

## Full Text

Shall Sections 203 and Section 415 of the County Charter be amended to read as follows:

### **203. Vacancies.**

If a vacancy occurs on the Board of Supervisors at any time on or before October 15<sup>th</sup> of the third calendar year of a term, the Board shall, within 30 days of the effective date of the vacancy, order the calling of a special election to fill the vacancy. If the Board does not call a special election within 30 days, the county officer responsible for conducting elections shall immediately order a special election to be called to fill the vacancy. For purposes of this section, the special election may be conducted as an all-mailed ballot election, at the discretion of the Board or the county officer responsible for conducting elections, as applicable. The special election shall be held not less than 102 days and not more than 131 days from the order calling the election, except that it may be held on an election date regularly established by general law if that date falls within 180 days from the order calling the special election. The election shall be conducted pursuant to the general law governing the direct primary so far as applicable, except the county officer responsible for conducting county elections may prescribe the periods for securing signatures in lieu of a filing fee, for circulating and filing nomination papers, for publishing the notice of election and for applying for absentee ballots. The candidate receiving the highest number of votes, irrespective of whether a majority of votes are received, is elected for the remainder of the term.

If the vacancy occurs after October 15<sup>th</sup> of the third calendar year of a term, the Board shall within 45 days of the effective date of the vacancy, either call a special election, make an appointment, or determine to leave the office vacant until the end of the term. If a special election is called, it shall be held on the earliest date that is administratively possible as determined in consultation with the county officer responsible for conducting elections. Any appointment or calling of the special election must be by a minimum of three votes of the remaining members of the Board of Supervisors. In the event three votes cannot be obtained, the vacancy shall remain unfilled for the remainder of the term.

For purposes of determining the number of consecutive terms that a member of the Board of Supervisors may serve under Section 202 of this Charter, any person elected to fill a vacancy on the Board will be considered to have served one full term if there are two or more two years remaining in the term determined as of the date of election to fill the vacancy; and any person appointed to fill a vacancy, or elected to fill a vacancy on the Board with less than two years remaining in the term as of the date of election to fill the vacancy, will not be considered to have served a term.

Any written letter of resignation from a member of the Board of Supervisors shall be delivered to the Clerk of the Board of Supervisors, and shall be irrevocable when delivered. The process to fill a vacancy under this Section may be commenced immediately on the date the resignation is filed, irrespective of whether a deferred effective date is specified in the resignation. In any instance where a successor is elected or appointed to by the Board under this section prior to the deferred effective date specified in the letter of resignation, the successor shall take office when the deferred resignation becomes effective by the terms of the letter of resignation.

#### **415. Vacancies.**

The Board of Supervisors shall provide for public notice of vacancies on boards and commissions and of the method by which citizens may apply for appointments. If a vacancy occurs in an elective office other than the Board of Supervisors, the Board shall within 30 days of the effective date of the vacancy, either make an appointment or order the calling of a special election to fill the vacancy. If the Board does not make an appointment or call a special election within 30 days, the county officer responsible for conducting county elections shall immediately order a special election to be called to fill the vacancy. The appointee shall hold office for the remainder of the term. For purposes of this section, the special election may be conducted as an all-mailed ballot election, at the discretion of the Board or the county officer responsible for conducting elections, as applicable.

The special election shall be held not less than 102 days and not more than 131 days from the order calling the election, except that it may be held on an election date regularly established by general law if that date falls within 270 days from the order calling the special election. The election shall be conducted pursuant to the general law governing the direct primary so far as

applicable, except the county officer responsible for conducting county elections may prescribe the periods for securing signatures in lieu of a filing fee, for circulating and filing nomination papers, for publishing the notice of election and for applying for absentee ballots. The candidate receiving the highest number of votes is elected for the remainder of the term.

Any written letter of resignation from an elected officer shall be delivered to the Clerk of the Board of Supervisors, and shall be irrevocable when delivered. The process to fill a vacancy under this Section may be commenced immediately on the date the resignation is filed, irrespective of whether a deferred effective date is specified in the resignation. In any instance where a successor is elected or appointed by the Board under this section prior to the deferred effective date specified in the letter of resignation, the successor shall take office when the deferred resignation becomes effective by the terms of the letter of resignation.