

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 1064

(SENATE AUTHORS: JASINSKI)

DATE	D-PG	OFFICIAL STATUS
02/01/2023	569	Introduction and first reading Referred to Elections

1.1A bill for an act

1.2relating to elections; requiring people who register on election day to cast

1.3provisional ballots; requiring voters with a challenged registration status to cast

1.4provisional ballots; making technical and conforming changes; amending Minnesota

1.5Statutes 2022, sections 171.072; 201.061, subdivisions 1a, 3, 4; 201.091,

1.6subdivision 4; 201.121, subdivision 1; 201.225, subdivisions 2, 5; 203B.04,

1.7subdivision 4; 203B.07, subdivision 3; 203B.08, subdivision 3; 203B.081,

1.8subdivision 3; 203B.121, subdivision 2; 204C.07, subdivision 3a; 204C.10;

1.9204C.12, subdivision 2; 204C.32; 204C.33, subdivision 1; 204C.37; 205.065,

1.10subdivision 5; 205.185, subdivision 3; 205A.03, subdivision 4; 205A.10,

1.11subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 201;

1.12204C; repealing Minnesota Statutes 2022, sections 135A.17, subdivision 2; 201.061,

1.13subdivision 7; 204C.12, subdivision 3.

1.14BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.15Section 1. Minnesota Statutes 2022, section 171.072, is amended to read:

1.16171.072 TRIBAL IDENTIFICATION CARD.

1.17(a) If a Minnesota identification card is deemed an acceptable form of identification in

1.18Minnesota Statutes or Rules, a tribal identification card is also an acceptable form of

1.19identification. A tribal identification card is a primary document for purposes of Minnesota

1.20Rules, part 7410.0400, and successor rules, when an applicant applies for a noncompliant

1.21license or identification card.

1.22(b) For purposes of this section, "tribal identification card" means an unexpired

1.23identification card issued by a Minnesota tribal government of a tribe recognized by the

1.24Bureau of Indian Affairs, United States Department of the Interior, that contains the legal

1.25name, date of birth, signature, and picture of the enrolled tribal member.

(c) The tribal identification card must contain security features that make it as impervious to alteration as is reasonably practicable in its design and quality of material and technology. The security features must use materials that are not readily available to the general public. The tribal identification card must not be susceptible to reproduction by photocopying or simulation and must be highly resistant to data or photograph substitution and other tampering.

(d) Except as provided in paragraph (a), the requirements of this section do not apply:
~~(1) except as provided in paragraph (a), to an application for a driver's license or Minnesota identification card under this chapter; or (2) to tribal identification cards used to prove an individual's residence for purposes of section 201.061, subdivision 3.~~

Sec. 2. Minnesota Statutes 2022, section 201.061, subdivision 1a, is amended to read:

Subd. 1a. **Incomplete registration by mail.** ~~If the county auditor determines that a voter who has submitted a voter registration application by mail has not previously voted in this state for a federal office and has also not presented a document authorized for election day registration in section 201.061, subdivision 3, to the county auditor, and the county auditor is unable to verify the voter's driver's license, state identification, or last four digits of the voter's Social Security number as provided by the voter on the voter registration application whether the voter is eligible to vote, then the county auditor must notify the voter that the registration is incomplete and to complete registration by using one of the following methods:~~

~~(1) presenting to the auditor submitting a completed voter registration application more than 20 days before the election a document authorized for election day registration in section 201.061, subdivision 3;~~

~~(2) registering in person before or on election day; or~~

~~(3) if voting by absentee ballot or by mail, following election day registration procedures for absentee voters as described in section 203B.04, subdivision 4; or~~

~~(4) providing proof of residence by any of the methods authorized for election day registration in section 201.061, subdivision 3.~~

Sec. 3. Minnesota Statutes 2022, section 201.061, subdivision 3, is amended to read:

Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by and completing a voter registration application, ~~making~~

~~an oath in the form prescribed by the secretary of state and providing proof of residence.~~

~~An individual may prove residence for purposes of registering by:~~

~~(1) presenting a driver's license or Minnesota identification card issued pursuant to section 171.07;~~

~~(2) presenting any document approved by the secretary of state as proper identification;~~

~~(3) presenting one of the following:~~

~~(i) a current valid student identification card from a postsecondary educational institution in Minnesota, if a list of students from that institution has been prepared under section 135A.17 and certified to the county auditor in the manner provided in rules of the secretary of state; or~~

~~(ii) a current student fee statement that contains the student's valid address in the precinct together with a picture identification card; or~~

~~(4) having a voter who is registered to vote in the precinct, or an employee employed by and working in a residential facility in the precinct and vouching for a resident in the facility, sign an oath in the presence of the election judge vouching that the voter or employee personally knows that the individual is a resident of the precinct. A voter who has been vouched for on election day may not sign a proof of residence oath vouching for any other individual on that election day. A voter who is registered to vote in the precinct may sign up to eight proof of residence oaths on any election day. This limitation does not apply to an employee of a residential facility described in this clause. The secretary of state shall provide a form for election judges to use in recording the number of individuals for whom a voter signs proof of residence oaths on election day. The form must include space for the maximum number of individuals for whom a voter may sign proof of residence oaths. For each proof of residence oath, the form must include a statement that the individual: (i) is registered to vote in the precinct or is an employee of a residential facility in the precinct, (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the statement on oath. The form must include a space for the voter's printed name, signature, telephone number, and address.~~

~~The oath required by this subdivision and Minnesota Rules, part 8200.9939, must be attached to the voter registration application.~~

~~(b) The operator of a residential facility shall prepare a list of the names of its employees currently working in the residential facility and the address of the residential facility. The~~

~~operator shall certify the list and provide it to the appropriate county auditor no less than 20 days before each election for use in election day registration.~~

~~(c) "Residential facility" means transitional housing as defined in section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner of health under section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision 5; a residence registered with the commissioner of health as a housing with services establishment as defined in section 144D.01, subdivision 4; a veterans home operated by the board of directors of the Minnesota Veterans Homes under chapter 198; a residence licensed by the commissioner of human services to provide a residential program as defined in section 245A.02, subdivision 14; a residential facility for persons with a developmental disability licensed by the commissioner of human services under section 252.28; setting authorized to provide housing support as defined in section 256I.03, subdivision 3; a shelter for battered women as defined in section 611A.37, subdivision 4; or a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless.~~

~~(d) For tribal band members, an individual may prove residence for purposes of registering by:~~

~~(1) presenting an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, address, signature, and picture of the individual; or~~

~~(2) presenting an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, signature, and picture of the individual and also presenting one of the documents listed in Minnesota Rules, part 8200.5100, subpart 2, item B. For purposes of registration under this subdivision, the voter registration application must be printed on or affixed to a provisional ballot envelope and contain the information required by section 201.071, subdivision 1. The application may be completed using an electronic roster and then printed and affixed to the provisional ballot envelope. An individual who registers on election day is entitled to cast a provisional ballot pursuant to section 204C.135.~~

~~(e) (b) A county, school district, or municipality may require that an election judge responsible for election day registration initial each completed registration application.~~

5.1 Sec. 4. Minnesota Statutes 2022, section 201.061, subdivision 4, is amended to read:

5.2 Subd. 4. **Registration by election judges; procedures.** Registration at the polling place
5.3 on election day shall be conducted by the election judges. Before registering an individual
5.4 to vote at the polling place, the election judge must review any list of absentee election day
5.5 registrants provided by the county auditor or municipal clerk to see if the person has already
5.6 voted by absentee ballot. If the person's name appears on the list, the election judge must
5.7 not allow the individual to register or to vote in the polling place. The election judge who
5.8 registers an individual at the polling place on election day shall not handle that voter's ballots
5.9 at any time prior to the opening of the ballot box after the voting ends. Registration
5.10 applications ~~and forms for oaths~~ shall be available at each polling place. ~~If an individual~~
5.11 ~~who registers on election day proves residence by oath of a registered voter, the form~~
5.12 ~~containing the oath shall be attached to the individual's registration application. Registration~~
5.13 ~~applications completed on election day shall be forwarded to the county auditor who shall~~
5.14 ~~add the name of each voter to the registration system unless the information forwarded is~~
5.15 ~~substantially deficient. A county auditor who finds an election day registration substantially~~
5.16 ~~deficient shall give written notice to the individual whose registration is found deficient.~~
5.17 ~~An election day registration shall not be found deficient solely because the individual who~~
5.18 ~~provided proof of residence was ineligible to do so.~~

5.19 Sec. 5. Minnesota Statutes 2022, section 201.091, subdivision 4, is amended to read:

5.20 Subd. 4. **Public information lists.** (a) The county auditor shall make available for
5.21 inspection a public information list which must contain the name, address, year of birth,
5.22 and voting history of each registered voter in the county. The list must indicate each voter
5.23 whose status is challenged in the statewide voter registration system at the time the list was
5.24 prepared. For each voter, the list must include the history of each change in status and the
5.25 date that the change to that status was made. The list must also include individuals who
5.26 were previously registered but were removed or made inactive in the statewide voter
5.27 registration system, and the reason for the removal or inactivation.

5.28 The list must not include the party choice of any voter who voted in a presidential
5.29 nomination primary. The telephone number must be included on the list if provided by the
5.30 voter. The public information list may also include information on voting districts.

5.31 (b) The county auditor may adopt reasonable rules governing access to the list. No
5.32 individual inspecting the public information list shall tamper with or alter it in any manner.
5.33 No individual who inspects the public information list or who acquires a list of registered
5.34 voters prepared from the public information list may use any information contained in the

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

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

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

EFFECTIVE DATE. This section is effective July 1, 2023, and applies to public information lists created on or after that date. Information on status changes or individuals removed from the statewide voter registration system collected prior to July 1, 2023, must not be included on a public information list.

Sec. 6. Minnesota Statutes 2022, section 201.121, subdivision 1, is amended to read:

Subdivision 1. **Entry of registration information.** (a) At the time a voter registration application is properly completed, submitted, and received in accordance with sections 201.061 and 201.071, the county auditor shall enter the information contained on it into the statewide registration system. Voter registration applications completed before election day must be entered into the statewide registration system within ten days after they have been submitted to the county auditor, but no later than three days after the election. Voter registration applications completed on election day must be entered into the statewide registration system ~~within 42~~ as soon as possible, but no later than three days after the election, ~~unless the county auditor notifies the secretary of state before the deadline has expired that the deadline will not be met. Upon receipt of a notification under this paragraph, the secretary of state must extend the deadline for that county auditor by an additional 28 days. The secretary of state may waive a county's obligations under this paragraph if, on good cause shown, the county demonstrates its permanent inability to comply.~~

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

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

(c) Within ten days after the county auditor has entered information from a voter registration application into the statewide registration system, the secretary of state shall compare the voter's name, date of birth, and driver's license number, state identification number, or the last four digits of the Social Security number with the same information contained in the Department of Public Safety database. For applications received on election day, this must be completed within three days after the county auditor or municipal clerk has entered the information into the statewide voter registration system.

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

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

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

8.1 **Sec. 7. [201.146] NOTICE OF CHALLENGE; CONTEST.**

8.2 Subdivision 1. **Notice of challenge.** No later than seven days after changing the status
8.3 of a registrant in the statewide voter registration system pursuant to section 201.13,
8.4 subdivision 1, 201.14, or 201.145, the county auditor or municipal clerk must mail a notice
8.5 to the registrant. The notice must include, at a minimum, the following information:

8.6 (1) a statement that the voter's status was challenged or that a challenge was removed;

8.7 (2) the reason for the change;

8.8 (3) a copy of the information provided by the state agency or court that was the basis
8.9 for the change in status; and

8.10 (4) a description of the process to contest the change in status, as provided in subdivision
8.11 2.

8.12 Subd. 2. **Contest.** (a) An individual whose status was challenged in the statewide voter
8.13 registration system pursuant to section 201.13, subdivision 1, 201.14, or 201.145 has the
8.14 right to contest the challenge as provided in this section.

8.15 (b) To contest the challenge, the individual must file a contest petition with the named
8.16 entity. The petition must state the basis for the contest and provide any supporting
8.17 documentation. The individual may request a review meeting as part of the petition. The
8.18 meeting may be conducted by interactive video technology. The petition must be in a form
8.19 prescribed by the secretary of state.

8.20 (c) No later than seven days after receiving the contest petition, the named entity must
8.21 review the contest petition and any supporting documentation, as well as the data provided
8.22 to the secretary of state. If the individual requested a review meeting, the named entity must
8.23 schedule a meeting with the individual within 14 days after receiving the contest petition.

8.24 (d) After reviewing the required data, and after the review meeting if one occurred, the
8.25 named entity must determine whether the data is accurate or should be changed. If the named
8.26 entity determines that no change to the data is required, the named entity must notify the
8.27 individual. If the named entity determines that the data must be changed, the named entity
8.28 must promptly notify the individual and the secretary of state. Upon receiving the changed
8.29 data from the named entity, the secretary of state must promptly remove the challenged
8.30 status. If an individual disagrees with the decision of the named entity, the individual may
8.31 appeal to the district court.

8.32 (e) For purposes of this section, "named entity" means the entity listed in the notice as
8.33 required by subdivision 1, clause (3).

EFFECTIVE DATE. This section is effective July 1, 2023, and applies to individuals who are challenged on or after that date, and applies to reports received by the secretary of state on or after that date. The notices required by subdivision 1 must be sent to individuals who are challenged in the statewide voter registration system pursuant to this section on or after July 1, 2023.

Sec. 8. Minnesota Statutes 2022, 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~~ and affixed to the provisional ballot envelope;

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

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

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

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

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

(9) provide for a printed voter signature certificate, containing the voter's name, address of residence, date of birth, voter identification number, the oath required by section 204C.10, and a space for the voter's original signature. The printed voter signature certificate can be either a printed form or a label printed with the voter's information to be affixed to the oath;

(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 Department of Information Technology 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. 9. Minnesota Statutes 2022, section 201.225, subdivision 5, is amended to read:

Subd. 5. **Election day.** (a) Precincts may use electronic rosters for election day registration, to process preregistered voters, or both. ~~The printed election day registration applications must be reviewed when electronic records are processed in the statewide voter registration system.~~ The election judges shall determine the number of ballots to be counted by counting the number of original voter signature certificates or the number of voter receipts.

(b) Each precinct using electronic rosters shall have a paper backup system approved by the secretary of state present at the polling place to use in the event that the election judges are unable to use the electronic roster.

Sec. 10. Minnesota Statutes 2022, section 203B.04, subdivision 4, is amended to read:

Subd. 4. **Registration at time of application.** An eligible voter who is not registered to vote but who is otherwise eligible to vote by absentee ballot may register by ~~including~~ submitting a completed voter registration application with the absentee ballot. ~~The individual shall present proof of residence as required by section 201.061, subdivision 3, to the individual who witnesses the marking of the absentee ballots.~~ If the absentee ballot and voter registration application are returned by mail, the voter registration must be placed into the return envelope along with the signature envelope. A military voter, as defined in section 203B.01, may register in this manner if voting pursuant to sections 203B.04 to 203B.15, or may register pursuant to sections 203B.16 to 203B.27.

Sec. 11. Minnesota Statutes 2022, section 203B.07, subdivision 3, is amended to read:

Subd. 3. **Eligibility certificate.** A certificate of eligibility to vote by absentee ballot shall be printed on the back of the return envelope. The certificate shall contain space for the voter's Minnesota driver's license number, state identification number, or the last four digits of the voter's Social Security number, or to indicate that the voter does not have one of these numbers. The space must be designed to ensure that the voter provides the same type of identification as provided on the voter's absentee ballot application for purposes of comparison. The certificate must also contain a statement to be signed and sworn by the voter indicating that the voter meets all of the requirements established by law for voting by absentee ballot and space for a statement signed by a person who is registered to vote in Minnesota or by a notary public or other individual authorized to administer oaths stating that:

(1) the ballots were displayed to that individual unmarked; and

(2) the voter marked the ballots in that individual's presence without showing how they were marked, or, if the voter was physically unable to mark them, that the voter directed another individual to mark them; ~~and~~

~~(3) if the voter was not previously registered, the voter has provided proof of residence as required by section 201.061, subdivision 3.~~

Sec. 12. Minnesota Statutes 2022, section 203B.08, subdivision 3, is amended to read:

Subd. 3. **Procedures on receipt of ballots.** (a) When absentee ballots are returned to a county auditor or municipal clerk, that official shall stamp or initial and date the return envelope and. The county auditor must open the return envelope to determine if a voter registration application is in the envelope. If a voter registration application is in the envelope, the county auditor must remove the voter registration application. The county auditor must reseal the return envelope, initial across the seal, and note that a voter registration application was removed from the envelope. The county auditor must place it all return envelopes in a locked ballot container or other secured and locked space with other return envelopes received by that office. Except for voter registration applications removed pursuant to this section, all contents of the return envelope must remain in the return envelope until delivered to the ballot board.

(b) Within five days after receipt, the county auditor or municipal clerk shall deliver to the ballot board all ballots received, except that during the 14 days immediately preceding an election, the county auditor or municipal clerk shall deliver all ballots received to the

12.1 ballot board within three days. Ballots received on election day either (1) after 3:00 p.m.,
12.2 if delivered in person; or (2) after 8:00 p.m., if delivered by mail or a package delivery
12.3 service, shall be marked as received late by the county auditor or municipal clerk, and must
12.4 not be delivered to the ballot board.

12.5 (c) Upon removing the voter registration application as required by paragraph (a), the
12.6 county auditor must immediately process the voter registration application as provided in
12.7 section 201.121, subdivisions 1 and 2.

12.8 Sec. 13. Minnesota Statutes 2022, section 203B.081, subdivision 3, is amended to read:

12.9 Subd. 3. **Alternative procedure.** (a) The county auditor may make available a ballot
12.10 counter and ballot box for use by ~~the~~ preregistered voters during the seven days before the
12.11 election. If a ballot counter and ballot box is provided, a voter must be given the option
12.12 either (1) to vote using the process provided in section 203B.08, subdivision 1, or (2) to
12.13 vote in the manner provided in this subdivision.

12.14 (b) If a voter chooses to vote in the manner provided in this subdivision, the voter must
12.15 state the voter's name, address, and date of birth to the county auditor or municipal clerk.
12.16 The voter shall sign a voter's certificate, which must include the voter's name, identification
12.17 number, and the certification required by section 201.071, subdivision 1. The signature of
12.18 an individual on the voter's certificate and the issuance of a ballot to the individual is evidence
12.19 of the intent of the individual to vote at that election.

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

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

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

12.29 (f) If a person is not preregistered to vote, the person must not be allowed to cast an
12.30 absentee ballot using the alternative procedure authorized by this subdivision.

13.1 Sec. 14. Minnesota Statutes 2022, section 203B.121, subdivision 2, is amended to read:

13.2 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board
13.3 shall take possession of all signature envelopes delivered to them in accordance with section
13.4 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk,
13.5 two or more members of the ballot board shall examine each signature envelope and shall
13.6 mark it accepted or rejected in the manner provided in this subdivision. Election judges
13.7 performing the duties in this section must be of different major political parties, unless they
13.8 are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10,
13.9 subdivision 2.

13.10 (b) The members of the ballot board shall mark the signature envelope "Accepted" and
13.11 initial or sign the signature envelope below the word "Accepted" if a majority of the members
13.12 of the ballot board examining the envelope are satisfied that:

13.13 (1) the voter's name and address on the signature envelope are the same as the information
13.14 provided on the absentee ballot application;

13.15 (2) the voter signed the certification on the envelope;

13.16 (3) the voter's Minnesota driver's license, state identification number, or the last four
13.17 digits of the voter's Social Security number are the same as a number on the voter's absentee
13.18 ballot application or voter record. If the number does not match, the election judges must
13.19 compare the signature provided by the applicant to determine whether the ballots were
13.20 returned by the same person to whom they were transmitted;

13.21 (4) the voter is registered and eligible to vote in the precinct ~~or has included a properly~~
13.22 ~~completed voter registration application in the signature envelope;~~

13.23 (5) the certificate has been completed as prescribed in the directions for casting an
13.24 absentee ballot; and

13.25 (6) the voter has not already voted at that election, either in person or, if it is after the
13.26 close of business on the seventh day before the election, by absentee ballot.

13.27 The signature envelope from accepted ballots must be preserved and returned to the
13.28 county auditor.

13.29 (c)(1) If a majority of the members of the ballot board examining a signature envelope
13.30 find that an absentee voter has failed to meet one of the requirements provided in paragraph
13.31 (b), they shall mark the signature envelope "Rejected," initial or sign it below the word
13.32 "Rejected," list the reason for the rejection on the envelope, and return it to the county
13.33 auditor. There is no other reason for rejecting an absentee ballot beyond those permitted by

14.1 this section. Failure to place the ballot within the secrecy envelope before placing it in the
14.2 outer white envelope is not a reason to reject an absentee ballot.

14.3 (2) If an envelope has been rejected at least five days before the election, the envelope
14.4 must remain sealed and the official in charge of the ballot board shall provide the voter with
14.5 a replacement absentee ballot and signature envelope in place of the rejected ballot.

14.6 (3) If an envelope is rejected within five days of the election, the envelope must remain
14.7 sealed and the official in charge of the ballot board must attempt to contact the voter by
14.8 telephone or email to notify the voter that the voter's ballot has been rejected. The official
14.9 must document the attempts made to contact the voter.

14.10 (d) The official in charge of the absentee ballot board must mail the voter a written notice
14.11 of absentee ballot rejection between six and ten weeks following the election. If the official
14.12 determines that the voter has otherwise cast a ballot in the election, no notice is required.
14.13 If an absentee ballot arrives after the deadline for submission provided by this chapter, the
14.14 notice must be provided between six to ten weeks after receipt of the ballot. A notice of
14.15 absentee ballot rejection must contain the following information:

14.16 (1) the date on which the absentee ballot was rejected or, if the ballot was received after
14.17 the required deadline for submission, the date on which the ballot was received;

14.18 (2) the reason for rejection; and

14.19 (3) the name of the appropriate election official to whom the voter may direct further
14.20 questions, along with appropriate contact information.

14.21 (e) An absentee ballot signature envelope marked "Rejected" may not be opened or
14.22 subject to further review except in an election contest filed pursuant to chapter 209.

14.23 Sec. 15. Minnesota Statutes 2022, section 204C.07, subdivision 3a, is amended to read:

14.24 Subd. 3a. **Residence requirement.** A challenger must be a resident of this state.
14.25 Appointed challengers seeking admission to a polling place to serve in that capacity must
14.26 prove their status as a resident of this state by presenting ~~one of the documents listed in~~
14.27 ~~section 201.061, subdivision 3.~~ a driver's license or Minnesota identification card issued
14.28 pursuant to section 171.07, any document approved by the secretary of state as proper
14.29 identification, or one of the following:

14.30 (1) a current valid student identification card from a postsecondary educational institution
14.31 in Minnesota, if a list of students from that institution has been prepared under section

15.1 135A.17 and certified to the county auditor in the manner provided in rules of the secretary
15.2 of state; or

15.3 (2) a current student fee statement that contains the student's valid address in the precinct
15.4 together with a picture identification card.

15.5 Challengers need not prove residence in the precinct in which they seek to act as a challenger.

15.6 Sec. 16. Minnesota Statutes 2022, section 204C.10, is amended to read:

15.7 **204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;**
15.8 **VOTER RECEIPT.**

15.9 (a) An individual seeking to vote shall sign a polling place roster or voter signature
15.10 certificate which states that the individual is at least 18 years of age, a citizen of the United
15.11 States, has resided in Minnesota for 20 days immediately preceding the election, maintains
15.12 residence at the address shown, is not under a guardianship in which the court order revokes
15.13 the individual's right to vote, has not been found by a court of law to be legally incompetent
15.14 to vote or has the right to vote because, if the individual was convicted of a felony, the
15.15 felony sentence has expired or been completed or the individual has been discharged from
15.16 the sentence, is registered and has not already voted in the election. The roster must also
15.17 state: "I understand that deliberately providing false information is a felony punishable by
15.18 not more than five years imprisonment and a fine of not more than \$10,000, or both."

15.19 (b) At the presidential nomination primary, the polling place roster must also state: "I
15.20 am in general agreement with the principles of the party for whose candidate I intend to
15.21 vote." This statement must appear separately from the statements required in paragraph (a).
15.22 The felony penalty provided for in paragraph (a) does not apply to this paragraph.

15.23 (c) ~~A judge may,~~ Before the applicant signs the roster or voter signature certificate, an
15.24 election judge must confirm the applicant's name, address, and date of birth. If the voter's
15.25 registration status is challenged, the voter must not be allowed to sign the polling place
15.26 roster or a voter signature certificate, but must be allowed to cast an administrative-challenged
15.27 ballot or a verification-challenged ballot pursuant to section 204C.136. A voter must be
15.28 allowed to cast an administrative-challenged ballot if the basis of the challenge is:

15.29 (1) based on a death reported by the commissioner of health;

15.30 (2) a name change recorded with a court in the state;

15.31 (3) a Minnesota court order revoking the person's right to vote or where the court has
15.32 found the person to be legally incompetent to vote;

16.1 (4) a felony conviction; or

16.2 (5) a temporary lawful status in the county based on a person's driver's license status.

16.3 A voter must be allowed to cast a verification-challenged ballot if the challenge is for any
16.4 other reason.

16.5 (d) After the applicant signs the roster or voter signature certificate, the judge shall give
16.6 the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in
16.7 charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to
16.8 the voter the ballot. The voters' receipts must be maintained during the time for notice of
16.9 filing an election contest.

16.10 (e) ~~Whenever a challenged status appears on the polling place roster,~~ If a voter has a
16.11 challenged status in the statewide voter registration system at the time the roster was prepared,
16.12 the voter's challenged status must be indicated on the roster. The roster must also include
16.13 the basis for the challenge. An election judge must ensure that the challenge is concealed
16.14 or hidden from the view of any voter other than the voter whose status is challenged.

16.15 Sec. 17. Minnesota Statutes 2022, section 204C.12, subdivision 2, is amended to read:

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

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

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

16.25 ~~The election judge shall then ask the challenged individual sufficient questions to test~~
16.26 ~~that individual's residence and right to vote.~~

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

16.28 Subdivision 1. Casting provisional ballots. (a) A voter who registered on election day
16.29 pursuant to section 201.061, subdivision 3, is entitled to cast a provisional ballot.

16.30 (b) A voter seeking to cast a provisional ballot must sign a provisional ballot roster or
16.31 a provisional voter signature certificate and complete a voter registration application. The

voter registration application may be completed by an electronic roster and affixed to the provisional ballot envelope. The voter must also swear or affirm in writing that the voter is eligible to vote, has not voted previously in the same election, and meets the criteria for registering to vote in the precinct in which the voter appears.

(c) Once the voter has completed the provisional ballot envelope, the voter must be allowed to cast a provisional ballot. The provisional ballot must be in the same form as the official ballot available in the precinct on election day. A completed provisional ballot shall be sealed in a secrecy envelope. The secrecy envelope shall be sealed inside the voter's provisional ballot envelope and deposited by the voter in a secure, sealed provisional ballot box. Completed provisional ballots must not be combined with other voted ballots in the polling place.

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

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

Subd. 2. Accepting or rejecting provisional ballot envelopes. (a) Beginning four days after the election and finishing no later than seven days after the election, two or more election judges that are affiliated with different major political parties must process each applicant's provisional ballot envelope. If more than two election judges are processing provisional ballot envelopes, the party balance requirements of section 204B.19, subdivision 5, apply. All election judges processing provisional ballot envelopes must have a major political party affiliation. If the applicant is registered to vote, then the election judges must determine if the voter's status is challenged in the statewide voter registration system. If the voter's status is challenged, the provisional ballot must not be accepted but must be processed as a challenged ballot as provided in section 204C.136, subdivision 2. If the ballot will be treated as a verification-challenged ballot, the election judges must attempt to contact the voter to inform the voter they must appear in person to prove their eligibility to vote before their ballot will be counted. If the applicant is registered to vote and the voter's status is not challenged in the statewide voter registration system, that voter's provisional ballot envelope must be accepted. The election judges must mark the provisional ballot envelope "Accepted" and initial or sign the envelope below the word "Accepted." If the applicant is not registered to vote, the provisional ballot envelope must be rejected. If a provisional ballot envelope is

rejected, the election judges must mark the provisional ballot envelope "Rejected," initial or sign it below the word "Rejected," and list the reason for rejection on the envelope. The election judges must promptly record in the statewide voter registration system that a voter's provisional ballot envelope has been accepted or rejected.

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

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

Subd. 3. **Provisional ballots; reconciliation.** On the seventh day after the election and prior to counting any provisional ballots in the final vote totals from a precinct, the two or more election judges that are affiliated with different major political parties must verify that the number of signatures appearing on the provisional ballot roster from that precinct is equal to or greater than the number of provisional ballots submitted by voters in the precinct on election day. If more than two election judges are reconciling ballots, the party balance requirements of section 204B.19, subdivision 5, apply. All election judges must have a major political party affiliation. Any discrepancy must be resolved before the provisional ballots from the precinct may be counted. Excess provisional ballots must be randomly withdrawn from the accepted provisional ballots in the manner required by section 204C.20, subdivision 2.

Subd. 4. **Counting provisional ballots.** Once the reconciliation process required by subdivision 3 is completed, accepted provisional ballot envelopes must be opened; duplicated as needed in the manner provided in section 206.86, subdivision 5; initialed by the election judges; and deposited in the appropriate ballot box. If more than one ballot is enclosed in the ballot envelope, the ballots must be spoiled and must not be counted.

Sec. 19. [204C.136] CHALLENGED BALLOTS.

Subdivision 1. **Casting challenged ballots.** (a) A voter whose registration status is challenged is entitled to cast a challenged ballot. A voter must be allowed to cast an administrative-challenged ballot if the basis of the challenge is:

(1) based on a death reported by the commissioner of health;

(2) a name change recorded with a court in the state;

19.1 (3) a Minnesota court order revoking the person's right to vote or where the court has
19.2 found the person to be legally incompetent to vote;

19.3 (4) a felony conviction; or

19.4 (5) a temporary lawful status in the county based on a person's driver's license status.

19.5 A voter must be allowed to cast a verification-challenged ballot if the challenge is for any
19.6 other reason. For purposes of this section, both types of challenged ballots are handled in
19.7 the same manner except where otherwise specified.

19.8 (b) A voter seeking to cast a challenged ballot must sign a challenged ballot roster or a
19.9 challenged voter signature certificate and complete a challenged ballot envelope. The roster
19.10 must indicate whether the voter is provided with an administrative-challenged ballot or a
19.11 verification-challenged ballot. The envelope must contain a space for the voter to list the
19.12 voter's name, address of residence, date of birth, voter identification number, and any other
19.13 information prescribed by the secretary of state. The voter must also swear or affirm, in
19.14 writing, that the voter is eligible to vote, has not voted previously in the same election, and
19.15 meets the criteria for registering to vote in the precinct in which the voter appears.

19.16 (c) Once the voter has completed the challenged ballot envelope, the voter must be
19.17 allowed to cast a challenged ballot. The challenged ballot must be in the same form as the
19.18 official ballot available in the precinct on election day. A completed challenged ballot shall
19.19 be sealed in a secrecy envelope. The secrecy envelope shall be sealed inside the voter's
19.20 challenged ballot envelope and deposited by the voter in a secure, sealed challenged ballot
19.21 box. There must be separate ballot boxes for administrative-challenged ballot envelopes
19.22 and verification-challenged ballot envelopes. Completed challenged ballots may not be
19.23 combined with other voted ballots in the polling place.

19.24 (d) The form of the secrecy and challenged ballot envelopes shall be prescribed by the
19.25 secretary of state. The administrative-challenged ballot envelopes and verification-challenged
19.26 ballot envelopes must be different colors and must be a color other than that provided for
19.27 absentee ballot envelopes or provisional ballot envelopes and must be prominently labeled
19.28 "Administrative-Challenged Ballot Envelope" or "Verification-Challenged Ballot Envelope."

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

19.32 Subd. 2. **Accepting or rejecting challenged ballot envelopes.** (a) This paragraph applies
19.33 to accepting or rejecting administrative-challenged ballot envelopes. Before the meeting of

the canvassing board, the two or more election judges that are affiliated with different major political parties must accept or reject each challenged ballot. If more than two election judges are processing challenged ballots, the party balance requirements of section 204B.19, subdivision 5, apply. All election judges processing challenged ballots must have a major political party affiliation. The election judges must review the information in the statewide voter registration system, required by section 201.145, subdivision 1, for the date of the election. If the information shows that the voter was not challenged, or should not have been challenged on that date and was otherwise eligible to vote, that voter's challenged ballot must be accepted. The election judges must mark the challenged ballot envelope "Accepted" and initial or sign the envelope below the word "Accepted." If a challenged ballot envelope is not accepted, the election judges must mark the challenged ballot envelope "Rejected," initial or sign it below the word "Rejected," and list the reason for the rejection on the envelope. The election judges must promptly record in the statewide voter registration system that a voter's challenged ballot has been accepted or rejected.

(b) This paragraph applies to accepting or rejecting verification-challenged ballot envelopes. A voter who casts a verification-challenged ballot may personally appear at the office of the county auditor or municipal clerk no later than seven calendar days following the election to prove that the voter's challenged ballot should be counted. The county auditor's office and the city clerk's office must be open for approving verification-challenged ballots on the Saturday following the election for the hours prescribed in section 203B.085. The voter must provide proof of eligibility to vote in the precinct where the voter cast the verification-challenged ballot. Two or more election judges that are affiliated with different major political parties must review the voter's proof of eligibility. If more than two election judges are reviewing eligibility, the party balance requirements of section 204B.19, subdivision 5, apply. All election judges reviewing eligibility must have a major political party affiliation. The election judges must accept a challenged ballot if the voter is able to provide satisfactory proof of the voter's eligibility. The election judges must mark the challenged ballot envelope "Accepted" and initial or sign the envelope below the word "Accepted." If a challenged ballot envelope is not accepted, the election judges must mark the challenged ballot envelope "Rejected," initial or sign it below the word "Rejected," and list the reason for the rejection on the envelope. The election judges must promptly record in the statewide voter registration system that a voter's challenged ballot has been accepted or rejected.

(c) The county auditor or municipal clerk must mail the voter a written notice of challenged ballot rejection between six and ten weeks following the election. The notice

21.1 must include the reason for rejection and the name of the appropriate election official to
21.2 whom the voter may direct further questions, along with appropriate contact information.

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

21.5 Subd. 3. **Challenged ballots; reconciliation.** Prior to counting any challenged ballots
21.6 in the final vote totals from a precinct, the two or more election judges that are affiliated
21.7 with different major political parties must verify that the number of signatures appearing
21.8 on the challenged ballot roster from that precinct is equal to or greater than the number of
21.9 challenged ballots submitted by voters in the precinct on election day. If more than two
21.10 election judges are reconciling ballots, the party balance requirements of section 204B.19,
21.11 subdivision 5, apply. All election judges must have a major political party affiliation. Any
21.12 discrepancy must be resolved before the challenged ballots from the precinct may be counted.
21.13 Excess challenged ballots to be counted must be randomly withdrawn in the manner required
21.14 by section 204C.20, subdivision 2.

21.15 Subd. 4. **Counting challenged ballots.** Accepted challenged ballot envelopes must be
21.16 opened, duplicated as needed in the manner provided in section 206.86, subdivision 5,
21.17 initialed by the election judges, and deposited in the appropriate ballot box. If more than
21.18 one ballot is enclosed in the ballot envelope, the ballots must be spoiled and must not be
21.19 counted.

21.20 Sec. 20. **[204C.137] PROVISIONAL AND CHALLENGED BALLOTS; PUBLIC**
21.21 **INFORMATION LISTS.**

21.22 On the eighth day after the election, the following information must be made available
21.23 for public inspection:

21.24 (1) the names of all voters who cast provisional ballots;

21.25 (2) the names of all voters whose provisional ballots were rejected;

21.26 (3) the names of all voters who cast challenged ballots and whether the ballot was an
21.27 administrative-challenged ballot or a verification-challenged ballot; and

21.28 (4) the names of all voters whose challenged ballots were rejected.

21.29 This information must be available to the public in the same manner as public information
21.30 lists in section 201.091, subdivisions 4, 5, and 9.

22.1 Sec. 21. Minnesota Statutes 2022, section 204C.32, is amended to read:

22.2 **204C.32 CANVASS OF STATE PRIMARIES.**

22.3 Subdivision 1. **County canvass.** The county canvassing board shall meet at the county
22.4 auditor's office on ~~either the second or third~~ the tenth day following the state primary. After
22.5 taking the oath of office, the canvassing board shall publicly canvass the election returns
22.6 delivered to the county auditor. The board shall complete the canvass by the ~~third~~ tenth day
22.7 following the state primary and shall promptly prepare and file with the county auditor a
22.8 report that states:

22.9 (a) the number of individuals voting at the election in the county, and in each precinct;

22.10 (b) the number of individuals registering to vote on election day and the number of
22.11 individuals registered before election day in each precinct;

22.12 (c) for each major political party, the names of the candidates running for each partisan
22.13 office and the number of votes received by each candidate in the county and in each precinct;

22.14 (d) the names of the candidates of each major political party who are nominated; and

22.15 (e) the number of votes received by each of the candidates for nonpartisan office in each
22.16 precinct in the county and the names of the candidates nominated for nonpartisan office.

22.17 Upon completion of the canvass, the county auditor shall mail or deliver a notice of
22.18 nomination to each nominee for county office voted for only in that county. The county
22.19 auditor shall transmit one of the certified copies of the county canvassing board report for
22.20 state and federal offices to the secretary of state by express mail or similar service
22.21 immediately upon conclusion of the county canvass. The secretary of state shall mail a
22.22 notice of nomination to each nominee for state or federal office.

22.23 Subd. 2. **State canvass.** The State Canvassing Board shall meet at a public meeting
22.24 space located in the Capitol complex area ~~seven~~ 14 days after the state primary to canvass
22.25 the certified copies of the county canvassing board reports received from the county auditors.
22.26 Immediately after the canvassing board declares the results, the secretary of state shall
22.27 certify the names of the nominees to the county auditors. The secretary of state shall mail
22.28 to each nominee a notice of nomination.

22.29 Sec. 22. Minnesota Statutes 2022, section 204C.33, subdivision 1, is amended to read:

22.30 Subdivision 1. **County canvass.** The county canvassing board shall meet at the county
22.31 auditor's office between the ~~third~~ tenth and ~~tenth~~ 17th days following the state general
22.32 election. After taking the oath of office, the board shall promptly and publicly canvass the

general election returns delivered to the county auditor. Upon completion of the canvass, the board shall promptly prepare and file with the county auditor a report which states:

(a) the number of individuals voting at the election in the county and in each precinct;

(b) the number of individuals registering to vote on election day and the number of individuals registered before election day in each precinct;

(c) the names of the candidates for each office and the number of votes received by each candidate in the county and in each precinct;

(d) the number of votes counted for and against a proposed change of county lines or county seat; and

(e) the number of votes counted for and against a constitutional amendment or other question in the county and in each precinct.

The result of write-in votes cast on the general election ballots must be compiled by the county auditor before the county canvass, except that write-in votes for a candidate for federal, state, or county office must not be counted unless the candidate has timely filed a request under section 204B.09, subdivision 3. The county auditor shall arrange for each municipality to provide an adequate number of election judges to perform this duty or the county auditor may appoint additional election judges for this purpose. The county auditor may open the envelopes or containers in which the voted ballots have been sealed in order to count and record the write-in votes and must reseal the voted ballots at the conclusion of this process. The county auditor must prepare a separate report of votes received by precinct for write-in candidates for federal, state, and county offices who have requested under section 204B.09 that votes for those candidates be tallied.

Upon completion of the canvass, the county canvassing board shall declare the candidate duly elected who received the highest number of votes for each county and state office voted for only within the county. The county auditor shall transmit a certified copy of the county canvassing board report for state and federal offices to the secretary of state by messenger, express mail, or similar service immediately upon conclusion of the county canvass.

EFFECTIVE DATE. This section is effective July 1, 2023, and applies to elections on or after that date.

24.1 Sec. 23. Minnesota Statutes 2022, section 204C.37, is amended to read:

24.2 **204C.37 COUNTY CANVASS; RETURN OF REPORTS TO SECRETARY OF**
24.3 **STATE.**

24.4 A copy of the report required by sections 204C.32, subdivision 1, and 204C.33,
24.5 subdivision 1, shall be certified under the official seal of the county auditor. The copy shall
24.6 be enclosed in an envelope addressed to the secretary of state, with the county auditor's
24.7 name and official address and the words "Election Returns" endorsed on the envelope. The
24.8 copy of the canvassing board report must be sent by express mail or delivered to the secretary
24.9 of state. If the copy is not received by the secretary of state within ~~ten~~ 17 days following
24.10 ~~the applicable election~~ a primary election, or within 24 days following a general election,
24.11 the secretary of state shall immediately notify the county auditor, who shall deliver another
24.12 copy to the secretary of state by special messenger.

24.13 Sec. 24. Minnesota Statutes 2022, section 205.065, subdivision 5, is amended to read:

24.14 Subd. 5. **Results.** The municipal primary shall be conducted and the returns made in the
24.15 manner provided for the state primary so far as practicable. ~~The canvass may be conducted~~
24.16 ~~on either the second or third day after the primary.~~

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

24.24 Sec. 25. Minnesota Statutes 2022, section 205.185, subdivision 3, is amended to read:

24.25 Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** (a) Between
24.26 the ~~third~~ tenth and ~~tenth~~ 17th days after an election, the governing body of a city conducting
24.27 any election including a special municipal election, or the governing body of a town
24.28 conducting the general election in November shall act as the canvassing board, canvass the
24.29 returns, and declare the results of the election. The governing body of a town conducting
24.30 the general election in March shall act as the canvassing board, canvass the returns, and
24.31 declare the results of the election within ~~two~~ nine days after an election.

(b) After the time for contesting elections has passed, the municipal clerk shall issue a certificate of election to each successful candidate. In case of a contest, the certificate shall not be issued until the outcome of the contest has been determined by the proper court.

(c) In case of a tie vote, the canvassing board having jurisdiction over the municipality shall determine the result by lot. The clerk of the canvassing board shall certify the results of the election to the county auditor, and the clerk shall be the final custodian of the ballots and the returns of the election.

Sec. 26. Minnesota Statutes 2022, section 205A.03, subdivision 4, is amended to read:

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

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

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

On the tenth day after the primary, the school board of the school district shall canvass the returns, and the two candidates for each specified school board position who receive the highest number of votes, or a number of candidates equal to twice the number of individuals to be elected to at-large school board positions who receive the highest number of votes, are the nominees for the office named. Their names must be certified to the school district clerk who shall place them on the school district general election ballot without partisan designation and without payment of an additional fee.

~~(b) Following a school district primary as described in paragraph (a), clause (2), a canvass may be conducted on the second day after the primary if the county auditor of each county in which the school district is located agrees to administratively review the school district's primary voting statistics for accuracy and completeness within a time that permits the canvass to be conducted on that day.~~

Sec. 27. Minnesota Statutes 2022, section 205A.10, subdivision 3, is amended to read:

Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** Between the ~~third tenth~~ and ~~tenth~~ 17th days after a school district election other than a recount of a special election conducted under section 126C.17, subdivision 9, or 475.59, the school board shall canvass the returns and declare the results of the election. After the time for contesting

elections has passed, the school district clerk shall issue a certificate of election to each successful candidate. If there is a contest, the certificate of election to that office must not be issued until the outcome of the contest has been determined by the proper court. If there is a tie vote, the school board shall determine the result by lot. The clerk shall deliver the certificate of election to the successful candidate by personal service or certified mail. The successful candidate shall file an acceptance and oath of office in writing with the clerk within 30 days of the date of mailing or personal service. A person who fails to qualify prior to the time specified shall be deemed to have refused to serve, but that filing may be made at any time before action to fill the vacancy has been taken. The school district clerk shall certify the results of the election to the county auditor, and the clerk shall be the final custodian of the ballots and the returns of the election.

A school district canvassing board shall perform the duties of the school board according to the requirements of this subdivision for a recount of a special election conducted under section 126C.17, subdivision 9, or 475.59.

Sec. 28. **PUBLIC AWARENESS CAMPAIGN; SECRETARY OF STATE.**

The secretary of state must contract with a vendor to conduct a public awareness campaign to encourage people to register to vote prior to election day. At a minimum, the vendor must conduct the public awareness campaign in each even-numbered year from June 1 until the voter registration period ends prior to the state general election. The secretary of state may consult with the vendor in coordinating material related to the campaign, but the secretary, the secretary's staff, and any other documents or materials promoting the Office of the Secretary of State may not appear visually or audibly in any advertising or promotional items disseminated by the vendor as part of the public awareness campaign.

Sec. 29. **REPEALER.**

Minnesota Statutes 2022, sections 135A.17, subdivision 2; 201.061, subdivision 7; and 204C.12, subdivision 3, are repealed.

Sec. 30. **EFFECTIVE DATE.**

Except as otherwise provided, this act is effective January 1, 2024, and applies to elections on or after that date.

135A.17 PROVISIONS TO FACILITATE VOTING.

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. The list shall include each student's current address. 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.

201.061 REGISTRATION ON OR BEFORE ELECTION DAY.

Subd. 7. **Record of attempted registrations.** The election judge responsible for election day registration shall attempt to keep a record of the number of individuals who attempt to register on election day but who cannot provide proof of residence as required by this section. The record shall be forwarded to the county auditor with the election returns for that precinct.

204C.12 CHALLENGES TO VOTERS; PENALTY.

Subd. 3. **Determination of residence.** In determining the legal residence of a challenged individual, the election judges shall be governed by the principles contained in section 200.031. If the challenged individual's answers to the questions show ineligibility to vote in that precinct, the individual shall not be allowed to vote. If the individual has marked ballots but not yet deposited them in the ballot boxes before the election judges determine ineligibility to vote in that precinct, the marked ballots shall be placed unopened with the spoiled ballots. If the answers to the questions fail to show that the individual is not eligible to vote in that precinct and the challenge is not withdrawn, the election judges shall verbally administer the oath on the voter certificate to the individual. After taking the oath and completing and signing the voter certificate, the challenged individual shall be allowed to vote.