A bill for an act

relating to campaign finance and elections; modifying the qualification requirements for inclusion of a political party on the income tax form and property tax refund return; modifying certain candidate filing periods; amending Minnesota Statutes 2010, sections 10A.31, subdivision 3a; 204B.09, subdivision 1; 205.13, subdivision 1a; 205A.06, subdivision 1a.

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

Section 1. Minnesota Statutes 2010, section 10A.31, subdivision 3a, is amended to read:

Subd. 3a. **Qualification of political parties.** (a) A major political party qualifies for inclusion on the income tax form and property tax refund return as provided in subdivision 3 if it:

(1) qualifies as a major political party by July 1 of the taxable year; and

(2) holds its state convention of delegates at a time when the legislature is not meeting in regular session, if the taxable year is also a state general election year.

(b) A minor political party qualifies for inclusion on the income tax form and property tax refund return as provided in subdivision 3 if it:

(1) qualifies as a minor party statewide by July 1 of the taxable year; and

(2) in a taxable year that is also a state general election year in which the party intends to hold a state convention of its delegates, holds the convention at a time when the legislature is not meeting in regular session.

(c) The secretary of state shall notify each major and minor political party by the first Monday in January of each odd-numbered year of the conditions necessary for the party to participate in income tax form and property tax refund return programs.

(d) The secretary of state shall notify each political party, the commissioner of revenue, and the Campaign Finance and Public Disclosure Board by July 1 of each

year and following certification of the results of each general election of the political parties that qualify for inclusion on the income tax form and property tax refund return as provided in subdivision 3.

EFFECTIVE DATE. This section is effective for political parties qualifying for inclusion on income tax forms for taxable years beginning after December 31, 2011, and for inclusion on property tax refund returns based on taxes payable in 2013 and thereafter and rent paid in 2012 and thereafter.

Sec. 2. Minnesota Statutes 2010, section 204B.09, subdivision 1, is amended to read:

Subdivision 1. **Candidates in state and county general elections.** (a) Except as otherwise provided by this subdivision, affidavits of candidacy and nominating petitions for county, state, and federal offices filled at the state general election shall be filed not more than ~~84~~ 70 days nor less than ~~70~~ 56 days before the state primary. The affidavit may be prepared and signed at any time between 60 days before the filing period opens and the last day of the filing period.

(b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed in the presence of a notarial officer or an individual authorized to administer oaths under section 358.10.

(c) This provision does not apply to candidates for presidential elector nominated by major political parties. Major party candidates for presidential elector are certified under section 208.03. Other candidates for presidential electors may file petitions at least 77 days before the general election day pursuant to section 204B.07. Nominating petitions to fill vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or petition shall be accepted later than 5:00 p.m. on the last day for filing.

(d) Affidavits and petitions for county offices must be filed with the county auditor of that county. Affidavits and petitions for federal offices must be filed with the secretary of state. Affidavits and petitions for state offices must be filed with the secretary of state or with the county auditor of the county in which the candidate resides.

(e) Affidavits other than those filed pursuant to subdivision 1a must be submitted by mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and must be received by 5:00 p.m. on the last day for filing.

Sec. 3. Minnesota Statutes 2010, section 205.13, subdivision 1a, is amended to read:

Subd. 1a. **Filing period.** In a city nominating candidates at a primary, an affidavit of candidacy for a city office voted on in November must be filed no more than ~~84~~ 70 days nor less than ~~70~~ 56 days before the city primary. In municipalities that do not hold a

primary, an affidavit of candidacy must be filed no more than 70 days and not less than 56 days before the municipal general election held in March in any year, or a special election not held in conjunction with another election, and no more than 91 days nor less than 77 days before the municipal general election held in November of any year.

EFFECTIVE DATE. This section is effective for elections held in 2012 and thereafter.

Sec. 4. Minnesota Statutes 2010, 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~~ 70th day and no later than the ~~70th~~ 56th 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 91st day and no later than the 77th day before the school district general election.

EFFECTIVE DATE. This section is effective for elections held in 2012 and thereafter.