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State of Minnesota
HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3

01/04/2023 Authored by Greenman, Hortman, Long, Freiberg, Frazier and others
The bill was read for the first time and referred to the Committee on Elections Finance and Policy
02/09/2023 Adoption of Report: Amended and re-referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act

1.2 relating to elections; modifying provisions related to voter registration; absentee

1.3 voting; requiring voting instructions and sample ballots to be multilingual and

1.4 interpreters to be provided in certain situations; regulating intimidation, deceptive

1.5 practices, and interference with voter registration and voting; campaign finance;

1.6 expanding the definition of express advocacy; providing penalties; requiring reports;

1.7 appropriating money; amending Minnesota Statutes 2022, sections 10A.01,

1.8 subdivision 16a; 10A.27, subdivision 11; 13.607, by adding a subdivision; 201.054,

1.9 subdivisions 1, 2; 201.061, by adding a subdivision; 201.071, subdivision 1;

1.10 201.091, subdivision 4; 201.161; 201.162; 203B.04, subdivisions 1, 5; 203B.06,

1.11 subdivisions 1, 3; 203B.12, by adding subdivisions; 203B.121, subdivision 2;

1.12 211B.15, subdivisions 1, 7b, by adding subdivisions; 211B.32, subdivision 1;

1.13 proposing coding for new law in Minnesota Statutes, chapters 204B; 211B.

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

1.15 **ARTICLE 1**

1.16 **STRENGTHEN THE FREEDOM TO VOTE**

1.17 Section 1. Minnesota Statutes 2022, section 13.607, is amended by adding a subdivision

1.18 to read:

1.19 Subd. 9. **Ineligible voter data.** Any data transferred to the secretary of state regarding

1.20 applicants who are determined ineligible to register to vote is governed by section 201.161.

1.21 Sec. 2. Minnesota Statutes 2022, section 201.054, subdivision 1, is amended to read:

1.22 Subdivision 1. **Registration.** (a) An individual may register to vote:

1.23 (1) at any time before the 20th day preceding any election as provided in section 201.061,

1.24 subdivision 1;

1.25 (2) on the day of an election as provided in section 201.061, subdivision 3; or

2.1 (3) when submitting an absentee ballot, by enclosing a completed registration application
2.2 as provided in section 203B.04, subdivision 4.

2.3 (b) An individual who is under the age of 18, but who is at least 16 years of age and
2.4 otherwise eligible, may submit a voter registration application as provided in section 201.061,
2.5 subdivisions 1 and 1b.

2.6 Sec. 3. Minnesota Statutes 2022, section 201.054, subdivision 2, is amended to read:

2.7 Subd. 2. **Prohibitions; penalty.** No individual shall intentionally:

2.8 (1) cause or attempt to cause the individual's name to be registered in any precinct if the
2.9 individual is not eligible to vote, except as permitted by section 201.061, subdivision 1b;

2.10 (2) cause or attempt to cause the individual's name to be registered for the purpose of
2.11 voting in more than one precinct;

2.12 (3) misrepresent the individual's identity when attempting to register to vote; or

2.13 (4) aid, abet, counsel, or procure any other individual to violate this subdivision.

2.14 A violation of this subdivision is a felony.

2.15 Sec. 4. Minnesota Statutes 2022, section 201.061, is amended by adding a subdivision to
2.16 read:

2.17 Subd. 1b. **Preregistration.** An individual who is under the age of 18, but who is at least
2.18 16 years of age and meets all requirements for eligibility in section 201.014, except for age,
2.19 may submit a voter registration application or be automatically registered under section
2.20 201.161 at the address in which the voter maintains residence pursuant to subdivision 1.
2.21 Nothing in this section shall be construed to entitle an individual to appear on a polling
2.22 place roster or cast a ballot at an election if the individual does not meet all eligibility
2.23 requirements for voting, including age.

2.24 Sec. 5. Minnesota Statutes 2022, section 201.071, subdivision 1, is amended to read:

2.25 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
2.26 contain the same information unless otherwise provided by law. A voter registration
2.27 application must contain spaces for the following required information: voter's first name,
2.28 middle name, and last name; voter's previous name, if any; voter's current address; voter's
2.29 previous address, if any; voter's date of birth; voter's municipality and county of residence;
2.30 voter's telephone number, if provided by the voter; date of registration; current and valid
2.31 Minnesota driver's license number or Minnesota state identification number, or if the voter

3.1 has no current and valid Minnesota driver's license or Minnesota state identification, the
3.2 last four digits of the voter's Social Security number; a box to indicate a voter's preference
3.3 to join the permanent absentee voter list; and voter's signature. The paper registration
3.4 application may include the voter's email address, if provided by the voter. The electronic
3.5 voter registration application must include the voter's email address. The registration
3.6 application may include the voter's interest in serving as an election judge, if indicated by
3.7 the voter. The application must also contain the following certification of voter eligibility:

3.8 "I certify that I:

3.9 (1) ~~will be at least 18 years old on election day~~ am at least 16 years old and understand
3.10 that I must be at least 18 years old to be eligible to vote;

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

3.12 (3) will have resided in Minnesota for 20 days immediately preceding election day;

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

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

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

3.17 (7) have the right to vote because, if I have been convicted of a felony, my felony sentence
3.18 has expired (been completed) or I have been discharged from my sentence; and

3.19 (8) have read and understand the following statement: that giving false information is a
3.20 felony punishable by not more than five years imprisonment or a fine of not more than
3.21 \$10,000, or both."

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

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

3.24 "(2) ~~Will you be 18 years old on or before election day~~ Are you at least 16 years old and
3.25 will you be at least 18 years old on or before the day of the election in which you intend to
3.26 vote?"

3.27 And the instruction:

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

3.29 The form of the voter registration application and the certification of voter eligibility
3.30 must be as provided in this subdivision and approved by the secretary of state. Voter
3.31 registration forms authorized by the National Voter Registration Act must also be accepted

4.1 as valid. The federal postcard application form must also be accepted as valid if it is not
4.2 deficient and the voter is eligible to register in Minnesota.

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

4.5 Sec. 6. Minnesota Statutes 2022, section 201.091, subdivision 4, is amended to read:

4.6 Subd. 4. **Public information lists.** The county auditor shall make available for inspection
4.7 a public information list which must contain the name, address, year of birth, and voting
4.8 history of each registered voter in the county. Data on applicants submitted pursuant to
4.9 section 201.061, subdivision 1b, are not part of the public information list until the voter is
4.10 registered or has voting history. The list must not include the party choice of any voter who
4.11 voted in a presidential nomination primary. The telephone number must be included on the
4.12 list if provided by the voter. The public information list may also include information on
4.13 voting districts. The county auditor may adopt reasonable rules governing access to the list.
4.14 No individual inspecting the public information list shall tamper with or alter it in any
4.15 manner. No individual who inspects the public information list or who acquires a list of
4.16 registered voters prepared from the public information list may use any information contained
4.17 in the list for purposes unrelated to elections, political activities, or law enforcement. The
4.18 secretary of state may provide copies of the public information lists and other information
4.19 from the statewide registration system for uses related to elections, political activities, or
4.20 in response to a law enforcement inquiry from a public official concerning a failure to
4.21 comply with any criminal statute or any state or local tax statute.

4.22 Before inspecting the public information list or obtaining a list of voters or other
4.23 information from the list, the individual shall provide identification to the public official
4.24 having custody of the public information list and shall state in writing that any information
4.25 obtained from the list will not be used for purposes unrelated to elections, political activities,
4.26 or law enforcement. Requests to examine or obtain information from the public information
4.27 lists or the statewide registration system must be made and processed in the manner provided
4.28 in the rules of the secretary of state.

4.29 Upon receipt of a statement signed by the voter that withholding the voter's name from
4.30 the public information list is required for the safety of the voter or the voter's family, the
4.31 secretary of state and county auditor must withhold from the public information list the
4.32 name of a registered voter.

5.1 Sec. 7. Minnesota Statutes 2022, section 201.161, is amended to read:

5.2 **201.161 DRIVER'S LICENSE AND IDENTIFICATION CARD APPLICATIONS**
5.3 **AUTOMATIC VOTER REGISTRATION.**

5.4 Subdivision 1. Automatic registration. (a) Except as otherwise provided in this section,
5.5 an individual must be registered to vote if the individual is eligible to vote under section
5.6 201.014 and properly completes and submits one of the following applications, if the
5.7 application includes documentation or verification of United States citizenship or records
5.8 reflect that the applicant provided proof of citizenship during a previous agency transaction:

5.9 (1) an application for a new or renewed Minnesota driver's license, instruction permit,
5.10 or identification card;

5.11 (2) an initial or renewal application for MinnesotaCare under chapter 256L; or

5.12 (3) an application for benefits or services to a state agency participating under subdivision
5.13 5.

5.14 (b) If a registered voter supplies a different name or address as part of an application
5.15 under this subdivision from the name and address in the voter registration record, the
5.16 registrant's voter registration record must be updated to reflect the name or address
5.17 information provided.

5.18 Subd. 2. Option to decline. Upon receipt of the registration information, the county
5.19 auditor must promptly mail to the individual a notice that provides an opportunity to decline
5.20 the registration. The secretary of state may prescribe the form and content of this notice.
5.21 An individual must not be registered if the individual declines to be registered within 20
5.22 days of submitting the application. An otherwise eligible individual who declines to register
5.23 must be offered a new registration opportunity with each qualifying application submitted
5.24 under subdivision 1.

5.25 Subd. 3. Department of Public Safety. (a) The Department commissioner of public
5.26 safety shall, in consultation with the secretary of state, must change its the applications for
5.27 an original, duplicate, or change of address driver's license, instruction permit, or
5.28 identification card so that the forms may also serve as voter registration applications. The
5.29 forms must contain spaces for all information collected by voter registration applications
5.30 prescribed by the secretary of state. Applicants for driver's licenses or identification cards
5.31 must be asked if they want to register to vote at the same time and that information must
5.32 be transmitted at least weekly any forms where applicants may provide documentation of
5.33 United States citizenship contain spaces for all information required to register to vote, as

6.1 prescribed by the secretary of state. Unless the applicant has provided an address other than
6.2 the applicant's address of residence under section 171.12, subdivision 7, paragraph (d), the
6.3 commissioner must transmit the information daily by electronic means to the secretary of
6.4 state. Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the computerized
6.5 driver's license record containing the voter's name, address, date of birth, citizenship, driver's
6.6 license number or state identification number, county, ~~town~~, and city or town must be made
6.7 available for access by the secretary of state and interaction with the statewide voter
6.8 registration system. At least monthly, the commissioner must submit data to the secretary
6.9 of state identifying the total number of individuals that completed qualifying transactions
6.10 under this section and the total number of individuals whose records were ultimately
6.11 transferred for registration. The secretary of state must publish a monthly report of this data.

6.12 (b) An applicant's information must not be transmitted to the secretary of state under
6.13 this section unless the applicant provides documentation of United States citizenship or
6.14 records maintained by the Department of Public Safety indicate that the applicant provided
6.15 documentation demonstrating United States citizenship as part of a previous license or
6.16 identification card transaction. If the applicant does not provide or has not previously
6.17 provided documentation of United States citizenship, the commissioner must provide
6.18 information during the transaction regarding voter registration and eligibility criteria. If the
6.19 applicant provides documentation during the transaction indicating that the applicant is not
6.20 a United States citizen, the applicant's information must not be transmitted to the secretary
6.21 of state and the applicant must not be offered a voter registration opportunity.

6.22 (c) No applicant may be registered to vote under this subdivision until:

6.23 (1) the commissioner of public safety has certified that the department's systems have
6.24 been tested and can accurately provide the required data and accurately exclude from
6.25 transmission data on individuals who have not provided documentary evidence of United
6.26 States citizenship; and

6.27 (2) the secretary of state has certified that the system for automatic registration of those
6.28 applicants has been tested and is capable of properly determining whether an applicant is
6.29 eligible to submit a voter registration application.

6.30 The department's systems must be tested and accurately provide the necessary data no later
6.31 than December 1, 2023.

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

7.1 Subd. 4. Department of Human Services. (a) The commissioner of human services,
7.2 in consultation with the secretary of state, must ensure the applications described in
7.3 subdivision 1, paragraph (a), clause (2), also serve as voter registration applications for any
7.4 individual whose name appears on the application and who has presented documentary
7.5 proof of United States citizenship. If permitted by the federal government, the commissioner
7.6 must, in consultation with the secretary of state, ensure an application for medical assistance
7.7 under chapter 256B also serves as a voter registration application for any individual whose
7.8 name appears on the application and who has presented documentary proof of United States
7.9 citizenship. The applications must contain spaces for all information required to register to
7.10 vote, as prescribed by the secretary of state. The commissioner must transmit information
7.11 daily by electronic means to the secretary of state for an individual whose United States
7.12 citizenship has been verified. At least monthly, the commissioner must submit data to the
7.13 secretary of state identifying the total number of individuals who completed qualifying
7.14 transactions under this section and the total number of individuals whose records were
7.15 ultimately transferred for registration.

7.16 (b) No applicant may be registered to vote under this subdivision until (1) the
7.17 commissioner of human services has certified that the department's systems have been tested
7.18 and can accurately provide the required data and accurately exclude from transmission data
7.19 on individuals who have not provided documentary evidence of United States citizenship,
7.20 and (2) the secretary of state has certified that the system for automatic registration of those
7.21 applicants has been tested and is capable of properly determining whether an applicant is
7.22 eligible to vote. The department's systems must be tested and accurately provide the necessary
7.23 data no later than December 1, 2025.

7.24 Subd. 5. Other agencies and units of government. (a) The governor must determine,
7.25 in consultation with the secretary of state, whether any other state agency must implement
7.26 automatic voter registration. A state agency must be considered if the agency collects,
7.27 processes, or stores the following information as part of providing assistance or services:
7.28 name, residential address, date of birth, and citizenship verification. A qualifying agency
7.29 must submit a report to the governor and secretary of state no later than December 1, 2024,
7.30 describing steps needed to implement automatic voter registration, barriers to implementation
7.31 and ways to mitigate them, and applicable federal and state privacy protections for voter
7.32 registration information. The final decision must be made by June 1, 2025, and is at the
7.33 governor's sole discretion.

7.34 (b) An agency may not begin verifying citizenship as part of an agency transaction for
7.35 the sole purpose of providing automatic voter registration. Once an agency has implemented

8.1 automatic voter registration, it must continue to provide automatic voter registration unless
8.2 otherwise expressly required by law.

8.3 (c) No applicant may be registered to vote under this subdivision until (1) the agency's
8.4 commissioner has certified that the necessary systems have been tested and can accurately
8.5 provide the required data and accurately exclude from transmission data on individuals who
8.6 have not provided documentary evidence of United States citizenship, and (2) the secretary
8.7 of state has certified that the system for automatic registration of those applicants has been
8.8 tested and is capable of properly determining whether an applicant is eligible to vote.

8.9 Subd. 6. **Registration.** (a) The secretary of state must compare all application information
8.10 submitted under this section with the information received under section 201.145 to determine
8.11 whether an applicant is eligible to vote. If an applicant appears on the list of individuals
8.12 who are ineligible to vote, the secretary of state must not process the application further
8.13 and must not share the applicant's information with the county for registration. For applicants
8.14 who do not appear to be ineligible to vote, the secretary of state must determine whether
8.15 the applicant whose information is submitted under this section is currently registered in
8.16 the statewide voter registration system.

8.17 (b) If the applicant is not currently registered in the statewide voter registration system,
8.18 the secretary of state must transmit the registration daily by electronic means to the county
8.19 auditor of the county where the voter resides.

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

8.22 (d) The county auditor must cancel the voter's record in the statewide voter registration
8.23 system upon receipt of a written request, signed by the voter, that the registration be removed.

8.24 Subd. 7. **Prosecution of registration violations; voluntary action required.** For
8.25 purposes of this section, the transfer of an individual's record under this section does not
8.26 constitute an attempt to register to vote or a completion of a voter registration form by that
8.27 individual. If such a registration is processed by the state and the individual thereafter
8.28 attempts to vote or votes, it is presumed to have been officially authorized by the state and
8.29 the individual is not subject to any penalty under this statute. This subdivision does not
8.30 apply to an individual who knowingly and willfully makes a false statement to effectuate
8.31 voter registration or who intentionally takes voluntary action to register to vote or vote
8.32 knowing of the individual's ineligibility to vote.

8.33 Subd. 8. **Effective date of registration.** Unless the applicant declines registration, the
8.34 effective date is the date that the county auditor processes the application. This subdivision

9.1 does not limit the ability of a person to register to vote on election day as provided in section
 9.2 201.061, subdivision 3. Any person who submits a qualifying application under subdivision
 9.3 1 that is dated during the 20 days before an election must be provided, at the time of
 9.4 application, with a notice advising the applicant of the procedures to register to vote on
 9.5 election day.

9.6 **EFFECTIVE DATE.** This section is effective July 1, 2023.

9.7 Sec. 8. Minnesota Statutes 2022, section 201.162, is amended to read:

9.8 **201.162 DUTIES OF STATE AGENCIES.**

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

9.19 **EFFECTIVE DATE.** This section is effective July 1, 2023.

9.20 Sec. 9. Minnesota Statutes 2022, section 203B.04, subdivision 1, is amended to read:

9.21 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision
 9.22 2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election
 9.23 may be submitted at any time not less than one day before the day of that election. The
 9.24 county auditor shall prepare absentee ballot application forms in the format provided by the
 9.25 secretary of state and shall furnish them to any person on request. By January 1 of each
 9.26 even-numbered year, the secretary of state shall make the forms to be used available to
 9.27 auditors through electronic means. An application submitted pursuant to this subdivision
 9.28 shall be in writing. An application may be submitted in person, by electronic facsimile
 9.29 device, by electronic mail, or by mail to:

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

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

10.1 For a federal, state, or county election, an absentee ballot application may alternatively be
10.2 submitted electronically through a secure website that shall be maintained by the secretary
10.3 of state for this purpose. Notwithstanding paragraph (b), the secretary of state must require
10.4 applicants using the website to submit the applicant's email address and verifiable Minnesota
10.5 driver's license number, Minnesota state identification card number, or the last four digits
10.6 of the applicant's Social Security number.

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

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

- 10.17 (1) the applicant's Minnesota driver's license number;
- 10.18 (2) Minnesota state identification card number;
- 10.19 (3) the last four digits of the applicant's Social Security number; or
- 10.20 (4) a statement that the applicant does not have any of these numbers.

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

10.24 (d) An applicant's full date of birth, Minnesota driver's license or state identification
10.25 number, and the last four digits of the applicant's Social Security number must not be made
10.26 available for public inspection. An application may be submitted to the county auditor or
10.27 municipal clerk by an electronic facsimile device. An application mailed or returned in
10.28 person to the county auditor or municipal clerk on behalf of a voter by a person other than
10.29 the voter must be deposited in the mail or returned in person to the county auditor or
10.30 municipal clerk within ten days after it has been dated by the voter and no later than six
10.31 days before the election. ~~The absentee ballot applications or a list of persons applying for~~
10.32 ~~an absentee ballot may not be made available for public inspection until the close of voting~~

11.1 ~~on election day, except as authorized in section 203B.12, and must be available to the public~~
 11.2 ~~in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.~~

11.3 (e) An application under this subdivision may contain an application under subdivision
 11.4 5 to automatically receive an absentee ballot application.

11.5 **EFFECTIVE DATE.** This section is effective June 1, 2024.

11.6 Sec. 10. Minnesota Statutes 2022, section 203B.04, subdivision 5, is amended to read:

11.7 Subd. 5. **Permanent absentee voter status.** (a) An eligible voter may apply to a county
 11.8 auditor or municipal clerk to automatically receive an absentee ballot application before
 11.9 each election, other than an election by mail conducted under section 204B.45, and to have
 11.10 the status as a permanent absentee voter indicated on the voter's registration record. An
 11.11 eligible voter listed as an ongoing absentee voter as of July 31, 2013, pursuant to laws in
 11.12 effect on that date, shall be treated as if the voter applied for status as a permanent absentee
 11.13 voter pursuant to this subdivision.

11.14 (b) A voter who applies under paragraph (a) must automatically be provided an absentee
 11.15 ballot application for each eligible election. A voter's permanent absentee status ends and
 11.16 automatic ballot application delivery must be terminated on:

11.17 (1) the voter's written request;

11.18 (2) the voter's death;

11.19 (3) return of an absentee ballot as undeliverable; or

11.20 (4) a change in the voter's status to "challenged" or "inactive" in the statewide voter
 11.21 registration system.

11.22 (c) The secretary of state shall adopt rules governing procedures under this subdivision.

11.23 (d) This subdivision does not apply to a voter residing in a jurisdiction that conducts
 11.24 elections entirely by mail under section 204B.45.

11.25 **EFFECTIVE DATE.** This section is effective June 1, 2024.

11.26 Sec. 11. Minnesota Statutes 2022, section 203B.06, subdivision 1, is amended to read:

11.27 Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal
 11.28 clerk shall prepare and print a sufficient number of blank application forms for absentee
 11.29 ballots. The county auditor or municipal clerk shall deliver a blank application form to any
 11.30 voter who requests one pursuant to section 203B.04. ~~Blank application forms must be mailed~~

12.1 ~~to eligible voters who have requested an application pursuant to section 203B.04, subdivision~~
 12.2 ~~5, at least 60 days before:~~

12.3 ~~(1) each regularly scheduled primary for federal, state, county, city, or school board~~
 12.4 ~~office;~~

12.5 ~~(2) each regularly scheduled general election for city or school board office for which~~
 12.6 ~~a primary is not held; and~~

12.7 ~~(3) a special primary to fill a federal or county office vacancy or special election to fill~~
 12.8 ~~a federal or county office vacancy, if a primary is not required to be held pursuant to section~~
 12.9 ~~204D.03, subdivision 3, or 204D.07, subdivision 3; and~~

12.10 ~~(4) any election held in conjunction with an election described in clauses (1) to (3);~~
 12.11 ~~or at least 45 days before any other primary or other election for which a primary is not~~
 12.12 ~~held.~~

12.13 **EFFECTIVE DATE.** This section is effective June 1, 2024.

12.14 Sec. 12. Minnesota Statutes 2022, section 203B.06, subdivision 3, is amended to read:

12.15 Subd. 3. **Delivery of ballots.** (a) The county auditor, municipal clerk, school district
 12.16 clerk, or full-time clerk of any city or town administering an election pursuant to section
 12.17 203B.05, shall mail absentee ballots to voters on the permanent absentee ballot list pursuant
 12.18 to section 203B.04, subdivision 5, on the following timelines:

12.19 (1) at least 46 days before:

12.20 (i) each regularly scheduled primary or general election for federal, state, county, city,
 12.21 or school board office; and

12.22 (ii) except as provided by clause (2), each special primary or special election to fill a
 12.23 federal, state, county, city, or school board vacancy;

12.24 (2) as soon as practicable for a special election held pursuant to section 204D.19,
 12.25 subdivision 2 and 3; and

12.26 (3) town clerks administering absentee ballots for a town general election held in March
 12.27 shall deliver absentee ballots at least 30 days before the election.

12.28 (b) The commissioner of corrections must provide the secretary of state with a list of
 12.29 the names and mailing addresses of state adult correctional facilities. An application for an
 12.30 absentee ballot that provides an address included on the list provided by the commissioner
 12.31 of corrections must not be accepted and an absentee ballot must not be provided to the

13.1 applicant. The county auditor or municipal clerk must promptly transmit a copy of the
13.2 application to the county attorney. The Department of Corrections must implement procedures
13.3 to ensure that absentee ballots issued under this chapter are not received or mailed by
13.4 offenders incarcerated at state adult correctional facilities.

13.5 ~~(b)~~ (c) If an application for absentee ballots is accepted at a time when absentee ballots
13.6 are not yet available for distribution, the county auditor, or municipal clerk accepting the
13.7 application shall file it and as soon as absentee ballots are available for distribution shall
13.8 mail them to the address specified in the application. If an application for absentee ballots
13.9 is accepted when absentee ballots are available for distribution, the county auditor or
13.10 municipal clerk accepting the application shall promptly:

13.11 (1) mail the ballots to the voter whose signature appears on the application if the
13.12 application is submitted by mail and does not request commercial shipping under clause
13.13 (2);

13.14 (2) ship the ballots to the voter using a commercial shipper requested by the voter at the
13.15 voter's expense;

13.16 (3) deliver the absentee ballots directly to the voter if the application is submitted in
13.17 person; or

13.18 (4) deliver the absentee ballots in a sealed transmittal envelope to an agent who has been
13.19 designated to bring the ballots, as provided in section 203B.11, subdivision 4, to a voter
13.20 who would have difficulty getting to the polls because of incapacitating health reasons, or
13.21 who is disabled, or who is a patient in a health care facility, a resident of a facility providing
13.22 assisted living services governed by chapter 144G, a participant in a residential program
13.23 for adults licensed under section 245A.02, subdivision 14, or a resident of a shelter for
13.24 battered women as defined in section 611A.37, subdivision 4.

13.25 ~~(e)~~ (d) If an application does not indicate the election for which absentee ballots are
13.26 sought, the county auditor or municipal clerk shall mail or deliver only the ballots for the
13.27 next election occurring after receipt of the application. Only one set of ballots may be mailed,
13.28 shipped, or delivered to an applicant for any election, except as provided in section 203B.121,
13.29 subdivision 2, or when a replacement ballot has been requested by the voter for a ballot that
13.30 has been spoiled or lost in transit.

13.31 **EFFECTIVE DATE.** This section is effective June 1, 2024.

14.1 Sec. 13. Minnesota Statutes 2022, section 203B.12, is amended by adding a subdivision
14.2 to read:

14.3 Subd. 9. **Names of persons; permanent absentee voters.** The secretary of state must
14.4 maintain a list of permanent absentee voters. The list must be available to the public in the
14.5 same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

14.6 **EFFECTIVE DATE.** This section is effective June 1, 2024.

14.7 Sec. 14. Minnesota Statutes 2022, section 203B.12, is amended by adding a subdivision
14.8 to read:

14.9 Subd. 10. **Names of persons; absentee ballot applications.** The names of voters who
14.10 have submitted an absentee ballot application to the county auditor or municipal clerk must
14.11 be available to the public in the same manner as public information lists in section 201.091,
14.12 subdivisions 4, 5, and 9.

14.13 **EFFECTIVE DATE.** This section is effective June 1, 2024.

14.14 Sec. 15. Minnesota Statutes 2022, section 203B.121, subdivision 2, is amended to read:

14.15 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board
14.16 shall take possession of all signature envelopes delivered to them in accordance with section
14.17 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk,
14.18 two or more members of the ballot board shall examine each signature envelope and shall
14.19 mark it accepted or rejected in the manner provided in this subdivision. Election judges
14.20 performing the duties in this section must be of different major political parties, unless they
14.21 are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10,
14.22 subdivision 2.

14.23 (b) The members of the ballot board shall mark the signature envelope "Accepted" and
14.24 initial or sign the signature envelope below the word "Accepted" if a majority of the members
14.25 of the ballot board examining the envelope are satisfied that:

14.26 (1) the voter's name and address on the signature envelope are the same as the information
14.27 provided on the absentee ballot application or voter record;

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

14.29 (3) the voter's Minnesota driver's license, state identification number, or the last four
14.30 digits of the voter's Social Security number are the same as a number on the voter's absentee
14.31 ballot application or voter record. If the number does not match, the election judges must

15.1 compare the signature provided by the applicant to determine whether the ballots were
15.2 returned by the same person to whom they were transmitted;

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

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

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

15.9 The signature envelope from accepted ballots must be preserved and returned to the
15.10 county auditor.

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

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

15.21 (3) If an envelope is rejected within five days of the election, the envelope must remain
15.22 sealed and the official in charge of the ballot board must attempt to contact the voter by
15.23 telephone or email to notify the voter that the voter's ballot has been rejected. The official
15.24 must document the attempts made to contact the voter.

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

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

15.33 (2) the reason for rejection; and

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

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

16.5 **EFFECTIVE DATE.** This section is effective June 1, 2024.

16.6 ARTICLE 2

16.7 PROTECT VOTERS AND OUR ELECTIONS SYSTEM

16.8 Section 1. **[204B.295] VOTING INSTRUCTIONS AND SAMPLE BALLOTS IN**
16.9 **LANGUAGES OTHER THAN ENGLISH; MULTILINGUAL ELECTION JUDGES.**

16.10 **Subdivision 1. Duty.** The secretary of state or county auditor must contract with a
16.11 translator certified by the American Translators Association to develop voting instructions
16.12 and sample ballots in languages other than English, to be made available in polling places
16.13 during elections as required by this section. At a minimum, voting instructions and sample
16.14 ballots must be prepared and made available in print, electronic, and audio-visual formats
16.15 in the Spanish, Hmong, and Somali languages.

16.16 **Subd. 2. Designation of language minority districts.** No later than 90 days before an
16.17 election, the secretary of state or county auditor, in consultation with the state demographer,
16.18 must determine the percentage of residents in each census tract who are members of a
16.19 language minority and who lack sufficient skills in English to vote without assistance. A
16.20 language minority district must be designated if three percent or more of the population in
16.21 a corresponding census tract speak English "less than very well" according to the most
16.22 recent census data.

16.23 **Subd. 3. Translation required; designated interpreters.** (a) If the number of residents
16.24 determined under subdivision 2 equals three percent or more of the population of a census
16.25 tract, or if interested citizens or organizations provide information that gives the secretary
16.26 of state or county auditor sufficient reason to believe a need exists, at least two copies of
16.27 the translated voting instructions and sample ballot must be provided to each precinct in
16.28 that district during any regular or special state or local election conducted in that district.

16.29 (b) If the number of residents determined under subdivision 2 equals 20 percent or more
16.30 of the population of a census tract, or if interested citizens or organizations provide
16.31 information that gives the secretary of state or county auditor sufficient reason to believe a
16.32 need exists, at least four copies of the translated voting instructions and sample ballot must
16.33 be provided to each precinct in that district during any regular or special state or local

17.1 election conducted in that district. In these precincts, the county auditor or municipal clerk
 17.2 must appoint at least one interpreter certified by the American Translators Association to
 17.3 translate in a specified language if ten or more registered voters in the precinct file a request
 17.4 for interpretive services for that language with the secretary of state or county auditor at
 17.5 least 30 days prior to the date of the election. This interpreter must wear a name tag or other
 17.6 badge indicating the interpreter's language certification. For purposes of section 204C.06
 17.7 and any other applicable law, an interpreter appointed under this section is considered an
 17.8 election official and may be present in a polling place for the purpose of conducting duties
 17.9 assigned by the county auditor or municipal clerk.

17.10 Subd. 4. **Use of materials; notice required.** The translated voting instructions and
 17.11 sample ballots required by this section must be made available for use by voters as a reference
 17.12 when completing and casting an official ballot. In addition to the number of copies required,
 17.13 at least one sample ballot and set of instructions in each applicable language, along with a
 17.14 notice written in that language indicating the availability of those materials, must be posted
 17.15 in a conspicuous location in each polling place.

17.16 Sec. 2. **[211B.075] INTIMIDATION AND INTERFERENCE WITH THE VOTING**
 17.17 **PROCESS; PENALTIES.**

17.18 Subdivision 1. **Intimidation.** (a) A person may not directly or indirectly use or threaten
 17.19 force, coercion, violence, restraint, damage, harm, or loss, including loss of employment
 17.20 or economic reprisal against:

17.21 (1) an individual with the intent to compel an individual to register or abstain from
 17.22 registering to vote, vote or abstain from voting, or vote for or against a candidate or ballot
 17.23 question; or

17.24 (2) any person with the intent to impede that person's efforts to encourage another to
 17.25 cast a ballot or assist another in registering to vote, traveling to a polling place, casting a
 17.26 ballot, or participating in any other aspect of the election process.

17.27 (b) Notwithstanding paragraph (a), in a civil action brought to prevent and restrain
 17.28 violations of this subdivision or to require the payment of civil penalties, the moving party
 17.29 may show that the action or attempted action would cause a reasonable person to feel
 17.30 intimidated. The moving party does not need to show that the actor intended to cause the
 17.31 victim to feel intimidated.

17.32 Subd. 2. **Deceptive practices.** (a) No person may, within 60 days of an election, cause
 17.33 information to be transmitted by any means that the person:

18.1 (1) intends to impede or prevent another person from exercising the right to vote; and

18.2 (2) knows to be materially false.

18.3 (b) The prohibition in this subdivision includes but is not limited to information regarding
18.4 the time, place, or manner of holding an election; the qualifications for or restrictions on
18.5 voter eligibility at an election; and threats to physical safety associated with casting a ballot.

18.6 Subd. 3. **Interference with registration or voting.** No person may intentionally hinder,
18.7 interfere with, or prevent another person from voting, registering to vote, or aiding another
18.8 person in casting a ballot or registering to vote.

18.9 Subd. 4. **Vicarious liability; conspiracy.** A person may be held vicariously liable for
18.10 any damages resulting from the violation of this section and may be identified in an order
18.11 restraining violations of this section if that person:

18.12 (1) intentionally aids, advises, hires, counsels, abets, incites, compels, or coerces a person
18.13 to violate any provision of this section or attempts to aid, advise, hire, counsel, abet, incite,
18.14 compel, or coerce a person to violate any provision of this section; or

18.15 (2) conspires, combines, agrees, or arranges with another to either commit a violation
18.16 of this section or aid, advise, hire, counsel, abet, incite, compel, or coerce a third person to
18.17 violate any provision of this section.

18.18 Subd. 5. **Criminal penalties; civil remedies.** (a) A person who violates this section is
18.19 guilty of a gross misdemeanor.

18.20 (b) The attorney general or an election official may bring a civil action to prevent or
18.21 restrain a violation of this section if there is a reasonable basis to believe that an individual
18.22 or entity is committing or intends to commit a prohibited act.

18.23 (c) The attorney general, or an election official injured by an act prohibited by this
18.24 section, may bring a civil action pursuant to section 8.31 to recover damages, together with
18.25 costs of investigation and reasonable attorney fees, and receive other equitable relief as
18.26 determined by the court. An action brought by an election official under section 8.31,
18.27 subdivision 3a, is in the public interest. In addition to all other damages, the court may
18.28 impose a civil penalty of up to \$1,000 for each violation.

18.29 (d) Civil remedies allowable under this section are cumulative and do not restrict any
18.30 other right or remedy otherwise available. An action for a penalty or remedy under this
18.31 section must be brought within two years of the date the violation is alleged to have occurred.
18.32 The complaint process provided in sections 211B.31 to 211B.36 does not apply to violations
18.33 of this section.

19.1 Sec. 3. Minnesota Statutes 2022, section 211B.32, subdivision 1, is amended to read:

19.2 Subdivision 1. **Administrative remedy; exhaustion.** (a) Except as provided in ~~paragraph~~
 19.3 paragraphs (b) and (c), a complaint alleging a violation of chapter 211A or 211B must be
 19.4 filed with the office. The complaint must be finally disposed of by the office before the
 19.5 alleged violation may be prosecuted by a county attorney.

19.6 (b) Complaints arising under those sections and related to those individuals and
 19.7 associations specified in section 10A.022, subdivision 3, must be filed with the Campaign
 19.8 Finance and Public Disclosure Board.

19.9 (c) Violations of section 211B.075 may be enforced as provided in that section.

19.10 ARTICLE 3

19.11 MODERNIZE CAMPAIGN FINANCE SYSTEM TO EMPOWER VOTERS AND 19.12 INCREASE DISCLOSURE OF SECRET SPENDING

19.13 Section 1. Minnesota Statutes 2022, section 10A.01, subdivision 16a, is amended to read:

19.14 Subd. 16a. **Expressly advocating.** "Expressly advocating" means that a communication:

19.15 (1) clearly identifies a candidate or a local candidate and uses words or phrases of express
 19.16 advocacy; or

19.17 (2) when taken as a whole and with limited reference to external events, such as the
 19.18 proximity to the election, could only be interpreted by a reasonable person as containing
 19.19 advocacy of the election or defeat of one or more clearly identified candidates because:

19.20 (i) the electoral portion of the communication is unmistakable, unambiguous, and
 19.21 suggestive of only one meaning; and

19.22 (ii) reasonable minds could not differ as to whether the communication encourages
 19.23 actions to elect or defeat one or more clearly identified candidates or encourages some other
 19.24 kind of action.

19.25 Sec. 2. Minnesota Statutes 2022, section 10A.27, subdivision 11, is amended to read:

19.26 Subd. 11. **Contributions from certain types of contributors.** (a) A candidate must not
 19.27 permit the candidate's principal campaign committee to accept a contribution from a political
 19.28 committee, political fund, lobbyist, or association not registered with the board if the
 19.29 contribution will cause the aggregate contributions from those types of contributors during
 19.30 an election cycle segment to exceed an amount equal to 20 percent of the election cycle

20.1 segment expenditure limits for the office sought by the candidate, provided that the 20
20.2 percent limit must be rounded to the nearest \$100.

20.3 (b) A candidate must not permit the candidate's principal campaign committee to accept
20.4 a contribution that is prohibited by section 211B.15.

20.5 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to contributions,
20.6 expenditures, and other applicable activities occurring on or after that date.

20.7 Sec. 3. Minnesota Statutes 2022, section 211B.15, subdivision 1, is amended to read:

20.8 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this
20.9 subdivision have the meanings given. Unless otherwise provided, the definitions in section
20.10 10A.01 also apply to this section.

20.11 (b) "Chief executive officer" means the highest-ranking officer or decision-making
20.12 individual with authority over a corporation's affairs.

20.13 (c) "Corporation" means:

20.14 (1) a corporation organized for profit that does business in this state;

20.15 (2) a nonprofit corporation that carries out activities in this state; or

20.16 (3) a limited liability company formed under chapter 322C, or under similar laws of
20.17 another state, that does business in this state.

20.18 (d) "Foreign-influenced corporation" means a corporation as defined in paragraph (c),
20.19 clause (1) or (3), for which at least one of the following conditions is met:

20.20 (1) a single foreign investor holds, owns, controls, or otherwise has direct or indirect
20.21 beneficial ownership of one percent or more of the total equity, outstanding voting shares,
20.22 membership units, or other applicable ownership interests of the corporation;

20.23 (2) two or more foreign investors in aggregate hold, own, control, or otherwise have
20.24 direct or indirect beneficial ownership of five percent or more of the total equity, outstanding
20.25 voting shares, membership units, or other applicable ownership interests of the corporation;
20.26 or

20.27 (3) a foreign investor participates directly or indirectly in the corporation's
20.28 decision-making process with respect to the corporation's political activities in the United
20.29 States.

20.30 (e) "Foreign investor" means a person or entity that:

21.1 (1) holds, owns, controls, or otherwise has direct or indirect beneficial ownership of
21.2 equity, outstanding voting shares, membership units, or otherwise applicable ownership
21.3 interests of a corporation; and

21.4 (2) is any of the following:

21.5 (i) a government of a foreign country;

21.6 (ii) a political party organized in a foreign country;

21.7 (iii) a partnership, association, corporation, organization, or other combination of persons
21.8 organized under the laws of or having its principal place of business in a foreign country;

21.9 (iv) an individual outside of the United States who is not a citizen or national of the
21.10 United States and who is not lawfully admitted for permanent residence in the United States;

21.11 or

21.12 (v) a corporation in which a foreign investor as defined in this paragraph holds, owns,
21.13 controls, or otherwise has directly or indirectly acquired beneficial ownership of equity or
21.14 voting shares in an amount that is equal to or greater than 50 percent of the total equity or
21.15 outstanding voting shares.

21.16 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to contributions,
21.17 expenditures, and other applicable activities occurring on or after that date.

21.18 Sec. 4. Minnesota Statutes 2022, section 211B.15, is amended by adding a subdivision to
21.19 read:

21.20 Subd. 4a. **Foreign-influenced corporations.** (a) Notwithstanding subdivisions 3 and
21.21 4, a foreign-influenced corporation must not:

21.22 (1) make an expenditure, or offer or agree to make an expenditure, to promote or defeat
21.23 the candidacy of an individual for nomination, election, or appointment to a public office;

21.24 (2) make contributions or expenditures to promote or defeat a ballot question, or to
21.25 qualify a question for placement on the ballot;

21.26 (3) make a contribution to a candidate for nomination, election, or appointment to a
21.27 public office or to a candidate's principal campaign committee; or

21.28 (4) make a contribution to a political committee, political fund, or political party unit.

21.29 (b) A foreign-influenced corporation must not make a contribution or donation to any
21.30 other person with the express or implied condition that the contribution or any part of it be
21.31 used for any of the purposes prohibited by this subdivision.

22.1 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to contributions,
22.2 expenditures, and other applicable activities occurring on or after that date.

22.3 Sec. 5. Minnesota Statutes 2022, section 211B.15, is amended by adding a subdivision to
22.4 read:

22.5 Subd. 4b. **Certification of compliance with subdivision 4a.** A corporation as defined
22.6 in subdivision 1, paragraph (c), clause (1) or (3), that makes a contribution or expenditure
22.7 authorized by subdivision 3 or 4 must submit a certification to the Campaign Finance and
22.8 Public Disclosure Board that it was not a foreign-influenced corporation as of the date the
22.9 contribution or expenditure was made. The certification must be submitted within seven
22.10 business days after the contribution or expenditure is made and must be signed by the
22.11 corporation's chief executive officer after reasonable inquiry, under penalty of perjury. If
22.12 the activity requiring certification was a contribution to an independent expenditure
22.13 committee, the corporation must additionally provide a copy of the certification to that
22.14 committee. For purposes of this certification, the corporation shall ascertain beneficial
22.15 ownership in a manner consistent with chapter 302A or, if it is registered on a national
22.16 securities exchange, as set forth in Code of Federal Regulations, title 17, sections 240.13d-3
22.17 and 240.13d-5. The corporation shall provide a copy of the statement of certification to any
22.18 candidate or committee to which it contributes, and upon request of the recipient, to any
22.19 other person to which it contributes.

22.20 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to contributions,
22.21 expenditures, and other applicable activities occurring on or after that date.

22.22 Sec. 6. Minnesota Statutes 2022, section 211B.15, subdivision 7b, is amended to read:

22.23 Subd. 7b. **Knowing violations.** An individual or a corporation knowingly violates this
22.24 section if, at the time of a transaction, the individual or the corporation knew:

22.25 (1) that the transaction causing the violation constituted a contribution under chapter
22.26 10A, 211A, or 383B; and

22.27 (2) that the contributor was a corporation subject to the prohibitions of subdivision 2 or
22.28 4a.

22.29 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to contributions,
22.30 expenditures, and other applicable activities occurring on or after that date.