

HB 2258 -- RECALL OF ELECTED OFFICIALS IN FOURTH CLASS CITIES

SPONSOR: Mitten

This bill allows the holder of any elective office who is serving a four-year term in any fourth class city to be removed by the qualified voters of the city by recall petition. A person holding any elective office for less than six months must not be subject to recall and a recall petition cannot be filed within the six months after voter disapproval of the last recall petition.

Criteria for submitting and filing a recall petition with the county clerk are specified in the bill. A recall petition must be signed by at least 25% of the number of qualified voters voting in the last election. The county clerk must determine whether the petition was signed by the required number of qualified voters within 10 days from the filing of the petition. If there is any insufficiency, additional signatures and information may be filed within 10 days of the determination of insufficiency. If the signatures are found to be sufficient, the county clerk will certify the petition to the board of aldermen who must order a special election.

A vote in favor of recall will create a vacancy in the office and a vote against will allow the official to serve the remainder of his or her term. If an official is recalled, he or she cannot be elected or appointed to fill a vacancy in the office created by his or her recall.