

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 1408 **DATE:** May 3, 2011
Version: First engrossment
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Subject: Vacancies in nomination; nonpartisan offices
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Overview

This bill modifies the procedure for filling a vacancy in nomination that occurs for a nonpartisan office. Nonpartisan offices in Minnesota include judicial and local offices.

- 1 **Candidates seeking nomination by primary.** Eliminates a cross-reference to candidates for nonpartisan offices being permitted to seek nomination by primary and by filing a nominating petition, consistent with changes made later in the bill.
- 2 **Death or withdrawal.** Provides that a vacancy in nomination for a non-partisan office only exists when a candidate formally withdraws from the race, eliminating a reference to a vacancy in nomination occurring when a candidate dies.
- 3 **Nonpartisan office; filling vacancy in nomination.** Modifies the process for filing a vacancy in nomination for a nonpartisan office. The withdrawal of a candidate would trigger a five day filing period for new candidates to file affidavits of candidacy. Following the filing period, a two day withdrawal period would occur.

If the vacancy occurs during the regular candidate filing period, the names of any candidates who subsequently file to fill the vacancy would appear on the ballot at the primary election. If the vacancy does not occur during this time, the candidates' names will appear on the general election ballot, without a primary.

- 4 **Filing period; municipal elections without a primary.** Modifies the filing period for municipal offices where the municipality chooses to not conduct a primary election, as permitted by law.
- 5 **Filing period; school districts without a primary.** Modifies the filing period for school district offices where the district chooses to not conduct a primary election, as permitted by law.
- 6 **Repealer:** Repeals the following sections of statute:

204B.41: Regulating how a ballot must be modified after a vacancy in nomination occurs.

204D.169: Requiring an example supplemental ballot, when an election will be held using a

supplemental ballot due to a vacancy in nomination issue.

205.065, subd. 7: Providing a cross-reference to existing vacancy in nomination procedures for municipalities where a vacancy occurs after the municipal primary.

205A.03, subd. 6: Providing a cross-reference to existing vacancy in nomination procedures for school districts where a vacancy occurs after the school district primary.

7 **Effective date.** Sections 1 to 6 are effective the day following final enactment.