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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-NINTH SESSION

**H. F. No. 275**

01/22/2015 Authored by O'Driscoll, Halverson, Laine, Sanders and Fischer

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

1.1 A bill for an act  
1.2 relating to elections; modifying procedures related to prosecution of voter  
1.3 registration crimes; specifying penalties for public employees who willfully  
1.4 commit voter registration crimes; amending Minnesota Statutes 2014, section  
1.5 201.275.

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

1.7 Section 1. Minnesota Statutes 2014, section 201.275, is amended to read:

1.8 **201.275 INVESTIGATIONS; PROSECUTIONS.**

1.9 (a) A law enforcement agency that is notified by affidavit of an alleged violation of  
1.10 this chapter shall promptly investigate. Upon receiving an affidavit alleging a violation  
1.11 of this chapter, a county attorney shall promptly forward it to a law enforcement agency  
1.12 with jurisdiction for investigation. If there is probable cause for instituting a prosecution,  
1.13 the county attorney shall proceed by complaint or present the charge, with whatever  
1.14 evidence has been found, to the grand jury according to the generally applicable standards  
1.15 regarding the prosecutorial functions and duties of a county attorney, provided that  
1.16 the county attorney is not required to proceed with the prosecution if the complainant  
1.17 withdraws the allegation. A county attorney who refuses or intentionally fails to faithfully  
1.18 perform this or any other duty imposed by this chapter is guilty of a misdemeanor and  
1.19 upon conviction shall forfeit office. ~~The county attorney, under the penalty of forfeiture of~~  
1.20 ~~office, shall prosecute all violations of this chapter except violations of this section; if,~~  
1.21 ~~however, a complainant withdraws an allegation under this chapter, the county attorney is~~  
1.22 ~~not required to proceed with the prosecution.~~

1.23 (b) Willful violation of this chapter by any public employee constitutes just cause for  
1.24 suspension without pay or dismissal of the public employee.

2.1            (c) Where the matter relates to a voter registration application submitted  
2.2            electronically through the secure Web site established in section 201.061, subdivision 1,  
2.3            alleged violations of this chapter may be investigated and prosecuted in the county in  
2.4            which the individual registered or attempted to register.

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