A bill for an act

relating to operation of state government; appropriating money for the legislature, office of the governor and lieutenant governor, state auditor, attorney general, secretary of state, certain state agencies, boards, commissions, councils, offices, Minnesota State Lottery, Minnesota Humanities Center, certain retirement accounts, and military and veterans affairs; cancelling certain 2021 appropriations; designating the state fire museum; changing provisions for the legislative auditor and Legislative Coordinating Commission; authorizing virtual payments; creating the capitol flag program; modifying provisions for Tribal governments, state budget and forecast, administrative operations, general services revolving fund, grants, motor pool, historic properties and historical societies, taxpayer assistance grants, background checks, lawful gambling, election administration, campaign finance, Office of MN.IT Services, open meeting law, municipal planning, port authority, municipalities, metropolitan government, Duluth entertainment and convention center complex, bids and letting of contracts, and dedication fees; auditing state use of federal funds; creating the Office of Enterprise Sustainability; requiring racial equity impact assessments; requiring sensory accessibility accommodations; establishing the Legislative Commission on Cybersecurity; designating India Day; requiring SEGIP to contract with a pharmacy benefit manager; requiring a strategic plan for state space consolidation and moving; certifying legislative funding needed; requiring a study of L’Orient Avenue property use; prohibiting contracts with certain vendors; requiring the secretary of state to display business addresses on its website; modifying staff reduction provision, electric vehicle charging, police canine officers, and federal funds replacement; making policy and technical changes to various military and veterans affairs provisions including provisions related to the adjutant general, housing, veterans benefits, and veterans services; allowing deferred prosecutions for former and current military members in certain circumstances; classifying data; making changes to the military code; modifying certain requirements and qualifications; making jurisdictional and appellate changes; providing punishable offenses under the military code; providing penalties; amending Minnesota Statutes 2020, sections 3.302, subdivision 3; 3.303, subdivision 1; 3.971, subdivision 2, by adding a subdivision; 3.972, subdivisions 2, 2a; 3.978, subdivision 2; 3.979, subdivision 3; 4A.01, subdivision 3; 4A.02; 5.30, subdivision 2; 5B.06; 8.31, subdivision 1; 10.44; 10.45; 10.578; 10A.01, subdivisions 4, 7, 9, 11, 16a, 17c, 18, 20, 26, 27, 28, 35, by adding a subdivision; 10A.09, subdivisions 1, 2, 5, 6, by adding a subdivision; 10A.12, subdivisions 1, 2; 10A.121, subdivision 2; 10A.13, subdivision 1; 10A.17, subdivision 4; 10A.20, subdivisions 3, 6a, 13, by adding a subdivision; 10A.27, subdivision 13; 10A.275,
subdivision 1; 10A.323; 13.607, by adding a subdivision; 13D.01, subdivisions 4,
5; 13D.015; 13D.02; 13D.021; 15.01; 15.057; 16A.06, by adding a subdivision;
16A.103, subdivision 1; 16A.152, subdivision 2; 16B.24, subdivision 1, by adding
a subdivision; 16B.2975, by adding a subdivision; 16B.48, subdivision 2; 16B.54,
subdivisions 1, 2; 16B.98, by adding a subdivision; 16E.01; 16E.016; 16E.02;
16E.03, subdivisions 1, 2, 3, 6; 16E.036; 16E.04, subdivision 3; 16E.0465,
subdivision 2; 16E.05, subdivision 1; 16E.07, subdivision 12; 16E.152, subdivision
2; 16B.24, subdivision 1; 16B.48, subdivision 2; 16B.54, subdivisions 1, 2; 16B.98,
by adding a subdivision; 16E.01; 16E.016; 16E.02; 16E.03, subdivisions 1, 2, 3, 6;
16E.036; 16E.04, subdivision 3; 16E.0465, subdivision 2; 16E.152, subdivision
2; 16E.21, subdivision 2; 43A.046; 43A.23, subdivision 1; 97A.057, subdivision 1; 135A.17, subdivision
2; 138.081, subdivisions 1, 2, 3; 138.31, by adding a subdivision; 138.34; 138.40;
138.665, subdivision 2; 138.666; 138.667, 138.763, subdivision 1; 190.07; 192.67;
192A.02, subdivision 2; 192A.021; 192A.111; 192A.15, subdivisions 1, 2;
192A.155, subdivision 2; 192A.20; 192A.235, subdivision 3; 192A.343, subdivision
3; 192A.353, subdivision 2; 192A.371; 192A.384; 192A.56; 192A.612; 192A.62;
197.791, subdivisions 4, 5, 5a, 5b; 198.006; 198.03, subdivision 2; 201.014, by
adding a subdivision; 201.071, subdivisions 1, 2, 3, 8; 201.091, subdivision 2;
201.12, subdivision 2; 201.121, subdivision 3; 201.13, subdivision 3; 201.161;
201.1611, subdivision 1; 201.162; 201.225, subdivision 2; 202.11, subdivision
2; 202A.16, subdivision 1; 203B.01, subdivision 3, by adding a subdivision;
203B.02, by adding a subdivision; 203B.03, by adding a subdivision; 203B.04,
subdivision 1; 203B.081, subdivisions 1, 2, 3; 203B.11, subdivision 1; 203B.12,
subdivision 7; 203B.121, subdivisions 2, 3, 4; 203B.16, subdivision 2; 203B.24,
subdivision 1; 204B.06, subdivisions 1b, 4a; 204B.09, subdivisions 1, 3; 204B.13,
by adding a subdivision; 204B.16, subdivision 1; 204B.19, subdivision 6; 204B.21,
subdivision 2; 204B.36, subdivision 2; 204B.44; 204B.45, subdivisions 1, 2;
204B.46; 204C.05, subdivisions 1a, 1b; 204C.10; 204C.15, subdivision 1; 204C.21,
subdivision 1; 204C.27; 204C.33, subdivision 3; 204C.35, subdivision 3, by adding
a subdivision; 204C.36, subdivision 1; 204D.08, subdivision 4; 204D.13,
subdivision 1; 204D.19, subdivision 2; 204D.195; 204D.22, subdivision 3; 204D.23,
subdivision 2; 204D.27, subdivision 5; 204D.28, subdivisions 9, 10; 205.13,
subdivision 5; 205A.10, subdivision 5; 205A.12, subdivision 5; 206.805,
subdivision 1; 206.89, subdivisions 4, 5; 206.90, subdivision 6; 207A.12; 207A.13;
207A.14, subdivision 3; 209.021, subdivision 1; 211B.04, subdivisions 2, 3, by
adding a subdivision; 211B.11, subdivision 1; 211B.20, subdivision 1; 211B.32,
subdivision 1; 270B.13, by adding a subdivision; 270C.21; 349.151, subdivision
2; 367.03, subdivision 6; 367.25, subdivision 1; 383B.041; 412.02, subdivision
2a; 447.32, subdivision 4; 462.358, by adding a subdivision; 469.074, by adding
a subdivision; 471.342, subdivisions 1, 4; 471.345, subdivision 20; 473.24; 473.606,
subdivision 5; 606.06; 609.165, subdivision 1; Laws 1963, chapter 305, sections
2, as amended; 3, as amended; 4, as amended; 5, as amended; 8, as amended; 9,
as amended; 10, as amended; Laws 2006, chapter 269, section 2, as amended;
Laws 2013, chapter 85, article 5, section 44; Laws 2019, First Special Session
chapter 10, article 1, section 40; Laws 2020, chapter 77, section 3, subdivision 6;
proposing coding for new law in Minnesota Statutes, chapters 1; 3; 5; 10; 13D;
16A; 16B; 16C; 43A; 192A; 196; 201; 206; 211B; 243; 299C; 471; 609; repealing
Minnesota Statutes 2020, sections 3.972, subdivisions 2c, 2d; 3.9741, subdivision
5; 4A.11; 10A.15, subdivision 6; 15.0395; 16A.90; 16E.0466, subdivision 1;
16E.05, subdivision 3; 16E.071; 16E.145; 43A.17, subdivision 9; 116O.03,
subdivision 9; 116O.04, subdivision 3; 179.90; 179.91; 192A.385; 299D.03,
subdivision 2a; 383B.042; 383B.043; 383B.044; 383B.045; 383B.046; 383B.047;
383B.048; 383B.049; 383B.05; 383B.051; 383B.052; 383B.053; 383B.054;
383B.055; 383B.056; 383B.057.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1

STATE GOVERNMENT APPROPRIATIONS

Section 1. **STATE GOVERNMENT APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2022" and "2023" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium" is fiscal years 2022 and 2023.

<table>
<thead>
<tr>
<th>APPROPRIATIONS</th>
<th>Available for the Year</th>
<th>Ending June 30</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>2022</td>
</tr>
</tbody>
</table>

Sec. 2. **GOVERNOR AND LIEUTENANT GOVERNOR**

|                | $ 3,622,000 | $ 3,622,000 |

(a) This appropriation is to fund the Office of the Governor and Lieutenant Governor.

(b) $19,000 each year are for necessary expenses in the normal performance of the governor's and lieutenant governor's duties for which no other reimbursement is provided.

(c) By September 1 of each year, the commissioner of management and budget shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over state government finance any personnel costs incurred by the Offices of the Governor and Lieutenant Governor that were supported by appropriations to other agencies during the previous fiscal year. The Office of the Governor shall inform the chairs and
4.1 ranking minority members of the committees
4.2 before initiating any interagency agreements.

4.3 Sec. 3. STATE AUDITOR $ 12,053,000 $ 12,152,000
4.4 Sec. 4. ATTORNEY GENERAL $ 33,530,000 $ 31,086,000

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>2022</th>
<th>2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>30,614,000</td>
<td>28,170,000</td>
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<tr>
<td>State Government</td>
<td>2,521,000</td>
<td>2,521,000</td>
</tr>
<tr>
<td>Environmental</td>
<td>145,000</td>
<td>145,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>250,000</td>
<td>250,000</td>
</tr>
</tbody>
</table>

4.12 Sec. 5. SECRETARY OF STATE $ 8,710,000 $ 7,726,000
4.13 (a) $500,000 the first year is for grants to
4.14 political subdivisions to recruit bilingual
4.15 election judges and bilingual trainee election
4.16 judges. This appropriation is available until
4.18 (b) $48,000 the second year is for the
4.19 preparation of voting instructions in languages
4.20 other than English for in-person absentee
4.21 voters. This is a onetime appropriation.

4.22 Sec. 6. CAMPAIGN FINANCE AND PUBLIC
4.23 DISCLOSURE BOARD $ 1,145,000 $ 1,167,000
4.24 Sec. 7. STATE BOARD OF INVESTMENT $ 139,000 $ 139,000
4.25 Sec. 8. ADMINISTRATIVE HEARINGS $ 8,236,000 $ 8,240,000

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>2022</th>
<th>2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>405,000</td>
<td>409,000</td>
</tr>
<tr>
<td>Workers'</td>
<td>7,831,000</td>
<td>7,831,000</td>
</tr>
</tbody>
</table>

$268,000 the first year and $272,000 the
second year are for municipal boundary
adjustments.

4.34 Sec. 9. OFFICE OF MN.IT SERVICES $ 9,855,000 $ 9,882,000
(a) The commissioner of management and
budget is authorized to provide cash flow
assistance of up to $50,000,000 from the
special revenue fund or other statutory general
funds as defined in Minnesota Statutes, section
16A.671, subdivision 3, paragraph (a), to the
Office of MN.IT Services for the purpose of
managing revenue and expenditure
differences. These funds shall be repaid with
interest by the end of the fiscal year 2023
closing period.

(b) During the biennium ending June 30, 2023,
the Office of MN.IT Services must not charge
fees to a public noncommercial educational
television broadcast station eligible for funding
under Minnesota Statutes, chapter 129D, for
access to the state broadcast infrastructure. If
the access fees not charged to public
noncommercial educational television
broadcast stations total more than $400,000
for the biennium, the office may charge for
access fees in excess of these amounts.

(c) $2,100,000 in fiscal year 2022 and
$2,050,000 in fiscal year 2023 are to
implement recommendations from the
Governor's Blue Ribbon Council on
Information Technology, established by
Executive Order 19-02 and re-established by
Executive Order 20-77. The base for this
appropriation is $1,400,000 in fiscal years
2024 and 2025.

Sec. 10. **ADMINISTRATION**

Subdivision 1. **Total Appropriation** $ 27,025,000 $ 27,376,000
6.1 The amounts that may be spent for each
6.2 purpose are specified in the following
6.3 subdivisions.

6.4 Subd. 2. Government and Citizen Services
6.5 Council on Developmental Disabilities.
6.6 $222,000 each year is for the Council on
6.7 Developmental Disabilities.

6.8 Subd. 3. Strategic Management Services
6.9 Subd. 4. Fiscal Agent

6.10 The appropriations under this section are to
6.11 the commissioner of administration for the
6.12 purposes specified.

6.13 In-Lieu of Rent. $10,515,000 each year is for
6.14 space costs of the legislature and veterans
6.15 organizations, ceremonial space, and
6.16 statutorily free space.

6.17 Public Television. (a) $1,550,000 each year
6.18 is for matching grants for public television.
6.19 (b) $250,000 each year is for public television
6.20 equipment grants under Minnesota Statutes,
6.21 section 129D.13.
6.22 (c) The commissioner of administration must
6.23 consider the recommendations of the
6.24 Minnesota Public Television Association
6.25 before allocating the amounts appropriated in
6.26 paragraphs (a) and (b) for equipment or
6.27 matching grants.

6.28 Public Radio. (a) $392,000 the first year and
6.29 $492,000 the second year are for community
6.30 service grants to public educational radio
6.31 stations. This appropriation may be used to
6.32 disseminate emergency information in foreign
6.33 languages.

In Article 1 Sec. 10.
(b) $117,000 the first year and $142,000 the second year are for equipment grants to public educational radio stations. This appropriation may be used for the repair, rental, and purchase of equipment including equipment under $500.

(c) $510,000 each year is for equipment grants to Minnesota Public Radio, Inc., including upgrades to Minnesota's Emergency Alert and AMBER Alert Systems.

(d) The appropriations in paragraphs (a) to (c) may not be used for indirect costs claimed by an institution or governing body.

(e) The commissioner of administration must consider the recommendations of the Association of Minnesota Public Educational Radio Stations before awarding grants under Minnesota Statutes, section 129D.14, using the appropriations in paragraphs (a) and (b).

No grantee is eligible for a grant unless they are a member of the Association of Minnesota Public Educational Radio Stations on or before July 1, 2021.

(f) Any unencumbered balance remaining the first year for grants to public television or public radio stations does not cancel and is available for the second year.

Sec. 11. **CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD**

$ 386,000 $ 365,000

Sec. 12. **MINNESOTA MANAGEMENT AND BUDGET**

$ 27,819,000 $ 28,240,000

Sec. 13. **REVENUE**

Subdivision 1. **Total Appropriation**

$ 174,077,000 $ 176,311,000
### Appropriations by Fund

<table>
<thead>
<tr>
<th>Subdivision</th>
<th>2022</th>
<th>2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.1 General</td>
<td>$169,863,000</td>
<td>$172,097,000</td>
</tr>
<tr>
<td>8.2 Health Care Access</td>
<td>$1,760,000</td>
<td>$1,760,000</td>
</tr>
<tr>
<td>8.3 Highway User Tax Distribution</td>
<td>$2,195,000</td>
<td>$2,195,000</td>
</tr>
<tr>
<td>8.4 Environmental</td>
<td>$259,000</td>
<td>$259,000</td>
</tr>
</tbody>
</table>

#### Subd. 2. Tax System Management

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivision</td>
</tr>
<tr>
<td>-------------</td>
</tr>
<tr>
<td>8.5 General</td>
</tr>
<tr>
<td>8.6 Health Care Access</td>
</tr>
<tr>
<td>8.7 Highway User Tax Distribution</td>
</tr>
<tr>
<td>8.8 Environmental</td>
</tr>
</tbody>
</table>

#### Taxpayer Assistance.

(a) $1,100,000 each year is for the commissioner of revenue to make grants to one or more eligible organizations, qualifying under section 7526A(e)(2)(B) of the Internal Revenue Code of 1986, to coordinate, facilitate, encourage, and aid in the provision of taxpayer assistance services. The unencumbered balance in the first year does not cancel but is available for the second year.

(b) For purposes of this section, "taxpayer assistance services" means accounting and tax preparation services provided by volunteers to low-income, elderly, and disadvantaged Minnesota residents to help them file federal and state income tax returns and Minnesota property tax refund claims and to provide personal representation before the Department of Revenue and Internal Revenue Service.

#### Subd. 3. Debt Collection Management

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivision</td>
</tr>
<tr>
<td>-------------</td>
</tr>
<tr>
<td>8.9 General</td>
</tr>
</tbody>
</table>
Sec. 14. **GAMBLING CONTROL**

These appropriations are from the lawful gambling regulation account in the special revenue fund.

Sec. 15. **RACING COMMISSION**

These appropriations are from the racing and card playing regulation accounts in the special revenue fund.

Sec. 16. **STATE LOTTERY**

Notwithstanding Minnesota Statutes, section 349A.10, subdivision 3, the State Lottery's operating budget must not exceed $36,500,000 in fiscal year 2022 and $36,500,000 in fiscal year 2023.

Sec. 17. **AMATEUR SPORTS COMMISSION**

Sec. 18. **COUNCIL FOR MINNESOTANS OF AFRICAN HERITAGE**

Sec. 19. **COUNCIL ON LATINO AFFAIRS**

Sec. 20. **COUNCIL ON ASIAN-PACIFIC MINNESOTANS**

Sec. 21. **INDIAN AFFAIRS COUNCIL**

Sec. 22. **MINNESOTA HISTORICAL SOCIETY**

Subdivision 1. **Total Appropriation**

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. **Operations and Programs**

Notwithstanding Minnesota Statutes, section 138.668, the Minnesota Historical Society may not charge a fee for its general tours at the Capitol, but may charge fees for special programs other than general tours.
Subd. 3. Fiscal Agent

(a) Global Minnesota $39,000 $39,000

(b) Minnesota Air National Guard Museum $17,000 $17,000

(c) Hockey Hall of Fame $100,000 $100,000

(d) Farmamerica $115,000 $115,000

(e) Minnesota Military Museum $50,000 $50,000

Any unencumbered balance remaining in this subdivision the first year does not cancel but is available for the second year of the biennium.

Sec. 23. BOARD OF THE ARTS

Subdivision 1. Total Appropriation $7,551,000 $7,561,000

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. Operations and Services $612,000 $622,000

Subd. 3. Grants Program $4,800,000 $4,800,000

Subd. 4. Regional Arts Councils $2,139,000 $2,139,000

Any unencumbered balance remaining in this section the first year does not cancel, but is available for the second year.

Money appropriated in this section and distributed as grants may only be spent on projects located in Minnesota. A recipient of a grant funded by an appropriation in this section must not use more than ten percent of the total grant for costs related to travel outside the state of Minnesota.

Money appropriated in this section and distributed as grants may not be used for projects that promote domestic terrorism or criminal activities.
Sec. 24. MINNESOTA HUMANITIES CENTER
$375,000

Sec. 25. BOARD OF ACCOUNTANCY
$688,000

Sec. 26. BOARD OF ARCHITECTURE ENGINEERING, LAND SURVEYING, LANDSCAPE ARCHITECTURE, GEOSCIENCE, AND INTERIOR DESIGN
$863,000

Sec. 27. BOARD OF COSMETOLOGIST EXAMINERS
$2,969,000

Sec. 28. BOARD OF BARBER EXAMINERS
$348,000

Sec. 29. GENERAL CONTINGENT ACCOUNTS
$1,000,000

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>2022</th>
<th>2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>500,000</td>
<td>-0-</td>
</tr>
<tr>
<td>State Government</td>
<td>400,000</td>
<td>400,000</td>
</tr>
<tr>
<td>Special Revenue</td>
<td>100,000</td>
<td>100,000</td>
</tr>
</tbody>
</table>

(a) The appropriations in this section may only be spent with the approval of the governor after consultation with the Legislative Advisory Commission pursuant to Minnesota Statutes, section 3.30.

(b) If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

(c) If a contingent account appropriation is made in one fiscal year, it should be considered a biennial appropriation.

Sec. 30. TORT CLAIMS
$161,000

These appropriations are to be spent by the commissioner of management and budget according to Minnesota Statutes, section 3.736, subdivision 7. If the appropriation for
either year is insufficient, the appropriation for the other year is available for it.

Sec. 31. MINNESOTA STATE RETIREMENT SYSTEM

Subdivision 1. Total Appropriation

$14,886,000  $14,878,000

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. Combined Legislators and Constitutional Officers Retirement Plan

8,886,000  8,878,000

Under Minnesota Statutes, sections 3A.03, subdivision 2; 3A.04, subdivisions 3 and 4; and 3A.115.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Subd. 3. Judges Retirement Plan

6,000,000  6,000,000

For transfer to the judges retirement fund under Minnesota Statutes, section 490.123.

This transfer continues each fiscal year until the judges retirement plan reaches 100 percent funding as determined by an actuarial valuation prepared according to Minnesota Statutes, section 356.214.

Sec. 32. PUBLIC EMPLOYEES RETIREMENT ASSOCIATION

(a) $9,000,000 the first year and $9,000,000 the second year are for direct state aid to the public employees police and fire retirement plan authorized under Minnesota Statutes, section 353.65, subdivision 3b.

(b) State payments from the general fund to the Public Employees Retirement Association on behalf of the former MERF division.
account are $16,000,000 on September 15, 2021, and $16,000,000 on September 15, 2022. These amounts are estimated to be needed under Minnesota Statutes, section 353.505.

Sec. 33. **TEACHERS RETIREMENT ASSOCIATION**

The amounts estimated to be needed are as follows:

- **Special Direct State Aid.** $27,331,000 each year is for special direct state aid authorized under Minnesota Statutes, section 354.436.
- **Special Direct State Matching Aid.** $2,500,000 each year is for special direct state matching aid authorized under Minnesota Statutes, section 354.435.

Sec. 34. **ST. PAUL TEACHERS RETIREMENT FUND**

The amounts estimated to be needed for special direct state aid to the first class city teachers retirement fund association authorized under Minnesota Statutes, section 354A.12, subdivisions 3a and 3c.

Sec. 35. **MILITARY AFFAIRS**

Subdivision 1. **Total Appropriation**

The amounts that may be spent for each purpose are specified in the following subdivisions.

- **Subd. 2. Maintenance of Training Facilities** $9,772,000 9,842,000
- **Subd. 3. General Support** $3,507,000 3,633,000
- **Subd. 4. Enlistment Incentives** $11,114,000 11,114,000

The appropriations in this subdivision are available until June 30, 2025, except that any...
unspent amounts allocated to a program
otherwise supported by this appropriation are
canceled to the general fund upon receipt of
federal funds in the same amount to support
administration of that program.

If the amount for fiscal year 2022 is
insufficient, the amount for 2023 is available
in fiscal year 2022. Any unencumbered
balance does not cancel at the end of the first
year and is available for the second year.

Sec. 36. VETERANS AFFAIRS

Subdivision 1. Total Appropriation

<table>
<thead>
<tr>
<th></th>
<th>$ 84,168,000</th>
<th>$ 84,364,000</th>
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</table>

The amounts that may be spent for each
purpose are specified in the following
subdivisions.

Subd. 2. Veterans Programs and Services

(a) CORE Program. $750,000 each year is
for the Counseling and Case Management
Outreach Referral and Education (CORE)
program.

(b) Veterans Service Organizations.

$500,000 each year is for grants to the
following congressionally chartered veterans
service organizations as designated by the
commissioner: Disabled American Veterans,
Military Order of the Purple Heart, the
American Legion, Veterans of Foreign Wars,
Vietnam Veterans of America, AMVETS, and
Paralyzed Veterans of America. This funding
must be allocated in direct proportion to the
funding currently being provided by the
commissioner to these organizations.

(c) Minnesota Assistance Council for
Veterans. $750,000 each year is for a grant
to the Minnesota Assistance Council for Veterans to provide assistance throughout Minnesota to veterans and their families who are homeless or in danger of homelessness, including assistance with the following:

(1) utilities;
(2) employment; and
(3) legal issues.

The assistance authorized under this paragraph must be made only to veterans who have resided in Minnesota for 30 days prior to application for assistance and according to other guidelines established by the commissioner. In order to avoid duplication of services, the commissioner must ensure that this assistance is coordinated with all other available programs for veterans.

(d) State's Veterans Cemeteries. $1,672,000 each year is for the state's veterans cemeteries.

(e) Honor Guards. $200,000 each year is for compensation for honor guards at the funerals of veterans under Minnesota Statutes, section 197.231.

(f) Minnesota GI Bill. $200,000 each year is for the costs of administering the Minnesota GI Bill postsecondary educational benefits, on-the-job training, and apprenticeship program under Minnesota Statutes, section 197.791.

(g) Gold Star Program. $100,000 each year is for administering the Gold Star Program for surviving family members of deceased veterans.
(h) **County Veterans Service Office.**

$1,100,000 each year is for funding the County Veterans Service Office grant program under Minnesota Statutes, section 197.608.

(i) **Veteran Homelessness Initiative.**

$3,018,000 each year is for an initiative to prevent and end veteran homelessness. The commissioner of veterans affairs may provide housing vouchers and other services to alleviate homelessness among veterans and former service members in Minnesota. The commissioner may contract for program administration and may establish a vacancy reserve fund. The base for this appropriation is $1,311,000 in fiscal year 2024 and $1,311,000 in fiscal year 2025.

(j) **Independent Lifestyles.** $75,000 each year is appropriated for an ongoing annual grant to Independent Lifestyles, Inc., for expenses related to retreats for military veterans at Camp Bliss in Walker, Minnesota, including therapy, transportation, and activities customized for military veterans.

(k) **Veterans On The Lake.** $50,000 in fiscal year 2022 is appropriated for a grant to Veterans on the Lake for expenses related to retreats for veterans including therapy, transportation, and activities customized for veterans.

(l) **Disabled Veterans Rest Camp.** $128,000 in fiscal year 2022 is appropriated for a grant to the Disabled Veterans Rest Camp on Big Marine Lake in Washington County for landscape improvements around the new cabins, including a retaining wall around a
water drainage holding pond and security
fencing with vehicle control gates along the
entrance road. This is a onetime appropriation
and is available until the project is completed
or abandoned, subject to Minnesota Statutes,
section 16A.642.

Subd. 3. 9/11 Task Force

$400,000 the first year is for the Advisory
Task Force on 9/11 and Global War on
Terrorism Remembrance. The task force must
collect, memorialize, and publish stories of
Minnesotans' service in the Global War on
Terrorism and impacts on their dependents.
The task force must host a remembrance
program in September 2021. This is a onetime
appropriation.

Subd. 4. Veterans Health Care

(a) Transfers. These appropriations may be
transferred to a veterans homes special
revenue account in the special revenue fund
in the same manner as other receipts are
deposited according to Minnesota Statutes,
section 198.34, and are appropriated to the
commissioner of veterans affairs for the
operation of veterans homes facilities and
programs.

(b) Report. No later than January 15, 2022,
the commissioner must submit a report to the
legislative committees with jurisdiction over
veterans affairs and state government finance
on reserve amounts maintained in the veterans
homes special revenue account. The report
must detail current and historical amounts
maintained as a reserve and uses of those
amounts. The report must also include data on
the use of existing veterans homes, including
current and historical bed capacity and usage,
staffing levels and staff vacancy rates, and
staff-to-resident ratios.

(c) Maximize Federal Reimbursements. The
department shall seek opportunities to
maximize federal reimbursements of
Medicare-eligible expenses and provide annual
reports to the commissioner of management
and budget on the federal Medicare
reimbursements received. Contingent upon
future federal Medicare receipts, reductions
to the homes' general fund appropriation may
be made.

Subd. 5. Veteran Suicide Prevention Initiative $1,000,000 the first year and $650,000 the
second year is to address the problem of death
by suicide among veterans in Minnesota. The
commissioner of veterans affairs may use
funds for personnel, training, research,
marketing, and professional or technical
contracts. The base for this appropriation is
$550,000 in fiscal year 2024 and $550,000 in
fiscal year 2025.

Subd. 6. Veterans Resilience Project; Report $50,000 each year is appropriated for a grant
to the veterans resilience project. Grant funds
must be used to make eye movement
desensitization and reprocessing therapy
available to veterans and current military
service members who are suffering from
posttraumatic stress disorder and trauma.
The veterans resilience project must report to the commissioner of veterans affairs and the chairs and ranking minority members of the legislative committees with jurisdiction over veterans affairs policy and finance by January 15 of each year on the program. The report must include: an overview of the program’s budget; a detailed explanation of program expenditures; the number of veterans and service members served by the program; and a list and explanation of the services provided to program participants.

Sec. 37. SENSORY ACCESSIBILITY ACCOMMODATIONS GRANTS; APPROPRIATION.

$250,000 in fiscal year 2022 and $250,000 in fiscal year 2023 are appropriated from the general fund to the Minnesota Council on Disability for sensory accessibility accommodations grants authorized by article 2, section 45. These are onetime appropriations.

Sec. 38. MASS DEMONSTRATION RESPONSE REVIEW COMMISSION; APPROPRIATION.

$750,000 in fiscal year 2022 is appropriated from the general fund to the Legislative Coordinating Commission, Office of the Legislative Auditor, for purposes of the Mass Demonstration Response Review Commission established in article 2.

Sec. 39. STATE PARKING ACCOUNT.

Notwithstanding Laws 2014, chapter 287, section 25, as amended by Laws 2015, chapter 77, article 2, section 78, for fiscal years 2021 and 2022, the state parking account is not required to make the transfer to the general fund mandated by Laws 2014, chapter 287, section 25, as amended by Laws 2015, chapter 77, article 2, section 78.

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

Sec. 40. CANCELLATIONS; FISCAL YEAR 2021.

(a) $379,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First Special Session chapter 10, article 1, section 10, is canceled.
(b) $300,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First Special Session chapter 10, article 1, section 11, subdivision 1, is canceled. This amount is from the fiscal year 2021 appropriation for government and citizen services.

c) $1,367,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First Special Session chapter 10, article 1, section 13, is canceled.

d) $8,274,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First Special Session chapter 10, article 1, section 14, subdivision 1, is canceled. Of this amount, $7,305,000 is from the fiscal year 2021 appropriation for tax system management, and $969,000 is from the fiscal year 2021 appropriation for debt collection management.

e) $86,000 of the fiscal year 2021 general fund appropriation for moving and relocation expenses under Laws 2019, First Special Session chapter 10, article 1, section 24, subdivision 2, as amended by Laws 2020, chapter 104, article 2, section 4, is canceled.

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

Sec. 41. CANCELLATIONS; ITA ACCOUNT.

(a) $179,000 from the information and telecommunications technology systems and services account established under Minnesota Statutes, section 16E.21, is canceled to the general fund.

(b) $14,000 from the information and telecommunications technology systems and services account established under Minnesota Statutes, section 16E.21, is canceled to the workers' compensation fund.

(c) $5,000 from the information and telecommunications technology systems and services account established under Minnesota Statutes, section 16E.21, is canceled to the state government special revenue fund.

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

Sec. 42. CANCELLATION; CARRYFORWARD.

$5,000,000 of the senate carryforward balance is canceled to the general fund on July 1, 2021.
Sec. 43. APPROPRIATION; ADMINISTRATIVE SPACE CONSOLIDATION AND MOVING.

$4,500,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of administration to complete and implement a comprehensive strategic plan for locating state agencies and for agency space consolidation, reconfiguration, and relocation costs. The strategic plan must consider the impacts of the COVID-19 infectious disease outbreak on space usage, including the extent to which space in state buildings is underutilized or vacant due to increased telecommuting or other similar work patterns by state employees. This is a onetime appropriation and is available until June 30, 2023.

Sec. 44. APPROPRIATION; FEDERAL FUNDS REPLACEMENT.

Notwithstanding any law to the contrary, the commissioner of management and budget must determine whether the expenditures authorized under this act are eligible uses of federal funding received under the Coronavirus State Fiscal Recovery Fund or any other federal funds received by the state under the American Rescue Plan Act, Public Law 117-2. If the commissioner of management and budget determines an expenditure is eligible for funding under Public Law 117-2, the amount of the eligible expenditure is appropriated from the account where those amounts have been deposited and the corresponding general fund amounts appropriated under this act are canceled to the general fund.

ARTICLE 2

STATE GOVERNMENT POLICY

Section 1. [1.1471] STATE FIRE MUSEUM.

The Bill and Bonnie Daniels Firefighters Hall and Museum in Minneapolis is designated as the official state fire museum.

Sec. 2. [3.1985] LEGISLATIVE FUNDING APPROPRIATED.

Subdivision 1. House of representatives. Sums sufficient to operate the house of representatives are appropriated from the general fund or other funds, as appropriate. No later than June 1 each year, the controller of the house must certify to the commissioner of management and budget the amounts to be appropriated under this section for the fiscal year beginning on July 1, as determined by a majority vote conducted during a public meeting of the house of representatives Committee on Rules and Legislative Administration.
Subd. 2. Senate. Sums sufficient to operate the senate are appropriated from the general fund or other funds, as appropriate. No later than June 1 each year, the secretary of the senate must certify to the commissioner of management and budget the amounts to be appropriated under this section for the fiscal year beginning on July 1, as determined by a majority vote conducted during a public meeting of the senate Committee on Rules and Administration.

Subd. 3. Legislative Coordinating Commission. Sums sufficient to operate the Legislative Coordinating Commission are appropriated from the general fund or other funds, as appropriate. No later than June 1 each year, the executive director of the Legislative Coordinating Commission must certify to the commissioner of management and budget the amounts to be appropriated under this section for the fiscal year beginning on July 1, as determined by a majority vote conducted during a public meeting of the Legislative Coordinating Commission.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to appropriations for fiscal years 2022 and thereafter.

Sec. 3. Minnesota Statutes 2020, section 3.302, subdivision 3, is amended to read:

Subd. 3. State documents. The library is a depository of all documents published by the state and shall receive them automatically without cost to the legislature or library. As used in this chapter, "document" includes any publication issued by the state, constitutional officers, departments, commissions, councils, bureaus, research centers, societies, task forces, including advisory task forces created under section 15.014 or 15.0593, or other agencies supported by state funds, or any publication prepared for the state by private individuals or organizations considered to be of interest or value to the library. Intraoffice or interoffice memos and forms and information concerning only the internal operation of an agency are not included.

Sec. 4. Minnesota Statutes 2020, section 3.303, subdivision 1, is amended to read:

Subdivision 1. Purpose. The Legislative Coordinating Commission is created to coordinate the legislative activities of the senate and house of representatives and the joint legislative commissions, committees, offices, and task forces.
Sec. 5. Minnesota Statutes 2020, section 3.971, subdivision 2, is amended to read:

Subd. 2. Staff; compensation. (a) The legislative auditor shall establish a Financial Audits Division and a Program Evaluation Division to fulfill the duties prescribed in this section.

(b) Each division may be supervised by a deputy auditor, appointed by the legislative auditor, with the approval of the commission, for a term coterminous with the legislative auditor's term. The deputy auditors may be removed before the expiration of their terms only for cause. The legislative auditor and deputy auditors may each appoint a confidential secretary, an administrative support specialist to serve at pleasure. The salaries and benefits of the legislative auditor, deputy auditors, and confidential secretaries, administrative support specialists shall be determined by the compensation plan approved by the Legislative Coordinating Commission. The deputy auditors may perform and exercise the powers, duties and responsibilities imposed by law on the legislative auditor when authorized by the legislative auditor.

(c) The legislative auditor must appoint a fiscal oversight officer with duties that include performing the review under section 3.972, subdivision 4.

(d) (c) The legislative auditor, deputy auditors, and the confidential secretaries, administrative support specialists shall serve in the unclassified civil service, but the fiscal oversight officer and all other employees of the legislative auditor are shall serve in the classified civil service. Compensation for employees of the legislative auditor in the classified service shall be governed by a plan prepared by the legislative auditor and approved by the Legislative Coordinating Commission and the legislature under section 3.855, subdivision 3.

(e) (d) While in office, a person appointed deputy for the Financial Audit Division must hold an active license as a certified public accountant.

Sec. 6. Minnesota Statutes 2020, section 3.971, is amended by adding a subdivision to read:

Subd. 8a. Special reviews. The legislative auditor may conduct a special review to: (1) fulfill a legal requirement; (2) investigate allegations that an individual or organization subject to audit by the legislative auditor may not have complied with legal requirements related to the use of public money, other public resources, or government data classified as not public; (3) respond to a legislative request for a review of an organization or program.
subject to audit by the legislative auditor; or (4) investigate allegations that an individual
may not have complied with section 43A.38 or 43A.39.

Sec. 7. Minnesota Statutes 2020, section 3.972, subdivision 2, is amended to read:

Subd. 2. Audits of state and semistate agencies. The legislative auditor shall make a
constant, as resources permit, audit of all the financial affairs activities of (1) all departments
and agencies of, offices, and other organizations in the state, executive branch; (2) courts,
offices, and other organizations in the state judicial branch; and of the financial records and
transactions of (3) public boards, associations, and societies, and other public organizations
created by state law or supported, wholly or in part, by state funds. Once in each year, if
funds and personnel permit, without previous notice, the legislative auditor shall visit each
state department and agency, association or society and, so far as practicable,

(1) inspect;
(2) thoroughly examine its books and accounts, verifying the funds, securities, and other
assets;
(3) check the items of receipts and disbursements with its voucher records;
(4) ascertain the character of the official bonds for its officers and the financial ability
of the bonding institution;
(5) inspect its sources of revenue and the use and disposition of state appropriations and
property;
(6) investigate the methods of purchase and sale and the character of contracts on public
account;
(7) ascertain proper custody and depository for its funds and securities;
(8) verify the inventory of public property and other assets held in trust; and
(9) ascertain that all financial transactions and operations involving the public funds and
property of the state comply with the spirit and purpose of the law, are sound by modern
standards of financial management, and are for the best protection of the public interest
funds and other public resources.

Sec. 8. Minnesota Statutes 2020, section 3.972, subdivision 2a, is amended to read:

Subd. 2a. Audits of Department of Human Services. (a) To ensure continuous effective
legislative oversight and accountability, the legislative auditor shall give high priority to
auditing the programs, services, and benefits administered by the Department of Human
25.1 Services. The audits shall determine whether As resources permit, the legislative auditor shall track and assess expenditures throughout the human service delivery system, from the department offered to the point of service delivery, and determine whether human services programs and provided, services, and benefits are being provided cost-effectively and only to eligible persons, individuals and organizations, and complied in compliance with applicable legal requirements.

25.7 (b) The legislative auditor shall, based on an assessment of risk and using professional standards to provide a statistically significant sample, no less than three times each year, test a representative sample of persons enrolled in a medical assistance program or MinnesotaCare to determine whether they are eligible to receive benefits under those programs. The legislative auditor shall report the results to the commissioner of human services and recommend corrective actions. The commissioner shall provide a response to the legislative auditor within 20 business days, including corrective actions to be taken to address any problems identified by the legislative auditor and anticipated completion dates. The legislative auditor shall monitor the commissioner's implementation of corrective actions and periodically report the results to the Legislative Audit Commission and the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance. The legislative auditor's reports to the commission and the chairs and ranking minority members must include recommendations for any legislative actions needed to ensure that medical assistance and MinnesotaCare benefits are provided only to eligible persons.

Sec. 9. Minnesota Statutes 2020, section 3.978, subdivision 2, is amended to read:

Subd. 2. Inquiry and inspection power; duty to aid legislative auditor. All public officials and their deputies and employees, and all corporations, firms, and individuals having business involving the receipt, disbursement, or custody of public funds shall at all times afford reasonable facilities for examinations by the legislative auditor, make returns and reports required by the legislative auditor, attend and answer under oath the legislative auditor's lawful inquiries, produce and exhibit all books, accounts, documents, data of any classification, and property that the legislative auditor may need requests to inspect, and in all things aid cooperate with the legislative auditor in the performance of duties.

Sec. 10. Minnesota Statutes 2020, section 3.979, subdivision 3, is amended to read:

Subd. 3. Audit data. (a) "Audit" as used in this subdivision means a financial audit, review, program evaluation, best practices, special review, or investigation. Data relating to
an audit are not public or with respect to data on individuals are confidential until the final
report of the audit has been released by the legislative auditor or the audit is no longer being
actively pursued. Upon release of a final audit report by the legislative auditor, data relating
to an audit are public except data otherwise classified as not public.

(b) Data related to an audit but not published in the audit report and that the legislative
auditor reasonably believes will be used in litigation are not public and with respect to data
on individuals are confidential until the litigation has been completed or is no longer being
actively pursued.

c) Data on individuals that could reasonably be used to determine the identity of an
individual supplying data for an audit are private if the data supplied by the individual were
needed for an audit and the individual would not have provided the data to the legislative
auditor without an assurance that the individual's identity would remain private, or the
legislative auditor reasonably believes that the subject would not have provided the data.

d) The definitions of terms provided in section 13.02 apply for purposes of this
subdivision.

Sec. 11. Minnesota Statutes 2020, section 4A.01, subdivision 3, is amended to read:

Subd. 3. Report. The commissioner must submit a report to the governor and chairs and
ranking minority members of the senate and house of representatives committees with
jurisdiction on state government finance by January 15 of each year that provides economic,
social, and environmental demographic information to assist public and elected officials
with long-term management decisions. The report must identify and assess the information
important to understanding the state's two-, ten-, and 50-year outlook. The report must
include the demographic forecast required by section 4A.02, paragraph (e), and information
to assist with the preparation of the milestones report required by section 4A.11, and may
include policy recommendations based upon the information and assessment provided.

Sec. 12. Minnesota Statutes 2020, section 4A.02, is amended to read:

4A.02 STATE DEMOGRAPHER.

(a) The commissioner shall appoint a state demographer. The demographer must be
professionally competent in demography and must possess demonstrated ability based upon
past performance.

(b) The demographer shall:

(1) continuously gather and develop demographic data relevant to the state;
(2) design and test methods of research and data collection;

(3) periodically prepare population projections for the state and designated regions and periodically prepare projections for each county or other political subdivision of the state as necessary to carry out the purposes of this section;

(4) review, comment on, and prepare analysis of population estimates and projections made by state agencies, political subdivisions, other states, federal agencies, or nongovernmental persons, institutions, or commissions;

(5) serve as the state liaison with the United States Bureau of the Census, coordinate state and federal demographic activities to the fullest extent possible, and aid the legislature in preparing a census data plan and form for each decennial census;

(6) compile an annual study of population estimates on the basis of county, regional, or other political or geographical subdivisions as necessary to carry out the purposes of this section and section 4A.03;

(7) by January 1 of each year, issue a report to the legislature containing an analysis of the demographic implications of the annual population study and population projections;

(8) prepare maps for all counties in the state, all municipalities with a population of 10,000 or more, and other municipalities as needed for census purposes, according to scale and detail recommended by the United States Bureau of the Census, with the maps of cities showing precinct boundaries;

(9) prepare an estimate of population and of the number of households for each governmental subdivision for which the Metropolitan Council does not prepare an annual estimate, and convey the estimates to the governing body of each political subdivision by June 1 of each year or, in a year following a decennial census, within six weeks of the date the data are provided by the United States Census Bureau in that year;

(10) direct, under section 414.01, subdivision 14, and certify population and household estimates of annexed or detached areas of municipalities or towns after being notified of the order or letter of approval by the chief administrative law judge of the State Office of Administrative Hearings;

(11) prepare, for any purpose for which a population estimate is required by law or needed to implement a law, a population estimate of a municipality or town whose population is affected by action under section 379.02 or 414.01, subdivision 14; and

(12) prepare an estimate of average household size for each statutory or home rule charter city with a population of 2,500 or more by June 1 of each year or, in a year following a
decennial census, within six weeks of the date the data are provided by the United States Census Bureau in that year.

(c) A governing body may challenge an estimate made under paragraph (b) by filing their specific objections in writing with the state demographer by June 24. If the challenge does not result in an acceptable estimate, the governing body may have a special census conducted by the United States Bureau of the Census. The political subdivision must notify the state demographer by July 1 of its intent to have the special census conducted. The political subdivision must bear all costs of the special census. Results of the special census must be received by the state demographer by the next April 15 to be used in that year's June 1 estimate to the political subdivision under paragraph (b). In the year following a decennial census, challenges to the census count must be submitted to the United States Census Bureau through its formal challenge process.

(d) The state demographer shall certify the estimates of population and household size to the commissioner of revenue by July 15 each year, including any estimates still under objection except that in a year following a decennial census, the estimate must be certified within six weeks of the date the data are provided by the United States Census Bureau in that year.

(e) The state demographer may contract for the development of data and research required under this chapter, including, but not limited to, population estimates and projections, the preparation of maps, and other estimates.

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

Sec. 13. [5.42] DISPLAY OF BUSINESS ADDRESS ON WEBSITE.

(a) A business entity may request in writing that all addresses submitted by the business entity to the secretary of state be omitted from display on the secretary of state's website. A business entity may only request that all addresses be omitted from display if the entity certifies that:

(1) there is only one shareholder, manager, member, or owner of the business entity;

(2) the shareholder, manager, member, or owner is a natural person; and

(3) at least one of the addresses provided is the residential address of the sole shareholder, manager, member, or owner.

The secretary of state shall post a notice that this option is available and a link to the form needed to make a request on the secretary's website. The secretary of state shall also attach.
a copy of the request form to all business filing forms provided in a paper format that require
a business entity to submit an address.

(b) This section does not change the classification of data under chapter 13 and addresses
shall be made available to the public in response to requests made by telephone, mail, e-mail,
and facsimile transmission.

EFFECTIVE DATE. This section is effective August 1, 2021, and applies to business
entity filings filed with the secretary of state on or after that date.

Sec. 14. Minnesota Statutes 2020, section 10.44, is amended to read:

**10.44 HOUSE, SENATE, COURT, ELECTED OFFICE BUDGETS; HOW TREATED.**

The budgets of the house of representatives, senate, constitutional officers, district courts, court of appeals, and supreme court must be submitted to and considered by the appropriate committees of the legislature in the same manner as the budgets of executive agencies.

Sec. 15. Minnesota Statutes 2020, section 10.45, is amended to read:

**10.45 BUDGETS; INFORMATION.**

The budgets of the house of representatives, the senate, the Legislative Coordinating Commission, each constitutional officer, the district courts, court of appeals, and supreme court shall be public information and shall be divided into expense categories. The categories shall include, among others, travel and telephone expenses.

Sec. 16. [10.551] INDIA DAY.

(a) August 15 of each year is designated as India Day to commemorate and celebrate the diverse culture, heritage, and traditions of Minnesotans of Indian ancestry. This date is a time for the Indian American Minnesotan community to celebrate their contributions to our state.

(b) The diverse culture, traditions, and values of this community have contributed to the vitality of Minnesota. Each year, the governor shall issue a proclamation honoring the observance of India Day and shall encourage Minnesotans to take the opportunity to learn about and appreciate the Indian American Minnesotan community and their contributions to Minnesota.
Sec. 17. [10.65] GOVERNMENT-TO-GOVERNMENT RELATIONSHIP WITH TRIBAL GOVERNMENTS.

Subdivision 1. Recognition of Tribal status and relationship with the state of Minnesota. (a) The state of Minnesota is home to 11 federally recognized Indian Tribes with elected Tribal government officials. The state of Minnesota acknowledges and supports the unique status of Minnesota Tribes and their absolute right to existence, self-governance, and self-determination.

(b) The United States and the state of Minnesota have a unique relationship with federally recognized Indian Tribes, formed by the Constitution of the United States, treaties, statutes, case law, and agreements.

(c) The state of Minnesota and Minnesota Tribal governments significantly benefit from working together, learning from one another, and partnering where possible.

(d) Timely and meaningful consultation between the state of Minnesota and Minnesota Tribal governments will facilitate better understanding and informed decision-making by allowing for communication on matters of mutual interest and helping to establish mutually respectful and beneficial relationships between the state of Minnesota and Minnesota Tribal governments.

Subd. 2. Definitions. As used in this section, the following terms have the meanings given:

(1) "agency" means the Department of Administration, Department of Agriculture, Department of Commerce, Department of Corrections, Department of Education, Department of Employment and Economic Development, Department of Health, Office of Higher Education, Housing Finance Agency, Department of Human Rights, Department of Human Services, Office of MN.IT Services, Department of Iron Range Resources and Rehabilitation, Department of Labor and Industry, Minnesota Management and Budget, Bureau of Mediation Services, Department of Military Affairs, Metropolitan Council, Department of Natural Resources, Pollution Control Agency, Department of Public Safety, Department of Revenue, Department of Transportation, Department of Veterans Affairs, Gambling Control Board, Racing Commission, Minnesota Lottery, Animal Health Board, and Board of Water and Soil Resources;

(2) "consultation" means the direct and interactive involvement of Minnesota Tribal governments in the development of policy on matters that have Tribal implications. Consultation is the proactive, affirmative process of identifying and seeking input from appropriate Tribal governments and considering their interest as a necessary and integral
part of the decision-making process. This definition adds to statutorily mandated notification
procedures. During a consultation, the burden is on the agency to show that it has made a
good faith effort to elicit feedback. Consultation is a formal engagement between agency
officials and the governing body or bodies of an individual Minnesota Tribal government
that the agency or an individual Tribal government may initiate. Formal meetings or
communication between top agency officials and the governing body of a Minnesota Tribal
government is a necessary element of consultation;

(3) "matters that have Tribal implications" means rules, legislative proposals, policy
statements, or other actions that have substantial direct effects on one or more Minnesota
Tribal governments, or on the distribution of power and responsibilities between the state
and Minnesota Tribal governments;

(4) "Minnesota Tribal governments" means the federally recognized Indian Tribes located
in Minnesota including: Bois Forte Band; Fond du Lac Band; Grand Portage Band; Leech
Lake Band; Mille Lacs Band; White Earth Band; Red Lake Nation; Lower Sioux Indian
Community; Prairie Island Indian Community; Shakopee Mdewakanton Sioux Community;
and Upper Sioux Community; and

(5) "timely and meaningful" means done or occurring at a favorable or useful time that
allows the result of consultation to be included in the agency's decision-making process for
a matter that has Tribal implications.

Subd. 3. Consultation duties. (a) An agency must recognize the unique legal relationship
between the state of Minnesota and Minnesota Tribal governments, respect the fundamental
principles that establish and maintain this relationship, and accord Tribal governments the
same respect accorded to other governments.

(b) An agency must, in consultation with Minnesota Tribal governments, implement
Tribal consultation policies to comply with this section and guide their work with Minnesota
Tribal governments, and must submit these policies to the governor and lieutenant governor.
Tribal consultation policies must address the communication protocols for each Minnesota
Tribal government, which must be developed in coordination with representatives of each
Minnesota Tribal government. An agency must update the Tribal consultation policies as
often as required in order to facilitate timely and meaningful consultation, but no less than
biannually.

(c) Consultation under this section is a duty of an agency to consult with the governing
body or bodies of each individual Minnesota Tribal government. Coordination with groups
or entities that have representation on some or all of the governing bodies of Minnesota
Tribal governments, such as the Minnesota Indian Affairs Council or the Minnesota Chippewa Tribe, is encouraged but does not satisfy an agency's duty to consult with individual Minnesota Tribal governments on matters that have Tribal implications. If a matter has implications for one Minnesota Tribal government but not others, the agency's duty is to only consult those Minnesota Tribal governments affected.

(d) An agency must consult with each Minnesota Tribal government at least annually, and as often as it is required, to address matters that have Tribal implications.

(e) An agency must consult with Minnesota Tribal governments on legislative and fiscal matters that affect one or all Minnesota Tribal governments or their members to identify priority issues in order to allow agencies to proactively engage Minnesota Tribal governments in the agency's development of legislative and fiscal proposals in time for submission into the governor's recommended budget and legislative proposals each year.

(f) An agency must develop and maintain ongoing consultation with Minnesota Tribal governments related to matters that have Tribal implications. Agencies must consider the input gathered from Tribal consultation into their decision-making processes, with the goal of achieving mutually beneficial solutions.

(g) An agency and a Minnesota Tribal government may agree that a formal consultation is not necessary for a given year on a given matter that has Tribal implications, and the agency must keep a written record of this decision.

(h) The prospective duty to consult does not apply to action on a matter that has Tribal implications if immediate action is required to address a present and immediate threat to the health, safety, or welfare of Minnesota citizens. For these actions, every effort should be made to communicate, and formal consultation should occur as soon as possible. The duty to consult also does not apply to criminal proceedings or other investigations or legal proceedings that prohibit an agency from disclosure.

(i) An agency must designate a Tribal liaison to assume responsibility for implementation of the Tribal consultation policy and to serve as the principal point of contact for Minnesota Tribal governments. The Tribal liaison must be able to directly and regularly meet and communicate with the agency's commissioner and deputy and assistant commissioners in order to appropriately conduct government-to-government consultation and cooperation.

(j) The state has instituted Tribal state government relations training, which is the foundation and basis of all other Tribal government relations training sources. All agencies must direct certain staff to complete available training to foster a collaborative relationship between the state of Minnesota and Minnesota Tribal governments, and to facilitate timely
and meaningful consultation. In addition to all commissioners, deputy commissioners, and
assistant commissioners, at a minimum all agency employees whose work is likely to include
matters that have Tribal implications must attend Tribal state relations training. Tribal
liaisons must actively support and participate in the Tribal state relations training.

(k) Any agency or board that is not listed in subdivision 2 is encouraged to and may
engage in consultation and communication with Minnesota Tribal governments for all
matters that have Tribal implications.

Subd. 4. **Applicability.** Nothing in this section requires the state or an agency to violate
or ignore any laws, rules, directives, or other legal requirements or obligations imposed by
state or federal law or set forth in agreements or compacts between one or more Minnesota
Tribal governments or any other Tribal government and the state or its agencies. This section
is not intended to, and does not create, any right to administrative or judicial review, or any
other right, benefit, or responsibility, substantive or procedural, enforceable against the state
of Minnesota, its agencies or instrumentalities, its officers or employees, or its subdivisions
or any other persons. Nothing in this section prohibits or limits any agency from asserting
any rights or pursuing any administrative or judicial action under state or federal law to
effectuate the interests of the state of Minnesota or any of its agencies. Nothing in this
section is intended to alter or reduce the state's duties to individual Minnesota citizens
including those of Native American descent.

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

Sec. 18. Minnesota Statutes 2020, section 16A.06, is amended by adding a subdivision to
read:

Subd. 12. **Audit of state's use of federal funds; annual appropriation.** The
commissioner shall contract with a qualified auditor to conduct the annual audit required
by the Single Audit Act of 1984, Public Law 98-502; the Single Audit Act Amendments of
1996, Public Law 104-156; and Code of Federal Regulations, title 2, part 200, Uniform
Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
(Uniform Guidance). There is annually appropriated from the general fund to the
commissioner an amount sufficient to pay the cost of the annual audit. The cost of the audit
shall be billed to the agencies audited during the subsequent fiscal year. Amounts paid by
state agencies shall be deposited in the general fund.
Sec. 19. Minnesota Statutes 2020, section 16A.103, subdivision 1, is amended to read:

Subdivision 1. **State revenue and expenditures.** In February and November each year, the commissioner shall prepare a forecast of state revenue and expenditures. The November forecast must be delivered to the legislature and governor no later than the end of the first week of December by December 6. The February forecast must be delivered to the legislature and governor by the end of February. Forecasts must be delivered to the legislature and governor on the same day. If requested by the Legislative Commission on Planning and Fiscal Policy, delivery to the legislature must include a presentation to the commission.

Sec. 20. Minnesota Statutes 2020, section 16A.152, subdivision 2, is amended to read:

Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund revenues and expenditures, the commissioner of management and budget determines that there will be a positive unrestricted budgetary general fund balance at the close of the biennium, the commissioner of management and budget must allocate money to the following accounts and purposes in priority order:

1. the cash flow account established in subdivision 1 until that account reaches $350,000,000;

2. the budget reserve account established in subdivision 1a until that account reaches $1,596,522,000;

3. the amount necessary to increase the aid payment schedule for school district aids and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest tenth of a percent without exceeding the amount available and with any remaining funds deposited in the budget reserve;

4. the amount necessary to restore all or a portion of the net aid reductions under section 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75, subdivision 5, by the same amount; and

5. the clean water fund established in section 114D.50 until $22,000,000 has been transferred into the fund; and

6. the amount necessary to increase the Minnesota 21st century fund by not more than the difference between $5,000,000 and the sum of the amounts credited and canceled to it in the previous 12 months under Laws 2020, chapter 71, article 1, section 11, until the sum of all transfers under this section and all amounts credited or canceled under Laws 2020, chapter 71, article 1, section 11, equals $20,000,000.
(b) The amounts necessary to meet the requirements of this section are appropriated from the general fund within two weeks after the forecast is released or, in the case of transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations schedules otherwise established in statute.

(c) The commissioner of management and budget shall certify the total dollar amount of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education. The commissioner of education shall increase the aid payment percentage and reduce the property tax shift percentage by these amounts and apply those reductions to the current fiscal year and thereafter.

(d) Paragraph (a), clause (5), expires after the entire amount of the transfer has been made.

Sec. 21. [16A.401] VIRTUAL PAYMENTS AUTHORIZED.

Subdivision 1. Virtual payments. The commissioner may establish a program to issue virtual payments from the state treasury. Any rebate to the state generated by the program must be deposited in the general fund unless retained under subdivision 3.

Subd. 2. Rebates. Notwithstanding subdivision 1, rebates attributable to expenditures in funds established in the state constitution or protected by federal law must be returned to the account from which the expenditure originated.

Subd. 3. Rebates retained. The commissioner may retain a portion of rebates for the administration of this section. Money retained under this subdivision must be deposited in an account in the special revenue fund and is appropriated to the commissioner for the purposes of this section.

Sec. 22. Minnesota Statutes 2020, section 16B.24, subdivision 1, is amended to read:

Subdivision 1. Operation and maintenance of buildings. The commissioner is authorized to maintain and operate the State Capitol building and grounds, subject to whatever standards and policies are set for its appearance and cleanliness by the Capitol Area Architectural and Planning Board and the commissioner under section 15B.15, subdivision 2, and all other buildings, cafeterias, and grounds in state-owned buildings in the Capitol Area under section 15B.02, the state Department of Public Safety, Bureau of Criminal Apprehension building in St. Paul, the state Department of Health building in Minneapolis, 321 Grove Street buildings, 603 Pine Street building in St. Paul, Fleet and Surplus Services building in Arden Hills, Ely Revenue building, any other properties acquired by the
Department of Administration, and, when the commissioner considers it advisable and practicable, any other building or premises owned or rented by the state for the use of a state agency. The commissioner shall assign and reassign office space in the Capitol and state buildings to make an equitable division of available space among agencies. The commissioner shall regularly update the long-range strategic plan for locating agencies and shall follow the plan in assigning and reassigning space to agencies. The plan must include locational and urban design criteria, a cost-analysis method to be used in weighing state ownership against leasing of space in specific instances, and a transportation management plan. If the commissioner determines that a deviation from the plan is necessary or desirable in a specific instance, the commissioner shall provide the legislature with a timely written explanation of the reasons for the deviation. The power granted in this subdivision does not apply to state hospitals or to educational, penal, correctional, or other institutions not enumerated in this subdivision the control of which is vested by law in some other agency.

Sec. 23. Minnesota Statutes 2020, section 16B.24, is amended by adding a subdivision to read:

Subd. 13. Electric vehicle charging. The commissioner shall require that a user of a charging station located on the State Capitol complex used to charge a private electric vehicle pay for the electricity consumed by that vehicle.

Sec. 24. [16B.276] CAPITOL FLAG PROGRAM.

Subdivision 1. Definitions. (a) The terms used in this section have the meanings given.

(b) "Active service" has the meaning given in section 190.05, subdivision 5.

(c) "Eligible family member" means a surviving spouse, parent or legal guardian, child, or sibling of (1) a public safety officer killed in the line of duty, or (2) a person who has died while serving honorably in active service in the United States armed forces. For purposes of this section, an eligibility relationship may be established by birth or adoption.

(d) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision 3.

(e) "Public safety officer" has the meaning given in section 299A.41, subdivision 4.

Subd. 2. Establishment. A Capitol flag program is established. The purpose of the program is to make a Minnesota state flag and an American flag that were flown over the Minnesota State Capitol available to the family members of a public safety officer killed in the line of duty or a member of the United States armed forces who died while in active duty.
service. In addition to appropriations provided by law, the commissioner of management and budget may receive gifts to support the program as authorized in sections 16A.013 to 16A.016. The program established by this section is required only to the extent that sufficient funds are available through appropriations or gifts to support its operations.

Subd. 3. Submission of request; presentation. (a) A flag request may only be made by a legislator or state constitutional officer on behalf of an eligible family member after verification of the family member's eligibility under the procedures adopted under subdivision 4. The request must be made to the commissioner of administration and must indicate the type of flag requested, a certification that the family member's eligibility has been verified, special requests for the date the flag is requested to be flown over the Capitol, and the method of presentment. The commissioner may adopt a form to be used for this purpose. With at least 30 days' notice, the commissioner must honor a request that a flag be flown on a specific commemorative date.

(b) Upon receipt of a request, the commissioner shall deliver the requested flags to the requesting legislator or constitutional officer for coordination of a later presentment ceremony. If relevant information is made available, the commissioner shall provide a certificate memorializing the details of the occasion and the date the flag was flown with each flag presented.

Subd. 4. Verification of eligibility. The house of representatives, the senate, and each constitutional officer must adopt procedures for the administration of flag requests received from eligible family members, including a procedure for verification of a family member's eligibility to receive a flag.

Subd. 5. Eligibility; fees. (a) For deaths that occur on or after August 1, 2021, the family of a public safety officer killed in the line of duty or service member of the United States armed forces who died in active service is entitled to receive one United States flag and one Minnesota state flag free of charge under this section. If multiple flags of the same type are requested to be flown in honor of the same decedent, the commissioner may charge a reasonable fee that does not exceed the actual cost of flying each flag and preparing a certificate memorializing the occasion.

(b) For deaths that occurred before August 1, 2021, the family of a public safety officer killed in the line of duty or service member of the United States armed forces who died in active service may receive one United States flag and one Minnesota state flag for a fee, unless there are donated, nonstate funds available to provide a flag without a fee. If payment of a fee is required under this paragraph, the commissioner may charge an eligible family
an amount that does not exceed the actual cost of flying each flag and preparing a certificate
memorializing the occasion.

Subd. 6. Police canine officers. A legislator or state constitutional officer may submit
a request to the commissioner of administration to fly a United States or Minnesota state
flag over the Minnesota State Capitol in honor of a police canine officer that died in the
line of duty when the police canine officer's handler or the chief of the agency that oversaw
the canine officer requests a flag. Unless there are donated, nonstate funds designated for
the purchase of flags distributed under this subdivision, the commissioner shall charge the
police canine officer's handler or the agency requesting the flag a reasonable fee that does
not exceed the actual cost of flying each flag and preparing a certificate to memorialize the
occasion.

EFFECTIVE DATE. This section is effective August 1, 2021.

Sec. 25. Minnesota Statutes 2020, section 16B.2975, is amended by adding a subdivision
to read:

Subd. 8. Canine management. The commissioner may give and convey to the canine's
handler the state's entirety of the right, title, interest, and estate in and to the canine for
which the handler trained and worked with while the canine was in service to the state. The
handler is solely responsible for all future expenses related to the retired canine.

Sec. 26. [16B.361] OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.

Subdivision 1. Duties of the office. The commissioner of administration shall maintain
the Office of Collaboration and Dispute Resolution formerly codified as sections 179.90
and 179.91 within the Department of Administration. The office must:

(1) assist state agencies, offices of the executive, legislative and judicial branches, tribal
governments, and units of local government in improving collaboration, dispute resolution,
and public engagement;

(2) promote and utilize collaborative dispute resolution models and processes based on
documented best practices including but not limited to:

(i) establishing criteria and procedures for identification and assessment of collaborative
dispute resolution projects;

(ii) designing collaborative dispute resolution processes to foster trust, relationships,
mutual understanding, and consensus-based solutions;
(iii) preparing and training participants; and

(iv) utilizing collaborative techniques, processes, and standards through facilitated meetings to develop wise and durable solutions;

(3) support collaboration and dispute resolution in the public and private sector by providing technical assistance and information on best practices and new developments in dispute resolution options;

(4) promote the broad use of community mediation in the state;

(5) ensure that all areas of the state have access to services by providing grants to private nonprofit entities certified by the state court administrator under chapter 494 that assist in resolution of disputes; and

(6) educate the public and government entities on collaboration, dispute resolution options, and public engagement.

Subd. 2. Grant applications. The commissioner may apply for and receive money made available from federal, state, or other sources for the purposes of carrying out the mission of the Office of Collaboration and Dispute Resolution. Funds received under this subdivision are appropriated to the commissioner for their intended purpose.

Subd. 3. Grant awards. The commissioner shall to the extent funds are appropriated for this purpose, make grants to private nonprofit community mediation entities certified by the state court administrator under chapter 494 that assist in resolution of disputes. The commissioner shall establish a grant review committee to assist in the review of grant applications and the allocation of grants under this section.

Subd. 4. Eligibility. To be eligible for a grant under this section, a nonprofit organization must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).

Subd. 5. Conditions and exclusions. A nonprofit entity receiving a grant must agree to comply with guidelines adopted by the state court administrator under section 494.015, subdivision 1. Policies adopted under sections 16B.97 and 16B.98 apply to grants under this section. The exclusions in section 494.03 apply to grants under this section.

Subd. 6. Reporting. Grantees must report data required under chapter 494 to evaluate quality and outcomes.
Sec. 27. [16B.372] ENVIRONMENTAL SUSTAINABILITY GOVERNMENT OPERATIONS; OFFICE CREATED.

Subdivision 1. Enterprise sustainability. The Office of Enterprise Sustainability is established to assist all state agencies in making measurable progress toward improving the sustainability of government operations by reducing the impact on the environment, controlling unnecessary waste of natural resources and public funds, and spurring innovation. The office shall create new tools and share best practices, assist state agencies to plan for and implement improvements, and monitor progress toward achieving intended outcomes. Specific duties include but are not limited to:

1. managing a sustainability metrics and reporting system, including a public dashboard that allows Minnesotans to track progress;
2. assisting agencies in developing and executing sustainability plans; and
3. publishing an annual report.

Subd. 2. Local governments. The Office of Enterprise Sustainability shall make reasonable attempts to share tools and best practices with local governments.

Sec. 28. Minnesota Statutes 2020, section 16B.48, subdivision 2, is amended to read:

Subd. 2. Purpose of funds. Money in the state treasury credited to the general services revolving fund and money that is deposited in the fund is appropriated annually to the commissioner for the following purposes:

1. to operate the central mailing service, including purchasing postage and related items and refunding postage deposits;
2. to operate a documents service as prescribed by section 16B.51;
3. to provide services for the maintenance, operation, and upkeep of buildings and grounds managed by the commissioner of administration;
4. to operate a materials handling service, including interagency mail and product delivery, solid waste removal, courier service, equipment rental, and vehicle and equipment maintenance;
5. to provide analytical, statistical, and organizational development services to state agencies, local units of government, metropolitan and regional agencies, and school districts; and
to perform services for any other agency. Money may be expended for this purpose only when directed by the governor. The agency receiving the services shall reimburse the fund for their cost, and the commissioner shall make the appropriate transfers when requested. The term "services" as used in this clause means compensation paid officers and employees of the state government; supplies, materials, equipment, and other articles and things used by or furnished to an agency; and utility services and other services for the maintenance, operation, and upkeep of buildings and offices of the state government; and.

(7) to operate a state recycling center.

Sec. 29. Minnesota Statutes 2020, section 16B.54, subdivision 1, is amended to read:

Subdivision 1. Motor pools. The commissioner shall manage a central motor pool of passenger motor vehicles and trucks used by state agencies with principal offices in the city of St. Paul and may provide for branch central motor pools at other places within the state. For purposes of this section, (1) "agencies" includes the Minnesota State Colleges and Universities, and (2) "passenger motor vehicle" means on-road vehicle capable of transporting people, and (3) "truck" means a pickup or panel truck up to one ton carrying capacity.

Sec. 30. Minnesota Statutes 2020, section 16B.54, subdivision 2, is amended to read:

Subd. 2. Vehicles. (a) The commissioner may direct an agency to make a transfer of a passenger motor vehicle or truck currently assigned to it. The transfer must be made to the commissioner for use in the central motor pool. The commissioner shall reimburse an agency whose motor vehicles have been paid for with funds dedicated by the constitution for a special purpose and which are assigned to the central motor pool. The amount of reimbursement for a motor vehicle is its average wholesale price as determined from the midwest edition of the National Automobile Dealers Association official used car guide. (b) To the extent that funds are available for the purpose, the commissioner may purchase or otherwise acquire additional passenger motor vehicles and trucks necessary for the central motor pool. The title to all motor vehicles assigned to or purchased or acquired for the central motor pool is in the name of the Department of Administration. (c) On the request of an agency, the commissioner may transfer to the central motor pool any passenger motor vehicle or truck for the purpose of disposing of it. The department or agency transferring the vehicle or truck must be paid for it from the motor pool revolving account established by this section in an amount equal to two-thirds of the average wholesale price of the vehicle or truck as determined from the midwest edition of the National Automobile Dealers Association official used car guide.
(d) The commissioner shall provide for the uniform marking of all motor vehicles. Motor vehicle colors must be selected from the regular color chart provided by the manufacturer each year. The commissioner may further provide for the use of motor vehicles without marking by:

(1) the governor;

(2) the lieutenant governor;

(3) the Division of Criminal Apprehension, the Division of Alcohol and Gambling Enforcement, and arson investigators of the Division of Fire Marshal in the Department of Public Safety;

(4) the Financial Institutions Division and investigative staff of the Department of Commerce;

(5) the Division of Disease Prevention and Control of the Department of Health;

(6) the State Lottery;

(7) criminal investigators of the Department of Revenue;

(8) state-owned community service facilities in the Department of Human Services;

(9) the Office of the Attorney General; and

(10) the investigative staff of the Gambling Control Board; and

(11) the Department of Corrections inmate community work crew program under section 352.91, subdivision 3g.

Sec. 31. Minnesota Statutes 2020, section 16B.98, is amended by adding a subdivision to read:

Subd. 12. Grants administration. It is the policy of the legislature to ensure that grant activities and outcomes of programs and services funded by legislative appropriations are administered by state agencies in accordance with this section and section 16B.97. Unless amounts are otherwise appropriated for administrative costs, a state agency may retain up to five percent of the amount appropriated to the agency for grants enacted by the legislature and formula grants and up to ten percent for competitively awarded grants. This subdivision applies to appropriations made for new grant programs enacted on or after July 1, 2021.
Sec. 32. [16C.0535] CONTRACTS WITH CERTAIN VENDORS PROHIBITED.

Subdivision 1. Prohibited contracts. A state agency may not enter into a contract with a vendor that produces, manufactures, or procures goods from China's Zinjiang Uyghur Autonomous region that are made using convict labor, forced labor, indentured labor under penal sanctions, or involuntary servitude.

Subd. 2. Exemption. This section does not apply to contracts with a value of less than $5,000.

EFFECTIVE DATE. This section is effective July 1, 2021, and applies to contracts entered on or after that date.

Sec. 33. Minnesota Statutes 2020, section 43A.046, is amended to read:

43A.046 STAFF REDUCTIONS.

(a) In order to maximize delivery of services to the public, if layoffs of state employees are necessary, each agency with more than 50 full-time equivalent employees must reduce at least the same percentage of management and supervisory personnel as line and support personnel.

(b) Notwithstanding any law to the contrary, if layoffs of state employees are necessary due to a shortage of funds, each agency must make personnel reductions so that economies of the state outside the metropolitan area, as defined in section 473.121, subdivision 2, are not disproportionately affected by the layoffs.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to collective bargaining agreements entered into on or after that date.

Sec. 34. Minnesota Statutes 2020, section 43A.23, subdivision 1, is amended to read:

Subdivision 1. General. (a) The commissioner is authorized to request proposals or to negotiate and to enter into contracts with parties which in the judgment of the commissioner are best qualified to provide service to the benefit plans. Contracts entered into are not subject to the requirements of sections 16C.16 to 16C.19. The commissioner may negotiate premium rates and coverage. The commissioner shall consider the cost of the plans, conversion options relating to the contracts, service capabilities, character, financial position, and reputation of the carriers, and any other factors which the commissioner deems appropriate. Each benefit contract must be for a uniform term of at least one year, but may be made automatically renewable from term to term in the absence of notice of termination.
by either party. A carrier licensed under chapter 62A is exempt from the taxes imposed by
chapter 297I on premiums paid to it by the state.

(b) All self-insured hospital and medical service products must comply with coverage
mandates, data reporting, and consumer protection requirements applicable to the licensed
carrier administering the product, had the product been insured, including chapters 62J,
62M, and 62Q. Any self-insured products that limit coverage to a network of providers or
provide different levels of coverage between network and nonnetwork providers shall comply
with section 62D.123 and geographic access standards for health maintenance organizations
adopted by the commissioner of health in rule under chapter 62D.

(c) Notwithstanding paragraph (b), a self-insured hospital and medical product offered
under sections 43A.22 to 43A.30 is required to extend dependent coverage to an eligible
employee's child to the full extent required under chapters 62A and 62L. Dependent child
coverage must, at a minimum, extend to an eligible employee's dependent child to the
limiting age as defined in section 62Q.01, subdivision 2a, disabled children to the extent
required in sections 62A.14 and 62A.141, and dependent grandchildren to the extent required
in sections 62A.042 and 62A.302.

(d) Beginning January 1, 2010, the health insurance benefit plans offered in the
commissioner's plan under section 43A.18, subdivision 2, and the managerial plan under
section 43A.18, subdivision 3, **must** include an option for a health plan that is compatible
with the definition of a high-deductible health plan in section 223 of the United States
Internal Revenue Code.

Sec. 35. [43A.3165] PROCUREMENT OF A PHARMACY BENEFIT MANAGER
AND A PLATFORM TECHNOLOGY VENDOR.

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

(b) "Market check" means a technology-driven evaluation of prescription drug pricing
based on benchmarks derived from reverse auction processes conducted in the United States
over the immediately preceding 12 months.

(c) "Pharmacy benefit management services" means:

(1) the procurement of prescription drugs at a negotiated rate for dispensation within
the State Employees Group Insurance Program (SEGIP) to enrollees;

(2) the administration and management of the prescription drug benefit under SEGIP;
(3) any of the following services provided with regard to the administration and management of the prescription drug benefit, including:

(i) mail service pharmacy;

(ii) claims processing, retail network management, and payment of claims to pharmacies for prescription drugs dispensed to enrollees;

(iii) supplemental rebate contracting and administration;

(iv) patient compliance, therapeutic intervention, and generic substitution programs; or

(v) disease management programs.

(d) "Pharmacy benefit manager" has the meaning given in section 62W.02, subdivision 15, paragraph (a).

(e) "Price" means the projected cost of a bid for providing pharmacy benefit management services over the duration of the contract.

(f) "Reverse auction" means an automated bidding process conducted online that starts with an opening price and allows qualified bidders to counteroffer a lower price for multiple rounds of bidding.

(g) "SEGIP" is the State Employees Group Insurance Program under section 43A.316, provided to participants eligible under section 43A.24.

Subd. 2. Purpose. The purpose of this section is to optimize prescription drug savings in SEGIP through:

(1) contracting with a pharmacy benefit manager to manage and administer the prescription drug benefit for SEGIP;

(2) the adoption of a reverse auction process for the selection of a pharmacy benefit manager;

(3) providing a process for the electronic review and validation of pharmacy benefit manager claims invoices for the purpose of reconciling pharmacy bills;

(4) market checks of the pharmacy benefit manager's prescription drug pricing; and

(5) limiting independent pharmacies from unsustainable reimbursement practices.

Subd. 3. Procurement of a pharmacy benefit manager. (a) Notwithstanding any law to the contrary, the commissioner of management and budget shall procure a contract for the services of a pharmacy benefit manager to administer the prescription drug benefit and pharmacy benefit management services for SEGIP participants, effective January 1, 2023.
(b) The commissioner shall conduct a reverse auction as described in this section to select the pharmacy benefit manager.

(c) In consultation with the technology platform vendor selected under subdivision 4 and any recommendations offered by the Formulary Committee under section 256B.0625, subdivision 13c, the commissioner shall specify the terms of a participant bidding agreement that all bidders must accept as a prerequisite for participation in the reverse auction process, including:

1. common definitions;
2. prescription drug classifications;
3. retail pricing rules, including maximum allowable cost price lists and dispensing fees; and
4. any other contract terms the commissioner deems necessary to further the purpose of this section as specified under subdivision 2.

(d) A pharmacy benefit manager that submits a bid under this subdivision must provide the commissioner access to complete pharmacy claims data necessary for the commissioner to conduct the reverse auction and to carry out administrative and management duties.

(e) The terms of any contract entered into under this subdivision shall not be modified by the pharmacy benefit manager except with the approval of the commissioner.

(f) The commissioner may structure the contract awarded under this subdivision to pay the cost of the technology platform and the associated professional services contracted for under this subdivision by assessing a per-prescription fee to be paid directly by the pharmacy benefit manager to the technology platform vendor.

(g) The commissioner must perform annual market checks on pharmacy benefit manager services performed by the pharmacy benefit manager during the term of the contract. A market check performed under this paragraph may include an evaluation of the effect of alternative drug pricing metrics, such as the national average drug acquisition cost and average wholesale price, on the cost of prescription drugs and savings to the state.

(h) The commissioner shall make regular, periodic payment of invoices within the time periods specified in the contract based on the automated adjudication of invoiced claims using the technology platform to validate that claims payments comply with the terms of the contract.
(i) The volunteer joint labor-management committees shall designate two representatives to assist in the process through which the commissioner conducts the reverse auction and automated adjudication of invoiced claims, including but not limited to specification of the terms of the participant bidding agreement and evaluation and comparison of the competing vendor bids for award of the contract.

Subd. 4. Technology platform vendor. (a) Notwithstanding section 16C.08, at least three months before the reverse auction process is scheduled to be completed, the commissioner shall procure through a competitive bidding process a contract with a professional services vendor for a technology platform and any associated professional services necessary to operate the platform to:

(1) evaluate the qualifications of prospective pharmacy benefit manager bidders for the pharmacy benefit manager procurement;

(2) automatically adjudicate prescription drug claims; and

(3) collect data on pharmacy reimbursement.

(b) The platform procured under paragraph (a) must have the capability to:

(1) host and conduct an online automated reverse auction:

(i) using a software application and high-performance data infrastructure to intake, cleanse, and normalize pharmacy benefit manager data; and

(ii) with development methods and information security standards that have been validated by receiving Service Organization Control 2 (SOC 2) and National Institute of Standards and Technology certification;

(2) automate repricing of diverse and complex pharmacy benefit manager prescription drug pricing proposals to enable direct comparisons of the price of bids using all annual claims data available for the medical assistance program using code-based classification or prescription drugs from nationally accepted drug sources;

(3) simultaneously evaluate, within one hour, diverse and complex multiple proposals from full-service pharmacy benefit managers, including average wholesale price (AWP), guaranteed net cost, and National Average Drug Acquisition Cost (NADAC) pricing models, as well as proposals from pharmacy benefit administrators and specialty drug and rebate carve-out service providers;
(4) produce an automated report and analysis of bids, including ranking of bids on the comparative costs and qualitative aspects of the costs within one hour after the close of each round of reverse auction bidding; and

(5) after the close of the reverse auction process, perform an electronic, line-by-line, claim-by-claim review of all invoiced pharmacy benefit manager claims within one hour of receipt that allows for an online comparison of pharmacy benefit manager invoices, an audit of other services provided by the pharmacy benefit manager services, and identifies all deviations from the specific terms of the services contract resulting from the reverse auction.

(c) The commissioner shall not award the platform technology vendor contract under this subdivision to:

(1) a pharmacy benefit manager;

(2) a subsidiary or affiliate of a pharmacy benefit manager; or

(3) a vendor that is managed by a pharmacy benefit manager or receives, directly or indirectly, remuneration from a pharmacy benefit manager for aggregating clients into a contractual relationship with a pharmacy benefit manager.

(d) The vendor that is awarded the contract under this subdivision must not subcontract any part of the reverse auction process or the review described under paragraph (b), clause (5).

Sec. 36. Minnesota Statutes 2020, section 138.081, subdivision 1, is amended to read:

Subdivision 1. Department of Administration as agency to accept federal funds. The Department of Administration is hereby designated the state agency with power to accept any and all money provided for or made available to this state by the United States of America or any department or agency thereof for surveys, restoration, construction, equipping, or other purposes relating to the State Historic sites Preservation Program in accordance with the provisions of federal law and any rules or regulations promulgated thereunder and are further authorized to do any and all things required of this state by such federal law and the rules and regulations promulgated thereunder in order to obtain such federal money.

Sec. 37. Minnesota Statutes 2020, section 138.081, subdivision 2, is amended to read:

Subd. 2. Commissioner's responsibilities. The commissioner as the state historic preservation officer shall be responsible for the preparation, implementation and
administration of the State Historic Preservation Plan and shall administer the State Historic
Preservation Program authorized by the National Historic Preservation Act (United States
Code, title 16, section 470 300101 et seq. as amended). The commissioner shall review
and approve in writing all grants-in-aid for architectural, archaeological and historic
preservation made by state agencies and funded by the state or a combination of state and
federal funds in accordance with the State Historic Preservation Program.

Sec. 38. Minnesota Statutes 2020, section 138.081, subdivision 3, is amended to read:

Subd. 3. Administration of federal act. The Department of Administration, the Minnesota
Historical Society is designated as the state agency to administer the provisions of the federal
act providing for the preservation of historical and archaeological data, United States Code,
title 16, sections 469 to 469C 54, section 312501, as amended, insofar as the provisions of
the act provide for implementation by the state.

Sec. 39. Minnesota Statutes 2020, section 138.31, is amended by adding a subdivision to
read:

means the State Historic Preservation Office at the Department of Administration.

Sec. 40. Minnesota Statutes 2020, section 138.34, is amended to read:

138.34 ADMINISTRATION OF THE ACT.

The state archaeologist shall act as the agent of the state to administer and enforce the
provisions of sections 138.31 to 138.42. Some enforcement provisions are shared with the
society and the State Historic Preservation Office.

Sec. 41. Minnesota Statutes 2020, section 138.40, is amended to read:

138.40 COOPERATION OF STATE AGENCIES; DEVELOPMENT PLANS.

Subdivision 1. Cooperation. The Department of Natural Resources, the Department of
Transportation, and all other state agencies whose activities may be affected, shall cooperate
with the historical society, the State Historic Preservation Office, and the state archaeologist
to carry out the provisions of sections 138.31 to 138.42 and the rules issued thereunder, but
sections 138.31 to 138.42 are not meant to burden persons who wish to use state property
for recreational and other lawful purposes or to unnecessarily restrict the use of state property.

Subd. 2. Compliance, enforcement, preservation. State and other governmental agencies
shall comply with and aid in the enforcement of provisions of sections 138.31 to 138.42.
Conservation officers and other enforcement officers of the Department of Natural Resources shall enforce the provisions of sections 138.31 to 138.42 and report violations to the director of the society state archeologist. When archaeological or historic sites are known or, based on scientific investigations are predicted to exist on public lands or waters, the agency or department controlling said lands or waters shall use the professional services of archaeologists from the University of Minnesota, Minnesota Historical Society, or other qualified professional archaeologists, to preserve these sites. In the event that archaeological excavation is required to protect or preserve these sites, state and other governmental agencies may use their funds for such activities.

Subd. 3. Review of plans. When significant archaeological or historic sites are known or, based on scientific investigations, are predicted to exist on public lands or waters, the agency or department controlling said lands or waters shall submit construction or development plans to the state archaeologist and the director of the society State Historic Preservation Office for review prior to the time bids are advertised. The state archaeologist and the society State Historic Preservation Office shall promptly review such plans and within 30 days of receiving the plans shall make recommendations for the preservation of archaeological or historic sites which may be endangered by construction or development activities. When archaeological or historic sites are related to Indian history or religion, the state archaeologist shall submit the plans to the Indian Affairs Council for the council's review and recommend action.

Sec. 42. Minnesota Statutes 2020, section 138.665, subdivision 2, is amended to read:

Subd. 2. Mediation. The state, state departments, agencies, and political subdivisions, including the Board of Regents of the University of Minnesota, have a responsibility to protect the physical features and historic character of properties designated in sections 138.662 and 138.664 or listed on the National Register of Historic Places created by Public Law 89-665. Before carrying out any undertaking that will affect designated or listed properties, or funding or licensing an undertaking by other parties, the state department or agency shall consult with the State Historic Preservation Office pursuant to the society's State Historic Preservation Office's established procedures to determine appropriate treatments and to seek ways to avoid and mitigate any adverse effects on designated or listed properties. If the state department or agency and the State Historic Preservation Office agree in writing on a suitable course of action, the project may proceed. If the parties cannot agree, any one of the parties may request that the governor appoint and convene a mediation task force consisting of five members, two appointed by the governor, the chair of the State Review Board of the State Historic Preservation Office, the commissioner of administration...
or the commissioner’s designee, and one member who is not an employee of the Minnesota Historical Society appointed by the director of the Minnesota Historical Society. The two appointees of the governor and the one of the director of the society shall be qualified by training or experience in one or more of the following disciplines: (1) history; (2) archaeology; and (3) architectural history. The mediation task force is not subject to the conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision 24, and section 138.664, subdivisions 8 and 111.

Sec. 43. Minnesota Statutes 2020, section 138.666, is amended to read:

### 138.666 COOPERATION.

The state, state departments and agencies, political subdivisions, and the Board of Regents of the University of Minnesota shall cooperate with the Minnesota Historical Society and the State Historic Preservation Office in safeguarding state historic sites and in the preservation of historic and archaeological properties.

Sec. 44. Minnesota Statutes 2020, section 138.667, is amended to read:

### 138.667 HISTORIC PROPERTIES; CHANGES.

Properties designated as historic properties by sections 138.661 to 138.664 may be changed from time to time, and the Minnesota Historical Society and the State Historic Preservation Office shall notify the legislature of the need for changes, and shall make recommendations to keep the state historic sites network and the state register of historic places current and complete. The significance of properties proposed for designation under section 138.663, subdivision 2, shall be documented under the documentation standards established by the Minnesota Historical Society. This State Historic Preservation Office, Documentation shall include the opinion of the Minnesota Historical Society for the historic sites network under section 138.661, subdivision 3, and the State Historic Preservation Office for the state register of historic places under section 138.663, subdivision 2, as to whether the property meets the selection criteria.

Sec. 45. Minnesota Statutes 2020, section 138.763, subdivision 1, is amended to read:

### Subdivision 1. Membership.

There is a St. Anthony Falls Heritage Board consisting of 22 members with the director of the Minnesota Historical Society as chair. The members include the mayor; the chair of the Hennepin County Board of Commissioners or the chair's designee; the president of the Minneapolis Park and Recreation Board or the president's designee; the superintendent of the park board; two members each from the house of
representatives appointed by the speaker, the senate appointed by the Rules Committee, the city council, the Hennepin County Board, and the park board; one member each from the preservation commission, the State Historic Preservation Office, Hennepin County Historical Society, and the society; one person appointed by the park board; and two persons appointed by the chair of the board.

Sec. 46. Minnesota Statutes 2020, section 211B.20, subdivision 1, is amended to read:

Subdivision 1. Prohibition. (a) It is unlawful for a person, either directly or indirectly, to deny access to an apartment house, dormitory, nursing home, manufactured home park, other multiple unit facility used as a residence, or an area in which two or more single-family dwellings are located on private roadways to a candidate an individual who has:

(1) has organized a campaign committee under applicable federal or state law;
(2) has filed a financial report as required by section 211A.02; or
(3) has filed an affidavit of candidacy for elected office; or
(4) is a United States Census Bureau employee.

A candidate granted access under this section must be allowed to be accompanied by campaign volunteers.

(b) For candidates, access to a facility or area is only required if it is located within the district or territory that will be represented by the office to which the candidate seeks election, and the candidate and any accompanying campaign volunteers seek access exclusively for the purpose of campaigning for a candidate or registering voters. The candidate must be seeking election to office at the next general or special election to be held for that office.

(c) A candidate and any accompanying campaign volunteers granted access under this section must be permitted to leave campaign materials for residents at their doors, except that the manager of a nursing home may direct that the campaign materials be left at a central location within the facility. The campaign materials must be left in an orderly manner.

(d) If a facility or area contains multiple buildings, a candidate and accompanying volunteers must be permitted to access more than one building on a single visit, but access is limited to only one building at a time. If multiple candidates are traveling together, each candidate and that candidate's accompanying volunteers is limited to one building at a time, but all of the candidates and accompanying volunteers traveling together must not be restricted to accessing the same building at the same time.
(e) For a United States Census Bureau employee, access to a facility or area is only required if it is part of their official work duties on a decennial census of population. United States Census Bureau employees working on other surveys and censuses are not granted access under this section.

(f) A United States Census Bureau employee must be permitted to leave census materials for residents at their doors. The census materials must be left in an orderly manner.

(g) If a facility or area contains multiple buildings, a United States Census Bureau employee must be permitted to access more than one building on a single visit. If multiple employees are traveling together, they must not be restricted to accessing the same building at the same time.

(h) A violation of this section is a petty misdemeanor.

Sec. 47. Minnesota Statutes 2020, section 270B.13, is amended by adding a subdivision to read:

Subd. 3. Background check; access to federal tax information. An individual performing services for an independent contractor or a vendor under subdivision 1 who has or will have access to federal tax information is subject to the requirements of section 299C.76.

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

Sec. 48. Minnesota Statutes 2020, section 270C.21, is amended to read:

270C.21 TAXPAYER ASSISTANCE GRANTS.

Subdivision 1. Taxpayer assistance. When the commissioner awards grants to nonprofit organizations to coordinate, facilitate, encourage, and aid in the provision of taxpayer assistance services, the commissioner must provide public notice of the grants in a timely manner so that the grant process is completed and grants are awarded by October 1, in order for recipient organizations to adequately plan expenditures for the filing season. At the time the commissioner provides public notice, the commissioner must also notify nonprofit organizations that received grants in the previous biennium.

Subd. 2. Eligible organization. "Eligible organization" means an organization that meets the definition of eligible organization provided in section 7526A(e)(2)(B) of the Internal Revenue Code.

EFFECTIVE DATE. This section is effective for grants awarded after June 30, 2021.
Sec. 49. [299C.76] BACKGROUND CHECK; ACCESS TO FEDERAL TAX
INFORMATION.

Subdivision 1. Definitions. (a) For the purposes of this section, the following definitions apply.

(b) "Federal tax information" means federal tax returns and return information or information derived or created from federal tax returns, in possession of or control by the requesting agency, that is covered by the safeguarding provisions of section 6103(p)(4) of the Internal Revenue Code.

(c) "IRS Publication 1075" means Internal Revenue Service Publication 1075 that provides guidance and requirements for the protection and confidentiality of federal tax information as required in section 6103(p)(4) of the Internal Revenue Code.

(d) "National criminal history record information" means the Federal Bureau of Investigation identification records as defined in Code of Federal Regulations, title 28, section 20.3(d).

(e) "Requesting agency" means the Department of Revenue, Department of Employment and Economic Development, Department of Human Services, board of directors of MNsure, the Office of MN.IT Services, and counties.

Subd. 2. National criminal history record information check. As required by IRS Publication 1075, a requesting agency shall require fingerprints for a national criminal history record information check from the following individuals who have or will have access to federal tax information:

(1) a current or prospective permanent or temporary employee of the requesting agency;

(2) an independent contractor or vendor of the requesting agency;

(3) an employee or agent of an independent contractor or vendor of the requesting agency;

or

(4) any other individual authorized to access federal tax information by the requesting agency.

Subd. 3. Fingerprint submission and written statement of understanding. An individual subject to this section must provide fingerprints and a written statement of understanding that the fingerprints will be used for a background check to the requesting agency. The requesting agency must submit the fingerprints and written statement of
understanding, along with the processing fees, to the superintendent of the Bureau of Criminal
Apprehension. The fingerprints must only be used for the purposes described in this section.

Subd. 4. Bureau of Criminal Apprehension requirements. (a) After the superintendent
of the Bureau of Criminal Apprehension notifies requesting agencies that the United States
Attorney General has approved the request for submission under Public Law 92-544, a
requesting agency may submit information under subdivision 3.

(b) Upon receipt of the information under subdivision 3, the superintendent of the Bureau
of Criminal Apprehension must:

1. perform a state criminal history record information search;
2. exchange the fingerprints to the Federal Bureau of Investigation to facilitate a search
of the national criminal history record information;
3. compile the results of the state and national criminal history record information
searches; and
4. provide the results to the requesting agency.

Subd. 5. Classification of data. (a) All data collected, created, received, maintained, or
disseminated by the requesting agency under this section is classified as private data on
individuals as defined in section 13.02, subdivision 12.

(b) Notwithstanding any law to the contrary, a requesting agency must not further
disseminate the results received under subdivision 4.

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

Sec. 50. Minnesota Statutes 2020, section 349.151, subdivision 2, is amended to read:

Subd. 2. Membership. (a) The board consists of seven members, as follows: (1) five
members appointed by the governor; (2) one member appointed by the commissioner of
public safety; and (3) one member appointed by the attorney general.

(b) All appointments under this subdivision are with the advice and consent of the senate.

(c) After expiration of the initial terms, Appointments are for four years. A member may
continue holding office until a successor is appointed unless, prior to the expiration of the
member's term, the appointing authority notifies the board that a member's appointment
may not be extended.
(d) The board shall select one of its members to serve as chair. No more than three
members appointed by the governor under this subdivision may belong to the same political
party.

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

Sec. 51. Minnesota Statutes 2020, section 473.24, is amended to read:

473.24 POPULATION ESTIMATES.

(a) The Metropolitan Council shall annually prepare an estimate of population for each
county, city, and town in the metropolitan area and an estimate of the number of households
and average household size for each city in the metropolitan area with a population of 2,500
or more, and an estimate of population over age 65 for each county in the metropolitan area,
and convey the estimates to the governing body of each county, city, or town by June 1
each year or, in a year following a decennial census, within six weeks of the date the data
are provided by the United States Census Bureau in that year. In the case of a city or town
that is located partly within and partly without the metropolitan area, the Metropolitan
Council shall estimate the proportion of the total population and the average size of
households that reside within the area. The Metropolitan Council may prepare an estimate
of the population and of the average household size for any other political subdivision
located in the metropolitan area.

(b) A governing body may challenge an estimate made under this section by filing its
specific objections in writing with the Metropolitan Council by June 24. If the challenge
does not result in an acceptable estimate, the governing body may have a special census
conducted by the United States Bureau of the Census. The political subdivision must notify
the Metropolitan Council on or before July 1 of its intent to have the special census
conducted. The political subdivision must bear all costs of the special census. Results of
the special census must be received by the Metropolitan Council by the next April 15 to be
used in that year's June 1 estimate under this section. In the year following a decennial
census, challenges to the census count must be submitted to the United States Census Bureau
through its formal challenge process. The Metropolitan Council shall certify the estimates
of population and the average household size to the state demographer and to the
commissioner of revenue by July 15 each year, including any estimates still under objection,
except that in a year following a decennial census, the estimate must be certified within six
weeks of the date the data are provided by the United States Census Bureau in that year.

**EFFECTIVE DATE.** This section is effective the day following final enactment.
Sec. 52. PURPOSE; BACKGROUND CHECKS TO ACCESS FEDERAL TAX
INFORMATION.

It is the intent of the legislature to ensure compliance with section 6103 of the Internal Revenue Code and IRS Publication 1075.

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

Sec. 53. RACIAL EQUITY IMPACT ASSESSMENT WORKING GROUP.

Subdivision 1. Working group established; membership. (a) A Racial Equity Impact Assessment Working Group is established. The working group consists of the following members:

(1) the commissioner of human rights or the commissioner's designee;

(2) a representative of the Center for Economic Inclusion;

(3) a representative of Voices for Racial Justice;

(4) three members of the public, appointed by the commissioner of human rights;

(5) two business community representatives designated by the Minnesota Business Partnership;

(6) one member of the public appointed by the Council for Minnesotans of African Heritage;

(7) one member of the public appointed by the Minnesota Council on Latino Affairs;

(8) one member of the public appointed by the Council on Asian-Pacific Minnesotans;

(9) one member of the public appointed by the Indian Affairs Council;

(10) four members affiliated with community-based organizations that represent people of color and indigenous communities, appointed by the speaker of the house; and

(11) four members affiliated with community-based organizations that represent people of color and indigenous communities, appointed by the majority leader of the senate.

(b) In making appointments, the speaker of the house and the majority leader of the senate must consult with the members of the People of Color and Indigenous Caucus within each respective body.

(c) The commissioner of management and budget, the state demographer, the state economist, and the director of the Legislative Budget Office serve as ex-officio, nonvoting members of the working group.
Subd. 2. **Duties.** (a) The working group must develop recommendations for the preparation of a racial equity impact note for proposed legislation. In conducting its work, the group must engage members of racial and ethnic groups disproportionately impacted by disparities. The working group must consider racial equity analysis procedures for legislation proposed in other states, and identify sources of disaggregated data that could be used in the development and completion of a racial equity impact note in Minnesota.

(b) The working group must submit a report describing its recommendations by February 1, 2022, to the chairs and ranking minority members of the house of representatives Ways and Means and State Government Finance and Elections committees, and the senate Finance and State Government Finance and Policy and Elections committees. The report may include draft legislation to codify the working group's recommendations.

(c) At its discretion, the working group may continue to study and make additional reports following the submission of its initial report under paragraph (b).

(d) For purposes of this section, "disparities" includes but is not limited to the difference in economic, employment, health, education, housing, or public safety outcomes between the state population as a whole and racial and ethnic subgroups of the population.

Subd. 3. **Administration; assistance of experts.** (a) The executive director of the Legislative Budget Office shall convene the first meeting of the working group no later than September 1, 2021, and serves as the working group's executive secretary. Upon request of the working group members, the executive director of the Legislative Budget Office must arrange meeting space and provide administrative support for the group.

(b) In conducting its work, the working group may request the assistance of private sector experts specializing in issues related to the economic impacts of racial inequity.

Subd. 4. **Chair.** The members of the working group must elect a chair or cochairs at the initial meeting.

Subd. 5. **Compensation.** Members of the working group may be compensated as provided in Minnesota Statutes, section 15.059, subdivision 3.

Subd. 6. **Gifts and grants.** The working group may accept gifts and grants, which are accepted on behalf of the state and constitute donations to the state. Funds received under this subdivision are appropriated to the Legislative Budget Office for purposes of the working group.

Subd. 7. **Deadline for appointments and designations.** The appointments and designations authorized by this section must be completed by August 1, 2021.

Sec. 54. SENSORY ACCESSIBILITY ACCOMMODATIONS GRANTS.

(a) The Minnesota Council on Disability shall award grants to state organizations, counties, cities, and private holders of public access space to fund building modifications to provide sensory accessibility or accommodations to increase accessible community involvement and access for individuals who have autism spectrum disorder or a related disability or other nonvisible health issue with sensory impacts. Grantees may use grants to modify public space to:

1. create sensory-friendly spaces;
2. modify public use space to meet sensory-friendly design standards;
3. equip a facility with mobile tool kits to support sensory needs; or
4. provide quiet zones or times of service.

Grantees must also complete disability training to provide staff with the skills necessary to successfully incorporate building modifications that support individuals within the sensory modifications made.

(b) The council may use up to ten percent of this appropriation for grants administration.

(c) By February 15, 2024, the council shall report to the legislative committees having jurisdiction over health and public safety policy on how this appropriation was spent and what results were achieved.

Sec. 55. CHECK OR DEBIT CARD FOR CERTAIN GAMBLING PURCHASES.

Notwithstanding Minnesota Statutes, section 349.2127, subdivision 7, during a telephone communication initiated by persons seeking to purchase a raffle ticket, an organization may accept a check or debit card for raffle purchases, provided a debit card is checked against a nationally recognized database of bank identification numbers that confirms the card is a debit card.

EFFECTIVE DATE. This section is effective the day following final enactment and expires July 1, 2022.

Sec. 56. STUDY OF L'ORIENT AVENUE PROPERTY USE.

No later than January 1, 2022, the commissioner of administration must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction
over state government finance detailing plans for future use of the property located at 1415 L'Orient Avenue in St. Paul.

Sec. 57. MASS DEMONSTRATION RESPONSE REVIEW COMMISSION.

Subdivision 1. Purpose; finding of facts and time line of public responses. (a) The legislature and governor of the state of Minnesota recognize that the mass demonstrations that occurred in Minnesota in 2020 and 2021 raise questions about the state's preparedness, the nature of orders given, responses made, and actions taken by civil authorities. The Minnesota public needs a comprehensive understanding of the role played in those events by:

1. local authorities, including applicable municipal police and fire departments;
2. State Patrol;
3. National Guard;
4. appointed and elected officials; and
5. all other responsible parties whose duties commanded the public response to the unprecedented events that tragically unfolded in both instances.

(b) Civil authorities remain actively engaged at this moment in time to perform ongoing duties and manage the ongoing public interests in responding to the mass demonstrations, and to help affected citizens.

(c) However, a review of actions is a crucial task that must be completed to provide confidence to the Minnesota public regarding the capacity of civil government in the current and future responses. Further, an investigation into decisions and actions cannot be undertaken by persons currently in state or local government, whose ongoing duties and past responsibilities render the persons too involved for dispassionate analysis.

(d) Therefore, a Mass Demonstration Response Review Commission is established to examine and create a public record of all actions, choices, orders, and responses by all local governments, police and military authorities, and elected officials who were crucial to the government's response to the mass demonstrations that unfolded in 2020 and 2021.

Subd. 2. Duties of commission. The commission must take public and private testimony, hold public meetings, and issue a public report with an accurate and dispassionate analysis of the responses of Minnesota's state and local government officials.

Subd. 3. Cooperation. The commission must be given access to all records and documents held by any government entity that are in any way associated with the mass demonstrations.
demonstrations. Within legal and constitutional rights, all elected and appointed officials must cooperate with requests made by the commission.

Subd. 4. Data. All materials and information held by or created by the commission must be made public upon completion of the report required under this act.

Sec. 58. COMMISSION STRUCTURE.

(a) The chief justice of the Minnesota Supreme Court must appoint a panel of ten neutral persons to constitute the Mass Demonstration Response Review Commission. Appointees must: (1) have no current involvement with any political party; (2) have played no role in the mass demonstration events of 2020 or 2021; and (3) have the highest personal probity and ability to command public confidence. Members must be chosen for expertise in management of public crises and knowledge of government responses to mass demonstrations.

(b) The commission must be established by August 1, 2021. The chief justice must designate one member of the panel to serve as chair.

(c) The chief justice must determine the pay and expenses received by the commission. A member's total pay, not including expenses, must not exceed $1,000.

(d) The commission may issue subpoenas, take testimony under oath, and hire outside investigators and counsel.

(e) The legislative auditor must act as fiscal agent for the commission and must provide administrative support to the commission.

Sec. 59. DUTIES AND REPORT.

(a) The Mass Demonstration Response Review Commission must:

(1) create a timeline of events, with a detailed explanation of the choices made by public officials;

(2) conduct a review of the responses of police, National Guard, and other responders;

(3) conduct a review of use of force versus protesters; and

(4) analyze the effect of social media in promoting mass demonstrations.

(b) The commission may suggest best practices and specific policies and procedures that should be considered for future responses in the event of mass demonstrations.
62.1 (c) The commission must issue a report no later than December 15, 2021, with the
62.2 commission's findings.

62.3 Sec. 60. REVISOR INSTRUCTION.
62.4 The revisor of statutes shall change "central motor pool" to "enterprise fleet" wherever
62.5 the term appears in Minnesota Statutes.

62.6 Sec. 61. REPEALER.
62.7 Subdivision 1. Legislative auditor. Minnesota Statutes 2020, sections 3.972, subdivisions
62.8 2c and 2d; 3.9741, subdivision 5; and 299D.03, subdivision 2a, are repealed.
62.9 Subd. 2. Employee gainsharing. Minnesota Statutes 2020, section 16A.90, is repealed.
62.10 Subd. 3. Interagency agreements and transfers. Minnesota Statutes 2020, section
62.11 15.0395, is repealed.
62.12 Subd. 4. Department of Administration. Minnesota Statutes 2020, sections 4A.11;
62.13 179.90; and 179.91, are repealed.
62.14 Subd. 5. Legislative carryforward. Minnesota Statutes 2020, section 16A.281, is
62.15 repealed.

ARTICLE 3

ELECTIONS ADMINISTRATION

62.18 Section 1. Minnesota Statutes 2020, section 5.30, subdivision 2, is amended to read:
62.19 Subd. 2. Appropriation. Notwithstanding section 4.07, Money in the Help America
62.20 Vote Act account may be spent only pursuant to direct appropriations enacted from time to
time by law. Money in the account must be appropriated to the secretary of state
to improve the administration of elections in accordance with the Help America Vote Act,
the state plan certified by the governor under the act, and for reporting and administrative
requirements under the act and plan. To the extent required by federal law, money in the
account must be used in a manner that is consistent with the maintenance of effort
requirements of section 254(a)(7) of the Help America Vote Act, Public Law 107-252,
based on the level of state expenditures for the fiscal year ending June 30, 2000.

EFFECTIVE DATE. This section is effective the day following final enactment and
applies to any balances of money in the Help America Vote Act account existing on or after
that date.
Sec. 2. Minnesota Statutes 2020, section 5B.06, is amended to read:

5B.06 VOTING BY PROGRAM PARTICIPANT; ABSENTEE BALLOT.

A program participant who is otherwise eligible to vote may register with the secretary of state as a permanent absentee voter. Notwithstanding section 203B.04, subdivision 5, the secretary of state is not required to send an absentee ballot application prior to each election to a program participant registered as a permanent absentee voter under this section. As soon as practicable before each election, the secretary of state shall determine the precinct in which the residential address of the program participant is located. Upon making a precinct determination, the secretary of state shall either (1) request from and receive from the county auditor or other election official the ballot for that precinct and mail the absentee ballot to the program participant with the other materials for absentee balloting as required by Minnesota law. The program participant shall complete the ballot and return it to the secretary of state, who shall review the ballot in the manner provided by section 203B.121, subdivision 2. If the ballot and ballot materials comply with the requirements of that section, the ballot must be certified by the secretary of state as the ballot of a program participant, and must be forwarded to the appropriate electoral jurisdiction for tabulation along with all other ballots. The name and address of a program participant must not be listed in the statewide voter registration system.

Sec. 3. Minnesota Statutes 2020, section 8.31, subdivision 1, is amended to read:

Subdivision 1. Investigate offenses against provisions of certain designated sections; assist in enforcement. The attorney general shall investigate violations of and assist in the enforcement of the following laws as in this section provided:

(1) the law of this state respecting unfair, discriminatory, and other unlawful practices in business, commerce, or trade, and specifically, but not exclusively, the Nonprofit Corporation Act (sections 317A.001 to 317A.909), the Act Against Unfair Discrimination and Competition (sections 325D.01 to 325D.07), the Unlawful Trade Practices Act (sections 325D.09 to 325D.16), the Antitrust Act (sections 325D.49 to 325D.66), section 325F.67 and other laws against false or fraudulent advertising, the antidiscrimination acts contained in section 325D.67, the act against monopolization of food products (section 325D.68), the act regulating telephone advertising services (section 325E.39), the Prevention of Consumer
Fraud Act (sections 325F.68 to 325F.70), and chapter 53A regulating currency exchanges and assist in the enforcement of those laws as in this section provided; and

(2) section 211B.075 regulating voter intimidation, interference, and deceptive practices in elections.

Sec. 4. Minnesota Statutes 2020, section 13.607, is amended by adding a subdivision to read:

Subd. 9. Data derived from driver's license or Minnesota identification card applications. Data on an application for a driver's license or a Minnesota identification card transferred to the secretary of state that are provided by a person whom the secretary of state determines is not eligible to vote are governed by section 201.161.

Sec. 5. Minnesota Statutes 2020, section 135A.17, subdivision 2, is amended to read:

Subd. 2. Residential housing list. All postsecondary institutions that enroll students accepting state or federal financial aid may prepare a current list of students enrolled in the institution and residing in the institution's housing or within ten miles of the institution's campus. All postsecondary institutions that enroll students accepting state financial aid must prepare a current list of students enrolled in the institution and residing in the institution's housing or within ten miles of the institution's campus. The list shall include each student's current address, unless the student is enrolled in the Safe at Home address confidentiality program as provided in chapter 5B. The list shall be certified and sent to the appropriate county auditor or auditors for use in election day registration as provided under section 201.061, subdivision 3. A residential housing list provided under this subdivision may not be used or disseminated by a county auditor or the secretary of state for any other purpose.

Sec. 6. Minnesota Statutes 2020, section 201.014, is amended by adding a subdivision to read:

Subd. 2a. Felony conviction; restoration of civil right to vote. An individual convicted of a felony has the civil right to vote restored when the individual is no longer incarcerated for the felony conviction, or upon sentencing if no incarceration is imposed. If the individual is later incarcerated for the same offense, the individual's civil right to vote is lost only during the period of incarceration.
Sec. 7. Minnesota Statutes 2020, section 201.071, subdivision 1, is amended to read:

Subdivision 1. Form. Both paper and electronic voter registration applications must contain the same information unless otherwise provided by law. A voter registration application must contain spaces for the following required information: voter's first name, middle name, and last name; voter's previous name, if any; voter's current address; voter's previous address, if any; voter's date of birth; voter's municipality and county of residence; voter's telephone number, if provided by the voter; date of registration; current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification, the last four digits of the voter's Social Security number; and voter's signature. The paper registration application may include the voter's e-mail address, if provided by the voter. The electronic voter registration application must include the voter's e-mail address. The registration application may include the voter's interest in serving as an election judge, if indicated by the voter. The application must also contain the following certification of voter eligibility:

"I certify that I:

(1) will be at least 18 years old on election day;

(2) am a citizen of the United States;

(3) will have resided maintained residence in Minnesota for 20 days immediately preceding election day;

(4) maintain residence at the address given on the registration form;

(5) am not under court-ordered guardianship in which the court order revokes my right to vote;

(6) have not been found by a court to be legally incompetent to vote;

(7) have the right to vote because, if I have been convicted of a felony, my felony sentence has expired (been completed) or I have been discharged from my sentence am not currently incarcerated for a conviction of a felony offense; and

(8) have read and understand the following statement: that giving false information is a felony punishable by not more than five years imprisonment or a fine of not more than $10,000, or both."

The certification must include boxes for the voter to respond to the following questions:

"(1) Are you a citizen of the United States?" and
"(2) Will you be 18 years old on or before election day?"

And the instruction:

"If you checked 'no' to either of these questions, do not complete this form."

The form of the voter registration application and the certification of voter eligibility must be as provided in this subdivision and approved by the secretary of state. Voter registration forms authorized by the National Voter Registration Act must also be accepted as valid. The federal postcard application form must also be accepted as valid if it is not deficient and the voter is eligible to register in Minnesota.

An individual may use a voter registration application to apply to register to vote in Minnesota or to change information on an existing registration.

Sec. 8. Minnesota Statutes 2020, section 201.071, subdivision 2, is amended to read:

Subd. 2. Instructions.

(a) A registration application shall be accompanied by instructions specifying the manner and method of registration, the qualifications for voting, the penalties for false registration, and the availability of registration and voting assistance for elderly and disabled individuals and residents of health care facilities and hospitals.

(b) The instructions must indicate that if the voter does not have a valid Minnesota driver's license or identification card number, or the last four digits of the voter's Social Security number must be provided, unless the voter does not have a Social Security number, unless the voter has not been issued one of those numbers.

(c) If, prior to election day, a person requests the instructions in Braille, audio format, or in a version printed in 16-point bold type with 24-point leading, the county auditor shall provide them in the form requested. The secretary of state shall prepare Braille and audio copies and make them available.

Sec. 9. Minnesota Statutes 2020, section 201.071, subdivision 3, is amended to read:

Subd. 3. Deficient registration. No voter registration application is not deficient if it contains the voter's:

(1) name, address, and date of birth;

(2) current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification number, the last four digits of the voter's Social Security number, if the voter has been issued a Social Security number.
(3) prior registration, if any; and

(4) signature.

(b) A voter registration application is not deficient due to any of the following:

(1) the absence of a zip code number does not cause the registration to be deficient;

(2) failure to check a box on an application form that a voter has certified to be true does not cause the registration to be deficient; or

(3) the absence of a number listed under paragraph (a), clause (2), if the voter has not been issued one of those numbers and the information can be verified in another government database associated with the applicant's name and date of birth, or the application was accepted before January 1, 2004.

The election judges shall request an individual to correct a voter registration application if it is deficient or illegible. No eligible voter may be prevented from voting unless the voter's registration application is deficient or the voter is duly and successfully challenged in accordance with section 201.195 or 204C.12.

(c) A voter registration application:

(1) accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county or municipality may attempt to obtain the date of birth for a voter registration application accepted prior to August 1, 1983, by a request to the voter at any time except at the polling place. Failure by the voter to comply with this request does not make the registration deficient;

and

A voter registration application accepted before January 1, 2004, is not deficient for lack of a valid Minnesota driver's license or state identification number or the last four digits of a Social Security number.

A voter registration application submitted by a voter who does not have a Minnesota driver's license or state identification number, or a Social Security number, is not deficient for lack of any of these numbers.

A voter registration application (2) submitted electronically through the website of the secretary of state prior to April 30, 2014, is not invalid as a result of its electronic submission.

(d) An election judge must request an individual to correct a voter registration application if it is deficient or illegible. An eligible voter must not be prevented from voting unless the voter's registration application is deficient or the voter's eligibility to vote is successfully challenged under section 201.195 or 204C.12.
Sec. 10. Minnesota Statutes 2020, section 201.071, subdivision 8, is amended to read:

**Subd. 8. School district assistance.** School districts shall assist county auditors in determining the school district in which a voter resides.

Sec. 11. Minnesota Statutes 2020, section 201.091, subdivision 2, is amended to read:

**Subd. 2. Corrected list.** By February 15 of each year, the secretary of state shall prepare the master list for each county auditor. The records in the statewide registration system must be periodically corrected and updated by the county auditor. An updated master list for each precinct must be available for absentee voting at least 46 days before each election. A final corrected master list must be available seven days before each election.

Sec. 12. Minnesota Statutes 2020, section 201.12, subdivision 2, is amended to read:

**Subd. 2. Moved within state.** If any nonforwardable mailing from an election official is returned as undeliverable but with a permanent forwarding address in this state, the county auditor may change the voter's status to "inactive" in the statewide registration system and shall transmit a copy of the mailing to the auditor of the county in which the new address is located. If an election is scheduled to occur in the precinct in which the voter resides in the next 47 days, the county auditor shall promptly update the voter's address in the statewide voter registration system. If there is not an election scheduled, the auditor may wait to update the voter's address until after the next list of address changes is received from the secretary of state. Once updated, the county auditor shall mail to the voter a notice stating the voter's name, address, precinct, and polling place, except that if the voter's record is challenged due to a felony conviction, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, the auditor must not mail the notice. The notice must advise the voter that the voter's voting address has been changed and that the voter must notify the county auditor within 21 days if the new address is not the voter's address of residence. The notice must state that it must be returned if it is not deliverable to the voter at the named address.

Sec. 13. Minnesota Statutes 2020, 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.
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. By February 15 of each odd-numbered year, the county auditor
must notify the secretary of state of the following information for the previous state general
election by 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; and

(3) the total number of individuals for whom the county auditor does not receive or
obtain satisfactory proof of an individual's eligibility to vote.

(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 following information for the previous state general election by 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 a county auditor was able to determine
the reason for the return along with the reason for each return; and

(3) the total number of individuals for whom the county auditor does not receive or
obtain satisfactory proof of an individual's eligibility to vote.

Sec. 14. Minnesota Statutes 2020, section 201.13, subdivision 3, is amended to read:

**Subd. 3. Use of change of address system.** (a) At least once each month the secretary
of state shall obtain a list of individuals registered to vote in this state who have filed with
the United States Postal Service a change of their permanent address. The secretary of state
may also periodically obtain a list of individuals with driver's licenses or state identification
cards to identify those who are registered to vote who have applied to the Department of
Public Safety for a replacement driver's license or state identification card with a different
address, and a list of individuals for whom the Department of Public Safety received
notification of a driver's license or state identification card cancellation due to a change of
residency out of state. However, the secretary of state shall not load data derived from these
lists into the statewide voter registration system within the 47 days before the state primary
or 47 days before a November general election.
(b) If the address is changed to another address in this state, the secretary of state shall locate the precinct in which the voter resides maintains residence, if possible. If the secretary of state is able to locate the precinct in which the voter resides maintains residence, the secretary must transmit the information about the changed address by electronic means to the county auditor of the county in which the new address is located. For addresses for which the secretary of state is unable to determine the precinct, the secretary may forward information to the appropriate county auditors for individual review. If the voter has not voted or submitted a voter registration application since the address change, upon receipt of the information, the county auditor shall update the voter's address in the statewide voter registration system. The county auditor shall mail to the voter a notice stating the voter's name, address, precinct, and polling place, unless the voter's record is challenged due to a felony conviction, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, in which case the auditor must not mail the notice. The notice must advise the voter that the voter's voting address has been changed and that the voter must notify the county auditor within 21 days if the new address is not the voter's address of residence. The notice must state that it must be returned if it is not deliverable to the voter at the named address.

(c) If the change of permanent address is to an address outside this state, the secretary of state shall notify by electronic means the auditor of the county where the voter formerly resided maintained residence that the voter has moved to another state. If the voter has not voted or submitted a voter registration application since the address change, the county auditor shall promptly mail to the voter at the voter's new address a notice advising the voter that the voter's status in the statewide voter registration system will be changed to "inactive" unless the voter notifies the county auditor within 21 days that the voter is retaining the former address as the voter's address of residence, except that if the voter's record is challenged due to a felony conviction, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, the auditor must not mail the notice. If the notice is not received by the deadline, the county auditor shall change the voter's status to "inactive" in the statewide voter registration system.

(d) If, in order to maintain voter registration records, the secretary of state enters an agreement to share information or data with an organization governed exclusively by a group of states, the secretary must first determine that the data security protocols are sufficient to safeguard the information or data shared. If required by such an agreement, the secretary of state may share the following data from the statewide voter registration system and data released to the secretary of state under section 171.12, subdivision 7a:
(1) name;
(2) date of birth;
(3) address;
(4) driver's license or state identification card number;
(5) the last four digits of an individual's Social Security number; and
(6) the date that an individual's record was last updated.

If the secretary of state enters into such an agreement, the secretary and county auditors
must process changes to voter records based upon that data in accordance with this section.
Except as otherwise provided in this subdivision, when data is shared with the secretary of
state by another state, the secretary of state must maintain the same data classification that
the data had while it was in the possession of the state providing the data.

Sec. 15. Minnesota Statutes 2020, section 201.161, is amended to read:

201.161 DRIVER'S LICENSE AND IDENTIFICATION CARD APPLICATIONS
AUTOMATIC VOTER REGISTRATION.

Subdivision 1. Automatic registration. Except as otherwise provided in this section,
an individual must be registered to vote if the individual is eligible to vote under section
201.014 and properly completes and submits one of the following applications, if the
application otherwise requires documentation of citizenship:

(1) an application for a new or renewed Minnesota driver's license or identification card;
or

(2) an application for benefits or services to a state agency participating under subdivision
4.

Subd. 2. Option to decline registration. After an individual submits an application
qualifying for registration under this section, a county auditor must provide, by mail, a
notice of the option and the procedures necessary to decline to be registered to vote pursuant
to subdivision 6 and section 201.12, subdivision 1. An individual must not be registered to
vote if the individual declines to be registered within 20 days of submitting the application.
The individual must continue to be offered an opportunity to be registered upon completion
or submission of a qualifying application unless the individual presents documentation
demonstrating a lack of citizenship or a failure to meet other eligibility criteria.
Subd. 3. Department of Public Safety. (a) The Department commissioner of public safety shall, in consultation with the secretary of state, must change its applications for an original, duplicate, or change of address driver's license or identification card so that the forms may also serve as voter registration applications, if the application otherwise includes verification of the applicant's citizenship. The forms must contain spaces for all information collected by voter registration applications required to register to vote, as prescribed by the secretary of state. Applicants for driver's licenses or identification cards must be asked if they want to register to vote at the same time and that address other than the applicant's address of residence under section 171.12, subdivision 7, paragraph (d), the commissioner must transmit the information must be transmitted at least weekly by electronic means to the secretary of state. Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the computerized driver's license record containing the voter's name, address, date of birth, citizenship, driver's license number or state identification number, signature image, county, town, and city or town must be made available for access by the secretary of state and interaction with the statewide voter registration system. At least monthly, the commissioner must submit data to the secretary of state identifying the total number of people applying for services in a manner that qualifies for voter registration under this section and the total number of individuals whose records were actually transferred for registration.

(b) Information on an applicant for a form of an original, duplicate, or change of address driver's license or identification card that does not include verification of citizenship must not be transmitted to the secretary of state. The commissioner must provide these applicants with information on the voting eligibility and the requirements for registering to vote at the time of the transaction.

(c) An applicant must not be registered to vote under this subdivision until the commissioner of public safety has certified that the department's systems have been tested and can accurately provide the required data, and the secretary of state has certified that the system for automatic registration of those applicants has been tested and is capable of properly determining whether an applicant is eligible to vote. The department's systems must be tested and accurately provide the necessary data no later than June 1, 2022.

(d) For purposes of this section, "driver's license" includes any instruction permit, provisional license, limited license, restricted license, or operator's permit issuable by the commissioner of public safety under chapter 171.

Subd. 4. Other agencies and units of government. (a) The commissioner of any state agency, and the administrative head of any local government or the government of a federally
recognized Indian tribe within the state, in consultation with the secretary of state, may
cause any form or application within its jurisdiction to serve as a voter registration
application, if the form or application already provides verification of an applicant's United
States citizenship. The form or application must contain spaces for all information required
to register to vote as prescribed by the secretary of state. The commissioner or administrative
head must transmit the information daily by electronic means to the secretary of state on
any individual whose United States citizenship has been verified. At least monthly, the
commissioner must submit data to the secretary of state identifying the total number of
people applying for services in a manner that qualifies for voter registration under this
section, and the total number of individuals whose records were actually transferred for
registration.

(b) The commissioner or administrative head, in consultation with the secretary of state,
may cause any form or application within its jurisdiction to serve as an update to the address
on an applicant's existing voter registration record. The commissioner or administrative
head must transmit the information daily by electronic means to the secretary of state. At
least monthly, the commissioner or administrative head must submit data to the secretary
of state identifying the total number of people applying for services in a manner that qualifies
for a voter registration address update under this paragraph, and the total number of
individuals whose records were actually transferred for updates.

(c) An applicant must not be registered to vote under this subdivision until the agency's
commissioner, or the administrative head of the local or tribal government, has certified
that the necessary systems have been tested and can accurately provide the required data,
and the secretary of state has certified that the system for automatic registration of those
applicants has been tested and is capable of properly determining whether an applicant is
eligible to vote.

Subd. 5. Registration. (a) The secretary of state must determine whether an applicant
whose information is submitted under this section is currently registered in the statewide
voter registration system. For each currently registered voter whose registration is not
changed, the secretary of state must update the voter's registration date in the statewide
voter registration system. For each currently registered voter whose registration is changed,
the secretary of state must transmit the registration daily by electronic means to the county
auditor of the county where the voter resides.

(b) If the applicant is not currently registered in the statewide voter registration system,
the secretary of state must determine whether the applicant is 18 years of age or older and
a citizen of the United States. The secretary of state must also compare the voter registration
information received under section 201.145 to determine whether the applicant is eligible
to vote. If an applicant is less than 18 years of age, the secretary of state must wait until the
applicant has turned 18 years of age to determine whether the applicant is eligible to vote.
For each applicant the secretary of state determines is an eligible voter, the secretary of state
must transmit the registration daily by electronic means to the county auditor of the county
where the voter resides.

(c) Any data on applicants who the secretary determines are not eligible to vote are
private data on individuals, as defined in section 13.02, subdivision 12.

(d) The county auditor must inactivate the voter's record in the statewide voter registration
system upon receipt of a written request, signed by the voter, that the registration be
inactivated.

Subd. 6. Notice. Upon receipt of the registration information, the county auditor must
provide to the voter the notice of registration required by section 201.121, subdivision 2.
A notice mailed under this subdivision must include information on declining the registration
within the period authorized by subdivision 2, if the voter does not wish to be registered to
vote. The secretary of state may adopt rules prescribing the notice required by this subdivision
and subdivision 2.

Subd. 7. Prosecution of registration violations; voluntary action required. Unless
an individual knows of the individual's ineligibility to vote and intentionally takes voluntary
action to become registered, the transfer of the individual's record under this section does
not constitute completion or submission of a voter registration application by that individual.
If an application is processed and the individual is registered by the state under this section,
the application and registration is presumed to have been officially authorized by the state
and the individual is not subject to penalty under this section or other applicable law if the
individual is subsequently determined to be ineligible.

Subd. 8. Effective date. A registration application completed pursuant to this section
that is dated during the 20 days before an election is not effective until the day after the
election. This subdivision does not limit the ability of a person to register to vote on election
day as provided in section 201.061, subdivision 3. Any person who submits an application
under this section that is dated during the 20 days before an election shall be provided at
the time of application with a notice advising the applicant of the procedures to register to
vote on election day.
Sec. 16. Minnesota Statutes 2020, section 201.1611, subdivision 1, is amended to read:

Subdivision 1. **Forms.** All postsecondary institutions that enroll students accepting state or federal financial aid shall provide voter registration forms to each student as early as possible in the fall quarter. All school districts shall make available voter registration applications each May and September to all students registered as students of the school district who will be eligible to vote at the next election after those months. A school district has no obligation to provide voter registration applications to students who participate in a postsecondary education option program or who otherwise reside maintain residence in the district but do not attend a school operated by the district. A school district fulfills its obligation to a student under this section if it provides a voter registration application to the student one time. The forms must contain spaces for the information required in section 201.071, subdivision 1, and applicable rules of the secretary of state. The institutions and school districts may request these forms from the secretary of state. Institutions shall consult with their campus student government in determining the most effective means of distributing the forms and in seeking to facilitate election day registration of students under section 201.061, subdivision 3. School districts must advise students that completion of the voter registration application is not a school district requirement.

Sec. 17. Minnesota Statutes 2020, section 201.162, is amended to read:

**201.162 DUTIES OF STATE AGENCIES.**

The commissioner or chief administrative officer of each state agency or community-based public agency or nonprofit corporation that contracts with the state agency to carry out obligations of the state agency shall provide voter registration services for employees and the public including, as applicable, automatic voter registration or information on voter eligibility and registration procedures as required under section 201.161. A person may complete a voter registration application or apply to change a voter registration name or address if the person has the proper qualifications on the date of application. Nonpartisan voter registration assistance, including routinely asking members of the public served by the agency whether they would like to register to vote and, if necessary, assisting them in preparing the registration forms must be part of the job of appropriate agency employees.

Sec. 18. Minnesota Statutes 2020, section 201.225, subdivision 2, is amended to read:

Subd. 2. **Technology requirements.** An electronic roster must:

(1) 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 a combination of both;

(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/maintains residence 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;

(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.
Electronic rosters used only for election day registration do not need to comply with clauses (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need to comply with clauses (4) and (5).

Sec. 19. [201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT VOTING RIGHTS.

The secretary of state shall develop accurate and complete information in a single publication about the voting rights of people who have been charged with or convicted of a crime. This publication must be made available electronically to the state court administrator for distribution to judges, court personnel, probation officers, and the commissioner of corrections for distribution to corrections officials, parole and supervised release agents, and the public.

Sec. 20. Minnesota Statutes 2020, section 202A.11, subdivision 2, is amended to read:

Subd. 2. Right to use. A major political party which has adopted a party name is entitled to the exclusive use of that name for the designation of its candidates on all ballots, and no candidate of any other political party is entitled to have printed on a ballot as a party designation any part of that name. Improper use of a major political party's name may be the subject of a petition filed under section 204B.44.

Sec. 21. Minnesota Statutes 2020, section 202A.16, subdivision 1, is amended to read:

Subdivision 1. Eligible voters. Only those individuals who are or will be eligible to vote at the time of the next state general election, may vote or be elected a delegate or officer at the precinct caucus. An eligible voter may vote or be elected a delegate or officer only in the precinct where the voter resides at the time of the caucus.

Sec. 22. Minnesota Statutes 2020, section 203B.01, subdivision 3, is amended to read:

Subd. 3. Military. "Military" means the Army, Navy, Air Force, Marine Corps, Coast Guard or Merchant Marine of the United States, all other uniformed services as defined in United States Code, title 52, section 20310, and military forces as defined by section 190.05, subdivision 3, or any eligible citizen of Minnesota enrolled as a student at the United States Naval Academy, the United States Coast Guard Academy, the United States Merchant Marine Academy, the United States Air Force Academy, or the United States Military Academy.
Sec. 23. Minnesota Statutes 2020, section 203B.01, is amended by adding a subdivision to read:


Sec. 24. Minnesota Statutes 2020, section 203B.02, is amended by adding a subdivision to read:

Subd. 4. Emergency response providers. Any trained or certified emergency response provider or utility worker who is deployed during the time period authorized by law for absentee voting, on election day, or during any state of emergency declared by the President of the United States or any governor of any state within the United States may vote by absentee ballot either as provided by sections 203B.04 to 203B.15 or sections 203B.16 to 203B.27.

Sec. 25. Minnesota Statutes 2020, section 203B.03, is amended by adding a subdivision to read:

Subd. 1a. Prohibited methods of compensation. (a) No individual may be compensated for the solicitation, collection, or acceptance of absentee ballot applications from voters for submission to the county auditor or other local election official in a manner in which payment is calculated by multiplying (1) either a set or variable payment rate, by (2) the number of applications solicited, collected, or accepted.

(b) No individual may be deprived of compensation or have compensation automatically reduced exclusively for failure to solicit, collect, or accept a minimum number of absentee ballot applications.

(c) No individual may receive additional compensation for collecting a certain number of absentee ballot applications.

Sec. 26. Minnesota Statutes 2020, 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 website that shall be maintained by the secretary
of state for this purpose. Notwithstanding paragraph (b), the secretary of state must require
applicants using the website 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, and must be available to the public
in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

(c) An application under this subdivision may contain an application under subdivision
5 to automatically receive an absentee ballot application.

Sec. 27. Minnesota Statutes 2020, section 203B.081, subdivision 1, is amended to read:

Subdivision 1. Location; timing. 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, except as provided in this section. The county auditor
shall make such polling place designations at least 14 weeks before the election. Voters
casting absentee ballots in person for a town election held in March may do so during the
30 days before the election.

Sec. 28. Minnesota Statutes 2020, section 203B.081, subdivision 2, is amended to read:

Subd. 2. Town elections Voting booth; electronic ballot marker. Voters casting
absentee ballots in person for a town election held in March may do so during the 30 days
before the election. The county auditor shall make such designations at least 14 weeks before
the election. For purposes of this section, the county auditor must make available in each
polling place (1) at least one voting booth in each polling place must be made available by
the county auditor for this purpose. The county auditor must also make available, and (2)
at least one electronic ballot marker in each polling place that has implemented a voting
system that is accessible for individuals with disabilities pursuant to section 206.57,
subdivision 5.

Sec. 29. Minnesota Statutes 2020, 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 14 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.
(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 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.

(f) The secretary of state must prepare voting instructions in languages other than English for use by voters casting a ballot under this subdivision. At a minimum, the instructions must be prepared and made available in print, electronic, and audiovisual formats in the Spanish, Hmong, and Somali languages.

Sec. 30. Minnesota Statutes 2020, section 203B.11, subdivision 1, is amended to read:

Subdivision 1. Generally. (a) 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.
At the discretion of a full-time municipal clerk, school district clerk, or county auditor, absentee ballots may be delivered in the same manner as prescribed in paragraph (a) to a veterans home operated under chapter 198 or a shelter for battered women as defined in section 611A.37, subdivision 4.

Sec. 31. Minnesota Statutes 2020, section 203B.12, subdivision 7, is amended to read:

Subd. 7. Names of persons; rejected absentee ballots. (a) The names of voters who have submitted an absentee ballot to the county auditor or municipal clerk that has not been accepted may not be made available for public inspection until the close of voting on election day.

(b) After the close of voting on election day, the lists must be available to the public in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

Sec. 32. Minnesota Statutes 2020, 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 signature envelopes delivered to them in accordance with section 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk, two or more members of the ballot board shall examine each return signature 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 signature envelope "Accepted" and initial or sign the return signature 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 signature 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 signature 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 14th day before the election, by absentee ballot.

The return signature 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 signature
envelope find that an absentee voter has failed to meet one of the requirements provided in
paragraph (b), they shall mark the return signature envelope "Rejected," initial or sign it
below the word "Rejected," list 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 secrecy 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 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.

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

Sec. 33. Minnesota Statutes 2020, section 203B.121, subdivision 3, is amended to read:

Subd. 3. Record of voting. (a) When applicable, the county auditor or municipal clerk must immediately record that a voter's absentee ballot has been accepted. After the close of business on the seventh 14th day before the election, a voter whose record indicates that an absentee ballot has been accepted must not be permitted to cast another ballot at that election. In a state primary, general, or state special election for federal or state office, the auditor or clerk must also record this information in the statewide voter registration system.

(b) The roster must be marked, and a supplemental report of absentee voters who submitted a voter registration application with their ballot must be created, no later than the start of voting on election day to indicate the voters that have already cast a ballot at the election. The roster may be marked either:

1) by the county auditor or municipal clerk before election day;
2) by the ballot board before election day; or
3) by the election judges at the polling place on election day.

The record of a voter whose absentee ballot was received after the close of business on the seventh 14th day before the election is not required to be marked on the roster or contained in a supplemental report as required by this paragraph.

Sec. 34. Minnesota Statutes 2020, section 203B.121, subdivision 4, is amended to read:

Subd. 4. Opening of envelopes. After the close of business on the seventh 14th day before the election, the ballots from return secrecy envelopes within the signature envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate ballot box. If more than one voted ballot is enclosed in the ballot envelope, the ballots must be returned in the manner provided by section 204C.25 for return of spoiled ballots, and may not be counted.

Sec. 35. Minnesota Statutes 2020, section 203B.16, subdivision 2, is amended to read:

Subd. 2. Indefinite residence outside United States. Sections 203B.16 to 203B.27 provide the exclusive voting procedure for United States citizens who are living indefinitely outside the territorial limits of the United States who meet all the qualifications of an eligible
voter except residence in Minnesota, but who are authorized by federal law to vote in
Minnesota because they or, if they have never maintained residence in the United
States, a parent maintained residence in Minnesota for at least 20 days immediately prior
to their departure from the United States. Individuals described in this subdivision shall be
permitted to vote only for the offices of president, vice-president, senator in Congress, and
representative in Congress.

Sec. 36. Minnesota Statutes 2020, section 203B.24, subdivision 1, is amended to read:

Subdivision 1. Check of voter eligibility; proper execution of certificate. Upon receipt
of an absentee ballot returned as provided in sections 203B.16 to 203B.27, the election
judges shall compare the voter's name with the names recorded under section 203B.19 in
the statewide registration system to insure that the ballot is from a voter eligible to cast an
absentee ballot under sections 203B.16 to 203B.27. The election judges shall mark the return
envelope "Accepted" and initial or sign the return envelope below the word "Accepted" if
the election judges are satisfied that:

(1) the voter's name and address on the return envelope appears in substantially the same
form as on the application records provided to the election judges by the county auditor;
(2) the voter has signed the federal oath prescribed pursuant to section 705(b)(2) of the
Help America Vote Act, Public Law 107-252;
(3) the voter has set forth the same voter's passport number, or Minnesota driver's license
or state identification card number, or the last four digits of the voter's Social Security
number as submitted on the application, if the voter has one of these documents;
(4) the voter is not known to have died; and
(5) the voter has not already voted at that election, either in person or by absentee ballot.

If the identification number described in clause (3) does not match the number as
submitted on the application, the election judges must make a reasonable effort to satisfy
themselves through other information provided by the applicant, or by an individual
authorized to apply on behalf of the voter, that the ballots were returned by the same person
to whom the ballots were transmitted.

An absentee ballot cast pursuant to sections 203B.16 to 203B.27 may only be rejected
for the lack of one of clauses (1) to (5). In particular, failure to place the ballot within the
security secrecy envelope before placing it in the outer white envelope is not a reason to
reject an absentee ballot.
Election judges must note the reason for rejection on the back of the envelope in the space provided for that purpose.

Failure to return unused ballots shall not invalidate a marked ballot, but a ballot shall not be counted if the certificate on the return envelope is not properly executed. In all other respects the provisions of the Minnesota Election Law governing deposit and counting of ballots shall apply. Notwithstanding other provisions of this section, the counting of the absentee ballot of a deceased voter does not invalidate the election.

Sec. 37. Minnesota Statutes 2020, section 204B.06, subdivision 1b, is amended to read:

Subd. 1b. Address and telephone number. (a) An affidavit of candidacy must state a telephone number where the candidate can be contacted. An affidavit must also state the candidate's address of residence as determined under section 200.031, or at the candidate's request in accordance with paragraph (c), the candidate's campaign contact address. The form for the affidavit of candidacy must allow the candidate to request, if eligible, that the candidate's address of residence be classified as private data, and to provide the certification required under paragraph (c) for classification of that address.

(b) For an office whose residency requirement must be satisfied by the close of the filing period, a registered voter in this state may request in writing that the filing officer receiving the affidavit of candidacy review the address as provided in this paragraph, at any time up to one day after the last day for filing for office. If requested, the filing officer must determine whether the address provided in the affidavit of candidacy is within the area represented by the office the candidate is seeking. If the filing officer determines that the address is not within the area represented by the office, the filing officer must immediately notify the candidate and the candidate's name must be removed from the ballot for that office. A determination made by a filing officer under this paragraph is subject to judicial review under section 204B.44.

(c) If the candidate requests that the candidate's address of residence be classified as private data, the candidate must list the candidate's address of residence on a separate form to be attached to the affidavit. The candidate must also certify on the affidavit that either:

(1) a police report has been submitted or an order for protection has been issued, or the candidate has a reasonable fear in regard to the safety of the candidate or the candidate's family; or

(2) the candidate's address is otherwise private pursuant to Minnesota law.
The address of residence provided by a candidate who makes a request for classification on the candidate's affidavit of candidacy and provides the certification required by this paragraph is classified as private data, as defined in section 13.02, subdivision 12, but may be reviewed by the filing officer as provided in this subdivision.

(d) The requirements of this subdivision do not apply to affidavits of candidacy for a candidate for: (1) judicial office; (2) the office of county attorney; or (3) county sheriff.

Sec. 38. Minnesota Statutes 2020, section 204B.06, subdivision 4a, is amended to read:

Subd. 4a. **State and local offices.** Candidates who seek nomination for the following offices shall state the following additional information on the affidavit:

(1) for governor or lieutenant governor, that on the first Monday of the next January the candidate will be 25 years of age or older and, on the day of the state general election, a resident of Minnesota for not less than one year;

(2) for supreme court justice, court of appeals judge, or district court judge, that the candidate is learned in the law;

(3) for county, municipal, school district, or special district office, that the candidate meets any other qualifications for that office prescribed by law;

(4) for senator or representative in the legislature, that on the day of the general or special election to fill the office the candidate will have resided maintained residence not less than one year in the state and not less than six months in the legislative district from which the candidate seeks election.

Sec. 39. Minnesota Statutes 2020, 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 days nor less than 70 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. 40. Minnesota Statutes 2020, 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, file jointly with another individual seeking nomination as a candidate for vice president of the United States. A candidate for vice president of the United States who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for 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, file jointly with another individual seeking nomination as a candidate for lieutenant governor. A candidate for lieutenant governor who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for governor.
Sec. 41. Minnesota Statutes 2020, section 204B.13, is amended by adding a subdivision to read:

Subd. 6a. Candidates for federal office. This section does not apply to a vacancy in nomination for a federal office.

Sec. 42. Minnesota Statutes 2020, section 204B.16, subdivision 1, is amended to read:

Subdivision 1. Authority; location. (a) By December 31 of each year, the governing body of each municipality and of each county with precincts in unorganized territory must 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; any changes to a polling place location. A polling place must be maintained for the following calendar year unless changed:

1. by ordinance or resolution by December 31 of the previous year;
2. pursuant to section 204B.175;
3. because a polling place has become unavailable; or
4. because a township designates one location for all state, county, and federal elections and one location for all township only elections.

(b) 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. 43. Minnesota Statutes 2020, section 204B.19, subdivision 6, is amended to read:

Subd. 6. High school students. Notwithstanding any other requirements of this section, a student enrolled in a high school in Minnesota or who is in a home school in compliance with Article 3 Sec. 43.
with sections 120A.22 and 120A.24, who has attained the age of 16 is eligible to be appointed as a without party affiliation trainee election judge, without party affiliation, in the county in which the student resides maintains residence, or a county adjacent to the county in which the student resides maintains residence. The student must meet qualifications for trainee election judges specified in rules of the secretary of state. A student appointed as a trainee election judge may be excused from school attendance during the hours that the student is serving as a trainee election judge if the student submits a written request signed and approved by the student's parent or guardian to be absent from school and a certificate from the appointing authority stating the hours during which the student will serve as a trainee election judge to the principal of the school at least ten days prior to the election. Students shall not serve as trainee election judges after 10:00 p.m. Notwithstanding section 177.24 to the contrary, trainee election judges may be paid not less than two-thirds of the minimum wage for a large employer. The principal of the school may approve a request to be absent from school conditioned on acceptable academic performance at the time of service as a trainee election judge. A school board may determine that students are eligible to receive credit for serving as a trainee election judge.

Sec. 44. Minnesota Statutes 2020, section 204B.21, subdivision 2, is amended to read:

Subd. 2. Appointing authority; powers and duties. (a) 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.

(b) Except as otherwise provided in this section, appointments shall be made from the list of voters who reside maintain residence 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.

(c) 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. 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.

(d) The appointing authority must, whenever possible, recruit bilingual high school
students to serve as trainee election judges pursuant to section 204B.19.

(e) 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. 45. Minnesota Statutes 2020, section 204B.36, subdivision 2, is amended to read:

Subd. 2. Candidates and offices. The name of each candidate shall be printed at a right
angle to the length of the ballot. At a general election the name of the political party or the
political principle of each candidate for partisan office shall be printed above or below the
name of the candidate. The name of a political party or a political principle shall be printed
in capital and lowercase letters of the same type, with the capital letters at least one-half the
height of the capital letters used for names of the candidates. At a general or special election,
blank lines containing the words "write-in, if any" shall be printed below the name of the
last candidate for each office, or below the title of the office if no candidate has filed for
that office, so that a voter may write in the names of individuals whose names are not on
the ballot. One blank line shall be printed for each officer of that kind to be elected. At a
primary election, no blank lines shall be provided for writing in the names of individuals
whose names do not appear on the primary ballot.

On the left side of the ballot at the same level with the name of each candidate and each
blank line shall be printed an oval or similar target shape in which the voter may designate
a vote by filling in the oval or similar mark if a different target shape is used. Each oval or
target shape shall be the same size. Above the first name on each ballot shall be instructions
for voting. Directly underneath the official title of each office shall be printed the words
"Vote for one" or "Vote for up to ..." (any greater number to be elected).
Sec. 46. Minnesota Statutes 2020, section 204B.44, is amended to read:

204B.44 ERRORS AND OMISSIONS; REMEDY.

(a) Any individual may file a petition in the manner provided in this section for the correction of any of the following errors, omissions, or wrongful acts which have occurred or are about to occur:

(1) an error or omission in the placement or printing of the name or description of any candidate or any question on any official ballot, including the placement of a candidate on the official ballot who is not eligible to hold the office for which the candidate has filed;

(2) any other error in preparing or printing any official ballot;

(3) failure of the chair or secretary of the proper committee of a major political party to execute or file a certificate of nomination;

(4) any wrongful act, omission, or error of any election judge, municipal clerk, county auditor, canvassing board or any of its members, the secretary of state, or any other individual charged with any duty concerning an election.

(b) A major political party may file a petition in the manner provided in this section to prevent the use of the party's name on an official ballot in a manner that violates section 202A.11, subdivision 2.

(b) (c) The petition shall describe the error, omission, or wrongful act and the correction sought by the petitioner. The petition shall be filed with any judge of the supreme court in the case of an election for state or federal office or any judge of the district court in that county in the case of an election for county, municipal, or school district office. The petitioner shall serve a copy of the petition on the officer, board or individual charged with the error, omission, or wrongful act, on all candidates for the office in the case of an election for state, federal, county, municipal, or school district office, and on any other party as required by the court. Upon receipt of the petition the court shall immediately set a time for a hearing on the matter and order the officer, board or individual charged with the error, omission or wrongful act to correct the error or wrongful act or perform the duty or show cause for not doing so. In the case of a review of a candidate's eligibility to hold office, the court may order the candidate to appear and present sufficient evidence of the candidate's eligibility. In the case of a review of a candidate's major political party designation, the court may order the candidate to appear and present sufficient evidence of the candidate's right to use the party's name. Evidence of a candidate's nomination for endorsement at a party's endorsing convention or engagement in the party's governance structure establishes a rebuttable
presumption that the candidate is entitled to be designated by that party's name on a ballot.

The court shall issue its findings and a final order for appropriate relief as soon as possible after the hearing. Failure to obey the order is contempt of court.

Sec. 47. Minnesota Statutes 2020, section 204B.45, subdivision 1, is amended to read:

Subdivision 1. **Authorization.** A town of any size not located in a metropolitan county as defined by section 473.121, or a city having fewer than 400 registered voters on June 1 of an election year and not located in a metropolitan county as defined by section 473.121, may provide balloting by mail at any municipal, county, or state election with no polling place other than the office of the auditor or clerk or other locations designated by the auditor or clerk. The governing body may apply to the county auditor for permission to conduct balloting by mail. The county board may provide for balloting by mail in unorganized territory. The governing body of any municipality may designate for mail balloting any precinct having fewer than 100 registered voters, subject to the approval of the county auditor.

Voted ballots may be returned in person to any location designated by the county auditor or municipal clerk.

Sec. 48. Minnesota Statutes 2020, section 204B.45, subdivision 2, is amended to read:

Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before a regularly scheduled election and not more than 30 days nor later than 14 days before any other election, the auditor shall mail ballots by nonforwardable mail to all voters registered in the city, town, or unorganized territory. No later than 14 days before the election, the auditor 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 as provided in chapter 203B. Ballot return envelopes, with return postage provided, must be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in person to the office of the auditor or clerk.

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 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 shall 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 seventeenth 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 members of the ballot board, and deposited in the 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 mail or absentee ballots may be made public before the close of voting on election day.

The costs of the mailing shall be paid by the election jurisdiction in which the voter resides. Any ballot received by 8:00 p.m. on the day of the election must be counted.

Sec. 49. Minnesota Statutes 2020, 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, except in overlapping school and municipality jurisdictions, where a mail election may include an office when one of the jurisdictions also has a question on the ballot. 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, 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 accepted 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 14th 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. 50. Minnesota Statutes 2020, section 204C.05, subdivision 1a, is amended to read:

Subd. 1a. Elections; organized town. The governing body of a town with less than 500 inhabitants according to the most recent federal decennial census, which is located outside the metropolitan area as defined in section 200.02, subdivision 24, may fix a later time for voting to begin at state primary, special, or general elections, if approved by a vote of the town electors at the annual town meeting. The question of shorter voting hours must be
included in the notice of the annual town meeting before the question may be submitted to
the electors at the meeting. The later time may not be later than 10:00 a.m. for special,
primary, or general elections. The town clerk shall either post or publish notice of the
changed hours and notify the county auditor and the secretary of state of the change 30 days
before the election.

Sec. 51. Minnesota Statutes 2020, section 204C.05, subdivision 1b, is amended to read:

Subd. 1b. Elections; unorganized territory. An unorganized territory or unorganized
territories which constitute a voting district may have shorter voting hours if at least 20
percent of the registered voters residing in the voting district sign a petition for shorter hours
and present it to the county auditor and secretary of state at least 30 days before the election.
The later time may not be later than 10:00 a.m. for special, primary, or general elections.
The county auditor shall either post or publish notice of the changed hours, within the voting
district, 30 days before the election.

Sec. 52. Minnesota Statutes 2020, section 204C.10, is amended to read:

204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;
VOTER RECEIPT.

(a) An individual seeking to vote shall sign a polling place roster or voter signature
certificate which states that the individual:

(1) is at least 18 years of age;
(2) a citizen of the United States;
(3) has resided in Minnesota for 20 days immediately preceding the election;
(4) maintains residence at the address shown;
(5) is not under a guardianship in which the court order revokes the individual's right to
vote;
(6) has not been found by a court of law to be legally incompetent to vote;
(7) 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, completed the term of incarceration, if any, for the conviction;
(8) is registered; and
(9) has not already voted in the election.

Article 3 Sec. 52.
The roster must also state: "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." 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, confirm the applicant's name, address, and date of birth.

(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 voter other than the voter whose status is challenged.

Sec. 53. Minnesota Statutes 2020, section 204C.15, subdivision 1, is amended to read:

Subdivision 1. Physical assistance in marking ballots. A voter who claims a need for assistance because of inability to read English or physical inability to mark a ballot may obtain the aid of two election judges who are members of different major political parties. The election judges shall mark the ballots as directed by the voter and in as secret a manner as circumstances permit. A voter in need of assistance may alternatively obtain the assistance of any individual the voter chooses. Only the following persons may not provide assistance to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the voter's union, or a candidate for election. The person who assists the voter shall, unaccompanied by an election judge, retire with that voter to a booth and mark the ballot as directed by the voter. No person who assists another voter as provided in the preceding sentence shall mark the ballots of more than three voters at one election. Before the ballots are deposited, the voter may show them privately to an election judge to ascertain that they are marked as the voter directed. An election judge or other individual assisting a voter shall not in any manner request, persuade, induce, or attempt to persuade or induce the voter to vote for any particular political party or candidate. The election judges or other individuals who assist the voter shall not reveal to anyone the name of any candidate for whom the
voter has voted or anything that took place while assisting the voter. Before permitting an
individual to assist a voter, an election judge must document the individual's name, address,
and telephone number and must require the individual to sign a statement certifying
compliance with this subdivision. An individual who assists a voter in a manner not
authorized by this section is guilty of a felony.

Sec. 54. Minnesota Statutes 2020, section 204C.21, subdivision 1, is amended to read:

Subdivision 1. Method. The election judges shall take all the ballots of the same kind
and count the votes cast for each office or question, beginning with the first office or question
on the ballot. They shall make one pile of the ballots for each candidate who received votes
for that office, or one pile for the "Yes" votes and one pile for the "No" votes on a question.
They shall make a pile of totally defective ballots and a pile of totally blank ballots. They
shall make a pile of ballots that are not totally defective but are defective with respect to
the office or question being counted and a pile of ballots that are not totally blank but are
blank with respect to the office or question being counted. After the separation into piles,
the election judges shall examine each pile and remove and place in the proper pile any
ballots that are found in the wrong pile. The election judges shall count the totally blank
and totally defective ballots and set them aside until the counting is over for that ballot. In
conducting the count of blank ballots, election judges may presume that the total count
provided for prepackaged ballots is correct. The election judges may pile ballots crosswise
in groups of 25 in the same pile to facilitate counting. When their counts agree, the election
judges shall announce the number of ballots in each pile, and shall write the number in the
proper place on the summary statements.

The election judges shall then return all the counted ballots, and all the partially defective
or partially blank ballots, to the original pile to be separated and counted in the same manner
for the next office or question.

Sec. 55. Minnesota Statutes 2020, 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, to the municipal or school
district clerk's office within 24 hours after the end of the hours for voting. The municipal
or school district clerk 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. 56. Minnesota Statutes 2020, section 204C.33, subdivision 3, is amended to read:

Subd. 3. State canvass. The State Canvassing Board shall meet 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:

(1) the number of individuals voting in the state and in each county;
(2) the number of votes received by each of the candidates, specifying the counties in
which they were cast; and
(3) the number of votes counted for and against each constitutional amendment, specifying
the counties in which they were cast.

Upon completion of the canvass, the State Canvassing Board shall declare the candidates
duly elected who received the highest number of votes for each federal and state office. 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. 57. Minnesota Statutes 2020, section 204C.35, is amended by adding a subdivision
to read:

Subd. 2a. Constitutional amendment recount. In a state general election when the
difference between the number of "yes" votes cast on ratification of a proposed constitutional
amendment is within one-quarter percent of the number of all other ballots cast at the
election, the canvassing board shall manually recount the votes on that question, including
the number of "yes" or "no" votes on the question, and the number of ballots that did not
cast a vote on the question. The results of the recount must be certified by the canvassing
board as soon as possible.
Sec. 58. Minnesota Statutes 2020, section 204C.35, subdivision 3, is amended to read:

Subd. 3. Scope of recount. A recount conducted as provided in this section is limited in scope to the determination of the number of votes validly cast for the office or question to be recounted. Only the ballots cast in the election and the summary statements certified by the election judges may be considered in the recount process. Original ballots that have been duplicated under section 206.86, subdivision 5, are not within the scope of a recount and must not be examined except as provided by a court in an election contest under chapter 209.

Sec. 59. Minnesota Statutes 2020, 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 case 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 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. All requests under this paragraph
shall be filed by between the close of the canvass of a primary or special primary and 5:00
p.m. on the fifth day after the canvass of a primary or special primary or by between the
close of the canvass of a special or general election and 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
municipality, and the school board of the school district shall recount the votes for a school
district office at the expense of the school district.

Sec. 60. Minnesota Statutes 2020, section 204D.08, subdivision 4, is amended to read:

Subd. 4. State partisan primary ballot; party columns. The state partisan primary
ballot shall be headed by the words "State Partisan Primary Ballot." The ballot shall be
printed on white paper. There must be at least three vertical columns on the ballot and each
major political party shall have a separate column headed by the words ".......... Party,
" giving the party name. Above the party names, the following statement shall be printed.

"Minnesota Election Law permits you to vote for the candidates of only one political
party in a state partisan primary election."

If there are only two major political parties to be listed on the ballot, one party must
occupy the left-hand column, the other party must occupy the right-hand column, and the
center column must contain the following statement:

"Do not vote for candidates of more than one party."

The names of the candidates seeking the nomination of each major political party shall
be listed in that party's column. If only one individual files an affidavit of candidacy seeking
the nomination of a major political party for an office, the name of that individual shall be
placed on the state partisan primary ballot at the appropriate location in that party's column.

In each column, the candidates for senator in Congress shall be listed first, candidates
for representative in Congress second, candidates for state senator third, candidates for state
representative fourth and then candidates for state office in the order specified by the secretary
of state. Vacant offices being filled by special election must be listed with other offices of that type, but after any office of that type for which a candidate will be elected for a full term.

The party columns shall be substantially the same in width, type, and appearance. The columns shall be separated by a 12-point solid line.

Sec. 61. Minnesota Statutes 2020, section 204D.13, subdivision 1, is amended to read:

Subdivision 1. **Order of offices.** The candidates for partisan offices shall be placed on the state general election ballot in the following order: senator in Congress shall be first; representative in Congress, second; state senator, third; and state representative, fourth. The candidates for state offices shall follow in the order specified by the secretary of state.

Candiates for governor and lieutenant governor shall appear so that a single vote may be cast for both offices. Vacant offices being filled by special election must be listed with other offices of that type, but after any office of that type for which a candidate will be elected for a full term.

Sec. 62. Minnesota Statutes 2020, section 204D.19, subdivision 2, is amended to read:

Subd. 2. **Special election when legislature will be in session.** Except for vacancies in the legislature which occur at any time between the last day of session in an odd-numbered year and the 40th 54th day prior to the opening day of session in the succeeding even-numbered year, when a vacancy occurs and the legislature will be in session so that the individual elected as provided by this section could take office and exercise the duties of the office immediately upon election, the governor shall issue within five days after the vacancy occurs a writ calling for a special election. The special election shall be held as soon as possible, consistent with the notice requirements of section 204D.22, subdivision 3, but in no event more than 35 49 days after the issuance of the writ. A special election must not be held during the four days before or the four days after a holiday as defined in section 645.44, subdivision 5.

Sec. 63. Minnesota Statutes 2020, section 204D.195, is amended to read:

204D.195 DATE OF SPECIAL ELECTION; CERTAIN TIMES PROHIBITED.

Notwithstanding any other provision of law, a special primary and special general election may not be held:

1) for a period beginning the day following the date of the state primary election and ending the day prior to the date of the state general election; or
(2) on a holiday, or during the four days before or after a holiday, as defined in section 645.44, subdivision 5.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to special elections occurring on or after that date.

Sec. 64. Minnesota Statutes 2020, section 204D.22, subdivision 3, is amended to read:

**Subd. 3. Notice of special election.** The county auditor of a county in which a special election is to be held shall direct the clerk of each municipality in which the election is to be held to post a notice of the special primary and special election at least seven 14 days before the special primary and at least 21 days before the special election in the manner provided in sections 204B.33 and 204B.34. If the special primary is to be held 21 days before the special election, a single notice of both elections may be posted seven days before the primary.

When the special primary or special election is to be held on the same day as any other election, notice of the special primary or special election may be included in the notice of the other election, if practicable.

Sec. 65. Minnesota Statutes 2020, section 204D.23, subdivision 2, is amended to read:

**Subd. 2. Time of filing.** Except as provided in subdivision 3, the affidavits and petitions shall be filed no later than 21 days before the special primary.

Sec. 66. Minnesota Statutes 2020, section 204D.27, subdivision 5, is amended to read:

**Subd. 5. Canvass; special primary; state canvassing board; contest.** Not later than four days after the returns of the county canvassing boards are certified to the secretary of state, the State Canvassing Board shall complete its canvass of the special primary. The secretary of state shall then promptly certify to the county auditors the names of the nominated individuals, prepare notices of nomination, and notify each nominee of the nomination. In case of a contest of a special primary for state senator or state representative, the notice of contest must be filed within two days, excluding Sundays and legal holidays, after the canvass is completed, and the contest shall otherwise proceed in the manner provided by law for contesting elections.

Sec. 67. Minnesota Statutes 2020, section 204D.28, subdivision 9, is amended to read:

**Subd. 9. Filing by candidates.** The time for filing of affidavits and nominating petitions for candidates to fill a vacancy at a special election shall open 12 weeks before the special election.
primary or on the day the secretary of state issues notice of the special election, whichever
occurs later. Filings shall close ten weeks before the special primary. A candidate filing for
the office of United States senator to fill a vacancy at a special election when both offices
of United States senator are required to be placed on the same ballot must specify on the
affidavit of candidacy the expiration date of the term of the office that the candidate is
seeking.

Sec. 68. Minnesota Statutes 2020, section 204D.28, subdivision 10, is amended to read:

Subd. 10. United States senator; candidates; designation of term. When the names
of candidates for both offices of United States senator are required to be placed on the same
ballot, the expiration date of the term of each office shall be printed on the ballot in the
office heading opposite the name of each candidate for nomination or election to that office.

Sec. 69. Minnesota Statutes 2020, section 205.13, subdivision 5, is amended to read:

Subd. 5. Nominating petition; cities of the first class. A nominating petition filed on
behalf of a candidate for municipal office in a city of the first class shall be signed by eligible
voters who reside maintain residence in the election district from which the candidate is to
be elected. The number of signers shall be at least 500, or two percent of the total number
of individuals who voted in the municipality, ward, or other election district at the last
preceding municipal general election, whichever is greater.

Sec. 70. Minnesota Statutes 2020, 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 county auditor of the county in
which the greatest number of school district residents reside maintain residence, the court
administrator of the district court of the judicial district in which the greatest number of
school district residents reside maintain residence, 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 board shall serve as the school district canvassing board for the election of school board members.

Sec. 71. Minnesota Statutes 2020, section 205A.12, subdivision 5, is amended to read:

Subd. 5. **Board elections.** If the proposal for the establishment of election districts is approved by the voters, the board shall specify the election districts from which vacancies shall be filled as they occur until such time as each board member represents an election district. A candidate for school board in a subsequent election must file an affidavit of candidacy to be elected as a school board member for the election district in which the candidate resides. If there are as many election districts as there are members of the board, one and only one member of the board shall be elected from each election district. In school districts where one or more board members are elected by election districts, candidates must indicate on the affidavit of candidacy the number of the district from which they seek election or, if appropriate, that they seek election from one of the offices elected at large. If the election districts have two or three members each, the terms of the members must be staggered. Each board member must be a resident of the election district for which elected but the creation of an election district or a change in election district boundaries shall not disqualify a board member from serving for the remainder of a term.

Sec. 72. Minnesota Statutes 2020, section 206.805, subdivision 1, is amended to read:

Subdivision 1. **Contracts required.** (a) The secretary of state, with the assistance of the commissioner of administration, must establish one or more state voting systems contracts. The contracts should, if practical, include provisions for maintenance of the equipment purchased. The voting systems contracts must address precinct-based optical scan voting equipment, assistive voting technology, automatic tabulating equipment, and electronic roster equipment. The contracts must give the state a perpetual license to use and modify the software. The contracts must include provisions to escrow the software source code, as provided in subdivision 2. Bids for voting systems and related election services must be solicited from each vendor selling or leasing voting systems that have been certified for use by the secretary of state. Bids for electronic roster equipment, software, and related services must be solicited from each vendor selling or leasing electronic roster equipment that meets the requirements of section 201.225, subdivision 2. The contracts must be renewed from time to time.
(b) Counties and municipalities may purchase or lease voting systems and obtain related
election services from the state contracts. All counties and municipalities are members of
the cooperative purchasing venture of the Department of Administration for the purpose of
this section. For the purpose of township elections, counties must aggregate orders under
contracts negotiated under this section for products and services and may apportion the
costs of those products and services proportionally among the townships receiving the
products and services. The county is not liable for the timely or accurate delivery of those
products or services.

Sec. 73. Minnesota Statutes 2020, section 206.89, subdivision 4, is amended to read:

Subd. 4. Standard of acceptable performance by voting system. A comparison of the
results compiled by the voting system with the postelection review described in this section
must show that the results of the electronic voting system differed by no more than one-half
one-quarter of one percent from the manual count of the offices reviewed. Valid votes that
have been marked by the voter outside the vote targets or using a manual marking device
that cannot be read by the voting system must not be included in making the determination
whether the voting system has met the standard of acceptable performance for any precinct.

Sec. 74. Minnesota Statutes 2020, section 206.89, subdivision 5, is amended to read:

Subd. 5. Additional review. (a) If the postelection review in one of the reviewed precincts
reveals a difference greater than one-half one-quarter of one percent, or greater than two
votes in a precinct where 400 800 or fewer voters cast ballots, the postelection review official
must, within two days, conduct an additional review of the races indicated in subdivision
3 in at least three precincts in the same jurisdiction where the discrepancy was discovered.
If all precincts in that jurisdiction have been reviewed, the county auditor must immediately
publicly select by lot at least three additional precincts for review. The postelection review
official must complete the additional review within two days after the precincts are selected
and report the results immediately to the county auditor. If the second review in any of the
reviewed precincts also indicates a difference in the vote totals compiled by the voting
system that is greater than one-half one-quarter of one percent from the result indicated by
the postelection review, or greater than two votes in a precinct where 400 800 or fewer
voters cast ballots, the county auditor must conduct a review of the ballots from all the
remaining precincts in the county for the races indicated in subdivision 3. This review must
be completed and the results must be reported to the secretary of state within one week after
the second review was completed.
If the results from the countywide reviews from one or more counties comprising in the aggregate more than ten percent of the total number of persons voting in the election clearly indicate that an error in vote counting has occurred, the secretary of state must notify the postelection review official of each county in the district that they must conduct manual recounts of all the ballots in the district for the affected office using the procedure outlined in section 204C.35. The recount must be completed and the results reported to the appropriate canvassing board within two weeks after the postelection review official received notice from the secretary of state.

Sec. 75. Minnesota Statutes 2020, section 206.90, subdivision 6, is amended to read:

Subd. 6. Ballots. In precincts using optical scan voting systems, a single ballot card on which all ballot information is included must be printed in black ink on white colored material except that marks not to be read by the automatic tabulating equipment may be printed in another color ink. In state elections, a single ballot title must be used, as provided in sections 204D.08, subdivision 6, and 204D.11, subdivision 1. In odd-numbered years when both municipal and school district offices or questions appear on the ballot, the single ballot title "City (or Town) and School District Ballot" must be used.

On the front of the ballot must be printed the words "Official Ballot" and the date of the election and lines for the initials of at least two election judges.

When optical scan ballots are used, the offices to be elected must appear in the following order: federal offices; state legislative offices; constitutional offices; proposed constitutional amendments; county offices and questions; municipal offices and questions; school district offices and questions; special district offices and questions; and judicial offices.

On optical scan ballots, the names of candidates and the words "yes" and "no" for ballot questions must be printed as close to their corresponding vote targets as possible.

The line on an optical scan ballot for write-in votes must contain the words "write-in, if any."

If a primary ballot contains both a partisan ballot and a nonpartisan ballot, the instructions to voters must include a statement that reads substantially as follows: "This ballot card contains a partisan ballot and a nonpartisan ballot. On the partisan ballot you are permitted to vote for candidates of one political party only." If a primary ballot contains political party columns on both sides of the ballot, the instructions to voters must include a statement that reads substantially as follows: "Additional political parties are printed on the other side of this ballot. Vote for one political party only." At the bottom of each political party column.
on the primary ballot, the ballot must contain a statement that reads substantially as follows:

"Continue voting on the nonpartisan ballot." The instructions in section 204D.08, subdivision 4, do not apply to optical scan partisan primary ballots. Electronic ballot displays and audio ballot readers must follow the order of offices and questions on the optical scan or paper ballot used in the same precinct, or the sample ballot posted for that precinct.

Sec. 76. [206.97] ELECTION SECURITY AND ADMINISTRATION GRANTS.

Subdivision 1. Grants authorized. The secretary of state may disburse funds governed by section 5.30 as grants for federal purposes to political subdivisions as authorized by this section. In evaluating an application for a grant, the secretary of state shall consider only the information set forth in the application and is not subject to chapter 14.

Subd. 2. Use of grants. A grant awarded under this section may be used for federal purposes but restricted to the following:

(1) updated hardware or software used for administering elections;
(2) additional physical security for election equipment storage;
(3) increased polling place accessibility; or
(4) cybersecurity or physical security training for election officials or election judges.

Subd. 3. Application. The secretary of state may award a grant to a political subdivision after receiving an application from the political subdivision. The application must identify:

(1) the date the application is submitted;
(2) the name of the political subdivision;
(3) the name and title of the individual who prepared the application;
(4) the total number of registered voters as of the date of the application in each precinct in the political subdivision;
(5) the total amount of the grant requested;
(6) the hardware, software, security improvements, accessibility improvements, or training to be acquired or conducted with the grant money;
(7) the proposed schedule for purchasing and implementing the proposed items and what precincts will be impacted by their implementation;
(8) whether the political subdivision has previously applied for a grant under this subdivision and the disposition of that application;
(9) a certified statement by the political subdivision that the grant will be used only for purposes authorized under subdivision 2; and

(10) any other information required by the secretary of state.

Subd. 4. Legislative report. No later than January 15, 2022, and annually thereafter in any year during which grants are disbursed, the secretary of state must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over elections policy on the grant awards. The report must detail each grant awarded, including the jurisdiction, the amount of the grant, and how the grant was used.

Sec. 77. Minnesota Statutes 2020, section 207A.12, is amended to read:

207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.

(a) Except as otherwise provided by law, the presidential nomination primary must be conducted, and the results canvassed and returned, in the manner provided by law for the state primary.

(b) An individual seeking to vote at the presidential nomination primary must be registered to vote pursuant to section 201.054, subdivision 1. The voter must request the ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section 204C.18, subdivision 1, the election judge must record in the polling place roster the name of the political party whose ballot the voter requested. When posting voter history pursuant to section 201.171, the county auditor must include the name of the political party whose ballot the voter requested. The political party ballot selected by a voter is private data on individuals as defined under section 13.02, subdivision 12, except as provided in section 201.091, subdivision 4a. A voter eligible to cast a ballot as provided in section 5B.06 must be permitted to cast a ballot at the presidential nomination primary consistent with the requirements of that section.

(c) Immediately after the state canvassing board declares the results of the presidential nomination primary, the secretary of state must notify the chair of each party of the results.

(d) The results of the presidential nomination primary must bind the election of delegates in each party.
Sec. 78. Minnesota Statutes 2020, section 207A.13, is amended to read:

207A.13 FORM OF BALLOTS; CANDIDATES ON BALLOT.

Subdivision 1. Form. (a) Except as provided by law, presidential nomination primary ballots shall be printed in the same manner as state primary ballots as far as practicable. A sufficient number of each ballot shall be printed for each precinct and ward in the state.

(b) There must be separate ballots for the names of the candidates of each participating political party. Each ballot must be headed by the words "Presidential Nomination Primary Ballot." The heading must also indicate the party that appears on the ballot.

(c) If requested by a party chair, the ballot for that participating party must contain a place for a voter to indicate a preference for having delegates to the party's national convention remain uncommitted. If requested by a party chair, the ballot for that participating party must contain a blank line printed below the other choices on the ballot so that a voter may write in the name of a person who is not listed on the ballot. A request under this paragraph must be submitted to the secretary of state no later than 63 days before the presidential nomination primary.

Subd. 2. Candidates on the ballot. (a) Each party participating in the presidential nomination primary must determine which candidates are to be placed on the presidential nomination primary ballot for that party. The chair of each participating party must submit to the secretary of state the names of the candidates to appear on the ballot for that party no later than 63 days before the presidential nomination primary. Once submitted, changes must not be made to the candidates that will appear on the ballot.

(b) No later than the seventh day before the presidential nomination primary, the chair of each participating party must submit to the secretary of state the names of write-in candidates, if any, to be counted for that party.

Sec. 79. Minnesota Statutes 2020, section 207A.14, subdivision 3, is amended to read:

Subd. 3. Notice of primary to public. At least 15 days before the date of the presidential nomination primary, each municipal clerk shall post a public notice stating the date of the presidential nomination primary, the location of each polling place in the municipality, the hours during which the polling places in the municipality will be open, and information about the requirements of section 207A.12, paragraph (b), including a notice that the voter's choice of a political party's ballot will be recorded and is public information. The county auditor shall post a similar notice in the auditor's office with information for any polling places in unorganized territory in the county. The governing body of a municipality or
county may publish the notice in addition to posting it. Failure to give notice does not invalidate the election.

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

Sec. 80. Minnesota Statutes 2020, section 209.021, subdivision 2, is amended to read:

Subd. 2. Notice filed with court. If the contest relates to a nomination or election for statewide office, the contestant shall file the notice of contest with the court administrator of District Court in Ramsey County. For contests relating to any other office, the contestant shall file the notice of contest with the court administrator of district court in the county where the contester resides. If the contest relates to a constitutional amendment, the contestant shall file the notice of contest with the court administrator of District Court in Ramsey County. If the contest relates to any other question, the contestant shall file the notice of contest with the court administrator of district court for the county or any one of the counties where the question appeared on the ballot.

Sec. 81. [211B.075] VOTER INTIMIDATION, INTERFERENCE, AND DECEPTIVE PRACTICES PROHIBITED; CIVIL ENFORCEMENT.

Subdivision 1. Intimidation. (a) A person, whether acting under color of law or otherwise, may not directly or indirectly use or threaten force, coercion, violence, restraint, damage, harm, or loss, including loss of employment or economic reprisal against:

(1) an individual with respect to registering or abstaining from registering to vote, voting or abstaining from voting, or voting for or against a candidate or ballot question;

(2) an elections official with respect to the performance of duties related to election administration; or

(3) any person with respect to that person's efforts to encourage another to cast a ballot or assist another in registering to vote, traveling to a polling place, casting a ballot, or participating in any other aspect of the election process.

(b) In an action brought to prevent and restrain violations of this section or to require the payment of civil penalties, the moving party may show that the action or attempted action would cause a reasonable person to feel intimidated. The moving party does not need to show that the actor intended to cause the victim to feel intimidated.
Subd. 2. Deceptive practices. (a) No person, whether acting under color of law or otherwise, shall within 60 days of an election cause, by any means, information to be transmitted that the person:

(1) intends to impede or prevent another person from exercising the right to vote; and

(2) knows to be materially false.

(b) The prohibition in this subdivision includes but is not limited to information regarding the time, place, or manner of holding an election; the qualifications for or restrictions on voter eligibility at an election; and threats to physical safety associated with casting a ballot.

Subd. 3. Interference with registration or voting. No person, whether acting under color of law or otherwise, shall intentionally hinder, interfere with, or prevent another person from voting, registering to vote, or aiding another person in casting a ballot or registering to vote.

Subd. 4. Vicarious liability; conspiracy. A person, whether acting under color of law or otherwise, may be held vicariously liable for any damages resulting from the violation of this section and may be identified in an order restraining violations of this section if that person:

(1) intentionally aids, advises, hires, counsels, abets, incites, compels, or coerces a person to violate any provision of this section or attempts to aid, advise, hire, counsel, abet, incite, compel, or coerce a person to violate any provision of this section; or

(2) conspires, combines, agrees, or arranges with another to either commit a violation of this section or aid, advise, hire, counsel, abet, incite, compel, or coerce a third person to violate any provision of this section.

Subd. 5. Enforcement. (a) The attorney general or any injured person may enforce this section consistent with the authority provided in section 8.31. An action filed by an injured person under section 8.31, subdivision 3a, is in the public interest.

(b) Remedies allowable under this section are cumulative and do not restrict any other right or remedy otherwise available to an injured person. An action for a penalty or remedy under this section must be brought within two years of the date the violation is alleged to have occurred. The complaint process provided in sections 211B.31 to 211B.36 does not apply to violations of this section.
Sec. 82. [211B.076] VOTER INTIMIDATION, INTERFERENCE, AND DECEPTIVE PRACTICES PROHIBITED; CRIMINAL PENALTIES.

Subdivision 1. Intimidation. A person is guilty of a crime if the person, whether acting under color of law or otherwise, directly or indirectly uses or threatens force, coercion, violence, restraint, damage, harm, or loss, including loss of employment or economic reprisal against another with the intent to:

(1) compel an individual to register or abstain from registering to vote, vote or abstain from voting, or vote for or against a candidate or ballot question;

(2) influence an elections official in the performance of duties related to election administration; or

(3) interfere with any person's efforts to encourage another to cast a ballot or assist another person in registering to vote, traveling to a polling place, casting a ballot, or participating in any other aspect of the election process.

Subd. 2. Deceptive practices. (a) A person is guilty of a crime if the person, whether acting under color of law or otherwise, within 60 days of an election causes, by any means, information to be transmitted that the person:

(1) intends to impede or prevent another person from exercising the right to vote; and

(2) knows to be materially false.

(b) The prohibition in this subdivision includes but is not limited to information regarding the time, place, or manner of holding an election; the qualifications for or restrictions on voter eligibility at an election; and threats to physical safety associated with casting a ballot.

Subd. 3. Interference with registration or voting. A person is guilty of a crime if the person, whether acting under color of law or otherwise, intentionally hinders, interferes with, or prevents another person from voting, registering to vote, or aiding another person in casting a ballot or registering to vote.

Subd. 4. Enforcement. The complaint process provided in sections 211B.31 to 211B.36 does not apply to violations of this section.

Subd. 5. Penalty. A person who violates this section is guilty of a gross misdemeanor.

EFFECTIVE DATE. This section is effective August 1, 2021, and applies to crimes committed on or after that date.
Sec. 83. Minnesota Statutes 2020, 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 only during voting hours and to areas established by the county auditor or municipal clerk for absentee voting as provided in chapter 203B.

Nothing in this subdivision prohibits the distribution of "I VOTED" stickers as provided in section 204B.49.

Sec. 84. Minnesota Statutes 2020, section 211B.32, subdivision 1, is amended to read:

Subdivision 1. Administrative remedy; exhaustion. (a) Except as provided in paragraphs (b) and (c), a complaint alleging a violation of chapter 211A or 211B must be filed with the office. The complaint must be finally disposed of by the office before the alleged violation may be prosecuted by a county attorney.

(b) Complaints arising under those sections and related to those individuals and associations specified in section 10A.022, subdivision 3, must be filed with the Campaign Finance and Public Disclosure Board.

(c) Violations of sections 211B.075 and 211B.076 may be enforced as provided in those sections.

Sec. 85. NOTICE OF RESTORATION OF RIGHT TO VOTE.

Subdivision 1. Correctional facilities; designation of official. The chief executive officer of each state and local correctional facility shall designate an official within the facility to provide the notice and application required under this section to a person to whom the civil right to vote is restored by reason of the person's release from actual incarceration. The official shall maintain an adequate supply of voter registration applications and informational materials for this purpose.

Subd. 2. Notice requirement. A notice of restoration of the civil right to vote and a voter registration application must be provided as follows:

Article 3 Sec. 85.
(1) the chief executive officer of each state and local correctional facility shall provide
the notice and application to a person being released from the facility following incarceration
for a felony-level offense; and

(2) a probation officer or supervised release agent shall provide the notice and application
to all individuals under correctional supervision for a felony-level offense.

Subd. 3. Form of notice. The notice required by subdivision 2 must appear substantially
as follows:

"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.

Your receipt of this notice today means that your right to vote in Minnesota has been
restored. Before you can vote on election day, you still need to register to vote. To register,
you may complete a voter registration application and return it to the Office of the Minnesota
Secretary of State. You may also register to vote in your polling place on election day. You
will not be permitted to cast a ballot until you register to vote. The first time you appear at
your polling place to cast a ballot, you may be required to provide proof of your current
residence."

Subd. 4. Failure to provide notice. A failure to provide proper notice as required by
this section does not prevent the restoration of the person's civil right to vote.

Sec. 86. Minnesota Statutes 2020, section 367.03, subdivision 6, is amended to read:

Subd. 6. Vacancies. (a) When a vacancy occurs in a town office, the town board shall
fill the vacancy by appointment. Except as provided in paragraph (b), the person appointed
shall hold office until the next annual town election, when a successor shall be elected for
the unexpired term.

(b) When a vacancy occurs in a town office:

(1) with more than one year remaining in the term; and

(2) on or after the 14th day before the first day to file an affidavit of candidacy for the
town election;

the vacancy must be filled by appointment. The person appointed serves until the next annual
town election following the election for which affidavits of candidacy are to be filed, when
a successor shall be elected for the unexpired term.

(c) A vacancy in the office of supervisor must be filled by an appointment committee
comprised of the remaining supervisors and the town clerk.
(d) Any person appointed to fill the vacancy in the office of supervisor must, upon assuming the office, be an eligible voter, be 21 years of age, and have resided in the town for at least 30 days.

(e) When, because of a vacancy, more than one supervisor is to be chosen at the same election, candidates for the offices of supervisor shall file for one of the specific terms being filled.

(f) When, for any reason, the town board or the appointment committee fails to fill a vacancy in the position of an elected town officer by appointment, a special election may be called. To call a special election, the supervisors and town clerk, or any two of them together with at least 12 other town freeholders, must file a statement in the town clerk’s office. The statement must tell why the election is called and that the interests of the town require the election. When the town board or the appointment committee fails to fill a vacancy by appointment, a special town election may also be called on petition of 20 percent of the electors of the town. The percentage is of the number of voters at the last general election. A special town election must be conducted in the manner required for the annual town election.

(g) Law enforcement vacancies must be filled by appointment by the town board.

Sec. 87. Minnesota Statutes 2020, section 367.25, subdivision 1, is amended to read:

Subdivision 1. Requirement, fee. Every person elected at a March election, elected at a special election, or appointed to a town office, within ten days after receiving a certificate or notice of election or appointment, shall take and subscribe the oath required by law. Persons elected at a November election shall take their oath before assuming office. If taken before the town clerk, the oath shall be administered and certified without fee.

Sec. 88. Minnesota Statutes 2020, section 412.02, subdivision 2a, is amended to read:

Subd. 2a. Vacancy. Except as otherwise provided in subdivision 2b, a vacancy in an office shall be filled by council appointment until an election is held as provided in this subdivision. In case of a tie vote in the council, the mayor shall make the appointment. If the vacancy occurs before the first day to file affidavits of candidacy for the next regular city election and more than two years remain in the unexpired term, a special election shall be held at or before the next regular city election and the appointed person shall serve until the qualification of a successor elected at a special election to fill the unexpired portion of the term. If the vacancy occurs on or after the first day to file affidavits of candidacy for the regular city election or when less than two years remain in the unexpired term, there...
need not be a special election to fill the vacancy and the appointed person shall serve until
the qualification of a successor. The council must specify by ordinance under what
circumstances it will hold a special election to fill a vacancy other than a special election
held at the same time as the regular city election.

All of the provisions of the Minnesota Election Law are applicable to special elections
as far as practicable.

Sec. 89. Minnesota Statutes 2020, section 447.32, subdivision 4, is amended to read:

Subd. 4. Candidates; ballots; certifying election. A person who wants to be a candidate
for the hospital board shall file an affidavit of candidacy for the election either as member
at large or as a member representing the city or town where the candidate resides maintains
residence. The affidavit of candidacy must be filed with the city or town clerk not more
than 98 days nor less than 84 days before the first Tuesday after the first Monday in
November of the year in which the general election is held. The city or town clerk must
forward the affidavits of candidacy to the clerk of the hospital district or, for the first election,
the clerk of the most populous city or town immediately after the last day of the filing period.
A candidate may withdraw from the election by filing an affidavit of withdrawal with the
clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of
candidacy.

Voting must be by secret ballot. The clerk shall prepare, at the expense of the district,
necessary ballots for the election of officers. Ballots must be prepared as provided in the
rules of the secretary of state. The ballots must be marked and initialed by at least two judges
as official ballots and used exclusively at the election. Any proposition to be voted on may
be printed on the ballot provided for the election of officers. The hospital board may also
authorize the use of voting systems subject to chapter 206. Enough election judges may be
appointed to receive the votes at each polling place. The election judges shall act as clerks
of election, count the ballots cast, and submit them to the board for canvass.

After canvassing the election, the board shall issue a certificate of election to the candidate
who received the largest number of votes cast for each office. The clerk shall deliver the
certificate to the person entitled to it in person or by certified mail. Each person certified
shall file an acceptance and oath of office in writing with the clerk within 30 days after the
date of delivery or mailing of the certificate. The board may fill any office as provided in
subdivision 1 if the person elected fails to qualify within 30 days, but qualification is effective
if made before the board acts to fill the vacancy.
Sec. 90. Minnesota Statutes 2020, section 609.165, subdivision 1, is amended to read:

Subdivision 1. Restoration. When a person has been deprived of civil rights by reason of conviction of a crime and is thereafter discharged, such discharge shall restore the person to all civil rights and to full citizenship, with full right to vote and hold office, the same as if such conviction had not taken place, and the order of discharge shall so provide.

Sec. 91. Laws 2019, First Special Session chapter 10, article 1, section 40, is amended to read:

Sec. 40. HELP AMERICA VOTE ACT TRANSFERS AND APPROPRIATIONS;
SECRETARY OF STATE.
(a) $6,595,610 is appropriated in fiscal year 2019 from the HAVA account established in Minnesota Statutes, section 5.30, to the secretary of state for the purposes of improving the administration and security of elections as authorized by federal law. Use of the appropriation is limited to the following activities:
(1) modernizing, securing, and updating the statewide voter registration system and for cybersecurity upgrades as authorized by federal law;
(2) improving accessibility;
(3) preparing training materials and training local election officials; and
(4) implementing security improvements for election systems.
(b) Any amount earned in interest on the amount appropriated under paragraph (a) is appropriated from the HAVA account to the secretary of state for purposes of improving the administration and security of elections as authorized by federal law.
(c) The appropriations under paragraphs (a) and (b) are onetime and available until March 23, 2023 expended.
(d) $167,000 expended by the secretary of state in fiscal years 2018 and 2019 for increasing secure access to the statewide voter registration system is deemed:
(1) to be money used for carrying out the purposes authorized under the Omnibus Appropriations Act of 2018, Public Law 115-1410, and the Help America Vote Act of 2002, Public Law 107-252, section 101; and
(2) to be credited toward any match required by those laws.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 92. Laws 2020, chapter 77, section 3, subdivision 6, is amended to read:

Subd. 6. **Availability of appropriations.** The appropriations provided in this section are onetime and available until **December 21, 2024** expended.

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

Sec. 93. **ELECTION DAY REGISTRATION; USE OF MEDICAL BILL TO PROVE RESIDENCE.**

The secretary of state must amend Minnesota Rules, section 8200.5100, subpart 2, to allow an eligible voter to prove residence in a precinct on election day by presenting a medical bill. The amendment to the rule must be effective no later than August 1, 2021.

The secretary of state may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section and Minnesota Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section 14.388.

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

**ARTICLE 4**

**CAMPAIGN FINANCE**

Section 1. Minnesota Statutes 2020, section 10A.01, subdivision 4, is amended to read:

Subd. 4. **Approved expenditure.** "Approved expenditure" means an expenditure made on behalf of a candidate or a local candidate by an entity other than the candidate's principal campaign committee or the local candidate, if the expenditure is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of the candidate or local candidate, the candidate's principal campaign committee, or the candidate's or local candidate's agent. An approved expenditure is a contribution to that candidate or local candidate.

Sec. 2. Minnesota Statutes 2020, section 10A.01, subdivision 7, is amended to read:

Subd. 7. **Balloon question.** "Balloon question" means a question or proposition that is placed on the ballot and that may be voted on by:

(1) all voters of the state;

(2) all voters of Hennepin County;

(3) all voters of any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or
all voters of Special School District No. 1.

"Promoting or defeating a ballot question" includes activities, other than lobbying activities, related to qualifying the question for placement on the ballot.

Sec. 3. Minnesota Statutes 2020, section 10A.01, subdivision 9, is amended to read:

Subd. 9. Campaign expenditure. "Campaign expenditure" or "expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the nomination or election of a candidate or a local candidate or for the purpose of promoting or defeating a ballot question.

An expenditure is considered to be made in the year in which the candidate made the purchase of goods or services or incurred an obligation to pay for goods or services.

An expenditure made for the purpose of defeating a candidate or a local candidate is considered made for the purpose of influencing the nomination or election of that candidate or local candidate or any opponent of that candidate or local candidate.

Except as provided in clause (1), "expenditure" includes the dollar value of a donation in kind.

"Expenditure" does not include:

(1) noncampaign disbursements as defined in subdivision 26;

(2) services provided without compensation by an individual volunteering personal time on behalf of a candidate or a local candidate, ballot question, political committee, political fund, principal campaign committee, or party unit;

(3) the publishing or broadcasting of news items or editorial comments by the news media; or

(4) an individual's unreimbursed personal use of an automobile owned by the individual and used by the individual while volunteering personal time.

Sec. 4. Minnesota Statutes 2020, section 10A.01, is amended by adding a subdivision to read:

Subd. 10d. Local candidate. "Local candidate" means an individual who seeks nomination or election to:

(1) any county office in Hennepin County:
(2) any city office in any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or

(3) the school board in Special School District No. 1.

Sec. 5. Minnesota Statutes 2020, section 10A.01, subdivision 11, is amended to read:

Subd. 11. Contribution. (a) "Contribution" means money, a negotiable instrument, or a donation in kind that is given to a political committee, political fund, principal campaign committee, local candidate, or party unit. An allocation by an association of general treasury money to be used for activities that must be or are reported through the association's political fund is considered to be a contribution for the purposes of disclosure required by this chapter.

(b) "Contribution" includes a loan or advance of credit to a political committee, political fund, principal campaign committee, local candidate, or party unit, if the loan or advance of credit is: (1) forgiven; or (2) repaid by an individual or an association other than the political committee, political fund, principal campaign committee, local candidate, or party unit to which the loan or advance of credit was made. If an advance of credit or a loan is forgiven or repaid as provided in this paragraph, it is a contribution in the year in which the loan or advance of credit was made.

(c) "Contribution" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, local candidate, ballot question, political committee, political fund, principal campaign committee, or party unit; the publishing or broadcasting of news items or editorial comments by the news media; or an individual's unreimbursed personal use of an automobile owned by the individual while volunteering personal time.

Sec. 6. Minnesota Statutes 2020, section 10A.01, subdivision 16a, is amended to read:

Subd. 16a. Expressly advocating. "Expressly advocating" means:

(1) that a communication clearly identifies a candidate or a local candidate and uses words or phrases of express advocacy; or

(2) that a communication when taken as a whole and with limited reference to external events, such as the proximity to the election, is susceptible of no reasonable interpretation other than as an appeal advocating the election or defeat of one or more clearly identified candidates.
Sec. 7. Minnesota Statutes 2020, section 10A.01, subdivision 17c, is amended to read:

Subd. 17c. General treasury money. "General treasury money" means money that an association other than a principal campaign committee, party unit, or political committee accumulates through membership dues and fees, donations to the association for its general purposes, and income from the operation of a business. General treasury money does not include money collected to influence the nomination or election of candidates or local candidates or to promote or defeat a ballot question.

Sec. 8. Minnesota Statutes 2020, section 10A.01, subdivision 18, is amended to read:

Subd. 18. Independent expenditure. "Independent expenditure" means an expenditure expressly advocating the election or defeat of a clearly identified candidate or local candidate, if the expenditure is made without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, any candidate or any candidate's principal campaign committee or agent or any local candidate or local candidate's agent. An independent expenditure is not a contribution to that candidate or local candidate. An independent expenditure does not include the act of announcing a formal public endorsement of a candidate or local candidate for public office, unless the act is simultaneously accompanied by an expenditure that would otherwise qualify as an independent expenditure under this subdivision.

Sec. 9. Minnesota Statutes 2020, section 10A.01, subdivision 20, is amended to read:

Subd. 20. Loan. "Loan" means an advance of money or anything of value made to a political committee, political fund, principal campaign committee, local candidate, or party unit.

Sec. 10. Minnesota Statutes 2020, section 10A.01, subdivision 26, is amended to read:

Subd. 26. Noncampaign disbursement. (a) "Noncampaign disbursement" means a purchase or payment of money or anything of value made, or an advance of credit incurred, or a donation in kind received, by a principal campaign committee for any of the following purposes:

(1) payment for accounting and legal services;
(2) return of a contribution to the source;
(3) repayment of a loan made to the principal campaign committee by that committee;
(4) return of a public subsidy;
123.1 (5) payment for food, beverages, and necessary utensils and supplies, entertainment, and facility rental for a fund-raising event;
123.2 (6) services for a constituent by a member of the legislature or a constitutional officer in the executive branch as provided in section 10A.173, subdivision 1;
123.3 (7) payment for food and beverages consumed by a candidate or volunteers while they are engaged in campaign activities;
123.4 (8) payment for food or a beverage consumed while attending a reception or meeting directly related to legislative duties;
123.5 (9) payment of expenses incurred by elected or appointed leaders of a legislative caucus in carrying out their leadership responsibilities;
123.6 (10) payment by a principal campaign committee of the candidate's expenses for serving in public office, other than for personal uses;
123.7 (11) costs of child care for the candidate's children when campaigning;
123.8 (12) fees paid to attend a campaign school;
123.9 (13) costs of a postelection party during the election year when a candidate's name will no longer appear on a ballot or the general election is concluded, whichever occurs first;
123.10 (14) interest on loans paid by a principal campaign committee on outstanding loans;
123.11 (15) filing fees;
123.12 (16) post-general election holiday or seasonal cards, thank-you notes, or advertisements in the news media mailed or published prior to the end of the election cycle;
123.13 (17) the cost of campaign material purchased to replace defective campaign material, if the defective material is destroyed without being used;
123.14 (18) contributions to a party unit;
123.15 (19) payments for funeral gifts or memorials;
123.16 (20) the cost of a magnet less than six inches in diameter containing legislator contact information and distributed to constituents;
123.17 (21) costs associated with a candidate attending a political party state or national convention in this state;
124.1 (22) other purchases or payments specified in board rules or advisory opinions as being
124.2 for any purpose other than to influence the nomination or election of a candidate or to
124.3 promote or defeat a ballot question;
124.4 (23) costs paid to a third party for processing contributions made by a credit card, debit
124.5 card, or electronic check;
124.6 (24) a contribution to a fund established to support a candidate's participation in a recount
124.7 of ballots affecting that candidate's election;
124.8 (25) costs paid by a candidate's principal campaign committee for a single reception
124.9 given in honor of the candidate's retirement from public office after the filing period for
124.10 affidavits of candidacy for that office has closed;
124.11 (26) a donation from a terminating principal campaign committee to the state general
124.12 fund; and
124.13 (27) a donation from a terminating principal campaign committee to a county obligated
124.14 to incur special election expenses due to that candidate's resignation from state office;
124.15 (28) during a period starting January 1 in the year following a general election and ending
124.16 on December 31 of the year of general election, payments of $2,000 or less for
124.17 security-related expenses for a candidate and any immediate family member of the candidate,
124.18 including but not limited to home security cameras, a home security system, and identity
124.19 theft monitoring services. For purposes of this clause, an immediate family member is a
124.20 person who resides in the candidate's household and is the candidate's spouse, fiancee,
124.21 fiance, grandparent, parent, child, grandchild, sibling, including adoptive, half, step, and
124.22 in-law relationships.
124.23 (b) The board must determine whether an activity involves a noncampaign disbursement
124.24 within the meaning of this subdivision.
124.25 (c) A noncampaign disbursement is considered to be made in the year in which the
124.26 candidate made the purchase of goods or services or incurred an obligation to pay for goods
124.27 or services.

Sec. 11. Minnesota Statutes 2020, section 10A.01, subdivision 27, is amended to read:

Subd. 27. Political committee. "Political committee" means an association whose major
purpose is to influence the nomination or election of one or more candidates or local
candidates or to promote or defeat a ballot question, other than a principal campaign
committee, local candidate, or a political party unit.
Sec. 12. Minnesota Statutes 2020, section 10A.01, subdivision 28, is amended to read:

Subd. 28. Political fund. "Political fund" means an accumulation of dues or voluntary contributions by an association other than a political committee, principal campaign committee, or party unit, if the accumulation is collected or expended to influence the nomination or election of one or more candidates or local candidates or to promote or defeat a ballot question. The term political fund as used in this chapter may also refer to the association acting through its political fund.

Sec. 13. Minnesota Statutes 2020, section 10A.01, subdivision 35, is amended to read:

Subd. 35. Public official. "Public official" means any:

1. member of the legislature;
2. individual employed by the legislature as secretary of the senate, legislative auditor, director of the Legislative Budget Office, chief clerk of the house of representatives, revisor of statutes, or researcher, legislative analyst, fiscal analyst, or attorney in the Office of Senate Counsel, Research and Fiscal Analysis, House Research, or the House Fiscal Analysis Department;
3. constitutional officer in the executive branch and the officer's chief administrative deputy;
4. solicitor general or deputy, assistant, or special assistant attorney general;
5. commissioner, deputy commissioner, or assistant commissioner of any state department or agency as listed in section 15.01 or 15.06, or the state chief information officer;
6. member, chief administrative officer, or deputy chief administrative officer of a state board or commission that has either the power to adopt, amend, or repeal rules under chapter 14, or the power to adjudicate contested cases or appeals under chapter 14;
7. individual employed in the executive branch who is authorized to adopt, amend, or repeal rules under chapter 14 or adjudicate contested cases under chapter 14;
8. executive director of the State Board of Investment;
9. deputy of any official listed in clauses (7) and (8);
10. judge of the Workers' Compensation Court of Appeals;
(11) administrative law judge or compensation judge in the State Office of Administrative
Hearings or unemployment law judge in the Department of Employment and Economic
Development;

(12) member, regional administrator, division director, general counsel, or operations
manager of the Metropolitan Council;

(13) member or chief administrator of a metropolitan agency;

(14) director of the Division of Alcohol and Gambling Enforcement in the Department
of Public Safety;

(15) member or executive director of the Higher Education Facilities Authority;

(16) member of the board of directors or president of Enterprise Minnesota, Inc.;

(17) member of the board of directors or executive director of the Minnesota State High
School League;

(18) member of the Minnesota Ballpark Authority established in section 473.755;

(19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;

(20) manager of a watershed district, or member of a watershed management organization
as defined under section 103B.205, subdivision 13;

(21) supervisor of a soil and water conservation district;

(22) director of Explore Minnesota Tourism;

(23) citizen member of the Lessard-Sams Outdoor Heritage Council established in section
97A.056;

(24) citizen member of the Clean Water Council established in section 114D.30;

(25) member or chief executive of the Minnesota Sports Facilities Authority established
in section 473J.07;

(26) district court judge, appeals court judge, or supreme court justice;

(27) county commissioner;

(28) member of the Greater Minnesota Regional Parks and Trails Commission; or

(29) member of the Destination Medical Center Corporation established in section 469.41

; or

(30) chancellor or member of the Board of Trustees of the Minnesota State Colleges
and Universities.
Sec. 14. Minnesota Statutes 2020, section 10A.09, subdivision 1, is amended to read:

Subdivision 1. Time for filing. An individual must file a statement of economic interest with the board:

(1) within 60 days of accepting employment as a public official or a local official in a metropolitan governmental unit;

(2) within 60 days of assuming office as a district court judge, appeals court judge, supreme court justice, or county commissioner;

(3) within 14 days after filing an affidavit of candidacy or petition to appear on the ballot for an elective state constitutional or legislative office or an elective local office in a metropolitan governmental unit other than county commissioner;

(4) in the case of a public official requiring the advice and consent of the senate, within 14 days after undertaking the duties of office; or

(5) in the case of members of the Minnesota Racing Commission, the director of the Minnesota Racing Commission, chief of security, medical officer, inspector of pari-mutuels, and stewards employed or approved by the commission or persons who fulfill those duties under contract, within 60 days of accepting or assuming duties.

Sec. 15. Minnesota Statutes 2020, section 10A.09, subdivision 2, is amended to read:

Subd. 2. Notice to board. The secretary of state or the appropriate county auditor, upon receiving an affidavit of candidacy or petition to appear on the ballot from an individual required by this section to file a statement of economic interest, and any official who nominates or employs a public or local official required by this section to file a statement of economic interest, must notify the board of the name of the individual required to file a statement and the date of the affidavit, petition, or nomination.

Sec. 16. Minnesota Statutes 2020, section 10A.09, subdivision 5, is amended to read:

Subd. 5. Form; general requirements. (a) A statement of economic interest required by this section must be on a form prescribed by the board. The individual filing must provide the following information:

(1) name, address, occupation, and principal place of business;

(2) the name of each associated business and the nature of that association;

(3) a listing of all real property within the state, excluding homestead property, in which the individual holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or
seller, or an option to buy, whether direct or indirect, if the interest is valued in excess of
$2,500; or (ii) an option to buy, if the property has a fair market value of more than $50,000;

(4) a listing of all real property within the state in which a partnership of which the
individual is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as
buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of
the partnership interest is valued in excess of $2,500; or (ii) an option to buy, if the property
has a fair market value of more than $50,000. A listing under this clause or clause (3) must
indicate the street address and the municipality or the section, township, range and
approximate acreage, whichever applies, and the county in which the property is located;

(5) a listing of any investments, ownership, or interests in property connected with
pari-mutuel horse racing in the United States and Canada, including a racehorse, in which
the individual directly or indirectly holds a partial or full interest or an immediate family
member holds a partial or full interest;

(6) a listing of the principal business or professional activity category of each business
from which the individual receives more than $250 in any month during the reporting period
as an employee, if the individual has an ownership interest of 25 percent or more in the
business;

(7) a listing of each principal business or professional activity category from which the
individual received compensation of more than $2,500 in the past 12 months as an
independent contractor; and

(8) a listing of the full name of each security with a value of more than $10,000 owned
in part or in full by the individual, at any time during the reporting period.

(b) The business or professional categories for purposes of paragraph (a), clauses (6)
and (7), must be the general topic headings used by the federal Internal Revenue Service
for purposes of reporting self-employment income on Schedule C. This paragraph does not
require an individual to report any specific code number from that schedule. Any additional
principal business or professional activity category may only be adopted if the category is
enacted by law.

(c) For the purpose of an original statement of economic interest, "compensation in any
month" includes only compensation received in the calendar month immediately preceding
the date of appointment as a public official or filing as a candidate.

(d) (c) For the purpose of calculating the amount of compensation received from any
single source in a single month, the amount shall include the total amount received from
129.1 the source during the month, whether or not the amount covers compensation for more than
129.2 one month.
129.3 (e) (d) For the purpose of determining the value of an individual's interest in real property,
129.4 the value of the property is the market value shown on the property tax statement.
129.5 (f) For the purpose of an original statement of economic interest, the individual shall
disclose only those real properties owned on the date of appointment as a public official or
129.6 filing as a candidate.
129.7 (g) (e) For the purpose of this section, "date of appointment" means the effective date
129.8 of appointment to a position.
129.9 (h) (f) For the purpose of this section, "accepting employment as a public official" means
129.10 the effective date of the appointment to the position, as stated in the appointing authority's
129.11 notice to the board.
129.12 Sec. 17. Minnesota Statutes 2020, section 10A.09, is amended by adding a subdivision to
129.13 read:
129.14 Subd. 5a. Original statement; reporting period. (a) An original statement of economic
129.15 interest required under subdivision 1, clause (1), must cover the calendar month before the
129.16 month in which the individual accepted employment as a public official or a local official
129.17 in a metropolitan governmental unit.
129.18 (b) An original statement of economic interest required under subdivision 1, clauses (2),
129.19 (4), and (5), must cover the calendar month before the month in which the individual assumed
129.20 or undertook the duties of office.
129.21 (c) An original statement of economic interest required under subdivision 1, clause (3),
129.22 must cover the calendar month before the month in which the candidate filed the affidavit
129.23 of candidacy.
129.24 Sec. 18. Minnesota Statutes 2020, section 10A.09, subdivision 6, is amended to read:
129.25 Subd. 6. Annual statement. (a) Each individual who is required to file a statement of
129.26 economic interest must also file an annual statement by the last Monday in January of each
129.27 year that the individual remains in office. The annual statement must cover the period
129.28 through December 31 of the year prior to the year when the statement is due. The annual
129.29 statement must include the amount of each honorarium in excess of $50 $250 received since
129.30 the previous statement and the name and address of the source of the honorarium. The board
must maintain each annual statement of economic interest submitted by an officeholder in the same file with the statement submitted as a candidate.

(b) For the purpose of annual statements of economic interest to be filed, "compensation in any month" includes compensation and honoraria received in any month between the end of the period covered in the preceding statement of economic interest and the end of the current period.

(c) An individual must file the annual statement of economic interest required by this subdivision to cover the period for which the individual served as a public official even though at the time the statement was filed, the individual is no longer holding that office as a public official.

(d) For the purpose of an annual statement of economic interest, the individual shall disclose any real property owned at any time between the end of the period covered by the preceding statement of economic interest and through the last day of the month preceding the current filing or the last day of employment, if the individual is no longer a public official.

Sec. 19. Minnesota Statutes 2020, section 10A.12, subdivision 1, is amended to read:

Subdivision 1. When required for contributions and approved expenditures. An association other than a political committee or party unit may not contribute more than $750 in aggregate in any calendar year to candidates, local candidates, political committees, or party units or make approved expenditures of more than $750 in aggregate in any calendar year unless the contribution or expenditure is made through a political fund.

Sec. 20. Minnesota Statutes 2020, section 10A.12, subdivision 2, is amended to read:

Subd. 2. Commingling prohibited. The contents of an association's political fund may not be commingled with other funds or with the personal funds of an officer or member of the association or the fund. It is not commingling for an association that uses only its own general treasury money to make expenditures and disbursements permitted under section 10A.121, subdivision 1, directly from the depository used for its general treasury money.

An association that accepts more than $1,500 in aggregate in contributions to influence the nomination or election of candidates or local candidates or more than $5,000 in contributions to promote or defeat a ballot question must establish a separate depository for those contributions.
Sec. 21. Minnesota Statutes 2020, section 10A.121, subdivision 2, is amended to read:

Subd. 2. Penalty. (a) An independent expenditure political committee or independent expenditure political fund is subject to a civil penalty of up to four times the amount of the contribution or approved expenditure if it does the following:

1. makes a contribution to a candidate, local candidate, party unit, political committee, or political fund other than an independent expenditure political committee or an independent expenditure political fund; or

2. makes an approved expenditure.

(b) No other penalty provided in law may be imposed for conduct that is subject to a civil penalty under this section.

Sec. 22. Minnesota Statutes 2020, section 10A.13, subdivision 1, is amended to read:

Subdivision 1. Accounts; penalty. The treasurer of a political committee, political fund, principal campaign committee, or party unit must keep an account of:

1. the sum of all contributions, except any donation in kind valued at $20 or less, made to the committee, fund, or party unit;

2. the name and address of each source of a contribution made to the committee, fund, or party unit in excess of $20, together with the date and amount of each;

3. each expenditure made by the committee, fund, or party unit, together with the date and amount;

4. each approved expenditure made on behalf of the committee, fund, or party unit, together with the date and amount; and

5. the name and address of each political committee, political fund, principal campaign committee, local candidate, or party unit to which contributions in excess of $20 have been made, together with the date and amount.

Any individual who knowingly violates this subdivision is subject to a civil penalty imposed by the board of up to $1,000.

Sec. 23. Minnesota Statutes 2020, section 10A.17, subdivision 4, is amended to read:

Subd. 4. Independent expenditures. An individual, political committee, political fund, principal campaign committee, or party unit that independently solicits or accepts contributions or makes independent expenditures on behalf of a candidate or local candidate...
must publicly disclose that the expenditure is an independent expenditure. All written and broadcast communications with those from whom contributions are independently solicited or accepted or to whom independent expenditures are made on behalf of a candidate or local candidate must contain a statement in substantially the form provided in section 211B.04, subdivision 2. The statement must be on the front page of all written communications and at the end of all broadcast communications made by that individual, political committee, political fund, principal campaign committee, or party unit on the candidate's or local candidate's behalf.

Sec. 24. Minnesota Statutes 2020, section 10A.20, is amended by adding a subdivision to read:

Subd. 2a. Local election reports. (a) This subdivision applies to a political committee, political fund, or political party unit that during a non-general election year:

1. spends in aggregate more than $200 to influence the nomination or election of local candidates;
2. spends in aggregate more than $200 to make independent expenditures on behalf of local candidates; or
3. spends in aggregate more than $200 to promote or defeat ballot questions defined in section 10A.01, subdivision 7, clause (2), (3), or (4).

(b) In addition to the reports required by subdivision 2, the entities listed in paragraph (a) must file the following reports in each non-general election year:

1. a first-quarter report covering the calendar year through March 31, which is due April 14;
2. a report covering the calendar year through May 31, which is due June 14;
3. a pre-primary-election report due 15 days before the local primary election date specified in section 205.065;
4. a pre-general-election report due 42 days before the local general election; and
5. a pre-general-election report due ten days before a local general election.

The reporting obligations in this paragraph begin with the first report due after the reporting period in which the entity reaches the spending threshold specified in paragraph (a).
Sec. 25. Minnesota Statutes 2020, section 10A.20, subdivision 3, is amended to read:

Subd. 3. Contents of report. (a) The report required by this section must include each of the items listed in paragraphs (b) to (q) that are applicable to the filer. The board shall prescribe forms based on filer type indicating which of those items must be included on the filer's report.

(b) The report must disclose the amount of liquid assets on hand at the beginning of the reporting period.

(c) The report must disclose the name, address, employer, or occupation if self-employed, and registration number if registered with the board, of each individual or association that has made one or more contributions to the reporting entity, including the purchase of tickets for a fund-raising effort, that in aggregate within the year exceed $200 for legislative or statewide candidates or more than $500 for ballot questions, together with the amount and date of each contribution, and the aggregate amount of contributions within the year from each source so disclosed. A donation in kind must be disclosed at its fair market value. An approved expenditure must be listed as a donation in kind. A donation in kind is considered consumed in the reporting period in which it is received. The names of contributors must be listed in alphabetical order. Contributions from the same contributor must be listed under the same name. When a contribution received from a contributor in a reporting period is added to previously reported unitemized contributions from the same contributor and the aggregate exceeds the disclosure threshold of this paragraph, the name, address, and employer, or occupation if self-employed, of the contributor must then be listed on the report.

(d) The report must disclose the sum of contributions to the reporting entity during the reporting period.

(e) The report must disclose each loan made or received by the reporting entity within the year in aggregate in excess of $200, continuously reported until repaid or forgiven, together with the name, address, occupation, principal place of business, if any, and registration number if registered with the board of the lender and any endorser and the date and amount of the loan. If a loan made to the principal campaign committee of a candidate is forgiven or is repaid by an entity other than that principal campaign committee, it must be reported as a contribution for the year in which the loan was made.

(f) The report must disclose each receipt over $200 during the reporting period not otherwise listed under paragraphs (c) to (e).
(g) The report must disclose the sum of all receipts of the reporting entity during the reporting period.

(h) The report must disclose the name, address, and registration number if registered with the board of each individual or association to whom aggregate expenditures, approved expenditures, independent expenditures, and ballot question expenditures have been made by or on behalf of the reporting entity within the year in excess of $200, together with the amount, date, and purpose of each expenditure, including an explanation of how the expenditure was used, and the name and address of, and office sought by, each candidate or local candidate on whose behalf the expenditure was made, identification of the ballot question that the expenditure was intended to promote or defeat and an indication of whether the expenditure was to promote or to defeat the ballot question, and in the case of independent expenditures made in opposition to a candidate or local candidate, the candidate's or local candidate's name, address, and office sought. A reporting entity making an expenditure on behalf of more than one candidate for state or legislative office or local candidate must allocate the expenditure among the candidates and local candidates on a reasonable cost basis and report the allocation for each candidate or local candidate. The report must list on separate schedules any independent expenditures made on behalf of local candidates and any expenditures made for ballot questions as defined in section 10A.01, subdivision 7, clause (2), (3), or (4).

(i) The report must disclose the sum of all expenditures made by or on behalf of the reporting entity during the reporting period.

(j) The report must disclose the amount and nature of an advance of credit incurred by the reporting entity, continuously reported until paid or forgiven. If an advance of credit incurred by the principal campaign committee of a candidate is forgiven by the creditor or paid by an entity other than that principal campaign committee, it must be reported as a donation in kind for the year in which the advance of credit was made.

(k) The report must disclose the name, address, and registration number if registered with the board of each political committee, political fund, principal campaign committee, local candidate, or party unit to which contributions have been made that aggregate in excess of $200 within the year and the amount and date of each contribution. The report must list on separate schedules any contributions made to state candidates' principal campaign committees and any contributions made to local candidates.
(l) The report must disclose the sum of all contributions made by the reporting entity during the reporting period and must separately disclose the sum of all contributions made to local candidates by the reporting entity during the reporting period.

(m) The report must disclose the name, address, and registration number if registered with the board of each individual or association to whom noncampaign disbursements have been made that aggregate in excess of $200 within the year by or on behalf of the reporting entity and the amount, date, and purpose of each noncampaign disbursement, including an explanation of how the expenditure was used.

(n) The report must disclose the sum of all noncampaign disbursements made within the year by or on behalf of the reporting entity.

(o) The report must disclose the name and address of a nonprofit corporation that provides administrative assistance to a political committee or political fund as authorized by section 211B.15, subdivision 17, the type of administrative assistance provided, and the aggregate fair market value of each type of assistance provided to the political committee or political fund during the reporting period.

(p) Legislative, statewide, and judicial candidates, party units, and political committees and funds must itemize contributions that in aggregate within the year exceed $200 for legislative or statewide candidates or more than $500 for ballot questions on reports submitted to the board. The itemization must include the date on which the contribution was received, the individual or association that provided the contribution, and the address of the contributor. Additionally, the itemization for a donation in kind must provide a description of the item or service received. Contributions that are less than the itemization amount must be reported as an aggregate total.

(q) Legislative, statewide, and judicial candidates, party units, political committees and funds, and committees to promote or defeat a ballot question must itemize expenditures and noncampaign disbursements that in aggregate exceed $200 in a calendar year on reports submitted to the board. The itemization must include the date on which the committee made or became obligated to make the expenditure or disbursement, the name and address of the vendor that provided the service or item purchased, and a description of the service or item purchased, including an explanation of how the expenditure was used. Expenditures and noncampaign disbursements must be listed on the report alphabetically by vendor.
Sec. 26. Minnesota Statutes 2020, section 10A.20, subdivision 6a, is amended to read:

Subd. 6a. Statement of independence. An individual, political committee, political fund, or party unit filing a report or statement disclosing an independent expenditure under subdivision 3 or 6 must file with the report a sworn statement that the disclosed expenditures were not made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of any candidate; or any candidate's principal campaign committee or agent; any local candidate, or any local candidate's agent.

Sec. 27. Minnesota Statutes 2020, section 10A.20, subdivision 13, is amended to read:

Subd. 13. Third-party reimbursement. An individual or association filing a report disclosing an expenditure or noncampaign disbursement that must be reported and itemized under subdivision 3, paragraph (g) (h) or (l), that is a reimbursement to a third party must report the purpose of each expenditure or disbursement for which the third party is being reimbursed. In the alternative, the reporting individual or association may report individually each of the underlying expenditures being reimbursed. An expenditure or disbursement is a reimbursement to a third party if it is for goods or services that were not directly provided by the individual or association to whom the expenditure or disbursement is made. Third-party reimbursements include payments to credit card companies and reimbursement of individuals for expenses they have incurred.

Sec. 28. Minnesota Statutes 2020, section 10A.27, subdivision 13, is amended to read:

Subd. 13. Unregistered association limit; statement; penalty. (a) The treasurer of a political committee, political fund, principal campaign committee, or party unit must not accept a contribution of more than $200 from an association not registered under this chapter unless the contribution is accompanied by a written statement that meets the disclosure and reporting period requirements imposed by section 10A.20. The statement may be a written statement or a government website where the disclosure report for the unregistered association may be viewed. This statement must be certified as true and correct by an officer of the contributing association. The committee, fund, or party unit that accepts the contribution must include a copy of the written statement or website with the report that discloses the contribution to the board.

(b) An unregistered association may provide the written statement required by this subdivision to no more than three committees, funds, or party units in a calendar year. Each statement must cover at least the 30 days immediately preceding and including the date on
which the contribution was made. An unregistered association or an officer of it is subject
to a civil penalty imposed by the board of up to $1,000, if the association or its officer:

(1) fails to provide a written statement as required by this subdivision; or

(2) fails to register after giving the written statement required by this subdivision to more
than three committees, funds, or party units in a calendar year.

(c) The treasurer of a political committee, political fund, principal campaign committee,
or party unit who accepts a contribution in excess of $200 from an unregistered association
without the required written disclosure statement is subject to a civil penalty up to four
times the amount in excess of $200.

(d) This subdivision does not apply:

(1) when a national political party contributes money to its state committee; or

(2) when a federal committee of a major or minor political party registered with the
board gives an in-kind contribution to the federal committee's state central committee or a
party organization within a house of the state legislature; or

(2) (3) to purchases by candidates for federal office of tickets to events or space rental
at events held by party units in this state (i) if the geographical area represented by the party
unit includes any part of the geographical area of the office that the federal candidate is
seeking and (ii) the purchase price is not more than that paid by other attendees or renters
of similar spaces.

Sec. 29. Minnesota Statutes 2020, section 10A.275, subdivision 1, is amended to read:

Subdivision 1. Exceptions. Notwithstanding other provisions of this chapter, the
following expenditures by a party unit, or two or more party units acting together, with at
least one party unit being either: the state committee or the party organization within a
congressional district, county, or legislative district, are not considered contributions to or
expenditures on behalf of a candidate for the purposes of section 10A.25 or 10A.27 and
must not be allocated to candidates under section 10A.20, subdivision 3, paragraph (g) (h):

(1) expenditures on behalf of candidates of that party generally without referring to any
of them specifically in a published, posted, or broadcast advertisement;

(2) expenditures for the preparation, display, mailing, or other distribution of an official
party sample ballot listing the names of three or more individuals whose names are to appear
on the ballot;
(3) expenditures for a telephone conversation including call, voice mail, text message, multimedia message, internet chat message, or e-mail when the communication includes the names of three or more individuals whose names are to appear on the ballot;

(4) expenditures for a political party fund-raising effort on behalf of three or more candidates; or

(5) expenditures for party committee staff services that benefit three or more candidates.

Sec. 30. Minnesota Statutes 2020, section 10A.323, is amended to read:

**10A.323 AFFIDAVIT OF CONTRIBUTIONS.**

(a) In addition to the requirements of section 10A.322, to be eligible to receive a public subsidy under section 10A.31 a candidate or the candidate's treasurer must:

(1) between January 1 of the previous year and the cutoff date for transactions included in the report of receipts and expenditures due before the primary election, accumulate contributions from individuals eligible to vote in this state in at least the amount indicated for the office sought, counting only the first $50 received from each contributor, excluding in-kind contributions:

(i) candidates for governor and lieutenant governor running together, $35,000;

(ii) candidates for attorney general, $15,000;

(iii) candidates for secretary of state and state auditor, separately, $6,000;

(iv) candidates for the senate, $3,000; and

(v) candidates for the house of representatives, $1,500;

(2) file an affidavit with the board stating that the principal campaign committee has complied with this paragraph. The affidavit must state the total amount of contributions that have been received from individuals eligible to vote in this state, excluding:

(i) the portion of any contribution in excess of $50;

(ii) any in-kind contribution; and

(iii) any contribution for which the name and address of the contributor is not known and recorded; and

(3) submit the affidavit required by this section to the board in writing by the deadline for reporting of receipts and expenditures before a primary under section 10A.20, subdivision 4.
(b) A candidate for a vacancy to be filled at a special election for which the filing period does not coincide with the filing period for the general election must accumulate the contributions specified in paragraph (a) and must submit the affidavit required by this section to the board within five days after the close of the filing period for the special election for which the candidate filed.

(c) Notwithstanding paragraphs (a) and (b), a candidate for a vacancy to be filled at a special election called under section 204B.13, subdivision 2, paragraph (c), must accumulate the contributions specified in paragraph (a) and must submit the affidavit required by this section to the board within 12 calendar days after the general election.

(d) A candidate or the candidate's treasurer must be able to electronically file the affidavit required under this section in the same manner as other reports required by this chapter. The board must not require the candidate or candidate's treasurer to notarize the affidavit of contribution.

Sec. 31. Minnesota Statutes 2020, section 211B.04, subdivision 2, is amended to read:

Subd. 2. Independent expenditures. (a) The required form of the disclaimer on a written independent expenditure is: "This is an independent expenditure prepared and paid for by ....... (name of entity participating in the expenditure), ....... (address). It is not coordinated with or approved by any candidate nor is any candidate responsible for it. The top three contributors funding this expenditure are (1) ......., (2) ......., and (3) ......." The address must be either the entity's mailing address or the entity's website, if the website includes the entity's mailing address. When a written independent expenditure is produced and disseminated without cost, the words "and paid for" may be omitted from the disclaimer.

(b) The required form of the disclaimer on a broadcast independent expenditure is: "This independent expenditure is paid for by ....... (name of entity participating in the expenditure). It is not coordinated with or approved by any candidate nor is any candidate responsible for it. The top three contributors funding this expenditure are (1) ......., (2) ......., and (3) ......." When a broadcast independent expenditure is produced and disseminated without cost, the following disclaimer may be used: "....... (name of entity participating in the expenditure) is responsible for the contents of this independent expenditure. It is not coordinated with or approved by any candidate nor is any candidate responsible for it."

(c) The listing of the top three contributors required to be included in a disclaimer under this subdivision must identify by name the three individuals or entities making the largest contribution required to be reported under chapter 10A to the expending entity during the 12-month period preceding the first date at which the expenditure was published or presented.
Sec. 32. Minnesota Statutes 2020, section 211B.04, subdivision 3, is amended to read:

**Subd. 3. Material that does not need a disclaimer.** (a) This section does not apply to fund-raising tickets, business cards, personal letters, or similar items that are clearly being distributed by the candidate.

(b) This section does not apply to an individual or association that is not required to register or report under chapter 10A or 211A.

(c) This section does not apply to the following:

(1) bumper stickers, pins, buttons, pens, or similar small items on which the disclaimer cannot be conveniently printed; and

(2) skywriting, wearing apparel, or other means of displaying an advertisement of such a nature that the inclusion of a disclaimer would be impracticable; and

(3) online banner ads and similar electronic communications that link directly to an online page that includes the disclaimer.

(d) This section does not modify or repeal section 211B.06.

Sec. 33. Minnesota Statutes 2020, section 211B.04, is amended by adding a subdivision to read:

**Subd. 3a. Certain electronic communications and advertisements.** Notwithstanding subdivisions 1 and 2, the Campaign Finance and Public Disclosure Board must adopt rules using the expedited process in section 14.389 to specify the form and content of the disclaimer required by those subdivisions for small electronic communications on which the full disclaimer cannot be conveniently printed, including but not limited to online banner ads, text messages, social media communications, and small advertisements appearing on a mobile telephone or other handheld electronic device. In its rules, the board may waive the disclaimer requirement for categories of communications where inclusion would be technologically impossible.
Sec. 34. Minnesota Statutes 2020, section 383B.041, is amended to read:

383B.041 CAMPAIGN FINANCING, DISCLOSURE OF ECONOMIC INTERESTS.

Subdivision 1. Hennepin County candidates. Sections 383B.041 to 383B.058 apply to the financing of campaigns for county elections in Hennepin County and for city elections in home rule charter cities and statutory cities located wholly within Hennepin County, having a population of 75,000 or more, and for school board elections in the Special School District No. 1, Minneapolis, and to disclosure of economic interests by candidates and elected public officials of those jurisdictions. The provisions of sections 211A.02 to 211A.07 do not apply to the financing of campaigns for elections subject to the provisions of sections 383B.041 to 383B.058. Candidates for county commissioner, county attorney, and sheriff of Hennepin County must file campaign disclosure forms with the filing officer for Hennepin County. These candidates are subject to the provisions of chapter 211A.

Subd. 2. Political subdivision candidates. Candidates for elected city, school board, park commissioner, and other political subdivision offices within Hennepin County shall file campaign disclosure forms with the filing officer for the political subdivision for which the candidate is seeking office. These candidates are subject to the provisions of chapter 211A.

Subd. 3. Political committees, political funds, and independent expenditures. (a) The provisions of chapter 10A apply to political committees as defined in section 10A.01, subdivision 27; political funds as defined in section 10A.01, subdivision 28; and independent expenditures as defined in section 10A.01, subdivision 18, related to:

(1) a campaign for the nomination or election of a candidate for:

(i) a county office in Hennepin County;

(ii) a city office in a home rule charter or statutory city located wholly within Hennepin County with a population of 75,000 or more; or

(iii) the school board in Special School District No. 1; and

(2) a ballot question or proposition that may be voted on by:

(i) all voters in Hennepin County;

(ii) all voters of a home rule charter or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or

(iii) all voters in Special School District No. 1.
(b) The provisions of chapter 211A apply to a campaign for nomination or election for
an office in the following political subdivisions:

1. a home rule or statutory city located wholly within Hennepin County and having a
   population of less than 75,000; and
2. a school district located wholly within Hennepin County other than Special School
   District No. 1.

(c) The provisions of chapter 211A apply to a ballot question or proposition that may
be voted on by:

1. all voters of a home rule or statutory city located wholly within Hennepin County
   and having a population of less than 75,000; and
2. all voters of a school district located wholly within Hennepin County other than
   Special School District No. 1.

Subd. 4. Local ordinances and charters superseded. This section supersedes the
provisions of any ordinance or resolution of a political subdivision within Hennepin County,
or any existing special law or home rule charter provision of a political subdivision within
Hennepin County requiring disclosure of information related to the financing of election
campaigns.

Subd. 5. Economic interest disclosure; Special School District No. 1. Every candidate
for school board in Special School District No. 1, Minneapolis, must file an original statement
of economic interest with the school district within 14 days of the filing of an affidavit or
petition to appear on the ballot. An elected official in Special School District No. 1,
Minneapolis, must file the annual statement required in section 10A.09, subdivision 6, with
the school district for every year that the individual serves in office. An original and annual
statement must contain the information listed in section 10A.09, subdivision 5. The provisions
of section 10A.09, subdivisions 6a, 7, and 9, apply to statements required under this
subdivision.

Sec. 35. REPEALER.

Subdivision 1. Enterprise Minnesota, Inc. Minnesota Statutes 2020, sections 116O.03,
subdivision 9; and 116O.04, subdivision 3, are repealed.

Subd. 2. Hennepin County. Minnesota Statutes 2020, sections 10A.15, subdivision 6;
383B.042; 383B.043; 383B.044; 383B.045; 383B.046; 383B.047; 383B.048; 383B.049;
143.1 383B.05; 383B.051; 383B.052; 383B.053; 383B.054; 383B.055; 383B.056; and 383B.057, are repealed.

143.3 Sec. 36. EFFECTIVE DATE.

143.4 This article is effective January 1, 2022, and applies to reports and disclosures required to be filed on or after that date.

ARTICLE 5
INFORMATION TECHNOLOGY

143.8 Section 1. [3.888] LEGISLATIVE COMMISSION ON CYBERSECURITY.

143.9 Subdivision 1. Membership. The Legislative Commission on Cybersecurity consists of the following eight members:

143.11 (1) four members of the senate, including two senators appointed by the senate majority leader and two senators appointed by the senate minority leader; and

143.13 (2) four members of the house of representatives, including two members appointed by the speaker of the house and two members appointed by the minority leader of the house.

143.15 Subd. 2. Terms; vacancies. Members of the commission serve for a two-year term beginning on appointment and expiring on appointment of a successor after the opening of the next regular session of the legislature in the odd-numbered year. A vacancy in the membership of the commission must be filled for the unexpired term in a manner that will preserve the representation established by this section.

143.20 Subd. 3. Duties. The commission shall provide oversight of the state's cybersecurity measures. The commission shall review the policies and practices of state agencies with regard to cybersecurity and may recommend changes in policy to adequately protect the state from cybersecurity threats. The commission may develop recommendations and draft legislation to support and strengthen the state's cybersecurity infrastructure.

143.25 Subd. 4. Chair. The commission shall elect a chair by a majority vote of members present. The officers shall alternate between a member of the senate and a member of the house of representatives. A chair shall serve a two-year term expiring upon election of a new chair after the opening of the next regular session of the legislature in the odd-numbered year.

143.30 Subd. 5. Meetings. The commission must meet at least three times per calendar year. The meetings of the commission are subject to section 3.055, except that the commission
may close a meeting when necessary to safeguard the state's cybersecurity. The minutes, recordings, and documents from a closed meeting under this subdivision shall be maintained by the Legislative Coordinating Commission and shall not be made available to the public until eight years after the date of the meeting.

Subd. 6. Administration. The Legislative Coordinating Commission shall provide administrative services for the commission.

Subd. 7. Sunset. The commission sunsets December 31, 2028.

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

Sec. 2. Minnesota Statutes 2020, section 15.01, is amended to read:

15.01 DEPARTMENTS OF THE STATE.

The following agencies are designated as the departments of the state government: the Department of Administration; the Department of Agriculture; the Department of Commerce; the Department of Corrections; the Department of Education; the Department of Employment and Economic Development; the Department of Health; the Department of Human Rights; the Department of Information Technology Services; the Department of Iron Range Resources and Rehabilitation; the Department of Labor and Industry; the Department of Management and Budget; the Department of Military Affairs; the Department of Natural Resources; the Department of Public Safety; the Department of Human Services; the Department of Revenue; the Department of Transportation; the Department of Veterans Affairs; and their successor departments.

Sec. 3. Minnesota Statutes 2020, section 16E.01, is amended to read:

16E.01 OFFICE OF MN.IT MINNESOTA DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES.

Subdivision 1. Creation; chief information officer. The Office of MN.IT Minnesota Department of Information Technology Services, which may also be known as Minnesota Information Technology Services or Minnesota IT Services, referred to in this chapter as the "office" or "department," is an agency in the executive branch headed by a commissioner, who also is the state chief information officer. The appointment of the commissioner is subject to the advice and consent of the senate under section 15.066.

Subd. 1a. Responsibilities. The office department shall provide oversight, leadership, and direction for information and telecommunications technology policy and the management, delivery, accessibility, and security of executive branch information and...
telecommunications technology systems and services in Minnesota. The office department shall manage strategic investments in information and telecommunications technology systems and services to encourage the development of a technically literate society, to ensure sufficient access to and efficient delivery of accessible government services, and to maximize benefits for the state government as an enterprise.

Subd. 2. Discretionary powers. The office department may:

1. enter into contracts for goods or services with public or private organizations and charge fees for services it provides;
2. apply for, receive, and expend money from public agencies;
3. apply for, accept, and disburse grants and other aids from the federal government and other public or private sources;
4. enter into contracts with agencies of the federal government, local governmental units, the University of Minnesota and other educational institutions, and private persons and other nongovernmental organizations as necessary to perform its statutory duties;
5. sponsor and conduct conferences and studies, collect and disseminate information, and issue reports relating to information and communications technology issues;
6. review the technology infrastructure of regions of the state and cooperate with and make recommendations to the governor, legislature, state agencies, local governments, local technology development agencies, the federal government, private businesses, and individuals for the realization of information and communications technology infrastructure development potential;
7. sponsor, support, and facilitate innovative and collaborative economic and community development and government services projects, including technology initiatives related to culture and the arts, with public and private organizations; and
8. review and recommend alternative sourcing strategies for state information and communications systems.

Subd. 3. Duties. (a) The office department shall:

1. manage the efficient and effective use of available federal, state, local, and public-private resources to develop statewide information and telecommunications technology systems and services and its infrastructure;
2. approve state agency and intergovernmental information and telecommunications technology systems and services development efforts involving state or intergovernmental
funding, including federal funding, provide information to the legislature regarding projects
reviewed, and recommend projects for inclusion in the governor's budget under section
16A.11;

(3) ensure promote cooperation and collaboration among state and local governments
in developing intergovernmental information and telecommunications technology systems
and services; and define the structure and responsibilities of a representative governance
structure;

(4) cooperate and collaborate with the legislative and judicial branches in the development
of information and communications systems in those branches, as requested;

(5) continue the development of North Star, the state's official comprehensive online
service and information initiative;

(6) promote and collaborate with the state's agencies in the state's transition to an
effectively competitive telecommunications market;

(7) collaborate with entities carrying out education and lifelong learning initiatives to
assist Minnesotans in developing technical literacy and obtaining access to ongoing learning
resources;

(8) (6) promote and coordinate public information access and network initiatives,
consistent with chapter 13, to connect Minnesota's citizens and communities to each other,
to their governments, and to the world;

(9) promote and coordinate electronic commerce initiatives to ensure that Minnesota
businesses and citizens can successfully compete in the global economy;

(10) (7) manage and promote the regular and periodic reinvestment in the information
and telecommunications technology systems and services infrastructure so that state and
local government agencies can effectively and efficiently serve their customers;

(11) (8) facilitate the cooperative development of and ensure compliance with standards
and policies for information and telecommunications technology systems and services, and
electronic data practices and privacy, and electronic commerce among international, national,
state, and local public and private organizations within the executive branch;

(12) (9) eliminate unnecessary duplication of existing information and
telemcommunications technology systems and services provided by state agencies;

(13) (10) identify, sponsor, develop, and execute shared information and
telemcommunications technology projects and ongoing operations;
(14) (11) ensure overall security of the state's information and technology systems and services; and

(15) (12) manage and direct compliance with accessibility standards for informational technology, including hardware, software, websites, online forms, and online surveys.

(b) The chief information officer, in consultation with the commissioner of management and budget, must determine when it is cost-effective for agencies to develop and use shared information and telecommunications technology systems and services for the delivery of electronic government services. The chief information officer may require agencies to use shared information and telecommunications technology systems and services. The chief information officer shall establish reimbursement rates in cooperation with the commissioner of management and budget to be billed to agencies and other governmental entities sufficient to cover the actual development, operating, maintenance, and administrative costs of the shared systems. The methodology for billing may include the use of interagency agreements, or other means as allowed by law.

(c) A state agency that has an information and telecommunications technology project with a total expected project cost of more than $1,000,000, whether funded as part of the biennial budget or by any other means, shall register with the office by submitting basic project startup documentation, as specified by the chief information officer in both format and content, before any project funding is requested or committed and before the project commences. State agency project leaders must demonstrate that the project will be properly managed, provide updates to the project documentation as changes are proposed, and regularly report on the current status of the project on a schedule agreed to with the chief information officer. The chief information officer has the authority to define a project for the purposes of this chapter.

(d) The chief information officer shall monitor progress on any active information and telecommunications technology project with a total expected project cost of more than $5,000,000 and report on the performance of the project in comparison with the plans for the project in terms of time, scope, and budget. The chief information officer may conduct an independent project audit of the project. The audit analysis and evaluation of the projects subject to paragraph (c) must be presented to agency executive sponsors, the project governance bodies, and the chief information officer. All reports and responses must become part of the project record.

(e) For any active information and telecommunications technology project with a total expected project cost of more than $10,000,000, the state agency must perform an annual
independent audit that conforms to published project audit principles adopted by the office department.

(f) The chief information officer shall report by January 15 of each year to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the office department regarding projects the office department has reviewed under paragraph (a), clause (10). The report must include the reasons for the determinations made in the review of each project and a description of its current status.

Sec. 4. Minnesota Statutes 2020, section 16E.016, is amended to read:

16E.016 RESPONSIBILITY FOR INFORMATION TECHNOLOGY SERVICES AND EQUIPMENT.

(a) The chief information officer is responsible for providing or entering into managed services contracts for the provision, improvement, and development of the following information technology systems and services to state agencies:

1. state data centers;
2. mainframes including system software;
3. servers including system software;
4. desktops including system software;
5. laptop computers including system software;
6. a data network including system software;
7. database, electronic mail, office systems, reporting, and other standard software tools;
8. business application software and related technical support services;
9. help desk for the components listed in clauses (1) to (8);
10. maintenance, problem resolution, and break-fix for the components listed in clauses (1) to (8);
11. regular upgrades and replacement for the components listed in clauses (1) to (8);
12. network-connected output devices.

(b) All state agency employees whose work primarily involves functions specified in paragraph (a) are employees of the Office of MN.IT Services Minnesota Department of
Information Technology Services. This includes employees who directly perform the functions in paragraph (a), as well as employees whose work primarily involves managing, supervising, or providing administrative services or support services to employees who directly perform these functions. The chief information officer may assign employees of the office department to perform work exclusively for another state agency.

(c) Subject to sections 16C.08 and 16C.09, the chief information officer may allow a state agency to obtain services specified in paragraph (a) through a contract with an outside vendor when the chief information officer and the agency head agree that a contract would provide best value, as defined in section 16C.02, under the service-level agreement. The chief information officer must require that agency contracts with outside vendors ensure that systems and services are compatible with standards established by the Office of MN.IT Department of Information Technology Services.

(d) The Minnesota State Retirement System, the Public Employees Retirement Association, the Teachers Retirement Association, the State Board of Investment, the Campaign Finance and Public Disclosure Board, the State Lottery, and the Statewide Radio Board are not state agencies for purposes of this section.

Sec. 5. Minnesota Statutes 2020, section 16E.02, is amended to read:

16E.02 OFFICE OF MN.IT MINNESOTA DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES; STRUCTURE AND PERSONNEL.

Subdivision 1. Office Department management and structure. (a) The chief information officer is appointed by the governor. The chief information officer serves in the unclassified service at the pleasure of the governor. The chief information officer must have experience leading enterprise-level information technology organizations. The chief information officer is the state's chief information officer and information and telecommunications technology adviser to the governor.

(b) The chief information officer may appoint other employees of the office department. The Staff of the office department must include individuals knowledgeable in information and telecommunications technology systems and services and individuals with specialized training in information security and accessibility.

(c) The chief information officer may appoint a webmaster responsible for the supervision and development of state websites under the control of the office. The webmaster, if appointed, shall ensure that these websites are maintained in an easily accessible format that is consistent throughout state government and are consistent with the accessibility.
standards developed under section 16E.03, subdivision 9. The webmaster, if appointed, shall provide assistance and guidance consistent with the requirements of this paragraph to other state agencies for the maintenance of other websites not under the direct control of the office.

Subd. 1a. Accountability. The chief information officer reports to the governor. The chief information officer must consult regularly with the executive branch agency commissioners of administration, management and budget, human services, revenue, and other commissioners as designated by the governor, on technology projects, standards, and services as well as management of resources and staff utilization.

Sec. 6. Minnesota Statutes 2020, section 16E.03, subdivision 1, is amended to read:

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

(b) "Information and telecommunications technology systems and services" means all computing and telecommunications hardware and software, the activities undertaken to secure that hardware and software, and the activities undertaken to acquire, transport, process, analyze, store, and disseminate information electronically. "Information and telecommunications technology systems and services" includes all proposed expenditures for computing and telecommunications hardware and software, security for that hardware and software, and related consulting or other professional services.

(c) "Telecommunications" means voice, video, and data electronic transmissions transported by wire, wireless, fiber-optic, radio, or other available transport technology.

(d) "Cyber security" means the protection of data and systems in networks connected to the Internet.

(e) "State agency" means an agency in the executive branch of state government and includes the Minnesota Office of Higher Education, but does not include the Minnesota State Colleges and Universities unless specifically provided elsewhere in this chapter.

(f) "Total expected project cost" includes direct staff costs, all supplemental contract staff and vendor costs, and costs of hardware and software development or purchase. Breaking a project into several phases does not affect the cost threshold, which must be computed based on the full cost of all phases.
"Cloud computing" has the meaning described by the National Institute of Standards and Technology of the United States Department of Commerce in special publication 800-145, September 2011.

Sec. 7. Minnesota Statutes 2020, section 16E.03, subdivision 2, is amended to read:

Subd. 2. Chief information officer's responsibility. The chief information officer shall:

(1) design a master plan for information and telecommunications technology systems and services in the state and its political subdivisions and shall report on the plan to the governor and legislature at the beginning of each regular session;

(2) coordinate, review, and approve all information and telecommunications technology projects and oversee the state's information and telecommunications technology systems and services;

(3) establish and enforce compliance with standards for information and telecommunications technology systems and services that are cost-effective and support open systems environments and that are compatible with state, national, and international standards, including accessibility standards;

(4) maintain a library of systems and programs developed by the state and its political subdivisions for use by agencies of government;

(5) direct and manage the shared operations of the state's information and telecommunications technology systems and services; and

(6) establish and enforce standards and ensure acquisition of hardware and software necessary to protect data and systems in state agency networks connected to the Internet.

Sec. 8. Minnesota Statutes 2020, section 16E.03, subdivision 3, is amended to read:

Subd. 3. Evaluation and approval. A state agency may not undertake an information and telecommunications technology project until it has been evaluated according to the procedures developed under subdivision 4. The chief information officer or delegate shall give written approval of the proposed project. When notified by the chief information officer that a project has not been approved, the commissioner of management and budget shall cancel the unencumbered balance of any appropriation allotted for the project.

Sec. 9. Minnesota Statutes 2020, section 16E.03, subdivision 6, is amended to read:

Subd. 6. System development methods. The chief information officer shall establish and, as necessary, update and modify methods for developing information and
communications systems appropriate to the specific needs of individual state agencies. The development methods shall be used to define the design, programming, and implementation of systems. The development methods must also enable and require a data processing system to be defined in terms of its computer programs, input requirements, output formats, administrative procedures, and processing frequencies.

Sec. 10. Minnesota Statutes 2020, section 16E.036, is amended to read:

**16E.036 ADVISORY COMMITTEE COUNCIL.**

(a) The Technology Advisory Committee Council is created to advise the governor, executive branch, and state chief information officer. The committee consists of council shall consist of 15 voting members. The governor shall appoint six members appointed by the governor who are individuals actively involved in business planning for state executive branch agencies, one county member designated by the Association of Minnesota Counties, one member appointed by the governor as a representative of a union that represents state information technology employees, and one member appointed by the governor to represent private businesses. The governor shall also select six additional members with private-sector or public-sector IT experience or experience in academia pertaining to IT. The council shall have the following four ex-officio nonvoting members:

1. a member of the house of representatives selected by the speaker of the house;
2. a member of the house of representatives selected by the minority leader;
3. a member of the senate selected by the majority leader; and
4. a member of the senate selected by the minority leader.

The governor shall designate one of the 15 voting members to serve as the council's chair.

(b) Membership terms, removal of members, and filling of vacancies are as provided in section 15.059. Members do not receive compensation or reimbursement for expenses.

(c) The committee shall select a chair from its members. The chief information officer shall provide administrative support to the committee council.

(d) The committee council shall advise the chief information officer on:

1. development and implementation of the state information technology strategic plan;
2. critical information technology initiatives for the state;
3. standards for state information architecture;
4. identification of business and technical needs of state agencies;
(5) strategic information technology portfolio management, project prioritization, and investment decisions;

(6) the office's department's performance measures and fees for service agreements with executive branch agencies;

(7) management of the state MN.IT services revolving fund; and

(8) the efficient and effective operation of the office department.

Sec. 11. Minnesota Statutes 2020, section 16E.04, subdivision 3, is amended to read:

Subd. 3. Risk assessment and mitigation. (a) A risk assessment and risk mitigation plan are required for all information systems development projects undertaken by a state agency in the executive or judicial branch or by a constitutional officer. The chief information officer must contract with an entity outside of state government to conduct the initial assessment and prepare the mitigation plan for a project estimated to cost more than $5,000,000. The outside entity conducting the risk assessment and preparing the mitigation plan must not have any other direct or indirect financial interest in the project. The risk assessment and risk mitigation plan must provide for periodic monitoring by the commissioner until the project is completed.

(b) The risk assessment and risk mitigation plan must be paid for with money appropriated for the information and telecommunications technology project. The chief information officer must notify the commissioner of management and budget when work has begun on a project and must identify the proposed budget for the project. The commissioner of management and budget shall ensure that no more than ten percent of the proposed budget be spent on the project, other than the money spent on the risk assessment and risk mitigation plan, is spent until the risk assessment and mitigation plan are reported to the chief information officer and the chief information officer has approved the risk mitigation plan.

Sec. 12. Minnesota Statutes 2020, section 16E.0465, subdivision 2, is amended to read:

Subd. 2. Required review and approval. (a) A state agency receiving an appropriation for an information and telecommunications technology project subject to this section must divide the project into phases.

(b) The commissioner of management and budget may not authorize the An encumbrance or expenditure of an appropriation of state funds to a state agency may not be made for any phase of a state agency information and telecommunications technology project, device, or system subject to this section unless the Office of MN.IT Minnesota Department of
Information Technology Services has reviewed each phase of the project, device, or system, and based on this review, the chief information officer has determined for each phase that:

1. the project is compatible with the state information architecture and other policies and standards established by the chief information officer;

2. the agency is able to accomplish the goals of the phase of the project with the funds appropriated; and

3. the project supports the enterprise information technology strategy.

Sec. 13. Minnesota Statutes 2020, section 16E.05, subdivision 1, is amended to read:

Subdivision 1. Duties. The office department, in consultation with interested persons,

shall:

1. coordinate statewide efforts by units of state and local government to plan for and develop a system for providing access to government services; and

2. explore ways and means to improve citizen and business access to public services, including implementation of technological improvements.

Sec. 14. Minnesota Statutes 2020, section 16E.07, subdivision 12, is amended to read:

Subd. 12. Private entity services; fee authority. (a) The office department may enter into a contract with a private entity to manage, maintain, support, and expand North Star and online government information services to citizens and businesses.

(b) A contract established under paragraph (a) may provide for compensation of the private entity through a fee established under paragraph (c).

(c) The office department, subject to the approval of the agency or office department responsible for the data or services involved in the transaction, may charge and may authorize a private entity that enters into a contract under paragraph (a) to charge a convenience fee for users of North Star and online government information services up to a total of $2 per transaction, provided that no fee shall be charged for viewing or inspecting data. The office shall consider the recommendation of the E-Government Advisory Council under section 16E.071 in setting the convenience fee. A fee established under this paragraph is in addition to any fees or surcharges authorized under other law.

(d) Receipts from the convenience fee shall be deposited in the North Star account established in subdivision 7. Notwithstanding section 16A.1285, subdivision 2, receipts credited to the account are appropriated to the office department for payment to the contracted
private entity under paragraph (a). In lieu of depositing the receipts in the North Star account, the office department can directly transfer the receipts to the private entity or allow the private entity to retain the receipts pursuant to a contract established under this subdivision.

(e) The office department shall report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over state government finance by January 15 of each odd-numbered year regarding the convenience fee receipts and the status of North Star projects and online government information services developed and supported by convenience fee receipts.

Sec. 15. Minnesota Statutes 2020, section 16E.21, subdivision 2, is amended to read:

Subd. 2. Charges. (a) Upon agreement of the participating agency, the Office of MN.IT Services may collect a charge or receive a fund transfer under section 16E.0466 for purchases of information and telecommunications technology systems and services by state agencies and other governmental entities through state contracts for purposes described in subdivision 1. Charges collected under this section must be credited to the information and telecommunications technology systems and services account.

(b) Notwithstanding section 16A.28, subdivision 3, any unexpended operating balance appropriated to a state agency may be transferred to the information and telecommunications technology systems and services account for the information technology cost of a specific project, subject to the review of the Legislative Advisory Commission under subdivision 3.

Sec. 16. Minnesota Statutes 2020, section 97A.057, subdivision 1, is amended to read:

Subdivision 1. Compliance with federal law. The commissioner shall take any action necessary to comply with the Federal Aid in Wildlife Restoration Act, United States Code, title 16, sections 669 to 669i, and the Federal Aid in Fish Restoration Act, United States Code, title 16, sections 777 to 777k. Notwithstanding section 16E.145 or any other law to the contrary, an appropriation for an information or telecommunications technology project from the game and fish fund, as established in section 97A.055, must be made to the commissioner. Any assets acquired with or expenditures made from the game and fish fund must remain under control of the commissioner.
Sec. 17. FIRST APPOINTMENTS AND FIRST MEETING OF LEGISLATIVE COMMISSION ON CYBERSECURITY.

Subdivision 1. First appointments. Appointing authorities must make initial appointments to the Legislative Commission on Cybersecurity within 60 days after final enactment.

Subd. 2. First meeting. The majority leader of the senate shall designate one senate member of the Legislative Commission on Cybersecurity under Minnesota Statutes, section 3.888, to convene the first meeting within 105 days after final enactment. The commission must select a chair from among the senate members at the first meeting.

Subd. 3. Meetings in 2021. Notwithstanding Minnesota Statutes, section 3.888, subdivision 5, the commission must meet at least twice in 2021.

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

Sec. 18. REVISOR INSTRUCTION.

The revisor of statutes shall change "Office of MN.IT Services" or similar terms to "Minnesota Department of Information Technology Services" wherever it appears in Minnesota Statutes.

Sec. 19. REPEALER.

Minnesota Statutes 2020, sections 16E.0466, subdivision 1; 16E.05, subdivision 3; 16E.071; and 16E.145, are repealed.

ARTICLE 6
LOCAL GOVERNMENT POLICY

Section 1. [13D.001] DEFINITIONS.

Subdivision 1. Applicability. For the purposes of this chapter, the terms defined in this section have the meanings given.

Subd. 2. Interactive technology. "Interactive technology" means a device, software program, or other application that allows individuals in different physical locations to see and hear one another.
Sec. 2. Minnesota Statutes 2020, section 13D.01, subdivision 4, is amended to read:

Subd. 4. Votes to be kept in journal. (a) The votes of the members of the state agency, board, commission, or department; or of the governing body, committee, subcommittee, board, department, or commission on an action taken in a meeting required by this section to be open to the public must be recorded in a journal kept for that purpose or minutes.

(b) The vote of each member must be recorded on each appropriation of money, except for payments of judgments, claims, and amounts fixed by statute.

Sec. 3. Minnesota Statutes 2020, section 13D.01, subdivision 5, is amended to read:

Subd. 5. Public access to journal. The journal or any minutes used to record votes of a meeting subject to this chapter must be open to the public during all normal business hours where records of the public body are kept.

Sec. 4. Minnesota Statutes 2020, section 13D.015, is amended to read:

13D.015 STATE ENTITY MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS INTERACTIVE TECHNOLOGY.

Subdivision 1. Application. This section applies to:

(1) a state agency, board, commission, or department, and a statewide public pension plan defined in section 356A.01, subdivision 24; and

(2) a committee, subcommittee, board, department, or commission of an entity listed in clause (1).

Subd. 2. Conditions. An entity listed in subdivision 1 may conduct a meeting governed by this section and section 13D.01, subdivisions 1, 2, 4, and 5, by telephone or other electronic means interactive technology so long as the following conditions are met:

(1) all members of the entity participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the entity can hear all discussion and all votes of members of the entity and participate in testimony;

(3) at least one member of the entity is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.
Subd. 3. Quorum; participation. Each member of the entity participating in a meeting by telephone or other electronic means interactive technology is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

Subd. 4. Monitoring from remote site; costs. If telephone or another electronic means interactive technology is used to conduct a meeting, the entity, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location. The entity may require the person making a connection to pay for documented marginal costs that the entity incurs as a result of the additional connection.

Subd. 5. Notice. If telephone or another electronic means interactive technology is used to conduct a regular, special, or emergency meeting, the entity shall provide notice of the regular meeting location, of the fact that some members may participate by electronic means interactive technology, and of the provisions of subdivision 4. The timing and method of providing notice is governed by section 13D.04. In addition, the entity must post the notice on its website at least ten days before any regular meeting as defined in section 13D.04, subdivision 1.

Sec. 5. Minnesota Statutes 2020, section 13D.02, is amended to read:

13D.02 OTHER ENTITY MEETINGS CONDUCTED BY INTERACTIVE TECHNOLOGY.

Subdivision 1. Conditions. (a) A meeting governed by section 13D.01, subdivisions 1, 2, 4, and 5, and this section may be conducted by interactive television technology so long as:

(1) all members of the body participating in the meeting, wherever their physical location, can hear and see one another and can hear and see all discussion and testimony presented at any location at which at least one member is present;

(2) members of the public present at the regular meeting location of the body can hear and see all discussion and testimony and all votes of members of the body;

(3) at least one member of the body is physically present at the regular meeting location;

(4) all votes are conducted by roll call so each member's vote on each issue can be identified and recorded; and

(5) each location at which a member of the body is present is open and accessible to the public.
(b) A meeting satisfies the requirements of paragraph (a), although a member of the public body participates from a location that is not open or accessible to the public, if the member has not participated more than three times in a calendar year from a location that is not open or accessible to the public, and:

(1) the member is serving in the military and is at a required drill, deployed, or on active duty; or

(2) the member has been advised by a health care professional against being in a public place for personal or family medical reasons. This clause only applies when a state of emergency has been declared under section 12.31, and expires 60 days after the removal of the state of emergency.

Subd. 1a. Meeting exception. This section applies to meetings of entities described in section 13D.01, subdivision 1, except meetings of:

(1) a state agency, board, commission, or department and a statewide public pension plan defined in section 356A.01, subdivision 24; and

(2) a committee, subcommittee, board, department, or commission of an entity listed in clause (1).

Subd. 2. Members are present for quorum, participation. Each member of a body participating in a meeting by interactive television technology is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

Subd. 3. Monitoring from remote site; costs. If interactive television technology is used to conduct a meeting, to the extent practical, a public body shall allow a person to monitor the meeting electronically from a remote location. The body may require the person making such a connection to pay for documented marginal costs that the public body incurs as a result of the additional connection.

Subd. 4. Notice of regular and all member sites. If interactive television technology is used to conduct a regular, special, or emergency meeting, the public body shall provide notice of the regular meeting location and notice of any site where a member of the public body will be participating in the meeting by interactive television technology. The timing and method of providing notice must be as described in section 13D.04.

Subd. 5. School boards; interactive technology with an audio and visual link. A school board conducting a meeting under this section may use interactive technology with an audio and visual link to conduct the meeting if the school board complies with all other requirements under this section.
Subd. 6. Record. The minutes for a meeting conducted under this section must reflect the names of any members appearing by interactive television technology and state the reason or reasons for the appearance by interactive television technology.

Sec. 6. Minnesota Statutes 2020, section 13D.021, is amended to read:

13D.021 MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS; CONDITIONS DURING PANDEMIC OR CHAPTER 12 EMERGENCY.

Subdivision 1. Conditions. A meeting governed by this section and section 13D.01, subdivisions 1, 2, 4, and 5, may be conducted by telephone or other electronic means interactive technology so long as the following conditions are met:

1. the presiding officer, chief legal counsel, or chief administrative officer for the affected governing body determines that an in-person meeting or a meeting conducted under section 13D.015 or 13D.02 is not practical or prudent because of a health pandemic or an emergency declared under chapter 12;

2. all members of the body participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

3. members of the public present at the regular meeting location of the body can hear all discussion and testimony and all votes of the members of the body, unless attendance at the regular meeting location is not feasible due to the health pandemic or emergency declaration;

4. at least one member of the body, chief legal counsel, or chief administrative officer is physically present at the regular meeting location, unless unfeasible due to the health pandemic or emergency declaration; and

5. all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

Subd. 2. Members are present for quorum, participation. Each member of the body participating in a meeting by telephone or other electronic means interactive technology is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

Subd. 3. Monitoring from remote site; costs. If telephone or another electronic means interactive technology is used to conduct a meeting, to the extent practical, the body shall allow a person to monitor the meeting electronically from a remote location. The body may...
require the person making a connection to pay for the documented additional cost that the body incurs as a result of the additional connection.

Subd. 4. Notice of regular and all member sites. If telephone or another electronic means interactive technology is used to conduct a regular, special, or emergency meeting, the public body shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means interactive technology, and of the provisions of subdivision 3. The timing and method of providing notice is governed by section 13D.04 of the Open Meeting Law.

Subd. 5. Public comment period during health pandemic or emergency. If attendance at the regular meeting location is not feasible due to a health pandemic or emergency declaration and the public body offers a public comment period, members of the public shall be permitted to comment from a remote location during the public comment period of the meeting, to the extent practical.

Sec. 7. Minnesota Statutes 2020, section 462.358, is amended by adding a subdivision to read:

Subd. 2d. Dedication fee; first class cities. Notwithstanding subdivisions 2b and 2c, the city council or other chief governing body of a city of the first class, as defined in section 410.01, may require that a reasonable portion of land be dedicated to the public or may impose a dedication fee in conjunction with the construction permit required for new housing units and new commercial and industrial development in the city, wherever located, for public parks, playgrounds, recreational facilities, wetlands, trails, or open space. The city council or other chief governing body of the city must enact an ordinance to impose a dedication of land or a dedication fee. The ordinance may exempt senior housing and affordable housing applicants from the dedication of land or the dedication fee requirements. The ordinance may set the cash fee based on current land prices at the time the permit is issued or set at a flat fee rate per net new residential unit or other standard basis for commercial and industrial property.

EFFECTIVE DATE. This section is effective for ordinances enacted on or after August 1, 2021.
Sec. 8. Minnesota Statutes 2020, section 469.074, is amended by adding a subdivision to read:

**Subd. 4. Nonprofit corporation creation authority.** The Seaway Port Authority of Duluth may create a corporation as a nonprofit corporation under chapter 317A with the mission of furthering its goals and duties.

Sec. 9. Minnesota Statutes 2020, section 471.342, subdivision 1, is amended to read:

**Subdivision 1. City.** In this section, "city" means a home rule charter or statutory city, township, or any political subdivision of the state with statutory sewer ownership or operational responsibilities.

Sec. 10. Minnesota Statutes 2020, section 471.342, subdivision 4, is amended to read:

**Subd. 4. Program guidelines.** The city shall establish guidelines to govern the program. The guidelines shall establish criteria for program eligibility and standards for compliance with the program. Prior to adoption of the program guidelines, the city council must conduct a public hearing on the proposed guidelines after giving at least ten days' published notice of the hearing.

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

Sec. 11. Minnesota Statutes 2020, section 471.345, subdivision 20, is amended to read:

**Subd. 20. Solicitations to small business enterprises or veteran-owned small businesses.** A contract, as defined in subdivision 2, estimated not to exceed $250,000 $750,000 may be made pursuant to the provisions of subdivision 4 provided that a business that is directly solicited is: (1) certified as a small business enterprise by a county designated small business certification program; or (2) certified by the commissioner of administration as a small business that is majority-owned and operated by a veteran or a service-disabled veteran. This subdivision applies only to county boards.

Sec. 12. [471.585] MUNICIPAL HOTEL LICENSING.

(a) A statutory or home rule charter city or a town may adopt an ordinance requiring hotels operating within the boundaries of the city or town to have a valid license issued by the city or town. A fee for a license under this section may not exceed $100.
(b) An ordinance adopted under this section is limited to requiring compliance with state and local laws as a condition of licensure. No other licensing conditions or requirements are permitted.

(c) A city or town that has adopted an ordinance under this section may refuse to issue a license, or may revoke an existing license, if the hotel fails to comply with the conditions of the license.

Sec. 13. Minnesota Statutes 2020, section 473.606, subdivision 5, is amended to read:

Subd. 5. Employees, others, affirmative action; prevailing wage. The corporation shall have the power to appoint engineers and other consultants, attorneys, and such other officers, agents, and employees as it may see fit, who shall perform such duties and receive such compensation as the corporation may determine notwithstanding the provisions of section 43A.17, subdivision 9, and be removable at the pleasure of the corporation. The corporation must adopt an affirmative action plan, which shall be submitted to the appropriate agency or office of the state for review and approval. The plan must include a yearly progress report to the agency or office. Whenever the corporation performs any work within the limits of a city of the first class, or establishes a minimum wage for skilled or unskilled labor in the specifications or any contract for work within one of the cities, the rate of pay to such skilled and unskilled labor must be the prevailing rate of wage for such labor in that city.

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

Sec. 14. Laws 1963, chapter 305, section 2, as amended by Laws 1998, chapter 404, section 62, is amended to read:

Sec. 2.

The authority created under this act shall consist of 11 directors, seven appointed by the city of Duluth and four appointed by the governor. The directors serve without compensation but may be reimbursed for authorized out-of-pocket expenses incurred in the fulfillment of their duties. The original term of three of the directors shall be for one year; the original term of two of the directors shall be for two years; and the original term of two of the directors shall be for three years, and until their respective successors are appointed and qualified. Subsequent terms of directors appointed by the city shall be for three years. All terms shall expire on June 30 of the appropriate year. Directors appointed by the governor serve at the pleasure of the governor. Whenever a vacancy on such authority shall occur by
reason of resignation, death, removal from the city, or removal for failure or neglect to
perform duties of a director, such vacancy shall be filled for the unexpired term. All
appointments and removal of directors of the authority appointed by the city shall be made
by the mayor, with the approval of the city council, evidenced by resolution. Every appointee
who shall fail, within ten days after notification of his appointment, to file with the city
clerk his the appointee's oath or affirmation to perform faithfully, honestly, and impartially
the duties of his the office, shall be deemed to have refused such appointment, and thereupon
another person shall be appointed in the manner prescribed in this section.

Sec. 15. Laws 1963, chapter 305, section 3, as amended by Laws 1998, chapter 404,
section 63, is amended to read:

Sec. 3.

Subdivision 1. Within 30 days after the members of the authority shall have qualified
for office, the authority shall meet and organize, and adopt and thereafter may amend such
rules and regulations for the conduct of the authority as the authority shall deem to be in
the public interest and most likely to advance, enhance, foster, and promote the use of
regional assets, the entertainment and convention center, and its facilities for activities,
conventions, events, and athletic and cultural productions. Such rules and regulations shall
at all times be in harmony with this act.

Subd. 2. Such directors shall elect from among their number a president and a
vice-president, and shall also elect a treasurer or secretary, who may or may not
be a member of such authority, or both. No two of such offices may be held by one director.
The officers shall have the duties and powers usually attendant upon such officers, and such
other duties and powers not inconsistent herewith as may be provided by the authority.

Subd. 3. The authority shall select a specific site within the city of Duluth for location
of a national class entertainment and convention center, and may spend money appropriated,
or otherwise available to it for that purpose, to acquire property for the center and to plan,
design, construct, equip, and furnish the center. The authority shall administer, promote,
and operate the center as a state facility, but for which the state assumes no financial
responsibility or liability beyond the amounts appropriated for the facility.
Sec. 16. Laws 1963, chapter 305, section 4, as amended by Laws 1998, chapter 404, section 64, is amended to read:

Sec. 4.

Subdivision 1. The city treasurer of the city of Duluth shall be the treasurer fiscal agent of the authority. The treasurer fiscal agent shall receive and have the custody of all moneys of the authority from whatever source derived, and the same shall be deemed public funds. The city of Duluth shall disburse such funds only upon written orders drawn against such funds, signed by the manager and approved by the president chair, or in his absence, the vice-president vice-chair of such authority; and each order shall state the name of the payee and the nature of the claim for which the same is issued. The treasurer fiscal agent shall keep an account of all monies coming into his hands, showing the source of all receipts and the nature, purpose, and authority of all disbursements, and at least four times each year, at times and in a form to be determined by the city council, the authority shall file with the city clerk a financial statement of the authority, showing all receipts and disbursements, the nature of the same, the moneys on hand, and the purposes for which the same are applicable, the credits and assets of the authority, and its outstanding liabilities.

Subd. 2. The authority has the exclusive power to receive, control, and order the expenditure of any and all moneys and funds pertaining to the center operations.

Subd. 3. There are hereby created in the treasury of the city of Duluth a special entertainment and convention center fund, hereinafter referred to as the special fund, and an entertainment and convention center operating fund, hereinafter referred to as the operating fund. The moneys in the special fund shall be used solely for the acquisition and preparation of a site, and for the planning, construction, and equipping of the center. The special fund shall consist of:

1. All moneys derived from the sale of bonds by the city to provide funds for the acquisition and preparation of a site, and for the planning, construction, and equipping of the center.

2. All moneys appropriated or made available to the city of Duluth for the acquisition and preparation of a site, and for the planning, construction, and equipping of the center.

3. The proceeds of all financial aid or assistance by the city or state governments for the acquisition and preparation of a site, and for the planning, construction, and equipping of the center.
(4) All moneys received from the United States of America to aid in the acquisition and preparation of a site, and for the planning, construction, and equipping of the center.

(5) All moneys received as gifts or contributions to the acquisition and preparation of a site, and for the planning, construction, and equipping of the center.

The operating fund shall be used for maintenance, marketing and promotion, operation, or betterment of the center, and for expenses of the authority. The operating fund shall consist of all moneys of the authority derived from any source other than moneys credited to the special fund as hereinabove provided.

Subd. 4. At least once in each year the city auditor shall make, or cause to be made, at the expense of the authority, a complete examination and audit of all books and accounts of the aforesaid authority; and for such purpose the city auditor shall have the authority and power to inspect and examine such books and accounts at any time during regular business hours and such intervals as he may determine. One copy of such yearly audit shall be filed by the city auditor with the city clerk as a public document.

Subd. 5. The authority shall annually submit to the governor and the legislature a report detailing its activities and finances for the previous year. The report shall also include a proposed budget for the succeeding two years, showing in reasonable detail estimated operating and nonoperating revenues from all sources, and estimated expenditures for operation, administration, ordinary repair, and debt service.

Subd. 6. The legislative auditor shall make an annual audit of the authority's books and accounts once each year or as often as the legislative auditor's funds and personnel permit.

Sec. 17. Laws 1963, chapter 305, section 5, as amended by Laws 1998, chapter 404, section 65, is amended to read:

Subdivision 1. Wherever the word "center" is used in this act, it means the entertainment and convention center complex and its facilities in the city of Duluth, including the land upon which it stands and land appurtenant thereto.

Subd. 2. Notwithstanding anything to the contrary contained in any law, or in the charter of the city of Duluth, or in any ordinance thereof, passed by the city council, or approved by the electors of the city, there is hereby conferred upon such authority the power and duty to contract for and superintend the erection, construction, equipping and furnishing of the
center, and to administer, promote, control, direct, manage, and operate the center as a municipal facility.

Sec. 18. Laws 1963, chapter 305, section 8, as amended by Laws 1998, chapter 404, section 67, is amended to read:

Sec. 8.

The authority shall have the power:

To adopt and alter all bylaws and rules and regulations which it shall from time to time deem best for the conduct of the business of the authority, and for the use of the facilities of the authority, and for the purposes of carrying out the objects of this act; but such bylaws, rules, and regulations shall not be in conflict with the terms of this act.

To appoint and remove a manager and such other employees as the authority may deem necessary, who shall not be within the civil service classifications of the city, and to prescribe the duties and fix the compensation and other benefits of such manager and employees, without regard to any provision contained in the charter or any ordinance of the city relating to civil service, or to any provision contained in Minnesota Statutes 1961, Sections 197.45 to 197.47, inclusive.

To procure and provide for a policy or policies of insurance for the defense and indemnification of the city of Duluth, its officers and employees, and directors, manager, and employees of the authority, against claims arising against them out of the performance of duty, whether such claims be groundless, or otherwise. Premiums for any policies of insurance required by this act shall be paid for out of the funds of the entertainment convention center authority.

To implement and carry out the provisions of section 7 of this act.

To utilize the services and facilities of the city so far as the same are offered by appropriate city officials and accepted by the authority, and to pay the city for all charges and costs for such services.

To operate and maintain and to lease from others all facilities necessary or convenient in connection with the center and to contract for the operation and maintenance of any parts thereof or for services to be performed; to lease the whole or parts thereof, and grant concessions, all on such terms and conditions as the authority may determine.
To authorize and direct the city treasurer fiscal agent to invest, in the manner provided by law, any funds held in reserve, or sinking funds, or any funds not required for immediate disbursement.

To fix, alter, charge, and collect rates, fees, and all other charges to be made for all services or facilities furnished by the authority for the use of the center facilities by any persons or public or private agencies utilizing such services or facilities.

To make and execute contracts, agreements, instruments, and other arrangements necessary or convenient to the exercise of its powers.

Sec. 19. Laws 1963, chapter 305, section 9, as amended by Laws 1998, chapter 404, section 68, is amended to read:

Sec. 9.

The manager of the center shall be responsible for the custody and control of all moneys received and collected from the daily operations of the center until such moneys are delivered to the city treasurer fiscal agent and he the fiscal agent shall have obtained a receipt therefor, or until such moneys are deposited in a bank account under control of the city treasurer.

The manager shall give bond in favor of the city of Duluth in a sum equal to twice the amount of money which will probably be in his the manager's hands at any time during any one year, that amount to be determined at least annually by the authority; such bond to be conditioned upon the faithful discharge of his the manager's official duties, and be approved as to form, correctness, and validity by the city attorney, and filed with the city auditor; such bond, however, shall not exceed $300,000. Premiums for such bonds shall be paid out of funds of the authority.

Sec. 20. Laws 1963, chapter 305, section 10, as amended by Laws 1998, chapter 404, section 69, is amended to read:

Sec. 10.

The authority shall regulate the making of bids and the letting of contracts through procedure established by the authority, subject to the following conditions:

(a) In all cases of work to be done by contract or the purchase of property of any kind, or the rendering of any service to the authority other than professional services, competitive
bids shall be secured before any purchase is made or any contract awarded where the amount
involved exceeds the sum of $2,000 $50,000.

(b) All bids shall be sealed when received, shall be opened in public at the hour stated
in the notice; and all original bids, together with all documents pertaining to the award of
the contract, shall be retained and made a part of the permanent file or record, and shall be
open to public inspection.

(c) Purchases of $2,000 $50,000 or less may, through procedure established by the
authority, be delegated to the center manager. Contracts involving more than $2,000 $50,000
shall be awarded only after authorization by the authority.

(d) The authority may reject, or through procedure established by the authority, authorize
the center manager to reject, any and all bids.

(e) Contract shall be let to the lowest responsible bidder, and purchases shall be made
from the responsible bidder who offers to furnish the article desired for the lowest sum.

(f) In determining the lowest responsible bidder, in addition to price, the following may
be considered:

(1) The ability, capacity, and skill of the bidder to perform the contract or provide the
service required.

(2) Whether the bidder can perform the contract or provide the service promptly, or
within the time specified, without delay or interference.

(3) The character, integrity, reputation, judgment, experience and efficiency of the bidder.

(4) The quality of performance of previous contracts or services.

(5) The sufficiency of the financial resources and ability of the bidder to perform the
contract or provide the service.

(6) The quality, availability, and adaptability of the supplies or contractual service to
the particular use required.

(7) The ability of the bidder to provide future maintenance and service for the use of the
subject of the contract.

(8) The number and scope of conditions attached to the bid.

(g) Specifications shall not be so prepared as to exclude all but one type or kind, but
shall include competitive supplies and equipment; provided, however, that unique or
noncompetitive articles which are determined by the authority to be sufficiently superior
for the service intended by the authority, may be purchased without regard to other bids.

Sec. 21. Laws 2006, chapter 269, section 2, as amended by Laws 2008, chapter 331,
section 11, Laws 2008, chapter 366, article 17, section 5, and Laws 2013, chapter 85, article
5, section 43, is amended to read:

Sec. 2. DEDICATION FEE.

Notwithstanding Minnesota Statutes, section 462.358, subdivision 2d, the Minneapolis
Park and Recreation Board and the Minneapolis City Council may jointly require that a
reasonable portion of land be dedicated to the public or impose a dedication fee in conjunction
with the construction permit required for new housing units and new commercial and
industrial development in the city, wherever located, for public parks, playgrounds,
recreational facilities, wetlands, trails, or open space. The dedication of land or dedication
fee must be imposed by an ordinance jointly enacted by the park board and the city council.
The cash fee may be set at a flat fee rate per net new residential unit. The ordinance may
exclude senior housing and affordable housing from paying the fee or the dedication of
land. The provisions of Minnesota Statutes, section 462.358, subdivisions 2b, paragraph
(b), and 2c, apply to the application and use of the dedication of land or the dedication fee.

EFFECTIVE DATE. This section is effective August 1, 2021.

Sec. 22. Laws 2013, chapter 85, article 5, section 44, is amended to read:

Sec. 44. CITY OF ST. PAUL DEDICATION FEE.

Notwithstanding Minnesota Statutes, section 462.358, subdivision 2d, the city of St.
Paul may require that a reasonable portion of land be dedicated to the public or impose a
dedication fee in conjunction with the construction permit required for new housing units
and new commercial and industrial development in the city, wherever located, for public
parks, playgrounds, recreational facilities, wetlands, trails, or open space. The dedication
of land or dedication fee must be imposed by an ordinance enacted by the city council. The
cash fee may be set at a flat fee rate per net new residential unit. The ordinance may exclude
senior housing and affordable housing from paying the fee or the dedication of land. The
provisions of Minnesota Statutes, section 462.358, subdivisions 2b, paragraph (b); and 2c,
apply to the application and use of the dedication of land or the dedication fee.

EFFECTIVE DATE. This section is effective August 1, 2021.
Sec. 23. **REPEALER.**

Minnesota Statutes 2020, section 43A.17, subdivision 9, is repealed.

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

**ARTICLE 7**

**MILITARY AND VETERANS POLICY**

Section 1. Minnesota Statutes 2020, section 10.578, is amended to read:

10.578 VETERANS SUICIDE PREVENTION AND AWARENESS DAY.

The first Saturday of every October is designated Veterans Suicide Prevention and Awareness Day. Each year, the governor shall issue a proclamation honoring this observance. Each year in conjunction with this observance, the commissioner of veterans affairs shall coordinate activities that raise awareness of, and promote the prevention of, veteran suicides.

Sec. 2. Minnesota Statutes 2020, section 15.057, is amended to read:

15.057 PUBLICITY REPRESENTATIVES.

No state department, bureau, or division, whether the same operates on funds appropriated or receipts or fees of any nature whatsoever, except the Department of Veterans Affairs, the Department of Transportation, the Department of Employment and Economic Development, the Game and Fish Division, State Agricultural Society, and Explore Minnesota Tourism shall use any of such funds for the payment of the salary or expenses of a publicity representative. The head of any such department, bureau, or division shall be personally liable for funds used contrary to this provision. This section shall not be construed, however, as preventing any such department, bureau, or division from sending out any bulletins or other publicity required by any state law or necessary for the satisfactory conduct of the business for which such department, bureau, or division was created.

Sec. 3. Minnesota Statutes 2020, section 190.07, is amended to read:

190.07 APPOINTMENT; QUALIFICATIONS; RANK; TERM; VACANCY.

Subdivision 1. **Qualifications.** There shall be an adjutant general of the state who shall be appointed by the governor within 120 days of a vacancy of the position. The adjutant general shall be a staff officer, who at the time of appointment shall be a commissioned officer of the National Guard of this state, with not less than ten years military service in the National Guard of this state or the armed forces of the United States, at least three of
which shall have been commissioned and who shall have reached, at a minimum, the grade of a field officer rank of colonel (O-6).

Subd. 2. Rank. The adjutant general shall be promoted, if necessary, directly to and shall hold at least the rank of major general and may be promoted to and including the highest rank authorized under federal law. However, the adjutant general may not be promoted to the rank of major general without having at least 20 years service in the Minnesota National Guard, at least one of which has been in the rank of brigadier general.

If not already a major general, the adjutant general's promotion is effective beginning on the date the governor appoints the adjutant general. At the time of appointment and in accordance with the authorities governing federal recognition of officers, the adjutant general is authorized to wear the rank of major general.

Subd. 3. Term. The term of the adjutant general is for a single term of seven years from the date of appointment. Section 15.06, subdivisions 3, 4, and 5, governs filling of vacancies in the Office of Adjutant General. The adjutant general shall not be removed from office during a term except upon withdrawal of federal recognition or as otherwise provided by the military laws of this state.

Subd. 4. Vacancy; acting or temporary adjutant general. In the event of a vacancy of the adjutant general, the governor may appoint a person qualified under subdivision 1 as an acting adjutant general. If the governor does not appoint an acting adjutant general, the deputy adjutant general as defined in section 190.09, subdivision 1, shall become temporary adjutant general without further official action. Upon taking office, the acting or temporary adjutant general shall have all the powers and emoluments and perform all the duties of the office of adjutant general until a permanent adjutant general is appointed.

Sec. 4. [196.081] VETERANS STABLE HOUSING INITIATIVE; DATA.

(a) The commissioner may establish a veterans stable housing initiative. If the commissioner establishes a veterans stable housing initiative under this section, the commissioner must provide resources and support to assist veterans experiencing homelessness in obtaining or maintaining stable housing.

(b) Data on individuals maintained by the commissioner in the Homeless Veteran Registry for purposes of the veterans stable housing initiative is private data on individuals as defined in section 13.02, subdivision 12, and must not be disclosed or shared except for coordinating homelessness prevention efforts with:

(1) members of the Minnesota Interagency Council on Homelessness; and
173.1 (2) Homeless Veteran Registry partners to address a veteran's episode of homelessness or maintain a veteran's housing plan through Department of Veterans Affairs funded programs.

173.4 (c) For purposes of this section, "homelessness" means that a veteran lacks a fixed, nighttime residence.

173.6 Sec. 5. Minnesota Statutes 2020, section 197.791, subdivision 4, is amended to read:

173.7 Subd. 4. Eligibility. (a) A person is eligible for educational assistance under subdivisions 5 and 5a if:

173.9 (1) the person is:

173.10 (i) a veteran who is serving or has served honorably in any branch or unit of the United States armed forces at any time;

173.12 (ii) a nonveteran who has served honorably for a total of five years or more cumulatively as a member of the Minnesota National Guard or any other active or reserve component of the United States armed forces, and any part of that service occurred on or after September 11, 2001;

173.16 (iii) the surviving spouse or child of a person who has served in the military and who has died as a direct result of that military service, only if the surviving spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35, as amended; or

173.20 (iv) the spouse or child of a person who has served in the military at any time and who has a total and permanent service-connected disability as rated by the United States Veterans Administration, only if the spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35, as amended; and

173.25 (2) the person receiving the educational assistance is a Minnesota resident, as defined in section 136A.101, subdivision 8; and

173.27 (3) the person receiving the educational assistance:

173.28 (i) is an undergraduate or graduate student at an eligible institution;

173.29 (ii) is maintaining satisfactory academic progress as defined by the institution for students participating in federal Title IV programs;
(iii) is enrolled in an education program leading to a certificate, diploma, or degree at an eligible institution;

(iv) has applied for educational assistance under this section prior to the end of the academic term for which the assistance is being requested;

(v) is in compliance with child support payment requirements under section 136A.121, subdivision 2, clause (5); and

(vi) has completed the Free Application for Federal Student Aid (FAFSA).

(b) A person's eligibility terminates when the person becomes eligible for benefits under section 135A.52.

(c) To determine eligibility, the commissioner may require official documentation, including the person's federal form DD-214 or other official military discharge papers; correspondence from the United States Veterans Administration; birth certificate; marriage certificate; proof of enrollment at an eligible institution; signed affidavits; proof of residency; proof of identity; or any other official documentation the commissioner considers necessary to determine eligibility.

(d) The commissioner may deny eligibility or terminate benefits under this section to any person who has not provided sufficient documentation to determine eligibility for the program. An applicant may appeal the commissioner's eligibility determination or termination of benefits in writing to the commissioner at any time. The commissioner must rule on any application or appeal within 30 days of receipt of all documentation that the commissioner requires. The decision of the commissioner regarding an appeal is final. However, an applicant whose appeal of an eligibility determination has been rejected by the commissioner may submit an additional appeal of that determination in writing to the commissioner at any time that the applicant is able to provide substantively significant additional information regarding the applicant's eligibility for the program. An approval of an applicant's eligibility by the commissioner following an appeal by the applicant is not retroactively effective for more than one year or the semester of the person's original application, whichever is later.

(e) Upon receiving an application with insufficient documentation to determine eligibility, the commissioner must notify the applicant within 30 days of receipt of the application that the application is being suspended pending receipt by the commissioner of sufficient documentation from the applicant to determine eligibility.
Sec. 6. Minnesota Statutes 2020, section 197.791, subdivision 5, is amended to read:

Subd. 5. Educational assistance amount. (a) On approval by the commissioner of eligibility for the program, the applicant shall be awarded, on a funds-available basis, the educational assistance under the program for use at any time according to program rules at any eligible institution.

(b) The amount of educational assistance in any semester or term for an eligible person must be determined by subtracting from the eligible person's cost of attendance the amount the person received or was eligible to receive in that semester or term from:

(1) the federal Pell Grant;

(2) the state grant program under section 136A.121; and

(3) any federal military or veterans educational benefits including but not limited to the Montgomery GI Bill, GI Bill Kicker, the federal tuition assistance program, vocational rehabilitation benefits, and any other federal benefits associated with the person's status as a veteran, except veterans disability payments from the United States Department of Veterans Affairs.

(c) The amount of educational assistance for any eligible person who is a full-time student must not exceed the following:

(1) $3,000 per state fiscal year; and

(2) $10,000 in a lifetime.

(d) For a part-time student, the amount of educational assistance must not exceed $500 per semester or term of enrollment. For the purpose of this paragraph, a part-time undergraduate student is a student taking fewer than 12 credits or the equivalent for a semester or term of enrollment and a part-time graduate student is a student considered part time by the eligible institution the graduate student is attending. The minimum award for undergraduate and graduate students is $50 per term.

Sec. 7. Minnesota Statutes 2020, section 197.791, subdivision 5a, is amended to read:

Subd. 5a. Apprenticeship and on-the-job training. (a) The commissioner, in consultation with the commissioners of employment and economic development and labor and industry, shall develop and implement an apprenticeship and on-the-job training program to administer a portion of the Minnesota GI Bill program to pay benefit amounts to eligible persons, as provided in this subdivision.
(b) An "eligible employer" means an employer operating a qualifying apprenticeship or on-the-job training program that has been approved by the commissioner.

c. A person is eligible for apprenticeship and on-the-job training assistance under this subdivision if the person meets the criteria established under subdivision 4, paragraph (a).

The commissioner may determine eligibility as provided in subdivision 4, paragraph (c), and may deny or terminate benefits as prescribed under subdivision 4, paragraphs (d) and (e). The amount of assistance paid to or on behalf of an eligible individual under this subdivision must not exceed the following:

c. A person is eligible for apprenticeship and on-the-job training assistance under this subdivision if the person is:

1. a veteran who is serving or has served honorably in any branch or unit of the United States armed forces at any time;

2. a nonveteran who has served honorably for a total of five years or more cumulatively as a member of the Minnesota National Guard or any other active or reserve component of the United States armed forces, and any part of that service occurred on or after September 11, 2001;

3. the surviving spouse or child of a person who has served in the military and who has died as a direct result of that military service, only if the surviving spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35, as amended; or

4. the spouse or child of a person who has served in the military at any time and who has a total and permanent service-connected disability as rated by the United States Veterans Administration, only if the spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35.

(d) The amount of assistance paid to or on behalf of an eligible individual under this subdivision must not exceed the following:

1. $3,000 per fiscal year for apprenticeship expenses;

2. $3,000 per fiscal year for on-the-job training;

3. $1,000 for a job placement credit payable to an eligible employer upon hiring and completion of six consecutive months' employment of a person receiving assistance under this subdivision; and
(4) $1,000 for a job placement credit payable to an eligible employer after a person receiving assistance under this subdivision has been employed by the eligible employer for at least 12 consecutive months as a full-time employee.

(e) No more than $5,000 in aggregate benefits under this paragraph subdivision may be paid to or on behalf of an individual in one fiscal year, and not more than $10,000 in aggregate benefits under this paragraph may be paid to or on behalf of an individual over any period of time.

(f) If an eligible person receives benefits under subdivision 5 or 5b, the eligible person's aggregate benefits under this subdivision, subdivisions 5, and 5b, must not exceed $10,000 in the eligible person's lifetime.

(g) Assistance for apprenticeship expenses and on-the-job training is available for qualifying programs, which must, at a minimum, meet the following criteria:

(1) the training must be with an eligible employer;

(2) the training must be documented and reported;

(3) the training must reasonably be expected to lead to an entry-level position; and

(4) the position must require at least six months of training to become fully trained.

Sec. 8. Minnesota Statutes 2020, section 197.791, subdivision 5b, is amended to read:

Subd. 5b. Additional professional or educational benefits. (a) The commissioner shall develop and implement a program to administer a portion of the Minnesota GI Bill program to pay additional benefit amounts to eligible persons as provided under this subdivision.

(b) A person is eligible for additional benefits under this subdivision if the person meets the criteria established under subdivision 4, paragraph (a), clause (1). The commissioner may determine eligibility as provided in subdivision 4, paragraph (c), and may deny or terminate benefits as prescribed under subdivision 4, paragraphs (d) and (e). The amount of assistance paid to or on behalf of an eligible individual under this subdivision must not exceed the following amounts:

(b) A person is eligible for additional benefits under this subdivision if the person is:

(1) a veteran who is serving or has served honorably in any branch or unit of the United States armed forces at any time;

(2) a nonveteran who has served honorably for a total of five years or more cumulatively as a member of the Minnesota National Guard or any other active or reserve component of Article 7 Sec. 8.
the United States armed forces, and any part of that service occurred on or after September 11, 2001;

(3) the surviving spouse or child of a person who has served in the military and who has died as a direct result of that military service, only if the surviving spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35, as amended; or

(4) the spouse or child of a person who has served in the military at any time and who has a total and permanent service-connected disability as rated by the United States Veterans Administration, only if the spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35.

(c) The amount of assistance paid to or on behalf of an eligible individual under this subdivision must not exceed the following amounts:

(1) $3,000 per state fiscal year; and

(2) $10,000 in a lifetime.

(d) If an eligible person receives benefits under subdivision 5 or 5a, the eligible person's aggregate benefits under this subdivision, subdivisions 5, and 5a, must not exceed $10,000 in the eligible person's lifetime.

(e) A person eligible under this subdivision may use the benefit amounts for the following purposes:

(1) licensing or certification tests, the successful completion of which demonstrates an individual's possession of the knowledge or skill required to enter into, maintain, or advance in employment in a predetermined and identified vocation or profession, provided that the tests and the licensing or credentialing organizations or entities that offer the tests are approved by the commissioner;

(2) tests for admission to institutions of higher learning or graduate schools;

(3) national tests providing an opportunity for course credit at institutions of higher learning;

(4) a preparatory course for a test that is required or used for admission to an institution of higher education or a graduate program; and

(5) any fee associated with the pursuit of a professional or educational objective specified in clauses (1) to (4).
(d) If an eligible person receives benefits under subdivision 5, the eligible person's aggregate benefits under this subdivision and subdivision 5 must not exceed $10,000 in the eligible person's lifetime.

(e) If an eligible person receives benefits under subdivision 5a, the eligible person's aggregate benefits under this subdivision and subdivision 5a must not exceed $10,000 in the eligible person's lifetime.

Sec. 9. Minnesota Statutes 2020, section 198.006, is amended to read:

198.006 SUPPLEMENTAL PROGRAMS.

(a) The commissioner shall work with federal, state, local, and private agencies to develop alternative institutional and noninstitutional care programs for veterans to supplement the mission of the homes. Veterans shall be afforded the least restrictive, most appropriate level of care available.

(b) The commissioner may provide adult day care center programs that offer therapeutic and rehabilitation health care services to veterans and support services for caregivers of veterans. If the commissioner provides adult day care center programs, the commissioner may collect fees from program participants. The commissioner is authorized to apply for and accept federal funding for purposes of this paragraph.

(c) The commissioner may work with federal, state, local, and private entities to make available appropriate dental services for veterans homes residents. The commissioner may engage with the United States Department of Veterans Affairs to support the dental benefits program authorized under this paragraph.

Sec. 10. Minnesota Statutes 2020, section 198.03, subdivision 2, is amended to read:

Subd. 2. Cost of care. The commissioner shall set out in rules the method of calculating the average cost of care for the domiciliary and nursing care residents. The cost must be determined yearly based upon the average cost per resident taking into account, but not limited to, administrative cost of the homes, the cost of service available to the resident, and food and lodging costs. These average costs must be calculated separately for domiciliary and nursing care residents. The amount charged each resident for maintenance, if anything, must be based on the appropriate average cost of care calculation and the assets and income of the resident but must not exceed the appropriate average cost of care.

Beginning July 1, 2021, the Personal Needs Allowance (PNA) for domiciliary residents shall be based on the Minnesota Department of Human Services’ (DHS) most recent General
Assistance program PNA and will be in effect the same date as the DHS PNA is in effect. Thereafter, the PNA must be adjusted and put into effect each year or each time DHS adjusts the PNA.

Sec. 11. [609.1056] MILITARY VETERANS; CRIMES COMMITTED BECAUSE OF CONDITIONS RESULTING FROM SERVICE; DISCHARGE AND DISMISSAL.

Subdivision 1. Definitions. As used in this section, the following terms have the meanings given:

(1) "applicable condition" means sexual trauma, traumatic brain injury, posttraumatic stress disorder, substance abuse, or a mental health condition;

(2) "eligible offense" means any misdemeanor or gross misdemeanor, and any felony that is ranked at severity level 7 or lower or D7 or lower on the Sentencing Guidelines grid;

(3) "pretrial diversion" means the decision of a prosecutor to refer a defendant to a diversion program on condition that the criminal charges against the defendant shall be dismissed after a specified period of time, or the case shall not be charged, if the defendant successfully completes the program of treatment recommended by the United States Department of Veterans Affairs or a local, state, federal, or private nonprofit treatment program; and

(4) "veterans treatment court program" means a program that has the following essential characteristics:

(i) the integration of services in the processing of cases in the judicial system;

(ii) the use of a nonadversarial approach involving prosecutors and defense attorneys to promote public safety and to protect the due process rights of program participants;

(iii) early identification and prompt placement of eligible participants in the program;

(iv) access to a continuum of alcohol, controlled substance, mental health, and other related treatment and rehabilitative services;

(v) careful monitoring of treatment and services provided to program participants;

(vi) a coordinated strategy to govern program responses to participants' compliance;

(vii) ongoing judicial interaction with program participants;

(viii) monitoring and evaluation of program goals and effectiveness;

(ix) continuing interdisciplinary education to promote effective program planning, implementation, and operations;
Subd. 2. Deferred prosecution. (a) The court shall defer prosecution for an eligible offense committed by a defendant who was, or currently is, a member of the United States military as provided in this subdivision. The court shall do this at the request of the defendant upon a finding of guilty after trial or upon a guilty plea.

(b) A defendant who requests to be sentenced under this subdivision shall release or authorize access to military service reports and records relating to the alleged applicable condition. The court must file the records as confidential and designate that they remain sealed, except as provided in this paragraph. In addition, the court may request, through existing resources, an assessment of the defendant. The defendant, through existing records or licensed professional evaluation, shall establish the diagnosis of the condition, that it was caused by military service, and that the offense was committed as a result of the condition.

The court, on its own motion or the prosecutor's motion, with notice to defense counsel, may order the defendant to furnish to the court for in-camera review or to the prosecutor copies of all medical and military service reports and records previously or subsequently made concerning the defendant's condition and its connection to service.

(c) Based on the record, the court shall determine whether, by clear and convincing evidence: (1) the defendant suffered from an applicable condition at the time of the offense; (2) the applicable condition was caused by service in the United States military; and (3) the offense was committed as a result of the applicable condition. Within 15 days of the court's determination, either party may file a challenge to the determination and demand a hearing on the defendant's eligibility under this subdivision.

(d) If the court makes the determination described in paragraph (c), the court shall, without entering a judgment of guilty, defer further proceedings and place the defendant on probation upon such reasonable conditions as it may require and for a period not to exceed the maximum period provided by law. A court may extend a defendant's term of probation pursuant to section 609.135, subdivision 2, paragraphs (g) and (h). Conditions ordered by the court must include treatment, services, rehabilitation, and education sufficient so that if completed, the defendant would be eligible for discharge and dismissal under subdivision 3. In addition, the court shall order that the defendant undergo a chemical use assessment that includes a recommended level of care for the defendant in accordance with

(x) development of partnerships with public agencies and community organizations, including the United States Department of Veterans Affairs; and

(xi) inclusion of a participant's family members who agree to be involved in the treatment and services provided to the participant under the program.
the criteria contained in rules adopted by the commissioner of human services under section 254A.03, subdivision 3.

(e) If the court determines that the defendant is eligible for a deferred sentence but the defendant has previously received one for a felony offense under this subdivision, the court may, but is not required to, impose a deferred sentence. If the court does not impose a deferred sentence, the court may sentence the defendant as otherwise provided in law, including as provided in subdivision 4.

(f) Upon violation of a condition of probation, the court may enter an adjudication of guilt and proceed as otherwise provided in law, including as provided in subdivision 4.

(g) As a condition of probation, the court may order the defendant to attend a local, state, federal, or private nonprofit treatment program for a period not to exceed the maximum period for which the defendant could have been incarcerated.

(h) The court, when issuing an order under this subdivision that a defendant attend an established treatment program, shall give preference to a treatment program that has a history of successfully treating veterans who suffer from applicable conditions caused by military service, including but not limited to programs operated by the United States Department of Defense or Veterans Affairs.

(i) The court and any assigned treatment program shall collaborate with, when available, the county veterans service officer and the United States Department of Veterans Affairs to maximize benefits and services provided to the defendant.

(j) If available in the county or judicial district having jurisdiction over the case, the defendant may be supervised by a veterans treatment court program under subdivision 5. If there is a veterans treatment court that meets the requirements of subdivision 5 in the county in which the defendant resides or works, supervision of the defendant may be transferred to that county or judicial district veterans treatment court program. Upon the defendant's successful or unsuccessful completion of the program, the veterans treatment court program shall communicate this information to the court of original jurisdiction for further action.

(k) Sentencing pursuant to this subdivision waives any right to administrative review pursuant to section 169A.53, subdivision 1, or judicial review pursuant to section 169A.53, subdivision 2, for a license revocation or cancellation imposed pursuant to section 169A.52, and also waives any right to administrative review pursuant to section 171.177, subdivision 10, or judicial review pursuant to section 171.177, subdivision 11, for a license revocation.
or cancellation imposed pursuant to section 171.177, if that license revocation or cancellation is the result of the same incident that is being sentenced.

Subd. 3. **Discharge and dismissal.** 
(a) Upon the expiration of the period of the defendant's probation the court shall hold a hearing to discharge the defendant from probation and determine whether to dismiss the proceedings against a defendant who received a deferred sentence under subdivision 2. The hearing shall be scheduled so that the parties have adequate time to prepare and present arguments regarding the issue of dismissal. The parties may submit written arguments to the court prior to the date of the hearing and may make oral arguments before the court at the hearing. The defendant must be present at the hearing unless excused under Minnesota Rules of Criminal Procedure, rule 26.03, subdivision 1, clause (3).

(b) The court shall provide notice to any identifiable victim of the offense at least 15 days before the hearing is held. Notice to victims of the offense under this subdivision must specifically inform the victim of the right to submit an oral or written statement to the court at the time of the hearing describing the harm suffered by the victim as a result of the crime and the victim's recommendation on whether dismissal should be granted or denied. The judge shall consider the victim's statement when making a decision. If a victim notifies the prosecutor of an objection to dismissal and is not present at the hearing, the prosecutor shall make the objections known to the court.

(c) The court shall dismiss proceedings against a defendant if the court finds by clear and convincing evidence that the defendant:

(1) is in substantial compliance with the conditions of probation;

(2) has successfully participated in court-ordered treatment and services to address the applicable condition caused by military service;

(3) does not represent a danger to the health or safety of victims or others; and

(4) has demonstrated significant benefit from court-ordered education, treatment, or rehabilitation to clearly show that a discharge and dismissal under this subdivision is in the interests of justice.

(d) In determining the interests of justice, the court shall consider, among other factors, all of the following:

(1) the defendant's completion and degree of participation in education, treatment, and rehabilitation as ordered by the court;

(2) the defendant's progress in formal education;

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(3) the defendant's development of career potential;

(4) the defendant's leadership and personal responsibility efforts;

(5) the defendant's contribution of service in support of the community;

(6) the level of harm to the community from the offense; and

(7) the statement of the victim, if any.

(e) If the court finds that the defendant does not qualify for discharge and dismissal under paragraph (c), the court shall enter an adjudication of guilt and proceed as otherwise provided in law, including as provided in subdivision 4.

(f) Discharge and dismissal under this subdivision shall be without court adjudication of guilt, but a not public record of the discharge and dismissal shall be retained by the Bureau of Criminal Apprehension for the purpose of use by the courts in determining the merits of subsequent proceedings against the defendant. The not public record may also be opened only upon court order for purposes of a criminal investigation, prosecution, or sentencing. Upon request by law enforcement, prosecution, or corrections authorities, the bureau shall notify the requesting party of the existence of the not public record and the right to seek a court order to open the not public record under this paragraph. The court shall forward a record of any discharge and dismissal under this subdivision to the bureau, which shall make and maintain the not public record of the discharge and dismissal. The discharge and dismissal shall not be deemed a conviction for purposes of disqualifications or disabilities imposed by law upon conviction of a crime or for any other purpose. For purposes of this paragraph, "not public" has the meaning given in section 13.02, subdivision 8a.

Subd. 4. Sentencing departure; waiver of mandatory sentence. (a) This subdivision applies to defendants who plead or are found guilty of any criminal offense except one for which registration is required under section 243.166, subdivision 1b.

(b) Prior to sentencing, a defendant described in paragraph (a) may present proof to the court that the defendant has, since the commission of the offense, engaged in rehabilitative efforts consistent with those described in this section. If the court determines that the defendant has engaged in substantial rehabilitative efforts and the defendant establishes by clear and convincing evidence that:

(1) the defendant suffered from an applicable condition at the time of the offense;

(2) the applicable condition was caused by service in the United States military; and

(3) the offense was committed as a result of the applicable condition;
the court may determine that the defendant is particularly amenable to probation and order
a mitigated durational or dispositional sentencing departure or a waiver of any statutory
mandatory minimum sentence applicable to the defendant.

Subd. 5. Optional veterans treatment court program; procedures for eligible
defendants. A county or judicial district may supervise probation under this section through
a veterans treatment court, using county veterans service officers appointed under sections
197.60 to 197.606, United States Department of Veterans Affairs veterans justice outreach
specialists, probation agents, and any other rehabilitative resources available to the court.

Subd. 6. Creation of county and city diversion programs; authorization. Any county
or city may establish and operate a veterans pretrial diversion program for offenders eligible
under subdivision 2 without penalty under section 477A.0175.

Subd. 7. Exception. This section does not apply to a person charged with an offense for
which registration is required under section 243.166, subdivision 1b.

EFFECTIVE DATE. This section is effective August 1, 2021, and applies to crimes
committed on or after that date.

Sec. 12. REVISOR INSTRUCTION.

The revisor of statutes must renumber the provisions of Minnesota Statutes listed in
column A to the references listed in column B. The revisor must also make necessary
cross-reference changes in Minnesota Statutes and Minnesota Rules consistent with the
renumbering.

<table>
<thead>
<tr>
<th>Column A</th>
<th>Column B</th>
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<tbody>
<tr>
<td>197.791, subdivision 5a</td>
<td>197.791, subdivision 6</td>
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<tr>
<td>197.791, subdivision 5b</td>
<td>197.791, subdivision 7</td>
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<td>197.791, subdivision 6</td>
<td>197.791, subdivision 8</td>
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ARTICLE 8
DATA ACCESS

Section 1. Minnesota Statutes 2020, section 192.67, is amended to read:

192.67 OFFENDERS; TRANSFER TO CIVIL AUTHORITIES; SERVICE
MEMBER DATA.

Subdivision 1. Transfer to civil authorities. When any felony criminal offense is
committed by any officer or enlisted member of the military forces while on duty status
other than active state federal duty, the officer or enlisted member shall be turned over by
superior officers to the proper civil authorities of the county or municipality in which the
offense occurred for punishment for such crime, but such trial and punishment by the civil
authorities shall not preclude trial and additional punishment or dismissal from the service
by court-martial for any military offense resulting from the commission of said crime.

Subd. 2. Service member data. Notwithstanding any provision of chapter 13 or other
state law, all investigative reports and law enforcement data, including but not limited to
all data collected and defined under section 13.82 pertaining to any service member of the
military forces must be made accessible to the adjutant general of the Minnesota National
Guard upon request of the Office of the State Judge Advocate. All information, data, and
records obtained under this subdivision may be accessed, copied, transmitted, or provided
to the adjutant general without a court order or request from the subject of the data when
the matter involves any officer or enlisted member of the military forces. The adjutant
general may only use data made accessible under this subdivision in support of military
justice and Minnesota National Guard administrative and disciplinary actions.

ARTICLE 9
PRACTICE OF MILITARY LAW; MILITARY JUDGE SYSTEM

Section 1. PRACTICE OF MILITARY LAW.
Any commissioned officer of a United States state or territory military force who meets
the following qualifications may be accepted by the state judge advocate to conduct any
and all administrative or Minnesota Code of Military Justice activities under this code and
is exempt from section 481.02:

(1) has served as a member of the Judge Advocate Generals Corps for not less than two
years;

(2) is currently certified as competent for such duty by the Judge Advocate General of
the military force of which the individual is a member; and

(3) is a member of good standing of the bar of the highest court of any state.

Sec. 2. Minnesota Statutes 2020, section 192A.15, subdivision 1, is amended to read:
Subdivision 1. Establishment. There is hereby established a military judge system for
the state military forces. The military judge system shall be in the Military Department
under the command of the adjutant general. It shall consist of at least two military judges,
a number of legal clerks equal to the number of judges and such additional military staff as
is necessary.
Sec. 3. Minnesota Statutes 2020, section 192A.15, subdivision 2, is amended to read:

Subd. 2. Qualifications of military judge. A military judge shall be a commissioned officer of the state military forces who has been a member of the bar of this state for at least six years, who has served as a member of the Judge Advocate Generals Corps for not less than three years, and who is certified to be qualified for such duty by the Judge Advocate General of the armed force of which the officer is a member, and who is accepted by the state judge advocate to conduct any and all administrative or Minnesota Code of Military Justice activities under this code.

Sec. 4. Minnesota Statutes 2020, section 192A.155, subdivision 2, is amended to read:

Subd. 2. Qualifications of counsel. Trial counsel or defense counsel detailed for a general, special, or summary court-martial:

(1) must be a person who is a member of the bar of the highest court of the state, or a member of the bar of a federal court; and

(2) must be certified as competent to perform such duties by the Judge Advocate General of the armed force of which the individual is a member.

ARTICLE 10

MILITARY CODE JURISDICTIONAL CHANGES

Section 1. Minnesota Statutes 2020, section 192A.02, subdivision 2, is amended to read:

Subd. 2. Military service in Minnesota. This code also applies to all persons in the military while they are serving within this state and while they are under the command of a commissioned officer of the state military forces to a member of the military when the member is in a status provided for by United States Code, title 32, a regulation adopted pursuant to United States Code, title 32, or in state active service. This military service includes:

(1) travel to and from the inactive-duty training site of the member, pursuant to orders or regulations;

(2) intervals between consecutive periods of inactive-duty training on the same day, pursuant to orders or regulations; and

(3) intervals between inactive-duty training on consecutive days, pursuant to orders or regulations.
Sec. 2. Minnesota Statutes 2020, section 192A.384, is amended to read:

192A.384 OFFENSES SUBJECT TO COURT-MARTIAL.

The jurisdiction of courts-martial shall be under this code is limited to violations of the punitive articles in this code prescribed by the manual for courts-martial of the United States, assimilated under any Minnesota state law as referenced under section 192A.605, or by the Minnesota Code of Military Justice. Any person subject to this code who is charged with the commission of an offense which is not an offense under this code or the manual for courts-martial of the United States may be surrendered to civil authorities for process in accordance with civil law.

ARTICLE 11

MILITARY TRIAL PROCEDURE

Section 1. Minnesota Statutes 2020, section 192A.20, is amended to read:

192A.20 GOVERNOR MAY PRESCRIBE RULES.

The procedure, including modes of proof, in cases before military courts and other military tribunals organized under this code may be prescribed by the governor or the adjutant general by rules, which shall, so far as the governor or the adjutant general considers practicable, apply the principles of law and the rules of evidence generally recognized in the trial of criminal cases in the courts of the state manual for courts-martial of the United States, but which may not be contrary to or inconsistent with this code.

Sec. 2. Minnesota Statutes 2020, section 192A.235, subdivision 3, is amended to read:

Subd. 3. Three-year limitation. Except as otherwise provided in subdivision 1, and section 628.26, a person charged with any offense is not liable to be tried by court-martial or punished under section 192A.0851 if the offense was committed more than three years before the receipt of sworn charges and specifications by an officer exercising court-martial jurisdiction over the command or before the imposition of punishment under section 192A.0851. The limitation for violations of any offense prescribed under this section shall be the lesser of the limitation prescribed by the manual for courts-martial of the United States, Minnesota state law, or the Minnesota Code of Military Justice, but in no instance shall any limitation exceed that authorized by this code.
ARTICLE 12
MILITARY SENTENCES

Section 1. Minnesota Statutes 2020, section 192A.343, subdivision 3, is amended to read:

Subd. 3. Action on findings. (a) The authority under this section to modify the findings and sentence of a court-martial is a matter of command prerogative involving the sole discretion of the convening authority. If it is impractical for the convening authority to act, the convening authority shall forward the case to a person exercising general court-martial jurisdiction who may take action under this section.

(b) Action on the sentence of a court-martial shall be taken by the convening authority. The action may be taken only after the consideration of any matters submitted by the accused under subdivision 2 or after the time for submitting the matter expires, whichever is earlier. The convening authority, in that person's sole discretion, may approve, disapprove, commute, or suspend the sentence in whole or in part.

(c) Action on the findings of a court-martial by the convening authority or other person acting on the sentence is not required. However, such person, in the person's sole discretion, may:

(1) dismiss any charge or specification by setting aside a finding of guilty; or

(2) change a finding of guilty to a charge or specification to a finding of guilty to an offense that is a lesser included offense of the offense stated in the charge or specification.

(d) The convening authority or other person acting under this section shall issue a final order at the conclusion of the court-martial proceeding, including any proceeding in revision, rehearing, and reconsideration under subdivision 5. The final order shall be promptly served on the accused.

Sec. 2. Minnesota Statutes 2020, section 192A.353, subdivision 2, is amended to read:

Subd. 2. Appeal forwarded. An appeal under this section shall be forwarded to the court proceed as prescribed in section 192A.371. In ruling on an appeal under this section, that court may act only with respect to matters of law.

Sec. 3. Minnesota Statutes 2020, section 192A.371, is amended to read:

192A.371 REVIEW BY STATE APPELLATE AUTHORITY.

Subdivision 1. Certiorari. Decisions of a special or general courts-martial may be appealed to the Minnesota Court of Appeals according to the Minnesota Rules of Criminal
and Appellate Procedure. (a) A review of any final order of a special or general court-martial proceeding may be had upon certiorari by the supreme court upon petition of any party to the proceeding. The review may be had on the ground that: (1) the court-martial was without jurisdiction; or (2) the findings of the court-martial and the final order of the convening authority: (i) were not justified by the evidence; (ii) were not in conformity with this code, military law or other law applicable to the proceedings, or the Classified Information Procedures Act; or (iii) were affected by any other error of law.

(b) A writ of certiorari for review under this section is a matter of right.

Subd. 2. Service of writ. (a) Within 60 days after notice of the final order of a court-martial proceeding, the petitioner for review shall obtain from the supreme court a writ of certiorari, shall serve the same upon all other parties appearing in the court-martial proceeding, and shall file the original writ of certiorari and proof of service with the court administrator of the court-martial. No fee or bond is required for either obtaining a writ of certiorari or the associated filings required under this paragraph.

(b) Return upon the writ shall be made to the supreme court and the matter shall be heard and determined by the court in accordance with the rules of civil appellate procedure applicable to decisions reviewable by certiorari directly in the supreme court.

Sec. 4. Minnesota Statutes 2020, section 606.06, is amended to read:

606.06 CERTIORARI; ADMINISTRATIVE DECISIONS.

A writ of certiorari for review of an administrative decision pursuant to chapter 14 or of an order publishing the proceedings, findings, or sentence of a court-martial pursuant to this code is a matter of right.

ARTICLE 13

MILITARY PUNITIVE ARTICLES UPDATES

Section 1. Minnesota Statutes 2020, section 192A.021, is amended to read:

192A.021 PURELY MILITARY OFFENSES.

(a) Purely military offenses include the offenses contained in the following sections:

192A.39 (Principles), 192A.395 (Accessory after the fact), 192A.405 (Attempts), 192A.41 (Conspiracy), 192A.415 (Solicitation), 192A.42 (Fraudulent enlistment, appointment, or separation), 192A.425 (Unlawful enlistment, appointment, or separation), 192A.43 (Desertion), 192A.435 (Absent without leave), 192A.44 (Missing movement), 192A.445 (Contempt towards officials), 192A.45 (Disrespect towards superior commissioned officer),

Article 13 Section 1.
191.1 192A.455 (Assaulting or willfully disobeying superior commissioned officer), 192A.46
191.2 (Insubordinate conduct toward warrant officer or noncommissioned officer), 192A.465
191.3 (Failure to obey order or rule), 192A.47 (Cruelty and maltreatment), 192A.475 (Mutiny or
191.4 sedition), 192A.48 (Resistance, breach of arrest, and escape), 192A.495 (Noncompliance
191.5 with procedural rules), 192A.50 (Misbehavior before the enemy), 192A.51 (Improper use
191.6 of countersign), 192A.515 (Forcing a safeguard), 192A.525 (Aiding the enemy), 192A.54
191.7 (Military property; loss, damage, destruction, or wrongful disposition), 192A.55 (Improper
191.8 hazarding of vessel), 192A.56 (Drunk on duty; sleeping on post; leaving post before relief),
191.9 192A.566 (Illegal presence of controlled substance while in duty status), 192A.57
191.10 (Malingering), 192A.60 (Conduct unbecoming an officer), and 192A.605 (General article),
191.11 192A.70 (Prohibited activities with military recruit or trainee by person in a position of
191.12 special trust), 192A.701 (Nonconsensual distribution of intimate images), 192A.703
191.13 (Unauthorized use of government computer), and 192A.704 (Retaliation).
191.14 (b) Upon request of the governor or the adjutant general, the superintendent of the Bureau
191.15 of Criminal Apprehension shall investigate military offenses or any other act or omission
191.16 under this code within the jurisdiction of the military courts and tribunals.
191.17 Sec. 2. Minnesota Statutes 2020, section 192A.111, is amended to read:
191.18 192A.111 MAXIMUM LIMITS.
191.19 Subdivision 1. Punishment limits. The punishment that a court-martial may direct for
191.20 an offense may not exceed limits prescribed by this code. for a violation of this code is
191.21 limited to the lesser of the sentence prescribed by the manual for courts-martial of the United
191.22 States in effect at the time of the offense or the state manual for courts-martial, but in no
191.23 instance shall any punishment exceed that authorized by this code. A court-martial sentence
191.24 must not (1) exceed more than ten years for a military offense, or (2) adjudge a sentence of
191.25 death.
191.26 Subd. 2. Level of offense. (a) Subject to paragraphs (b) and (c), A conviction by general
191.27 court-martial of any military offense for which an accused may receive a sentence of
191.28 confinement for more than one year is a felony offense. All other military offenses are
191.29 misdemeanors, and a sentence of confinement must not exceed 90 days.
191.30 (b) In cases where the civilian authorities decline to prosecute and court-martial
191.31 jurisdiction is taken pursuant to sections 192A.02, subdivision 3, and 192A.605, the level
191.32 of offense and punishment that a court-martial is authorized is defined by the level of offense
191.33 and punishments authorized under the statute any Minnesota state law or the manual for
191.34 courts-martial of the United States for the assimilated crime.
(c) For crimes under sections 192A.54, 192A.545, 192A.59, and 192A.595 with monetary loss of less than $1,000 or more, confinement must not exceed ten years. A sentence of confinement for more than one year is a felony offense shall be limited to that prescribed by a special court-martial.

(d) Any conviction by a summary courts-martial is not a criminal conviction.

(e) The limits of punishment for violations of the purely military offenses prescribed under this section shall be the lesser of the sentences prescribed by the manual for courts-martial of the United States, and the state manual for courts-martial, but in no instance shall any punishment exceed that authorized by this code.

Sec. 3. Minnesota Statutes 2020, section 192A.56, is amended to read:

192A.56 UNDER THE INFLUENCE OF ALCOHOL OR CONTROLLED SUBSTANCE WHILE ON DUTY; SLEEPING ON POST; LEAVING POST BEFORE RELIEF.

Any person subject to this code who is found to be under the influence of alcohol or a controlled substance as defined in section 192A.566 without a valid medical prescription while on duty or sleeping upon an assigned post, or who leaves that post before being regularly relieved, shall be punished as a court-martial may direct.

Sec. 4. Minnesota Statutes 2020, section 192A.612, is amended to read:

192A.612 SEARCH WARRANTS.

During any period of active service under section 190.05, subdivision 5a or 5b, a military judge is authorized to issue search warrants, directed to a member of the military police of the state military forces or any peace officer defined under section 626.05, to search any person, place, or vehicle within the confines of the property or premises being used for such active service or any person or vehicle pursued therefrom item or property when there is probable cause that a member of the state military forces has committed an offense subject to either concurrent or exclusive military jurisdiction during a period of active service as defined in section 190.05, subdivisions 5a and 5b, and seize items in accordance with law.

No search warrant shall be issued except upon probable cause, supported by affidavit or sworn testimony naming and describing the person and particularly describing the property or thing to be seized and particularly describing the place to be searched.
Sec. 5. Minnesota Statutes 2020, section 192A.62, is amended to read:

192A.62 SECTIONS TO BE EXPLAINED.

Sections 192A.02, 192A.025, 192A.045, 192A.065, 192A.07, 192A.08, 192A.0851, 192A.155, 192A.205, 192A.39, 192A.39 to 192A.595, and 192A.62 to 192A.63 shall be carefully explained to every enlisted member at the time of the member's enlistment or transfer or induction into, or at the time of the member's order to duty in or with any of the state military forces or within 30 days thereafter. They shall also be explained annually to each unit of the state military forces. A complete text of this code and of the rules prescribed by the governor thereunder shall be made available to any member of the state military forces, upon the member's request, for personal examination. Failure to provide briefings to soldiers or otherwise explain this code to soldiers shall not be a defense to a court-martial proceeding, except as mitigation in sentencing.

Sec. 6. [192A.70] PROHIBITED ACTIVITIES WITH MILITARY RECRUIT OR TRAINEE BY PERSON IN POSITION OF SPECIAL TRUST.

Subdivision 1. Definitions. For purposes of this section, the terms defined in this subdivision have the meanings given them.

(1) "Applicant for military service" means a person who, under regulations prescribed by the secretary concerned, the Minnesota National Guard authority, or designee concerned, is an applicant for original enlistment or appointment in the armed forces.

(2) "Military recruiter" means a person who, under regulations prescribed by the secretary concerned, has the primary duty to recruit persons for military service.

(3) "Prohibited sexual activity" means, as specified in regulations prescribed by the secretary concerned, the Minnesota National Guard authority, or designee concerned, inappropriate physical intimacy under circumstances described in such regulations.

(4) "Specially protected junior member of the armed forces" means:

(i) a member of the armed forces who is assigned to, or is awaiting assignment to, basic training or other initial active duty for training, including a member who is enlisted under a delayed entry program;

(ii) a member of the armed forces who is a cadet, an officer candidate, or a student in any other officer qualification program; and.

Article 13 Sec. 6.
(iii) a member of the armed forces in any program that, by regulation prescribed by the
secretary concerned or a Minnesota National Guard authority, or designee concerned, is
identified as a training program for initial career qualification.

(5) "Training leadership position" means, with respect to a specially protected junior
member of the armed forces, any of the following:

(i) any drill instructor position or other leadership position in a basic training program,
an officer candidate school, a reserve officers' training corps unit, a training program for
entry into the armed forces, or any program that, by regulation prescribed by the secretary
concerned, is identified as a training program for initial career qualification; and

(ii) faculty and staff of the United States Military Academy, the United States Naval
Academy, the United States Air Force Academy, the United States Coast Guard Academy,
and the Minnesota National Guard Regional Training Institute.

Subd. 2. Abuse of training leadership position. Any person subject to this code:

(1) who is an officer or a noncommissioned officer;

(2) who is in a training leadership position with respect to a specially protected junior
member of the armed forces; and

(3) who engages in prohibited sexual activity with the specially protected junior member
of the armed forces;

shall be punished as a court-martial may direct.

Subd. 3. Abuse of position as military recruiter. Any person subject to this code:

(1) who is a military recruiter and engages in prohibited sexual activity with an applicant
for military service; or

(2) who is a military recruiter and engages in prohibited sexual activity with a specially
protected junior member of the armed forces who is enlisted under a delayed entry program;

shall be punished as a court-martial may direct.

Subd. 4. Consent. Consent is not a defense for any conduct at issue in a prosecution
under this section.

Sec. 7. [192A.701] NONCONSENSUAL DISTRIBUTION OF INTIMATE IMAGES.

Subdivision 1. Definitions. For purposes of this section, the terms defined in this
subdivision have the meanings given them.
"Broadcast" means to electronically transmit a visual image with the intent that it be viewed by a person or persons.

"Distribute" means to deliver to the actual or constructive possession of another person, including transmission by mail or electronic means.

"Intimate visual image" means a visual image that depicts a private area of a person.

"Private area" means the naked or underwear-clad genitalia, anus, buttocks, or female areola or nipple.

"Reasonable expectation of privacy" means circumstances in which a reasonable person would believe that a private area of the person, or sexually explicit conduct involving the person, would not be visible to the public.

"Sexually explicit conduct" means actual or simulated genital-genital contact, oral-genital contact, anal-genital contact, or oral-anal contact, whether between persons of the same or opposite sex, bestiality, masturbation, or sadistic or masochistic abuse.

"Visual image" means:

(i) any developed or undeveloped photograph, picture, film, or video;

(ii) any digital or computer image, picture, film, or video made by any means or transmitted by any means, including streaming media, even if not stored in a permanent format; or

(iii) any digital or electronic data capable of conversion into a visual image.

Subd. 2. Crime defined. Any person subject to this code:

(1) who knowingly and wrongfully broadcasts or distributes an intimate visual image of another person or a visual image of sexually explicit conduct involving a person who:

(i) is at least 18 years of age at the time the intimate visual image or visual image of sexually explicit conduct was created;

(ii) is identifiable from the intimate visual image or visual image of sexually explicit conduct itself, or from information displayed in connection with the intimate visual image or visual image of sexually explicit conduct; and

(iii) does not explicitly consent to the broadcast or distribution of the intimate visual image or visual image of sexually explicit conduct;

(2) who knows that the intimate visual image or visual image of sexually explicit conduct was made under circumstances in which the person depicted in the intimate visual image
or visual image of sexually explicit conduct retained a reasonable expectation of privacy regarding any broadcast or distribution of the intimate visual image or visual image of sexually explicit conduct;

(3) who possesses the intent to broadcast or distribute an intimate visual image or visual image of sexually explicit conduct:

(i) to cause harm, harassment, intimidation, emotional distress, or financial loss for the person depicted in the intimate visual image or visual image of sexually explicit conduct; or

(ii) to harm substantially the depicted person with respect to that person's health, safety, business, calling, career, financial condition, reputation, or personal relationships; and

(4) whose conduct, under the circumstances, had a reasonably direct and palpable connection to a military mission or military environment;

is guilty of wrongful distribution of intimate visual images or visual images of sexually explicit conduct and shall be punished as a court-martial may direct.

Sec. 8. [192A.702] FRAUDULENT USE OF CREDIT CARDS, DEBIT CARDS, AND OTHER ACCESS DEVICES.

Subdivision 1. Crime defined. Any person subject to this code who knowingly, with intent to defraud, uses:

(1) a stolen credit card, debit card, or other access device;

(2) a revoked, canceled, or otherwise invalid credit card, debit card, or other access device; or

(3) a credit card, debit card, or other access device without the authorization of a person whose authorization was required for use, including a government purchase card or government travel card without conforming to the published federal or Minnesota National Guard procedures at the time of use;

to obtain money, property, services, or anything else of value shall be punished as a court-martial may direct.

Subd. 2. Access device defined. As used in this section, "access device" has the meaning given in United States Code, title 18, section 1029.
Sec. 9. [192A.703] UNAUTHORIZED USE OF GOVERNMENT COMPUTER.

Subdivision 1. Definitions. For purposes of this section, the terms defined in this subdivision have the meanings given them.

(1) "Computer" has the meaning given in United States Code, title 18, section 1030.

(2) "Damage" has the meaning given in United States Code, title 18, section 1030.

(3) "Government computer" means a computer owned or operated by or on behalf of the United States government or the state of Minnesota.

Subd. 2. Crime defined. Any person subject to this code who:

(1) knowingly accesses a government computer with an unauthorized purpose and by doing so obtains classified information, with reason to believe the information could be used to the injury of the United States or the state of Minnesota or to the advantage of any foreign nation, and intentionally communicates, delivers, or transmits or causes to be communicated, delivered, or transmitted the information to any person not entitled to receive it;

(2) intentionally accesses a government computer with an unauthorized purpose and thereby obtains classified or other protected information from any government computer; or

(3) knowingly causes the transmission of a program, information, code, or command, and as a result intentionally causes damage without authorization to a government computer; shall be punished as a court-martial may direct.

Sec. 10. [192A.704] RETALIATION.

Subdivision 1. Definitions. For purposes of this section, the terms defined in this subdivision have the meanings given them.

(1) "Covered individual or organization" means any recipient of a communication specified in United States Code, title 10, section 1034(b)(1)(B), clauses (i) to (v).

(2) "Inspector general" has the meaning given in United States Code, title 10, section 1034(j).

(3) "Protected communication" means:

(i) a lawful communication to a member of Congress, a state legislator, or an inspector general; and
(ii) a communication to a covered individual or organization, to include the Office of the Governor, in which a member of the armed forces complains of, or discloses information that the member reasonably believes constitutes evidence of any of the following:

(A) a violation of law or regulation, including a law or regulation prohibiting sexual harassment or unlawful discrimination; or

(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

Subd. 2. Crimes defined. Any person subject to this code who, with the intent to retaliate against any person for reporting or planning to report a criminal offense, or making or planning to make a protected communication, or with the intent to discourage any person from reporting a criminal offense or making or planning to make a protected communication:

(1) wrongfully takes or threatens to take an adverse personnel action against any person; or

(2) wrongfully withholds or threatens to withhold a favorable personnel action with respect to any person;

shall be punished as a court-martial may direct.

Sec. 11. REVISOR INSTRUCTION.

The revisor of statutes shall recodify the following sections in article 13: sections 6 to 10, recodify Minnesota Statutes, section 192A.70 as 192A.6011; section 192A.701 as 192A.6012; section 192A.702 as section 192A.6013; section 192A.703 as section 192A.6014; and section 192A.704 as section 192A.6015. The revisor shall correct any cross-references made necessary by this recodification.

Sec. 12. REPEALER.

Minnesota Statutes 2020, section 192A.385, is repealed.
3.972 AUDITS OF AGENCIES.

Subd. 2c. Audits of the Department of Transportation. The legislative auditor must audit, as resources permit, the programs and services administered by the Department of Transportation.

Subd. 2d. Audits of the Department of Public Safety. The legislative auditor must audit, as resources permit, the programs and services administered by the Department of Public Safety.

3.9741 COST OF CERTAIN AUDITS.

Subd. 5. State data security; account, appropriation. (a) The data security account is created in the special revenue fund.

(b) Subject to available funds appropriated under paragraph (a), the legislative auditor shall:

1. review and audit the audit reports of subscribers and requesters submitted under section 168.327, subdivision 6, including producing findings and opinions;

2. in collaboration with the commissioner and affected subscribers and requesters, recommend corrective action plans to remediate any deficiencies identified under clause (1); and

3. review and audit driver records subscription services and bulk data practices of the Department of Public Safety, including identifying any deficiencies and making recommendations to the commissioner.

(c) The legislative auditor shall submit any reports, findings, and recommendations under this subdivision to the legislative commission on data practices.

4A.11 MILESTONES REPORT.

The commissioner must review the statewide system of economic, social, and environmental performance measures in use under section 16A.10, subdivision 1c, and known as Minnesota milestones. The commissioner must provide the economic, social, and environmental information necessary to assist public and elected officials with understanding and evaluating Minnesota milestones. The commissioner must report on the trends and their implications for Minnesota milestones each year and provide the commissioner of management and budget with recommendations for the use of Minnesota milestones in budget documents. The commissioner may contract for the development of information and measures.

10A.15 CONTRIBUTIONS.

Subd. 6. Contributions from Hennepin County registered associations. In lieu of registration with the board, an association registered with the Hennepin County filing officer under sections 383B.041 to 383B.058 that makes contributions of more than $200 to a committee or fund in a calendar year may notify the recipient committee of its registration with Hennepin County, including its registration number, and instruct the recipient committee to include the notice when the recipient committee discloses receipt of the contribution.

15.0395 INTERAGENCY AGREEMENTS AND INTRA-AGENCY TRANSFERS.

(a) By October 15, 2018, and annually thereafter, the head of each agency must provide reports to the chairs and ranking minority members of the legislative committees with jurisdiction over the department or agency’s budget on:

1. interagency agreements or service-level agreements and any renewals or extensions of existing interagency or service-level agreements with another agency if the cumulative value of those agreements is more than $100,000 in the previous fiscal year; and

2. transfers of appropriations between accounts within or between agencies, if the cumulative value of the transfers is more than $100,000 in the previous fiscal year. The report must include the statutory citation authorizing the agreement, transfer or dollar amount, purpose, and effective date of the agreement, the duration of the agreement, and a copy of the agreement.

(b) As used in this section, "agency" includes the departments of the state listed in section 15.01, a multimember state agency in the executive branch described in section 15.012, paragraph (a), the Office of MN.IT Services, and the Office of Higher Education.
16A.90 EMPLOYEE GAINSHARING SYSTEM.

Subdivision 1. Commissioner must establish program. (a) The commissioner shall establish a program to provide onetime bonus compensation to state employees for efforts made to reduce the costs of operating state government or for ways of providing better or more efficient state services. The commissioner may authorize an executive branch appointing authority to make a onetime award to an employee or group of employees whose suggestion or involvement in a project is determined by the commissioner to have resulted in documented cost-savings to the state. Before authorizing awards under this section, the commissioner shall establish guidelines for the program including but not limited to:

1. the maximum award is ten percent of the documented savings in the first fiscal year in which the savings are realized up to $50,000;
2. the award must be paid from the appropriation to which the savings accrued; and
3. employees whose primary job responsibility is to identify cost savings or ways of providing better or more efficient state services are generally not eligible for bonus compensation under this section except in extraordinary circumstances as defined by the commissioner.

(b) The program required by this section must be in addition to any existing monetary or nonmonetary performance-based recognition programs for state employees, including achievement awards, continuous improvement awards, and general employee recognitions.

Subd. 2. Biannual legislative report. No later than August 1, 2017, and biannually thereafter, the commissioner must report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over Minnesota Management and Budget on the status of the program required by this section. The report must detail:

1. the specific program guidelines established by the commissioner as required by subdivision 1, if the guidelines have not been described in a previous report;
2. any proposed modifications to the established guidelines under consideration by the commissioner, including the reason for the proposed modifications;
3. the methods used by the commissioner to promote the program to state employees, if the methods have not been described in a previous report;
4. a summary of the results of the program that includes the following, categorized by agency:
   (i) the number of state employees whose suggestions or involvement in a project were considered for possible bonus compensation, and a description of each suggestion or project that was considered;
   (ii) the total amount of bonus compensation actually awarded, itemized by each suggestion or project that resulted in an award and the amount awarded for that suggestion or project; and
   (iii) the total amount of documented cost-savings that accrued to the agency as a result of each suggestion or project for which bonus compensation was granted; and
5. any recommendations for legislation that, in the judgment of the commissioner, would improve the effectiveness of the bonus compensation program established by this section or which would otherwise increase opportunities for state employees to actively participate in the development and implementation of strategies for reducing the costs of operating state government or for providing better or more efficient state services.

16E.0466 STATE AGENCY TECHNOLOGY PROJECTS.

Subdivision 1. Consultation required. (a) Every state agency with an information or telecommunications project must consult with the Office of MN.IT Services to determine the information technology cost of the project. Upon agreement between the commissioner of a particular agency and the chief information officer, the agency must transfer the information technology cost portion of the project to the Office of MN.IT Services. Service level agreements must document all project-related transfers under this section. Those agencies specified in section 16E.016, paragraph (d), are exempt from the requirements of this section.

(b) Notwithstanding section 16A.28, subdivision 3, any unexpended operating balance appropriated to a state agency may be transferred to the information and telecommunications technology systems and services account for the information technology cost of a specific project, subject to the review of the Legislative Advisory Commission, under section 16E.21, subdivision 3.
**16E.05 GOVERNMENT INFORMATION ACCESS.**

Subd. 3. **Capital investment.** No state agency may propose or implement a capital investment plan for a state office building unless:

1. the agency has developed a plan for increasing telecommuting by employees who would normally work in the building, or the agency has prepared a statement describing why such a plan is not practicable; and

2. the plan or statement has been reviewed by the office.

**16E.071 E-GOVERNMENT ADVISORY COUNCIL.**

Subdivision 1. **E-Government Advisory Council established.** The E-Government Advisory Council is established for the purpose of improving online government information services to citizens and businesses.

Subd. 2. **Membership.** The council shall consist of nine members as follows:

1. the state chief information officer or the chief information officer's designee;

2. one public member appointed by the speaker of the house;

3. one public member appointed by the senate Subcommittee on Committees of the Rules and Administration Committee;

4. five members appointed by the governor representing state executive branch agencies that are actively involved with private businesses, the private business community, or the public; and

5. one member appointed by the governor who is knowledgeable in public access to government data.

Subd. 3. **Initial appointments and first meeting.** Appointing authorities shall make the first appointments to the council by September 1, 2013. The first member appointed by the speaker of the house shall serve until the first Monday in January 2015. The governor shall designate three initial appointees to serve until the first Monday in January 2015. The term of the other three initial appointees of the governor and the first member appointed by the senate shall be until the first Monday in January 2017. The chief information officer or the chief information officer's designee shall convene the council's first meeting by November 1, 2013, and shall act as chair until the council elects a chair at its first meeting.

Subd. 4. **Terms; removal; vacancies; compensation.** Membership terms, removal of member, and filling of vacancies are as provided in section 15.059, except that members shall not receive compensation or be reimbursed for expenses and except that terms of initial appointees are as provided in subdivision 3.

Subd. 5. **Chair.** The council shall annually elect a chair from its members.

Subd. 6. **Duties.** The council shall recommend to the office the priority of North Star projects and online government information services to be developed and supported by convenience fee receipts. The council shall provide oversight on the convenience fee and its receipts in the North Star account. The council shall by majority quorum vote to recommend to approve or disapprove establishing the convenience fee on particular types of transactions, the fee amount, and any changes in the fee amount. If the convenience fee receipts are retained by or transferred to the private entity in lieu of deposit in the North Star account, the council may audit the private entity's convenience fee receipts, expenses paid by the receipts, and associated financial statements.

Subd. 7. **Staff.** The office shall provide administrative support to the council.

Subd. 8. **Sunset.** The council shall expire the first Monday in January 2017.

Subd. 9. **Reports.** By June 1, 2014, and every year thereafter, the council shall report to the office with its recommendations regarding establishing the convenience fee, the fee amount, and changes to the fee amount.

**16E.145 INFORMATION TECHNOLOGY APPROPRIATION.**

An appropriation for a state agency information and telecommunications technology project must be made to the chief information officer. The chief information officer must manage and disburse the appropriation on behalf of the sponsoring state agency. Any appropriation for an
information and telecommunications technology project made to a state agency other than the Office of MN.IT Services is transferred to the chief information officer.

43A.17 SALARY LIMITS, RATES, RANGES AND EXCEPTIONS.

Subd. 9. Political subdivision compensation limit. (a) The salary and the value of all other forms of compensation of a person employed by a political subdivision of this state, excluding a school district, may not exceed 110 percent of the salary of the governor as set under section 15A.082, except as provided in this subdivision. For purposes of this subdivision, "political subdivision of this state" includes a statutory or home rule charter city, county, town, metropolitan or regional agency, or other political subdivision, but does not include a hospital, clinic, or health maintenance organization owned by such a governmental unit.

(b) Beginning in 2006, the limit in paragraph (a) must be adjusted annually in January. The limit must equal the limit for the prior year increased by the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year.

(c) Deferred compensation and payroll allocations to purchase an individual annuity contract for an employee are included in determining the employee's salary. Other forms of compensation which must be included to determine an employee's total compensation are all other direct and indirect items of compensation which are not specifically excluded by this subdivision. Other forms of compensation which must not be included in a determination of an employee's total compensation for the purposes of this subdivision are:

(1) employee benefits that are also provided for the majority of all other full-time employees of the political subdivision, vacation and sick leave allowances, health and dental insurance, disability insurance, term life insurance, and pension benefits or like benefits the cost of which is borne by the employee or which is not subject to tax as income under the Internal Revenue Code of 1986;

(2) dues paid to organizations that are of a civic, professional, educational, or governmental nature; and

(3) reimbursement for actual expenses incurred by the employee which the governing body determines to be directly related to the performance of job responsibilities, including any relocation expenses paid during the initial year of employment.

The value of other forms of compensation is the annual cost to the political subdivision for the provision of the compensation.

(d) The salary of a medical doctor or doctor of osteopathic medicine occupying a position that the governing body of the political subdivision has determined requires an M.D. or D.O. degree is excluded from the limitation in this subdivision.

(e) The commissioner may increase the limitation in this subdivision for a position that the commissioner has determined requires special expertise necessitating a higher salary to attract or retain a qualified person. The commissioner shall review each proposed increase giving due consideration to salary rates paid to other persons with similar responsibilities in the state and nation. The commissioner may not increase the limitation until the commissioner has presented the proposed increase to the Legislative Coordinating Commission and received the commission's recommendation on it. The recommendation is advisory only. If the commissioner does not give its recommendation on a proposed increase within 30 days from its receipt of the proposal, the commission is deemed to have made no recommendation. If the commissioner grants or granted an increase under this paragraph, the new limitation must be adjusted beginning in August 2005 and in each subsequent calendar year in January by the percentage increase equal to the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year.

116O.03 CORPORATION; BOARD OF DIRECTORS; POWERS.

Subd. 9. Contributions to public officials; disclosure. Each director shall file a statement with the Campaign Finance and Public Disclosure Board disclosing the nature, amount, date, and recipient of any contribution made to a public official, political committee, political fund, or political party, as defined in chapter 10A, that:

(1) was made within the four years preceding appointment to the Enterprise Minnesota, Inc. board; and

(2) was subject to the reporting requirements of chapter 10A.
The statement must be updated annually during the director's term to reflect contributions made to public officials during the appointed director's tenure.

**1160.04 CORPORATE PERSONNEL.**

Subd. 3. **Contributions to public officials; disclosure.** The president shall file a statement with the Campaign Finance and Public Disclosure Board disclosing the nature, amount, date, and recipient of any contribution made to a public official which:

1. was made within the four years preceding employment with the Enterprise Minnesota, Inc. board; and
2. was subject to the reporting requirements of chapter 10A.

The statement must be updated annually during the president's employment to reflect contributions made to public officials during the president's tenure.

**179.90 OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.**

The commissioner of mediation services shall establish an Office of Collaboration and Dispute Resolution within the bureau. The office must:

1. promote the broad use of community mediation in the state, ensuring that all areas of the state have access to services by providing grants to private nonprofit entities certified by the state court administrator under chapter 494 that assist in resolution of disputes;
2. assist state agencies, offices of the executive, legislative, and judicial branches, and units of local government in improving collaboration and dispute resolution;
3. support collaboration and dispute resolution in the public and private sector by providing technical assistance and information on best practices and new developments in dispute resolution options;
4. educate the public and governmental entities on dispute resolution options; and
5. promote and utilize collaborative dispute resolution models and processes based on documented best practices including, but not limited to, the Minnesota Solutions model:
   - (i) establishing criteria and procedures for identification and assessment of dispute resolution projects;
   - (ii) designating projects and appointing impartial convenors by the commissioner or the commissioner's designee;
   - (iii) forming multidisciplinary conflict resolution teams; and
   - (iv) utilizing collaborative techniques, processes, and standards through facilitated meetings until consensus among parties is reached in resolving a dispute.

**179.91 GRANTS.**

Subdivision 1. **Authority.** The commissioner of mediation services shall to the extent funds are appropriated for this purpose, make grants to private nonprofit community mediation entities certified by the state court administrator under chapter 494 that assist in resolution of disputes. The commissioner shall establish a grant review committee to assist in the review of grant applications and the allocation of grants under this section.

Subd. 2. **Eligibility.** To be eligible for a grant under this section, a nonprofit organization must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).

Subd. 3. **Conditions and exclusions.** A nonprofit entity receiving a grant must agree to comply with guidelines adopted by the state court administrator under section 494.015, subdivision 1. Sections 16B.97 and 16B.98 and policies adopted under those sections apply to grants under this section. The exclusions in section 494.03 apply to grants under this section.

Subd. 4. **Reporting.** Grantees must report data required under chapter 494 to evaluate quality and outcomes.

**192A.385 PERSONS TO BE TRIED OR PUNISHED.**

Subdivision 1. **Duty status required.** No person may be tried or punished for any offense provided for in sections 192A.39 to 192A.605 unless it was committed while that person was in a duty status as a member of the state military forces not in federal active service.
Subd. 2. **Determination.** Duty status may extend to any soldier while acting in the line of duty or during any consecutive duty periods. Consecutive duty periods run from the time the soldier is required to be at the assigned duty station until the soldier is dismissed from duty. Duty status may be determined by weighing factors including, but not limited to, whether the soldier:

1. is in uniform;
2. is attending a unit endorsed event;
3. is drilling in excess of 50 miles from the soldier's normal duty station;
4. is involved in an activity which is service-connected;
5. has been released versus dismissed from duty; and
6. is staying at lodging provided by the military or at military expense.

**299D.03 STATE PATROL.**

Subd. 2a. **Salary and benefits survey.** (a) By January 1 of 2021, 2023, 2027, and 2031, the legislative auditor must conduct a compensation and benefit survey of law enforcement officers in every police department:

1. in a city with a population in excess of 25,000, located in a metropolitan county, as defined in section 473.121, subdivision 4, that is represented by a union certified by the Bureau of Mediation Services; or
2. in a city of the first class.

The State Patrol must also be included in the survey.

(b) The legislative auditor must base the survey on compensation and benefits for the past completed calendar year. The survey must be based on full-time equivalent employees. The legislative auditor must calculate compensation using base salary, overtime wages, and premium pay. Premium pay is payment that is received by a majority of employees and includes but is not limited to education pay and longevity pay. The legislative auditor must not include any payments made to officers or troopers for work performed for an entity other than the agency that employs the officer or trooper, regardless of who makes the payment. The legislative auditor must also include in the survey all benefits, including insurance, retirement, and pension benefits. The legislative auditor must include contributions from both the employee and employer when determining benefits.

(c) The legislative auditor must compile the survey results into a report. The report must show each department separately. For each department, the survey must include:

1. an explanation of the salary structure, and include minimum and maximum salaries for each range or step; and
2. an explanation of benefits offered, including the options that are offered and the employee and employer contribution for each option.

Wherever possible, the report must be designed so that the data for each department is in the same table or grid format to facilitate easy comparison.

(d) By January 15 of 2021, 2023, 2027, and 2031, the legislative auditor must transmit the survey report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over the State Patrol budget.

(e) It is the legislature's intent to use the information in this study to compare salaries between the identified police departments and the State Patrol and to make appropriate increases to patrol trooper salaries. For purposes of this paragraph, "patrol troopers" has the meaning given in subdivision 2, paragraph (a).

**383B.042 DEFINITIONS.**

Subdivision 1. **For county campaign finance provisions.** For the purposes of sections 383B.041 to 383B.058, the terms defined in this section have the meanings given them. The terms defined in chapter 200 also apply to sections 383B.041 to 383B.058, unless a different meaning is specified in this section.

Subd. 2. **Advance of credit.** "Advance of credit" means any money owed for goods provided or services rendered. An advance of credit is an expenditure in the year in which the goods or
services are used or consumed. "Advance of credit" does not mean "loan" as defined in subdivision 12.

Subd. 3. Association. "Association" means a business, corporation, firm, partnership, committee, labor organization, club, or any other group of two or more persons, which includes more than an immediate family, acting in concert.

Subd. 4. Business with which the individual is associated. "Business with which the individual is associated" means any association in connection with which the individual is compensated in excess of $50 except for actual and reasonable expenses in any month as a director, officer, owner, member, partner, employer or employee, or is a holder of securities worth $2,500 or more at fair market value.

Subd. 5. Candidate. "Candidate" means an individual, not within the definition of candidate of section 10A.01, subdivision 10, who seeks nomination or election to any county office in Hennepin County, to any city office in any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more or to the school board of Special School District No. 1, Minneapolis.

Subd. 6. City. "City" means any statutory or home rule charter city wholly within Hennepin County and having a population of 75,000 or more.

Subd. 7. Contribution. "Contribution" means a transfer of funds or a donation in kind.

"Contribution" includes any loan or advance of credit to a political committee, political fund, or principal campaign committee, if that loan or advance of credit is (a) forgiven, or (b) paid by an entity other than the political committee, political fund, or principal campaign committee to which the loan or advance of credit is made.

"Contribution" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Subd. 8. Donation in kind. "Donation in kind" means anything of value other than money or negotiable instruments given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the outcome of an election.

Subd. 9. Election. "Election" means any election held to nominate or elect any candidate or to decide any question on a county ballot in Hennepin County or on the ballot of any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more, or on the ballot of Special School District No. 1, Minneapolis.

Subd. 10. Expenditure. "Expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the outcome of any election. "Expenditure" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Subd. 11. Filing officer. "Filing officer" means the official responsible under law for administration of the election laws for Hennepin County.

Subd. 12. Loan. "Loan" means an advance of money or anything of value made to a political committee, political fund, or principal campaign committee.

Subd. 13. Political committee. "Political committee" means any political party, association or person other than an individual that seeks as its major purpose to influence the outcome of any election for a city ballot issue or for any city office in the city of Bloomington; for a city or school district ballot issue and for any city or school district office in the city of Minneapolis, in Special School District No. 1, Minneapolis; or for any countywide ballot issue or county office in Hennepin County; and not to influence the outcome of any other election.

Subd. 14. Political fund. "Political fund" means any accumulation of dues or voluntary contributions by an association other than a political committee, which accumulation is collected or expended for the purpose of influencing the outcome of any election for a city ballot issue or for any city office in the city of Bloomington; for a city or school district ballot issue and for any city or school district office in the city of Minneapolis, in Special School District No. 1, Minneapolis; or for any countywide ballot issue or county office in Hennepin County; and not for the purpose of influencing the outcome of any other election.
Subd. 15. Population. "Population" means population as determined by the most recent federal census.

Subd. 16. Principal campaign committee. "Principal campaign committee" means the single political committee designated by a candidate for election for any city office in the city of Bloomington; for any city office in the city of Minneapolis; for any school district office in Special School District No. 1, Minneapolis; or for any county office in Hennepin County.

Subd. 17. Transfer of funds. "Transfer of funds" or "transfer" means money or negotiable instruments given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the outcome of any election.

383B.043 POLITICAL COMMITTEES; COUNTY AND CERTAIN OTHER ELECTIONS.

Subdivision 1. Officers. Every political committee shall have a chair and a treasurer, who may be the same individual. The treasurer may designate deputy treasurers and shall be responsible for their accounts. The treasurer shall designate a single depository and account for all contributions received by the political committee.

Subd. 2. Prohibitions; acceptance of certain contributions; commingling of funds. No contribution shall be accepted and no expenditure shall be made by or on behalf of a political committee while the office of treasurer is vacant. No anonymous contribution in excess of $20 shall be retained by the political committee but shall be forwarded to the state campaign finance and public disclosure board and deposited in the general fund. No funds of the political committee shall be commingled with the personal funds of any officer, member or associate of the committee. Any individual who violates a provision of this subdivision is guilty of a misdemeanor.

383B.044 POLITICAL FUNDS.

Subdivision 1. When required. No association other than a political committee shall transfer more than $100 in aggregate in any one year to candidates or political committees or make any expenditure unless the transfer or expenditure is made from a political fund.

Subd. 2. Treasurer; commingling of funds; anonymous contributions. Each association which has a political fund shall elect or appoint a treasurer of the political fund. No contributions to the political fund shall be accepted and no expenditures from the fund shall be made while the office of treasurer is vacant. The contents of the political fund shall not be commingled with any other funds or with the personal funds of any officer or member of the fund. No anonymous contribution in excess of $20 shall be retained by the political fund but shall be forwarded to the state campaign finance and public disclosure board and deposited in the general fund.

Subd. 3. Use of dues and membership fees. Notwithstanding subdivision 1, the association may, if not prohibited by other law, deposit in its political fund money derived from dues or membership fees. The treasurer of the fund, in any report required by section 383B.049, shall disclose the name of any member whose dues, membership fees and contributions deposited in the political fund in any one year exceed $50 in the aggregate.

Subd. 4. Penalty. Any person who knowingly violates the provisions of this section is guilty of a misdemeanor.

383B.045 PRINCIPAL CAMPAIGN COMMITTEE.

Every candidate who receives contributions or makes expenditures in excess of $100 shall designate and cause to be formed a single political committee which shall be known as the candidate's principal campaign committee. The candidate shall make expenditures only through the candidate's principal campaign committee. The candidate may be the chair and treasurer of the principal campaign committee.

383B.046 REGISTRATION OF POLITICAL COMMITTEES, POLITICAL FUNDS, AND PRINCIPAL CAMPAIGN COMMITTEES.

Subdivision 1. Filing office; deadline. Every political committee, political fund and principal campaign committee as defined in section 383B.042, subdivisions 13, 14, and 16, shall register with the filing officer within 14 days after the date by which the committee or fund has received contributions or made expenditures in excess of $100. A political committee, political fund, or principal campaign committee that is registered with the Campaign Finance and Public Disclosure Board under section 10A.14 need not register under this section.
Subd. 2. **Statement required.** A political committee, political fund, or principal campaign committee registers by filing a statement of organization that includes:

(a) the name and address of the political committee, political fund, or principal campaign committee;

(b) the name and address of the chair, the treasurer, and any deputy treasurers;

(c) the name and address of the depository used by the committee or fund;

(d) the name and address of any supporting association of a political fund; and

(e) a statement as to whether the committee is a principal campaign committee.

The statement of organization shall be filed by the treasurer of the political committee, political fund or principal campaign committee.

**383B.047 ACCOUNTS WHICH MUST BE KEPT.**

Subdivision 1. **Contributions; expenditures; transfers.** The treasurer of any political committee, political fund or principal campaign committee shall keep an account of:

(1) the sum of all contributions made to the political committee, political fund, or principal campaign committee;

(2) the name and address of each source of a transfer or donation in kind, together with the date and amount;

(3) each expenditure made by or on behalf of the committee or fund together with the date and amount; and

(4) the name and address of each political committee, political fund, or principal campaign committee to which transfers have been made, together with the date and amount.

Subd. 2. **Authorization of expenditures; receipts.** Each expenditure by a political committee, political fund or principal campaign committee shall be authorized by the treasurer. The treasurer may authorize not more than $20 per week as petty cash for miscellaneous expenditures. The treasurer shall obtain a receipted bill stating the particulars for every expenditure made by or on behalf of the political committee, political fund, or principal campaign committee.

**383B.048 CAMPAIGN REPORTS.**

Subdivision 1. **Committees required to report; deadlines.** (a) The treasurer of any political committee, political fund, or principal campaign committee required to register pursuant to section 383B.046 shall file campaign reports with the filing officer. In each year in which the name of the candidate is on the ballot, the report of the principal campaign committee shall be filed one week before a regular primary and a regular election. Political committees and political funds shall file campaign reports one week before a regular primary or regular election.

(b) The treasurer of a principal campaign committee shall file reports one week before a special primary or other special election and 30 days after a special election.

(c) The reports shall cover the period from the day after the end of the previous reporting period to one week before the filing date.

(d) A campaign report shall be filed by all treasurers on January 31 of each year covering the period from the day after the end of the previous reporting period to December 31 of the preceding calendar year.

Subd. 2. **Content of reports.** Each campaign report required under this section shall disclose:

(1) the amount of liquid assets on hand at the beginning of the reporting period;

(2) the name, address and employer, or occupation if self-employed, of each individual, committee or political fund that made transfers or donations in kind to the political committee, political fund, or principal campaign committee in an aggregate amount or value in excess of $100, together with the amount and date;

(3) the sum of all contributions made to the political committee, political fund, or principal campaign committee;

(4) each loan made or received by the political committee, political fund, or principal campaign committee within the year in aggregate in excess of $100, together with the name, address, occupation
and the principal place of business, if any, of the lender and any endorser and the date and amount of the loan. A loan made to a political committee, political fund, or principal campaign committee which is forgiven or is repaid by an entity other than that political committee or fund shall be reported as a contribution;

(5) the sum of all receipts, including all contributions and loans, during the reporting period;

(6) the name and address of each person to whom aggregate expenditures have been made by or on behalf of the political committee, political fund, or principal campaign committee within the year in excess of $100, the amount, date and purpose of each expenditure and the ballot question or the name and address of the candidate supported or opposed by the expenditure;

(7) the sum of all expenditures made by the political committee, political fund, or principal campaign committee;

(8) the amount and nature of any advance of credit incurred by the political committee, political fund, or principal campaign committee continuously reported until paid or forgiven. An advance of credit incurred by a political committee, political fund, or principal campaign committee which is forgiven or is paid by an entity other than that political committee, political fund, or principal campaign committee shall be reported as a donation in kind;

(9) the name and address of each political committee, political fund, or principal campaign committee to which aggregate transfers in excess of $100 have been made within the year, together with the amount and date of each transfer;

(10) the sum of all transfers made to political committees, political funds, or principal campaign committees; and

(11) the sum of all disbursements not made to influence the outcome of an election.

Subd. 3. Party sample ballots. Expenditures by a political party as defined in section 200.02, subdivision 7, or a substate unit of such a party, for the preparation, display and distribution of an official party sample ballot containing the names of three or more individuals whose names are to appear on the ballot shall not be considered contributions or expenditures on behalf of any candidate.

Subd. 4. Termination reports. (a) A political committee, political fund, or principal campaign committee created pursuant to section 383B.046 may dissolve upon filing of a termination report indicating that the committee or fund has settled all of its debts and disposed of all assets in excess of $100. The termination report shall include all information required in a periodic campaign report.

(b) Political committees and political funds that were created for purposes of supporting or opposing candidates or ballot issues beyond the scope of those identified in section 383B.042, subdivision 5, 13, or 14, may terminate their registration with Hennepin County. Termination of a registration under this provision does not require termination of the political committee or political fund and does not require settlement of all debts and disposition of all assets in excess of $100.

383B.049 EXPENDITURES BY INDIVIDUALS.

Subdivision 1. Reports. Except as provided in subdivision 2, any individual who makes expenditures in an aggregate amount of $100 or more in any year, which expenditures are not required to be reported by any political committee, political fund, or principal campaign committee as contributions to that political committee, political fund, or principal campaign committee, shall file campaign reports in the form required by section 383B.048 with respect to those expenditures.

Subd. 2. Exception; independent expenditures. An individual shall not be required to report any expenditure which is made without the cooperation or express or implied consent of any candidate, political committee, political fund, or agent of a candidate, political committee, or political fund, unless the expenditure expressly advocates the election or defeat of a clearly identified candidate or the approval or rejection of a clearly identified county or city ballot question at any election.

383B.05 ADDITIONAL INFORMATION TO BE DISCLOSED.

Subdivision 1. Earmarked contributions. Any individual, political committee, political fund, or principal campaign committee that receives a contribution from any person or association in an aggregate in excess of $50 with the express or implied condition that the contribution or any part of it be directed to a particular candidate shall disclose to the ultimate recipient and in any report required by section 383B.048, the original source of the contribution, the fact that it was earmarked and the candidate to whom it is directed. The ultimate recipient of any earmarked contribution shall
also disclose the original source and the individual, political committee, political fund, or principal campaign committee through which it was directed. Any individual, political committee, political fund, or principal campaign committee that knowingly accepts earmarked funds and fails to make the disclosure required by this subdivision is guilty of a misdemeanor.

Subd. 2. Bills when rendered and paid. Every person who has a bill, charge or claim against any political committee, political fund, or principal campaign committee for any expenditure shall render in writing to the treasurer of the committee or fund the bill, charge or claim within 60 days after the material or service is provided. Failure to present the bill, charge or claim as required by this subdivision is a petty misdemeanor.

383B.051 CIRCUMVENTION PROHIBITED.

Any person who attempts to circumvent disclosure of the source or amount of contributions or expenditures by redirecting funds through or contributing funds on behalf of another person is guilty of a misdemeanor.

383B.052 ECONOMIC REPRISALS PROHIBITED.

No individual or association shall engage in economic reprisals or threaten loss of employment or physical coercion against any individual or association because of the political contributions or political activity of that individual or association. This subdivision does not apply to compensation for employment or loss of employment when the political affiliation or viewpoint of the employee is a bona fide occupational qualification of the employment. Any individual or association that violates this subdivision is guilty of a misdemeanor.

383B.053 ECONOMIC INTEREST DISCLOSURE.

Subdivision 1. Officials required to file; deadlines. Every candidate for county office, every elected official of Hennepin County, every candidate for office and every elected official of a home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more, and every candidate for school board and every elected official in Special School District No. 1, Minneapolis shall file statements of economic interest as required by this section with the filing officer. A candidate shall file an original statement within 14 days of the filing of an affidavit or petition to appear on the ballot. Every individual required to file a statement shall file a supplementary statement on April 15 of each year in which the individual remains a candidate or elected official. An official required to file a statement of economic interest under section 10A.09 is not required to comply with this section.

Subd. 2. Content of statement. An individual required to file a statement of economic interest shall disclose:

(1) the individual's name, address, occupation and principal place of business;

(2) the name of each business with which the individual is associated and the nature of that association;

(3) a listing of all real property within the state, excluding homestead property, in which the individual holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, and which interest has a market value in excess of $2,500 as shown on the real estate tax statement for the property or (ii) an option to buy, which property has a fair market value of $50,000 or more;

(4) a listing of all real property within the state in which a partnership of which the individual is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of the partnership interest has a market value in excess of $2,500 as shown on the real estate tax statement for the property or (ii) an option to buy, which property has a fair market value of $50,000 or more; and

(5) in supplementary statements only, the amount of each honorarium in excess of $50 received since the last statement, together with the name and address of the source.

Any listing under clause (3) or (4) shall indicate the street address and the municipality or the section, township range and approximate acreage, whichever applies, and the county wherein the property is located.

383B.054 REPORTS AND STATEMENTS; REQUIREMENTS.

Subdivision 1. Certification. A report or statement required by sections 383B.046 to 383B.054 shall be signed and certified as true by the individual required to file the report. Any individual who
signs and certifies to be true a report or statement which the individual knows contains false information or who knowingly omits required information is guilty of a gross misdemeanor.

Subd. 2. Transmittal, retention, public inspection. The filing officer shall promptly transmit to the appropriate city clerk a copy of each statement and report filed by a candidate for city office, a political committee or fund that discloses contributions or expenditures to influence a city or an elected city official. The filing officer and each city clerk shall retain the statements, reports and copies and make them available for public inspection for a period of five years after the date of receipt by the filing officer.

Subd. 3. Changes and corrections. Any material changes in information previously submitted and any corrections to a report or statement shall be reported in writing to the filing officer within ten days following the date of the event prompting the change or the date upon which the individual filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any individual who willfully fails to report a material change or correction is guilty of a misdemeanor.

Subd. 4. Record keeping. Each individual required to file any report or statement or to keep any account pursuant to sections 383B.046 to 383B.054 shall maintain and preserve for four years the records, including any vouchers, canceled checks, bills, invoices, worksheets and receipts, that will provide in sufficient detail the necessary information from which the accounts and the filed reports and statements may be verified, explained, clarified and checked for accuracy and completeness.

Subd. 5. Penalties. The filing officer shall notify by certified mail or personal service any individual who fails to file a statement or report required by sections 383B.046 to 383B.054. Except for any campaign report of a principal campaign committee due before an election, if an individual fails to file any statement or report within seven days after receiving a notice, the filing officer may impose a late filing fee of $5 per day, not to exceed $100, commencing on the eighth day after receiving notice. If a treasurer of a principal campaign committee fails to file a campaign report due before an election within three days of the date due, regardless of whether the treasurer has received any notice, the filing officer may impose a late filing fee of $50 per day, not to exceed $500, commencing on the fourth day after the date the statement was due. The filing officer shall further notify by certified mail or personal service any individual who fails to file any statement or report within 21 days after receiving a first notice that the individual may be subject to a criminal penalty for failure to file the statement or report. An individual who knowingly fails to file the statement or report within seven days after receiving a second notice from the filing officer is guilty of a misdemeanor. A filing officer who violates any provision of this subdivision is guilty of a misdemeanor.

Subd. 6. Recovery of late filing fees. A filing officer may bring an action in the Fourth Judicial District Court to recover any late filing fee imposed pursuant to subdivision 5. All money recovered shall be deposited in the general fund of Hennepin County.

Subd. 7. Reports of violations. If any individual other than a county official or candidate for county office fails to file the required statement or report within seven days after a second notice as provided in subdivision 5, the filing officer shall inform the Hennepin County attorney that a second notice was sent and that the individual failed to file the required statement or report. If a county official or candidate fails to file a report or statement after a second notice as provided in subdivision 5, the filing officer shall notify the attorney general.

Subd. 8. Report by subordinate. (a) Any deputy, clerk, employee or other subordinate of a filing officer who has knowledge or reason to believe that a violation of sections 383B.041 to 383B.057 has occurred, shall immediately transmit a report of that knowledge or belief to that filing officer, together with any evidence of the violation coming into the subordinate's possession.

(b) Any filing officer who has knowledge or reason to believe that a violation of sections 383B.041 to 383B.058 has occurred shall immediately transmit a report of that knowledge or belief to the county attorney of the county in which the violation is thought to have occurred, together with any evidence of the violation coming into the filing officer's possession.

(c) The filing officer shall also immediately send a copy of the report to the Campaign Finance and Public Disclosure Board.

(d) A violation of this subdivision is a misdemeanor.
383B.055 DUTIES OF CAMPAIGN FINANCE BOARD; FILING OFFICERS.

Subdivision 1. Board: advisory opinions, disclosure exemptions. The state Campaign Finance and Public Disclosure Board shall:

(1) issue and publish advisory opinions concerning the requirements of sections 383B.041 to 383B.057 upon application in writing by the county filing officer of Hennepin County or any individual or association who wishes to use the opinion to guide the applicant's own conduct; and

(2) exempt any individual or association required to disclose information under sections 383B.046 to 383B.05 from any requirement of those sections in the same manner as it exempts any individual or association from disclosure requirements under chapter 10A. An individual or association exempted from the disclosure provisions of chapter 10A, shall also be exempt from the disclosure provisions of sections 383B.046 to 383B.05.

Subd. 2. Filing officer: develop, distribute needed forms. The county filing officer of Hennepin County shall develop forms for all statements and reports required to be filed under sections 383B.041 to 383B.054. The filing officer shall furnish sufficient copies of the forms to all officers with whom candidates file affidavits or applications of candidacy and nominating petitions.

Subd. 3. Candidacy filing officer: forms to candidates; penalty. An officer who receives affidavits or applications of candidacy or nominating petitions shall mail or deliver a copy of each form required to be filed by a candidate to each candidate who files an affidavit, application or petition with that officer or for whom a write-in vote is cast on the ballot of that jurisdiction. Any officer who fails to carry out the duties imposed by this subdivision is guilty of a misdemeanor.

383B.056 PENALTIES.

Except as expressly provided to the contrary in sections 383B.041 to 383B.055, a violation of sections 383B.041 to 383B.055 is not a crime.

383B.057 PROSECUTION OF VIOLATIONS.

Except as otherwise provided in this section, a violation of a criminal provision of sections 383B.041 to 383B.056 shall be prosecuted by the Hennepin County attorney in the Fourth Judicial District Court. A violation by a county official or candidate shall be prosecuted by the attorney general in the district court of Ramsey County.