

SENATE BILL No. 615

October 18, 1989, Introduced by Senators V. SMITH and
KELLY and O'BRIEN and referred to the Committee on
Judiciary.

A bill to amend section 209 of Act No. 116 of the Public
Acts of 1954, entitled
"Michigan election law,"
being section 168.209 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 209 of Act No. 116 of the Public Acts
2 1954, being section 168.209 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 209. (1) ~~When~~ IF a vacancy ~~shall occur~~ OCCURS in
5 an elective or appointive county office, it shall be filled in
6 the following manner:

7 (A) ~~(1)~~ If the vacancy ~~shall be~~ IS in the office of
8 county clerk, ~~or prosecuting attorney,~~ it shall be filled by
9 appointment by the judge or judges of that judicial circuit.

1 (B) IF THE VACANCY IS IN THE OFFICE OF PROSECUTING ATTORNEY,
2 IT SHALL BE FILLED BY APPOINTMENT BY THE JUDGE OR JUDGES OF THAT
3 JUDICIAL CIRCUIT AND OF THE RECORDER'S COURT OF EACH CITY IN THAT
4 COUNTY HAVING A RECORDER'S COURT.

5 (C) ~~(2)~~ If the vacancy ~~shall be~~ IS in any other county
6 office, ~~either elective or appointive,~~ the presiding or senior
7 judge of probate, the county clerk, and the prosecuting attorney
8 shall appoint ~~some~~ A suitable person to fill ~~such~~ THE
9 vacancy.

10 (2) ~~(3) Any~~ A person ~~so~~ appointed UNDER THIS SECTION
11 shall take and subscribe to the oath as provided in section 1 of
12 article ~~++~~ XI of the state constitution OF 1963, give bond in
13 the manner required by law, and ~~shall~~ hold ~~such~~ office for
14 the remainder of the unexpired term and until ~~his~~ A successor
15 ~~shall have been~~ IS elected and qualified. However, if the next
16 general election is to be held more than 150 days after the
17 vacancy occurs, and it is not the general election at which a
18 successor in office would be elected if there had been no vacan-
19 cy, the person appointed shall hold office only until a successor
20 is elected at ~~such~~ THE NEXT general election ~~, held more than~~
21 ~~+50 days after the vacancy occurs,~~ in the manner provided by law
22 and qualifies for office. ~~Such~~ THE successor shall hold the
23 office for the remainder of the unexpired term.