

HCS HBs 165 & 196 -- COUNTIES

COMMITTEE OF ORIGIN: Standing Committee on Elections and Elected Officials

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 provides that in any courthouse that contains both a county office and a courtroom, the presiding circuit, associate, or municipal judge may establish rules for courtrooms, jury rooms, and chambers or offices of the court, but the county commission shall have authority over all other areas of the courthouse. Court marshals may aid in the management and security of the areas under control of the court.

The bill also requires the issuance of receipts for appeals to the county board of equalization which are issued immediately for in person appeals and within two business days for electronic appeals.

This bill is similar to HB 2133 (2020).