

HB 1124 -- RECALL OF ST. LOUIS CIRCUIT ATTORNEY POSITION

SPONSOR: Gregory

This bill creates procedures for recall of the St. Louis Circuit Attorney.

A notice of intention to circulate a recall petition must be served on the Circuit Attorney personally or by mail and proof of service filed with the election authority, as specified in the bill. The Circuit Attorney has seven days from the filing of the notice to file a statement in answer to the statement of the proponents with the election authority. The required information and procedures for use of an initiative petition and a recall election are specified in the bill.

When a petition is found to be sufficient by the election authority then a certificate with specified information must be sent to the Attorney General. Following the Attorney General's receipt of the certificate, the election authority shall order an election to be held as specified in the bill.

The bill allows the Circuit Attorney to submit his or her resignation any time prior to 42 days before the election. If a resignation is offered, the recall question shall be removed from the ballot and the office declared vacant. If a recall is successful, then the Governor may appoint a replacement under existing law until the position is filled at the next regularly scheduled election for circuit attorney.