This Document can be made available
in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2754

01/31/2022   Authored by Munson, Bahr, Miller and Drazkowski
The bill was read for the first time and referred to the Committee on State Government Finance and Elections

1.1   A bill for an act

1.2   relating to elections; modifying requirements for identifying and verifying a
1.3   candidate's residence on an affidavit of candidacy; providing a criminal penalty;
1.4   amending Minnesota Statutes 2020, section 204B.06, subdivision 1b.

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

1.6   Section 1. Minnesota Statutes 2020, section 204B.06, subdivision 1b, is amended to read:

1.7   Subd. 1b. **Address and telephone number.** (a) An affidavit of candidacy must state a

1.8   telephone number where the candidate can be contacted. An affidavit must also state the

1.9   candidate's address of residence as determined under section 200.031~~, or at the candidate's~~

1.10   ~~request in accordance with paragraph (c), the candidate's campaign contact address~~ and

1.11   include a statement, signed under oath by at least three residents of the district who are not

1.12   related to the candidate, attesting to their personal knowledge that the candidate resides at

1.13   the address identified in the affidavit. The form for the affidavit of candidacy must allow

1.14   the candidate to request, if eligible, that the candidate's address of residence be classified

1.15   as private data, and to provide the certification required under paragraph (c) for classification

1.16   of that address.

1.17   (b) For an office whose residency requirement must be satisfied by the close of the filing

1.18   period, a registered voter in this state may request in writing that the filing officer receiving

1.19   the affidavit of candidacy review the address as provided in this paragraph, at any time up

1.20   to one day after the last day for filing for office. If requested, the filing officer must determine

1.21   whether the address provided in the affidavit of candidacy is within the area represented by

1.22   the office the candidate is seeking. If the filing officer determines that the address is not

1.23   within the area represented by the office, the filing officer must immediately notify the

Section 1.   1

2.1   candidate and the candidate's name must be removed from the ballot for that office. A

2.2   determination made by a filing officer under this paragraph is subject to judicial review

2.3   under section 204B.44.

2.4   (c) If the candidate requests that the candidate's address of residence be classified as

2.5   private data, the candidate must list the candidate's address of residence on a separate form

2.6   to be attached to the affidavit. The candidate must also certify on the affidavit that a police

2.7   report has been submitted or an order for protection has been issued in regard to the safety

2.8   of the candidate or the candidate's family, or that the candidate's address is otherwise private

2.9   pursuant to Minnesota law. The address of residence provided by a candidate who makes

2.10   a request for classification on the candidate's affidavit of candidacy and provides the

2.11   certification required by this paragraph is classified as private data, as defined in section

2.12   13.02, subdivision 12, but may be reviewed by the filing officer as provided in this

2.13   subdivision.

2.14   (d) The requirements of this subdivision do not apply to affidavits of candidacy for a

2.15   candidate for: (1) judicial office; (2) the office of county attorney; or (3) county sheriff.

2.16   (e) A candidate or other signatory who willfully makes a false statement on an affidavit

2.17   of candidacy may be subject to 90 days imprisonment, a $10,000 fine, or both.

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

2.19   applies to affidavits of candidacy submitted during filing periods beginning on or after that

2.20   date.