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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **1952**

03/04/2021 Authored by Nelson, M., and Ecklund
The bill was read for the first time and referred to the Committee on State Government Finance and Elections
04/09/2021 Adoption of Report: Amended and re-referred to the Committee on Ways and Means

1.1 A bill for an act

1.2 relating to operation of state government; appropriating money for the legislature,

1.3 office of the governor and lieutenant governor, state auditor, attorney general,

1.4 secretary of state, certain state agencies, boards, commissions, councils, offices,

1.5 Minnesota State Lottery, Minnesota Humanities Center, and certain retirement

1.6 accounts; cancelling certain 2021 appropriations; designating the state fire museum;

1.7 changing provisions for the legislative auditor and Legislative Coordinating

1.8 Commission; authorizing virtual payments; creating the capitol flag program;

1.9 modifying provisions for Tribal governments, state budget and forecast,

1.10 administrative operations, general services revolving fund, grants, motor pool,

1.11 historic properties and historical societies, taxpayer assistance grants, background

1.12 checks, lawful gambling, election administration, campaign finance, Office of

1.13 MN.IT Services, open meeting law, municipal planning, port authority,

1.14 municipalities, metropolitan government, Duluth entertainment and convention

1.15 center complex, bids and letting of contracts, and dedication fees; auditing state

1.16 use of federal funds; creating the Office of Enterprise Sustainability; requiring

1.17 racial equity impact assessments; requiring sensory accessibility accommodations;

1.18 establishing the Legislative Commission on Cybersecurity; amending Minnesota

1.19 Statutes 2020, sections 3.302, subdivision 3; 3.303, subdivision 1; 3.971,

1.20 subdivision 2, by adding a subdivision; 3.972, subdivisions 2, 2a; 3.978, subdivision

1.21 2; 3.979, subdivision 3; 4A.01, subdivision 3; 4A.02; 5.30, subdivision 2; 5B.06;

1.22 8.31, subdivision 1; 10A.01, subdivisions 4, 7, 9, 11, 16a, 17c, 18, 20, 26, 27, 28,

1.23 35, by adding a subdivision; 10A.09, subdivisions 1, 2, 5, 6, by adding a

1.24 subdivision; 10A.12, subdivisions 1, 2; 10A.121, subdivision 2; 10A.13, subdivision

1.25 1; 10A.17, subdivision 4; 10A.20, subdivisions 3, 6a, 13, by adding a subdivision;

1.26 10A.27, subdivision 13; 10A.275, subdivision 1; 10A.323; 13.607, by adding a

1.27 subdivision; 13D.01, subdivisions 4, 5; 13D.015; 13D.02; 13D.021; 15.01; 16A.06,

1.28 by adding a subdivision; 16A.103, subdivision 1; 16A.152, subdivision 2; 16B.24,

1.29 subdivision 1; 16B.2975, by adding a subdivision; 16B.48, subdivision 2; 16B.54,

1.30 subdivisions 1, 2; 16B.98, by adding a subdivision; 16E.01; 16E.016; 16E.02;

1.31 16E.03, subdivisions 1, 2, 3, 6; 16E.036; 16E.04, subdivision 3; 16E.0465,

1.32 subdivision 2; 16E.05, subdivision 1; 16E.07, subdivision 12; 16E.21, subdivision

1.33 2; 43A.23, subdivision 1; 97A.057, subdivision 1; 135A.17, subdivision 2; 138.081,

1.34 subdivisions 1, 2, 3; 138.31, by adding a subdivision; 138.34; 138.40; 138.665,

1.35 subdivision 2; 138.666; 138.667; 138.763, subdivision 1; 201.014, by adding a

1.36 subdivision; 201.071, subdivisions 1, 2, 3, 8; 201.091, subdivision 2; 201.12,

1.37 subdivision 2; 201.121, subdivision 3; 201.13, subdivision 3; 201.161; 201.1611,

1.38 subdivision 1; 201.162; 201.225, subdivision 2; 202A.11, subdivision 2; 202A.16,

2.1 subdivision 1; 203B.01, subdivision 3, by adding a subdivision; 203B.02, by adding
 2.2 a subdivision; 203B.04, subdivision 1; 203B.081, subdivisions 1, 2, 3; 203B.11,
 2.3 subdivision 1; 203B.12, subdivision 7; 203B.121, subdivisions 2, 3, 4; 203B.16,
 2.4 subdivision 2; 203B.24, subdivision 1; 204B.06, subdivisions 1b, 4a; 204B.09,
 2.5 subdivisions 1, 3; 204B.13, by adding a subdivision; 204B.16, subdivision 1;
 2.6 204B.19, subdivision 6; 204B.21, subdivision 2; 204B.36, subdivision 2; 204B.44;
 2.7 204B.45, subdivisions 1, 2; 204B.46; 204C.05, subdivisions 1a, 1b; 204C.10;
 2.8 204C.15, subdivision 1; 204C.21, subdivision 1; 204C.27; 204C.33, subdivision
 2.9 3; 204C.35, subdivision 3, by adding a subdivision; 204C.36, subdivision 1;
 2.10 204D.08, subdivision 4; 204D.13, subdivision 1; 204D.19, subdivision 2; 204D.195;
 2.11 204D.22, subdivision 3; 204D.23, subdivision 2; 204D.27, subdivision 5; 204D.28,
 2.12 subdivisions 9, 10; 205.13, subdivision 5; 205A.10, subdivision 5; 205A.12,
 2.13 subdivision 5; 206.805, subdivision 1; 206.89, subdivisions 4, 5; 206.90, subdivision
 2.14 6; 207A.12; 207A.13; 207A.14, subdivision 3; 209.021, subdivision 2; 211B.04,
 2.15 subdivisions 2, 3, by adding a subdivision; 211B.11, subdivision 1; 211B.20,
 2.16 subdivision 1; 211B.32, subdivision 1; 270B.13, by adding a subdivision; 270C.21;
 2.17 349.151, subdivision 2; 367.03, subdivision 6; 367.25, subdivision 1; 383B.041;
 2.18 412.02, subdivision 2a; 447.32, subdivision 4; 462.358, by adding a subdivision;
 2.19 469.074, by adding a subdivision; 471.342, subdivisions 1, 4; 471.345, subdivision
 2.20 20; 473.24; 473.606, subdivision 5; 609.165, subdivision 1; Laws 1963, chapter
 2.21 305, sections 2, as amended; 3, as amended; 4, as amended; 5, as amended; 8, as
 2.22 amended; 9, as amended; 10, as amended; Laws 2006, chapter 269, section 2, as
 2.23 amended; Laws 2013, chapter 85, article 5, section 44; Laws 2019, First Special
 2.24 Session chapter 10, article 1, section 40; Laws 2020, chapter 77, section 3,
 2.25 subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 1; 3;
 2.26 10; 13D; 16A; 16B; 201; 206; 211B; 243; 299C; 471; repealing Minnesota Statutes
 2.27 2020, sections 3.972, subdivisions 2c, 2d; 3.9741, subdivision 5; 4A.11; 10A.15,
 2.28 subdivision 6; 15.0395; 16A.90; 16E.0466, subdivision 1; 16E.05, subdivision 3;
 2.29 16E.071; 16E.145; 43A.17, subdivision 9; 116O.03, subdivision 9; 116O.04,
 2.30 subdivision 3; 179.90; 179.91; 299D.03, subdivision 2a; 383B.042; 383B.043;
 2.31 383B.044; 383B.045; 383B.046; 383B.047; 383B.048; 383B.049; 383B.05;
 2.32 383B.051; 383B.052; 383B.053; 383B.054; 383B.055; 383B.056; 383B.057.

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

2.34 **ARTICLE 1**

2.35 **STATE GOVERNMENT APPROPRIATIONS**

2.36 Section 1. **STATE GOVERNMENT APPROPRIATIONS.**

2.37 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
 2.38 and for the purposes specified in this article. The appropriations are from the general fund,
 2.39 or another named fund, and are available for the fiscal years indicated for each purpose.
 2.40 The figures "2022" and "2023" used in this article mean that the appropriations listed under
 2.41 them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively.
 2.42 "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium"
 2.43 is fiscal years 2022 and 2023.

2.44 **APPROPRIATIONS**

2.45 **Available for the Year**

2.46 **Ending June 30**

2.47 **2022**

2023

4.1 governor's and lieutenant governor's duties for
 4.2 which no other reimbursement is provided.

4.3 (c) By September 1 of each year, the
 4.4 commissioner of management and budget shall
 4.5 report to the chairs and ranking minority
 4.6 members of the legislative committees with
 4.7 jurisdiction over state government finance any
 4.8 personnel costs incurred by the Offices of the
 4.9 Governor and Lieutenant Governor that were
 4.10 supported by appropriations to other agencies
 4.11 during the previous fiscal year. The Office of
 4.12 the Governor shall inform the chairs and
 4.13 ranking minority members of the committees
 4.14 before initiating any interagency agreements.

4.15 Sec. 4. STATE AUDITOR \$ 12,053,000 \$ 12,152,000

4.16 Sec. 5. ATTORNEY GENERAL \$ 33,530,000 \$ 31,086,000

4.17	<u>Appropriations by Fund</u>	
4.18	<u>2022</u>	<u>2023</u>
4.19	<u>General</u>	<u>30,614,000</u>
4.20	<u>State Government</u>	
4.21	<u>Special Revenue</u>	<u>2,521,000</u>
4.22	<u>Environmental</u>	<u>145,000</u>
4.23	<u>Remediation</u>	<u>250,000</u>

4.24 Sec. 6. SECRETARY OF STATE \$ 8,710,000 \$ 7,726,000

4.25 (a) \$500,000 the first year is for grants to
 4.26 political subdivisions to recruit bilingual
 4.27 election judges and bilingual trainee election
 4.28 judges. This appropriation is available until
 4.29 June 30, 2023.

4.30 (b) \$48,000 the second year is for the
 4.31 preparation of voting instructions in languages
 4.32 other than English for in-person absentee
 4.33 voters. This is a onetime appropriation.

4.34 Sec. 7. CAMPAIGN FINANCE AND PUBLIC
 4.35 DISCLOSURE BOARD \$ 1,145,000 \$ 1,167,000

5.1	Sec. 8. <u>STATE BOARD OF INVESTMENT</u>	<u>\$</u>	<u>139,000</u>	<u>\$</u>	<u>139,000</u>
5.2	Sec. 9. <u>ADMINISTRATIVE HEARINGS</u>	<u>\$</u>	<u>8,236,000</u>	<u>\$</u>	<u>8,240,000</u>

5.3	<u>Appropriations by Fund</u>			
5.4		<u>2022</u>	<u>2023</u>	
5.5	<u>General</u>	<u>405,000</u>	<u>409,000</u>	
5.6	<u>Workers'</u>			
5.7	<u>Compensation</u>	<u>7,831,000</u>	<u>7,831,000</u>	

5.8 \$268,000 the first year and \$272,000 the
 5.9 second year are for municipal boundary
 5.10 adjustments.

5.11	Sec. 10. <u>OFFICE OF MN.IT SERVICES</u>	<u>\$</u>	<u>9,855,000</u>	<u>\$</u>	<u>9,882,000</u>
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5.12 (a) The commissioner of management and
 5.13 budget is authorized to provide cash flow
 5.14 assistance of up to \$50,000,000 from the
 5.15 special revenue fund or other statutory general
 5.16 funds as defined in Minnesota Statutes, section
 5.17 16A.671, subdivision 3, paragraph (a), to the
 5.18 Office of MN.IT Services for the purpose of
 5.19 managing revenue and expenditure
 5.20 differences. These funds shall be repaid with
 5.21 interest by the end of the fiscal year 2023
 5.22 closing period.

5.23 (b) During the biennium ending June 30, 2023,
 5.24 the Office of MN.IT Services must not charge
 5.25 fees to a public noncommercial educational
 5.26 television broadcast station eligible for funding
 5.27 under Minnesota Statutes, chapter 129D, for
 5.28 access to the state broadcast infrastructure. If
 5.29 the access fees not charged to public
 5.30 noncommercial educational television
 5.31 broadcast stations total more than \$400,000
 5.32 for the biennium, the office may charge for
 5.33 access fees in excess of these amounts.

7.1 (c) The commissioner of administration must
7.2 consider the recommendations of the
7.3 Minnesota Public Television Association
7.4 before allocating the amounts appropriated in
7.5 paragraphs (a) and (b) for equipment or
7.6 matching grants.

7.7 **Public Radio.** (a) \$392,000 the first year and
7.8 \$492,000 the second year are for community
7.9 service grants to public educational radio
7.10 stations. This appropriation may be used to
7.11 disseminate emergency information in foreign
7.12 languages.

7.13 (b) \$117,000 the first year and \$142,000 the
7.14 second year are for equipment grants to public
7.15 educational radio stations. This appropriation
7.16 may be used for the repair, rental, and
7.17 purchase of equipment including equipment
7.18 under \$500.

7.19 (c) \$510,000 each year is for equipment grants
7.20 to Minnesota Public Radio, Inc., including
7.21 upgrades to Minnesota's Emergency Alert and
7.22 AMBER Alert Systems.

7.23 (d) The appropriations in paragraphs (a) to (c)
7.24 may not be used for indirect costs claimed by
7.25 an institution or governing body.

7.26 (e) The commissioner of administration must
7.27 consider the recommendations of the
7.28 Association of Minnesota Public Educational
7.29 Radio Stations before awarding grants under
7.30 Minnesota Statutes, section 129D.14, using
7.31 the appropriations in paragraphs (a) and (b).
7.32 No grantee is eligible for a grant unless they
7.33 are a member of the Association of Minnesota

8.1 Public Educational Radio Stations on or before
 8.2 July 1, 2021.

8.3 (f) Any unencumbered balance remaining the
 8.4 first year for grants to public television or
 8.5 public radio stations does not cancel and is
 8.6 available for the second year.

8.7 **Sec. 12. CAPITOL AREA ARCHITECTURAL**
 8.8 **AND PLANNING BOARD** \$ 386,000 \$ 365,000

8.9 **Sec. 13. MINNESOTA MANAGEMENT AND**
 8.10 **BUDGET** \$ 27,819,000 \$ 28,240,000

8.11 **Sec. 14. REVENUE**

8.12 **Subdivision 1. Total Appropriation** \$ 174,077,000 \$ 176,311,000

8.13 Appropriations by Fund

	<u>2022</u>	<u>2023</u>
8.14 <u>General</u>	<u>169,863,000</u>	<u>172,097,000</u>
8.15 <u>Health Care Access</u>	<u>1,760,000</u>	<u>1,760,000</u>
8.16 <u>Highway User Tax</u>		
8.17 <u>Distribution</u>	<u>2,195,000</u>	<u>2,195,000</u>
8.18 <u>Environmental</u>	<u>259,000</u>	<u>259,000</u>

8.19 **Subd. 2. Tax System Management** 144,204,000 145,921,000

8.20 Appropriations by Fund

	<u>2022</u>	<u>2023</u>
8.21 <u>General</u>	<u>139,990,000</u>	<u>141,707,000</u>
8.22 <u>Health Care Access</u>	<u>1,760,000</u>	<u>1,760,000</u>
8.23 <u>Highway User Tax</u>		
8.24 <u>Distribution</u>	<u>2,195,000</u>	<u>2,195,000</u>
8.25 <u>Environmental</u>	<u>259,000</u>	<u>259,000</u>

8.26 **Taxpayer Assistance. (a) \$1,100,000 each**
 8.27 year is for the commissioner of revenue to
 8.28 make grants to one or more eligible
 8.29 organizations, qualifying under section
 8.30 7526A(e)(2)(B) of the Internal Revenue Code
 8.31 of 1986, to coordinate, facilitate, encourage,
 8.32 and aid in the provision of taxpayer assistance
 8.33 services. The unencumbered balance in the

9.1 first year does not cancel but is available for
 9.2 the second year.

9.3 (b) For purposes of this section, "taxpayer
 9.4 assistance services" means accounting and tax
 9.5 preparation services provided by volunteers
 9.6 to low-income, elderly, and disadvantaged
 9.7 Minnesota residents to help them file federal
 9.8 and state income tax returns and Minnesota
 9.9 property tax refund claims and to provide
 9.10 personal representation before the Department
 9.11 of Revenue and Internal Revenue Service.

9.12 **Subd. 3. Debt Collection Management** 29,873,000 30,390,000

9.13 **Sec. 15. GAMBLING CONTROL** \$ 5,728,000 \$ 5,123,000

9.14 These appropriations are from the lawful
 9.15 gambling regulation account in the special
 9.16 revenue fund.

9.17 **Sec. 16. RACING COMMISSION** \$ 913,000 \$ 913,000

9.18 These appropriations are from the racing and
 9.19 card playing regulation accounts in the special
 9.20 revenue fund.

9.21 **Sec. 17. STATE LOTTERY**

9.22 Notwithstanding Minnesota Statutes, section
 9.23 349A.10, subdivision 3, the State Lottery's
 9.24 operating budget must not exceed \$36,500,000
 9.25 in fiscal year 2022 and \$36,500,000 in fiscal
 9.26 year 2023.

9.27 **Sec. 18. AMATEUR SPORTS COMMISSION** \$ 311,000 \$ 317,000

9.28 **Sec. 19. COUNCIL FOR MINNESOTANS OF**
 9.29 **AFRICAN HERITAGE** \$ 544,000 \$ 552,000

9.30 **Sec. 20. COUNCIL ON LATINO AFFAIRS** \$ 534,000 \$ 544,000

9.31 **Sec. 21. COUNCIL ON ASIAN-PACIFIC**
 9.32 **MINNESOTANS** \$ 525,000 \$ 534,000

9.33 **Sec. 22. INDIAN AFFAIRS COUNCIL** \$ 855,000 \$ 864,000

11.1 Any unencumbered balance remaining in this
 11.2 section the first year does not cancel, but is
 11.3 available for the second year.

11.4 Money appropriated in this section and
 11.5 distributed as grants may only be spent on
 11.6 projects located in Minnesota. A recipient of
 11.7 a grant funded by an appropriation in this
 11.8 section must not use more than ten percent of
 11.9 the total grant for costs related to travel outside
 11.10 the state of Minnesota.

11.11 **Sec. 25. MINNESOTA HUMANITIES**
 11.12 **CENTER** \$ 375,000 \$ 375,000

11.13 **Sec. 26. BOARD OF ACCOUNTANCY** \$ 688,000 \$ 698,000

11.14 **Sec. 27. BOARD OF ARCHITECTURE**
 11.15 **ENGINEERING, LAND SURVEYING,**
 11.16 **LANDSCAPE ARCHITECTURE,**
 11.17 **GEOSCIENCE, AND INTERIOR DESIGN** \$ 863,000 \$ 874,000

11.18 **Sec. 28. BOARD OF COSMETOLOGIST**
 11.19 **EXAMINERS** \$ 2,969,000 \$ 3,016,000

11.20 **Sec. 29. BOARD OF BARBER EXAMINERS** \$ 348,000 \$ 353,000

11.21 **Sec. 30. GENERAL CONTINGENT**
 11.22 **ACCOUNTS** \$ 1,000,000 \$ 500,000

11.23 Appropriations by Fund

	<u>2022</u>	<u>2023</u>
11.24		
11.25 <u>General</u>	<u>500,000</u>	<u>-0-</u>
11.26 <u>State Government</u>		
11.27 <u>Special Revenue</u>	<u>400,000</u>	<u>400,000</u>
11.28 <u>Workers'</u>		
11.29 <u>Compensation</u>	<u>100,000</u>	<u>100,000</u>

11.30 (a) The appropriations in this section may only
 11.31 be spent with the approval of the governor
 11.32 after consultation with the Legislative
 11.33 Advisory Commission pursuant to Minnesota
 11.34 Statutes, section 3.30.

12.1 (b) If an appropriation in this section for either
 12.2 year is insufficient, the appropriation for the
 12.3 other year is available for it.

12.4 (c) If a contingent account appropriation is
 12.5 made in one fiscal year, it should be
 12.6 considered a biennial appropriation.

12.7 **Sec. 31. TORT CLAIMS** **\$ 161,000 \$ 161,000**

12.8 These appropriations are to be spent by the
 12.9 commissioner of management and budget
 12.10 according to Minnesota Statutes, section
 12.11 3.736, subdivision 7. If the appropriation for
 12.12 either year is insufficient, the appropriation
 12.13 for the other year is available for it.

12.14 **Sec. 32. MINNESOTA STATE RETIREMENT**
 12.15 **SYSTEM**

12.16 **Subdivision 1. Total Appropriation** **\$ 14,886,000 \$ 14,878,000**

12.17 The amounts that may be spent for each
 12.18 purpose are specified in the following
 12.19 subdivisions.

12.20 **Subd. 2. Combined Legislators and**
 12.21 **Constitutional Officers Retirement Plan** **8,886,000 8,878,000**

12.22 Under Minnesota Statutes, sections 3A.03,
 12.23 subdivision 2; 3A.04, subdivisions 3 and 4;
 12.24 and 3A.115.

12.25 If an appropriation in this section for either
 12.26 year is insufficient, the appropriation for the
 12.27 other year is available for it.

12.28 **Subd. 3. Judges Retirement Plan** **6,000,000 6,000,000**

12.29 For transfer to the judges retirement fund
 12.30 under Minnesota Statutes, section 490.123.
 12.31 This transfer continues each fiscal year until
 12.32 the judges retirement plan reaches 100 percent
 12.33 funding as determined by an actuarial

13.1 valuation prepared according to Minnesota

13.2 Statutes, section 356.214.

13.3 **Sec. 33. PUBLIC EMPLOYEES RETIREMENT**

13.4 **ASSOCIATION** **\$ 25,000,000 \$ 25,000,000**

13.5 (a) \$9,000,000 the first year and \$9,000,000

13.6 the second year are for direct state aid to the

13.7 public employees police and fire retirement

13.8 plan authorized under Minnesota Statutes,

13.9 section 353.65, subdivision 3b.

13.10 (b) State payments from the general fund to

13.11 the Public Employees Retirement Association

13.12 on behalf of the former MERF division

13.13 account are \$16,000,000 on September 15,

13.14 2021, and \$16,000,000 on September 15,

13.15 2022. These amounts are estimated to be

13.16 needed under Minnesota Statutes, section

13.17 353.505.

13.18 **Sec. 34. TEACHERS RETIREMENT**

13.19 **ASSOCIATION** **\$ 29,831,000 \$ 29,831,000**

13.20 The amounts estimated to be needed are as

13.21 follows:

13.22 **Special Direct State Aid.** \$27,331,000 each

13.23 year is for special direct state aid authorized

13.24 under Minnesota Statutes, section 354.436.

13.25 **Special Direct State Matching Aid.**

13.26 \$2,500,000 each year is for special direct state

13.27 matching aid authorized under Minnesota

13.28 Statutes, section 354.435.

13.29 **Sec. 35. ST. PAUL TEACHERS RETIREMENT**

13.30 **FUND** **\$ 14,827,000 \$ 14,827,000**

13.31 The amounts estimated to be needed for

13.32 special direct state aid to the first class city

13.33 teachers retirement fund association authorized

14.1 under Minnesota Statutes, section 354A.12,
14.2 subdivisions 3a and 3c.

14.3 **Sec. 36. SENSORY ACCESSIBILITY ACCOMMODATIONS GRANTS;**
14.4 **APPROPRIATION.**

14.5 \$250,000 in fiscal year 2022 and \$250,000 in fiscal year 2023 are appropriated from the
14.6 general fund to the Minnesota Council on Disability for sensory accessibility accommodations
14.7 grants authorized by article 2, section 45. These are onetime appropriations.

14.8 **Sec. 37. STATE PARKING ACCOUNT.**

14.9 Notwithstanding Laws 2014, chapter 287, section 25, as amended by Laws 2015, chapter
14.10 77, article 2, section 78, for fiscal years 2021 and 2022, the state parking account is not
14.11 required to make the transfer to the general fund mandated by Laws 2014, chapter 287,
14.12 section 25, as amended by Laws 2015, chapter 77, article 2, section 78.

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

14.14 **Sec. 38. CANCELLATIONS; FISCAL YEAR 2021.**

14.15 (a) \$379,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First
14.16 Special Session chapter 10, article 1, section 10, is canceled.

14.17 (b) \$300,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First
14.18 Special Session chapter 10, article 1, section 11, subdivision 1, is canceled. This amount is
14.19 from the fiscal year 2021 appropriation for government and citizen services.

14.20 (c) \$1,367,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First
14.21 Special Session chapter 10, article 1, section 13, is canceled.

14.22 (d) \$8,274,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First
14.23 Special Session chapter 10, article 1, section 14, subdivision 1, is canceled. Of this amount,
14.24 \$7,305,000 is from the fiscal year 2021 appropriation for tax system management, and
14.25 \$969,000 is from the fiscal year 2021 appropriation for debt collection management.

14.26 (e) \$86,000 of the fiscal year 2021 general fund appropriation for moving and relocation
14.27 expenses under Laws 2019, First Special Session chapter 10, article 1, section 24, subdivision
14.28 2, as amended by Laws 2020, chapter 104, article 2, section 4, is canceled.

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

15.1 Sec. 39. **CANCELLATIONS; ITA ACCOUNT.**

15.2 (a) \$179,000 from the information and telecommunications technology systems and
15.3 services account established under Minnesota Statutes, section 16E.21, is canceled to the
15.4 general fund.

15.5 (b) \$14,000 from the information and telecommunications technology systems and
15.6 services account established under Minnesota Statutes, section 16E.21, is canceled to the
15.7 workers' compensation fund.

15.8 (c) \$5,000 from the information and telecommunications technology systems and services
15.9 account established under Minnesota Statutes, section 16E.21, is canceled to the state
15.10 government special revenue fund.

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

15.12 Sec. 40. **CANCELLATION; CARRYFORWARD.**

15.13 \$5,000,000 of the senate carryforward balance is canceled to the general fund on July
15.14 1, 2021.

15.15 Sec. 41. **APPROPRIATION; ADMINISTRATIVE SPACE CONSOLIDATION AND**
15.16 **MOVING.**

15.17 \$4,500,000 in fiscal year 2021 is appropriated from the general fund to the commissioner
15.18 of administration to complete and implement a comprehensive strategic plan for locating
15.19 state agencies and for agency space consolidation, reconfiguration, and relocation costs.
15.20 This is a onetime appropriation and is available until June 30, 2023.

15.21 **ARTICLE 2**

15.22 **STATE GOVERNMENT POLICY**

15.23 Section 1. **[1.1471] STATE FIRE MUSEUM.**

15.24 The Bill and Bonnie Daniels Firefighters Hall and Museum in Minneapolis is designated
15.25 as the official state fire museum.

15.26 Sec. 2. Minnesota Statutes 2020, section 3.302, subdivision 3, is amended to read:

15.27 Subd. 3. **State documents.** The library is a depository of all documents published by
15.28 the state and shall receive them automatically without cost to the legislature or library. As
15.29 used in this chapter, "document" includes any publication issued by the state, constitutional
15.30 officers, departments, commissions, councils, bureaus, research centers, societies, task

16.1 forces, including advisory task forces created under section 15.014 or 15.0593, or other
16.2 agencies supported by state funds, or any publication prepared for the state by private
16.3 individuals or organizations considered to be of interest or value to the library. Intraoffice
16.4 or interoffice memos and forms and information concerning only the internal operation of
16.5 an agency are not included.

16.6 Sec. 3. Minnesota Statutes 2020, section 3.303, subdivision 1, is amended to read:

16.7 Subdivision 1. **Purpose.** The Legislative Coordinating Commission is created to
16.8 coordinate the legislative activities of the senate and house of representatives and the joint
16.9 legislative commissions, committees, offices, and task forces.

16.10 Sec. 4. Minnesota Statutes 2020, section 3.971, subdivision 2, is amended to read:

16.11 Subd. 2. **Staff; compensation.** (a) The legislative auditor shall establish a Financial
16.12 Audits Division and a Program Evaluation Division to fulfill the duties prescribed in this
16.13 section.

16.14 (b) Each division may be supervised by a deputy auditor, appointed by the legislative
16.15 auditor, with the approval of the commission, for a term coterminous with the legislative
16.16 auditor's term. The deputy auditors may be removed before the expiration of their terms
16.17 only for cause. The legislative auditor and deputy auditors may each appoint ~~a confidential~~
16.18 ~~secretary~~ an administrative support specialist to serve at pleasure. The salaries and benefits
16.19 of the legislative auditor, deputy auditors, ~~and confidential secretaries~~ administrative support
16.20 specialists shall be determined by the compensation plan approved by the Legislative
16.21 Coordinating Commission. The deputy auditors may perform and exercise the powers,
16.22 duties and responsibilities imposed by law on the legislative auditor when authorized by
16.23 the legislative auditor.

16.24 ~~(c) The legislative auditor must appoint a fiscal oversight officer with duties that include~~
16.25 ~~performing the review under section 3.972, subdivision 4.~~

16.26 ~~(d)~~ (c) The legislative auditor, deputy auditors, and the confidential secretaries
16.27 administrative support specialists shall serve in the unclassified civil service, but ~~the fiscal~~
16.28 ~~oversight officer~~ and all other employees of the legislative auditor are shall serve in the
16.29 classified civil service. Compensation for employees of the legislative auditor in the classified
16.30 service shall be governed by a plan prepared by the legislative auditor and approved by the
16.31 Legislative Coordinating Commission and the legislature under section 3.855, subdivision
16.32 3.

17.1 ~~(e)~~ (d) While in office, a person appointed deputy for the Financial Audit Division must
17.2 hold an active license as a certified public accountant.

17.3 Sec. 5. Minnesota Statutes 2020, section 3.971, is amended by adding a subdivision to
17.4 read:

17.5 Subd. 8a. **Special reviews.** The legislative auditor may conduct a special review to: (1)
17.6 fulfill a legal requirement; (2) investigate allegations that an individual or organization
17.7 subject to audit by the legislative auditor may not have complied with legal requirements
17.8 related to the use of public money, other public resources, or government data classified as
17.9 not public; (3) respond to a legislative request for a review of an organization or program
17.10 subject to audit by the legislative auditor; or (4) investigate allegations that an individual
17.11 may not have complied with section 43A.38 or 43A.39.

17.12 Sec. 6. Minnesota Statutes 2020, section 3.972, subdivision 2, is amended to read:

17.13 Subd. 2. **Audits of state and semistate agencies.** The legislative auditor shall ~~make a~~
17.14 ~~constant, as resources permit, audit of all the financial affairs activities of~~ (1) all departments
17.15 ~~and, agencies of, offices, and other organizations in the state; executive branch; (2) courts,~~
17.16 ~~offices, and other organizations in the state judicial branch; and of the financial records and~~
17.17 ~~transactions of~~ (3) public boards, associations, ~~and societies, and other public organizations~~
17.18 ~~created by state law or supported, wholly or in part, by state funds. Once in each year, if~~
17.19 ~~funds and personnel permit, without previous notice, The legislative auditor shall visit each~~
17.20 ~~state department and agency, association or society and, so far as practicable,~~

17.21 ~~(1) inspect;~~

17.22 ~~(2) thoroughly examine its books and accounts, verifying the funds, securities, and other~~
17.23 ~~assets;~~

17.24 ~~(3) check the items of receipts and disbursements with its voucher records;~~

17.25 ~~(4) ascertain the character of the official bonds for its officers and the financial ability~~
17.26 ~~of the bonding institution;~~

17.27 ~~(5) inspect its sources of revenue and the use and disposition of state appropriations and~~
17.28 ~~property;~~

17.29 ~~(6) investigate the methods of purchase and sale and the character of contracts on public~~
17.30 ~~account;~~

17.31 ~~(7) ascertain proper custody and depository for its funds and securities;~~

18.1 ~~(8) verify the inventory of public property and other assets held in trust; and~~
18.2 ~~(9) ascertain that all financial transactions and operations involving the public funds and~~
18.3 ~~property of the state comply with the spirit and purpose of the law, are sound by modern~~
18.4 ~~standards of financial management, and are for the best protection of the public interest~~
18.5 ~~funds and other public resources.~~

18.6 Sec. 7. Minnesota Statutes 2020, section 3.972, subdivision 2a, is amended to read:

18.7 Subd. 2a. **Audits of Department of Human Services.** ~~(a) To ensure continuous effective~~
18.8 ~~legislative oversight and accountability, the legislative auditor shall give high priority to~~
18.9 ~~auditing the programs, services, and benefits administered by the Department of Human~~
18.10 ~~Services. The audits shall determine whether~~ As resources permit, the legislative auditor
18.11 shall track and assess expenditures throughout the human service delivery system, from the
18.12 department offered to the point of service delivery, and determine whether human services
18.13 programs and provided, services, and benefits are being provided cost-effectively and only
18.14 to eligible persons individuals and organizations, and complied in compliance with applicable
18.15 legal requirements.

18.16 ~~(b) The legislative auditor shall, based on an assessment of risk and using professional~~
18.17 ~~standards to provide a statistically significant sample, no less than three times each year,~~
18.18 ~~test a representative sample of persons enrolled in a medical assistance program or~~
18.19 ~~MinnesotaCare to determine whether they are eligible to receive benefits under those~~
18.20 ~~programs. The legislative auditor shall report the results to the commissioner of human~~
18.21 ~~services and recommend corrective actions. The commissioner shall provide a response to~~
18.22 ~~the legislative auditor within 20 business days, including corrective actions to be taken to~~
18.23 ~~address any problems identified by the legislative auditor and anticipated completion dates.~~
18.24 ~~The legislative auditor shall monitor the commissioner's implementation of corrective actions~~
18.25 ~~and periodically report the results to the Legislative Audit Commission and the chairs and~~
18.26 ~~ranking minority members of the legislative committees with jurisdiction over health and~~
18.27 ~~human services policy and finance. The legislative auditor's reports to the commission and~~
18.28 ~~the chairs and ranking minority members must include recommendations for any legislative~~
18.29 ~~actions needed to ensure that medical assistance and MinnesotaCare benefits are provided~~
18.30 ~~only to eligible persons.~~

18.31 Sec. 8. Minnesota Statutes 2020, section 3.978, subdivision 2, is amended to read:

18.32 Subd. 2. **Inquiry and inspection power; duty to aid legislative auditor.** All public
18.33 officials and their deputies and employees, and all corporations, firms, and individuals

19.1 having business involving the receipt, disbursement, or custody of public funds shall at all
19.2 times afford reasonable facilities for examinations by the legislative auditor, make returns
19.3 and reports required by the legislative auditor, attend and answer under oath the legislative
19.4 auditor's lawful inquiries, produce and exhibit all books, accounts, documents, data of any
19.5 classification, and property that the legislative auditor ~~may need~~ requests to inspect, and in
19.6 all things ~~aid~~ cooperate with the legislative auditor ~~in the performance of duties~~.

19.7 Sec. 9. Minnesota Statutes 2020, section 3.979, subdivision 3, is amended to read:

19.8 Subd. 3. **Audit data.** (a) "Audit" as used in this subdivision means a financial audit,
19.9 ~~review~~, program evaluation, ~~best practices~~ special review, or investigation. Data relating to
19.10 an audit are not public or with respect to data on individuals are confidential until the final
19.11 report of the audit has been released by the legislative auditor or the audit is no longer being
19.12 actively pursued. Upon release of a final audit report by the legislative auditor, data relating
19.13 to an audit are public except data otherwise classified as not public.

19.14 (b) Data related to an audit but not published in the audit report and that the legislative
19.15 auditor reasonably believes will be used in litigation are not public and with respect to data
19.16 on individuals are confidential until the litigation has been completed or is no longer being
19.17 actively pursued.

19.18 (c) Data ~~on individuals~~ that could reasonably be used to determine the identity of an
19.19 individual supplying data for an audit are private if the data supplied by the individual were
19.20 needed for an audit and the individual would not have provided the data to the legislative
19.21 auditor without an assurance that the individual's identity would remain private, or the
19.22 legislative auditor reasonably believes that the subject would not have provided the data.

19.23 (d) The definitions of terms provided in section 13.02 apply for purposes of this
19.24 subdivision.

19.25 Sec. 10. Minnesota Statutes 2020, section 4A.01, subdivision 3, is amended to read:

19.26 Subd. 3. **Report.** The commissioner must submit a report to the governor and chairs and
19.27 ranking minority members of the senate and house of representatives committees with
19.28 jurisdiction on state government finance by January 15 of each year that provides economic,
19.29 social, and environmental demographic information to assist public and elected officials
19.30 with long-term management decisions. The report must identify and assess the information
19.31 important to understanding the state's two-, ten-, and 50-year outlook. The report must
19.32 include the demographic forecast required by section 4A.02, paragraph (e), ~~and information~~

20.1 ~~to assist with the preparation of the milestones report required by section 4A.11, and may~~
20.2 include policy recommendations based upon the information and assessment provided.

20.3 Sec. 11. Minnesota Statutes 2020, section 4A.02, is amended to read:

20.4 **4A.02 STATE DEMOGRAPHER.**

20.5 (a) The commissioner shall appoint a state demographer. The demographer must be
20.6 professionally competent in demography and must possess demonstrated ability based upon
20.7 past performance.

20.8 (b) The demographer shall:

20.9 (1) continuously gather and develop demographic data relevant to the state;

20.10 (2) design and test methods of research and data collection;

20.11 (3) periodically prepare population projections for the state and designated regions and
20.12 periodically prepare projections for each county or other political subdivision of the state
20.13 as necessary to carry out the purposes of this section;

20.14 (4) review, comment on, and prepare analysis of population estimates and projections
20.15 made by state agencies, political subdivisions, other states, federal agencies, or
20.16 nongovernmental persons, institutions, or commissions;

20.17 (5) serve as the state liaison with the United States Bureau of the Census, coordinate
20.18 state and federal demographic activities to the fullest extent possible, and aid the legislature
20.19 in preparing a census data plan and form for each decennial census;

20.20 (6) compile an annual study of population estimates on the basis of county, regional, or
20.21 other political or geographical subdivisions as necessary to carry out the purposes of this
20.22 section and section 4A.03;

20.23 (7) by January 1 of each year, issue a report to the legislature containing an analysis of
20.24 the demographic implications of the annual population study and population projections;

20.25 (8) prepare maps for all counties in the state, all municipalities with a population of
20.26 10,000 or more, and other municipalities as needed for census purposes, according to scale
20.27 and detail recommended by the United States Bureau of the Census, with the maps of cities
20.28 showing precinct boundaries;

20.29 (9) prepare an estimate of population and of the number of households for each
20.30 governmental subdivision for which the Metropolitan Council does not prepare an annual
20.31 estimate, and convey the estimates to the governing body of each political subdivision by

21.1 June 1 of each year or, in a year following a decennial census, within six weeks of the date
21.2 the data are provided by the United States Census Bureau in that year;

21.3 (10) direct, under section 414.01, subdivision 14, and certify population and household
21.4 estimates of annexed or detached areas of municipalities or towns after being notified of
21.5 the order or letter of approval by the chief administrative law judge of the State Office of
21.6 Administrative Hearings;

21.7 (11) prepare, for any purpose for which a population estimate is required by law or
21.8 needed to implement a law, a population estimate of a municipality or town whose population
21.9 is affected by action under section 379.02 or 414.01, subdivision 14; and

21.10 (12) prepare an estimate of average household size for each statutory or home rule charter
21.11 city with a population of 2,500 or more by June 1 of each year or, in a year following a
21.12 decennial census, within six weeks of the date the data are provided by the United States
21.13 Census Bureau in that year.

21.14 (c) A governing body may challenge an estimate made under paragraph (b) by filing
21.15 their specific objections in writing with the state demographer by June 24. If the challenge
21.16 does not result in an acceptable estimate, the governing body may have a special census
21.17 conducted by the United States Bureau of the Census. The political subdivision must notify
21.18 the state demographer by July 1 of its intent to have the special census conducted. The
21.19 political subdivision must bear all costs of the special census. Results of the special census
21.20 must be received by the state demographer by the next April 15 to be used in that year's
21.21 June 1 estimate to the political subdivision under paragraph (b). In the year following a
21.22 decennial census, challenges to the census count must be submitted to the United States
21.23 Census Bureau through its formal challenge process.

21.24 (d) The state demographer shall certify the estimates of population and household size
21.25 to the commissioner of revenue by July 15 each year, including any estimates still under
21.26 objection except that in a year following a decennial census, the estimate must be certified
21.27 within six weeks of the date the data are provided by the United States Census Bureau in
21.28 that year.

21.29 (e) The state demographer may contract for the development of data and research required
21.30 under this chapter, including, but not limited to, population estimates and projections, the
21.31 preparation of maps, and other estimates.

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

22.1 Sec. 12. **[10.65] GOVERNMENT-TO-GOVERNMENT RELATIONSHIP WITH**
22.2 **TRIBAL GOVERNMENTS.**

22.3 Subdivision 1. **Recognition of Tribal status and relationship with the state of**
22.4 **Minnesota.** (a) The state of Minnesota is home to 11 federally recognized Indian Tribes
22.5 with elected Tribal government officials. The state of Minnesota acknowledges and supports
22.6 the unique status of Minnesota Tribes and their absolute right to existence, self-governance,
22.7 and self-determination.

22.8 (b) The United States and the state of Minnesota have a unique relationship with federally
22.9 recognized Indian Tribes, formed by the Constitution of the United States, treaties, statutes,
22.10 case law, and agreements.

22.11 (c) The state of Minnesota and Minnesota Tribal governments significantly benefit from
22.12 working together, learning from one another, and partnering where possible.

22.13 (d) Timely and meaningful consultation between the state of Minnesota and Minnesota
22.14 Tribal governments will facilitate better understanding and informed decision-making by
22.15 allowing for communication on matters of mutual interest and helping to establish mutually
22.16 respectful and beneficial relationships between the state of Minnesota and Minnesota Tribal
22.17 governments.

22.18 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings
22.19 given:

22.20 (1) "agency" means the Department of Administration, Department of Agriculture,
22.21 Department of Commerce, Department of Corrections, Department of Education, Department
22.22 of Employment and Economic Development, Department of Health, Office of Higher
22.23 Education, Housing Finance Agency, Department of Human Rights, Department of Human
22.24 Services, Office of MN.IT Services, Department of Iron Range Resources and Rehabilitation,
22.25 Department of Labor and Industry, Minnesota Management and Budget, Bureau of Mediation
22.26 Services, Department of Military Affairs, Metropolitan Council, Department of Natural
22.27 Resources, Pollution Control Agency, Department of Public Safety, Department of Revenue,
22.28 Department of Transportation, Department of Veterans Affairs, Gambling Control Board,
22.29 Racing Commission, Minnesota Lottery, Animal Health Board, and Board of Water and
22.30 Soil Resources;

22.31 (2) "consultation" means the direct and interactive involvement of Minnesota Tribal
22.32 governments in the development of policy on matters that have Tribal implications.
22.33 Consultation is the proactive, affirmative process of identifying and seeking input from
22.34 appropriate Tribal governments and considering their interest as a necessary and integral

23.1 part of the decision-making process. This definition adds to statutorily mandated notification
23.2 procedures. During a consultation, the burden is on the agency to show that it has made a
23.3 good faith effort to elicit feedback. Consultation is a formal engagement between agency
23.4 officials and the governing body or bodies of an individual Minnesota Tribal government
23.5 that the agency or an individual Tribal government may initiate. Formal meetings or
23.6 communication between top agency officials and the governing body of a Minnesota Tribal
23.7 government is a necessary element of consultation;

23.8 (3) "matters that have Tribal implications" means rules, legislative proposals, policy
23.9 statements, or other actions that have substantial direct effects on one or more Minnesota
23.10 Tribal governments, or on the distribution of power and responsibilities between the state
23.11 and Minnesota Tribal governments;

23.12 (4) "Minnesota Tribal governments" means the federally recognized Indian Tribes located
23.13 in Minnesota including: Bois Forte Band; Fond du Lac Band; Grand Portage Band; Leech
23.14 Lake Band; Mille Lacs Band; White Earth Band; Red Lake Nation; Lower Sioux Indian
23.15 Community; Prairie Island Indian Community; Shakopee Mdewakanton Sioux Community;
23.16 and Upper Sioux Community; and

23.17 (5) "timely and meaningful" means done or occurring at a favorable or useful time that
23.18 allows the result of consultation to be included in the agency's decision-making process for
23.19 a matter that has Tribal implications.

23.20 Subd. 3. **Consultation duties.** (a) An agency must recognize the unique legal relationship
23.21 between the state of Minnesota and Minnesota Tribal governments, respect the fundamental
23.22 principles that establish and maintain this relationship, and accord Tribal governments the
23.23 same respect accorded to other governments.

23.24 (b) An agency must, in consultation with Minnesota Tribal governments, implement
23.25 Tribal consultation policies to comply with this section and guide their work with Minnesota
23.26 Tribal governments, and must submit these policies to the governor and lieutenant governor.
23.27 Tribal consultation policies must address the communication protocols for each Minnesota
23.28 Tribal government, which must be developed in coordination with representatives of each
23.29 Minnesota Tribal government. An agency must update the Tribal consultation policies as
23.30 often as required in order to facilitate timely and meaningful consultation, but no less than
23.31 biannually.

23.32 (c) Consultation under this section is a duty of an agency to consult with the governing
23.33 body or bodies of each individual Minnesota Tribal government. Coordination with groups
23.34 or entities that have representation on some or all of the governing bodies of Minnesota

24.1 Tribal governments, such as the Minnesota Indian Affairs Council or the Minnesota
24.2 Chippewa Tribe, is encouraged but does not satisfy an agency's duty to consult with
24.3 individual Minnesota Tribal governments on matters that have Tribal implications. If a
24.4 matter has implications for one Minnesota Tribal government but not others, the agency's
24.5 duty is to only consult those Minnesota Tribal governments affected.

24.6 (d) An agency must consult with each Minnesota Tribal government at least annually,
24.7 and as often as it is required, to address matters that have Tribal implications.

24.8 (e) An agency must consult with Minnesota Tribal governments on legislative and fiscal
24.9 matters that affect one or all Minnesota Tribal governments or their members to identify
24.10 priority issues in order to allow agencies to proactively engage Minnesota Tribal governments
24.11 in the agency's development of legislative and fiscal proposals in time for submission into
24.12 the governor's recommended budget and legislative proposals each year.

24.13 (f) An agency must develop and maintain ongoing consultation with Minnesota Tribal
24.14 governments related to matters that have Tribal implications. Agencies must consider the
24.15 input gathered from Tribal consultation into their decision-making processes, with the goal
24.16 of achieving mutually beneficial solutions.

24.17 (g) An agency and a Minnesota Tribal government may agree that a formal consultation
24.18 is not necessary for a given year on a given matter that has Tribal implications, and the
24.19 agency must keep a written record of this decision.

24.20 (h) The prospective duty to consult does not apply to action on a matter that has Tribal
24.21 implications if immediate action is required to address a present and immediate threat to
24.22 the health, safety, or welfare of Minnesota citizens. For these actions, every effort should
24.23 be made to communicate, and formal consultation should occur as soon as possible. The
24.24 duty to consult also does not apply to criminal proceedings or other investigations or legal
24.25 proceedings that prohibit an agency from disclosure.

24.26 (i) An agency must designate a Tribal liaison to assume responsibility for implementation
24.27 of the Tribal consultation policy and to serve as the principal point of contact for Minnesota
24.28 Tribal governments. The Tribal liaison must be able to directly and regularly meet and
24.29 communicate with the agency's commissioner and deputy and assistant commissioners in
24.30 order to appropriately conduct government-to-government consultation and cooperation.

24.31 (j) The state has instituted Tribal state government relations training, which is the
24.32 foundation and basis of all other Tribal government relations training sources. All agencies
24.33 must direct certain staff to complete available training to foster a collaborative relationship
24.34 between the state of Minnesota and Minnesota Tribal governments, and to facilitate timely

25.1 and meaningful consultation. In addition to all commissioners, deputy commissioners, and
25.2 assistant commissioners, at a minimum all agency employees whose work is likely to include
25.3 matters that have Tribal implications must attend Tribal state relations training. Tribal
25.4 liaisons must actively support and participate in the Tribal state relations training.

25.5 (k) Any agency or board that is not listed in subdivision 2 is encouraged to and may
25.6 engage in consultation and communication with Minnesota Tribal governments for all
25.7 matters that have Tribal implications.

25.8 Subd. 4. **Applicability.** Nothing in this section requires the state or an agency to violate
25.9 or ignore any laws, rules, directives, or other legal requirements or obligations imposed by
25.10 state or federal law or set forth in agreements or compacts between one or more Minnesota
25.11 Tribal governments or any other Tribal government and the state or its agencies. This section
25.12 is not intended to, and does not create, any right to administrative or judicial review, or any
25.13 other right, benefit, or responsibility, substantive or procedural, enforceable against the state
25.14 of Minnesota, its agencies or instrumentalities, its officers or employees, or its subdivisions
25.15 or any other persons. Nothing in this section prohibits or limits any agency from asserting
25.16 any rights or pursuing any administrative or judicial action under state or federal law to
25.17 effectuate the interests of the state of Minnesota or any of its agencies. Nothing in this
25.18 section is intended to alter or reduce the state's duties to individual Minnesota citizens
25.19 including those of Native American descent.

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

25.21 Sec. 13. Minnesota Statutes 2020, section 16A.06, is amended by adding a subdivision to
25.22 read:

25.23 Subd. 12. **Audit of state's use of federal funds; annual appropriation.** The
25.24 commissioner shall contract with a qualified auditor to conduct the annual audit required
25.25 by the Single Audit Act of 1984, Public Law 98-502; the Single Audit Act Amendments of
25.26 1996, Public Law 104-156; and Code of Federal Regulations, title 2, part 200, Uniform
25.27 Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
25.28 (Uniform Guidance). There is annually appropriated from the general fund to the
25.29 commissioner an amount sufficient to pay the cost of the annual audit. The cost of the audit
25.30 shall be billed to the agencies audited during the subsequent fiscal year. Amounts paid by
25.31 state agencies shall be deposited in the general fund.

26.1 Sec. 14. Minnesota Statutes 2020, section 16A.103, subdivision 1, is amended to read:

26.2 Subdivision 1. **State revenue and expenditures.** In February and November each year,
26.3 the commissioner shall prepare a forecast of state revenue and expenditures. The November
26.4 forecast must be delivered to the legislature and governor ~~no later than the end of the first~~
26.5 ~~week of December~~ by December 6. The February forecast must be delivered to the legislature
26.6 and governor by the end of February. Forecasts must be delivered to the legislature and
26.7 governor on the same day. If requested by the Legislative Commission on Planning and
26.8 Fiscal Policy, delivery to the legislature must include a presentation to the commission.

26.9 Sec. 15. Minnesota Statutes 2020, section 16A.152, subdivision 2, is amended to read:

26.10 Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund
26.11 revenues and expenditures, the commissioner of management and budget determines that
26.12 there will be a positive unrestricted budgetary general fund balance at the close of the
26.13 biennium, the commissioner of management and budget must allocate money to the following
26.14 accounts and purposes in priority order:

26.15 (1) the cash flow account established in subdivision 1 until that account reaches
26.16 \$350,000,000;

26.17 (2) the budget reserve account established in subdivision 1a until that account reaches
26.18 \$1,596,522,000;

26.19 (3) the amount necessary to increase the aid payment schedule for school district aids
26.20 and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest
26.21 tenth of a percent without exceeding the amount available and with any remaining funds
26.22 deposited in the budget reserve;

26.23 (4) the amount necessary to restore all or a portion of the net aid reductions under section
26.24 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75,
26.25 subdivision 5, by the same amount; and

26.26 ~~(5) the clean water fund established in section 114D.50 until \$22,000,000 has been~~
26.27 ~~transferred into the fund; and~~

26.28 ~~(6)~~ (5) the amount necessary to increase the Minnesota 21st century fund by not more
26.29 than the difference between \$5,000,000 and the sum of the amounts credited and canceled
26.30 to it in the previous 12 months under Laws 2020, chapter 71, article 1, section 11, until the
26.31 sum of all transfers under this section and all amounts credited or canceled under Laws
26.32 2020, chapter 71, article 1, section 11, equals \$20,000,000.

27.1 (b) The amounts necessary to meet the requirements of this section are appropriated
 27.2 from the general fund within two weeks after the forecast is released or, in the case of
 27.3 transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations
 27.4 schedules otherwise established in statute.

27.5 (c) The commissioner of management and budget shall certify the total dollar amount
 27.6 of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education.
 27.7 The commissioner of education shall increase the aid payment percentage and reduce the
 27.8 property tax shift percentage by these amounts and apply those reductions to the current
 27.9 fiscal year and thereafter.

27.10 ~~(d) Paragraph (a), clause (5), expires after the entire amount of the transfer has been~~
 27.11 ~~made.~~

27.12 Sec. 16. [16A.401] VIRTUAL PAYMENTS AUTHORIZED.

27.13 Subdivision 1. Virtual payments. The commissioner may establish a program to issue
 27.14 virtual payments from the state treasury. Any rebate to the state generated by the program
 27.15 must be deposited in the general fund unless retained under subdivision 3.

27.16 Subd. 2. Rebates. Notwithstanding subdivision 1, rebates attributable to expenditures
 27.17 in funds established in the state constitution or protected by federal law must be returned
 27.18 to the account from which the expenditure originated.

27.19 Subd. 3. Rebates retained. The commissioner may retain a portion of rebates for the
 27.20 administration of this section. Money retained under this subdivision must be deposited in
 27.21 an account in the special revenue fund and is appropriated to the commissioner for the
 27.22 purposes of this section.

27.23 Sec. 17. Minnesota Statutes 2020, section 16B.24, subdivision 1, is amended to read:

27.24 Subdivision 1. **Operation and maintenance of buildings.** The commissioner is
 27.25 authorized to maintain and operate the State Capitol building and grounds, subject to whatever
 27.26 standards and policies are set for its appearance and cleanliness by the Capitol Area
 27.27 Architectural and Planning Board and the commissioner under section 15B.15, subdivision
 27.28 2, and all other buildings, cafeterias, and grounds in state-owned buildings in the Capitol
 27.29 Area under section 15B.02, the state Department of Public Safety, Bureau of Criminal
 27.30 Apprehension building in St. Paul, ~~the state Department of Health building in Minneapolis,~~
 27.31 321 Grove Street buildings 603 Pine Street building in St. Paul, Fleet and Surplus Services
 27.32 building in Arden Hills, Ely Revenue building, any other properties acquired by the

28.1 Department of Administration, and, when the commissioner considers it advisable and
28.2 practicable, any other building or premises owned or rented by the state for the use of a
28.3 state agency. The commissioner shall assign and reassign office space in the Capitol and
28.4 state buildings to make an equitable division of available space among agencies. The
28.5 commissioner shall regularly update the long-range strategic plan for locating agencies and
28.6 shall follow the plan in assigning and reassigning space to agencies. The plan must include
28.7 locational and urban design criteria, a cost-analysis method to be used in weighing state
28.8 ownership against leasing of space in specific instances, and a transportation management
28.9 plan. If the commissioner determines that a deviation from the plan is necessary or desirable
28.10 in a specific instance, the commissioner shall provide the legislature with a timely written
28.11 explanation of the reasons for the deviation. The power granted in this subdivision does not
28.12 apply to state hospitals or to educational, penal, correctional, or other institutions not
28.13 enumerated in this subdivision the control of which is vested by law in some other agency.

28.14 Sec. 18. **[16B.276] CAPITOL FLAG PROGRAM.**

28.15 Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given.

28.16 (b) "Active service" has the meaning given in section 190.05, subdivision 5.

28.17 (c) "Eligible family member" means a surviving spouse, parent or legal guardian, child,
28.18 or sibling of (1) a public safety officer killed in the line of duty, or (2) a person who has
28.19 died while serving honorably in active service in the United States armed forces. For purposes
28.20 of this section, an eligibility relationship may be established by birth or adoption.

28.21 (d) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision
28.22 3.

28.23 (e) "Public safety officer" has the meaning given in section 299A.41, subdivision 4.

28.24 Subd. 2. **Establishment.** A Capitol flag program is established. The purpose of the
28.25 program is to make a Minnesota state flag and an American flag that were flown over the
28.26 Minnesota State Capitol available to the family members of a public safety officer killed
28.27 in the line of duty or a member of the United States armed forces who died while in active
28.28 service. In addition to appropriations provided by law, the commissioner of management
28.29 and budget may receive gifts to support the program as authorized in sections 16A.013 to
28.30 16A.016. The program established by this section is required only to the extent that sufficient
28.31 funds are available through appropriations or gifts to support its operations.

28.32 Subd. 3. **Submission of request; presentation.** (a) A flag request may only be made
28.33 by a legislator or state constitutional officer on behalf of an eligible family member after

29.1 verification of the family member's eligibility under the procedures adopted under subdivision
29.2 4. The request must be made to the commissioner of administration and must indicate the
29.3 type of flag requested, a certification that the family member's eligibility has been verified,
29.4 special requests for the date the flag is requested to be flown over the Capitol, and the
29.5 method of presentment. The commissioner may adopt a form to be used for this purpose.
29.6 With at least 30 days' notice, the commissioner must honor a request that a flag be flown
29.7 on a specific commemorative date.

29.8 (b) Upon receipt of a request, the commissioner shall deliver the requested flags to the
29.9 requesting legislator or constitutional officer for coordination of a later presentment
29.10 ceremony. If relevant information is made available, the commissioner shall provide a
29.11 certificate memorializing the details of the occasion and the date the flag was flown with
29.12 each flag presented.

29.13 Subd. 4. **Verification of eligibility.** The house of representatives, the senate, and each
29.14 constitutional officer must adopt procedures for the administration of flag requests received
29.15 from eligible family members, including a procedure for verification of a family member's
29.16 eligibility to receive a flag.

29.17 Subd. 5. **Eligibility; fees.** (a) For deaths that occur on or after August 1, 2021, the family
29.18 of a public safety officer killed in the line of duty or service member of the United States
29.19 armed forces who died in active service is entitled to receive one United States flag and one
29.20 Minnesota state flag free of charge under this section. If multiple flags of the same type are
29.21 requested to be flown in honor of the same decedent, the commissioner may charge a
29.22 reasonable fee that does not exceed the actual cost of flying each flag and preparing a
29.23 certificate memorializing the occasion.

29.24 (b) For deaths that occurred before August 1, 2021, the family of a public safety officer
29.25 killed in the line of duty or service member of the United States armed forces who died in
29.26 active service may receive one United States flag and one Minnesota state flag for a fee,
29.27 unless there are donated, nonstate funds available to provide a flag without a fee. If payment
29.28 of a fee is required under this paragraph, the commissioner may charge an eligible family
29.29 an amount that does not exceed the actual cost of flying each flag and preparing a certificate
29.30 memorializing the occasion.

29.31 **EFFECTIVE DATE.** This section is effective August 1, 2021.

30.1 Sec. 19. Minnesota Statutes 2020, section 16B.2975, is amended by adding a subdivision
30.2 to read:

30.3 Subd. 8. **Canine management.** The commissioner may give and convey to the canine's
30.4 handler the state's entirety of the right, title, interest, and estate in and to the canine for
30.5 which the handler trained and worked with while the canine was in service to the state. The
30.6 handler is solely responsible for all future expenses related to the retired canine.

30.7 Sec. 20. **[16B.361] OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.**

30.8 Subdivision 1. **Duties of the office.** The commissioner of administration shall maintain
30.9 the Office of Collaboration and Dispute Resolution formerly codified as sections 179.90
30.10 and 179.91 within the Department of Administration. The office must:

30.11 (1) assist state agencies, offices of the executive, legislative and judicial branches, tribal
30.12 governments, and units of local government in improving collaboration, dispute resolution,
30.13 and public engagement;

30.14 (2) promote and utilize collaborative dispute resolution models and processes based on
30.15 documented best practices including but not limited to:

30.16 (i) establishing criteria and procedures for identification and assessment of collaborative
30.17 dispute resolution projects;

30.18 (ii) designing collaborative dispute resolution processes to foster trust, relationships,
30.19 mutual understanding, and consensus-based solutions;

30.20 (iii) preparing and training participants; and

30.21 (iv) utilizing collaborative techniques, processes, and standards through facilitated
30.22 meetings to develop wise and durable solutions;

30.23 (3) support collaboration and dispute resolution in the public and private sector by
30.24 providing technical assistance and information on best practices and new developments in
30.25 dispute resolution options;

30.26 (4) promote the broad use of community mediation in the state;

30.27 (5) ensure that all areas of the state have access to services by providing grants to private
30.28 nonprofit entities certified by the state court administrator under chapter 494 that assist in
30.29 resolution of disputes; and

30.30 (6) educate the public and government entities on collaboration, dispute resolution
30.31 options, and public engagement.

31.1 Subd. 2. **Grant applications.** The commissioner may apply for and receive money made
31.2 available from federal, state, or other sources for the purposes of carrying out the mission
31.3 of the Office of Collaboration and Dispute Resolution. Funds received under this subdivision
31.4 are appropriated to the commissioner for their intended purpose.

31.5 Subd. 3. **Grant awards.** The commissioner shall to the extent funds are appropriated
31.6 for this purpose, make grants to private nonprofit community mediation entities certified
31.7 by the state court administrator under chapter 494 that assist in resolution of disputes. The
31.8 commissioner shall establish a grant review committee to assist in the review of grant
31.9 applications and the allocation of grants under this section.

31.10 Subd. 4. **Eligibility.** To be eligible for a grant under this section, a nonprofit organization
31.11 must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).

31.12 Subd. 5. **Conditions and exclusions.** A nonprofit entity receiving a grant must agree to
31.13 comply with guidelines adopted by the state court administrator under section 494.015,
31.14 subdivision 1. Policies adopted under sections 16B.97 and 16B.98 apply to grants under
31.15 this section. The exclusions in section 494.03 apply to grants under this section.

31.16 Subd. 6. **Reporting.** Grantees must report data required under chapter 494 to evaluate
31.17 quality and outcomes.

31.18 **Sec. 21. [16B.372] ENVIRONMENTAL SUSTAINABILITY GOVERNMENT**
31.19 **OPERATIONS; OFFICE CREATED.**

31.20 Subdivision 1. **Enterprise sustainability.** The Office of Enterprise Sustainability is
31.21 established to assist all state agencies in making measurable progress toward improving the
31.22 sustainability of government operations by reducing the impact on the environment,
31.23 controlling unnecessary waste of natural resources and public funds, and spurring innovation.
31.24 The office shall create new tools and share best practices, assist state agencies to plan for
31.25 and implement improvements, and monitor progress toward achieving intended outcomes.
31.26 Specific duties include but are not limited to:

31.27 (1) managing a sustainability metrics and reporting system, including a public dashboard
31.28 that allows Minnesotans to track progress;

31.29 (2) assisting agencies in developing and executing sustainability plans; and

31.30 (3) publishing an annual report.

31.31 Subd. 2. **Local governments.** The Office of Enterprise Sustainability shall make
31.32 reasonable attempts to share tools and best practices with local governments.

32.1 Sec. 22. Minnesota Statutes 2020, section 16B.48, subdivision 2, is amended to read:

32.2 Subd. 2. **Purpose of funds.** Money in the state treasury credited to the general services
32.3 revolving fund and money that is deposited in the fund is appropriated annually to the
32.4 commissioner for the following purposes:

32.5 (1) to operate the central mailing service, including purchasing postage and related items
32.6 and refunding postage deposits;

32.7 (2) to operate a documents service as prescribed by section 16B.51;

32.8 (3) to provide services for the maintenance, operation, and upkeep of buildings and
32.9 grounds managed by the commissioner of administration;

32.10 ~~(4) to operate a materials handling service, including interagency mail and product~~
32.11 ~~delivery, solid waste removal, courier service, equipment rental, and vehicle and equipment~~
32.12 ~~maintenance;~~

32.13 ~~(5)~~ (4) to provide analytical, statistical, and organizational development services to state
32.14 agencies, local units of government, metropolitan and regional agencies, and school districts;
32.15 and

32.16 ~~(6)~~ (5) to perform services for any other agency. Money may be expended for this purpose
32.17 only when directed by the governor. The agency receiving the services shall reimburse the
32.18 fund for their cost, and the commissioner shall make the appropriate transfers when requested.
32.19 The term "services" as used in this clause means compensation paid officers and employees
32.20 of the state government; supplies, materials, equipment, and other articles and things used
32.21 by or furnished to an agency; and utility services and other services for the maintenance,
32.22 operation, and upkeep of buildings and offices of the state government; ~~and.~~

32.23 ~~(7) to operate a state recycling center.~~

32.24 Sec. 23. Minnesota Statutes 2020, section 16B.54, subdivision 1, is amended to read:

32.25 Subdivision 1. **Motor pools.** The commissioner shall manage a central motor pool of
32.26 passenger motor vehicles and trucks used by state agencies with principal offices in the city
32.27 of St. Paul and may provide for branch central motor pools at other places within the state.
32.28 For purposes of this section, (1) "agencies" includes the Minnesota State Colleges and
32.29 Universities, ~~and~~ (2) "passenger motor vehicle" means on-road vehicle capable of transporting
32.30 people, and (3) "truck" means a pickup or panel truck up to one ton carrying capacity.

33.1 Sec. 24. Minnesota Statutes 2020, section 16B.54, subdivision 2, is amended to read:

33.2 Subd. 2. **Vehicles.** (a) The commissioner may direct an agency to make a transfer of a
33.3 passenger motor vehicle or truck currently assigned to it. The transfer must be made to the
33.4 commissioner for use in the central motor pool. The commissioner shall reimburse an agency
33.5 whose motor vehicles have been paid for with funds dedicated by the constitution for a
33.6 special purpose and which are assigned to the central motor pool. The amount of
33.7 reimbursement for a motor vehicle is its average wholesale price as determined from the
33.8 midwest edition of the National Automobile Dealers Association official used car guide.

33.9 (b) To the extent that funds are available for the purpose, the commissioner may purchase
33.10 or otherwise acquire additional passenger motor vehicles and trucks necessary for the central
33.11 motor pool. The title to all motor vehicles assigned to or purchased or acquired for the
33.12 central motor pool is in the name of the Department of Administration.

33.13 (c) On the request of an agency, the commissioner may transfer to the central motor
33.14 pool any passenger motor vehicle or truck for the purpose of disposing of it. The department
33.15 or agency transferring the vehicle or truck must be paid for it from the motor pool revolving
33.16 account established by this section in an amount equal to two-thirds of the average wholesale
33.17 price of the vehicle or truck as determined from the midwest edition of the National
33.18 Automobile Dealers Association official used car guide.

33.19 (d) The commissioner shall provide for the uniform marking of all motor vehicles. Motor
33.20 vehicle colors must be selected from the regular color chart provided by the manufacturer
33.21 each year. The commissioner may further provide for the use of motor vehicles without
33.22 marking by:

33.23 (1) the governor;

33.24 (2) the lieutenant governor;

33.25 (3) the Division of Criminal Apprehension, the Division of Alcohol and Gambling
33.26 Enforcement, and arson investigators of the Division of Fire Marshal in the Department of
33.27 Public Safety;

33.28 (4) the Financial Institutions Division and investigative staff of the Department of
33.29 Commerce;

33.30 (5) the Division of Disease Prevention and Control of the Department of Health;

33.31 (6) the State Lottery;

33.32 (7) criminal investigators of the Department of Revenue;

34.1 (8) state-owned community service facilities in the Department of Human Services;

34.2 (9) the Office of the Attorney General; ~~and~~

34.3 (10) the investigative staff of the Gambling Control Board; and

34.4 (11) the Department of Corrections inmate community work crew program under section
34.5 352.91, subdivision 3g.

34.6 Sec. 25. Minnesota Statutes 2020, section 16B.98, is amended by adding a subdivision to
34.7 read:

34.8 Subd. 12. **Grants administration.** It is the policy of the legislature to ensure that grant
34.9 activities and outcomes of programs and services funded by legislative appropriations are
34.10 administered by state agencies in accordance with this section and section 16B.97. Unless
34.11 amounts are otherwise appropriated for administrative costs, a state agency may retain up
34.12 to five percent of the amount appropriated to the agency for grants enacted by the legislature
34.13 and formula grants and up to ten percent for competitively awarded grants. This subdivision
34.14 applies to appropriations made for new grant programs enacted July 1, 2021.

34.15 Sec. 26. Minnesota Statutes 2020, section 43A.23, subdivision 1, is amended to read:

34.16 Subdivision 1. **General.** (a) The commissioner is authorized to request proposals or to
34.17 negotiate and to enter into contracts with parties which in the judgment of the commissioner
34.18 are best qualified to provide service to the benefit plans. Contracts entered into are not
34.19 subject to the requirements of sections 16C.16 to 16C.19. The commissioner may negotiate
34.20 premium rates and coverage. The commissioner shall consider the cost of the plans,
34.21 conversion options relating to the contracts, service capabilities, character, financial position,
34.22 and reputation of the carriers, and any other factors which the commissioner deems
34.23 appropriate. Each benefit contract must be for a uniform term of at least one year, but may
34.24 be made automatically renewable from term to term in the absence of notice of termination
34.25 by either party. A carrier licensed under chapter 62A is exempt from the taxes imposed by
34.26 chapter 297I on premiums paid to it by the state.

34.27 (b) All self-insured hospital and medical service products must comply with coverage
34.28 mandates, data reporting, and consumer protection requirements applicable to the licensed
34.29 carrier administering the product, had the product been insured, including chapters 62J,
34.30 62M, and 62Q. Any self-insured products that limit coverage to a network of providers or
34.31 provide different levels of coverage between network and nonnetwork providers shall comply

35.1 with section 62D.123 and geographic access standards for health maintenance organizations
35.2 adopted by the commissioner of health in rule under chapter 62D.

35.3 (c) Notwithstanding paragraph (b), a self-insured hospital and medical product offered
35.4 under sections 43A.22 to 43A.30 is required to extend dependent coverage to an eligible
35.5 employee's child to the full extent required under chapters 62A and 62L. Dependent child
35.6 coverage must, at a minimum, extend to an eligible employee's dependent child to the
35.7 limiting age as defined in section 62Q.01, subdivision 2a, disabled children to the extent
35.8 required in sections 62A.14 and 62A.141, and dependent grandchildren to the extent required
35.9 in sections 62A.042 and 62A.302.

35.10 (d) Beginning January 1, 2010, the health insurance benefit plans offered in the
35.11 commissioner's plan under section 43A.18, subdivision 2, and the managerial plan under
35.12 section 43A.18, subdivision 3, ~~must~~ may include an option for a health plan that is compatible
35.13 with the definition of a high-deductible health plan in section 223 of the United States
35.14 Internal Revenue Code.

35.15 Sec. 27. Minnesota Statutes 2020, section 138.081, subdivision 1, is amended to read:

35.16 Subdivision 1. **Department of Administration as agency to accept federal funds.** The
35.17 Department of Administration is hereby designated the state agency with power to accept
35.18 any and all money provided for or made available to this state by the United States of
35.19 America or any department or agency thereof for surveys, restoration, construction,
35.20 equipping, or other purposes relating to the State Historic ~~sites~~ Preservation Program in
35.21 accordance with the provisions of federal law and any rules or regulations promulgated
35.22 thereunder and are further authorized to do any and all things required of this state by such
35.23 federal law and the rules and regulations promulgated thereunder in order to obtain such
35.24 federal money.

35.25 Sec. 28. Minnesota Statutes 2020, section 138.081, subdivision 2, is amended to read:

35.26 Subd. 2. **Commissioner's responsibilities.** The commissioner as the state historic
35.27 preservation officer shall be responsible for the preparation, implementation and
35.28 administration of the State Historic Preservation Plan and shall administer the State Historic
35.29 Preservation Program authorized by the National Historic Preservation Act (United States
35.30 Code, title ~~16~~ 54, section ~~470~~ 300101 et seq. ~~as amended~~). The commissioner shall review
35.31 and approve in writing all grants-in-aid for architectural, archaeological and historic
35.32 preservation made by state agencies and funded by the state or a combination of state and
35.33 federal funds in accordance with the State Historic Preservation Program.

36.1 Sec. 29. Minnesota Statutes 2020, section 138.081, subdivision 3, is amended to read:

36.2 Subd. 3. **Administration of federal act.** The ~~Department of Administration~~ Minnesota
36.3 Historical Society is designated as the state agency to administer the provisions of the federal
36.4 act providing for the preservation of historical and archaeological data, United States Code,
36.5 title 16, ~~sections 469 to 469C~~ 54, section 312501, as amended, insofar as the provisions of
36.6 the act provide for implementation by the state.

36.7 Sec. 30. Minnesota Statutes 2020, section 138.31, is amended by adding a subdivision to
36.8 read:

36.9 Subd. 13a. **State Historic Preservation Office.** "State Historic Preservation Office"
36.10 means the State Historic Preservation Office at the Department of Administration.

36.11 Sec. 31. Minnesota Statutes 2020, section 138.34, is amended to read:

36.12 **138.34 ADMINISTRATION OF THE ACT.**

36.13 The state archaeologist shall act as the agent of the state to administer and enforce the
36.14 provisions of sections 138.31 to 138.42. Some enforcement provisions are shared with the
36.15 society and the State Historic Preservation Office.

36.16 Sec. 32. Minnesota Statutes 2020, section 138.40, is amended to read:

36.17 **138.40 COOPERATION OF STATE AGENCIES; DEVELOPMENT PLANS.**

36.18 Subdivision 1. **Cooperation.** The Department of Natural Resources, the Department of
36.19 Transportation, and all other state agencies whose activities may be affected, shall cooperate
36.20 with the historical society, the State Historic Preservation Office, and the state archaeologist
36.21 to carry out the provisions of sections 138.31 to 138.42 and the rules issued thereunder, but
36.22 sections 138.31 to 138.42 are not meant to burden persons who wish to use state property
36.23 for recreational and other lawful purposes or to unnecessarily restrict the use of state property.

36.24 Subd. 2. **Compliance, enforcement, preservation.** State and other governmental agencies
36.25 shall comply with and aid in the enforcement of provisions of sections 138.31 to 138.42.
36.26 Conservation officers and other enforcement officers of the Department of Natural Resources
36.27 shall enforce the provisions of sections 138.31 to 138.42 and report violations to the ~~director~~
36.28 ~~of the society~~ state archeologist. When archaeological or historic sites are known or, based
36.29 on scientific investigations are predicted to exist on public lands or waters, the agency or
36.30 department controlling said lands or waters shall use the professional services of
36.31 archaeologists from the University of Minnesota, Minnesota Historical Society, or other

37.1 qualified professional archaeologists, to preserve these sites. In the event that archaeological
37.2 excavation is required to protect or preserve these sites, state and other governmental agencies
37.3 may use their funds for such activities.

37.4 Subd. 3. **Review of plans.** When significant archaeological or historic sites are known
37.5 or, based on scientific investigations, are predicted to exist on public lands or waters, the
37.6 agency or department controlling said lands or waters shall submit construction or
37.7 development plans to the state archaeologist and the ~~director of the society~~ State Historic
37.8 Preservation Office for review prior to the time bids are advertised. The state archaeologist
37.9 and the ~~society~~ State Historic Preservation Office shall promptly review such plans and
37.10 within 30 days of receiving the plans shall make recommendations for the preservation of
37.11 archaeological or historic sites which may be endangered by construction or development
37.12 activities. When archaeological or historic sites are related to Indian history or religion, the
37.13 state archaeologist shall submit the plans to the Indian Affairs Council for the council's
37.14 review and recommend action.

37.15 Sec. 33. Minnesota Statutes 2020, section 138.665, subdivision 2, is amended to read:

37.16 Subd. 2. **Mediation.** The state, state departments, agencies, and political subdivisions,
37.17 including the Board of Regents of the University of Minnesota, have a responsibility to
37.18 protect the physical features and historic character of properties designated in sections
37.19 138.662 and 138.664 or listed on the National Register of Historic Places created by Public
37.20 Law 89-665. Before carrying out any undertaking that will affect designated or listed
37.21 properties, or funding or licensing an undertaking by other parties, the state department or
37.22 agency shall consult with the State Historic Preservation Office pursuant to the ~~society's~~
37.23 State Historic Preservation Office's established procedures to determine appropriate
37.24 treatments and to seek ways to avoid and mitigate any adverse effects on designated or
37.25 listed properties. If the state department or agency and the State Historic Preservation Office
37.26 agree in writing on a suitable course of action, the project may proceed. If the parties cannot
37.27 agree, any one of the parties may request that the governor appoint and convene a mediation
37.28 task force consisting of five members, two appointed by the governor, the chair of the State
37.29 Review Board of the State Historic Preservation Office, the commissioner of administration
37.30 or the commissioner's designee, and one member ~~who is not an employee of the Minnesota~~
37.31 ~~Historical Society~~ appointed by the director of the Minnesota Historical Society. The two
37.32 appointees of the governor and ~~the one~~ of the director of the society shall be qualified by
37.33 training or experience in one or more of the following disciplines: (1) history; (2)
37.34 archaeology; and (3) architectural history. The mediation task force is not subject to the

38.1 conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision
38.2 24, and section 138.664, subdivisions 8 and 111.

38.3 Sec. 34. Minnesota Statutes 2020, section 138.666, is amended to read:

38.4 **138.666 COOPERATION.**

38.5 The state, state departments and agencies, political subdivisions, and the Board of Regents
38.6 of the University of Minnesota shall cooperate with the Minnesota Historical Society and
38.7 the State Historic Preservation Office in safeguarding state historic sites and in the
38.8 preservation of historic and archaeological properties.

38.9 Sec. 35. Minnesota Statutes 2020, section 138.667, is amended to read:

38.10 **138.667 HISTORIC PROPERTIES; CHANGES.**

38.11 Properties designated as historic properties by sections 138.661 to 138.664 may be
38.12 changed from time to time, and the Minnesota Historical Society and the State Historic
38.13 Preservation Office shall notify the legislature of the need for changes, and shall make
38.14 recommendations to keep the state historic sites network and the state register of historic
38.15 places current and complete. The significance of properties proposed for designation under
38.16 section 138.663, subdivision 2, shall be documented under the documentation standards
38.17 established by the ~~Minnesota Historical Society~~. This State Historic Preservation Office.
38.18 Documentation shall include the opinion of the Minnesota Historical Society for the historic
38.19 sites network under section 138.661, subdivision 3, and the State Historic Preservation
38.20 Office for the state register of historic places under section 138.663, subdivision 2, as to
38.21 whether the property meets the selection criteria.

38.22 Sec. 36. Minnesota Statutes 2020, section 138.763, subdivision 1, is amended to read:

38.23 Subdivision 1. **Membership.** There is a St. Anthony Falls Heritage Board consisting of
38.24 22 members with the director of the Minnesota Historical Society as chair. The members
38.25 include the mayor; the chair of the Hennepin County Board of Commissioners or the chair's
38.26 designee; the president of the Minneapolis Park and Recreation Board or the president's
38.27 designee; the superintendent of the park board; two members each from the house of
38.28 representatives appointed by the speaker, the senate appointed by the Rules Committee, the
38.29 city council, the Hennepin County Board, and the park board; one member each from the
38.30 preservation commission, the State Historic Preservation Office, Hennepin County Historical
38.31 Society, and the society; one person appointed by the park board; and two persons appointed
38.32 by the chair of the board.

39.1 Sec. 37. Minnesota Statutes 2020, section 211B.20, subdivision 1, is amended to read:

39.2 Subdivision 1. **Prohibition.** (a) It is unlawful for a person, either directly or indirectly,
39.3 to deny access to an apartment house, dormitory, nursing home, manufactured home park,
39.4 other multiple unit facility used as a residence, or an area in which two or more single-family
39.5 dwellings are located on private roadways to ~~a candidate~~ an individual who ~~has~~:

39.6 (1) has organized a campaign committee under applicable federal or state law;

39.7 (2) has filed a financial report as required by section 211A.02; ~~or~~

39.8 (3) has filed an affidavit of candidacy for elected office; or

39.9 (4) is a United States Census Bureau employee.

39.10 A candidate granted access under this section must be allowed to be accompanied by
39.11 campaign volunteers.

39.12 (b) For candidates, access to a facility or area is only required if it is located within the
39.13 district or territory that will be represented by the office to which the candidate seeks election,
39.14 and the candidate and any accompanying campaign volunteers seek access exclusively for
39.15 the purpose of campaigning for a candidate or registering voters. The candidate must be
39.16 seeking election to office at the next general or special election to be held for that office.

39.17 (c) A candidate and any accompanying campaign volunteers granted access under this
39.18 section must be permitted to leave campaign materials for residents at their doors, except
39.19 that the manager of a nursing home may direct that the campaign materials be left at a central
39.20 location within the facility. The campaign materials must be left in an orderly manner.

39.21 (d) If a facility or area contains multiple buildings, a candidate and accompanying
39.22 volunteers must be permitted to access more than one building on a single visit, but access
39.23 is limited to only one building at a time. If multiple candidates are traveling together, each
39.24 candidate and that candidate's accompanying volunteers is limited to one building at a time,
39.25 but all of the candidates and accompanying volunteers traveling together must not be
39.26 restricted to accessing the same building at the same time.

39.27 (e) For a United States Census Bureau employee, access to a facility or area is only
39.28 required if it is part of their official work duties on a decennial census of population. United
39.29 States Census Bureau employees working on other surveys and censuses are not granted
39.30 access under this section.

39.31 (f) A United States Census Bureau employee must be permitted to leave census materials
39.32 for residents at their doors. The census materials must be left in an orderly manner.

40.1 (g) If a facility or area contains multiple buildings, a United States Census Bureau
40.2 employee must be permitted to access more than one building on a single visit. If multiple
40.3 employees are traveling together, they must not be restricted to accessing the same building
40.4 at the same time.

40.5 (e) (h) A violation of this section is a petty misdemeanor.

40.6 Sec. 38. Minnesota Statutes 2020, section 270B.13, is amended by adding a subdivision
40.7 to read:

40.8 Subd. 3. **Background check; access to federal tax information.** An individual
40.9 performing services for an independent contractor or a vendor under subdivision 1 who has
40.10 or will have access to federal tax information is subject to the requirements of section
40.11 299C.76.

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

40.13 Sec. 39. Minnesota Statutes 2020, section 270C.21, is amended to read:

40.14 **270C.21 TAXPAYER ASSISTANCE GRANTS.**

40.15 Subdivision 1. **Taxpayer assistance.** When the commissioner awards grants to ~~nonprofit~~
40.16 eligible organizations to coordinate, facilitate, encourage, and aid in the provision of taxpayer
40.17 assistance services, the commissioner must provide public notice of the grants in a timely
40.18 manner so that the grant process is completed and grants are awarded by October 1, in order
40.19 for recipient eligible organizations to adequately plan expenditures for the filing season. At
40.20 the time the commissioner provides public notice, the commissioner must also notify
40.21 ~~nonprofit~~ eligible organizations that received grants in the previous biennium.

40.22 Subd. 2. **Eligible organization.** "Eligible organization" means an organization that meets
40.23 the definition of eligible organization provided in section 7526A(e)(2)(B) of the Internal
40.24 Revenue Code.

40.25 **EFFECTIVE DATE.** This section is effective for grants awarded after June 30, 2021.

40.26 Sec. 40. **[299C.76] BACKGROUND CHECK; ACCESS TO FEDERAL TAX**
40.27 **INFORMATION.**

40.28 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following definitions
40.29 apply.

40.30 (b) "Federal tax information" means federal tax returns and return information or
40.31 information derived or created from federal tax returns, in possession of or control by the

41.1 requesting agency, that is covered by the safeguarding provisions of section 6103(p)(4) of
41.2 the Internal Revenue Code.

41.3 (c) "IRS Publication 1075" means Internal Revenue Service Publication 1075 that
41.4 provides guidance and requirements for the protection and confidentiality of federal tax
41.5 information as required in section 6103(p)(4) of the Internal Revenue Code.

41.6 (d) "National criminal history record information" means the Federal Bureau of
41.7 Investigation identification records as defined in Code of Federal Regulations, title 28,
41.8 section 20.3(d).

41.9 (e) "Requesting agency" means the Department of Revenue, Department of Employment
41.10 and Economic Development, Department of Human Services, board of directors of MNsure,
41.11 the Office of MN.IT Services, and counties.

41.12 Subd. 2. **National criminal history record information check.** As required by IRS
41.13 Publication 1075, a requesting agency shall require fingerprints for a national criminal
41.14 history record information check from the following individuals who have or will have
41.15 access to federal tax information:

41.16 (1) a current or prospective permanent or temporary employee of the requesting agency;

41.17 (2) an independent contractor or vendor of the requesting agency;

41.18 (3) an employee or agent of an independent contractor or vendor of the requesting agency;

41.19 or

41.20 (4) any other individual authorized to access federal tax information by the requesting
41.21 agency.

41.22 Subd. 3. **Fingerprint submission and written statement of understanding.** An
41.23 individual subject to this section must provide fingerprints and a written statement of
41.24 understanding that the fingerprints will be used for a background check to the requesting
41.25 agency. The requesting agency must submit the fingerprints and written statement of
41.26 understanding, along with the processing fees, to the superintendent of the Bureau of Criminal
41.27 Apprehension. The fingerprints must only be used for the purposes described in this section.

41.28 Subd. 4. **Bureau of Criminal Apprehension requirements.** (a) After the superintendent
41.29 of the Bureau of Criminal Apprehension notifies requesting agencies that the United States
41.30 Attorney General has approved the request for submission under Public Law 92-544, a
41.31 requesting agency may submit information under subdivision 3.

42.1 (b) Upon receipt of the information under subdivision 3, the superintendent of the Bureau
42.2 of Criminal Apprehension must:

42.3 (1) perform a state criminal history record information search;

42.4 (2) exchange the fingerprints to the Federal Bureau of Investigation to facilitate a search
42.5 of the national criminal history record information;

42.6 (3) compile the results of the state and national criminal history record information
42.7 searches; and

42.8 (4) provide the results to the requesting agency.

42.9 Subd. 5. **Classification of data.** (a) All data collected, created, received, maintained, or
42.10 disseminated by the requesting agency under this section is classified as private data on
42.11 individuals as defined in section 13.02, subdivision 12.

42.12 (b) Notwithstanding any law to the contrary, a requesting agency must not further
42.13 disseminate the results received under subdivision 4.

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

42.15 Sec. 41. Minnesota Statutes 2020, section 349.151, subdivision 2, is amended to read:

42.16 Subd. 2. **Membership.** (a) The board consists of seven members, as follows: (1) five
42.17 members appointed by the governor; (2) one member appointed by the commissioner of
42.18 public safety; and (3) one member appointed by the attorney general.

42.19 (b) All appointments under this subdivision are with the advice and consent of the senate.

42.20 (c) ~~After expiration of the initial terms,~~ Appointments are for four years. A member may
42.21 continue holding office until a successor is appointed unless, prior to the expiration of the
42.22 member's term, the appointing authority notifies the board that a member's appointment
42.23 may not be extended.

42.24 (d) The board shall select one of its members to serve as chair. No more than three
42.25 members appointed by the governor under this subdivision may belong to the same political
42.26 party.

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

43.1 Sec. 42. Minnesota Statutes 2020, section 473.24, is amended to read:

43.2 **473.24 POPULATION ESTIMATES.**

43.3 (a) The Metropolitan Council shall annually prepare an estimate of population for each
43.4 county, city, and town in the metropolitan area and an estimate of the number of households
43.5 and average household size for each city in the metropolitan area with a population of 2,500
43.6 or more, and an estimate of population over age 65 for each county in the metropolitan area,
43.7 and convey the estimates to the governing body of each county, city, or town by June 1
43.8 each year or, in a year following a decennial census, within six weeks of the date the data
43.9 are provided by the United States Census Bureau in that year. In the case of a city or town
43.10 that is located partly within and partly without the metropolitan area, the Metropolitan
43.11 Council shall estimate the proportion of the total population and the average size of
43.12 households that reside within the area. The Metropolitan Council may prepare an estimate
43.13 of the population and of the average household size for any other political subdivision
43.14 located in the metropolitan area.

43.15 (b) A governing body may challenge an estimate made under this section by filing its
43.16 specific objections in writing with the Metropolitan Council by June 24. If the challenge
43.17 does not result in an acceptable estimate, the governing body may have a special census
43.18 conducted by the United States Bureau of the Census. The political subdivision must notify
43.19 the Metropolitan Council on or before July 1 of its intent to have the special census
43.20 conducted. The political subdivision must bear all costs of the special census. Results of
43.21 the special census must be received by the Metropolitan Council by the next April 15 to be
43.22 used in that year's June 1 estimate under this section. In the year following a decennial
43.23 census, challenges to the census count must be submitted to the United States Census Bureau
43.24 through its formal challenge process. The Metropolitan Council shall certify the estimates
43.25 of population and the average household size to the state demographer and to the
43.26 commissioner of revenue by July 15 each year, including any estimates still under objection,
43.27 except that in a year following a decennial census, the estimate must be certified within six
43.28 weeks of the date the data are provided by the United States Census Bureau in that year.

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

43.30 Sec. 43. **PURPOSE; BACKGROUND CHECKS TO ACCESS FEDERAL TAX**
43.31 **INFORMATION.**

43.32 It is the intent of the legislature to ensure compliance with section 6103 of the Internal
43.33 Revenue Code and IRS Publication 1075.

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

44.2 Sec. 44. **RACIAL EQUITY IMPACT ASSESSMENT WORKING GROUP.**

44.3 Subdivision 1. **Working group established; membership.** (a) A Racial Equity Impact
44.4 Assessment Working Group is established. The working group consists of the following
44.5 members:

44.6 (1) the commissioner of human rights or the commissioner's designee;

44.7 (2) a representative of the Center for Economic Inclusion;

44.8 (3) a representative of Voices for Racial Justice;

44.9 (4) three members of the public, appointed by the commissioner of human rights;

44.10 (5) two business community representatives designated by the Minnesota Business
44.11 Partnership;

44.12 (6) four members affiliated with community-based organizations that represent people
44.13 of color and indigenous communities, appointed by the speaker of the house; and

44.14 (7) four members affiliated with community-based organizations that represent people
44.15 of color and indigenous communities, appointed by the majority leader of the senate.

44.16 (b) In making appointments, the speaker of the house and the majority leader of the
44.17 senate must consult with the members of the People of Color and Indigenous Caucus within
44.18 each respective body.

44.19 (c) The commissioner of management and budget, the state demographer, the state
44.20 economist, and the director of the Legislative Budget Office serve as ex-officio, nonvoting
44.21 members of the working group.

44.22 Subd. 2. **Duties.** (a) The working group must develop recommendations for the
44.23 preparation of a racial equity impact note for proposed legislation. In conducting its work,
44.24 the group must engage members of racial and ethnic groups disproportionately impacted
44.25 by disparities. The working group must consider racial equity analysis procedures for
44.26 legislation proposed in other states, and identify sources of disaggregated data that could
44.27 be used in the development and completion of a racial equity impact note in Minnesota.

44.28 (b) The working group must submit a report describing its recommendations by February
44.29 1, 2022, to the chairs and ranking minority members of the house of representatives Ways
44.30 and Means and State Government Finance and Elections committees, and the senate Finance

45.1 and State Government Finance and Policy and Elections committees. The report may include
45.2 draft legislation to codify the working group's recommendations.

45.3 (c) At its discretion, the working group may continue to study and make additional
45.4 reports following the submission of its initial report under paragraph (b).

45.5 (d) For purposes of this section, "disparities" includes but is not limited to the difference
45.6 in economic, employment, health, education, housing, or public safety outcomes between
45.7 the state population as a whole and racial and ethnic subgroups of the population.

45.8 Subd. 3. **Administration; assistance of experts.** (a) The executive director of the
45.9 Legislative Budget Office shall convene the first meeting of the working group no later than
45.10 September 1, 2021, and serves as the working group's executive secretary. Upon request of
45.11 the working group members, the executive director of the Legislative Budget Office must
45.12 arrange meeting space and provide administrative support for the group.

45.13 (b) In conducting its work, the working group may request the assistance of private
45.14 sector experts specializing in issues related to the economic impacts of racial inequity.

45.15 Subd. 4. **Chair.** The members of the working group must elect a chair or cochairs at the
45.16 initial meeting.

45.17 Subd. 5. **Compensation.** Members of the working group serve without compensation.

45.18 Subd. 6. **Gifts and grants.** The working group may accept gifts and grants, which are
45.19 accepted on behalf of the state and constitute donations to the state. Funds received under
45.20 this subdivision are appropriated to the Legislative Budget Office for purposes of the working
45.21 group.

45.22 Subd. 7. **Deadline for appointments and designations.** The appointments and
45.23 designations authorized by this section must be completed by August 1, 2021.

45.24 Subd. 8. **Expiration.** The working group expires September 1, 2023.

45.25 Sec. 45. **SENSORY ACCESSIBILITY ACCOMMODATIONS GRANTS.**

45.26 (a) The Minnesota Council on Disability shall award grants to state organizations,
45.27 counties, cities, and private holders of public access space to fund building modifications
45.28 to provide sensory accessibility or accommodations to increase accessible community
45.29 involvement and access for individuals who have autism spectrum disorder or a related
45.30 disability or other nonvisible health issue with sensory impacts. Grantees may use grants
45.31 to modify public space to:

45.32 (1) create sensory-friendly spaces;

46.1 (2) modify public use space to meet sensory-friendly design standards;

46.2 (3) equip a facility with mobile tool kits to support sensory needs; or

46.3 (4) provide quiet zones or times of service.

46.4 Grantees must also complete disability training to provide staff with the skills necessary to
46.5 successfully incorporate building modifications that support individuals within the sensory
46.6 modifications made.

46.7 (b) The council may use up to ten percent of this appropriation for grants administration.

46.8 (c) By February 15, 2024, the council shall report to the legislative committees having
46.9 jurisdiction over health and public safety policy on how this appropriation was spent and
46.10 what results were achieved.

46.11 **Sec. 46. CHECK OR DEBIT CARD FOR CERTAIN GAMBLING PURCHASES.**

46.12 Notwithstanding Minnesota Statutes, section 349.2127, subdivision 7, during a telephone
46.13 communication initiated by persons seeking to purchase a raffle ticket, an organization may
46.14 accept a check or debit card for raffle purchases, provided a debit card is checked against
46.15 a nationally recognized database of bank identification numbers that confirms the card is a
46.16 debit card.

46.17 **EFFECTIVE DATE.** This section is effective the day following final enactment and
46.18 expires July 1, 2022.

46.19 **Sec. 47. REVISOR INSTRUCTION.**

46.20 The revisor of statutes shall change "central motor pool" to "enterprise fleet" wherever
46.21 the term appears in Minnesota Statutes.

46.22 **Sec. 48. REPEALER.**

46.23 Subdivision 1. **Legislative auditor.** Minnesota Statutes 2020, sections 3.972, subdivisions
46.24 2c and 2d; 3.9741, subdivision 5; and 299D.03, subdivision 2a, are repealed.

46.25 Subd. 2. **Employee gainsharing.** Minnesota Statutes 2020, section 16A.90, is repealed.

46.26 Subd. 3. **Interagency agreements and transfers.** Minnesota Statutes 2020, section
46.27 15.0395, is repealed.

46.28 Subd. 4. **Department of Administration.** Minnesota Statutes 2020, sections 4A.11;
46.29 179.90; and 179.91, are repealed.

ARTICLE 3

ELECTIONS ADMINISTRATION

Section 1. Minnesota Statutes 2020, section 5.30, subdivision 2, is amended to read:

Subd. 2. **Appropriation.** ~~Notwithstanding section 4.07,~~ Money in the Help America Vote Act account ~~may be spent only pursuant to direct appropriations enacted from time to time by law. Money in the account must be spent~~ is appropriated to the secretary of state to improve the administration of elections in accordance with the Help America Vote Act, the state plan certified by the governor under the act, and for reporting and administrative requirements under the act and plan. To the extent required by federal law, money in the account must be used in a manner that is consistent with the maintenance of effort requirements of section 254(a)(7) of the Help America Vote Act, Public Law 107-252, based on the level of state expenditures for the fiscal year ending June 30, 2000.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to any balances of money in the Help America Vote Act account existing on or after that date.

Sec. 2. Minnesota Statutes 2020, section 5B.06, is amended to read:

5B.06 VOTING BY PROGRAM PARTICIPANT; ABSENTEE BALLOT.

A program participant who is otherwise eligible to vote may register with the secretary of state as a permanent absentee voter. Notwithstanding section 203B.04, subdivision 5, the secretary of state is not required to send an absentee ballot application prior to each election to a program participant registered as a permanent absentee voter under this section. As soon as practicable before each election, the secretary of state shall determine the precinct in which the residential address of ~~the~~ a program participant is located and. Upon making a precinct determination, the secretary of state shall either (1) request from and receive from the county auditor or other election official the ballot for that precinct and shall forward mail the absentee ballot to the program participant with the other, or (2) using the Minnesota statewide voter registration system, prepare the program participant's ballot for that precinct and mail the absentee ballot to the program participant. The secretary of state shall include with each mailed absentee ballot all corresponding materials for absentee balloting as required by Minnesota law. The program participant shall complete the ballot and return it to the secretary of state, who shall review the ballot in the manner provided by section 203B.121, subdivision 2. If the ballot and ballot materials comply with the requirements of that section, the ballot must be certified by the secretary of state as the ballot of a program participant, and must be forwarded to the appropriate electoral jurisdiction for tabulation

48.1 along with all other ballots. The name and address of a program participant must not be
48.2 listed in the statewide voter registration system.

48.3 Sec. 3. Minnesota Statutes 2020, section 8.31, subdivision 1, is amended to read:

48.4 Subdivision 1. **Investigate offenses against provisions of certain designated sections;**
48.5 **assist in enforcement.** The attorney general shall investigate violations of and assist in the
48.6 enforcement of the following laws as in this section provided:

48.7 (1) the law of this state respecting unfair, discriminatory, and other unlawful practices
48.8 in business, commerce, or trade, and specifically, but not exclusively, the Nonprofit
48.9 Corporation Act (sections 317A.001 to 317A.909), the Act Against Unfair Discrimination
48.10 and Competition (sections 325D.01 to 325D.07), the Unlawful Trade Practices Act (sections
48.11 325D.09 to 325D.16), the Antitrust Act (sections 325D.49 to 325D.66), section 325F.67
48.12 and other laws against false or fraudulent advertising, the antidiscrimination acts contained
48.13 in section 325D.67, the act against monopolization of food products (section 325D.68), the
48.14 act regulating telephone advertising services (section 325E.39), the Prevention of Consumer
48.15 Fraud Act (sections 325F.68 to 325F.70), and chapter 53A regulating currency exchanges
48.16 and assist in the enforcement of those laws as in this section provided.; and

48.17 (2) section 211B.075 regulating voter intimidation, interference, and deceptive practices
48.18 in elections.

48.19 Sec. 4. Minnesota Statutes 2020, section 13.607, is amended by adding a subdivision to
48.20 read:

48.21 Subd. 9. **Data derived from driver's license or Minnesota identification card**
48.22 **applications.** Data on an application for a driver's license or a Minnesota identification card
48.23 transferred to the secretary of state that are provided by a person whom the secretary of
48.24 state determines is not eligible to vote are governed by section 201.161.

48.25 Sec. 5. Minnesota Statutes 2020, section 135A.17, subdivision 2, is amended to read:

48.26 Subd. 2. **Residential housing list.** All postsecondary institutions that enroll students
48.27 accepting ~~state or~~ federal financial aid may prepare a current list of students enrolled in the
48.28 institution and residing in the institution's housing or within ten miles of the institution's
48.29 campus. All postsecondary institutions that enroll students accepting state financial aid must
48.30 prepare a current list of students enrolled in the institution and residing in the institution's
48.31 housing or within ten miles of the institution's campus. The list shall include each student's
48.32 current address, unless the student is enrolled in the Safe at Home address confidentiality

49.1 program as provided in chapter 5B. The list shall be certified and sent to the appropriate
49.2 county auditor or auditors for use in election day registration as provided under section
49.3 201.061, subdivision 3. A residential housing list provided under this subdivision may not
49.4 be used or disseminated by a county auditor or the secretary of state for any other purpose.

49.5 Sec. 6. Minnesota Statutes 2020, section 201.014, is amended by adding a subdivision to
49.6 read:

49.7 Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual convicted
49.8 of a felony has the civil right to vote restored when the individual is no longer incarcerated
49.9 for the felony conviction, or upon sentencing if no incarceration is imposed. If the individual
49.10 is later incarcerated for the same offense, the individual's civil right to vote is lost only
49.11 during the period of incarceration.

49.12 Sec. 7. Minnesota Statutes 2020, section 201.071, subdivision 1, is amended to read:

49.13 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
49.14 contain the same information unless otherwise provided by law. A voter registration
49.15 application must contain spaces for the following required information: voter's first name,
49.16 middle name, and last name; voter's previous name, if any; voter's current address; voter's
49.17 previous address, if any; voter's date of birth; voter's municipality and county of residence;
49.18 voter's telephone number, if provided by the voter; date of registration; current and valid
49.19 Minnesota driver's license number or Minnesota state identification number, or if the voter
49.20 has no current and valid Minnesota driver's license or Minnesota state identification, the
49.21 last four digits of the voter's Social Security number; and voter's signature. The paper
49.22 registration application may include the voter's e-mail address, if provided by the voter. The
49.23 electronic voter registration application must include the voter's e-mail address. The
49.24 registration application may include the voter's interest in serving as an election judge, if
49.25 indicated by the voter. The application must also contain the following certification of voter
49.26 eligibility:

49.27 "I certify that I:

49.28 (1) will be at least 18 years old on election day;

49.29 (2) am a citizen of the United States;

49.30 (3) will have ~~resided~~ maintained residence in Minnesota for 20 days immediately
49.31 preceding election day;

49.32 (4) maintain residence at the address given on the registration form;

50.1 (5) am not under court-ordered guardianship in which the court order revokes my right
50.2 to vote;

50.3 (6) have not been found by a court to be legally incompetent to vote;

50.4 (7) ~~have the right to vote because, if I have been convicted of a felony, my felony sentence~~
50.5 ~~has expired (been completed) or I have been discharged from my sentence~~ am not currently
50.6 incarcerated for a conviction of a felony offense; and

50.7 (8) have read and understand the following statement: that giving false information is a
50.8 felony punishable by not more than five years imprisonment or a fine of not more than
50.9 \$10,000, or both."

50.10 The certification must include boxes for the voter to respond to the following questions:

50.11 "(1) Are you a citizen of the United States?" and

50.12 "(2) Will you be 18 years old on or before election day?"

50.13 And the instruction:

50.14 "If you checked 'no' to either of these questions, do not complete this form."

50.15 The form of the voter registration application and the certification of voter eligibility
50.16 must be as provided in this subdivision and approved by the secretary of state. Voter
50.17 registration forms authorized by the National Voter Registration Act must also be accepted
50.18 as valid. The federal postcard application form must also be accepted as valid if it is not
50.19 deficient and the voter is eligible to register in Minnesota.

50.20 An individual may use a voter registration application to apply to register to vote in
50.21 Minnesota or to change information on an existing registration.

50.22 Sec. 8. Minnesota Statutes 2020, section 201.071, subdivision 2, is amended to read:

50.23 Subd. 2. **Instructions.** (a) A registration application shall be accompanied by instructions
50.24 specifying the manner and method of registration, the qualifications for voting, the penalties
50.25 for false registration, and the availability of registration and voting assistance for elderly
50.26 and disabled individuals and residents of health care facilities and hospitals.

50.27 (b) The instructions must indicate that ~~if the voter does not have~~ must provide a valid
50.28 Minnesota driver's license or identification card number, or the last four digits of the voter's
50.29 Social Security number ~~must be provided, unless the voter does not have a Social Security~~
50.30 number, unless the voter has not been issued one of those numbers.

51.1 (c) If, prior to election day, a person requests the instructions in Braille, audio format,
 51.2 or in a version printed in 16-point bold type with 24-point leading, the county auditor shall
 51.3 provide them in the form requested. The secretary of state shall prepare Braille and audio
 51.4 copies and make them available.

51.5 Sec. 9. Minnesota Statutes 2020, section 201.071, subdivision 3, is amended to read:

51.6 Subd. 3. **Deficient registration.** ~~No~~ (a) A voter registration application is not deficient
 51.7 if it contains the voter's:

51.8 (1) name, address, and date of birth;₂

51.9 (2) current and valid Minnesota driver's license number ~~or~~₂ Minnesota state identification
 51.10 number, ~~or if the voter has no current and valid Minnesota driver's license or Minnesota~~
 51.11 ~~state identification number,~~ the last four digits of the voter's Social Security number, ~~if the~~
 51.12 ~~voter has been issued a Social Security number;~~₂

51.13 (3) prior registration, if any;₂ and

51.14 (4) signature.

51.15 (b) A voter registration application is not deficient due to any of the following:

51.16 (1) the absence of a zip code number ~~does not cause the registration to be deficient;~~₂

51.17 (2) failure to check a box on an application form that a voter has certified to be true ~~does~~
 51.18 ~~not cause the registration to be deficient;~~₂ or

51.19 (3) the absence of a number listed under paragraph (a), clause (2), if the voter has not
 51.20 been issued one of those numbers and the information can be verified in another government
 51.21 database associated with the applicant's name and date of birth, or the application was
 51.22 accepted before January 1, 2004.

51.23 ~~The election judges shall request an individual to correct a voter registration application~~
 51.24 ~~if it is deficient or illegible. No eligible voter may be prevented from voting unless the~~
 51.25 ~~voter's registration application is deficient or the voter is duly and successfully challenged~~
 51.26 ~~in accordance with section 201.195 or 204C.12.~~

51.27 (c) A voter registration application:

51.28 (1) accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county
 51.29 or municipality may attempt to obtain the date of birth for a voter registration application
 51.30 accepted prior to August 1, 1983, by a request to the voter at any time except at the polling

52.1 place. Failure by the voter to comply with this request does not make the registration
52.2 deficient; and

52.3 ~~A voter registration application accepted before January 1, 2004, is not deficient for lack~~
52.4 ~~of a valid Minnesota driver's license or state identification number or the last four digits of~~
52.5 ~~a Social Security number.~~

52.6 ~~A voter registration application submitted by a voter who does not have a Minnesota~~
52.7 ~~driver's license or state identification number, or a Social Security number, is not deficient~~
52.8 ~~for lack of any of these numbers.~~

52.9 ~~A voter registration application~~ (2) submitted electronically through the website of the
52.10 secretary of state prior to April 30, 2014, is not invalid as a result of its electronic submission.

52.11 (d) An election judge must request an individual to correct a voter registration application
52.12 if it is deficient or illegible. An eligible voter must not be prevented from voting unless the
52.13 voter's registration application is deficient or the voter's eligibility to vote is successfully
52.14 challenged under section 201.195 or 204C.12.

52.15 Sec. 10. Minnesota Statutes 2020, section 201.071, subdivision 8, is amended to read:

52.16 Subd. 8. **School district assistance.** School districts shall assist county auditors in
52.17 determining the school district in which a voter ~~resides~~ maintains residence.

52.18 Sec. 11. Minnesota Statutes 2020, section 201.091, subdivision 2, is amended to read:

52.19 Subd. 2. **Corrected list.** By February 15 of each year, the secretary of state shall prepare
52.20 the master list for each county auditor. The records in the statewide registration system must
52.21 be periodically corrected and updated by the county auditor. An updated master list for each
52.22 precinct must be available for absentee voting at least 46 days before each election. A final
52.23 corrected master list must be available ~~seven~~ 14 days before each election.

52.24 Sec. 12. Minnesota Statutes 2020, section 201.12, subdivision 2, is amended to read:

52.25 Subd. 2. **Moved within state.** If any nonforwardable mailing from an election official
52.26 is returned as undeliverable but with a permanent forwarding address in this state, the county
52.27 auditor may change the voter's status to "inactive" in the statewide registration system and
52.28 shall transmit a copy of the mailing to the auditor of the county in which the new address
52.29 is located. If an election is scheduled to occur in the precinct in which the voter ~~resides~~
52.30 maintains residence in the next 47 days, the county auditor shall promptly update the voter's
52.31 address in the statewide voter registration system. If there is not an election scheduled, the

53.1 auditor may wait to update the voter's address until after the next list of address changes is
53.2 received from the secretary of state. Once updated, the county auditor shall mail to the voter
53.3 a notice stating the voter's name, address, precinct, and polling place, except that if the
53.4 voter's record is challenged due to a felony conviction, noncitizenship, name change,
53.5 incompetence, or a court's revocation of voting rights of individuals under guardianship,
53.6 the auditor must not mail the notice. The notice must advise the voter that the voter's voting
53.7 address has been changed and that the voter must notify the county auditor within 21 days
53.8 if the new address is not the voter's address of residence. The notice must state that it must
53.9 be returned if it is not deliverable to the voter at the named address.

53.10 Sec. 13. Minnesota Statutes 2020, section 201.121, subdivision 3, is amended to read:

53.11 Subd. 3. **Postelection sampling.** (a) Within ten days after an election, the county auditor
53.12 shall send the notice required by subdivision 2 to a random sampling of the individuals
53.13 registered on election day. The random sampling shall be determined in accordance with
53.14 the rules of the secretary of state. As soon as practicable after the election, the county auditor
53.15 shall mail the notice required by subdivision 2 to all other individuals registered on election
53.16 day. If a notice is returned as not deliverable, the county auditor shall attempt to determine
53.17 the reason for the return. A county auditor who does not receive or obtain satisfactory proof
53.18 of an individual's eligibility to vote shall immediately notify the county attorney of all of
53.19 the relevant information. ~~The~~ By February 15 of each odd-numbered year, the county auditor
53.20 must notify the secretary of state of the following information for the previous state general
53.21 election by each precinct:

53.22 (1) the total number of all notices that were returned as nondeliverable;

53.23 (2) the total number of nondeliverable notices that the county auditor was able to
53.24 determine the reason for the return along with the reason for each return; and

53.25 (3) the total number of individuals for whom the county auditor does not receive or
53.26 obtain satisfactory proof of an individual's eligibility to vote.

53.27 (b) By March 1 of every odd-numbered year, the secretary of state shall report to the
53.28 chair and ranking minority members of the legislative committees with jurisdiction over
53.29 elections the following information for the previous state general election by each precinct
53.30 and each county:

53.31 (1) the total number of all notices that were returned as nondeliverable;

53.32 (2) the total number of nondeliverable notices that a county auditor was able to determine
53.33 the reason for the return along with the reason for each return; and

54.1 (3) the total number of individuals for whom the county auditor does not receive or
54.2 obtain satisfactory proof of an individual's eligibility to vote.

54.3 Sec. 14. Minnesota Statutes 2020, section 201.13, subdivision 3, is amended to read:

54.4 Subd. 3. **Use of change of address system.** (a) At least once each month the secretary
54.5 of state shall obtain a list of individuals registered to vote in this state who have filed with
54.6 the United States Postal Service a change of their permanent address. The secretary of state
54.7 may also periodically obtain a list of individuals with driver's licenses or state identification
54.8 cards to identify those who are registered to vote who have applied to the Department of
54.9 Public Safety for a replacement driver's license or state identification card with a different
54.10 address, and a list of individuals for whom the Department of Public Safety received
54.11 notification of a driver's license or state identification card cancellation due to a change of
54.12 residency out of state. However, the secretary of state shall not load data derived from these
54.13 lists into the statewide voter registration system within the 47 days before the state primary
54.14 or 47 days before a November general election.

54.15 (b) If the address is changed to another address in this state, the secretary of state shall
54.16 locate the precinct in which the voter ~~resides~~ maintains residence, if possible. If the secretary
54.17 of state is able to locate the precinct in which the voter ~~resides~~ maintains residence, the
54.18 secretary must transmit the information about the changed address by electronic means to
54.19 the county auditor of the county in which the new address is located. For addresses for
54.20 which the secretary of state is unable to determine the precinct, the secretary may forward
54.21 information to the appropriate county auditors for individual review. If the voter has not
54.22 voted or submitted a voter registration application since the address change, upon receipt
54.23 of the information, the county auditor shall update the voter's address in the statewide voter
54.24 registration system. The county auditor shall mail to the voter a notice stating the voter's
54.25 name, address, precinct, and polling place, unless the voter's record is challenged due to a
54.26 felony conviction, noncitizenship, name change, incompetence, or a court's revocation of
54.27 voting rights of individuals under guardianship, in which case the auditor must not mail the
54.28 notice. The notice must advise the voter that the voter's voting address has been changed
54.29 and that the voter must notify the county auditor within 21 days if the new address is not
54.30 the voter's address of residence. The notice must state that it must be returned if it is not
54.31 deliverable to the voter at the named address.

54.32 (c) If the change of permanent address is to an address outside this state, the secretary
54.33 of state shall notify by electronic means the auditor of the county where the voter formerly
54.34 ~~resided~~ maintained residence that the voter has moved to another state. If the voter has not

55.1 voted or submitted a voter registration application since the address change, the county
55.2 auditor shall promptly mail to the voter at the voter's new address a notice advising the voter
55.3 that the voter's status in the statewide voter registration system will be changed to "inactive"
55.4 unless the voter notifies the county auditor within 21 days that the voter is retaining the
55.5 former address as the voter's address of residence, except that if the voter's record is
55.6 challenged due to a felony conviction, noncitizenship, name change, incompetence, or a
55.7 court's revocation of voting rights of individuals under guardianship, the auditor must not
55.8 mail the notice. If the notice is not received by the deadline, the county auditor shall change
55.9 the voter's status to "inactive" in the statewide voter registration system.

55.10 (d) If, in order to maintain voter registration records, the secretary of state enters an
55.11 agreement to share information or data with an organization governed exclusively by a
55.12 group of states, the secretary must first determine that the data security protocols are sufficient
55.13 to safeguard the information or data shared. If required by such an agreement, the secretary
55.14 of state may share the following data from the statewide voter registration system and data
55.15 released to the secretary of state under section 171.12, subdivision 7a:

55.16 (1) name;

55.17 (2) date of birth;

55.18 (3) address;

55.19 (4) driver's license or state identification card number;

55.20 (5) the last four digits of an individual's Social Security number; and

55.21 (6) the date that an individual's record was last updated.

55.22 If the secretary of state enters into such an agreement, the secretary and county auditors
55.23 must process changes to voter records based upon that data in accordance with this section.
55.24 Except as otherwise provided in this subdivision, when data is shared with the secretary of
55.25 state by another state, the secretary of state must maintain the same data classification that
55.26 the data had while it was in the possession of the state providing the data.

55.27 Sec. 15. Minnesota Statutes 2020, section 201.161, is amended to read:

55.28 **201.161 DRIVER'S LICENSE AND IDENTIFICATION CARD APPLICATIONS**
55.29 **AUTOMATIC VOTER REGISTRATION.**

55.30 Subdivision 1. Automatic registration. Except as otherwise provided in this section,
55.31 an individual must be registered to vote if the individual is eligible to vote under section

56.1 201.014 and properly completes and submits one of the following applications, if the
56.2 application otherwise requires documentation of citizenship:

56.3 (1) an application for a new or renewed Minnesota driver's license or identification card;

56.4 or

56.5 (2) an application for benefits or services to a state agency participating under subdivision

56.6 4.

56.7 Subd. 2. **Option to decline registration.** After an individual submits an application
56.8 qualifying for registration under this section, a county auditor must provide, by mail, a
56.9 notice of the option and the procedures necessary to decline to be registered to vote pursuant
56.10 to subdivision 6 and section 201.12, subdivision 1. An individual must not be registered to
56.11 vote if the individual declines to be registered within 20 days of submitting the application.
56.12 The individual must continue to be offered an opportunity to be registered upon completion
56.13 or submission of a qualifying application unless the individual presents documentation
56.14 demonstrating a lack of citizenship or a failure to meet other eligibility criteria.

56.15 Subd. 3. **Department of Public Safety.** (a) The ~~Department~~ commissioner of public
56.16 safety ~~shall~~, in consultation with the secretary of state, must change ~~its~~ the applications for
56.17 an original, duplicate, or change of address driver's license or identification card so that the
56.18 forms may also serve as voter registration applications, if the application otherwise includes
56.19 verification of the applicant's citizenship. The forms must contain spaces for all information
56.20 ~~collected by voter registration applications~~ required to register to vote, as prescribed by the
56.21 secretary of state. ~~Applicants for driver's licenses or identification cards must be asked if~~
56.22 ~~they want to register to vote at the same time and that~~ Unless the applicant has provided an
56.23 address other than the applicant's address of residence under section 171.12, subdivision 7,
56.24 paragraph (d), the commissioner must transmit the information ~~must be transmitted at least~~
56.25 ~~weekly~~ daily by electronic means to the secretary of state. Pursuant to the Help America
56.26 Vote Act of 2002, Public Law 107-252, the computerized driver's license record containing
56.27 the voter's name, address, date of birth, citizenship, driver's license number or state
56.28 identification number, signature image, county, ~~town~~, and city or town must be made
56.29 available for access by the secretary of state and interaction with the statewide voter
56.30 registration system. At least monthly, the commissioner must submit data to the secretary
56.31 of state identifying the total number of people applying for services in a manner that qualifies
56.32 for voter registration under this section and the total number of individuals whose records
56.33 were actually transferred for registration.

57.1 (b) Information on an applicant for a form of an original, duplicate, or change of address
57.2 driver's license or identification card that does not include verification of citizenship must
57.3 not be transmitted to the secretary of state. The commissioner must provide these applicants
57.4 with information on the voting eligibility and the requirements for registering to vote at the
57.5 time of the transaction.

57.6 (c) An applicant must not be registered to vote under this subdivision until the
57.7 commissioner of public safety has certified that the department's systems have been tested
57.8 and can accurately provide the required data, and the secretary of state has certified that the
57.9 system for automatic registration of those applicants has been tested and is capable of
57.10 properly determining whether an applicant is eligible to vote. The department's systems
57.11 must be tested and accurately provide the necessary data no later than June 1, 2022.

57.12 (d) For purposes of this section, "driver's license" includes any instruction permit,
57.13 provisional license, limited license, restricted license, or operator's permit issuable by the
57.14 commissioner of public safety under chapter 171.

57.15 Subd. 4. **Other agencies and units of government.** (a) The commissioner of any state
57.16 agency, and the administrative head of any local government or the government of a federally
57.17 recognized Indian tribe within the state, in consultation with the secretary of state, may
57.18 cause any form or application within its jurisdiction to serve as a voter registration
57.19 application, if the form or application already provides verification of an applicant's United
57.20 States citizenship. The form or application must contain spaces for all information required
57.21 to register to vote as prescribed by the secretary of state. The commissioner or administrative
57.22 head must transmit the information daily by electronic means to the secretary of state on
57.23 any individual whose United States citizenship has been verified. At least monthly, the
57.24 commissioner must submit data to the secretary of state identifying the total number of
57.25 people applying for services in a manner that qualifies for voter registration under this
57.26 section, and the total number of individuals whose records were actually transferred for
57.27 registration.

57.28 (b) The commissioner or administrative head, in consultation with the secretary of state,
57.29 may cause any form or application within its jurisdiction to serve as an update to the address
57.30 on an applicant's existing voter registration record. The commissioner or administrative
57.31 head must transmit the information daily by electronic means to the secretary of state. At
57.32 least monthly, the commissioner or administrative head must submit data to the secretary
57.33 of state identifying the total number of people applying for services in a manner that qualifies
57.34 for a voter registration address update under this paragraph, and the total number of
57.35 individuals whose records were actually transferred for updates.

58.1 (c) An applicant must not be registered to vote under this subdivision until the agency's
58.2 commissioner, or the administrative head of the local or tribal government, has certified
58.3 that the necessary systems have been tested and can accurately provide the required data,
58.4 and the secretary of state has certified that the system for automatic registration of those
58.5 applicants has been tested and is capable of properly determining whether an applicant is
58.6 eligible to vote.

58.7 Subd. 5. **Registration.** (a) The secretary of state must determine whether an applicant
58.8 whose information is submitted under this section is currently registered in the statewide
58.9 voter registration system. For each currently registered voter whose registration is not
58.10 changed, the secretary of state must update the voter's registration date in the statewide
58.11 voter registration system. For each currently registered voter whose registration is changed,
58.12 the secretary of state must transmit the registration daily by electronic means to the county
58.13 auditor of the county where the voter resides.

58.14 (b) If the applicant is not currently registered in the statewide voter registration system,
58.15 the secretary of state must determine whether the applicant is 18 years of age or older and
58.16 a citizen of the United States. The secretary of state must also compare the voter registration
58.17 information received under section 201.145 to determine whether the applicant is eligible
58.18 to vote. If an applicant is less than 18 years of age, the secretary of state must wait until the
58.19 applicant has turned 18 years of age to determine whether the applicant is eligible to vote.
58.20 For each applicant the secretary of state determines is an eligible voter, the secretary of state
58.21 must transmit the registration daily by electronic means to the county auditor of the county
58.22 where the voter resides.

58.23 (c) Any data on applicants who the secretary determines are not eligible to vote are
58.24 private data on individuals, as defined in section 13.02, subdivision 12.

58.25 (d) The county auditor must inactivate the voter's record in the statewide voter registration
58.26 system upon receipt of a written request, signed by the voter, that the registration be
58.27 inactivated.

58.28 Subd. 6. **Notice.** Upon receipt of the registration information, the county auditor must
58.29 provide to the voter the notice of registration required by section 201.121, subdivision 2.
58.30 A notice mailed under this subdivision must include information on declining the registration
58.31 within the period authorized by subdivision 2, if the voter does not wish to be registered to
58.32 vote. The secretary of state may adopt rules prescribing the notice required by this subdivision
58.33 and subdivision 2.

59.1 Subd. 7. Prosecution of registration violations; voluntary action required. Unless
59.2 an individual knows of the individual's ineligibility to vote and intentionally takes voluntary
59.3 action to become registered, the transfer of the individual's record under this section does
59.4 not constitute completion or submission of a voter registration application by that individual.
59.5 If an application is processed and the individual is registered by the state under this section,
59.6 the application and registration is presumed to have been officially authorized by the state
59.7 and the individual is not subject to penalty under this section or other applicable law if the
59.8 individual is subsequently determined to be ineligible.

59.9 Subd. 8. Effective date. A registration application completed pursuant to this section
59.10 that is dated during the 20 days before an election is not effective until the day after the
59.11 election. This subdivision does not limit the ability of a person to register to vote on election
59.12 day as provided in section 201.061, subdivision 3. Any person who submits an application
59.13 under this section that is dated during the 20 days before an election shall be provided at
59.14 the time of application with a notice advising the applicant of the procedures to register to
59.15 vote on election day.

59.16 Sec. 16. Minnesota Statutes 2020, section 201.1611, subdivision 1, is amended to read:

59.17 Subdivision 1. **Forms.** All postsecondary institutions that enroll students accepting state
59.18 or federal financial aid shall provide voter registration forms to each student as early as
59.19 possible in the fall quarter. All school districts shall make available voter registration
59.20 applications each May and September to all students registered as students of the school
59.21 district who will be eligible to vote at the next election after those months. A school district
59.22 has no obligation to provide voter registration applications to students who participate in a
59.23 postsecondary education option program or who otherwise ~~reside~~ maintain residence in the
59.24 district but do not attend a school operated by the district. A school district fulfills its
59.25 obligation to a student under this section if it provides a voter registration application to the
59.26 student one time. The forms must contain spaces for the information required in section
59.27 201.071, subdivision 1, and applicable rules of the secretary of state. The institutions and
59.28 school districts may request these forms from the secretary of state. Institutions shall consult
59.29 with their campus student government in determining the most effective means of distributing
59.30 the forms and in seeking to facilitate election day registration of students under section
59.31 201.061, subdivision 3. School districts must advise students that completion of the voter
59.32 registration application is not a school district requirement.

60.1 Sec. 17. Minnesota Statutes 2020, section 201.162, is amended to read:

60.2 **201.162 DUTIES OF STATE AGENCIES.**

60.3 The commissioner or chief administrative officer of each state agency or
60.4 community-based public agency or nonprofit corporation that contracts with the state agency
60.5 to carry out obligations of the state agency shall provide voter registration services for
60.6 employees and the public including, as applicable, automatic voter registration or information
60.7 on voter eligibility and registration procedures as required under section 201.161. A person
60.8 may complete a voter registration application or apply to change a voter registration name
60.9 or address if the person has the proper qualifications on the date of application. Nonpartisan
60.10 voter registration assistance, including routinely asking members of the public served by
60.11 the agency whether they would like to register to vote and, if necessary, assisting them in
60.12 preparing the registration forms must be part of the job of appropriate agency employees.

60.13 Sec. 18. Minnesota Statutes 2020, section 201.225, subdivision 2, is amended to read:

60.14 Subd. 2. **Technology requirements.** An electronic roster must:

60.15 (1) be able to be loaded with a data file that includes voter registration data in a file
60.16 format prescribed by the secretary of state;

60.17 (2) allow for data to be exported in a file format prescribed by the secretary of state;

60.18 (3) allow for data to be entered manually or by scanning a Minnesota driver's license or
60.19 identification card to locate a voter record or populate a voter registration application that
60.20 would be printed and signed and dated by the voter. The printed registration application
60.21 can be either a printed form, labels printed with voter information to be affixed to a preprinted
60.22 form, or a combination of both;

60.23 (4) allow an election judge to update data that was populated from a scanned driver's
60.24 license or identification card;

60.25 (5) cue an election judge to ask for and input data that is not populated from a scanned
60.26 driver's license or identification card that is otherwise required to be collected from the voter
60.27 or an election judge;

60.28 (6) immediately alert the election judge if the voter has provided information that indicates
60.29 that the voter is not eligible to vote;

60.30 (7) immediately alert the election judge if the electronic roster indicates that a voter has
60.31 already voted in that precinct, the voter's registration status is challenged, or it appears the
60.32 voter ~~resides~~ maintains residence in a different precinct;

61.1 (8) provide immediate instructions on how to resolve a particular type of challenge when
61.2 a voter's record is challenged;

61.3 (9) provide for a printed voter signature certificate, containing the voter's name, address
61.4 of residence, date of birth, voter identification number, the oath required by section 204C.10,
61.5 and a space for the voter's original signature. The printed voter signature certificate can be
61.6 either a printed form or a label printed with the voter's information to be affixed to the oath;

61.7 (10) contain only preregistered voters within the precinct, and not contain preregistered
61.8 voter data on voters registered outside of the precinct;

61.9 (11) be only networked within the polling location on election day, except for the purpose
61.10 of updating absentee ballot records;

61.11 (12) meet minimum security, reliability, and networking standards established by the
61.12 Office of the Secretary of State in consultation with the Office of MN.IT Services;

61.13 (13) be capable of providing a voter's correct polling place; and

61.14 (14) perform any other functions necessary for the efficient and secure administration
61.15 of the participating election, as determined by the secretary of state.

61.16 Electronic rosters used only for election day registration do not need to comply with clauses
61.17 (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need
61.18 to comply with clauses (4) and (5).

61.19 **Sec. 19. [201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT**
61.20 **VOTING RIGHTS.**

61.21 The secretary of state shall develop accurate and complete information in a single
61.22 publication about the voting rights of people who have been charged with or convicted of
61.23 a crime. This publication must be made available electronically to the state court administrator
61.24 for distribution to judges, court personnel, probation officers, and the commissioner of
61.25 corrections for distribution to corrections officials, parole and supervised release agents,
61.26 and the public.

61.27 Sec. 20. Minnesota Statutes 2020, section 202A.11, subdivision 2, is amended to read:

61.28 Subd. 2. **Right to use.** A major political party which has adopted a party name is entitled
61.29 to the exclusive use of that name for the designation of its candidates on all ballots, and no
61.30 candidate of any other political party is entitled to have printed on a ballot as a party

62.1 designation any part of that name. Improper use of a major political party's name may be
62.2 the subject of a petition filed under section 204B.44.

62.3 Sec. 21. Minnesota Statutes 2020, section 202A.16, subdivision 1, is amended to read:

62.4 Subdivision 1. **Eligible voters.** Only those individuals who are or will be eligible to vote
62.5 at the time of the next state general election, may vote or be elected a delegate or officer at
62.6 the precinct caucus. An eligible voter may vote or be elected a delegate or officer only in
62.7 the precinct where the voter ~~resides~~ maintains residence at the time of the caucus.

62.8 Sec. 22. Minnesota Statutes 2020, section 203B.01, subdivision 3, is amended to read:

62.9 Subd. 3. **Military.** "Military" means the Army, Navy, Air Force, Marine Corps, Coast
62.10 Guard or Merchant Marine of the United States, all other uniformed services as defined in
62.11 United States Code, title 52, section 20310, and military forces as defined by section 190.05,
62.12 subdivision 3, or any eligible citizen of Minnesota enrolled as a student at the United States
62.13 Naval Academy, the United States Coast Guard Academy, the United States Merchant
62.14 Marine Academy, the United States Air Force Academy, or the United States Military
62.15 Academy.

62.16 Sec. 23. Minnesota Statutes 2020, section 203B.01, is amended by adding a subdivision
62.17 to read:

62.18 Subd. 5. **Utility worker.** "Utility worker" means an employee of a public utility as
62.19 defined by section 216B.02, subdivision 4.

62.20 Sec. 24. Minnesota Statutes 2020, section 203B.02, is amended by adding a subdivision
62.21 to read:

62.22 Subd. 4. **Emergency response providers.** Any trained or certified emergency response
62.23 provider or utility worker who is deployed during the time period authorized by law for
62.24 absentee voting, on election day, or during any state of emergency declared by the President
62.25 of the United States or any governor of any state within the United States may vote by
62.26 absentee ballot either as provided by sections 203B.04 to 203B.15 or sections 203B.16 to
62.27 203B.27.

62.28 Sec. 25. Minnesota Statutes 2020, section 203B.04, subdivision 1, is amended to read:

62.29 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision
62.30 2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election

63.1 may be submitted at any time not less than one day before the day of that election. The
63.2 county auditor shall prepare absentee ballot application forms in the format provided by the
63.3 secretary of state and shall furnish them to any person on request. By January 1 of each
63.4 even-numbered year, the secretary of state shall make the forms to be used available to
63.5 auditors through electronic means. An application submitted pursuant to this subdivision
63.6 shall be in writing. An application may be submitted in person, by electronic facsimile
63.7 device, by electronic mail, or by mail to:

63.8 (1) the county auditor of the county where the applicant maintains residence; or

63.9 (2) the municipal clerk of the municipality, or school district if applicable, where the
63.10 applicant maintains residence.

63.11 For a federal, state, or county election, an absentee ballot application may alternatively be
63.12 submitted electronically through a secure website that shall be maintained by the secretary
63.13 of state for this purpose. Notwithstanding paragraph (b), the secretary of state must require
63.14 applicants using the website to submit the applicant's e-mail address and verifiable Minnesota
63.15 driver's license number, Minnesota state identification card number, or the last four digits
63.16 of the applicant's Social Security number.

63.17 An application submitted electronically under this paragraph may only be transmitted to
63.18 the county auditor for processing if the secretary of state has verified the application
63.19 information matches the information in a government database associated with the applicant's
63.20 driver's license number, state identification card number, or Social Security number. The
63.21 secretary of state must review all unverifiable applications for evidence of suspicious activity
63.22 and must forward any such application to an appropriate law enforcement agency for
63.23 investigation.

63.24 (b) An application shall be approved if it is timely received, signed and dated by the
63.25 applicant, contains the applicant's name and residence and mailing addresses, date of birth,
63.26 and at least one of the following:

63.27 (1) the applicant's Minnesota driver's license number;

63.28 (2) Minnesota state identification card number;

63.29 (3) the last four digits of the applicant's Social Security number; or

63.30 (4) a statement that the applicant does not have any of these numbers.

63.31 (c) To be approved, the application must contain an oath that the information contained
63.32 on the form is accurate, that the applicant is applying on the applicant's own behalf, and
63.33 that the applicant is signing the form under penalty of perjury.

64.1 (d) An applicant's full date of birth, Minnesota driver's license or state identification
64.2 number, and the last four digits of the applicant's Social Security number must not be made
64.3 available for public inspection. An application may be submitted to the county auditor or
64.4 municipal clerk by an electronic facsimile device. An application mailed or returned in
64.5 person to the county auditor or municipal clerk on behalf of a voter by a person other than
64.6 the voter must be deposited in the mail or returned in person to the county auditor or
64.7 municipal clerk within ten days after it has been dated by the voter and no later than six
64.8 days before the election. The absentee ballot applications or a list of persons applying for
64.9 an absentee ballot may not be made available for public inspection until the close of voting
64.10 on election day, except as authorized in section 203B.12, and must be available to the public
64.11 in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

64.12 (e) An application under this subdivision may contain an application under subdivision
64.13 5 to automatically receive an absentee ballot application.

64.14 Sec. 26. Minnesota Statutes 2020, section 203B.081, subdivision 1, is amended to read:

64.15 Subdivision 1. **Location; timing.** An eligible voter may vote by absentee ballot in the
64.16 office of the county auditor and at any other polling place designated by the county auditor
64.17 during the 46 days before the election, except as provided in this section. The county auditor
64.18 shall make such polling place designations at least 14 weeks before the election. Voters
64.19 casting absentee ballots in person for a town election held in March may do so during the
64.20 30 days before the election.

64.21 Sec. 27. Minnesota Statutes 2020, section 203B.081, subdivision 2, is amended to read:

64.22 Subd. 2. ~~Town elections~~ **Voting booth; electronic ballot marker.** ~~Voters casting~~
64.23 ~~absentee ballots in person for a town election held in March may do so during the 30 days~~
64.24 ~~before the election. The county auditor shall make such designations at least 14 weeks before~~
64.25 ~~the election. For purposes of this section, the county auditor must make available in each~~
64.26 ~~polling place (1) at least one voting booth in each polling place must be made available by~~
64.27 ~~the county auditor for this purpose. The county auditor must also make available, and (2)~~
64.28 ~~at least one electronic ballot marker in each polling place that has implemented a voting~~
64.29 ~~system that is accessible for individuals with disabilities pursuant to section 206.57,~~
64.30 ~~subdivision 5.~~

65.1 Sec. 28. Minnesota Statutes 2020, section 203B.081, subdivision 3, is amended to read:

65.2 Subd. 3. **Alternative procedure.** (a) The county auditor may make available a ballot
65.3 counter and ballot box for use by the voters during the ~~seven~~ 14 days before the election.
65.4 If a ballot counter and ballot box is provided, a voter must be given the option either (1) to
65.5 vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the
65.6 manner provided in this subdivision.

65.7 (b) If a voter chooses to vote in the manner provided in this subdivision, the voter must
65.8 state the voter's name, address, and date of birth to the county auditor or municipal clerk.
65.9 The voter shall sign a voter's certificate, which must include the voter's name, identification
65.10 number, and the certification required by section 201.071, subdivision 1. The signature of
65.11 an individual on the voter's certificate and the issuance of a ballot to the individual is evidence
65.12 of the intent of the individual to vote at that election.

65.13 (c) After signing the voter's certificate, the voter shall be issued a ballot and immediately
65.14 retire to a voting station or other designated location in the polling place to mark the ballot.
65.15 The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter
65.16 may return it to the election official in exchange for a new ballot. After completing the
65.17 ballot, the voter shall deposit the ballot into the ballot box.

65.18 (d) The election official must immediately record that the voter has voted in the manner
65.19 provided in section 203B.121, subdivision 3.

65.20 (e) The election duties required by this subdivision must be performed by the county
65.21 auditor, municipal clerk, or a deputy of the auditor or clerk.

65.22 (f) The secretary of state must prepare voting instructions in languages other than English
65.23 for use by voters casting a ballot under this subdivision. At a minimum, the instructions
65.24 must be prepared and made available in print, electronic, and audiovisual formats in the
65.25 Spanish, Hmong, and Somali languages.

65.26 Sec. 29. Minnesota Statutes 2020, section 203B.11, subdivision 1, is amended to read:

65.27 Subdivision 1. **Generally.** (a) Each full-time municipal clerk or school district clerk
65.28 who has authority under section 203B.05 to administer absentee voting laws shall designate
65.29 election judges to deliver absentee ballots in accordance with this section. The county auditor
65.30 must also designate election judges to perform the duties in this section. A ballot may be
65.31 delivered only to an eligible voter who is a temporary or permanent resident or patient in a
65.32 health care facility or hospital located in the municipality in which the voter maintains
65.33 residence. The ballots shall be delivered by two election judges, each of whom is affiliated

66.1 with a different major political party. When the election judges deliver or return ballots as
66.2 provided in this section, they shall travel together in the same vehicle. Both election judges
66.3 shall be present when an applicant completes the certificate of eligibility and marks the
66.4 absentee ballots, and may assist an applicant as provided in section 204C.15. The election
66.5 judges shall deposit the return envelopes containing the marked absentee ballots in a sealed
66.6 container and return them to the clerk on the same day that they are delivered and marked.

66.7 (b) At the discretion of a full-time municipal clerk, school district clerk, or county auditor,
66.8 absentee ballots may be delivered in the same manner as prescribed in paragraph (a) to a
66.9 veterans home operated under chapter 198 or a shelter for battered women as defined in
66.10 section 611A.37, subdivision 4.

66.11 Sec. 30. Minnesota Statutes 2020, section 203B.12, subdivision 7, is amended to read:

66.12 Subd. 7. **Names of persons; rejected absentee ballots.** (a) The names of voters who
66.13 have submitted an absentee ballot to the county auditor or municipal clerk that has not been
66.14 accepted may not be made available for public inspection until the close of voting on election
66.15 day.

66.16 (b) After the close of voting on election day, the lists must be available to the public in
66.17 the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

66.18 Sec. 31. Minnesota Statutes 2020, section 203B.121, subdivision 2, is amended to read:

66.19 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board
66.20 shall take possession of all ~~return~~ signature envelopes delivered to them in accordance with
66.21 section 203B.08. Upon receipt from the county auditor, municipal clerk, or school district
66.22 clerk, two or more members of the ballot board shall examine each ~~return~~ signature envelope
66.23 and shall mark it accepted or rejected in the manner provided in this subdivision. Election
66.24 judges performing the duties in this section must be of different major political parties,
66.25 unless they are exempt from that requirement under section 205.075, subdivision 4, or
66.26 section 205A.10, subdivision 2.

66.27 (b) The members of the ballot board shall mark the ~~return~~ signature envelope "Accepted"
66.28 and initial or sign the ~~return~~ signature envelope below the word "Accepted" if a majority
66.29 of the members of the ballot board examining the envelope are satisfied that:

66.30 (1) the voter's name and address on the ~~return~~ signature envelope are the same as the
66.31 information provided on the absentee ballot application;

66.32 (2) the voter signed the certification on the envelope;

67.1 (3) the voter's Minnesota driver's license, state identification number, or the last four
67.2 digits of the voter's Social Security number are the same as a number on the voter's absentee
67.3 ballot application or voter record. If the number does not match, the election judges must
67.4 compare the signature provided by the applicant to determine whether the ballots were
67.5 returned by the same person to whom they were transmitted;

67.6 (4) the voter is registered and eligible to vote in the precinct or has included a properly
67.7 completed voter registration application in the ~~return~~ signature envelope;

67.8 (5) the certificate has been completed as prescribed in the directions for casting an
67.9 absentee ballot; and

67.10 (6) the voter has not already voted at that election, either in person or, if it is after the
67.11 close of business on the ~~seventh~~ 14th day before the election, by absentee ballot.

67.12 The ~~return~~ signature envelope from accepted ballots must be preserved and returned to
67.13 the county auditor.

67.14 (c)(1) If a majority of the members of the ballot board examining a ~~return~~ signature
67.15 envelope find that an absentee voter has failed to meet one of the requirements provided in
67.16 paragraph (b), they shall mark the ~~return~~ signature envelope "Rejected," initial or sign it
67.17 below the word "Rejected," list the reason for the rejection on the envelope, and return it
67.18 to the county auditor. There is no other reason for rejecting an absentee ballot beyond those
67.19 permitted by this section. Failure to place the ballot within the ~~security~~ secrecy envelope
67.20 before placing it in the outer white envelope is not a reason to reject an absentee ballot.

67.21 (2) If an envelope has been rejected at least five days before the election, the envelope
67.22 must remain sealed and the official in charge of the ballot board shall provide the voter with
67.23 a replacement absentee ballot and return envelope in place of the rejected ballot.

67.24 (3) If an envelope is rejected within five days of the election, the envelope must remain
67.25 sealed and the official in charge of the ballot board must attempt to contact the voter by
67.26 telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official
67.27 must document the attempts made to contact the voter.

67.28 (d) The official in charge of the absentee ballot board must mail the voter a written notice
67.29 of absentee ballot rejection between six and ten weeks following the election. If the official
67.30 determines that the voter has otherwise cast a ballot in the election, no notice is required.
67.31 If an absentee ballot arrives after the deadline for submission provided by this chapter, the
67.32 notice must be provided between six to ten weeks after receipt of the ballot. A notice of
67.33 absentee ballot rejection must contain the following information:

68.1 (1) the date on which the absentee ballot was rejected or, if the ballot was received after
68.2 the required deadline for submission, the date on which the ballot was received;

68.3 (2) the reason for rejection; and

68.4 (3) the name of the appropriate election official to whom the voter may direct further
68.5 questions, along with appropriate contact information.

68.6 (e) An absentee ballot ~~return~~ signature envelope marked "Rejected" may not be opened
68.7 or subject to further review except in an election contest filed pursuant to chapter 209.

68.8 Sec. 32. Minnesota Statutes 2020, section 203B.121, subdivision 3, is amended to read:

68.9 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk
68.10 must immediately record that a voter's absentee ballot has been accepted. After the close
68.11 of business on the ~~seventh~~ 14th day before the election, a voter whose record indicates that
68.12 an absentee ballot has been accepted must not be permitted to cast another ballot at that
68.13 election. In a state primary, general, or state special election for federal or state office, the
68.14 auditor or clerk must also record this information in the statewide voter registration system.

68.15 (b) The roster must be marked, and a supplemental report of absentee voters who
68.16 submitted a voter registration application with their ballot must be created, no later than the
68.17 start of voting on election day to indicate the voters that have already cast a ballot at the
68.18 election. The roster may be marked either:

68.19 (1) by the county auditor or municipal clerk before election day;

68.20 (2) by the ballot board before election day; or

68.21 (3) by the election judges at the polling place on election day.

68.22 The record of a voter whose absentee ballot was received after the close of business on
68.23 the ~~seventh~~ 14th day before the election is not required to be marked on the roster or
68.24 contained in a supplemental report as required by this paragraph.

68.25 Sec. 33. Minnesota Statutes 2020, section 203B.121, subdivision 4, is amended to read:

68.26 Subd. 4. **Opening of envelopes.** After the close of business on the ~~seventh~~ 14th day
68.27 before the election, the ballots from ~~return~~ secrecy envelopes within the signature envelopes
68.28 marked "Accepted" may be opened, duplicated as needed in the manner provided in section
68.29 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the
68.30 appropriate ballot box. If more than one voted ballot is enclosed in the ballot envelope, the

69.1 ballots must be returned in the manner provided by section 204C.25 for return of spoiled
69.2 ballots, and may not be counted.

69.3 Sec. 34. Minnesota Statutes 2020, section 203B.16, subdivision 2, is amended to read:

69.4 Subd. 2. **Indefinite residence outside United States.** Sections 203B.16 to 203B.27
69.5 provide the exclusive voting procedure for United States citizens who are living indefinitely
69.6 outside the territorial limits of the United States who meet all the qualifications of an eligible
69.7 voter except residence in Minnesota, but who are authorized by federal law to vote in
69.8 Minnesota because they or, if they have never ~~resided~~ maintained residence in the United
69.9 States, a parent maintained residence in Minnesota for at least 20 days immediately prior
69.10 to their departure from the United States. Individuals described in this subdivision shall be
69.11 permitted to vote only for the offices of president, vice-president, senator in Congress, and
69.12 representative in Congress.

69.13 Sec. 35. Minnesota Statutes 2020, section 203B.24, subdivision 1, is amended to read:

69.14 Subdivision 1. **Check of voter eligibility; proper execution of certificate.** Upon receipt
69.15 of an absentee ballot returned as provided in sections 203B.16 to 203B.27, the election
69.16 judges shall compare the voter's name with the names recorded under section 203B.19 in
69.17 the statewide registration system to insure that the ballot is from a voter eligible to cast an
69.18 absentee ballot under sections 203B.16 to 203B.27. The election judges shall mark the return
69.19 envelope "Accepted" and initial or sign the return envelope below the word "Accepted" if
69.20 the election judges are satisfied that:

69.21 (1) the voter's name and address on the return envelope appears in substantially the same
69.22 form as on the application records provided to the election judges by the county auditor;

69.23 (2) the voter has signed the federal oath prescribed pursuant to section 705(b)(2) of the
69.24 Help America Vote Act, Public Law 107-252;

69.25 (3) the voter has set forth the same voter's passport number, or Minnesota driver's license
69.26 or state identification card number, or the last four digits of the voter's Social Security
69.27 number as submitted on the application, if the voter has one of these documents;

69.28 (4) the voter is not known to have died; and

69.29 (5) the voter has not already voted at that election, either in person or by absentee ballot.

69.30 If the identification number described in clause (3) does not match the number as
69.31 submitted on the application, the election judges must make a reasonable effort to satisfy
69.32 themselves through other information provided by the applicant, or by an individual

70.1 authorized to apply on behalf of the voter, that the ballots were returned by the same person
70.2 to whom the ballots were transmitted.

70.3 An absentee ballot cast pursuant to sections 203B.16 to 203B.27 may only be rejected
70.4 for the lack of one of clauses (1) to (5). In particular, failure to place the ballot within the
70.5 ~~security~~ secrecy envelope before placing it in the outer white envelope is not a reason to
70.6 reject an absentee ballot.

70.7 Election judges must note the reason for rejection on the back of the envelope in the
70.8 space provided for that purpose.

70.9 Failure to return unused ballots shall not invalidate a marked ballot, but a ballot shall
70.10 not be counted if the certificate on the return envelope is not properly executed. In all other
70.11 respects the provisions of the Minnesota Election Law governing deposit and counting of
70.12 ballots shall apply. Notwithstanding other provisions of this section, the counting of the
70.13 absentee ballot of a deceased voter does not invalidate the election.

70.14 Sec. 36. Minnesota Statutes 2020, section 204B.06, subdivision 1b, is amended to read:

70.15 Subd. 1b. **Address and telephone number.** (a) An affidavit of candidacy must state a
70.16 telephone number where the candidate can be contacted. An affidavit must also state the
70.17 candidate's address of residence as determined under section 200.031, or at the candidate's
70.18 request in accordance with paragraph (c), the candidate's campaign contact address. The
70.19 form for the affidavit of candidacy must allow the candidate to request, if eligible, that the
70.20 candidate's address of residence be classified as private data, and to provide the certification
70.21 required under paragraph (c) for classification of that address.

70.22 (b) For an office whose residency requirement must be satisfied by the close of the filing
70.23 period, a registered voter in this state may request in writing that the filing officer receiving
70.24 the affidavit of candidacy review the address as provided in this paragraph, at any time up
70.25 to one day after the last day for filing for office. If requested, the filing officer must determine
70.26 whether the address provided in the affidavit of candidacy is within the area represented by
70.27 the office the candidate is seeking. If the filing officer determines that the address is not
70.28 within the area represented by the office, the filing officer must immediately notify the
70.29 candidate and the candidate's name must be removed from the ballot for that office. A
70.30 determination made by a filing officer under this paragraph is subject to judicial review
70.31 under section 204B.44.

71.1 (c) If the candidate requests that the candidate's address of residence be classified as
71.2 private data, the candidate must list the candidate's address of residence on a separate form
71.3 to be attached to the affidavit. The candidate must also certify on the affidavit that either:

71.4 (1) a police report has been submitted or, an order for protection has been issued, or the
71.5 candidate has a reasonable fear in regard to the safety of the candidate or the candidate's
71.6 family; or

71.7 ~~that~~ (2) the candidate's address is otherwise private pursuant to Minnesota law.

71.8 The address of residence provided by a candidate who makes a request for classification
71.9 on the candidate's affidavit of candidacy and provides the certification required by this
71.10 paragraph is classified as private data, as defined in section 13.02, subdivision 12, but may
71.11 be reviewed by the filing officer as provided in this subdivision.

71.12 (d) The requirements of this subdivision do not apply to affidavits of candidacy for a
71.13 candidate for: (1) judicial office; (2) the office of county attorney; or (3) county sheriff.

71.14 Sec. 37. Minnesota Statutes 2020, section 204B.06, subdivision 4a, is amended to read:

71.15 Subd. 4a. **State and local offices.** Candidates who seek nomination for the following
71.16 offices shall state the following additional information on the affidavit:

71.17 (1) for governor or lieutenant governor, that on the first Monday of the next January the
71.18 candidate will be 25 years of age or older and, on the day of the state general election, a
71.19 resident of Minnesota for not less than one year;

71.20 (2) for supreme court justice, court of appeals judge, or district court judge, that the
71.21 candidate is learned in the law;

71.22 (3) for county, municipal, school district, or special district office, that the candidate
71.23 meets any other qualifications for that office prescribed by law;

71.24 (4) for senator or representative in the legislature, that on the day of the general or special
71.25 election to fill the office the candidate will have ~~resided~~ maintained residence not less than
71.26 one year in the state and not less than six months in the legislative district from which the
71.27 candidate seeks election.

71.28 Sec. 38. Minnesota Statutes 2020, section 204B.09, subdivision 1, is amended to read:

71.29 Subdivision 1. **Candidates in state and county general elections.** (a) Except as
71.30 otherwise provided by this subdivision, affidavits of candidacy and nominating petitions
71.31 for county, state, and federal offices filled at the state general election shall be filed not

72.1 more than 84 days nor less than 70 days before the state primary. The affidavit may be
72.2 prepared and signed at any time between 60 days before the filing period opens and the last
72.3 day of the filing period.

72.4 (b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed
72.5 in the presence of a notarial officer or an individual authorized to administer oaths under
72.6 section 358.10.

72.7 (c) This provision does not apply to candidates for presidential elector nominated by
72.8 major political parties. Major party candidates for presidential elector are certified under
72.9 section 208.03. Other candidates for presidential electors may file petitions at least 77 days
72.10 before the general election day pursuant to section 204B.07. Nominating petitions to fill
72.11 vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or
72.12 petition shall be accepted later than 5:00 p.m. on the last day for filing.

72.13 (d) Affidavits and petitions for county offices must be filed with the county auditor of
72.14 that county. Affidavits and petitions for federal offices must be filed with the secretary of
72.15 state. Affidavits and petitions for state offices must be filed with the secretary of state or
72.16 with the county auditor of the county in which the candidate ~~resides~~ maintains residence.

72.17 (e) Affidavits other than those filed pursuant to subdivision 1a must be submitted by
72.18 mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and must
72.19 be received by 5:00 p.m. on the last day for filing.

72.20 Sec. 39. Minnesota Statutes 2020, section 204B.09, subdivision 3, is amended to read:

72.21 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who
72.22 wants write-in votes for the candidate to be counted must file a written request with the
72.23 filing office for the office sought not more than 84 days before the primary and no later
72.24 than the ~~seventh~~ 14th day before the general election. The filing officer shall provide copies
72.25 of the form to make the request. ~~No~~ The filing officer shall not accept a written request ~~shall~~
72.26 ~~be accepted~~ later than 5:00 p.m. on the last day for filing a written request.

72.27 (b) A candidate for president of the United States who files a request under this
72.28 subdivision must ~~include the name of a candidate for vice president of the United States.~~
72.29 file jointly with another individual seeking nomination as a candidate for vice president of
72.30 the United States. A candidate for vice president of the United States who files a request
72.31 under this subdivision must file jointly with another individual seeking nomination as a
72.32 candidate for president of the United States. The request must also include the name of at
72.33 least one candidate for presidential elector. The total number of names of candidates for

73.1 presidential elector on the request may not exceed the total number of electoral votes to be
73.2 cast by Minnesota in the presidential election.

73.3 (c) A candidate for governor who files a request under this subdivision must ~~include the~~
73.4 ~~name of a candidate for lieutenant governor.~~ file jointly with another individual seeking
73.5 nomination as a candidate for lieutenant governor. A candidate for lieutenant governor who
73.6 files a request under this subdivision must file jointly with another individual seeking
73.7 nomination as a candidate for governor.

73.8 Sec. 40. Minnesota Statutes 2020, section 204B.13, is amended by adding a subdivision
73.9 to read:

73.10 Subd. 6a. Candidates for federal office. This section does not apply to a vacancy in
73.11 nomination for a federal office.

73.12 Sec. 41. Minnesota Statutes 2020, section 204B.16, subdivision 1, is amended to read:

73.13 Subdivision 1. **Authority; location.** (a) By December 31 of each year, the governing
73.14 body of each municipality and of each county with precincts in unorganized territory must
73.15 designate by ordinance or resolution a polling place for each election precinct. The polling
73.16 places designated in the ordinance or resolution are the polling places for the following
73.17 calendar year, unless a change is made: any changes to a polling place location. A polling
73.18 place must be maintained for the following calendar year unless changed:

73.19 (1) by ordinance or resolution by December 31 of the previous year;

73.20 ~~(1)~~ (2) pursuant to section 204B.175;

73.21 ~~(2)~~ (3) because a polling place has become unavailable; or

73.22 ~~(3)~~ (4) because a township designates one location for all state, county, and federal
73.23 elections and one location for all township only elections.

73.24 (b) Polling places must be designated and ballots must be distributed so that no one is
73.25 required to go to more than one polling place to vote in a school district and municipal
73.26 election held on the same day. The polling place for a precinct in a city or in a school district
73.27 located in whole or in part in the metropolitan area defined by section 200.02, subdivision
73.28 24, shall be located within the boundaries of the precinct or within one mile of one of those
73.29 boundaries unless a single polling place is designated for a city pursuant to section 204B.14,
73.30 subdivision 2, or a school district pursuant to section 205A.11. The polling place for a
73.31 precinct in unorganized territory may be located outside the precinct at a place which is
73.32 convenient to the voters of the precinct. If no suitable place is available within a town or

74.1 within a school district located outside the metropolitan area defined by section 200.02,
74.2 subdivision 24, then the polling place for a town or school district may be located outside
74.3 the town or school district within five miles of one of the boundaries of the town or school
74.4 district.

74.5 Sec. 42. Minnesota Statutes 2020, section 204B.19, subdivision 6, is amended to read:

74.6 Subd. 6. **High school students.** Notwithstanding any other requirements of this section,
74.7 a student enrolled in a high school in Minnesota or who is in a home school in compliance
74.8 with sections 120A.22 and 120A.24, who has attained the age of 16 is eligible to be appointed
74.9 as a ~~without party affiliation~~ trainee election judge, without party affiliation, in the county
74.10 in which the student ~~resides~~ maintains residence, or a county adjacent to the county in which
74.11 the student ~~resides~~ maintains residence. The student must meet qualifications for trainee
74.12 election judges specified in rules of the secretary of state. A student appointed as a trainee
74.13 election judge may be excused from school attendance during the hours that the student is
74.14 serving as a trainee election judge if the student submits a written request signed and
74.15 approved by the student's parent or guardian to be absent from school and a certificate from
74.16 the appointing authority stating the hours during which the student will serve as a trainee
74.17 election judge to the principal of the school at least ten days prior to the election. Students
74.18 shall not serve as trainee election judges after 10:00 p.m. Notwithstanding section 177.24
74.19 to the contrary, trainee election judges may be paid not less than two-thirds of the minimum
74.20 wage for a large employer. The principal of the school may approve a request to be absent
74.21 from school conditioned on acceptable academic performance at the time of service as a
74.22 trainee election judge. A school board may determine that students are eligible to receive
74.23 credit for serving as a trainee election judge.

74.24 Sec. 43. Minnesota Statutes 2020, section 204B.21, subdivision 2, is amended to read:

74.25 Subd. 2. **Appointing authority; powers and duties.** (a) Election judges for precincts
74.26 in a municipality shall be appointed by the governing body of the municipality. Election
74.27 judges for precincts in unorganized territory and for performing election-related duties
74.28 assigned by the county auditor shall be appointed by the county board. Election judges for
74.29 a precinct composed of two or more municipalities must be appointed by the governing
74.30 body of the municipality or municipalities responsible for appointing election judges as
74.31 provided in the agreement to combine for election purposes.

74.32 (b) Except as otherwise provided in this section, appointments shall be made from the
74.33 list of voters who ~~reside~~ maintain residence in each precinct, furnished pursuant to subdivision

75.1 1, subject to the eligibility requirements and other qualifications established or authorized
75.2 under section 204B.19. At least two election judges in each precinct must be affiliated with
75.3 different major political parties.

75.4 (c) If no lists have been furnished or if additional election judges are required after all
75.5 listed names in that municipality have been exhausted, the appointing authority may appoint
75.6 other individuals who meet the qualifications to serve as an election judge, including persons
75.7 on the list furnished pursuant to subdivision 1 who indicated a willingness to travel to the
75.8 municipality, and persons who are not affiliated with a major political party. An individual
75.9 who is appointed from a source other than the list furnished pursuant to subdivision 1 must
75.10 provide to the appointing authority the individual's major political party affiliation or a
75.11 statement that the individual does not affiliate with any major political party. An individual
75.12 who refuses to provide the individual's major political party affiliation or a statement that
75.13 the individual does not affiliate with a major political party must not be appointed as an
75.14 election judge.

75.15 (d) The appointing authority must, whenever possible, recruit bilingual high school
75.16 students to serve as trainee election judges pursuant to section 204B.19.

75.17 (e) The appointments shall be made at least 25 days before the election at which the
75.18 election judges will serve, except that the appointing authority may pass a resolution
75.19 authorizing the appointment of additional election judges within the 25 days before the
75.20 election if the appointing authority determines that additional election judges will be required.

75.21 Sec. 44. Minnesota Statutes 2020, section 204B.36, subdivision 2, is amended to read:

75.22 Subd. 2. **Candidates and offices.** The name of each candidate shall be printed at a right
75.23 angle to the length of the ballot. At a general election the name of the political party or the
75.24 political principle of each candidate for partisan office shall be printed above or below the
75.25 name of the candidate. The name of a political party or a political principle shall be printed
75.26 in capital and lowercase letters of the same type, with the capital letters at least one-half the
75.27 height of the capital letters used for names of the candidates. At a general or special election,
75.28 blank lines containing the words "write-in, if any" shall be printed below the name of the
75.29 last candidate for each office, or below the title of the office if no candidate has filed for
75.30 that office, so that a voter may write in the names of individuals whose names are not on
75.31 the ballot. One blank line shall be printed for each officer of that kind to be elected. At a
75.32 primary election, no blank lines shall be provided for writing in the names of individuals
75.33 whose names do not appear on the primary ballot.

76.1 On the left side of the ballot at the same level with the name of each candidate and each
76.2 blank line shall be printed an oval or similar target shape in which the voter may designate
76.3 a vote by filling in the oval or similar mark if a different target shape is used. Each oval or
76.4 target shape shall be the same size. Above the first name on each ballot shall be instructions
76.5 for voting. Directly underneath the official title of each office shall be printed the words
76.6 "Vote for one" or "Vote for up to ..." (any greater number to be elected).

76.7 Sec. 45. Minnesota Statutes 2020, section 204B.44, is amended to read:

76.8 **204B.44 ERRORS AND OMISSIONS; REMEDY.**

76.9 (a) Any individual may file a petition in the manner provided in this section for the
76.10 correction of any of the following errors, omissions, or wrongful acts which have occurred
76.11 or are about to occur:

76.12 (1) an error or omission in the placement or printing of the name or description of any
76.13 candidate or any question on any official ballot, including the placement of a candidate on
76.14 the official ballot who is not eligible to hold the office for which the candidate has filed;

76.15 (2) any other error in preparing or printing any official ballot;

76.16 (3) failure of the chair or secretary of the proper committee of a major political party to
76.17 execute or file a certificate of nomination;

76.18 (4) any wrongful act, omission, or error of any election judge, municipal clerk, county
76.19 auditor, canvassing board or any of its members, the secretary of state, or any other individual
76.20 charged with any duty concerning an election.

76.21 (b) A major political party may file a petition in the manner provided in this section to
76.22 prevent the use of the party's name on an official ballot in a manner that violates section
76.23 202A.11, subdivision 2.

76.24 ~~(b)~~ (c) The petition shall describe the error, omission, or wrongful act and the correction
76.25 sought by the petitioner. The petition shall be filed with any judge of the supreme court in
76.26 the case of an election for state or federal office or any judge of the district court in that
76.27 county in the case of an election for county, municipal, or school district office. The petitioner
76.28 shall serve a copy of the petition on the officer, board or individual charged with the error,
76.29 omission, or wrongful act, on all candidates for the office in the case of an election for state,
76.30 federal, county, municipal, or school district office, and on any other party as required by
76.31 the court. Upon receipt of the petition the court shall immediately set a time for a hearing
76.32 on the matter and order the officer, board or individual charged with the error, omission or
76.33 wrongful act to correct the error or wrongful act or perform the duty or show cause for not

77.1 doing so. In the case of a review of a candidate's eligibility to hold office, the court may
77.2 order the candidate to appear and present sufficient evidence of the candidate's eligibility.
77.3 In the case of a review of a candidate's major political party designation, the court may order
77.4 the candidate to appear and present sufficient evidence of the candidate's right to use the
77.5 party's name. Evidence of a candidate's nomination for endorsement at a party's endorsing
77.6 convention or engagement in the party's governance structure establishes a rebuttable
77.7 presumption that the candidate is entitled to be designated by that party's name on a ballot.
77.8 The court shall issue its findings and a final order for appropriate relief as soon as possible
77.9 after the hearing. Failure to obey the order is contempt of court.

77.10 Sec. 46. Minnesota Statutes 2020, section 204B.45, subdivision 1, is amended to read:

77.11 Subdivision 1. **Authorization.** A town of any size ~~not located in a metropolitan county~~
77.12 ~~as defined by section 473.121,~~ or a city having fewer than 400 registered voters on June 1
77.13 of an election year ~~and not located in a metropolitan county as defined by section 473.121,~~
77.14 may provide balloting by mail at any municipal, county, or state election with no polling
77.15 place other than the office of the auditor or clerk or other locations designated by the auditor
77.16 or clerk. The governing body may apply to the county auditor for permission to conduct
77.17 balloting by mail. The county board may provide for balloting by mail in unorganized
77.18 territory. The governing body of any municipality may designate for mail balloting any
77.19 precinct having fewer than 100 registered voters, subject to the approval of the county
77.20 auditor.

77.21 Voted ballots may be returned in person to any location designated by the county auditor
77.22 or municipal clerk.

77.23 Sec. 47. Minnesota Statutes 2020, section 204B.45, subdivision 2, is amended to read:

77.24 Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given
77.25 at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before
77.26 a regularly scheduled election and not more than 30 days nor later than 14 days before any
77.27 other election, the auditor shall mail ballots by nonforwardable mail to all voters registered
77.28 in the city, town, or unorganized territory. No later than 14 days before the election, the
77.29 auditor must make a subsequent mailing of ballots to those voters who register to vote after
77.30 the initial mailing but before the 20th day before the election. Eligible voters not registered
77.31 at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot
77.32 return envelopes, with return postage provided, must be preaddressed to the auditor or clerk
77.33 and the voter may return the ballot by mail or in person to the office of the auditor or clerk.

78.1 The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot
78.2 return envelopes and mark them "accepted" or "rejected" within three days of receipt if
78.3 there are 14 or fewer days before election day, or within five days of receipt if there are
78.4 more than 14 days before election day. The board may consist of deputy county auditors or
78.5 deputy municipal clerks who have received training in the processing and counting of mail
78.6 ballots, who need not be affiliated with a major political party. Election judges performing
78.7 the duties in this section must be of different major political parties, unless they are exempt
78.8 from that requirement under section 205.075, subdivision 4, or section 205A.10. If an
78.9 envelope has been rejected at least five days before the election, the ballots in the envelope
78.10 must remain sealed and the auditor or clerk shall provide the voter with a replacement ballot
78.11 and return envelope in place of the spoiled ballot. If the ballot is rejected within five days
78.12 of the election, the envelope must remain sealed and the official in charge of the ballot board
78.13 must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's
78.14 ballot has been rejected. The official must document the attempts made to contact the voter.

78.15 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to
78.16 indicate that the voter has already cast a ballot in that election. After the close of business
78.17 on the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked
78.18 "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86,
78.19 subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

78.20 In all other respects, the provisions of the Minnesota Election Law governing deposit
78.21 and counting of ballots apply.

78.22 The mail and absentee ballots for a precinct must be counted together and reported as
78.23 one vote total. No vote totals from mail or absentee ballots may be made public before the
78.24 close of voting on election day.

78.25 The costs of the mailing shall be paid by the election jurisdiction in which the voter
78.26 ~~resides~~ maintains residence. Any ballot received by 8:00 p.m. on the day of the election
78.27 must be counted.

78.28 Sec. 48. Minnesota Statutes 2020, section 204B.46, is amended to read:

78.29 **204B.46 MAIL ELECTIONS; QUESTIONS.**

78.30 A county, municipality, or school district submitting questions to the voters at a special
78.31 election may conduct an election by mail with no polling place other than the office of the
78.32 auditor or clerk. No offices may be voted on at a mail election, except in overlapping school
78.33 and municipality jurisdictions, where a mail election may include an office when one of the

79.1 jurisdictions also has a question on the ballot. Notice of the election must be given to the
79.2 county auditor at least 74 days prior to the election. This notice shall also fulfill the
79.3 requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must
79.4 be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days
79.5 prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all
79.6 voters registered in the county, municipality, or school district. No later than 14 days before
79.7 the election, the auditor or clerk must make a subsequent mailing of ballots to those voters
79.8 who register to vote after the initial mailing but before the 20th day before the election.
79.9 Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant
79.10 to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and
79.11 absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days
79.12 of receipt if there are 14 or fewer days before election day, or within five days of receipt if
79.13 there are more than 14 days before election day. The board may consist of deputy county
79.14 auditors, deputy municipal clerks, or deputy school district clerks who have received training
79.15 in the processing and counting of mail ballots, who need not be affiliated with a major
79.16 political party. Election judges performing the duties in this section must be of different
79.17 major political parties, unless they are exempt from that requirement under section 205.075,
79.18 subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before
79.19 the election, the ballots in the envelope must remain sealed and the auditor or clerk must
79.20 provide the voter with a replacement ballot and return envelope in place of the spoiled ballot.
79.21 If the ballot is rejected within five days of the election, the envelope must remain sealed
79.22 and the official in charge of the ballot board must attempt to contact the voter by telephone
79.23 or e-mail to notify the voter that the voter's ballot has been rejected. The official must
79.24 document the attempts made to contact the voter.

79.25 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to
79.26 indicate that the voter has already cast a ballot in that election. After the close of business
79.27 on the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked
79.28 "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86,
79.29 subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

79.30 In all other respects, the provisions of the Minnesota Election Law governing deposit
79.31 and counting of ballots apply.

79.32 The mail and absentee ballots for a precinct must be counted together and reported as
79.33 one vote total. No vote totals from ballots may be made public before the close of voting
79.34 on election day.

80.1 Sec. 49. Minnesota Statutes 2020, section 204C.05, subdivision 1a, is amended to read:

80.2 Subd. 1a. **Elections; organized town.** The governing body of a town with less than 500
80.3 inhabitants according to the most recent federal decennial census, which is located outside
80.4 the metropolitan area as defined in section 200.02, subdivision 24, may fix a later time for
80.5 voting to begin at state primary, special, or general elections, if approved by a vote of the
80.6 town electors at the annual town meeting. The question of shorter voting hours must be
80.7 included in the notice of the annual town meeting before the question may be submitted to
80.8 the electors at the meeting. The later time may not be later than 10:00 a.m. for special,
80.9 primary, or general elections. The town clerk shall either post or publish notice of the
80.10 changed hours and notify the county auditor and the secretary of state of the change 30 days
80.11 before the election.

80.12 Sec. 50. Minnesota Statutes 2020, section 204C.05, subdivision 1b, is amended to read:

80.13 Subd. 1b. **Elections; unorganized territory.** An unorganized territory or unorganized
80.14 territories which constitute a voting district may have shorter voting hours if at least 20
80.15 percent of the registered voters residing in the voting district sign a petition for shorter hours
80.16 and present it to the county auditor and secretary of state at least 30 days before the election.
80.17 The later time may not be later than 10:00 a.m. for special, primary, or general elections.
80.18 The county auditor shall either post or publish notice of the changed hours, within the voting
80.19 district, 30 days before the election.

80.20 Sec. 51. Minnesota Statutes 2020, section 204C.10, is amended to read:

80.21 **204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;**
80.22 **VOTER RECEIPT.**

80.23 (a) An individual seeking to vote shall sign a polling place roster or voter signature
80.24 certificate which states that the individual:

80.25 (1) is at least 18 years of age;

80.26 (2) a citizen of the United States;

80.27 (3) has resided in Minnesota for 20 days immediately preceding the election;

80.28 (4) maintains residence at the address shown;

80.29 (5) is not under a guardianship in which the court order revokes the individual's right to
80.30 vote;

80.31 (6) has not been found by a court of law to be legally incompetent to vote ~~or~~;

81.1 (7) has the right to vote because, if the individual was convicted of a felony, ~~the felony~~
81.2 ~~sentence has expired or been completed or the individual has been discharged from the~~
81.3 ~~sentence,~~ completed the term of incarceration, if any, for the conviction;

81.4 (8) is registered; and

81.5 (9) has not already voted in the election.

81.6 The roster must also state: "I understand that deliberately providing false information
81.7 is a felony punishable by not more than five years imprisonment and a fine of not more than
81.8 \$10,000, or both."

81.9 (b) At the presidential nomination primary, the polling place roster must also state: "I
81.10 am in general agreement with the principles of the party for whose candidate I intend to
81.11 vote." This statement must appear separately from the statements required in paragraph (a).
81.12 The felony penalty provided for in paragraph (a) does not apply to this paragraph.

81.13 (c) A judge may, before the applicant signs the roster or voter signature certificate,
81.14 confirm the applicant's name, address, and date of birth.

81.15 (d) After the applicant signs the roster or voter signature certificate, the judge shall give
81.16 the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in
81.17 charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to
81.18 the voter the ballot. The voters' receipts must be maintained during the time for notice of
81.19 filing an election contest.

81.20 (e) Whenever a challenged status appears on the polling place roster, an election judge
81.21 must ensure that the challenge is concealed or hidden from the view of any voter other than
81.22 the voter whose status is challenged.

81.23 Sec. 52. Minnesota Statutes 2020, section 204C.15, subdivision 1, is amended to read:

81.24 Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for
81.25 assistance because of inability to read English or physical inability to mark a ballot may
81.26 obtain the aid of two election judges who are members of different major political parties.
81.27 The election judges shall mark the ballots as directed by the voter and in as secret a manner
81.28 as circumstances permit. A voter in need of assistance may alternatively obtain the assistance
81.29 of any individual the voter chooses. Only the following persons may not provide assistance
81.30 to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the
81.31 voter's union, or a candidate for election. The person who assists the voter shall,
81.32 unaccompanied by an election judge, retire with that voter to a booth and mark the ballot
81.33 as directed by the voter. ~~No person who assists another voter as provided in the preceding~~

82.1 ~~sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots
82.2 are deposited, the voter may show them privately to an election judge to ascertain that they
82.3 are marked as the voter directed. An election judge or other individual assisting a voter shall
82.4 not in any manner request, persuade, induce, or attempt to persuade or induce the voter to
82.5 vote for any particular political party or candidate. The election judges or other individuals
82.6 who assist the voter shall not reveal to anyone the name of any candidate for whom the
82.7 voter has voted or anything that took place while assisting the voter.

82.8 Sec. 53. Minnesota Statutes 2020, section 204C.21, subdivision 1, is amended to read:

82.9 Subdivision 1. **Method.** The election judges shall take all the ballots of the same kind
82.10 and count the votes cast for each office or question, beginning with the first office or question
82.11 on the ballot. They shall make one pile of the ballots for each candidate who received votes
82.12 for that office, or one pile for the "Yes" votes and one pile for the "No" votes on a question.
82.13 They shall make a pile of totally defective ballots and a pile of totally blank ballots. They
82.14 shall make a pile of ballots that are not totally defective but are defective with respect to
82.15 the office or question being counted and a pile of ballots that are not totally blank but are
82.16 blank with respect to the office or question being counted. After the separation into piles,
82.17 the election judges shall examine each pile and remove and place in the proper pile any
82.18 ballots that are found in the wrong pile. The election judges shall count the totally blank
82.19 and totally defective ballots and set them aside until the counting is over for that ballot. In
82.20 conducting the count of blank ballots, election judges may presume that the total count
82.21 provided for prepackaged ballots is correct. The election judges may pile ballots crosswise
82.22 in groups of 25 in the same pile to facilitate counting. When their counts agree, the election
82.23 judges shall announce the number of ballots in each pile, and shall write the number in the
82.24 proper place on the summary statements.

82.25 The election judges shall then return all the counted ballots, and all the partially defective
82.26 or partially blank ballots, to the original pile to be separated and counted in the same manner
82.27 for the next office or question.

82.28 Sec. 54. Minnesota Statutes 2020, section 204C.27, is amended to read:

82.29 **204C.27 DELIVERY OF RETURNS TO COUNTY AUDITORS.**

82.30 One or more of the election judges in each precinct shall deliver ~~two sets~~ one set of
82.31 summary statements; all spoiled ballots; and the envelopes containing the ballots either
82.32 directly to the municipal clerk for transmittal to the county auditor's office or directly to the
82.33 county auditor's office as soon as possible after the vote counting is completed but no later

83.1 than 24 hours after the end of the hours for voting. One or more election judges shall deliver
83.2 the remaining set of summary statements and returns, all unused and spoiled municipal and
83.3 school district ballots, the envelopes containing municipal and school district ballots, and
83.4 all other things furnished by the municipal or school district clerk, to the municipal or school
83.5 district clerk's office within 24 hours after the end of the hours for voting. The municipal
83.6 or school district clerk shall return all polling place rosters and completed voter registration
83.7 cards to the county auditor within 48 hours after the end of the hours for voting.

83.8 Sec. 55. Minnesota Statutes 2020, section 204C.33, subdivision 3, is amended to read:

83.9 Subd. 3. **State canvass.** The State Canvassing Board shall meet at a public meeting
83.10 space located in the Capitol complex area on the third Tuesday following the state general
83.11 election to canvass the certified copies of the county canvassing board reports received from
83.12 the county auditors and shall prepare a report that states:

83.13 (1) the number of individuals voting in the state and in each county;

83.14 (2) the number of votes received by each of the candidates, specifying the counties in
83.15 which they were cast; and

83.16 (3) the number of votes counted for and against each constitutional amendment, specifying
83.17 the counties in which they were cast.

83.18 Upon completion of the canvass, the State Canvassing Board shall declare the candidates
83.19 duly elected who received the highest number of votes for each federal and state office. All
83.20 members of the State Canvassing Board shall sign the report and certify its correctness. The
83.21 State Canvassing Board shall declare the result within three days after completing the
83.22 canvass.

83.23 Sec. 56. Minnesota Statutes 2020, section 204C.35, is amended by adding a subdivision
83.24 to read:

83.25 Subd. 2a. **Constitutional amendment recount.** In a state general election when the
83.26 difference between the number of "yes" votes cast on ratification of a proposed constitutional
83.27 amendment is within one-quarter percent of the number of all other ballots cast at the
83.28 election, the canvassing board shall manually recount the votes on that question, including
83.29 the number of "yes" or "no" votes on the question, and the number of ballots that did not
83.30 cast a vote on the question. The results of the recount must be certified by the canvassing
83.31 board as soon as possible.

84.1 Sec. 57. Minnesota Statutes 2020, section 204C.35, subdivision 3, is amended to read:

84.2 Subd. 3. **Scope of recount.** A recount conducted as provided in this section is limited
84.3 in scope to the determination of the number of votes validly cast for the office or question
84.4 to be recounted. Only the ballots cast in the election and the summary statements certified
84.5 by the election judges may be considered in the recount process. Original ballots that have
84.6 been duplicated under section 206.86, subdivision 5, are not within the scope of a recount
84.7 and must not be examined except as provided by a court in an election contest under chapter
84.8 209.

84.9 Sec. 58. Minnesota Statutes 2020, section 204C.36, subdivision 1, is amended to read:

84.10 Subdivision 1. **Publicly funded recounts.** (a) Except as provided in paragraphs (b) and
84.11 (c), a losing candidate for nomination or election to a county, municipal, or school district
84.12 office may request a recount of the votes cast for the nomination or election to that office
84.13 if the difference between the vote cast for that candidate and for a winning candidate for
84.14 nomination or election is less than one-quarter of one percent of the total votes counted for
84.15 that office. In case of offices where two or more seats are being filled from among all the
84.16 candidates for the office, the one-quarter of one percent difference is between the elected
84.17 candidate with the fewest votes and the candidate with the most votes from among the
84.18 candidates who were not elected.

84.19 (b) A losing candidate for nomination or election to a county, municipal, or school
84.20 district office may request a recount of the votes cast for nomination or election to that
84.21 office if the difference between the votes cast for that candidate and for a winning candidate
84.22 for nomination or election is less than one-half of one percent, and the total number of votes
84.23 cast for the nomination or election of all candidates is more than 400 but less than 50,000.
84.24 In cases of offices where two or more seats are being filled from among all the candidates
84.25 for the office, the one-half of one percent difference is between the elected candidate with
84.26 the fewest votes and the candidate with the most votes from among the candidates who
84.27 were not elected.

84.28 (c) A losing candidate for nomination or election to a county, municipal, or school district
84.29 office may request a recount of the votes cast for nomination or election to that office if the
84.30 difference between the vote cast for that candidate and for a winning candidate for nomination
84.31 or election is ten votes or less, and the total number of votes cast for the nomination or
84.32 election of all candidates is no more than 400. In cases of offices where two or more seats
84.33 are being filled from among all the candidates for the office, the ten vote difference is

85.1 between the elected candidate with the fewest votes and the candidate with the most votes
85.2 from among the candidates who were not elected.

85.3 (d) Candidates for county offices shall file a written request for the recount with the
85.4 county auditor. Candidates for municipal or school district offices shall file a written request
85.5 with the municipal or school district clerk as appropriate. All requests under this paragraph
85.6 shall be filed by between the close of the canvass of a primary or special primary and 5:00
85.7 p.m. on the fifth day after the canvass of a primary or special primary or by between the
85.8 close of the canvass of a special or general election and 5:00 p.m. on the seventh day of the
85.9 canvass of a special or general election for which a recount is sought.

85.10 (e) Upon receipt of a request made pursuant to this section, the county auditor shall
85.11 recount the votes for a county office at the expense of the county, the governing body of
85.12 the municipality shall recount the votes for a municipal office at the expense of the
85.13 municipality, and the school board of the school district shall recount the votes for a school
85.14 district office at the expense of the school district.

85.15 Sec. 59. Minnesota Statutes 2020, section 204D.08, subdivision 4, is amended to read:

85.16 Subd. 4. **State partisan primary ballot; party columns.** The state partisan primary
85.17 ballot shall be headed by the words "State Partisan Primary Ballot." The ballot shall be
85.18 printed on white paper. There must be at least three vertical columns on the ballot and each
85.19 major political party shall have a separate column headed by the words "..... Party,"
85.20 giving the party name. Above the party names, the following statement shall be printed.

85.21 "Minnesota Election Law permits you to vote for the candidates of only one political
85.22 party in a state partisan primary election."

85.23 If there are only two major political parties to be listed on the ballot, one party must
85.24 occupy the left-hand column, the other party must occupy the right-hand column, and the
85.25 center column must contain the following statement:

85.26 "Do not vote for candidates of more than one party."

85.27 The names of the candidates seeking the nomination of each major political party shall
85.28 be listed in that party's column. If only one individual files an affidavit of candidacy seeking
85.29 the nomination of a major political party for an office, the name of that individual shall be
85.30 placed on the state partisan primary ballot at the appropriate location in that party's column.

85.31 In each column, the candidates for senator in Congress shall be listed first, candidates
85.32 for representative in Congress second, candidates for state senator third, candidates for state
85.33 representative fourth and then candidates for state office in the order specified by the secretary

86.1 of state. Vacant offices being filled by special election must be listed with other offices of
86.2 that type, but after any office of that type for which a candidate will be elected for a full
86.3 term.

86.4 The party columns shall be substantially the same in width, type, and appearance. The
86.5 columns shall be separated by a 12-point solid line.

86.6 Sec. 60. Minnesota Statutes 2020, section 204D.13, subdivision 1, is amended to read:

86.7 Subdivision 1. **Order of offices.** The candidates for partisan offices shall be placed on
86.8 the state general election ballot in the following order: senator in Congress shall be first;
86.9 representative in Congress, second; state senator, third; and state representative, fourth. The
86.10 candidates for state offices shall follow in the order specified by the secretary of state.
86.11 Candidates for governor and lieutenant governor shall appear so that a single vote may be
86.12 cast for both offices. Vacant offices being filled by special election must be listed with other
86.13 offices of that type, but after any office of that type for which a candidate will be elected
86.14 for a full term.

86.15 Sec. 61. Minnesota Statutes 2020, section 204D.19, subdivision 2, is amended to read:

86.16 Subd. 2. **Special election when legislature will be in session.** Except for vacancies in
86.17 the legislature which occur at any time between the last day of session in an odd-numbered
86.18 year and the ~~40th~~ 54th day prior to the opening day of session in the succeeding
86.19 even-numbered year, when a vacancy occurs and the legislature will be in session so that
86.20 the individual elected as provided by this section could take office and exercise the duties
86.21 of the office immediately upon election, the governor shall issue within five days after the
86.22 vacancy occurs a writ calling for a special election. The special election shall be held as
86.23 soon as possible, consistent with the notice requirements of section 204D.22, subdivision
86.24 3, but in no event more than ~~35~~ 49 days after the issuance of the writ. ~~A special election~~
86.25 ~~must not be held during the four days before or the four days after a holiday as defined in~~
86.26 ~~section 645.44, subdivision 5.~~

86.27 Sec. 62. Minnesota Statutes 2020, section 204D.195, is amended to read:

86.28 **204D.195 DATE OF SPECIAL ELECTION; CERTAIN TIMES PROHIBITED.**

86.29 Notwithstanding any other provision of law, a special primary and special general election
86.30 may not be held:

86.31 (1) for a period beginning the day following the date of the state primary election and
86.32 ending the day prior to the date of the state general election; or

87.1 (2) on a holiday, or during the four days before or after a holiday, as defined in section
87.2 645.44, subdivision 5.

87.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and
87.4 applies to special elections occurring on or after that date.

87.5 Sec. 63. Minnesota Statutes 2020, section 204D.22, subdivision 3, is amended to read:

87.6 Subd. 3. **Notice of special election.** The county auditor of a county in which a special
87.7 election is to be held shall direct the clerk of each municipality in which the election is to
87.8 be held to post a notice of the special primary and special election at least ~~seven~~ 14 days
87.9 before the special primary and at least ~~14~~ 21 days before the special election in the manner
87.10 provided in sections 204B.33 and 204B.34. If the special primary is to be held ~~14~~ 21 days
87.11 before the special election, a single notice of both elections may be posted seven days before
87.12 the primary.

87.13 When the special primary or special election is to be held on the same day as any other
87.14 election, notice of the special primary or special election may be included in the notice of
87.15 the other election, if practicable.

87.16 Sec. 64. Minnesota Statutes 2020, section 204D.23, subdivision 2, is amended to read:

87.17 Subd. 2. **Time of filing.** Except as provided in subdivision 3, the affidavits and petitions
87.18 shall be filed no later than ~~14~~ 21 days before the special primary.

87.19 Sec. 65. Minnesota Statutes 2020, section 204D.27, subdivision 5, is amended to read:

87.20 Subd. 5. **Canvass; special primary; state canvassing board; contest.** Not later than
87.21 four days after the returns of the county canvassing boards are certified to the secretary of
87.22 state, the State Canvassing Board shall complete its canvass of the special primary. The
87.23 secretary of state shall then promptly certify to the county auditors the names of the
87.24 nominated individuals, prepare notices of nomination, and notify each nominee of the
87.25 nomination. In case of a contest of a special primary for state senator or state representative,
87.26 the notice of contest must be filed within two days, excluding Sundays and legal holidays,
87.27 after the canvass is completed, and the contest shall otherwise proceed in the manner provided
87.28 by law for contesting elections.

87.29 Sec. 66. Minnesota Statutes 2020, section 204D.28, subdivision 9, is amended to read:

87.30 Subd. 9. **Filing by candidates.** The time for filing of affidavits and nominating petitions
87.31 for candidates to fill a vacancy at a special election shall open 12 weeks before the special

88.1 primary or on the day the secretary of state issues notice of the special election, whichever
88.2 occurs later. Filings shall close ten weeks before the special primary. A candidate filing for
88.3 the office of United States senator to fill a vacancy at a special election when both offices
88.4 of United States senator are required to be placed on the same ballot must specify on the
88.5 affidavit of candidacy the expiration date of the term of the office that the candidate is
88.6 seeking.

88.7 Sec. 67. Minnesota Statutes 2020, section 204D.28, subdivision 10, is amended to read:

88.8 Subd. 10. **United States senator; candidates; designation of term.** When the names
88.9 of candidates for both offices of United States senator are required to be placed on the same
88.10 ballot, the expiration date of the term of each office shall be printed on the ballot in the
88.11 office heading opposite the name of each candidate for nomination or election to that office.

88.12 Sec. 68. Minnesota Statutes 2020, section 205.13, subdivision 5, is amended to read:

88.13 Subd. 5. **Nominating petition; cities of the first class.** A nominating petition filed on
88.14 behalf of a candidate for municipal office in a city of the first class shall be signed by eligible
88.15 voters who ~~reside~~ maintain residence in the election district from which the candidate is to
88.16 be elected. The number of signers shall be at least 500, or two percent of the total number
88.17 of individuals who voted in the municipality, ward, or other election district at the last
88.18 preceding municipal general election, whichever is greater.

88.19 Sec. 69. Minnesota Statutes 2020, section 205A.10, subdivision 5, is amended to read:

88.20 Subd. 5. **School district canvassing board.** For the purpose of a recount of a special
88.21 election conducted under section 126C.17, subdivision 9, or 475.59, the school district
88.22 canvassing board shall consist of one member of the school board other than the clerk,
88.23 selected by the board, the clerk of the school board, the county auditor of the county in
88.24 which the greatest number of school district residents ~~reside~~ maintain residence, the court
88.25 administrator of the district court of the judicial district in which the greatest number of
88.26 school district residents ~~reside~~ maintain residence, and the mayor or chair of the town board
88.27 of the school district's most populous municipality. Any member of the canvassing board
88.28 may appoint a designee to appear at the meeting of the board, except that no designee may
88.29 be a candidate for public office. If one of the individuals fails to appear at the meeting of
88.30 the canvassing board, the county auditor shall appoint an eligible voter of the school district,
88.31 who must not be a member of the school board, to fill the vacancy. Not more than two
88.32 school board members shall serve on the canvassing board at one time. Four members
88.33 constitute a quorum.

89.1 The school board shall serve as the school district canvassing board for the election of
89.2 school board members.

89.3 Sec. 70. Minnesota Statutes 2020, section 205A.12, subdivision 5, is amended to read:

89.4 Subd. 5. **Board elections.** If the proposal for the establishment of election districts is
89.5 approved by the voters, the board shall specify the election districts from which vacancies
89.6 shall be filled as they occur until such time as each board member represents an election
89.7 district. A candidate for school board in a subsequent election must file an affidavit of
89.8 candidacy to be elected as a school board member for the election district in which the
89.9 candidate ~~resides~~ maintains residence. If there are as many election districts as there are
89.10 members of the board, one and only one member of the board shall be elected from each
89.11 election district. In school districts where one or more board members are elected by election
89.12 districts, candidates must indicate on the affidavit of candidacy the number of the district
89.13 from which they seek election or, if appropriate, that they seek election from one of the
89.14 offices elected at large. If the election districts have two or three members each, the terms
89.15 of the members must be staggered. Each board member must be a resident of the election
89.16 district for which elected but the creation of an election district or a change in election
89.17 district boundaries shall not disqualify a board member from serving for the remainder of
89.18 a term.

89.19 Sec. 71. Minnesota Statutes 2020, section 206.805, subdivision 1, is amended to read:

89.20 Subdivision 1. **Contracts required.** (a) The secretary of state, with the assistance of the
89.21 commissioner of administration, must establish one or more state voting systems contracts.
89.22 The contracts should, if practical, include provisions for maintenance of the equipment
89.23 purchased. The voting systems contracts must address precinct-based optical scan voting
89.24 equipment, assistive voting technology, automatic tabulating equipment, and electronic
89.25 roster equipment. The contracts must give the state a perpetual license to use and modify
89.26 the software. The contracts must include provisions to escrow the software source code,~~as~~
89.27 ~~provided in subdivision 2.~~ Bids for voting systems and related election services must be
89.28 solicited from each vendor selling or leasing voting systems that have been certified for use
89.29 by the secretary of state. Bids for electronic roster equipment, software, and related services
89.30 must be solicited from each vendor selling or leasing electronic roster equipment that meets
89.31 the requirements of section 201.225, subdivision 2. The contracts must be renewed from
89.32 time to time.

90.1 (b) Counties and municipalities may purchase or lease voting systems and obtain related
90.2 election services from the state contracts. All counties and municipalities are members of
90.3 the cooperative purchasing venture of the Department of Administration for the purpose of
90.4 this section. For the purpose of township elections, counties must aggregate orders under
90.5 contracts negotiated under this section for products and services and may apportion the
90.6 costs of those products and services proportionally among the townships receiving the
90.7 products and services. The county is not liable for the timely or accurate delivery of those
90.8 products or services.

90.9 Sec. 72. Minnesota Statutes 2020, section 206.89, subdivision 4, is amended to read:

90.10 Subd. 4. **Standard of acceptable performance by voting system.** A comparison of the
90.11 results compiled by the voting system with the postelection review described in this section
90.12 must show that the results of the electronic voting system differed by no more than ~~one-half~~
90.13 one-quarter of one percent from the manual count of the offices reviewed. Valid votes that
90.14 have been marked by the voter outside the vote targets or using a manual marking device
90.15 that cannot be read by the voting system must not be included in making the determination
90.16 whether the voting system has met the standard of acceptable performance for any precinct.

90.17 Sec. 73. Minnesota Statutes 2020, section 206.89, subdivision 5, is amended to read:

90.18 Subd. 5. **Additional review.** (a) If the postelection review in one of the reviewed precincts
90.19 reveals a difference greater than ~~one-half~~ one-quarter of one percent, or greater than two
90.20 votes in a precinct where ~~400~~ 800 or fewer voters cast ballots, the postelection review official
90.21 must, within two days, conduct an additional review of the races indicated in subdivision
90.22 3 in at least three precincts in the same jurisdiction where the discrepancy was discovered.
90.23 If all precincts in that jurisdiction have been reviewed, the county auditor must immediately
90.24 publicly select by lot at least three additional precincts for review. The postelection review
90.25 official must complete the additional review within two days after the precincts are selected
90.26 and report the results immediately to the county auditor. If the second review in any of the
90.27 reviewed precincts also indicates a difference in the vote totals compiled by the voting
90.28 system that is greater than ~~one-half~~ one-quarter of one percent from the result indicated by
90.29 the postelection review, or greater than two votes in a precinct where ~~400~~ 800 or fewer
90.30 voters cast ballots, the county auditor must conduct a review of the ballots from all the
90.31 remaining precincts in the county for the races indicated in subdivision 3. This review must
90.32 be completed and the results must be reported to the secretary of state within one week after
90.33 the second review was completed.

91.1 (b) If the results from the countywide reviews from one or more counties comprising in
91.2 the aggregate more than ten percent of the total number of persons voting in the election
91.3 clearly indicate that an error in vote counting has occurred, the secretary of state must notify
91.4 the postelection review official of each county in the district that they must conduct manual
91.5 recounts of all the ballots in the district for the affected office using the procedure outlined
91.6 in section 204C.35. The recount must be completed and the results reported to the appropriate
91.7 canvassing board within two weeks after the postelection review official received notice
91.8 from the secretary of state.

91.9 Sec. 74. Minnesota Statutes 2020, section 206.90, subdivision 6, is amended to read:

91.10 Subd. 6. **Ballots.** In precincts using optical scan voting systems, a single ballot card on
91.11 which all ballot information is included must be printed in black ink on white colored
91.12 material except that marks not to be read by the automatic tabulating equipment may be
91.13 printed in another color ink. In state elections, a single ballot title must be used, as provided
91.14 in sections 204D.08, subdivision 6, and 204D.11, subdivision 1. ~~In odd-numbered years~~
91.15 When both municipal and school district offices or questions appear on the ballot, the single
91.16 ballot title "City (or Town) and School District Ballot" must be used.

91.17 On the front of the ballot must be printed the words "Official Ballot" and the date of the
91.18 election and lines for the initials of at least two election judges.

91.19 When optical scan ballots are used, the offices to be elected must appear in the following
91.20 order: federal offices; state legislative offices; constitutional offices; proposed constitutional
91.21 amendments; county offices and questions; municipal offices and questions; school district
91.22 offices and questions; special district offices and questions; and judicial offices.

91.23 On optical scan ballots, the names of candidates and the words "yes" and "no" for ballot
91.24 questions must be printed as close to their corresponding vote targets as possible.

91.25 The line on an optical scan ballot for write-in votes must contain the words "write-in,
91.26 if any."

91.27 If a primary ballot contains both a partisan ballot and a nonpartisan ballot, the instructions
91.28 to voters must include a statement that reads substantially as follows: "This ballot card
91.29 contains a partisan ballot and a nonpartisan ballot. On the partisan ballot you are permitted
91.30 to vote for candidates of one political party only." If a primary ballot contains political party
91.31 columns on both sides of the ballot, the instructions to voters must include a statement that
91.32 reads substantially as follows: "Additional political parties are printed on the other side of
91.33 this ballot. Vote for one political party only." At the bottom of each political party column

92.1 on the primary ballot, the ballot must contain a statement that reads substantially as follows:
92.2 "Continue voting on the nonpartisan ballot." The instructions in section 204D.08, subdivision
92.3 4, do not apply to optical scan partisan primary ballots. Electronic ballot displays and audio
92.4 ballot readers must follow the order of offices and questions on the optical scan or paper
92.5 ballot used in the same precinct, or the sample ballot posted for that precinct.

92.6 **Sec. 75. [206.97] ELECTION SECURITY AND ADMINISTRATION GRANTS.**

92.7 **Subdivision 1. Grants authorized.** The secretary of state may disburse funds governed
92.8 by section 5.30 as grants for federal purposes to political subdivisions as authorized by this
92.9 section. In evaluating an application for a grant, the secretary of state shall consider only
92.10 the information set forth in the application and is not subject to chapter 14.

92.11 **Subd. 2. Use of grants.** A grant awarded under this section may be used for federal
92.12 purposes but restricted to the following:

92.13 (1) updated hardware or software used for administering elections;

92.14 (2) additional physical security for election equipment storage;

92.15 (3) increased polling place accessibility; or

92.16 (4) cybersecurity or physical security training for election officials or election judges.

92.17 **Subd. 3. Application.** The secretary of state may award a grant to a political subdivision
92.18 after receiving an application from the political subdivision. The application must identify:

92.19 (1) the date the application is submitted;

92.20 (2) the name of the political subdivision;

92.21 (3) the name and title of the individual who prepared the application;

92.22 (4) the total number of registered voters as of the date of the application in each precinct
92.23 in the political subdivision;

92.24 (5) the total amount of the grant requested;

92.25 (6) the hardware, software, security improvements, accessibility improvements, or
92.26 training to be acquired or conducted with the grant money;

92.27 (7) the proposed schedule for purchasing and implementing the proposed items and what
92.28 precincts will be impacted by their implementation;

92.29 (8) whether the political subdivision has previously applied for a grant under this
92.30 subdivision and the disposition of that application;

93.1 (9) a certified statement by the political subdivision that the grant will be used only for
93.2 purposes authorized under subdivision 2; and

93.3 (10) any other information required by the secretary of state.

93.4 Subd. 4. **Legislative report.** No later than January 15, 2022, and annually thereafter in
93.5 any year during which grants are disbursed, the secretary of state must submit a report to
93.6 the chairs and ranking minority members of the legislative committees with jurisdiction
93.7 over elections policy on the grant awards. The report must detail each grant awarded,
93.8 including the jurisdiction, the amount of the grant, and how the grant was used.

93.9 Sec. 76. Minnesota Statutes 2020, section 207A.12, is amended to read:

93.10 **207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.**

93.11 (a) Except as otherwise provided by law, the presidential nomination primary must be
93.12 conducted, and the results canvassed and returned, in the manner provided by law for the
93.13 state primary.

93.14 (b) An individual seeking to vote at the presidential nomination primary must be
93.15 registered to vote pursuant to section 201.054, subdivision 1. The voter must request the
93.16 ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section
93.17 204C.18, subdivision 1, the election judge must record in the polling place roster the name
93.18 of the political party whose ballot the voter requested. When posting voter history pursuant
93.19 to section 201.171, the county auditor must include the name of the political party whose
93.20 ballot the voter requested. The political party ballot selected by a voter is private data on
93.21 individuals as defined under section 13.02, subdivision 12, except as provided in section
93.22 201.091, subdivision 4a. A voter eligible to cast a ballot as provided in section 5B.06 must
93.23 be permitted to cast a ballot at the presidential nomination primary consistent with the
93.24 requirements of that section.

93.25 (c) Immediately after the state canvassing board declares the results of the presidential
93.26 nomination primary, the secretary of state must notify the chair of each party of the results.

93.27 (d) The results of the presidential nomination primary must bind the election of delegates
93.28 in each party.

94.1 Sec. 77. Minnesota Statutes 2020, section 207A.13, is amended to read:

94.2 **207A.13 FORM OF BALLOTS; CANDIDATES ON BALLOT.**

94.3 Subdivision 1. **Form.** (a) Except as provided by law, presidential nomination primary
94.4 ballots shall be printed in the same manner as state primary ballots as far as practicable. A
94.5 sufficient number of each ballot shall be printed for each precinct and ward in the state.

94.6 (b) There must be separate ballots for the names of the candidates of each participating
94.7 political party. Each ballot must be headed by the words "Presidential Nomination Primary
94.8 Ballot." The heading must also indicate the party that appears on the ballot.

94.9 (c) If requested by a party chair, the ballot for that participating party must contain a
94.10 place for a voter to indicate a preference for having delegates to the party's national
94.11 convention remain uncommitted. If requested by a party chair, the ballot for that participating
94.12 party must contain a blank line printed below the other choices on the ballot so that a voter
94.13 may write in the name of a person who is not listed on the ballot. A request under this
94.14 paragraph must be submitted to the secretary of state no later than 63 days before the
94.15 presidential nomination primary.

94.16 Subd. 2. **Candidates on the ballot.** (a) Each party participating in the presidential
94.17 nomination primary must determine which candidates are to be placed on the presidential
94.18 nomination primary ballot for that party. The chair of each participating party must submit
94.19 to the secretary of state the names of the candidates to appear on the ballot for that party no
94.20 later than 63 days before the presidential nomination primary. Once submitted, changes
94.21 must not be made to the candidates that will appear on the ballot.

94.22 (b) No later than the ~~seventh~~ 14th day before the presidential nomination primary, the
94.23 chair of each participating party must submit to the secretary of state the names of write-in
94.24 candidates, if any, to be counted for that party.

94.25 Sec. 78. Minnesota Statutes 2020, section 207A.14, subdivision 3, is amended to read:

94.26 Subd. 3. **Notice of primary to public.** At least 15 days before the date of the presidential
94.27 nomination primary, each municipal clerk shall post a public notice stating the date of the
94.28 presidential nomination primary, the location of each polling place in the municipality, the
94.29 hours during which the polling places in the municipality will be open, and information
94.30 about the requirements of section 207A.12, paragraph (b), ~~including a notice that the voter's~~
94.31 ~~choice of a political party's ballot will be recorded and is public information.~~ The county
94.32 auditor shall post a similar notice in the auditor's office with information for any polling
94.33 places in unorganized territory in the county. The governing body of a municipality or

95.1 county may publish the notice in addition to posting it. Failure to give notice does not
95.2 invalidate the election.

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

95.4 Sec. 79. Minnesota Statutes 2020, section 209.021, subdivision 2, is amended to read:

95.5 Subd. 2. **Notice filed with court.** If the contest relates to a nomination or election for
95.6 statewide office, the contestant shall file the notice of contest with the court administrator
95.7 of District Court in Ramsey County. For contests relating to any other office, the contestant
95.8 shall file the notice of contest with the court administrator of district court in the county
95.9 where the contestee ~~resides~~ maintains residence.

95.10 If the contest relates to a constitutional amendment, the contestant shall file the notice
95.11 of contest with the court administrator of District Court in Ramsey County. If the contest
95.12 relates to any other question, the contestant shall file the notice of contest with the court
95.13 administrator of district court for the county or any one of the counties where the question
95.14 appeared on the ballot.

95.15 Sec. 80. **[211B.075] VOTER INTIMIDATION, INTERFERENCE, AND DECEPTIVE**
95.16 **PRACTICES PROHIBITED; CIVIL ENFORCEMENT.**

95.17 Subdivision 1. **Intimidation.** (a) A person, whether acting under color of law or
95.18 otherwise, may not directly or indirectly use or threaten force, coercion, violence, restraint,
95.19 damage, harm, or loss, including loss of employment or economic reprisal against:

95.20 (1) an individual with respect to registering or abstaining from registering to vote, voting
95.21 or abstaining from voting, or voting for or against a candidate or ballot question;

95.22 (2) an elections official with respect to the performance of duties related to election
95.23 administration; or

95.24 (3) any person with respect to that person's efforts to encourage another to cast a ballot
95.25 or assist another in registering to vote, traveling to a polling place, casting a ballot, or
95.26 participating in any other aspect of the election process.

95.27 (b) In an action brought to prevent and restrain violations of this section or to require
95.28 the payment of civil penalties, the moving party may show that the action or attempted
95.29 action would cause a reasonable person to feel intimidated. The moving party does not need
95.30 to show that the actor intended to cause the victim to feel intimidated.

96.1 Subd. 2. **Deceptive practices.** (a) No person, whether acting under color of law or
96.2 otherwise, shall within 60 days of an election cause, by any means, information to be
96.3 transmitted that the person:

96.4 (1) intends to impede or prevent another person from exercising the right to vote; and

96.5 (2) knows to be materially false.

96.6 (b) The prohibition in this subdivision includes but is not limited to information regarding
96.7 the time, place, or manner of holding an election; the qualifications for or restrictions on
96.8 voter eligibility at an election; and threats to physical safety associated with casting a ballot.

96.9 Subd. 3. **Interference with registration or voting.** No person, whether acting under
96.10 color of law or otherwise, shall intentionally hinder, interfere with, or prevent another person
96.11 from voting, registering to vote, or aiding another person in casting a ballot or registering
96.12 to vote.

96.13 Subd. 4. **Vicarious liability; conspiracy.** A person, whether acting under color of law
96.14 or otherwise, may be held vicariously liable for any damages resulting from the violation
96.15 of this section and may be identified in an order restraining violations of this section if that
96.16 person:

96.17 (1) intentionally aids, advises, hires, counsels, abets, incites, compels, or coerces a person
96.18 to violate any provision of this section or attempts to aid, advise, hire, counsel, abet, incite,
96.19 compel, or coerce a person to violate any provision of this section; or

96.20 (2) conspires, combines, agrees, or arranges with another to either commit a violation
96.21 of this section or aid, advise, hire, counsel, abet, incite, compel, or coerce a third person to
96.22 violate any provision of this section.

96.23 Subd. 5. **Enforcement.** (a) The attorney general or any injured person may enforce this
96.24 section consistent with the authority provided in section 8.31. An action filed by an injured
96.25 person under section 8.31, subdivision 3a, is in the public interest.

96.26 (b) Remedies allowable under this section are cumulative and do not restrict any other
96.27 right or remedy otherwise available to an injured person. An action for a penalty or remedy
96.28 under this section must be brought within two years of the date the violation is alleged to
96.29 have occurred. The complaint process provided in sections 211B.31 to 211B.36 does not
96.30 apply to violations of this section.

97.1 Sec. 81. [211B.076] VOTER INTIMIDATION, INTERFERENCE, AND DECEPTIVE
97.2 PRACTICES PROHIBITED; CRIMINAL PENALTIES.

97.3 Subdivision 1. **Intimidation.** A person is guilty of a crime if the person, whether acting
97.4 under color of law or otherwise, directly or indirectly uses or threatens force, coercion,
97.5 violence, restraint, damage, harm, or loss, including loss of employment or economic reprisal
97.6 against another with the intent to:

97.7 (1) compel an individual to register or abstain from registering to vote, vote or abstain
97.8 from voting, or vote for or against a candidate or ballot question;

97.9 (2) influence an elections official in the performance of duties related to election
97.10 administration; or

97.11 (3) interfere with any person's efforts to encourage another to cast a ballot or assist
97.12 another person in registering to vote, traveling to a polling place, casting a ballot, or
97.13 participating in any other aspect of the election process.

97.14 Subd. 2. **Deceptive practices.** (a) A person is guilty of a crime if the person, whether
97.15 acting under color of law or otherwise, within 60 days of an election causes, by any means,
97.16 information to be transmitted that the person:

97.17 (1) intends to impede or prevent another person from exercising the right to vote; and

97.18 (2) knows to be materially false.

97.19 (b) The prohibition in this subdivision includes but is not limited to information regarding
97.20 the time, place, or manner of holding an election; the qualifications for or restrictions on
97.21 voter eligibility at an election; and threats to physical safety associated with casting a ballot.

97.22 Subd. 3. **Interference with registration or voting.** A person is guilty of a crime if the
97.23 person, whether acting under color of law or otherwise, intentionally hinders, interferes
97.24 with, or prevents another person from voting, registering to vote, or aiding another person
97.25 in casting a ballot or registering to vote.

97.26 Subd. 4. **Enforcement.** The complaint process provided in sections 211B.31 to 211B.36
97.27 does not apply to violations of this section.

97.28 Subd. 5. **Penalty.** A person who violates this section is guilty of a gross misdemeanor.

97.29 **EFFECTIVE DATE.** This section is effective August 1, 2021, and applies to crimes
97.30 committed on or after that date.

98.1 Sec. 82. Minnesota Statutes 2020, section 211B.11, subdivision 1, is amended to read:

98.2 Subdivision 1. **Soliciting near polling places.** A person may not display campaign
98.3 material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within
98.4 a polling place or within 100 feet of the building in which a polling place is situated, or
98.5 anywhere on the public property on which a polling place is situated, on primary or election
98.6 day to vote for or refrain from voting for a candidate or ballot question. A person may not
98.7 provide political badges, political buttons, or other political insignia to be worn at or about
98.8 the polling place on the day of a primary or election. A political badge, political button, or
98.9 other political insignia may not be worn at or about the polling place on primary or election
98.10 day. This section applies only during voting hours and to areas established by the county
98.11 auditor or municipal clerk for absentee voting as provided in chapter 203B.

98.12 Nothing in this subdivision prohibits the distribution of "I VOTED" stickers as provided
98.13 in section 204B.49.

98.14 Sec. 83. Minnesota Statutes 2020, section 211B.32, subdivision 1, is amended to read:

98.15 Subdivision 1. **Administrative remedy; exhaustion.** (a) Except as provided in ~~paragraph~~
98.16 paragraphs (b) and (c), a complaint alleging a violation of chapter 211A or 211B must be
98.17 filed with the office. The complaint must be finally disposed of by the office before the
98.18 alleged violation may be prosecuted by a county attorney.

98.19 (b) Complaints arising under those sections and related to those individuals and
98.20 associations specified in section 10A.022, subdivision 3, must be filed with the Campaign
98.21 Finance and Public Disclosure Board.

98.22 (c) Violations of sections 211B.075 and 211B.076 may be enforced as provided in those
98.23 sections.

98.24 Sec. 84. **[243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.**

98.25 Subdivision 1. **Correctional facilities; designation of official.** The chief executive
98.26 officer of each state and local correctional facility shall designate an official within the
98.27 facility to provide the notice and application required under this section to a person to whom
98.28 the civil right to vote is restored by reason of the person's release from actual incarceration.
98.29 The official shall maintain an adequate supply of voter registration applications and
98.30 informational materials for this purpose.

98.31 Subd. 2. **Notice requirement.** A notice of restoration of the civil right to vote and a
98.32 voter registration application must be provided as follows:

99.1 (1) the chief executive officer of each state and local correctional facility shall provide
99.2 the notice and application to a person being released from the facility following incarceration
99.3 for a felony-level offense; and

99.4 (2) a probation officer or supervised release agent shall provide the notice and application
99.5 to all individuals under correctional supervision for a felony-level offense.

99.6 Subd. 3. **Form of notice.** The notice required by subdivision 2 must appear substantially
99.7 as follows:

99.8 **"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.**

99.9 Your receipt of this notice today means that your right to vote in Minnesota has been
99.10 restored. Before you can vote on election day, you still need to register to vote. To register,
99.11 you may complete a voter registration application and return it to the Office of the Minnesota
99.12 Secretary of State. You may also register to vote in your polling place on election day. You
99.13 will not be permitted to cast a ballot until you register to vote. The first time you appear at
99.14 your polling place to cast a ballot, you may be required to provide proof of your current
99.15 residence."

99.16 Subd. 4. **Failure to provide notice.** A failure to provide proper notice as required by
99.17 this section does not prevent the restoration of the person's civil right to vote.

99.18 Sec. 85. Minnesota Statutes 2020, section 367.03, subdivision 6, is amended to read:

99.19 Subd. 6. **Vacancies.** (a) When a vacancy occurs in a town office, the town board shall
99.20 fill the vacancy by appointment. Except as provided in paragraph (b), the person appointed
99.21 shall hold office until the next annual town election, when a successor shall be elected for
99.22 the unexpired term.

99.23 (b) When a vacancy occurs in a town office:

99.24 (1) with more than one year remaining in the term; and

99.25 (2) on or after the 14th day before the first day to file an affidavit of candidacy for the
99.26 town election;

99.27 the vacancy must be filled by appointment. The person appointed serves until the next annual
99.28 town election following the election for which affidavits of candidacy are to be filed, when
99.29 a successor shall be elected for the unexpired term.

99.30 (c) A vacancy in the office of supervisor must be filled by an appointment committee
99.31 comprised of the remaining supervisors and the town clerk.

100.1 (d) Any person appointed to fill the vacancy in the office of supervisor must, upon
100.2 assuming the office, be an eligible voter, be 21 years of age, and have ~~resided~~ maintained
100.3 residence in the town for at least 30 days.

100.4 (e) When, because of a vacancy, more than one supervisor is to be chosen at the same
100.5 election, candidates for the offices of supervisor shall file for one of the specific terms being
100.6 filled.

100.7 (f) When, for any reason, the town board or the appointment committee fails to fill a
100.8 vacancy in the position of an elected town officer by appointment, a special election may
100.9 be called. To call a special election, the supervisors and town clerk, or any two of them
100.10 together with at least 12 other town freeholders, must file a statement in the town clerk's
100.11 office. The statement must tell why the election is called and that the interests of the town
100.12 require the election. When the town board or the appointment committee fails to fill a
100.13 vacancy by appointment, a special town election may also be called on petition of 20 percent
100.14 of the electors of the town. The percentage is of the number of voters at the last general
100.15 election. A special town election must be conducted in the manner required for the annual
100.16 town election.

100.17 (g) Law enforcement vacancies must be filled by appointment by the town board.

100.18 Sec. 86. Minnesota Statutes 2020, section 367.25, subdivision 1, is amended to read:

100.19 Subdivision 1. **Requirement, fee.** Every person elected at a March election, elected at
100.20 a special election, or appointed to a town office, within ten days after receiving a certificate
100.21 or notice of election or appointment, shall take and subscribe the oath required by law.
100.22 Persons elected at a November election shall take their oath before assuming office. If taken
100.23 before the town clerk, the oath shall be administered and certified without fee.

100.24 Sec. 87. Minnesota Statutes 2020, section 412.02, subdivision 2a, is amended to read:

100.25 Subd. 2a. **Vacancy.** Except as otherwise provided in subdivision 2b, a vacancy in an
100.26 office shall be filled by council appointment until an election is held as provided in this
100.27 subdivision. In case of a tie vote in the council, the mayor shall make the appointment. If
100.28 the vacancy occurs before the first day to file affidavits of candidacy for the next regular
100.29 city election and more than two years remain in the unexpired term, a special election shall
100.30 be held at or before the next regular city election and the appointed person shall serve until
100.31 the qualification of a successor elected at a special election to fill the unexpired portion of
100.32 the term. If the vacancy occurs on or after the first day to file affidavits of candidacy for
100.33 the regular city election or when less than two years remain in the unexpired term, there

101.1 need not be a special election to fill the vacancy and the appointed person shall serve until
101.2 the qualification of a successor. The council must specify by ordinance under what
101.3 circumstances it will hold a special election to fill a vacancy other than a special election
101.4 held at the same time as the regular city election.

101.5 All of the provisions of the Minnesota Election Law are applicable to special elections
101.6 as far as practicable.

101.7 Sec. 88. Minnesota Statutes 2020, section 447.32, subdivision 4, is amended to read:

101.8 Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a candidate
101.9 for the hospital board shall file an affidavit of candidacy for the election either as member
101.10 at large or as a member representing the city or town where the candidate ~~resides~~ maintains
101.11 residence. The affidavit of candidacy must be filed with the city or town clerk not more
101.12 than 98 days nor less than 84 days before the first Tuesday after the first Monday in
101.13 November of the year in which the general election is held. The city or town clerk must
101.14 forward the affidavits of candidacy to the clerk of the hospital district or, for the first election,
101.15 the clerk of the most populous city or town immediately after the last day of the filing period.
101.16 A candidate may withdraw from the election by filing an affidavit of withdrawal with the
101.17 clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of
101.18 candidacy.

101.19 Voting must be by secret ballot. The clerk shall prepare, at the expense of the district,
101.20 necessary ballots for the election of officers. Ballots must be prepared as provided in the
101.21 rules of the secretary of state. The ballots must be marked and initialed by at least two judges
101.22 as official ballots and used exclusively at the election. Any proposition to be voted on may
101.23 be printed on the ballot provided for the election of officers. The hospital board may also
101.24 authorize the use of voting systems subject to chapter 206. Enough election judges may be
101.25 appointed to receive the votes at each polling place. The election judges shall act as clerks
101.26 of election, count the ballots cast, and submit them to the board for canvass.

101.27 After canvassing the election, the board shall issue a certificate of election to the candidate
101.28 who received the largest number of votes cast for each office. The clerk shall deliver the
101.29 certificate to the person entitled to it in person or by certified mail. Each person certified
101.30 shall file an acceptance and oath of office in writing with the clerk within 30 days after the
101.31 date of delivery or mailing of the certificate. The board may fill any office as provided in
101.32 subdivision 1 if the person elected fails to qualify within 30 days, but qualification is effective
101.33 if made before the board acts to fill the vacancy.

102.1 Sec. 89. Minnesota Statutes 2020, section 609.165, subdivision 1, is amended to read:

102.2 Subdivision 1. **Restoration.** When a person has been deprived of civil rights by reason
102.3 of conviction of a crime and is thereafter discharged, such discharge shall restore the person
102.4 to all civil rights and to full citizenship, ~~with full right to vote and hold office,~~ the same as
102.5 if such conviction had not taken place, and the order of discharge shall so provide.

102.6 Sec. 90. Laws 2019, First Special Session chapter 10, article 1, section 40, is amended to
102.7 read:

102.8 Sec. 40. **HELP AMERICA VOTE ACT TRANSFERS AND APPROPRIATIONS;**
102.9 **SECRETARY OF STATE.**

102.10 (a) \$6,595,610 is appropriated in fiscal year 2019 from the HAVA account established
102.11 in Minnesota Statutes, section 5.30, to the secretary of state for the purposes of improving
102.12 the administration and security of elections as authorized by federal law. Use of the
102.13 appropriation is limited to the following activities:

102.14 (1) modernizing, securing, and updating the statewide voter registration system and for
102.15 cybersecurity upgrades as authorized by federal law;

102.16 (2) improving accessibility;

102.17 (3) preparing training materials and training local election officials; and

102.18 (4) implementing security improvements for election systems.

102.19 (b) Any amount earned in interest on the amount appropriated under paragraph (a) is
102.20 appropriated from the HAVA account to the secretary of state for purposes of improving
102.21 the administration and security of elections as authorized by federal law.

102.22 (c) The appropriations under paragraphs (a) and (b) are onetime and available until
102.23 ~~March 23, 2023~~ expended.

102.24 (d) \$167,000 expended by the secretary of state in fiscal years 2018 and 2019 for
102.25 increasing secure access to the statewide voter registration system is deemed:

102.26 (1) to be money used for carrying out the purposes authorized under the Omnibus
102.27 Appropriations Act of 2018, Public Law 115-1410, and the Help America Vote Act of 2002,
102.28 Public Law 107-252, section 101; and

102.29 (2) to be credited toward any match required by those laws.

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

103.1 Sec. 91. Laws 2020, chapter 77, section 3, subdivision 6, is amended to read:

103.2 Subd. 6. **Availability of appropriations.** The appropriations provided in this section
103.3 are onetime and available until ~~December 21, 2024~~ expended.

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

103.5 Sec. 92. **ELECTION DAY REGISTRATION; USE OF MEDICAL BILL TO PROVE**
103.6 **RESIDENCE.**

103.7 The secretary of state must amend Minnesota Rules, section 8200.5100, subpart 2, to
103.8 allow an eligible voter to prove residence in a precinct on election day by presenting a
103.9 medical bill. The amendment to the rule must be effective no later than August 1, 2021.

103.10 The secretary of state may use the good cause exemption under Minnesota Statutes, section
103.11 14.388, subdivision 1, clause (3), to adopt rules under this section and Minnesota Statutes,
103.12 section 14.386, does not apply except as provided under Minnesota Statutes, section 14.388.

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

103.14

ARTICLE 4

103.15

CAMPAIGN FINANCE

103.16 Section 1. Minnesota Statutes 2020, section 10A.01, subdivision 4, is amended to read:

103.17 Subd. 4. **Approved expenditure.** "Approved expenditure" means an expenditure made
103.18 on behalf of a candidate or a local candidate by an entity other than the candidate's principal
103.19 campaign committee of the candidate or the local candidate, if the expenditure is made with
103.20 the authorization or expressed or implied consent of, or in cooperation or in concert with,
103.21 or at the request or suggestion of the candidate or local candidate, the candidate's principal
103.22 campaign committee, or the candidate's or local candidate's agent. An approved expenditure
103.23 is a contribution to that candidate or local candidate.

103.24 Sec. 2. Minnesota Statutes 2020, section 10A.01, subdivision 7, is amended to read:

103.25 Subd. 7. **Ballot question.** "Ballot question" means a question or proposition that is placed
103.26 on the ballot and that may be voted on by:

103.27 (1) all voters of the state;

103.28 (2) all voters of Hennepin County;

103.29 (3) all voters of any home rule charter city or statutory city located wholly within
103.30 Hennepin County and having a population of 75,000 or more; or

104.1 (4) all voters of Special School District No. 1.

104.2 "Promoting or defeating a ballot question" includes activities, other than lobbying
104.3 activities, related to qualifying the question for placement on the ballot.

104.4 Sec. 3. Minnesota Statutes 2020, section 10A.01, subdivision 9, is amended to read:

104.5 Subd. 9. **Campaign expenditure.** "Campaign expenditure" or "expenditure" means a
104.6 purchase or payment of money or anything of value, or an advance of credit, made or
104.7 incurred for the purpose of influencing the nomination or election of a candidate or a local
104.8 candidate or for the purpose of promoting or defeating a ballot question.

104.9 An expenditure is considered to be made in the year in which the candidate made the
104.10 purchase of goods or services or incurred an obligation to pay for goods or services.

104.11 An expenditure made for the purpose of defeating a candidate or a local candidate is
104.12 considered made for the purpose of influencing the nomination or election of that candidate
104.13 or local candidate or any opponent of that candidate or local candidate.

104.14 Except as provided in clause (1), "expenditure" includes the dollar value of a donation
104.15 in kind.

104.16 "Expenditure" does not include:

104.17 (1) noncampaign disbursements as defined in subdivision 26;

104.18 (2) services provided without compensation by an individual volunteering personal time
104.19 on behalf of a candidate or a local candidate, ballot question, political committee, political
104.20 fund, principal campaign committee, or party unit;

104.21 (3) the publishing or broadcasting of news items or editorial comments by the news
104.22 media; or

104.23 (4) an individual's unreimbursed personal use of an automobile owned by the individual
104.24 and used by the individual while volunteering personal time.

104.25 Sec. 4. Minnesota Statutes 2020, section 10A.01, is amended by adding a subdivision to
104.26 read:

104.27 Subd. 10d. **Local candidate.** "Local candidate" means an individual who seeks
104.28 nomination or election to:

104.29 (1) any county office in Hennepin County;

- 105.1 (2) any city office in any home rule charter city or statutory city located wholly within
105.2 Hennepin County and having a population of 75,000 or more; or
105.3 (3) the school board in Special School District No. 1.

105.4 Sec. 5. Minnesota Statutes 2020, section 10A.01, subdivision 11, is amended to read:

105.5 Subd. 11. **Contribution.** (a) "Contribution" means money, a negotiable instrument, or
105.6 a donation in kind that is given to a political committee, political fund, principal campaign
105.7 committee, local candidate, or party unit. An allocation by an association of general treasury
105.8 money to be used for activities that must be or are reported through the association's political
105.9 fund is considered to be a contribution for the purposes of disclosure required by this chapter.

105.10 (b) "Contribution" includes a loan or advance of credit to a political committee, political
105.11 fund, principal campaign committee, local candidate, or party unit, if the loan or advance
105.12 of credit is: (1) forgiven; or (2) repaid by an individual or an association other than the
105.13 political committee, political fund, principal campaign committee, local candidate, or party
105.14 unit to which the loan or advance of credit was made. If an advance of credit or a loan is
105.15 forgiven or repaid as provided in this paragraph, it is a contribution in the year in which the
105.16 loan or advance of credit was made.

105.17 (c) "Contribution" does not include services provided without compensation by an
105.18 individual volunteering personal time on behalf of a candidate, local candidate, ballot
105.19 question, political committee, political fund, principal campaign committee, or party unit;
105.20 the publishing or broadcasting of news items or editorial comments by the news media; or
105.21 an individual's unreimbursed personal use of an automobile owned by the individual while
105.22 volunteering personal time.

105.23 Sec. 6. Minnesota Statutes 2020, section 10A.01, subdivision 16a, is amended to read:

105.24 Subd. 16a. **Expressly advocating.** "Expressly advocating" means:

105.25 (1) that a communication clearly identifies a candidate or a local candidate and uses
105.26 words or phrases of express advocacy; or

105.27 (2) that a communication when taken as a whole and with limited reference to external
105.28 events, such as the proximity to the election, is susceptible of no reasonable interpretation
105.29 other than as an appeal advocating the election or defeat of one or more clearly identified
105.30 candidates.

106.1 Sec. 7. Minnesota Statutes 2020, section 10A.01, subdivision 17c, is amended to read:

106.2 Subd. 17c. **General treasury money.** "General treasury money" means money that an
106.3 association other than a principal campaign committee, party unit, or political committee
106.4 accumulates through membership dues and fees, donations to the association for its general
106.5 purposes, and income from the operation of a business. General treasury money does not
106.6 include money collected to influence the nomination or election of candidates or local
106.7 candidates or to promote or defeat a ballot question.

106.8 Sec. 8. Minnesota Statutes 2020, section 10A.01, subdivision 18, is amended to read:

106.9 Subd. 18. **Independent expenditure.** "Independent expenditure" means an expenditure
106.10 expressly advocating the election or defeat of a clearly identified candidate or local candidate,
106.11 if the expenditure is made without the express or implied consent, authorization, or
106.12 cooperation of, and not in concert with or at the request or suggestion of, any candidate or
106.13 any candidate's principal campaign committee or agent or any local candidate or local
106.14 candidate's agent. An independent expenditure is not a contribution to that candidate or
106.15 local candidate. An independent expenditure does not include the act of announcing a formal
106.16 public endorsement of a candidate or local candidate for public office, unless the act is
106.17 simultaneously accompanied by an expenditure that would otherwise qualify as an
106.18 independent expenditure under this subdivision.

106.19 Sec. 9. Minnesota Statutes 2020, section 10A.01, subdivision 20, is amended to read:

106.20 Subd. 20. **Loan.** "Loan" means an advance of money or anything of value made to a
106.21 political committee, political fund, principal campaign committee, local candidate, or party
106.22 unit.

106.23 Sec. 10. Minnesota Statutes 2020, section 10A.01, subdivision 26, is amended to read:

106.24 Subd. 26. **Noncampaign disbursement.** (a) "Noncampaign disbursement" means a
106.25 purchase or payment of money or anything of value made, or an advance of credit incurred,
106.26 or a donation in kind received, by a principal campaign committee for any of the following
106.27 purposes:

106.28 (1) payment for accounting and legal services;

106.29 (2) return of a contribution to the source;

106.30 (3) repayment of a loan made to the principal campaign committee by that committee;

106.31 (4) return of a public subsidy;

- 107.1 (5) payment for food, beverages, and necessary utensils and supplies, entertainment,
107.2 and facility rental for a fund-raising event;
- 107.3 (6) services for a constituent by a member of the legislature or a constitutional officer
107.4 in the executive branch as provided in section 10A.173, subdivision 1;
- 107.5 (7) payment for food and beverages consumed by a candidate or volunteers while they
107.6 are engaged in campaign activities;
- 107.7 (8) payment for food or a beverage consumed while attending a reception or meeting
107.8 directly related to legislative duties;
- 107.9 (9) payment of expenses incurred by elected or appointed leaders of a legislative caucus
107.10 in carrying out their leadership responsibilities;
- 107.11 (10) payment by a principal campaign committee of the candidate's expenses for serving
107.12 in public office, other than for personal uses;
- 107.13 (11) costs of child care for the candidate's children when campaigning;
- 107.14 (12) fees paid to attend a campaign school;
- 107.15 (13) costs of a postelection party during the election year when a candidate's name will
107.16 no longer appear on a ballot or the general election is concluded, whichever occurs first;
- 107.17 (14) interest on loans paid by a principal campaign committee on outstanding loans;
- 107.18 (15) filing fees;
- 107.19 (16) post-general election holiday or seasonal cards, thank-you notes, or advertisements
107.20 in the news media mailed or published prior to the end of the election cycle;
- 107.21 (17) the cost of campaign material purchased to replace defective campaign material, if
107.22 the defective material is destroyed without being used;
- 107.23 (18) contributions to a party unit;
- 107.24 (19) payments for funeral gifts or memorials;
- 107.25 (20) the cost of a magnet less than six inches in diameter containing legislator contact
107.26 information and distributed to constituents;
- 107.27 (21) costs associated with a candidate attending a political party state or national
107.28 convention in this state;

108.1 (22) other purchases or payments specified in board rules or advisory opinions as being
108.2 for any purpose other than to influence the nomination or election of a candidate or to
108.3 promote or defeat a ballot question;

108.4 (23) costs paid to a third party for processing contributions made by a credit card, debit
108.5 card, or electronic check;

108.6 (24) a contribution to a fund established to support a candidate's participation in a recount
108.7 of ballots affecting that candidate's election;

108.8 (25) costs paid by a candidate's principal campaign committee for a single reception
108.9 given in honor of the candidate's retirement from public office after the filing period for
108.10 affidavits of candidacy for that office has closed;

108.11 (26) a donation from a terminating principal campaign committee to the state general
108.12 fund; ~~and~~

108.13 (27) a donation from a terminating principal campaign committee to a county obligated
108.14 to incur special election expenses due to that candidate's resignation from state office; and

108.15 (28) during a period starting January 1 in the year following a general election and ending
108.16 on December 31 of the year of general election, payments of \$2,000 or less for
108.17 security-related expenses for a candidate and any immediate family member of the candidate,
108.18 including but not limited to home security cameras, a home security system, and identity
108.19 theft monitoring services. For purposes of this clause, an immediate family member is a
108.20 person who resides in the candidate's household and is the candidate's spouse, fiancée,
108.21 fiance, grandparent, parent, child, grandchild, sibling, including adoptive, half, step, and
108.22 in-law relationships.

108.23 (b) The board must determine whether an activity involves a noncampaign disbursement
108.24 within the meaning of this subdivision.

108.25 (c) A noncampaign disbursement is considered to be made in the year in which the
108.26 candidate made the purchase of goods or services or incurred an obligation to pay for goods
108.27 or services.

108.28 Sec. 11. Minnesota Statutes 2020, section 10A.01, subdivision 27, is amended to read:

108.29 Subd. 27. **Political committee.** "Political committee" means an association whose major
108.30 purpose is to influence the nomination or election of one or more candidates or local
108.31 candidates or to promote or defeat a ballot question, other than a principal campaign
108.32 committee, local candidate, or a political party unit.

109.1 Sec. 12. Minnesota Statutes 2020, section 10A.01, subdivision 28, is amended to read:

109.2 Subd. 28. **Political fund.** "Political fund" means an accumulation of dues or voluntary
109.3 contributions by an association other than a political committee, principal campaign
109.4 committee, or party unit, if the accumulation is collected or expended to influence the
109.5 nomination or election of one or more candidates or local candidates or to promote or defeat
109.6 a ballot question. The term political fund as used in this chapter may also refer to the
109.7 association acting through its political fund.

109.8 Sec. 13. Minnesota Statutes 2020, section 10A.01, subdivision 35, is amended to read:

109.9 Subd. 35. **Public official.** "Public official" means any:

109.10 (1) member of the legislature;

109.11 (2) individual employed by the legislature as secretary of the senate, legislative auditor,
109.12 director of the Legislative Budget Office, chief clerk of the house of representatives, revisor
109.13 of statutes, or researcher, legislative analyst, fiscal analyst, or attorney in the Office of
109.14 Senate Counsel, Research and Fiscal Analysis, House Research, or the House Fiscal Analysis
109.15 Department;

109.16 (3) constitutional officer in the executive branch and the officer's chief administrative
109.17 deputy;

109.18 (4) solicitor general or deputy, assistant, or special assistant attorney general;

109.19 (5) commissioner, deputy commissioner, or assistant commissioner of any state
109.20 department or agency as listed in section 15.01 or 15.06, or the state chief information
109.21 officer;

109.22 (6) member, chief administrative officer, or deputy chief administrative officer of a state
109.23 board or commission that has either the power to adopt, amend, or repeal rules under chapter
109.24 14, or the power to adjudicate contested cases or appeals under chapter 14;

109.25 (7) individual employed in the executive branch who is authorized to adopt, amend, or
109.26 repeal rules under chapter 14 or adjudicate contested cases under chapter 14;

109.27 (8) executive director of the State Board of Investment;

109.28 (9) deputy of any official listed in clauses (7) and (8);

109.29 (10) judge of the Workers' Compensation Court of Appeals;

- 110.1 (11) administrative law judge or compensation judge in the State Office of Administrative
110.2 Hearings or unemployment law judge in the Department of Employment and Economic
110.3 Development;
- 110.4 (12) member, regional administrator, division director, general counsel, or operations
110.5 manager of the Metropolitan Council;
- 110.6 (13) member or chief administrator of a metropolitan agency;
- 110.7 (14) director of the Division of Alcohol and Gambling Enforcement in the Department
110.8 of Public Safety;
- 110.9 (15) member or executive director of the Higher Education Facilities Authority;
- 110.10 (16) member of the board of directors or president of Enterprise Minnesota, Inc.;
- 110.11 (17) member of the board of directors or executive director of the Minnesota State High
110.12 School League;
- 110.13 (18) member of the Minnesota Ballpark Authority established in section 473.755;
- 110.14 (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;
- 110.15 (20) manager of a watershed district, or member of a watershed management organization
110.16 as defined under section 103B.205, subdivision 13;
- 110.17 (21) supervisor of a soil and water conservation district;
- 110.18 (22) director of Explore Minnesota Tourism;
- 110.19 (23) citizen member of the Lessard-Sams Outdoor Heritage Council established in section
110.20 97A.056;
- 110.21 (24) citizen member of the Clean Water Council established in section 114D.30;
- 110.22 (25) member or chief executive of the Minnesota Sports Facilities Authority established
110.23 in section 473J.07;
- 110.24 (26) district court judge, appeals court judge, or supreme court justice;
- 110.25 (27) county commissioner;
- 110.26 (28) member of the Greater Minnesota Regional Parks and Trails Commission; ~~or~~
- 110.27 (29) member of the Destination Medical Center Corporation established in section 469.41
110.28 ; or
- 110.29 (30) chancellor or member of the Board of Trustees of the Minnesota State Colleges
110.30 and Universities.

111.1 Sec. 14. Minnesota Statutes 2020, section 10A.09, subdivision 1, is amended to read:

111.2 Subdivision 1. **Time for filing.** An individual must file a statement of economic interest
111.3 ~~with the board:~~

111.4 (1) within 60 days of accepting employment as a public official or a local official in a
111.5 metropolitan governmental unit;

111.6 (2) within 60 days of assuming office as a district court judge, appeals court judge,
111.7 supreme court justice, or county commissioner;

111.8 (3) within 14 days after filing an affidavit of candidacy or petition to appear on the ballot
111.9 for an elective state constitutional or legislative office or an elective local office in a
111.10 metropolitan governmental unit other than county commissioner;

111.11 (4) in the case of a public official requiring the advice and consent of the senate, within
111.12 14 days after undertaking the duties of office; or

111.13 (5) in the case of members of the Minnesota Racing Commission, the director of the
111.14 Minnesota Racing Commission, chief of security, medical officer, inspector of pari-mutuels,
111.15 and stewards employed or approved by the commission or persons who fulfill those duties
111.16 under contract, within 60 days of accepting or assuming duties.

111.17 Sec. 15. Minnesota Statutes 2020, section 10A.09, subdivision 2, is amended to read:

111.18 Subd. 2. **Notice to board.** The secretary of state or the appropriate county auditor, upon
111.19 receiving an affidavit of candidacy or petition to appear on the ballot from an individual
111.20 required by this section to file a statement of economic interest, and any official who
111.21 nominates or employs a public ~~or local~~ official required by this section to file a statement
111.22 of economic interest, must notify the board of the name of the individual required to file a
111.23 statement and the date of the affidavit, petition, or nomination.

111.24 Sec. 16. Minnesota Statutes 2020, section 10A.09, subdivision 5, is amended to read:

111.25 Subd. 5. **Form; general requirements.** (a) A statement of economic interest required
111.26 by this section must be on a form prescribed by the board. The individual filing must provide
111.27 the following information:

111.28 (1) name, address, occupation, and principal place of business;

111.29 (2) the name of each associated business and the nature of that association;

111.30 (3) a listing of all real property within the state, excluding homestead property, in which
111.31 the individual holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or

112.1 seller, or an option to buy, whether direct or indirect, if the interest is valued in excess of
112.2 \$2,500; or (ii) an option to buy, if the property has a fair market value of more than \$50,000;

112.3 (4) a listing of all real property within the state in which a partnership of which the
112.4 individual is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as
112.5 buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of
112.6 the partnership interest is valued in excess of \$2,500; or (ii) an option to buy, if the property
112.7 has a fair market value of more than \$50,000. A listing under this clause or clause (3) must
112.8 indicate the street address and the municipality or the section, township, range and
112.9 approximate acreage, whichever applies, and the county in which the property is located;

112.10 (5) a listing of any investments, ownership, or interests in property connected with
112.11 pari-mutuel horse racing in the United States and Canada, including a racehorse, in which
112.12 the individual directly or indirectly holds a partial or full interest or an immediate family
112.13 member holds a partial or full interest;

112.14 (6) a listing of the principal business or professional activity category of each business
112.15 from which the individual receives more than \$250 in any month during the reporting period
112.16 as an employee, if the individual has an ownership interest of 25 percent or more in the
112.17 business;

112.18 (7) a listing of each principal business or professional activity category from which the
112.19 individual received compensation of more than \$2,500 in the past 12 months as an
112.20 independent contractor; and

112.21 (8) a listing of the full name of each security with a value of more than \$10,000 owned
112.22 in part or in full by the individual, at any time during the reporting period.

112.23 (b) The business or professional categories for purposes of paragraph (a), clauses (6)
112.24 and (7), must be the general topic headings used by the federal Internal Revenue Service
112.25 for purposes of reporting self-employment income on Schedule C. This paragraph does not
112.26 require an individual to report any specific code number from that schedule. Any additional
112.27 principal business or professional activity category may only be adopted if the category is
112.28 enacted by law.

112.29 ~~(e) For the purpose of an original statement of economic interest, "compensation in any~~
112.30 ~~month" includes only compensation received in the calendar month immediately preceding~~
112.31 ~~the date of appointment as a public official or filing as a candidate.~~

112.32 ~~(d)~~ (c) For the purpose of calculating the amount of compensation received from any
112.33 single source in a single month, the amount shall include the total amount received from

113.1 the source during the month, whether or not the amount covers compensation for more than
113.2 one month.

113.3 ~~(e)~~ (d) For the purpose of determining the value of an individual's interest in real property,
113.4 the value of the property is the market value shown on the property tax statement.

113.5 ~~(f) For the purpose of an original statement of economic interest, the individual shall~~
113.6 ~~disclose only those real properties owned on the date of appointment as a public official or~~
113.7 ~~filing as a candidate.~~

113.8 ~~(g)~~ (e) For the purpose of this section, "date of appointment" means the effective date
113.9 of appointment to a position.

113.10 ~~(h)~~ (f) For the purpose of this section, "accepting employment as a public official" means
113.11 the effective date of the appointment to the position, as stated in the appointing authority's
113.12 notice to the board.

113.13 Sec. 17. Minnesota Statutes 2020, section 10A.09, is amended by adding a subdivision to
113.14 read:

113.15 Subd. 5a. **Original statement; reporting period.** (a) An original statement of economic
113.16 interest required under subdivision 1, clause (1), must cover the calendar month before the
113.17 month in which the individual accepted employment as a public official or a local official
113.18 in a metropolitan governmental unit.

113.19 (b) An original statement of economic interest required under subdivision 1, clauses (2),
113.20 (4), and (5), must cover the calendar month before the month in which the individual assumed
113.21 or undertook the duties of office.

113.22 (c) An original statement of economic interest required under subdivision 1, clause (3),
113.23 must cover the calendar month before the month in which the candidate filed the affidavit
113.24 of candidacy.

113.25 Sec. 18. Minnesota Statutes 2020, section 10A.09, subdivision 6, is amended to read:

113.26 Subd. 6. **Annual statement.** (a) Each individual who is required to file a statement of
113.27 economic interest must also file an annual statement by the last Monday in January of each
113.28 year that the individual remains in office. The annual statement must cover the period
113.29 through December 31 of the year prior to the year when the statement is due. The annual
113.30 statement must include the amount of each honorarium in excess of \$50 \$250 received since
113.31 the previous statement and the name and address of the source of the honorarium. The board

114.1 must maintain each annual statement of economic interest submitted by an officeholder in
114.2 the same file with the statement submitted as a candidate.

114.3 ~~(b) For the purpose of annual statements of economic interest to be filed, "compensation~~
114.4 ~~in any month" includes compensation and honoraria received in any month between the~~
114.5 ~~end of the period covered in the preceding statement of economic interest and the end of~~
114.6 ~~the current period.~~

114.7 ~~(e)~~ (b) An individual must file the annual statement of economic interest required by
114.8 this subdivision to cover the period for which the individual served as a public official even
114.9 though at the time the statement was filed, the individual is no longer holding that office as
114.10 a public official.

114.11 ~~(d) For the purpose of an annual statement of economic interest, the individual shall~~
114.12 ~~disclose any real property owned at any time between the end of the period covered by the~~
114.13 ~~preceding statement of economic interest and through the last day of the month preceding~~
114.14 ~~the current filing or the last day of employment, if the individual is no longer a public~~
114.15 ~~official.~~

114.16 Sec. 19. Minnesota Statutes 2020, section 10A.12, subdivision 1, is amended to read:

114.17 Subdivision 1. **When required for contributions and approved expenditures.** An
114.18 association other than a political committee or party unit may not contribute more than \$750
114.19 in aggregate in any calendar year to candidates, local candidates, political committees, or
114.20 party units or make approved expenditures of more than \$750 in aggregate in any calendar
114.21 year unless the contribution or expenditure is made through a political fund.

114.22 Sec. 20. Minnesota Statutes 2020, section 10A.12, subdivision 2, is amended to read:

114.23 Subd. 2. **Commingling prohibited.** The contents of an association's political fund may
114.24 not be commingled with other funds or with the personal funds of an officer or member of
114.25 the association or the fund. It is not commingling for an association that uses only its own
114.26 general treasury money to make expenditures and disbursements permitted under section
114.27 10A.121, subdivision 1, directly from the depository used for its general treasury money.
114.28 An association that accepts more than \$1,500 in aggregate in contributions to influence the
114.29 nomination or election of candidates or local candidates or more than \$5,000 in contributions
114.30 to promote or defeat a ballot question must establish a separate depository for those
114.31 contributions.

115.1 Sec. 21. Minnesota Statutes 2020, section 10A.121, subdivision 2, is amended to read:

115.2 Subd. 2. **Penalty.** (a) An independent expenditure political committee or independent
115.3 expenditure political fund is subject to a civil penalty of up to four times the amount of the
115.4 contribution or approved expenditure if it does the following:

115.5 (1) makes a contribution to a candidate, local candidate, party unit, political committee,
115.6 or political fund other than an independent expenditure political committee or an independent
115.7 expenditure political fund; or

115.8 (2) makes an approved expenditure.

115.9 (b) No other penalty provided in law may be imposed for conduct that is subject to a
115.10 civil penalty under this section.

115.11 Sec. 22. Minnesota Statutes 2020, section 10A.13, subdivision 1, is amended to read:

115.12 Subdivision 1. **Accounts; penalty.** The treasurer of a political committee, political fund,
115.13 principal campaign committee, or party unit must keep an account of:

115.14 (1) the sum of all contributions, except any donation in kind valued at \$20 or less, made
115.15 to the committee, fund, or party unit;

115.16 (2) the name and address of each source of a contribution made to the committee, fund,
115.17 or party unit in excess of \$20, together with the date and amount of each;

115.18 (3) each expenditure made by the committee, fund, or party unit, together with the date
115.19 and amount;

115.20 (4) each approved expenditure made on behalf of the committee, fund, or party unit,
115.21 together with the date and amount; and

115.22 (5) the name and address of each political committee, political fund, principal campaign
115.23 committee, local candidate, or party unit to which contributions in excess of \$20 have been
115.24 made, together with the date and amount.

115.25 Any individual who knowingly violates this subdivision is subject to a civil penalty
115.26 imposed by the board of up to \$1,000.

115.27 Sec. 23. Minnesota Statutes 2020, section 10A.17, subdivision 4, is amended to read:

115.28 Subd. 4. **Independent expenditures.** An individual, political committee, political fund,
115.29 principal campaign committee, or party unit that independently solicits or accepts
115.30 contributions or makes independent expenditures on behalf of a candidate or local candidate

116.1 must publicly disclose that the expenditure is an independent expenditure. All written and
116.2 broadcast communications with those from whom contributions are independently solicited
116.3 or accepted or to whom independent expenditures are made on behalf of a candidate or local
116.4 candidate must contain a statement in substantially the form provided in section 211B.04,
116.5 subdivision 2. The statement must be on the front page of all written communications and
116.6 at the end of all broadcast communications made by that individual, political committee,
116.7 political fund, principal campaign committee, or party unit on the candidate's or local
116.8 candidate's behalf.

116.9 Sec. 24. Minnesota Statutes 2020, section 10A.20, is amended by adding a subdivision to
116.10 read:

116.11 Subd. 2a. **Local election reports.** (a) This subdivision applies to a political committee,
116.12 political fund, or political party unit that during a non-general election year:

116.13 (1) spends in aggregate more than \$200 to influence the nomination or election of local
116.14 candidates;

116.15 (2) spends in aggregate more than \$200 to make independent expenditures on behalf of
116.16 local candidates; or

116.17 (3) spends in aggregate more than \$200 to promote or defeat ballot questions defined
116.18 in section 10A.01, subdivision 7, clause (2), (3), or (4).

116.19 (b) In addition to the reports required by subdivision 2, the entities listed in paragraph
116.20 (a) must file the following reports in each non-general election year:

116.21 (1) a first-quarter report covering the calendar year through March 31, which is due
116.22 April 14;

116.23 (2) a report covering the calendar year through May 31, which is due June 14;

116.24 (3) a pre-primary-election report due 15 days before the local primary election date
116.25 specified in section 205.065;

116.26 (4) a pre-general-election report due 42 days before the local general election; and

116.27 (5) a pre-general-election report due ten days before a local general election.

116.28 The reporting obligations in this paragraph begin with the first report due after the
116.29 reporting period in which the entity reaches the spending threshold specified in paragraph
116.30 (a).

117.1 Sec. 25. Minnesota Statutes 2020, section 10A.20, subdivision 3, is amended to read:

117.2 Subd. 3. **Contents of report.** (a) The report required by this section must include each
117.3 of the items listed in paragraphs (b) to (q) that are applicable to the filer. The board shall
117.4 prescribe forms based on filer type indicating which of those items must be included on the
117.5 filer's report.

117.6 (b) The report must disclose the amount of liquid assets on hand at the beginning of the
117.7 reporting period.

117.8 (c) The report must disclose the name, address, employer, or occupation if self-employed,
117.9 and registration number if registered with the board, of each individual or association that
117.10 has made one or more contributions to the reporting entity, including the purchase of tickets
117.11 for a fund-raising effort, that in aggregate within the year exceed \$200 for legislative or
117.12 statewide candidates or more than \$500 for ballot questions, together with the amount and
117.13 date of each contribution, and the aggregate amount of contributions within the year from
117.14 each source so disclosed. A donation in kind must be disclosed at its fair market value. An
117.15 approved expenditure must be listed as a donation in kind. A donation in kind is considered
117.16 consumed in the reporting period in which it is received. The names of contributors must
117.17 be listed in alphabetical order. Contributions from the same contributor must be listed under
117.18 the same name. When a contribution received from a contributor in a reporting period is
117.19 added to previously reported unitemized contributions from the same contributor and the
117.20 aggregate exceeds the disclosure threshold of this paragraph, the name, address, and
117.21 employer, or occupation if self-employed, of the contributor must then be listed on the
117.22 report.

117.23 (d) The report must disclose the sum of contributions to the reporting entity during the
117.24 reporting period.

117.25 (e) The report must disclose each loan made or received by the reporting entity within
117.26 the year in aggregate in excess of \$200, continuously reported until repaid or forgiven,
117.27 together with the name, address, occupation, principal place of business, if any, and
117.28 registration number if registered with the board of the lender and any endorser and the date
117.29 and amount of the loan. If a loan made to the principal campaign committee of a candidate
117.30 is forgiven or is repaid by an entity other than that principal campaign committee, it must
117.31 be reported as a contribution for the year in which the loan was made.

117.32 (f) The report must disclose each receipt over \$200 during the reporting period not
117.33 otherwise listed under paragraphs (c) to (e).

118.1 (g) The report must disclose the sum of all receipts of the reporting entity during the
118.2 reporting period.

118.3 (h) The report must disclose the name, address, and registration number if registered
118.4 with the board of each individual or association to whom aggregate expenditures, approved
118.5 expenditures, independent expenditures, and ballot question expenditures have been made
118.6 by or on behalf of the reporting entity within the year in excess of \$200, together with the
118.7 amount, date, and purpose of each expenditure, including an explanation of how the
118.8 expenditure was used, and the name and address of, and office sought by, each candidate
118.9 or local candidate on whose behalf the expenditure was made, identification of the ballot
118.10 question that the expenditure was intended to promote or defeat and an indication of whether
118.11 the expenditure was to promote or to defeat the ballot question, and in the case of independent
118.12 expenditures made in opposition to a candidate or local candidate, the candidate's or local
118.13 candidate's name, address, and office sought. A reporting entity making an expenditure on
118.14 behalf of more than one candidate ~~for state or legislative office~~ or local candidate must
118.15 allocate the expenditure among the candidates and local candidates on a reasonable cost
118.16 basis and report the allocation for each candidate or local candidate. The report must list
118.17 on separate schedules any independent expenditures made on behalf of local candidates and
118.18 any expenditures made for ballot questions as defined in section 10A.01, subdivision 7,
118.19 clause (2), (3), or (4).

118.20 (i) The report must disclose the sum of all expenditures made by or on behalf of the
118.21 reporting entity during the reporting period.

118.22 (j) The report must disclose the amount and nature of an advance of credit incurred by
118.23 the reporting entity, continuously reported until paid or forgiven. If an advance of credit
118.24 incurred by the principal campaign committee of a candidate is forgiven by the creditor or
118.25 paid by an entity other than that principal campaign committee, it must be reported as a
118.26 donation in kind for the year in which the advance of credit was made.

118.27 (k) The report must disclose the name, address, and registration number if registered
118.28 with the board of each political committee, political fund, principal campaign committee,
118.29 local candidate, or party unit to which contributions have been made that aggregate in excess
118.30 of \$200 within the year and the amount and date of each contribution. The report must list
118.31 on separate schedules any contributions made to state candidates' principal campaign
118.32 committees and any contributions made to local candidates.

119.1 (l) The report must disclose the sum of all contributions made by the reporting entity
119.2 during the reporting period and must separately disclose the sum of all contributions made
119.3 to local candidates by the reporting entity during the reporting period.

119.4 (m) The report must disclose the name, address, and registration number if registered
119.5 with the board of each individual or association to whom noncampaign disbursements have
119.6 been made that aggregate in excess of \$200 within the year by or on behalf of the reporting
119.7 entity and the amount, date, and purpose of each noncampaign disbursement, including an
119.8 explanation of how the expenditure was used.

119.9 (n) The report must disclose the sum of all noncampaign disbursements made within
119.10 the year by or on behalf of the reporting entity.

119.11 (o) The report must disclose the name and address of a nonprofit corporation that provides
119.12 administrative assistance to a political committee or political fund as authorized by section
119.13 211B.15, subdivision 17, the type of administrative assistance provided, and the aggregate
119.14 fair market value of each type of assistance provided to the political committee or political
119.15 fund during the reporting period.

119.16 (p) Legislative, statewide, and judicial candidates, party units, and political committees
119.17 and funds must itemize contributions that in aggregate within the year exceed \$200 for
119.18 legislative or statewide candidates or more than \$500 for ballot questions on reports submitted
119.19 to the board. The itemization must include the date on which the contribution was received,
119.20 the individual or association that provided the contribution, and the address of the contributor.
119.21 Additionally, the itemization for a donation in kind must provide a description of the item
119.22 or service received. Contributions that are less than the itemization amount must be reported
119.23 as an aggregate total.

119.24 (q) Legislative, statewide, and judicial candidates, party units, political committees and
119.25 funds, and committees to promote or defeat a ballot question must itemize expenditures and
119.26 noncampaign disbursements that in aggregate exceed \$200 in a calendar year on reports
119.27 submitted to the board. The itemization must include the date on which the committee made
119.28 or became obligated to make the expenditure or disbursement, the name and address of the
119.29 vendor that provided the service or item purchased, and a description of the service or item
119.30 purchased, including an explanation of how the expenditure was used. Expenditures and
119.31 noncampaign disbursements must be listed on the report alphabetically by vendor.

120.1 Sec. 26. Minnesota Statutes 2020, section 10A.20, subdivision 6a, is amended to read:

120.2 Subd. 6a. **Statement of independence.** An individual, political committee, political
120.3 fund, or party unit filing a report or statement disclosing an independent expenditure under
120.4 subdivision 3 or 6 must file with the report a sworn statement that the disclosed expenditures
120.5 were not made with the authorization or expressed or implied consent of, or in cooperation
120.6 or in concert with, or at the request or suggestion of any candidate; ~~or~~ any candidate's
120.7 principal campaign committee or agent; any local candidate, or any local candidate's agent.

120.8 Sec. 27. Minnesota Statutes 2020, section 10A.20, subdivision 13, is amended to read:

120.9 Subd. 13. **Third-party reimbursement.** An individual or association filing a report
120.10 disclosing an expenditure or noncampaign disbursement that must be reported and itemized
120.11 under subdivision 3, paragraph ~~(g)~~ (h) or ~~(l)~~ (m), that is a reimbursement to a third party
120.12 must report the purpose of each expenditure or disbursement for which the third party is
120.13 being reimbursed. In the alternative, the reporting individual or association may report
120.14 individually each of the underlying expenditures being reimbursed. An expenditure or
120.15 disbursement is a reimbursement to a third party if it is for goods or services that were not
120.16 directly provided by the individual or association to whom the expenditure or disbursement
120.17 is made. Third-party reimbursements include payments to credit card companies and
120.18 reimbursement of individuals for expenses they have incurred.

120.19 Sec. 28. Minnesota Statutes 2020, section 10A.27, subdivision 13, is amended to read:

120.20 Subd. 13. **Unregistered association limit; statement; penalty.** (a) The treasurer of a
120.21 political committee, political fund, principal campaign committee, or party unit must not
120.22 accept a contribution of more than \$200 from an association not registered under this chapter
120.23 unless the contribution is accompanied by a ~~written~~ statement that meets the disclosure and
120.24 reporting period requirements imposed by section 10A.20. The statement may be a written
120.25 statement or a government website where the disclosure report for the unregistered association
120.26 may be viewed. This statement must be certified as true and correct by an officer of the
120.27 contributing association. The committee, fund, or party unit that accepts the contribution
120.28 must include a copy of the written statement or website with the report that discloses the
120.29 contribution to the board.

120.30 (b) An unregistered association may provide the ~~written~~ statement required by this
120.31 subdivision to no more than three committees, funds, or party units in a calendar year. Each
120.32 statement must cover at least the 30 days immediately preceding and including the date on

121.1 which the contribution was made. An unregistered association or an officer of it is subject
121.2 to a civil penalty imposed by the board of up to \$1,000, if the association or its officer:

121.3 (1) fails to provide a ~~written~~ statement as required by this subdivision; or

121.4 (2) fails to register after giving the ~~written~~ statement required by this subdivision to more
121.5 than three committees, funds, or party units in a calendar year.

121.6 (c) The treasurer of a political committee, political fund, principal campaign committee,
121.7 or party unit who accepts a contribution in excess of \$200 from an unregistered association
121.8 without the required ~~written~~ disclosure statement is subject to a civil penalty up to four
121.9 times the amount in excess of \$200.

121.10 (d) This subdivision does not apply:

121.11 (1) when a national political party contributes money to its state committee; ~~or~~

121.12 (2) when a federal committee of a major or minor political party registered with the
121.13 board gives an in-kind contribution to the federal committee's state central committee or a
121.14 party organization within a house of the state legislature; or

121.15 ~~(2)~~ (3) to purchases by candidates for federal office of tickets to events or space rental
121.16 at events held by party units in this state (i) if the geographical area represented by the party
121.17 unit includes any part of the geographical area of the office that the federal candidate is
121.18 seeking and (ii) the purchase price is not more than that paid by other attendees or renters
121.19 of similar spaces.

121.20 Sec. 29. Minnesota Statutes 2020, section 10A.275, subdivision 1, is amended to read:

121.21 Subdivision 1. **Exceptions.** Notwithstanding other provisions of this chapter, the
121.22 following expenditures by a party unit, or two or more party units acting together, with at
121.23 least one party unit being either: the state committee or the party organization within a
121.24 congressional district, county, or legislative district, are not considered contributions to or
121.25 expenditures on behalf of a candidate for the purposes of section 10A.25 or 10A.27 and
121.26 must not be allocated to candidates under section 10A.20, subdivision 3, paragraph ~~(g)~~ (h):

121.27 (1) expenditures on behalf of candidates of that party generally without referring to any
121.28 of them specifically in a published, posted, or broadcast advertisement;

121.29 (2) expenditures for the preparation, display, mailing, or other distribution of an official
121.30 party sample ballot listing the names of three or more individuals whose names are to appear
121.31 on the ballot;

122.1 (3) expenditures for a telephone ~~conversation including~~ call, voice mail, text message,
122.2 multimedia message, internet chat message, or e-mail when the communication includes
122.3 the names of three or more individuals whose names are to appear on the ballot;

122.4 (4) expenditures for a political party fund-raising effort on behalf of three or more
122.5 candidates; or

122.6 (5) expenditures for party committee staff services that benefit three or more candidates.

122.7 Sec. 30. Minnesota Statutes 2020, section 10A.323, is amended to read:

122.8 **10A.323 AFFIDAVIT OF CONTRIBUTIONS.**

122.9 (a) In addition to the requirements of section 10A.322, to be eligible to receive a public
122.10 subsidy under section 10A.31 a candidate or the candidate's treasurer must:

122.11 (1) between January 1 of the previous year and the cutoff date for transactions included
122.12 in the report of receipts and expenditures due before the primary election, accumulate
122.13 contributions from individuals eligible to vote in this state in at least the amount indicated
122.14 for the office sought, counting only the first \$50 received from each contributor, excluding
122.15 in-kind contributions:

122.16 (i) candidates for governor and lieutenant governor running together, \$35,000;

122.17 (ii) candidates for attorney general, \$15,000;

122.18 (iii) candidates for secretary of state and state auditor, separately, \$6,000;

122.19 (iv) candidates for the senate, \$3,000; and

122.20 (v) candidates for the house of representatives, \$1,500;

122.21 (2) file an affidavit with the board stating that the principal campaign committee has
122.22 complied with this paragraph. The affidavit must state the total amount of contributions that
122.23 have been received from individuals eligible to vote in this state, excluding:

122.24 (i) the portion of any contribution in excess of \$50;

122.25 (ii) any in-kind contribution; and

122.26 (iii) any contribution for which the name and address of the contributor is not known
122.27 and recorded; and

122.28 (3) submit the affidavit required by this section to the board in writing by the deadline
122.29 for reporting of receipts and expenditures before a primary under section 10A.20, subdivision
122.30 42.

123.1 (b) A candidate for a vacancy to be filled at a special election for which the filing period
123.2 does not coincide with the filing period for the general election must accumulate the
123.3 contributions specified in paragraph (a) and must submit the affidavit required by this section
123.4 to the board within five days after the close of the filing period for the special election for
123.5 which the candidate filed.

123.6 (c) Notwithstanding paragraphs (a) and (b), a candidate for a vacancy to be filled at a
123.7 special election called under section 204B.13, subdivision 2, paragraph (c), must accumulate
123.8 the contributions specified in paragraph (a) and must submit the affidavit required by this
123.9 section to the board within 12 calendar days after the general election.

123.10 (d) A candidate or the candidate's treasurer must be able to electronically file the affidavit
123.11 required under this section in the same manner as other reports required by this chapter.
123.12 The board must not require the candidate or candidate's treasurer to notarize the affidavit
123.13 of contribution.

123.14 Sec. 31. Minnesota Statutes 2020, section 211B.04, subdivision 2, is amended to read:

123.15 Subd. 2. **Independent expenditures.** (a) The required form of the disclaimer on a written
123.16 independent expenditure is: "This is an independent expenditure prepared and paid for by
123.17 (name of entity participating in the expenditure), (address). It is not coordinated
123.18 with or approved by any candidate nor is any candidate responsible for it. The top three
123.19 contributors funding this expenditure are (1), (2), and (3)" The address must
123.20 be either the entity's mailing address or the entity's website, if the website includes the
123.21 entity's mailing address. When a written independent expenditure is produced and
123.22 disseminated without cost, the words "and paid for" may be omitted from the disclaimer.

123.23 (b) The required form of the disclaimer on a broadcast independent expenditure is: "This
123.24 independent expenditure is paid for by (name of entity participating in the expenditure).
123.25 It is not coordinated with or approved by any candidate nor is any candidate responsible
123.26 for it. The top three contributors funding this expenditure are (1), (2), and (3)
123.27" When a broadcast independent expenditure is produced and disseminated without
123.28 cost, the following disclaimer may be used: "..... (name of entity participating in the
123.29 expenditure) is responsible for the contents of this independent expenditure. It is not
123.30 coordinated with or approved by any candidate nor is any candidate responsible for it."

123.31 (c) The listing of the top three contributors required to be included in a disclaimer under
123.32 this subdivision must identify by name the three individuals or entities making the largest
123.33 contribution required to be reported under chapter 10A to the expending entity during the
123.34 12-month period preceding the first date at which the expenditure was published or presented

124.1 to the public. Contributions to the expending entity that are segregated, tracked, and used
124.2 for purposes other than the expenditure requiring the disclaimer should not be included in
124.3 calculating the top three contributors required to be identified under this subdivision.

124.4 Sec. 32. Minnesota Statutes 2020, section 211B.04, subdivision 3, is amended to read:

124.5 Subd. 3. **Material that does not need a disclaimer.** (a) This section does not apply to
124.6 fund-raising tickets, business cards, personal letters, or similar items that are clearly being
124.7 distributed by the candidate.

124.8 (b) This section does not apply to an individual or association that is not required to
124.9 register or report under chapter 10A or 211A.

124.10 (c) This section does not apply to the following:

124.11 (1) bumper stickers, pins, buttons, pens, or similar small items on which the disclaimer
124.12 cannot be conveniently printed; and

124.13 (2) skywriting, wearing apparel, or other means of displaying an advertisement of such
124.14 a nature that the inclusion of a disclaimer would be impracticable; and

124.15 ~~(3) online banner ads and similar electronic communications that link directly to an~~
124.16 ~~online page that includes the disclaimer.~~

124.17 (d) This section does not modify or repeal section 211B.06.

124.18 Sec. 33. Minnesota Statutes 2020, section 211B.04, is amended by adding a subdivision
124.19 to read:

124.20 Subd. 3a. **Certain electronic communications and advertisements.** Notwithstanding
124.21 subdivisions 1 and 2, the Campaign Finance and Public Disclosure Board must adopt rules
124.22 using the expedited process in section 14.389 to specify the form and content of the disclaimer
124.23 required by those subdivisions for small electronic communications on which the full
124.24 disclaimer cannot be conveniently printed, including but not limited to online banner ads,
124.25 text messages, social media communications, and small advertisements appearing on a
124.26 mobile telephone or other handheld electronic device. In its rules, the board may waive the
124.27 disclaimer requirement for categories of communications where inclusion would be
124.28 technologically impossible.

125.1 Sec. 34. Minnesota Statutes 2020, section 383B.041, is amended to read:

125.2 **383B.041 CAMPAIGN FINANCING, DISCLOSURE OF ECONOMIC**
125.3 **INTERESTS.**

125.4 Subdivision 1. Hennepin County candidates. Sections 383B.041 to 383B.058 apply
125.5 to the financing of campaigns for county elections in Hennepin County and for city elections
125.6 in home rule charter cities and statutory cities located wholly within Hennepin County,
125.7 having a population of 75,000 or more, and for school board elections in the Special School
125.8 District No. 1, Minneapolis, and to disclosure of economic interests by candidates and
125.9 elected public officials of those jurisdictions. The provisions of sections 211A.02 to 211A.07
125.10 do not apply to the financing of campaigns for elections subject to the provisions of sections
125.11 383B.041 to 383B.058. Candidates for county commissioner, county attorney, and sheriff
125.12 of Hennepin County must file campaign disclosure forms with the filing officer for Hennepin
125.13 County. These candidates are subject to the provisions of chapter 211A.

125.14 Subd. 2. Political subdivision candidates. Candidates for elected city, school board,
125.15 park commissioner, and other political subdivision offices within Hennepin County shall
125.16 file campaign disclosure forms with the filing officer for the political subdivision for which
125.17 the candidate is seeking office. These candidates are subject to the provisions of chapter
125.18 211A.

125.19 Subd. 3. Political committees, political funds, and independent expenditures. (a)
125.20 The provisions of chapter 10A apply to political committees as defined in section 10A.01,
125.21 subdivision 27; political funds as defined in section 10A.01, subdivision 28; and independent
125.22 expenditures as defined in section 10A.01, subdivision 18, related to:

125.23 (1) a campaign for the nomination or election of a candidate for:

125.24 (i) a county office in Hennepin County;

125.25 (ii) a city office in a home rule charter or statutory city located wholly within Hennepin
125.26 County with a population of 75,000 or more; or

125.27 (iii) the school board in Special School District No. 1; and

125.28 (2) a ballot question or proposition that may be voted on by:

125.29 (i) all voters in Hennepin County;

125.30 (ii) all voters of a home rule charter or statutory city located wholly within Hennepin
125.31 County and having a population of 75,000 or more; or

125.32 (iii) all voters in Special School District No. 1.

126.1 (b) The provisions of chapter 211A apply to a campaign for nomination or election for
126.2 an office in the following political subdivisions:

126.3 (1) a home rule or statutory city located wholly within Hennepin County and having a
126.4 population of less than 75,000; and

126.5 (2) a school district located wholly within Hennepin County other than Special School
126.6 District No. 1.

126.7 (c) The provisions of chapter 211A apply to a ballot question or proposition that may
126.8 be voted on by:

126.9 (1) all voters of a home rule or statutory city located wholly within Hennepin County
126.10 and having a population of less than 75,000; and

126.11 (2) all voters of a school district located wholly within Hennepin County other than
126.12 Special School District No. 1.

126.13 Subd. 4. **Local ordinances and charters superseded.** This section supersedes the
126.14 provisions of any ordinance or resolution of a political subdivision within Hennepin County,
126.15 or any existing special law or home rule charter provision of a political subdivision within
126.16 Hennepin County requiring disclosure of information related to the financing of election
126.17 campaigns.

126.18 Subd. 5. **Economic interest disclosure; Special School District No. 1.** Every candidate
126.19 for school board in Special School District No. 1, Minneapolis, must file an original statement
126.20 of economic interest with the school district within 14 days of the filing of an affidavit or
126.21 petition to appear on the ballot. An elected official in Special School District No. 1,
126.22 Minneapolis, must file the annual statement required in section 10A.09, subdivision 6, with
126.23 the school district for every year that the individual serves in office. An original and annual
126.24 statement must contain the information listed in section 10A.09, subdivision 5. The provisions
126.25 of section 10A.09, subdivisions 6a, 7, and 9, apply to statements required under this
126.26 subdivision.

126.27 Sec. 35. **REPEALER.**

126.28 Subdivision 1. **Enterprise Minnesota, Inc.** Minnesota Statutes 2020, sections 116O.03,
126.29 subdivision 9; and 116O.04, subdivision 3, are repealed.

126.30 Subd. 2. **Hennepin County.** Minnesota Statutes 2020, sections 10A.15, subdivision 6;
126.31 383B.042; 383B.043; 383B.044; 383B.045; 383B.046; 383B.047; 383B.048; 383B.049;

127.1 383B.05; 383B.051; 383B.052; 383B.053; 383B.054; 383B.055; 383B.056; and 383B.057,
127.2 are repealed.

127.3 Sec. 36. **EFFECTIVE DATE.**

127.4 This article is effective January 1, 2022, and applies to reports and disclosures required
127.5 to be filed on or after that date.

127.6 **ARTICLE 5**
127.7 **INFORMATION TECHNOLOGY**

127.8 Section 1. **[3.888] LEGISLATIVE COMMISSION ON CYBERSECURITY.**

127.9 Subdivision 1. **Membership.** The Legislative Commission on Cybersecurity consists
127.10 of the following eight members:

127.11 (1) four members of the senate, including two senators appointed by the senate majority
127.12 leader and two senators appointed by the senate minority leader; and

127.13 (2) four members of the house of representatives, including two members appointed by
127.14 the speaker of the house and two members appointed by the minority leader of the house.

127.15 Subd. 2. **Terms; vacancies.** Members of the commission serve for a two-year term
127.16 beginning on appointment and expiring on appointment of a successor after the opening of
127.17 the next regular session of the legislature in the odd-numbered year. A vacancy in the
127.18 membership of the commission must be filled for the unexpired term in a manner that will
127.19 preserve the representation established by this section.

127.20 Subd. 3. **Duties.** The commission shall provide oversight of the state's cybersecurity
127.21 measures. The commission shall review the policies and practices of state agencies with
127.22 regard to cybersecurity and may recommend changes in policy to adequately protect the
127.23 state from cybersecurity threats. The commission may develop recommendations and draft
127.24 legislation to support and strengthen the state's cybersecurity infrastructure.

127.25 Subd. 4. **Chair.** The commission shall elect a chair by a majority vote of members
127.26 present. The officers shall alternate between a member of the senate and a member of the
127.27 house of representatives. A chair shall serve a two-year term expiring upon election of a
127.28 new chair after the opening of the next regular session of the legislature in the odd-numbered
127.29 year.

127.30 Subd. 5. **Meetings.** The commission must meet at least three times per calendar year.
127.31 The meetings of the commission are subject to section 3.055, except that the commission

128.1 may close a meeting when necessary to safeguard the state's cybersecurity. The minutes,
 128.2 recordings, and documents from a closed meeting under this subdivision shall be maintained
 128.3 by the Legislative Coordinating Commission and shall not be made available to the public
 128.4 until eight years after the date of the meeting.

128.5 Subd. 6. **Administration.** The Legislative Coordinating Commission shall provide
 128.6 administrative services for the commission.

128.7 Subd. 7. **Sunset.** The commission sunsets December 31, 2028.

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

128.9 Sec. 2. Minnesota Statutes 2020, section 15.01, is amended to read:

128.10 **15.01 DEPARTMENTS OF THE STATE.**

128.11 The following agencies are designated as the departments of the state government: the
 128.12 Department of Administration; the Department of Agriculture; the Department of Commerce;
 128.13 the Department of Corrections; the Department of Education; the Department of Employment
 128.14 and Economic Development; the Department of Health; the Department of Human Rights;
 128.15 the Department of Information Technology Services; the Department of Iron Range
 128.16 Resources and Rehabilitation; the Department of Labor and Industry; the Department of
 128.17 Management and Budget; the Department of Military Affairs; the Department of Natural
 128.18 Resources; the Department of Public Safety; the Department of Human Services; the
 128.19 Department of Revenue; the Department of Transportation; the Department of Veterans
 128.20 Affairs; and their successor departments.

128.21 Sec. 3. Minnesota Statutes 2020, section 16E.01, is amended to read:

128.22 **16E.01 OFFICE OF MN.IT MINNESOTA DEPARTMENT OF INFORMATION**
 128.23 **TECHNOLOGY SERVICES.**

128.24 Subdivision 1. **Creation; chief information officer.** ~~The Office of MN.IT~~ Minnesota
 128.25 Department of Information Technology Services, which may also be known as Minnesota
 128.26 Information Technology Services or Minnesota IT Services, referred to in this chapter as
 128.27 the "office," "department," is an agency in the executive branch headed by a commissioner,
 128.28 who also is the ~~state~~ chief information officer. The appointment of the commissioner is
 128.29 subject to the advice and consent of the senate under section 15.066.

128.30 Subd. 1a. **Responsibilities.** ~~The office~~ department shall provide oversight, leadership,
 128.31 and direction for information and telecommunications technology policy and the
 128.32 management, delivery, accessibility, and security of executive branch information and

129.1 telecommunications technology systems and services in Minnesota. The ~~office~~ department
129.2 shall manage strategic investments in information and telecommunications technology
129.3 systems and services ~~to encourage the development of a technically literate society~~; to ensure
129.4 sufficient access to and efficient delivery of accessible government services; and to maximize
129.5 benefits for the state government as an enterprise.

129.6 Subd. 2. **Discretionary powers.** The ~~office~~ department may:

129.7 (1) enter into contracts for goods or services with public or private organizations and
129.8 charge fees for services it provides;

129.9 (2) apply for, receive, and expend money from public agencies;

129.10 (3) apply for, accept, and disburse grants and other aids from the federal government
129.11 and other public or private sources;

129.12 (4) enter into contracts with agencies of the federal government, local governmental
129.13 units, the University of Minnesota and other educational institutions, and private persons
129.14 and other nongovernmental organizations as necessary to perform its statutory duties;

129.15 (5) sponsor and conduct conferences and studies, collect and disseminate information,
129.16 and issue reports relating to information and communications technology issues;

129.17 (6) review the technology infrastructure of regions of the state and cooperate with and
129.18 make recommendations to the governor, legislature, state agencies, local governments, local
129.19 technology development agencies, the federal government, private businesses, and individuals
129.20 for the realization of information and communications technology infrastructure development
129.21 potential;

129.22 (7) sponsor, support, and facilitate innovative and collaborative economic and community
129.23 development and government services projects, including technology initiatives related to
129.24 culture and the arts, with public and private organizations; and

129.25 (8) review and recommend alternative sourcing strategies for state information and
129.26 communications systems.

129.27 Subd. 3. **Duties.** (a) The ~~office~~ department shall:

129.28 (1) manage the efficient and effective use of available federal, state, local, and
129.29 public-private resources to develop statewide information and telecommunications technology
129.30 systems and services and its infrastructure;

129.31 (2) approve state agency and intergovernmental information and telecommunications
129.32 technology systems and services development efforts involving state or intergovernmental

130.1 funding, including federal funding, provide information to the legislature regarding projects
130.2 reviewed, and recommend projects for inclusion in the governor's budget under section
130.3 16A.11;

130.4 (3) ~~ensure~~ promote cooperation and collaboration among state and local governments
130.5 in developing intergovernmental information and telecommunications technology systems
130.6 and services, ~~and define the structure and responsibilities of a representative governance~~
130.7 ~~structure~~;

130.8 (4) cooperate and collaborate with the legislative and judicial branches in the development
130.9 of information and communications systems in those branches, as requested;

130.10 (5) continue the development of North Star, the state's official comprehensive online
130.11 service and information initiative;

130.12 ~~(6) promote and collaborate with the state's agencies in the state's transition to an~~
130.13 ~~effectively competitive telecommunications market~~;

130.14 ~~(7) collaborate with entities carrying out education and lifelong learning initiatives to~~
130.15 ~~assist Minnesotans in developing technical literacy and obtaining access to ongoing learning~~
130.16 ~~resources~~;

130.17 ~~(8)~~ (6) promote and coordinate public information access and network initiatives,
130.18 consistent with chapter 13, to connect Minnesota's citizens and communities to each other,
130.19 to their governments, and to the world;

130.20 ~~(9) promote and coordinate electronic commerce initiatives to ensure that Minnesota~~
130.21 ~~businesses and citizens can successfully compete in the global economy~~;

130.22 ~~(10)~~ (7) manage and promote the regular and periodic reinvestment in the information
130.23 and telecommunications technology systems and services infrastructure so that state and
130.24 local government agencies can effectively and efficiently serve their customers;

130.25 ~~(11)~~ (8) facilitate the cooperative development of and ensure compliance with standards
130.26 and policies for information and telecommunications technology systems and services, and
130.27 electronic data practices and privacy, ~~and electronic commerce among international, national,~~
130.28 ~~state, and local public and private organizations~~ within the executive branch;

130.29 ~~(12)~~ (9) eliminate unnecessary duplication of existing information and
130.30 telecommunications technology systems and services provided by state agencies;

130.31 ~~(13)~~ (10) identify, sponsor, develop, and execute shared information and
130.32 telecommunications technology projects and ongoing operations;

131.1 ~~(14)~~ (11) ensure overall security of the state's information and technology systems and
131.2 services; and

131.3 ~~(15)~~ (12) manage and direct compliance with accessibility standards for informational
131.4 technology, including hardware, software, websites, online forms, and online surveys.

131.5 (b) The chief information officer, in consultation with the commissioner of management
131.6 and budget, must determine when it is cost-effective for agencies to develop and use shared
131.7 information and telecommunications technology systems and services for the delivery of
131.8 electronic government services. The chief information officer may require agencies to use
131.9 shared information and telecommunications technology systems and services. The chief
131.10 information officer shall establish reimbursement rates in cooperation with the commissioner
131.11 of management and budget to be billed to agencies and other governmental entities sufficient
131.12 to cover the actual development, operating, maintenance, and administrative costs of the
131.13 shared systems. The methodology for billing may include the use of interagency agreements,
131.14 or other means as allowed by law.

131.15 (c) A state agency that has an information and telecommunications technology project
131.16 ~~with a total expected project cost of more than \$1,000,000~~, whether funded as part of the
131.17 biennial budget or by any other means, shall register with the ~~office~~ department by submitting
131.18 basic project startup documentation, as specified by the chief information officer in both
131.19 format and content, ~~before any project funding is requested or committed and before the~~
131.20 ~~project commences~~. State agency project leaders must demonstrate that the project will be
131.21 properly managed, provide updates to the project documentation as changes are proposed,
131.22 and regularly report on the current status of the project on a schedule agreed to with the
131.23 chief information officer. The chief information officer has the authority to define a project
131.24 for the purposes of this chapter.

131.25 (d) The chief information officer shall monitor progress on any active information and
131.26 telecommunications technology project with a total expected project cost of more than
131.27 \$5,000,000 and report on the performance of the project in comparison with the plans for
131.28 the project in terms of time, scope, and budget. The chief information officer may conduct
131.29 an independent project audit of the project. The audit analysis and evaluation of the projects
131.30 subject to paragraph (c) must be presented to agency executive sponsors, the project
131.31 governance bodies, and the chief information officer. All reports and responses must become
131.32 part of the project record.

131.33 (e) For any active information and telecommunications technology project with a total
131.34 expected project cost of more than \$10,000,000, the state agency must perform an annual

132.1 independent audit that conforms to published project audit principles ~~promulgated~~ adopted
132.2 by the ~~office~~ department.

132.3 (f) The chief information officer shall report by January 15 of each year to the chairs
132.4 and ranking minority members of the legislative committees and divisions with jurisdiction
132.5 over the ~~office~~ department regarding projects the ~~office~~ department has reviewed under
132.6 paragraph (a), clause ~~(13)~~ (10). The report must include the reasons for the determinations
132.7 made in the review of each project and a description of its current status.

132.8 Sec. 4. Minnesota Statutes 2020, section 16E.016, is amended to read:

132.9 **16E.016 RESPONSIBILITY FOR INFORMATION TECHNOLOGY SERVICES**
132.10 **AND EQUIPMENT.**

132.11 (a) The chief information officer is responsible for providing or entering into managed
132.12 services contracts for the provision, improvement, and development of the following
132.13 information technology systems and services to state agencies:

132.14 (1) state data centers;

132.15 (2) mainframes including system software;

132.16 (3) servers including system software;

132.17 (4) desktops including system software;

132.18 (5) laptop computers including system software;

132.19 (6) a data network including system software;

132.20 (7) database, electronic mail, office systems, reporting, and other standard software
132.21 tools;

132.22 (8) business application software and related technical support services;

132.23 (9) help desk for the components listed in clauses (1) to (8);

132.24 (10) maintenance, problem resolution, and break-fix for the components listed in clauses
132.25 (1) to (8);

132.26 (11) regular upgrades and replacement for the components listed in clauses (1) to (8);

132.27 and

132.28 (12) network-connected output devices.

132.29 (b) All state agency employees whose work primarily involves functions specified in
132.30 paragraph (a) are employees of the ~~Office of MN.IT Services~~ Minnesota Department of

133.1 Information Technology Services. This includes employees who directly perform the
 133.2 functions in paragraph (a), as well as employees whose work primarily involves managing,
 133.3 supervising, or providing administrative services or support services to employees who
 133.4 directly perform these functions. The chief information officer may assign employees of
 133.5 the ~~office~~ department to perform work exclusively for another state agency.

133.6 (c) Subject to sections 16C.08 and 16C.09, the chief information officer may allow a
 133.7 state agency to obtain services specified in paragraph (a) through a contract with an outside
 133.8 vendor when the chief information officer and the agency head agree that a contract would
 133.9 provide best value, as defined in section 16C.02, under the service-level agreement. The
 133.10 chief information officer must require that agency contracts with outside vendors ensure
 133.11 that systems and services are compatible with standards established by the ~~Office of MN.IT~~
 133.12 Department of Information Technology Services.

133.13 (d) The Minnesota State Retirement System, the Public Employees Retirement
 133.14 Association, the Teachers Retirement Association, the State Board of Investment, the
 133.15 Campaign Finance and Public Disclosure Board, the State Lottery, and the Statewide Radio
 133.16 Board are not state agencies for purposes of this section.

133.17 Sec. 5. Minnesota Statutes 2020, section 16E.02, is amended to read:

133.18 **16E.02 OFFICE OF MN.IT MINNESOTA DEPARTMENT OF INFORMATION**
 133.19 **TECHNOLOGY SERVICES; STRUCTURE AND PERSONNEL.**

133.20 Subdivision 1. **Office Department management and structure.** (a) The chief
 133.21 information officer is appointed by the governor. The chief information officer serves in
 133.22 the unclassified service at the pleasure of the governor. The chief information officer must
 133.23 have experience leading enterprise-level information technology organizations. The chief
 133.24 information officer is the state's chief information officer and information and
 133.25 telecommunications technology ~~advisor~~ adviser to the governor.

133.26 (b) The chief information officer may appoint other employees of the ~~office~~ department.
 133.27 ~~The Staff of the office department~~ must include individuals knowledgeable in information
 133.28 and telecommunications technology systems and services and individuals with specialized
 133.29 training in information security and accessibility.

133.30 ~~(c) The chief information officer may appoint a webmaster responsible for the supervision~~
 133.31 ~~and development of state websites under the control of the office. The webmaster, if~~
 133.32 ~~appointed, shall ensure that these websites are maintained in an easily accessible format~~
 133.33 ~~that is consistent throughout state government and are consistent with the accessibility~~

134.1 ~~standards developed under section 16E.03, subdivision 9. The webmaster, if appointed,~~
134.2 ~~shall provide assistance and guidance consistent with the requirements of this paragraph to~~
134.3 ~~other state agencies for the maintenance of other websites not under the direct control of~~
134.4 ~~the office.~~

134.5 Subd. 1a. **Accountability.** The chief information officer reports to the governor. The
134.6 chief information officer must consult regularly with the executive branch agency
134.7 ~~commissioners of administration, management and budget, human services, revenue, and~~
134.8 ~~other commissioners as designated by the governor,~~ on technology projects, standards, and
134.9 services as well as management of resources and staff utilization.

134.10 Sec. 6. Minnesota Statutes 2020, section 16E.03, subdivision 1, is amended to read:

134.11 Subdivision 1. **Definitions.** (a) For the purposes of this chapter, the following terms
134.12 have the meanings given them.

134.13 (b) "Information and telecommunications technology systems and services" means all
134.14 computing and telecommunications hardware and software, the activities undertaken to
134.15 secure that hardware and software, and the activities undertaken to acquire, transport, process,
134.16 analyze, store, and disseminate information electronically. "Information and
134.17 telecommunications technology systems and services" includes all proposed expenditures
134.18 for computing and telecommunications hardware and software, security for that hardware
134.19 and software, and related consulting or other professional services.

134.20 ~~(e) "Information and telecommunications technology project" means an effort to acquire~~
134.21 ~~or produce information and telecommunications technology systems and services.~~

134.22 ~~(d)~~ (c) "Telecommunications" means voice, video, and data electronic transmissions
134.23 transported by wire, wireless, fiber-optic, radio, or other available transport technology.

134.24 ~~(e)~~ (d) "Cyber security" means the protection of data and systems in networks connected
134.25 to the Internet.

134.26 ~~(f)~~ (e) "State agency" means an agency in the executive branch of state government and
134.27 includes the Minnesota Office of Higher Education, but does not include the Minnesota
134.28 State Colleges and Universities unless specifically provided elsewhere in this chapter.

134.29 ~~(g)~~ (f) "Total expected project cost" includes direct staff costs, all supplemental contract
134.30 staff and vendor costs, and costs of hardware and software development or purchase.
134.31 Breaking a project into several phases does not affect the cost threshold, which must be
134.32 computed based on the full cost of all phases.

135.1 ~~(h)~~ (g) "Cloud computing" has the meaning described by the National Institute of
135.2 Standards and Technology of the United States Department of Commerce in special
135.3 publication 800-145, September 2011.

135.4 Sec. 7. Minnesota Statutes 2020, section 16E.03, subdivision 2, is amended to read:

135.5 Subd. 2. **Chief information officer's responsibility.** The chief information officer shall:

135.6 (1) design a master plan for information and telecommunications technology systems
135.7 and services in the state ~~and its political subdivisions~~ and shall report on the plan to the
135.8 governor and legislature at the beginning of each regular session;

135.9 (2) coordinate, review, and approve all information and telecommunications technology
135.10 projects and oversee the state's information and telecommunications technology systems
135.11 and services;

135.12 (3) establish and enforce compliance with standards for information and
135.13 telecommunications technology systems and services that are cost-effective and support
135.14 open systems environments and that are compatible with state, national, and international
135.15 standards, including accessibility standards;

135.16 (4) maintain a library of systems and programs developed by the state ~~and its political~~
135.17 ~~subdivisions~~ for use by agencies of government;

135.18 (5) direct and manage the shared operations of the state's information and
135.19 telecommunications technology systems and services; and

135.20 (6) establish and enforce standards and ensure acquisition of hardware and software
135.21 necessary to protect data and systems in state agency networks connected to the Internet.

135.22 Sec. 8. Minnesota Statutes 2020, section 16E.03, subdivision 3, is amended to read:

135.23 Subd. 3. **Evaluation and approval.** A state agency may not undertake an information
135.24 and telecommunications technology project until it has been evaluated according to the
135.25 procedures developed under subdivision 4. The chief information officer or delegate shall
135.26 give written approval of the proposed project. ~~When notified by the chief information officer~~
135.27 ~~that a project has not been approved, the commissioner of management and budget shall~~
135.28 ~~cancel the unencumbered balance of any appropriation allotted for the project.~~

135.29 Sec. 9. Minnesota Statutes 2020, section 16E.03, subdivision 6, is amended to read:

135.30 Subd. 6. **System development methods.** The chief information officer shall establish
135.31 and, as necessary, update and modify methods for developing information and

136.1 communications systems appropriate to the specific needs of individual state agencies. The
136.2 development methods shall be used to define the design, programming, and implementation
136.3 of systems. ~~The development methods must also enable and require a data processing system~~
136.4 ~~to be defined in terms of its computer programs, input requirements, output formats,~~
136.5 ~~administrative procedures, and processing frequencies.~~

136.6 Sec. 10. Minnesota Statutes 2020, section 16E.036, is amended to read:

136.7 **16E.036 ADVISORY COMMITTEE COUNCIL.**

136.8 (a) The Technology Advisory ~~Committee~~ Council is created to advise the governor,
136.9 executive branch, and state chief information officer. ~~The committee consists of council~~
136.10 shall consist of 15 voting members. The governor shall appoint six members appointed by
136.11 ~~the governor~~ who are individuals actively involved in business planning for state executive
136.12 branch agencies, one county member designated by the Association of Minnesota Counties,
136.13 one member appointed by the governor as a representative of a union that represents state
136.14 information technology employees, and one member appointed by the governor to represent
136.15 private businesses. The governor shall also select six additional members with private-sector
136.16 or public-sector IT experience or experience in academia pertaining to IT. The council shall
136.17 have the following four ex-officio nonvoting members:

136.18 (1) a member of the house of representatives selected by the speaker of the house;

136.19 (2) a member of the house of representatives selected by the minority leader;

136.20 (3) a member of the senate selected by the majority leader; and

136.21 (4) a member of the senate selected by the minority leader.

136.22 The governor shall designate one of the 15 voting members to serve as the council's chair.

136.23 (b) Membership terms, removal of members, and filling of vacancies are as provided in
136.24 section 15.059. Members do not receive compensation or reimbursement for expenses.

136.25 (c) ~~The committee shall select a chair from its members. The chief information officer~~
136.26 ~~shall provide administrative support to the committee~~ council.

136.27 (d) ~~The committee~~ council shall advise the chief information officer on:

136.28 (1) development and implementation of the state information technology strategic plan;

136.29 (2) critical information technology initiatives for the state;

136.30 (3) standards for state information architecture;

136.31 (4) identification of business and technical needs of state agencies;

137.1 (5) strategic information technology portfolio management, project prioritization, and
137.2 investment decisions;

137.3 (6) the ~~office's~~ department's performance measures and fees for service agreements with
137.4 executive branch agencies;

137.5 (7) management of the state MN.IT services revolving fund; and

137.6 (8) the efficient and effective operation of the ~~office~~ department.

137.7 Sec. 11. Minnesota Statutes 2020, section 16E.04, subdivision 3, is amended to read:

137.8 Subd. 3. **Risk assessment and mitigation.** (a) A risk assessment and risk mitigation
137.9 plan are required for all information systems development projects undertaken by a state
137.10 agency in the executive or judicial branch or by a constitutional officer. The chief information
137.11 officer must contract with an entity outside of state government to conduct the initial
137.12 assessment and prepare the mitigation plan for a project estimated to cost more than
137.13 \$5,000,000. The outside entity conducting the risk assessment and preparing the mitigation
137.14 plan must not have any other direct or indirect financial interest in the project. The risk
137.15 assessment and risk mitigation plan must provide for periodic monitoring by the
137.16 commissioner until the project is completed.

137.17 (b) The risk assessment and risk mitigation plan must be paid for with money appropriated
137.18 for the information and telecommunications technology project. ~~The chief information~~
137.19 ~~officer must notify the commissioner of management and budget when work has begun on~~
137.20 ~~a project and must identify the proposed budget for the project. The commissioner of~~
137.21 ~~management and budget shall ensure that no more than ten percent of the proposed budget~~
137.22 ~~be spent on the project, other than the money spent on the risk assessment and risk mitigation~~
137.23 ~~plan, is spent until the risk assessment and mitigation plan are reported to the chief~~
137.24 ~~information officer and the chief information officer has approved the risk mitigation plan.~~

137.25 Sec. 12. Minnesota Statutes 2020, section 16E.0465, subdivision 2, is amended to read:

137.26 Subd. 2. **Required review and approval.** (a) A state agency receiving an appropriation
137.27 for an information and telecommunications technology project subject to this section must
137.28 divide the project into phases.

137.29 (b) ~~The commissioner of management and budget may not authorize the An encumbrance~~
137.30 ~~or expenditure of an appropriation of state funds to a state agency may not be made for any~~
137.31 ~~phase of a state agency information and telecommunications technology project, device, or~~
137.32 ~~system~~ subject to this section unless the ~~Office of MN.IT~~ Minnesota Department of

138.1 Information Technology Services has reviewed each phase of the project, ~~device, or system,~~
138.2 and based on this review, the chief information officer has determined for each phase that:

138.3 (1) the project is compatible with the state information architecture and other policies
138.4 and standards established by the chief information officer;

138.5 (2) the agency is able to accomplish the goals of the phase of the project with the funds
138.6 appropriated; and

138.7 (3) the project supports the enterprise information technology strategy.

138.8 Sec. 13. Minnesota Statutes 2020, section 16E.05, subdivision 1, is amended to read:

138.9 Subdivision 1. **Duties.** The ~~office~~ department, in consultation with interested persons,
138.10 shall:

138.11 ~~(1) coordinate statewide efforts by units of state and local government to plan for and~~
138.12 ~~develop a system for providing access to government services; and~~

138.13 ~~(2)~~ explore ways and means to improve citizen and business access to public services,
138.14 including implementation of technological improvements.

138.15 Sec. 14. Minnesota Statutes 2020, section 16E.07, subdivision 12, is amended to read:

138.16 Subd. 12. **Private entity services; fee authority.** (a) The ~~office~~ department may enter
138.17 into a contract with a private entity to manage, maintain, support, and expand North Star
138.18 and online government information services to citizens and businesses.

138.19 (b) A contract established under paragraph (a) may provide for compensation of the
138.20 private entity through a fee established under paragraph (c).

138.21 (c) The ~~office~~ department, subject to the approval of the agency or ~~office~~ department
138.22 responsible for the data or services involved in the transaction, may charge and may authorize
138.23 a private entity that enters into a contract under paragraph (a) to charge a convenience fee
138.24 for users of North Star and online government information services up to a total of \$2 per
138.25 transaction, provided that no fee shall be charged for viewing or inspecting data. ~~The office~~
138.26 ~~shall consider the recommendation of the E-Government Advisory Council under section~~
138.27 ~~16E.071 in setting the convenience fee.~~ A fee established under this paragraph is in addition
138.28 to any fees or surcharges authorized under other law.

138.29 (d) Receipts from the convenience fee shall be deposited in the North Star account
138.30 established in subdivision 7. Notwithstanding section 16A.1285, subdivision 2, receipts
138.31 credited to the account are appropriated to the ~~office~~ department for payment to the contracted

139.1 private entity under paragraph (a). In lieu of depositing the receipts in the North Star account,
139.2 the ~~office~~ department can directly transfer the receipts to the private entity or allow the
139.3 private entity to retain the receipts pursuant to a contract established under this subdivision.

139.4 (e) The ~~office~~ department shall report to the chairs and ranking minority members of
139.5 the house of representatives and senate committees with jurisdiction over state government
139.6 finance by January 15 of each odd-numbered year regarding the convenience fee receipts
139.7 and the status of North Star projects and online government information services developed
139.8 and supported by convenience fee receipts.

139.9 Sec. 15. Minnesota Statutes 2020, section 16E.21, subdivision 2, is amended to read:

139.10 Subd. 2. **Charges.** (a) Upon agreement of the participating agency, the ~~Office of MN.IT~~
139.11 Minnesota Department of Information Technology Services may collect a charge or receive
139.12 a fund transfer under section 16E.0466 for purchases of information and telecommunications
139.13 technology systems and services by state agencies and other governmental entities through
139.14 state contracts for purposes described in subdivision 1. Charges collected under this section
139.15 must be credited to the information and telecommunications technology systems and services
139.16 account.

139.17 (b) Notwithstanding section 16A.28, subdivision 3, any unexpended operating balance
139.18 appropriated to a state agency may be transferred to the information and telecommunications
139.19 technology systems and services account for the information technology cost of a specific
139.20 project, subject to the review of the Legislative Advisory Commission under subdivision
139.21 3.

139.22 Sec. 16. Minnesota Statutes 2020, section 97A.057, subdivision 1, is amended to read:

139.23 Subdivision 1. **Compliance with federal law.** The commissioner shall take any action
139.24 necessary to comply with the Federal Aid in Wildlife Restoration Act, United States Code,
139.25 title 16, sections 669 to 669i, and the Federal Aid in Fish Restoration Act, United States
139.26 Code, title 16, sections 777 to 777k. Notwithstanding ~~section 16E.145~~ or any other law to
139.27 the contrary, an appropriation for an information or telecommunications technology project
139.28 from the game and fish fund, as established in section 97A.055, must be made to the
139.29 commissioner. Any assets acquired with or expenditures made from the game and fish fund
139.30 must remain under control of the commissioner.

140.1 Sec. 17. **FIRST APPOINTMENTS AND FIRST MEETING OF LEGISLATIVE**
140.2 **COMMISSION ON CYBERSECURITY.**

140.3 Subdivision 1. **First appointments.** Appointing authorities must make initial
140.4 appointments to the Legislative Commission on Cybersecurity within 60 days after final
140.5 enactment.

140.6 Subd. 2. **First meeting.** The majority leader of the senate shall designate one senate
140.7 member of the Legislative Commission on Cybersecurity under Minnesota Statutes, section
140.8 3.888, to convene the first meeting within 105 days after final enactment. The commission
140.9 must select a chair from among the senate members at the first meeting.

140.10 Subd. 3. **Meetings in 2021.** Notwithstanding Minnesota Statutes, section 3.888,
140.11 subdivision 5, the commission must meet at least twice in 2021.

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

140.13 Sec. 18. **REVISOR INSTRUCTION.**

140.14 The revisor of statutes shall change "Office of MN.IT Services" or similar terms to
140.15 "Minnesota Department of Information Technology Services" wherever it appears in
140.16 Minnesota Statutes.

140.17 Sec. 19. **REPEALER.**

140.18 Minnesota Statutes 2020, sections 16E.0466, subdivision 1; 16E.05, subdivision 3;
140.19 16E.071; and 16E.145, are repealed.

140.20 **ARTICLE 6**

140.21 **LOCAL GOVERNMENT POLICY**

140.22 Section 1. **[13D.001] DEFINITIONS.**

140.23 Subdivision 1. **Applicability.** For the purposes of this chapter, the terms defined in this
140.24 section have the meanings given.

140.25 Subd. 2. **Interactive technology.** "Interactive technology" means a device, software
140.26 program, or other application that allows individuals in different physical locations to see
140.27 and hear one another.

141.1 Sec. 2. Minnesota Statutes 2020, section 13D.01, subdivision 4, is amended to read:

141.2 Subd. 4. **Votes to be kept in journal.** (a) The votes of the members of the state agency,
141.3 board, commission, or department; or of the governing body, committee, subcommittee,
141.4 board, department, or commission on an action taken in a meeting required by this section
141.5 to be open to the public must be recorded in a journal ~~kept for that purpose~~ or minutes.

141.6 (b) The vote of each member must be recorded on each appropriation of money, except
141.7 for payments of judgments, claims, and amounts fixed by statute.

141.8 Sec. 3. Minnesota Statutes 2020, section 13D.01, subdivision 5, is amended to read:

141.9 Subd. 5. **Public access to journal.** The journal or any minutes used to record votes of
141.10 a meeting subject to this chapter must be open to the public during all normal business hours
141.11 where records of the public body are kept.

141.12 Sec. 4. Minnesota Statutes 2020, section 13D.015, is amended to read:

141.13 **13D.015 STATE ENTITY MEETINGS BY TELEPHONE OR ~~OTHER~~**
141.14 **ELECTRONIC MEANS INTERACTIVE TECHNOLOGY.**

141.15 Subdivision 1. **Application.** This section applies to:

141.16 (1) a state agency, board, commission, or department, and a statewide public pension
141.17 plan defined in section 356A.01, subdivision 24; and

141.18 (2) a committee, subcommittee, board, department, or commission of an entity listed in
141.19 clause (1).

141.20 Subd. 2. **Conditions.** An entity listed in subdivision 1 may conduct a meeting governed
141.21 by this section and section 13D.01, subdivisions 1, 2, 4, and 5, by telephone or ~~other~~
141.22 ~~electronic means~~ interactive technology so long as the following conditions are met:

141.23 (1) all members of the entity participating in the meeting, wherever their physical location,
141.24 can hear one another and can hear all discussion and testimony;

141.25 (2) members of the public present at the regular meeting location of the entity can hear
141.26 all discussion and all votes of members of the entity and participate in testimony;

141.27 (3) at least one member of the entity is physically present at the regular meeting location;
141.28 and

141.29 (4) all votes are conducted by roll call, so each member's vote on each issue can be
141.30 identified and recorded.

142.1 Subd. 3. **Quorum; participation.** Each member of the entity participating in a meeting
142.2 by telephone or ~~other electronic means~~ interactive technology is considered present at the
142.3 meeting for purposes of determining a quorum and participating in all proceedings.

142.4 Subd. 4. **Monitoring from remote site; costs.** If telephone or ~~another electronic means~~
142.5 interactive technology is used to conduct a meeting, the entity, to the extent practical, shall
142.6 allow a person to monitor the meeting electronically from a remote location. ~~The entity may~~
142.7 ~~require the person making a connection to pay for documented marginal costs that the entity~~
142.8 ~~incurs as a result of the additional connection.~~

142.9 Subd. 5. **Notice.** If telephone or ~~another electronic means~~ interactive technology is used
142.10 to conduct a regular, special, or emergency meeting, the entity shall provide notice of the
142.11 regular meeting location, of the fact that some members may participate by ~~electronic means~~
142.12 interactive technology, and of the provisions of subdivision 4. The timing and method of
142.13 providing notice is governed by section 13D.04. In addition, the entity must post the notice
142.14 on its website at least ten days before any regular meeting as defined in section 13D.04,
142.15 subdivision 1.

142.16 Sec. 5. Minnesota Statutes 2020, section 13D.02, is amended to read:

142.17 **13D.02 OTHER ENTITY MEETINGS CONDUCTED BY INTERACTIVE TV;**
142.18 **CONDITIONS TECHNOLOGY.**

142.19 Subdivision 1. **Conditions.** (a) A meeting governed by section 13D.01, subdivisions 1,
142.20 2, 4, and 5, and this section may be conducted by interactive ~~television~~ technology so long
142.21 as:

142.22 (1) all members of the body participating in the meeting, wherever their physical location,
142.23 can hear and see one another and can hear and see all discussion and testimony presented
142.24 at any location at which at least one member is present;

142.25 (2) members of the public present at the regular meeting location of the body can hear
142.26 and see all discussion and testimony and all votes of members of the body;

142.27 (3) at least one member of the body is physically present at the regular meeting location;

142.28 (4) all votes are conducted by roll call so each member's vote on each issue can be
142.29 identified and recorded; and

142.30 (5) each location at which a member of the body is present is open and accessible to the
142.31 public.

143.1 (b) A meeting satisfies the requirements of paragraph (a), although a member of the
143.2 public body participates from a location that is not open or accessible to the public, if the
143.3 member has not participated more than three times in a calendar year from a location that
143.4 is not open or accessible to the public, and:

143.5 (1) the member is serving in the military and is at a required drill, deployed, or on active
143.6 duty; or

143.7 (2) the member has been advised by a health care professional against being in a public
143.8 place for personal or family medical reasons. This clause only applies when a state of
143.9 emergency has been declared under section 12.31, and expires 60 days after the removal of
143.10 the state of emergency.

143.11 Subd. 1a. Meeting exception. This section applies to meetings of entities described in
143.12 section 13D.01, subdivision 1, except meetings of:

143.13 (1) a state agency, board, commission, or department and a statewide public pension
143.14 plan defined in section 356A.01, subdivision 24; and

143.15 (2) a committee, subcommittee, board, department, or commission of an entity listed in
143.16 clause (1).

143.17 Subd. 2. **Members are present for quorum, participation.** Each member of a body
143.18 participating in a meeting by interactive ~~television~~ technology is considered present at the
143.19 meeting for purposes of determining a quorum and participating in all proceedings.

143.20 Subd. 3. **Monitoring from remote site; costs.** If interactive ~~television~~ technology is
143.21 used to conduct a meeting, to the extent practical, a public body shall allow a person to
143.22 monitor the meeting electronically from a remote location. ~~The body may require the person~~
143.23 ~~making such a connection to pay for documented marginal costs that the public body incurs~~
143.24 ~~as a result of the additional connection.~~

143.25 Subd. 4. **Notice of regular and all member sites.** If interactive ~~television~~ technology
143.26 is used to conduct a regular, special, or emergency meeting, the public body shall provide
143.27 notice of the regular meeting location and notice of any site where a member of the public
143.28 body will be participating in the meeting by interactive ~~television~~ technology. The timing
143.29 and method of providing notice must be as described in section 13D.04.

143.30 ~~Subd. 5. School boards; interactive technology with an audio and visual link. A~~
143.31 ~~school board conducting a meeting under this section may use interactive technology with~~
143.32 ~~an audio and visual link to conduct the meeting if the school board complies with all other~~
143.33 ~~requirements under this section.~~

144.1 Subd. 6. **Record.** The minutes for a meeting conducted under this section must reflect
144.2 the names of any members appearing by interactive ~~television~~ technology and state the
144.3 reason or reasons for the appearance by interactive ~~television~~ technology.

144.4 Sec. 6. Minnesota Statutes 2020, section 13D.021, is amended to read:

144.5 **~~13D.021 MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS;~~**
144.6 **CONDITIONS DURING PANDEMIC OR CHAPTER 12 EMERGENCY.**

144.7 Subdivision 1. **Conditions.** A meeting governed by this section and section 13D.01,
144.8 subdivisions 1, 2, 4, and 5, may be conducted by telephone or ~~other electronic means~~
144.9 interactive technology so long as the following conditions are met:

144.10 (1) the presiding officer, chief legal counsel, or chief administrative officer for the
144.11 affected governing body determines that an in-person meeting or a meeting conducted under
144.12 section 13D.015 or 13D.02 is not practical or prudent because of a health pandemic or an
144.13 emergency declared under chapter 12;

144.14 (2) all members of the body participating in the meeting, wherever their physical location,
144.15 can hear one another and can hear all discussion and testimony;

144.16 (3) members of the public present at the regular meeting location of the body can hear
144.17 all discussion and testimony and all votes of the members of the body, unless attendance at
144.18 the regular meeting location is not feasible due to the health pandemic or emergency
144.19 declaration;

144.20 (4) at least one member of the body, chief legal counsel, or chief administrative officer
144.21 is physically present at the regular meeting location, unless unfeasible due to the health
144.22 pandemic or emergency declaration; and

144.23 (5) all votes are conducted by roll call, so each member's vote on each issue can be
144.24 identified and recorded.

144.25 Subd. 2. **Members are present for quorum, participation.** Each member of the body
144.26 participating in a meeting by telephone or ~~other electronic means~~ interactive technology is
144.27 considered present at the meeting for purposes of determining a quorum and participating
144.28 in all proceedings.

144.29 Subd. 3. **Monitoring from remote site; costs.** If telephone or ~~another electronic means~~
144.30 interactive technology is used to conduct a meeting, to the extent practical, the body shall
144.31 allow a person to monitor the meeting electronically from a remote location. ~~The body may~~

145.1 ~~require the person making a connection to pay for the documented additional cost that the~~
145.2 ~~body incurs as a result of the additional connection.~~

145.3 Subd. 4. **Notice of regular and all member sites.** If telephone or ~~another electronic~~
145.4 ~~means~~ interactive technology is used to conduct a regular, special, or emergency meeting,
145.5 the public body shall provide notice of the regular meeting location, of the fact that some
145.6 members may participate by telephone or ~~other electronic means~~ interactive technology,
145.7 and of the provisions of subdivision 3. The timing and method of providing notice is governed
145.8 by section 13D.04 ~~of the Open Meeting Law.~~

145.9 Subd. 5. **Public comment period during health pandemic or emergency.** If attendance
145.10 at the regular meeting location is not feasible due to a health pandemic or emergency
145.11 declaration and the public body offers a public comment period, members of the public
145.12 shall be permitted to comment from a remote location during the public comment period
145.13 of the meeting, to the extent practical.

145.14 Sec. 7. Minnesota Statutes 2020, section 462.358, is amended by adding a subdivision to
145.15 read:

145.16 Subd. 2d. **Dedication fee; first class cities.** Notwithstanding subdivisions 2b and 2c,
145.17 the city council or other chief governing body of a city of the first class, as defined in section
145.18 410.01, may require that a reasonable portion of land be dedicated to the public or may
145.19 impose a dedication fee in conjunction with the construction permit required for new housing
145.20 units and new commercial and industrial development in the city, wherever located, for
145.21 public parks, playgrounds, recreational facilities, wetlands, trails, or open space. The city
145.22 council or other chief governing body of the city must enact an ordinance to impose a
145.23 dedication of land or a dedication fee. The ordinance may exempt senior housing and
145.24 affordable housing applicants from the dedication of land or the dedication fee requirements.
145.25 The ordinance may set the cash fee based on current land prices at the time the permit is
145.26 issued or set at a flat fee rate per net new residential unit or other standard basis for
145.27 commercial and industrial property.

145.28 **EFFECTIVE DATE.** This section is effective for ordinances enacted on or after August
145.29 1, 2021.

146.1 Sec. 8. Minnesota Statutes 2020, section 469.074, is amended by adding a subdivision to
146.2 read:

146.3 Subd. 4. **Nonprofit corporation creation authority.** The Seaway Port Authority of
146.4 Duluth may create a corporation as a nonprofit corporation under chapter 317A with the
146.5 mission of furthering its goals and duties.

146.6 Sec. 9. Minnesota Statutes 2020, section 471.342, subdivision 1, is amended to read:

146.7 Subdivision 1. **City.** In this section, "city" means a home rule charter or statutory city,
146.8 township, or any political subdivision of the state with statutory sewer ownership or
146.9 operational responsibilities.

146.10 Sec. 10. Minnesota Statutes 2020, section 471.342, subdivision 4, is amended to read:

146.11 Subd. 4. **Program guidelines.** The city shall establish guidelines to govern the program.
146.12 The guidelines shall establish criteria for program eligibility and standards for compliance
146.13 with the program. Prior to adoption of the program guidelines, the city ~~council~~ must conduct
146.14 a public hearing on the proposed guidelines after giving at least ten days' published notice
146.15 of the hearing.

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

146.17 Sec. 11. Minnesota Statutes 2020, section 471.345, subdivision 20, is amended to read:

146.18 Subd. 20. **Solicitations to small business enterprises or veteran-owned small**
146.19 **businesses.** A contract, as defined in subdivision 2, estimated not to exceed \$250,000
146.20 \$750,000 may be made pursuant to the provisions of subdivision 4 provided that a business
146.21 that is directly solicited is: (1) certified as a small business enterprise by a county designated
146.22 small business certification program; or (2) certified by the commissioner of administration
146.23 as a small business that is majority-owned and operated by a veteran or a service-disabled
146.24 veteran. This subdivision applies only to county boards.

146.25 Sec. 12. **[471.585] MUNICIPAL HOTEL LICENSING.**

146.26 (a) A statutory or home rule charter city or a town may adopt an ordinance requiring
146.27 hotels operating within the boundaries of the city or town to have a valid license issued by
146.28 the city or town. A fee for a license under this section may not exceed \$100.

147.1 (b) An ordinance adopted under this section is limited to requiring compliance with state
147.2 and local laws as a condition of licensure. No other licensing conditions or requirements
147.3 are permitted.

147.4 (c) A city or town that has adopted an ordinance under this section may refuse to issue
147.5 a license, or may revoke an existing license, if the hotel fails to comply with the conditions
147.6 of the license.

147.7 Sec. 13. Minnesota Statutes 2020, section 473.606, subdivision 5, is amended to read:

147.8 Subd. 5. **Employees, others, affirmative action; prevailing wage.** The corporation
147.9 shall have the power to appoint engineers and other consultants, attorneys, and such other
147.10 officers, agents, and employees as it may see fit, who shall perform such duties and receive
147.11 such compensation as the corporation may determine ~~notwithstanding the provisions of~~
147.12 ~~section 43A.17, subdivision 9,~~ and be removable at the pleasure of the corporation. The
147.13 corporation must adopt an affirmative action plan, which shall be submitted to the appropriate
147.14 agency or office of the state for review and approval. The plan must include a yearly progress
147.15 report to the agency or office. Whenever the corporation performs any work within the
147.16 limits of a city of the first class, or establishes a minimum wage for skilled or unskilled
147.17 labor in the specifications or any contract for work within one of the cities, the rate of pay
147.18 to such skilled and unskilled labor must be the prevailing rate of wage for such labor in that
147.19 city.

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

147.21 Sec. 14. Laws 1963, chapter 305, section 2, as amended by Laws 1998, chapter 404,
147.22 section 62, is amended to read:

147.23 Sec. 2.

147.24 The authority created under this act shall consist of 11 directors, seven appointed by the
147.25 city of Duluth and four appointed by the governor. The directors serve without compensation
147.26 but may be reimbursed for authorized out-of-pocket expenses incurred in the fulfillment of
147.27 their duties. The original term of three of the directors shall be for one year; the original
147.28 term of two of the directors shall be for two years; and the original term of two of the
147.29 directors shall be for three years, and until their respective successors are appointed and
147.30 qualified. Subsequent terms of directors appointed by the city shall be for three years. All
147.31 terms shall expire on June 30 of the appropriate year. Directors appointed by the governor
147.32 serve at the pleasure of the governor. Whenever a vacancy on such authority shall occur by

148.1 reason of resignation, death, removal from the city, or removal for failure or neglect to
148.2 perform duties of a director, such vacancy shall be filled for the unexpired term. All
148.3 appointments and removal of directors of the authority appointed by the city shall be made
148.4 by the mayor, with the approval of the city council, evidenced by resolution. Every appointee
148.5 who shall fail, within ten days after notification of ~~his~~ appointment, to file with the city
148.6 clerk ~~his~~ the appointee's oath or affirmation to perform faithfully, honestly, and impartially
148.7 the duties of ~~his~~ the office, shall be deemed to have refused such appointment, and thereupon
148.8 another person shall be appointed in the manner prescribed in this section.

148.9 Sec. 15. Laws 1963, chapter 305, section 3, as amended by Laws 1998, chapter 404,
148.10 section 63, is amended to read:

148.11 Sec. 3.

148.12 Subdivision 1. Within 30 days after the members of the authority shall have qualified
148.13 for office, the authority shall meet and organize, and adopt and thereafter may amend such
148.14 rules and regulations for the conduct of the authority as the authority shall deem to be in
148.15 the public interest and most likely to advance, enhance, foster, and promote the use of
148.16 regional assets, the entertainment and convention center, and its facilities for activities,
148.17 conventions, events, and athletic and cultural productions. Such rules and regulations shall
148.18 at all times be in harmony with this act.

148.19 Subd. 2. Such directors shall elect from among their number a ~~president~~ chair and a
148.20 ~~vice-president~~ vice-chair, and shall also elect a treasurer or secretary ~~who may or may not~~
148.21 ~~be a member of such authority, or both~~. No two of such offices may be held by one director.
148.22 The officers shall have the duties and powers usually attendant upon such officers, and such
148.23 other duties and powers not inconsistent herewith as may be provided by the authority.

148.24 Subd. 3. The authority shall select a specific site within the city of Duluth for location
148.25 of a national class entertainment and convention center, and may spend money appropriated,
148.26 or otherwise available to it for that purpose, to acquire property for the center and to plan,
148.27 design, construct, equip, and furnish the center. The authority shall administer, promote,
148.28 and operate the center as a state facility, but for which the state assumes no financial
148.29 responsibility or liability beyond the amounts appropriated for the facility.

149.1 Sec. 16. Laws 1963, chapter 305, section 4, as amended by Laws 1998, chapter 404,
149.2 section 64, is amended to read:

149.3 Sec. 4.

149.4 Subdivision 1. The city treasurer of the city of Duluth shall be the ~~treasurer~~ fiscal agent
149.5 of the authority. The ~~treasurer~~ fiscal agent shall receive and have the custody of all moneys
149.6 of the authority from whatever source derived, and the same shall be deemed public funds.
149.7 The ~~treasurer~~ city of Duluth shall disburse such funds only upon written orders drawn against
149.8 such funds, signed by the manager and approved by the ~~president~~ chair, or in ~~his~~ the chair's
149.9 absence, the ~~vice-president~~ vice-chair of such authority; and each order shall state the name
149.10 of the payee and the nature of the claim for which the same is issued. The ~~treasurer~~ fiscal
149.11 agent shall keep an account of all monies coming into ~~his~~ the fiscal agent's hands, showing
149.12 the source of all receipts and the nature, purpose, and authority of all disbursements, and at
149.13 least four times each year, at times and in a form to be determined by the city council, the
149.14 authority shall file with the city clerk a financial statement of the authority, showing all
149.15 receipts and disbursements, the nature of the same, the moneys on hand, and the purposes
149.16 for which the same are applicable, the credits and assets of the authority, and its outstanding
149.17 liabilities.

149.18 Subd. 2. The authority has the exclusive power to receive, control, and order the
149.19 expenditure of any and all moneys and funds pertaining to the center operations.

149.20 Subd. 3. There are hereby created in the treasury of the city of Duluth a special
149.21 entertainment and convention center fund, hereinafter referred to as the special fund, and
149.22 an entertainment and convention center operating fund, hereinafter referred to as the operating
149.23 fund. The moneys in the special fund shall be used solely for the acquisition and preparation
149.24 of a site, and for the planning, construction, and equipping of the center. The special fund
149.25 shall consist of:

149.26 (1) All moneys derived from the sale of bonds by the city to provide funds for the
149.27 acquisition and preparation of a site, and for the planning, construction, and equipping of
149.28 the center.

149.29 (2) All moneys appropriated or made available to the city of Duluth for the acquisition
149.30 and preparation of a site, and for the planning, construction, and equipping of the center.

149.31 (3) The proceeds of all financial aid or assistance by the city or state governments for
149.32 the acquisition and preparation of a site, and for the planning, construction, and equipping
149.33 of the center.

150.1 (4) All moneys received from the United States of America to aid in the acquisition and
150.2 preparation of a site, and for the planning, construction, and equipping of the center.

150.3 (5) All moneys received as gifts or contributions to the acquisition and preparation of a
150.4 site, and for the planning, construction, and equipping of the center.

150.5 The operating fund shall be used for maintenance, marketing and promotion, operation,
150.6 or betterment of the center, and for expenses of the authority. The operating fund shall
150.7 consist of all moneys of the authority derived from any source other than moneys credited
150.8 to the special fund as hereinabove provided.

150.9 Subd. 4. At least once in each year the city auditor shall make, or cause to be made, at
150.10 the expense of the authority, a complete examination and audit of all books and accounts
150.11 of the aforesaid authority; and for such purpose the city auditor shall have the authority and
150.12 power to inspect and examine such books and accounts at any time during regular business
150.13 hours and such intervals as ~~he may determine~~ determined by the city auditor. One copy of
150.14 such yearly audit shall be filed by the city auditor with the city clerk as a public document.

150.15 Subd. 5. The authority shall annually submit to the governor and the legislature a report
150.16 detailing its activities and finances for the previous year. The report shall also include a
150.17 proposed budget for the succeeding two years, showing in reasonable detail estimated
150.18 operating and nonoperating revenues from all sources, and estimated expenditures for
150.19 operation, administration, ordinary repair, and debt service.

150.20 Subd. 6. The legislative auditor shall make an annual audit of the authority's books and
150.21 accounts once each year or as often as the legislative auditor's funds and personnel permit.

150.22 Sec. 17. Laws 1963, chapter 305, section 5, as amended by Laws 1998, chapter 404,
150.23 section 65, is amended to read:

150.24 Sec. 5.

150.25 Subdivision 1. Wherever the word "center" is used in this act, it means the entertainment
150.26 and convention center complex ~~of~~ and its facilities in the city of Duluth, including the land
150.27 upon which it stands and land appurtenant thereto.

150.28 Subd. 2. Notwithstanding anything to the contrary contained in any law, or in the charter
150.29 of the city of Duluth, or in any ordinance thereof, passed by the city council, or approved
150.30 by the electors of the city, there is hereby conferred upon such authority the power and duty
150.31 to contract for and superintend the erection, construction, equipping and furnishing of the

151.1 center, and to administer, promote, control, direct, manage, and operate the center as a
151.2 municipal facility.

151.3 Sec. 18. Laws 1963, chapter 305, section 8, as amended by Laws 1998, chapter 404,
151.4 section 67, is amended to read:

151.5 Sec. 8.

151.6 The authority shall have the power:

151.7 To adopt and alter all bylaws and rules and regulations which it shall from time to time
151.8 deem best for the conduct of the business of the authority, and for the use of the facilities
151.9 of the authority, and for the purposes of carrying out the objects of this act; but such bylaws,
151.10 rules, and regulations shall not be in conflict with the terms of this act.

151.11 To appoint and remove a manager and such other employees as the authority may deem
151.12 necessary, who shall not be within the civil service classifications of the city, and to prescribe
151.13 the duties and fix the compensation and other benefits of such manager and employees,
151.14 without regard to any provision contained in the charter or any ordinance of the city relating
151.15 to civil service, or to any provision contained in Minnesota Statutes 1961, Sections 197.45
151.16 to 197.47, inclusive.

151.17 To procure and provide for a policy or policies of insurance for the defense and
151.18 indemnification of the city of Duluth, its officers and employees, and directors, manager,
151.19 and employees of the authority, against claims arising against them out of the performance
151.20 of duty, whether such claims be groundless, or otherwise. Premiums for any policies of
151.21 insurance required by this act shall be paid for out of the funds of the entertainment
151.22 convention center authority.

151.23 To implement and carry out the provisions of section 7 of this act.

151.24 To utilize the services and facilities of the city so far as the same are offered by
151.25 appropriate city officials and accepted by the authority, and to pay the city for all charges
151.26 and costs for such services.

151.27 To operate and maintain and to lease from others all facilities necessary or convenient
151.28 in connection with the center and to contract for the operation and maintenance of any parts
151.29 thereof or for services to be performed; to lease the whole or parts thereof, and grant
151.30 concessions, all on such terms and conditions as the authority may determine.

152.1 To authorize and direct the city ~~treasurer~~ fiscal agent to invest, in the manner provided
152.2 by law, any funds held in reserve, or sinking funds, or any funds not required for immediate
152.3 disbursement.

152.4 To fix, alter, charge, and collect rates, fees, and all other charges to be made for all
152.5 services or facilities furnished by the authority for the use of the center facilities by any
152.6 persons or public or private agencies utilizing such services or facilities.

152.7 To make and execute contracts, agreements, instruments, and other arrangements
152.8 necessary or convenient to the exercise of its powers.

152.9 Sec. 19. Laws 1963, chapter 305, section 9, as amended by Laws 1998, chapter 404,
152.10 section 68, is amended to read:

152.11 Sec. 9.

152.12 The manager of the center shall be responsible for the custody and control of all moneys
152.13 received and collected from the daily operations of the center until such moneys are delivered
152.14 to the city ~~treasurer~~ fiscal agent and ~~he~~ the fiscal agent shall have obtained a receipt therefor,
152.15 or until such moneys are deposited in a bank account under control of the city ~~treasurer~~
152.16 fiscal agent.

152.17 The manager shall give bond in favor of the city of Duluth in a sum equal to twice the
152.18 amount of money which will probably be in ~~his~~ the manager's hands at any time during any
152.19 one year, that amount to be determined at least annually by the authority; such bond to be
152.20 conditioned upon the faithful discharge of ~~his~~ the manager's official duties, and be approved
152.21 as to form, correctness, and validity by the city attorney, and filed with the city auditor;
152.22 such bond, however, shall not exceed \$300,000. Premiums for such bonds shall be paid out
152.23 of funds of the authority.

152.24 Sec. 20. Laws 1963, chapter 305, section 10, as amended by Laws 1998, chapter 404,
152.25 section 69, is amended to read:

152.26 Sec. 10.

152.27 The authority shall regulate the making of bids and the letting of contracts through
152.28 procedure established by the authority, subject to the following conditions:

152.29 (a) In all cases of work to be done by contract or the purchase of property of any kind,
152.30 or the rendering of any service to the authority other than professional services, competitive

153.1 bids shall be secured before any purchase is made or any contract awarded where the amount
153.2 involved exceeds the sum of ~~\$2,000~~ \$50,000.

153.3 (b) All bids shall be sealed when received, shall be opened in public at the hour stated
153.4 in the notice; and all original bids, together with all documents pertaining to the award of
153.5 the contract, shall be retained and made a part of the permanent file or record, and shall be
153.6 open to public inspection.

153.7 (c) Purchases of ~~\$2,000~~ \$50,000 or less may, through procedure established by the
153.8 authority, be delegated to the center manager. Contracts involving more than ~~\$2,000~~ \$50,000
153.9 shall be awarded only after authorization by the authority.

153.10 (d) The authority may reject, or through procedure established by the authority, authorize
153.11 the center manager to reject, any and all bids.

153.12 (e) Contract shall be let to the lowest responsible bidder, and purchases shall be made
153.13 from the responsible bidder who offers to furnish the article desired for the lowest sum.

153.14 (f) In determining the lowest responsible bidder, in addition to price, the following may
153.15 be considered:

153.16 (1) The ability, capacity, and skill of the bidder to perform the contract or provide the
153.17 service required.

153.18 (2) Whether the bidder can perform the contract or provide the service promptly, or
153.19 within the time specified, without delay or interference.

153.20 (3) The character, integrity, reputation, judgment, experience and efficiency of the bidder.

153.21 (4) The quality of performance of previous contracts or services.

153.22 (5) The sufficiency of the financial resources and ability of the bidder to perform the
153.23 contract or provide the service.

153.24 (6) The quality, availability, and adaptability of the supplies or contractual service to
153.25 the particular use required.

153.26 (7) The ability of the bidder to provide future maintenance and service for the use of the
153.27 subject of the contract.

153.28 (8) The number and scope of conditions attached to the bid.

153.29 (g) Specifications shall not be so prepared as to exclude all but one type or kind, but
153.30 shall include competitive supplies and equipment; provided, however, that unique or

154.1 noncompetitive articles which are determined by the authority to be sufficiently superior
154.2 for the service intended by the authority, may be purchased without regard to other bids.

154.3 Sec. 21. Laws 2006, chapter 269, section 2, as amended by Laws 2008, chapter 331,
154.4 section 11, Laws 2008, chapter 366, article 17, section 5, and Laws 2013, chapter 85, article
154.5 5, section 43, is amended to read:

154.6 **Sec. 2. DEDICATION FEE.**

154.7 Notwithstanding Minnesota Statutes, section 462.358, subdivision 2d, the Minneapolis
154.8 Park and Recreation Board and the Minneapolis City Council may jointly require that a
154.9 reasonable portion of land be dedicated to the public or impose a dedication fee in conjunction
154.10 with the construction permit required for new housing units and new commercial and
154.11 industrial development in the city, wherever located, for public parks, playgrounds,
154.12 recreational facilities, wetlands, trails, or open space. The dedication of land or dedication
154.13 fee must be imposed by an ordinance jointly enacted by the park board and the city council.
154.14 The cash fee may be set at a flat fee rate per net new residential unit. The ordinance may
154.15 exclude senior housing and affordable housing from paying the fee or the dedication of
154.16 land. The provisions of Minnesota Statutes, section 462.358, subdivisions 2b, paragraph
154.17 (b), and 2c, apply to the application and use of the dedication of land or the dedication fee.

154.18 **EFFECTIVE DATE.** This section is effective August 1, 2021.

154.19 Sec. 22. Laws 2013, chapter 85, article 5, section 44, is amended to read:

154.20 **Sec. 44. CITY OF ST. PAUL DEDICATION FEE.**

154.21 Notwithstanding Minnesota Statutes, section 462.358, subdivision 2d, the city of St.
154.22 Paul may require that a reasonable portion of land be dedicated to the public or impose a
154.23 dedication fee in conjunction with the construction permit required for new housing units
154.24 and new commercial and industrial development in the city, wherever located, for public
154.25 parks, playgrounds, recreational facilities, wetlands, trails, or open space. The dedication
154.26 of land or dedication fee must be imposed by an ordinance enacted by the city council. The
154.27 cash fee may be set at a flat fee rate per net new residential unit. The ordinance may exclude
154.28 senior housing and affordable housing from paying the fee or the dedication of land. The
154.29 provisions of Minnesota Statutes, section 462.358, subdivisions 2b, paragraph (b); and 2c,
154.30 apply to the application and use of the dedication of land or the dedication fee.

154.31 **EFFECTIVE DATE.** This section is effective August 1, 2021.

155.1 Sec. 23. **REPEALER.**

155.2 Minnesota Statutes 2020, section 43A.17, subdivision 9, is repealed.

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

3.972 AUDITS OF AGENCIES.

Subd. 2c. **Audits of the Department of Transportation.** The legislative auditor must audit, as resources permit, the programs and services administered by the Department of Transportation.

Subd. 2d. **Audits of the Department of Public Safety.** The legislative auditor must audit, as resources permit, the programs and services administered by the Department of Public Safety.

3.9741 COST OF CERTAIN AUDITS.

Subd. 5. **State data security; account, appropriation.** (a) The data security account is created in the special revenue fund.

(b) Subject to available funds appropriated under paragraph (a), the legislative auditor shall:

(1) review and audit the audit reports of subscribers and requesters submitted under section 168.327, subdivision 6, including producing findings and opinions;

(2) in collaboration with the commissioner and affected subscribers and requesters, recommend corrective action plans to remediate any deficiencies identified under clause (1); and

(3) review and audit driver records subscription services and bulk data practices of the Department of Public Safety, including identifying any deficiencies and making recommendations to the commissioner.

(c) The legislative auditor shall submit any reports, findings, and recommendations under this subdivision to the legislative commission on data practices.

4A.11 MILESTONES REPORT.

The commissioner must review the statewide system of economic, social, and environmental performance measures in use under section 16A.10, subdivision 1c, and known as Minnesota milestones. The commissioner must provide the economic, social, and environmental information necessary to assist public and elected officials with understanding and evaluating Minnesota milestones. The commissioner must report on the trends and their implications for Minnesota milestones each year and provide the commissioner of management and budget with recommendations for the use of Minnesota milestones in budget documents. The commissioner may contract for the development of information and measures.

10A.15 CONTRIBUTIONS.

Subd. 6. **Contributions from Hennepin County registered associations.** In lieu of registration with the board, an association registered with the Hennepin County filing officer under sections 383B.041 to 383B.058 that makes contributions of more than \$200 to a committee or fund in a calendar year may notify the recipient committee of its registration with Hennepin County, including its registration number, and instruct the recipient committee to include the notice when the recipient committee discloses receipt of the contribution.

15.0395 INTERAGENCY AGREEMENTS AND INTRA-AGENCY TRANSFERS.

(a) By October 15, 2018, and annually thereafter, the head of each agency must provide reports to the chairs and ranking minority members of the legislative committees with jurisdiction over the department or agency's budget on:

(1) interagency agreements or service-level agreements and any renewals or extensions of existing interagency or service-level agreements with another agency if the cumulative value of those agreements is more than \$100,000 in the previous fiscal year; and

(2) transfers of appropriations between accounts within or between agencies, if the cumulative value of the transfers is more than \$100,000 in the previous fiscal year.

The report must include the statutory citation authorizing the agreement, transfer or dollar amount, purpose, and effective date of the agreement, the duration of the agreement, and a copy of the agreement.

(b) As used in this section, "agency" includes the departments of the state listed in section 15.01, a multimember state agency in the executive branch described in section 15.012, paragraph (a), the Office of MN.IT Services, and the Office of Higher Education.

16A.90 EMPLOYEE GAINSHARING SYSTEM.

Subdivision 1. **Commissioner must establish program.** (a) The commissioner shall establish a program to provide onetime bonus compensation to state employees for efforts made to reduce the costs of operating state government or for ways of providing better or more efficient state services. The commissioner may authorize an executive branch appointing authority to make a onetime award to an employee or group of employees whose suggestion or involvement in a project is determined by the commissioner to have resulted in documented cost-savings to the state. Before authorizing awards under this section, the commissioner shall establish guidelines for the program including but not limited to:

(1) the maximum award is ten percent of the documented savings in the first fiscal year in which the savings are realized up to \$50,000;

(2) the award must be paid from the appropriation to which the savings accrued; and

(3) employees whose primary job responsibility is to identify cost savings or ways of providing better or more efficient state services are generally not eligible for bonus compensation under this section except in extraordinary circumstances as defined by the commissioner.

(b) The program required by this section must be in addition to any existing monetary or nonmonetary performance-based recognition programs for state employees, including achievement awards, continuous improvement awards, and general employee recognitions.

Subd. 2. **Biannual legislative report.** No later than August 1, 2017, and biannually thereafter, the commissioner must report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over Minnesota Management and Budget on the status of the program required by this section. The report must detail:

(1) the specific program guidelines established by the commissioner as required by subdivision 1, if the guidelines have not been described in a previous report;

(2) any proposed modifications to the established guidelines under consideration by the commissioner, including the reason for the proposed modifications;

(3) the methods used by the commissioner to promote the program to state employees, if the methods have not been described in a previous report;

(4) a summary of the results of the program that includes the following, categorized by agency:

(i) the number of state employees whose suggestions or involvement in a project were considered for possible bonus compensation, and a description of each suggestion or project that was considered;

(ii) the total amount of bonus compensation actually awarded, itemized by each suggestion or project that resulted in an award and the amount awarded for that suggestion or project; and

(iii) the total amount of documented cost-savings that accrued to the agency as a result of each suggestion or project for which bonus compensation was granted; and

(5) any recommendations for legislation that, in the judgment of the commissioner, would improve the effectiveness of the bonus compensation program established by this section or which would otherwise increase opportunities for state employees to actively participate in the development and implementation of strategies for reducing the costs of operating state government or for providing better or more efficient state services.

16E.0466 STATE AGENCY TECHNOLOGY PROJECTS.

Subdivision 1. **Consultation required.** (a) Every state agency with an information or telecommunications project must consult with the Office of MN.IT Services to determine the information technology cost of the project. Upon agreement between the commissioner of a particular agency and the chief information officer, the agency must transfer the information technology cost portion of the project to the Office of MN.IT Services. Service level agreements must document all project-related transfers under this section. Those agencies specified in section 16E.016, paragraph (d), are exempt from the requirements of this section.

(b) Notwithstanding section 16A.28, subdivision 3, any unexpended operating balance appropriated to a state agency may be transferred to the information and telecommunications technology systems and services account for the information technology cost of a specific project, subject to the review of the Legislative Advisory Commission, under section 16E.21, subdivision 3.

16E.05 GOVERNMENT INFORMATION ACCESS.

Subd. 3. **Capital investment.** No state agency may propose or implement a capital investment plan for a state office building unless:

(1) the agency has developed a plan for increasing telecommuting by employees who would normally work in the building, or the agency has prepared a statement describing why such a plan is not practicable; and

(2) the plan or statement has been reviewed by the office.

16E.071 E-GOVERNMENT ADVISORY COUNCIL.

Subdivision 1. **E-Government Advisory Council established.** The E-Government Advisory Council is established for the purpose of improving online government information services to citizens and businesses.

Subd. 2. **Membership.** The council shall consist of nine members as follows:

(1) the state chief information officer or the chief information officer's designee;

(2) one public member appointed by the speaker of the house;

(3) one public member appointed by the senate Subcommittee on Committees of the Rules and Administration Committee;

(4) five members appointed by the governor representing state executive branch agencies that are actively involved with private businesses, the private business community, or the public; and

(5) one member appointed by the governor who is knowledgeable in public access to government data.

Subd. 3. **Initial appointments and first meeting.** Appointing authorities shall make the first appointments to the council by September 1, 2013. The first member appointed by the speaker of the house shall serve until the first Monday in January 2015. The governor shall designate three initial appointees to serve until the first Monday in January 2015. The term of the other three initial appointees of the governor and the first member appointed by the senate shall be until the first Monday in January 2017. The chief information officer or the chief information officer's designee shall convene the council's first meeting by November 1, 2013, and shall act as chair until the council elects a chair at its first meeting.

Subd. 4. **Terms; removal; vacancies; compensation.** Membership terms, removal of member, and filling of vacancies are as provided in section 15.059, except that members shall not receive compensation or be reimbursed for expenses and except that terms of initial appointees are as provided in subdivision 3.

Subd. 5. **Chair.** The council shall annually elect a chair from its members.

Subd. 6. **Duties.** The council shall recommend to the office the priority of North Star projects and online government information services to be developed and supported by convenience fee receipts. The council shall provide oversight on the convenience fee and its receipts in the North Star account. The council shall by majority quorum vote to recommend to approve or disapprove establishing the convenience fee on particular types of transactions, the fee amount, and any changes in the fee amount. If the convenience fee receipts are retained by or transferred to the private entity in lieu of deposit in the North Star account, the council may audit the private entity's convenience fee receipts, expenses paid by the receipts, and associated financial statements.

Subd. 7. **Staff.** The office shall provide administrative support to the council.

Subd. 8. **Sunset.** The council shall expire the first Monday in January 2017.

Subd. 9. **Reports.** By June 1, 2014, and every year thereafter, the council shall report to the office with its recommendations regarding establishing the convenience fee, the fee amount, and changes to the fee amount.

16E.145 INFORMATION TECHNOLOGY APPROPRIATION.

An appropriation for a state agency information and telecommunications technology project must be made to the chief information officer. The chief information officer must manage and disburse the appropriation on behalf of the sponsoring state agency. Any appropriation for an

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information and telecommunications technology project made to a state agency other than the Office of MN.IT Services is transferred to the chief information officer.

43A.17 SALARY LIMITS, RATES, RANGES AND EXCEPTIONS.

Subd. 9. **Political subdivision compensation limit.** (a) The salary and the value of all other forms of compensation of a person employed by a political subdivision of this state, excluding a school district, may not exceed 110 percent of the salary of the governor as set under section 15A.082, except as provided in this subdivision. For purposes of this subdivision, "political subdivision of this state" includes a statutory or home rule charter city, county, town, metropolitan or regional agency, or other political subdivision, but does not include a hospital, clinic, or health maintenance organization owned by such a governmental unit.

(b) Beginning in 2006, the limit in paragraph (a) must be adjusted annually in January. The limit must equal the limit for the prior year increased by the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year.

(c) Deferred compensation and payroll allocations to purchase an individual annuity contract for an employee are included in determining the employee's salary. Other forms of compensation which must be included to determine an employee's total compensation are all other direct and indirect items of compensation which are not specifically excluded by this subdivision. Other forms of compensation which must not be included in a determination of an employee's total compensation for the purposes of this subdivision are:

(1) employee benefits that are also provided for the majority of all other full-time employees of the political subdivision, vacation and sick leave allowances, health and dental insurance, disability insurance, term life insurance, and pension benefits or like benefits the cost of which is borne by the employee or which is not subject to tax as income under the Internal Revenue Code of 1986;

(2) dues paid to organizations that are of a civic, professional, educational, or governmental nature; and

(3) reimbursement for actual expenses incurred by the employee which the governing body determines to be directly related to the performance of job responsibilities, including any relocation expenses paid during the initial year of employment.

The value of other forms of compensation is the annual cost to the political subdivision for the provision of the compensation.

(d) The salary of a medical doctor or doctor of osteopathic medicine occupying a position that the governing body of the political subdivision has determined requires an M.D. or D.O. degree is excluded from the limitation in this subdivision.

(e) The commissioner may increase the limitation in this subdivision for a position that the commissioner has determined requires special expertise necessitating a higher salary to attract or retain a qualified person. The commissioner shall review each proposed increase giving due consideration to salary rates paid to other persons with similar responsibilities in the state and nation. The commissioner may not increase the limitation until the commissioner has presented the proposed increase to the Legislative Coordinating Commission and received the commission's recommendation on it. The recommendation is advisory only. If the commission does not give its recommendation on a proposed increase within 30 days from its receipt of the proposal, the commission is deemed to have made no recommendation. If the commissioner grants or granted an increase under this paragraph, the new limitation must be adjusted beginning in August 2005 and in each subsequent calendar year in January by the percentage increase equal to the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year.

1160.03 CORPORATION; BOARD OF DIRECTORS; POWERS.

Subd. 9. **Contributions to public officials; disclosure.** Each director shall file a statement with the Campaign Finance and Public Disclosure Board disclosing the nature, amount, date, and recipient of any contribution made to a public official, political committee, political fund, or political party, as defined in chapter 10A, that:

(1) was made within the four years preceding appointment to the Enterprise Minnesota, Inc. board; and

(2) was subject to the reporting requirements of chapter 10A.

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The statement must be updated annually during the director's term to reflect contributions made to public officials during the appointed director's tenure.

1160.04 CORPORATE PERSONNEL.

Subd. 3. **Contributions to public officials; disclosure.** The president shall file a statement with the Campaign Finance and Public Disclosure Board disclosing the nature, amount, date, and recipient of any contribution made to a public official which:

(1) was made within the four years preceding employment with the Enterprise Minnesota, Inc. board; and

(2) was subject to the reporting requirements of chapter 10A.

The statement must be updated annually during the president's employment to reflect contributions made to public officials during the president's tenure.

179.90 OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.

The commissioner of mediation services shall establish an Office of Collaboration and Dispute Resolution within the bureau. The office must:

(1) promote the broad use of community mediation in the state, ensuring that all areas of the state have access to services by providing grants to private nonprofit entities certified by the state court administrator under chapter 494 that assist in resolution of disputes;

(2) assist state agencies, offices of the executive, legislative, and judicial branches, and units of local government in improving collaboration and dispute resolution;

(3) support collaboration and dispute resolution in the public and private sector by providing technical assistance and information on best practices and new developments in dispute resolution options;

(4) educate the public and governmental entities on dispute resolution options; and

(5) promote and utilize collaborative dispute resolution models and processes based on documented best practices including, but not limited to, the Minnesota Solutions model:

(i) establishing criteria and procedures for identification and assessment of dispute resolution projects;

(ii) designating projects and appointing impartial convenors by the commissioner or the commissioner's designee;

(iii) forming multidisciplinary conflict resolution teams; and

(iv) utilizing collaborative techniques, processes, and standards through facilitated meetings until consensus among parties is reached in resolving a dispute.

179.91 GRANTS.

Subdivision 1. **Authority.** The commissioner of mediation services shall to the extent funds are appropriated for this purpose, make grants to private nonprofit community mediation entities certified by the state court administrator under chapter 494 that assist in resolution of disputes. The commissioner shall establish a grant review committee to assist in the review of grant applications and the allocation of grants under this section.

Subd. 2. **Eligibility.** To be eligible for a grant under this section, a nonprofit organization must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).

Subd. 3. **Conditions and exclusions.** A nonprofit entity receiving a grant must agree to comply with guidelines adopted by the state court administrator under section 494.015, subdivision 1. Sections 16B.97 and 16B.98 and policies adopted under those sections apply to grants under this section. The exclusions in section 494.03 apply to grants under this section.

Subd. 4. **Reporting.** Grantees must report data required under chapter 494 to evaluate quality and outcomes.

299D.03 STATE PATROL.

Subd. 2a. **Salary and benefits survey.** (a) By January 1 of 2021, 2023, 2027, and 2031, the legislative auditor must conduct a compensation and benefit survey of law enforcement officers in every police department:

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(1) in a city with a population in excess of 25,000, located in a metropolitan county, as defined in section 473.121, subdivision 4, that is represented by a union certified by the Bureau of Mediation Services; or

(2) in a city of the first class.

The State Patrol must also be included in the survey.

(b) The legislative auditor must base the survey on compensation and benefits for the past completed calendar year. The survey must be based on full-time equivalent employees. The legislative auditor must calculate compensation using base salary, overtime wages, and premium pay. Premium pay is payment that is received by a majority of employees and includes but is not limited to education pay and longevity pay. The legislative auditor must not include any payments made to officers or troopers for work performed for an entity other than the agency that employs the officer or trooper, regardless of who makes the payment. The legislative auditor must also include in the survey all benefits, including insurance, retirement, and pension benefits. The legislative auditor must include contributions from both the employee and employer when determining benefits.

(c) The legislative auditor must compile the survey results into a report. The report must show each department separately. For each department, the survey must include:

(1) an explanation of the salary structure, and include minimum and maximum salaries for each range or step; and

(2) an explanation of benefits offered, including the options that are offered and the employee and employer contribution for each option.

Wherever possible, the report must be designed so that the data for each department is in the same table or grid format to facilitate easy comparison.

(d) By January 15 of 2021, 2023, 2027, and 2031, the legislative auditor must transmit the survey report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over the State Patrol budget.

(e) It is the legislature's intent to use the information in this study to compare salaries between the identified police departments and the State Patrol and to make appropriate increases to patrol trooper salaries. For purposes of this paragraph, "patrol troopers" has the meaning given in subdivision 2, paragraph (a).

383B.042 DEFINITIONS.

Subdivision 1. **For county campaign finance provisions.** For the purposes of sections 383B.041 to 383B.058, the terms defined in this section have the meanings given them. The terms defined in chapter 200 also apply to sections 383B.041 to 383B.058, unless a different meaning is specified in this section.

Subd. 2. **Advance of credit.** "Advance of credit" means any money owed for goods provided or services rendered. An advance of credit is an expenditure in the year in which the goods or services are used or consumed. "Advance of credit" does not mean "loan" as defined in subdivision 12.

Subd. 3. **Association.** "Association" means a business, corporation, firm, partnership, committee, labor organization, club, or any other group of two or more persons, which includes more than an immediate family, acting in concert.

Subd. 4. **Business with which the individual is associated.** "Business with which the individual is associated" means any association in connection with which the individual is compensated in excess of \$50 except for actual and reasonable expenses in any month as a director, officer, owner, member, partner, employer or employee, or is a holder of securities worth \$2,500 or more at fair market value.

Subd. 5. **Candidate.** "Candidate" means an individual, not within the definition of candidate of section 10A.01, subdivision 10, who seeks nomination or election to any county office in Hennepin County, to any city office in any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more or to the school board of Special School District No. 1, Minneapolis.

Subd. 6. **City.** "City" means any statutory or home rule charter city wholly within Hennepin County and having a population of 75,000 or more.

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Subd. 7. **Contribution.** "Contribution" means a transfer of funds or a donation in kind.

"Contribution" includes any loan or advance of credit to a political committee, political fund, or principal campaign committee, if that loan or advance of credit is (a) forgiven, or (b) paid by an entity other than the political committee, political fund, or principal campaign committee to which the loan or advance of credit is made.

"Contribution" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Subd. 8. **Donation in kind.** "Donation in kind" means anything of value other than money or negotiable instruments given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the outcome of an election.

Subd. 9. **Election.** "Election" means any election held to nominate or elect any candidate or to decide any question on a county ballot in Hennepin County or on the ballot of any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more, or on the ballot of Special School District No. 1, Minneapolis.

Subd. 10. **Expenditure.** "Expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the outcome of any election. "Expenditure" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Subd. 11. **Filing officer.** "Filing officer" means the official responsible under law for administration of the election laws for Hennepin County.

Subd. 12. **Loan.** "Loan" means an advance of money or anything of value made to a political committee, political fund, or principal campaign committee.

Subd. 13. **Political committee.** "Political committee" means any political party, association or person other than an individual that seeks as its major purpose to influence the outcome of any election for a city ballot issue or for any city office in the city of Bloomington; for a city or school district ballot issue and for any city or school district office in the city of Minneapolis, and in Special School District No. 1, Minneapolis; or for any countywide ballot issue or county office in Hennepin County; and not to influence the outcome of any other election.

Subd. 14. **Political fund.** "Political fund" means any accumulation of dues or voluntary contributions by an association other than a political committee, which accumulation is collected or expended for the purpose of influencing the outcome of any election for a city ballot issue or for any city office in the city of Bloomington; for a city or school district ballot issue and for any city or school district office in the city of Minneapolis, and in Special School District No. 1, Minneapolis; or for any countywide ballot issue or county office in Hennepin County; and not for the purpose of influencing the outcome of any other election.

Subd. 15. **Population.** "Population" means population as determined by the most recent federal census.

Subd. 16. **Principal campaign committee.** "Principal campaign committee" means the single political committee designated by a candidate for election for any city office in the city of Bloomington; for any city office in the city of Minneapolis; for any school district office in Special School District No. 1, Minneapolis; or for any county office in Hennepin County.

Subd. 17. **Transfer of funds.** "Transfer of funds" or "transfer" means money or negotiable instruments given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the outcome of any election.

383B.043 POLITICAL COMMITTEES; COUNTY AND CERTAIN OTHER ELECTIONS.

Subdivision 1. **Officers.** Every political committee shall have a chair and a treasurer, who may be the same individual. The treasurer may designate deputy treasurers and shall be responsible for their accounts. The treasurer shall designate a single depository and account for all contributions received by the political committee.

Subd. 2. **Prohibitions; acceptance of certain contributions; commingling of funds.** No contribution shall be accepted and no expenditure shall be made by or on behalf of a political committee while the office of treasurer is vacant. No anonymous contribution in excess of \$20 shall

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be retained by the political committee but shall be forwarded to the state campaign finance and public disclosure board and deposited in the general fund. No funds of the political committee shall be commingled with the personal funds of any officer, member or associate of the committee. Any individual who violates a provision of this subdivision is guilty of a misdemeanor.

383B.044 POLITICAL FUNDS.

Subdivision 1. **When required.** No association other than a political committee shall transfer more than \$100 in aggregate in any one year to candidates or political committees or make any expenditure unless the transfer or expenditure is made from a political fund.

Subd. 2. **Treasurer; commingling of funds; anonymous contributions.** Each association which has a political fund shall elect or appoint a treasurer of the political fund. No contributions to the political fund shall be accepted and no expenditures from the fund shall be made while the office of treasurer is vacant. The contents of the political fund shall not be commingled with any other funds or with the personal funds of any officer or member of the fund. No anonymous contribution in excess of \$20 shall be retained by the political fund but shall be forwarded to the state campaign finance and public disclosure board and deposited in the general fund.

Subd. 3. **Use of dues and membership fees.** Notwithstanding subdivision 1, the association may, if not prohibited by other law, deposit in its political fund money derived from dues or membership fees. The treasurer of the fund, in any report required by section 383B.049, shall disclose the name of any member whose dues, membership fees and contributions deposited in the political fund in any one year exceed \$50 in the aggregate.

Subd. 4. **Penalty.** Any person who knowingly violates the provisions of this section is guilty of a misdemeanor.

383B.045 PRINCIPAL CAMPAIGN COMMITTEE.

Every candidate who receives contributions or makes expenditures in excess of \$100 shall designate and cause to be formed a single political committee which shall be known as the candidate's principal campaign committee. The candidate shall make expenditures only through the candidate's principal campaign committee. The candidate may be the chair and treasurer of the principal campaign committee.

383B.046 REGISTRATION OF POLITICAL COMMITTEES, POLITICAL FUNDS, AND PRINCIPAL CAMPAIGN COMMITTEES.

Subdivision 1. **Filing office; deadline.** Every political committee, political fund and principal campaign committee as defined in section 383B.042, subdivisions 13, 14, and 16, shall register with the filing officer within 14 days after the date by which the committee or fund has received contributions or made expenditures in excess of \$100. A political committee, political fund, or principal campaign committee that is registered with the Campaign Finance and Public Disclosure Board under section 10A.14 need not register under this section.

Subd. 2. **Statement required.** A political committee, political fund, or principal campaign committee registers by filing a statement of organization that includes:

- (a) the name and address of the political committee, political fund, or principal campaign committee;
- (b) the name and address of the chair, the treasurer, and any deputy treasurers;
- (c) the name and address of the depository used by the committee or fund;
- (d) the name and address of any supporting association of a political fund; and
- (e) a statement as to whether the committee is a principal campaign committee.

The statement of organization shall be filed by the treasurer of the political committee, political fund or principal campaign committee.

383B.047 ACCOUNTS WHICH MUST BE KEPT.

Subdivision 1. **Contributions; expenditures; transfers.** The treasurer of any political committee, political fund or principal campaign committee shall keep an account of:

- (1) the sum of all contributions made to the political committee, political fund, or principal campaign committee;

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(2) the name and address of each source of a transfer or donation in kind, together with the date and amount;

(3) each expenditure made by or on behalf of the committee or fund together with the date and amount; and

(4) the name and address of each political committee, political fund, or principal campaign committee to which transfers have been made, together with the date and amount.

Subd. 2. **Authorization of expenditures; receipts.** Each expenditure by a political committee, political fund or principal campaign committee shall be authorized by the treasurer. The treasurer may authorize not more than \$20 per week as petty cash for miscellaneous expenditures. The treasurer shall obtain a receipted bill stating the particulars for every expenditure made by or on behalf of the political committee, political fund, or principal campaign committee.

383B.048 CAMPAIGN REPORTS.

Subdivision 1. **Committees required to report; deadlines.** (a) The treasurer of any political committee, political fund, or principal campaign committee required to register pursuant to section 383B.046 shall file campaign reports with the filing officer. In each year in which the name of the candidate is on the ballot, the report of the principal campaign committee shall be filed one week before a regular primary and a regular election. Political committees and political funds shall file campaign reports one week before a regular primary or regular election.

(b) The treasurer of a principal campaign committee shall file reports one week before a special primary or other special election and 30 days after a special election.

(c) The reports shall cover the period from the day after the end of the previous reporting period to one week before the filing date.

(d) A campaign report shall be filed by all treasurers on January 31 of each year covering the period from the day after the end of the previous reporting period to December 31 of the preceding calendar year.

Subd. 2. **Content of reports.** Each campaign report required under this section shall disclose:

(1) the amount of liquid assets on hand at the beginning of the reporting period;

(2) the name, address and employer, or occupation if self-employed, of each individual, committee or political fund that made transfers or donations in kind to the political committee, political fund, or principal campaign committee in an aggregate amount or value in excess of \$100, together with the amount and date;

(3) the sum of all contributions made to the political committee, political fund, or principal campaign committee;

(4) each loan made or received by the political committee, political fund, or principal campaign committee within the year in aggregate in excess of \$100, together with the name, address, occupation and the principal place of business, if any, of the lender and any endorser and the date and amount of the loan. A loan made to a political committee, political fund, or principal campaign committee which is forgiven or is repaid by an entity other than that political committee or fund shall be reported as a contribution;

(5) the sum of all receipts, including all contributions and loans, during the reporting period;

(6) the name and address of each person to whom aggregate expenditures have been made by or on behalf of the political committee, political fund, or principal campaign committee within the year in excess of \$100, the amount, date and purpose of each expenditure and the ballot question or the name and address of the candidate supported or opposed by the expenditure;

(7) the sum of all expenditures made by the political committee, political fund, or principal campaign committee;

(8) the amount and nature of any advance of credit incurred by the political committee, political fund, or principal campaign committee continuously reported until paid or forgiven. An advance of credit incurred by a political committee, political fund, or principal campaign committee which is forgiven or is paid by an entity other than that political committee, political fund, or principal campaign committee shall be reported as a donation in kind;

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(9) the name and address of each political committee, political fund, or principal campaign committee to which aggregate transfers in excess of \$100 have been made within the year, together with the amount and date of each transfer;

(10) the sum of all transfers made to political committees, political funds, or principal campaign committees; and

(11) the sum of all disbursements not made to influence the outcome of an election.

Subd. 3. **Party sample ballots.** Expenditures by a political party as defined in section 200.02, subdivision 7, or a substate unit of such a party, for the preparation, display and distribution of an official party sample ballot containing the names of three or more individuals whose names are to appear on the ballot shall not be considered contributions or expenditures on behalf of any candidate.

Subd. 4. **Termination reports.** (a) A political committee, political fund, or principal campaign committee created pursuant to section 383B.046 may dissolve upon filing of a termination report indicating that the committee or fund has settled all of its debts and disposed of all assets in excess of \$100. The termination report shall include all information required in a periodic campaign report.

(b) Political committees and political funds that were created for purposes of supporting or opposing candidates or ballot issues beyond the scope of those identified in section 383B.042, subdivision 5, 13, or 14, may terminate their registration with Hennepin County. Termination of a registration under this provision does not require termination of the political committee or political fund and does not require settlement of all debts and disposition of all assets in excess of \$100.

383B.049 EXPENDITURES BY INDIVIDUALS.

Subdivision 1. **Reports.** Except as provided in subdivision 2, any individual who makes expenditures in an aggregate amount of \$100 or more in any year, which expenditures are not required to be reported by any political committee, political fund, or principal campaign committee as contributions to that political committee, political fund, or principal campaign committee, shall file campaign reports in the form required by section 383B.048 with respect to those expenditures.

Subd. 2. **Exception; independent expenditures.** An individual shall not be required to report any expenditure which is made without the cooperation or express or implied consent of any candidate, political committee, political fund, or agent of a candidate, political committee, or political fund, unless the expenditure expressly advocates the election or defeat of a clearly identified candidate or the approval or rejection of a clearly identified county or city ballot question at any election.

383B.05 ADDITIONAL INFORMATION TO BE DISCLOSED.

Subdivision 1. **Earmarked contributions.** Any individual, political committee, political fund, or principal campaign committee that receives a contribution from any person or association in an aggregate in excess of \$50 with the express or implied condition that the contribution or any part of it be directed to a particular candidate shall disclose to the ultimate recipient and in any report required by section 383B.048, the original source of the contribution, the fact that it was earmarked and the candidate to whom it is directed. The ultimate recipient of any earmarked contribution shall also disclose the original source and the individual, political committee, political fund, or principal campaign committee through which it was directed. Any individual, political committee, political fund, or principal campaign committee that knowingly accepts earmarked funds and fails to make the disclosure required by this subdivision is guilty of a misdemeanor.

Subd. 2. **Bills when rendered and paid.** Every person who has a bill, charge or claim against any political committee, political fund, or principal campaign committee for any expenditure shall render in writing to the treasurer of the committee or fund the bill, charge or claim within 60 days after the material or service is provided. Failure to present the bill, charge or claim as required by this subdivision is a petty misdemeanor.

383B.051 CIRCUMVENTION PROHIBITED.

Any person who attempts to circumvent disclosure of the source or amount of contributions or expenditures by redirecting funds through or contributing funds on behalf of another person is guilty of a misdemeanor.

383B.052 ECONOMIC REPRISALS PROHIBITED.

No individual or association shall engage in economic reprisals or threaten loss of employment or physical coercion against any individual or association because of the political contributions or

political activity of that individual or association. This subdivision does not apply to compensation for employment or loss of employment when the political affiliation or viewpoint of the employee is a bona fide occupational qualification of the employment. Any individual or association that violates this subdivision is guilty of a misdemeanor.

383B.053 ECONOMIC INTEREST DISCLOSURE.

Subdivision 1. **Officials required to file; deadlines.** Every candidate for county office, every elected official of Hennepin County, every candidate for office and every elected official of a home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more, and every candidate for school board and every elected official in Special School District No. 1, Minneapolis shall file statements of economic interest as required by this section with the filing officer. A candidate shall file an original statement within 14 days of the filing of an affidavit or petition to appear on the ballot. Every individual required to file a statement shall file a supplementary statement on April 15 of each year in which the individual remains a candidate or elected official. An official required to file a statement of economic interest under section 10A.09 is not required to comply with this section.

Subd. 2. **Content of statement.** An individual required to file a statement of economic interest shall disclose:

- (1) the individual's name, address, occupation and principal place of business;
- (2) the name of each business with which the individual is associated and the nature of that association;
- (3) a listing of all real property within the state, excluding homestead property, in which the individual holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, and which interest has a market value in excess of \$2,500 as shown on the real estate tax statement for the property or (ii) an option to buy, which property has a fair market value of \$50,000 or more;
- (4) a listing of all real property within the state in which a partnership of which the individual is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of the partnership interest has a market value in excess of \$2,500 as shown on the real estate tax statement for the property or (ii) an option to buy, which property has a fair market value of \$50,000 or more; and
- (5) in supplementary statements only, the amount of each honorarium in excess of \$50 received since the last statement, together with the name and address of the source.

Any listing under clause (3) or (4) shall indicate the street address and the municipality or the section, township range and approximate acreage, whichever applies, and the county wherein the property is located.

383B.054 REPORTS AND STATEMENTS; REQUIREMENTS.

Subdivision 1. **Certification.** A report or statement required by sections 383B.046 to 383B.054 shall be signed and certified as true by the individual required to file the report. Any individual who signs and certifies to be true a report or statement which the individual knows contains false information or who knowingly omits required information is guilty of a gross misdemeanor.

Subd. 2. **Transmittal, retention, public inspection.** The filing officer shall promptly transmit to the appropriate city clerk a copy of each statement and report filed by a candidate for city office, a political committee or fund that discloses contributions or expenditures to influence a city or an elected city official. The filing officer and each city clerk shall retain the statements, reports and copies and make them available for public inspection for a period of five years after the date of receipt by the filing officer.

Subd. 3. **Changes and corrections.** Any material changes in information previously submitted and any corrections to a report or statement shall be reported in writing to the filing officer within ten days following the date of the event prompting the change or the date upon which the individual filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any individual who willfully fails to report a material change or correction is guilty of a misdemeanor.

Subd. 4. **Record keeping.** Each individual required to file any report or statement or to keep any account pursuant to sections 383B.046 to 383B.054 shall maintain and preserve for four years the records, including any vouchers, canceled checks, bills, invoices, worksheets and receipts, that

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will provide in sufficient detail the necessary information from which the accounts and the filed reports and statements may be verified, explained, clarified and checked for accuracy and completeness.

Subd. 5. **Penalties.** The filing officer shall notify by certified mail or personal service any individual who fails to file a statement or report required by sections 383B.046 to 383B.054. Except for any campaign report of a principal campaign committee due before an election, if an individual fails to file any statement or report within seven days after receiving a notice, the filing officer may impose a late filing fee of \$5 per day, not to exceed \$100, commencing on the eighth day after receiving notice. If a treasurer of a principal campaign committee fails to file a campaign report due before an election within three days of the date due, regardless of whether the treasurer has received any notice, the filing officer may impose a late filing fee of \$50 per day, not to exceed \$500, commencing on the fourth day after the date the statement was due. The filing officer shall further notify by certified mail or personal service any individual who fails to file any statement or report within 21 days after receiving a first notice that the individual may be subject to a criminal penalty for failure to file the statement or report. An individual who knowingly fails to file the statement or report within seven days after receiving a second notice from the filing officer is guilty of a misdemeanor. A filing officer who violates any provision of this subdivision is guilty of a misdemeanor.

Subd. 6. **Recovery of late filing fees.** A filing officer may bring an action in the Fourth Judicial District Court to recover any late filing fee imposed pursuant to subdivision 5. All money recovered shall be deposited in the general fund of Hennepin County.

Subd. 7. **Reports of violations.** If any individual other than a county official or candidate for county office fails to file the required statement or report within seven days after a second notice as provided in subdivision 5, the filing officer shall inform the Hennepin County attorney that a second notice was sent and that the individual failed to file the required statement or report. If a county official or candidate fails to file a report or statement after a second notice as provided in subdivision 5, the filing officer shall notify the attorney general.

Subd. 8. **Report by subordinate.** (a) Any deputy, clerk, employee or other subordinate of a filing officer who has knowledge or reason to believe that a violation of sections 383B.041 to 383B.057 has occurred, shall immediately transmit a report of that knowledge or belief to that filing officer, together with any evidence of the violation coming into the subordinate's possession.

(b) Any filing officer who has knowledge or reason to believe that a violation of sections 383B.041 to 383B.058 has occurred shall immediately transmit a report of that knowledge or belief to the county attorney of the county in which the violation is thought to have occurred, together with any evidence of the violation coming into the filing officer's possession.

(c) The filing officer shall also immediately send a copy of the report to the Campaign Finance and Public Disclosure Board.

(d) A violation of this subdivision is a misdemeanor.

383B.055 DUTIES OF CAMPAIGN FINANCE BOARD; FILING OFFICERS.

Subdivision 1. **Board: advisory opinions, disclosure exemptions.** The state Campaign Finance and Public Disclosure Board shall:

(1) issue and publish advisory opinions concerning the requirements of sections 383B.041 to 383B.057 upon application in writing by the county filing officer of Hennepin County or any individual or association who wishes to use the opinion to guide the applicant's own conduct; and

(2) exempt any individual or association required to disclose information under sections 383B.046 to 383B.05 from any requirement of those sections in the same manner as it exempts any individual or association from disclosure requirements under chapter 10A. An individual or association exempted from the disclosure provisions of chapter 10A, shall also be exempt from the disclosure provisions of sections 383B.046 to 383B.05.

Subd. 2. **Filing officer: develop, distribute needed forms.** The county filing officer of Hennepin County shall develop forms for all statements and reports required to be filed under sections 383B.041 to 383B.054. The filing officer shall furnish sufficient copies of the forms to all officers with whom candidates file affidavits or applications of candidacy and nominating petitions.

Subd. 3. **Candidacy filing officer: forms to candidates; penalty.** An officer who receives affidavits or applications of candidacy or nominating petitions shall mail or deliver a copy of each form required to be filed by a candidate to each candidate who files an affidavit, application or

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petition with that officer or for whom a write-in vote is cast on the ballot of that jurisdiction. Any officer who fails to carry out the duties imposed by this subdivision is guilty of a misdemeanor.

383B.056 PENALTIES.

Except as expressly provided to the contrary in sections 383B.041 to 383B.055, a violation of sections 383B.041 to 383B.055 is not a crime.

383B.057 PROSECUTION OF VIOLATIONS.

Except as otherwise provided in this section, a violation of a criminal provision of sections 383B.041 to 383B.056 shall be prosecuted by the Hennepin County attorney in the Fourth Judicial District Court. A violation by a county official or candidate shall be prosecuted by the attorney general in the district court of Ramsey County.