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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **2322**

03/11/2019   Authored by Neu
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; prohibiting the conduct of special primaries and special
1.3   elections on certain days; amending Minnesota Statutes 2018, sections 204D.19,
1.4   subdivision 2; 204D.195.

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 day prior to the opening day of session in the succeeding even-numbered

1.10   year, when a vacancy occurs and the legislature will be in session so that the individual

1.11   elected as provided by this section could take office and exercise the duties of the office

1.12   immediately upon election, the governor shall issue within five days after the vacancy occurs

1.13   a writ calling for a special election. The special election shall be held as soon as possible,

1.14   consistent with the notice requirements of section 204D.22, subdivision 3, but in no event

1.15   more than 35 days after the issuance of the writ. ~~A special election must not be held during~~

1.16   ~~the four days before or the four days after a holiday as defined in section 645.44, subdivision~~

1.17   ~~5.~~

1.18   Sec. 2. Minnesota Statutes 2018, section 204D.195, is amended to read:

1.19   **204D.195 DATE OF SPECIAL ELECTION; CERTAIN TIMES PROHIBITED.**

1.20   Notwithstanding any other provision of law, a special primary and special general election

1.21   may not be held:

2.1 (1) for a period beginning the day following the date of the state primary election and

2.2 ending the day prior to the date of the state general election.; or

2.3 (2) on a holiday, or during the four days before or the four days after a holiday, as defined

2.4 in section 645.44, subdivision 5.

2.5 Sec. 3. **EFFECTIVE DATE.**

2.6 Sections 1 and 2 are effective the day following enactment and apply to special elections

2.7 for vacancies in office occurring on or after that date.