

SENATE

STATE OF MINNESOTA

EIGHTY-EIGHTH SESSION

S.F. No. 2357

(SENATE AUTHORS: NIENOW)

DATE	D-PG	OFFICIAL STATUS
03/06/2014	5990	Introduction and first reading Referred to Rules and Administration

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A bill for an act  
relating to elections; requiring a candidate to file a petition in certain  
circumstances; amending Minnesota Statutes 2012, sections 204B.06,  
subdivision 1; 204B.11, subdivision 2.

1.5

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

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Section 1. Minnesota Statutes 2012, section 204B.06, subdivision 1, is amended to read:  
Subdivision 1. **Form of affidavit.** An affidavit of candidacy shall state the name of  
the office sought and, except as provided in subdivision 4, shall state that the candidate:  
(1) is an eligible voter;  
(2) has no other affidavit on file as a candidate for any office at the same primary  
or next ensuing general election, except that a candidate for soil and water conservation  
district supervisor in a district not located in whole or in part in Anoka, Hennepin,  
Ramsey, or Washington County, may also have on file an affidavit of candidacy for  
mayor or council member of a statutory or home rule charter city of not more than 2,500  
population contained in whole or in part in the soil and water conservation district or for  
town supervisor in a town of not more than 2,500 population contained in whole or in part  
in the soil and water conservation district; ~~and~~  
(3) is, or will be on assuming the office, 21 years of age or more, and will have  
maintained residence in the district from which the candidate seeks election for 30 days  
before the general election; and  
(4) affirms that the candidate will meet the residency requirements for submitting a  
filing fee in place of a petition, as provided in section 204B.11, subdivision 2, if applicable.

2.1 An affidavit of candidacy must include a statement that the candidate's name as  
2.2 written on the affidavit for ballot designation is the candidate's true name or the name by  
2.3 which the candidate is commonly and generally known in the community.

2.4 An affidavit of candidacy for partisan office shall also state the name of the  
2.5 candidate's political party or political principle, stated in three words or less.

2.6 Sec. 2. Minnesota Statutes 2012, section 204B.11, subdivision 2, is amended to read:

2.7 Subd. 2. **Petition in place of filing fee.** (a) Except as provided in this paragraph,  
2.8 at the time of filing an affidavit of candidacy, a ~~any~~ candidate may present a petition in  
2.9 place of the filing fee. A candidate must present a petition, and may not submit a filing fee  
2.10 in place of the petition, if the candidate:

2.11 (1) will have resided in the state for less than one year, as of the date of the election;  
2.12 and

2.13 (2) will have resided in the district from which the candidate seeks to be elected for  
2.14 fewer than six months, as of the date of the election, or less than one month prior to the  
2.15 start of the candidate filing period, whichever is earlier.

2.16 (b) The petition may be signed by any individual eligible to vote for the candidate. A  
2.17 nominating petition filed pursuant to section 204B.07 is effective as a petition in place of a  
2.18 filing fee under this subdivision if the nominating petition includes a prominent statement  
2.19 informing the signers of the petition that it will be used for that purpose.

2.20 The number of signatures on a petition in place of a filing fee shall be as follows:

2.21 ~~(a)~~ (1) for a state office voted on statewide, or for president of the United States,  
2.22 or United States senator, 2,000;

2.23 ~~(b)~~ (2) for a congressional office, 1,000;

2.24 ~~(c)~~ (3) for a county or legislative office, or for the office of district judge, 500; and

2.25 ~~(d)~~ (4) for any other office which requires a filing fee as prescribed by law, municipal  
2.26 charter, or ordinance, the lesser of 500 signatures or five percent of the total number of  
2.27 votes cast in the municipality, ward, or other election district at the preceding general  
2.28 election at which that office was on the ballot.

2.29 An official with whom petitions are filed shall make sample forms for petitions in  
2.30 place of filing fees available upon request.