

HOUSE BILL No. 4061

January 27, 2005, Introduced by Rep. Jones and referred to the Committee on House Oversight, Elections and Ethics.

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 state,~~
2 except a judicial officer, is subject to recall by the voters of
3 the electoral district in which the officer is elected as provided
4 in this chapter. ~~A~~ **IF AN OFFICER'S TERM OF OFFICE IS 2 YEARS OR**
5 **LESS, A RECALL** petition shall not be filed against ~~an~~ **THE** officer
6 until the officer has actually performed the duties of the office
7 to which elected for a period of 6 months during the current term
8 of that office ~~A petition~~ **AND** shall not be filed against an
9 officer during the last 6 months of the officer's term of office.

1 IF AN OFFICER'S TERM OF OFFICE IS MORE THAN 2 YEARS, A RECALL
2 PETITION SHALL NOT BE FILED AGAINST THE OFFICER UNTIL THE OFFICER
3 HAS ACTUALLY PERFORMED THE DUTIES OF THE OFFICE TO WHICH ELECTED
4 FOR A PERIOD OF 1 YEAR DURING THE CURRENT TERM OF OFFICE AND SHALL
5 NOT BE FILED AGAINST AN OFFICER DURING THE LAST 1 YEAR OF THE
6 OFFICER'S TERM OF OFFICE. An officer sought to be recalled shall
7 continue to perform duties of the office until the result of the
8 recall election is certified.

9 (2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1), IF, ON
10 THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS
11 SUBSECTION, LANGUAGE TO RECALL AN OFFICER HAS BEEN SUBMITTED AND
12 APPROVED UNDER SECTION 952, THEN A RECALL PETITION MAY BE FILED IF
13 THE OFFICER HAS ACTUALLY PERFORMED THE DUTIES OF OFFICE FOR A
14 PERIOD OF 6 MONTHS AND IT IS NOT WITHIN THE LAST 6 MONTHS OF THE
15 TERM OF OFFICE, REGARDLESS OF THE OFFICER'S TERM OF OFFICE.