



# HOUSE BILL 1058: Tobaccoville Recall Elections.

2016-2017 General Assembly

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<b>Committee:</b>	Senate State and Local Government	<b>Date:</b>	June 23, 2016
<b>Introduced by:</b>	Rep. Conrad	<b>Prepared by:</b>	Erika Churchill
<b>Analysis of:</b>	First Edition		Committee Council/ Susan Barham Research Assistant

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**SUMMARY:** *House Bill 1058 amends the charter of the Village of Tobaccoville to allow the recall of officers of the Village of Tobaccoville.*

**[As introduced, this bill was identical to S823, as introduced by Sen. Krawiec, which is currently in Senate State and Local Government.]**

**CURRENT LAW:** The Village of Tobaccoville (Village) was established in 1991 by the General Assembly, subject to a referendum. S.L. 1991-232. The Village is governed by a Mayor and Village Council. The Village Council has four nonpartisan members, elected by the qualified voters of the entire Village. Two of the members of the council serve four year terms and two members of the council serve two year terms. The Village Council chooses a Village Clerk. The clerk keeps the records of the Village Council and performs other duties as required by law or the council.

**BILL ANALYSIS:** The bill amends the charter of the Village of Tobaccoville to allow the Mayor and the members of the Village Council to be subject to removal through the filing of a recall petition and an affirmative majority vote at a recall election.

- A recall petition filed with the Village clerk must bear the signatures of at least 20 percent (20%) of the registered voters of the Village. Upon receipt of a sufficient recall petition the Clerk shall immediately forward the petition to the board of elections that conducts elections for the Village.
- The board of elections will verify the petition signatures and certify its sufficiency to the governing body. The governing body will then adopt a resolution calling for a recall election to be held at the same time as the next primary, general, or special election scheduled to be held more than 60 days after the petition has been certified.

If less than the majority votes for the officer's recall, the officer continues. If the majority votes for the officer's recall, then the officer is removed on the date the board of elections certifies the results of the election.

**EFFECTIVE DATE:** This act is effective when it becomes law.

*\* This summary was contributed to substantially by Tawanda Foster and Augustus Willis.*

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