

Item 7: Applicable Processes Should the Sheriff Position Become Vacant

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What happens in the event of a vacancy in the position of Sheriff?

Pursuant to the County Charter, the Board shall, within 30 days of the effective date of the vacancy, either:

- (1) make an appointment, or
- (2) order the calling of a special election to fill the vacancy

If the Board fails to take one of these actions within 30 days, the Chief Elections Officer must immediately order a special election to fill the vacancy.

Pursuant to California law, prior to the position of Sheriff being filled by either appointment or special election, the duties of Sheriff shall be discharged by the undersheriff, or if that position is vacant, by the assistant sheriff, or if that position is also vacant, by the chief deputy next in line of authority.

How and when to fill the vacancy

Appointment: If the Board appoints someone within 30 days, that appointee shall hold office for the remainder of the term (until January 2029).

Special Election: If no appointment is made, the special election shall be held not less than 102 days and not more than 131 days from the order calling the election, except that it may be held on a regular election date if that date falls within 270 days from the order calling the special election.

In the case of a special election, the candidate receiving the highest number of votes is elected for the remainder of the term (until January 2029).

