

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNTY OF ORANGE,  
CALIFORNIA, MAKING CHANGES TO THE CHARTER OF  
ORANGE COUNTY RELATING TO THE FILLING OF  
SUPERVISORIAL VACANCIES, AND AMENDING  
ARTICLE I, SECTION 103 OF THE CHARTER OF  
ORANGE COUNTY

The People of the County of Orange, California, hereby ordain as follows:

SECTION 1: Article I, Section 103 of the Charter of Orange County is amended to read:

103. Filling of Vacancies.

Notwithstanding any other provision of law, whenever a vacancy occurs in the office of supervisor, the vacancy shall be filled as follows:

- A. If, at the time the vacancy occurs, the remaining term of office is 365 days or greater, then the vacancy shall be filled by a vote of the electors of that district at a special election to be called by the Board of Supervisors not less than 56 days nor more than 70 days after the vacancy occurs, except that if the vacancy occurs within 180 days of a regularly scheduled election held throughout the supervisorial district, the election to fill the vacancy may be consolidated with that regularly scheduled election. The person receiving the highest number of votes in that election shall fill the vacancy.*
- B. If, at the time the vacancy occurs, the remaining term of office is less than 365 days, but greater than 180 days, the vacancy shall be filled by any person receiving a majority of the votes in the statewide primary election that year. If that person for any reason does not assume the office for the remainder of the term, or if no person receives a majority of votes cast for supervisor in that district in the statewide primary election, then the Board of Supervisors is hereby authorized to fill the vacancy by either (1) calling a special election not less than 56 days nor more than 70 days after the vacancy occurs, or by (2) appointing a person to fill the vacancy, provided that the Board of Supervisors may not fill a vacancy by appointing a person who has filed nomination documents with the county elections official to qualify as a candidate for Supervisor in the November general election.*
- C. If, at the time the vacancy occurs, the remaining term of office is 180 days or less, then the Chairman of the Board of Supervisors shall appoint such personnel as necessary to address the needs of the residents of the district and the vacancy shall be filled by the person receiving the highest number of votes cast for Supervisor in that district after the Board declares the results of the November general election.*
- ~~A. If the vacancy occurs in the first 1095 days of the term of office, the vacancy shall be filled by a vote of the electors of that district at a special election to be called by the Board of Supervisors not less than 56 days nor more than 70 days after the vacancy occurs. If the vacancy occurs within 180 days of a regularly scheduled election held~~

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~~throughout the supervisorial district, the election to fill the vacancy may be consolidated with that regularly scheduled election. The person receiving the highest number of votes in that election shall fill the vacancy.~~

- ~~B. If the vacancy occurs within the final year of the term, the vacancy shall be filled by the person receiving the highest number of votes for Supervisor in that district in the March primary election that year. If that person for any reason does not assume the office for the remainder of the term, the Board of Supervisors is hereby authorized to appoint a person to fill the vacancy. If the Board of Supervisors does not make such an appointment within 30 days following the certification of the March primary election results or following the failure of that person to assume the office, whichever comes later, the Board of Supervisors shall call a special election to be held not less than 56 nor more than 70 days thereafter to fill the vacancy. The person receiving the highest number of votes in that special election shall fill the vacancy.~~