

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

168.951 Officers subject to recall; time for filing recall petition; performance of duties until result of recall election certified.

Sec. 951. (1) Each elective officer, except a judicial officer, is subject to recall by the voters of the electoral district in which the officer is elected as provided in this chapter. If an officer's term of office is 2 years or less, a recall petition shall not be filed against the officer until the officer has actually performed the duties of the office to which elected for a period of 6 months during the current term of that office and a recall petition shall not be filed against an officer during the last 6 months of the officer's term of office. If an officer's term of office is more than 2 years, a recall petition shall not be filed against the officer until the officer has actually performed the duties of the office to which elected for a period of 1 year during the current term of office and a recall petition shall not be filed against an officer during the last 1 year of the officer's term of office. An officer sought to be recalled shall continue to perform the duties of his or her office until the result of the recall election is certified.

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

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1978, Act 533, Imd. Eff. Dec. 21, 1978;—Am. 1993, Act 45, Imd. Eff. May 27, 1993;—Am. 2012, Act 417, Imd. Eff. Dec. 20, 2012.

Compiler's note: Enacting section 2 of Act 417 of 2012 provides:

"Enacting section 2. As provided in section 5 of 1846 RS 1, MCL 8.5, this act is severable."

Enacting section 3 of Act 417 of 2012 provides:

"Enacting section 3. The legislature recognizes the importance of the electoral process, and it is the intent of the legislature that this amendatory act uphold each of the following:

- (a) Section 4 of article II of the state constitution of 1963.
- (b) Section 8 of article II of the state constitution of 1963.
- (c) Section 26 of article V of the state constitution of 1963."

Popular name: Election Code