

CHAPTER 351

RESIGNATIONS, VACANCIES, REMOVALS

351.01 Resignations.

351.055 Preparations for special elections.

351.01 RESIGNATIONS.

Subdivision 1. **To whom made.** Resignations shall be made in writing signed by the resigning officer:

(1) By incumbents of elective offices, to the officer authorized by law to fill a vacancy in such office by appointment, or to order a special election to fill the vacancy;

(2) By appointive officers, to the body, board, or officer appointing them, unless otherwise specially provided.

Subd. 2. **When effective.** Except as provided by subdivision 3 or other express provision of law or charter to the contrary, a resignation is effective when it is received by the officer, body, or board authorized to receive it.

Subd. 3. **Contingent resignations prohibited; exception.** (a) Except as provided in paragraph (b), no resignation may be made to take effect upon the occurrence of a future contingency. Statements explaining the reasons for a resignation must not be considered to be contingencies unless expressly stated as contingencies.

(b) A resignation may be made expressly to take effect at a stated future date. Unless it is withdrawn as provided under subdivision 4, a resignation is effective at 12:01 a.m. on the stated date.

Subd. 4. **Withdrawal of resignation.** A prospective resignation permitted by subdivision 3 may only be withdrawn by a written statement signed by the officer and submitted in the same manner as the resignation, before it has been accepted by resolution of the body or board or a written acceptance of the officer authorized to receive it.

History: 1987 c 200 s 2

351.055 PREPARATIONS FOR SPECIAL ELECTIONS.

If a future vacancy becomes certain to occur and the vacancy must be filled by a special election, the appropriate authorities may begin procedures leading to the special election so that a successor may be elected at the earliest possible time.

History: 1987 c 175 s 17