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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4376

02/28/2024 Authored by Hemmingsen-Jaeger

The bill was read for the first time and referred to the Committee on Elections Finance and Policy

1.1 A bill for an act

1.2 relating to redistricting; requiring certain cities and counties to establish citizen

1.3 redistricting commissions to conduct redistricting; requiring certain counties to

1.4 have seven-member county boards; requiring certain cities to have wards; expanding

1.5 the time frame for voters to challenge redistricting plans; amending Minnesota

1.6 Statutes 2022, sections 204B.135, subdivisions 1, 3; 205.84, subdivision 1; 375.025,

1.7 subdivisions 1, 2; 375.056; 412.191, subdivision 1, by adding a subdivision;

1.8 412.631; proposing coding for new law in Minnesota Statutes, chapters 204B;

1.9 412.

1.10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.11 Section 1. Minnesota Statutes 2022, section 204B.135, subdivision 1, is amended to read:

1.12 Subdivision 1. **Cities with wards.** (a) Except as provided in this subdivision, a city that

1.13 elects its council members by wards may not redistrict those wards before the legislature

1.14 has been redistricted. The wards must be redistricted within 60 days after the legislature

1.15 has been redistricted or at least 19 weeks before the state primary election in the year ending

1.16 in two, whichever is first.

1.17 (b) In a city of the first class electing council members by wards in a year ending in one,

1.18 the ward boundaries may be reestablished no later than 14 days before the first day to file

1.19 affidavits of candidacy for city council members. The ward boundaries may be modified

1.20 after the legislature has been redistricted for the purpose of establishing precinct boundaries

1.21 as provided in section 204B.14, subdivision 3.

1.22 (c) A city with a population greater than 50,000 people at the most recent decennial

1.23 census that elects its council members by wards must use a citizen commission for

1.24 redistricting as described in section 204B.136. Any home rule charter provision to the

1.25 contrary is void.

2.1 Sec. 2. Minnesota Statutes 2022, section 204B.135, subdivision 3, is amended to read:

2.2 Subd. 3. **Voters rights.** (a) An eligible voter may apply to the district court for either a  
2.3 writ of mandamus requiring the redistricting of wards or local government election districts  
2.4 or to revise any plan adopted by the governing body responsible for redistricting of wards  
2.5 or local government election districts.

2.6 (b) If a city adopts a ward redistricting plan at least 19 weeks before the primary in a  
2.7 year ending in two, an application for revision of the plan that seeks to affect elections held  
2.8 in the year ending in two must be filed with the district court within three weeks but no later  
2.9 than 18 weeks before the state primary election in the year ending in two, notwithstanding  
2.10 any charter provision. If a city adopts a ward redistricting plan less than 19 weeks before  
2.11 either the municipal primary in a year ending in one or before the state primary in a year  
2.12 ending in two, an application for revision of the plan that seeks to affect elections held in  
2.13 that year must be filed with the district court no later than one week after the plan has been  
2.14 adopted, notwithstanding any charter provision.

2.15 (c) If a plan for redistricting of a local government election district is adopted at least  
2.16 15 weeks before the state primary election in a year ending in two, an application for revision  
2.17 of the plan that seeks to affect elections held in the year ending in two must be filed with  
2.18 the district court within three weeks but no later than 14 weeks before the state primary  
2.19 election in the year ending in two. If a plan for redistricting of a local government election  
2.20 district is adopted less than 15 weeks before the state primary election in a year ending in  
2.21 two, an application for revision of the plan that seeks to affect elections held in the year  
2.22 ending in two must be filed with the district court no later than one week after the plan has  
2.23 been adopted.

2.24 (d) In any year that does not end in zero, one, or two, a qualified voter may apply to the  
2.25 district court for a writ of mandamus requiring the governing body responsible for  
2.26 redistricting of wards or local government election districts to revise the redistricting plan.  
2.27 The application must be filed no later than 14 weeks before the start of the filing period for  
2.28 the office in the local government in which the redistricting plan is being challenged.

2.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.30 Sec. 3. **[204B.136] REDISTRICTING OF LOCAL ELECTION DISTRICTS.**

2.31 Subdivision 1. **Establishment.** Counties required by section 375.025 and cities required  
2.32 by section 204B.135 to use a citizen redistricting commission must establish a citizen  
2.33 redistricting commission as provided by this section.

3.1 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the  
3.2 meanings given.

3.3 (b) "Commission" means a citizen redistricting commission established pursuant to this  
3.4 section.

3.5 (c) "Jurisdiction" means the home rule charter or statutory city or county that has  
3.6 established the applicable commission.

3.7 Subd. 3. **Members; eligibility.** (a) In order to be eligible to serve on a commission, a  
3.8 person must be eligible to vote in the county or city being redistricted.

3.9 (b) The following persons are not eligible to serve on a commission:

3.10 (1) a current or former elected official at the federal, state, or local level or a person who  
3.11 has held public office within the previous five years;

3.12 (2) a person under contract with, or who serves as a consultant or staff to, or who has  
3.13 or has had an immediate family relationship with an elected federal, state, or local official  
3.14 during the previous five years; or

3.15 (3) a person, or member of the person's immediate family, who is, or during the five  
3.16 years immediately preceding the date of application has:

3.17 (i) been appointed to, elected to, or a candidate for federal, state, or local office in the  
3.18 jurisdiction being redistricted;

3.19 (ii) served as an officer, employee, contractor, or paid consultant of a political party or  
3.20 of the campaign committee of a candidate for elected federal, state, or local office;

3.21 (iii) served as an elected or appointed member of a political party state, county, or senate  
3.22 district committee or a delegate to a national or state convention of a political party;

3.23 (iv) registered as a lobbyist, registrant, or client with the federal government under the  
3.24 Lobbying Disclosure Act of 1995, as amended, or as a state or local lobbyist or principal  
3.25 with the Campaign Finance and Public Disclosure Board under chapter 10A; or

3.26 (v) been a paid congressional, legislative, or local government office staff member.

3.27 (c) An individual may not serve on more than one commission in a calendar year.

3.28 (d) For the purposes of this subdivision, a "member of a person's immediate family"  
3.29 means a sibling, spouse, parent, or child, including half-, step-, and in-law relationships.

3.30 Subd. 4. **Application; appointment.** (a) Each jurisdiction required to implement a  
3.31 citizen commission must create an application for the commission and widely publicize the

4.1 application to the community. The application must be open to all registered voters who  
4.2 meet the requirements of subdivision 3. The application process must be conducted in a  
4.3 manner that promotes a qualified commissioner applicant pool that is large and reflective  
4.4 of the diversity of the jurisdiction. Applications must be made available on the jurisdiction's  
4.5 website and in the applicable city clerk or county auditor's office no later than August 1 in  
4.6 the year ending in zero. The application period must remain open for at least 60 days. If at  
4.7 the end of the application period there are not at least 30 qualifying applicants, then the  
4.8 application process must be reopened for a minimum of an additional 30 days. If the  
4.9 application process is reopened, the jurisdiction must conduct additional outreach to residents  
4.10 to identify candidates.

4.11 (b) At a minimum, applications must include:

4.12 (1) the applicant's name;

4.13 (2) the applicant's address;

4.14 (3) the applicant's telephone number and email address;

4.15 (4) the applicant's age range;

4.16 (5) a statement from the applicant affirming the applicant satisfies the requirements of  
4.17 subdivision 3;

4.18 (6) an oath affirming the applicant submits the application under oath declaring the  
4.19 truthfulness of its contents under penalty of perjury;

4.20 (7) the applicant's demographic information, including but not limited to gender, race,  
4.21 ethnicity, and year of birth;

4.22 (8) the applicant's length of residency in the jurisdiction;

4.23 (9) the applicant's professional background;

4.24 (10) a description of the applicant's past political activity; and

4.25 (11) a list of all political and civic organizations to which the applicant has belonged  
4.26 within the five years prior to the application.

4.27 The application must also include optional fields for the applicant to provide the applicant's  
4.28 sexual orientation and whether they have a seen or unseen disability.

4.29 (c) At the close of the application period, the city clerk or county auditor must review  
4.30 applications and reject any applications that are incomplete or do not meet the qualification

5.1 requirements of subdivision 3. The city clerk or county auditor must maintain a record of  
5.2 those applications that were rejected and the basis for the rejection.

5.3 (d) The city clerk or county auditor must provide all applications that were not rejected  
5.4 and the record of the rejected applications to the chief judge of the district court in which  
5.5 a majority of the population of the affected jurisdiction reside for review and selection. The  
5.6 chief judge must appoint seven members unless the city or county, by resolution, determines  
5.7 that the commission will be comprised of a larger number of members, provided that the  
5.8 number of members is an odd number. To the greatest extent practicable, the chief judge  
5.9 must select commission members to represent the geographic and demographic diversity  
5.10 of the jurisdiction to provide a body representative of the population's interests. The chief  
5.11 judge must select commissioners and notify the jurisdiction of the names of the  
5.12 commissioners no later than January 15 in a year ending in one.

5.13 (e) After notice and a hearing, the commission may remove a commissioner for failure  
5.14 to disclose conflicts of interest or inaccurate application information, failure to meet  
5.15 requirements of this statute for communications by the commission, or for missing three  
5.16 consecutive meetings. A vote of two-thirds of the remaining commission members is required  
5.17 to remove a member.

5.18 (f) If a vacancy occurs on the commission, the chief judge may select a qualified candidate  
5.19 from the original pool of applicants. If no qualified applicants from the original pool are  
5.20 available, the city council or board of commissioners may nominate replacement  
5.21 commissioners, if needed, for approval by the chief judge.

5.22 (g) The jurisdiction that is being redistricted must provide all resources and support to  
5.23 the commission required to effectively perform redistricting. A home rule charter or statutory  
5.24 city may utilize county resources and services where the required capabilities are not available  
5.25 in the city.

5.26 Subd. 5. **Responsibilities.** (a) Each commissioner must perform duties in a manner that  
5.27 is impartial and reinforces public confidence in the integrity of the redistricting process.  
5.28 Commissioners must disclose the presence of a conflict of interest, or raise a potential  
5.29 conflict of interest when the agenda item is called, prior to the start of discussion or  
5.30 deliberation.

5.31 (b) In addition to other duties prescribed by law, the commission must provide direction  
5.32 to commission staff on drawing maps. Subject to subdivisions 9 and 10, the commission  
5.33 must review and direct modifications of maps to commission staff.

6.1 Subd. 6. **Communications.** (a) Commissioners must not direct, request, suggest, or  
6.2 recommend to staff an interpretation of a districting principle or a change to a district  
6.3 boundary, except during an open meeting of the commission.

6.4 (b) Commissioners and staff must not communicate with anyone outside the commission  
6.5 regarding the content of a plan, except at an open meeting of the commission or when  
6.6 soliciting or receiving written communications regarding a plan that is the subject of a public  
6.7 meeting.

6.8 Subd. 7. **Data.** (a) The commission must use, at a minimum, census block data provided  
6.9 for redistricting in accordance with Public Law 94-171 representing the entire population  
6.10 of the jurisdiction being redistricted.

6.11 (b) The citizen commission must use population data provided by the secretary of state  
6.12 that reflects incarcerated persons at their last known residence before incarceration.

6.13 Subd. 8. **Districting principles.** (a) Commissions must apply the following principles  
6.14 when drawing redistricting plans:

6.15 (1) each county and city district must be as nearly equal in population as practicable.  
6.16 The maximum population variance permitted is 2.5 percent of the mean population for all  
6.17 districts or wards in a redistricting plan;

6.18 (2) districts must comply with the Fourteenth and Fifteenth Amendments of the United  
6.19 States Constitution and the Voting Rights Act of 1965, as amended;

6.20 (3) districts must preserve the equal opportunity of racial, ethnic, and language minorities  
6.21 to participate in the political process and to elect candidates of their choice, whether alone  
6.22 or in coalition with others;

6.23 (4) districts must provide racial minorities and language minorities who constitute less  
6.24 than a voting-age majority of a district with an opportunity to substantially influence the  
6.25 outcome of an election;

6.26 (5) each district must be convenient and contiguous. A district is convenient if it allows  
6.27 reasonable ease of travel within the district. Contiguity by water is sufficient if the water is  
6.28 not a serious obstacle to travel within the district. A district with areas that touch only at a  
6.29 point is not contiguous. City plans may be noncontiguous to the extent required to incorporate  
6.30 noncontiguous city areas;

6.31 (6) districts must preserve reservation lands of a federally recognized American Indian  
6.32 Tribe to the extent practicable. Noncontiguous portions of a federally recognized American

7.1 Indian Tribe's reservation lands must be included in the same district if practicable, and, if  
7.2 not, must not be divided more than necessary;

7.3 (7) districts must minimize the division of identifiable communities of interest. A  
7.4 community of interest may include a racial, ethnic, or linguistic group or any group with  
7.5 shared experiences or concerns, including but not limited to geographic, regional, social,  
7.6 cultural, historic, socioeconomic, occupational, trade, or transportation interests. Communities  
7.7 of interest do not include relationships with political parties, incumbents, or candidates. A  
7.8 political subdivision is not, by itself, a community of interest;

7.9 (8) districts must be reasonably compact. More than one measure must be used to evaluate  
7.10 compactness of districts; and

7.11 (9) for counties only, districts must minimize the division of cities or towns, except when  
7.12 a city or town's territory is not contiguous or the known population of an affected city or  
7.13 town remains wholly located within a single district.

7.14 (b) If districts cannot be drawn fully in accordance with all principles in paragraph (a),  
7.15 priority must be given to the principles in the order in which they are listed, except when  
7.16 doing so would violate federal or state law.

7.17 (c) Districts must not be drawn to purposely favor or disfavor any political party,  
7.18 candidate, or incumbent. Districts must not be drawn using the location of incumbents' or  
7.19 candidates' residences.

7.20 (d) Whenever possible, district boundaries must be created in conjunction with the  
7.21 establishment of precinct boundaries.

7.22 Subd. 9. **Meetings.** (a) The commission is subject to chapter 13D. Notwithstanding any  
7.23 requirement to the contrary in chapter 13, the commission must provide public notice at  
7.24 least seven days in advance of any public meeting. Draft agendas must be published at least  
7.25 72 hours prior to each public meeting. Meeting notices and agendas must be posted on the  
7.26 commission's website and published in local news sources and on social media.

7.27 (b) Notices and agendas must be provided in all languages required for voting materials  
7.28 under the Voting Rights Act of 1965, United States Code, title 52, section 10503, in the  
7.29 jurisdiction in which the public meeting is scheduled.

7.30 (c) The commission must make reasonable efforts to schedule meetings in the evenings,  
7.31 on weekends, and at other times that most residents of the jurisdiction are able to attend and  
7.32 at locations readily accessible to a significant number of residents.

8.1 (d) Whenever practicable, the commission must use technology that allows for real-time  
8.2 virtual participation and feedback for all meetings.

8.3 (e) A quorum is two-thirds of the members of the commission. A quorum must be present  
8.4 to conduct the business of the commission and hold public meetings.

8.5 (f) The commission must comply with chapter 13 and section 138.17. All audio-visual  
8.6 recordings of commission public meetings must be maintained on the commission's website  
8.7 for 11 years.

8.8 Subd. 10. **Timeline; adoption.** (a) No later than February 1 of any year ending in one,  
8.9 the jurisdiction being redistricted must establish an online means for residents to provide  
8.10 input to the commission. Notice of the means for providing input must be posted on the  
8.11 applicable city or county website.

8.12 (b) Before drawing maps, the commission must hold a public meeting for residents to  
8.13 provide public input for consideration in developing a district plan. Maps must be available  
8.14 for public review and comment for at least seven days before a public hearing. The meeting  
8.15 must be at a time and location generally accessible to the public.

8.16 (c) The commission must hold a public meeting on proposed maps before final adoption  
8.17 of any maps. Proposed maps must be posted on the applicable city or county website for at  
8.18 least seven calendar days prior to the meeting. The commission must give seven days or  
8.19 more notice of the meeting. The commission must receive public input on the proposed  
8.20 maps at this meeting.

8.21 (d) At least 14 days after the meeting described in paragraph (c), the commission must  
8.22 hold a final public meeting for final adoption of the maps. At least seven days before the  
8.23 meeting, the final maps must be posted on the applicable city or county website.

8.24 Subd. 11. **Plan approval.** Before a plan may go into effect, it must be approved by a  
8.25 majority of the members of the commission. The commission must complete the plan in  
8.26 accordance with the applicable timeline in section 204B.135, subdivision 1 or 2.

8.27 Subd. 12. **Expiration.** The commission expires 45 days after the redistricting plan has  
8.28 been approved by the commission, except if any legal challenges to the plan have been filed  
8.29 with a court of competent jurisdiction prior to the expiration of the 45-day period. If one or  
8.30 more legal challenge has been filed, then the commission expires upon final resolution of  
8.31 the last remaining legal challenge.

8.32 Subd. 13. **Voter's rights.** An eligible voter may challenge the maps adopted by the  
8.33 citizen commission in accordance with section 204B.135, subdivision 3, or 375.025,



9.1 subdivision 2. The court may order the citizen commission to correct errors in the plan or  
9.2 reconstitute the previous commission. If it is not practicable to reconstitute the previous  
9.3 commission, the court may require a new commission to be appointed as provided in  
9.4 subdivision 1.

9.5 Sec. 4. Minnesota Statutes 2022, section 205.84, subdivision 1, is amended to read:

9.6 Subdivision 1. **General provisions.** (a) Except as provided by section 204B.136, in a  
9.7 city electing council members by wards, wards shall be as equal in population as practicable  
9.8 and each ward shall be composed of compact, contiguous territory. Each council member  
9.9 shall be a resident of the ward for which elected, but, except as otherwise provided by  
9.10 paragraph (b), a change in ward boundaries does not disqualify a council member from  
9.11 serving for the remainder of a term.

9.12 (b) Notwithstanding any home rule charter provision to the contrary, in a city of the first  
9.13 class where council members are elected by ward to serve for four years to terms that are  
9.14 not staggered, if the population of any ward changes by five percent or more, all council  
9.15 members must be elected to new terms at the first municipal general election after ward  
9.16 boundaries are redefined under subdivision 2; provided, however, that if no municipal  
9.17 general election would otherwise occur in the year ending in "2" or the year ending in "3,"  
9.18 a municipal general election must be held in one of those years.

9.19 Sec. 5. Minnesota Statutes 2022, section 375.025, subdivision 1, is amended to read:

9.20 Subdivision 1. **Standards.** (a) Except as provided by section 204B.136, the redistricting  
9.21 plan in use in a county shall be used until a new plan is adopted in accordance with this  
9.22 section. Each county shall be divided into as many districts numbered consecutively as it  
9.23 has members of the county board. Commissioner districts shall be bounded by town,  
9.24 municipal, ward, or precinct lines. Each district shall be composed of contiguous territory  
9.25 as regular and compact in form as practicable, depending upon the geography of the county  
9.26 involved and shall be as nearly equal in population as possible. No district shall vary in  
9.27 population more than ten percent from the average for all districts in the county, unless the  
9.28 result forces a voting precinct to be split. A majority of the least populous districts shall  
9.29 contain not less than a majority of the population of the county. ~~A county may be redistricted~~  
9.30 ~~by the county board after each federal census.~~

9.31 (b) A county with a population of 50,000 people or more at the time of the federal  
9.32 decennial census must use an independent citizen commission for redistricting as described  
9.33 in section 204B.136.

10.1 (c) When it appears after a federal census that the districts of ~~the~~ a county with a  
 10.2 population of less than 50,000 people are not in accord with the standards set forth in this  
 10.3 subdivision, the county ~~shall~~ must be redistricted by the county board or a redistricting  
 10.4 commission if one is appointed. Redistricting must be completed within the times set in  
 10.5 section 204B.135, subdivision 2. Before acting to redistrict, the county board, or a  
 10.6 redistricting commission if one is appointed, ~~shall~~ must publish three weeks' notice of its  
 10.7 purpose, stating the time and place of the meeting or meetings where the matter will be  
 10.8 considered, in the newspaper having the contract to publish the commissioners' proceedings  
 10.9 for the county for the current year and on the county board's website, if applicable.

10.10 Sec. 6. Minnesota Statutes 2022, section 375.025, subdivision 2, is amended to read:

10.11 Subd. 2. **Voters rights.** (a) Any qualified voter may apply to the district court of the  
 10.12 county for a writ of mandamus ~~(a)~~ (1) requiring the county to be redistricted if the county  
 10.13 board has not redistricted the county within the time specified in subdivision 1, or ~~(b)~~ (2)  
 10.14 to revise the redistricting plan. Any application for revision of a redistricting plan filed with  
 10.15 the county auditor that seeks to affect elections held in a year ending in two must be filed  
 10.16 with the district court no later than one week before the first day to file for office in the year  
 10.17 ending in "2." The district court may direct the county board to show cause why it has not  
 10.18 redistricted the county or why the redistricting plan prepared by it should not be revised.  
 10.19 On hearing the matter it may allow the county board additional time in which to redistrict  
 10.20 the county or to correct errors in the redistricting plan. If it appears to the court that the  
 10.21 county board has not been sufficiently diligent in performing its redistricting duties, the  
 10.22 court may appoint a redistricting commission to redistrict the county in accordance with  
 10.23 the standards set forth in subdivision 1 and any other conditions the court shall deem  
 10.24 advisable and appropriate. If a redistricting commission is appointed, the county board shall  
 10.25 be without authority to redistrict the county.

10.26 (b) A qualified voter may apply to the district court of the county for a writ of mandamus  
 10.27 to revise the county plan after the date established in paragraph (a). The application must  
 10.28 be filed with the district court no later than 14 weeks before the filing period election for  
 10.29 which the claim applies.

10.30 Sec. 7. Minnesota Statutes 2022, section 375.056, is amended to read:

10.31 **375.056 SEVEN-MEMBER BOARD.**

10.32 (a) Any county with a population of 100,000 or more according to the last federal  
 10.33 decennial census may by resolution of its county board provide for a seven-member board

11.1 of county commissioners. A certified copy of the resolution of the county board of any  
 11.2 county choosing to exercise this option ~~shall~~ must be transmitted to the secretary of state.

11.3 (b) Any county with a population of 175,000 or more according to the last federal  
 11.4 decennial census must, by resolution of its county board, provide for a seven-member board  
 11.5 of county commissioners if there is not already a seven-member board. A certified copy of  
 11.6 the resolution of the county board must be transmitted to the secretary of state. The resolution  
 11.7 must be adopted prior to redistricting in accordance with section 375.025.

11.8 (c) The county commissioner districts shall must be redistricted ~~by the county board~~ in  
 11.9 accordance with section 375.025.

11.10 Sec. 8. Minnesota Statutes 2022, section 412.191, subdivision 1, is amended to read:

11.11 Subdivision 1. **Composition.** The city council in a standard plan city shall consist of  
 11.12 the mayor, the clerk, and the three or five council members. In optional plan cities, except  
 11.13 those cities having a larger council under Minnesota Statutes 1994, section 412.023,  
 11.14 subdivision 4, the council shall consist of the mayor and the four council members, except  
 11.15 as required in subdivision 6. A majority of all the members shall constitute a quorum although  
 11.16 a smaller number may adjourn from time to time.

11.17 Sec. 9. Minnesota Statutes 2022, section 412.191, is amended by adding a subdivision to  
 11.18 read:

11.19 Subd. 6. **Statutory cities with wards.** Optional Plan B cities with populations greater  
 11.20 than 50,000 in the most recent decennial census must establish a city council with wards in  
 11.21 accordance with section 412.635.

11.22 Sec. 10. Minnesota Statutes 2022, section 412.631, is amended to read:

11.23 **412.631 COMPOSITION OF COUNCIL.**

11.24 In any city operating under Optional Plan B, the council shall be composed of a mayor  
 11.25 and four or six council members, except as provided in repealed sections 412.023, subdivision  
 11.26 4, and 412.571, ~~be composed of a mayor and four or six council members~~ or when a council  
 11.27 is organized by wards as is required by section 412.635.

11.28 Sec. 11. **[412.635] STATUTORY OPTIONAL PLAN B CITY WITH CITY WARDS.**

11.29 Subdivision 1. **Establishment.** (a) The council must consist of four to seven council  
 11.30 members.

12.1 (b) Each ward must have an equal number of members, and the council may include  
12.2 members elected at-large. The number of council members elected at-large must not exceed  
12.3 the number elected by ward.

12.4 (c) All council members serve four-year terms.

12.5 (d) If there are an even number of council members, half of the council terms will expire  
12.6 every two years. If two-member wards are chosen, then one council position from each  
12.7 ward will be on the ballot at each regular election. If there are an odd number of council  
12.8 members, the number of members elected will be divided so that the additional member is  
12.9 included in the second regular election after implementation.

12.10 (e) The plan must include the following:

12.11 (1) number of wards;

12.12 (2) number of council members per ward;

12.13 (3) number of at-large council members; and

12.14 (4) years of first reelection for each council position.

12.15 (f) Incumbent members of the council continue to serve until the expiration of their  
12.16 current term or upon completion of elections to fill seats for the reconfigured city council,  
12.17 whichever comes first.

12.18 **Subd. 2. Implementation.** (a) The city council must submit to the voters a proposed  
12.19 council plan at the next regular election if the most recent census indicates the city population  
12.20 exceeds the requirements of section 412.191, subdivision 6. Only one plan may be submitted  
12.21 at any one election. For cities with odd-numbered year elections, initial implementation of  
12.22 wards must be completed before the first day to file for city office for the 2027 general  
12.23 election. For cities with even-numbered year elections, initial implementation of wards must  
12.24 be completed before the first day to file for city office for the 2028 general election.  
12.25 Subsequent implementation of wards following the next census must be completed before  
12.26 the first day to file for city office for the general election in the year ending in three for  
12.27 cities with odd-numbered year elections or the year ending in four for cities with  
12.28 even-numbered year elections.

12.29 (b) If a plan is not approved by voters at the next regular city election, a special election  
12.30 must be held on a new ward plan at least one year before the next regular election.

13.1 (c) If a ward plan is not approved by voters 50 weeks before the next regular election  
13.2 after the first opportunity in paragraph (a), a ward structure will be established having four  
13.3 single-member wards and a single at-large council member.

13.4 (d) Once a city ward structure is approved by voters, the city must be redistricted in  
13.5 accordance with section 204B.136 no later than 26 weeks before the date of the next primary  
13.6 election.

13.7 Subd. 3. **Three-year minimum; revision.** At any time more than three years after the  
13.8 adoption of a plan under this section, the city council, or upon petition signed by voters  
13.9 equal in number to at least 15 percent of the electors voting at the last previous city election,  
13.10 may submit to the voters at a regular or special election a proposal to change the city ward  
13.11 structure. After the ward structure is revised, new districts must be established if required  
13.12 by section 204B.135, subdivision 1, in accordance with section 204B.136.

13.13 Sec. 12. **EFFECTIVE DATE.**

13.14 This act is effective the day following final enactment, except that no city or county is  
13.15 required to perform redistricting as required by this act until after the 2030 decennial census  
13.16 unless ordered to do so by a court pursuant to section 2, and except a statutory city required  
13.17 to establish city wards as required by Minnesota Statutes, section 204B.135, subdivision 1,  
13.18 paragraph (c), must comply with the timeline in that section.