



**City of Amarillo – Charter Review Committee
Proposed Change – Mayor and City Council Recall Provisions**

This Section of Article I be amended so that hereafter the same shall be and read as follows:

Article I – Section 24 – Recall

(a) Any elective officer of the City shall be subject to recall and removal from office by the registered voters within the City, and the procedure to effect such removal shall be as follows:

(b) A petition demanding that the question of removing such officer or officers be submitted to the electors, shall be filed with the City Secretary such petition for the recall of any such elective officer or officers shall be signed by at least thirty percent (30%) of the number of ~~registered voters votes cast~~ within the city ~~at least one fifth (1/5) of whom shall certify that~~ at the election ~~at in~~ which the officer or officers was or were elected. ~~they voted for the election of such officer or officers proposed to recalled.~~

(c) Petitions for signatures for such recall shall be procured only from the City Secretary, who shall keep a sufficient number of such blank petitions on file for distribution, and prior to the issuance of such petitions for signatures there shall be filed with such person an affidavit by one or more registered voters within the city, stating the name or names of the officer or officers sought to be removed. Such officer issuing such petition for removal to an elector shall enter in a record to be kept, the name of the elector to whom issued, the date of such issuance and the number of such petitions issued and shall certify on such petitions for signatures, the name of the elector to whom issued and the date of its issuance. No petition for signatures shall be accepted and taken into consideration in determining the necessary percentage of voters for removal unless it bears such certificate and be filed as herein provided.

(d) Each signer of a recall petition shall sign his or her name thereto in ink or indelible pencil and following the name, his or her place of residence by street and number. To each of said petitions there shall be attached an affidavit of the circulator thereof, stating the number of signers to such part of the petition and that each signature to same is genuine, was made in his presence and is that of the person whose name it purports to be.

(e) All papers comprising a recall, shall be returned and filed with the City Secretary, within ~~thirty (30)~~ **sixty (60)** days after the filing of the required affidavit for the City Secretary, upon the return of such petition, shall at once submit the same to the governing authority of the City and shall notify the officer or officers sought to be recalled of such action. If the official whose removal is sought does not resign within five (5) days after such notice is given, the governing authority of the City shall thereupon order and fix a day for holding a recall election in accordance with applicable law as amended.

(f) The ballot at such recall election shall conform to the following requirements: With respect to each person whose removal is sought the question shall be submitted:

SHALL (NAME OF PERSON) BE REMOVED FROM THE OFFICE OF (NAMING THE OFFICE) BY RECALL?

Immediately following each of such questions there shall be printed on the ballots, in separate lines, in the order here set out the words:

FOR THE RECALL OF (NAMING THE PERSON)

AGAINST THE RECALL OF (NAMING THE PERSON)

(g) Should a majority of the votes cast at such recall election be for the recall of the officer named on the ballot, he shall, regardless of any technical defects in the recall petitions, be deemed removed from office, but should a majority of the votes cast at such recall election be against the recall of the officer named on the ballot, such officer shall continue in office for the remainder of his term, subject to recall as before.

(h) No recall petition shall be filed against any officer of the City within six (6) months after ~~his~~ **their assuming office election** or **within six (6) months of the end of the officer's term**, nor within six (6) months after an election for such officer's recall.

(i) In case the governing authority of the City shall fail or refuse to receive the recall petition, order such recall election, or discharge any other duties with reference to such recall, then the County Judge of Potter County, Texas, shall discharge any of such duties herein provided to be discharged by the governing authority of said City.

(j) If, in such recall election, there shall, as a result of such election, remain one or more of such elective officers, who is not recalled, then such officer or officers not recalled shall discharge all of the duties incumbent upon the governing authority of said City until the vacancy or vacancies created at such recall elections are filled by an election for that purpose, as hereinafter provided for, but if in any proposed recall election it is proposed and submitted to recall all elective officers, then there shall be placed on said ballot under the question of recall, the names of candidates to fill the vacancies proposed to be created by such election, but the names of such officers proposed to be recalled shall not appear on the ballot as candidates.

(k) If at any recall election it is not proposed and submitted to recall all of the elective officers, but only one or more, fewer than all, and such election shall result in favor of the recall of one or more of such officers, proposed to be recalled, then it shall be the duty of such officer or officers not recalled and constituting the governing authority of the City, in accordance with applicable state law and this Charter to meet, canvass the returns, declare the result of the election and order an election to fill such vacancy or vacancies; which election shall be held in accordance with applicable state law.

(Char. 11-18-13, Art. 2, § 24; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)