

A bill for an act

relating to elections; changing certain special election and primary provisions;
amending Minnesota Statutes 2006, sections 204D.19, subdivision 2; 204D.23,
subdivision 2; 204D.27, by adding a subdivision.

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

Section 1. Minnesota Statutes 2006, section 204D.19, subdivision 2, is amended to
read:

Subd. 2. **Special election when the Congress or legislature will be in session.**

Except for vacancies in the legislature which occur at any time between the last day
of session in an odd-numbered year and the ~~33rd~~ 40th day prior to the opening day of
session in the succeeding even-numbered year, when a vacancy occurs and the Congress
or legislature will be in session so that the individual elected as provided by this section
could take office and exercise the duties of the office immediately upon election, the
governor shall issue within five days after the vacancy occurs a writ calling for a special
election. The special election shall be held as soon as possible, consistent with the notice
requirements of section 204D.22, subdivision 3, but in no event more than ~~28~~ 35 days
after the issuance of the writ.

Sec. 2. Minnesota Statutes 2006, section 204D.23, subdivision 2, is amended to read:

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

Sec. 3. Minnesota Statutes 2006, section 204D.27, is amended by adding a subdivision
to read:

H.F. No. 3172, as introduced - 2007-2008th Legislative Session (2007-2008)

2.1 Subd. 12. **Recounts.** In a special primary or special election, the provisions of
2.2 section 204C.35 apply, except that the secretary of state may immediately proceed to
2.3 recount the votes upon review of the certified reports of the county canvassing boards if
2.4 it is apparent from the review that a recount is required.

2.5 Sec. 4. **EFFECTIVE DATE.**

2.6 Sections 1 to 3 are effective the day following final enactment.