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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **3307**

03/17/2016 Authored by Garofalo, Loonan, Baker, O'Neill and Loon

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy

1.1 A bill for an act
1.2 relating to elections; establishing a presidential primary; allowing parties to
1.3 decide whether or not to have party caucuses; changing the date of the state
1.4 primary from August to June; making technical changes; amending Minnesota
1.5 Statutes 2014, sections 202A.14, subdivisions 1, 2; 202A.15, subdivisions
1.6 1, 2; 202A.18, subdivision 2a; 204B.03; 204B.06, subdivision 4; 204B.14,
1.7 subdivisions 2, 4; 204B.21, subdivision 1; 204D.03, subdivision 1; 204D.09,
1.8 subdivision 1; 204D.28, subdivision 5; 205.065, subdivisions 1, 2; 205A.03,
1.9 subdivisions 1, 2; 205A.06, subdivision 1a; 205A.11, subdivision 2a; 206.61,
1.10 subdivision 5; 206.82, subdivision 2; Minnesota Statutes 2015 Supplement,
1.11 section 204C.04, subdivision 2; proposing coding for new law in Minnesota
1.12 Statutes, chapter 207A.

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

1.14 Section 1. Minnesota Statutes 2014, section 202A.14, subdivision 1, is amended to read:

1.15 Subdivision 1. **Time and manner of holding; postponement.** (a) In every
1.16 state general election year, beginning at 7:00 p.m. ~~on the~~ when a major political party
1.17 establishes a date established for its party caucus pursuant to paragraph (b), there the party
1.18 caucus shall be held for in every election precinct ~~a party caueus~~ in the manner provided
1.19 in sections 202A.14 to 202A.19.

1.20 (b)(1) ~~The chairs of the two largest major political parties shall jointly~~ A chair of a
1.21 major political party may submit to the secretary of state, no later than March 1 of each
1.22 odd-numbered year, the single a date on which the two parties have agreed major political
1.23 party plans to conduct their its precinct caucuses in the next even-numbered year.

1.24 (2) ~~Within two business days after the parties have agreed on a single date on which~~
1.25 ~~to conduct their preeinct caueuses~~ By March 15 of each odd-numbered year, the secretary
1.26 of state shall publicly announce if either of the major political parties plans to conduct

2.1 its precinct caucuses in the following general election year and the official state precinct
 2.2 caucus date for the following general election year of each party, if any.

2.3 ~~(3) If the chairs of the two largest major political parties do not jointly submit a~~
 2.4 ~~single date for conducting their precinct caucuses as provided in this paragraph, then~~
 2.5 ~~for purposes of the next general election year, the first Tuesday in February shall be~~
 2.6 ~~considered the day of a major political party precinct caucus and sections 202A.19 and~~
 2.7 ~~202A.192 shall only apply on that date.~~

2.8 ~~(4)~~ (3) For purposes of this paragraph, the two largest a major political parties shall
 2.9 be the parties party is a party whose candidates for governor received either the greatest
 2.10 and or the second greatest number of votes at the most recent gubernatorial election.

2.11 (c) In the event of severe weather a major political party may request the secretary of
 2.12 state to postpone caucuses. If a major political party makes a request, or upon the secretary
 2.13 of state's own initiative, after consultation with all major political parties and on the advice
 2.14 of the federal Weather Bureau and the Department of Transportation, the secretary of state
 2.15 may declare precinct caucuses to be postponed for a week in counties where weather
 2.16 makes travel especially dangerous. The secretary of state shall submit a notice of the
 2.17 postponement to news media covering the affected counties by 6:00 p.m. on the scheduled
 2.18 day of the caucus. A postponed caucus may also be postponed pursuant to this subdivision.

2.19 Sec. 2. Minnesota Statutes 2014, section 202A.14, subdivision 2, is amended to read:

2.20 Subd. 2. **Caucus call.** When a precinct caucus is scheduled to occur, the chair of
 2.21 the county or legislative district executive committee, whichever is provided for by party
 2.22 rules, shall issue the call for the precinct caucus at least 20 days before the time set for
 2.23 holding the caucus, and the call shall contain the following:

2.24 ~~(a)~~ (1) name of party;

2.25 ~~(b)~~ (2) precinct number;

2.26 ~~(c)~~ (3) date caucus is to be held;

2.27 ~~(d)~~ (4) place caucus is to be held;

2.28 ~~(e)~~ (5) hours during which caucus shall be held;

2.29 ~~(f)~~ (6) statutory rules governing the caucus;

2.30 ~~(g)~~ (7) a statement of business to be conducted including the election of a chair
 2.31 and such other officers as may be provided by party rules, and the election of delegates
 2.32 to county or district conventions;

2.33 ~~(h)~~ (8) number of delegates to be elected;

2.34 ~~(i)~~ (9) name of the county or legislative district chair issuing the call;

3.1 (†) (10) name of the present precinct chair or other person who will be the convener
3.2 of the caucus;

3.3 (‡) (11) a space for entering the names of the officers and delegates elected by
3.4 the caucus.

3.5 Sec. 3. Minnesota Statutes 2014, section 202A.15, subdivision 1, is amended to read:

3.6 Subdivision 1. **Time.** ~~Precinct caucuses within a county~~ If precinct caucuses are being
3.7 held within a county, the precinct caucuses shall be held on the day established pursuant to
3.8 section 202A.14, subdivision 1, and the caucuses shall remain open for at least one hour.

3.9 Sec. 4. Minnesota Statutes 2014, section 202A.15, subdivision 2, is amended to read:

3.10 Subd. 2. **Place.** If precinct caucuses are being held, the precinct caucuses shall be
3.11 held at the regular polling places for each precinct or other suitable places designated in
3.12 the call, and no caucus may be adjourned to any other place or time.

3.13 In the event that there is only one suitable meeting place in the precinct polling place
3.14 and the major political parties cannot agree as to its use, the county auditor shall decide by
3.15 lot prior to January 15, 1970, the party which is to receive the use of the meeting place in
3.16 years evenly divisible by four and which party shall receive the use of the meeting place in
3.17 other years in which a state general election is held. The report of such selections by lot in
3.18 the county shall be filed by the auditor with the county board which shall publish the same
3.19 as a part of the minutes of the board meeting at which the report is filed.

3.20 A precinct caucus must be held at a place that meets the accessibility standards for
3.21 precinct polling places specified in section 204B.16, subdivision 5. In addition, the place
3.22 where a precinct caucus is held must contain restrooms that conform to the standards in
3.23 the State Building Code for accessibility by disabled persons. If a precinct caucus is held
3.24 on a floor of a building that is either above or below the entrance level for the building, an
3.25 elevator must be available. Any elevators used for access to the room where the precinct
3.26 caucus is held must conform to the standards in the State Building Code for accessibility
3.27 by disabled persons.

3.28 If there are not enough places within a precinct that are or can be made accessible as
3.29 provided by this subdivision and section 204B.16, subdivision 5, for each major party to
3.30 hold its precinct caucus, a major party may hold its caucus at a place outside one of the
3.31 boundaries of the precinct in order to comply with accessibility requirements.

3.32 If only one place satisfies the accessibility and location requirements of this
3.33 subdivision, the major parties shall alternate use of the place. Prior to January 1, 1990,
3.34 the county auditor shall decide by lot which party is to use the accessible place in years

4.1 evenly divisible by four and which party is to use the place in other years when a state
 4.2 general election is held.

4.3 Sec. 5. Minnesota Statutes 2014, section 202A.18, subdivision 2a, is amended to read:

4.4 Subd. 2a. **Preference ballot.** Prior to the opening of nominations for the election of
 4.5 permanent offices and delegates, a ballot must be distributed to permit caucus participants
 4.6 to indicate their preference for the ~~offices of president of the United States or~~ office of
 4.7 the governor. The results of preference voting must be reported to the secretary of state
 4.8 immediately upon conclusion of the voting, in the manner provided by the secretary of
 4.9 state. The secretary of state shall provide the appropriate forms to the party for reporting
 4.10 the results.

4.11 Sec. 6. Minnesota Statutes 2014, section 204B.03, is amended to read:

4.12 **204B.03 MANNER OF NOMINATION.**

4.13 Candidates of a major political party for any partisan office except presidential
 4.14 elector and all candidates for nonpartisan office shall apply for a place on the primary
 4.15 ballot by filing an affidavit of candidacy as provided in section 204B.06, and except as
 4.16 otherwise provided in section 204D.07, subdivision 3, shall be nominated by primary.
 4.17 A candidate who seeks the nomination of a major political party for the president of
 4.18 the United States must file an affidavit of candidacy as required under section 204B.06.
 4.19 Candidates for any partisan office who do not seek the nomination of a major political
 4.20 party shall be nominated by nominating petition as provided in sections 204B.07 and
 4.21 204B.08, and, except for presidential elector candidates, shall file an affidavit of candidacy
 4.22 as provided in section 204B.06.

4.23 Sec. 7. Minnesota Statutes 2014, section 204B.06, subdivision 4, is amended to read:

4.24 Subd. 4. **Federal offices.** ~~Candidates for president or vice president of the United~~
 4.25 ~~States are not required to file an affidavit of candidacy for office.~~ (a) Candidates who
 4.26 seek nomination for the office of United States senator or representative shall state the
 4.27 following information on the affidavit:

4.28 (1) for United States senator, that the candidate will be an inhabitant of this state
 4.29 when elected and will be 30 years of age or older and a citizen of the United States for not
 4.30 less than nine years on the next January 3 or, in the case of an election to fill a vacancy,
 4.31 within 21 days after the special election; and

4.32 (2) for United States representative, that the candidate will be an inhabitant of this
 4.33 state when elected and will be 25 years of age or older and a citizen of the United States

5.1 for not less than seven years on the next January 3 or, in the case of an election to fill a
5.2 vacancy, within 21 days after the special election.

5.3 (b) A candidate who seeks nomination for president of the United States shall state
5.4 on the affidavit that the candidate is a natural born citizen of the United States, will have
5.5 attained the age of 35 years upon taking office, and will have been a resident of the United
5.6 States for 14 years upon taking office.

5.7 Sec. 8. Minnesota Statutes 2014, section 204B.14, subdivision 2, is amended to read:

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

5.10 (1) each city ward; and

5.11 (2) each town and each statutory city.

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

5.15 (1) for any city of the third or fourth class, any town, or any city having territory in
5.16 more than one county, in which all the voters of the city or town shall cast their ballots;

5.17 (2) for contiguous precincts in the same municipality;

5.18 (3) for up to four contiguous municipalities located entirely outside the metropolitan
5.19 area, as defined by section 200.02, subdivision 24, that are contained in the same county; or

5.20 (4) for noncontiguous precincts located in one or more counties.

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

5.30 The secretary of state shall provide a separate polling place roster for each precinct
5.31 served by the combined polling place, except that in a precinct that uses electronic rosters
5.32 the secretary of state shall provide separate data files for each precinct. A single set of
5.33 election judges may be appointed to serve at a combined polling place. The number of
5.34 election judges required must be based on the total number of persons voting at the last
5.35 similar election in all precincts to be voting at the combined polling place. Separate ballot

6.1 boxes must be provided for the ballots from each precinct. The results of the election must
6.2 be reported separately for each precinct served by the combined polling place, except in a
6.3 polling place established under clause (2) where one of the precincts has fewer than ten
6.4 registered voters, in which case the results of that precinct must be reported in the manner
6.5 specified by the secretary of state.

6.6 Sec. 9. Minnesota Statutes 2014, section 204B.14, subdivision 4, is amended to read:

6.7 Subd. 4. **Boundary change procedure.** Any change in the boundary of an election
6.8 precinct must be adopted at least ten weeks before the date of the next election and, for
6.9 the state primary and general election, no later than ~~June~~ April 1 in the year of the state
6.10 general election, but if a presidential primary is scheduled to occur, then no later than
6.11 January 1 in the year of the presidential primary. The precinct boundary change shall
6.12 not take effect until notice of the change has been posted in the office of the municipal
6.13 clerk or county auditor for at least 56 days.

6.14 The county auditor must publish a notice illustrating or describing the congressional,
6.15 legislative, and county commissioner district boundaries in the county in one or more
6.16 qualified newspapers in the county at least 14 days before the first day to file affidavits of
6.17 candidacy for the state general election in the year ending in two.

6.18 Alternate dates for adopting changes in precinct boundaries, posting notices
6.19 of boundary changes, and notifying voters affected by boundary changes pursuant
6.20 to this subdivision, and procedures for coordinating precinct boundary changes with
6.21 reestablishing local government election district boundaries may be established in the
6.22 manner provided in the rules of the secretary of state.

6.23 Sec. 10. Minnesota Statutes 2014, section 204B.21, subdivision 1, is amended to read:

6.24 Subdivision 1. **Appointment lists; duties of political parties and secretary of**
6.25 **state.** On ~~May~~ March 1 in a year in which there is an election for a partisan political
6.26 office, each major political party shall prepare a list of eligible voters to act as election
6.27 judges in each election precinct. The political parties shall furnish the lists electronically
6.28 to the secretary of state, in a format specified by the secretary of state. The secretary of
6.29 state must combine the data received from each political party under this subdivision
6.30 and must process the data to locate the precinct in which the address provided for each
6.31 potential election judge is located. If the data submitted by a political party is insufficient
6.32 for the secretary of state to locate the proper precinct, the associated name must not appear
6.33 in any list forwarded to an appointing authority under this subdivision. The secretary of

7.1 state shall notify political parties of any proposed election judges with addresses that
 7.2 could not be located in a precinct.

7.3 By ~~May~~ December 15 in a year prior to a year in which a presidential primary is
 7.4 scheduled to occur or by March 15 in any other year, the secretary of state shall furnish
 7.5 electronically to the county auditor a list of the appropriate names for each election
 7.6 precinct in the jurisdiction of the appointing authority, noting the political party affiliation
 7.7 of each individual on the list. The county auditor must promptly forward the appropriate
 7.8 names to the appropriate municipal clerk.

7.9 Sec. 11. Minnesota Statutes 2015 Supplement, section 204C.04, subdivision 2, is
 7.10 amended to read:

7.11 Subd. 2. **Elections covered.** For purposes of this section, "election" means a
 7.12 regularly scheduled election, an election to fill a vacancy in the office of United States
 7.13 senator or United States representative, an election to fill a vacancy in nomination for a
 7.14 constitutional office, ~~or~~ an election to fill a vacancy in the office of state senator or state
 7.15 representative, or a presidential primary under chapter 207A.

7.16 Sec. 12. Minnesota Statutes 2014, section 204D.03, subdivision 1, is amended to read:

7.17 Subdivision 1. **State primary.** The state primary shall be held on the ~~second~~ first
 7.18 Tuesday after the third Monday in August June in each even-numbered year to select
 7.19 the nominees of the major political parties for partisan offices and the nominees for
 7.20 nonpartisan offices to be filled at the state general election, other than presidential electors.

7.21 Sec. 13. Minnesota Statutes 2014, section 204D.09, subdivision 1, is amended to read:

7.22 Subdivision 1. **Example ballot.** (a) No later than December 1 in a year prior to a
 7.23 year in which there is a presidential election, the secretary of state shall supply each
 7.24 auditor with a copy of an example ballot to be used at the presidential primary under
 7.25 chapter 207A. The example ballot must illustrate the format required for the ballot used in
 7.26 the presidential primary in the following year.

7.27 ~~(a)~~ (b) No later than ~~May~~ March 1 of each year, the secretary of state shall supply
 7.28 each auditor with a copy of an example ballot to be used at the state primary and state
 7.29 general election. The example ballot must illustrate the format required for the ballots
 7.30 used in the primary and general elections that year. ~~(b)~~ The county auditor shall distribute
 7.31 copies of the example ballot to municipal and school district clerks in municipalities
 7.32 and school districts holding elections that year. The official ballot must conform in all
 7.33 respects to the example ballot.

8.1 Sec. 14. Minnesota Statutes 2014, section 204D.28, subdivision 5, is amended to read:

8.2 Subd. 5. **Regular state primary.** "Regular state primary" means:

8.3 (a) the state primary at which candidates are nominated for offices elected at the
8.4 state general election; or

8.5 (b) a primary held on the ~~second~~ first Tuesday after the third Monday in August June
8.6 of odd-numbered years.

8.7 Sec. 15. Minnesota Statutes 2014, section 205.065, subdivision 1, is amended to read:

8.8 Subdivision 1. **Establishing primary.** A municipal primary for the purpose of
8.9 nominating elective officers may be held in any city on the ~~second~~ first Tuesday after the
8.10 third Monday in August June of any year in which a municipal general election is to
8.11 be held for the purpose of electing officers. The date of a municipal primary held in
8.12 an odd-numbered year may be postponed for inclement weather as provided in section
8.13 205.105.

8.14 Sec. 16. Minnesota Statutes 2014, section 205.065, subdivision 2, is amended to read:

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

8.21 Sec. 17. Minnesota Statutes 2014, section 205A.03, subdivision 1, is amended to read:

8.22 Subdivision 1. **Resolution requiring primary in certain circumstances.** The
8.23 school board of a school district may, by resolution adopted by ~~April~~ January 15 of any
8.24 year, decide to choose nominees for school board by a primary as provided in this section.
8.25 The resolution, when adopted, is effective for all ensuing elections of board members in
8.26 that school district until it is revoked. If the board decides to choose nominees by primary
8.27 and if there are more than two candidates for a specified school board position or more
8.28 than twice as many school board candidates as there are at-large school board positions
8.29 available, the school district must hold a primary.

8.30 Sec. 18. Minnesota Statutes 2014, section 205A.03, subdivision 2, is amended to read:

8.31 Subd. 2. **Date.** The school district primary must be held on the ~~second~~ first Tuesday
8.32 after the third Monday in August June in the year when the school district general election

9.1 is held. The clerk shall give notice of the primary in the manner provided in section
9.2 205A.07. The date of a school district primary held in an odd-numbered year may be
9.3 postponed for inclement weather as provided in section 205A.055.

9.4 Sec. 19. Minnesota Statutes 2014, section 205A.06, subdivision 1a, is amended to read:

9.5 Subd. 1a. **Filing period.** In school districts that have adopted a resolution to choose
9.6 nominees for school board by a primary election, affidavits of candidacy must be filed
9.7 with the school district clerk no earlier than the 84th day and no later than the 70th day
9.8 before the ~~second~~ first Tuesday after the third Monday in August June in the year when the
9.9 school district general election is held. In all other school districts, affidavits of candidacy
9.10 must be filed no earlier than the 98th day and no later than the 84th day before the school
9.11 district general election.

9.12 Sec. 20. Minnesota Statutes 2014, section 205A.11, subdivision 2a, is amended to read:

9.13 Subd. 2a. **Notice of special elections.** The school district clerk shall prepare a
9.14 notice to the voters who will be voting in a combined polling place for a school district
9.15 special election. The notice must include the following information: the date of the
9.16 election, the hours of voting, and the location of the voter's polling place. The notice must
9.17 be sent by nonforwardable mail to every affected household in the school district with
9.18 at least one registered voter. The notice must be mailed no later than 14 days before
9.19 the election. The mailed notice is not required for a school district special election that
9.20 is held on the ~~second~~ first Tuesday after the third Monday in August June, the Tuesday
9.21 following the first Monday in November, or for a special election conducted entirely by
9.22 mail. In addition, the mailed notice is not required for voters residing in a township if
9.23 the school district special election is held on the second Tuesday in March and the town
9.24 general election is held on that day. A notice that is returned as undeliverable must be
9.25 forwarded immediately to the county auditor.

9.26 Sec. 21. Minnesota Statutes 2014, section 206.61, subdivision 5, is amended to read:

9.27 Subd. 5. **Alternation.** The provisions of the election laws requiring the alternation
9.28 of names of candidates must be observed as far as practicable by changing the order of the
9.29 names on an electronic voting system in the various precincts so that each name appears
9.30 on the machines or marking devices used in a municipality substantially an equal number
9.31 of times in the first, last, and in each intermediate place in the list or group in which
9.32 they belong. However, the arrangement of candidates' names must be the same on all
9.33 voting systems used in the same precinct. If the number of names to be alternated exceeds

10.1 the number of precincts, the election official responsible for providing the ballots, in
 10.2 accordance with subdivision 1, shall determine by lot the alternation of names.

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

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

10.9 Sec. 22. Minnesota Statutes 2014, section 206.82, subdivision 2, is amended to read:

10.10 Subd. 2. **Plan.** The municipal clerk in a municipality where an electronic voting
 10.11 system is used and the county auditor of a county in which an electronic voting system is
 10.12 used in more than one municipality and the county auditor of a county in which a counting
 10.13 center serving more than one municipality is located shall prepare a plan which indicates
 10.14 acquisition of sufficient facilities, computer time, and professional services and which
 10.15 describes the proposed manner of complying with section 206.80. The plan must be
 10.16 signed, notarized, and submitted to the secretary of state more than 60 days before the
 10.17 first election at which the municipality uses an electronic voting system. Before ~~May~~
 10.18 March 1 of each subsequent general election year, the clerk or auditor shall submit to the
 10.19 secretary of state notification of any changes to the plan on file with the secretary of state.
 10.20 The secretary of state shall review each plan for its sufficiency and may request technical
 10.21 assistance from the Office of MN.IT Services or other agency which may be operating
 10.22 as the central computer authority. The secretary of state shall notify each reporting
 10.23 authority of the sufficiency or insufficiency of its plan within 20 days of receipt of the
 10.24 plan. The attorney general, upon request of the secretary of state, may seek a district court
 10.25 order requiring an election official to fulfill duties imposed by this subdivision or by
 10.26 rules promulgated pursuant to this section.

10.27 Sec. 23. **[207A.11] PRESIDENTIAL PRIMARY.**

10.28 (a) A presidential primary must be held as provided under sections 207A.11 to
 10.29 207A.14 at which the voters of this state may express their preference among the candidates
 10.30 of the major political parties of their choice, for that party's nomination to be president of
 10.31 the United States or to vote for uncommitted delegates to the national party convention.

10.32 (b) No later than March 1 in the year prior to the year in which a president and vice
 10.33 president of the United States are to be nominated and elected, the chairs of the two largest
 10.34 major political parties shall jointly submit to the secretary of state the single date on which

11.1 the two parties have agreed to hold the presidential primary in the next year. No other
 11.2 election may be conducted on the date of the presidential primary.

11.3 (c) Within two business days after the parties have agreed on a single date on which
 11.4 to hold the presidential primary, the secretary of state shall publicly announce the official
 11.5 presidential primary date for the following general election year.

11.6 (d) If the chairs of the two largest major parties do not jointly submit a single date to
 11.7 hold the presidential primary as provided in this section, for purposes of the next general
 11.8 election year, the first Tuesday in March shall be the day of the presidential primary.

11.9 (e) For the purposes of this chapter, "political party" or "party" means a major
 11.10 political party as defined in section 200.02, subdivision 7.

11.11 (f) Except as otherwise provided in this chapter, the presidential primary must be
 11.12 conducted, and the results canvassed and returned, in the manner provided by law for the
 11.13 state primary.

11.14 Sec. 24. **[207A.12] CANDIDATES ON BALLOT.**

11.15 Subdivision 1. **Required listing.** The following individuals must be listed as
 11.16 candidates on the presidential primary ballot in the column representing the candidate's
 11.17 party:

11.18 (1) any individual who files an affidavit of candidacy under section 204B.06 and
 11.19 submits the appropriate filing fee or petition in place of filing fee under section 204B.11; and

11.20 (2) any individual nominated as a candidate for the presidential nomination of a
 11.21 political party by a petition submitted not later than ten weeks before the primary and
 11.22 bearing the names of 1,000 eligible voters from each congressional district.

11.23 In addition, the column for each major political party must contain a place for a voter
 11.24 to indicate a preference for having delegates to the party's national convention remain
 11.25 uncommitted, and a blank line printed below the other choices on the ballot so that a voter
 11.26 may write in the name of a person who is not listed on the ballot.

11.27 The candidates must be listed in the appropriate column on the ballot in the order
 11.28 that the affidavits of candidacy or nominating petitions for the candidates are filed with
 11.29 the secretary of state.

11.30 Subd. 2. **Time for filing; fee.** The period for filing an affidavit of candidacy for the
 11.31 presidential primary must begin not more than 84 days nor less than 70 days before the
 11.32 primary. The filing fee is \$500. The period for signing nominating petitions must begin 16
 11.33 weeks before the primary and end ten weeks before the primary.

11.34 Subd. 3. **Announcing candidates.** Candidates who have filed an affidavit of
 11.35 candidacy under subdivision 1, clause (1), for each political party on the primary ballot

12.1 must be announced by the secretary of state the day after filings close for the purpose of
 12.2 giving voters sufficient time to nominate other candidates by petition.

12.3 Subd. 4. **Announcement.** The determination of which candidates must be listed on
 12.4 the primary ballot must be made by the secretary of state not later than eight weeks before
 12.5 the primary. The secretary of state shall certify to the county auditor of each county the
 12.6 names of all candidates in the presidential primary at least seven weeks before the primary.

12.7 Subd. 5. **Notification.** Not later than three days after the last day for filing a
 12.8 nominating petition under subdivision 1, clause (2), the secretary of state shall notify each
 12.9 individual whose name is to be listed on the primary ballot that the individual's name
 12.10 will be listed unless the individual submits an affidavit stating that the individual is not
 12.11 a candidate for the presidential nomination, does not intend to become a candidate, and
 12.12 would not accept the nomination. The affidavit must be submitted to and received by the
 12.13 secretary of state no later than eight weeks before the primary.

12.14 Sec. 25. **[207A.13] SELECTION OF DELEGATES; NATIONAL CONVENTION**
 12.15 **BALLOTING.**

12.16 Subdivision 1. **Apportionment of votes.** The delegates to the national convention
 12.17 of each political party appearing on the primary ballot who are chosen on the basis of their
 12.18 support for particular presidential candidates must be apportioned among the various
 12.19 candidates of that party receiving votes in the primary in proportion to a candidate's
 12.20 respective vote totals.

12.21 The secretary of state shall certify to the state chair of each political party appearing on
 12.22 the primary ballot the number of delegates to which each presidential candidate is entitled.

12.23 Subd. 2. **Chosen delegates.** Delegates to the national convention of each
 12.24 political party appearing on the primary ballot must be chosen by the state convention
 12.25 or congressional district convention of that party, except as otherwise provided in this
 12.26 subdivision. The secretary of each party's state convention or congressional district
 12.27 convention shall promptly notify the secretary of state of the names of the delegates to the
 12.28 national convention chosen as supporters of each presidential candidate.

12.29 Subd. 3. **Delegate votes.** At the national convention, delegates chosen because of
 12.30 their support for a presidential candidate shall vote for that candidate on the first ballot,
 12.31 unless they have been released from that obligation by the candidate. This subdivision
 12.32 does not apply to delegates to the extent that it is inconsistent with the rules of the national
 12.33 party or state party.

13.1 Sec. 26. **[207A.14] AUDITOR FURNISHED INFORMATION BY SECRETARY**
13.2 **OF STATE; BALLOT PREPARATION.**

13.3 Subdivision 1. Notice of filing period. Twenty weeks before a presidential primary
13.4 is to be held, the secretary of state shall provide notice to the county auditor of each
13.5 county of the date of the presidential primary. Within ten days after notification by the
13.6 secretary of state, each county auditor shall provide notice of the date of the presidential
13.7 primary to each municipal clerk in the county.

13.8 Subd. 2. Notice of primary. At least 15 days before the date of the presidential
13.9 primary, each municipal clerk shall post a public notice stating the date of the presidential
13.10 primary, the location of each polling place in the municipality, and the hours during which
13.11 the polling places in the municipality will be open. The county auditor shall post a similar
13.12 notice in the auditor's office with information for any polling places in unorganized
13.13 territory in the county. The governing body of a municipality or county may publish the
13.14 notice in addition to posting it. Failure to give notice does not invalidate the election.

13.15 Subd. 3. Ballot preparation. The secretary of state shall prepare paper ballots,
13.16 absentee ballot envelopes, ballot return envelopes, election return envelopes, and summary
13.17 statements for use in the presidential primary.

13.18 Sec. 27. **EFFECTIVE DATE.**

13.19 Sections 1 to 26 are effective January 1, 2017, and apply to elections conducted
13.20 on or after that date.