not be filed against
6 ~~an~~ **the** officer until the officer has actually performed the
7 duties of the office to which elected for a period of 6 months
8 during the current term of that office ~~— A petition and~~ shall
9 not be filed against an officer during the last 6 months of the
10 officer's term of office. **If an officer's term of office is more**
11 **than 2 years, a recall petition shall not be filed against the**

1 officer until the officer has actually performed the duties of
2 the office to which elected for a period of 1 year during the
3 current term of office and shall not be filed against an officer
4 during the last 1 year of the officer's term of office. An
5 officer sought to be recalled shall continue to perform duties of
6 the office until the result of the recall election is certified.

7 (2) Notwithstanding the provisions of subsection (1), if, on
8 the effective date of the amendatory act that added this
9 subsection, language to recall an officer has been submitted and
10 approved under section 952, then a recall petition may be filed
11 if the officer has actually performed the duties of office for a
12 period of 6 months and it is not within the last 6 months of the
13 term of office, regardless of the officer's term of office.