

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 468, Page 5, Section 34.600, Line 41, by
2 inserting after said section and line the following:

3
4 "49.055. 1. A county commissioner or presiding county commissioner in any county of the
5 first classification may be removed by the qualified voters of such county by recall petition in
6 accordance with the procedure under sections 49.055 to 49.057 subject to the following limitations:

7 (1) The commissioner shall have held office for at least six months; and

8 (2) The recalled commissioner shall not be a candidate to succeed himself or herself at a
9 special election held to fill the vacancy created by the commissioner's recall and shall not be
10 appointed to fill the vacancy.

11 2. A petition signed by voters eligible to vote for a successor to the commissioner sought to
12 be removed, which shall have a number of signatures equal to at least ten percent of the total
13 number of registered voters in such county voting in the last election at which the commissioner was
14 elected, demanding the recall of the commissioner may be filed with the county election authority.
15 Such petition shall contain a statement of the reason for which recall is sought, which shall not be
16 more than two hundred words in length. The petition for recall shall be filed no later than sixty days
17 after the date of the earliest signature on the petition. A reason for recall may be misconduct in
18 office, incompetence, or failure to perform duties prescribed by law. The signatures to the petition
19 need not all be appended to one page. Each signer to the petition shall add his or her signature; the
20 signer's place of residence, including street and number; and the date signed. One of the signers of
21 each such page shall make an oath before an officer competent to administer oaths that the
22 statements made therein are true, as he or she believes, and that each signature to the page appended
23 is the genuine signature of the person whose name it purports to be.

24 49.056. Within ten days of the date of filing such petition, the county election authority shall
25 examine and, from the voters' register, ascertain whether the petition is signed by the requisite
26 number of voters. The commission shall allow the election authority extra help for such purpose.
27 The election authority shall attach to the petition a certificate that states the result of the
28 examination. If the election authority's certificate states the petition is insufficient, the petition may
29 be amended for ten days after the date of the certificate. If the petition is amended, the election
30 authority shall examine the amendment within ten days of the amendment's submission. If the
31 election authority issues a certificate stating the amended petition is insufficient, the petition shall be
32 returned to the person who filed the petition without prejudice to filing a new petition to the same
33 effect. If the election authority certifies the amended petition is sufficient, the election authority
34 shall submit the petition to the commission without delay, and the commission shall order the
35 question to be submitted to the voters of the county.

36 49.057. 1. A special election shall be held on the recall petition as soon as practicable and

Action Taken _____ Date _____

1 as may be determined by the election authority of the county. The question to be presented to the
2 voters at such election shall be in substantially the following form:

3 ☐ FOR the removal of (name of commissioner) from the office of county
4 commissioner.

5 ☐ AGAINST the removal of (name of commissioner) from the office of county
6 commissioner.

7 2. If a majority of the qualified electors voting on the question at such election vote for the
8 removal of the commissioner, a vacancy shall exist in such office. If a majority of the qualified
9 electors voting on the question at such election vote against the removal of the commissioner, the
10 commissioner shall continue to serve for the remainder of the term for which he or she was
11 elected."; and

12
13 Further amend said bill by amending the title, enacting clause, and intersectional references
14 accordingly.