

In subsection (a) of this section, the former reference that the powers in this section "exist" is deleted as implicit in the reference that the powers "may be exercised".

In subsection (b) of this section, the reference to the powers "of" the local governing body is substituted for the former reference to the powers "provided by law for" the local governing body for brevity.

Defined terms: "County" § 1-101

"Local governing body" § 14-401

14-403. EXECUTIVE OFFICER KILLED, SICK, OR UNAVAILABLE.

(A) "EXECUTIVE OFFICER" DEFINED.

IN THIS SECTION, "EXECUTIVE OFFICER" MEANS THE MAYOR OR COMPARABLE OFFICIAL OF THE LEGISLATIVE BODY OF A MUNICIPAL CORPORATION OF THE STATE.

(B) PERIOD OF APPLICABILITY.

THE POWERS IN THIS SECTION MAY BE EXERCISED ONLY DURING THE EFFECTIVE PERIOD OF AN OFFICIAL PROCLAMATION BY THE GOVERNOR THAT DECLARES ALL OR PART OF THE MUNICIPAL CORPORATION TO BE IN AN ACTUAL OR THREATENED EMERGENCY AREA.

(C) AUTHORITY OF LOCAL GOVERNING BODY TO FILL VACANCY.

(1) IF AN EXECUTIVE OFFICER IS KILLED OR IS SICK, INCAPACITATED, MISSING, OR OTHERWISE UNAVAILABLE FOR A TEMPORARY OR INDEFINITE PERIOD BECAUSE OF A MILITARY OR WARLIKE CATASTROPHE, AND THE MUNICIPAL CORPORATION IS UNABLE TO FILL THAT VACANCY FOR A TEMPORARY OR INDEFINITE PERIOD, THE LOCAL GOVERNING BODY OF THE COUNTY IN WHICH THE MUNICIPAL CORPORATION IS LOCATED MAY APPOINT AN INDIVIDUAL TO FILL THE VACANCY FOR A TEMPORARY OR INDEFINITE PERIOD.

(2) IF THE VACANCY IS IN A MUNICIPAL CORPORATION THAT IS LOCATED IN MORE THAN ONE COUNTY:

(I) THE LOCAL GOVERNING BODY OF ANY OF THE COUNTIES IN WHICH PART OF THE MUNICIPAL CORPORATION IS LOCATED MAY APPOINT AN INDIVIDUAL TO FILL THE VACANCY; OR

(II) THE LOCAL GOVERNING BODIES OF THE COUNTIES MAY AGREE TO APPOINT AN INDIVIDUAL TO FILL THE VACANCY.

(D) QUALIFICATIONS OF APPOINTEES.

TO THE EXTENT POSSIBLE, EACH APPOINTEE SHALL HAVE THE QUALIFICATIONS REQUIRED FOR THE PARTICULAR OFFICE TO WHICH APPOINTED.

(E) POWERS OF APPOINTEES.

EACH APPOINTEE MAY EXERCISE THE POWERS AND PREROGATIVES OF AN OFFICER ELECTED TO THE POSITION.