

HCS HB 2133 -- RECALL OF COUNTY COMMISSIONERS

SPONSOR: Richey

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Crime Prevention and Public Safety by a vote of 5 to 1.

The following is a summary of the House Committee Substitute for HB 2133.

This bill establishes a petition procedure for recalling county commissioners or presiding county commissioners in counties of the first classification. The commissioner to be recalled must have held office for at least six months and cannot be a candidate to succeed himself or herself at the election to fill the vacancy.

The petition is required to have a number of signatures equal to at least 10% of the total number of registered voters in the county voting in the last election at which the commissioner was elected, and must state the reason for which the recall is sought: misconduct in office; incompetence; or failure to perform duties prescribed by law. Additional procedural requirements are set out in the bill.

At least 60% of the qualified voters voting on the question must vote for removal, otherwise the commissioner shall continue to serve for the remainder of the term.

This bill has a delayed effective date of January 1, 2021.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this is an effort to create a mechanism that currently does not exist, and it would allow residents of certain counties to be able to hold their county commissioners accountable by being able to remove the commissioner without having to wait the four years of the term. The sponsor was not aware of any other counties that do this already. There have been instances where decisions have been made with no accountability and with no intention to meet with the public to address those concerns. Overturning the will of the people who elected their county commissioner should not be easy, which is why the threshold is 60% of the people having to vote in favor of removing.

Testifying for the bill was Representative Richey.

OPPONENTS: There was no opposition voiced to the committee.