S.F. No. 514 and H.F. No. 729, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

The following document shows the differences between S.F. No. 514, the fifth engrossment, and H.F. No. 729, the first engrossment.

Patrick D. Murphy
Chief Clerk, House of Representatives
May 16, 2017

Explanation of Comparison Reports

When a Senate File is received from the Senate, it is given its first reading and must be referred to the appropriate standing committee or division under Rule 1.11.

But if the House File companion of that Senate File has already been reported out of Committee and given its second reading and is on the General Register, the Senate File must be referred to the Chief Clerk for comparison pursuant to Rule 1.15.

The Chief Clerk reports whether the bills were found to be identical or not identical. Once the bills have been compared and the differences have been reported, the Senate File is given its second reading and is substituted for the House File. The House File is then considered withdrawn.

Pursuant to rule 3.33, if the bills are not identical and the chief author of the bill wishes to use the House language, the chief author must give notice of their intent to substitute the House language when the bill is placed on the Calendar for the Day or the Fiscal Calendar. If the chief author of the bill wishes to keep the Senate language, no action is required.
A bill for an act relating to elections; making technical and policy changes to provisions related to the administration of elections; providing uniform special election dates; changing the date of the primary and general elections; modifying provisions related to elections and election administration; establishing a provisional ballot system; appropriating money; amending Minnesota Statutes 2016, sections 3.088, subdivision 1; 13.15, subdivision 4; 13.6905, subdivision 3; 205.06, subdivision 1; 205A.04, subdivisions 1, 2, 3, 4, 6; 205A.05, subdivisions 1, 2, 6; 205.07, subdivisions 1, 3, 5; 204D.09, subdivision 5; 205.10, subdivision 3.

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

ARTICLE I

ELECTION ADMINISTRATION

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

1.2 relating to elections; modifying provisions related to elections and election administration; establishing a voting equipment grant; establishing uniform election dates; polling place hours; polling places; requiring counties to administer school district elections; requiring additional voter data to be public; modifying voter status challenge provisions; establishing a provisional ballot system; appropriating money; amending Minnesota Statutes 2016, sections 3.088, subdivision 1; 13.15, subdivision 4; 13.6905, subdivision 3; 205.06, subdivision 1; 205A.04 subdivisions 1, 2, 3, 4, 6; 205A.05, subdivisions 1, 2, 6; 205.07, subdivisions 1, 3, 5; 204D.09, subdivision 5; 205.10, subdivision 3.
Section 1. Minnesota Statutes 2016, section 123B.09, subdivision 5b, is amended to read:

Subd. 5b. Appointments to fill vacancies; special elections. (a) Any vacancy on the board, other than a vacancy described in subdivision 4, must be filled by board appointment at a regular or special meeting. The appointment shall be evidenced by a resolution entered in the minutes and shall be effective 30 days following adoption of the resolution, subject to paragraph (b). If the appointment becomes effective, it shall continue until an election is held under this subdivision. All elections to fill vacancies shall be for the unexpired term.

(b) An appointment made under paragraph (a) shall not be effective if a petition to reject the appointee is filed with the school district clerk. To be valid, a petition to reject an appointee must be signed by a number of eligible voters residing in the district equal to at least five percent of the total number of voters voting in the district at the most recent state general election, and must be filed within 30 days of the board's adoption of the resolution making the appointment. If a valid petition is filed according to the requirements of this paragraph, the appointment by the school board is ineffective and the board must name a new appointee as provided in paragraph (a).

Sec. 2. Minnesota Statutes 2016, section 201.121, subdivision 1, is amended to read:

Subdivision 1. Entry of registration information. (a) At the time a voter registration application is properly completed, submitted, and received in accordance with sections 201.061 and 201.071, the county auditor shall enter the information contained on it into the statewide registration system. Voter registration applications completed before election day must be entered into the statewide registration system within ten days after they have been submitted to the county auditor. Voter registration applications completed after election day must be entered into the statewide registration system within 42 days after the election, unless the county auditor notifies the secretary of state before the 42-day deadline has expired that the deadline will not be met. Upon receipt of a notification under this paragraph;
the secretary of state must extend the deadline for that county auditor by an additional 28 days. The secretary of state may waive a county's obligations under this paragraph if, on good cause shown, the county demonstrates its permanent inability to comply.

The secretary of state must post data on each county's compliance with this paragraph on the secretary of state's Web site including, as applicable, the date each county fully complied or the deadline by which a county's compliance must be complete.

(b) Upon receiving a completed voter registration application, the secretary of state may electronically transmit the information on the application to the appropriate county auditor as soon as possible for review by the county auditor before final entry into the statewide registration system. The secretary of state may mail the voter registration application to the county auditor.

c) Within ten days after the county auditor has entered information from a voter registration application into the statewide registration system, the secretary of state shall compare the voter's name, date of birth, and driver's license number, state identification number, or the last four digits of the Social Security number with the same information contained in the Department of Public Safety database.

(d) The secretary of state shall provide a report to the county auditor on a weekly basis that includes a list of voters whose name, date of birth, or identification number have been compared with the same information in the Department of Public Safety database and cannot be verified as provided in this subdivision. The report must list separately those voters who have submitted a voter registration application by mail and have not voted in a federal election in this state.

e) The county auditor shall compile a list of voters for whom the county auditor and the secretary of state are unable to conclude that information on the voter registration application and the corresponding information in the Department of Public Safety database relate to the same person.

(f) The county auditor shall send a notice of incomplete registration to any voter whose name appears on the list and change the voter's status to "incomplete." A voter who receives a notice of incomplete registration from the county auditor may either provide the information required to complete the registration at least 21 days before the next election or at the polling place on election day.

Sec. 3. Minnesota Statutes 2016, section 200.02, is amended by adding a subdivision to read:

Subd. 29. Original signature. "Original signature" does not include an electronic signature.

Sec. 4. Minnesota Statutes 2016, section 201.225, subdivision 2, is amended to read:

Subd. 2. Technology requirements. An electronic roster must:
be able to be loaded with a data file that includes voter registration data in a file format prescribed by the secretary of state;

(2) allow for data to be exported in a file format prescribed by the secretary of state;

(3) allow for data to be entered manually or by scanning a Minnesota driver's license or identification card to locate a voter record or populate a voter registration application that would be printed and signed and dated by the voter. The printed registration application can be either a printed form, labels printed with voter information to be affixed to a preprinted form, or an electronic record that the voter signs electronically and is printed following its completion at the polling place;

(4) allow an election judge to update data that was populated from a scanned driver's license or identification card;

(5) cue an election judge to ask for and input data that is not populated from a scanned driver's license or identification card that is otherwise required to be collected from the voter or an election judge;

(6) immediately alert the election judge if the voter has provided information that indicates that the voter is not eligible to vote;

(7) immediately alert the election judge if the electronic roster indicates that a voter has already voted in that precinct, the voter's registration status is challenged, or it appears the voter resides in a different precinct;

(8) provide immediate instructions on how to resolve a particular type of challenge when a voter's record is challenged;

(9) provide for a printed voter signature certificate, containing the voter's name, address of residence, date of birth, voter identification number, the oath required by section 204C.10, and a space for the voter's original signature. The printed voter signature certificate can be either a printed form or a label printed with the voter's information to be affixed to the oath; or an electronic record that the voter signs electronically and is printed following its completion at the polling place;

(10) contain only preregistered voters within the precinct, and not contain preregistered voter data on voters registered outside of the precinct;

(11) be only networked within the polling location on election day, except for the purpose of updating absentee ballot records;

(12) meet minimum security, reliability, and networking standards established by the Office of the Secretary of State in consultation with the Office of MN.IT Services;

(13) be capable of providing a voter's correct polling place; and

(14) perform any other functions necessary for the efficient and secure administration of the participating election, as determined by the secretary of state.
Section 4. Minnesota Statutes 2016, section 203B.081, subdivision 3, is amended to read:

Subd. 3. Alternative procedure. (a) The county auditor may make available a ballot counter and ballot box for use by the voters during the seven days before the election. If a ballot counter and ballot box is provided, a voter must be given the option either (1) to vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the manner provided in this subdivision. When providing these options, the county auditor must inform the voter that choosing to cast an absentee ballot in the manner provided in this subdivision prohibits the voter from submitting a replacement absentee ballot at a later date.

(b) If a voter chooses to vote in the manner provided in this subdivision, the voter must state the voter's name, address, and date of birth to the county auditor or municipal clerk. The voter shall sign a voter's certificate, which must include the voter's name, identification number, and the certification required by section 201.071, subdivision 1. The certificate must also include the following statement: "I understand that my absentee ballot will be counted as cast today, and that I cannot submit a replacement absentee ballot to change my votes at a later date." The signature of an individual on the voter's certificate and the issuance of a ballot to the individual is evidence of the intent of the individual to vote at that election.

(c) After signing the voter's certificate, the voter shall be issued a ballot and immediately retire to a voting station or other designated location in the polling place to mark the ballot. The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter may return it to the election official in exchange for a new ballot. After completing the ballot, the voter shall deposit the ballot into the ballot box.

(d) The election official must immediately record that the voter has voted in the manner provided in section 203B.121, subdivision 3.

(e) The election duties required by this subdivision must be performed by the county auditor, municipal clerk, or a deputy of the auditor or clerk.

Section 5. Minnesota Statutes 2016, section 204B.09, subdivision 3, is amended to read:

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

(b) A candidate for president of the United States who files a request under this subdivision must include the name of a candidate for vice-president of the United States. The request must also include the name of at least one candidate for presidential elector.

Sec. 5. Minnesota Statutes 2016, section 204B.09, subdivision 3, is amended to read:

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

(b) A candidate for president of the United States who files a request under this subdivision must include the name of a candidate for vice-president of the United States. The request must also include the name of at least one candidate for presidential elector.
The total number of names of candidates for presidential elector on the request may not exceed the total number of electoral votes to be cast by Minnesota in the presidential election. (c) A candidate for governor who files a request under this subdivision must include the name of a candidate for lieutenant governor.

Sec. 6. Minnesota Statutes 2016, section 204B.13, subdivision 1, is amended to read:

Subdivision 1. Partisan office. (a) A vacancy in nomination for a partisan office must be filled in the manner provided by this section. A vacancy in nomination exists for a partisan office when a major political party candidate who has been nominated in accordance with section 204D.03, subdivision 3, or 204D.10, subdivision 1:

(1) dies;

(2) withdraws by filing an affidavit of withdrawal, as provided in paragraph (b), at least one day prior to the general election with the same official who received the affidavit of candidacy; or

(3) is determined to be ineligible to hold the office the candidate is seeking, pursuant to a court order issued under section 204B.44.

(b) An affidavit of withdrawal filed under paragraph (a), clause (2u), must state that the candidate has been diagnosed with a catastrophic illness that will permanently and continuously incapacitate the candidate and prevent the candidate from performing the duties of the office sought, if elected. The affidavit must be accompanied by a certificate verifying the candidate's illness meets the requirements of this paragraph, signed by at least two licensed physicians. The affidavit and certificate may be filed by the candidate or the candidate's legal guardian.

Sec. 7. Minnesota Statutes 2016, section 204B.16, subdivision 1a, is amended to read:

Subd. 1a. Notice to voters. If the location of a polling place has been changed, the governing body establishing the polling place shall send to every affected household with at least one registered voter in the precinct a nonforwardable mailed notice stating the location of the new polling place at least 25 days before the next election. The secretary of state shall prepare a sample of this notice. A notice that is returned as undeliverable must be forwarded immediately to the county auditor. This subdivision does not apply to a polling place location that is changed on election day under section 204B.12, subdivision 1.

Sec. 8. Minnesota Statutes 2016, section 204B.21, is amended to read:

Subdivision 1. Appointment lists; duties of political parties and secretary of state.

On May 1 in a year in which there is an election for a partisan political office, each major political party shall prepare a list of eligible voters to act as election judges in each election precinct. The list provided by the party must indicate which eligible voters are willing to travel to a precinct outside of their home jurisdiction to act as an election judge, and the list provided by the party must indicate which eligible voters are willing to travel to a precinct outside of their home jurisdiction to act as an election judge, and the

The total number of names of candidates for presidential elector on the request may not exceed the total number of electoral votes to be cast by Minnesota in the presidential election. (c) A candidate for governor who files a request under this subdivision must include the name of a candidate for lieutenant governor.
jurisdictions to which each eligible voter is willing to travel for that purpose. The political
counties to which each eligible voter is willing to travel for that purpose. The political
parties shall furnish the lists electronically to the secretary of state, in a format specified by
the secretary of state. The secretary of state must combine the data received from each
political party under this subdivision and must process the data to locate the precinct in
which the address provided for each potential election judge is located. If the data submitted
by a political party is insufficient for the secretary of state to locate the proper precinct, the
associated name must not appear in any list forwarded to an appointing authority under this
subdivision. The secretary of state shall notify political parties of any proposed election
judges with addresses that could not be located in a precinct;

By May 15, the secretary of state shall furnish electronically to the county auditor a list
of the appropriate names for each election precinct in the jurisdiction of the appointing
authority, and a list of the names of individuals residing outside of the jurisdiction who
indicated a willingness to travel to that jurisdiction to act as an election judge, noting the
political party affiliation of each individual on the list. The county auditor must promptly
forward the appropriate names to the appropriate municipal clerk;

Subd. 2. Appointing authority; powers and duties. Election judges for precincts in a
municipality shall be appointed by the governing body of the municipality; election judges
for precincts in unorganized territory and for performing election-related duties assigned
by the county auditor shall be appointed by the county board. Election judges for a precinct
composed of two or more municipalities must be appointed by the governing body of the
municipality or municipalities responsible for appointing election judges as provided in the
agreement to combine for election purposes. Except as otherwise provided in this section,
appointments shall be made from the list of voters who reside in each precinct, furnished
pursuant to subdivision 1; subject to the eligibility requirements and other qualifications
established or authorized under section 204B.19. At least two election judges in each precinct
must be affiliated with different major political parties. If no lists have been furnished or if
additional election judges are required after all listed names in that municipality have been
exhausted, the appointing authority may appoint other individuals who meet the qualifications
to serve as an election judge, including persons on the list furnished pursuant to subdivision
1 who indicated a willingness to travel to the municipality, and persons who are not affiliated
with a major political party. The appointments shall be made at least 25 days before the
election at which the election judges will serve, except that the appointing authority may
pass a resolution authorizing the appointment of additional election judges within the 25
days before the election if the appointing authority determines that additional election judges
will be required.

Sec. 9. Minnesota Statutes 2016, section 204B.31, subdivision 2, is amended to read:
Subd. 2. Volunteer service; election judge travel. (a) Any person appointed to serve
as an election judge may elect to serve without payment by submitting a written statement
to the appropriate governing body no later than ten days before the election;

(b) Subdivision 1 does not require the payment of mileage or other travel expenses to
an election judge residing in another jurisdiction, if the election judge’s name was included
on the list of individuals who indicated a willingness to travel to another jurisdiction provided under section 204B.21, subdivision 1.

Sec. 10. [204B.49] "I VOTED" STICKERS. The secretary of state, county auditor, municipal clerk, school district clerk, or an election judge may provide a sticker containing the words "I VOTED," and nothing more, to an individual who:

1. has successfully deposited a ballot into a ballot box, under section 203B.081, subdivision 3, or 204C.13, subdivision 5;
2. is provided an absentee ballot under section 203B.07, subdivision 1, or 203B.21, subdivision 2; or
3. is provided a ballot by mail under section 204B.45 or 204B.46.

Sec. 11. Minnesota Statutes 2016, section 204C.32, subdivision 2, is amended to read:

(a) The municipal primary shall be conducted and the returns made at a public meeting space located in the Capitol complex area seven days after the state primary to canvass the certified copies of the county canvassing board reports received from the county auditors. Immediately after the canvassing board declares the results, the secretary of state shall certify the names of the nominees to the county auditors. The secretary of state shall mail to each nominee a notice of nomination.

(b) The State Canvassing Board shall meet at the secretary of state's office at a public meeting space located in the Capitol complex area on the third Tuesday following the state general election to canvass the certified copies of the county canvassing board reports received from the county auditors and shall prepare a report that states: the number of votes counted for and against each constitutional amendment, the number of individuals voting in the state and in each county; the number of votes received by each of the candidates, specifying the counties in which they were cast; and the number of votes counted for and against each constitutional amendment, specifying the counties in which they were cast.

Sec. 12. Minnesota Statutes 2016, section 204C.33, subdivision 3, is amended to read:

(a) The State Canvassing Board shall sign the report and certify its correctness. The State Canvassing Board shall declare the result within three days after completing the canvass.

(b) All members of the State Canvassing Board shall sign the report and certify its correctness. The State Canvassing Board shall declare the result within three days after completing the canvass.

Sec. 13. Minnesota Statutes 2016, section 205.065, subdivision 5, is amended to read:

(a) The municipal primary shall be conducted and the returns made in the manner provided for the state primary so far as practicable. If the primary is conducted.
(1) only within that municipality. The canvass may be conducted on the second or third day after the primary.

(2) in conjunction with the state primary, the canvass must be conducted on the third day after the primary, except as otherwise provided in paragraph (b).

The governing body of the municipality shall canvass the returns, and the two candidates for each office who receive the highest number of votes, or a number of candidates equal to twice the number of individuals to be elected to the office, who receive the highest number of votes, shall be the nominees for the office named. Their names shall be certified to the municipal clerk who shall place them on the municipal general election ballot without partisan designation and without payment of an additional fee.

(4) Subdivision 1.

The municipal general election in each city shall be held on the first Tuesday after the first Monday in November in every odd-numbered or even-numbered year until the ordinance is revoked and notification of the change is made. A municipal canvass may be conducted on either the second or third day after the primary, except as otherwise provided in paragraph (b). The canvass may be conducted on the second day after the primary if the county auditor of each county in which the municipality is located agrees to administratively review the municipality's primary voting statistics for accuracy and completeness within a time that permits the canvass to be conducted on that day.

Sec. 14. Minnesota Statutes 2016, section 205.07, subdivision 1, is amended to read:

Subdivision 1. Date of election. The municipal general election in each city shall be held on the first Tuesday after the first Monday in November in even-numbered year. Notwithstanding any provision of law to the contrary and subject to the provisions of this section, the governing body of a city may, by ordinance passed at a regular meeting held before June 1 of any year, elect to hold the municipal general election on the first Tuesday after the first Monday in November in odd-numbered year. A city may hold elections in either the even-numbered year or the odd-numbered year, but not both. When a city changes its elections from one year to another, and does not provide for the expiration of terms by ordinance, the term of an incumbent expiring at a time when no municipal election is held in the months immediately prior to expiration is extended until the date for taking office following the next scheduled municipal election. If the change results in having three council members to be elected at a succeeding election, the two individuals receiving the highest vote shall serve for terms of four years and the individual receiving the third highest number of votes shall serve for a term of two years. To provide for an orderly transition to the odd or even year election plan, the governing body of the city may adopt supplementary ordinances regulating initial elections and officers to be chosen at the elections and shortening or lengthening the terms of incumbents and those elected at the initial election. The term of office for the mayor may be either two or four years. The term of office of council members is four years. Whenever the time of the municipal election is changed, the city clerk immediately shall notify in writing the county auditor and secretary of state of the change of date. Thereafter the municipal general election shall be held on the first Tuesday after the first Monday in November in each odd-numbered or even-numbered year until the ordinance is revoked and notification of the change is made. A municipal canvass may be conducted on either the second or third day after the primary, except as otherwise provided in paragraph (b).
10.33 general election scheduled to be held in an odd-numbered year may be postponed for
inclement weather as provided in section 205.105.

11.1 Sec. 15. Minnesota Statutes 2016, section 205A.05, subdivision 2, is amended to read:

11.2 Subd. 2. Vacancies in school district offices. Special elections to fill vacancies in
elective school district offices shall be held in school districts pursuant to section 123B.09.
When more than one vacancy exists in an office elected at-large, voters must be
instructed to vote for up to the number of vacancies to be filled.

11.6 Sec. 16. Minnesota Statutes 2016, section 208.04, subdivision 1, is amended to read:

11.7 Subdivision 1. Form of presidential ballots. When presidential electors and alternates
are to be voted for, a vote cast for the party candidates for president and vice president shall
be deemed a vote for that party's electors and alternates as filed with the secretary of state.
The secretary of state shall certify the names of all duly nominated presidential and vice
presidential candidates to the county auditors of the counties of the state. Each county
auditor, subject to the rules of the secretary of state, shall cause the names of the candidates
on the ballot for president and vice president to be printed in capital letters, set in type of the same size and style as for candidates on the state general election.
ballot, before the party designation. To the left of, and on the same line with the names of
the candidates for president and vice president, near the margin, shall be placed a square or
oval or similar target shape, in which the voters may indicate their choice by marking
an “X.”

The form for the presidential ballot and the relative position of the several candidates
shall be determined by the rules applicable to other state officers. The state ballot, with the
required heading, shall be printed on the same piece of paper and shall be below the
presidential ballot with a blank space between one inch in width.

Sec. 15. VOTING EQUIPMENT GRANT.

Subdivision 1. Voting equipment grant account. A voting equipment grant is
established. Funds are appropriated to the secretary of state to provide grants to counties
and municipalities as authorized by this section. Funds appropriated for the grant are available
until expended.

Subd. 2. Authorized equipment. (a) A county or municipality may apply to receive a
grant under this section for the purchase or lease of the following equipment:
(1) electronic roster equipment and software that meets the technology requirements of
Minnesota Statutes, section 201.225, subdivision 2;
(2) assistive voting technology; or
(3) automatic tabulating equipment.

A purchase or lease of equipment is eligible for a grant under this section if the purchase
is made, or lease entered, on or after July 1, 2017. A county or municipality that has
purchased or leased eligible equipment before July 1, 2017, may apply for reimbursement.
(b) The grant funds must not be used for maintenance or repair of voting equipment.

Subd. 3. Amount of grant. A county or municipal government is eligible to receive a
grant equal to 75 percent of the total cost of the electronic roster equipment and software
or 50 percent of the total cost for assistive voting technology or automatic tabulating
equipment. The secretary of state must first award grants to counties and municipalities
leasing or purchasing new equipment or software. If funds remain after awarding grants for
new equipment or software, the secretary of state must use the remaining funds for grants
to counties and municipalities seeking reimbursement for equipment or software already
purchased.

Subd. 4. Application for grant; certification of costs. (a) To receive a grant, a county
or municipality must submit an application to the secretary of state. The secretary of state
shall prescribe a form for this purpose. At a minimum, the application must describe:

(1) the type of equipment or software purchased or lease;
(2) the expected total cost of the equipment or software, and sources of funding that will
be used for the purchase or lease in addition to the grant funding provided by this section;
(3) the county's or municipality's plan to address the long-term maintenance, repair, and eventual replacement costs for the equipment or software without using any funds from the grant for these purposes; and

(4) any other information required by the secretary of state:

(b) The secretary of state must establish:

(1) a deadline for receipt of grant applications;

(2) a procedure for awarding and distributing grants;

(3) criteria for the fair, proportional distribution of grants if the funds do not completely cover the requests for a particular type of equipment; and

(4) a process for verifying the proper use of the grants after distribution.

Subd. 5. Report to legislature. No later than January 15, 2018, and annually thereafter until the appropriations provided for grants under this section have been exhausted, the secretary of state must submit a report to the legislative committees with jurisdiction over elections policy on grants awarded by this section. The report must detail each grant awarded, including the jurisdiction, the amount of the grant, and the type of equipment or software purchased.

Sec. 16. VOTING EQUIPMENT GRANT ACCOUNT; APPROPRIATION.

$5,000,000 in fiscal year 2018 is appropriated from the general fund to the secretary of state for the voting equipment grant established in section 15. The secretary of state may retain up to $80,000 for administrative costs. This is a onetime appropriation.

ARTICLE 2

UNIFORM ELECTION DATES

Sec. 58. Minnesota Statutes 2016, section 211B.11, subdivision 1, is amended to read:

Subdivision 1. Soliciting near polling places. A person may not display campaign material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within a polling place or within 100 feet of the building in which a polling place is situated, or anywhere on the public property on which a polling place is situated, on primary or election day to vote for or refrain from voting for a candidate or ballot question. A person may not provide political badges, political buttons, or other political insignia to be worn at or about the polling place on the day of a primary or election. A political badge, political button, or other political insignia may not be worn at or about the polling place on primary or election day. This section applies to areas established by the county auditor or municipal clerk for absentee voting as provided in chapter 203B.

The secretary of state, county auditor, municipal clerk, or school district clerk may provide stickers which contain the words "I VOTED" and nothing more. Election judges may provide stickers which contain the words "I VOTED"
may offer a sticker of this type to each voter who has signed the polling place roster or voter signature certificate. Nothing in this subdivision prohibits the distribution of "I VOTED" stickers as provided in section 204B.49.

ARTICLE 2
UNIFORM SPECIAL ELECTIONS

Sec. 59. REVISOR'S INSTRUCTION.

The revisor of statutes must make any corrections to cross-references made necessary by this article. The revisor of statutes must make any changes to statutory language to reflect the changes made in this article.

Sec. 60. REPEALER.

Minnesota Statutes 2016, sections 201.096; 205A.09; 205A.11, subdivisions 2 and 3; and 205A.12, subdivision 5a, are repealed.

ARTICLE 4
CHALLENGES; VOTER INFORMATION

Section 1. Minnesota Statutes 2016, section 13.15, subdivision 4, is amended to read:

Subd. 4. Use of electronic access data. Electronic access data may be disseminated:
(1) to the commissioner for the purpose of evaluating electronic government services;
(2) to another government entity or a federal law enforcement agency to prevent or report unlawful intrusions into government electronic systems; or
(3) as otherwise provided by law.

Sec. 2. Minnesota Statutes 2016, section 13.607, is amended by adding a subdivision to read:

Subd. 9. Election judge party affiliation. The party affiliation of election judges is classified as provided in section 204B.21, subdivision 3.

Sec. 3. Minnesota Statutes 2016, section 13.6905; subdivision 33, is amended to read:

Subd. 33. Citizenship data; voter registration. The use of citizenship data reported to the secretary of state is governed by section 201.145.

Sec. 4. Minnesota Statutes 2016, section 13.841; subdivision 3, is amended to read:

Subd. 3. Felony conviction data; voter registration. Felony conviction data reported to the secretary of state is governed by section 201.145.
Sec. 5. Minnesota Statutes 2016, section 13.851, subdivision 10, is amended to read:

Subd. 10. Felony offender data; voter registration. The use of felony offender data made available to the secretary of state is governed by section 201.157.

Sec. 6. Minnesota Statutes 2016, section 200.02, is amended by adding a subdivision to read:

Subd. 30. Personal knowledge. “Personal knowledge” means knowledge gained through firsthand observation or experience, as opposed to knowledge based on what someone else has said.

Sec. 7. Minnesota Statutes 2016, section 201.061, subdivision 4, is amended to read:

Subd. 4. Registration by election judges; procedures. Registration at the polling place on election day shall be conducted by the election judges. Before registering an individual to vote at the polling place, the election judge must review: (1) any list of absentee election day registrants provided by the county auditor or municipal clerk to see if the person has already voted by absentee ballot; and (2) the precinct list of challenged voters required under section 201.145, subdivision 1, paragraph (c). If the person’s name appears on the absentee election day registrants list, the election judge must not allow the individual to register or to vote in the polling place. If the person’s name appears on the challenged voter list, the election judge must allow the individual to register or vote, but the voter must not be allowed to sign the polling place roster or cast a ballot. Instead, a voter allowed to register despite appearing on the challenged voter list must be allowed to cast a provisional ballot. The election judge who registers an individual at the polling place on election day shall not handle that voter’s ballots at any time prior to the opening of the ballot box after the voting ends. Registration applications and forms for oaths shall be available at each polling place;

Sec. 8. Minnesota Statutes 2016, section 201.091, subdivision 4, is amended to read:

Subd. 4. Public information lists. (a) The county auditor shall make available for inspection a public information list which must contain the name, address, year of birth, and voting history of each registered voter in the county. The list must indicate each voter whose status is challenged in the statewide voter registration system at the time the list was prepared. For each voter, the list must include the history of each change in status and the date that the change to that status was made. The list must include the party choice of any voter who voted in the most recent presidential nomination primary. The telephone number
must be included on the list if provided by the voter. The public information list may also include information on voting districts. The list must also include individuals that were previously registered but were removed from the statewide voter registration system, and the reason for the removal.

(b) The county auditor may adopt reasonable rules governing access to the list. No individual inspecting the public information list shall tamper with or alter it in any manner.

No individual who inspects the public information list or who acquires a list of registered voters prepared from the public information list may use any information contained in the list for purposes unrelated to elections, political activities, or law enforcement.

(c) The secretary of state may provide copies of the public information lists and other information from the statewide registration system for uses related to elections, political activities, or in response to a law enforcement inquiry from a public official concerning a failure to comply with any criminal statute or any state or local tax statute.

(d) Before inspecting the public information list or obtaining a list of voters or other information from the list, the individual shall provide identification to the public official having custody of the public information list and shall state in writing that any information obtained from the list will not be used for purposes unrelated to elections, political activities, or law enforcement. Requests to examine or obtain information from the public information lists or the statewide registration system must be made and processed in the manner provided in the rules of the secretary of state.

(e) Upon receipt of a statement signed by the voter that withholding the voter's name from the public information list is required for the safety of the voter or the voter's family, the secretary of state and county auditor must withhold from the public information list the name of a registered voter.

EFFECTIVE DATE. This section is effective July 1, 2017, and applies to public information lists created on or after that date. Information on status changes or individuals removed from the statewide voter registration system collected prior to July 1, 2017, must not be included on a public information list.

Sec. 9. Minnesota Statutes 2016, section 201.121, subdivision 3, is amended to read:

Subd. 3. Postelection sampling. (a) Within ten days after an election, the county auditor shall send the notice required by subdivision 2 to a random sampling of the individuals registered on election day. The random sampling shall be determined in accordance with the rules of the secretary of state. As soon as practicable after the election, the county auditor shall mail the notice required by subdivision 2 to all other individuals registered on election day. If a notice is returned as not deliverable, the county auditor shall attempt to determine the reason for the return. A county auditor who does not receive or obtain satisfactory proof of an individual's eligibility to vote shall immediately notify the county attorney of all of the relevant information and the secretary of state of the numbers by precinct. The county auditor must notify the secretary of state of the following information for each precinct:
(1) the total number of all notices that were returned as nondeliverable;  
(2) the total number of nondeliverable notices that the county auditor was able to determine the reason for the return along with the reason for each return;  
(3) the total number of nondeliverable notices that the county auditor was unable to determine the reason for the return.  

(b) By March 1 of every odd-numbered year, the secretary of state shall report to the chair and ranking minority members of the legislative committees with jurisdiction over elections the number of notices reported under this subdivision to the secretary of state for the previous state general election by county and precinct, following information for each precinct and each county:

(1) the total number of all notices that were returned as nondeliverable;  
(2) the total number of nondeliverable notices that the county auditor was able to determine the reason for the return along with the reason for each return; and  
(3) the total number of nondeliverable notices that the county auditor was unable to determine the reason for the return.

Sec. 10. [201.145] REPORTS ON GUARDIANSHIPS, LEGAL INCOMPETENCE, FELONY CONVICTIONS, AND CITIZENSHIP; STATUS CHANGES.  
Subdivision 1. Report requirements.  
(a) Reports required by this section must be submitted to the secretary of state as provided in this section. Reports from the state court administrator that are required under this section must be made on a daily basis, excluding weekends and holidays. Reports from the commissioner of corrections and the commissioner of public safety that are required under this section must be made to the secretary of state at least monthly. Reports must be submitted by electronic means. Reports from the commissioner of corrections and the commissioner of public safety must include a complete list of each individual under the reporting entity's jurisdiction and must not provide only the changes since the last report.  
(b) The secretary of state must retain each report for a minimum of four years. The reports must be retained in the statewide voter registration system in a manner that allows users to search the reports for a particular date.  
(c) No sooner than seven days before an election, the secretary of state must prepare and transmit to each county auditor a single list for each precinct in that county that includes each individual identified in a report required by this section. Each county auditor must ensure that at least one copy of the precinct list is delivered to the corresponding precinct polling place.  
Subd. 2. State court administrator report.  
(a) The state court administrator must report on individuals 17 years of age or older who are under a guardianship in which a court order revokes the ward's right to vote or where the court has found the individual to be legally incompetent to vote.
(b) The state court administrator must report on individuals transferred to the jurisdiction of the court who meet a condition specified in paragraph (a).

(c) Each report required under this subdivision must include the following information for each individual in the report: name, address, date of birth, and, if available, last four digits of the Social Security number and driver's license or state identification card number.

(d) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person identified under paragraphs (a) and (b) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must challenge the status on the record in the statewide voter registration system of each individual named in the list. The county auditor must include the reason for the challenge.

Subd. 3. Commissioner of corrections report; state court administrator report. (a) The state court administrator must report on individuals 17 years of age or older who have been convicted of a felony.

(b) The commissioner of corrections must report on individuals 17 years of age or older who are currently:

(1) serving felony sentences under the commissioner's jurisdiction; or

(2) on probation for felony offenses that resulted in the loss of civil rights, as indicated by the statewide supervision system established under section 241.065.

(c) Each report under this subdivision must include the following information for each individual: name, address or last known residential address that is not a correctional facility, and date of birth. If available, each report must also include the individual's: corrections' state identification number, last four digits of the Social Security number, driver's license or state identification card number, date of sentence, effective date of the sentence, county in which the conviction occurred, and date of discharge.

(d) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person identified under paragraphs (a) and (b) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must challenge the status on the record in the statewide voter registration system of each individual named in the list. The county auditor must include the reason for the challenge.

(e) The county auditor must identify an individual who registered to vote or voted while serving a felony sentence under the commissioner's jurisdiction or while on probation for a felony offense that resulted in the loss of civil rights during a period when the individual's civil rights were revoked. The county auditor must immediately send notice to the county attorney. The notice must include the name of the individual and any other identifying information as well as the evidence that shows the individual registered to vote or voted during the period when the individual's civil rights were revoked.
Subd. 4. Reports: restoration of right to vote. (a) The state court administrator must report on each individual whose guardianship was modified to restore the ward's right to vote or whose guardianship was terminated by order of the court under section 524.5-317 after being ineligible to vote for any of the reasons specified in subdivision 2, paragraph (a).

(b) The state court administrator must report on individuals previously convicted of a felony whose civil rights have been restored.

(c) The commissioner of corrections must report on individuals who were serving a felony sentence under the commissioner's jurisdiction or who were on probation for a felony offense under the commissioner's jurisdiction that resulted in the loss of civil rights but who have been discharged from the sentence.

(d) Each report under this subdivision must include the following information for each individual: name, address, date of birth, and, if available, the last four digits of the Social Security number. For reports required by paragraphs (b) and (c), each report must also include the individual's, if available: corrections' state identification number, driver's license or state identification card number, date of sentence, effective date of the sentence, county in which the conviction occurred, and date of discharge.

(e) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must remove the challenge status on the record in the statewide voter registration system of each individual named in the list. The county auditor must include the reason for removing the challenge.

Subd. 5. Commissioner of public safety report. (a) The commissioner of public safety must report on individuals identified by department data as having temporary lawful status in the United States.

(b) The report under this section must include the following information for each individual: name, address, date of birth, driver's license or state identification card number, and, if available, last four digits of the Social Security number.

(c) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person identified under paragraph (a) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must remove the challenge status on the record in the statewide voter registration system of each individual named in the list. The county auditor must include the reason for removing the challenge.

(d) The county auditor must also immediately send notice to the county attorney of each individual identified in paragraph (c). The notice must include the name of the individual and any other identifying information as well as the evidence that shows the individual registered to vote or voted and is not a citizen.
Subd. 6. Notice of challenge. No later than seven days after changing the status of a registrant in the statewide voter registration system, the county auditor must mail a notice to the registrant. The notice must include, at a minimum, the following information:

1. A statement that the voter's status was challenged or that a challenge was removed;
2. The reason for the change;
3. A copy of the information provided by the entity that was the basis for the change in status; and
4. A description of the process to contest the change in status, as provided in section 201.146.

EFFECTIVE DATE. This section is effective July 1, 2017, and applies to reports received by the secretary of state on or after that date. The notices required by subdivision 6 must be sent to individuals who are challenged in the statewide voter registration system pursuant to this section on or after July 1, 2017.

Sec. 11. [201.146] CONTESTING A CHALLENGE.
(a) An individual whose status was challenged in the statewide voter registration system pursuant to section 201.145 has the right to contest the challenge as provided in this section.
(b) To contest the challenge, the individual must file a contest petition with the named entity. The petition must state the basis for the contest and provide any supporting documentation. The individual may request a review meeting as part of the petition. The meeting may be conducted by interactive video technology. The petition must be in a form prescribed by the secretary of state.
(c) No later than seven days after receiving the contest petition, the named entity must review the contest petition and any supporting documentation, as well as the data provided to the secretary of state. If the individual requested a review meeting, the named entity must schedule a meeting with the individual within 14 days after receiving the contest petition.
(d) After reviewing the required data, and after the review meeting if one occurred, the named entity must determine whether the data is accurate or should be changed. If the named entity determines that no change to the data is required, the named entity must notify the individual. If the named entity determines that the data must be changed, the named entity must promptly notify the individual and the secretary of state. Upon receiving the changed data from the named entity, the secretary of state must promptly remove the challenged status. If an individual disagrees with the decision of the named entity, the individual may appeal to the district court.
(e) For purposes of this section, "named entity" means the entity listed in the notice as required by section 201.145, subdivision 6.

EFFECTIVE DATE. This section is effective July 1, 2017, and applies to individuals who are challenged on or after that date.
Sec. 12. Minnesota Statutes 2016, section 204B.21, subdivision 2, is amended to read:

Subd. 2. Appointing authority; powers and duties. Election judges for precincts in a municipality shall be appointed by the governing body of the municipality; Election judges for precincts in unorganized territory and for performing election-related duties assigned by the county auditor shall be appointed by the county board; Election judges for a precinct composed of two or more municipalities must be appointed by the governing body of the municipality or municipalities responsible for appointing election judges as provided in the agreement to combine for election purposes. Except as otherwise provided in this section, appointments shall be made from lists furnished pursuant to subdivision 1 subject to the eligibility requirements and other qualifications established or authorized under section 204B.19. At least two election judges in each precinct must be affiliated with different major political parties. If no lists have been furnished or if additional election judges are required after all listed names in that municipality have been exhausted, the appointing authority may appoint other individuals who meet the qualifications to serve as an election judge, including persons who are not affiliated with a major political party. An individual who is appointed from a source other than the list furnished pursuant to subdivision 1 must provide to the appointing authority the individual's major political party affiliation or a statement that the individual does not affiliate with any major political party. An individual who refuses to provide the individual's major political party affiliation or a statement that the individual does not affiliate with a major political party must not be appointed as an election judge. The appointments shall be made at least 25 days before the election at which the election judges will serve, except that the appointing authority may pass a resolution authorizing the appointment of additional election judges within the 25 days before the election if the appointing authority determines that additional election judges will be required.

Sec. 13. Minnesota Statutes 2016, section 204B.21, is amended by adding a subdivision to read:

Subd. 3. Access to election judge party affiliation. Notwithstanding section 13.43, the major political party affiliation of an election judge or a statement that the judge does not affiliate with a major political party is accessible to an individual who is appointed to serve as an election judge in the same precinct for the same election.

Sec. 14. Minnesota Statutes 2016, section 204C.10, is amended to read:

204C.10 PERMANENT REGISTRATION; VERIFICATION OF REGISTRATION.

(a) An individual seeking to vote shall sign a polling place roster or voter signature certificate 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
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) At the presidential nomination primary, the polling place roster must also state: “I am in general agreement with the principles of the party for whose candidate I intend to vote; and I understand that my choice of a party's ballot will be public information.” This statement must appear separately from the statements required in paragraph (a). The felony penalty provided for in paragraph (a) does not apply to this paragraph.

(c) A judge may, before the applicant signs the roster or voter signature certificate, an election judge must confirm the applicant's name, address, and date of birth. Unless the challenge is resolved pursuant to section 204C.12, subdivision 3, a voter whose registration status is listed as challenged must not be allowed to sign the polling place roster or sign a voter signature certificate, but the voter must be allowed to cast a provisional ballot as provided in section 204C.135.

(d) After the applicant signs the roster or voter signature certificate, 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.

(e) Whenever a challenged status appears on the polling place roster, an election judge must ensure that the challenge is concealed or hidden from the view of any other voter than the voter whose status is challenged.

Sec. 15. Minnesota Statutes 2016, section 204C.12, subdivision 1, is amended to read:

Subdivision 1. Manner of challenging. An election judge shall, and an authorized challenger or other voter may, challenge an individual whom the person knows or reasonably believes based on personal knowledge that the individual is not an eligible voter.

Sec. 16. Minnesota Statutes 2016, section 204C.12, subdivision 2, is amended to read:

Subd. 2. Statement of grounds; oath. A challenger must be a resident of this state. The secretary of state shall prepare a form that challengers must complete and sign when making a challenge. The form must include space to state the ground for the challenge; a statement that the challenge is based on the challenger's personal knowledge; and a statement that the challenge is made under oath. The form must include a space for the challenger's printed name, signature, telephone number, and address.

An election judge shall administer to the challenged individual the following oath:

"Do you solemnly swear (or affirm) that you will fully and truly answer all questions put to you concerning your eligibility to vote at this election?"

The election judge shall then ask the challenged individual sufficient questions to test that individual's residence and right to vote.
Sec. 17. Minnesota Statutes 2016, section 204C.12, subdivision 3, is amended to read:

Subd. 3. Determination of residence. In determining the (a) For an individual whose residency in the precinct is challenged, an election judge must administer to the challenged individual the following oath: "Do you solemnly swear (or affirm) that you will fully and truly answer all questions put to you concerning your residency in this precinct?" The election judge must then ask the challenged questions to determine the individual's legal residence of a challenged individual, in the precinct. The election judge 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 does not live in the 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 does not reside in the 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.

(b) The process described in this section must not be used for any purpose other than determining residency in the precinct.

Sec. 18. [204C.135] PROVISIONAL BALLOTS.

Subdivision 1. Casting provisional ballots. (a) A voter whose registration status is challenged, and the challenge is not resolved pursuant to section 204C.12, is entitled to cast a provisional ballot.

(b) A voter seeking to cast a provisional ballot must sign a provisional ballot roster or a provisional voter signature certificate 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.

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

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

Subd. 2. Accepting or rejecting provisional ballot envelopes. (a) Before the meeting of the canvassing board, the county auditor or municipal clerk must accept or reject each provisional ballot. The county auditor or municipal clerk must review the information in the statewide voter registration system, required by section 201.145, subdivision 1, paragraph (b), for the date of the election. If the information shows that the voter was not challenged or should not have been challenged on that date and was otherwise eligible to vote, that voter's provisional ballot must be accepted. The county auditor or municipal clerk must mark the provisional ballot envelope "Accepted" and initial or sign the envelope below the word "Accepted." If a provisional ballot envelope is not accepted, the county auditor or municipal clerk must mark the provisional ballot envelope "Rejected," initial or sign it below the word "Rejected," and list the reason for the rejection on the envelope. The county auditor or municipal clerk must promptly record in the statewide voter registration system that a voter's provisional ballot has been accepted or rejected.

(b) The county auditor or municipal clerk must mail the voter a written notice of provisional ballot rejection between six and ten weeks following the election. The notice must include the reason for rejection and the name of the appropriate election official to whom the voter may direct further questions, along with appropriate contact information.

(c) A provisional ballot envelope marked "Rejected" may not be opened or subject to further review except in an election contest filed pursuant to chapter 209.

Subd. 3. Provisional ballots; reconciliation. Prior to counting any provisional ballots in the final vote totals from a precinct, the county auditor or municipal clerk must verify that the number of signatures appearing on the provisional ballot roster from that precinct is equal to or greater than the number of provisional ballots submitted by voters in the precinct on election day. Any discrepancy must be resolved before the provisional ballots from the precinct may be counted. Excess provisional ballots to be counted must be randomly withdrawn in the manner required by section 204C.20, subdivision 2.

Subd. 4. Counting provisional ballots. Accepted provisional ballot envelopes must be opened, duplicated as needed in the manner provided in section 206.86, subdivision 5, initiated by the members of the ballot board, and deposited in the appropriate ballot box. If more than one ballot is enclosed in the ballot envelope, the ballots must be spoiled and must not be counted.

Sec. 19. Minnesota Statutes 2016, section 204C.14, subdivision 1, is amended to read:

Subdivision 1. Violations; penalty. (a) No individual shall intentionally
(1) misrepresent the individual's identity in applying for a ballot, depositing a ballot in a ballot box, requesting a provisional ballot or requesting that a provisional ballot be counted, or attempting to vote by means of a voting machine or electronic voting system;

(a) (2) vote more than once at the same election;

(a) (3) put a ballot in a ballot box for any illegal purpose;

(a) (4) give more than one ballot of the same kind to an election judge to be placed in a ballot box;

(a) (5) aid, abet, counsel or procure another to go into any precinct for the purpose of voting in that precinct, knowing that the other individual is not eligible to vote in that precinct;

(a) (6) aid, abet, counsel or procure another to do any act in violation of this section or

(a) (7) challenge a voter's eligibility to vote knowing that the challenge is not meritorious or acting in reckless disregard of whether the challenge is meritorious;

(b) A violation of this section is a felony.

Sec. 20. Minnesota Statutes 2016, section 241.065, subdivision 2, is amended to read:

Subd. 2. Establishment. The Department of Corrections shall administer and maintain a computerized data system for the purpose of assisting criminal justice agencies in monitoring and enforcing the conditions of conditional release imposed on criminal offenders by a sentencing court or the commissioner of corrections. The adult data and juvenile data as defined in section 260B.171 in the statewide supervision system are private data as defined in section 13.02, subdivision 12, but are accessible to criminal justice agencies as defined in section 13.02, subdivision 3a, to the Minnesota sex offender program as provided in section 246B.04, subdivision 3; to public defenders as provided in section 611.272; to all trial courts and appellate courts; and to criminal justice agencies in other states in the conduct of their official duties. Adult data in the statewide supervision system are accessible to the secretary of state for the purposes described in section 201.145.

Sec. 21. INITIAL REPORT ON GUARDIANSHIPS, LEGAL INCOMPETENCE, FELONY CONVICTIONS, AND CITIZENSHIP, AND STATUS CHANGES.

Subdivision 1. Court administrator initial report. (a) By July 1, 2017, the state court administrator must report to the secretary of state on the following groups of individuals:

(1) each individual 17 years of age or older who are under a guardianship in which a court order revokes the ward's right to vote or where the court has found the individual to be legally incompetent to vote;

(2) each individual 17 years of age or older who has been convicted of a felony;

(3) each individual whose guardianship was modified to restore the ward's right to vote or whose guardianship was terminated by order of the court under Minnesota Statutes...
section 524.5-317, after being ineligible to vote for any of the reasons specified in subdivision 2, paragraph (a); and

(b) Each report under this subdivision must include the following information for each individual: name, address, date of birth, and, if available, the last four digits of the Social Security number. For reports required by paragraph (a), clauses (2) and (4), each report must also include the individual's, if available: corrections' state identification number, driver's license or state identification card number, date of sentence, effective date of the sentence, county in which the conviction occurred, and date of discharge.

Subd. 2. Commissioner of corrections initial report. (a) By July 1, 2017, the commissioner of corrections must report to the secretary of state on the following groups of individuals:

(1) each individual 17 years of age or older who are currently:
   (i) serving felony sentences under the commissioner's jurisdiction; or
   (ii) on probation for felony offenses that resulted in the loss of civil rights, as indicated by the statewide supervision system established under Minnesota Statutes, section 241.065; and

(2) each individual who was serving a felony sentence under the commissioner's jurisdiction or who was on probation for a felony offense under the commissioner's jurisdiction that resulted in the loss of civil rights but who has been discharged from the sentence.

(b) Each report under this subdivision must include the following information for each individual: name, address or last known residential address that is not a correctional facility, and date of birth. If available, each report must also include the individual's: corrections' state identification number, last four digits of the Social Security number, driver's license or state identification card number, date of sentence, effective date of the sentence, county in which the conviction occurred, and date of discharge.

Subd. 3. Commissioner of public safety initial report. By July 1, 2017, the commissioner of public safety must report to the secretary of state on each individual identified by the department as having temporary lawful status in the United States. The report section must include the following information for each individual: name, address, date of birth, driver's license or state identification card number, and, if available, last four digits of the Social Security number.

Subd. 4. Initial report use. The secretary of state must enter all information from each report received under this section into the statewide voter registration system. The reports must be retained in the statewide voter registration system in a manner that allows users to search the reports for a particular date.

EFFECTIVE DATE. This section is effective the day following final enactment.
May 16, 2017
House Desk/Senate Comparison Report

S0514-5

Sec. 22. REPEALER.

Minnesota Statutes 2016, sections 201.15; 201.155; 201.157; and 201.158, are repealed.

Sec. 23. EFFECTIVE DATE.

This article is effective July 1, 2017.

12.8 Section 1. Minnesota Statutes 2016, section 103B.545, subdivision 2, is amended to read:

Subd. 2. Election. The county board or joint county authority shall conduct a special election on a date authorized in section 205.10, subdivision 3a. The special election must be held within the proposed lake improvement district. The county auditor shall administer the special election.

12.9 Sec. 2. Minnesota Statutes 2016, section 123A.46, subdivision 12, is amended to read:

Subd. 12. Election date. If an election is required under subdivision 11, then before the expiration of a 45 day period after the date of the order for dissolution and attachment, the auditor shall set a date and call the election by filing a written order for the election and serving a copy of the order personally or by mail on the clerk of the district in which the election is to be held. The date shall be not less than 15 nor more than 30 days after the date of the order, upon which date a special election shall be held in the district proposed for dissolution and must be held on a date authorized in section 205A.05, subdivision 1a. The auditor shall post and publish notice of the election according to law. Upon receipt of the notice, the board shall conduct the election.

12.23 Sec. 3. Minnesota Statutes 2016, section 123B.63, subdivision 3, is amended to read:

Subd. 3. Capital project levy referendum. (a) A district may levy the local tax rate approved by a majority of the electors voting on the question to provide funds for an approved project. The election must take place no more than five years before the estimated date of

12.26
commencement of the project. The referendum must be held on a date set by the board authorized by section 205A.05, subdivision 1a. A district must meet the requirements of section 123B.71 for projects funded under this section. If a review and comment is required under section 123B.71, subdivision 8, a referendum for a project not receiving a positive review and comment by the commissioner must be approved by at least 60 percent of the voters at the election.

(b) The referendum may be called by the school board and may be held:

(1) separately, before an election for the issuance of obligations for the project under chapter 475; or

(2) in conjunction with an election for the issuance of obligations for the project under chapter 475; or

(3) notwithstanding section 475.59, as a conjunctive question authorizing both the capital project levy and the issuance of obligations for the project under chapter 475. Any obligations authorized for a project may be issued within five years of the date of the election.

(c) The ballot must provide a general description of the proposed project, state the estimated total cost of the project, state whether the project has received a positive or negative review and comment from the commissioner, state the maximum amount of the capital project levy as a percentage of net tax capacity, state the amount that will be raised by that local tax rate in the first year it is to be levied, and state the maximum number of years that the levy authorization will apply.

The ballot must contain a textual portion with the information required in this section and a question stating substantially the following:

"Shall the capital project levy proposed by the board of ....... School District No. ....... be approved?"

If approved, the amount provided by the approved local tax rate applied to the net tax capacity for the year preceding the year the levy is certified may be certified for the number of years, not to exceed ten, approved.

(d) If the district proposes a new capital project to begin at the time the existing capital project expires and at the same maximum tax rate, the general description on the ballot may state that the capital project levy is being renewed and that the tax rate is not being increased from the previous year's rate. An election to renew authority under this paragraph may be called at any time that is otherwise authorized by this subdivision. The ballot notice required under section 275.60 may be modified to read:

"BY VOTING YES ON THIS BALLOT QUESTION, YOU ARE VOTING TO RENEW AN EXISTING CAPITAL PROJECTS REFERENDUM THAT IS SCHEDULED TO EXPIRE."

(e) In the event a conjunctive question proposes to authorize both the capital project levy and the issuance of obligations for the project, appropriate language authorizing the issuance of obligations must also be included in the question.
(f) The district must notify the commissioner of the results of the referendum.

Sec. 4. Minnesota Statutes 2016, section 126C.17, subdivision 11, is amended to read:

Subd. 11. Referendum date. (a) Except for a referendum held under paragraph (b), any referendum under this section held on a day other than the first Tuesday after the first Monday in November must be conducted by mail in accordance with section 204B.46 and held on a date authorized by section 205A.05, subdivision 1a. Notwithstanding subdivision 9, paragraph (b), to the contrary, in the case of a referendum conducted by mail under this paragraph, the notice required by subdivision 9, paragraph (b), must be prepared and delivered by first-class mail at least 20 days before the referendum.

(b) In addition to the referenda allowed in subdivision 9, clause (a), the commissioner may grant authority to a district to hold a referendum on a different day within 60 days of receiving the request from a district.

(c) The commissioner must approve, deny, or modify each district's request for a referendum levy on a different day within 60 days of receiving the request from a district.

Sec. 5. Minnesota Statutes 2016, section 128D.05, subdivision 2, is amended to read:

Subd. 2. Time of change. A proposed change in election years adopted under subdivision 1 is effective 240 days after passage and publication or at a later date fixed in the proposal.

Within 180 days after passage and publication of the proposal, a petition requesting a referendum on the proposal may be filed with the school district clerk. The petition must be signed by eligible voters equal in number to five percent of the total number of votes cast in the city of Minneapolis at the most recent state general election. If the requisite petition is filed within the prescribed period, the proposal does not become effective until it is approved by a majority of the voters voting on the question at a general or special election held at least 60 days after submission of the petition on a date authorized by section 205A.05, subdivision 1a. If the petition is filed, the governing body may reconsider its action in adopting the proposal.

Sec. 6. Minnesota Statutes 2016, section 128D.05, subdivision 2, is amended to read:

Subd. 2. Time of change. A proposed change in election years adopted under subdivision 1 is effective 240 days after passage and publication or at a later date fixed in the proposal.

Within 180 days after passage and publication of the proposal, a petition requesting a referendum on the proposal may be filed with the school district clerk. The petition must be signed by eligible voters equal in number to five percent of the total number of votes cast in the city of Minneapolis at the most recent state general election. If the requisite petition is filed within the prescribed period, the proposal does not become effective until it is approved by a majority of the voters voting on the question at a general or special election held at least 60 days after submission of the petition on a date authorized by section 205A.05, subdivision 1a. If the petition is filed, the governing body may reconsider its action in adopting the proposal.
Subdivision 1. Location; timing. During the 46 days before the election, an eligible voter may vote by absentee ballot in the office of the county auditor and at any other polling place designated by the county auditor during the 46 days before the election regular business hours of the polling place, except as provided in this section. A voter waiting in line to register or to vote at the close of business must be allowed to vote.

Sec. 9. Minnesota Statutes 2016, section 203B.085, is amended to read:

203B.085 COUNTY AUDITOR'S AND MUNICIPAL CLERK'S OFFICES TO REMAIN OPEN DURING CERTAIN HOURS PRECEDING ELECTION.
The county auditor's office in each county and the clerk's office in each city or town authorized under section 203B.05 to administer absentee balloting must be open for acceptance of absentee ballot applications and casting of absentee ballots from 10:00 a.m. to 3:00 p.m. on Saturday and until 5:00 p.m. on the day immediately preceding a primary, special, or general election unless that day falls on a Saturday or Sunday. Town clerks' offices must be open for absentee voting from 10:00 a.m. to 12:00 noon on the Saturday before a town general election held in March. The school district clerk, when performing the county auditor's election duties, need not comply with this section. A voter waiting in line to register or to vote at the close of the polling location must be allowed to vote. On the Saturday before the election and on the day immediately preceding an election, a county auditor or municipal clerk must not accept absentee ballots at times other than those specified in this section.

Sec. 10. Minnesota Statutes 2016, section 204B.16, subdivision 1, is amended to read:

Subdivision 1. Authority; location. By December 31 of each year, the governing body of each municipality and of each county with precincts in unorganized territory shall designate by ordinance or resolution a polling place for each election precinct. The polling places designated in the ordinance or resolution are the polling places for the following calendar year, unless a change is made:
(1) pursuant to section 204B.175; or
(2) because a polling place has become unavailable.
Polling places must be designated and ballots must be distributed so that no one is required to go to more than one polling place to vote in a school district and municipal election held on the same day. The polling place for a precinct in a city or in a school district located in whole or in part in the metropolitan area defined by section 200.02, subdivision 24, shall be located within the boundaries of the precinct or within one mile of one of those boundaries unless a single polling place is designated for a city pursuant to section 204B.14, subdivision 2, or a school district pursuant to section 205A.11. The polling place for a precinct in unorganized territory may be located outside the precinct at a place which is convenient to the voters of the precinct. If no suitable place is available within a town or within a school district located outside the metropolitan area defined by section 200.02, subdivision 24,
then the polling place for a town or school district may be located outside the town or school
district within five miles of one of the boundaries of the town or school district.

Sec. 11. Minnesota Statutes 2016, section 204D.19, is amended by adding a subdivision

to read:

Subd. 3a. Preferred election dates. Whenever possible, special elections to fill a vacancy
in the office of state senator or state representative should be held on one of the following
dates: the fourth Tuesday in February, the second Tuesday in May, the second Tuesday in
August, or the first Tuesday after the first Monday in November.

Sec. 12. Minnesota Statutes 2016, section 205.07, subdivision 3, is amended to read:

Subd. 3. Effect of ordinance; referendum. An ordinance changing the year of the
municipal election is effective 240 days after passage and publication or at a later date fixed
in the ordinance. Within 180 days after passage and publication of the ordinance, a petition
requesting a referendum on the ordinance may be filed with the city clerk. The petition shall
be signed by eligible voters equal in number to ten percent of the total number of votes cast
in the city at the last municipal general election. If the requisite petition is filed within the
prescribed period, the ordinance shall not become effective until it is approved by a majority
of the voters voting on the question at a general or special election held at least 60 days
after submission of the petition on a date authorized by section 205.10, subdivision 3a. If
the petition is filed, the governing body may reconsider its action in adopting the ordinance.

Sec. 7. Minnesota Statutes 2016, section 205.10, is amended by adding a subdivision to
read:

Subd. 3a. Special election dates. (a) Except as allowed in paragraph (b) and subdivision
4, a special election held in a city or town must be held on one of the following dates: the
second Tuesday in February, the second Tuesday in April, the second Tuesday in May, the
second Tuesday in August, or the first Tuesday after the first Monday in November. A home
rule charter city must not designate additional dates in its charter.

(b) A special election may be held on a date other than those designated in paragraph
(a) if the special election is held in response to an emergency or disaster. "Emergency",
means an unforeseen combination of circumstances that calls for immediate action to prevent
a disaster from developing or occurring. "Disaster" means a situation that creates an actual
or imminent serious threat to the health and safety of persons or a situation that has resulted
or is likely to result in catastrophic loss to property or the environment.

Sec. 13. Minnesota Statutes 2016, section 205.10, is amended by adding a subdivision to
read:

Subd. 3a. Uniform election dates. (a) Except as allowed in paragraph (b) and subdivision
4, a special election held in a city or town must be held on one of the following dates: the
fourth Tuesday in February, the second Tuesday in May, the second Tuesday in August, or
the first Tuesday after the first Monday in November. A special election primary must be
held on the uniform date prior to the election date on which the election is scheduled. A home
rule charter city must not designate additional dates in its charter.

(b) A special election may be held on a date other than those designated in paragraph
(a) if the special election is held in response to an emergency or disaster. "Emergency",
means an unforeseen combination of circumstances that calls for immediate action to prevent
a disaster from developing or occurring. "Disaster" means a situation that creates an actual
or imminent; serious threat to the health and safety of persons or a situation that has resulted
or is likely to result in catastrophic loss to property or the environment.

Sec. 14. Minnesota Statutes 2016, section 205.10; subdivision 4, is amended to read:

Subd. 4. Vacancies in town offices. Special elections must be held with the town general
election to fill vacancies in town offices as provided in section 367.03, subdivision 6, must
be held with the town general election or on a date authorized by subdivision 3a.
Sec. 15. Minnesota Statutes 2016, section 205.175, is amended to read:

**205.175 TOWN VOTING HOURS.**

Subdivision 1. Minimum voting hours; towns. In all municipal town elections, the polling places will remain open for voting at 5:00 p.m. to 8:00 p.m.

Subd. 2. Metropolitan area municipalities towns. The governing body of a municipality, which town board that is located within a metropolitan county included in the definition of metropolitan area in section 200.02, subdivision 24, may designate the time during which the polling places will remain open for voting at the next succeeding and all subsequent municipal town elections; provided that the polling places shall remain open no later than 10:00 a.m. and shall close no earlier than 8:00 p.m. The resolution shall remain in force until it is revoked by the municipal governing body town board.

Subd. 3. Other municipalities towns. The governing body of a municipality town board other than a municipality town described in subdivision 2, may by resolution adopted prior to giving notice of the election, designate the time, in addition to the minimum voting hours provided in subdivision 1; during which the polling places will remain open for voting at the next succeeding and all subsequent municipal town elections. The resolution shall remain in force until it is revoked by the municipal governing body town board or changed because of request by voters as provided in this subdivision. If a petition requesting longer voting hours; signed by a number of voters equal to 20 percent of the votes cast at the last municipal town election, is presented to the municipal town clerk no later than 30 days prior to the municipal town election, then the polling places for that election shall remain open at 10:00 a.m. and close at 8:00 p.m. The municipal town clerk shall give ten days notice of the changed voting hours and notify the county auditor of the change.

Municipalities.

Towns covered by this subdivision shall certify their election hours to the county auditor in January of each year.

Sec. 16. Minnesota Statutes 2016, section 205A.05, subdivision 1, is amended to read:

**Subdivision 1. Questions.** (a) Special elections must be held for a school district on a question which the voters are authorized by law to pass judgment. The school board may on its own motion call a special election to vote on any matter requiring approval of the voters of a district. Upon petition filed with the school board of 50 or more voters of the school district or five percent of the number of voters voting at the preceding school district general election, whichever is greater, the school board shall by resolution call a special election to vote on any matter requiring approval of the voters of a district. A question is carried only with the majority in its favor required by law. The election officials for a special school district or five percent of the number of voters voting at the preceding school district provided in subdivision 1, during which the polling places will remain open for voting at the next succeeding and all subsequent municipal town elections. The resolution shall remain in force until it is revoked by the municipal governing body town board or changed because of request by voters as provided in this subdivision. If a petition requesting longer voting hours; signed by a number of voters equal to 20 percent of the votes cast at the last municipal town election, is presented to the municipal town clerk no later than 30 days prior to the municipal town election, then the polling places for that election shall remain open at 10:00 a.m. and close at 8:00 p.m. The municipal town clerk shall give ten days notice of the changed voting hours and notify the county auditor of the change. Municipalities.

Towns covered by this subdivision shall certify their election hours to the county auditor in January of each year.
A special election may not be held: of the proposed district published notice shall be given as determined by the governing body. The determination conducted wholly or partially within the school district; or

216B.46 MUNICIPAL ACQUISITION PROCEDURES; NOTICE; ELECTION. or imminent serious threat to the health and safety of persons or a situation that has resulted section 205.10, subdivision 3a

Subd. 2.

Sec. 9. Minnesota Statutes 2016, section 205A.05, is amended by adding a subdivision to read:

Subd. 1a. Special election dates. (a) Except as allowed in paragraph (b), a special election held in a school district must be held on one of the following dates: the second Tuesday in February, the second Tuesday in April, the second Tuesday in May, the second Tuesday in August, or the first Tuesday after the first Monday in November.

(b) A special election may be held on a date other than those designated in paragraph (a) if the special election is held in response to an emergency or disaster. "Emergency" means an unforeseen combination of circumstances that calls for immediate action to prevent a disaster from developing or occurring. "Disaster" means a situation that creates an actual or imminent serious threat to the health and safety of persons or a situation that has resulted or is likely to result in catastrophic loss to property or the environment.

Sec. 10. Minnesota Statutes 2016, section 216B.46, is amended to read:

216B.46 MUNICIPAL ACQUISITION PROCEDURES; NOTICE; ELECTION. Any municipality which desires to acquire the property of a public utility as authorized under the provisions of section 216B.45 may determine to do so by resolution of the governing body of the municipality taken after a public hearing of which at least 30 days’ published notice shall be given as determined by the governing body. The determination shall become effective when ratified by a majority of the qualified electors voting on the question at a special election to be held for that purpose, not less than 60 nor more than 120 days after the resolution of the governing body of the municipality on a date authorized by section 205.10, subdivision 3a.

Sec. 11. Minnesota Statutes 2016, section 365A.06, subdivision 2, is amended to read:

Subd. 2. Election. The town board shall hold a special election within the boundaries of the proposed district not less than 30 nor more than 60 days after receipt of the petition on a date authorized by section 205.10, subdivision 3a. The question submitted and voted on at the election dates. The question submitted and voted on at the election must be conducted under any other law may be extended by the school board to conform with the requirements of this subdivision.

Sec. 12. Minnesota Statutes 2016, section 365A.06, subdivision 2, is amended to read:

Subd. 2. Election. The town board shall hold a special election within the boundaries of the proposed district not less than 30 nor more than 60 days after receipt of the petition on a date authorized by section 205.10, subdivision 3a. The question submitted and voted on at the election dates. The question submitted and voted on at the election must be conducted under any other law may be extended by the school board to conform with the requirements of this subdivision.

Sec. 13. Minnesota Statutes 2016, section 365A.06, subdivision 2, is amended to read:

Subd. 2. Election. The town board shall hold a special election within the boundaries of the proposed district not less than 30 nor more than 60 days after receipt of the petition on a date authorized by section 205.10, subdivision 3a. The question submitted and voted on at the election dates. The question submitted and voted on at the election must be conducted under any other law may be extended by the school board to conform with the requirements of this subdivision.

Sec. 14. Minnesota Statutes 2016, section 365A.06, subdivision 2, is amended to read:

Subd. 2. Election. The town board shall hold a special election within the boundaries of the proposed district not less than 30 nor more than 60 days after receipt of the petition on a date authorized by section 205.10, subdivision 3a. The question submitted and voted on at the election dates. The question submitted and voted on at the election must be conducted under any other law may be extended by the school board to conform with the requirements of this subdivision.

Sec. 15. Minnesota Statutes 2016, section 365A.06, subdivision 2, is amended to read:

Subd. 2. Election. The town board shall hold a special election within the boundaries of the proposed district not less than 30 nor more than 60 days after receipt of the petition on a date authorized by section 205.10, subdivision 3a. The question submitted and voted on at the election dates. The question submitted and voted on at the election must be conducted under any other law may be extended by the school board to conform with the requirements of this subdivision.

Sec. 16. Minnesota Statutes 2016, section 365A.06, subdivision 2, is amended to read:

Subd. 2. Election. The town board shall hold a special election within the boundaries of the proposed district not less than 30 nor more than 60 days after receipt of the petition on a date authorized by section 205.10, subdivision 3a. The question submitted and voted on at the election dates. The question submitted and voted on at the election must be conducted under any other law may be extended by the school board to conform with the requirements of this subdivision.
Option for filling vacancies; special election.

Election at annual election or special election.

Option for filling vacancies; special election.

Sec. 21. Minnesota Statutes 2016, section 375.101, subdivision 1, is amended to read:

Subdivision 1. Election at annual election or special election. Following the adoption of option A in a town, except a town exercising the powers of a statutory city, the town board may call a special town election to be held not less than 30 nor more than 60 days after the annual town election at which the option is adopted on a date authorized by section 205.10, subdivision 3a, to elect two additional members to the board of supervisors. In lieu of a special election, the town board may determine to elect the additional members at the next annual town election.

If the town is exercising the powers of a statutory city under section 368.01 or a special law granting substantially similar powers, the town board shall call a special election to be held not less than 30 nor more than 60 days after the annual election on a date authorized by section 205.10, subdivision 3a, at which option A is adopted to elect the two additional supervisors.

Sec. 13. Minnesota Statutes 2016, section 375.101, subdivision 1, is amended to read:

Subdivision 1. Option for filling vacancies; special election. (a) Except as provided in subdivision 3, a vacancy in the office of county commissioner may be filled as provided in this subdivision and subdivision 2, or as provided in subdivision 4. If the vacancy is to be filled under this subdivision and subdivision 2, it must be filled at a special election. The county board may by resolution call for a special election to be held according to the earliest of the following time schedules:

(1) not less than 120 days following the date the vacancy is declared, but no later than 12 weeks prior to the date of the next regularly scheduled primary election;

(2) concurrently with the next regularly scheduled primary election and general election;

(3) no sooner than 120 days following the next regularly scheduled general election on a date authorized by section 205.10, subdivision 3a.

(b) The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term. If the county has been reapportioned since the commencement of the term of the vacant office, the election shall be based on the district as reapportioned.
Sec. 22. Minnesota Statutes 2016, section 375B.07, subdivision 2, is amended to read:

Subd. 2. Election. The county board shall make arrangements for the holding of a special
election: not less than 30 nor more than 90 days after receipt of the petition on a date
authorized by section 205.10, subdivision 3a, within the boundaries of the proposed district.

The question to be submitted and voted upon by the qualified voters within the territory of
the proposed district shall be phrased substantially as follows:

"Shall a subordinate service district be established in order to provide (service or services
to be provided) financed by (revenue sources)?"

If a majority of those voting on the question favor creation of the proposed district, the
district shall be deemed created upon certification of the vote by the county auditor. The
county auditor shall administer the election.

Sec. 23. Minnesota Statutes 2016, section 375B.10, is amended to read:

375B.10 WITHDRAWAL; ELECTION.

Upon receipt of a petition signed by ten percent of the qualified voters within the territory
of the subordinate service district requesting the removal of the district, or pursuant to its
own resolution, the county board shall make arrangements for the holding of a special
election within the boundaries of the service district not less than 30 nor more than 90 days
after the resolution or receipt of the petition on a date authorized by section 205.10,
subdivision 3a. The question to be submitted and voted upon by the qualified voters within
the territory of the district shall be phrased substantially as follows:

"Shall the subordinate service district presently established be removed and the service or
services of the county as provided for the service district be discontinued?"

If a majority of those voting on the question favor the removal and discontinuance of
the services, the service district shall be removed and the services shall be discontinued
upon certification of the vote by the county auditor. The county auditor shall administer the
election.

Sec. 24. Minnesota Statutes 2016, section 383B.031, subdivision 1, is amended to read:

Subdivision 1. More than six months; special election. Notwithstanding the provisions
of section 375.101, if a vacancy occurs in a seat on the Board of County Commissioners of
Hennepin County more than six months before the general election in which a commissioner
will next be selected to occupy such seat the county auditor shall, within seven days after
the vacancy occurs, call a special election within the affected district to fill such vacancy.
The auditor shall specify a date for the election which shall be between 56 and 77 days after
the vacancy occurred to be held on a date authorized by section 205.10, subdivision 3a.
Candidates shall file with the county auditor prior to the 35th day before the election. The
primary election shall be held 14 days before the election. If no more than two candidates
file for the office, the primary election shall be canceled and the date of the general election
advanced 14 days.
Sec. 17. Minnesota Statutes 2016, section 383E.24, subdivision 7, is amended to read:

Sec. 18. Minnesota Statutes 2016, section 410.10, subdivision 1, is amended to read:

Sec. 19. Minnesota Statutes 2016, section 447.32, subdivision 2, is amended to read:

Subd. 2. Elections. Except as provided in this chapter, the Minnesota Election Law applies to hospital district elections, as far as practicable. Regular elections must be held in each hospital district at the same time, in the same election precincts, and at the same polling places as general elections of state and county officers. It may establish the whole district as a single election precinct or establish two or more different election precincts and polling places for the elections. If there is more than one precinct, the boundaries of the election precincts and the locations of the polling places must be defined in the notice of election, either in full or by reference to a description or map on file in the office of the clerk.
Special elections may be called by the hospital board to vote on any matter required by law to be submitted to the voters. A special election may not be conducted either during the 56 days before or the 56 days after a regularly scheduled primary or general election. Special elections must be held on a date authorized by section 205.10, subdivision 3a. Special elections must be held within the election precinct or precincts and at the polling place or places designated by the board. In the case of the first election of officers of a new district, precincts and polling places must be set by the governing body of the most populous city or town included in the district.

Advisory ballots may be submitted by the hospital board on any question it wishes, concerning the affairs of the district, but only at a regular election or at a special election required for another purpose.

Sec. 20. Minnesota Statutes 2016, section 475.59, is amended to read:

475.59 MANNER OF SUBMISSION; NOTICE.

Subdivision 1. Generally notice. When the governing body of a municipality resolves to issue bonds for any purpose requiring the approval of the electors, it shall provide for submission of the proposition of their issuance at a general or special election or town or school district meeting. Notice of such election or meeting shall be given in the manner required by law and shall state the maximum amount and the purpose of the proposed issue. In any school district, the school board or board of education may, according to its judgment and discretion, submit as a single ballot question or as two or more separate questions in the notice of election and ballots the proposition of their issuance for any one or more of the following, stated conjunctively or in the alternative: acquisition or enlargement of sites, remodeling, repairing, improving, adding to, betterment, furnishing, equipping of one or more existing schoolhouses. In any city, town, or county, the governing body may, according to its judgment and discretion, submit as a single ballot question or as two or more separate questions in the notice of election and ballots the proposition of their issuance, stated conjunctively or in the alternative, for the acquisition, construction, or improvement of any facilities at one or more locations.

Sec. 21. REPEALER. Minnesota Statutes 2016, section 205.10, subdivision 3, is repealed.
ARTICLE 3

JUNE PRIMARY

Section 1. Minnesota Statutes 2016, section 204B.14, subdivision 2, is amended to read:

Subd. 2. Separate precincts; combined polling place. (a) The following shall constitute at least one election precinct:

(1) each city ward; and
(2) each town and each statutory city.

(b) A single, accessible, combined polling place may be established no later than November 1 if a presidential nomination primary is scheduled to occur in the following year or May 1 of any other year:

(1) for any city of the third or fourth class, any town, or any city having territory in more than one county, in which all the voters of the city or town shall cast their ballots;
(2) for contiguous precincts in the same municipality;
(3) for up to four contiguous municipalities located entirely outside the metropolitan area, as defined by section 200.02, subdivision 24, that are contained in the same county; or
(4) for noncontiguous precincts located in one or more counties.

Subject to the requirements of paragraph (c), a single, accessible, combined polling place may be established after May 1 of any year in the event of an emergency.

A copy of the ordinance or resolution establishing a combined polling place must be filed with the county auditor within 30 days after approval by the governing body. A polling place combined under clause (3) must be approved by the governing body of each participating municipality. A polling place combined under clause (4) must be approved by the governing body of each participating municipality and the secretary of state and may be located outside any of the noncontiguous precincts. A municipality withdrawing from participation in a combined polling place must do so by filing a resolution of withdrawal within the county auditor no later than October 1 if a presidential nomination primary is scheduled to occur in the following year or April 1 of any other year.

The secretary of state shall provide a separate polling place roster for each precinct served by the combined polling place, except that in a precinct that uses electronic rosters the secretary of state shall provide separate data files for each precinct. A single set of election judges may be appointed to serve at a combined polling place. The number of election judges required must be based on the total number of persons voting at the last
similar election in all precincts to be voting at the combined polling place. Separate ballot
boxes must be provided for the ballots from each precinct. The results of the election must
be reported separately for each precinct served by the combined polling place; except in a
polling place established under clause (2) where one of the precincts has fewer than ten
registered voters, in which case the results of that precinct must be reported in the manner
specified by the secretary of state;

(c) If a local elections official determines that an emergency situation preventing the
safe, secure, and full operation of a polling place on election day has occurred or is imminent,
the local elections official may combine two or more polling places for that election pursuant
to this subdivision. To the extent possible, the polling places must be combined and the
election conducted according to the requirements of paragraph (b), except that:

(1) polling places may be combined after May 1 and until the polls close on election
day;

(2) any city or town, regardless of size or location, may establish a combined polling
place under this paragraph;

(3) the governing body is not required to adopt an ordinance or resolution to establish
the combined polling place;

(4) a polling place combined under paragraph (b), clause (3) or (4), must be approved
by the local election official of each participating municipality;

(5) the local elections official must immediately notify the county auditor and the
secretary of state of the combination; including the reason for the emergency combination
and the location of the combined polling place. As soon as possible, the local elections
official must post a notice stating the reason for the combination and the location of
the combined polling place. The notice must also be posted on the governing board's Web
site; if one exists: The local elections official must also notify the election judges and request
that local media outlets publicly announce the reason for the combination and the location
of the combined polling place; and

(6) on election day, the local elections official must post a notice in large print in a
conspicuous place at the polling place where the emergency occurred; if practical, stating
the location of the combined polling place. The local election official must also post the
notice, if practical, in a location visible by voters who vote from their motor vehicles as
provided in section 204C.15, subdivision 2. If polling place hours are extended pursuant to
section 204C.05, subdivision 2, paragraph (b), the posted notices required by this paragraph
must include a statement that the polling place hours at the combined polling place will be
extended until the specified time.

Sec. 2. Minnesota Statutes 2016, section 204B.21, subdivision 1, is amended to read:

Subdivision 1. Appointment lists; duties of political parties and secretary of state.
On May 1 in a year in which there is an election for a partisan political office, each
major political party shall prepare a list of eligible voters to act as election judges in each
24.7 election precinct. The political parties shall furnish the lists electronically to the secretary
24.8 of state; in a format specified by the secretary of state. The secretary of state must combine
24.9 the data received from each political party under this subdivision and must process the data
24.10 to locate the precinct in which the address provided for each potential election judge is
24.11 located. If the data submitted by a political party is insufficient for the secretary of state to
24.12 locate the proper precinct; the associated name must not appear in any list forwarded to an
24.13 appointing authority under this subdivision. The secretary of state shall notify political
24.14 parties of any proposed election judges with addresses that could not be located in a precinct.
24.15 By May 15, the secretary of state shall furnish electronically to the county auditor
24.16 a list of the appropriate names for each election precinct in the jurisdiction of the appointing
24.17 authority; noting the political party affiliation of each individual on the list. The county
24.18 auditor must promptly forward the appropriate names to the appropriate municipal clerk.
24.19 Sec. 3. Minnesota Statutes 2016, section 204D.03, subdivision 1, is amended to read:
24.20 Subdivision 1. State primary. The state primary shall be held on the second Tuesday
24.21 after the third Monday in August in each even-numbered year to select the nominees
24.22 of the major political parties for partisan offices and the nominees for nonpartisan offices
24.23 to be filled at the state general election, other than presidential electors;

ARTICLE 3
SCHOOL ELECTION ADMINISTRATION

Section 1. Minnesota Statutes 2016, section 123A.48, subdivision 15, is amended to read:

Subd. 15. Effective date. If a majority of the votes cast on the question at the election
24.24 approve the consolidation; and if the necessary approving resolutions of boards entitled to
24.25 act on the plat have been adopted; the board must, within ten days of the election, notify
24.26 the county auditor who shall, within ten days of the notice or of the expiration of
24.27 the period during which an election can be called, issue an order setting a date for the
24.28 effective date of the change. The effective date must be July 1 of the year determined by
24.29 the board in the original resolution adopted under subdivision 2. The auditor shall mail or
24.30 deliver a copy of such order to each auditor holding a copy of the plat and to the clerk of
24.31 each district affected by the order and to the commissioner. The board must similarly notify
24.32 the county auditor. If the election fails, the proceedings are then terminated and the county
24.33 auditor shall so notify the commissioner and the auditors and the clerk of each district
24.34 affected.

Sec. 2. Minnesota Statutes 2016, section 126C.69, subdivision 11, is amended to read:

Subd. 11. District referendum. After receipt of the review and comment on the project
24.35 and before January 1 of the even-numbered year; the question authorizing the borrowing
24.36 of money for the facilities must be submitted by the school board to the voters of the district
24.37 at a regular or special election. The question submitted must state the total amount to be
borrowed from all sources. Approval of a majority of those voting on the question is sufficient
to authorize the issuance of the obligations on public sale in accordance with chapter 475.
The face of the ballot must include the following statement: "APPROVAL OF THIS
QUESTION DOES NOT GUARANTEE THAT THE SCHOOL DISTRICT WILL
RECEIVE A CAPITAL LOAN FROM THE STATE. THE LOAN MUST BE APPROVED
BY THE STATE LEGISLATURE AND IS DEPENDENT ON AVAILABLE FUNDING."
The district coordinating county auditor, as defined in section 200.02, subdivision 16b, must
mail to the commissioner a certificate by the school auditor showing the vote at the election.
Sec. 3. Minnesota Statutes 2016, section 200.02, is amended by adding a subdivision to
read:
Subd. 16a. Coordinating county. "Coordinating county" means the county where the
school district administrative offices are located.
Sec. 4. Minnesota Statutes 2016, section 200.02, is amended by adding a subdivision to
read:
Subd. 16b. Coordinating county auditor. "Coordinating county auditor" means the
county auditor of the coordinating county.
Sec. 5. Minnesota Statutes 2016, section 200.02, is amended by adding a subdivision to
read:
Subd. 16c. Administering county or administering counties; "Administering county"
or "administering counties" means a county or counties, other than the coordinating county,
that include any part of the school district.
Sec. 6. Minnesota Statutes 2016, section 201.022, subdivision 1, is amended to read:
Subdivision 1. Establishment. The secretary of state shall maintain a statewide voter
registration system to facilitate voter registration and to provide a central database containing
voter registration information from around the state. The system must be accessible to the
county auditor of each county in the state. The system must also:
(1) provide for voters to submit their voter registration applications to any county auditor,
the secretary of state, or the Department of Public Safety;
(2) provide for the definition, establishment, and maintenance of a central database for
all voter registration information;
(3) provide for entering data into the statewide registration system;
(4) provide for electronic transfer of completed voter registration applications from the
Department of Public Safety to the secretary of state or the county auditor;
(5) assign a unique identifier to each legally registered voter in the state;
(6) provide for the acceptance of the Minnesota driver’s license number, Minnesota state identification number, and last four digits of the Social Security number for each voter record;
(7) coordinate with other agency databases within the state;
(8) allow county auditors and the secretary of state to add or modify information in the system to provide for accurate and up-to-date records;
(9) allow county auditors, municipal and school district clerks, and the secretary of state to have electronic access to the statewide registration system for review and search capabilities;
(10) provide security and protection of all information in the statewide registration system and ensure that unauthorized access is not allowed;
(11) provide access to municipal clerks to use the system;
(12) provide a system for each county to identify the precinct to which a voter should be assigned for voting purposes;
(13) provide daily reports accessible by county auditors on the driver’s license numbers, state identification numbers, or last four digits of the Social Security numbers submitted on voter registration applications that have been verified as accurate by the secretary of state; and
(14) provide reports on the number of absentee ballots transmitted to and returned and cast by voters under section 203B.16.

The appropriate state or local official shall provide security measures to prevent unauthorized access to the computerized list established under section 201.021.

Sec. 7. Minnesota Statutes 2016, 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 residence. An individual may prove residence for purposes of registering by:
(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 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 eight 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 individual: (i) is
registered to vote in the precinct or is an employee of a residential facility in the precinct;
(ii) personally knows that the voter is a resident of the precinct, and (iii) 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 2561.03; 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) A county, school district, or municipality may require that an election judge
responsible for election day registration initial each completed registration application;
Sec. 8. Minnesota Statutes 2016, section 201.061, subdivision 6, is amended to read:
Subd. 6. Precinct map. Except as otherwise provided by this subdivision; the county
auditor shall provide each precinct with an accurate precinct map or precinct finder to assist
the election judges in determining whether an address is located in that precinct. A county
auditor may delegate this responsibility as provided in section 201.221, subdivision 4, to a
municipal or school district clerk who prepares precinct maps as provided in section 204B.14,
subdivision 5.
Sec. 9. Minnesota Statutes 2016, section 201.225, subdivision 1, is amended to read:
Subdivision 1. Authority. A county, or municipality, or school district may use electronic
rosters for any election. In a county, or municipality, or school district that uses electronic
rosters, the head elections official may designate that some or all of the precincts use
electronic rosters. An electronic roster must comply with all of the requirements of this
section. An electronic roster must include information required in section 201.221,
subdivision 3, and any rules adopted pursuant to that section.
Sec. 10. Minnesota Statutes 2016, section 201.225, subdivision 6, is amended to read:
Subd. 6. Reporting; certification. (a) A county, or municipality, or school district that
intends to use electronic rosters in an upcoming election must notify the Office of the
Secretary of State at least 90 days before the first election in which the county or
municipality, or school district intends to use electronic rosters. The notification must specify
whether all precincts will use electronic rosters, and if not, specify which precincts will be
using electronic rosters. The notification is valid for all subsequent elections, unless revoked
by the county, or municipality, or school district. If precincts within a county, or municipality,
or school district that were not included in the initial notification intend to use electronic
rosters, a new notification must be submitted;
(b) The county, or municipality, or school district that intends to use electronic rosters
must certify to the Office of the Secretary of State at least 30 days before the election that
the electronic rosters meet all of the requirements in this section.
Sec. 11. Minnesota Statutes 2016, section 201.27, subdivision 2, is amended to read:
Subd. 2. Knowledge of violation. A deputy, clerk, employee, or other subordinate of a
county auditor or municipal or school district clerk who has knowledge or reason to believe
that a violation of this chapter has occurred shall immediately transmit a report of the
knowledge or belief to the county auditor or municipal or school district clerk, together with
any possessed evidence of the violation. Any county auditor or municipal or school district
clerk who has knowledge or reason to believe that a violation of this chapter has occurred
shall immediately transmit a report of the knowledge or belief to the county attorney of the
county where the violation is thought to have occurred, together with any possessed evidence
of the violation. The county auditor or municipal or school district clerk shall also
immediately send a copy of the report to the secretary of state. A violation of this subdivision
is a misdemeanor.

Sec. 12. Minnesota Statutes 2016, section 203B.01, subdivision 2, is amended to read:

Subd. 2. Municipal clerk. "Municipal clerk" means a full-time town or city clerk who
is authorized or required to administer the provisions of sections 203B.04 to 203B.15, as
provided in section 203B.05. "Municipal clerk" also means clerk of the school district who
is authorized or required to administer the provisions of sections 203B.04 to 203B.15, as
provided in section 203B.05 for a school district election not held on the same day as a
statewide election.

Sec. 13. Minnesota Statutes 2016, section 203B.04, subdivision 1, is amended to read:

Subdivision 1. Application procedures. (a) Except as otherwise allowed by subdivision
2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election
may be submitted at any time not less than one day before the day of that election. The
county auditor shall prepare absentee ballot application forms in the format provided by the
secretary of state and shall furnish them to any person on request. By January 1 of each
even-numbered year, the secretary of state shall make the forms to be used available to
auditors through electronic means. An application submitted pursuant to this subdivision
shall be in writing. An application may be submitted in person, by electronic facsimile
device, by electronic mail, or by mail to:

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

(2) the municipal clerk of the municipality or school district if applicable where the
applicant maintains residence;

For a federal, state, or county election, an absentee ballot application may alternatively be
submitted electronically through a secure Web site that shall be maintained by the secretary
of state for this purpose. Notwithstanding paragraph (b), the secretary of state must require
applicants using the Web site to submit the applicant's e-mail address and verifiable
Minnesota driver's license number, Minnesota state identification card number, or the last
four digits of the applicant's Social Security number.

An application submitted electronically under this paragraph 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;
(b) 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;
(c) 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;
(d) 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 days after it has been dated by the voter and no later than six
days before the election. The absentee ballot applications or a list of persons applying for
an absentee ballot may not be made available for public inspection until the close of voting
on election day, except as authorized in section 203B.12;
(e) An application under this subdivision may contain an application under subdivision
5 to automatically receive an absentee ballot application;
Sec. 14. Minnesota Statutes 2016, section 203B.05, subdivision 2, is amended to read:
Subd. 2. City, school district, and town elections. For city, and town, and school district
elections not held on the same day as a statewide election, applications for absentee ballots
shall be filed with the city, school district, or town clerk and the duties prescribed by this
chapter for the county auditor shall be performed by the city, school district, or town clerk
unless the county auditor agrees to perform those duties on behalf of the city, school district,
or town clerk. For school district elections not held on the same day as a statewide election,
applications for absentee ballots shall be filed with the county auditor of the county where
the applicant maintains residence. The county auditors of the coordinating county and
administering counties must perform the duties prescribed by this chapter for school district
elections. The coordinating county auditor must coordinate and oversee absentee voting in
all counties in the school district. The costs incurred to provide absentee ballots and perform
the duties prescribed by this subdivision shall be paid by the city, town, or school district
holding the election. The school district shall reimburse the coordinating county and any
administering counties for the costs incurred to provide absentee ballots and perform the
duties prescribed in this subdivision.

Notwithstanding any other law, this chapter applies to school district elections held on
the same day as a statewide election or an election for a county or municipality wholly or
partially within the school district:

Sec. 15. Minnesota Statutes 2016, section 203B.11, subdivision 1, is amended to read:

Subdivision 1. Generally. Each full-time municipal clerk or school district clerk who
has authority under section 203B.05 to administer absentee voting laws shall designate
election judges to deliver absentee ballots in accordance with this section. The county auditor
must also designate election judges to perform the duties in this section: A ballot may be
delivered only to an eligible voter who is a temporary or permanent resident or patient in a
health care facility or hospital located in the municipality in which the voter maintains
residence. The ballots shall be delivered by two election judges, each of whom is affiliated
with a different major political party. When the election judges deliver or return ballots as
provided in this section, they shall travel together in the same vehicle. Both election judges
shall be present when an applicant completes the certificate of eligibility and marks the
absentee ballots, and may assist an applicant as provided in section 204C.15. The election
judges shall deposit the return envelopes containing the marked absentee ballots in a sealed
container and return them to the clerk on the same day that they are delivered and marked:

Sec. 16. Minnesota Statutes 2016, section 203B.121, subdivision 1, is amended to read:

Subdivision 1. Establishment; applicable laws. (a) The governing body of each county,
and municipality and school district with responsibility to accept and reject absentee ballots
must, by ordinance or resolution, establish a ballot board. The coordinating county board
must, by ordinance or resolution, establish a ballot board for school district elections. The
board must consist of a sufficient number of election judges trained in the handling of
absentee ballots and appointed as provided in sections 204B.19 to 204B.22. The board may
include deputy county auditors or deputy city clerks who have received training in the
processing and counting of absentee ballots.

(b) Each jurisdiction must pay a reasonable compensation to each member of that
jurisdiction's ballot board for services rendered during an election:

(c) Except as otherwise provided by this section, all provisions of the Minnesota Election
Law apply to a ballot board:

Sec. 17. Minnesota Statutes 2016, section 203B.121, subdivision 2, is amended to read:

Subd. 2. Duties of ballot board; absentee ballots. (a) The members of the ballot board
shall take possession of all return envelopes delivered to them in accordance with section
203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk
coordinating county auditor, two or more members of the ballot board shall examine each
return envelope and shall mark it accepted or rejected in the manner provided in this
subdivision. Election judges performing the duties in this section must be of different major
political parties, unless they are exempt from that requirement under section 205.075;
subdivision 4, or section 205A.10, subdivision 2;
(b) The members of the ballot board shall mark the return envelope "Accepted" and
initial or sign the return envelope below the word "Accepted" if a majority of the members
of the ballot board examining the envelope are satisfied that:
(1) the voter's name and address on the return envelope are the same as the information
provided on the absentee ballot application;
(2) the voter signed the certification on the envelope;
(3) the voter's Minnesota driver's license, state identification number, or the last four
digits of the voter's Social Security number are the same as a number on the voter's absentee
ballot application or voter record. If the number does not match, the election judges must
compare the signature provided by the applicant to determine whether the ballots were
returned by the same person to whom they were transmitted;
(4) the voter is registered and eligible to vote in the precinct or has included a properly
completed voter registration application in the return envelope;
(5) the certificate has been completed as prescribed in the directions for casting an
absentee ballot; and
(6) the voter has not already voted at that election, either in person or, if it is after the
close of business on the seventh day before the election, by absentee ballot.
The return envelope from accepted ballots must be preserved and returned to the county
auditor.
(c)(1) If a majority of the members of the ballot board examining a return envelope find
that an absentee voter has failed to meet one of the requirements provided in paragraph (b),
they shall mark the return envelope "Rejected," initial or sign it below the word "Rejected,"
but the reason for the rejection on the envelope; and return it to the county auditor. There
is no other reason for rejecting an absentee ballot beyond those permitted by this section.
Failure to place the ballot within the security envelope before placing it in the outer white
envelope is not a reason to reject an absentee ballot.
(2) If an envelope has been rejected at least five days before the election, the envelope
must remain sealed and the official in charge of the ballot board shall provide the voter with
a replacement absentee ballot and return envelope in place of the rejected ballot.
(3) If an envelope is rejected within five days of the election, the envelope must remain
sealed and the official in charge of the ballot board shall attempt to contact the voter by
telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official
must document the attempts made to contact the voter.
(4) The official in charge of the absentee ballot board must mail the voter a written notice
of absentee ballot rejection between six and ten weeks following the election. If the official
determines that the voter has otherwise cast a ballot in the election, no notice is required.
If an absentee ballot arrives after the deadline for submission provided by this chapter, the notice must be provided between six to ten weeks after receipt of the ballot. A notice of absentee ballot rejection must contain the following information:

1. the date on which the absentee ballot was rejected or, if the ballot was received after the required deadline for submission, the date on which the ballot was received;
2. the reason for rejection; and
3. the name of the appropriate election official to whom the voter may direct further questions, along with appropriate contact information.

An absentee ballot return envelope marked "Rejected" may not be opened or subject to further review except in an election contest filed pursuant to chapter 209.

Sec. 18. Minnesota Statutes 2016, section 203B.15, is amended to read:

203B.15 ADMINISTRATIVE EXPENSES.

Each county shall pay the expenses incurred by its county auditor and each municipality or school district shall pay the expenses incurred by its clerk, and each school district shall pay the expenses incurred by the coordinating county and any administering counties for administering the provisions of sections 203B.04 to 203B.15.

Sec. 19. Minnesota Statutes 2016, section 204B.181, subdivision 2, is amended to read:

Subd. 2. County elections emergency plans. (a) County election officials, in consultation with the political subdivision's local organization for emergency management established under section 12.25 and the municipalities and school districts within the county, must develop a county elections emergency plan to be made available for use in all state, county, municipal, and school district elections held in that county.

(b) In developing the county elections emergency plan, the county must address the needs of voters with disabilities in all aspects of the plan. Where ballot security is affected, the plan must provide procedures to maintain the security of the ballots. When an emergency requires the relocation of the polling place, the plan must include procedures for securing the ballots and voting equipment, notifying the public and other government officials, and restoring voting activities as soon as possible. If the county contains jurisdictions that cross county lines, the affected counties must make efforts to ensure that the emergency procedures affecting the local jurisdiction are uniform throughout the jurisdiction.

(c) Cities, towns, and school districts may create a local elections emergency plan that meets the requirements of the county elections emergency plan. If a local jurisdiction creates a local elections emergency plan, the procedures within the local elections emergency plan govern in all election emergencies within that local jurisdiction.

(d) County election officials and any municipality with a local elections emergency plan must review their county or local elections emergency plan prior to each state general election.
Sec. 20. Minnesota Statutes 2016, section 204B.25, subdivision 4, is amended to read:

Subd. 4. Training for local election officials. At least once every two years, the county auditor shall conduct training sessions for the municipal and school district clerks in the county. The training sessions must be conducted in the manner provided by the secretary of state. No local election official may administer an election without receiving training from the county auditor.

Sec. 21. Minnesota Statutes 2016, section 204B.29, is amended to read:

204B.29 ELECTION JUDGES; ELECTION SUPPLIES; DUTIES.

Subdivision 1. Securing election materials. Before 9:00 p.m. on the day preceding an election, at least one election judge from each precinct in each municipality, or school district if applicable, shall secure voter registration files, ballots, forms, envelopes and other required supplies from the municipal clerk, school district clerk, coordinating county auditor, or other legal custodian. The election judge shall deliver the materials to the polling place before the time when voting is scheduled to begin on election day. The county auditor shall send or deliver the election supplies enumerated in this section to the election judges in the precincts in unorganized territory. The election supplies may be sent by certified mail, parcel post, express mail or any other postal service providing assured delivery by no later than the day before the election. If the election supplies are delivered by any other means, they shall be delivered by no later than the day before the election.

Each precinct shall be furnished with 100 ballots of each kind for every 85 individuals who voted in that precinct at the last election for the same office or on similar questions, or with ballots of each kind in an amount at least ten percent greater than the number of votes which are reasonably expected to be cast in that precinct in that election, whichever supply of ballots is greater. No precinct shall be furnished with any ballots containing the name of any candidate who cannot properly be voted for in that precinct.

The election judges shall be responsible for the preservation of all election materials received by them until returned to the appropriate election officials after the voting has ended.

Subd. 2. Failure of election judges to secure materials. If no election judge secures the election materials for a precinct in any municipality, or school district if applicable, as provided in subdivision 1, the municipal or school district clerk, or coordinating county auditor shall deliver them to an election judge for that precinct not later than the time when voting is scheduled to begin. The municipal or school district clerk, or coordinating county auditor shall require the election judge accepting delivery of the election supplies to sign a receipt for them. The election judges of that precinct shall pay the expenses of delivery of the materials and shall be liable for the penalty provided by law for neglect of duty.
Sec. 22. Minnesota Statutes 2016, section 204B.32, is amended to read:

204B.32 ELECTION EXPENSES; PAYMENT.

Subdivision 1. Payment. (a) The secretary of state shall pay the compensation for presidential electors and all necessary expenses incurred by the secretary of state in connection with elections;

(b) The counties shall pay the compensation prescribed in section 204B.31, clauses (2) and (3), the cost of printing the state general election ballots when machines are used, the state partisan primary ballots; and the state and county nonpartisan primary ballots; all necessary expenses incurred by county auditors in connection with elections; and the expenses of special county elections;

(c) Subject to subdivision 2, the municipalities shall pay the compensation prescribed for election judges and sergeants at arms, the cost of printing the municipal ballots; providing ballot boxes, providing and equipping polling places and all necessary expenses of the municipal clerks in connection with elections, except special county elections;

(d) The school districts shall pay the compensation prescribed for election judges and sergeants-at-arms, the cost of printing the school district ballots; providing ballot boxes, providing and equipping polling places and all necessary expenses of the school district clerks in connection with school district elections not held in conjunction with state elections. When school district elections are held in conjunction with state elections, the school district shall pay must reimburse the coordinating county for the costs of printing the school district ballots, providing ballot boxes; and all necessary expenses of the school district clerk coordinating county or administering counties. When school district elections are not held in conjunction with state elections, the school district must reimburse the coordinating county for the following costs incurred in the coordinating county or any administering county: the compensation prescribed for election judges and sergeants-at-arms, the cost of printing the school district ballots, providing ballot boxes, providing and equipping polling places; and all necessary expenses of the coordinating county and administering counties;

(e) All disbursements under this section shall be presented, audited, and paid as in the case of other public expenses;

Subd. 2. Allocation of election expenses. The secretary of state shall develop procedures for the allocation of election expenses among counties, municipalities, and school districts for elections that are held concurrently: The following expenses must be included in the procedures: salaries of election judges; postage for absentee ballots and applications; preparation of polling places; preparation and testing of electronic voting systems; ballot preparation; publication of election notices and sample ballots; transportation of ballots and election supplies; and compensation for administrative expenses of the county auditor; coordinating county auditor; administering county auditor; or municipal clerk; or school district clerk. The costs attributable to the school district election must be paid by the school district to the coordinating county auditor.
Subd. 3. School district reimbursement of county costs. For all school district elections, each administering county must submit to the coordinating county an itemized list of expenses for conducting the administering county's share of the school district election. The coordinating county auditor must seek reimbursement from the school district for the total cost of the school district election. The coordinating county auditor must then reimburse each administering county for that county's share of the election expenses.

Sec. 23. Minnesota Statutes 2016, section 204B.40, is amended to read:

204B.40 BALLOTS; ELECTION RECORDS AND OTHER MATERIALS; DISPOSITION; INSPECTION OF BALLOTS.

The county auditors, municipal clerks, and school district clerks coordinating county auditor shall retain all election materials returned to them after any election for at least 22 months from the date of that election. All election materials involved in a contested election must be retained for 22 months or until the contest has been finally determined, whichever is later. Abstracts filed by canvassing boards shall be retained permanently by any officer with whom those abstracts are filed. Election materials no longer required to be retained pursuant to this section shall be disposed of in accordance with sections 138.163 to 138.21. Sealed envelopes containing voted ballots must be retained unopened, except as provided in this section; in a secure location. The county auditor, municipal clerk, or school district clerk coordinating county auditor shall not permit any voted ballots to be tampered with or defaced.

After the time for filing a notice of contest for an election has passed, the secretary of state may, for the purpose of monitoring and evaluating election procedures: (1) open the sealed ballot envelopes and inspect the ballots for that election maintained by the county auditors, municipal clerks, or school district clerks coordinating county auditor; (2) inspect the polling place rosters and completed voter registration applications; or (3) examine other forms required in the Minnesota election laws for use in the polling place. No inspected ballot or document may be marked or identified in any manner. After inspection, all ballots must be returned to the ballot envelope and the ballot envelope must be securely resealed. Any other election materials inspected or examined must be secured or resealed. No polling place roster may be inspected until the voting history for that precinct has been posted. No voter registration application may be inspected until the information on it has been entered into the statewide registration system.

Sec. 24. Minnesota Statutes 2016, section 204B.46, is amended to read:

204B.46 MAIL ELECTIONS; QUESTIONS.

A county, municipality, or school district submitting questions to the voters at a special election may conduct an election by mail with no polling place other than the office of the auditor or clerk. No offices may be voted on at a mail election. Notice of the election must be given to the county auditor at least 74 days prior to the election. This notice shall also fulfill the requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must be posted at least six weeks prior to the election. Not more than 46 nor
later than 14 days prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all voters registered in the county, municipality, or school district. No later than 14 days before the election, the auditor or clerk must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days of receipt if there are 14 or fewer days before election day; or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors, or deputy municipal clerks, or deputy school district clerks who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties; unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk must provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the seventh day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box. In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from ballots may be made public before the close of voting on election day.

Sec. 25. Minnesota Statutes 2016, section 204C.08, subdivision 4, is amended to read:

Subd. 4. Ballot box boxcar seals. The governing body of a municipality or school district by resolution may direct the municipal or school district clerk or coordinating county auditor to furnish a boxcar seal for each ballot box in place of a lock and key. Each seal shall consist of a numbered strap with a self-locking device securely attached to one end of the strap so that the other end may be inserted and securely locked in the seal. No two straps shall bear the same number.

Sec. 26. Minnesota Statutes 2016, section 204C.20, subdivision 4, is amended to read:
Subd. 4. Ballots not counted; disposition. When the final count of ballots agrees with
the number of ballots to be counted, those ballots not counted shall be attached to a certificate
made by the election judges which states why the ballots were not counted. The certificate
and uncounted ballots shall be sealed in a separate envelope and returned to the county
auditor or municipal or school district clerk, or coordinating county auditor from whom
they were received.

Sec. 27. Minnesota Statutes 2016, section 204C.25, is amended to read:
204C.25 DISPOSITION OF BALLOTS.
After the count and the summary statements have been completed, in the presence of
all the election judges, the counted, defective, and blank ballots shall be placed in envelopes,
and the envelopes shall be sealed. The election judges shall sign each envelope over the
sealed part so that the envelope cannot be opened without disturbing the continuity of the
signatures. The number of ballots in each envelope, the name of the town or city, and the
name of the precinct shall be plainly written upon the envelopes. The number and name of
the district must be plainly written on envelopes containing school district ballots. The
spoiled ballots shall be placed in separate envelopes and returned with the unused ballots
to the county auditor or municipal or school district clerk, or coordinating county auditor
from whom they were received.

Sec. 28. Minnesota Statutes 2016, section 204C.26, subdivision 3, is amended to read:
Subd. 3. Secretary of state. No later than ten weeks before the state primary in each
even-numbered year, the secretary of state shall prescribe the form for summary statements
of election returns and the methods by which returns for the state primary and state general
election shall be recorded by precinct, county, and state election officials. Each county
auditor and municipal or school district clerk, and coordinating county auditor required to
furnish summary statements shall prepare them in the manner prescribed by the secretary
of state. The summary statement of the general election returns except that a separate part of the summary
statement shall be provided for the partisan primary ballot and a separate part for the
nonpartisan primary ballot.

Sec. 29. Minnesota Statutes 2016, section 204C.27, is amended to read:
204C.27 DELIVERY OF RETURNS TO COUNTY AUDITORS.
One or more of the election judges in each precinct shall deliver two sets of summary
statements; all spoiled ballots; and the envelopes containing the ballots either directly to
the municipal clerk for transmittal to the county auditor's office or directly to the county
auditor's office as soon as possible after the vote counting is completed but no later than 24
hours after the end of the hours for voting. One or more election judges shall deliver the
remaining set of summary statements and returns, all unused and spoiled municipal and
school district ballots, the envelopes containing municipal and school district ballots; and
all other things furnished by the municipal or school district clerk or coordinating county
auditor, to the municipal or school district clerk's or coordinating County auditor's office
within 24 hours after the end of the hours for voting. The municipal or school district clerk
or coordinating county auditor shall return all polling place rosters and completed voter
registration cards to the county auditor within 48 hours after the end of the hours for voting.

Sec. 30. Minnesota Statutes 2016, section 204C.28, subdivision 3, is amended to read:

Subd. 3. School district returns and materials. At a school district election held in
conjunction with a state election, the county auditor or municipal clerk shall deliver the
summary statements of the school district election returns, all unused and spoiled school
district ballots, and the envelope containing the school district ballots from each precinct
to the clerk of the appropriate school district or coordinating county auditor within 48 hours
after the polls close.

Sec. 31. Minnesota Statutes 2016, section 204C.29, subdivision 1, is amended to read:

Subdivision 1. Failure of election judges to make delivery; penalty. If the election
judges fail to deliver returns as required by section 204C.27, the county auditor or municipal
or school district clerk, or coordinating county auditor to whom the returns should have
been delivered shall dispatch a special messenger to obtain them. The messenger shall
receive the same compensation as an election judge would receive for performing the same
service and shall be subject to the same penalties as an election judge for violation of any
provision of the Minnesota Election Law.

Sec. 32. Minnesota Statutes 2016, section 204C.36, subdivision 1, is amended to read:

Subdivision 1. Publicly funded recounts. (a) Except as provided in paragraphs (b) and
(c), a losing candidate for nomination or election to a county, municipal, or school
district office may request a recount of the votes cast for the nomination or election to that office
if the difference between the vote cast for that candidate and for a winning candidate for
nomination or election is less than one-quarter of one percent of the total votes counted for
that office. In cases of offices where two or more seats are being filled from among all the
candidates for the office, the one-quarter of one percent difference is between the elected
candidate with the fewest votes and the candidate with the most votes from among the
candidates who were not elected.

(b) A losing candidate for nomination or election to a county, municipal, or school
district office may request a recount of the votes cast for nomination or election to that
district office if the difference between the votes cast for that candidate and for a winning candidate
for nomination or election is less than one-half of one percent, and the total number of votes
cast for the nomination or election of all candidates is more than 400 but less than 50,000.
In cases of offices where two or more seats are being filled from among all the candidates
for the office, the one-half of one percent difference is between the elected candidate with
the fewest votes and the candidate with the most votes from among the candidates who
were not elected.

(c) A losing candidate for nomination or election to a county, municipal, or school district
office may request a recount of the votes cast for nomination or election to that office if the
difference between the vote cast for that candidate and for a winning candidate for nomination
or election is ten votes or less; and the total number of votes cast for the nomination or
election of all candidates is no more than 400. In cases of offices where two or more seats
are being filled from among all the candidates for the office, the ten vote difference is
between the elected candidate with the fewest votes and the candidate with the most votes
from among the candidates who were not elected.

(d) Candidates for county offices shall file a written request for the recount with the
county auditor. Candidates for municipal or school district offices shall file a written request
with the municipal or school district clerk as appropriate. Candidates for school district
offices shall file a written request for the recount with the coordinating county auditor. All
requests shall be filed by 5:00 p.m. on the fifth day after the canvass of a primary or special
primary or by 5:00 p.m. on the seventh day of the canvass of a special or general election
for which a recount is sought;

(e) Upon receipt of a request made pursuant to this section, the county auditor shall
recount the votes for a county office at the expense of the county, the governing body of
the municipality shall recount the votes for a municipal office at the expense of the
school board of the school district or the coordinating county auditor shall
recount the votes for a school district office at the expense of the school district.

Sec. 33. Minnesota Statutes 2016, section 204C.36, subdivision 2, is amended to read:

Subd. 2. Discretionary candidate recounts. (a) A losing candidate for nomination or
election to a county, municipal, or school district office may request a recount in the manner
provided in this section at the candidate's own expense when the vote difference is greater
than the difference required by subdivision 1, paragraphs (a) to (e). The votes shall be
manually recounted as provided in this section if the requesting candidate files with the
county auditor, municipal clerk, or school district clerk, coordinating county auditor, a bond,
cash, or surety in an amount set by the governing body of the jurisdiction or the school
board of the school district for the payment of the recount expenses;

(b) The requesting candidate may provide the filing officer with a list of up to three
precincts that are to be recounted first and may waived the balance of the recount after these
precincts have been counted. If the candidate provides a list, the recount official must
determine the expenses for those precincts in the manner provided by paragraph (b).

(c) A discretionary recount of a primary must not delay delivery of the notice of
nomination to the winning candidate under section 204C.32;

(d) The results of the recount must be certified by the canvassing board as soon as
possible.
(e) If the winner of the race is changed by the optional recount, the cost of the recount must be paid by the jurisdiction conducting the recount.

(f) If a result of the vote counting in the manual recount is different from the result of the vote counting reported on election day by a margin greater than the standard for acceptable performance of voting systems provided in section 206.89, subdivision 4, the cost of the recount must be paid by the jurisdiction conducting the recount.

Sec. 34. Minnesota Statutes 2016, section 204C.36, subdivision 3, is amended to read:

Subd. 3. Discretionary ballot question recounts. A recount may be conducted for a ballot question when the difference between the votes for and the votes against the question is less than or equal to the difference provided in subdivision 1. A recount may be requested by any person eligible to vote on the ballot question. A written request for a recount must be filed with the filing officer of the county, municipality, or school district placing the question on the ballot and must be accompanied by a petition containing the signatures of 25 voters eligible to vote on the question. Upon receipt of a written request when the difference between the votes for and the votes against the question is less than or equal to the difference provided in subdivision 1, the county auditor shall recount the votes for a county question at the expense of the county; the governing body of the municipality shall recount the votes for a municipal question at the expense of the municipality; and the school board of the school district shall recount the votes for a school district question at the expense of the school district. If the difference between the votes for and the votes against the question is greater than the difference provided in subdivision 1, the person requesting the recount shall also file with the filing officer of the county, municipality, or school district a bond, cash, or surety in an amount set by the appropriate governing body for the payment of recount expenses. The written request, petition, and any bond, cash, or surety required must be filed during the time for notice of contest for the election for which the recount is requested.

Sec. 35. Minnesota Statutes 2016, section 204C.36, subdivision 5, is amended to read:

Subd. 5. Notice of contest. Time for notice of contest of a nomination or election to a county office which is recounted pursuant to this section shall begin to run upon certification of the results of the recount by the county canvassing board. Time for notice of contest of a nomination or election to a municipal office which is recounted pursuant to this section shall begin to run upon certification of the results by the governing body of the municipality. Time for notice of contest of a school district election that is recounted under this subdivision begins to run on certification of the results of the recount by the school district canvassing boards.

Sec. 4. Minnesota Statutes 2016, section 204D.09, subdivision 1, is amended to read:

Subdivision 1. Example ballot. No later than March 1 of each year, the secretary of state shall supply each auditor with a copy of an example ballot to be used at the state primary election.
primary and state general election. The example ballot must illustrate the format required
for the ballots used in the primary and general elections that year. The county auditor shall
distribute copies of the example ballot to municipal and school district clerks in municipalities
and school districts holding elections that year. The official ballot must conform in all
respects to the example ballot.

Sec. 5. Minnesota Statutes 2016, section 204D.28, subdivision 5, is amended to read:

Subd. 5. Regular state primary. "Regular state primary" means:
(a) the state primary at which candidates are nominated for offices elected at the state
general election; or
(b) a primary held on the second first Tuesday after the third Monday in August June
of odd-numbered years.

Sec. 6. Minnesota Statutes 2016, section 205.065, subdivision 1, is amended to read:

Subdivision 1. Establishing primary. A municipal primary for the purpose of nominating
elective officers may be held in any city on the second first Tuesday after the third Monday
in August June of any year in which a municipal general election is to be held for the purpose
of electing officers. The date of a municipal primary held in an odd-numbered year may be
postponed for inclement weather as provided in section 205.105.

Sec. 7. Minnesota Statutes 2016, section 205.065, subdivision 2, is amended to read:

Subd. 2. Resolution or ordinance. The governing body of a city may, by ordinance or
resolution adopted by April January 15 in the year when a municipal general election is
held, elect to choose nominees for municipal offices by a primary as provided in this section.
The resolution or ordinance, when adopted, is effective for all ensuing municipal elections
until it is revoked. The municipal clerk shall notify the secretary of state and the county
auditor within 30 days after the adoption of the resolution or ordinance.

Sec. 8. Minnesota Statutes 2016, section 205A.03, subdivision 1, is amended to read:

Subdivision 1. Resolution requiring primary in certain circumstances. The school
board of a school district may, by resolution adopted by April January 15 of any year, decide
to choose nominees for school board by a primary as provided in this section. The resolution,
when adopted, is effective for all ensuing elections of board members in that school district
until it is revoked. If the board decides to choose nominees by primary and if there are more
than two candidates for a specified school board position or more than twice as many school
board candidates as there are at-large school board positions available, the school district
must hold a primary.
Sec. 9. Minnesota Statutes 2016, section 205A.03, subdivision 2, is amended to read:

Subd. 2. Date. The school district primary must be held on the second Tuesday after the third Monday in August in the year when the school district general election is held. The clerk shall give notice of the primary in the manner provided in section 205A.07. The date of a school district primary held in an odd-numbered year may be postponed for inclement weather as provided in section 205A.055.

Sec. 37. Minnesota Statutes 2016, section 205A.03, subdivision 3, is amended to read:

Subd. 3. Candidates, filing. The clerk or coordinating county auditor shall place upon the primary ballot without partisan designation the names of individuals whose candidacies have been filed and for whom the proper filing fee has been paid. When more than twice as many school board candidates as there are at-large school board positions available file for nomination for the office or when not more than two candidates for a specified school board position file for nomination for that office, their names must not be placed upon the primary ballot and must be placed on the school district general election ballot as the nominees for that office. When more than one school board member is to be elected for full terms at the same election, the candidates’ names shall be placed under one office on the ballot with the number to be elected to the office specified directly underneath the title and identification of the office.

Sec. 38. Minnesota Statutes 2016, section 205A.03, subdivision 4, is amended to read:

Subd. 4. Results. (a) The school district primary must be conducted and the returns made in the manner provided for the state primary as far as practicable. If the primary is conducted:

(1) only within that school district, a canvass may be conducted on either the second or third day after the primary; or

(2) in conjunction with the state primary, the canvass must be conducted on the third day after the primary, except as otherwise provided in paragraph (b).

The school board of the school district canvassing board 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 or coordinating county auditor who shall place them on the school district general election ballot without partisan designation and without payment of an additional fee.

(b) Following a school district primary as described in paragraph (a); clause (2), a canvass may be conducted on the second day after the primary if the county auditor of each county in which the school district is located agrees to administratively review the school district’s primary voting statistics for accuracy and completeness within a time that permits the canvass to be conducted on that day.
Sec. 39. Minnesota Statutes 2016, section 205A.04, subdivision 3, is amended to read:

Subd. 3. Change in year of general election. The school board may, by resolution, change the year in which the school district general election will be held. The resolution must be approved no later than four weeks before the first day to file affidavits of candidacy for the general election. A plan for the orderly transition to the new election year must be included in the resolution. The terms of school board members may be lengthened or shortened by one year as a part of the transition process. Within seven days of adoption, the school board must transmit a copy of the resolution to the coordinating county auditor.

Sec. 40. Minnesota Statutes 2016, section 205A.05, subdivision 3, is amended to read:

Subd. 3. Cancellation. A special election ordered by the school board on its own motion under subdivision 1 may be canceled by motion of the school board, but not less than 74 days before an election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, or 46 days before any other election. Within three days of adoption, the school board must notify the county auditor of the coordinating county that the election is canceled.

Sec. 41. Minnesota Statutes 2016, section 205A.055, subdivision 2, is amended to read:

Subd. 2. Postponement of election. (a) In the event of severe or inclement weather, the school district clerk coordinating county auditor may postpone an election when the National Weather Service or a law enforcement agency has issued storm warnings or travel advisories indicating that the weather conditions would make travel to a polling place difficult or hazardous for voters and election judges. When one or more jurisdictions are holding elections in conjunction with one another, the jurisdiction that covers the largest geographic area has the authority, after consulting with the other auditors and clerks, to make the decision to postpone all of the elections. A decision to postpone an election must apply to every precinct in the jurisdiction.

(b) A decision to postpone an election must be made no later than 6:00 p.m. on the day before the election. The clerk coordinating county auditor must contact the election judges and notify local media outlets of the postponement. The clerk and coordinating county auditor must also post a notice on the each jurisdiction's Web site, if practicable.

(c) A postponed election must be rescheduled for the next following Tuesday after the election was originally scheduled. The date on which the postponed election will be held shall be considered the date of the election for purposes of absentee voting under chapter 203B. An election that is postponed due to weather may be postponed again if necessary under this section.

Sec. 42. Minnesota Statutes 2016, section 205A.06, subdivision 1, is amended to read:

Subdivision 1. Affidavit of candidacy. An individual who is eligible and desires to become a candidate for an office to be voted on at the election must file an affidavit of candidacy with the school district clerk coordinating county auditor. The affidavit must be
in the form prescribed by section 204B.06. The school district clerk coordinating county auditor shall also accept an application signed by at least five voters and filed on behalf of an eligible voter in the school district whom they desire to be a candidate, if service of a copy of the application has been made on the candidate and proof of service is endorsed on the application being filed. No individual shall be nominated by nominating petition for a school district elective office. Upon receipt of the proper filing fee, the clerk coordinating county auditor shall place the name of the candidate on the official ballot without partisan designation.

Sec. 43. Minnesota Statutes 2016, section 205A.06, subdivision 1a, is amended to read:

Subd. 1a. Filing period. In school districts that have adopted a resolution to choose nominees for school board by a primary election, affidavits of candidacy must be filed with the school district clerk no earlier than the 84th day and no later than the 70th day before the second Tuesday in August in the year when the school district general election is held. In all other school districts, affidavits of candidacy must be filed no earlier than the 98th day and no later than the 84th day before the school district general election.

Sec. 44. Minnesota Statutes 2016, section 205A.06, subdivision 2, is amended to read:

Subd. 2. Notice of filing dates. At least two weeks before the first day to file affidavits of candidacy, the school district clerk coordinating county auditor shall publish a notice in the official newspaper stating the first and last dates on which affidavits of candidacy may be filed in the clerk coordinating county auditor's office and the closing time for filing on the last day for filing. The school district clerk shall post a similar notice in the administrative offices of the school district at least ten days before the first day to file affidavits of candidacy.

Sec. 45. Minnesota Statutes 2016, section 205A.06, subdivision 5, is amended to read:

Subd. 5. Withdrawal. A candidate for a school district elective office may withdraw from the election by filing an affidavit of withdrawal with the school district clerk coordinating county auditor no later than 5:00 p.m. two days after the last day for filing affidavits of candidacy. After that date, no candidate may file an affidavit of withdrawal.

Sec. 46. Minnesota Statutes 2016, section 205A.07, subdivision 1, is amended to read:

Subdivision 1. Publication and posting. The clerk of a school district coordinating county auditor shall give two weeks' published notice and give ten days' posted notice of a school district primary, general, or special election, stating the time of the election; the location of each polling place; the offices to be filled; and all propositions or questions to be voted upon at the primary, general, or special election. The notice shall be posted for public inspection in the administrative offices of the school district and at the county seat of the coordinating county and each administering county.
Sec. 47. Minnesota Statutes 2016, section 205A.07, subdivision 2, is amended to read:

Subd. 2. Sample ballot, posting. For every school district primary, general, or special election, the school district clerk shall at least four days before the primary, general, or special election, post a sample ballot in the administrative offices of the school district for public inspection. The auditor of the coordinating county and each administering county must post a sample ballot at the county seat. The coordinating county auditor shall post a sample ballot in each polling place on election day.

Sec. 48. Minnesota Statutes 2016, section 205A.07, subdivision 3, is amended to read:

Subd. 3. Notice to auditor. At least 74 days before every school district election, the school district clerk coordinating county auditor shall provide a written notice to the county auditor of each administering county in which the school district is located. The notice must include the date of the election, the offices to be voted on at the election, and the title and language for each ballot question to be voted on at the election. For the purposes of meeting the timelines of this section, in a bond election, a notice, including a proposed question, may be provided to the county auditor before receipt of a review and comment from the commissioner of education and before actual initiation of the election. At least 74 days before every school district election, the school district clerk must provide written notice to the county auditor of any special election canceled under section 205A.05, subdivision 3.

Sec. 49. Minnesota Statutes 2016, section 205A.07, subdivision 3a, is amended to read:

Subd. 3a. Notice to commissioner of education. At least 74 days before every school district election under section 123B.62, 123B.63, 126C.17, 126C.69, or 475.58, the school district clerk coordinating county auditor shall provide a written notice to the commissioner of education. The notice must include the date of the election and the title and language for each ballot question to be voted on at the election. At least 74 days before every school district election, the school district clerk coordinating county auditor must provide a written notice to the commissioner of education of any special election canceled under section 205A.05, subdivision 3. The certified vote totals for each ballot question shall be provided in a written notice to the commissioner in a timely manner.

Sec. 50. Minnesota Statutes 2016, section 205A.07, subdivision 3b, is amended to read:

Subd. 3b. Notice to secretary of state. At least 74 days before every school district election for which a notice is provided to the county auditor under subdivision 3, the county auditor shall provide a notice of the election to the secretary of state, in a manner and including information prescribed by the secretary of state.

Sec. 51. Minnesota Statutes 2016, section 205A.08, subdivision 5, is amended to read:
Subd. 5. Form of ballot. The ballots for school district elections must be prepared by
the school district clerk, coordinating county auditor in the manner provided in the rules of
the secretary of state.

Sec. 52. Minnesota Statutes 2016, section 205A.10, subdivision 1, is amended to read:
Subdivision 1. Materials, ballots. The school district clerk, coordinating county auditor
shall prepare and have printed the necessary election materials, including ballots, for a
school district election. The names must be arranged on school district ballots in the manner
provided in section 204D.08, subdivision 3, for state elections.

Sec. 53. Minnesota Statutes 2016, section 205A.10, subdivision 2, is amended to read:
Subd. 2. Election, conduct. A school district election must be by secret ballot and must
be held and the returns made in the manner provided for the state general election, as far as
practicable. The vote totals from a ballot board established pursuant to section 203B.121
may be tabulated and reported by the school district as a whole rather than by precinct. For
school district elections not held in conjunction with a statewide election, the school board
shall appoint election judges as provided in section 204B.21, subdivision 2. The provisions
of sections 204B.10, subdivision 5, 204B.21, subdivision 2, 204C.15, 204C.19, 206.82
and 206.86, subdivision 2, relating to party balance in appointment of judges, and to duties
to be performed by judges of different major political parties, do not apply to school district
elections not held in conjunction with a statewide election.

Sec. 54. Minnesota Statutes 2016, section 205A.10, subdivision 3, is amended to read:
Subd. 3. Canvass of returns, certificate of election, ballots, disposition. Between the
third and tenth 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 district
canvassing board shall canvass the returns and declare the results of the election. After the
time for contesting elections has passed, the school district clerk, coordinating county auditor
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, coordinating county auditor shall determine the result by lot. The school district clerk, coordinating county auditor 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 school district clerk, coordinating county auditor 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 school district clerk, coordinating county auditor shall be the final custodian of the ballots
and the returns of the election. The coordinating county auditor must notify the school
district clerk of the election results.
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. 55. Minnesota Statutes 2016, section 205A.10, subdivision 5, is amended to read:

Subd. 5. School district canvassing board. For the purpose of a recount of a special election conducted under section 126C.17, subdivision 9, or 475.59, the school district canvassing board shall consist of one member of the school board other than the clerk, selected by the board, the clerk of the school board, the coordinating county auditor of the county in which the greatest number of school district residents reside, the county auditor from each coordinating county, the court administrator of the district court of the judicial district in which the greatest number of school district residents reside; and the mayor or chair of the town board of the school district's most populous municipality. Any member of the canvassing board may appoint a designee to appear at the meeting of the board, except that no designee may be a candidate for public office. If one of the individuals fails to appear at the meeting of the canvassing board, the county auditor shall appoint an eligible voter of the school district, who must not be a member of the school board, to fill the vacancy. Not more than two school board members shall serve on the canvassing board at one time. Four members constitute a quorum.

The school district canvassing board shall serve as the school district canvassing board for canvass the election of school board members.

Sec. 56. Minnesota Statutes 2016, section 205A.11, subdivision 2a, is amended to read:

Subd. 2a. Notice of special elections. The school district clerk shall prepare a notice to the voters who will be voting in a combined polling place for a school district special election. The notice must include the following information: the date of the election, the hours of voting, and the location of the voter's polling place. The notice must be sent by nonforwardable mail to every affected household in the school district with at least one registered voter. The notice must be mailed no later than 14 days before the election. The mailed notice is not required for a school district special election. The notice must be sent by nonforwardable mail to every affected household in the school district with at least one registered voter.

Sec. 11. Minnesota Statutes 2016, section 205A.11, subdivision 2a, is amended to read:

Subd. 2a. Notice of special elections. The school district clerk shall prepare a notice to the voters who will be voting in a combined polling place for a school district special election. The notice must include the following information: the date of the election, the hours of voting, and the location of the voter's polling place. The notice must be sent by nonforwardable mail to every affected household in the school district with at least one registered voter. The notice must be mailed no later than 14 days before the election. The mailed notice is not required for a school district special election. The notice must be sent by nonforwardable mail to every affected household in the school district with at least one registered voter.

Sec. 12. Minnesota Statutes 2016, section 206.61, subdivision 5, is amended to read:

Subd. 5. Alternation. The provisions of the election laws requiring the alteration of names of candidates must be observed as far as practicable by changing the order of the names on an electronic voting system in the various precincts so that each name appears on the machines or marking devices used in a municipality substantially an equal number of times in the first, last, and in each intermediate place in the list or group in which they belong. However, the arrangement of candidates' names must be the same on all voting systems used in the same precinct. If the number of names to be alternated exceeds the
number of precincts, the election official responsible for providing the ballots, in accordance
with subdivision 1, shall determine by lot the alternation of names.

If an electronic ballot marker is used with a paper ballot that is not an optical scan ballot
card, the manner of alternation of candidate names on the paper ballot must be as prescribed
for optical scan ballots in this subdivision.

The rules adopted by the secretary of state for the rotation of candidate names must use
the number of registered voters in each precinct as of 8:00 a.m. on March 1 of the year
when the rotation will be made as the basis for determining the rotation of names.

Sec. 13. Minnesota Statutes 2016, section 206.82, subdivision 2, is amended to read:

Subd. 2. Plan. The municipal clerk in a municipality where an electronic voting system
is used and the county auditor of a county in which an electronic voting system is used in
more than one municipality and the county auditor of a county in which a counting center
serving more than one municipality is located shall prepare a plan which indicates acquisition
of sufficient facilities, computer time, and professional services and which describes the
proposed manner of complying with section 206.80. The plan must be signed, notarized,
and submitted to the secretary of state more than 60 days before the first election at which
the municipality uses an electronic voting system. Before March 1 of each subsequent
general election year, the clerk or auditor shall submit to the secretary of state notification
of any changes to the plan on file with the secretary of state. The secretary of state shall
review each plan for its sufficiency and may request technical assistance from the Office
of MN.IT Services or other agency which may be operating as the central computer authority.
The secretary of state may seek a district court order requiring an election official to fulfill
duties imposed by this subdivision or by rules promulgated pursuant to this section.

Sec. 14. EFFECTIVE DATE.

Sections 1 to 13 are effective January 1, 2018, and apply to elections conducted on or
after that date.

ARTICLE 4
COUNTY OFFICES

Section 1. Minnesota Statutes 2016, section 375.08, is amended to read:

375.08 BOARD TO FILL VACANCIES IN COUNTY OFFICES.

When a vacancy occurs in the office of an elected county auditor, county treasurer,
county recorder, sheriff, county attorney, county surveyor, or coroner, the county board
shall fill it by appointment. For that purpose it shall meet at the usual place of meeting, upon
one day's notice from the chair or clerk, which shall be served personally upon each member
in the same manner as a district court summons. The person appointed shall give the bond
and take the oath required by law; and serve the remainder of the term; and until a successor qualifies. When a vacancy occurs in an office that has a chief deputy or first assistant, the chief deputy or first assistant may perform all the duties and functions of the office until it is filled by appointment by the county board.

Sec. 2. Minnesota Statutes 2016, section 375.101; subdivision 1, is amended to read:

Subdivision 1. Option for filling vacancies; special election. (a) Except as provided in subdivision 3, a vacancy in the office of county commissioner may be filled as provided in subdivision 2, or as provided in subdivision 4. If the vacancy is to be filled under this subdivision and subdivision 2, it must be filled at a special election. The county board may by resolution call for a special election to be held according to the earliest of the following time schedules:

(1) not less than 120 days following the date the vacancy is declared, but no later than 12 weeks prior to the date of the next regularly scheduled primary election;

(2) concurrently with the next regularly scheduled primary election and general election;

(3) no sooner than 120 days following the next regularly scheduled general election.

(b) The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term. If the county has been reapportioned since the commencement of the term of the vacant office, the election shall be based on the district as reapportioned.

(c) If a special election is required to be held to fill a vacancy in the office of county commissioner, the county board may temporarily fill the vacancy by appointment before the vacancy is filled by special election. Before making an appointment to temporarily fill a vacancy under this subdivision, the board must allow public testimony from persons residing in the district in which the vacancy occurs relating to the qualifications of the prospective appointee. After the board selects the person to temporarily fill the vacancy, the board shall adopt and enter into the minutes of its proceedings a resolution evidencing the appointment. The term of the appointment expires when a successor is chosen by special election and takes the oath of office.

Sec. 3. [375A.1205] APPOINTING COUNTY RECORDERS.

Subdivision 1. Authority to appoint county recorder. A county board may appoint the county recorder under section 375A.10, subdivision 2, by following the process outlined in this section. Notwithstanding section 375A.12, a referendum is not required if the appointment is made pursuant to this section. A county board shall only use the authority to appoint under the following circumstances:

(1) there is a vacancy in the office due to resignation or death; or
there is a signed contract with the county board and the incumbent recorder that provides that the incumbent officer will be appointed to the position and retain tenure, pay, and benefits equal to or greater than length of service.

Subd. 2. Responsibility of county officer. At least 104 days before the filing date for office under section 204B.09, an elected county officer must notify the county board in writing whether the officer will be filing for another term. If the officer indicates in writing that the officer will not file for the office and the county board has passed a resolution under subdivision 6, affidavits of candidacy will not be accepted for that office and the office will not be placed on the ballot.

Subd. 3. Board controls; may change as long as duties done. Upon adoption of a resolution by the county board of commissioners and subject to subdivisions 5 and 6, the duties of an elected official required by statute whose office is made appointive as authorized by this section must be discharged by the county board of commissioners acting through a department head appointed by the board for that purpose. Reorganization, reallocation, delegation, or other administrative change or transfer does not diminish, prohibit, or avoid the discharge of duties required by statute.

Subd. 4. Discharge or demotion. (a) A county recorder who was elected at the most recent election for that office prior to a county board resolution to make the office appointed, and is appointed by the county board to the office, may not be involuntarily demoted or discharged except for incompetency or misconduct.

(b) Before demoting or discharging an office holder under this subdivision, the board must notify the office holder in writing and state its grounds for the proposed demotion or discharge in reasonable detail. Within ten days after receipt of this notification, the office holder may make a written request for a hearing before an arbitrator and the request must be granted before final action is taken. Failure to request a hearing before an arbitrator during this period is considered acquiescence to the board's action. The board may suspend an office holder with pay pending the conclusion of the hearing and determination of the issues raised in the hearing after the charges have been filed which constitute grounds for demotion or discharge. If an office holder has been charged with a felony and the underlying conduct that is the subject of the felony charge is a ground for a proposed discharge, the suspension pending the conclusion of the hearing and determination of the issues may be without pay. If a hearing under this subdivision is held, the board must reimburse the office holder for any salary or compensation withheld if the final decision of the arbitrator does not result in a penalty or discharge of the office holder.

(c) If the office holder and the board are unable to mutually agree on an arbitrator, the board must request from the Bureau of Mediation Services a list of seven persons qualified to serve as an arbitrator. If the office holder and the board are unable to mutually agree on an arbitrator from the list provided, the parties shall alternately strike names from the list until the name of one arbitrator remains. The person remaining after the striking procedure must be the arbitrator. If the parties are unable to agree on who shall strike the first name,
(d) The arbitrator shall determine, by a preponderance of the evidence, whether the
grounds for discharge or demotion exist to support the proposed discharge or demotion. A
lesser penalty than demotion or discharge may be imposed by the arbitrator only to the
extent that either party proposes such lesser penalty in the proceeding. In making the
determination, the arbitration proceeding is governed by sections 572B.15 to 572B.28.

(e) An arbitration hearing conducted under this subdivision is a meeting for preliminary
consideration of allegations or charges within the meaning of section 13D.05, subdivision
5, paragraph (a), and must be closed, unless the office holder requests it to be open.

(f) The arbitrator's award is final and binding on the parties, subject to sections 572B.18
to 572B.28.

(g) In the event the arbitrator rules not to demote or discharge the office holder, the
board shall pay all of the costs and fees of the arbitrator and the attorney fees of the office
holder.

Subd. 5. Incumbents to complete term. The person elected at the last general election
to an office made appointive under this section must serve in that capacity and perform the
duties, functions, and responsibilities required by statute until the completion of the term
of office to which the person was elected, or until a vacancy occurs in the office, whichever
occurs earlier.

Subd. 6. Publishing resolution; petition; referendum. (a) Before the adoption of the
resolution to provide for the appointment of an office as described in subdivision 1, the
county board must publish a proposed resolution notifying the public of its intent to consider
the issue once each week, for two consecutive weeks, in the official publication of the
county. Following publication and prior to formally adopting the resolution, the county
board shall provide an opportunity at its next regular meeting for public comment relating
to the issue. After the public comment opportunity, at the same meeting or a subsequent
meeting, the county board of commissioners may adopt a resolution that provides for the
appointment of the office or offices as permitted in this section. The resolution must be
approved by at least 80 percent of the members of the county board. The resolution may
take effect 30 days after it is adopted, or at a later date stated in the resolution, unless a
petition is filed as provided in paragraph (b):

(b) Except when an office is made appointive under subdivision 1, clause (2), within 30
days after the county board adopts the resolution, a petition requesting a referendum may
be filed with the county auditor. The petition must be signed by at least ten percent of the
registered voters of the county. The petition must meet the requirements of the secretary of
state, as provided in section 204B.071, and any rules adopted to implement that section. If
the petition is sufficient, the county board resolution is rescinded.

Subd. 7. Reverting to elected offices. (a) The county board may adopt a resolution to
provide for the election of an office made an appointed position under this section, but not
until at least three years after the office was made an appointed position. The county board
must publish a proposed resolution notifying the public of its intent to consider the issue
once each week, for two consecutive weeks, in the official publication of the county.
Following publication and before formally adopting the resolution, the county board must
provide an opportunity at its next regular meeting for public comment relating to the issue.
After the public comment opportunity, at the same meeting or a subsequent meeting, the
county board of commissioners may adopt the resolution. The resolution must be approved
by at least 60 percent of the members of the county board and is effective August 1 following
adoption of the resolution.

(b) The question of whether an office made an appointed position under this section
must be made an elected office must be placed on the ballot at the next general election if
(1) the position has been an appointed position for at least three years; (2) a petition signed
by at least ten percent of the registered voters of the county is filed with the office of the
county auditor by August 1 of the year in which the general election is held; and (3) the
petition meets the requirements of the secretary of state, as provided in section 204B.071,
and any rules adopted to implement that section. If a majority of the voters of the county
voting on the question vote in favor of making the office an elected position, the election
for that office must be held at the next regular or special election.

Sec. 4. Minnesota Statutes 2016, section 382.01, is amended to read:

382.01 OFFICERS ELECTED; TERMS.

In every county in this state there shall be elected at the general election in 1918 a county
auditor; a county treasurer; sheriff; county recorder; county attorney; and coroner.
The terms of office of these officers shall be four years and shall begin on the first
Monday in January next succeeding their election. They shall hold office until their successors
are elected and qualified. Each of these offices shall be filled by election every four
years thereafter, unless an office is consolidated with another county officer or made
appointive under chapter 375A or other general or special law.

Sec. 5. Minnesota Statutes 2016, section 382.02, is amended to read:

382.02 VACANCIES, HOW FILLED.

Any appointment made to fill a vacancy in any of the offices named in section 382.01
that has not been made appointive under chapter 375A or other general or special law shall
be for the balance of such entire term, and be made by the county board.

Sec. 6. MORRISON COUNTY RECORDER MAY BE APPOINTED.

Subdivision 1. Authorization to make office appointive. Notwithstanding Minnesota
Statutes, section 382.01, upon adoption of a resolution by the Morrison County Board of
Commissioners, the office of county recorder is not elective but must be filled by appointment
by the county board as provided in the resolution.
Subd. 2. Board controls; may change as long as duties done. Upon adoption of a resolution by the county board of commissioners, and subject to subdivisions 3 and 4, the duties of an elected official required by statute whose office is made appointive as authorized by this section must be discharged by the county board of commissioners acting through a department head appointed by the board for that purpose. Reorganization, reallocation, delegation, or other administrative change or transfer does not diminish, prohibit, or avoid the discharge of duties required by statute.

Subd. 3. Incumbents to complete term. The person elected at the last general election to an office made appointive under this section must serve in that capacity and perform the duties, functions, and responsibilities required by statute until the completion of the term of office to which the person was elected or until a vacancy occurs in the office, whichever occurs earlier.

Subd. 4. Publishing resolution; petition; referendum. (a) Before the adoption of a resolution to provide for the appointment of the county recorder, the county board must publish a proposed resolution notifying the public of its intent to consider the issue once each week for two consecutive weeks in the official publication of the county. Following publication and prior to formally adopting the resolution, the county board shall provide an opportunity at its next regular meeting for public comment relating to the issue. After the public comment opportunity, at the same meeting or a subsequent meeting, the county board of commissioners may adopt a resolution that provides for the appointment of the county recorder as permitted in this section. The resolution must be approved by at least 80 percent of the members of the county board. The resolution may take effect 60 days after it is adopted, or at a later date stated in the resolution, unless a petition is filed as provided in paragraph (b).

(b) Within 60 days after the county board adopts the resolution, a petition requesting a referendum may be filed with the county auditor-treasurer. The petition must be signed by at least ten percent of the registered voters of the county. The petition must meet the requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071, and any rules adopted to implement that section. If the petition is sufficient, the question of appointing the county recorder must be placed on the ballot at a regular or special election. If a majority of the voters of the county voting on the question vote in favor of appointment, the resolution may be implemented.

Subd. 5. Reverting to elected offices. (a) The county board may adopt a resolution to provide for the election of an office made an appointed position under this section, but not until at least three years after the office was made an appointed position. The county board must publish a proposed resolution notifying the public of its intent to consider the issue once each week for two consecutive weeks in the official publication of the county. Following publication and before formally adopting the resolution, the county board must provide an opportunity at its next regular meeting for public comment relating to the issue. After the public comment hearing, the county board may adopt the resolution. The resolution must
be approved by at least 60 percent of the members of the county board and is effective
August 1 following adoption of the resolution;
(b) The question of whether an office made an appointed position under this section
must be made an elected office must be placed on the ballot at the next general election if:
(1) the position has been an appointed position for at least three years;
(2) a petition signed by at least ten percent of the registered voters of the county is filed
with the office of the county auditor-treasurer by August 1 of the year in which the general
election is held; and
(3) the petition meets the requirements of the secretary of state, as provided in Minnesota
Statutes, section 204B.071, and any rules adopted to implement that section. If a majority
of the voters of the county voting on the question vote in favor of making the office an
elected position, the election for the office must be held at the next regular or special election.

EFFECTIVE DATE. This section is effective the day after the Morrison County Board
of Commissioners and its chief clerical officer timely complete their compliance with
Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 7. BENTON COUNTY RECORDER MAY BE APPOINTED.

Subdivision 1. Authorization to make office appointive. Notwithstanding Minnesota
Statutes, section 382.01, upon adoption of a resolution by the Benton County Board of
Commissioners, the office of county recorder is not elective but must be filled by appointment
by the county board as provided in the resolution;

Subd. 2. Board controls; may change as long as duties done. Upon adoption of a
resolution by the county board of commissioners, and subject to subdivisions 3 and 4, the
duties of an elected official required by statute whose office is made appointive as authorized
by this section must be discharged by the county board of commissioners acting through a
department head appointed by the board for that purpose. Reorganization, reallocation,
delegation, or other administrative change or transfer does not diminish, prohibit, or avoid
the discharge of duties required by statute;

Subd. 3. Incumbents to complete term. The person elected at the last general election
to an office made appointive under this section must serve in that capacity and perform the
duties, functions, and responsibilities required by statute until the completion of the term
of office to which the person was elected or until a vacancy occurs in the office, whichever
occurs earlier.

Subd. 4. Publishing resolution; petition; referendum. (a) Before the adoption of a
resolution to provide for the appointment of the county recorder, the county board must
publish a proposed resolution notifying the public of its intent to consider the issue once
each week for two consecutive weeks in the official publication of the county. Following
publication and prior to formally adopting the resolution, the county board shall provide an
opportunity at its next regular meeting for public comment relating to the issue. After the
public comment opportunity, at the same meeting or a subsequent meeting, the county board
of commissioners may adopt a resolution that provides for the appointment of the county
recorder as permitted in this section. The resolution must be approved by at least 80 percent
of the members of the county board. The resolution may take effect 60 days after it is
adopted, or at a later date stated in the resolution, unless a petition is filed as provided in
paragraph (b).

(b) Within 60 days after the county board adopts the resolution, a petition requesting a
referendum may be filed with the county auditor-treasurer. The petition must be signed by
at least ten percent of the registered voters of the county. The petition must meet the
requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071
and any rules adopted to implement that section. If the petition is sufficient, the question
of appointing the county recorder must be placed on the ballot at a regular or special election.
If a majority of the voters of the county voting on the question vote in favor of appointment,
the resolution may be implemented.

Subd. 5. Reverting to elected offices. (a) The county board may adopt a resolution to
provide for the election of an office made an appointed position under this section, but not
until at least three years after the office was made an appointed position. The county board
must publish a proposed resolution notifying the public of its intent to consider the issue
once each week for two consecutive weeks in the official publication of the county. Following
publication and before formally adopting the resolution, the county board must provide an
opportunity at its next regular meeting for public comment relating to the issue. After the
public comment hearing, the county board may adopt the resolution. The resolution must
be approved by at least 60 percent of the members of the county board and is effective
August 1 following adoption of the resolution.

(b) The question of whether an office made an appointed position under this section
must be made an elected office must be placed on the ballot at the next general election if:

(1) the position has been an appointed position for at least three years;
(2) a petition signed by at least ten percent of the registered voters of the county is filed
with the office of the county auditor-treasurer by August 1 of the year in which the general
election is held; and
(3) the petition meets the requirements of the secretary of state, as provided in Minnesota
Statutes, section 204B.071, and any rules adopted to implement that section. If a majority
of the voters of the county voting on the question vote in favor of making the office an
elected position, the election for the office must be held at the next regular or special election.

EFFECTIVE DATE. This section is effective the day after the Benton County Board
of Commissioners and its chief clerical officer timely complete their compliance with
Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 8. PINE COUNTY AUDITOR-TREASURER MAY BE APPOINTED.

Subdivision 1. Authorization to make office appointive. Notwithstanding Minnesota
Statutes, section 382.01, upon adoption of a resolution by the Pine County Board of
Commissioners, the office of county auditor-treasurer is not elective but must be filled by appointment by the county board as provided in the resolution.

Subd. 2. Board controls; may change as long as duties done; Upon adoption of a resolution by the county board of commissioners and subject to subdivisions 3 and 4, the duties of an elected official required by statute whose office is made appointive as authorized by this section must be discharged by the county board of commissioners acting through a department head appointed by the board for that purpose. Reorganization, reallocation, delegation, or other administrative change or transfer does not diminish, prohibit, or avoid the discharge of duties required by statute.

Subd. 3. Incumbent to complete term. The person elected at the last general election to an office made appointive under this section must serve in that capacity and perform the duties, functions, and responsibilities required by statute until the completion of the term of office to which the person was elected or until a vacancy occurs in the office, whichever occurs earlier.

Subd. 4. Publishing resolution; petition; referendum. (a) Before the adoption of a resolution to provide for the appointment of the county auditor-treasurer, the county board must publish a proposed resolution notifying the public of its intent to consider the issue once each week for two consecutive weeks in the official publication of the county. Following publication and prior to formally adopting the resolution, the county board shall provide an opportunity at its next regular meeting for public comment relating to the issue. After the public comment opportunity, at the same meeting or a subsequent meeting, the county board of commissioners may adopt a resolution that provides for the appointment of the county auditor-treasurer as permitted in this section. The resolution must be approved by at least 80 percent of the members of the county board. The resolution may take effect 60 days after it is adopted, or at a later date stated in the resolution, unless a petition is filed as provided in paragraph (b).

(b) Within 60 days after the county board adopts the resolution, a petition requesting a referendum may be filed with the county auditor-treasurer. The petition must be signed by at least ten percent of the registered voters of the county. The petition must meet the requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071, and any rules adopted to implement that section. If the petition is sufficient, the question of appointing the county auditor-treasurer must be placed on the ballot at a regular or special election. If a majority of the voters of the county voting on the question vote in favor of appointment, the resolution may be implemented.

Subd. 5. Reverting to elected offices. (a) The county board may adopt a resolution to provide for the election of an office made an appointed position under this section, but not until at least three years after the office was made an appointed position. The county board must publish a proposed resolution notifying the public of its intent to consider the issue once each week for two consecutive weeks in the official publication of the county. Following publication and before formally adopting the resolution, the county board must provide an opportunity at its next regular meeting for public comment relating to the issue. After the public comment hearing, the county board may adopt the resolution. The resolution must...
be approved by at least 60 percent of the members of the county board and is effective August 1 following adoption of the resolution.

(b) The question of whether an office made an appointed position under this section must be made an elected office must be placed on the ballot at the next general election if:

(1) the position has been an appointed position for at least three years;

(2) a petition signed by at least ten percent of the registered voters of the county is filed with the office of the county auditor-treasurer by August 1 of the year in which the general election is held; and

(3) the petition meets the requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071, and any rules adopted to implement that section. If a majority of the voters of the county voting on the question vote in favor of making the office an elected position, the election for the office must be held at the next regular or special election.

EFFECTIVE DATE. This section is effective the day after the Pine County Board of Commissioners and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 9. STEARNS COUNTY RECORDER MAY BE APPOINTED.

Subdivision 1. Authorization to make office appointive. Notwithstanding Minnesota Statutes, section 382.01, upon adoption of a resolution by the Stearns County Board of Commissioners, the office of county recorder is not elective but must be filled by appointment by the county board as provided in the resolution.

Subd. 2. Board controls; may change as long as duties done. Upon adoption of a resolution by the county board of commissioners, and subject to subdivisions 3 and 4, the duties of an elected official required by statute whose office is made appointive as authorized by this section must be discharged by the county board of commissioners acting through a department head appointed by the board for that purpose. Reorganization, reallocation, delegation, or other administrative change or transfer does not diminish, prohibit, or avoid the discharge of duties required by statute.

Subd. 3. Incumbents to complete term. The person elected at the last general election to an office made appointive under this section must serve in that capacity and perform the duties, functions, and responsibilities required by statute until the completion of the term of office to which the person was elected or until a vacancy occurs in the office, whichever occurs earlier.

Subd. 4. Publishing resolution; petition; referendum. (a) Before the adoption of a resolution to provide for the appointment of the county recorder, the county board must publish a proposed resolution notifying the public of its intent to consider the issue once each week for two consecutive weeks in the official publication of the county. Following publication and prior to formally adopting the resolution, the county board shall provide an opportunity at its next regular meeting for public comment relating to the issue. After the public comment opportunity, at the same meeting or a subsequent meeting, the county board
of commissioners may adopt a resolution that provides for the appointment of the county
recorder as permitted in this section. The resolution must be approved by at least 80 percent
of the members of the county board. The resolution may take effect 60 days after it is
adopted, or at a later date stated in the resolution, unless a petition is filed as provided in
paragraph (b).

(b) Within 60 days after the county board adopts the resolution, a petition requesting a
referendum may be filed with the county auditor-treasurer. The petition must be signed by
at least ten percent of the registered voters of the county. The petition must meet the
requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071
and any rules adopted to implement that section. If the petition is sufficient, the question
of appointing the county recorder must be placed on the ballot at a regular or special election.
If a majority of the voters of the county voting on the question vote in favor of appointment,
the resolution may be implemented.

Subd. 5. Reverting to elected offices. (a) The county board may adopt a resolution to
provide for the election of an office made an appointed position under this section, but not
until at least three years after the office was made an appointed position. The county board
must publish a proposed resolution notifying the public of its intent to consider the issue
once each week for two consecutive weeks in the official publication of the county. Following
publication and before formally adopting the resolution, the county board must provide an
opportunity at its next regular meeting for public comment relating to the issue. After the
public comment hearing, the county board may adopt the resolution. The resolution must
be approved by at least 60 percent of the members of the county board and is effective
August 1 following adoption of the resolution.

(b) The question of whether an office made an appointed position under this section
must be made an elected office must be placed on the ballot at the next general election if:
(1) the position has been an appointed position for at least three years;
(2) a petition signed by at least ten percent of the registered voters of the county is filed
with the office of the county auditor-treasurer by August 1 of the year in which the general
election is held; and
(3) the petition meets the requirements of the secretary of state, as provided in Minnesota
Statutes, section 204B.071, and any rules adopted to implement that section. If a majority
of the voters of the county voting on the question vote in favor of making the office an
elected position, the election for the office must be held at the next regular or special election.

EFFECTIVE DATE. This section is effective the day after the Stearns County Board
of Commissioners and its chief clerical officer timely complete their compliance with
Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 10. MARSHALL COUNTY RECORDER MAY BE APPOINTED.

Subdivision 1. Authorization to make office appointive. Notwithstanding Minnesota
Statutes, section 382.01, upon adoption of a resolution by the Marshall County Board of

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Commissioners, the office of county recorder is not elective but must be filled by appointment by the county board as provided in the resolution.

Subd. 2. Board controls; may change as long as duties done. Upon adoption of a resolution by the county board of commissioners, and subject to subdivisions 3 and 4, the duties of an elected official required by statute whose office is made appointive as authorized by this section must be discharged by the county board of commissioners acting through a department head appointed by the board for that purpose. Reorganization, reallocation, delegation, or other administrative change or transfer does not diminish, prohibit, or avoid the discharge of duties required by statute.

Subd. 3. Incumbents to complete term. The person elected at the last general election to an office made appointive under this section must serve in that capacity and perform the duties, functions, and responsibilities required by statute until the completion of the term of office to which the person was elected or until a vacancy occurs in the office, whichever occurs earlier.

Subd. 4. Publishing resolution; petition; referendum. (a) Before the adoption of a resolution to provide for the appointment of the county recorder, the county board must publish a proposed resolution notifying the public of its intent to consider the issue once each week for two consecutive weeks in the official publication of the county. Following publication and prior to formally adopting the resolution, the county board shall provide an opportunity at its next regular meeting for public comment relating to the issue. After the public comment opportunity, at the same meeting or a subsequent meeting, the county board of commissioners may adopt a resolution that provides for the appointment of the county recorder as permitted in this section. The resolution must be approved by at least 80 percent of the members of the county board. The resolution may take effect 60 days after it is adopted, or at a later date stated in the resolution, unless a petition is filed as provided in paragraph (b).

(b) Within 60 days after the county board adopts the resolution, a petition requesting a referendum may be filed with the county auditor-treasurer. The petition must be signed by at least ten percent of the registered voters of the county. The petition must meet the requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071, and any rules adopted to implement that section. If the petition is sufficient, the question of appointing the county recorder must be placed on the ballot at a regular or special election. If a majority of the voters of the county voting on the question vote in favor of appointment, the resolution may be implemented.

Subd. 5. Reverting to elected offices. (a) The county board may adopt a resolution to provide for the election of an office made an appointed position under this section, but not until at least three years after the office was made an appointed position. The county board must publish a proposed resolution notifying the public of its intent to consider the issue once each week for two consecutive weeks in the official publication of the county. Following publication and before formally adopting the resolution, the county board must provide an opportunity at its next regular meeting for public comment relating to the issue. After the public comment hearing, the county board may adopt the resolution. The resolution must
be approved by at least 60 percent of the members of the county board and is effective
August 1 following adoption of the resolution.

(b) The question of whether an office made an appointed position under this section
must be made an elected office must be placed on the ballot at the next general election if:

(1) the position has been an appointed position for at least three years;

(2) a petition signed by at least ten percent of the registered voters of the county is filed
with the office of the county auditor-treasurer by August 1 of the year in which the general
election is held; and

(3) the petition meets the requirements of the secretary of state, as provided in Minnesota
Statutes, section 204B.071, and any rules adopted to implement that section. If a majority
of the voters of the county voting on the question vote in favor of making the office an
elected position, the election for the office must be held at the next regular or special election.

EFFECTIVE DATE. This section is effective the day after the Marshall County Board
of Commissioners and its chief clerical officer timely complete their compliance with
Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 11. RICE COUNTY AUDITOR-TREASURER AND RECORDER MAY BE
APPOINTED.

Subdivision 1. Authorization to make office appointive. Notwithstanding Minnesota
Statutes, section 382.01, upon adoption of a resolution by the Rice County Board of
Commissioners, the offices of county auditor-treasurer and county recorder are not elective
but must be filled by appointment by the county board as provided in the resolution.

Subd. 2. Board controls; may change as long as duties done. Upon adoption of a
resolution by the county board of commissioners, and subject to subdivisions 3 and 4, the
duties of an elected official required by statute whose office is made appointive as authorized
by this section must be discharged by the county board of commissioners acting through a
department head appointed by the board for that purpose. Reorganization, reallocation,
delegation, or other administrative change or transfer does not diminish, prohibit, or avoid
the discharge of duties required by statute.

Subd. 3. Incumbents to complete term. The person elected at the last general election
to an office made appointive under this section must serve in that elected capacity and
perform the duties, functions, and responsibilities required by statute until the completion
of the term of office to which the person was elected or until a vacancy occurs in the office
whichever occurs earlier.

Subd. 4. Publishing resolution; petition; referendum. (a) Before the adoption of a
resolution to provide for the appointment of the county auditor-treasurer and county recorder,
the county board must publish a proposed resolution notifying the public of its intent to
consider the issue once each week for two consecutive weeks in the official publication of
the county. Following publication and prior to formally adopting the resolution, the county
board shall provide an opportunity at its next regular meeting for public comment relating.

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to the issue. After the public comment opportunity, at the same meeting or a subsequent
meeting, the county board of commissioners may adopt a resolution that provides for the
appointment of the county auditor-treasurer and county recorder as permitted in this section.
The resolution may be adopted by a majority of the members of the county board. The resolution
may take effect 60 days after it is adopted, or at a later date stated in the
resolution, unless a petition is filed as provided in paragraph (b).

(b) Within 60 days after the county board adopts the resolution, a petition requesting a
referendum may be filed with the county auditor-treasurer. The petition must be signed by
at least ten percent of the registered voters of the county. The petition must meet the
requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071;
and any rules adopted to implement that section. If the petition is sufficient, the question
of appointing the county auditor-treasurer and county recorder must be placed on the ballot
at a regular or special election. If a majority of the voters of the county voting on the question
vote in favor of appointment, the resolution may be implemented.

Subd. 5. Reverting to elected offices. (a) The county board may adopt a resolution to
provide for the election of an office made an appointed position under this section, but not
until at least three years after the office was made an appointed position. The county board
must publish a proposed resolution notifying the public of its intent to consider the issue
once each week or two consecutive weeks in the official publication of the county. Following
publication and before formally adopting the resolution, the county board must provide an
opportunity at its next regular meeting for public comment relating to the issue. After the
public comment hearing, the county board may adopt the resolution. The resolution must
be approved by at least 60 percent of the members of the county board and is effective
August 1 following adoption of the resolution.

(b) The question of whether an office made an appointed position under this section
must be made an elected office must be placed on the ballot at the next general election if:

(1) the position has been an appointed position for at least three years;
(2) a petition signed by at least ten percent of the registered voters of the county is filed
with the office of the county auditor-treasurer by August 1 of the year in which the general
election is held; and
(3) the petition meets the requirements of the secretary of state, as provided in Minnesota
Statutes, section 204B.071, and any rules adopted to implement that section. If a majority
of the voters of the county voting on the question vote in favor of making the office an
elected position, the election for the office must be held at the next regular or special election;

EFFECTIVE DATE. This section is effective the day after the Rice County Board of
Commissioners and its chief clerical officer timely complete their compliance with Minnesota
Statutes, section 645.021, subdivisions 2 and 3.
Subd. 3. Notice served on parties. In all contests relating to the nomination or election of a candidate, the notice of contest must be served on the candidate who is the contestee; a copy of the notice must be sent to the contestee's last known address by certified mail; and a copy must be furnished to the official authorized to issue the certificate of election. If personal or substituted service on the contestee cannot be made, an affidavit of the attempt by the person attempting to make service and the affidavit of the person who sent a copy of the notice to the contestee by certified mail is sufficient to confer jurisdiction upon the court to decide the contest.

If the contest relates to a constitutional amendment, notice of contest must be served on the secretary of state, who is the contestee. If a contest relates to a question voted on within only one county, school district, or municipality, a copy of the notice of contest must be served on the county auditor, clerk of the school district coordinating county auditor, or municipal clerk, respectively, who is the contestee. If the contest is upon the question of consolidation or reorganization of a school district, a copy of the notice of contest must be served on the county auditor authorized by law to issue the order.