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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 4352

03/16/2026 Authored by Virnig The bill was read for the first time and referred to the Committee on Elections Finance and Government Operations

1.1 A bill for an act
1.2 relating to elections; requiring certification by presidential candidates and political
1.3 party chairs that the candidate satisfies all eligibility requirements of the United
1.4 States Constitution; amending Minnesota Statutes 2024, section 208.03; Minnesota
1.5 Statutes 2025 Supplement, sections 204B.07, subdivision 2; 204B.09, subdivision
1.6 3.

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

1.8 Section 1. Minnesota Statutes 2025 Supplement, section 204B.07, subdivision 2, is amended
1.9 to read:

1.10 Subd. 2. Petitions for presidential electors and alternates. (a) This section does not
1.11 apply to candidates for presidential elector or alternate nominated by major political parties.
1.12 Major party candidates for presidential elector or alternate are certified under section 208.03.
1.13 Other presidential electors or alternates are nominated by petition pursuant to this section.

1.14 (b) On petitions nominating presidential electors or alternates, the names of the candidates
1.15 for president and vice-president shall be added to the political party or political principle
1.16 stated on the petition. One petition may be filed to nominate a slate of presidential electors
1.17 equal in number to the number of electors to which the state is entitled and an alternate for
1.18 each elector nominee.

1.19 (c) In addition to the petition, each nominated candidate must submit a signed, notarized
1.20 affidavit of candidacy for president or vice president that includes the following information:

- 1.21 (1) the candidate's name in the form as it should appear on the ballot;
1.22 (2) the candidate's campaign address, website, phone number, and email address;
1.23 (3) the name of the political party or political principle stated on the petition;

2.1 (4) the office sought by the candidate; and

2.2 (5) a declaration that the candidate satisfies all requirements of the United States
 2.3 Constitution to be eligible to be elected to the office and the candidate is aware of and will
 2.4 follow all applicable election laws and campaign finance laws.

2.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.6 Sec. 2. Minnesota Statutes 2025 Supplement, section 204B.09, subdivision 3, is amended
 2.7 to read:

2.8 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who
 2.9 wants write-in votes for the candidate to be counted must file a written request with the
 2.10 filing office for the office sought not more than 84 days before the primary and no later
 2.11 than the 19th day before the general election. The filing officer shall provide copies of the
 2.12 form to make the request. The filing officer shall not accept a written request later than 5:00
 2.13 p.m. on the last day for filing a written request.

2.14 (b) The governing body of a statutory or home rule charter city may adopt a resolution
 2.15 governing the counting of write-in votes for local elective office. The resolution may:

2.16 (1) require the candidate to file a written request with the chief election official no later
 2.17 than the 19th day before the city election if the candidate wants to have the candidate's
 2.18 write-in votes individually recorded; or

2.19 (2) require that write-in votes for an individual candidate only be individually recorded
 2.20 if the total number of write-in votes for that office is equal to or greater than the fewest
 2.21 number of non-write-in votes for a ballot candidate.

2.22 If the governing body of the statutory or home rule charter city adopts a resolution authorized
 2.23 by this paragraph, the resolution must be adopted and the city clerk must notify the county
 2.24 auditor before the first day of filing for office. A resolution adopted under this paragraph
 2.25 remains in effect until a subsequent resolution on the same subject is adopted by the
 2.26 governing body of the statutory or home rule charter city.

2.27 (c) The governing body of a township, school district, hospital district, park district, soil
 2.28 and water district, or other ancillary elected district may adopt a resolution governing the
 2.29 counting of write-in votes for local elective office. The resolution may require that write-in
 2.30 votes for an individual candidate only be individually recorded if the total number of write-in
 2.31 votes for that office is equal to or greater than the fewest number of non-write-in votes for
 2.32 a ballot candidate. If a governing body adopts a resolution authorized by this paragraph,
 2.33 the resolution must be adopted and the clerk must notify the county auditor before the first

3.1 day of filing for office. A resolution adopted under this paragraph remains in effect until a
 3.2 subsequent resolution on the same subject is adopted by the governing body.

3.3 (d) A candidate for president of the United States who files a request under this
 3.4 subdivision must include the name of a candidate for vice president of the United States.
 3.5 The candidates must certify on the request that both candidates satisfy all requirements of
 3.6 the United States Constitution to be eligible to be elected to the office. The request must
 3.7 also include the name of at least one candidate for presidential elector. The total number of
 3.8 names of candidates for presidential elector on the request may not exceed the total number
 3.9 of electoral votes to be cast by Minnesota in the presidential election.

3.10 (e) A candidate for governor who files a request under this subdivision must file jointly
 3.11 with another individual seeking nomination as a candidate for lieutenant governor. A
 3.12 candidate for lieutenant governor who files a request under this subdivision must file jointly
 3.13 with another individual seeking nomination as a candidate for governor.

3.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.15 Sec. 3. Minnesota Statutes 2024, section 208.03, is amended to read:

3.16 **208.03 NOMINATION OF PRESIDENTIAL ELECTORS AND ALTERNATES.**

3.17 Presidential electors and alternates for the major political parties of this state shall be
 3.18 nominated by delegate conventions called and held under the supervision of the respective
 3.19 state central committees of the parties of this state. At least 71 days before the general
 3.20 election day the chair of the major political party shall certify to the secretary of state the
 3.21 names of the persons nominated as presidential electors, the names of persons nominated
 3.22 as alternate presidential electors, and the names of the party candidates for president and
 3.23 vice president. The chair shall also certify that the party candidates for president and vice
 3.24 president satisfy all requirements of the United States Constitution to be eligible to be elected
 3.25 to the office and have no affidavit on file as a candidate for any office in this state at the
 3.26 ensuing general election.

3.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.