

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 3818

(SENATE AUTHORS: WESTLIN, Carlson, Boldon, Mitchell and Pha)		
DATE	D-PG	OFFICIAL STATUS
02/19/2024	11629	Introduction and first reading Referred to Elections
03/04/2024	11884a	Comm report: To pass as amended and re-refer to Judiciary and Public Safety
04/02/2024	13340	Author added Pha

1.1

A bill for an act

1.2

relating to elections; modifying various provisions related to election administration;

1.3

modifying voter registration requirements; amending requirements related to voting

1.4

instructions and sample ballots; amending requirements relating to tabulating votes

1.5

and tabulation equipment; amending the timeline for notification provided to

1.6

counties of certain elections; amending recount threshold requirements; restricting

1.7

use of public voter information list; amending canvassing timelines; providing a

1.8

separate process for presidential election contests; amending the notice of

1.9

restoration of rights; amending Minnesota Statutes 2022, sections 201.071,

1.10

subdivision 3; 204C.20, subdivision 1, by adding a subdivision; 204C.33,

1.11

subdivision 1; 204C.35, subdivisions 1, 2, by adding a subdivision; 204C.36,

1.12

subdivisions 2, 3; 205.16, subdivisions 4, 5; 205A.05, subdivision 3; 205A.07,

1.13

subdivisions 3, 3b; 205A.11, subdivision 2; 206.89, subdivisions 2, 3, 5, 6; 208.06;

1.14

208.44; 208.47; 209.01, subdivision 2; 447.32, subdivision 3; Minnesota Statutes

1.15

2023 Supplement, sections 201.061, subdivisions 3, 3a; 201.071, subdivision 1;

1.16

201.091, subdivision 4; 204B.09, subdivision 3; 204B.16, subdivision 1; 204B.295,

1.17

subdivisions 1, 2, 3, by adding a subdivision; 204C.24, subdivision 1; 204C.33,

1.18

subdivision 3; 206.61, subdivision 1; 243.205, by adding a subdivision; proposing

1.19

coding for new law as Minnesota Statutes, chapter 209A; repealing Minnesota

1.20

Statutes 2023 Supplement, section 243.205, subdivision 3.

1.21

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

1.22

Section 1. Minnesota Statutes 2023 Supplement, section 201.061, subdivision 3, is amended

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to read:

1.24

Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register

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on election day by appearing in person at the polling place for the precinct in which the

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individual maintains residence, by completing a registration application, making an oath in

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the form prescribed by the secretary of state and providing proof of residence. An individual

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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; an assisted living facility licensed by the commissioner of health under chapter 144G; 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 10a; a shelter for battered women as defined in section 611A.37, subdivision 4; a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless; a facility where a provider operates a residential treatment program as defined in section 245.462, subdivision 23; or a facility where a provider operates an adult foster care program as defined in section 245A.02, subdivision 6c.

(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.

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

EFFECTIVE DATE. This section is effective June 1, 2024.

Sec. 2. Minnesota Statutes 2023 Supplement, section 201.061, subdivision 3a, is amended to read:

Subd. 3a. **Additional proofs of residence permitted for students.** (a) ~~An eligible~~ If an eligible voter's name; student identification number, if available; and address within the precinct appear on a current residential housing list under section 135A.17 certified to the county auditor by the postsecondary educational institution, the voter may prove residence

by presenting a current valid photo identification issued by a postsecondary educational institution in Minnesota ~~if the voter's name; student identification number, if available; and address within the precinct appear on a current residential housing list under section 135A.17, certified to the county auditor by the postsecondary educational institution; identification authorized in subdivision 3, paragraph (a), clause (1) or (2); or identification authorized in subdivision 3, paragraph (d), clause (1) or (2).~~

(b) This additional proof of residence for students must not be allowed unless the postsecondary educational institution submits to the county auditor no later than 60 days prior to the election a written agreement that the postsecondary educational institution will certify for use at the election accurate updated residential housing lists under section 135A.17. A written agreement is effective for the election and all subsequent elections held in that calendar year, including the November general election.

(c) The additional proof of residence for students must be allowed on an equal basis for voters who reside in housing meeting the requirements of section 135A.17, if the residential housing lists certified by the postsecondary educational institution meet the requirements of this subdivision.

(d) An updated residential housing list must be certified to the county auditor no ~~earlier~~ later than 20 days prior to each election. The certification must be dated and signed by the chief officer or designee of the postsecondary educational institution and must state that the list is current and accurate and includes only the names of persons residing in the institution's housing and, for students who do not live in the institution's housing, that it reflects the institution's records as of the date of the certification.

(e) The county auditor shall instruct the election judges of the precinct in procedures for use of the list in conjunction with photo identification. The auditor shall supply a list to the election judges with the election supplies for the precinct.

(f) The county auditor shall notify all postsecondary educational institutions in the county of the provisions of this subdivision.

EFFECTIVE DATE. This section is effective June 1, 2024.

Sec. 3. Minnesota Statutes 2023 Supplement, section 201.071, subdivision 1, is amended to read:

Subdivision 1. **Form.** Both paper and electronic voter registration applications must contain the same information unless otherwise provided by law. A voter registration application must contain spaces for the following required information: voter's first name,

middle name, and last name; voter's previous name, if any; voter's current address; voter's previous address, if any; voter's date of birth; voter's municipality and county of residence; voter's telephone number, if provided by the voter; date of registration; current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification, the last four digits of the voter's Social Security number; a box to indicate a voter's preference to join the permanent absentee voter list; and voter's signature. The paper registration application must provide a space for a voter to provide a physical description of the location of their residence, if the voter resides in an area lacking a specific physical address. The paper registration application may include the voter's email address, if provided by the voter. The electronic voter registration application must include the voter's email address. The registration application may include the voter's interest in serving as an election judge, if indicated by the voter. The application must also contain the following certification of voter eligibility:

"I certify that I:

(1) am at least 16 years old and understand that I must be at least 18 years old to be eligible to vote;

(2) am a citizen of the United States;

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

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

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

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

(7) am not currently incarcerated for a conviction of a felony offense; and

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

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

"(1) Are you a citizen of the United States?" and

"(2) Are you at least 16 years old and will you be at least 18 years old on or before the day of the election in which you intend to vote?"

6.1 And the instruction:

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

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

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

6.10 **EFFECTIVE DATE.** This section is effective June 1, 2024.

6.11 Sec. 4. Minnesota Statutes 2022, section 201.071, subdivision 3, is amended to read:

6.12 Subd. 3. **Deficient registration.** No voter registration application is deficient if it contains
6.13 the voter's name, address or location of residence, date of birth, current and valid Minnesota
6.14 driver's license number or Minnesota state identification number, or if the voter has no
6.15 current and valid Minnesota driver's license or Minnesota state identification number, the
6.16 last four digits of the voter's Social Security number, if the voter has been issued a Social
6.17 Security number, prior registration, if any, and signature. The absence of a zip code number
6.18 does not cause the registration to be deficient. Failure to check a box on an application form
6.19 that a voter has certified to be true does not cause the registration to be deficient. The election
6.20 judges shall request an individual to correct a voter registration application if it is deficient
6.21 or illegible. No eligible voter may be prevented from voting unless the voter's registration
6.22 application is deficient or the voter is duly and successfully challenged in accordance with
6.23 section 201.195 or 204C.12.

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

6.29 A voter registration application accepted before January 1, 2004, is not deficient for lack
6.30 of a valid Minnesota driver's license or state identification number or the last four digits of
6.31 a Social Security number. A voter registration application submitted by a voter who does
6.32 not have a Minnesota driver's license or state identification number, or a Social Security
6.33 number, is not deficient for lack of any of these numbers.

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

EFFECTIVE DATE. This section is effective June 1, 2024.

Sec. 5. Minnesota Statutes 2023 Supplement, section 201.091, subdivision 4, is amended to read:

Subd. 4. Public information lists. (a) The county auditor shall make available for inspection a public information list which must contain the name, address, year of birth, and voting history of each registered voter in the county. Data on applicants submitted pursuant to section 201.061, subdivision 1b, are not part of the public information list until the voter is registered or has voting history. The list must not include the party choice of any voter who voted in a presidential nomination primary. The telephone number must be included on the list if provided by the voter. The public information list may also include information on voting districts. The county auditor may adopt reasonable rules governing access to the list.

(b) No individual inspecting the public information list shall tamper with or alter it in any manner. No individual who inspects the public information list or who acquires a list of registered 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.

(e) Notwithstanding paragraphs (b) and (c) and regardless of the purpose of the publication, a recipient of a public information list must not:

(1) publish any of the information from the list on the Internet on any list, database, or other similar searchable format; or

(2) sell, loan, provide access to, or otherwise surrender any information obtained from the list to any person or entity, except that an individual who obtains the public information list on behalf of an organization, entity, or political subdivision may distribute the information to the organization's, entity's, or political subdivision's volunteers or employees for purposes related to elections, political activities, or law enforcement in the case where the information is provided 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. Nothing in this section prohibits the preparation, use, or transfer, for purposes related to elections or political activities, of a database that includes data obtained from the public information list which is aggregated with data obtained from other sources provided that such database is used exclusively for purposes related to elections or political activities and no information from the list is published on the Internet. The prohibitions of this paragraph do not apply if the subject of the information provides express written permission to use the subject's data in a manner otherwise prohibited by this paragraph. For purposes of this paragraph, "publish" means information is made available to the public or to individuals outside of the information recipient's organization, entity, or political subdivision.

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

Sec. 6. Minnesota Statutes 2023 Supplement, section 204B.09, subdivision 3, is amended to read:

Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who wants write-in votes for the candidate to be counted must file a written request with the filing office for the office sought not more than 84 days before the primary and no later than the seventh day before the general election. The filing officer shall provide copies of the form to make the request. The filing officer shall not accept a written request later than 5:00 p.m. on the last day for filing a written request.

(b) The governing body of a statutory or home rule charter city may adopt a resolution governing the counting of write-in votes for local elective office. The resolution may:

(1) require the candidate to file a written request with the chief election official no later than the seventh day before the city election if the candidate wants to have the candidate's write-in votes individually recorded; or

(2) require that write-in votes for an individual candidate only be individually recorded if the total number of write-in votes for that office is equal to or greater than the fewest number of non-write-in votes for a ballot candidate.

If the governing body of the statutory or home rule charter city adopts a resolution authorized by this paragraph, the resolution must be adopted and the city clerk must notify the county auditor before the first day of filing for office. A resolution adopted under this paragraph remains in effect until a subsequent resolution on the same subject is adopted by the governing body of the statutory or home rule charter city.

(c) The governing body of a township, school board, hospital district, park district, soil and water district, or other ancillary elected district may adopt a resolution governing the counting of write-in votes for local elective office. The resolution may require that write-in votes for an individual candidate only be individually recorded if the total number of write-in votes for that office is equal to or greater than the fewest number of non-write-in votes for a ballot candidate. If a governing body adopts a resolution authorized by this paragraph, the resolution must be adopted and the clerk must notify the county auditor before the first day of filing for office. A resolution adopted under this paragraph remains in effect until a subsequent resolution on the same subject is adopted by the governing body.

(d) A candidate for president of the United States who files a request under this subdivision must include the name of a candidate for vice president of the United States. The request must also include the name of at least one candidate for presidential elector. The total number of names of candidates for presidential elector on the request may not exceed the total number of electoral votes to be cast by Minnesota in the presidential election.

(e) A candidate for governor who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for lieutenant governor. A candidate for lieutenant governor who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for governor.

Sec. 7. Minnesota Statutes 2023 Supplement, section 204B.16, subdivision 1, is amended to read:

Subdivision 1. **Authority; location.** (a) By December 31 of each year, the governing body of each municipality and of each county with precincts in unorganized territory must

10.1 designate by ordinance or resolution any changes to a polling place location. A polling place
10.2 must be maintained ~~for the following calendar year~~ unless changed in accordance with this
10.3 paragraph, or:

10.4 (1) ~~by ordinance or resolution by December 31 of the previous year;~~

10.5 (2) pursuant to section 204B.175;

10.6 (3) (2) because a polling place has become unavailable;

10.7 (4) (3) because a township designates one location for all state, county, and federal
10.8 elections and one location for all township only elections; and

10.9 (5) (4) pursuant to section 204B.14, subdivision 3.

10.10 (b) Polling places must be designated and ballots must be distributed so that no one is
10.11 required to go to more than one polling place to vote in a school district and municipal
10.12 election held on the same day. The polling place for a precinct in a city or in a school district
10.13 located in whole or in part in the metropolitan area defined by section 200.02, subdivision
10.14 24, shall be located within the boundaries of the precinct or within one mile of one of those
10.15 boundaries unless a single polling place is designated for a city pursuant to section 204B.14,
10.16 subdivision 2, or a school district pursuant to section 205A.11. The polling place for a
10.17 precinct in unorganized territory may be located outside the precinct at a place which is
10.18 convenient to the voters of the precinct. If no suitable place is available within a town or
10.19 within a school district located outside the metropolitan area defined by section 200.02,
10.20 subdivision 24, then the polling place for a town or school district may be located outside
10.21 the town or school district within five miles of one of the boundaries of the town or school
10.22 district.

10.23 Sec. 8. Minnesota Statutes 2023 Supplement, section 204B.295, subdivision 1, is amended
10.24 to read:

10.25 Subdivision 1. **Duty.** The secretary of state or county auditor must contract with a
10.26 translator certified by the American Translators Association to develop voting instructions
10.27 and sample ballots in languages other than English, to be made available in polling places
10.28 during elections as required by this section. At a minimum, the secretary of state must
10.29 prepare voting instructions and make the instructions available in polling places in the three
10.30 most commonly spoken non-English languages in the state as determined by the state
10.31 demographer for the previous calendar year. For state elections, the secretary of state must
10.32 prepare and provide example ballots to county auditors and post voting instructions in print,
10.33 electronic, and audio-visual formats, on the secretary of state's website in at least the three

11.1 most commonly spoken non-English languages in the state as determined by the state
11.2 demographer for the previous calendar year.

11.3 **EFFECTIVE DATE.** This section is effective June 1, 2024.

11.4 Sec. 9. Minnesota Statutes 2023 Supplement, section 204B.295, subdivision 2, is amended
11.5 to read:

11.6 Subd. 2. **Designation of language minority districts.** ~~No later than 90 days before an~~
11.7 ~~election~~ By January 1 of each year, the secretary of state or county auditor, in consultation
11.8 with the state demographer, must determine the percentage of residents in each census tract
11.9 who are members of a language minority and who lack sufficient skills in English to vote
11.10 without assistance. Language minority districts will be designated if three percent or more
11.11 of the population in a corresponding census tract speak English "less than very well"
11.12 according to the most recent census data. The secretary of state must maintain the list of
11.13 designated language minority districts on its website. The state demographer must consider
11.14 the identified margin of error in the census data when identifying census tracts. Designations
11.15 made in January apply to elections for which absentee balloting begins on or after January
11.16 1 of each year and continue through the end of the calendar year.

11.17 **EFFECTIVE DATE.** This section is effective June 1, 2024.

11.18 Sec. 10. Minnesota Statutes 2023 Supplement, section 204B.295, subdivision 3, is amended
11.19 to read:

11.20 Subd. 3. **Translation required; interpreter required.** (a) If the number of residents
11.21 determined under subdivision 2 equals three percent or more of a census tract, or if interested
11.22 citizens or organizations provide information that gives the secretary of state or county
11.23 auditor sufficient reason to believe a need exists, at least two copies of the translated voting
11.24 instructions and sample ballots must be provided to each precinct in that district during any
11.25 regular or special state election conducted in that district. If more than one language is
11.26 represented in three percent or more of residents as determined in subdivision 2, translated
11.27 materials must be provided in, at minimum, the highest determined language and any
11.28 language representing three percent or more of a census tract.

11.29 (b) If the number of residents determined under subdivision 2 equals 20 percent or more
11.30 of the population of a census tract, or if interested citizens or organizations provide
11.31 information that gives the secretary of state or county auditor sufficient reason to believe a
11.32 need exists, at least four copies of the translated voting instructions and sample ballots must
11.33 be provided to each precinct in that district during any regular or special state election

conducted in that district. If more than one language is represented in the 20 or more percent of residents as determined in subdivision 2, translated materials must be provided in, at minimum, the highest determined language and any language representing three percent or more of a census tract. In these precincts, the county auditor or municipal clerk must appoint at least one interpreter to translate in a specified language if ten or more registered voters in the precinct file a request for interpretive services for that language with the secretary of state or county auditor at least 30 days prior to the date of the election. This interpreter must wear a name tag or other badge indicating the interpreter's language certification. For purposes of section 204C.06 and any other applicable law, an interpreter appointed under this section is considered an election official and may be present in a polling place for the purpose of conducting duties assigned by the county auditor or municipal clerk.

(c) The county auditor must maintain a list of the designated language minority districts on its website, including the precinct name, languages that materials will be provided in, and, if applicable, where interpreters will be provided and the language they speak. This list must be posted no later than 90 days after receiving language minority district designations under subdivision 2 and must be updated as it is determined that materials or interpreters will be provided for additional districts.

EFFECTIVE DATE. This section is effective June 1, 2024.

Sec. 11. Minnesota Statutes 2023 Supplement, section 204B.295, is amended by adding a subdivision to read:

Subd. 5. **Sample ballot format requirements.** For the purposes of this section, sample ballots must accurately reflect the offices, candidates, and rotation sequence on the ballots used in that polling place. Sample ballots may deviate from other ballot formatting requirements to the extent required to accommodate the translated content.

EFFECTIVE DATE. This section is effective June 1, 2024.

Sec. 12. Minnesota Statutes 2022, section 204C.20, subdivision 1, is amended to read:

Subdivision 1. **Determination of proper number.** The election judges shall determine the number of ballots to be counted by ~~adding the number of return envelopes from accepted absentee ballots to~~ tallying the number of signed voter's certificates; or to the number of names entered in the election register. The election judges shall then remove all the ballots from the box. Without considering how the ballots are marked, the election judges shall ascertain that each ballot is separate and shall count them to determine whether the number of ballots in the box corresponds with the number of ballots to be counted.

13.1 **EFFECTIVE DATE.** This section is effective June 1, 2024.

13.2 Sec. 13. Minnesota Statutes 2022, section 204C.20, is amended by adding a subdivision
13.3 to read:

13.4 **Subd. 5. Precincts with ballot tabulators.** In precincts using ballot tabulators, once the
13.5 final count of ballots agrees with the number of ballots to be counted, election judges must
13.6 immediately prepare the summary statement in accordance with section 204C.24 and seal
13.7 the ballots in accordance with section 204C.25 for return to the county auditor.

13.8 **EFFECTIVE DATE.** This section is effective June 1, 2024.

13.9 Sec. 14. Minnesota Statutes 2023 Supplement, section 204C.24, subdivision 1, is amended
13.10 to read:

13.11 Subdivision 1. **Information requirements.** Precinct summary statements shall be
13.12 submitted by the election judges in every precinct. For all elections, the election judges
13.13 shall complete three or more copies of the summary statements, and each copy shall contain
13.14 the following information for each kind of ballot:

13.15 (1) the number of ballots delivered to the precinct as adjusted by the actual count made
13.16 by the election judges, the number of unofficial ballots made, and the number of absentee
13.17 ballots delivered to the precinct;

13.18 (2) the number of votes each candidate received or the number of yes and no votes on
13.19 each question, the number of undervotes, the number of overvotes, and the number of
13.20 defective ballots with respect to each office or question;

13.21 (3) the number of spoiled ballots, the number of duplicate ballots made, the number of
13.22 absentee ballots rejected, and the number of unused ballots, presuming that the total count
13.23 provided on each package of unopened prepackaged ballots is correct;

13.24 (4) the number of voted ballots indicating only a voter's choices as provided by section
13.25 206.80, paragraph (b), clause (2), item (ii), in precincts that use an assistive voting device
13.26 that produces this type of ballot;

13.27 (5) the number of individuals who voted at the election in the precinct which must equal
13.28 the total number of ballots cast in the precinct, as required by sections 204C.20 and 206.86,
13.29 subdivision 1;

13.30 (6) the number of voters registering on election day in that precinct;

(7) the signatures of the election judges who counted the ballots certifying that all of the ballots cast were properly piled, checked, and counted; and that the numbers entered by the election judges on the summary statements correctly show the number of votes cast for each candidate and for and against each question;

(8) the number of election judges that worked in that precinct on election day; and

(9) the number of voting booths used in that precinct on election day.

At least two copies of the summary statement must be prepared for elections not held on the same day as the state elections.

Sec. 15. Minnesota Statutes 2022, section 204C.33, subdivision 1, is amended to read:

Subdivision 1. **County canvass.** The county canvassing board shall meet at the county auditor's office between the third and ~~tenth~~ eighth days following the state general 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

15.1 for write-in candidates for federal, state, and county offices who have requested under
15.2 section 204B.09 that votes for those candidates be tallied.

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

15.8 Sec. 16. Minnesota Statutes 2023 Supplement, section 204C.33, subdivision 3, is amended
15.9 to read:

15.10 Subd. 3. **State canvass.** The State Canvassing Board shall meet at a public meeting
15.11 space located in the Capitol complex area on the ~~third Tuesday~~ 16th day following the state
15.12 general election to canvass the certified copies of the county canvassing board reports
15.13 received from the county auditors and shall prepare a report that states:

15.14 (1) the number of individuals voting in the state and in each county;

15.15 (2) the number of votes received by each of the candidates, specifying the counties in
15.16 which they were cast; and

15.17 (3) the number of votes counted for and against each constitutional amendment, specifying
15.18 the counties in which they were cast.

15.19 If the 16th day falls on a state holiday, the canvassing board shall meet on the next business
15.20 day.

15.21 All members of the State Canvassing Board shall sign the report and certify its
15.22 correctness. Within three days after completing the canvass, the State Canvassing Board
15.23 shall declare the result and declare the candidates duly elected who received the highest
15.24 number of votes for each federal office and for each state office voted on in more than one
15.25 county.

15.26 Sec. 17. Minnesota Statutes 2022, section 204C.35, subdivision 1, is amended to read:

15.27 Subdivision 1. **Publicly funded recounts.** (a) In a state primary when the difference
15.28 between the votes cast for the candidates for nomination to:

15.29 (1) a state legislative office is less than one-half of one percent of the total number of
15.30 votes counted for that nomination or is ten votes or less and the total number of votes cast
15.31 for the nomination is 400 votes or less; or

(2) a statewide federal office, state constitutional office, statewide judicial office, congressional office, or district judicial office is less than one-quarter of one percent of the total number of votes counted for that nomination or is ten votes or less and the total number of votes cast for the nomination is 400 votes or less;

and the difference determines the nomination, the canvassing board with responsibility for declaring the results for that office shall manually recount the vote upon receiving a written request from the candidate whose nomination is in question.

Immediately following the meeting of the board that has responsibility for canvassing the results of the nomination, the filing officer must notify the candidate that the candidate has the option to request a recount of the votes at no cost to the candidate. This written request must be received by the filing officer no later than 5:00 p.m. on the second day after the canvass of the primary for which the recount is being sought.

(b) In a state general election when the difference between the votes of a candidate who would otherwise be declared elected to:

(1) a state legislative office is less than one-half of one percent of the total number of votes counted for that office or is ten votes or less and the total number of votes cast for the office is 400 votes or less; or

(2) a statewide federal office, state constitutional office, statewide judicial office, congressional office, or district judicial office and the votes of any other candidate for that office is less than one-quarter of one percent of the total number of votes counted for that office or is ten votes or less if the total number of votes cast for the office is 400 votes or less,

the canvassing board shall manually recount the votes upon receiving a written request from the candidate whose election is in question.

Immediately following the meeting of the board that has responsibility for canvassing the results of the general election, the filing officer must notify the candidate that the candidate has the option to request a recount of the votes at no cost to the candidate. ~~This~~ Except as provided in subdivision 2b, the written request must be received by the filing officer no later than 5:00 p.m. on the second day after the canvass of the election for which the recount is being sought.

(c) A recount must not delay any other part of the canvass. The results of the recount must be certified by the canvassing board as soon as possible.

(d) Time for notice of a contest for an office which is recounted pursuant to this section shall begin to run upon certification of the results of the recount by the canvassing board.

Sec. 18. Minnesota Statutes 2022, section 204C.35, subdivision 2, is amended to read:

Subd. 2. Discretionary candidate recounts. (a) A losing candidate whose name was on the ballot for nomination or election to a statewide federal office, state constitutional office, statewide judicial office, congressional office, state legislative office, or district judicial office may request a recount in a manner provided in this section at the candidate's own expense when the vote difference is greater than the difference required by this section. The votes shall be manually recounted as provided in this section if the candidate files a request during the time for filing notice of contest of the primary or election for which a recount is sought.

(b) The requesting candidate shall file with the filing officer a bond, cash, or surety in an amount set by the filing officer for the payment of the recount expenses. The requesting candidate is responsible for the following expenses: the compensation of the secretary of state, or designees, and any election judge, municipal clerk, county auditor, administrator, or other personnel who participate in the recount; necessary supplies and travel related to the recount; the compensation of the appropriate canvassing board and costs of preparing for the canvass of recount results; and any attorney fees incurred in connection with the recount by the governing body responsible for the recount.

(c) A discretionary recount of a primary must not delay delivery of the notice of nomination to the winning candidate under section 204C.32.

(d) The requesting candidate may provide the filing officer with a list of up to three precincts that are to be recounted first and may waive the balance of the recount after these precincts have been counted. If the candidate provides a list, the recount official must determine the expenses for those precincts in the manner provided by paragraph (b).

(e) The results of the recount must be certified by the canvassing board as soon as possible.

(f) If the winner of the race is changed by the optional recount, the cost of the recount must be paid by the jurisdiction conducting the recount.

(g) If a result of the vote counting in the manual recount is different from the result of the vote counting reported on election day by a margin greater than the standard for acceptable performance of voting systems provided in section 206.89, subdivision 4, two

18.1 votes and greater than one-quarter of one percent of the number of ballots counted, the cost
18.2 of the recount must be paid by the jurisdiction conducting the recount.

18.3 Sec. 19. Minnesota Statutes 2022, section 204C.35, is amended by adding a subdivision
18.4 to read:

18.5 Subd. 2b. **Recount for presidential electors.** Any request for recount for the election
18.6 of presidential electors, whether publicly funded or discretionary, must be made by 5 p.m.
18.7 on the day after the canvass is completed. Any recount of votes under this section for the
18.8 election of presidential electors must be completed and certified by the canvassing board
18.9 no later than six days after the recount is requested.

18.10 Sec. 20. Minnesota Statutes 2022, section 204C.36, subdivision 2, is amended to read:

18.11 Subd. 2. **Discretionary candidate recounts.** (a) A losing candidate for nomination or
18.12 election to a county, municipal, or school district office may request a recount in the manner
18.13 provided in this section at the candidate's own expense when the vote difference is greater
18.14 than the difference required by subdivision 1, paragraphs (a) to (e). The votes shall be
18.15 manually recounted as provided in this section if the requesting candidate files with the
18.16 county auditor, municipal clerk, or school district clerk a bond, cash, or surety in an amount
18.17 set by the governing body of the jurisdiction or the school board of the school district for
18.18 the payment of the recount expenses.

18.19 (b) The requesting candidate may provide the filing officer with a list of up to three
18.20 precincts that are to be recounted first and may waive the balance of the recount after these
18.21 precincts have been counted. If the candidate provides a list, the recount official must
18.22 determine the expenses for those precincts in the manner provided by paragraph (b).

18.23 (c) A discretionary recount of a primary must not delay delivery of the notice of
18.24 nomination to the winning candidate under section 204C.32.

18.25 (d) The results of the recount must be certified by the canvassing board as soon as
18.26 possible.

18.27 (e) If the winner of the race is changed by the optional recount, the cost of the recount
18.28 must be paid by the jurisdiction conducting the recount.

18.29 (f) If a result of the vote counting in the manual recount is different from the result of
18.30 the vote counting reported on election day by a margin greater than the standard for
18.31 ~~acceptable performance of voting systems provided in section 206.89, subdivision 4~~ two

19.1 votes and greater than one-quarter of one percent of the number of ballots recounted, the
19.2 cost of the recount must be paid by the jurisdiction conducting the recount.

19.3 Sec. 21. Minnesota Statutes 2022, section 204C.36, subdivision 3, is amended to read:

19.4 Subd. 3. **Discretionary ballot question recounts.** ~~A recount may be conducted for a~~
19.5 ~~ballot question when the difference between the votes for and the votes against the question~~
19.6 ~~is less than or equal to the difference provided in subdivision 1.~~ A recount for a ballot
19.7 question may be requested by any person eligible to vote on the ballot question. A written
19.8 request for a recount must be filed with the filing officer of the county, municipality, or
19.9 school district placing the question on the ballot and must be accompanied by a petition
19.10 containing the signatures of 25 voters eligible to vote on the question. Upon receipt of a
19.11 written request when the difference between the votes for ~~and the votes against~~ the question
19.12 and the number required for passage is less than or equal to the difference provided in
19.13 subdivision 1, the county auditor shall recount the votes for a county question at the expense
19.14 of the county, the governing body of the municipality shall recount the votes for a municipal
19.15 question at the expense of the municipality, and the school board of the school district shall
19.16 recount the votes for a school district question at the expense of the school district. If the
19.17 difference between the votes for ~~and the votes against~~ the question and the number required
19.18 for passage is greater than the difference provided in subdivision 1, the person requesting
19.19 the recount shall also file with the filing officer of the county, municipality, or school district
19.20 a bond, cash, or surety in an amount set by the appropriate governing body for the payment
19.21 of recount expenses. The written request, petition, and any bond, cash, or surety required
19.22 must be filed during the time for notice of contest for the election for which the recount is
19.23 requested.

19.24 Sec. 22. Minnesota Statutes 2022, section 205.16, subdivision 4, is amended to read:

19.25 Subd. 4. **Notice to auditor.** At least ~~74~~ 84 days before every municipal election, the
19.26 municipal clerk shall provide a written notice to the county auditor, including the date of
19.27 the election, the offices to be voted on at the election, and the title and language for each
19.28 ballot question to be voted on at the election. At least ~~74~~ 84 days before every municipal
19.29 election, the municipal clerk must provide written notice to the county auditor of any special
19.30 election canceled under section 205.10, subdivision 6.

19.31 Sec. 23. Minnesota Statutes 2022, section 205.16, subdivision 5, is amended to read:

19.32 Subd. 5. **Notice to secretary of state.** At least ~~74~~ 84 days before every municipal election
19.33 for which a notice is provided to the county auditor under subdivision 4, the county auditor

20.1 shall provide a notice of the election to the secretary of state, in a manner and including
20.2 information prescribed by the secretary of state.

20.3 Sec. 24. Minnesota Statutes 2022, section 205A.05, subdivision 3, is amended to read:

20.4 Subd. 3. **Cancellation.** A special election ordered by the school board on its own motion
20.5 under subdivision 1 may be canceled by motion of the school board, but not less than ~~74~~
20.6 84 days before ~~an any election held in conjunction with a regularly scheduled election for~~
20.7 ~~federal, state, county, city, or school board office or a special election for federal office, or~~
20.8 ~~46 days before any other election.~~

20.9 Sec. 25. Minnesota Statutes 2022, section 205A.07, subdivision 3, is amended to read:

20.10 Subd. 3. **Notice to auditor.** At least ~~74~~ 84 days before every school district election, the
20.11 school district clerk shall provide a written notice to the county auditor of each county in
20.12 which the school district is located. The notice must include the date of the election, the
20.13 offices to be voted on at the election, and the title and language for each ballot question to
20.14 be voted on at the election. For the purposes of meeting the timelines of this section, in a
20.15 bond election, a notice, including a proposed question, may be provided to the county auditor
20.16 before receipt of a review and comment from the commissioner of education and before
20.17 actual initiation of the election. At least ~~74~~ 84 days before every school district election,
20.18 the school district clerk must provide written notice to the county auditor of any special
20.19 election canceled under section 205A.05, subdivision 3.

20.20 Sec. 26. Minnesota Statutes 2022, section 205A.07, subdivision 3b, is amended to read:

20.21 Subd. 3b. **Notice to secretary of state.** At least ~~74~~ 84 days before every school district
20.22 election for which a notice is provided to the county auditor under subdivision 3, the county
20.23 auditor shall provide a notice of the election to the secretary of state, in a manner and
20.24 including information prescribed by the secretary of state.

20.25 Sec. 27. Minnesota Statutes 2022, section 205A.11, subdivision 2, is amended to read:

20.26 Subd. 2. **Combined polling place.** (a) When no other election is being held in a school
20.27 district, the school board may designate combined polling places at which the voters in
20.28 those precincts may vote in the school district election.

20.29 (b) By December 31 of each year, the school board must designate, by resolution, any
20.30 changes to combined polling places. The combined polling places designated in the resolution

21.1 are the polling places ~~for the following calendar year~~, unless a change is made in accordance
21.2 with this paragraph or:

21.3 (1) pursuant to section 204B.175; or

21.4 (2) because a polling place has become unavailable.

21.5 (c) If the school board designates combined polling places pursuant to this subdivision,
21.6 polling places must be designated throughout the district, taking into account both
21.7 geographical distribution and population distribution. A combined polling place must be at
21.8 a location designated for use as a polling place by a county or municipality.

21.9 (d) In school districts that have organized into separate board member election districts
21.10 under section 205A.12, a combined polling place for a school general election must be
21.11 arranged so that it does not include more than one board member election district.

21.12 Sec. 28. Minnesota Statutes 2023 Supplement, section 206.61, subdivision 1, is amended
21.13 to read:

21.14 Subdivision 1. **Official responsible for providing ballots.** (a) The official charged with
21.15 providing paper ballots when they are used shall provide all ballot cards, sample ballots,
21.16 precinct summary statements, and other necessary supplies needed for electronic voting
21.17 systems, except as otherwise provided by this section.

21.18 (b) At general elections and primaries the county auditor of each county in which an
21.19 electronic voting system is used shall provide all ballot cards and other necessary printed
21.20 forms and supplies needed for the electronic voting system, including all forms needed for
21.21 voting on candidates and questions, the ballots for which are required by the election laws
21.22 to be provided by the state when paper ballots are used.

21.23 (c) In precincts using a ballot format as provided by section 206.80, paragraph (b), clause
21.24 (2), item (ii), voters must be provided the option of voting with a regularly printed optical
21.25 scan ballot or paper ballot in precincts that hand count ballots.

21.26 Sec. 29. Minnesota Statutes 2022, section 206.89, subdivision 2, is amended to read:

21.27 Subd. 2. **Selection for review; notice.** At the canvass of the state primary, the county
21.28 canvassing board in each county must set the date, time, and place for the postelection
21.29 review of the state general election to be held under this section. The postelection review
21.30 must not begin before the ~~14th~~ eighth day after the state general election and must be
21.31 complete no later than the ~~18th~~ 12th day after the state general election.

At the canvass of the state general election, the county canvassing boards must select the precincts to be reviewed by lot. The ballots to be reviewed for a precinct include both the ballots counted at the polling place for that precinct and the absentee ballots counted centrally by a ballot board for that precinct. The county canvassing board of a county with fewer than 50,000 registered voters must conduct a postelection review of a total of at least two precincts. The county canvassing board of a county with between 50,000 and 100,000 registered voters must conduct a review of a total of at least three precincts. The county canvassing board of a county with over 100,000 registered voters must conduct a review of a total of at least four precincts, or three percent of the total number of precincts in the county, whichever is greater. At least one precinct selected in each county must have had more than 150 votes cast at the general election.

The county auditor must notify the secretary of state of the precincts that have been chosen for review and the time and place the postelection review for that county will be conducted, as soon as the decisions are made. If the selection of precincts has not resulted in the selection of at least four precincts in each congressional district, the secretary of state may require counties to select by lot additional precincts to meet the congressional district requirement. The secretary of state must post this information on the office website.

Sec. 30. Minnesota Statutes 2022, section 206.89, subdivision 3, is amended to read:

Subd. 3. **Scope and conduct of review.** The county canvassing board shall appoint the postelection review official as defined in subdivision 1. The postelection review must be conducted of the votes cast for president or governor; United States senator; and United States representative. The postelection review official may conduct postelection review of the votes cast for additional offices.

The postelection review must be conducted in public at the location where the voted ballots have been securely stored after the state general election or at another location chosen by the county canvassing board. The postelection review official for each precinct selected must conduct the postelection review and may be assisted by election judges designated by the postelection review official for this purpose. The party balance requirement of section 204B.19 applies to election judges designated for the review. The postelection review must consist of a manual count of the ballots used in the precincts selected and must be performed in the manner provided by section 204C.21. The postelection review must be conducted in the manner provided for recounts under section 204C.361 to the extent practicable. The review must be completed no later than ~~two days~~ one day before the meeting of the state canvassing board to certify the results of the state general election.

23.1 Sec. 31. Minnesota Statutes 2022, section 206.89, subdivision 5, is amended to read:

23.2 Subd. 5. **Additional review.** (a) If the postelection review in one of the reviewed precincts
23.3 reveals a difference greater than the thresholds specified in subdivision 4, the postelection
23.4 review official must, within ~~two days~~ one day, conduct an additional review of the races
23.5 indicated in subdivision 3 in at least three precincts in the same jurisdiction where the
23.6 discrepancy was discovered. If all precincts in that jurisdiction have been reviewed, the
23.7 county auditor must immediately publicly select by lot at least three additional precincts
23.8 for review. The postelection review official must complete the additional review within ~~two~~
23.9 ~~days~~ one day after the precincts are selected and report the results immediately to the county
23.10 auditor. If the second review in any of the reviewed precincts also indicates a difference in
23.11 the vote totals compiled by the voting system that is greater than the thresholds specified
23.12 in subdivision 4, the county auditor must conduct a review of the ballots from all the
23.13 remaining precincts in the county for the races indicated in subdivision 3. This review must
23.14 be completed and the results must be reported to the secretary of state within ~~one week~~ six
23.15 days after the second review was completed.

23.16 (b) If the results from the countywide reviews from one or more counties comprising in
23.17 the aggregate more than ten percent of the total number of persons voting in the election
23.18 clearly indicate that an error in vote counting has occurred, the secretary of state must notify
23.19 the postelection review official of each county in the district that they must conduct manual
23.20 recounts of all the ballots in the district for the affected office using the procedure outlined
23.21 in section 204C.35. The recount must be completed and the results reported to the appropriate
23.22 canvassing board within ~~two weeks~~ one week after the postelection review official received
23.23 notice from the secretary of state.

23.24 Sec. 32. Minnesota Statutes 2022, section 206.89, subdivision 6, is amended to read:

23.25 Subd. 6. **Report of results.** Upon completion of the postelection review, the postelection
23.26 review official must immediately report the results to the county auditor. The county auditor
23.27 must then immediately submit the results of the postelection review electronically or in
23.28 writing to the secretary of state not later than ~~two days~~ one day before the State Canvassing
23.29 Board meets to canvass the state general election. The secretary of state shall report the
23.30 results of the postelection review at the meeting of the State Canvassing Board to canvass
23.31 the state general election.

24.1 Sec. 33. Minnesota Statutes 2022, section 208.06, is amended to read:

24.2 **208.06 ELECTORS AND ALTERNATES TO MEET AT STATE CAPITOL.**

24.3 The presidential electors and alternate presidential electors, before 12:00 M. on the day
24.4 before that fixed by Congress for the electors to vote for president and vice president of the
24.5 United States, shall notify the governor that they are at the State Capitol and ready at the
24.6 proper time to fulfill their duties as electors. The governor or the governor's designee shall
24.7 deliver to the electors present a certificate of the names of all the electors. The electors shall
24.8 meet at 12:00 p.m. in the ~~executive chamber of the~~ State Capitol and. The electors shall
24.9 perform all the duties imposed upon them as electors by the Constitution and laws of the
24.10 United States and this state in the manner provided in section 208.46.

24.11 Sec. 34. Minnesota Statutes 2022, section 208.44, is amended to read:

24.12 **208.44 CERTIFICATION OF ELECTORS.**

24.13 In submitting this state's certificate of ascertainment as required by United States Code,
24.14 title 3, section ~~6~~ 5, the governor shall certify this state's electors and state in the certificate
24.15 that:

24.16 (1) the electors will serve as electors unless a vacancy occurs in the office of elector
24.17 before the end of the meeting at which elector votes are cast, in which case a substitute
24.18 elector will fill the vacancy; and

24.19 (2) if a substitute elector is appointed to fill a vacancy, the governor will submit an
24.20 amended certificate of ascertainment stating the names on the final list of this state's electors.

24.21 Sec. 35. Minnesota Statutes 2022, section 208.47, is amended to read:

24.22 **208.47 ELECTOR REPLACEMENT; ASSOCIATED CERTIFICATES.**

24.23 (a) After the vote of this state's electors is completed, if the final list of electors differs
24.24 from any list that the governor previously included on a certificate of ascertainment prepared
24.25 and transmitted under United States Code, title 3, section ~~6~~ 5, the secretary of state
24.26 immediately shall prepare an amended certificate of ascertainment and transmit it to the
24.27 governor for the governor's signature.

24.28 (b) The governor immediately shall deliver the signed amended certificate of
24.29 ascertainment to the secretary of state and a signed duplicate original of the amended
24.30 certificate of ascertainment to all individuals entitled to receive this state's certificate of
24.31 ascertainment, indicating that the amended certificate of ascertainment is to be substituted
24.32 for the certificate of ascertainment previously submitted.

(c) The secretary of state shall prepare a certificate of vote. The electors on the final list shall sign the certificate. The secretary of state shall process and transmit the signed certificate with the amended certificate of ascertainment under United States Code, title 3, sections 9, 10, and 11.

Sec. 36. Minnesota Statutes 2022, section 209.01, subdivision 2, is amended to read:

Subd. 2. **Statewide office.** For purposes of this chapter, "statewide office" means the office of governor, lieutenant governor, attorney general, state auditor, secretary of state, chief justice or associate justice of the supreme court, judge of the court of appeals, or United States senator, ~~or presidential elector or alternate.~~

Sec. 37. **[209A.01] DEFINITIONS.**

The definitions in chapter 200 apply to this chapter.

Sec. 38. **[209A.02] CONTESTANT; GROUNDS.**

Any eligible voter, including a candidate, wishing to contest the election of the presidential elector or alternate in the courts of this state whether over an irregularity in the conduct of an election or canvass of votes, the question of who received the largest number of votes legally cast, on the grounds of deliberate, serious, and material violations of Minnesota election law, or any other ground must do so according to this chapter.

Sec. 39. **[209A.03] NOTICE OF CONTEST.**

Subdivision 1. **Manner; time; contents.** Service of a notice of contest must be made in the same manner as the service of summons in civil actions. The notice of contest must specify the grounds on which the contest will be made. The contestant shall serve notice of the contest on the parties enumerated in this section. Notice must be served and filed on or before 5:00 p.m. one day after the canvass is completed, except that if the election is being recounted pursuant to section 204C.35, the time for notice of a contest shall begin to run upon certification of the results of the recount by the canvassing board.

Subd. 2. **Notice filed with court.** The contestant shall file the notice of contest under this section with the supreme court.

Subd. 3. **Notice served on parties.** The notice of contest must be served on all candidates for the office and on any other party as required by the court. A copy must also be furnished to the governor and secretary of state. If personal or substituted service on any party cannot be made, an affidavit of the attempt by the person attempting to make service and the

26.1 affidavit of the person who sent a copy of the notice to the contestee by certified mail is
26.2 sufficient to confer jurisdiction upon the court to decide the contest.

26.3 Sec. 40. **[209A.04] CONTESTEE'S ANSWER.**

26.4 Subdivision 1. **Contest of vote count.** If a notice of contest questions only which of the
26.5 parties to the contest received the highest number of votes legally cast at the election, the
26.6 contestee need not file an answer, unless the contestee desires to raise issues not specified
26.7 in the notice of contest.

26.8 Subd. 2. **Other contests.** For all other election contests the contestee's answer to the
26.9 notice of contest must be filed and served on all candidates for the office and on any other
26.10 party as required by the court. A copy must also be furnished to the governor and secretary
26.11 of state. The answer must so far as practicable conform to the rules for pleading in civil
26.12 actions. Service and filing of the answer must be made two days after service of the notice
26.13 of contest. The contestee's answer must be served in the same manner as the answer in a
26.14 civil action or in the manner the court may order. Any other notices must be served in the
26.15 manner and within the times the court may order.

26.16 Sec. 41. **[209A.05] VENUE.**

26.17 The court for the election contest of presidential electors shall be the supreme court.

26.18 Sec. 42. **[209A.06] GUARDING AND INSPECTING THE BALLOTS.**

26.19 The provisions of sections 209.05 and 209.06 apply to election contests filed under this
26.20 section. The chief justice of the supreme court shall appoint any inspectors required under
26.21 this section.

26.22 Sec. 43. **[209A.07] PLEADINGS; PROCEDURE.**

26.23 The notice of contest and any answer are the pleadings in the case and may be amended
26.24 in the discretion of the supreme court. The contest proceedings must be brought as soon as
26.25 practicable. The court shall proceed in the manner provided for the trial of civil actions so
26.26 far as practicable, but must issue its decision at least one day before the deadline to submit
26.27 the certificate of ascertainment as required under the laws of the United States.

26.28 Sec. 44. **[209A.08] RESULTS OF CONTEST.**

26.29 Subdivision 1. **Generally.** When the court decides an election contest under this chapter,
26.30 the court may invalidate and revoke any election certificate which has been issued to a

presidential elector. If the contest involved an error in the counting of ballots, the official authorized to issue the certificate of election shall issue the certificate to the person entitled to it, but if a contestant succeeds in a contest where there is no question as to which of the candidates received the highest number of votes cast at the election, the contestant is not, by reason of the disqualification of the contestee, entitled to the certificate of election.

Subd. 2. **Defective ballots.** In a contested election, if the court decides that a serious and material defect in the ballots used changed the outcome of the election, the election must be declared invalid.

Subd. 3. **Costs of contest.** If the contestee succeeds, costs of the contest must be paid by the contestant. If the contestant succeeds, costs of the contest must be paid by the contestee, except that if the contestee loses because of an error in the counting of ballots or canvass of the returns or because of any other irregularity in the election procedure, costs must be paid, in the discretion of the judge, by the election jurisdictions responsible for errors which resulted in the reversal of the prior results of the election.

Sec. 45. Minnesota Statutes 2023 Supplement, section 243.205, is amended by adding a subdivision to read:

Subd. 3a. **Form of notice.** The notice required by subdivision 2 must include all of the following information:

(1) the statement "Your right to vote has been restored.";

(2) a statement that says the person is eligible to vote if the person meets the eligibility requirements;

(3) a list of the eligibility requirements to vote;

(4) a statement that a voter registration application is attached to the notice and information on all the ways to register to vote;

(5) information on where to find a list of documents to be used to provide current proof of residence;

(6) the statement "If you violate the conditions of release, the commissioner may revoke your release after due process and reimprison you. If that occurs, your right to vote is lost again while you are in prison."; and

(7) information on where the person may find more information about voting rights.

28.1 Sec. 46. Minnesota Statutes 2022, section 447.32, subdivision 3, is amended to read:

28.2 Subd. 3. **Election notices.** At least two weeks before the first day to file affidavits of
28.3 candidacy, the clerk of the district shall publish a notice stating the first and last day on
28.4 which affidavits of candidacy may be filed, the places for filing the affidavits and the closing
28.5 time of the last day for filing. The clerk shall post a similar notice in at least one conspicuous
28.6 place in each city and town in the district at least ten days before the first day to file affidavits
28.7 of candidacy.

28.8 At least ~~74~~ 84 days prior to every hospital district election, the hospital district clerk
28.9 shall provide a written notice to the county auditor of each county in which the hospital
28.10 district is located. The notice must include the date of the election, the offices to be voted
28.11 on at the election, and the title and language for each ballot question to be voted on at the
28.12 election. The county auditor shall immediately provide a notice to the secretary of state in
28.13 a manner and including information prescribed by the secretary of state.

28.14 The notice of each election must be posted in at least one public and conspicuous place
28.15 within each city and town included in the district at least two weeks before the election. It
28.16 must be published in the official newspaper of the district or, if a paper has not been
28.17 designated, in a legal newspaper having general circulation within the district, at least two
28.18 weeks before the election. Failure to give notice does not invalidate the election of an officer
28.19 of the district. A voter may contest a hospital district election in accordance with chapter
28.20 209. Chapter 209 applies to hospital district elections.

28.21 Sec. 47. **TRANSITION TO NEW VOTER REGISTRATION APPLICATIONS.**

28.22 Notwithstanding the requirements of this act, a completed voter registration application
28.23 submitted by a voter is not deficient for purposes of registering that voter if the application
28.24 form was printed or provided to the voter prior to the effective date of any modification
28.25 required by this act. Beginning on the effective date of a modification required by this act,
28.26 an election official must not print or copy a blank voter registration application that does
28.27 not include the required modification.

28.28 **EFFECTIVE DATE.** This section is effective June 1, 2024.

28.29 Sec. 48. **REVISOR INSTRUCTION.**

28.30 The revisor of statutes must title Minnesota Statutes, chapter 209A, "Election Contests
28.31 - Presidential Elections."

- 29.1 Sec. 49. **REPEALER.**
- 29.2 Minnesota Statutes 2023 Supplement, section 243.205, subdivision 3, is repealed.

APPENDIX
Repealed Minnesota Statutes: S3818-1

243.205 NOTICE OF RESTORATION OF RIGHT TO VOTE.

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

"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.

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