

HCS HBs 165 & 196 -- RECALL OF COUNTY COMMISSIONERS

SPONSOR: Richey

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Elections and Elected Officials by a vote of 8 to 1. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 9 to 2.

The following is a summary of the House Committee Substitute for HB 165.

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. Recall elections must also be held at least nine months before the end of a commissioner's term.

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 is similar to HB 2133 (2020).

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 a removal mechanism is necessary in some cases and that the recall process is a democratic method often allowed for other offices by state law. The bill has safeguards to prevent abuse by small minorities of voters or interest groups.

Testifying for the bill was Representative Richey.

OPPONENTS: Written testimony only.

Testifying against the bill was Arnie C. Dienoff who provided

written testimony.

This bill is similar to HB 2133 2020.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.