

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 2491

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DATE
03/13/2025

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761 Introduction and first reading
Referred to Elections

OFFICIAL STATUS

1.1 A bill for an act

1.2 relating to elections; requiring ballot board activity to be livestreamed; requiring

1.3 the commissioner of information technology services to provide livestreaming

1.4 services and retain data; classifying data; appropriating money; amending

1.5 Minnesota Statutes 2024, section 203B.121, by adding a subdivision; proposing

1.6 coding for new law in Minnesota Statutes, chapter 203B.

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

1.8 Section 1. Minnesota Statutes 2024, section 203B.121, is amended by adding a subdivision

1.9 to read:

1.10 Subd. 6. **Livestreaming.** (a) The county auditor, municipal clerk, or school district clerk

1.11 must ensure that all ballot board activity is livestreamed as provided in this subdivision and

1.12 section 203B.155. This requirement applies during the absentee voting period, on election

1.13 day, and on the day following the election day if absentee ballots are being processed. At

1.14 a minimum, the following activities must be recorded:

1.15 (1) examining envelopes and accepting or rejecting envelopes as required under

1.16 subdivision 2;

1.17 (2) opening envelopes and duplicating ballots, if necessary, as required under subdivision

1.18 4;

1.19 (3) depositing absentee ballots into a ballot box as required under subdivision 5, paragraph

1.20 (a); and

1.21 (4) counting and tabulating the ballots as required under subdivision 5, paragraph (b).

1.22 (b) The county auditor, municipal clerk, or school district clerk must position one or

1.23 more cameras to record the following:

(1) the ballot board members performing the activities described in paragraph (a);

(2) all ballots in the room where the activities in paragraph (a) are taking place; and

(3) all doors in the room where the activities in paragraph (a) are taking place.

To the extent possible while complying with clauses (1) to (3), the cameras must be positioned so as to avoid recording private data included on absentee ballot envelopes or other documents.

EFFECTIVE DATE. This section is effective September 1, 2025, and applies to elections conducted on or after that date.

Sec. 2. [203B.155] LIVESTREAMING REQUIREMENTS.

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Commissioner" means the commissioner of information technology services.

(c) "Department" means the Department of Information Technology Services.

Subd. 2. **Livestreaming.** (a) Where livestreaming is required by section 203B.121, the commissioner must ensure the livestream is available on the department's website in a manner that allows members of the public to easily access and view the livestream. The commissioner must record all livestreamed video and retain the recording for at least 22 months after the date of the recording. Notwithstanding chapter 13 or any other law to the contrary, the county auditor, city clerk, or school board clerk is not required to maintain any livestreamed or recorded data or provide access to the data. The commissioner must not charge any fee to the public or to the county, municipality, or school district for providing this service.

(b) The secretary of state must include information on the office's website on how to find and access videos on the department's website. Each county auditor, municipal clerk, and school district clerk must post the same information on their respective local government's website, if there is one.

Subd. 3. **Data.** The commissioner must retain video recordings of livestreamed activities required in section 203B.121, as provided by this section. The recordings are public data, except that the commissioner may obscure private data on individuals that is visible on a recording.

Subd. 4. **Livestream disruptions.** If a livestream is disrupted or disabled, the commissioner, county auditor, municipal clerk, or school district clerk is not liable if the

disruption is due to a cause outside of the control of the commissioner, county auditor, municipal clerk, or school district clerk. If there is a disruption, the commissioner must work with the county auditor, municipal clerk, or school district clerk to reinstate video coverage as soon as possible. If appointed ballot board observers are present and there is a disruption in livestreaming, the activities of the ballot board may continue. If appointed ballot board observers are not present and there is a disruption in livestreaming, the ballot board must stop all activities until one of the following occurs:

(1) the livestream is reinstated;

(2) ballot board observers are present; or

(3) the county auditor, municipal clerk, or school district clerk arranges the activities to be recorded in a manner that substantially complies with the requirements of this section and section 203B.121, subdivision 6.

Within 24 hours of the livestream being reinstated, the county auditor, municipal clerk, or school district clerk must transmit any recordings made pursuant to clause (3) to the commissioner to be posted on the department's website.

EFFECTIVE DATE. This section is effective September 1, 2025, and applies to elections conducted on or after that date.

Sec. 3. **APPROPRIATION.**

\$..... in fiscal year 2026 is appropriated to the commissioner of information technology services to implement the requirements of this act. The base for this appropriation in fiscal year 2027 and each fiscal year thereafter is \$.....