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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1628

02/25/2019 Authored by Sundin, Lislegard, Ecklund, Halverson and Huot The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to elections; modifying certain special election timelines; amending
1.3 Minnesota Statutes 2018, sections 204D.19, subdivision 2; 204D.22, subdivision
1.4 3; 204D.23, subdivision 2.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 204D.19, subdivision 2, is amended to read:

1.7 Subd. 2. Special election when legislature will be in session. Except for vacancies in
1.8 the legislature which occur at any time between the last day of session in an odd-numbered
1.9 year and the 40th 54th day prior to the opening day of session in the succeeding
1.10 even-numbered year, when a vacancy occurs and the legislature will be in session so that
1.11 the individual elected as provided by this section could take office and exercise the duties
1.12 of the office immediately upon election, the governor shall issue within five days after the
1.13 vacancy occurs a writ calling for a special election. The special election shall be held as
1.14 soon as possible, consistent with the notice requirements of section 204D.22, subdivision
1.15 3, but in no event more than 35 49 days after the issuance of the writ. A special election
1.16 must not be held during the four days before or the four days after a holiday as defined in
1.17 section 645.44, subdivision 5.

1.18 Sec. 2. Minnesota Statutes 2018, section 204D.22, subdivision 3, is amended to read:

1.19 Subd. 3. Notice of special election. The county auditor of a county in which a special
1.20 election is to be held shall direct the clerk of each municipality in which the election is to
1.21 be held to post a notice of the special primary and special election at least seven 14 days
1.22 before the special primary and at least 14 21 days before the special election in the manner
1.23 provided in sections 204B.33 and 204B.34. If the special primary is to be held 14 21 days

2.1 before the special election, a single notice of both elections may be posted seven days before
2.2 the primary.

2.3 When the special primary or special election is to be held on the same day as any other
2.4 election, notice of the special primary or special election may be included in the notice of
2.5 the other election, if practicable.

2.6 Sec. 3. Minnesota Statutes 2018, section 204D.23, subdivision 2, is amended to read:

2.7 Subd. 2. **Time of filing.** Except as provided in subdivision 3, the affidavits and petitions
2.8 shall be filed no later than ~~14~~ 21 days before the special primary.

2.9 Sec. 4. **EFFECTIVE DATE.**

2.10 This act is effective August 1, 2019, and applies to special elections held on or after that
2.11 date.