

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 2094

(SENATE AUTHORS: KORAN)

DATE
02/27/2023

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1126 Introduction and first reading
Referred to Elections

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to elections; classifying data in the statewide voter registration system;
1.3 amending Minnesota Statutes 2022, sections 13.607, by adding a subdivision;
1.4 201.022, by adding a subdivision; 201.091, subdivisions 4, 4a, by adding a
1.5 subdivision; 203B.12, subdivisions 7, 8; repealing Minnesota Statutes 2022, sections
1.6 13.607, subdivision 6; 201.091, subdivision 9.

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

1.8 Section 1. Minnesota Statutes 2022, section 13.607, is amended by adding a subdivision
1.9 to read:

1.10 Subd. 6a. **Registered voter lists.** Data on registered voters is governed by section
1.11 201.022, subdivision 4.

1.12 **EFFECTIVE DATE.** This section is effective the day following final enactment and
1.13 applies to requests for data made on or after that date.

1.14 Sec. 2. Minnesota Statutes 2022, section 201.022, is amended by adding a subdivision to
1.15 read:

1.16 Subd. 4. **Data.** (a) Except as provided in this subdivision, all data in the statewide voter
1.17 registration system is public data on individuals, as defined in section 13.02, subdivision
1.18 15.

1.19 (b) The following data is private data on individuals, as defined in section 13.02,
1.20 subdivision 12: any identifying information related to a minor, a voter's date of birth, driver's
1.21 license number, identification card number, military identification card number, passport
1.22 number, or any part of a voter's Social Security number.

2.1 (c) Information maintained on the presidential nomination primary political party list
 2.2 required under section 201.091, subdivision 4a, is private data on individuals as defined
 2.3 under section 13.02, subdivision 12, except that the secretary of state must provide the list
 2.4 to the chair of each major political party.

2.5 (d) Upon receipt of a statement signed by the voter that withholding the voter's name
 2.6 from the public is required for the safety of the voter or the voter's family, the secretary of
 2.7 state and county auditor must withhold from the public the name of the registered voter.
 2.8 Data withheld pursuant to this paragraph is private data on individuals as defined in section
 2.9 13.02, subdivision 12.

2.10 (e) Any person requesting public data must state in writing that any information obtained
 2.11 from the statewide voter registration system will not be used for purposes unrelated to
 2.12 elections, political activities, or law enforcement.

2.13 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 2.14 applies to requests for data made on or after that date.

2.15 Sec. 3. Minnesota Statutes 2022, section 201.091, subdivision 4, is amended to read:

2.16 Subd. 4. **Public information lists.** The county auditor shall make available for inspection
 2.17 a public information list which must contain the name, address, year of birth, and voting
 2.18 history of each registered voter in the county. The list must not include ~~the party choice of~~
 2.19 ~~any voter who voted in a presidential nomination primary~~ data classified as private data on
 2.20 individuals pursuant to section 201.022, subdivision 4. The telephone number must be
 2.21 included on the list if provided by the voter. The public information list may also include
 2.22 information on voting districts. The county auditor may adopt reasonable rules governing
 2.23 access to the list. No individual inspecting the public information list shall tamper with or
 2.24 alter it in any manner. No individual who inspects the public information list or who acquires
 2.25 a list of registered voters prepared from the public information list may use any information
 2.26 contained in the list for purposes unrelated to elections, political activities, or law
 2.27 enforcement. The secretary of state may provide copies of the public information lists ~~and~~
 2.28 ~~other information from the statewide registration system~~ for uses related to elections, political
 2.29 activities, or in response to a law enforcement inquiry from a public official concerning a
 2.30 failure to comply with any criminal statute or any state or local tax statute.

2.31 Before inspecting the public information list or obtaining a list of voters or other
 2.32 information from the list, the individual shall provide identification to the public official
 2.33 having custody of the public information list and shall state in writing that any information
 2.34 obtained from the list will not be used for purposes unrelated to elections, political activities,

3.1 or law enforcement. Requests to examine or obtain information from the public information
3.2 lists or the statewide registration system must be made and processed in the manner provided
3.3 in the rules of the secretary of state.

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

3.8 **EFFECTIVE DATE.** This section is effective the day following final enactment and
3.9 applies to requests for data made on or after that date.

3.10 Sec. 4. Minnesota Statutes 2022, section 201.091, subdivision 4a, is amended to read:

3.11 Subd. 4a. **Presidential nomination primary political party list.** The secretary of state
3.12 must maintain a list of the voters who voted in a presidential nomination primary and the
3.13 political party each voter selected. ~~Information maintained on the list is private data on~~
3.14 ~~individuals as defined under section 13.02, subdivision 12, except that the secretary of state~~
3.15 ~~must provide the list to the chair of each major political party.~~

3.16 **EFFECTIVE DATE.** This section is effective the day following final enactment and
3.17 applies to requests for data made on or after that date.

3.18 Sec. 5. Minnesota Statutes 2022, section 201.091, is amended by adding a subdivision to
3.19 read:

3.20 Subd. 10. **Requests for data.** Nothing in this section prevents a person from requesting
3.21 public data as described in section 201.022, subdivision 4.

3.22 **EFFECTIVE DATE.** This section is effective the day following final enactment and
3.23 applies to requests for data made on or after that date.

3.24 Sec. 6. Minnesota Statutes 2022, section 203B.12, subdivision 7, is amended to read:

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

3.29 (b) After the close of voting on election day, the lists must be available to the public in
3.30 the same manner as public information lists in section 201.091, subdivisions 4, and 5, ~~and~~
3.31 ~~9.~~

4.1 Sec. 7. Minnesota Statutes 2022, section 203B.12, subdivision 8, is amended to read:

4.2 Subd. 8. **Names of persons; accepted absentee ballots.** For all elections where use of
4.3 the statewide voter registration system is required, the secretary of state must maintain a
4.4 list of voters who have submitted absentee ballots that have been accepted. For all other
4.5 elections, the county auditor or municipal clerk must maintain a list of voters who have
4.6 submitted absentee ballots that have been accepted. The lists must be available to the public
4.7 in the same manner as public information lists in section 201.091, subdivisions 4, and 5,
4.8 ~~and 9.~~

4.9 Sec. 8. **REPEALER.**

4.10 Minnesota Statutes 2022, sections 13.607, subdivision 6; and 201.091, subdivision 9,
4.11 are repealed.

4.12 **EFFECTIVE DATE.** This section is effective the day following final enactment and
4.13 applies to requests for data made on or after that date.

**13.607 CAMPAIGN FINANCE, PUBLIC DISCLOSURE, AND ELECTION DATA
CODED ELSEWHERE.**

Subd. 6. **Registered voter lists.** Access to registered voter lists is governed by section 201.091.

201.091 REGISTERED VOTER LISTS; REPORTS; REGISTRATION PLACES.

Subd. 9. **Restricted data.** A list provided for public inspection or purchase, or in response to a law enforcement inquiry, must not include a voter's date of birth or any part of a voter's Social Security number, driver's license number, identification card number, military identification card number, or passport number.