



28 place of residence as provided in Section 20A-2-105 outside the county, district, precinct, or  
29 prosecution district in which he was elected, the office is automatically vacant.

30 (3) [H] The failure of an elected county, district, precinct, or prosecution district officer  
31 ~~[is absent from the county, district, precinct, or prosecution district any time during his term of~~  
32 ~~office for a continuous period of more than 60 days without the consent of the county legislative~~  
33 ~~body or bodies, the county, district, precinct, or prosecution district office is automatically vacant]~~  
34 substantially to perform the officer's official duties constitutes malfeasance in office under Section  
35 77-6-1.

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**Legislative Review Note**  
**as of 12-7-98 11:09 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

**Committee Note**

The Political Subdivisions Interim Committee recommended this bill.