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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 1697

02/23/2017 Authored by O'Driscoll, Fenton, Nelson, Halverson and Masin
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy
03/02/2017 Adoption of Report: Re-referred to the Committee on State Government Finance

1.1 A bill for an act
1.2 relating to elections; providing a voting equipment grant program; requiring reports;
1.3 appropriating money; proposing coding for new law in Minnesota Statutes, chapter
1.4 206; repealing Minnesota Statutes 2016, section 204B.48.

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

1.6 Section 1. **[206.95] VOTING EQUIPMENT GRANT ACCOUNT.**

1.7 Subdivision 1. **Voting equipment grant account.** A voting equipment grant account is
1.8 established in the special revenue fund. Funds in the account are appropriated to the secretary
1.9 of state to provide grants to political subdivisions as authorized by this section. Funds in
1.10 the account are available until expended.

1.11 Subd. 2. **Authorized equipment.** (a) A political subdivision may apply to receive a
1.12 grant under this section for the purchase or lease of the following:

1.13 (1) an electronic voting system, or any individual components of an electronic voting
1.14 system as provided in section 206.56, subdivision 8;

1.15 (2) assistive voting technology;

1.16 (3) an electronic roster system meeting the technology requirements of section 201.225,
1.17 subdivision 2; and

1.18 (4) any other equipment or technology approved by the secretary of state for use in
1.19 conducting a state or local election in Minnesota consistent with the requirements of law.

1.20 (b) A purchase or lease of equipment is eligible for a grant under this section if the
1.21 purchase is made or lease entered on or after July 1, 2017.

2.1 Subd. 3. **Application.** (a) The secretary of state may make a grant from the account to
2.2 a political subdivision only after receiving an application from the political subdivision.
2.3 The application must contain the following information:

2.4 (1) the date the application is submitted;

2.5 (2) the name of the political subdivision;

2.6 (3) the name and title of the individual who prepared the application;

2.7 (4) the type of voting system currently used in each precinct in the political subdivision;

2.8 (5) the date the system currently used was acquired and at what cost;

2.9 (6) the total number of registered voters, as of the date of the application, in each precinct
2.10 in the political subdivision;

2.11 (7) the total amount of the grant requested;

2.12 (8) the total amount and source of the political subdivision's money to be used to match
2.13 a grant from the account;

2.14 (9) the type of voting system to be acquired with the grant money and whether the voting
2.15 system will permit individuals with disabilities to cast a secret ballot;

2.16 (10) the proposed schedule for purchasing and implementing the new voting system and
2.17 the precincts in which the new voting system would be used;

2.18 (11) whether the political subdivision has previously applied for a grant from the account
2.19 and the disposition of that application;

2.20 (12) a certified statement by the political subdivision that the grant will be used only to
2.21 purchase authorized equipment under subdivision 2 of this section and that the political
2.22 subdivision has insufficient resources to purchase the voting system without obtaining a
2.23 grant from the account; and

2.24 (13) any other information required by the secretary of state.

2.25 (b) The secretary of state must establish a deadline for receipt of grant applications, a
2.26 procedure for awarding and distributing grants, and a process for verifying the proper use
2.27 of the grants after distribution.

2.28 Subd. 4. **Amount of grant.** A political subdivision is eligible to receive a grant to no
2.29 more than 50 percent of the total cost of the eligible equipment. In evaluating the application,
2.30 the secretary of state shall consider only the information set forth in the application and is
2.31 not subject to chapter 14. If the secretary of state determines that the application has been

3.1 fully and properly completed, and that there is a sufficient balance in the account to fund
3.2 the grant, either in whole or in part, the secretary of state may approve the application.

3.3 Subd. 5. **Report to legislature.** No later than January 15, 2018, and annually thereafter
3.4 until the appropriations provided for grants under this section have been exhausted, the
3.5 secretary of state must submit a report to the legislative committees with jurisdiction over
3.6 elections policy on grants awarded by this section. The report must detail each grant awarded,
3.7 including the jurisdiction, the amount of the grant, and the type of equipment purchased.

3.8 Sec. 2. **VOTING EQUIPMENT GRANT ACCOUNT; APPROPRIATION.**

3.9 \$14,000,000 in fiscal year 2018 is appropriated from the general fund to the commissioner
3.10 of management and budget for transfer into the voting equipment grant account established
3.11 by section 206.95, subdivision 1.

3.12 Sec. 3. **REPEALER.**

3.13 Minnesota Statutes 2016, section 204B.48, is repealed.

204B.48 VOTING EQUIPMENT GRANT ACCOUNT.

Subdivision 1. **Account created.** A voting equipment grant account is created in the state treasury to provide grants to political subdivisions to purchase precinct based optical scan ballot tabulation equipment. The equipment must permit the voter to verify and correct any errors on the ballot, including both undervotes and overvotes. Any grants made by the federal government to the state to improve election administration or equipment must be credited to the account.

Subd. 2. **Application.** The commissioner of administration may make a grant from the account to a political subdivision only after receiving an application from the political subdivision and a recommendation from the secretary of state concerning the application. The application must contain the following information:

- (1) the date the application is submitted;
- (2) the name of the political subdivision;
- (3) the name and title of the individual who prepared the application;
- (4) the type of voting system currently used in each precinct in the political subdivision;
- (5) if the current system is an optical scan system, the date the system was acquired and at what cost;
- (6) the total number of registered voters, as of the date of the application, in each precinct in the political subdivision;
- (7) the total amount of the grant requested;
- (8) the total amount and source of the political subdivision's money to be used to match a grant from the account;
- (9) the type of voting system to be acquired with the grant money and whether the voting system will permit individuals with disabilities to cast a secret ballot;
- (10) the proposed schedule for purchasing and implementing the new voting system and the precincts in which the new voting system would be used;
- (11) the proposed schedule for training election administrators and election judges to operate the new voting system;
- (12) a proposed plan to educate voters, the media, and the general public concerning the new voting system;
- (13) the names and contact information for the individuals and offices of the political subdivision responsible for communications and reporting to the commissioner of administration regarding the administration and implementation of the grant by the political subdivision, authorizing the purchase of voting systems, and implementing the training and education plan for the voting system;
- (14) whether the political subdivision has previously applied for a grant from the account and the disposition of that application;
- (15) a certified statement by the political subdivision that the grant will be used only to purchase precinct based optical scan ballot tabulation equipment, that the political subdivision will provide a dollar-for-dollar match that will not come from state or federal money, and that the political subdivision has insufficient resources to purchase the voting system without obtaining a grant from the account.

The commissioner of administration must forward a copy of the application to the secretary of state.

Subd. 3. **Evaluation and approval.** In evaluating the application, the commissioner of administration may consider only the information set forth in the application and is not subject to chapter 14. If the commissioner of administration determines that the application has been fully and properly completed, and that there is a sufficient balance in the account to fund the grant, either in whole or in part, the commissioner, after receiving the recommendation of the secretary of state, may approve the application.

Subd. 4. **Payment.** The commissioner of administration may then pay the grant to the political subdivision after certifying that:

- (1) the grant will be used only to purchase the kind of ballot tabulation equipment prescribed by subdivision 1, which may include equipment that makes it possible for individuals with disabilities to cast a secret ballot;
- (2) the political subdivision to receive the grant has insufficient resources available to purchase the equipment; and
- (3) the recipient of the grant will provide a dollar-for-dollar match, which may not come from state or federal money.