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Act No. 27 (H.42). Municipal government; local elections; municipal clerk; municipal treasurer; appointment; town audits; penalties

An act relating to appointing municipal clerks and treasurers and to municipal audit penalties

This act in Secs. 1 through 3 allows a municipality to vote at its annual meeting to authorize its legislative body to appoint the municipal clerk or treasurer, or both. A municipality has this new appointment authority so long as it does not have a charter that specifically provides for the election or appointment of the applicable officer. The act also addresses the procedure for a legislative body to remove such an appointed clerk or treasurer; the ability of a municipality to vote to rescind the appointment authority; and the term of office of an elected clerk or treasurer in office on the date the municipality votes to appoint the officer.

Sec. 4 addresses municipal audit penalties. This section amends current law to provide the procedure that must occur before a town officer will be subject to existing penalties for willfully refusing or neglecting to provide requested town audit materials or related information. The act further adds that a town officer who engages in that willful conduct shall be personally liable to the town for a civil penalty in the amount of \$100.00 per day until the officer provides the requested audit materials or information.

Effective Date: May 10, 2017