

43.116 Ballot vacancies in special charter city elections.

1. A vacancy on the ballot for an election at which city officers are to be chosen, and for which candidates have been nominated under [this chapter](#), exists when any political party lacks a candidate for an office to be filled at that election because:

a. Either no person filed at the time required by [section 43.115](#) as a candidate for the party's nomination for that office in the city primary election held under [section 43.112](#), or all persons who did so subsequently withdrew as candidates, were found to lack the requisite requirements for the office, or died before the date of the city primary election, and no candidate received a number of write-in votes sufficient for nomination under [section 43.53](#); or

b. The person nominated in the city primary election as the party's candidate for that office withdrew by giving written notice to that effect to the city clerk not later than 5:00 p.m. on the day of the canvass of that city primary election.

2. A ballot vacancy as defined by [this section](#) may be filled by the city central committee of the party on whose ticket the vacancy exists or, in the case of an officer elected by the voters of a district within the city, by those members of the committee who represent the precincts lying within that district. The name of a candidate so designated to fill such a ballot vacancy shall be submitted in writing to the city clerk not later than 5:00 p.m. on the seventh day following the city primary election.

3. If a special election is held to fill a vacancy in an elective city office, nominations by political parties shall be made following the provisions of [subsection 2](#).

[C77, 79, 81, §43.116]

[97 Acts, ch 170, §6](#); [2020 Acts, ch 1063, §25](#)

Referred to in [§43.78](#), [43.112](#), [376.3](#)

Subsection 1, paragraph a amended