

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672,
2 Page 17, Section 79.050, Line 40, by inserting after all of said line the following:

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4 "79.062. 1. The holder of any elective office who is serving a term of four years in any city
5 of the fourth classification as described in section 72.040 may be removed by the qualified voters of
6 such city by recall petition in accordance with the procedure set out in this section subject to the
7 following limitations:

8 (1) The officer has held office for at least six months;

9 (2) Additional recall petitions may be filed but shall not be filed during the six months
10 immediately following voter disapproval of the last recall petition;

11 (3) The recalled officer shall not be a candidate for such office at any special election held to
12 fill the vacancy created by the officer's recall, nor shall the officer be appointed by the appointing
13 authority to fill the vacancy.

14 2. A petition signed by voters entitled to vote for a successor to the incumbent sought to be
15 removed, equal in number to at least twenty-five percent of the total number of registered voters in
16 such city entitled to vote for a successor to the incumbent sought to be removed, demanding the
17 recall of a person from elective office shall be filed with the county clerk. The petition shall contain
18 a statement of the reasons for which recall is sought which shall not be more than two hundred words
19 in length. Such petition for recall shall be filed with the appropriate county clerk or election
20 authority within sixty days after the date of the earliest signature on the petition. The reasons for
21 recall are misconduct in office, incompetence, or failure to perform duties prescribed by law. The
22 signatures to the petition need not all be appended to one paper, but each signer shall add to the
23 signer's signature the signer's place of residence, giving the street and number and the date signed.
24 One of the signers of each such paper shall make oath before an officer competent to administer
25 oaths that the statements therein made are true as the signer believes and that each signature to the
26 paper appended is the genuine signature of the person whose name it purports to be.

27 3. Within ten days from the date of filing such petition, the county clerk of the county in
28 which such city is located shall examine and from the voters' register ascertain whether the petition is
29 signed by the requisite number of voters, and if necessary, the board of aldermen shall allow the
30 clerk extra help for the purpose. The clerk shall attach to the petition a certificate showing the result
31 of the examination. If by the clerk's certificate the petition is shown to be insufficient, it may be
32 amended within ten days from the date of such certificate. The clerk shall, within ten days after such
33 amendment, make like examination of the amended petition, and if the clerk's certificate shall show
34 the amended petition to be insufficient, the amended petition shall be returned to the person filing it,
35 without prejudice, however, to the filing of a new petition to the same effect. If the petition shall be
36 deemed to be sufficient, the clerk shall submit the same to the board of aldermen without delay. If

Action Taken _____ Date _____

1 the petition shall be found to be sufficient, the board of aldermen shall order the question to be
2 submitted to the voters of the city.

3 4. A special election shall be held on the recall petition as soon as practicable and as may be
4 determined by the election authority of the county. The question to be presented to the voters at such
5 election shall be in substantially the following form:

6 ☐ FOR the removal of (name of officer) from the office of (title of office)

7 ☐ AGAINST the removal of (name of officer) from the office of (title of office)

8 5. If a majority of the qualified electors voting on the question at such election shall vote
9 FOR the removal of such officer, a vacancy shall exist in such office. If a majority of the qualified
10 electors voting on the question at such election shall vote AGAINST the removal of such officer,
11 such officer shall continue to serve during the term for which elected."; and
12

13
14 Further amend said bill by amending the title, enacting clause, and intersectional references
15 accordingly.
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