

**DE 81-04 - October 19, 1981**

**Recall Petition  
Section 100.361(1)(a)1-6, F.S.**

*To: Ms. Alice Huffer, City Clerk, City of Palm Bay, 175 Northwest Palm Bay Road, Palm Bay, Florida  
32905*

*Prepared by: Division of Elections*

Your letter has been received wherein you inquire if a recall petition should be based upon the number of registered electors at the time the recall petition is started or at the prior municipal election.

Section 100.361(1)(a)1-6, F.S., provides for the number of electors required to sign petitions to remove from office any Member of the Governing Body of a Municipality. Paragraph 4 provides that —

"In a municipality of 5,000 or more but less than 10,000 registered electors, the petition shall be signed by at least 500 electors or by 10 percent of the total number of registered electors of the municipality as of the preceding municipal election, whichever is greater."

You indicate that the City of Palm Bay had 10,203 registered electors at the time a recall petition was started and that there were 9,573 registered electors as of the preceding municipal election.

Therefore, it will appear that the number of signatures of registered electors required will be 10 percent of 9,573 which is the total number of registered electors of the municipality as of the preceding municipal election.