

**SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION**

S.F. No. 2696

(SENATE AUTHORS: KORAN and Lucero)

DATE
03/20/2025

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910 Introduction and first reading
Referred to Elections

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to elections; permitting certain candidates, candidate representatives, and
1.3 political parties to observe the work of absentee ballot boards; permitting certain
1.4 candidates, candidate representatives, and political parties to observe recounts;
1.5 amending Minnesota Statutes 2024, section 203B.121, by adding a subdivision;
1.6 proposing coding for new law in Minnesota Statutes, chapter 204C.

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. **Open meeting law; observation of ballot board activities by candidate or**
1.11 **political party.** Meetings of a ballot board are subject to chapter 13D. The ballot board
1.12 must conduct its work, including the counting of ballots, in a manner that allows any
1.13 candidate appearing on the ballot, that candidate's representative, or the representative of
1.14 any political party appearing on the ballot to observe the ballot board's work. A candidate
1.15 may have one representative present to observe the acceptance and rejection of absentee
1.16 ballot envelopes, and one additional representative present at the time accepted absentee
1.17 ballot secrecy envelopes are opened, and when those ballots are deposited in a ballot box
1.18 and counted. If other election materials are handled or examined by the ballot board, the
1.19 candidates and their representatives may observe them. The ballot board must ensure that
1.20 members of the public, candidates, candidate representatives, and representatives of a
1.21 political party do not interfere with the counting of the ballots.

2.1 **Sec. 2. [204C.362] PUBLIC OBSERVATION OF RECOUNT.**

2.2 During a recount, containers of voted ballots must be unsealed and resealed within public
2.3 view. No ballots or election materials may be handled by candidates, their representatives,
2.4 or members of the public. There must be an area of the room from which the public may
2.5 observe the recount. Cell phones and video cameras may be used in this public viewing
2.6 area, as long as their use is not disruptive. The recount official shall arrange the counting
2.7 of the ballots so that the candidates and their representatives may observe the ballots as they
2.8 are recounted. Candidates may each have one representative observe the sorting of each
2.9 precinct. One additional representative per candidate may observe the ballots when they
2.10 have been sorted and are being counted. Candidates may have additional representatives in
2.11 the public viewing area of the room. If other election materials are handled or examined by
2.12 the recount officials, the candidates and their representatives may observe them. The recount
2.13 official shall ensure that public observation does not interfere with the counting of the
2.14 ballots.