

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE establishing financial accountability for elected officials who reject or obstruct certified recall petitions, requiring reimbursement of special election costs if a court determines improper denial of voter certified recall efforts.

ORDINANCE NO. 5997, July 18, 2025

INTRODUCED BY Manuel Abarca IV, County Legislator

WHEREAS the Jackson County Legislature recognizes the fundamental right of voters to hold elected officials accountable through the recall process as provided under Missouri law and the Jackson County Charter; and,

WHEREAS protecting the integrity of citizen-led recall efforts is vital to ensuring public trust in local governance; and,

WHEREAS the denial or obstruction of certified recall petitions without legal justification imposes unnecessary costs on taxpayers through prolonged litigation and additional election; and,

BE IT ORDAINED by the Jackson County Legislature; now therefore,

SECTION 1. Title.

This Ordinance shall be known as the “Taxpayer Protection in Recall Elections Ordinance.”

SECTION 2. Purpose.

The purpose of this ordinance is to safeguard the integrity of Jackson County's recall process and ensure that any elected official who improperly rejects or obstructs a certified recall petition is personally responsible for the financial costs associated with subsequent elections resulting from such denial.

SECTION 3. Definitions.

- Certified Recall Petition means a petition that has met all legal requirements, including signature verification by the appropriate election authority or relevant county office.
- Improper Denial or Obstruction means a refusal by an elected official or governing body to recognize a certified recall petition without valid legal cause, as determined by a final ruling of a court of competent jurisdiction.
- Election Costs include but are not limited to the expenses incurred by the County in holding any specified election arising from the improperly denied or obstructed recall process.

SECTION 4: Reimbursement Requirement

- A. If a court of competent jurisdiction determined that an elected official improperly denied or obstructed a certified recall petition:
 - a. That elected official shall be held personally financially responsible for the full cost of any special election triggered by the recall process

- b. The County Executive or County Counselor shall pursue all available legal remedies to recover said costs directly from the personal assets of the offending official
- B. Recovery of costs shall not be subjected to identification or reimbursement by public funds, insurance, campaign funds, or political party resources.

SECTION 5. Enforcement.

The County Counselor is authorized and directed to initiate legal proceedings to enforce the provisions of this Ordinance upon a judicial determination of improper denial or obstruction.

SECTION 6. Severability.

If any provision of this Ordinance or its application is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance that can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance are severable.

SECTION 7. Emergency Clause.

This Ordinance, being necessary for the immediate protection of public interest and the integrity of Jackson County's democratic processes, shall be effective immediately upon its adoption.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

UNSIGNED BY COUNTY COUNSELOR

County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5997 introduced on July 18, 2025, was duly passed on _____, 2025 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5997.

Date

Frank White, Jr., County Executive