

Legislative Analysis



REVISE RECALL PETITIONS AND PROCEDURES

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House Bill 5965

Sponsor: Rep. Richard Ball

Committee: House Oversight, Elections and Ethics

Complete to 5-23-06

A SUMMARY OF HOUSE BILL 5965 AS INTRODUCED 4-25-06

House Bill 5965 would amend the Michigan Election Law to revise the requirements for recall petitions and procedures.

Currently under the law, a recall petition cannot be filed against an elected official until he or she has actually performed the duties of office for a period of six months. Nor can a recall petition be filed during the last six months of the elected official's term of office. House Bill 5965 would retain these provisions, but also specify that *"recall petition signatures" could not be collected during an official's first six months in office.*

In addition and under the law, before being circulated, a petition for the recall of an official must be submitted to the Board of County Election Commissioner of the county in which the officer whose recall is sought resides. That board reviews the petition, and makes a determination as to its clarity, in order that the officer who is being recalled and the electors can identify the course of conduct that is the basis for the recall. House Bill 5965 would retain these provisions, and also *require that a filing fee of \$25* be submitted with the recall petition.

The bill also requires that the reasons for recall be permanently affixed to each recall petition that is circulated for signatures. *A person who violated this requirement would be guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$1,000, or both.*

MCL 168.951 et al

FISCAL IMPACT:

A fiscal analysis is in process.

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