

**TITLE 1: GOVERNMENT**  
**DIVISION 6: ELECTIONS**

**§ 6502. Special Elections Subject to the Call of the Governor.**

(a) If a vacancy occurs in the legislature, in the office of the Governor or Lieutenant Governor, or in the office of a mayor, which under the Constitution requires an election to fill the vacancy or a recall petition is certified by the Attorney General, the Governor shall call a special election to fill such vacancy.

(b) If the Governor fails to call a special election within thirty (30) days of a constitutional vacancy or the certification of a recall petition, any registered voter may petition the Election Commission to determine and certify that a vacancy requiring a special election exists or that a recall petition has been certified by the Attorney General. Within ten (10) calendar days of receipt of a petition, the Commission shall submit its determination to the Governor. The Governor shall issue a proclamation for a special election within five (5) calendar days of receipt of a Commission certification of vacancy or recall requiring a special election.

(c) If there are simultaneous vacancies in the offices of Governor and Lieutenant Governor and less than one year remains from the date of the first vacancy, the Senate President shall be Acting Governor and the Speaker of the House shall be Acting Lieutenant Governor and both shall serve out the remainder of the terms of their respective offices.

(d) If there is a vacancy in the legislature and less than one-half of the term remains, the Governor shall fill the vacancy in accordance with Article II, Section 9 of the Commonwealth Constitution within thirty (30) days of the date of the vacancy.

(e) If there is a vacancy in the office of mayor and less than one-half of the term remains from the date of the vacancy, or when the mayor is unable to discharge the duties of the office by reason or physical or mental disability, the presiding officer of the Municipal Council shall be acting mayor.

(f) In case of a vacancy on the Board of Education, the vacancy shall be filled pursuant to [1 CMC § 2263](#).

(g) All special elections required hereunder shall be held in accordance with the provisions of this part.

**Source:** Repealed and reenacted by PL 12-18, § 2 (6502); subsection (f) amended by PL 22-04, § 2 (Aug. 20, 2021), modified.

**Commission Comment:** In codifying PL 22-04, the Commission omitted drafting marks pursuant 1 CMC § 3806(g).