

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **501**

02/02/2015 Authored by Fenton, Nelson, Sanders, Youakim, Howe and others
The bill was read for the first time and referred to the Veterans Affairs Division
02/18/2015 Adoption of Report: Re-referred to the Committee on Government Operations and Elections Policy
03/02/2015 Adoption of Report: Re-referred to the Committee on State Government Finance
03/16/2015 Adoption of Report: Placed on the General Register
Read Second Time
05/13/2015 Calendar for the Day
Read Third Time
Passed by the House and transmitted to the Senate

1.1 A bill for an act
1.2 relating to elections; modifying provisions related to military and overseas
1.3 voting; amending Minnesota Statutes 2014, sections 203B.01, subdivision 3;
1.4 203B.16, subdivisions 1, 2; 203B.17, subdivisions 1, 2; 204D.11, subdivision 4.

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

1.6 Section 1. Minnesota Statutes 2014, section 203B.01, subdivision 3, is amended to read:

1.7 Subd. 3. **Military.** "Military" means the Army, Navy, Air Force, Marine Corps,
1.8 Coast Guard or Merchant Marine of the United States, ~~and~~ all other uniformed services as
1.9 defined in United States Code, title 42, ~~section 1973ff-6~~ section 52, section 20310, and military
1.10 forces as defined by section 190.05, subdivision 3.

1.11 Sec. 2. Minnesota Statutes 2014, section 203B.16, subdivision 1, is amended to read:

1.12 Subdivision 1. **Military service; temporary residence outside United States.**

1.13 Sections 203B.16 to 203B.27 provide alternative voting procedures for eligible voters who
1.14 are absent from the precinct where they maintain residence because they are:

1.15 (1) either in the military or the spouses or dependents of individuals serving in
1.16 the military; or

1.17 (2) temporarily outside the territorial limits of the United States.

1.18 Sections 203B.16 to 203B.27 are intended to implement the federal Uniformed and
1.19 Overseas Citizens Absentee Voting Act, United States Code, title 42, ~~section 1973ff~~ 52,
1.20 sections 20301 to 20310.

1.21 Sec. 3. Minnesota Statutes 2014, section 203B.16, subdivision 2, is amended to read:

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

Sec. 4. Minnesota Statutes 2014, section 203B.17, subdivision 1, is amended to read:

Subdivision 1. **Submission of application.** (a) An application for absentee ballots for a voter described in section 203B.16 must be in writing and may be submitted in person, by mail, by electronic facsimile device, by electronic mail, or electronically through a secure Web site that shall be maintained by the secretary of state for this purpose, upon determination by the secretary of state that security concerns have been adequately addressed. An application for absentee ballots for a voter described in section 203B.16 may be submitted by that voter or by that voter's parent, spouse, sister, brother, or child over the age of 18 years. ~~For purposes of an application under this subdivision, a person's Social Security number, no matter how it is designated, qualifies as the person's military identification number if the person is in the military.~~

(b) An application for a voter described in section 203B.16, subdivision 1, shall be submitted to the county auditor of the county where the voter maintains residence or through the secure Web site maintained by the secretary of state.

(c) An application for a voter described in section 203B.16, subdivision 2, shall be submitted to the county auditor of the county where the voter or the voter's parent last maintained residence in Minnesota or through the secure Web site maintained by the secretary of state.

(d) An application for absentee ballots shall be valid for any primary, special primary, general election, or special election from the time the application is received through the end of that calendar year.

(e) There shall be no limitation of time for filing and receiving applications for ballots under sections 203B.16 to 203B.27.

Sec. 5. Minnesota Statutes 2014, section 203B.17, subdivision 2, is amended to read:

3.1 Subd. 2. **Required information.** An application shall be accepted if it contains the
3.2 following information stated under oath:

3.3 (a) the voter's name, birthdate, and present address of residence in Minnesota, or
3.4 former address of residence or parent's former address of residence in Minnesota if the
3.5 voter is living permanently outside the United States;

3.6 (b) a statement indicating that the voter is in the military, or is the spouse or
3.7 dependent of an individual serving in the military, or is temporarily outside the territorial
3.8 limits of the United States, or is living permanently outside the territorial limits of the
3.9 United States and voting under federal law;

3.10 (c) a statement that the voter expects to be absent from the precinct at the time
3.11 of the election;

3.12 (d) the address to which absentee ballots are to be mailed;

3.13 (e) the voter's signature or the signature and relationship of the individual authorized
3.14 to apply on the voter's behalf;

3.15 (f) the voter's passport number, Minnesota driver's license or state identification card
3.16 number, or the last four digits of the voter's Social Security number; if the voter does not
3.17 have access to any of these documents, the voter or other individual requesting absentee
3.18 ballots may attest to the truthfulness of the contents of the application under penalty
3.19 of perjury; and

3.20 (g) the voter's e-mail address, if the application was submitted electronically through
3.21 the secure Web site maintained by the secretary of state.

3.22 Notwithstanding paragraph (f), an application submitted through the secretary of state's
3.23 Web site must include the voter's verifiable Minnesota driver's license number, Minnesota
3.24 state identification card number, or the last four digits of the voter's Social Security
3.25 number, and may only be transmitted to the county auditor for processing if the secretary
3.26 of state has verified the application information matches the information in a government
3.27 database associated with the applicant's driver's license number, state identification card
3.28 number, or Social Security number. The secretary of state must review all unverifiable
3.29 applications for evidence of suspicious activity and must forward any such application to
3.30 an appropriate law enforcement agency for investigation.

3.31 Sec. 6. Minnesota Statutes 2014, section 204D.11, subdivision 4, is amended to read:

3.32 Subd. 4. **Special federal ballot.** (a) The names of all candidates for the offices
3.33 of president and vice-president of the United States and senator and representative in
3.34 Congress shall be placed on a ballot that shall be known as the "special federal ballot."

4.1 (b) This ballot shall be prepared by the county auditor in the same manner as the
4.2 state general election ballot and shall be subject to the rules adopted by the secretary of
4.3 state pursuant to subdivision 1. This ballot must be prepared and furnished in accordance
4.4 with the federal Uniformed and Overseas Citizens Absentee Voting Act, United States
4.5 Code, title ~~42, section 1973ff~~ 52, sections 20301 to 20310.

4.6 (c) The special federal ballot shall be the only ballot sent to citizens of the United
4.7 States who are eligible to vote by absentee ballot for federal candidates in Minnesota.