

WHICH IS A MISDEMEANOR RELATED TO HIS PUBLIC DUTIES AND RESPONSIBILITIES FOR WHICH THE PENALTY MAY BE INCARCERATION IN ANY PENAL INSTITUTION, SHALL BE SUSPENDED BY OPERATION OF LAW WITHOUT PAY FROM THE ELECTIVE OFFICE. DURING AND FOR THE PERIOD OF SUSPENSION OF THE ELECTED OFFICIAL, THE APPROPRIATE GOVERNING BODY AND/OR OFFICIAL AUTHORIZED BY LAW TO FILL ANY VACANCY IN THE ELECTIVE OFFICE SHALL APPOINT A PERSON TO TEMPORARILY FILL THE ELECTIVE OFFICE. IF, AFTER EXHAUSTION OF ANY APPEAL AS A MATTER OF RIGHT WITHIN THE COURT SYSTEM IN WHICH THE ELECTED OFFICIAL IS SO CONVICTED, THE CONVICTION IS UPHeld, SUCH ELECTED OFFICIAL SHALL BE REMOVED FROM THE ELECTIVE OFFICE BY OPERATION OF LAW. THE GOVERNOR, UPON A FINDING BY THE ATTORNEY GENERAL OF SUCH A REMOVAL, SHALL FORMALLY DECLARE THE OFFICE VACANT. IF THE CONVICTION OF THE ELECTED OFFICIAL IS REVERSED OR OVERTURNED ON ANY APPEAL AS A MATTER OF RIGHT AS PROVIDED ABOVE, THE ELECTED OFFICIAL SHALL BE REINSTATED BY OPERATION OF LAW TO THE ELECTIVE OFFICE FOR THE REMAINDER, IF ANY, OF THE ELECTIVE TERM OF OFFICE DURING WHICH HE WAS SO CONVICTED. IN THE EVENT THE CONVICTION IS REVERSED OR OVERTURNED ON ANY APPEAL BY ANY COURT OF COMPETENT JURISDICTION, WHETHER BY APPEAL AS A MATTER OF RIGHT, OR OTHERWISE, THEN ALL PAY WITHHELD DURING THE PERIOD OF SUSPENSION SHALL BE RESTORED. ]]

ANY ELECTED OFFICIAL OF THE STATE, OR OF A COUNTY OR OF A MUNICIPAL CORPORATION WHO DURING HIS TERM OF OFFICE IS CONVICTED OF OR ENTERS A PLEA OF NOLC CONTENDERE TO ANY CRIME WHICH IS A FELONY, OR WHICH IS A MISDEMEANOR RELATED TO HIS PUBLIC DUTIES AND RESPONSIBILITIES AND INVOLVES MORAL TURPITUDE FOR WHICH THE PENALTY MAY BE INCARCERATION IN ANY PENAL INSTITUTION, SHALL BE SUSPENDED BY OPERATION OF LAW WITHOUT PAY OR BENEFITS FROM THE ELECTIVE OFFICE. DURING AND FOR THE PERIOD OF SUSPENSION OF THE ELECTED OFFICIAL, THE APPROPRIATE GOVERNING BODY AND/OR OFFICIAL AUTHORIZED BY LAW TO FILL ANY VACANCY IN THE ELECTIVE OFFICE SHALL APPOINT A PERSON TO TEMPORARILY FILL THE ELECTIVE OFFICE, PROVIDED THAT IF THE ELECTIVE OFFICE IS ONE FOR WHICH AUTOMATIC SUCCESSION IS PROVIDED BY LAW, THEN IN SUCH EVENT THE PERSON ENTITLED TO SUCCEED TO THE OFFICE SHALL TEMPORARILY FILL THE ELECTIVE OFFICE. IF THE CONVICTION BECOMES FINAL, AFTER JUDICIAL REVIEW OR OTHERWISE, SUCH ELECTED OFFICIAL SHALL BE REMOVED FROM THE ELECTIVE OFFICE BY OPERATION OF LAW AND THE OFFICE SHALL BE DEEMED VACANT. IF THE CONVICTION OF THE ELECTED OFFICIAL IS REVERSED OR OVERTURNED, THE ELECTED OFFICIAL SHALL BE REINSTATED BY OPERATION OF LAW TO THE ELECTIVE OFFICE FOR THE REMAINDER, IF ANY, OF THE ELECTIVE TERM OF OFFICE DURING WHICH HE WAS SO SUSPENDED OR REMOVED, AND ALL PAY AND BENEFITS SHALL BE RESTORED.