

A bill for an act

relating to elections; requiring voters to provide picture identification before receiving a ballot; providing for the issuance of voter identification cards at no charge; changing certain canvassing deadlines; requiring certain notice; establishing a procedure for provisional balloting; appropriating money; amending Minnesota Statutes 2010, sections 171.07, subdivisions 4, 9, by adding a subdivision; 201.061, subdivision 3; 201.12, subdivision 1; 201.221, subdivision 3; 204C.10; 204C.12, subdivision 3; 204C.32; 204C.33, subdivision 1; 204C.37; 205.065, subdivision 5; 205.185, subdivision 3; 205A.03, subdivision 4; 205A.10, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 200; 201; 204C.

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

Section 1. Minnesota Statutes 2010, section 171.07, is amended by adding a subdivision to read:

Subd. 3b. **Voter identification cards.** (a) The Department of Public Safety shall provide a Minnesota voter identification card to any applicant who is eligible to vote in Minnesota and who does not possess a valid Minnesota driver's license or state identification card. The department may not require the applicant to pay a fee for issuance of a card. A state-subsidized voter identification card may only be applied for at a driver's licensing facility operated by the Division of Driver and Vehicle Services. Upon application for a state-subsidized voter identification card, including upon application for a renewal, duplicate card, or when a new card is required as a result of a change of address, an applicant must present verification that the applicant is at least 18 years of age, is a citizen of the United States, and will have maintained residence in Minnesota for at least 20 days immediately preceding the next election.

(b) A voter identification card must bear a distinguishing number assigned to the applicant, a color photograph or an electronically produced image of the applicant, the

applicant's full name and date of birth, the applicant's address of residence, a description of the applicant in the manner the commissioner deems necessary, and the usual signature of the applicant.

(c) A voter identification card shall not be valid identification for purposes unrelated to voting in Minnesota.

(d) A voter identification card must be of a different color scheme than a Minnesota driver's license or state identification card, but must incorporate the same information and security features as provided in subdivision 9.

(e) Each voter identification card must be plainly marked: "Voter Identification – Not a drivers license. Valid Identification Only for Voting."

Sec. 2. Minnesota Statutes 2010, section 171.07, subdivision 4, is amended to read:

Subd. 4. **Expiration.** (a) Except as otherwise provided in this subdivision, the expiration date of Minnesota identification cards and voter identification cards of applicants under the age of 65 shall be the birthday of the applicant in the fourth year following the date of issuance of the card.

(b) Minnesota identification cards and voter identification cards issued to applicants age 65 or over shall be valid for the lifetime of the applicant.

(c) The expiration date for an Under-21 identification card is the cardholder's 21st birthday. The commissioner shall issue an identification card to a holder of an Under-21 identification card who applies for the card, pays the required fee, and presents proof of identity and age, unless the commissioner determines that the applicant is not qualified for the identification card.

Sec. 3. Minnesota Statutes 2010, section 171.07, subdivision 9, is amended to read:

Subd. 9. **Improved security.** ~~The commissioner shall develop new Drivers' licenses and~~ identification cards, ~~to be issued beginning January 1, 1994, that~~ and voter identification cards must be as impervious to alteration as is reasonably practicable in their design and quality of material and technology. The driver's license security laminate shall be made from materials not readily available to the general public. The design and technology employed must enable the driver's license and identification card to be subject to two or more methods of visual verification capable of clearly indicating the presence of tampering or counterfeiting. The driver's license and identification card must not be susceptible to reproduction by photocopying or simulation and must be highly resistant to data or photograph substitution and other tampering.

Sec. 4. **[200.035] DOCUMENTATION OF IDENTITY AND RESIDENCE.**

The following are sufficient proof of identity and residence for purposes of election day voter registration under section 201.061, subdivision 3, and for determining whether to count a provisional ballot under section 204C.135, subdivision 2:

(1) a current, valid driver's license, state identification card, or voter identification card issued to the voter by the Department of Public Safety that contains the voter's current address of residence in the precinct;

(2) an identification card issued to the voter by the tribal government of a tribe recognized by the Bureau of Indian Affairs that contains a photograph of the voter, the voter's current address of residence in the precinct, and any other items of data required to be contained on a Minnesota identification card, as provided in section 171.07, subdivision 3, paragraphs (a) and (b);

(3) an original receipt for a new, renewed, or updated driver's license, state identification card, or voter identification card issued to the voter under section 171.07 that contains the voter's current address of residence in the precinct along with one of the following documents, provided that it contains a photograph of the voter:

(i) a driver's license or identification card that is expired, invalidated, or does not contain the voter's current address of residence, issued to the voter by the state of Minnesota or any other state or territory of the United States;

(ii) a United States passport issued to the voter;

(iii) an identification card issued by a branch, department, agency, entity, or subdivision of Minnesota or the federal government;

(iv) an identification card issued by an accredited postsecondary institution with a campus located within Minnesota, if a list of students from that institution has been prepared under section 135A.17 and certified to the county auditor in the manner provided in rules of the secretary of state; or

(v) an identification card issued to the voter by the tribal government of a tribe recognized by the Bureau of Indian Affairs;

(4) if the voter resides in a shelter facility designated for battered women, as defined in section 611A.37, subdivision 4, a driver's license or identification card issued to the voter by the Department of Public Safety that contains the voter's photograph and address of residence prior to seeking the services of the shelter facility, along with a certification of residence in the facility, signed by the facility's administrator on a form prescribed by the secretary of state; or

(5) a driver's license or identification card issued by Minnesota or any other state or territory of the United States that does not contain the voter's current address of residence, if the voter is a student and either:

(i) the voter's name and address of residence is included on a residential housing list certified to the county auditor for use in that precinct under section 135A.17, subdivision 2; or

(ii) the voter presents a current student fee statement, issued to the voter, that contains the voter's valid address of residence in the precinct.

Sec. 5. [201.017] STATE-SUBSIDIZED VOTER IDENTIFICATION CARD ACCOUNT.

A state-subsidized voter identification card account is established in the special revenue fund. Money in the account is appropriated to the Department of Public Safety for purposes of reimbursing the department for administrative costs providing state-subsidized voter identification cards to individuals qualifying under section 171.07, subdivision 3b, provided that the department may not be reimbursed more than \$9.85 for each card issued. The commissioner of public safety must report to the legislature at least monthly by county on expenditure of funds from this account. A report of the total expenditures by county must be submitted to the majority and minority members of the house of representatives and senate committees with oversight in elections by January 31 of each year.

Sec. 6. Minnesota Statutes 2010, section 201.061, subdivision 3, is amended to read:

Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration application, making an oath in the form prescribed by the secretary of state and providing proof of identity and residence. An individual may prove identity and residence for purposes of registering by: presenting documentation as permitted by section 200.035.

~~(1) presenting a driver's license or Minnesota identification card issued pursuant to section 171.07;~~

~~(2) presenting any document approved by the secretary of state as proper identification;~~

~~(3) presenting one of the following:~~

~~(i) a current valid student identification card from a postsecondary educational institution in Minnesota, if a list of students from that institution has been prepared under~~

~~section 135A.17 and certified to the county auditor in the manner provided in rules of the secretary of state; or~~

~~(ii) a current student fee statement that contains the student's valid address in the precinct together with a picture identification card; or~~

~~(4) having a voter who is registered to vote in the precinct, or who is an employee employed by and working in a residential facility in the precinct and vouching for a resident in the facility, sign an oath in the presence of the election judge vouching that the voter or employee personally knows that the individual is a resident of the precinct. A voter who has been vouched for on election day may not sign a proof of residence oath vouching for any other individual on that election day. A voter who is registered to vote in the precinct may sign up to 15 proof-of-residence oaths on any election day. This limitation does not apply to an employee of a residential facility described in this clause. The secretary of state shall provide a form for election judges to use in recording the number of individuals for whom a voter signs proof-of-residence oaths on election day. The form must include space for the maximum number of individuals for whom a voter may sign proof-of-residence oaths. For each proof-of-residence oath, the form must include a statement that the voter is registered to vote in the precinct, personally knows that the individual is a resident of the precinct, and is making the statement on oath. The form must include a space for the voter's printed name, signature, telephone number, and address.~~

~~The oath required by this subdivision and Minnesota Rules, part 8200.9939, must be attached to the voter registration application.~~

~~(b) The operator of a residential facility shall prepare a list of the names of its employees currently working in the residential facility and the address of the residential facility. The operator shall certify the list and provide it to the appropriate county auditor no less than 20 days before each election for use in election day registration.~~

~~(c) "Residential facility" means transitional housing as defined in section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner of health under section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision 5; a residence registered with the commissioner of health as a housing with services establishment as defined in section 144D.01, subdivision 4; a veterans home operated by the board of directors of the Minnesota Veterans Homes under chapter 198; a residence licensed by the commissioner of human services to provide a residential program as defined in section 245A.02, subdivision 14; a residential facility for persons with a developmental disability licensed by the commissioner of human services under section 252.28; group residential housing as defined in section 256I.03, subdivision 3; a shelter for battered women as defined in section 611A.37, subdivision 4; or a supervised~~

~~publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless.~~

~~(d) For tribal band members, an individual may prove residence for purposes of registering by:~~

~~(1) presenting an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, address, signature, and picture of the individual; or~~

~~(2) presenting an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, signature, and picture of the individual and also presenting one of the documents listed in Minnesota Rules, part 8200.5100, subpart 2, item B.~~

~~(e)~~ (b) A county, school district, or municipality may require that an election judge responsible for election day registration initial each completed registration application.

Sec. 7. Minnesota Statutes 2010, section 201.12, subdivision 1, is amended to read:

Subdivision 1. **Notice of registration.** (a) To prevent fraudulent voting and to eliminate excess names, the county auditor may, except where required by paragraph (b), mail to any registered voter a notice stating the voter's name and address as they appear in the registration files. The notice shall request the voter to notify the county auditor if there is any mistake in the information.

(b) The notice provided in paragraph (a) must be sent upon acceptance of a registration application from any voter who has not been previously registered to vote in Minnesota. In addition to the requirements of paragraph (a), the notice sent to a voter under this paragraph must inform the voter of the requirements for voting in the polling place, including the photo identification requirements contained in section 204C.10, and provide information to assist the voter in acquiring a voter identification card, if necessary, under section 201.017.

Sec. 8. Minnesota Statutes 2010, section 201.221, subdivision 3, is amended to read:

Subd. 3. **Procedures for polling place rosters.** The secretary of state shall prescribe the form of polling place rosters that include the voter's name, address, date of birth, school district number, and space for the voter's signature. The address listed on the polling place roster must be the voter's address of residence, unless the voter has requested that the address printed on the roster be the voter's mailing address because the voter is a judge, law enforcement officer, or corrections officer. The secretary of state may prescribe additional election-related information to be placed on the polling place

rosters on an experimental basis for one state primary and general election cycle; the same information may not be placed on the polling place roster for a second state primary and general election cycle unless specified in this subdivision. The polling place roster must be used to indicate whether the voter has voted in a given election. The secretary of state shall prescribe procedures for transporting the polling place rosters to the election judges for use on election day. The secretary of state shall prescribe the form for a county or municipality to request the date of birth from currently registered voters. The county or municipality shall not request the date of birth from currently registered voters by any communication other than the prescribed form and the form must clearly indicate that a currently registered voter does not lose registration status by failing to provide the date of birth. In accordance with section 204B.40, the county auditor shall retain the prescribed polling place rosters used on the date of election for 22 months following the election.

Sec. 9. Minnesota Statutes 2010, section 204C.10, is amended to read:

204C.10 PERMANENT REGISTRATION; VERIFICATION OF REGISTRATION.

Subdivision 1. Polling place roster. (a) An individual seeking to vote shall sign a polling place roster which states that the individual is at least 18 years of age, a citizen of the United States, has resided in Minnesota for 20 days immediately preceding the election, maintains residence at the address shown, is not under a guardianship in which the court order revokes the individual's right to vote, has not been found by a court of law to be legally incompetent to vote or has the right to vote because, if the individual was convicted of a felony, the felony sentence has expired or been completed or the individual has been discharged from the sentence, is registered and has not already voted in the election. The roster must also state: "I understand that deliberately providing false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

(b) ~~A judge may,~~ Before the applicant signs the roster, a judge must: (1) require the voter to present a photo identification document, as described in subdivision 2; and (2) confirm the applicant's name, address, and date of birth. A voter who cannot produce sufficient identification as required by subdivision 2 may not sign the polling place roster, but may cast a provisional ballot as provided in section 204C.135.

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

8.1 Subd. 2. **Photo identification.** (a) To satisfy the photo identification requirement
8.2 in subdivision 1, a voter must present a valid form of one of the following documents
8.3 or sets of documents issued to the voter:

8.4 (1) a Minnesota driver's license, state identification card, or voter identification card
8.5 issued under section 171.07 that contains the voter's current address of residence in the
8.6 precinct;

8.7 (2)(i) an original receipt for a new, renewed, or updated driver's license, state
8.8 identification card, or voter identification card issued to the voter under section 171.07 that
8.9 contains the voter's current address of residence in the precinct; and

8.10 (ii) a driver's license or identification card that is expired, invalidated, or does not
8.11 contain the voter's current address of residence in the precinct, issued to the voter by the
8.12 state of Minnesota or any other state or territory of the United States;

8.13 (3) an identification card issued by the tribal government of a tribe recognized
8.14 by the Bureau of Indian Affairs that contains a photograph of the voter, the voter's
8.15 current address of residence in the precinct, and any other items of data required to be
8.16 contained on a Minnesota identification card, as provided in section 171.07, subdivision
8.17 3, paragraphs (a) and (b);

8.18 (4) if the voter resides in a shelter facility designated for battered women, as defined
8.19 in section 611A.37, subdivision 4, a driver's license or identification card issued to the
8.20 voter by the Department of Public Safety that contains the voter's photograph and address
8.21 of residence prior to seeking the services of the shelter facility, along with a certification
8.22 of residence in the facility, signed by the facility's administrator on a form prescribed by
8.23 the secretary of state; or

8.24 (5) a driver's license or identification card issued by Minnesota or any other state or
8.25 territory of the United States that does not contain the voter's current address of residence,
8.26 if the voter is a student and either:

8.27 (i) the voter's name and address of residence is included on a residential housing list
8.28 certified to the county auditor for use in that precinct under section 135A.17, subdivision
8.29 2; or

8.30 (ii) the voter presents a current student fee statement, issued to the voter, that
8.31 contains the voter's valid address of residence in the precinct.

8.32 (b) An identification card presented under this section is not deficient for a lack of
8.33 the voter's current address of residence in the precinct if the identification card contains
8.34 the mailing address of the voter that matches the address listed on the polling place roster.

8.35 Sec. 10. Minnesota Statutes 2010, section 204C.12, subdivision 3, is amended to read:

Subd. 3. **Determination of residence.** In determining the legal residence of a challenged individual, the election judges shall be governed by the principles contained in section 200.031. If the challenged individual's answers to the questions show ineligibility to vote in that precinct, the individual shall not be allowed to vote. If the individual has marked ballots but not yet deposited them in the ballot boxes before the election judges determine ineligibility to vote in that precinct, the marked ballots shall be placed ~~unopened~~ with the spoiled ballots. If the answers to the questions fail to show that the individual is not eligible to vote in that precinct and the challenge is not withdrawn, the election judges shall ~~verbally administer the oath on the voter certificate to the individual. After taking the oath and completing and signing the voter certificate, the challenged individual shall be allowed to vote~~ permit the voter to cast a provisional ballot in the manner provided in section 204C.135.

Sec. 11. **[204C.135] PROVISIONAL BALLOTS.**

Subdivision 1. Casting of provisional ballots. (a) The following voters seeking to vote are entitled to cast a provisional ballot in the manner provided by this section:

(1) a voter who is unable to provide proper photo identification as required by section 204C.10;

(2) a voter whose registration status is listed as "challenged" on the polling place roster; and

(3) a voter whose eligibility to vote is challenged as permitted by section 204C.12.

(b) A voter seeking to vote a provisional ballot must sign a provisional ballot roster and complete a provisional ballot envelope. The envelope must contain a space for the voter to list the voter's name, address of residence, date of birth, voter identification number, and any other information prescribed by the secretary of state. The voter must also swear or affirm, in writing, that the voter is eligible to vote, has not voted previously in the same election, and meets the criteria for registering to vote in the precinct in which the voter appears.

Once the voter has completed the provisional ballot envelope, the voter must be allowed to cast a provisional ballot. The provisional ballot must be in the same form as the official ballot available in the precinct on election day. A completed provisional ballot shall be sealed in a secrecy envelope. The secrecy envelope shall be sealed inside the voter's provisional ballot envelope and deposited by the voter in a secure, sealed provisional ballot box. Completed provisional ballots may not be combined with other voted ballots in the polling place.

10.1 (c) The form of the secrecy and provisional ballot envelopes shall be prescribed by
10.2 the secretary of state. The provisional ballot envelope must be a color other than that
10.3 provided for absentee ballot envelopes and must be prominently labeled "Provisional
10.4 Ballot Envelope."

10.5 (d) Provisional ballots and related documentation shall be delivered to and securely
10.6 maintained by the county auditor or municipal clerk in the same manner as required for
10.7 other election materials under sections 204C.27 and 204C.28.

10.8 Subd. 2. **Counting provisional ballots.** (a) A voter who casts a provisional ballot in
10.9 the polling place may personally appear before the county auditor or municipal clerk no
10.10 later than seven calendar days following the election to prove that the voter's provisional
10.11 ballot should be counted. The county auditor or municipal clerk must count a provisional
10.12 ballot in the final certified results from the precinct if:

10.13 (1) the statewide voter registration system indicates that the voter is eligible to vote
10.14 or, if challenged, the voter presents evidence of the voter's eligibility to vote; and

10.15 (2) the voter presents proof of identity and residence in the precinct in the manner
10.16 permitted by section 200.035.

10.17 (b) If a voter does not appear before the county auditor or municipal clerk within
10.18 seven calendar days following the election or otherwise does not satisfy the requirements
10.19 of paragraph (a), or if the data listed on the items of identification presented by the voter
10.20 does not match the data submitted by the voter on the provisional ballot envelope, the
10.21 voter's provisional ballot must not be counted.

10.22 (c) The county auditor or municipal clerk must notify, in writing, any provisional
10.23 voter who does not appear within seven calendar days of the election that the voter's
10.24 provisional ballot was not counted because of the voter's failure to appear before the
10.25 county auditor or municipal clerk within the time permitted by law to determine whether
10.26 the provisional ballot should be counted.

10.27 Subd. 3. **Provisional ballots; reconciliation.** Prior to counting any provisional
10.28 ballots in the final vote totals from a precinct, the county auditor must verify that the
10.29 number of signatures appearing on the provisional ballot roster from that precinct is equal
10.30 to or greater than the number of accepted provisional ballots submitted by voters in the
10.31 precinct on election day. Any discrepancy must be resolved before the provisional ballots
10.32 from the precinct may be counted. Excess provisional ballots to be counted must be
10.33 randomly withdrawn in the manner required by section 204C.20, subdivision 2, after the
10.34 period for a voter to appear to prove residence and identity has expired and the ballots to
10.35 be counted have been separated from the provisional ballot envelopes.

11.1 Sec. 12. Minnesota Statutes 2010, section 204C.32, is amended to read:

11.2 **204C.32 CANVASS OF STATE PRIMARIES.**

11.3 Subdivision 1. **County canvass.** The county canvassing board shall meet at the
11.4 county auditor's office on the ~~third~~ eighth day following the state primary. After taking the
11.5 oath of office, the canvassing board shall publicly canvass the election returns delivered
11.6 to the county auditor. The board shall complete the canvass on the ~~third~~ eighth day
11.7 following the state primary and shall promptly prepare and file with the county auditor
11.8 a report that states:

11.9 (a) the number of individuals voting at the election in the county, and in each
11.10 precinct;

11.11 (b) the number of individuals registering to vote on election day and the number of
11.12 individuals registered before election day in each precinct;

11.13 (c) for each major political party, the names of the candidates running for each
11.14 partisan office and the number of votes received by each candidate in the county and in
11.15 each precinct;

11.16 (d) the names of the candidates of each major political party who are nominated; and

11.17 (e) the number of votes received by each of the candidates for nonpartisan office in
11.18 each precinct in the county and the names of the candidates nominated for nonpartisan
11.19 office.

11.20 Upon completion of the canvass, the county auditor shall mail or deliver a notice of
11.21 nomination to each nominee for county office voted for only in that county. The county
11.22 auditor shall transmit one of the certified copies of the county canvassing board report
11.23 for state and federal offices to the secretary of state by express mail or similar service
11.24 immediately upon conclusion of the county canvass. The secretary of state shall mail a
11.25 notice of nomination to each nominee for state or federal office.

11.26 Subd. 2. **State canvass.** The State Canvassing Board shall meet at the Secretary of
11.27 State's Office ~~seven~~ 14 days after the state primary to canvass the certified copies of the
11.28 county canvassing board reports received from the county auditors. Immediately after
11.29 the canvassing board declares the results, the secretary of state shall certify the names of
11.30 the nominees to the county auditors. The secretary of state shall mail to each nominee
11.31 a notice of nomination.

11.32 Sec. 13. Minnesota Statutes 2010, section 204C.33, subdivision 1, is amended to read:

11.33 Subdivision 1. **County canvass.** The county canvassing board shall meet at the
11.34 county auditor's office between the ~~third~~ eighth and ~~tenth~~ 14th days following the state
11.35 general election. After taking the oath of office, the board shall promptly and publicly

12.1 canvass the general election returns delivered to the county auditor. Upon completion of
12.2 the canvass, the board shall promptly prepare and file with the county auditor a report
12.3 which states:

12.4 (a) the number of individuals voting at the election in the county and in each precinct;

12.5 (b) the number of individuals registering to vote on election day and the number of
12.6 individuals registered before election day in each precinct;

12.7 (c) the names of the candidates for each office and the number of votes received by
12.8 each candidate in the county and in each precinct;

12.9 (d) the number of votes counted for and against a proposed change of county lines
12.10 or county seat; and

12.11 (e) the number of votes counted for and against a constitutional amendment or other
12.12 question in the county and in each precinct.

12.13 The result of write-in votes cast on the general election ballots must be compiled by
12.14 the county auditor before the county canvass, except that write-in votes for a candidate for
12.15 federal, state, or county office must not be counted unless the candidate has timely filed a
12.16 request under section 204B.09, subdivision 3. The county auditor shall arrange for each
12.17 municipality to provide an adequate number of election judges to perform this duty or the
12.18 county auditor may appoint additional election judges for this purpose. The county auditor
12.19 may open the envelopes or containers in which the voted ballots have been sealed in order
12.20 to count and record the write-in votes and must reseal the voted ballots at the conclusion
12.21 of this process. The county auditor must prepare a separate report of votes received by
12.22 precinct for write-in candidates for federal, state, and county offices who have requested
12.23 under section 204B.09 that votes for those candidates be tallied.

12.24 Upon completion of the canvass, the county canvassing board shall declare the
12.25 candidate duly elected who received the highest number of votes for each county and state
12.26 office voted for only within the county. The county auditor shall transmit a certified
12.27 copy of the county canvassing board report for state and federal offices to the secretary
12.28 of state by messenger, express mail, or similar service immediately upon conclusion of
12.29 the county canvass.

12.30 Sec. 14. Minnesota Statutes 2010, section 204C.37, is amended to read:

12.31 **204C.37 COUNTY CANVASS; RETURN OF REPORTS TO SECRETARY OF**
12.32 **STATE.**

12.33 A copy of the report required by sections 204C.32, subdivision 1, and 204C.33,
12.34 subdivision 1, shall be certified under the official seal of the county auditor. The copy shall
12.35 be enclosed in an envelope addressed to the secretary of state, with the county auditor's

13.1 name and official address and the words "Election Returns" endorsed on the envelope.
13.2 The copy of the canvassing board report and the precinct summary statements must be
13.3 sent by express mail or delivered to the secretary of state. If the copy is not received by
13.4 the secretary of state within ten days following ~~the applicable election~~ a primary election,
13.5 or within 16 days following a general election, the secretary of state shall immediately
13.6 notify the county auditor, who shall deliver another copy to the secretary of state by
13.7 special messenger.

13.8 Sec. 15. Minnesota Statutes 2010, section 205.065, subdivision 5, is amended to read:

13.9 Subd. 5. **Results.** The municipal primary shall be conducted and the returns made in
13.10 the manner provided for the state primary so far as practicable. On the ~~third~~ eight day
13.11 after the primary, the governing body of the municipality shall canvass the returns, and the
13.12 two candidates for each office who receive the highest number of votes, or a number of
13.13 candidates equal to twice the number of individuals to be elected to the office, who receive
13.14 the highest number of votes, shall be the nominees for the office named. Their names shall
13.15 be certified to the municipal clerk who shall place them on the municipal general election
13.16 ballot without partisan designation and without payment of an additional fee.

13.17 Sec. 16. Minnesota Statutes 2010, section 205.185, subdivision 3, is amended to read:

13.18 Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** (a)

13.19 Between the ~~third~~ eight and ~~tenth~~ fourteenth days after an election, the governing body of a
13.20 city conducting any election including a special municipal election, or the governing body
13.21 of a town conducting the general election in November shall act as the canvassing board,
13.22 canvass the returns, and declare the results of the election. The governing body of a town
13.23 conducting the general election in March shall act as the canvassing board, canvass the
13.24 returns, and declare the results of the election within ~~two~~ ten days after an election.

13.25 (b) After the time for contesting elections has passed, the municipal clerk shall issue a
13.26 certificate of election to each successful candidate. In case of a contest, the certificate shall
13.27 not be issued until the outcome of the contest has been determined by the proper court.

13.28 (c) In case of a tie vote, the canvassing board having jurisdiction over the
13.29 municipality shall determine the result by lot. The clerk of the canvassing board shall
13.30 certify the results of the election to the county auditor, and the clerk shall be the final
13.31 custodian of the ballots and the returns of the election.

13.32 Sec. 17. Minnesota Statutes 2010, section 205A.03, subdivision 4, is amended to read:

Subd. 4. **Results.** The school district primary must be conducted and the returns made in the manner provided for the state primary as far as practicable. On the ~~third~~ third eighth day after the primary, the school board of the school district shall canvass the returns, and the two candidates for each specified school board position who receive the highest number of votes, or a number of candidates equal to twice the number of individuals to be elected to at-large school board positions who receive the highest number of votes, are the nominees for the office named. Their names must be certified to the school district clerk who shall place them on the school district general election ballot without partisan designation and without payment of an additional fee.

Sec. 18. Minnesota Statutes 2010, section 205A.10, subdivision 3, is amended to read:

Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** Between the ~~third eighth~~ and ~~tenth~~ 14th days after a school district election other than a recount of a special election conducted under section 126C.17, subdivision 9, or 475.59, the school board shall canvass the returns and declare the results of the election. After the time for contesting elections has passed, the school district clerk shall issue a certificate of election to each successful candidate. If there is a contest, the certificate of election to that office must not be issued until the outcome of the contest has been determined by the proper court. If there is a tie vote, the school board shall determine the result by lot. The clerk shall deliver the certificate of election to the successful candidate by personal service or certified mail. The successful candidate shall file an acceptance and oath of office in writing with the clerk within 30 days of the date of mailing or personal service. A person who fails to qualify prior to the time specified shall be deemed to have refused to serve, but that filing may be made at any time before action to fill the vacancy has been taken. The school district clerk shall certify the results of the election to the county auditor, and the clerk shall be the final custodian of the ballots and the returns of the election.

A school district canvassing board shall perform the duties of the school board according to the requirements of this subdivision for a recount of a special election conducted under section 126C.17, subdivision 9, or 475.59.

Sec. 19. **APPROPRIATION.**

The commissioner of management and budget shall transfer \$354,600 in fiscal year 2012 and \$428,475 in fiscal year 2013 from the general fund to the state-subsidized identification card account for purposes of providing state-subsidized identification cards to individuals qualifying under Minnesota Statutes, section 171.07, subdivision 3b.

- 15.1
- Sec. 20. EFFECTIVE DATE.
- 15.2
- Sections 1 to 19 are effective July 1, 2011, and apply to elections held on or after
- 15.3
- that date.