

**351.02 VACANCIES.**

Every office shall become vacant on the happening of either of the following events, before the expiration of the term of such office:

(1) the death of the incumbent;

(2) the incumbent's resignation;

(3) the incumbent's removal;

(4) the incumbent's ceasing to be an inhabitant of the state, or, if the office is local, of the district, county or city for which the incumbent was elected or appointed, or within which the duties of the office are required to be discharged;

(5) the incumbent's conviction of any infamous crime, or of any offense involving a violation of the official oath;

(6) the incumbent's refusal or neglect to take the oath of office, or to give or renew the official bond, or to deposit or file such oath or bond within the time prescribed;

(7) the decision of a competent tribunal declaring the incumbent's election or appointment void;

(8) the death of the person elected or appointed to fill a vacancy, or for a full term, before the person qualifies, or before the time when by law the person should enter upon the duties of the office, in which case the vacancy shall be deemed to take place at the time when the term of office would have begun had the person lived.

**History:** (6953) *RL s 2667; 1973 c 123 art 5 s 7; 1986 c 444*