

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 2474

03/17/2025 Authored by Tabke, Klevorn, Stephenson, Freiberg, Gomez and others
The bill was read for the first time and referred to the Committee on Elections Finance and Government Operations
03/26/2025 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time
05/19/2025 Pursuant to Rule 4.20, returned to the Committee on Elections Finance and Government Operations

1.1 A bill for an act
1.2 relating to elections; modifying provisions related to absentee voting; amending
1.3 Minnesota Statutes 2024, sections 203B.04, subdivision 1; 203B.05, subdivision
1.4 1; 203B.121, subdivisions 4, 5; 203B.29, subdivisions 1, 2; 203B.30, subdivision
1.5 3.

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

1.7 Section 1. Minnesota Statutes 2024, section 203B.04, subdivision 1, is amended to read:

1.8 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision
1.9 2 or by section 203B.11, subdivision 4, or 203B.29, an application for absentee ballots for
1.10 any election:

1.11 (1) may be submitted in person at any time not later than the day before the election; or
1.12 (2) if not submitted in person as provided in clause (1), must be received at any time not
1.13 less than ~~one day~~ seven days before the day of that election.

1.14 The county auditor shall prepare absentee ballot application forms in the format provided
1.15 by the secretary of state and shall furnish them to any person on request. By January 1 of
1.16 each even-numbered year, the secretary of state shall make the forms to be used available
1.17 to auditors through electronic means. An application submitted pursuant to this subdivision
1.18 shall be in writing. An application may be submitted in person, by electronic facsimile
1.19 device, by electronic mail, or by mail to:

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

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

(b) An absentee ballot application may alternatively be submitted electronically through a secure website that shall be maintained by the secretary of state for this purpose. After 5:00 p.m. seven days prior to an election, the secretary of state must replace the electronic application with information detailing the available options to vote before and on the upcoming election day. Notwithstanding paragraph (d), the secretary of state must require applicants using the website to submit the applicant's email address and the applicant's:

(1) verifiable Minnesota driver's license number; or Minnesota state identification card number; or; and

(2) the last four digits of the applicant's Social Security number.

If an applicant does not possess both types of documents, the applicant must include the number for one type of document and must affirmatively certify that the applicant does not possess the other type of documentation. This paragraph does not apply to a town election held in March.

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

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

(1) the applicant's Minnesota driver's license number;

(2) Minnesota state identification card number;

(3) the last four digits of the applicant's Social Security number; or

(4) a statement that the applicant does not have any of these numbers.

All applications must be retained by the county auditor or the municipal clerk or school district clerk, if applicable. If an application is received after 5:00 p.m. seven days prior to the election, the official in charge of the ballot board must, within one day of receipt of the application, attempt to contact the applicant by telephone or email to notify the applicant of opportunities to vote in the election. The official must document the attempts made to contact the applicant.

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

(f) An applicant's full date of birth, Minnesota driver's license or state identification number, and the last four digits of the applicant's Social Security number must not be made available for public inspection. An application may be submitted to the county auditor or municipal clerk by an electronic facsimile device. An application mailed or returned in person to the county auditor or municipal clerk on behalf of a voter by a person other than the voter must be deposited in the mail or returned in person to the county auditor or municipal clerk within ~~ten~~ seven days after it has been dated by the voter and no later than ~~six~~ seven days before the election.

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

Sec. 2. Minnesota Statutes 2024, section 203B.05, subdivision 1, is amended to read:

Subdivision 1. **Generally.** The full-time clerk of any city or town shall administer the provisions of sections 203B.04 to 203B.15 and 203B.30 if:

(1) the county auditor of that county has designated the clerk to administer them and the clerk accepts that responsibility; or

(2) the clerk has given the county auditor of that county notice of intention to administer them.

The designation or notice must specify whether the clerk will be responsible for the administration of a ballot board as provided in section 203B.121 and whether the municipality's office will be designated an absentee voting location pursuant to section 203B.081, subdivision 1, or only for early voting pursuant to section 203B.081, subdivision 1a.

A clerk of a city that is located in more than one county may only administer the provisions of sections 203B.04 to 203B.15 and 203B.30 if the clerk has been designated by each of the county auditors or has provided notice to each of the county auditors that the city will administer absentee voting. A clerk may only administer the provisions of sections 203B.04 to 203B.15 and 203B.30 if the clerk has technical capacity to access the statewide voter registration system in the secure manner prescribed by the secretary of state. The secretary of state must identify hardware, software, security, or other technical prerequisites necessary to ensure the security, access controls, and performance of the statewide voter

registration system. A clerk must receive training approved by the secretary of state on the use of the statewide voter registration system before administering this section. A clerk may not use the statewide voter registration system until the clerk has received the required training. The county auditor must notify the secretary of state of any municipal clerk who will be administering the provisions of this section and the duties that the clerk will administer.

EFFECTIVE DATE. This section is effective upon the revisor of statutes' receipt of the early voting certification and applies to elections held on or after the 85th day after the revisor of statutes receives the certification.

Sec. 3. Minnesota Statutes 2024, section 203B.121, subdivision 4, is amended to read:

Subd. 4. **Opening of envelopes.** (a) After the close of business on the 19th day before the election, the ballots from ~~secrecy~~ ballot envelopes within the signature envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate ballot box. If more than one voted ballot is enclosed in the ballot envelope, the ballots must be returned in the manner provided by section 204C.25 for return of spoiled ballots, and may not be counted.

(b) Accepted signature envelopes must be segregated by precinct and processed in accordance with this subdivision on a precinct-by-precinct basis. Precincts within a combination polling place established in section 205A.11, subdivision 2, may be processed together. At each step, members of the ballot board must notify the official responsible for the ballot board if there is a discrepancy in any count required by paragraphs (c) to (e) and note it in the ballot board incident log.

(c) Before opening accepted signature envelopes, two members of the ballot board must count and record the number of envelopes and ensure that the count matches either the number of accepted signature envelopes provided by the official responsible for the ballot board or the number of signature envelopes accepted by the ballot board that day.

(d) Two members of the ballot board must remove the ballots from the ballot envelopes. The governing body responsible for the ballot board must retain all ballot envelopes through the contest period of that election.

(e) After ballots have been removed from the ballot envelopes, two members of the ballot board must count and record the number of ballots to ensure the count matches the

5.1 number of accepted signature envelopes, accounting for any empty envelopes or spoiled
5.2 ballots, which must be noted on the ballot board incident log.

5.3 Sec. 4. Minnesota Statutes 2024, section 203B.121, subdivision 5, is amended to read:

5.4 Subd. 5. **Storage and counting of absentee ballots.** (a) On a day on which absentee
5.5 ballots are inserted into a ballot box, two members of the ballot board must:

5.6 (1) remove the ballots from the ballot box at the end of the day;

5.7 (2) without inspecting the ballots, ensure that the number of ballots removed from the
5.8 ballot box is equal to the number of ~~voters whose absentee ballots were accepted~~ from the
5.9 tally in subdivision 4 that were to be inserted into the ballot box that day; and

5.10 (3) seal and secure all voted and unvoted ballots present in that location at the end of
5.11 the day.

5.12 (b) After the polls have closed on election day, two members of the ballot board must
5.13 count the ballots, tabulating the vote in a manner that indicates each vote of the voter and
5.14 the total votes cast for each candidate or question. In state primary and state general elections,
5.15 the results must indicate the total votes cast for each candidate or question in each precinct
5.16 and report the vote totals tabulated for each precinct. The count must be recorded on a
5.17 summary statement in substantially the same format as provided in section 204C.26. The
5.18 ballot board ~~shall~~ must submit at least one completed summary statement to the county
5.19 auditor or municipal clerk. The county auditor or municipal clerk may require the ballot
5.20 board to submit a sufficient number of completed summary statements to comply with the
5.21 provisions of section 204C.27, or the county auditor or municipal clerk may certify reports
5.22 containing the details of the ballot board summary statement to the recipients of the summary
5.23 statements designated in section 204C.27.

5.24 ~~In state primary and state general elections, These vote totals shall~~ must be added to the
5.25 vote totals on the summary statements of the returns for the appropriate precinct. ~~In other~~
5.26 ~~elections, these vote totals may be added to the vote totals on the summary statement of~~
5.27 ~~returns for the appropriate precinct or may be reported as a separate total.~~

5.28 The count ~~shall~~ must be public. No vote totals from ballots may be made public before
5.29 the close of voting on election day.

5.30 (c) In addition to the requirements of paragraphs (a) and (b), if the task has not been
5.31 completed previously, the members of the ballot board must verify as soon as possible, but
5.32 no later than 24 hours after the end of the hours for voting, that voters whose absentee ballots
5.33 arrived after the rosters were marked or supplemental reports were generated and whose

ballots were accepted did not vote in person on election day. An absentee ballot submitted by a voter who has voted in person on election day must be rejected. All other accepted absentee ballots must be opened in accordance with the procedures outlined in subdivision 4, except for the absentee ballots cast using the alternative procedure in section 203B.081, subdivision 3, duplicated if necessary, and counted by members of the ballot board. The vote totals from these ballots must be incorporated into the totals with the other absentee ballots and handled according to paragraph (b).

Sec. 5. Minnesota Statutes 2024, section 203B.29, subdivision 1, is amended to read:

Subdivision 1. **Emergency response providers.** Any eligible Minnesota voter who is a trained or certified emergency response provider or utility worker who is deployed in response to any state of emergency declared by the President of the United States or any governor of any state within the United States during the time period authorized by law for absentee voting or on election day may request that ballots, instructions, and a certificate of voter eligibility be transmitted to the voter electronically. Upon receipt of a properly completed application requesting electronic transmission, the county auditor must electronically transmit the requested materials to the voter. The absentee ballot application deadlines in section 203B.04, subdivision 1, do not apply to this subdivision. The county auditor is not required to provide return postage to voters to whom ballots are transmitted electronically.

Sec. 6. Minnesota Statutes 2024, section 203B.29, subdivision 2, is amended to read:

Subd. 2. **Reasonable accommodation for voter with disability.** Any eligible Minnesota voter with a print disability, including any voter with disabilities that interfere with the effective reading, writing, or use of printed materials, may request that ballots, instructions, and a certificate of voter eligibility be transmitted to the voter electronically in an accessible format that meets Election Assistance Commission minimum accessibility requirements. Upon receipt of a properly completed application requesting electronic transmission, the county auditor shall electronically transmit the requested materials to the voter. The absentee ballot application deadlines in section 203B.04, subdivision 1, do not apply to this subdivision. The county auditor must also mail the voter materials required under section 203B.07.

Sec. 7. Minnesota Statutes 2024, section 203B.30, subdivision 3, is amended to read:

Subd. 3. **Processing of ballots.** Each day when early voting occurs, the early voting officials must:

7.1 ~~(1) remove and secure ballots cast during the early voting period following the procedures~~
7.2 ~~in section 203B.121, subdivision 5, paragraph (a).~~ noting the date, voting location, and
7.3 number of ballots cast;

7.4 (2) without inspecting the ballots, ensure that the number of ballots removed from the
7.5 ballot box is equal to the number of voter certificates that were signed by voters in subdivision
7.6 2, paragraph (b); and

7.7 (3) seal and secure all voted and unvoted ballots present in that location at the end of
7.8 the day.

7.9 The ~~absentee~~ ballot board must count the ballots after the polls have closed on election
7.10 day following the procedures in section 203B.121, subdivision 5, paragraph (b).

7.11 **EFFECTIVE DATE.** This section is effective upon the revisor of statutes' receipt of
7.12 the early voting certification and applies to elections held on or after the 85th day after the
7.13 revisor of statutes receives the certification.