

**OPTIONAL UNIFIED FORM OF COUNTY GOVERNMENT (EXCERPT)**  
**Act 139 of 1973**

**45.559a Death or resignation of elected county executive; successor.**

Sec. 9a.

(1) For counties with a population of more than 1,000,000, if a vacancy occurs in the office of the elected county executive due to death or resignation of the elected county executive, the chief deputy shall take the constitutional oath of office and serve as the county executive until the county board of commissioners appoints a successor to the elected county executive or until a special election is held as provided by law.

(2) If the county board of commissioners elects to appoint a successor, the appointment shall be made no later than 30 days from the date of the death or resignation. A county executive appointed by the county board of commissioners shall serve until the next general election. If the county board of commissioners does not make an appointment within the required 30 days under this subsection, a special election shall be held at the earliest possible date allowed by law.

(3) If the chief deputy is unable to serve as the county executive due to death or resignation of the chief deputy, the next highest ranking deputy shall take the constitutional oath of office and serve as the county executive until the county board of commissioners appoints a successor as provided under subsection (1) or until a special election is held as provided by law.

(4) A new county executive shall be elected at the next general election after the death or resignation of a county executive as provided in section 9 for the election of county executives. The newly elected county executive shall serve a term equal to the balance of the term for which the county executive who died or resigned was elected.

(5) Within 10 days after being sworn in, the county executive shall appoint a chief deputy. The county executive may also appoint additional deputies whom he or she considers necessary to perform the functions and duties of the office of elected county executive.

(6) The county executive shall file a statement with the county clerk identifying the individual appointed as chief deputy and all other individuals appointed as a deputy or assistant deputy. The statement shall also identify the ranking order of the deputies.

(7) If the county executive is absent or unable to perform the duties of his or her office, the chief deputy shall perform the duties of the county executive until such time that the elected county executive can resume the duties of his or her office.

(8) The county executive may revoke his or her appointments at any time.

**History:** Add. 2003, Act 281, Imd. Eff. Jan. 8, 2004