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State of Minnesota

HOUSE OF REPRESENTATIVES

First Subcommittee Engrossment

NINETY-FIRST SESSION

H. F. No. 1603

02/25/2019 Authored by Dehn
The bill was read for the first time and referred to the Committee on Government Operations

Subcommittee Action

02/26/2019 *Referred by Chair to the Subcommittee on Elections*
03/13/2019 *Division action, to adopt as amended and return to the Committee on Government Operations*
03/20/2019 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
Referred by Chair to the Transportation Finance and Policy Division
03/21/2019 *Recalled by Chair from the Transportation Finance and Policy Division*
Referred by Chair to the Judiciary Finance and Civil Law Division

A bill for an act

relating to elections; making policy and technical changes to various election and campaign finance related provisions; providing automatic voter registration; restoring the voting rights of persons with felony convictions; providing early voting; authorizing automatic absentee ballot delivery; authorizing ranked-choice voting; adopting the National Popular Vote Interstate Compact; modifying campaign finance reporting requirements for Hennepin County elections and certain political subdivisions in Hennepin County; modifying definition of expressly advocating; requiring reporting of electioneering communications; establishing a redistricting commission; appropriating money; amending Minnesota Statutes 2018, sections 10A.01, subdivisions 4, 7, 9, 11, 16a, 17c, 18, 20, 26, 27, 28, by adding a subdivision; 10A.12, subdivisions 1, 2; 10A.121, subdivisions 1, 2; 10A.13, subdivision 1; 10A.17, subdivision 4; 10A.20, subdivisions 3, 6a, by adding a subdivision; 10A.244; 10A.25, subdivision 3a; 10A.27, subdivision 15; 13.607, by adding a subdivision; 123B.09, subdivision 5b; 174.24, by adding a subdivision; 201.014, by adding a subdivision; 201.022, subdivision 1; 201.071, subdivision 1; 201.091, subdivision 4; 201.161; 203B.001; 203B.01, by adding a subdivision; 203B.03, subdivision 1; 203B.04, subdivision 5; 203B.05, subdivision 1; 203B.06, subdivisions 1, 3; 203B.081, subdivision 1; 203B.085; 203B.121, subdivisions 1, 2, 3, 5, by adding a subdivision; 204B.28, subdivision 2; 204B.35, by adding a subdivision; 204B.45, subdivisions 1, 2; 204C.03, by adding a subdivision; 204C.10; 204C.15, subdivision 1; 204C.24, subdivision 1; 204D.19, subdivision 2; 204D.195; 204D.22, subdivision 3; 204D.23, subdivision 2; 205.13, subdivision 2; 206.58, subdivision 1; 206.61, by adding a subdivision; 206.80; 206.82, subdivision 1; 206.83; 206.86, by adding a subdivision; 206.89, subdivisions 2, 3; 207A.12; 207A.13; 207A.14; 207A.15, subdivision 2; 383B.041; 473.408, by adding a subdivision; 609.165, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 2; 10A; 201; 203B; 204B; 204D; 206; 207A; 208; 243; 504B; proposing coding for new law as Minnesota Statutes, chapter 204E; repealing Minnesota Statutes 2018, sections 10A.15, subdivision 6; 203B.081, subdivision 3; 383B.042; 383B.043; 383B.044; 383B.045; 383B.046; 383B.047; 383B.048; 383B.049; 383B.05; 383B.051; 383B.052; 383B.053; 383B.054; 383B.055; 383B.056; 383B.057.

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

ARTICLE 1
ELECTIONS AND VOTING RIGHTS

Section 1. Minnesota Statutes 2018, section 13.607, is amended by adding a subdivision to read:

Subd. 9. **Data derived from driver's license applications.** Data on an application for a driver's license, a Minnesota identification card, or a learner's permit transferred to the secretary of state that are provided by a person whom the secretary of state determines is not eligible to vote are governed by section 201.161.

Sec. 2. Minnesota Statutes 2018, section 123B.09, subdivision 5b, is amended to read:

Subd. 5b. **Appointments to fill vacancies; special elections.** (a) Any vacancy on the board, other than a vacancy described in subdivision 4, must be filled by board appointment at a regular or special meeting. The appointment shall be evidenced by a resolution entered in the minutes and shall be effective 30 days following adoption of the resolution, subject to paragraph (b). If the appointment becomes effective, ~~it shall continue until an election is held under this subdivision. All elections to fill vacancies shall be for the unexpired term. A special election to fill the vacancy must be held no later than the first Tuesday after the first Monday in November following the vacancy. If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the year in which the vacancy occurs, the special election must be held no later than the first Tuesday after the first Monday in November of the following calendar year. If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the third year of the term, no special election is required. If the vacancy is filled by a special election, the person elected at that election for the ensuing term shall take office immediately after receiving the certificate of election, filing the bond, and taking the oath of office~~ the appointee shall serve for the remainder of the unexpired term.

(b) An appointment made under paragraph (a) shall not be effective if a petition to reject the appointee is filed with the school district clerk. To be valid, a petition to reject an appointee must be signed by a number of eligible voters residing in the district equal to at least five percent of the total number of voters voting in the district at the most recent state general election, and must be filed within 30 days of the board's adoption of the resolution making the appointment. If a valid petition is filed according to the requirements of this

paragraph, the appointment by the school board is ineffective and the board must name a new appointee as provided in paragraph (a).

EFFECTIVE DATE. This section is effective August 1, 2019, and applies to vacancies created on or after that date.

Sec. 3. Minnesota Statutes 2018, section 174.24, is amended by adding a subdivision to read:

Subd. 7a. **Transit service on election day.** An eligible recipient of operating assistance under this section who contracts or has contracted to provide fixed route public transit shall provide fixed route public transit service free of charge on a day a state general election is held.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 4. Minnesota Statutes 2018, section 201.014, is amended by adding a subdivision to read:

Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual convicted of a felony has the civil right to vote restored when the individual completes any incarceration imposed and executed by the court for the offense or upon sentencing if no incarceration is imposed. If the individual is later incarcerated for the same offense, the individual's civil right to vote is lost only during the period of incarceration.

Sec. 5. Minnesota Statutes 2018, section 201.022, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** The secretary of state shall maintain a statewide voter registration system to facilitate voter registration and to provide a central database containing voter registration information from around the state. The system must be accessible to the county auditor of each county in the state. The system must also:

(1) provide for voters to submit their voter registration applications to any county auditor, the secretary of state, or the Department of Public Safety;

(2) provide for the definition, establishment, and maintenance of a central database for all voter registration information;

(3) provide for entering data into the statewide registration system;

(4) provide for electronic transfer of completed voter registration applications from the Department of Public Safety to the secretary of state or the county auditor;

(5) assign a unique identifier to each legally registered voter in the state;

(6) provide for the acceptance of the Minnesota driver's license number, Minnesota state identification number, and last four digits of the Social Security number for each voter record;

(7) coordinate with other agency databases within the state;

(8) allow county auditors and the secretary of state to add or modify information in the system to provide for accurate and up-to-date records;

(9) allow county auditors, municipal and school district clerks, and the secretary of state to have electronic access to the statewide registration system for review and search capabilities;

(10) provide security and protection of all information in the statewide registration system and ensure that unauthorized access is not allowed;

(11) provide access to municipal clerks to use the system;

(12) provide a system for each county to identify the precinct to which a voter should be assigned for voting purposes;

(13) provide daily reports accessible by county auditors on the driver's license numbers, state identification numbers, or last four digits of the Social Security numbers submitted on voter registration applications that have been verified as accurate by the secretary of state; ~~and~~

(14) provide reports on the number of absentee ballots transmitted to and returned and cast by voters under section 203B.16~~.~~; and

(15) provide reports necessary for early voting.

The appropriate state or local official shall provide security measures to prevent unauthorized access to the computerized list established under section 201.021.

Sec. 6. Minnesota Statutes 2018, 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; and voter's signature. The paper registration application may include the voter's e-mail address, if provided by the voter. The electronic voter registration application must include the voter's e-mail 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) will be at least 18 years old on election day;

(2) am a citizen of the United States;

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

(4) maintain residence at the address 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) ~~have the right to vote because, if I have been convicted of a felony, my felony sentence has expired (been completed) or I have been discharged from my sentence~~ <u>am not currently incarcerated for a felony offense</u>; 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) Will you be 18 years old on or before election day?"

And the instruction:

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

The form of the voter registration application and the certification of voter eligibility must be as provided in this subdivision and approved by the secretary of state. Voter registration forms authorized by the National Voter Registration Act must also be accepted

as valid. The federal postcard application form must also be accepted as valid if it is not deficient and the voter is eligible to register in Minnesota.

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

Sec. 7. Minnesota Statutes 2018, section 201.091, subdivision 4, is amended to read:

Subd. 4. **Public information lists.** 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. ~~The list must include the party choice of any voter who voted in the most recent 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. 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.

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.

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.

Sec. 8. Minnesota Statutes 2018, section 201.161, is amended to read:

201.161 AUTOMATIC REGISTRATION OF DRIVER'S LICENSE, INSTRUCTION PERMIT, AND IDENTIFICATION CARD ~~APPLICATIONS~~ APPLICANTS.

Subdivision 1. **Automatic registration.** An individual who properly completes an application for a new or renewed Minnesota driver's license, instruction permit, or identification card, and who is eligible to vote under section 201.014, must be registered to vote as provided in this section, unless the applicant declines to be registered.

Subd. 2. **Applications.** The ~~Department~~ commissioner of public safety, in consultation with the secretary of state, shall change ~~its~~ the applications for an original, duplicate, or change of address driver's license, instruction permit, or identification card so that the forms may also serve as voter registration applications. The forms must contain spaces for all information collected by voter registration applications prescribed by the secretary of state~~.~~ ~~Applicants for driver's licenses or identification cards must be asked if they want to register to vote at the same time and that~~ and a box for the applicant to decline to be registered to vote. The form must clearly state that it is a felony for a person who is not eligible to vote to register to vote or cast a ballot. Unless the applicant has declined to be registered to vote or has provided an address other than the applicant's address of residence under section 171.12, subdivision 7, paragraph (d), the commissioner shall transmit the information ~~must be transmitted at least weekly~~ daily by electronic means to the secretary of state. Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the computerized driver's license record containing the voter's name, address, date of birth, citizenship, driver's license number or state identification number, county, ~~town,~~ and city or town must be made available for access by the secretary of state and interaction with the statewide voter registration system.

Subd. 3. **Registration.** (a) The secretary of state shall determine whether the applicant is currently registered in the statewide voter registration system. For each currently registered voter whose registration is not changed, the secretary of state shall update the voter's registration date in the statewide voter registration system. For each currently registered voter whose registration is changed, the secretary of state shall transmit the registration daily by electronic means to the county auditor of the county where the voter resides.

(b) If the applicant is not currently registered in the statewide voter registration system, the secretary of state shall determine whether the applicant is 18 years of age or older and a citizen of the United States and compare the voter registration information received under

section 201.145 to determine whether the applicant is eligible to vote. If an applicant is less than 18 years of age, the secretary of state shall wait until the applicant has turned 18 years of age to determine whether the applicant is eligible to vote. For each applicant the secretary of state determines is an eligible voter, the secretary of state shall transmit the registration daily by electronic means to the county auditor of the county where the voter resides.

(c) Any data on applicants who the secretary determines are not eligible to vote are private data on individuals, as defined in section 13.02, subdivision 12.

Subd. 4. **Notice.** Upon receipt of the registration, the county auditor shall mail to the voter the notice of registration required by section 201.121, subdivision 2.

Subd. 5. **Registering 20 days before election.** An application for registration that is dated during the 20 days before an election in any jurisdiction within which the voter resides is not effective until the day after the election.

Subd. 6. **System certification.** An applicant for a Minnesota driver's license, instruction permit, or identification card must not be registered to vote until the commissioner of public safety has certified that the department's systems have been tested and can accurately provide the necessary data, and the secretary of state has certified that the system for automatic registration of those applicants has been tested and is capable of properly determining whether an applicant is eligible to vote.

Subd. 7. **Implementation costs.** The secretary of state and commissioner of public safety must absorb any costs associated with implementation of this section using existing appropriations provided to the secretary or commissioner by law.

Sec. 9. **[201.1612] VOTER REGISTRATION INFORMATIONAL MATERIALS FOR LANDLORDS.**

The secretary of state shall prepare written materials for use by landlords as required by section 504B.182. The materials must, at a minimum, contain information on the process for registering to vote or updating an existing registration and on locating the polling place for the precinct in which the tenant resides. The materials must be clearly posted and available for download from the secretary of state's website. The materials must be reviewed by the secretary at least annually and updated as necessary to reflect current laws and procedures.

EFFECTIVE DATE. This section is effective July 1, 2019, and applies to lease agreements entered on or after that date.

Sec. 10. **[201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT VOTING RIGHTS.**

The secretary of state shall develop accurate and complete information in a single publication about the voting rights of people who have been charged with or convicted of a crime. This publication must be made available electronically to the state court administrator for distribution to judges, court personnel, probation officers, and the commissioner of corrections for distribution to corrections officials, parole and supervised release agents, and the public.

Sec. 11. Minnesota Statutes 2018, section 203B.001, is amended to read:

203B.001 ELECTION LAW APPLICABILITY.

The Minnesota Election Law is applicable to voting by absentee ballot and early voting unless otherwise provided in this chapter.

Sec. 12. Minnesota Statutes 2018, section 203B.01, is amended by adding a subdivision to read:

Subd. 5. **Early voting.** "Early voting" means voting in person before election day at the office of the county auditor or designated municipal clerk within the time period provided in section 203B.31.

Sec. 13. Minnesota Statutes 2018, section 203B.03, subdivision 1, is amended to read:

Subdivision 1. **Violation.** (a) No individual shall intentionally:

(1) make or sign any false certificate required by this chapter;

(2) make any false or untrue statement in any application for absentee ballots;

(3) apply for absentee ballots more than once in any election with the intent to cast an illegal ballot;

(4) exhibit a ballot marked by that individual to any other individual;

(5) do any act in violation of the provisions of this chapter for the purpose of casting an illegal vote in any precinct or for the purpose of aiding another to cast an illegal vote;

(6) use information from absentee ballot or early voting materials or records for purposes unrelated to elections, political activities, or law enforcement;

(7) provide assistance to an absentee or early voter except in the manner provided by section 204C.15, subdivision 1;

(8) solicit the vote of an absentee or early voter while in the immediate presence of the voter during the time the individual knows the absentee or early voter is voting; or

(9) alter an absentee ballot application after it has been signed by the voter, except by an election official for administrative purposes.

(b) Before inspecting information from absentee ballot or early voting materials or records, an individual shall provide identification to the public official having custody of the material or information.

Sec. 14. Minnesota Statutes 2018, section 203B.04, subdivision 5, is amended to read:

Subd. 5. **Permanent absentee voter status.** (a) An eligible voter may apply to a county auditor or municipal clerk to automatically receive an absentee ballot ~~application~~ before each election, other than an election by mail conducted under section 204B.45, and to have the status as a permanent absentee voter indicated on the voter's registration record. The secretary of state must prescribe a form for this purpose. An eligible voter listed as an ongoing absentee voter as of July 31, 2013, pursuant to laws in effect on that date, shall be treated as if the voter applied for status as a permanent absentee voter pursuant to this subdivision.

(b) A voter who applies under paragraph (a) must automatically be provided an absentee ballot ~~application~~ for each eligible election. A voter's permanent absentee status ends and automatic ballot ~~application~~ delivery must be terminated on:

(1) the voter's written request;

(2) the voter's death;

(3) return of an absentee ballot as undeliverable; or

(4) a change in the voter's status to "challenged" or "inactive" in the statewide voter registration system.

(c) The secretary of state shall adopt rules governing procedures under this subdivision.

EFFECTIVE DATE. This section is effective January 1, 2020, and applies to elections conducted on or after that date.

Sec. 15. **[203B.045] VOTERS WITH A DISABILITY.**

Subdivision 1. **Transmitting ballot and certificate of voter eligibility.** (a) A voter with a temporary or permanent disability may include in an application for absentee ballots a request that the ballots, instructions, and a certificate of voter eligibility meeting the

requirements of section 203B.21, subdivision 3, be transmitted to the voter electronically in an accessible format, including ballots with the ability to be marked by accessible software or devices. Upon receipt of a properly completed application requesting accessible electronic transmission, the county auditor shall electronically transmit the requested materials to the voter.

(b) Electronic materials provided by a county auditor to a voter under this subdivision must comply with the accessibility standards developed under section 16E.03, subdivision 9.

(c) The county auditor or municipal clerk must provide a return envelope containing first class postage to a voter requesting a ballot and ballot materials under this subdivision.

Subd. 2. **Marking ballots.** The voter may electronically mark the ballot using accessible software or devices.

Subd. 3. **Returning voted ballots.** The voter must return the voted ballots and the certificate of voter eligibility to the county auditor in a sealed envelope.

Sec. 16. Minnesota Statutes 2018, section 203B.05, subdivision 1, is amended to read:

Subdivision 1. **Generally.** The full-time clerk of any city or town shall administer the provisions of sections 203B.04 to 203B.15 if:

(1) the county auditor of that county has designated the clerk to administer them; or

(2) the clerk has given the county auditor of that county notice of intention to administer them.

The designation or notice must specify whether the clerk will be responsible for the administration of a ballot board as provided in section 203B.121.

A clerk of a city that is located in more than one county may only administer the provisions of sections 203B.04 to 203B.15 and 203B.30 to 203B.35 if the clerk has been designated by each of the county auditors or has provided notice to each of the county auditors that the city will administer absentee voting. A clerk may only administer the provisions of sections 203B.04 to 203B.15 if the clerk has technical capacity to access the statewide voter registration system in the secure manner prescribed by the secretary of state. The secretary of state must identify hardware, software, security, or other technical prerequisites necessary to ensure the security, access controls, and performance of the statewide voter registration system. A clerk must receive training approved by the secretary of state on the use of the statewide voter registration system before administering this section.

A clerk may not use the statewide voter registration system until the clerk has received the required training. The county auditor must notify the secretary of state of any municipal clerk who will be administering the provisions of this section and the duties that the clerk will administer.

Sec. 17. Minnesota Statutes 2018, section 203B.06, subdivision 1, is amended to read:

Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal clerk shall prepare and print a sufficient number of blank application forms for absentee ballots. The county auditor or municipal clerk shall deliver a blank application form to any voter who requests one pursuant to section 203B.04. ~~Blank application forms must be mailed to eligible voters who have requested an application pursuant to section 203B.04, subdivision 5, at least 60 days before:~~

~~(1) each regularly scheduled primary for federal, state, county, city, or school board office;~~

~~(2) each regularly scheduled general election for city or school board office for which a primary is not held; and~~

~~(3) a special primary to fill a federal or county office vacancy or special election to fill a federal or county office vacancy, if a primary is not required to be held pursuant to section 204D.03, subdivision 3, or 204D.07, subdivision 3; and~~

~~(4) any election held in conjunction with an election described in clauses (1) to (3);~~

~~or at least 45 days before any other primary or other election for which a primary is not held.~~

EFFECTIVE DATE. This section is effective January 1, 2020, and applies to elections conducted on or after that date.

Sec. 18. Minnesota Statutes 2018, section 203B.06, subdivision 3, is amended to read:

Subd. 3. **Delivery of ballots.** (a) The county auditor or municipal clerk, or full-time clerk of any city or town administering an election pursuant to section 203B.05, shall mail absentee ballots to voters on the permanent absentee ballot list pursuant to section 203B.04, subdivision 5, at least 45 days before:

(1) each regularly scheduled primary or general election for federal, state, county, city, or school board office;

(2) each special primary or special election to fill a federal, state, county, city, or school board vacancy; except

(3) town clerks administering absentee ballots for a town general election held in March shall deliver absentee ballots at least 30 days before the election.

(b) The commissioner of corrections must provide the secretary of state with a list of the names and mailing addresses of state adult correctional facilities. An application for an absentee ballot that provides an address included on the list provided by the commissioner of corrections must not be accepted and an absentee ballot must not be provided to the applicant. The county auditor or municipal clerk must promptly transmit a copy of the application to the county attorney. The Department of Corrections must implement procedures to ensure that absentee ballots issued under this chapter are not received or mailed by offenders incarcerated at state adult correctional facilities.

~~(b)~~ (c) If an application for absentee ballots is accepted at a time when absentee ballots are not yet available for distribution, the county auditor, or municipal clerk accepting the application shall file it and as soon as absentee ballots are available for distribution shall mail them to the address specified in the application. If an application for absentee ballots is accepted when absentee ballots are available for distribution, the county auditor or municipal clerk accepting the application shall promptly:

(1) mail the ballots to the voter whose signature appears on the application if the application is submitted by mail and does not request commercial shipping under clause (2);

(2) ship the ballots to the voter using a commercial shipper requested by the voter at the voter's expense;

(3) deliver the absentee ballots directly to the voter if the application is submitted in person; or

(4) deliver the absentee ballots in a sealed transmittal envelope to an agent who has been designated to bring the ballots, as provided in section 203B.11, subdivision 4, to a voter who would have difficulty getting to the polls because of incapacitating health reasons, or who is disabled, or who is a patient in a health care facility, a resident of a facility providing assisted living services governed by chapter 144G, a participant in a residential program for adults licensed under section 245A.02, subdivision 14, or a resident of a shelter for battered women as defined in section 611A.37, subdivision 4.

~~(c)~~ (d) If an application does not indicate the election for which absentee ballots are sought, the county auditor or municipal clerk shall mail or deliver only the ballots for the next election occurring after receipt of the application. Only one set of ballots may be mailed, shipped, or delivered to an applicant for any election, except as provided in section 203B.121, subdivision 2, or when a replacement ballot has been requested by the voter for a ballot that has been spoiled or lost in transit.

EFFECTIVE DATE. This section is effective January 1, 2020, and applies to elections conducted on or after that date.

Sec. 19. Minnesota Statutes 2018, section 203B.081, subdivision 1, is amended to read:

Subdivision 1. **Location; timing.** (a) An eligible voter may vote by absentee ballot in the office of the county auditor and at any other polling place designated by the county auditor or by a municipal clerk authorized to conduct absentee balloting under section 203B.05 during the 46 days before the election, except as provided in this section.

(b) A polling place location, other than the office of the county auditor, may be opened for fewer than 46 days. If a polling place is open fewer than 46 days before the election, the county auditor or municipal clerk must post the polling place location and hours of operation on the jurisdiction's website and must inform the secretary of state of the polling place's location and hours.

Sec. 20. Minnesota Statutes 2018, section 203B.085, is amended to read:

203B.085 COUNTY AUDITOR'S AND MUNICIPAL CLERK'S OFFICES TO REMAIN OPEN DURING CERTAIN HOURS PRECEDING ELECTION.

The county auditor's office in each county and the clerk's office in each city or town authorized under section 203B.05 to administer absentee balloting must be open for acceptance of absentee ballot applications and casting of absentee ballots from 8:00 a.m. to 12:00 noon on the day immediately preceding an election subject to early voting under section 203B.30 unless that day falls on a Sunday. When performing the duties of the county auditor in an election not subject to early voting under section 203B.30, the clerk's office must be open from 10:00 a.m. to 3:00 p.m. on Saturday and until 5:00 p.m. on the day immediately preceding a primary, special, or general election unless that day falls on a Saturday or Sunday. Town clerks' offices must be open for absentee voting from 10:00 a.m. to 12:00 noon on the Saturday before a town general election held in March. The school district clerk, when performing the county auditor's election duties, need not comply with this section.

Sec. 21. Minnesota Statutes 2018, section 203B.121, subdivision 1, is amended to read:

Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county, municipality, and school district with responsibility to accept and reject absentee ballots or to administer early voting must, by ordinance or resolution, establish a ballot board. The board must consist of a sufficient number of election judges trained in the handling of absentee ballots and appointed as provided in sections 204B.19 to 204B.22. The board may include deputy county auditors or deputy city clerks who have received training in the processing and counting of absentee ballots.

(b) Each jurisdiction must pay a reasonable compensation to each member of that jurisdiction's ballot board for services rendered during an election.

(c) Except as otherwise provided by this section, all provisions of the Minnesota Election Law apply to a ballot board.

Sec. 22. Minnesota Statutes 2018, section 203B.121, subdivision 2, is amended to read:

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

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

(1) the voter's name and address on the return envelope are the same as the information provided on the absentee ballot application or voter record;

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

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

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

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

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

The return envelope from accepted ballots must be preserved and returned to the county auditor.

(c)(1) If a majority of the members of the ballot board examining a return envelope find that an absentee voter has failed to meet one of the requirements provided in paragraph (b), they shall mark the return envelope "Rejected," initial or sign it below the word "Rejected," list the reason for the rejection on the envelope, and return it to the county auditor. There is no other reason for rejecting an absentee ballot beyond those permitted by this section. Failure to place the ballot within the security envelope before placing it in the outer white envelope is not a reason to reject an absentee ballot.

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

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

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

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

(2) the reason for rejection; and

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

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

EFFECTIVE DATE. This section is effective January 1, 2020, and applies to elections conducted on or after that date.

Sec. 23. Minnesota Statutes 2018, section 203B.121, is amended by adding a subdivision to read:

Subd. 2a. **Duties of ballot board; early voting.** The members of the ballot board shall administer the process of early voting as prescribed in section 203B.35, and shall make a record of voters who cast ballots early and count those ballots as provided in subdivisions 4 and 5.

Sec. 24. Minnesota Statutes 2018, section 203B.121, subdivision 3, is amended to read:

Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk must immediately record that a voter's absentee ballot has been accepted or that the voter has cast a ballot pursuant to the early voting procedures provided in this chapter. A voter whose record indicates that the voter has cast an early ballot must not be permitted to cast another ballot in that election. After the close of business on the ~~seventh day before the election~~ day prior to the beginning of the early voting period as provided in section 203B.31, a voter whose record indicates that an absentee ballot has been accepted must not be permitted to cast another ballot at that election. In a state primary, general, or state special election for federal ~~or~~, state, or county office, the auditor or clerk must also record this information in the statewide voter registration system.

(b) The roster must be marked, and a supplemental report of absentee and early voters who submitted a voter registration application with their ballot must be created, no later than the start of voting on election day to indicate the voters that have already cast a ballot at the election. The roster may be marked either:

(1) by the county auditor or municipal clerk before election day;

(2) by the ballot board before election day; or

(3) by the election judges at the polling place on election day.

The record of a voter whose absentee ballot was received after the close of business on the seventh day before the election is not required to be marked on the roster or contained in a supplemental report as required by this paragraph.

Sec. 25. Minnesota Statutes 2018, section 203B.121, subdivision 5, is amended to read:

Subd. 5. **Storage and counting of absentee and early voting ballots.** (a) On a day on which absentee or early voting ballots are inserted into a ballot box, two members of the ballot board must:

(1) remove the ballots from the ballot box at the end of the day;

(2) without inspecting the ballots, ensure that the number of ballots removed from the ballot box is equal to the number of voters who cast early votes and whose absentee ballots were accepted that day; and

(3) seal and secure all voted and unvoted ballots present in that location at the end of the day.

(b) After the polls have closed on election day, two members of the ballot board must count the ballots, tabulating the vote in a manner that indicates each vote of the voter and the total votes cast for each candidate or question. In state primary and state general elections, the results must indicate the total votes cast for each candidate or question in each precinct and report the vote totals tabulated for each precinct. The count must be recorded on a summary statement in substantially the same format as provided in section 204C.26. The ballot board shall submit at least one completed summary statement to the county auditor or municipal clerk. The county auditor or municipal clerk may require the ballot board to submit a sufficient number of completed summary statements to comply with the provisions of section 204C.27, or the county auditor or municipal clerk may certify reports containing the details of the ballot board summary statement to the recipients of the summary statements designated in section 204C.27.

In state primary and state general elections, these vote totals shall be added to the vote totals on the summary statements of the returns for the appropriate precinct. In other elections, these vote totals may be added to the vote totals on the summary statement of returns for the appropriate precinct or may be reported as a separate total.

The count shall be public. No vote totals from ballots may be made public before the close of voting on election day.

(c) In addition to the requirements of paragraphs (a) and (b), if the task has not been completed previously, the members of the ballot board must verify as soon as possible, but no later than 24 hours after the end of the hours for voting, that voters whose absentee ballots arrived after the rosters were marked or supplemental reports were generated and whose ballots were accepted did not vote in person on election day. An absentee ballot submitted

by a voter who has voted in person on election day must be rejected. All other accepted absentee ballots must be opened, duplicated if necessary, and counted by members of the ballot board. The vote totals from these ballots must be incorporated into the totals with the other absentee ballots and handled according to paragraph (b).

Sec. 26. **[203B.30] EARLY VOTING; APPLICABILITY.**

(a) Any eligible voter may vote in person in a federal, state, or county election prior to the date of the election, in the manner provided in sections 203B.31 to 203B.35.

(b)(1) Subject to clause (2), for city elections not held in conjunction with a federal, state, or county election, the city may authorize eligible voters to vote in the manner provided in sections 203B.31 to 203B.35 upon resolution of the governing body of the city, adopted prior to the first day for filing affidavits of candidacy for the election. In the case of a home rule charter city, authorization may alternatively be made by amendment to the city's charter for this purpose.

(2) A city may only authorize voting under sections 203B.31 to 203B.35 if the municipal clerk has the technical capacity to access the statewide voter registration system in the secure manner prescribed by the secretary of state. The secretary of state must identify hardware, software, security, or other technical prerequisites necessary to ensure the security, access controls, and performance of the statewide voter registration system. The clerk must receive training approved by the secretary of state on the use of the statewide voter registration system before administering voting authorized under this paragraph. The clerk may not use the statewide voter registration system until the clerk has received the required training.

Sec. 27. **[203B.31] TIME PERIOD FOR EARLY VOTING.**

Early voting must be available to any eligible voter as provided in section 203B.32 for every primary, general, and special election subject to early voting under section 203B.30 from 30 days before the election through 5:00 p.m. on the third day before the election. All voters in line at 5:00 p.m. on the third day before the election must be allowed to vote in the same manner as provided in section 204C.05, subdivision 2.

Sec. 28. **[203B.32] HOURS FOR EARLY VOTING.**

Early voting must be available between the hours of 8:00 a.m. and 4:30 p.m. on each weekday during the time period provided in section 203B.31, from 8:00 a.m. to 8:00 p.m. on at least one weekday, and from 10:00 a.m. to 5:00 p.m. on the two Saturdays before the election.

Sec. 29. **[203B.33] LOCATIONS FOR EARLY VOTING.**

(a) Early voting must be made available at polling places designated in the county auditor's offices in county-owned or operated buildings, at the municipal clerk's office in every municipality that has been delegated the responsibility to administer absentee voting as provided in section 203B.05 or which is conducting an election that includes early voting, as authorized in section 203B.30, and at any other county or city-owned or operated buildings designated by the county auditor or municipal clerk. At least one voting station and one ballot marking device for disabled voters must be made available in each polling place.

(b) The county auditor or municipal clerk must make an electronic ballot counter available in each polling place.

Sec. 30. **[203B.34] NOTICE TO VOTERS.**

The county auditor or municipal clerk must prepare a notice to the voters of the days, times, and locations for early voting. This notice must be posted on the county's website, if applicable, and the website for each municipality in the county where an early voting location is designated for the election at least 14 days before the first day for early voting. If a county or municipality does not have a website, the county auditor or municipal clerk must publish the notice at least once in the jurisdiction's official newspaper at least seven days and not more than 14 days before the first day for early voting.

Sec. 31. **[203B.35] PROCEDURES FOR EARLY VOTING.**

Subdivision 1. **Voting procedure.** Each voter shall sign the certification provided in section 204C.10. An individual who is not registered to vote must register in the manner provided in section 201.061, subdivision 3.

After the voter has signed the certification, a member of the ballot board must provide a ballot to the voter. Ballots must be prepared and distributed by members of the ballot board in the manner provided in section 204C.09. The voter must mark the ballot and deposit it in either a precinct voting system or a sealed ballot box. A voter may not leave the polling place with the ballot.

Subd. 2. **Processing of ballots.** Ballots cast pursuant to sections 203B.30 to 203B.35 must be processed and counted by a ballot board.

Sec. 32. Minnesota Statutes 2018, section 204B.28, subdivision 2, is amended to read:

Subd. 2. **Election supplies; duties of county auditors and clerks.** (a) Except as otherwise provided for absentee ballots in this section and in section 204B.35, subdivision 4, the county auditor shall complete the preparation of the election materials for which the auditor is responsible at least four days before every state primary and state general election. At any time after all election materials are available from the county auditor but not later than four days before the election each municipal clerk shall secure from the county auditor:

~~(a)~~ (1) the forms that are required for the conduct of the election;

~~(b)~~ (2) any printed voter instruction materials furnished by the secretary of state;

~~(c)~~ (3) any other instructions for election officers; and

~~(d)~~ (4) a sufficient quantity of the official ballots, registration files, envelopes for ballot returns, and other supplies and materials required for each precinct in order to comply with the provisions of the Minnesota Election Law. The county auditor may furnish the election supplies to the municipal clerks in the same manner as the supplies are furnished to precincts in unorganized territory pursuant to section 204B.29, subdivision 1.

(b) The county auditor must prepare and make available election materials for early voting to city clerks designated to administer early voting under section 203B.05 at least one day prior to the beginning of the early voting period as provided in section 203B.31.

Sec. 33. Minnesota Statutes 2018, section 204B.35, is amended by adding a subdivision to read:

Subd. 6. **Electronic voting systems.** Notwithstanding sections 204B.35 to 204B.44 and chapter 204D, a jurisdiction may employ an electronic voting system provided by section 206.80, paragraph (b), clause (3), displaying the required ballot information on an electronic device in a format that substantially meets the requirements of law.

Sec. 34. Minnesota Statutes 2018, section 204B.45, subdivision 1, is amended to read:

Subdivision 1. **Authorization.** A town of any size ~~not located in a metropolitan county as defined by section 473.121,~~ or a city having fewer than 400 registered voters on June 1 of an election year ~~and not located in a metropolitan county as defined by section 473.121,~~ may provide balloting by mail at any municipal, county, or state election with no polling place other than the office of the auditor or clerk or other locations designated by the auditor or clerk. The governing body may apply to the county auditor for permission to conduct balloting by mail. The county board may provide for balloting by mail in unorganized

territory. The governing body of any municipality may designate for mail balloting any precinct having fewer than 100 registered voters, subject to the approval of the county auditor.

Voted ballots may be returned in person to any location designated by the county auditor or municipal clerk.

EFFECTIVE DATE. This section is effective January 1, 2020, and applies to elections conducted on or after that date.

Sec. 35. Minnesota Statutes 2018, section 204B.45, subdivision 2, is amended to read:

Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before a regularly scheduled election and not more than 30 days nor later than 14 days before any other election, the auditor shall mail ballots by nonforwardable mail to all voters registered in the city, town, or unorganized territory. No later than 14 days before the election, the auditor must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed and eligible voters with a temporary or permanent disability may apply for ballots as provided in chapter 203B. Ballot return envelopes, with return postage provided, must be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in person to the office of the auditor or clerk. The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "accepted" or "rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors or deputy municipal clerks who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk shall provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the seventh day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from mail or absentee ballots may be made public before the close of voting on election day.

The costs of the mailing shall be paid by the election jurisdiction in which the voter resides. Any ballot received by 8:00 p.m. on the day of the election must be counted.

Sec. 36. Minnesota Statutes 2018, section 204C.03, is amended by adding a subdivision to read:

Subd. 5. **Transit service.** Certain requirements for transit service on the date of a state general election are as provided in sections 174.24, subdivision 7a, and 473.408, subdivision 11.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 37. Minnesota Statutes 2018, section 204C.10, is amended to read:

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

(a) An individual seeking to vote shall sign a polling place roster or voter signature certificate which states that the individual:

(1) is at least 18 years of age~~,~~;

(2) a citizen of the United States~~,~~;

(3) has resided in Minnesota for 20 days immediately preceding the election~~,~~;

(4) maintains residence at the address shown~~,~~;

(5) is not under a guardianship in which the court order revokes the individual's right to vote~~,~~;

(6) has not been found by a court of law to be legally incompetent to vote ~~or~~;

(7) has the right to vote because, if the individual was convicted of a felony, ~~the felony sentence has expired or been completed~~ or the individual has ~~been discharged from the sentence,~~ completed the term of incarceration, if any, for the felony offense;

(8) is registered; and

(9) has not already voted in the election.

The roster must also state: "I understand that deliberately providing false information is a felony punishable by not more than five years imprisonment and a fine of not more than $10,000, or both."

(b) At the presidential nomination primary, the polling place roster must also state: "I am in general agreement with the principles of the party for whose candidate I intend to vote~~, and I understand that my choice of a party's ballot will be public information~~." This statement must appear separately from the statements required in paragraph (a). The felony penalty provided for in paragraph (a) does not apply to this paragraph.

~~(c)~~ (b) A judge may, before the applicant signs the roster or voter signature certificate, confirm the applicant's name, address, and date of birth.

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

~~(e)~~ (d) Whenever a challenged status appears on the polling place roster, an election judge must ensure that the challenge is concealed or hidden from the view of any voter other than the voter whose status is challenged.

Sec. 38. Minnesota Statutes 2018, section 204C.15, subdivision 1, is amended to read:

Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for assistance because of inability to read English or physical inability to mark a ballot may obtain the aid of two election judges who are members of different major political parties. The election judges shall mark the ballots as directed by the voter and in as secret a manner as circumstances permit. A voter in need of assistance may alternatively obtain the assistance of any individual the voter chooses. Only the following persons may not provide assistance to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the voter's union, or a candidate for election. The person who assists the voter shall, unaccompanied by an election judge, retire with that voter to a booth and mark the ballot

as directed by the voter. ~~No person who assists another voter as provided in the preceding sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots are deposited, the voter may show them privately to an election judge to ascertain that they are marked as the voter directed. An election judge or other individual assisting a voter shall not in any manner request, persuade, induce, or attempt to persuade or induce the voter to vote for any particular political party or candidate. The election judges or other individuals who assist the voter shall not reveal to anyone the name of any candidate for whom the voter has voted or anything that took place while assisting the voter.

Sec. 39. Minnesota Statutes 2018, section 204C.24, subdivision 1, is amended to read:

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

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

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

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

(4) the number of voted ballots indicating only a voter's choices as provided by section 206.80, paragraph (b), clause (3);

~~(4)~~ (5) the number of individuals who voted at the election in the precinct which must equal the total number of ballots cast in the precinct, as required by sections 204C.20 and 206.86, subdivision 1;

~~(5)~~ (6) the number of voters registering on election day in that precinct; and

~~(6)~~ (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.

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

Sec. 40. Minnesota Statutes 2018, section 204D.19, subdivision 2, is amended to read:

Subd. 2. **Special election when legislature will be in session.** Except for vacancies in the legislature which occur at any time between the last day of session in an odd-numbered year and the ~~40th~~ 54th day prior to the opening day of session in the succeeding even-numbered year, when a vacancy occurs and the legislature will be in session so that the individual elected as provided by this section could take office and exercise the duties of the office immediately upon election, the governor shall issue within five days after the vacancy occurs a writ calling for a special election. The special election shall be held as soon as possible, consistent with the notice requirements of section 204D.22, subdivision 3, but in no event more than ~~35~~ 49 days after the issuance of the writ. ~~A special election must not be held during the four days before or the four days after a holiday as defined in section 645.44, subdivision 5.~~

EFFECTIVE DATE. This section is effective August 1, 2019, and applies to vacancies occurring on or after that date.

Sec. 41. Minnesota Statutes 2018, section 204D.195, is amended to read:

204D.195 DATE OF SPECIAL ELECTION; CERTAIN TIMES PROHIBITED.

Notwithstanding any other provision of law, a special primary and special general election may not be held:

(1) for a period beginning the day following the date of the state primary election and ending the day prior to the date of the state general election~~.~~; or

(2) on a holiday, or during the four days before or the four days after a holiday, as defined in section 645.44, subdivision 5.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to special elections for vacancies in office occurring on or after that date.

Sec. 42. Minnesota Statutes 2018, section 204D.22, subdivision 3, is amended to read:

Subd. 3. **Notice of special election.** The county auditor of a county in which a special election is to be held shall direct the clerk of each municipality in which the election is to be held to post a notice of the special primary and special election at least ~~seven~~ 14 days before the special primary and at least ~~14~~ 21 days before the special election in the manner

provided in sections 204B.33 and 204B.34. If the special primary is to be held ~~14~~ 21 days before the special election, a single notice of both elections may be posted seven days before the primary.

When the special primary or special election is to be held on the same day as any other election, notice of the special primary or special election may be included in the notice of the other election, if practicable.

EFFECTIVE DATE. This section is effective August 1, 2019, and applies to vacancies occurring on or after that date.

Sec. 43. Minnesota Statutes 2018, section 204D.23, subdivision 2, is amended to read:

Subd. 2. **Time of filing.** Except as provided in subdivision 3, the affidavits and petitions shall be filed no later than ~~14~~ 21 days before the special primary.

EFFECTIVE DATE. This section is effective August 1, 2019, and applies to vacancies occurring on or after that date.

Sec. 44. **[204D.275] LOCAL REIMBURSEMENT FOR SPECIAL ELECTIONS.**

Subdivision 1. **Reimbursement authorized.** Each county and municipality shall be reimbursed for the cost of conducting a special election as defined in section 200.02, subdivision 4, for a federal or state office.

Subd. 2. **Expenses eligible for reimbursement.** The secretary of state shall reimburse each county and municipality for the cost of:

(1) preparation and printing of ballots and other election materials for the special election;

(2) postage for absentee ballots;

(3) publication of the sample ballot;

(4) preparation of polling places;

(5) preparation of electronic voting systems;

(6) compensation paid to the county canvassing board members;

(7) election judge salaries; and

(8) other reasonable costs of administering the election, as approved by the secretary of state.

Reimbursable costs do not include salaries of permanent local officials or the cost of reusable supplies and equipment.

Subd. 3. **Reimbursement requests.** (a) Not more than 90 days after the special election, the county auditor must submit a request for reimbursement of the costs incurred by the county for conducting the special election and the municipal clerk must submit a request for reimbursement of the costs incurred by the municipality for conducting the special election. The request for reimbursement must be submitted to the secretary of state and must be accompanied by an itemized description of actual county or municipal expenditures including copies of invoices. In addition, the county auditor or municipal clerk must certify that the request for reimbursement is based on actual costs incurred by the county or municipality in the special election. The secretary of state shall provide each county and municipality with the appropriate forms for requesting payment and certifying expenses under this subdivision.

(b) The secretary of state must not reimburse expenses unless the request for payment and certification of costs has been submitted as provided in this subdivision. The secretary of state must complete the issuance of reimbursements to the counties and municipalities for qualifying claims no later than 120 days after the special election. Amounts necessary to pay qualifying claims are appropriated from the general fund to the secretary of state for that purpose.

Sec. 45. **[204E.01] APPLICABILITY.**

This chapter applies to all elections expressly authorized by law to use ranked-choice voting. All other provisions of the Minnesota Election Law also apply, to the extent they are not inconsistent with this chapter.

Sec. 46. **[204E.02] DEFINITIONS.**

Subdivision 1. **Scope.** The definitions in this section apply to this chapter.

Subd. 2. **Batch elimination.** "Batch elimination" means a simultaneous defeat of multiple continuing candidates that have no mathematical chance of being elected.

Subd. 3. **Chief election official.** "Chief election official" means the principal officer in the jurisdiction charged with duties relating to elections.

Subd. 4. **Duplicate ranking.** "Duplicate ranking" means a voter has ranked the same candidate at multiple rankings for the office being counted.

Subd. 5. **Exhausted ballot.** "Exhausted ballot" means a ballot that can no longer be advanced under the procedures in section 204E.06.

Subd. 6. **Highest continuing ranking.** "Highest continuing ranking" means the ranking on a voter's ballot with the lowest numerical value for a continuing candidate.

Subd. 7. **Mathematically impossible to be elected.** "Mathematically impossible to be elected" means either:

(1) the candidate cannot be elected because the candidate's current vote total plus all votes that could possibly be transferred to the candidate in future rounds from candidates with fewer votes or an equal number of votes and surplus votes would not be enough to surpass the candidate with the next higher current vote total; or

(2) the candidate has a lower current vote total than a candidate who is described by clause (1).

Subd. 8. **Overvote.** "Overvote" means a voter has ranked more than one candidate at the same ranking.

Subd. 9. **Partially defective ballot.** "Partially defective ballot" means a ballot that is defective to the extent that the election judges are unable to determine the voter's intent with respect to the office being counted.

Subd. 10. **Ranked-choice voting.** "Ranked-choice voting" means an election method in which voters rank candidates for an office in order of their preference, with each vote counting for the highest-ranked continuing candidate on each ballot until that candidate has been elected or defeated by the method established in this chapter.

Subd. 11. **Ranked-choice voting tabulation center.** "Ranked-choice voting tabulation center" means the place selected for the automatic or manual processing and tabulation of ballots.

Subd. 12. **Ranking.** "Ranking" means the number assigned by a voter to a candidate to express the voter's preference for that candidate. Ranking number one is the highest ranking. A ranking of lower numerical value indicates a greater preference for a candidate than a ranking of higher numerical value.

Subd. 13. **Round.** "Round" means an instance of the sequence of voting tabulation steps established in section 204E.06.

Subd. 14. **Skipped ranking.** "Skipped ranking" means a voter has left a ranking blank and ranks a candidate at a subsequent ranking.

Subd. 15. **Surplus.** "Surplus" means the total number of votes cast for an elected candidate in excess of the threshold.

Subd. 16. **Surplus fraction of a vote.** "Surplus fraction of a vote" means the proportion of each vote to be transferred when a surplus is transferred. The surplus fraction is calculated by dividing the surplus by the total votes cast for the elected candidate, calculated to four decimal places, ignoring any remainder.

Subd. 17. **Threshold.** "Threshold" means the number of votes sufficient for a candidate to be elected. In any given election, the threshold equals the total votes counted in the first round after removing defective ballots, divided by the sum of one plus the number of offices to be filled and adding one to the quotient, disregarding any fractions.

Subd. 18. **Transfer value.** "Transfer value" means the fraction of a vote that a transferred ballot will contribute to the next ranked continuing candidate on that ballot. The transfer value of a vote cast for an elected candidate is calculated by multiplying the surplus fraction of each vote by its current value, calculated to four decimal places, ignoring any remainder. The transfer value of a vote cast for a defeated candidate is the same as its current value.

Subd. 19. **Transferable vote.** "Transferable vote" means a vote or a fraction of a vote for a candidate who has been either elected or defeated.

Subd. 20. **Totally defective ballot.** "Totally defective ballot" means a ballot that is defective to the extent that election judges are unable to determine the voter's intent for any office on the ballot.

Subd. 21. **Undervote.** "Undervote" means a voter did not rank any candidates for an office.

Sec. 47. **[204E.03] AUTHORIZATION TO ADOPT RANKED-CHOICE VOTING; IMPLEMENTATION.**

(a) The following political subdivisions may adopt, in the manner provided in this section, ranked-choice voting as a method of voting for local offices within the political subdivision:

(1) home rule charter or statutory cities;

(2) counties;

(3) townships; and

(4) school districts.

(b) A jurisdiction that adopts ranked-choice voting may do so by adopting an ordinance or resolution or by a ballot question presented to the voters. The ranked-choice voting method may be repealed by one of the same methods provided for adoption.

(c) A home rule charter jurisdiction that adopts a ranked-choice voting system in its charter may adopt this chapter by reference in an ordinance, but is not required to do so. Nothing in this chapter prevents a home rule charter jurisdiction from adopting another voting method in its charter.

(d) Ranked-choice voting shall only be used to elect local offices at a general or special election, or at a primary election which serves as a party-nominating election for a partisan office. A primary election must not be held for any nonpartisan offices that are elected using ranked-choice voting.

(e) A jurisdiction that adopts the use of ranked-choice voting in local elections must do so no later than 30 days before the first day for filing affidavits of candidacy for the office for which ranked-choice voting is to be used as the method of election.

(f) Repeal of ranked-choice voting must be no later than 30 days before the first day for filing affidavits of candidacy for offices for which ranked-choice voting is used as the method of election.

(g) The chief election official shall notify the secretary of state and, if applicable, the county auditor within 30 days following adoption or repeal of ranked-choice voting.

Sec. 48. **[204E.04] BALLOTS.**

Subdivision 1. **Ballot format.** (a) If there are three or more qualified candidates, a ballot must allow a voter to rank at least three candidates for each office in order of preference and must also allow the voter to add write-in candidates.

(b) A ballot must:

(1) include instructions to voters that clearly indicate how to mark the ballot;

(2) include instructions to voters that clearly indicate how to rank candidates in order of the voter's preference; and

(3) indicate the number of seats to be elected for each office.

(c) A jurisdiction may use ballots compatible with alphanumeric character recognition voting equipment.

Subd. 2. **Mixed-election method ballots.** If elections are held in which ranked-choice voting is used in addition to other methods of voting, the ranked-choice voting and non-ranked-choice voting elections must be on the same ballot card if possible, with ranked-choice voting and non-ranked-choice voting portions clearly separated on the ballot card. A separate ballot card may be used if necessary. A jurisdiction may deviate from the standard ballot order of offices to allow separation of ranked-choice voting and non-ranked-choice voting elections.

Subd. 3. **Ballot format rules.** The chief election official shall establish administrative rules for ballot format after a voting mechanism has been selected, consistent with this section.

Sec. 49. **[204E.05] RANKED-CHOICE VOTING TABULATION CENTER.**

Subdivision 1. **Tabulation of votes; generally.** The chief election official shall designate one location to serve as the ranked-choice voting tabulation center. The center must be accessible to the public for the purpose of observing the vote tabulation. Tabulation of votes must be conducted as described in section 204E.06.

Subd. 2. **Precinct tabulation.** When the hours for voting have ended and all voting has concluded, the election judges in each precinct shall record and publicly declare the number of first choices cast for each candidate in that precinct. The election judges must then securely transfer all electronic voting data and ballots from the precinct to the ranked-choice voting tabulation center designated under this section. Upon receipt at the ranked-choice voting tabulation center, all electronic voting data and ballots shall be secured.

Subd. 3. **Notice of recess in count.** At any time following receipt of materials under subdivision 1, the chief election official may declare a recess. Notice of the recess must include the date, time, and location at which the process of recording and tabulating votes will resume and the reason for the recess. Notice must be posted on the city's official bulletin board and on the door of the ranked-choice voting tabulation center.

Subd. 4. **Recording write-in votes.** At a time set by the chief election official, the election judges shall convene at the ranked-choice voting tabulation center to examine ballots on which voters have indicated a write-in choice, and record the names and number of votes received by each write-in candidate. In the event that votes cast for the write-in category are not eliminated as provided in section 204E.06, the results must be entered into the ranked-choice voting tabulation software.

Subd. 5. **Ranked-choice vote tabulation.** After all votes have been recorded, and at a time set by the chief election official, the process of tabulating votes cast for offices to be elected using the ranked-choice method must begin. The counting must continue until preliminary results for all races are determined, subject to subdivision 3.

Sec. 50. **[204E.06] TABULATION OF VOTES.**

(a) Tabulation of votes at the ranked-choice voting tabulation center must proceed in rounds for each office to be counted. The threshold must be calculated and publicly declared. Each round must proceed sequentially as follows:

(1) the number of votes cast for each candidate for the current round must be counted. If the number of candidates whose vote totals equal or exceed the threshold are equal to the number of seats to be filled, those candidates who are continuing candidates are elected and the tabulation is complete. If the number of candidates whose vote totals are equal to or greater than the threshold is not equal to the number of seats to be filled, a new round begins and the tabulation must continue as provided in the remainder of this paragraph;

(2) surplus votes for any candidates whose vote totals are equal to or greater than the threshold must be calculated;

(3) after any surplus votes are calculated but not yet transferred, all candidates for whom it is mathematically impossible to be elected must be defeated by batch elimination. Votes for the defeated candidates must be transferred to each ballot's next-ranked continuing candidate, and the tabulation process reiterates beginning with clause (2). If no candidate can be defeated mathematically, the tabulation must continue as described in clause (4);

(4) the transfer value of each vote cast for an elected candidate must be transferred to the next continuing candidate on that ballot. Of the candidates whose vote totals reach or exceed the threshold, the candidate with the largest surplus is declared elected and that candidate's surplus is transferred. A tie between two or more candidates must immediately and publicly be resolved by lot by the chief election official at the tabulation center. The surplus of the candidate chosen by lot must be transferred before other transfers are made. The result of the tie resolution must be recorded and reused in the event of a recount. If no candidate has a surplus, the tabulation must continue as described in clause (5); otherwise, the tabulation process must reiterate beginning with clause (2);

(5) if there are no transferable surplus votes, the candidate with the fewest votes is defeated. Votes for the defeated candidate must be transferred to each ballot's next-ranked continuing candidate. Ties between candidates with the fewest votes must be decided by

lot, and the candidate chosen by lot must be defeated. The result of the tie resolution must be recorded and reused in the event of a recount. The tabulation process must reiterate beginning with clause (2); and

(6) the procedures in clauses (2) to (5) must be repeated until the number of candidates whose vote totals are equal to or exceed the threshold is equal to the number of seats to be filled, or until the number of continuing candidates is equal to the number of offices yet to be elected. If the number of continuing candidates is equal to the number of offices yet to be elected, the remaining continuing candidates must be declared elected. In the case of a tie between two continuing candidates, the tie must be decided by lot as provided in section 204C.34, and the candidate chosen by lot must be defeated. The result of the tie resolution must be recorded and reused in the event of a recount.

(b) When a single skipped ranking is encountered on a ballot, that ballot must count toward the next nonskipped ranking. If any ballot cannot be advanced because no further candidates are ranked on that ballot, because a voter has skipped more than one ranking, or because an undervote, overvote, or duplicate ranking is encountered, the ballot must not count toward any candidate in that round or in subsequent rounds for the office being counted.

Sec. 51. **[204E.07] REPORTING RESULTS.**

(a) Each precinct must print a precinct summary statement, which must include the number of first choices cast for each candidate in that precinct.

(b) The ranked-choice voting tabulation center must print a summary statement with the following information: total votes cast; number of undervotes; number of totally defective and spoiled ballots; threshold calculation; total first choice rankings for all candidates; round-by-round tabulation results, including simultaneous batch eliminations, surplus transfers, and defeated candidate transfers; and exhausted ballots at each round.

(c) The election abstract must include the information required in the ranked-choice voting tabulation center summary statement, with the addition of the number of registered voters by precinct, the number of same-day voter registrations, and the number of absentee voters.

Sec. 52. **[204E.08] RECOUNTS.**

(a) A candidate defeated in the final round of tabulation may request a recount as provided in section 204C.36.

(b) A candidate defeated in the final round of tabulation when the vote difference is greater than that provided in section 204C.36 may request a recount at the candidate's own expense. A candidate defeated in an earlier round of tabulation may request a recount at the candidate's own expense. The candidate is responsible for all expenses associated with the recount, regardless of the vote difference between the candidates in the round in which the requesting candidate was defeated. 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. Expenses must be determined as provided in section 204C.36, subdivision 4.

(c) Rules adopted by the secretary of state under section 204C.36 for recounts apply to recounts conducted under this section.

Sec. 53. **[204E.09] RULES.**

The secretary of state may adopt rules necessary to implement the requirements and procedures established by this chapter.

Sec. 54. Minnesota Statutes 2018, section 205.13, subdivision 2, is amended to read:

Subd. 2. **Notice of filing dates.** At least two weeks before the first day to file affidavits of candidacy, the municipal clerk shall publish a notice stating the first and last dates on which affidavits of candidacy may be filed in the clerk's office and the closing time for filing on the last day for filing. The clerk shall post a similar notice at least ten days before the first day to file affidavits of candidacy. The notice must indicate the method of election to be used for the offices on the ballot. The notice must separately list any office for which affidavits of candidacy may be filed to fill the unexpired portion of a term when a special election is being held to fill a vacancy as provided in section 412.02, subdivision 2a.

Sec. 55. Minnesota Statutes 2018, section 206.58, subdivision 1, is amended to read:

Subdivision 1. **Municipalities.** (a) The governing body of a municipality, at a regular meeting or at a special meeting called for the purpose, may provide for the use of an electronic voting system in one or more precincts and at all elections in the precincts, subject to approval by the county auditor. The governing body shall disseminate information to the public about the use of a new voting system at least 60 days prior to the election and shall provide for instruction of voters with a demonstration voting system in a public place for the six weeks immediately prior to the first election at which the new voting system will be used.

(b) No system may be adopted or used unless it has been approved by the secretary of state pursuant to section 206.57.

(c) The governing body of a municipality may provide for the use of an electronic voting system that has been approved by the secretary of state under section 206.57 but includes an automatic tabulating equipment reallocation feature that has not been approved by the secretary of state if the municipal clerk certifies to the secretary of state, within 30 days from the date of adoption under paragraph (a), that the reallocation feature:

(1) has been certified as required under section 206.57, subdivision 6; and

(2) meets the municipality's ordinance requirements for electronic voting systems.

Sec. 56. Minnesota Statutes 2018, section 206.61, is amended by adding a subdivision to read:

Subd. 1a. **Availability of alternate ballot formats.** In precincts using a ballot format authorized by section 206.80, paragraph (b), clause (3), voters must be provided the option of voting a regularly printed optical scan ballot.

Sec. 57. Minnesota Statutes 2018, section 206.80, is amended to read:

206.80 ELECTRONIC VOTING SYSTEMS.

(a) An electronic voting system may not be employed unless it:

(1) permits every voter to vote in secret;

(2) permits every voter to vote for all candidates and questions for whom or upon which the voter is legally entitled to vote;

(3) provides for write-in voting when authorized;

(4) automatically rejects, except as provided in section 206.84 with respect to write-in votes, all votes for an office or question when the number of votes cast on it exceeds the number which the voter is entitled to cast;

(5) permits a voter at a primary election to select secretly the party for which the voter wishes to vote;

(6) automatically rejects all votes cast in a primary election by a voter when the voter votes for candidates of more than one party; and

(7) provides every voter an opportunity to verify votes recorded on the permanent paper ballot, either visually or using assistive voting technology, and to change votes or correct

any error before the voter's ballot is cast and counted, produces an individual, discrete, permanent, paper ballot cast by the voter, and preserves the paper ballot as an official record available for use in any recount.

(b) An electronic voting system purchased on or after June 4, 2005, may not be employed unless it:

(1) accepts and tabulates, in the polling place or at a counting center, a marked optical scan ballot; ~~or~~

(2) creates a marked optical scan ballot that can be tabulated in the polling place or at a counting center by automatic tabulating equipment certified for use in this state~~.~~ ;or

(3) creates a marked paper ballot indicating, at a minimum, the date of the election, the name of the precinct, an electronically readable precinct identifier or ballot style indicator, and the voter's votes for each office or question, generated from the voter's use of a touch screen or other electronic device on which a complete ballot meeting the information requirements of any applicable law was displayed electronically.

(c) Jurisdictions using multiple ballot formats must not record the ballot formats of electronic voting system used by a particular voter.

Sec. 58. **[206.802] ELECTRONIC VOTING SYSTEMS; PURCHASING.**

Any new voting equipment purchased for use in Minnesota for the purpose of replacing a voting system must have the ability to:

(1) capture and store ballot data;

(2) keep data anonymous;

(3) accept ranked or cumulative voting data under a variety of tabulation rules;

(4) be programmable to follow all other specifications of the ranked-choice voting system as provided in chapter 204E;

(5) provide a minimum of three rankings for ranked-choice voting elections;

(6) notify voters of the following errors: overvotes, skipped rankings, and duplicate rankings in a ranked-choice voting election; and

(7) be programmable to print a zero tape indicating all rankings for all candidates in a ranked-choice voting election.

EFFECTIVE DATE. This section is effective upon certification by the secretary of state that equipment meeting the standards required by this section is available for purchase and implementation.

Sec. 59. Minnesota Statutes 2018, section 206.82, subdivision 1, is amended to read:

Subdivision 1. **Program.** A program or programs for use in an election conducted by means of an electronic voting system or using an electronic ballot marker shall be prepared at the direction of the county auditor or municipal clerk who is responsible for the conduct of the election and shall be independently verified by a competent person designated by that official. The term "competent person" as used in this section means a person who can demonstrate knowledge as a computer programmer and who is other than and wholly independent of any person operating or employed by the counting center or the corporation or other preparer of the program. A test deck prepared by a competent person shall be used for independent verification of the program; it shall test the maximum digits used in totaling the returns and shall be usable by insertion during the tabulation process as well as prior to tabulation. A test deck must also be prepared using the electronic ballot marker program and must also be used to verify that all valid votes counted by the vote tabulator may be selected using the electronic ballot marker. The computer program for any election and an exact duplicate of the program for use as backup must be completed and delivered to the election jurisdiction or the county auditor in charge of a common central counting center at least 40 days prior to the election. The secretary of state shall adopt rules further specifying test procedures.

Sec. 60. Minnesota Statutes 2018, section 206.83, is amended to read:

206.83 TESTING OF VOTING SYSTEMS.

(a) Within ~~14~~ 37 days before election day, the official in charge of elections shall have the voting system tested to ascertain that the system will correctly mark ballots using all methods supported by the system, including ranked-choice voting if applicable, and through assistive technology, and count the votes cast for all candidates and on all questions. Public notice of the time and place of the test must be given at least two days in advance by publication once in official newspapers. The test must be observed by at least two election judges, who are not of the same major political party, and must be open to representatives of the political parties, candidates, the press, and the public. The test must be conducted by (1) processing a preaudited group of ballots punched or marked to record a predetermined number of valid votes for each candidate and on each question, and must include for each

office one or more ballot cards which have votes in excess of the number allowed by law in order to test the ability of the voting system tabulator and electronic ballot marker to reject those votes; and (2) processing an additional test deck of ballots marked using the electronic ballot marker for the precinct, including ballots marked using the electronic ballot display, audio ballot reader, and any assistive voting technology used with the electronic ballot marker. If an election is to be conducted using ranked-choice voting, the equipment must also be tested to ensure that each ranking for each candidate is recorded properly.

(b) If any error is detected, the cause must be ascertained and corrected and an errorless count must be made before the voting system may be used in the election.

(c) After the completion of the test, the programs used and ballot cards must be sealed, retained, and disposed of as provided for paper ballots.

Sec. 61. Minnesota Statutes 2018, section 206.86, is amended by adding a subdivision to read:

Subd. 5a. **Ballots in precincts with multiple styles of voting system.** (a) This subdivision applies only to precincts using a ballot format as provided by section 206.80, paragraph (b), clause (3), that was used by ten or fewer voters.

(b) In the event the results of a precinct are subject to a recount under section 204C.35 or 204C.36, or are subject to postelection review under section 206.89, the election judges from that precinct are not eligible to participate in conducting a recount or postelection review in that precinct.

Sec. 62. Minnesota Statutes 2018, section 206.89, subdivision 2, is amended to read:

Subd. 2. **Selection for review; notice.** At the canvass of the state primary, the county canvassing board in each county must set the date, time, and place for the postelection review of the state general election to be held under this section. In jurisdictions where ranked-choice voting is used, the date, time, and place for postelection review must be set by the county auditor at least 30 days before the election. The postelection review must not begin before the 11th day after the state general election and must be complete no later than the 18th 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. 63. Minnesota Statutes 2018, 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. In jurisdictions where ranked-choice voting is used, the review must also include at least one single-seat ranked-choice voting election and at least one multiple-seat ranked-choice voting election, if such an election occurred. A postelection review of a ranked-choice voting election must be conducted for elections decided most closely in the final round, by percentage. 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, and where ranked-choice voting is used, must include testing of the accumulation software using stored electronic data for those precincts that are not reviewed by manual count. The review

must be completed no later than two days before the meeting of the state canvassing board to certify the results of the state general election.

Sec. 64. Minnesota Statutes 2018, section 207A.12, is amended to read:

207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.

(a) Except as otherwise provided by law, the presidential nomination primary must be conducted, and the results canvassed and returned, in the manner provided by law for the state primary.

~~(b) An individual seeking to vote at the presidential nomination primary must be registered to vote pursuant to section 201.054, subdivision 1. The voter must request the ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section 204C.18, subdivision 1, the election judge must record in the polling place roster the name of the political party whose ballot the voter requested. When posting voter history pursuant to section 201.171, the county auditor must include the name of the political party whose ballot the voter requested. The voter instruction posters, pamphlets, and other informational materials prepared for a presidential primary by the secretary of state pursuant to section 204B.27 must include information about the requirements of this paragraph, including a notice that the voter's choice of a political party's ballot will be recorded and is public information.~~

~~(c) Immediately after the state canvassing board declares the results of the presidential nomination primary, the secretary of state must notify the chair of each party of the results.~~

~~(d) The results of the presidential nomination primary must bind the election of delegates in each party.~~

(b) An individual seeking to vote at the presidential nomination primary must be registered to vote pursuant to section 201.054, subdivision 1. The voter must declare the party for whose candidate the voter wishes to vote. Notwithstanding section 204C.18, subdivision 1, the election judge must record in the polling place roster the name of the political party the voter declared. When posting voter history under section 201.171, the county auditor must include the name of the political party the voter declared. The voter instruction posters, pamphlets, and other informational materials prepared for a presidential nomination primary by the secretary of state under section 204B.27, must include information about the requirements of this paragraph, including a notice that the voter's choice of a political party will be recorded.

Sec. 65. Minnesota Statutes 2018, section 207A.13, is amended to read:

207A.13 FORM OF BALLOTS AND ENVELOPES; CANDIDATES ON BALLOT.

Subdivision 1. **Form of ballots.** (a) Except as provided by law, presidential nomination primary ballots shall be printed in the same manner as state primary ballots as far as practicable. A sufficient number of ~~each ballot~~ ballots shall be printed for each precinct and ward in the state.

(b) There must be ~~separate ballots for the names of the candidates of each political party. Each ballot must be~~ a single ballot for the presidential nomination primary. The ballot shall be headed by the words "Presidential Nomination Primary Ballot." ~~The heading must also indicate the party that appears on the ballot~~ The presidential nomination primary is exempt from the base rotation requirements of Minnesota Rules, part 8220.0825.

(c) If requested by a party chair, the column on the ballot for that party must contain a place for a voter to indicate a preference for having delegates to the party's national convention remain uncommitted. If requested by a party chair, the column on the ballot for that party must contain a blank line printed below the other choices on the ballot so that a voter may write in the name of a person who is not listed on the ballot. A request under this paragraph must be submitted to the secretary of state no later than 63 days before the presidential nomination primary.

Subd. 1a. **Form of envelope.** The signature envelope must include:

(1) a place for the voter to select which party the voter will vote for; and

(2) the following statement: "I am in general agreement with the principles of the party for whose candidate I intend to vote."

Subd. 2. **Candidates on the ballot.** (a) Each party must determine which candidates are to be placed on the presidential nomination primary ballot for that party. The chair of each party must submit to the secretary of state the names of the candidates to appear on the ballot ~~for that party~~ no later than 63 days before the presidential nomination primary. Once submitted, changes must not be made to the candidates that will appear on the ballot.

(b) No later than the seventh day before the presidential nomination primary, the chair of each party must submit to the secretary of state the names of write-in candidates, if any, to be counted for that party.

Sec. 66. **[207A.131] BALLOT BOARD; PARTY LISTS; PRIMARY RESULTS.**

Subdivision 1. **Ballot board.** (a) The county auditor must appoint a ballot board to examine the signature envelopes and mark them "accepted" or "rejected" as provided in section 203B.121. For each signature envelope examined, the county auditor, or designee on the ballot board, must record in the polling place roster the name of the political party selected by the voter. If a voter did not select a party or selected more than one party, the ballot board must reject the ballot. The selection of a political party must not be included in the public information list.

(b) After opening a signature envelope, the secrecy envelope must be removed and placed into the pile corresponding to the party selected by the voter on the signature envelope. When the secrecy envelopes are opened, a ballot must be spoiled if:

(1) there are votes for more than one party; or

(2) the party voted for does not correspond to the party in which pile the ballot was placed.

Subd. 2. **Party list.** The secretary of state must maintain a list of each voter who voted in the presidential nomination primary and the party selected by that voter. Information maintained on the list is private data on individuals as defined under section 13.02, subdivision 12, except that the secretary of state must provide to the chair of each major political party a list of voters who selected that party for the most recent presidential nomination primary.

Subd. 3. **Results.** Immediately after the state canvassing board declares the results of the presidential nomination primary, the secretary of state must notify the chair of each party of the results. The results of the presidential nomination primary must bind the election of delegates in each party.

Sec. 67. Minnesota Statutes 2018, section 207A.14, is amended to read:

207A.14 NOTICE OF PRESIDENTIAL NOMINATION PRIMARY; SAMPLE BALLOTS.

Subdivision 1. **Notice of primary to counties and municipalities.** Twenty weeks before a presidential nomination primary is to be held, the secretary of state shall provide notice to the county auditor of each county of the date of the presidential nomination primary. Within ten days after notification by the secretary of state, each county auditor shall provide notice of the date of the presidential nomination primary to each municipal clerk in the county.

Subd. 2. **Sample ballots.** No later than 70 days before the presidential nomination primary, the secretary of state must supply each county auditor with a sample ~~ballots~~ ballot to be used at the presidential nomination primary. The sample ~~ballots~~ ballot must illustrate the format required for the ballots used in the presidential nomination primary.

Subd. 3. **Notice of primary to public.** At least 15 days before the date of the presidential nomination primary, each municipal clerk shall post a public notice stating the date of the presidential nomination primary, the location of each polling place in the municipality, the hours during which the polling places in the municipality will be open, and information about the requirements of section 207A.12~~, paragraph (b), including a notice that the voter's choice of a political party's ballot will be recorded and is public information~~. The county auditor shall post a similar notice in the auditor's office with information for any polling places in unorganized territory in the county. The governing body of a municipality or county may publish the notice in addition to posting it. Failure to give notice does not invalidate the election.

Sec. 68. Minnesota Statutes 2018, section 207A.15, subdivision 2, is amended to read:

Subd. 2. **Reimbursable local expenses.** (a) The secretary of state shall reimburse the counties and municipalities for expenses incurred in the administration of the presidential nomination primary from money contained in the presidential nomination primary elections account. The following expenses are eligible for reimbursement: preparation and printing of ballots; postage for ~~absentee~~ mailing and returning ballots; publication of the sample ballot; ~~preparation of polling places in an amount not to exceed $150 per polling place; preparation of electronic voting systems in an amount not to exceed $100 per precinct;~~ compensation for temporary staff or overtime payments; salaries of election judges; ~~and~~ compensation of county canvassing board members; and other expenses as approved by the secretary of state. The secretary's procedures for approving other expenses are exempt from chapter 14, and section 14.386 does not apply.

(b) Within 60 days after the results of a presidential nomination primary are certified by the State Canvassing Board, the county auditor must submit a request for payment of the costs incurred by the county for conducting the presidential nomination primary, and the municipal clerk must submit a request for payment of the costs incurred by the municipality for conducting the presidential nomination primary. The request for payment must be submitted to the secretary of state, and must be accompanied by an itemized description of actual county or municipal expenditures, including copies of invoices. In addition, the county auditor or municipal clerk must certify that the request for reimbursement

is based on actual costs incurred by the county or municipality in the presidential nomination primary.

(c) The secretary of state shall provide each county and municipality with the appropriate forms for requesting payment and certifying expenses under this subdivision. The secretary of state must not reimburse expenses unless the request for payment and certification of costs has been submitted as provided in this subdivision. The secretary of state must complete the issuance of reimbursements to the counties and municipalities no later than 90 days after the results of the presidential nomination primary have been certified by the State Canvassing Board.

Sec. 69. **[208.051] AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE.**

The Agreement Among the States to Elect the President by National Popular Vote is enacted into law and entered into with all other states legally joining in it in substantially the following form:

Article I - Membership

Any state of the United States and the District of Columbia may become a member of this agreement by enacting this agreement.

Article II - Right of the People in Member States to

Vote for President and Vice President

Each member state shall conduct a statewide popular election for president and vice president of the United States.

Article III - Manner of Appointing Presidential Electors in Member States

Prior to the time set by law for the meeting and voting by the presidential electors, the chief election official of each member state shall determine the number of votes for each presidential slate in each state of the United States and in the District of Columbia in which votes have been cast in a statewide popular election and shall add such votes together to produce a "national popular vote total" for each presidential slate. The chief election official of each member state shall designate the presidential slate with the largest national popular vote total as the "national popular vote winner." The presidential elector certifying official of each member state shall certify the appointment in that official's own state of the elector slate nominated in that state in association with the national popular vote winner. At least six days before the day fixed by law for the meeting and voting by the presidential electors,

each member state shall make a final determination of the number of popular votes cast in the state for each presidential slate and shall communicate an official statement of such determination within 24 hours to the chief election official of each other member state. The chief election official of each member state shall treat as conclusive an official statement containing the number of popular votes in a state for each presidential slate made by the day established by federal law for making a state's final determination conclusive as to the counting of electoral votes by Congress. In event of a tie for the national popular vote winner, the presidential elector certifying official of each member state shall certify the appointment of the elector slate nominated in association with the presidential slate receiving the largest number of popular votes within that official's own state. If, for any reason, the number of presidential electors nominated in a member state in association with the national popular vote winner is less than or greater than that state's number of electoral votes, the presidential candidate on the presidential slate that has been designated as the national popular vote winner shall have the power to nominate the presidential electors for that state and that state's presidential elector certifying official shall certify the appointment of such nominees. The chief election official of each member state shall immediately release to the public all vote counts or statements of votes as they are determined or obtained. This article shall govern the appointment of presidential electors in each member state in any year in which this agreement is, on July 20, in effect in states cumulatively possessing a majority of the electoral votes.

Article IV - Other Provisions

This agreement shall take effect when states cumulatively possessing a majority of the electoral votes have enacted this agreement in substantially the same form and the enactments by such states have taken effect in each state. Any member state may withdraw from this agreement, except that a withdrawal occurring six months or less before the end of a president's term shall not become effective until a president or vice president shall have been qualified to serve the next term. The chief executive of each member state shall promptly notify the chief executive of all other states of when this agreement has been enacted and has taken effect in that official's state, when the state has withdrawn from this agreement, and when this agreement takes effect generally. This agreement shall terminate if the electoral college is abolished. If any provision of this agreement is held invalid, the remaining provisions shall not be affected.

Article V - Definitions

For purposes of this agreement,

"chief executive" means the governor of a state of the United States or the mayor of the District of Columbia;

"elector slate" means a slate of candidates who have been nominated in a state for the position of presidential elector in association with a presidential slate;

"chief election official" means the state official or body that is authorized to certify the total number of popular votes for each presidential slate;

"presidential elector" means an elector for president and vice president of the United States;

"presidential elector certifying official" means the state official or body that is authorized to certify the appointment of the state's presidential electors;

"presidential slate" means a slate of two persons, the first of whom has been nominated as a candidate for president of the United States and the second of whom has been nominated as a candidate for vice president of the United States, or any legal successors to such persons, regardless of whether both names appear on the ballot presented to the voter in a particular state;

"state" means a state of the United States and the District of Columbia; and

"statewide popular election" means a general election in which votes are cast for presidential slates by individual voters and counted on a statewide basis.

Sec. 70. **[243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.**

Subdivision 1. **Correctional facilities; designation of official.** The chief executive officer of each state and local correctional facility shall designate an official within the facility to provide the notice and application required under this section to persons to whom the civil right to vote is restored by reason of the persons' release from actual incarceration. The official shall maintain an adequate supply of voter registration applications and informational materials for this purpose.

Subd. 2. **Notice requirement.** A notice of restoration of the civil right to vote and a voter registration application must be provided as follows:

(1) the chief executive officer of each state and local correctional facility shall provide the notice and application to a person being released from the facility following incarceration for a felony-level offense; and

(2) a probation officer or supervised release agent shall provide the notice and application to all individuals under correctional supervision for a felony-level offense.

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 and return it to the Office of the Minnesota Secretary of State. 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."

Subd. 4. **Failure to provide notice.** A failure to provide proper notice as required by this section does not prevent the restoration of the person's civil right to vote.

Sec. 71. Minnesota Statutes 2018, section 473.408, is amended by adding a subdivision to read:

Subd. 11. **Transit service on election day.** (a) The Metropolitan Council shall provide regular route transit, as defined under section 473.385, subdivision 1, paragraph (b), free of charge on a day a state general election is held.

(b) The requirements under this subdivision apply to operators of regular route transit (1) receiving financial assistance under section 473.388, or (2) operating under section 473.405, subdivision 12.

EFFECTIVE DATE; APPLICATION. This section is effective July 1, 2020, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 72. **[504B.182] LANDLORD TO PROVIDE INFORMATIONAL MATERIALS ON VOTER REGISTRATION.**

No more than 30 days after a lease is entered into, a landlord must provide each tenant who is 18 years of age or older at the time of first occupancy, written information on voting in Minnesota, including the process for registering to vote and locating the polling place for the precinct in which the tenant resides. The form and content of the information shall be prescribed and made available by the secretary of state, as provided in section 201.1612.

EFFECTIVE DATE. This section is effective July 1, 2019, and applies to lease agreements entered on or after that date.

Sec. 73. Minnesota Statutes 2018, section 609.165, subdivision 1, is amended to read:

Subdivision 1. **Restoration.** Except as provided in section 201.014, subdivision 2a, when a person has been deprived of civil rights by reason of conviction of a crime and is thereafter discharged, such discharge shall restore the person to all civil rights and to full citizenship, ~~with full right to vote and hold office,~~ the same as if such conviction had not taken place, and the order of discharge shall so provide.

Sec. 74. **HELP AMERICA VOTE ACT TRANSFERS AND APPROPRIATIONS; SECRETARY OF STATE.**

(a) $6,595,610 is appropriated in fiscal year 2019 from the HAVA account established in Minnesota Statutes, section 5.30, to the secretary of state for the purposes of improving the administration and security of elections as authorized by federal law, including but not limited to any of the following activities:

(1) modernizing, securing, and updating the statewide voter registration system and for cybersecurity upgrades as authorized by federal law;

(2) improving accessibility;

(3) preparing training materials and training local election officials;

(4) implementing security improvements for election systems; and

(5) funding other activities to improve the security of elections.

(b) Any amount earned in interest on the amount appropriated under paragraph (a) is appropriated from the HAVA account to the secretary of state for purposes of improving the administration and security of elections as authorized by federal law.

(c) The appropriations under paragraphs (a) and (b) are onetime and available until March 23, 2023.

(d) $167,000 expended by the secretary of state in fiscal years 2018 and 2019 for increasing secure access to the statewide voter registration system is deemed: (1) to be money used for carrying out the purposes authorized under the Omnibus Appropriations Act of 2018, Public Law 115-1410, and the Help America Vote Act of 2002, Public Law 107-252, section 101; and (2) to be credited toward any match required by those laws.

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

Sec. 75. **APPROPRIATION; EARLY VOTING.**

$..... in fiscal year 2020 is appropriated from the general fund to the secretary of state to implement early voting requirements of this article.

Sec. 76. **REPEALER; EARLY VOTING.**

Minnesota Statutes 2018, section 203B.081, subdivision 3, is repealed.

Sec. 77. **EFFECTIVE DATE; EARLY VOTING.**

The provisions of this article related to early voting are effective when the secretary of state has certified that:

(1) the statewide voter registration system has been tested and shown to properly allow for the tracking of the information required to conduct early voting, and can handle the expected volume of use; and

(2) precinct voting equipment that can tabulate at least 30 different ballot styles has been certified for use in this state. Upon certification pursuant to this section, the provisions of this act related to early voting apply to all federal, state, and county elections held on August 1, 2019, and thereafter. A jurisdiction may implement the requirements of this act prior to the date provided in this section, if the secretary of state has made the required certifications at least 90 days prior to the date of the election at which early voting will be used.

ARTICLE 2
CAMPAIGN FINANCE

Section 1. Minnesota Statutes 2018, section 10A.01, subdivision 4, is amended to read:

Subd. 4. **Approved expenditure.** "Approved expenditure" means an expenditure made on behalf of a candidate or a local candidate by an entity other than the candidate's principal campaign committee ~~of the candidate~~ or the local candidate, if the expenditure is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of the candidate or local candidate, the candidate's principal campaign committee, or the candidate's or local candidate's agent. An approved expenditure is a contribution to that candidate or local candidate.

Sec. 2. Minnesota Statutes 2018, section 10A.01, subdivision 7, is amended to read:

Subd. 7. **Ballot question.** "Ballot question" means a question or proposition that is placed on the ballot and that may be voted on by:

(1) all voters of the state~~.~~;

(2) all voters of Hennepin County;

(3) all voters of any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or

(4) all voters of Special School District No. 1.

"Promoting or defeating a ballot question" includes activities, other than lobbying activities, related to qualifying the question for placement on the ballot.

Sec. 3. Minnesota Statutes 2018, section 10A.01, subdivision 9, is amended to read:

Subd. 9. **Campaign expenditure.** "Campaign expenditure" or "expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the nomination or election of a candidate or a local candidate or for the purpose of promoting or defeating a ballot question.

An expenditure is considered to be made in the year in which the candidate made the purchase of goods or services or incurred an obligation to pay for goods or services.

An expenditure made for the purpose of defeating a candidate or a local candidate is considered made for the purpose of influencing the nomination or election of that candidate or local candidate or any opponent of that candidate or local candidate.

Except as provided in clause (1), "expenditure" includes the dollar value of a donation in kind.

"Expenditure" does not include:

(1) noncampaign disbursements as defined in subdivision 26;

(2) services provided without compensation by an individual volunteering personal time on behalf of a candidate or a local candidate, ballot question, political committee, political fund, principal campaign committee, or party unit;

(3) the publishing or broadcasting of news items or editorial comments by the news media; or

(4) an individual's unreimbursed personal use of an automobile owned by the individual and used by the individual while volunteering personal time.

Sec. 4. Minnesota Statutes 2018, section 10A.01, is amended by adding a subdivision to read:

Subd. 10d. **Local candidate.** "Local candidate" means an individual who seeks nomination or election to:

(1) any county office in Hennepin County;

(2) any city office in any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or

(3) the school board in Special School District No. 1.

Sec. 5. Minnesota Statutes 2018, section 10A.01, subdivision 11, is amended to read:

Subd. 11. **Contribution.** (a) "Contribution" means money, a negotiable instrument, or a donation in kind that is given to a political committee, political fund, principal campaign committee, local candidate, or party unit. An allocation by an association of general treasury money to be used for activities that must be or are reported through the association's political fund is considered to be a contribution for the purposes of disclosure required by this chapter.

(b) "Contribution" includes a loan or advance of credit to a political committee, political fund, principal campaign committee, local candidate, or party unit, if the loan or advance of credit is: (1) forgiven; or (2) repaid by an individual or an association other than the political committee, political fund, principal campaign committee, local candidate, or party unit to which the loan or advance of credit was made. If an advance of credit or a loan is forgiven or repaid as provided in this paragraph, it is a contribution in the year in which the loan or advance of credit was made.

(c) "Contribution" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, local candidate, ballot question, political committee, political fund, principal campaign committee, or party unit; the publishing or broadcasting of news items or editorial comments by the news media; or an individual's unreimbursed personal use of an automobile owned by the individual while volunteering personal time.

Sec. 6. Minnesota Statutes 2018, section 10A.01, subdivision 16a, is amended to read:

Subd. 16a. **Expressly advocating.** "Expressly advocating" means:

(1) that a communication clearly identifies a candidate or a local candidate and uses words or phrases of express advocacy~~.~~; or

(2) that a communication when taken as a whole and with limited reference to external events, such as the proximity to the election, is susceptible of no reasonable interpretation other than as an appeal advocating the election or defeat of one or more clearly identified candidates.

EFFECTIVE DATE. This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 7. Minnesota Statutes 2018, section 10A.01, subdivision 17c, is amended to read:

Subd. 17c. **General treasury money.** "General treasury money" means money that an association other than a principal campaign committee, party unit, or political committee accumulates through membership dues and fees, donations to the association for its general purposes, and income from the operation of a business. General treasury money does not include money collected to influence the nomination or election of candidates or local candidates or to promote or defeat a ballot question.

Sec. 8. Minnesota Statutes 2018, section 10A.01, subdivision 18, is amended to read:

Subd. 18. **Independent expenditure.** "Independent expenditure" means an expenditure expressly advocating the election or defeat of a clearly identified candidate or local candidate, if the expenditure is made without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, any candidate or any candidate's principal campaign committee or agent or any local candidate or local candidate's agent. An independent expenditure is not a contribution to that candidate or local candidate. An independent expenditure does not include the act of announcing a formal public endorsement of a candidate or local candidate for public office, unless the act is simultaneously accompanied by an expenditure that would otherwise qualify as an independent expenditure under this subdivision.

Sec. 9. Minnesota Statutes 2018, section 10A.01, subdivision 20, is amended to read:

Subd. 20. **Loan.** "Loan" means an advance of money or anything of value made to a political committee, political fund, principal campaign committee, local candidate, or party unit.

Sec. 10. Minnesota Statutes 2018, section 10A.01, subdivision 26, is amended to read:

Subd. 26. **Noncampaign disbursement.** (a) "Noncampaign disbursement" means a purchase or payment of money or anything of value made, or an advance of credit incurred,

or a donation in kind received, by a principal campaign committee for any of the following purposes:

(1) payment for accounting and legal services;

(2) return of a contribution to the source;

(3) repayment of a loan made to the principal campaign committee by that committee;

(4) return of a public subsidy;

(5) payment for food, beverages, and necessary utensils and supplies, entertainment, and facility rental for a fund-raising event;

(6) services for a constituent by a member of the legislature or a constitutional officer in the executive branch as provided in section 10A.173, subdivision 1;

(7) payment for food and beverages consumed by a candidate or volunteers while they are engaged in campaign activities;

(8) payment for food or a beverage consumed while attending a reception or meeting directly related to legislative duties;

(9) payment of expenses incurred by elected or appointed leaders of a legislative caucus in carrying out their leadership responsibilities;

(10) payment by a principal campaign committee of the candidate's expenses for serving in public office, other than for personal uses;

(11) costs of child care for the candidate's children when campaigning;

(12) fees paid to attend a campaign school;

(13) costs of a postelection party during the election year when a candidate's name will no longer appear on a ballot or the general election is concluded, whichever occurs first;

(14) interest on loans paid by a principal campaign committee on outstanding loans;

(15) filing fees;

(16) post-general election holiday or seasonal cards, thank-you notes, or advertisements in the news media mailed or published prior to the end of the election cycle;

(17) the cost of campaign material purchased to replace defective campaign material, if the defective material is destroyed without being used;

(18) contributions to a party unit;

(19) payments for funeral gifts or memorials;

(20) the cost of a magnet less than six inches in diameter containing legislator contact information and distributed to constituents;

(21) costs associated with a candidate attending a political party state or national convention in this state;

(22) other purchases or payments specified in board rules or advisory opinions as being for any purpose other than to influence the nomination or election of a candidate or to promote or defeat a ballot question;

(23) costs paid to a third party for processing contributions made by a credit card, debit card, or electronic check;

(24) a contribution to a fund established to support a candidate's participation in a recount of ballots affecting that candidate's election;

(25) costs paid by a candidate's principal campaign committee for a single reception given in honor of the candidate's retirement from public office after the filing period for affidavits of candidacy for that office has closed;

(26) a donation from a terminating principal campaign committee to the state general fund; ~~and~~

(27) a donation from a terminating principal campaign committee to a county obligated to incur special election expenses due to that candidate's resignation from state office~~.~~; and

(28) payment of security-related expenses for a candidate and any immediate family members of the candidate residing in the candidate's household, including but not limited to home security cameras, a home security system, and identity theft monitoring services.

(b) The board must determine whether an activity involves a noncampaign disbursement within the meaning of this subdivision.

(c) A noncampaign disbursement is considered to be made in the year in which the candidate made the purchase of goods or services or incurred an obligation to pay for goods or services.

Sec. 11. Minnesota Statutes 2018, section 10A.01, subdivision 27, is amended to read:

Subd. 27. **Political committee.** "Political committee" means an association whose major purpose is to influence the nomination or election of one or more candidates or local candidates or to promote or defeat a ballot question, other than a principal campaign committee, local candidate, or a political party unit.

Sec. 12. Minnesota Statutes 2018, section 10A.01, subdivision 28, is amended to read:

Subd. 28. **Political fund.** "Political fund" means an accumulation of dues or voluntary contributions by an association other than a political committee, principal campaign committee, or party unit, if the accumulation is collected or expended to influence the nomination or election of one or more candidates or local candidates or to promote or defeat a ballot question. The term political fund as used in this chapter may also refer to the association acting through its political fund.

Sec. 13. Minnesota Statutes 2018, section 10A.12, subdivision 1, is amended to read:

Subdivision 1. **When required for contributions and approved expenditures.** An association other than a political committee or party unit may not contribute more than $750 in aggregate in any calendar year to candidates, local candidates, political committees, or party units or make approved expenditures of more than $750 in aggregate in any calendar year unless the contribution or expenditure is made through a political fund.

Sec. 14. Minnesota Statutes 2018, section 10A.12, subdivision 2, is amended to read:

Subd. 2. **Commingling prohibited.** The contents of an association's political fund may not be commingled with other funds or with the personal funds of an officer or member of the association or the fund. It is not commingling for an association that uses only its own general treasury money to make expenditures and disbursements permitted under section 10A.121, subdivision 1, directly from the depository used for its general treasury money. An association that accepts more than $1,500 in aggregate in contributions to influence the nomination or election of candidates or local candidates or more than $5,000 in contributions to promote or defeat a ballot question must establish a separate depository for those contributions.

Sec. 15. Minnesota Statutes 2018, section 10A.121, subdivision 1, is amended to read:

Subdivision 1. **Permitted disbursements.** An independent expenditure political committee or fund, or a ballot question political committee or fund, may:

(1) pay costs associated with its fund-raising and general operations;

(2) pay for communications that do not constitute contributions or approved expenditures;

(3) make contributions to independent expenditure or ballot question political committees or funds;

(4) make independent expenditures;

(5) make expenditures to promote or defeat ballot questions;

(6) return a contribution to its source;

(7) for a political fund, record bookkeeping entries transferring the association's general treasury money allocated for political purposes back to the general treasury of the association; ~~and~~

(8) for a political fund, return general treasury money transferred to a separate depository to the general depository of the association~~.~~; and

(9) make disbursements for electioneering communications.

EFFECTIVE DATE. This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 16. Minnesota Statutes 2018, section 10A.121, subdivision 2, is amended to read:

Subd. 2. **Penalty.** (a) An independent expenditure political committee or independent expenditure political fund is subject to a civil penalty of up to four times the amount of the contribution or approved expenditure if it does the following:

(1) makes a contribution to a candidate, local candidate, party unit, political committee, or political fund other than an independent expenditure political committee or an independent expenditure political fund; or

(2) makes an approved expenditure.

(b) No other penalty provided in law may be imposed for conduct that is subject to a civil penalty under this section.

Sec. 17. Minnesota Statutes 2018, section 10A.13, subdivision 1, is amended to read:

Subdivision 1. **Accounts; penalty.** The treasurer of a political committee, political fund, principal campaign committee, or party unit must keep an account of:

(1) the sum of all contributions, except any donation in kind valued at $20 or less, made to the committee, fund, or party unit;

(2) the name and address of each source of a contribution made to the committee, fund, or party unit in excess of $20, together with the date and amount of each;

(3) each expenditure made by the committee, fund, or party unit, together with the date and amount;

(4) each approved expenditure made on behalf of the committee, fund, or party unit, together with the date and amount; and

(5) the name and address of each political committee, political fund, principal campaign committee, local candidate, or party unit to which contributions in excess of $20 have been made, together with the date and amount.

Any individual who knowingly violates this subdivision is subject to a civil penalty imposed by the board of up to $1,000.

Sec. 18. Minnesota Statutes 2018, section 10A.17, subdivision 4, is amended to read:

Subd. 4. **Independent expenditures.** An individual, political committee, political fund, principal campaign committee, or party unit that independently solicits or accepts contributions or makes independent expenditures on behalf of a candidate or local candidate must publicly disclose that the expenditure is an independent expenditure. All written and broadcast communications with those from whom contributions are independently solicited or accepted or to whom independent expenditures are made on behalf of a candidate or local candidate must contain a statement in substantially the form provided in section 211B.04, subdivision 2. The statement must be on the front page of all written communications and at the end of all broadcast communications made by that individual, political committee, political fund, principal campaign committee, or party unit on the candidate's or local candidate's behalf.

Sec. 19. Minnesota Statutes 2018, section 10A.20, is amended by adding a subdivision to read:

Subd. 2a. **Local election reports.** (a) This subdivision applies to a political committee, political fund, or political party unit that during a nongeneral election year:

(1) spends in aggregate more than $200 to influence the nomination or election of local candidates;

(2) spends in aggregate more than $200 to make independent expenditures on behalf of local candidates; or

(3) spends in aggregate more than $200 to promote or defeat ballot questions defined in section 10A.01, subdivision 7, clause (2), (3), or (4).

(b) In addition to the reports required under subdivision 2, the entities listed in paragraph (a) must file the following reports in each nongeneral election year:

(1) a first-quarter report covering the calendar year through March 31, which is due April 14;

(2) a report covering the calendar year through May 31, which is due June 14;

(3) a pre-primary-election report due 15 days before the local primary election date specified in section 205.065;

(4) a pre-general-election report due 42 days before the local general election; and

(5) a pre-general-election report due ten days before a local general election.

The reporting obligations in this paragraph begin with the first report due after the reporting period in which the entity reaches the spending threshold specified in paragraph (a).

Sec. 20. Minnesota Statutes 2018, section 10A.20, subdivision 3, is amended to read:

Subd. 3. **Contents of report.** (a) The report required by this section must include each of the items listed in paragraphs (b) to (q) that are applicable to the filer. The board shall prescribe forms based on filer type indicating which of those items must be included on the filer's report.

(b) The report must disclose the amount of liquid assets on hand at the beginning of the reporting period.

(c) The report must disclose the name, address, employer, or occupation if self-employed, and registration number if registered with the board, of each individual or association that has made one or more contributions to the reporting entity, including the purchase of tickets for a fund-raising effort, that in aggregate within the year exceed $200 for legislative or statewide candidates or more than $500 for ballot questions, together with the amount and date of each contribution, and the aggregate amount of contributions within the year from each source so disclosed. A donation in kind must be disclosed at its fair market value. An approved expenditure must be listed as a donation in kind. A donation in kind is considered consumed in the reporting period in which it is received. The names of contributors must be listed in alphabetical order. Contributions from the same contributor must be listed under the same name. When a contribution received from a contributor in a reporting period is added to previously reported unitemized contributions from the same contributor and the aggregate exceeds the disclosure threshold of this paragraph, the name, address, and employer, or occupation if self-employed, of the contributor must then be listed on the report.

(d) The report must disclose the sum of contributions to the reporting entity during the reporting period.

(e) The report must disclose each loan made or received by the reporting entity within the year in aggregate in excess of $200, continuously reported until repaid or forgiven, together with the name, address, occupation, principal place of business, if any, and registration number if registered with the board of the lender and any endorser and the date and amount of the loan. If a loan made to the principal campaign committee of a candidate is forgiven or is repaid by an entity other than that principal campaign committee, it must be reported as a contribution for the year in which the loan was made.

(f) The report must disclose each receipt over $200 during the reporting period not otherwise listed under paragraphs (c) to (e).

(g) The report must disclose the sum of all receipts of the reporting entity during the reporting period.

(h) The report must disclose the following:

(1) the name, address, and registration number if registered with the board of each individual or association to whom aggregate expenditures, approved expenditures, independent expenditures, ~~and~~ ballot question expenditures, and disbursements for electioneering communications have been made by or on behalf of the reporting entity within the year in excess of $200~~, together with~~;

(2) the amount, date, and purpose of each expenditure, including an explanation of how the expenditure was used~~, and~~ ;

(3) the name and address of, and office sought by, each candidate or local candidate on whose behalf the expenditure was made~~,~~ or, in the case of electioneering communications, each candidate identified positively in the communication;

(4) identification of the ballot question that the expenditure was intended to promote or defeat and an indication of whether the expenditure was to promote or to defeat the ballot question~~,~~; and

(5) in the case of independent expenditures made in opposition to a candidate, local candidate, or electioneering communications in which a candidate is identified negatively, the candidate's or local candidate's name, address, and office sought. A reporting entity making an expenditure on behalf of more than one candidate ~~for state or legislative office~~ must allocate the expenditure among the candidates or local candidates on a reasonable cost basis and report the allocation for each candidate or local candidate. The report must list

on separate schedules any independent expenditures made on behalf of local candidates and any expenditures made for ballot questions as defined in section 10A.01, subdivision 7, clause (2), (3), or (4).

(i) The report must disclose the sum of all expenditures made by or on behalf of the reporting entity during the reporting period.

(j) The report must disclose the amount and nature of an advance of credit incurred by the reporting entity, continuously reported until paid or forgiven. If an advance of credit incurred by the principal campaign committee of a candidate is forgiven by the creditor or paid by an entity other than that principal campaign committee, it must be reported as a donation in kind for the year in which the advance of credit was made.

(k) The report must disclose the name, address, and registration number if registered with the board of each political committee, political fund, principal campaign committee, local candidate, or party unit to which contributions have been made that aggregate in excess of $200 within the year and the amount and date of each contribution. The report must list on separate schedules any contributions made to state candidates' principal campaign committees and any contributions made to local candidates.

(l) The report must disclose the sum of all contributions made by the reporting entity during the reporting period and must separately disclose the sum of all contributions made to local candidates by the reporting entity during the reporting period.

(m) The report must disclose the name, address, and registration number if registered with the board of each individual or association to whom noncampaign disbursements have been made that aggregate in excess of $200 within the year by or on behalf of the reporting entity and the amount, date, and purpose of each noncampaign disbursement, including an explanation of how the expenditure was used.

(n) The report must disclose the sum of all noncampaign disbursements made within the year by or on behalf of the reporting entity.

(o) The report must disclose the name and address of a nonprofit corporation that provides administrative assistance to a political committee or political fund as authorized by section 211B.15, subdivision 17, the type of administrative assistance provided, and the aggregate fair market value of each type of assistance provided to the political committee or political fund during the reporting period.

(p) Legislative, statewide, and judicial candidates, party units, and political committees and funds must itemize contributions that in aggregate within the year exceed $200 for

legislative or statewide candidates or more than $500 for ballot questions on reports submitted to the board. The itemization must include the date on which the contribution was received, the individual or association that provided the contribution, and the address of the contributor. Additionally, the itemization for a donation in kind must provide a description of the item or service received. Contributions that are less than the itemization amount must be reported as an aggregate total.

(q) Legislative, statewide, and judicial candidates, party units, political committees and funds, and committees to promote or defeat a ballot question must itemize expenditures and noncampaign disbursements that in aggregate exceed $200 in a calendar year on reports submitted to the board. The itemization must include the date on which the committee made or became obligated to make the expenditure or disbursement, the name and address of the vendor that provided the service or item purchased, and a description of the service or item purchased, including an explanation of how the expenditure was used. Expenditures and noncampaign disbursements must be listed on the report alphabetically by vendor.

EFFECTIVE DATE. This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 21. Minnesota Statutes 2018, section 10A.20, subdivision 6a, is amended to read:

Subd. 6a. **Statement of independence.** An individual, political committee, political fund, or party unit filing a report or statement disclosing an independent expenditure under subdivision 3 or 6 must file with the report a sworn statement that the disclosed expenditures were not made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of any candidate; ~~or~~ any candidate's principal campaign committee or agent; any local candidate or any local candidate's agent.

Sec. 22. **[10A.201] ELECTIONEERING COMMUNICATIONS.**

Subdivision 1. **Electioneering communication.** (a) "Electioneering communication" means a communication distributed by television, radio, satellite, the Internet, or cable broadcasting system; by means of printed material, signs, or billboards; through the use of telephone communications; or by electronic communication, including electronic mail or electronic text messaging that:

(1) refers to a clearly identified candidate;

(2) is made within:

(i) 30 days before a primary election or special primary election for the office sought by the candidate; or

(ii) 60 days before a general election or special election for the office sought by the candidate;

(3) is targeted to the relevant electorate; and

(4) is made without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, a candidate or a candidate's principal campaign committee or agent.

(b) Electioneering communication does not include:

(1) the publishing or broadcasting of news items or editorial comments by the news media;

(2) a communication that constitutes an approved expenditure or an independent expenditure;

(3) a voter guide, which is a pamphlet or similar printed material, intended to help voters compare candidates' positions on a set of issues, as long as each of the following is true:

(i) the guide does not focus on a single issue or a narrow range of issues, but includes questions and subjects sufficient to encompass major issues of interest to the entire electorate;

(ii) the questions and any other description of the issues are clear and unbiased in both their structure and content;

(iii) the questions posed and provided to the candidates are identical to those included in the guide;

(iv) each candidate included in the guide is given a reasonable amount of time and the same opportunity as other candidates to respond to the questions;

(v) if the candidate is given limited choices for an answer to a question, for example: "support," "oppose," "yes," or "no," the candidate is also given an opportunity, subject to reasonable limits, to explain the candidate's position in the candidate's own words; the fact that a candidate provided an explanation is clearly indicated in the guide; and the guide clearly indicates that the explanations will be made available for public inspection, subject to reasonable conditions;

(vi) answers included in the guide are those provided by the candidates in response to questions, the candidates' answers are unedited, and the answers appear in close proximity to the question to which they respond;

(vii) if the guide includes candidates' positions based on information other than responses provided directly by the candidate, the positions are based on recorded votes or public statements of the candidates and are presented in an unedited and unbiased manner; and

(viii) the guide includes all major party candidates for each office listed in the guide;

(4) a candidate forum or debate hosted by one or more nonprofit organizations that does not endorse, support, or oppose candidates, as long as each of the following is true:

(i) the forum or debate includes the participation of at least two candidates for each office featured;

(ii) the forum or debate is structured so that it does not promote one candidate or one candidate's issues of interest over another; and

(iii) candidates are selected for participation in the forum or debate based on preestablished, objective criteria;

(5) any other communication specified in board rules or advisory opinions as being excluded from the definition of electioneering communication; or

(6) a communication that:

(i) refers to a clearly identified candidate who is an incumbent member of the legislature or a constitutional officer;

(ii) refers to a clearly identified issue that is or was before the legislature in the form of an introduced bill; and

(iii) is made when the legislature is in session or within ten days after the last day of a regular session of the legislature.

(c) A communication that meets the requirements of paragraph (a) but is made with the authorization or express or implied consent of, or in cooperation or in concert with, or at the request or suggestion of a candidate, a candidate's principal campaign committee, or a candidate's agent is an approved expenditure.

(d) Distributing a voter guide questionnaire, survey, or similar document to candidates and communications with candidates limited to obtaining their responses, without more, do not constitute communications that would result in the voter guide being an approved expenditure on behalf of the candidate.

Subd. 2. **Targeted to relevant electorate.** (a) For purposes of this section, a communication that refers to a clearly identified candidate is targeted to the relevant electorate if the communication is distributed to or can be received by more than 1,500 persons in the

district the candidate seeks to represent, in the case of a candidate for the house of representatives, senate, or a district court judicial office or by more than 6,000 persons in the state, in the case of a candidate for constitutional office or appellate court judicial office. When determining the number of persons to whom a communication in the form of printed material, telephone communication, electronic mail, or electronic text messaging is distributed, an association may exclude communications distributed to its own members.

(b) A communication consisting of printed materials, other than signs, billboards, or advertisements published in the print media, is targeted to the relevant electorate if it meets the requirements of paragraph (a) and is distributed to voters by means of United States mail or through direct delivery to a resident's home or business.

Subd. 3. **Disclosure of electioneering communications.** (a) Electioneering communications made by a political committee, a party unit, or a principal campaign committee must be disclosed on the periodic reports of receipts and expenditures filed by the association on the schedule and in accordance with the terms of section 10A.20.

(b) An association other than a political committee, party unit, or principal campaign committee may register a political fund with the board and disclose its electioneering communications on the reports of receipts and expenditures filed by the political fund. If it does so, it must disclose its disbursements for electioneering communications on the schedule and in accordance with the terms of section 10A.20.

(c) An association that does not disclose its disbursements for electioneering communications under paragraph (a) or (b) must disclose its electioneering communications according to the requirements of subdivision 4.

Subd. 4. **Statement required for electioneering communications.** (a) Except for associations providing disclosure as specified in subdivision 3, paragraph (a) or (b), every person who makes a disbursement for the costs of producing or distributing electioneering communications that aggregate more than $1,500 in a calendar year must, within 24 hours of each disclosure date, file with the board a disclosure statement containing the information described in this subdivision.

(b) Each statement required to be filed under this section must contain the following information:

(1) the names of: (i) the association making the disbursement; (ii) any person exercising direction or control over the activities of the association with respect to the disbursement; and (iii) the custodian of the financial records of the association making the disbursement;

(2) the address of the association making the disbursement;

(3) the amount of each disbursement of more than $200 during the period covered by the statement, a description of the purpose of the disbursement, and the identification of the person to whom the disbursement was made;

(4) the names of the candidates identified or to be identified in the communication;

(5) if the disbursements were paid out of a segregated bank account that consists of funds donated specifically for electioneering communications, the name and address of each person who gave the association more than $200 in aggregate to that account during the period beginning on the first day of the preceding calendar year and ending on the disclosure date; and

(6) if the disbursements for electioneering communications were made using general treasury money of the association, an association that has paid more than $5,000 in aggregate for electioneering communications during the calendar year must file with its disclosure statement a written statement that includes the name, address, and amount attributable to each person that paid the association membership dues or fees, or made donations to the association that, in total, aggregate more than $5,000 of the money used by the association for electioneering communications. The statement must also include the total amount of the disbursements for electioneering communications attributable to persons not subject to itemization under this clause. The statement must be certified as true by an officer of the association that made the disbursements for the electioneering communications.

(c) To determine the amount of the membership dues or fees, or donations made by a person to an association and attributable to the association's disbursements for electioneering communications, the association must separately prorate the total disbursements made for electioneering communications during the calendar year over all general treasury money received during the calendar year.

(d) If the amount spent for electioneering communications exceeds the amount of general treasury money received by the association during that year:

(1) the electioneering communications must be attributed first to all receipts of general treasury money received during the calendar year in which the electioneering communications were made;

(2) any amount of current year electioneering communications that exceeds the total of all receipts of general treasury money during the current calendar year must be prorated over all general treasury money received in the preceding calendar year; and

(3) if the allocation made in clauses (1) and (2) is insufficient to cover the subject electioneering communications, no further allocation is required.

(e) After a portion of the general treasury money received by an association from a person has been designated as the source of a disbursement for electioneering communications, that portion of the association's general treasury money received from that person may not be designated as the source of any other disbursement for electioneering communications or as the source for any contribution to an independent expenditure political committee or fund.

Subd. 5. **Disclosure date.** For purposes of this section, the term "disclosure date" means the earlier of:

(1) the first date on which an electioneering communication is publicly distributed, provided that the person making the electioneering communication has made disbursements for the direct costs of producing or distributing one or more electioneering communication aggregating in excess of $1,500; or

(2) any other date during the same calendar year on which an electioneering communication is publicly distributed, provided that the person making the electioneering communication has made disbursements for the direct costs of distributing one or more electioneering communication aggregating in excess of $1,500 since the most recent disclosure date.

Subd. 6. **Contracts to disburse.** For purposes of this section, a person shall be treated as having made a disbursement if the person has entered into an obligation to make the disbursement.

Subd. 7. **Statement of attribution.** (a) An electioneering communication must include a statement of attribution.

(1) For communications distributed by printed material, signs, and billboards, the statement must say, in conspicuous letters: "Paid for by [association name] [address]."

(2) For communications distributed by television, radio, satellite, or cable broadcasting system, the statement must be included at the end of the communication and must orally state at a volume and speed that a person of ordinary hearing can comprehend: "The preceding communication was paid for by the [association name]."

(3) For communications distributed by telephone, the statement must precede the communication and must orally state at a volume and speed that a person of ordinary hearing can comprehend: "The following communication is paid for by the [association name]."

(b) If the communication is paid for by an association registered with the board, the statement of attribution must use the association's name as it is registered with the board. If the communication is paid for by an association not registered with the board, the statement of attribution must use the association's name as it is disclosed to the board on the association's disclosure statement associated with the communication.

Subd. 8. **Failure to file; penalty.** (a) If a person fails to file a statement required by this section by the date the statement is due, the board may impose a late filing fee of $50 per day, not to exceed $1,000, commencing the day after the statement was due.

(b) The board must send notice by certified mail to a person who fails to file a statement within ten business days after the statement was due that the person may be subject to a civil penalty for failure to file the statement. A person who fails to file the statement within seven days after the certified mail notice was sent by the board is subject to a civil penalty imposed by the board of up to $1,000.

(c) An association that provides disclosure under section 10A.20 rather than under this section is subject to the late filing fee and civil penalty provisions of section 10A.20 and is not subject to the penalties provided in this subdivision.

(d) An association that makes electioneering communications under this section and willfully fails to provide the statement required by subdivision 4, paragraph (b), clause (6), within the time specified is subject to an additional civil penalty of up to four times the amount of the electioneering communications disbursements that should have been included on the statement.

EFFECTIVE DATE. This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 23. Minnesota Statutes 2018, section 10A.244, is amended to read:

10A.244 VOLUNTARY INACTIVE STATUS; POLITICAL FUNDS.

Subdivision 1. **Election of voluntary inactive status.** An association that has a political fund registered under this chapter may elect to have the fund placed on voluntary inactive status if the following conditions are met:

(1) the association makes a written request for inactive status;

(2) the association has filed all periodic reports required by this chapter and has received no contributions into its political fund and made no expenditures or disbursements, including

disbursements for electioneering communications, through its political fund since the last date included on the association's most recent report; and

(3) the association has satisfied all obligations to the state for late filing fees and civil penalties imposed by the board or the board has waived this requirement.

Subd. 2. **Effect of voluntary inactive status.** After an association has complied with the requirements of subdivision 1:

(1) the board must notify the association that its political fund has been placed in voluntary inactive status and of the terms of this section;

(2) the board must stop sending the association reports, forms, and notices of report due dates that are periodically sent to entities registered with the board;

(3) the association is not required to file periodic disclosure reports for its political fund as otherwise required under this chapter;

(4) the association may not accept contributions into its political fund and may not make expenditures, contributions, or disbursements, including disbursements for electioneering communications, through its political fund; and

(5) if the association maintains a separate depository account for its political fund, it may continue to pay bank service charges and receive interest paid on that account while its political fund is in inactive status.

Subd. 3. **Resumption of active status or termination.** (a) An association that has placed its political fund in voluntary inactive status may resume active status upon written notice to the board.

(b) A political fund placed in voluntary inactive status must resume active status within 14 days of the date that it has accepted contributions or made expenditures, contributions, or disbursements, including disbursements for electioneering communications, that aggregate more than $750 since the political fund was placed on inactive status. If, after meeting this threshold, the association does not notify the board that its fund has resumed active status, the board may place the association's political fund in active status and notify the association of the change in status.

(c) An association that has placed its political fund in voluntary inactive status may terminate the registration of the fund without returning it to active status.

Subd. 4. **Penalty for financial activity while in voluntary inactive status.** If an association fails to notify the board of its political fund's resumption of active status under

subdivision 3, the board may impose a civil penalty of $50 per day, not to exceed $1,000 commencing on the 15th calendar day after the fund resumed active status.

EFFECTIVE DATE. This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 24. Minnesota Statutes 2018, section 10A.25, subdivision 3a, is amended to read:

Subd. 3a. **Independent expenditures and electioneering communications.** The principal campaign committee of a candidate must not make independent expenditures or disbursements for electioneering communications. If the principal campaign committee of a candidate makes a contribution to an independent expenditure committee or independent expenditure fund on or after January 1 of the year the candidate's office will appear on the ballot, the independent expenditure committee or independent expenditure fund must not make an independent expenditure for that candidate.

EFFECTIVE DATE. This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 25. Minnesota Statutes 2018, section 10A.27, subdivision 15, is amended to read:

Subd. 15. **Contributions or use of general treasury money.** (a) An association may, if not prohibited by other law, contribute its general treasury money to an independent expenditure or ballot question political committee or fund, including its own independent expenditure or ballot question political committee or fund, without complying with subdivision 13.

(b) Before the day when the recipient committee or fund's next report must be filed with the board under section 10A.20, subdivision 2 or 5, an association that has contributed more than $5,000 in aggregate to independent expenditure political committees or funds during the calendar year or has contributed more than $5,000 in aggregate to ballot question political committees or funds during the calendar year must provide in writing to the recipient's treasurer a statement that includes the name, address, and amount attributable to each person that paid the association dues or fees, or made donations to the association that, in total, aggregate more than $5,000 of the contribution from the association to the independent expenditure or ballot question political committee or fund. The statement must also include the total amount of the contribution attributable to persons not subject to itemization under this section. The statement must be certified as true by an officer of the donor association.

(c) To determine the amount of membership dues or fees, or donations made by a person to an association and attributable to the association's contribution to the independent expenditure or ballot question political committee or fund, the donor association must~~:~~ separately prorate the total independent expenditures and ballot question expenditures made during the calendar year over all general treasury money received during the calendar year.

~~(1) apply a pro rata calculation to all unrestricted dues, fees, and contributions received by the donor association in the calendar year; or~~

~~(2) as provided in paragraph (d), identify the specific individuals or associations whose dues, fees, or contributions are included in the contribution to the independent expenditure political committee or fund.~~

~~(d) Dues, fees, or contributions from an individual or association must be identified in a contribution to an independent expenditure political committee or fund under paragraph (c), clause (2), if:~~

~~(1) the individual or association has specifically authorized the donor association to use the individual's or association's dues, fees, or contributions for this purpose; or~~

~~(2) the individual's or association's dues, fees, or contributions to the donor association are unrestricted and the donor association designates them as the source of the subject contribution to the independent expenditure political committee or fund.~~

(d) If the amount contributed to independent expenditure and ballot question political committees or funds in a calendar year exceeds the amount of general treasury money received by the association during that year:

(1) the contributions must be attributed first to all receipts of general treasury money received during the calendar year in which the contributions were made;

(2) any amount of current-year contributions that exceeds the total of all receipts of general treasury money during the current calendar year must be prorated over all general treasury money received in the preceding calendar year; and

(3) if the allocation made in clauses (1) and (2) is insufficient to cover the subject independent expenditures and ballot question expenditures, no further allocation is required.

(e) After a portion of the general treasury money received by an association from a person has been designated as the source of a contribution to an independent expenditure or ballot question political committee or fund, that portion of the association's general treasury money received from that person may not be designated as the source of any other contribution to an independent expenditure or ballot question political committee or fund,

or as the source of funds for a disbursement for electioneering communications made by that association.

EFFECTIVE DATE. This section is effective January 1, 2020, and applies to expenditures and electioneering communications made on or after that date.

Sec. 26. Minnesota Statutes 2018, section 383B.041, is amended to read:

383B.041 CAMPAIGN FINANCING, DISCLOSURE OF ECONOMIC INTERESTS.

Subdivision 1. **Hennepin County candidates.** ~~Sections 383B.041 to 383B.058 apply to the financing of campaigns for county elections in Hennepin County and for city elections in home rule charter cities and statutory cities located wholly within Hennepin County, having a population of 75,000 or more, and for school board elections in the Special School District No. 1, Minneapolis, and to disclosure of economic interests by candidates and elected public officials of those jurisdictions. The provisions of sections 211A.02 to 211A.07 do not apply to the financing of campaigns for elections subject to the provisions of sections 383B.041 to 383B.058.~~ Candidates for county commissioner, county attorney, and sheriff of Hennepin County must file campaign disclosure forms with the filing officer for Hennepin County. These candidates are subject to the provisions of chapter 211A.

Subd. 2. **Political subdivision candidates.** Candidates for elected city, school board, park commissioner, and other political subdivision offices within Hennepin County shall file campaign disclosure forms with the filing officer for the political subdivision for which the candidate is seeking office. These candidates are subject to the provisions of chapter 211A.

Subd. 3. **Political committees, political funds, and independent expenditures.** (a) The provisions of chapter 10A apply to political committees as defined in section 10A.01, subdivision 27; political funds as defined in section 10A.01, subdivision 28; and independent expenditures as defined in section 10A.01, subdivision 18, related to:

(1) a campaign for the nomination or election of a candidate for:

(i) a county office in Hennepin County;

(ii) a city office in a home rule charter or statutory city located wholly within Hennepin County with a population of 75,000 or more; or

(iii) the school board in Special School District No. 1; and

(2) a ballot question or proposition that may be voted on by:

(i) all voters in Hennepin County;

(ii) all voters of a home rule charter or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or

(iii) all voters in Special School District No. 1.

(b) The provisions of chapter 211A apply to a campaign for nomination or election for an office in the following political subdivisions:

(1) a home rule or statutory city located wholly within Hennepin County and having a population of less than 75,000; and

(2) a school district located wholly within Hennepin County other than Special School District No. 1.

(c) The provisions of chapter 211A apply to a ballot question or proposition that may be voted on by:

(1) all voters of a home rule or statutory city located wholly within Hennepin County and having a population of less than 75,000; and

(2) all voters of a school district located wholly within Hennepin County other than Special School District No. 1.

Subd. 4. **Local ordinances and charters superseded.** This section supersedes the provisions of any ordinance or resolution of a political subdivision within Hennepin County or any existing special law or home rule charter provision of a political subdivision within Hennepin County requiring disclosure of information related to the financing of election campaigns.

Subd. 5. **Economic interest disclosure; Special School District No. 1.** Every candidate for school board in Special School District No. 1, Minneapolis, must file an original statement of economic interest with the school district within 14 days of the filing of an affidavit or petition to appear on the ballot. An elected official in Special School District No. 1, Minneapolis, must file the annual statement required in section 10A.09, subdivision 6, with the school district for every year that the individual serves in office. An original and annual statement must contain the information listed in section 10A.09, subdivision 5. The provisions of section 10A.09, subdivisions 6a, 7, and 9, apply to statements required under this subdivision.

Sec. 27. **REPEALER.**

Minnesota Statutes 2018, sections 10A.15, subdivision 6; 383B.042; 383B.043; 383B.044; 383B.045; 383B.046; 383B.047; 383B.048; 383B.049; 383B.05; 383B.051; 383B.052; 383B.053; 383B.054; 383B.055; 383B.056; and 383B.057, are repealed.

ARTICLE 3
CENSUS AND REDISTRICTING

Section 1. **[2.032] REDISTRICTING COMMISSION.**

Subdivision 1. **Commission membership; duties.** In each year ending in one, a redistricting commission is created to draw the boundaries of congressional and legislative districts in accordance with the principles established in section 2.035. The commission consists of 12 public members, to be appointed in the manner provided in subdivision 2, and five retired judges of the appellate or district courts of this state who have not served in a party-designated or party-endorsed position, such as legislator, to be appointed in the manner provided in subdivision 3.

Subd. 2. **Public members; appointment.** (a) The secretary of state shall supervise the appointment of public members to the redistricting commission.

(b) By January 15 of each year ending in zero, the secretary of state shall open a widely publicized process that encourages eligible residents of this state to apply for membership on the redistricting commission. The secretary of state shall solicit recommendations for appointment to the redistricting commission from nongovernmental organizations with an interest in the elections process.

(c) The secretary of state shall provide an application form which must be designed to show: (1) that an applicant meets the requirements of this subdivision; (2) that the application must be submitted under oath affirming the truthfulness of its contents under penalty of perjury; and (3) the applicant's demographic information, such as gender, race, ethnicity, and age.

(d) The following persons are not eligible to serve as a commissioner:

(1) a person who is not eligible to vote;

(2) a person under a contract with, or who serves as a consultant or staff to, or who has an immediate family relationship with the governor, a member of the legislature, or a member of congress; and

(3) a person, or member of the person's immediate family, who has done any of the following during the ten years immediately preceding the date of application:

(i) has been appointed to, elected to, or a candidate for federal or state office;

(ii) served as an officer, employee, or paid consultant of a political party or of the campaign committee of a candidate for elective federal or state office;

(iii) served as an elected or appointed member of a political party state central committee;

(iv) registered as a federal, state, or local lobbyist or principal;

(v) served as paid congressional or legislative staff; or

(vi) violated the candidate contribution limits in section 10A.27.

(e) For purposes of this subdivision, a member of a person's immediate family means a sibling, spouse, parent or stepparent, child or stepchild, or in-law.

(f) The secretary of state shall process applications as they are received and remove from the applicant pool any person not eligible to serve as a commissioner and notify the person of the reason they were removed. To be considered, applications must be received by September 15 of the year ending in zero. An applicant must provide with the application two positive references from community leaders or groups that promote civic engagement with whom the applicant has worked and demonstrate that the applicant:

(1) has experience with outreach to community groups to encourage civic participation with an emphasis on historically disenfranchised groups; or

(2) has an interest in or experience with government, elections, or civic life.

(g) The secretary of state shall, based on a review of the applications, prepare a list of 120 applicant finalists who have demonstrated based on their application an ability to be impartial and respect the diversity of this state's many communities. The list must, to the extent practicable, reflect the gender, socioeconomic, age, racial, language, ethnic, and geographic diversity of the state.

(h) The list must include:

(1) 40 applicant finalists identifying with the largest major political party in Minnesota;

(2) 40 applicant finalists identifying with the second largest major political party in Minnesota; and

(3) 40 applicant finalists identifying their political party preference as belonging to a party not described in clause (1) or (2) or to no party.

For purposes of this paragraph, the two largest political parties are the parties whose candidates received the greatest and second greatest number of votes at the most recent two gubernatorial elections.

(i) By December 15 of the year ending in zero, the secretary of state shall give the list of finalists and their applications to the majority and minority leaders of the senate, the speaker of the house, and the minority leader of the house of representatives. At an open meeting, each of the four leaders shall remove 21 applicant finalists from the list: seven applicant finalists identifying their political party preference with the majority party in the house of representatives, seven applicant finalists identifying their political party preference with the minority party in the house of representatives, and seven applicant finalists who identified their political party preference with a party different than the majority party in the house of representatives and the minority party of the house of representatives or with no party. The leaders shall remove applicants one at a time in the order listed above, unless the leaders agree to a different order.

(j) By January 15 of each year ending in one, after the process of removing applicants from the list is completed, each of the four leaders of the house of representatives and senate shall give the list of finalists and their applications to the secretary of state. The secretary of state shall randomly draw four names from the remaining applicants identifying their political party preference as belonging to the majority party of the house of representatives, four identifying their political party preference as belonging to the minority party of the house of representatives, and four identifying their political party preference as belonging to a different party than the majority party in the house of representatives and the minority party of the house of representatives or to no party. These 12 persons shall serve as public member commissioners.

(k) The secretary of state's actions under this subdivision are not subject to chapter 14.

Subd. 3. **Retired judges; appointment.** By January 15 of each year ending in one, the four leaders of the house of representatives and senate shall each appoint one retired judge, after consulting with each other in an effort to attain geographic balance in their appointments. If the legislative leaders do not make the appointment by the deadline, the chief justice of the supreme court shall make the appointment by January 22 of that year. The director of the Legislative Coordinating Commission shall convene a meeting of the four retired judges by January 29 of that year. The four retired judges shall then appoint the fifth retired judge by a vote of at least three judges.

Subd. 4. **Code of conduct.** (a) In performing their duties, the five retired judges serving as commissioners shall abide by the Code of Judicial Conduct and are considered judicial officers as defined in section 609.415.

(b) Public members of the commission exercise the function of a public officer as defined in section 609.415.

Subd. 5. **Removal; filling vacancies.** (a) A commissioner can be removed with two-thirds vote of the commission after notice and a hearing for reasons that would justify recall of a state official under section 211C.02.

(b) The commission must remove a commissioner who participates in a communication that violates subdivision 8.

(c) Except for vacancies filled by the chief justice, vacancies on the commission must be filled by the appointing authority that made the initial appointment within 30 days after the vacancy occurs. The appointing authority for public members is the secretary of state and must be filled by drawing from the same partisan pool as the vacant position. If no applicants in the pool are available for service, the secretary of state shall establish a new pool, as provided in subdivision 2.

Subd. 6. **Open records.** The commission is subject to chapter 13, except that a plan is not public data until it has been submitted to the commission for its consideration.

Subd. 7. **Open meetings.** The commission is subject to chapter 13D.

Subd. 8. **Certain communications prohibited.** (a) Commissioners and commission staff must not communicate with anyone except other commissioners or staff regarding the content of a plan. The prohibition under this paragraph does not apply to open meetings of the commission.

(b) A commissioner may not direct, request, suggest, or recommend an interpretation of a districting principle or a change to a district boundary to commission staff except during open meetings of the commission. Commission staff shall report to the commission attempts made to exert influence over the staff's role in the drafting of plans.

Subd. 9. **Lobbyist registration.** Action of the commission to submit a redistricting plan to the legislature is an administrative action for purposes of section 10A.01, subdivision 21, requiring certain persons to register as a lobbyist.

Subd. 10. **Compensation and expenses.** Commissioners must be compensated for their commission activity as provided in section 15.059, subdivision 3.

Subd. 11. **Plans submitted to commission.** The commission shall adopt a schedule for interested persons to submit proposed plans and to respond to plans proposed by others. The commission shall also adopt standards to govern the format of plans submitted. The schedule and standards adopted by the commission under this subdivision are not rules. Chapter 14 and section 14.386 do not apply to this section.

Subd. 12. **Public hearings.** The commission shall hold at least one public hearing in each congressional district before adopting the first congressional and legislative district plans. The commission must ask for input on defining communities of interest for consideration. The commission must publish on its website preliminary drafts of the congressional and legislative district plans and each preliminary draft's accompanying reports at least one week before a hearing required under this subdivision and allow the public at least 30 days to submit comments after publication.

Subd. 13. **Deadlines.** (a) By April 30 of each year ending in one, the commission shall submit plans to the legislature for congressional and legislative districts. Each plan must be accompanied by a report summarizing information and testimony received by the commission in the course of the hearings and including any comments and conclusions the commissioners deem appropriate on the information and testimony received at the hearings or otherwise presented. Any plan submitted to the legislature must be approved by an affirmative vote of at least 13 members of the commission.

(b) The legislature intends that a bill be introduced to enact each plan and that the bill be brought to a vote in either the senate or the house of representatives under a procedure or rule permitting no amendments except those of a purely corrective nature, not less than one week after the report of the commission was received and made available to the members of the legislature. The legislature further intends that the bill be brought to a vote in the second body within one week after final passage in the first body under a similar procedure or rule. If either the senate or the house of representatives fails to approve a first plan submitted by the commission, within one week after the failure the secretary of the senate or the chief clerk of the house of representatives must notify the commission of the failure, including any information that the senate or house of representatives may direct by resolution regarding reasons why the plan was not approved. If the governor vetoes a plan, the veto message serves as the notice.

(c) The commission shall submit a second plan within two weeks after the commission received the notice, unless by then the legislature has adjourned the regular session in the year ending in one, in which case the second plan must be submitted to the legislature at the opening of its regular session in the year ending in two. The legislature intends that a

second plan be considered by the legislature under the same procedure as provided for a first plan under paragraph (b).

(d) If the commission fails to submit a plan by either of these two deadlines, the legislature may proceed to enact a plan in place of the missing plan without waiting for the commission to submit a plan.

(e) If the secretary of the senate or the chief clerk of the house of representatives notifies the commission that a second plan has failed, or the governor vetoes a second plan, the commission shall submit a third plan within two weeks after the commission received the notice, unless by then the legislature has adjourned the regular session in the year ending in one, in which case the third plan must be submitted to the legislature at the opening of its regular session in the year ending in two. The third plan is subject to the same procedure as provided for first and second plans under paragraph (b).

Final approval of all plans, whether enacted by the legislature or as provided by order of the court, must take place no later than the date provided in section 204B.14, subdivision 1a.

Subd. 14. **Data used.** (a) To draw congressional and legislative districts, the commission shall use, at a minimum, census data representing the entire population of Minnesota.

(b) The commission shall use redistricting population data that includes data for persons who are incarcerated reflecting their residence to be their last known residential address before incarceration.

Subd. 15. **Expiration.** (a) The commission expires when both congressional and legislative redistricting plans have been enacted into law or adopted by order of the court and any legal challenges to the plans have been resolved.

(b) If use of a plan is enjoined after the commission expires, the court enjoining the plan may direct that a new commission be appointed under this section to draft a remedial plan for presentation to the legislature in accordance with deadlines established by order of the court.

Sec. 2. **[2.035] DISTRICTING PRINCIPLES.**

Subdivision 1. **Application.** The principles in this section apply to congressional and legislative districts.

Subd. 2. **Prohibited information.** (a) No plan shall be drawn to purposefully favor or disfavor a political party or candidate.

(b) Information regarding registered voters, political affiliation, voting history, and demographics shall be sequestered from the Redistricting Commission for the initial phase of the process, but may be used to test for compliance with the goals in subdivision 3 and reports described in section 2.036, subdivision 4.

Subd. 3. **Priority of principles.** Redistricting commissioners appointed under section 2.032 shall adhere to the principles in subdivisions 4 to 12 when drawing congressional and legislative districts. Where it is not possible to fully comply with the principles contained below, a redistricting plan shall give priority to those principles in the order in which they are listed, except to the extent that doing so would violate federal or state law.

Subd. 4. **Population equality.** (a) Congressional districts must be as nearly equal in population as practicable.

(b) Legislative districts must be substantially equal in population. The population of a legislative district must not deviate from the ideal by more than one percent.

Subd. 5. **Contiguity.** The districts must be contiguous allowing for easy travel throughout the district. Contiguity by water is sufficient if the water is not a serious obstacle to travel within the district. Districts with areas that touch only at a point are not contiguous.

Subd. 6. **Minority representation.** (a) Each district must be drawn in compliance with all state and federal laws. A district must not be drawn with either the purpose or effect of diluting, denying, or abridging the right of any citizen of the United States to vote on account of race, ethnicity, or membership in a language minority group, whether by themselves or when voting in concert with other people.

(b) Racial, ethnic, and language minorities must have an equal opportunity to participate in the political process and elect candidates of their choice. Racial, ethnic, and language minorities who constitute less than a voting-age majority of a district must have an opportunity to substantially influence the outcome of an election.

Subd. 7. **Communities of interest.** District boundaries shall recognize communities of interest. A community of interest is a contiguous population sharing common social and economic interests that should be included within a single district for purposes of the community's effective and fair representation. Communities of interest include but are not limited to geographic areas where there are clearly recognizable similarities of social, cultural, ethnic, economic, or other interests. Examples of shared interests are those common to an urban area, rural area, industrial area, or agricultural area and those common to areas in which the people share similar living standards, have similar work opportunities, or have access to the same media of communication relevant to the election process. Communities

of interest shall not include relationships with political parties, incumbents, or political candidates.

Subd. 8. **Political subdivisions.** Counties, cities, and municipalities should be preserved to the greatest extent possible and in compliance with the other principles to preserve rather than divide them among multiple districts.

Subd. 9. **Incumbents.** The residence of incumbents shall not be taken into consideration in the development or approval of a proposed plan.

Subd. 10. **Compactness.** Compactness must be measured by using one or more statistical tests and must be compact.

Subd. 11. **Partisan symmetry and bias.** A district must not be drawn in a manner that unduly favors or disfavors any political party. The commission shall use judicial standards and the best available scientific and statistical methods to assess whether a plan unduly favors or disfavors a political party.

Subd. 12. **Numbering.** (a) Congressional district numbers must begin with district one in the southeast corner of the state and end with the district with the highest number in the northeast corner of the state.

(b) Legislative districts must be numbered in a regular series, beginning with house district 1A in the northwest corner of the state and proceeding across the state from west to east, north to south. In a county that includes more than one whole senate district, the districts must be numbered consecutively.

Sec. 3. **[2.036] LEGISLATIVE COORDINATING COMMISSION; REDISTRICTING.**

Subdivision 1. **Administrative support.** The Legislative Coordinating Commission shall provide administrative support to the Redistricting Commission.

Subd. 2. **Database.** The geographic areas and population counts used in maps, tables, and legal descriptions of congressional and legislative districts considered by the legislature must be those used by the Geographic Information Services (GIS) Office of the Legislative Coordinating Commission. The population counts shall be the block population counts provided to the state under Public Law 94-171 after each decennial census, subject to correction of any errors acknowledged by the United States Census Bureau. The GIS Office must make the database available to the public on the GIS Office website.

Subd. 3. **Publication; consideration of plans.** A redistricting plan must not be considered for adoption by the senate or house of representatives until the redistricting plan's block equivalency file has been submitted to the GIS Office in a form prescribed by the GIS Office. The block equivalency file must show the district to which each census block has been assigned. The GIS Office shall publish each plan submitted to it on the GIS Office website.

Subd. 4. **Reports.** Publication of a plan must include the following reports:

(1) a population equality report, listing each district in the plan, its population as the total number of persons, and deviations from the ideal as both a number of persons and as a percentage of the population. The report must also show the populations of the largest and smallest districts and the overall range of deviations of the districts;

(2) a contiguity report, listing each district that is noncontiguous either because two areas of a district do not touch or because they are linked by a point;

(3) a minority voting-age population report, listing for each district the voting age population of each racial or language minority and the total minority voting age population, according to the categories recommended by the United States Department of Justice. The report must also highlight each district with 30 percent or more total minority population;

(4) a communities of interest report, if the chief author of a plan asserts that it preserves a community of interest, maps of the plan must include a layer identifying the census blocks within the community of interest. Publication of the plan must also include a report that lays out the research and process used to identify the communities of interest and lists the district or districts to which the community of interest has been assigned. The report must include the number of communities of interest that are split and the number of times the communities were split;

(5) a political subdivision splits report, listing the split counties, cities, towns, unorganized territories, and precincts, and the district to which each portion of a split subdivision is assigned. The report must also show the number of subdivisions split and the number of times a subdivision is split;

(6) a plan components report, listing for each district the names and populations of the counties within it and, where a county is split between or among districts, the names and populations of the portion of the split county and each of the split county's whole or partial cities, townships, unorganized territories, and precincts within each district.

(7) a measures of compactness report, listing for each district at least the results of the Reock, Polsby-Popper, Minimum Convex Hull, Population Polygon, Population Circle, Ehrenburg, Length-Width, measures of compactness. The report must also state for all the districts in a plan the sum of its perimeters and the mean of its other measurements. The commission may consider other tests of compactness; and

(8) a partisan bias report, listing multiple measures of partisan symmetry or other measures of partisan bias as accepted in political science literature and the best available scientific and statistical methods.

Sec. 4. **[204B.136] REDISTRICTING OF LOCAL ELECTION DISTRICTS.**

Subdivision 1. **Redistricting plan standards; Redistricting Commission.** The principles provided in section 2.035 must be applied to the redistricting of:

(1) county commissioner districts, county park districts, and soil and water conservation supervisor districts in counties with a population greater than 100,000; and

(2) wards in cities with a population greater than 75,000.

Subd. 2. **Population variance.** The minimum population variance permitted for county districts and wards may be up to 1.5 percent of the mean population for all districts or wards in a redistricting plan adopted as provided in this section.

Subd. 3. **Procedure.** Redistricting plans required by this section shall be prepared and adopted by the charter commission, or where such a commission does not exist, by a redistricting commission of no fewer than seven and no more than 15 members appointed by the chief judge of the district court in which a majority of the population of the affected jurisdiction reside. Members of a commission appointed under this subdivision must meet the qualification standards for a public member of the Redistricting Commission as described in section 2.032, subdivision 2, paragraph (d).

Sec. 5. **ACCESS TO MULTIUNIT FACILITIES BY UNITED STATES CENSUS EMPLOYEES.**

Subdivision 1. **Access required.** It is unlawful for a person, either directly or indirectly, to deny access to an apartment house, dormitory, nursing home, manufactured home park, other multiple unit facility used as a residence, or an area in which two or more single-family dwellings are located on private roadways, to an employee of the United States Census who displays a current, valid census credential and who is engaged in official census business. An employee granted access under this section must be permitted to leave census materials

for residents at their doors, except that the manager of a nursing home may direct that the materials be left at a central location within the facility. The materials must be left in an orderly manner.

Subd. 2. **Limitations.** This section does not prohibit:

(1) denial of admittance into a particular apartment, room, manufactured home, or personal residential unit;

(2) in the case of a nursing home or a registered housing with services establishment providing assisted living services meeting the requirements of Minnesota Statutes, section 144G.03, subdivision 2, denial of permission to visit certain persons for valid health reasons;

(3) limiting visits to a reasonable number of census employees or reasonable hours;

(4) requiring a prior appointment to gain access to the facility; or

(5) denial of admittance to or expulsion of an individual employee from a multiple unit dwelling for good cause.

Subd. 3. **Compliance with federal law.** A person in compliance with United States Code, title 13, section 223, and any guidance or rules adopted by the United States Department of Commerce, Bureau of the Census, governing access to a facility described in subdivision 1 is considered to be in compliance with the requirements of this section.

Subd. 4. **Applicability.** This section is effective from January 1 to July 1 in any year during which a decennial census is conducted under the authority of the United States Constitution, article 1, section 2.

Sec. 6. **APPROPRIATIONS.**

Subdivision 1. **Legislative Coordinating Commission.** $..... in fiscal year 2020 and $..... in fiscal year 2021 are appropriated from the general fund to the Legislative Coordinating Commission for costs associated with implementing this article. These are onetime appropriations.

Subd. 2. **Secretary of State.** $..... in fiscal year 2020 and $..... in fiscal year 2021 are appropriated from the general fund to the secretary of state for costs associated with implementing this article. These are onetime appropriations.

10A.15 CONTRIBUTIONS.

Subd. 6. **Contributions from Hennepin County registered associations.** In lieu of registration with the board, an association registered with the Hennepin County filing officer under sections 383B.041 to 383B.058 that makes contributions of more than $200 to a committee or fund in a calendar year may notify the recipient committee of its registration with Hennepin County, including its registration number, and instruct the recipient committee to include the notice when the recipient committee discloses receipt of the contribution.

203B.081 LOCATIONS AND METHODS FOR ABSENTEE VOTING IN PERSON.

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

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

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

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

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

383B.042 DEFINITIONS.

Subdivision 1. **For county campaign finance provisions.** For the purposes of sections 383B.041 to 383B.058, the terms defined in this section have the meanings given them. The terms defined in chapter 200 also apply to sections 383B.041 to 383B.058, unless a different meaning is specified in this section.

Subd. 2. **Advance of credit.** "Advance of credit" means any money owed for goods provided or services rendered. An advance of credit is an expenditure in the year in which the goods or services are used or consumed. "Advance of credit" does not mean "loan" as defined in subdivision 12.

Subd. 3. **Association.** "Association" means a business, corporation, firm, partnership, committee, labor organization, club, or any other group of two or more persons, which includes more than an immediate family, acting in concert.

Subd. 4. **Business with which the individual is associated.** "Business with which the individual is associated" means any association in connection with which the individual is compensated in excess of $50 except for actual and reasonable expenses in any month as a director, officer, owner, member, partner, employer or employee, or is a holder of securities worth $2,500 or more at fair market value.

Subd. 5. **Candidate.** "Candidate" means an individual, not within the definition of candidate of section 10A.01, subdivision 10, who seeks nomination or election to any county office in Hennepin County, to any city office in any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more or to the school board of Special School District No. 1, Minneapolis.

Subd. 6. **City.** "City" means any statutory or home rule charter city wholly within Hennepin County and having a population of 75,000 or more.

Subd. 7. **Contribution.** "Contribution" means a transfer of funds or a donation in kind.

"Contribution" includes any loan or advance of credit to a political committee, political fund, or principal campaign committee, if that loan or advance of credit is (a) forgiven, or (b) paid by an

entity other than the political committee, political fund, or principal campaign committee to which the loan or advance of credit is made.

"Contribution" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Subd. 8. **Donation in kind.** "Donation in kind" means anything of value other than money or negotiable instruments given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the outcome of an election.

Subd. 9. **Election.** "Election" means any election held to nominate or elect any candidate or to decide any question on a county ballot in Hennepin County or on the ballot of any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more, or on the ballot of Special School District No. 1, Minneapolis.

Subd. 10. **Expenditure.** "Expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the outcome of any election. "Expenditure" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Subd. 11. **Filing officer.** "Filing officer" means the official responsible under law for administration of the election laws for Hennepin county.

Subd. 12. **Loan.** "Loan" means an advance of money or anything of value made to a political committee, political fund, or principal campaign committee.

Subd. 13. **Political committee.** "Political committee" means any political party, association or person other than an individual that seeks as its major purpose to influence the outcome of any election for a city ballot issue or for any city office in the city of Bloomington; for a city or school district ballot issue and for any city or school district office in the city of Minneapolis, and in Special School District No. 1, Minneapolis; or for any countywide ballot issue or county office in Hennepin County; and not to influence the outcome of any other election.

Subd. 14. **Political fund.** "Political fund" means any accumulation of dues or voluntary contributions by an association other than a political committee, which accumulation is collected or expended for the purpose of influencing the outcome of any election for a city ballot issue or for any city office in the city of Bloomington; for a city or school district ballot issue and for any city or school district office in the city of Minneapolis, and in Special School District No. 1, Minneapolis; or for any countywide ballot issue or county office in Hennepin County; and not for the purpose of influencing the outcome of any other election.

Subd. 15. **Population.** "Population" means population as determined by the most recent federal census.

Subd. 16. **Principal campaign committee.** "Principal campaign committee" means the single political committee designated by a candidate for election for any city office in the city of Bloomington; for any city office in the city of Minneapolis; for any school district office in Special School District No. 1, Minneapolis; or for any county office in Hennepin County.

Subd. 17. **Transfer of funds.** "Transfer of funds" or "transfer" means money or negotiable instruments given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the outcome of any election.

383B.043 POLITICAL COMMITTEES; COUNTY AND CERTAIN OTHER ELECTIONS.

Subdivision 1. **Officers.** Every political committee shall have a chair and a treasurer, who may be the same individual. The treasurer may designate deputy treasurers and shall be responsible for their accounts. The treasurer shall designate a single depository and account for all contributions received by the political committee.

Subd. 2. **Prohibitions; acceptance of certain contributions; commingling of funds.** No contribution shall be accepted and no expenditure shall be made by or on behalf of a political committee while the office of treasurer is vacant. No anonymous contribution in excess of $20 shall be retained by the political committee but shall be forwarded to the state campaign finance and public disclosure board and deposited in the general fund. No funds of the political committee shall be commingled with the personal funds of any officer, member or associate of the committee. Any individual who violates a provision of this subdivision is guilty of a misdemeanor.

383B.044 POLITICAL FUNDS.

Subdivision 1. **When required.** No association other than a political committee shall transfer more than $100 in aggregate in any one year to candidates or political committees or make any expenditure unless the transfer or expenditure is made from a political fund.

Subd. 2. **Treasurer; commingling of funds; anonymous contributions.** Each association which has a political fund shall elect or appoint a treasurer of the political fund. No contributions to the political fund shall be accepted and no expenditures from the fund shall be made while the office of treasurer is vacant. The contents of the political fund shall not be commingled with any other funds or with the personal funds of any officer or member of the fund. No anonymous contribution in excess of $20 shall be retained by the political fund but shall be forwarded to the state campaign finance and public disclosure board and deposited in the general fund.

Subd. 3. **Use of dues and membership fees.** Notwithstanding subdivision 1, the association may, if not prohibited by other law, deposit in its political fund money derived from dues or membership fees. The treasurer of the fund, in any report required by section 383B.049, shall disclose the name of any member whose dues, membership fees and contributions deposited in the political fund in any one year exceed $50 in the aggregate.

Subd. 4. **Penalty.** Any person who knowingly violates the provisions of this section is guilty of a misdemeanor.

383B.045 PRINCIPAL CAMPAIGN COMMITTEE.

Every candidate who receives contributions or makes expenditures in excess of $100 shall designate and cause to be formed a single political committee which shall be known as the candidate's principal campaign committee. The candidate shall make expenditures only through the candidate's principal campaign committee. The candidate may be the chair and treasurer of the principal campaign committee.

383B.046 REGISTRATION OF POLITICAL COMMITTEES, POLITICAL FUNDS, AND PRINCIPAL CAMPAIGN COMMITTEES.

Subdivision 1. **Filing office; deadline.** Every political committee, political fund and principal campaign committee as defined in section 383B.042, subdivisions 13, 14, and 16, shall register with the filing officer within 14 days after the date by which the committee or fund has received contributions or made expenditures in excess of $100. A political committee, political fund, or principal campaign committee that is registered with the Campaign Finance and Public Disclosure Board under section 10A.14 need not register under this section.

Subd. 2. **Statement required.** A political committee, political fund, or principal campaign committee registers by filing a statement of organization that includes:

(a) the name and address of the political committee, political fund, or principal campaign committee;

(b) the name and address of the chair, the treasurer, and any deputy treasurers;

(c) the name and address of the depository used by the committee or fund;

(d) the name and address of any supporting association of a political fund; and

(e) a statement as to whether the committee is a principal campaign committee.

The statement of organization shall be filed by the treasurer of the political committee, political fund or principal campaign committee.

383B.047 ACCOUNTS WHICH MUST BE KEPT.

Subdivision 1. **Contributions; expenditures; transfers.** The treasurer of any political committee, political fund or principal campaign committee shall keep an account of:

(1) the sum of all contributions made to the political committee, political fund, or principal campaign committee;

(2) the name and address of each source of a transfer or donation in kind, together with the date and amount;

(3) each expenditure made by or on behalf of the committee or fund together with the date and amount; and

(4) the name and address of each political committee, political fund, or principal campaign committee to which transfers have been made, together with the date and amount.

Subd. 2. **Authorization of expenditures; receipts.** Each expenditure by a political committee, political fund or principal campaign committee shall be authorized by the treasurer. The treasurer may authorize not more than $20 per week as petty cash for miscellaneous expenditures. The treasurer shall obtain a receipted bill stating the particulars for every expenditure made by or on behalf of the political committee, political fund, or principal campaign committee.

383B.048 CAMPAIGN REPORTS.

Subdivision 1. **Committees required to report; deadlines.** (a) The treasurer of any political committee, political fund, or principal campaign committee required to register pursuant to section 383B.046 shall file campaign reports with the filing officer. In each year in which the name of the candidate is on the ballot, the report of the principal campaign committee shall be filed one week before a regular primary and a regular election. Political committees and political funds shall file campaign reports one week before a regular primary or regular election.

(b) The treasurer of a principal campaign committee shall file reports one week before a special primary or other special election and 30 days after a special election.

(c) The reports shall cover the period from the day after the end of the previous reporting period to one week before the filing date.

(d) A campaign report shall be filed by all treasurers on January 31 of each year covering the period from the day after the end of the previous reporting period to December 31 of the preceding calendar year.

Subd. 2. **Content of reports.** Each campaign report required under this section shall disclose:

(1) the amount of liquid assets on hand at the beginning of the reporting period;

(2) the name, address and employer, or occupation if self-employed, of each individual, committee or political fund that made transfers or donations in kind to the political committee, political fund, or principal campaign committee in an aggregate amount or value in excess of $100, together with the amount and date;

(3) the sum of all contributions made to the political committee, political fund, or principal campaign committee;

(4) each loan made or received by the political committee, political fund, or principal campaign committee within the year in aggregate in excess of $100, together with the name, address, occupation and the principal place of business, if any, of the lender and any endorser and the date and amount of the loan. A loan made to a political committee, political fund, or principal campaign committee which is forgiven or is repaid by an entity other than that political committee or fund shall be reported as a contribution;

(5) the sum of all receipts, including all contributions and loans, during the reporting period;

(6) the name and address of each person to whom aggregate expenditures have been made by or on behalf of the political committee, political fund, or principal campaign committee within the year in excess of $100, the amount, date and purpose of each expenditure and the ballot question or the name and address of the candidate supported or opposed by the expenditure;

(7) the sum of all expenditures made by the political committee, political fund, or principal campaign committee;

(8) the amount and nature of any advance of credit incurred by the political committee, political fund, or principal campaign committee continuously reported until paid or forgiven. An advance of credit incurred by a political committee, political fund, or principal campaign committee which is forgiven or is paid by an entity other than that political committee, political fund, or principal campaign committee shall be reported as a donation in kind;

(9) the name and address of each political committee, political fund, or principal campaign committee to which aggregate transfers in excess of $100 have been made within the year, together with the amount and date of each transfer;

(10) the sum of all transfers made to political committees, political funds, or principal campaign committees; and

(11) the sum of all disbursements not made to influence the outcome of an election.

Subd. 3. **Party sample ballots.** Expenditures by a political party as defined in section 200.02, subdivision 7, or a substate unit of such a party, for the preparation, display and distribution of an official party sample ballot containing the names of three or more individuals whose names are to appear on the ballot shall not be considered contributions or expenditures on behalf of any candidate.

Subd. 4. **Termination reports.** (a) A political committee, political fund, or principal campaign committee created pursuant to section 383B.046 may dissolve upon filing of a termination report indicating that the committee or fund has settled all of its debts and disposed of all assets in excess of $100. The termination report shall include all information required in a periodic campaign report.

(b) Political committees and political funds that were created for purposes of supporting or opposing candidates or ballot issues beyond the scope of those identified in section 383B.042, subdivision 5, 13, or 14, may terminate their registration with Hennepin County. Termination of a registration under this provision does not require termination of the political committee or political fund and does not require settlement of all debts and disposition of all assets in excess of $100.

383B.049 EXPENDITURES BY INDIVIDUALS.

Subdivision 1. **Reports.** Except as provided in subdivision 2, any individual who makes expenditures in an aggregate amount of $100 or more in any year, which expenditures are not required to be reported by any political committee, political fund, or principal campaign committee as contributions to that political committee, political fund, or principal campaign committee, shall file campaign reports in the form required by section 383B.048 with respect to those expenditures.

Subd. 2. **Exception; independent expenditures.** An individual shall not be required to report any expenditure which is made without the cooperation or express or implied consent of any candidate, political committee, political fund, or agent of a candidate, political committee, or political fund, unless the expenditure expressly advocates the election or defeat of a clearly identified candidate or the approval or rejection of a clearly identified county or city ballot question at any election.

383B.05 ADDITIONAL INFORMATION TO BE DISCLOSED.

Subdivision 1. **Earmarked contributions.** Any individual, political committee, political fund, or principal campaign committee that receives a contribution from any person or association in an aggregate in excess of $50 with the express or implied condition that the contribution or any part of it be directed to a particular candidate shall disclose to the ultimate recipient and in any report required by section 383B.048, the original source of the contribution, the fact that it was earmarked and the candidate to whom it is directed. The ultimate recipient of any earmarked contribution shall also disclose the original source and the individual, political committee, political fund, or principal campaign committee through which it was directed. Any individual, political committee, political fund, or principal campaign committee that knowingly accepts earmarked funds and fails to make the disclosure required by this subdivision is guilty of a misdemeanor.

Subd. 2. **Bills when rendered and paid.** Every person who has a bill, charge or claim against any political committee, political fund, or principal campaign committee for any expenditure shall render in writing to the treasurer of the committee or fund the bill, charge or claim within 60 days after the material or service is provided. Failure to present the bill, charge or claim as required by this subdivision is a petty misdemeanor.

383B.051 CIRCUMVENTION PROHIBITED.

Any person who attempts to circumvent disclosure of the source or amount of contributions or expenditures by redirecting funds through or contributing funds on behalf of another person is guilty of a misdemeanor.

383B.052 ECONOMIC REPRISALS PROHIBITED.

No individual or association shall engage in economic reprisals or threaten loss of employment or physical coercion against any individual or association because of the political contributions or political activity of that individual or association. This subdivision does not apply to compensation for employment or loss of employment when the political affiliation or viewpoint of the employee is a bona fide occupational qualification of the employment. Any individual or association that violates this subdivision is guilty of a misdemeanor.

383B.053 ECONOMIC INTEREST DISCLOSURE.

Subdivision 1. **Officials required to file; deadlines.** Every candidate for county office, every elected official of Hennepin County, every candidate for office and every elected official of a home

rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more, and every candidate for school board and every elected official in Special School District No. 1, Minneapolis shall file statements of economic interest as required by this section with the filing officer. A candidate shall file an original statement within 14 days of the filing of an affidavit or petition to appear on the ballot. Every individual required to file a statement shall file a supplementary statement on April 15 of each year in which the individual remains a candidate or elected official. An official required to file a statement of economic interest under section 10A.09 is not required to comply with this section.

Subd. 2. **Content of statement.** An individual required to file a statement of economic interest shall disclose:

(1) the individual's name, address, occupation and principal place of business;

(2) the name of each business with which the individual is associated and the nature of that association;

(3) a listing of all real property within the state, excluding homestead property, in which the individual holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, and which interest has a market value in excess of $2,500 as shown on the real estate tax statement for the property or (ii) an option to buy, which property has a fair market value of $50,000 or more;

(4) a listing of all real property within the state in which a partnership of which the individual is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of the partnership interest has a market value in excess of $2,500 as shown on the real estate tax statement for the property or (ii) an option to buy, which property has a fair market value of $50,000 or more; and

(5) in supplementary statements only, the amount of each honorarium in excess of $50 received since the last statement, together with the name and address of the source.

Any listing under clause (3) or (4) shall indicate the street address and the municipality or the section, township range and approximate acreage, whichever applies, and the county wherein the property is located.

383B.054 REPORTS AND STATEMENTS; REQUIREMENTS.

Subdivision 1. **Certification.** A report or statement required by sections 383B.046 to 383B.054 shall be signed and certified as true by the individual required to file the report. Any individual who signs and certifies to be true a report or statement which the individual knows contains false information or who knowingly omits required information is guilty of a gross misdemeanor.

Subd. 2. **Transmittal, retention, public inspection.** The filing officer shall promptly transmit to the appropriate city clerk a copy of each statement and report filed by a candidate for city office, a political committee or fund that discloses contributions or expenditures to influence a city or an elected city official. The filing officer and each city clerk shall retain the statements, reports and copies and make them available for public inspection for a period of five years after the date of receipt by the filing officer.

Subd. 3. **Changes and corrections.** Any material changes in information previously submitted and any corrections to a report or statement shall be reported in writing to the filing officer within ten days following the date of the event prompting the change or the date upon which the individual filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any individual who willfully fails to report a material change or correction is guilty of a misdemeanor.

Subd. 4. **Record keeping.** Each individual required to file any report or statement or to keep any account pursuant to sections 383B.046 to 383B.054 shall maintain and preserve for four years the records, including any vouchers, canceled checks, bills, invoices, worksheets and receipts, that will provide in sufficient detail the necessary information from which the accounts and the filed reports and statements may be verified, explained, clarified and checked for accuracy and completeness.

Subd. 5. **Penalties.** The filing officer shall notify by certified mail or personal service any individual who fails to file a statement or report required by sections 383B.046 to 383B.054. Except for any campaign report of a principal campaign committee due before an election, if an individual fails to file any statement or report within seven days after receiving a notice, the filing officer may impose a late filing fee of $5 per day, not to exceed $100, commencing on the eighth day after

receiving notice. If a treasurer of a principal campaign committee fails to file a campaign report due before an election within three days of the date due, regardless of whether the treasurer has received any notice, the filing officer may impose a late filing fee of $50 per day, not to exceed $500, commencing on the fourth day after the date the statement was due. The filing officer shall further notify by certified mail or personal service any individual who fails to file any statement or report within 21 days after receiving a first notice that the individual may be subject to a criminal penalty for failure to file the statement or report. An individual who knowingly fails to file the statement or report within seven days after receiving a second notice from the filing officer is guilty of a misdemeanor. A filing officer who violates any provision of this subdivision is guilty of a misdemeanor.

Subd. 6. **Recovery of late filing fees.** A filing officer may bring an action in the Fourth Judicial District Court to recover any late filing fee imposed pursuant to subdivision 5. All money recovered shall be deposited in the general fund of Hennepin County.

Subd. 7. **Reports of violations.** If any individual other than a county official or candidate for county office fails to file the required statement or report within seven days after a second notice as provided in subdivision 5, the filing officer shall inform the Hennepin County attorney that a second notice was sent and that the individual failed to file the required statement or report. If a county official or candidate fails to file a report or statement after a second notice as provided in subdivision 5, the filing officer shall notify the attorney general.

Subd. 8. **Report by subordinate.** (a) Any deputy, clerk, employee or other subordinate of a filing officer who has knowledge or reason to believe that a violation of sections 383B.041 to 383B.057 has occurred, shall immediately transmit a report of that knowledge or belief to that filing officer, together with any evidence of the violation coming into the subordinate's possession.

(b) Any filing officer who has knowledge or reason to believe that a violation of sections 383B.041 to 383B.058 has occurred shall immediately transmit a report of that knowledge or belief to the county attorney of the county in which the violation is thought to have occurred, together with any evidence of the violation coming into the filing officer's possession.

(c) The filing officer shall also immediately send a copy of the report to the Campaign Finance and Public Disclosure Board.

(d) A violation of this subdivision is a misdemeanor.

383B.055 DUTIES OF CAMPAIGN FINANCE BOARD; FILING OFFICERS.

Subdivision 1. **Board: advisory opinions, disclosure exemptions.** The state Campaign Finance and Public Disclosure Board shall:

(1) issue and publish advisory opinions concerning the requirements of sections 383B.041 to 383B.057 upon application in writing by the county filing officer of Hennepin County or any individual or association who wishes to use the opinion to guide the applicant's own conduct; and

(2) exempt any individual or association required to disclose information under sections 383B.046 to 383B.05 from any requirement of those sections in the same manner as it exempts any individual or association from disclosure requirements under chapter 10A. An individual or association exempted from the disclosure provisions of chapter 10A, shall also be exempt from the disclosure provisions of sections 383B.046 to 383B.05.

Subd. 2. **Filing officer: develop, distribute needed forms.** The county filing officer of Hennepin County shall develop forms for all statements and reports required to be filed under sections 383B.041 to 383B.054. The filing officer shall furnish sufficient copies of the forms to all officers with whom candidates file affidavits or applications of candidacy and nominating petitions.

Subd. 3. **Candidacy filing officer: forms to candidates; penalty.** An officer who receives affidavits or applications of candidacy or nominating petitions shall mail or deliver a copy of each form required to be filed by a candidate to each candidate who files an affidavit, application or petition with that officer or for whom a write-in vote is cast on the ballot of that jurisdiction. Any officer who fails to carry out the duties imposed by this subdivision is guilty of a misdemeanor.

383B.056 PENALTIES.

Except as expressly provided to the contrary in sections 383B.041 to 383B.055, a violation of sections 383B.041 to 383B.055 is not a crime.

383B.057 PROSECUTION OF VIOLATIONS.

Except as otherwise provided in this section, a violation of a criminal provision of sections 383B.041 to 383B.056 shall be prosecuted by the Hennepin County attorney in the Fourth Judicial District Court. A violation by a county official or candidate shall be prosecuted by the attorney general in the district court of Ramsey County.