

**383B.031 BOARD VACANCIES: MORE OR NOT MORE THAN SIX MONTHS OUT.**

Subdivision 1. **More than six months; special election.** Notwithstanding the provisions of section 375.101, if a vacancy occurs in a seat on the Board of County Commissioners of Hennepin County more than six months before the general election in which a commissioner will next be selected to occupy such seat the county auditor shall, within seven days after the vacancy occurs, call a special election within the affected district to fill such vacancy. The auditor shall specify a date for the election which shall be between 56 and 77 days after the vacancy occurred. Candidates shall file with the county auditor prior to the 35th day before the election. The primary election shall be held 14 days before the election. If no more than two candidates file for the office, the primary election shall be canceled and the date of the general election advanced 14 days.

Subd. 2. **Minnesota Statutes controls; affidavit of candidacy.** Each person who wishes to file as a candidate in the election for which provision is made in subdivision 1 shall submit to the county auditor an affidavit for candidacy. Except as otherwise specifically provided in this section, the special election shall be held in accordance with the provisions of Minnesota Statutes 1965, chapter 203. The candidate who receives a plurality of the votes cast in the special election shall be certified the winner.

Subd. 3. **Not more than six months; general election.** A vacancy in a seat on a board of county commissioners which occurs not more than six months before the general election in which a commissioner will next be selected to occupy the seat shall be filled at the general election.

Subd. 4. **Elected for unexpired term.** A person elected to the office of commissioner pursuant to the provisions of this section shall hold office for the unexpired term of the person's predecessor.

**History:** 1967 c 719 s 1-4; 1986 c 444; 1987 c 384 art 2 s 1