

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1952

03/04/2021 Authored by Nelson, M., and Ecklund
The bill was read for the first time and referred to the Committee on State Government Finance and Elections
04/09/2021 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
04/13/2021 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act

1.2 relating to operation of state government; appropriating money for the legislature,

1.3 office of the governor and lieutenant governor, state auditor, attorney general,

1.4 secretary of state, certain state agencies, boards, commissions, councils, offices,

1.5 Minnesota State Lottery, Minnesota Humanities Center, certain retirement accounts,

1.6 and military and veterans affairs; cancelling certain 2021 appropriations;

1.7 designating the state fire museum; changing provisions for the legislative auditor

1.8 and Legislative Coordinating Commission; authorizing virtual payments; creating

1.9 the capitol flag program; modifying provisions for Tribal governments, state budget

1.10 and forecast, administrative operations, general services revolving fund, grants,

1.11 motor pool, historic properties and historical societies, taxpayer assistance grants,

1.12 background checks, lawful gambling, election administration, campaign finance,

1.13 Office of MN.IT Services, open meeting law, municipal planning, port authority,

1.14 municipalities, metropolitan government, Duluth entertainment and convention

1.15 center complex, bids and letting of contracts, and dedication fees; auditing state

1.16 use of federal funds; creating the Office of Enterprise Sustainability; requiring

1.17 racial equity impact assessments; requiring sensory accessibility accommodations;

1.18 establishing the Legislative Commission on Cybersecurity; designating India Day;

1.19 making policy and technical changes to various military and veterans affairs

1.20 provisions including provisions related to the adjutant general, housing, veterans

1.21 benefits, and veterans services; allowing deferred prosecutions for former and

1.22 current military members in certain circumstances; classifying data; making changes

1.23 to the military code; modifying certain requirements and qualifications; making

1.24 jurisdictional and appellate changes; providing punishable offenses under the

1.25 military code; providing penalties; amending Minnesota Statutes 2020, sections

1.26 3.302, subdivision 3; 3.303, subdivision 1; 3.971, subdivision 2, by adding a

1.27 subdivision; 3.972, subdivisions 2, 2a; 3.978, subdivision 2; 3.979, subdivision 3;

1.28 4A.01, subdivision 3; 4A.02; 5.30, subdivision 2; 5B.06; 8.31, subdivision 1;

1.29 10.578; 10A.01, subdivisions 4, 7, 9, 11, 16a, 17c, 18, 20, 26, 27, 28, 35, by adding

1.30 a subdivision; 10A.09, subdivisions 1, 2, 5, 6, by adding a subdivision; 10A.12,

1.31 subdivisions 1, 2; 10A.121, subdivision 2; 10A.13, subdivision 1; 10A.17,

1.32 subdivision 4; 10A.20, subdivisions 3, 6a, 13, by adding a subdivision; 10A.27,

1.33 subdivision 13; 10A.275, subdivision 1; 10A.323; 13.607, by adding a subdivision;

1.34 13D.01, subdivisions 4, 5; 13D.015; 13D.02; 13D.021; 15.01; 15.057; 16A.06, by

1.35 adding a subdivision; 16A.103, subdivision 1; 16A.152, subdivision 2; 16B.24,

1.36 subdivision 1; 16B.2975, by adding a subdivision; 16B.48, subdivision 2; 16B.54,

1.37 subdivisions 1, 2; 16B.98, by adding a subdivision; 16E.01; 16E.016; 16E.02;

1.38 16E.03, subdivisions 1, 2, 3, 6; 16E.036; 16E.04, subdivision 3; 16E.0465,

2.1 subdivision 2; 16E.05, subdivision 1; 16E.07, subdivision 12; 16E.21, subdivision
 2.2 2; 43A.23, subdivision 1; 97A.057, subdivision 1; 135A.17, subdivision 2; 138.081,
 2.3 subdivisions 1, 2, 3; 138.31, by adding a subdivision; 138.34; 138.40; 138.665,
 2.4 subdivision 2; 138.666; 138.667; 138.763, subdivision 1; 190.07; 192.67; 192A.02,
 2.5 subdivision 2; 192A.021; 192A.111; 192A.15, subdivisions 1, 2; 192A.155,
 2.6 subdivision 2; 192A.20; 192A.235, subdivision 3; 192A.343, subdivision 3;
 2.7 192A.353, subdivision 2; 192A.371; 192A.384; 192A.56; 192A.612; 192A.62;
 2.8 197.791, subdivisions 4, 5, 5a, 5b; 198.006; 198.03, subdivision 2; 201.014, by
 2.9 adding a subdivision; 201.071, subdivisions 1, 2, 3, 8; 201.091, subdivision 2;
 2.10 201.12, subdivision 2; 201.121, subdivision 3; 201.13, subdivision 3; 201.161;
 2.11 201.1611, subdivision 1; 201.162; 201.225, subdivision 2; 202A.11, subdivision
 2.12 2; 202A.16, subdivision 1; 203B.01, subdivision 3, by adding a subdivision;
 2.13 203B.02, by adding a subdivision; 203B.04, subdivision 1; 203B.081, subdivisions
 2.14 1, 2, 3; 203B.11, subdivision 1; 203B.12, subdivision 7; 203B.121, subdivisions
 2.15 2, 3, 4; 203B.16, subdivision 2; 203B.24, subdivision 1; 204B.06, subdivisions
 2.16 1b, 4a; 204B.09, subdivisions 1, 3; 204B.13, by adding a subdivision; 204B.16,
 2.17 subdivision 1; 204B.19, subdivision 6; 204B.21, subdivision 2; 204B.36,
 2.18 subdivision 2; 204B.44; 204B.45, subdivisions 1, 2; 204B.46; 204C.05, subdivisions
 2.19 1a, 1b; 204C.10; 204C.15, subdivision 1; 204C.21, subdivision 1; 204C.27;
 2.20 204C.33, subdivision 3; 204C.35, subdivision 3, by adding a subdivision; 204C.36,
 2.21 subdivision 1; 204D.08, subdivision 4; 204D.13, subdivision 1; 204D.19,
 2.22 subdivision 2; 204D.195; 204D.22, subdivision 3; 204D.23, subdivision 2; 204D.27,
 2.23 subdivision 5; 204D.28, subdivisions 9, 10; 205.13, subdivision 5; 205A.10,
 2.24 subdivision 5; 205A.12, subdivision 5; 206.805, subdivision 1; 206.89, subdivisions
 2.25 4, 5; 206.90, subdivision 6; 207A.12; 207A.13; 207A.14, subdivision 3; 209.021,
 2.26 subdivision 2; 211B.04, subdivisions 2, 3, by adding a subdivision; 211B.11,
 2.27 subdivision 1; 211B.20, subdivision 1; 211B.32, subdivision 1; 270B.13, by adding
 2.28 a subdivision; 270C.21; 349.151, subdivision 2; 367.03, subdivision 6; 367.25,
 2.29 subdivision 1; 383B.041; 412.02, subdivision 2a; 447.32, subdivision 4; 462.358,
 2.30 by adding a subdivision; 469.074, by adding a subdivision; 471.342, subdivisions
 2.31 1, 4; 471.345, subdivision 20; 473.24; 473.606, subdivision 5; 606.06; 609.165,
 2.32 subdivision 1; Laws 1963, chapter 305, sections 2, as amended; 3, as amended; 4,
 2.33 as amended; 5, as amended; 8, as amended; 9, as amended; 10, as amended; Laws
 2.34 2006, chapter 269, section 2, as amended; Laws 2013, chapter 85, article 5, section
 2.35 44; Laws 2019, First Special Session chapter 10, article 1, section 40; Laws 2020,
 2.36 chapter 77, section 3, subdivision 6; proposing coding for new law in Minnesota
 2.37 Statutes, chapters 1; 3; 10; 13D; 16A; 16B; 192A; 196; 201; 206; 211B; 243; 299C;
 2.38 471; 609; repealing Minnesota Statutes 2020, sections 3.972, subdivisions 2c, 2d;
 2.39 3.9741, subdivision 5; 4A.11; 10A.15, subdivision 6; 15.0395; 16A.90; 16E.0466,
 2.40 subdivision 1; 16E.05, subdivision 3; 16E.071; 16E.145; 43A.17, subdivision 9;
 2.41 116O.03, subdivision 9; 116O.04, subdivision 3; 179.90; 179.91; 192A.385;
 2.42 299D.03, subdivision 2a; 383B.042; 383B.043; 383B.044; 383B.045; 383B.046;
 2.43 383B.047; 383B.048; 383B.049; 383B.05; 383B.051; 383B.052; 383B.053;
 2.44 383B.054; 383B.055; 383B.056; 383B.057.

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

2.46 **ARTICLE 1**

2.47 **STATE GOVERNMENT APPROPRIATIONS**

2.48 Section 1. **STATE GOVERNMENT APPROPRIATIONS.**

2.49 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
 2.50 and for the purposes specified in this article. The appropriations are from the general fund,
 2.51 or another named fund, and are available for the fiscal years indicated for each purpose.

4.1 Legislative Budget Office. \$1,536,000 the
 4.2 first year and \$1,570,000 the second year are
 4.3 for the Legislative Budget Office.

4.4 **Sec. 3. GOVERNOR AND LIEUTENANT**
 4.5 **GOVERNOR** **\$ 3,622,000 \$ 3,622,000**

4.6 (a) This appropriation is to fund the Office of
 4.7 the Governor and Lieutenant Governor.

4.8 (b) \$19,000 each year are for necessary
 4.9 expenses in the normal performance of the
 4.10 governor's and lieutenant governor's duties for
 4.11 which no other reimbursement is provided.

4.12 (c) By September 1 of each year, the
 4.13 commissioner of management and budget shall
 4.14 report to the chairs and ranking minority
 4.15 members of the legislative committees with
 4.16 jurisdiction over state government finance any
 4.17 personnel costs incurred by the Offices of the
 4.18 Governor and Lieutenant Governor that were
 4.19 supported by appropriations to other agencies
 4.20 during the previous fiscal year. The Office of
 4.21 the Governor shall inform the chairs and
 4.22 ranking minority members of the committees
 4.23 before initiating any interagency agreements.

4.24 **Sec. 4. STATE AUDITOR** **\$ 12,053,000 \$ 12,152,000**

4.25 **Sec. 5. ATTORNEY GENERAL** **\$ 33,530,000 \$ 31,086,000**

4.26	<u>Appropriations by Fund</u>	
4.27	<u>2022</u>	<u>2023</u>
4.28	<u>General</u>	<u>30,614,000</u> <u>28,170,000</u>
4.29	<u>State Government</u>	
4.30	<u>Special Revenue</u>	<u>2,521,000</u> <u>2,521,000</u>
4.31	<u>Environmental</u>	<u>145,000</u> <u>145,000</u>
4.32	<u>Remediation</u>	<u>250,000</u> <u>250,000</u>

4.33 **Sec. 6. SECRETARY OF STATE** **\$ 8,710,000 \$ 7,726,000**

5.1 (a) \$500,000 the first year is for grants to
 5.2 political subdivisions to recruit bilingual
 5.3 election judges and bilingual trainee election
 5.4 judges. This appropriation is available until
 5.5 June 30, 2023.

5.6 (b) \$48,000 the second year is for the
 5.7 preparation of voting instructions in languages
 5.8 other than English for in-person absentee
 5.9 voters. This is a onetime appropriation.

5.10	Sec. 7. <u>CAMPAIGN FINANCE AND PUBLIC</u>			
5.11	<u>DISCLOSURE BOARD</u>	\$	<u>1,145,000</u>	\$ <u>1,167,000</u>
5.12	Sec. 8. <u>STATE BOARD OF INVESTMENT</u>	\$	<u>139,000</u>	\$ <u>139,000</u>
5.13	Sec. 9. <u>ADMINISTRATIVE HEARINGS</u>	\$	<u>8,236,000</u>	\$ <u>8,240,000</u>

5.14	<u>Appropriations by Fund</u>		
5.15		<u>2022</u>	<u>2023</u>
5.16	<u>General</u>	<u>405,000</u>	<u>409,000</u>
5.17	<u>Workers'</u>		
5.18	<u>Compensation</u>	<u>7,831,000</u>	<u>7,831,000</u>

5.19 \$268,000 the first year and \$272,000 the
 5.20 second year are for municipal boundary
 5.21 adjustments.

5.22	Sec. 10. <u>OFFICE OF MN.IT SERVICES</u>	\$	<u>9,855,000</u>	\$ <u>9,882,000</u>
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5.23 (a) The commissioner of management and
 5.24 budget is authorized to provide cash flow
 5.25 assistance of up to \$50,000,000 from the
 5.26 special revenue fund or other statutory general
 5.27 funds as defined in Minnesota Statutes, section
 5.28 16A.671, subdivision 3, paragraph (a), to the
 5.29 Office of MN.IT Services for the purpose of
 5.30 managing revenue and expenditure
 5.31 differences. These funds shall be repaid with
 5.32 interest by the end of the fiscal year 2023
 5.33 closing period.

7.1 The appropriations under this section are to
7.2 the commissioner of administration for the
7.3 purposes specified.

7.4 **In-Lieu of Rent.** \$10,515,000 each year is for
7.5 space costs of the legislature and veterans
7.6 organizations, ceremonial space, and
7.7 statutorily free space.

7.8 **Public Television.** (a) \$1,550,000 each year
7.9 is for matching grants for public television.

7.10 (b) \$250,000 each year is for public television
7.11 equipment grants under Minnesota Statutes,
7.12 section 129D.13.

7.13 (c) The commissioner of administration must
7.14 consider the recommendations of the
7.15 Minnesota Public Television Association
7.16 before allocating the amounts appropriated in
7.17 paragraphs (a) and (b) for equipment or
7.18 matching grants.

7.19 **Public Radio.** (a) \$392,000 the first year and
7.20 \$492,000 the second year are for community
7.21 service grants to public educational radio
7.22 stations. This appropriation may be used to
7.23 disseminate emergency information in foreign
7.24 languages.

7.25 (b) \$117,000 the first year and \$142,000 the
7.26 second year are for equipment grants to public
7.27 educational radio stations. This appropriation
7.28 may be used for the repair, rental, and
7.29 purchase of equipment including equipment
7.30 under \$500.

7.31 (c) \$510,000 each year is for equipment grants
7.32 to Minnesota Public Radio, Inc., including
7.33 upgrades to Minnesota's Emergency Alert and
7.34 AMBER Alert Systems.

8.1 (d) The appropriations in paragraphs (a) to (c)
 8.2 may not be used for indirect costs claimed by
 8.3 an institution or governing body.

8.4 (e) The commissioner of administration must
 8.5 consider the recommendations of the
 8.6 Association of Minnesota Public Educational
 8.7 Radio Stations before awarding grants under
 8.8 Minnesota Statutes, section 129D.14, using
 8.9 the appropriations in paragraphs (a) and (b).
 8.10 No grantee is eligible for a grant unless they
 8.11 are a member of the Association of Minnesota
 8.12 Public Educational Radio Stations on or before
 8.13 July 1, 2021.

8.14 (f) Any unencumbered balance remaining the
 8.15 first year for grants to public television or
 8.16 public radio stations does not cancel and is
 8.17 available for the second year.

8.18 **Sec. 12. CAPITOL AREA ARCHITECTURAL**
 8.19 **AND PLANNING BOARD** \$ 386,000 \$ 365,000

8.20 **Sec. 13. MINNESOTA MANAGEMENT AND**
 8.21 **BUDGET** \$ 27,819,000 \$ 28,240,000

8.22 **Sec. 14. REVENUE**

8.23 **Subdivision 1. Total Appropriation** \$ 174,077,000 \$ 176,311,000

8.24	<u>Appropriations by Fund</u>		
8.25		<u>2022</u>	<u>2023</u>
8.26	<u>General</u>	<u>169,863,000</u>	<u>172,097,000</u>
8.27	<u>Health Care Access</u>	<u>1,760,000</u>	<u>1,760,000</u>
8.28	<u>Highway User Tax</u>		
8.29	<u>Distribution</u>	<u>2,195,000</u>	<u>2,195,000</u>
8.30	<u>Environmental</u>	<u>259,000</u>	<u>259,000</u>

8.31 **Subd. 2. Tax System Management** 144,204,000 145,921,000

8.32	<u>Appropriations by Fund</u>		
8.33		<u>2022</u>	<u>2023</u>
8.34	<u>General</u>	<u>139,990,000</u>	<u>141,707,000</u>
8.35	<u>Health Care Access</u>	<u>1,760,000</u>	<u>1,760,000</u>

9.1	<u>Highway User Tax</u>		
9.2	<u>Distribution</u>	<u>2,195,000</u>	<u>2,195,000</u>
9.3	<u>Environmental</u>	<u>259,000</u>	<u>259,000</u>

9.4 **Taxpayer Assistance.** (a) \$1,100,000 each
 9.5 year is for the commissioner of revenue to
 9.6 make grants to one or more eligible
 9.7 organizations, qualifying under section
 9.8 7526A(e)(2)(B) of the Internal Revenue Code
 9.9 of 1986, to coordinate, facilitate, encourage,
 9.10 and aid in the provision of taxpayer assistance
 9.11 services. The unencumbered balance in the
 9.12 first year does not cancel but is available for
 9.13 the second year.

9.14 (b) For purposes of this section, "taxpayer
 9.15 assistance services" means accounting and tax
 9.16 preparation services provided by volunteers
 9.17 to low-income, elderly, and disadvantaged
 9.18 Minnesota residents to help them file federal
 9.19 and state income tax returns and Minnesota
 9.20 property tax refund claims and to provide
 9.21 personal representation before the Department
 9.22 of Revenue and Internal Revenue Service.

9.23 **Subd. 3. Debt Collection Management** 29,873,000 30,390,000

9.24 **Sec. 15. GAMBLING CONTROL** \$ 5,728,000 \$ 5,123,000

9.25 These appropriations are from the lawful
 9.26 gambling regulation account in the special
 9.27 revenue fund.

9.28 **Sec. 16. RACING COMMISSION** \$ 913,000 \$ 913,000

9.29 These appropriations are from the racing and
 9.30 card playing regulation accounts in the special
 9.31 revenue fund.

9.32 **Sec. 17. STATE LOTTERY**

9.33 Notwithstanding Minnesota Statutes, section
 9.34 349A.10, subdivision 3, the State Lottery's

10.1 operating budget must not exceed \$36,500,000
 10.2 in fiscal year 2022 and \$36,500,000 in fiscal
 10.3 year 2023.

10.4 Sec. 18. AMATEUR SPORTS COMMISSION \$ 311,000 \$ 317,000

10.5 Sec. 19. COUNCIL FOR MINNESOTANS OF
 10.6 AFRICAN HERITAGE \$ 544,000 \$ 552,000

10.7 Sec. 20. COUNCIL ON LATINO AFFAIRS \$ 534,000 \$ 544,000

10.8 Sec. 21. COUNCIL ON ASIAN-PACIFIC
 10.9 MINNESOTANS \$ 525,000 \$ 534,000

10.10 Sec. 22. INDIAN AFFAIRS COUNCIL \$ 855,000 \$ 864,000

10.11 Sec. 23. MINNESOTA HISTORICAL
 10.12 SOCIETY

10.13 Subdivision 1. Total Appropriation \$ 23,918,000 \$ 24,218,000

10.14 The amounts that may be spent for each
 10.15 purpose are specified in the following
 10.16 subdivisions.

10.17 Subd. 2. Operations and Programs 23,597,000 23,897,000

10.18 Notwithstanding Minnesota Statutes, section
 10.19 138.668, the Minnesota Historical Society may
 10.20 not charge a fee for its general tours at the
 10.21 Capitol, but may charge fees for special
 10.22 programs other than general tours.

10.23 Subd. 3. Fiscal Agent

10.24 (a) Global Minnesota 39,000 39,000

10.25 (b) Minnesota Air National Guard Museum 17,000 17,000

10.26 (c) Hockey Hall of Fame 100,000 100,000

10.27 (d) Farmamerica 115,000 115,000

10.28 (e) Minnesota Military Museum 50,000 50,000

10.29 Any unencumbered balance remaining in this
 10.30 subdivision the first year does not cancel but
 10.31 is available for the second year of the
 10.32 biennium.

11.1	Sec. 24. <u>BOARD OF THE ARTS</u>		
11.2	<u>Subdivision 1. Total Appropriation</u>	\$	<u>7,551,000</u> \$ <u>7,561,000</u>
11.3	<u>The amounts that may be spent for each</u>		
11.4	<u>purpose are specified in the following</u>		
11.5	<u>subdivisions.</u>		
11.6	<u>Subd. 2. Operations and Services</u>		<u>612,000</u> <u>622,000</u>
11.7	<u>Subd. 3. Grants Program</u>		<u>4,800,000</u> <u>4,800,000</u>
11.8	<u>Subd. 4. Regional Arts Councils</u>		<u>2,139,000</u> <u>2,139,000</u>
11.9	<u>Any unencumbered balance remaining in this</u>		
11.10	<u>section the first year does not cancel, but is</u>		
11.11	<u>available for the second year.</u>		
11.12	<u>Money appropriated in this section and</u>		
11.13	<u>distributed as grants may only be spent on</u>		
11.14	<u>projects located in Minnesota. A recipient of</u>		
11.15	<u>a grant funded by an appropriation in this</u>		
11.16	<u>section must not use more than ten percent of</u>		
11.17	<u>the total grant for costs related to travel outside</u>		
11.18	<u>the state of Minnesota.</u>		
11.19	Sec. 25. <u>MINNESOTA HUMANITIES</u>		
11.20	<u>CENTER</u>	\$	<u>375,000</u> \$ <u>375,000</u>
11.21	Sec. 26. <u>BOARD OF ACCOUNTANCY</u>		
11.22	Sec. 27. <u>BOARD OF ARCHITECTURE</u>		
11.23	<u>ENGINEERING, LAND SURVEYING,</u>		
11.24	<u>LANDSCAPE ARCHITECTURE,</u>		
11.25	<u>GEOSCIENCE, AND INTERIOR DESIGN</u>	\$	<u>863,000</u> \$ <u>874,000</u>
11.26	Sec. 28. <u>BOARD OF COSMETOLOGIST</u>		
11.27	<u>EXAMINERS</u>	\$	<u>2,969,000</u> \$ <u>3,016,000</u>
11.28	Sec. 29. <u>BOARD OF BARBER EXAMINERS</u>		
11.29	Sec. 30. <u>GENERAL CONTINGENT</u>		
11.30	<u>ACCOUNTS</u>	\$	<u>1,000,000</u> \$ <u>500,000</u>
11.31	<u>Appropriations by Fund</u>		
11.32		<u>2022</u>	<u>2023</u>
11.33	<u>General</u>	<u>500,000</u>	<u>-0-</u>

12.1	<u>State Government</u>		
12.2	<u>Special Revenue</u>	<u>400,000</u>	<u>400,000</u>
12.3	<u>Workers'</u>		
12.4	<u>Compensation</u>	<u>100,000</u>	<u>100,000</u>

12.5 (a) The appropriations in this section may only
 12.6 be spent with the approval of the governor
 12.7 after consultation with the Legislative
 12.8 Advisory Commission pursuant to Minnesota
 12.9 Statutes, section 3.30.

12.10 (b) If an appropriation in this section for either
 12.11 year is insufficient, the appropriation for the
 12.12 other year is available for it.

12.13 (c) If a contingent account appropriation is
 12.14 made in one fiscal year, it should be
 12.15 considered a biennial appropriation.

12.16 **Sec. 31. TORT CLAIMS** \$ 161,000 \$ 161,000

12.17 These appropriations are to be spent by the
 12.18 commissioner of management and budget
 12.19 according to Minnesota Statutes, section
 12.20 3.736, subdivision 7. If the appropriation for
 12.21 either year is insufficient, the appropriation
 12.22 for the other year is available for it.

12.23 **Sec. 32. MINNESOTA STATE RETIREMENT**
 12.24 **SYSTEM**

12.25 **Subdivision 1. Total Appropriation** \$ 14,886,000 \$ 14,878,000

12.26 The amounts that may be spent for each
 12.27 purpose are specified in the following
 12.28 subdivisions.

12.29 **Subd. 2. Combined Legislators and**
 12.30 **Constitutional Officers Retirement Plan** 8,886,000 8,878,000

12.31 Under Minnesota Statutes, sections 3A.03,
 12.32 subdivision 2; 3A.04, subdivisions 3 and 4;
 12.33 and 3A.115.

13.1 If an appropriation in this section for either
 13.2 year is insufficient, the appropriation for the
 13.3 other year is available for it.

13.4 **Subd. 3. Judges Retirement Plan** 6,000,000 6,000,000

13.5 For transfer to the judges retirement fund
 13.6 under Minnesota Statutes, section 490.123.
 13.7 This transfer continues each fiscal year until
 13.8 the judges retirement plan reaches 100 percent
 13.9 funding as determined by an actuarial
 13.10 valuation prepared according to Minnesota
 13.11 Statutes, section 356.214.

13.12 **Sec. 33. PUBLIC EMPLOYEES RETIREMENT**
 13.13 **ASSOCIATION** \$ 25,000,000 \$ 25,000,000

13.14 (a) \$9,000,000 the first year and \$9,000,000
 13.15 the second year are for direct state aid to the
 13.16 public employees police and fire retirement
 13.17 plan authorized under Minnesota Statutes,
 13.18 section 353.65, subdivision 3b.

13.19 (b) State payments from the general fund to
 13.20 the Public Employees Retirement Association
 13.21 on behalf of the former MERF division
 13.22 account are \$16,000,000 on September 15,
 13.23 2021, and \$16,000,000 on September 15,
 13.24 2022. These amounts are estimated to be
 13.25 needed under Minnesota Statutes, section
 13.26 353.505.

13.27 **Sec. 34. TEACHERS RETIREMENT**
 13.28 **ASSOCIATION** \$ 29,831,000 \$ 29,831,000

13.29 The amounts estimated to be needed are as
 13.30 follows:

13.31 **Special Direct State Aid. \$27,331,000 each**
 13.32 year is for special direct state aid authorized
 13.33 under Minnesota Statutes, section 354.436.

14.1 **Special Direct State Matching Aid.**

14.2 \$2,500,000 each year is for special direct state
 14.3 matching aid authorized under Minnesota
 14.4 Statutes, section 354.435.

14.5 **Sec. 35. ST. PAUL TEACHERS RETIREMENT**
 14.6 **FUND**

<u>\$</u>	<u>14,827,000</u>	<u>\$</u>	<u>14,827,000</u>
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14.7 The amounts estimated to be needed for
 14.8 special direct state aid to the first class city
 14.9 teachers retirement fund association authorized
 14.10 under Minnesota Statutes, section 354A.12,
 14.11 subdivisions 3a and 3c.

14.12 **Sec. 36. MILITARY AFFAIRS**

14.13 **Subdivision 1. Total Appropriation**

<u>\$</u>	<u>24,393,000</u>	<u>\$</u>	<u>24,589,000</u>
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14.14 The amounts that may be spent for each
 14.15 purpose are specified in the following
 14.16 subdivisions.

14.17 **Subd. 2. Maintenance of Training Facilities**

<u>9,772,000</u>	<u>9,842,000</u>
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14.18 **Subd. 3. General Support**

<u>3,507,000</u>	<u>3,633,000</u>
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14.19 **Subd. 4. Enlistment Incentives**

<u>11,114,000</u>	<u>11,114,000</u>
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14.20 The appropriations in this subdivision are
 14.21 available until June 30, 2025, except that any
 14.22 unspent amounts allocated to a program
 14.23 otherwise supported by this appropriation are
 14.24 canceled to the general fund upon receipt of
 14.25 federal funds in the same amount to support
 14.26 administration of that program.

14.27 If the amount for fiscal year 2022 is
 14.28 insufficient, the amount for 2023 is available
 14.29 in fiscal year 2022. Any unencumbered
 14.30 balance does not cancel at the end of the first
 14.31 year and is available for the second year.

14.32 **Sec. 37. VETERANS AFFAIRS**

14.33 **Subdivision 1. Total Appropriation**

<u>\$</u>	<u>84,168,000</u>	<u>\$</u>	<u>84,364,000</u>
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15.1 The amounts that may be spent for each
 15.2 purpose are specified in the following
 15.3 subdivisions.

15.4	<u>Subd. 2. Veterans Programs and Services</u>	<u>22,048,000</u>	<u>21,678,000</u>
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15.5 (a) **CORE Program.** \$750,000 each year is
 15.6 for the Counseling and Case Management
 15.7 Outreach Referral and Education (CORE)
 15.8 program.

15.9 (b) **Veterans Service Organizations.**
 15.10 \$500,000 each year is for grants to the
 15.11 following congressionally chartered veterans
 15.12 service organizations as designated by the
 15.13 commissioner: Disabled American Veterans,
 15.14 Military Order of the Purple Heart, the
 15.15 American Legion, Veterans of Foreign Wars,
 15.16 Vietnam Veterans of America, AMVETS, and
 15.17 Paralyzed Veterans of America. This funding
 15.18 must be allocated in direct proportion to the
 15.19 funding currently being provided by the
 15.20 commissioner to these organizations.

15.21 (c) **Minnesota Assistance Council for**
 15.22 **Veterans.** \$750,000 each year is for a grant
 15.23 to the Minnesota Assistance Council for
 15.24 Veterans to provide assistance throughout
 15.25 Minnesota to veterans and their families who
 15.26 are homeless or in danger of homelessness,
 15.27 including assistance with the following:

- 15.28 (1) utilities;
- 15.29 (2) employment; and
- 15.30 (3) legal issues.

15.31 The assistance authorized under this paragraph
 15.32 must be made only to veterans who have
 15.33 resided in Minnesota for 30 days prior to

16.1 application for assistance and according to
16.2 other guidelines established by the
16.3 commissioner. In order to avoid duplication
16.4 of services, the commissioner must ensure that
16.5 this assistance is coordinated with all other
16.6 available programs for veterans.

16.7 **(d) State's Veterans Cemeteries.** \$1,672,000
16.8 each year is for the state's veterans cemeteries.

16.9 **(e) Honor Guards.** \$200,000 each year is for
16.10 compensation for honor guards at the funerals
16.11 of veterans under Minnesota Statutes, section
16.12 197.231.

16.13 **(f) Minnesota GI Bill.** \$200,000 each year is
16.14 for the costs of administering the Minnesota
16.15 GI Bill postsecondary educational benefits,
16.16 on-the-job training, and apprenticeship
16.17 program under Minnesota Statutes, section
16.18 197.791.

16.19 **(g) Gold Star Program.** \$100,000 each year
16.20 is for administering the Gold Star Program for
16.21 surviving family members of deceased
16.22 veterans.

16.23 **(h) County Veterans Service Office.**
16.24 \$1,100,000 each year is for funding the
16.25 County Veterans Service Office grant program
16.26 under Minnesota Statutes, section 197.608.

16.27 **(i) Veteran Homelessness Initiative.**
16.28 \$3,018,000 each year is for an initiative to
16.29 prevent and end veteran homelessness. The
16.30 commissioner of veterans affairs may provide
16.31 housing vouchers and other services to
16.32 alleviate homelessness among veterans and
16.33 former service members in Minnesota. The
16.34 commissioner may contract for program

17.1 administration and may establish a vacancy
 17.2 reserve fund. The base for this appropriation
 17.3 is \$1,311,000 in fiscal year 2024 and
 17.4 \$1,311,000 in fiscal year 2025.

17.5 **(j) Independent Lifestyles.** \$75,000 each year
 17.6 is appropriated for an ongoing annual grant to
 17.7 Independent Lifestyles, Inc., for expenses
 17.8 related to retreats for military veterans at
 17.9 Camp Bliss in Walker, Minnesota, including
 17.10 therapy, transportation, and activities
 17.11 customized for military veterans.

17.12 **(k) Veterans On The Lake.** \$50,000 in fiscal
 17.13 year 2022 is appropriated for a grant to
 17.14 Veterans on the Lake for expenses related to
 17.15 retreats for veterans including therapy,
 17.16 transportation, and activities customized for
 17.17 veterans.

17.18 **(l) Disabled Veterans Rest Camp.** \$128,000
 17.19 in fiscal year 2022 is appropriated for a grant
 17.20 to the Disabled Veterans Rest Camp on Big
 17.21 Marine Lake in Washington County for
 17.22 landscape improvements around the new
 17.23 cabins, including a retaining wall around a
 17.24 water drainage holding pond and security
 17.25 fencing with vehicle control gates along the
 17.26 entrance road. This is a onetime appropriation
 17.27 and is available until the project is completed
 17.28 or abandoned, subject to Minnesota Statutes,
 17.29 section 16A.642.

17.30 Subd. 3. **9/11 Task Force** 400,000
 17.31 \$400,000 the first year is for the Advisory
 17.32 Task Force on 9/11 and Global War on
 17.33 Terrorism Remembrance. The task force must
 17.34 collect, memorialize, and publish stories of

18.1 Minnesotans' service in the Global War on
 18.2 Terrorism and impacts on their dependents.
 18.3 The task force must host a remembrance
 18.4 program in September 2021. This is a onetime
 18.5 appropriation.

18.6 **Subd. 4. Veterans Health Care** 62,120,000 62,686,000

18.7 **(a) Transfers.** These appropriations may be
 18.8 transferred to a veterans homes special
 18.9 revenue account in the special revenue fund
 18.10 in the same manner as other receipts are
 18.11 deposited according to Minnesota Statutes,
 18.12 section 198.34, and are appropriated to the
 18.13 commissioner of veterans affairs for the
 18.14 operation of veterans homes facilities and
 18.15 programs.

18.16 **(b) Report.** No later than January 15, 2022,
 18.17 the commissioner must submit a report to the
 18.18 legislative committees with jurisdiction over
 18.19 veterans affairs and state government finance
 18.20 on reserve amounts maintained in the veterans
 18.21 homes special revenue account. The report
 18.22 must detail current and historical amounts
 18.23 maintained as a reserve and uses of those
 18.24 amounts. The report must also include data on
 18.25 the use of existing veterans homes, including
 18.26 current and historical bed capacity and usage,
 18.27 staffing levels and staff vacancy rates, and
 18.28 staff-to-resident ratios.

18.29 **(c) Maximize Federal Reimbursements.** The
 18.30 department shall seek opportunities to
 18.31 maximize federal reimbursements of
 18.32 Medicare-eligible expenses and provide annual
 18.33 reports to the commissioner of management
 18.34 and budget on the federal Medicare
 18.35 reimbursements received. Contingent upon

19.1 future federal Medicare receipts, reductions
 19.2 to the homes' general fund appropriation may
 19.3 be made.

19.4 **Subd. 5. Veteran Suicide Prevention Initiative** 1,000,000 650,000

19.5 \$1,000,000 the first year and \$650,000 the
 19.6 second year is to address the problem of death
 19.7 by suicide among veterans in Minnesota. The
 19.8 commissioner of veterans affairs may use
 19.9 funds for personnel, training, research,
 19.10 marketing, and professional or technical
 19.11 contracts. The base for this appropriation is
 19.12 \$550,000 in fiscal year 2024 and \$550,000 in
 19.13 fiscal year 2025.

19.14 **Subd. 6. Veterans Resilience Project; Report** 50,000 50,000

19.15 \$50,000 each year is appropriated for a grant
 19.16 to the veterans resilience project. Grant funds
 19.17 must be used to make eye movement
 19.18 desensitization and reprocessing therapy
 19.19 available to veterans and current military
 19.20 service members who are suffering from
 19.21 posttraumatic stress disorder and trauma.

19.22 The veterans resilience project must report to
 19.23 the commissioner of veterans affairs and the
 19.24 chairs and ranking minority members of the
 19.25 legislative committees with jurisdiction over
 19.26 veterans affairs policy and finance by January
 19.27 15 of each year on the program. The report
 19.28 must include: an overview of the program's
 19.29 budget; a detailed explanation of program
 19.30 expenditures; the number of veterans and
 19.31 service members served by the program; and
 19.32 a list and explanation of the services provided
 19.33 to program participants.

20.1 Sec. 38. **SENSORY ACCESSIBILITY ACCOMMODATIONS GRANTS;**
20.2 **APPROPRIATION.**

20.3 \$250,000 in fiscal year 2022 and \$250,000 in fiscal year 2023 are appropriated from the
20.4 general fund to the Minnesota Council on Disability for sensory accessibility accommodations
20.5 grants authorized by article 2, section 45. These are onetime appropriations.

20.6 Sec. 39. **STATE PARKING ACCOUNT.**

20.7 Notwithstanding Laws 2014, chapter 287, section 25, as amended by Laws 2015, chapter
20.8 77, article 2, section 78, for fiscal years 2021 and 2022, the state parking account is not
20.9 required to make the transfer to the general fund mandated by Laws 2014, chapter 287,
20.10 section 25, as amended by Laws 2015, chapter 77, article 2, section 78.

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

20.12 Sec. 40. **CANCELLATIONS; FISCAL YEAR 2021.**

20.13 (a) \$379,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First
20.14 Special Session chapter 10, article 1, section 10, is canceled.

20.15 (b) \$300,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First
20.16 Special Session chapter 10, article 1, section 11, subdivision 1, is canceled. This amount is
20.17 from the fiscal year 2021 appropriation for government and citizen services.

20.18 (c) \$1,367,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First
20.19 Special Session chapter 10, article 1, section 13, is canceled.

20.20 (d) \$8,274,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First
20.21 Special Session chapter 10, article 1, section 14, subdivision 1, is canceled. Of this amount,
20.22 \$7,305,000 is from the fiscal year 2021 appropriation for tax system management, and
20.23 \$969,000 is from the fiscal year 2021 appropriation for debt collection management.

20.24 (e) \$86,000 of the fiscal year 2021 general fund appropriation for moving and relocation
20.25 expenses under Laws 2019, First Special Session chapter 10, article 1, section 24, subdivision
20.26 2, as amended by Laws 2020, chapter 104, article 2, section 4, is canceled.

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

21.1 **Sec. 41. CANCELLATIONS; ITA ACCOUNT.**

21.2 (a) \$179,000 from the information and telecommunications technology systems and
21.3 services account established under Minnesota Statutes, section 16E.21, is canceled to the
21.4 general fund.

21.5 (b) \$14,000 from the information and telecommunications technology systems and
21.6 services account established under Minnesota Statutes, section 16E.21, is canceled to the
21.7 workers' compensation fund.

21.8 (c) \$5,000 from the information and telecommunications technology systems and services
21.9 account established under Minnesota Statutes, section 16E.21, is canceled to the state
21.10 government special revenue fund.

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

21.12 **Sec. 42. CANCELLATION; CARRYFORWARD.**

21.13 \$5,000,000 of the senate carryforward balance is canceled to the general fund on July
21.14 1, 2021.

21.15 **Sec. 43. APPROPRIATION; ADMINISTRATIVE SPACE CONSOLIDATION AND**
21.16 **MOVING.**

21.17 \$4,500,000 in fiscal year 2021 is appropriated from the general fund to the commissioner
21.18 of administration to complete and implement a comprehensive strategic plan for locating
21.19 state agencies and for agency space consolidation, reconfiguration, and relocation costs.
21.20 This is a onetime appropriation and is available until June 30, 2023.

21.21 **ARTICLE 2**

21.22 **STATE GOVERNMENT POLICY**

21.23 **Section 1. [1.1471] STATE FIRE MUSEUM.**

21.24 The Bill and Bonnie Daniels Firefighters Hall and Museum in Minneapolis is designated
21.25 as the official state fire museum.

21.26 **Sec. 2.** Minnesota Statutes 2020, section 3.302, subdivision 3, is amended to read:

21.27 **Subd. 3. State documents.** The library is a depository of all documents published by
21.28 the state and shall receive them automatically without cost to the legislature or library. As
21.29 used in this chapter, "document" includes any publication issued by the state, constitutional
21.30 officers, departments, commissions, councils, bureaus, research centers, societies, task

22.1 forces, including advisory task forces created under section 15.014 or 15.0593, or other
22.2 agencies supported by state funds, or any publication prepared for the state by private
22.3 individuals or organizations considered to be of interest or value to the library. Intraoffice
22.4 or interoffice memos and forms and information concerning only the internal operation of
22.5 an agency are not included.

22.6 Sec. 3. Minnesota Statutes 2020, section 3.303, subdivision 1, is amended to read:

22.7 Subdivision 1. **Purpose.** The Legislative Coordinating Commission is created to
22.8 coordinate the legislative activities of the senate and house of representatives and the joint
22.9 legislative commissions, committees, offices, and task forces.

22.10 Sec. 4. Minnesota Statutes 2020, section 3.971, subdivision 2, is amended to read:

22.11 Subd. 2. **Staff; compensation.** (a) The legislative auditor shall establish a Financial
22.12 Audits Division and a Program Evaluation Division to fulfill the duties prescribed in this
22.13 section.

22.14 (b) Each division may be supervised by a deputy auditor, appointed by the legislative
22.15 auditor, with the approval of the commission, for a term coterminous with the legislative
22.16 auditor's term. The deputy auditors may be removed before the expiration of their terms
22.17 only for cause. The legislative auditor and deputy auditors may each appoint ~~a confidential~~
22.18 ~~secretary~~ an administrative support specialist to serve at pleasure. The salaries and benefits
22.19 of the legislative auditor, deputy auditors, ~~and confidential secretaries~~ administrative support
22.20 specialists shall be determined by the compensation plan approved by the Legislative
22.21 Coordinating Commission. The deputy auditors may perform and exercise the powers,
22.22 duties and responsibilities imposed by law on the legislative auditor when authorized by
22.23 the legislative auditor.

22.24 ~~(c) The legislative auditor must appoint a fiscal oversight officer with duties that include~~
22.25 ~~performing the review under section 3.972, subdivision 4.~~

22.26 ~~(d)~~ (c) The legislative auditor, deputy auditors, and the confidential secretaries
22.27 administrative support specialists shall serve in the unclassified civil service, but the fiscal
22.28 ~~oversight officer and all other employees of the legislative auditor are~~ shall serve in the
22.29 classified civil service. Compensation for employees of the legislative auditor in the classified
22.30 service shall be governed by a plan prepared by the legislative auditor and approved by the
22.31 Legislative Coordinating Commission and the legislature under section 3.855, subdivision
22.32 3.

23.1 ~~(e)~~ (d) While in office, a person appointed deputy for the Financial Audit Division must
 23.2 hold an active license as a certified public accountant.

23.3 Sec. 5. Minnesota Statutes 2020, section 3.971, is amended by adding a subdivision to
 23.4 read:

23.5 Subd. 8a. **Special reviews.** The legislative auditor may conduct a special review to: (1)
 23.6 fulfill a legal requirement; (2) investigate allegations that an individual or organization
 23.7 subject to audit by the legislative auditor may not have complied with legal requirements
 23.8 related to the use of public money, other public resources, or government data classified as
 23.9 not public; (3) respond to a legislative request for a review of an organization or program
 23.10 subject to audit by the legislative auditor; or (4) investigate allegations that an individual
 23.11 may not have complied with section 43A.38 or 43A.39.

23.12 Sec. 6. Minnesota Statutes 2020, section 3.972, subdivision 2, is amended to read:

23.13 Subd. 2. **Audits of state and semistate agencies.** The legislative auditor shall ~~make a~~
 23.14 ~~constant,~~ as resources permit, audit ~~of all the financial affairs activities of~~ (1) all departments
 23.15 ~~and,~~ agencies ~~of,~~ offices, and other organizations in the state; executive branch; (2) courts,
 23.16 offices, and other organizations in the state judicial branch; and ~~of the financial records and~~
 23.17 ~~transactions of~~ (3) public boards, associations, ~~and societies,~~ and other public organizations
 23.18 created by state law or supported, wholly or in part, by state funds. ~~Once in each year, if~~
 23.19 ~~funds and personnel permit, without previous notice,~~ The legislative auditor shall visit each
 23.20 ~~state department and agency, association or society and, so far as practicable,~~

23.21 (1) inspect;

23.22 (2) ~~thoroughly examine its books and accounts, verifying the funds, securities, and other~~
 23.23 ~~assets;~~

23.24 (3) ~~check the items of receipts and disbursements with its voucher records;~~

23.25 (4) ~~ascertain the character of the official bonds for its officers and the financial ability~~
 23.26 ~~of the bonding institution;~~

23.27 (5) ~~inspect its sources of revenue and the use and disposition of state appropriations and~~
 23.28 ~~property;~~

23.29 (6) ~~investigate the methods of purchase and sale and the character of contracts on public~~
 23.30 ~~account;~~

23.31 (7) ~~ascertain proper custody and depository for its funds and securities;~~

24.1 ~~(8) verify the inventory of public property and other assets held in trust; and~~
24.2 ~~(9) ascertain that all financial transactions and operations involving the public funds and~~
24.3 ~~property of the state comply with the spirit and purpose of the law, are sound by modern~~
24.4 ~~standards of financial management, and are for the best protection of the public interest~~
24.5 ~~funds and other public resources.~~

24.6 Sec. 7. Minnesota Statutes 2020, section 3.972, subdivision 2a, is amended to read:

24.7 Subd. 2a. **Audits of Department of Human Services.** ~~(a) To ensure continuous effective~~
24.8 ~~legislative oversight and accountability, the legislative auditor shall give high priority to~~
24.9 ~~auditing the programs, services, and benefits administered by the Department of Human~~
24.10 ~~Services. The audits shall determine whether~~ As resources permit, the legislative auditor
24.11 shall track and assess expenditures throughout the human service delivery system, from the
24.12 department offered to the point of service delivery, and determine whether human services
24.13 programs and provided, services, and benefits are being provided cost-effectively and only
24.14 to eligible persons individuals and organizations, and complied in compliance with applicable
24.15 legal requirements.

24.16 ~~(b) The legislative auditor shall, based on an assessment of risk and using professional~~
24.17 ~~standards to provide a statistically significant sample, no less than three times each year,~~
24.18 ~~test a representative sample of persons enrolled in a medical assistance program or~~
24.19 ~~MinnesotaCare to determine whether they are eligible to receive benefits under those~~
24.20 ~~programs. The legislative auditor shall report the results to the commissioner of human~~
24.21 ~~services and recommend corrective actions. The commissioner shall provide a response to~~
24.22 ~~the legislative auditor within 20 business days, including corrective actions to be taken to~~
24.23 ~~address any problems identified by the legislative auditor and anticipated completion dates.~~
24.24 ~~The legislative auditor shall monitor the commissioner's implementation of corrective actions~~
24.25 ~~and periodically report the results to the Legislative Audit Commission and the chairs and~~
24.26 ~~ranking minority members of the legislative committees with jurisdiction over health and~~
24.27 ~~human services policy and finance. The legislative auditor's reports to the commission and~~
24.28 ~~the chairs and ranking minority members must include recommendations for any legislative~~
24.29 ~~actions needed to ensure that medical assistance and MinnesotaCare benefits are provided~~
24.30 ~~only to eligible persons.~~

24.31 Sec. 8. Minnesota Statutes 2020, section 3.978, subdivision 2, is amended to read:

24.32 Subd. 2. **Inquiry and inspection power; duty to aid legislative auditor.** All public
24.33 officials and their deputies and employees, and all corporations, firms, and individuals

25.1 having business involving the receipt, disbursement, or custody of public funds shall at all
25.2 times afford reasonable facilities for examinations by the legislative auditor, make returns
25.3 and reports required by the legislative auditor, attend and answer under oath the legislative
25.4 auditor's lawful inquiries, produce and exhibit all books, accounts, documents, data of any
25.5 classification, and property that the legislative auditor ~~may need~~ requests to inspect, and in
25.6 all things ~~aid~~ cooperate with the legislative auditor ~~in the performance of duties~~.

25.7 Sec. 9. Minnesota Statutes 2020, section 3.979, subdivision 3, is amended to read:

25.8 Subd. 3. **Audit data.** (a) "Audit" as used in this subdivision means a financial audit,
25.9 ~~review~~, program evaluation, ~~best practices~~ special review, or investigation. Data relating to
25.10 an audit are not public or with respect to data on individuals are confidential until the final
25.11 report of the audit has been released by the legislative auditor or the audit is no longer being
25.12 actively pursued. Upon release of a final audit report by the legislative auditor, data relating
25.13 to an audit are public except data otherwise classified as not public.

25.14 (b) Data related to an audit but not published in the audit report and that the legislative
25.15 auditor reasonably believes will be used in litigation are not public and with respect to data
25.16 on individuals are confidential until the litigation has been completed or is no longer being
25.17 actively pursued.

25.18 (c) Data ~~on individuals~~ that could reasonably be used to determine the identity of an
25.19 individual supplying data for an audit are private if the data supplied by the individual were
25.20 needed for an audit and the individual would not have provided the data to the legislative
25.21 auditor without an assurance that the individual's identity would remain private, or the
25.22 legislative auditor reasonably believes that the subject would not have provided the data.

25.23 (d) The definitions of terms provided in section 13.02 apply for purposes of this
25.24 subdivision.

25.25 Sec. 10. Minnesota Statutes 2020, section 4A.01, subdivision 3, is amended to read:

25.26 Subd. 3. **Report.** The commissioner must submit a report to the governor and chairs and
25.27 ranking minority members of the senate and house of representatives committees with
25.28 jurisdiction on state government finance by January 15 of each year that provides economic,
25.29 social, and environmental demographic information to assist public and elected officials
25.30 with long-term management decisions. The report must identify and assess the information
25.31 important to understanding the state's two-, ten-, and 50-year outlook. The report must
25.32 include the demographic forecast required by section 4A.02, paragraph (e), ~~and information~~

26.1 ~~to assist with the preparation of the milestones report required by section 4A.11, and may~~
26.2 include policy recommendations based upon the information and assessment provided.

26.3 Sec. 11. Minnesota Statutes 2020, section 4A.02, is amended to read:

26.4 **4A.02 STATE DEMOGRAPHER.**

26.5 (a) The commissioner shall appoint a state demographer. The demographer must be
26.6 professionally competent in demography and must possess demonstrated ability based upon
26.7 past performance.

26.8 (b) The demographer shall:

26.9 (1) continuously gather and develop demographic data relevant to the state;

26.10 (2) design and test methods of research and data collection;

26.11 (3) periodically prepare population projections for the state and designated regions and
26.12 periodically prepare projections for each county or other political subdivision of the state
26.13 as necessary to carry out the purposes of this section;

26.14 (4) review, comment on, and prepare analysis of population estimates and projections
26.15 made by state agencies, political subdivisions, other states, federal agencies, or
26.16 nongovernmental persons, institutions, or commissions;

26.17 (5) serve as the state liaison with the United States Bureau of the Census, coordinate
26.18 state and federal demographic activities to the fullest extent possible, and aid the legislature
26.19 in preparing a census data plan and form for each decennial census;

26.20 (6) compile an annual study of population estimates on the basis of county, regional, or
26.21 other political or geographical subdivisions as necessary to carry out the purposes of this
26.22 section and section 4A.03;

26.23 (7) by January 1 of each year, issue a report to the legislature containing an analysis of
26.24 the demographic implications of the annual population study and population projections;

26.25 (8) prepare maps for all counties in the state, all municipalities with a population of
26.26 10,000 or more, and other municipalities as needed for census purposes, according to scale
26.27 and detail recommended by the United States Bureau of the Census, with the maps of cities
26.28 showing precinct boundaries;

26.29 (9) prepare an estimate of population and of the number of households for each
26.30 governmental subdivision for which the Metropolitan Council does not prepare an annual
26.31 estimate, and convey the estimates to the governing body of each political subdivision by

27.1 June 1 of each year or, in a year following a decennial census, within six weeks of the date
27.2 the data are provided by the United States Census Bureau in that year;

27.3 (10) direct, under section 414.01, subdivision 14, and certify population and household
27.4 estimates of annexed or detached areas of municipalities or towns after being notified of
27.5 the order or letter of approval by the chief administrative law judge of the State Office of
27.6 Administrative Hearings;

27.7 (11) prepare, for any purpose for which a population estimate is required by law or
27.8 needed to implement a law, a population estimate of a municipality or town whose population
27.9 is affected by action under section 379.02 or 414.01, subdivision 14; and

27.10 (12) prepare an estimate of average household size for each statutory or home rule charter
27.11 city with a population of 2,500 or more by June 1 of each year or, in a year following a
27.12 decennial census, within six weeks of the date the data are provided by the United States
27.13 Census Bureau in that year.

27.14 (c) A governing body may challenge an estimate made under paragraph (b) by filing
27.15 their specific objections in writing with the state demographer by June 24. If the challenge
27.16 does not result in an acceptable estimate, the governing body may have a special census
27.17 conducted by the United States Bureau of the Census. The political subdivision must notify
27.18 the state demographer by July 1 of its intent to have the special census conducted. The
27.19 political subdivision must bear all costs of the special census. Results of the special census
27.20 must be received by the state demographer by the next April 15 to be used in that year's
27.21 June 1 estimate to the political subdivision under paragraph (b). In the year following a
27.22 decennial census, challenges to the census count must be submitted to the United States
27.23 Census Bureau through its formal challenge process.

27.24 (d) The state demographer shall certify the estimates of population and household size
27.25 to the commissioner of revenue by July 15 each year, including any estimates still under
27.26 objection except that in a year following a decennial census, the estimate must be certified
27.27 within six weeks of the date the data are provided by the United States Census Bureau in
27.28 that year.

27.29 (e) The state demographer may contract for the development of data and research required
27.30 under this chapter, including, but not limited to, population estimates and projections, the
27.31 preparation of maps, and other estimates.

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

28.1 Sec. 12. [10.551] INDIA DAY.

28.2 (a) August 15 of each year is designated as India Day to commemorate and celebrate
28.3 the diverse culture, heritage, and traditions of Minnesotans of Indian ancestry. This date is
28.4 a time for the Indian American Minnesotan community to celebrate their contributions to
28.5 our state.

28.6 (b) The diverse culture, traditions, and values of this community have contributed to the
28.7 vitality of Minnesota. Each year, the governor shall issue a proclamation honoring the
28.8 observance of India Day and shall encourage Minnesotans to take the opportunity to learn
28.9 about and appreciate the Indian American Minnesotan community and their contributions
28.10 to Minnesota.

28.11 Sec. 13. [10.65] GOVERNMENT-TO-GOVERNMENT RELATIONSHIP WITH
28.12 TRIBAL GOVERNMENTS.

28.13 Subdivision 1. Recognition of Tribal status and relationship with the state of
28.14 Minnesota. (a) The state of Minnesota is home to 11 federally recognized Indian Tribes
28.15 with elected Tribal government officials. The state of Minnesota acknowledges and supports
28.16 the unique status of Minnesota Tribes and their absolute right to existence, self-governance,
28.17 and self-determination.

28.18 (b) The United States and the state of Minnesota have a unique relationship with federally
28.19 recognized Indian Tribes, formed by the Constitution of the United States, treaties, statutes,
28.20 case law, and agreements.

28.21 (c) The state of Minnesota and Minnesota Tribal governments significantly benefit from
28.22 working together, learning from one another, and partnering where possible.

28.23 (d) Timely and meaningful consultation between the state of Minnesota and Minnesota
28.24 Tribal governments will facilitate better understanding and informed decision-making by
28.25 allowing for communication on matters of mutual interest and helping to establish mutually
28.26 respectful and beneficial relationships between the state of Minnesota and Minnesota Tribal
28.27 governments.

28.28 Subd. 2. Definitions. As used in this section, the following terms have the meanings
28.29 given:

28.30 (1) "agency" means the Department of Administration, Department of Agriculture,
28.31 Department of Commerce, Department of Corrections, Department of Education, Department
28.32 of Employment and Economic Development, Department of Health, Office of Higher
28.33 Education, Housing Finance Agency, Department of Human Rights, Department of Human

29.1 Services, Office of MN.IT Services, Department of Iron Range Resources and Rehabilitation,
29.2 Department of Labor and Industry, Minnesota Management and Budget, Bureau of Mediation
29.3 Services, Department of Military Affairs, Metropolitan Council, Department of Natural
29.4 Resources, Pollution Control Agency, Department of Public Safety, Department of Revenue,
29.5 Department of Transportation, Department of Veterans Affairs, Gambling Control Board,
29.6 Racing Commission, Minnesota Lottery, Animal Health Board, and Board of Water and
29.7 Soil Resources;

29.8 (2) "consultation" means the direct and interactive involvement of Minnesota Tribal
29.9 governments in the development of policy on matters that have Tribal implications.
29.10 Consultation is the proactive, affirmative process of identifying and seeking input from
29.11 appropriate Tribal governments and considering their interest as a necessary and integral
29.12 part of the decision-making process. This definition adds to statutorily mandated notification
29.13 procedures. During a consultation, the burden is on the agency to show that it has made a
29.14 good faith effort to elicit feedback. Consultation is a formal engagement between agency
29.15 officials and the governing body or bodies of an individual Minnesota Tribal government
29.16 that the agency or an individual Tribal government may initiate. Formal meetings or
29.17 communication between top agency officials and the governing body of a Minnesota Tribal
29.18 government is a necessary element of consultation;

29.19 (3) "matters that have Tribal implications" means rules, legislative proposals, policy
29.20 statements, or other actions that have substantial direct effects on one or more Minnesota
29.21 Tribal governments, or on the distribution of power and responsibilities between the state
29.22 and Minnesota Tribal governments;

29.23 (4) "Minnesota Tribal governments" means the federally recognized Indian Tribes located
29.24 in Minnesota including: Bois Forte Band; Fond du Lac Band; Grand Portage Band; Leech
29.25 Lake Band; Mille Lacs Band; White Earth Band; Red Lake Nation; Lower Sioux Indian
29.26 Community; Prairie Island Indian Community; Shakopee Mdewakanton Sioux Community;
29.27 and Upper Sioux Community; and

29.28 (5) "timely and meaningful" means done or occurring at a favorable or useful time that
29.29 allows the result of consultation to be included in the agency's decision-making process for
29.30 a matter that has Tribal implications.

29.31 Subd. 3. **Consultation duties.** (a) An agency must recognize the unique legal relationship
29.32 between the state of Minnesota and Minnesota Tribal governments, respect the fundamental
29.33 principles that establish and maintain this relationship, and accord Tribal governments the
29.34 same respect accorded to other governments.

30.1 (b) An agency must, in consultation with Minnesota Tribal governments, implement
30.2 Tribal consultation policies to comply with this section and guide their work with Minnesota
30.3 Tribal governments, and must submit these policies to the governor and lieutenant governor.
30.4 Tribal consultation policies must address the communication protocols for each Minnesota
30.5 Tribal government, which must be developed in coordination with representatives of each
30.6 Minnesota Tribal government. An agency must update the Tribal consultation policies as
30.7 often as required in order to facilitate timely and meaningful consultation, but no less than
30.8 biannually.

30.9 (c) Consultation under this section is a duty of an agency to consult with the governing
30.10 body or bodies of each individual Minnesota Tribal government. Coordination with groups
30.11 or entities that have representation on some or all of the governing bodies of Minnesota
30.12 Tribal governments, such as the Minnesota Indian Affairs Council or the Minnesota
30.13 Chippewa Tribe, is encouraged but does not satisfy an agency's duty to consult with
30.14 individual Minnesota Tribal governments on matters that have Tribal implications. If a
30.15 matter has implications for one Minnesota Tribal government but not others, the agency's
30.16 duty is to only consult those Minnesota Tribal governments affected.

30.17 (d) An agency must consult with each Minnesota Tribal government at least annually,
30.18 and as often as it is required, to address matters that have Tribal implications.

30.19 (e) An agency must consult with Minnesota Tribal governments on legislative and fiscal
30.20 matters that affect one or all Minnesota Tribal governments or their members to identify
30.21 priority issues in order to allow agencies to proactively engage Minnesota Tribal governments
30.22 in the agency's development of legislative and fiscal proposals in time for submission into
30.23 the governor's recommended budget and legislative proposals each year.

30.24 (f) An agency must develop and maintain ongoing consultation with Minnesota Tribal
30.25 governments related to matters that have Tribal implications. Agencies must consider the
30.26 input gathered from Tribal consultation into their decision-making processes, with the goal
30.27 of achieving mutually beneficial solutions.

30.28 (g) An agency and a Minnesota Tribal government may agree that a formal consultation
30.29 is not necessary for a given year on a given matter that has Tribal implications, and the
30.30 agency must keep a written record of this decision.

30.31 (h) The prospective duty to consult does not apply to action on a matter that has Tribal
30.32 implications if immediate action is required to address a present and immediate threat to
30.33 the health, safety, or welfare of Minnesota citizens. For these actions, every effort should
30.34 be made to communicate, and formal consultation should occur as soon as possible. The

31.1 duty to consult also does not apply to criminal proceedings or other investigations or legal
31.2 proceedings that prohibit an agency from disclosure.

31.3 (i) An agency must designate a Tribal liaison to assume responsibility for implementation
31.4 of the Tribal consultation policy and to serve as the principal point of contact for Minnesota
31.5 Tribal governments. The Tribal liaison must be able to directly and regularly meet and
31.6 communicate with the agency's commissioner and deputy and assistant commissioners in
31.7 order to appropriately conduct government-to-government consultation and cooperation.

31.8 (j) The state has instituted Tribal state government relations training, which is the
31.9 foundation and basis of all other Tribal government relations training sources. All agencies
31.10 must direct certain staff to complete available training to foster a collaborative relationship
31.11 between the state of Minnesota and Minnesota Tribal governments, and to facilitate timely
31.12 and meaningful consultation. In addition to all commissioners, deputy commissioners, and
31.13 assistant commissioners, at a minimum all agency employees whose work is likely to include
31.14 matters that have Tribal implications must attend Tribal state relations training. Tribal
31.15 liaisons must actively support and participate in the Tribal state relations training.

31.16 (k) Any agency or board that is not listed in subdivision 2 is encouraged to and may
31.17 engage in consultation and communication with Minnesota Tribal governments for all
31.18 matters that have Tribal implications.

31.19 Subd. 4. **Applicability.** Nothing in this section requires the state or an agency to violate
31.20 or ignore any laws, rules, directives, or other legal requirements or obligations imposed by
31.21 state or federal law or set forth in agreements or compacts between one or more Minnesota
31.22 Tribal governments or any other Tribal government and the state or its agencies. This section
31.23 is not intended to, and does not create, any right to administrative or judicial review, or any
31.24 other right, benefit, or responsibility, substantive or procedural, enforceable against the state
31.25 of Minnesota, its agencies or instrumentalities, its officers or employees, or its subdivisions
31.26 or any other persons. Nothing in this section prohibits or limits any agency from asserting
31.27 any rights or pursuing any administrative or judicial action under state or federal law to
31.28 effectuate the interests of the state of Minnesota or any of its agencies. Nothing in this
31.29 section is intended to alter or reduce the state's duties to individual Minnesota citizens
31.30 including those of Native American descent.

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

32.1 Sec. 14. Minnesota Statutes 2020, section 16A.06, is amended by adding a subdivision to
32.2 read:

32.3 Subd. 12. **Audit of state's use of federal funds; annual appropriation.** The
32.4 commissioner shall contract with a qualified auditor to conduct the annual audit required
32.5 by the Single Audit Act of 1984, Public Law 98-502; the Single Audit Act Amendments of
32.6 1996, Public Law 104-156; and Code of Federal Regulations, title 2, part 200, Uniform
32.7 Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
32.8 (Uniform Guidance). There is annually appropriated from the general fund to the
32.9 commissioner an amount sufficient to pay the cost of the annual audit. The cost of the audit
32.10 shall be billed to the agencies audited during the subsequent fiscal year. Amounts paid by
32.11 state agencies shall be deposited in the general fund.

32.12 Sec. 15. Minnesota Statutes 2020, section 16A.103, subdivision 1, is amended to read:

32.13 Subdivision 1. **State revenue and expenditures.** In February and November each year,
32.14 the commissioner shall prepare a forecast of state revenue and expenditures. The November
32.15 forecast must be delivered to the legislature and governor ~~no later than the end of the first~~
32.16 ~~week of December~~ by December 6. The February forecast must be delivered to the legislature
32.17 and governor by the end of February. Forecasts must be delivered to the legislature and
32.18 governor on the same day. If requested by the Legislative Commission on Planning and
32.19 Fiscal Policy, delivery to the legislature must include a presentation to the commission.

32.20 Sec. 16. Minnesota Statutes 2020, section 16A.152, subdivision 2, is amended to read:

32.21 Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund
32.22 revenues and expenditures, the commissioner of management and budget determines that
32.23 there will be a positive unrestricted budgetary general fund balance at the close of the
32.24 biennium, the commissioner of management and budget must allocate money to the following
32.25 accounts and purposes in priority order:

32.26 (1) the cash flow account established in subdivision 1 until that account reaches
32.27 \$350,000,000;

32.28 (2) the budget reserve account established in subdivision 1a until that account reaches
32.29 \$1,596,522,000;

32.30 (3) the amount necessary to increase the aid payment schedule for school district aids
32.31 and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest

33.1 tenth of a percent without exceeding the amount available and with any remaining funds
33.2 deposited in the budget reserve;

33.3 (4) the amount necessary to restore all or a portion of the net aid reductions under section
33.4 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75,
33.5 subdivision 5, by the same amount; and

33.6 ~~(5) the clean water fund established in section 114D.50 until \$22,000,000 has been~~
33.7 ~~transferred into the fund; and~~

33.8 ~~(6)~~ (5) the amount necessary to increase the Minnesota 21st century fund by not more
33.9 than the difference between \$5,000,000 and the sum of the amounts credited and canceled
33.10 to it in the previous 12 months under Laws 2020, chapter 71, article 1, section 11, until the
33.11 sum of all transfers under this section and all amounts credited or canceled under Laws
33.12 2020, chapter 71, article 1, section 11, equals \$20,000,000.

33.13 (b) The amounts necessary to meet the requirements of this section are appropriated
33.14 from the general fund within two weeks after the forecast is released or, in the case of
33.15 transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations
33.16 schedules otherwise established in statute.

33.17 (c) The commissioner of management and budget shall certify the total dollar amount
33.18 of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education.
33.19 The commissioner of education shall increase the aid payment percentage and reduce the
33.20 property tax shift percentage by these amounts and apply those reductions to the current
33.21 fiscal year and thereafter.

33.22 ~~(d) Paragraph (a), clause (5), expires after the entire amount of the transfer has been~~
33.23 ~~made.~~

33.24 Sec. 17. **[16A.401] VIRTUAL PAYMENTS AUTHORIZED.**

33.25 Subdivision 1. Virtual payments. The commissioner may establish a program to issue
33.26 virtual payments from the state treasury. Any rebate to the state generated by the program
33.27 must be deposited in the general fund unless retained under subdivision 3.

33.28 Subd. 2. Rebates. Notwithstanding subdivision 1, rebates attributable to expenditures
33.29 in funds established in the state constitution or protected by federal law must be returned
33.30 to the account from which the expenditure originated.

33.31 Subd. 3. Rebates retained. The commissioner may retain a portion of rebates for the
33.32 administration of this section. Money retained under this subdivision must be deposited in

34.1 an account in the special revenue fund and is appropriated to the commissioner for the
34.2 purposes of this section.

34.3 Sec. 18. Minnesota Statutes 2020, section 16B.24, subdivision 1, is amended to read:

34.4 Subdivision 1. **Operation and maintenance of buildings.** The commissioner is
34.5 authorized to maintain and operate the State Capitol building and grounds, subject to whatever
34.6 standards and policies are set for its appearance and cleanliness by the Capitol Area
34.7 Architectural and Planning Board and the commissioner under section 15B.15, subdivision
34.8 2, and all other buildings, cafeterias, and grounds in state-owned buildings in the Capitol
34.9 Area under section 15B.02, the state Department of Public Safety, Bureau of Criminal
34.10 Apprehension building in St. Paul, ~~the state Department of Health building in Minneapolis,~~
34.11 ~~321 Grove Street buildings~~ 603 Pine Street building in St. Paul, Fleet and Surplus Services
34.12 building in Arden Hills, Ely Revenue building, any other properties acquired by the
34.13 Department of Administration, and, when the commissioner considers it advisable and
34.14 practicable, any other building or premises owned or rented by the state for the use of a
34.15 state agency. The commissioner shall assign and reassign office space in the Capitol and
34.16 state buildings to make an equitable division of available space among agencies. The
34.17 commissioner shall regularly update the long-range strategic plan for locating agencies and
34.18 shall follow the plan in assigning and reassigning space to agencies. The plan must include
34.19 locational and urban design criteria, a cost-analysis method to be used in weighing state
34.20 ownership against leasing of space in specific instances, and a transportation management
34.21 plan. If the commissioner determines that a deviation from the plan is necessary or desirable
34.22 in a specific instance, the commissioner shall provide the legislature with a timely written
34.23 explanation of the reasons for the deviation. The power granted in this subdivision does not
34.24 apply to state hospitals or to educational, penal, correctional, or other institutions not
34.25 enumerated in this subdivision the control of which is vested by law in some other agency.

34.26 Sec. 19. **[16B.276] CAPITOL FLAG PROGRAM.**

34.27 Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given.

34.28 (b) "Active service" has the meaning given in section 190.05, subdivision 5.

34.29 (c) "Eligible family member" means a surviving spouse, parent or legal guardian, child,
34.30 or sibling of (1) a public safety officer killed in the line of duty, or (2) a person who has
34.31 died while serving honorably in active service in the United States armed forces. For purposes
34.32 of this section, an eligibility relationship may be established by birth or adoption.

35.1 (d) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision
35.2 3.

35.3 (e) "Public safety officer" has the meaning given in section 299A.41, subdivision 4.

35.4 Subd. 2. **Establishment.** A Capitol flag program is established. The purpose of the
35.5 program is to make a Minnesota state flag and an American flag that were flown over the
35.6 Minnesota State Capitol available to the family members of a public safety officer killed
35.7 in the line of duty or a member of the United States armed forces who died while in active
35.8 service. In addition to appropriations provided by law, the commissioner of management
35.9 and budget may receive gifts to support the program as authorized in sections 16A.013 to
35.10 16A.016. The program established by this section is required only to the extent that sufficient
35.11 funds are available through appropriations or gifts to support its operations.

35.12 Subd. 3. **Submission of request; presentation.** (a) A flag request may only be made
35.13 by a legislator or state constitutional officer on behalf of an eligible family member after
35.14 verification of the family member's eligibility under the procedures adopted under subdivision
35.15 4. The request must be made to the commissioner of administration and must indicate the
35.16 type of flag requested, a certification that the family member's eligibility has been verified,
35.17 special requests for the date the flag is requested to be flown over the Capitol, and the
35.18 method of presentment. The commissioner may adopt a form to be used for this purpose.
35.19 With at least 30 days' notice, the commissioner must honor a request that a flag be flown
35.20 on a specific commemorative date.

35.21 (b) Upon receipt of a request, the commissioner shall deliver the requested flags to the
35.22 requesting legislator or constitutional officer for coordination of a later presentment
35.23 ceremony. If relevant information is made available, the commissioner shall provide a
35.24 certificate memorializing the details of the occasion and the date the flag was flown with
35.25 each flag presented.

35.26 Subd. 4. **Verification of eligibility.** The house of representatives, the senate, and each
35.27 constitutional officer must adopt procedures for the administration of flag requests received
35.28 from eligible family members, including a procedure for verification of a family member's
35.29 eligibility to receive a flag.

35.30 Subd. 5. **Eligibility; fees.** (a) For deaths that occur on or after August 1, 2021, the family
35.31 of a public safety officer killed in the line of duty or service member of the United States
35.32 armed forces who died in active service is entitled to receive one United States flag and one
35.33 Minnesota state flag free of charge under this section. If multiple flags of the same type are
35.34 requested to be flown in honor of the same decedent, the commissioner may charge a

36.1 reasonable fee that does not exceed the actual cost of flying each flag and preparing a
36.2 certificate memorializing the occasion.

36.3 (b) For deaths that occurred before August 1, 2021, the family of a public safety officer
36.4 killed in the line of duty or service member of the United States armed forces who died in
36.5 active service may receive one United States flag and one Minnesota state flag for a fee,
36.6 unless there are donated, nonstate funds available to provide a flag without a fee. If payment
36.7 of a fee is required under this paragraph, the commissioner may charge an eligible family
36.8 an amount that does not exceed the actual cost of flying each flag and preparing a certificate
36.9 memorializing the occasion.

36.10 **EFFECTIVE DATE.** This section is effective August 1, 2021.

36.11 Sec. 20. Minnesota Statutes 2020, section 16B.2975, is amended by adding a subdivision
36.12 to read:

36.13 Subd. 8. **Canine management.** The commissioner may give and convey to the canine's
36.14 handler the state's entirety of the right, title, interest, and estate in and to the canine for
36.15 which the handler trained and worked with while the canine was in service to the state. The
36.16 handler is solely responsible for all future expenses related to the retired canine.

36.17 Sec. 21. **[16B.361] OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.**

36.18 Subdivision 1. **Duties of the office.** The commissioner of administration shall maintain
36.19 the Office of Collaboration and Dispute Resolution formerly codified as sections 179.90
36.20 and 179.91 within the Department of Administration. The office must:

36.21 (1) assist state agencies, offices of the executive, legislative and judicial branches, tribal
36.22 governments, and units of local government in improving collaboration, dispute resolution,
36.23 and public engagement;

36.24 (2) promote and utilize collaborative dispute resolution models and processes based on
36.25 documented best practices including but not limited to:

36.26 (i) establishing criteria and procedures for identification and assessment of collaborative
36.27 dispute resolution projects;

36.28 (ii) designing collaborative dispute resolution processes to foster trust, relationships,
36.29 mutual understanding, and consensus-based solutions;

36.30 (iii) preparing and training participants; and

37.1 (iv) utilizing collaborative techniques, processes, and standards through facilitated
37.2 meetings to develop wise and durable solutions;

37.3 (3) support collaboration and dispute resolution in the public and private sector by
37.4 providing technical assistance and information on best practices and new developments in
37.5 dispute resolution options;

37.6 (4) promote the broad use of community mediation in the state;

37.7 (5) ensure that all areas of the state have access to services by providing grants to private
37.8 nonprofit entities certified by the state court administrator under chapter 494 that assist in
37.9 resolution of disputes; and

37.10 (6) educate the public and government entities on collaboration, dispute resolution
37.11 options, and public engagement.

37.12 Subd. 2. **Grant applications.** The commissioner may apply for and receive money made
37.13 available from federal, state, or other sources for the purposes of carrying out the mission
37.14 of the Office of Collaboration and Dispute Resolution. Funds received under this subdivision
37.15 are appropriated to the commissioner for their intended purpose.

37.16 Subd. 3. **Grant awards.** The commissioner shall to the extent funds are appropriated
37.17 for this purpose, make grants to private nonprofit community mediation entities certified
37.18 by the state court administrator under chapter 494 that assist in resolution of disputes. The
37.19 commissioner shall establish a grant review committee to assist in the review of grant
37.20 applications and the allocation of grants under this section.

37.21 Subd. 4. **Eligibility.** To be eligible for a grant under this section, a nonprofit organization
37.22 must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).

37.23 Subd. 5. **Conditions and exclusions.** A nonprofit entity receiving a grant must agree to
37.24 comply with guidelines adopted by the state court administrator under section 494.015,
37.25 subdivision 1. Policies adopted under sections 16B.97 and 16B.98 apply to grants under
37.26 this section. The exclusions in section 494.03 apply to grants under this section.

37.27 Subd. 6. **Reporting.** Grantees must report data required under chapter 494 to evaluate
37.28 quality and outcomes.

37.29 Sec. 22. **[16B.372] ENVIRONMENTAL SUSTAINABILITY GOVERNMENT**
37.30 **OPERATIONS; OFFICE CREATED.**

37.31 Subdivision 1. **Enterprise sustainability.** The Office of Enterprise Sustainability is
37.32 established to assist all state agencies in making measurable progress toward improving the

38.1 sustainability of government operations by reducing the impact on the environment,
 38.2 controlling unnecessary waste of natural resources and public funds, and spurring innovation.
 38.3 The office shall create new tools and share best practices, assist state agencies to plan for
 38.4 and implement improvements, and monitor progress toward achieving intended outcomes.
 38.5 Specific duties include but are not limited to:

38.6 (1) managing a sustainability metrics and reporting system, including a public dashboard
 38.7 that allows Minnesotans to track progress;

38.8 (2) assisting agencies in developing and executing sustainability plans; and

38.9 (3) publishing an annual report.

38.10 Subd. 2. **Local governments.** The Office of Enterprise Sustainability shall make
 38.11 reasonable attempts to share tools and best practices with local governments.

38.12 Sec. 23. Minnesota Statutes 2020, section 16B.48, subdivision 2, is amended to read:

38.13 Subd. 2. **Purpose of funds.** Money in the state treasury credited to the general services
 38.14 revolving fund and money that is deposited in the fund is appropriated annually to the
 38.15 commissioner for the following purposes:

38.16 (1) to operate the central mailing service, including purchasing postage and related items
 38.17 and refunding postage deposits;

38.18 (2) to operate a documents service as prescribed by section 16B.51;

38.19 (3) to provide services for the maintenance, operation, and upkeep of buildings and
 38.20 grounds managed by the commissioner of administration;

38.21 ~~(4) to operate a materials handling service, including interagency mail and product~~
 38.22 ~~delivery, solid waste removal, courier service, equipment rental, and vehicle and equipment~~
 38.23 ~~maintenance;~~

38.24 ~~(5)~~ (4) to provide analytical, statistical, and organizational development services to state
 38.25 agencies, local units of government, metropolitan and regional agencies, and school districts;
 38.26 and

38.27 ~~(6)~~ (5) to perform services for any other agency. Money may be expended for this purpose
 38.28 only when directed by the governor. The agency receiving the services shall reimburse the
 38.29 fund for their cost, and the commissioner shall make the appropriate transfers when requested.
 38.30 The term "services" as used in this clause means compensation paid officers and employees
 38.31 of the state government; supplies, materials, equipment, and other articles and things used

39.1 by or furnished to an agency; and utility services and other services for the maintenance,
39.2 operation, and upkeep of buildings and offices of the state government; ~~and~~
39.3 ~~(7) to operate a state recycling center.~~

39.4 Sec. 24. Minnesota Statutes 2020, section 16B.54, subdivision 1, is amended to read:

39.5 Subdivision 1. **Motor pools.** The commissioner shall manage a central motor pool of
39.6 passenger motor vehicles and trucks used by state agencies with principal offices in the city
39.7 of St. Paul and may provide for branch central motor pools at other places within the state.
39.8 For purposes of this section, (1) "agencies" includes the Minnesota State Colleges and
39.9 Universities, ~~and~~ (2) "passenger motor vehicle" means on-road vehicle capable of transporting
39.10 people, and (3) "truck" means a pickup or panel truck up to one ton carrying capacity.

39.11 Sec. 25. Minnesota Statutes 2020, section 16B.54, subdivision 2, is amended to read:

39.12 Subd. 2. **Vehicles.** (a) The commissioner may direct an agency to make a transfer of a
39.13 passenger motor vehicle or truck currently assigned to it. The transfer must be made to the
39.14 commissioner for use in the central motor pool. The commissioner shall reimburse an agency
39.15 whose motor vehicles have been paid for with funds dedicated by the constitution for a
39.16 special purpose and which are assigned to the central motor pool. The amount of
39.17 reimbursement for a motor vehicle is its average wholesale price as determined from the
39.18 midwest edition of the National Automobile Dealers Association official used car guide.

39.19 (b) To the extent that funds are available for the purpose, the commissioner may purchase
39.20 or otherwise acquire additional passenger motor vehicles and trucks necessary for the central
39.21 motor pool. The title to all motor vehicles assigned to or purchased or acquired for the
39.22 central motor pool is in the name of the Department of Administration.

39.23 (c) On the request of an agency, the commissioner may transfer to the central motor
39.24 pool any passenger motor vehicle or truck for the purpose of disposing of it. The department
39.25 or agency transferring the vehicle or truck must be paid for it from the motor pool revolving
39.26 account established by this section in an amount equal to two-thirds of the average wholesale
39.27 price of the vehicle or truck as determined from the midwest edition of the National
39.28 Automobile Dealers Association official used car guide.

39.29 (d) The commissioner shall provide for the uniform marking of all motor vehicles. Motor
39.30 vehicle colors must be selected from the regular color chart provided by the manufacturer
39.31 each year. The commissioner may further provide for the use of motor vehicles without
39.32 marking by:

- 40.1 (1) the governor;
- 40.2 (2) the lieutenant governor;
- 40.3 (3) the Division of Criminal Apprehension, the Division of Alcohol and Gambling
40.4 Enforcement, and arson investigators of the Division of Fire Marshal in the Department of
40.5 Public Safety;
- 40.6 (4) the Financial Institutions Division and investigative staff of the Department of
40.7 Commerce;
- 40.8 (5) the Division of Disease Prevention and Control of the Department of Health;
- 40.9 (6) the State Lottery;
- 40.10 (7) criminal investigators of the Department of Revenue;
- 40.11 (8) state-owned community service facilities in the Department of Human Services;
- 40.12 (9) the Office of the Attorney General; ~~and~~
- 40.13 (10) the investigative staff of the Gambling Control Board; and
- 40.14 (11) the Department of Corrections inmate community work crew program under section
40.15 352.91, subdivision 3g.

40.16 Sec. 26. Minnesota Statutes 2020, section 16B.98, is amended by adding a subdivision to
40.17 read:

40.18 Subd. 12. **Grants administration.** It is the policy of the legislature to ensure that grant
40.19 activities and outcomes of programs and services funded by legislative appropriations are
40.20 administered by state agencies in accordance with this section and section 16B.97. Unless
40.21 amounts are otherwise appropriated for administrative costs, a state agency may retain up
40.22 to five percent of the amount appropriated to the agency for grants enacted by the legislature
40.23 and formula grants and up to ten percent for competitively awarded grants. This subdivision
40.24 applies to appropriations made for new grant programs enacted on or after July 1, 2021.

40.25 Sec. 27. Minnesota Statutes 2020, section 43A.23, subdivision 1, is amended to read:

40.26 Subdivision 1. **General.** (a) The commissioner is authorized to request proposals or to
40.27 negotiate and to enter into contracts with parties which in the judgment of the commissioner
40.28 are best qualified to provide service to the benefit plans. Contracts entered into are not
40.29 subject to the requirements of sections 16C.16 to 16C.19. The commissioner may negotiate
40.30 premium rates and coverage. The commissioner shall consider the cost of the plans,

41.1 conversion options relating to the contracts, service capabilities, character, financial position,
41.2 and reputation of the carriers, and any other factors which the commissioner deems
41.3 appropriate. Each benefit contract must be for a uniform term of at least one year, but may
41.4 be made automatically renewable from term to term in the absence of notice of termination
41.5 by either party. A carrier licensed under chapter 62A is exempt from the taxes imposed by
41.6 chapter 297I on premiums paid to it by the state.

41.7 (b) All self-insured hospital and medical service products must comply with coverage
41.8 mandates, data reporting, and consumer protection requirements applicable to the licensed
41.9 carrier administering the product, had the product been insured, including chapters 62J,
41.10 62M, and 62Q. Any self-insured products that limit coverage to a network of providers or
41.11 provide different levels of coverage between network and nonnetwork providers shall comply
41.12 with section 62D.123 and geographic access standards for health maintenance organizations
41.13 adopted by the commissioner of health in rule under chapter 62D.

41.14 (c) Notwithstanding paragraph (b), a self-insured hospital and medical product offered
41.15 under sections 43A.22 to 43A.30 is required to extend dependent coverage to an eligible
41.16 employee's child to the full extent required under chapters 62A and 62L. Dependent child
41.17 coverage must, at a minimum, extend to an eligible employee's dependent child to the
41.18 limiting age as defined in section 62Q.01, subdivision 2a, disabled children to the extent
41.19 required in sections 62A.14 and 62A.141, and dependent grandchildren to the extent required
41.20 in sections 62A.042 and 62A.302.

41.21 (d) Beginning January 1, 2010, the health insurance benefit plans offered in the
41.22 commissioner's plan under section 43A.18, subdivision 2, and the managerial plan under
41.23 section 43A.18, subdivision 3, ~~must~~ may include an option for a health plan that is compatible
41.24 with the definition of a high-deductible health plan in section 223 of the United States
41.25 Internal Revenue Code.

41.26 Sec. 28. Minnesota Statutes 2020, section 138.081, subdivision 1, is amended to read:

41.27 Subdivision 1. **Department of Administration as agency to accept federal funds.** The
41.28 Department of Administration is hereby designated the state agency with power to accept
41.29 any and all money provided for or made available to this state by the United States of
41.30 America or any department or agency thereof for surveys, restoration, construction,
41.31 equipping, or other purposes relating to the State Historic ~~sites~~ Preservation Program in
41.32 accordance with the provisions of federal law and any rules or regulations promulgated
41.33 thereunder and are further authorized to do any and all things required of this state by such

42.1 federal law and the rules and regulations promulgated thereunder in order to obtain such
42.2 federal money.

42.3 Sec. 29. Minnesota Statutes 2020, section 138.081, subdivision 2, is amended to read:

42.4 Subd. 2. **Commissioner's responsibilities.** The commissioner as the state historic
42.5 preservation officer shall be responsible for the preparation, implementation and
42.6 administration of the State Historic Preservation Plan and shall administer the State Historic
42.7 Preservation Program authorized by the National Historic Preservation Act (United States
42.8 Code, title ~~16~~ 54, section ~~470~~ 300101 et seq. ~~as amended~~). The commissioner shall review
42.9 and approve in writing all grants-in-aid for architectural, archaeological and historic
42.10 preservation made by state agencies and funded by the state or a combination of state and
42.11 federal funds in accordance with the State Historic Preservation Program.

42.12 Sec. 30. Minnesota Statutes 2020, section 138.081, subdivision 3, is amended to read:

42.13 Subd. 3. **Administration of federal act.** ~~The Department of Administration~~ Minnesota
42.14 Historical Society is designated as the state agency to administer the provisions of the federal
42.15 act providing for the preservation of historical and archaeological data, United States Code,
42.16 title ~~16~~, sections ~~469 to 469C~~ 54, section 312501, as amended, insofar as the provisions of
42.17 the act provide for implementation by the state.

42.18 Sec. 31. Minnesota Statutes 2020, section 138.31, is amended by adding a subdivision to
42.19 read:

42.20 Subd. 13a. **State Historic Preservation Office.** "State Historic Preservation Office"
42.21 means the State Historic Preservation Office at the Department of Administration.

42.22 Sec. 32. Minnesota Statutes 2020, section 138.34, is amended to read:

42.23 **138.34 ADMINISTRATION OF THE ACT.**

42.24 The state archaeologist shall act as the agent of the state to administer and enforce the
42.25 provisions of sections 138.31 to 138.42. Some enforcement provisions are shared with the
42.26 society and the State Historic Preservation Office.

42.27 Sec. 33. Minnesota Statutes 2020, section 138.40, is amended to read:

42.28 **138.40 COOPERATION OF STATE AGENCIES; DEVELOPMENT PLANS.**

42.29 Subdivision 1. **Cooperation.** The Department of Natural Resources, the Department of
42.30 Transportation, and all other state agencies whose activities may be affected, shall cooperate

43.1 with the historical society, the State Historic Preservation Office, and the state archaeologist
43.2 to carry out the provisions of sections 138.31 to 138.42 and the rules issued thereunder, but
43.3 sections 138.31 to 138.42 are not meant to burden persons who wish to use state property
43.4 for recreational and other lawful purposes or to unnecessarily restrict the use of state property.

43.5 Subd. 2. **Compliance, enforcement, preservation.** State and other governmental agencies
43.6 shall comply with and aid in the enforcement of provisions of sections 138.31 to 138.42.
43.7 Conservation officers and other enforcement officers of the Department of Natural Resources
43.8 shall enforce the provisions of sections 138.31 to 138.42 and report violations to the ~~director~~
43.9 ~~of the society~~ state archeologist. When archaeological or historic sites are known or, based
43.10 on scientific investigations are predicted to exist on public lands or waters, the agency or
43.11 department controlling said lands or waters shall use the professional services of
43.12 archaeologists from the University of Minnesota, Minnesota Historical Society, or other
43.13 qualified professional archaeologists, to preserve these sites. In the event that archaeological
43.14 excavation is required to protect or preserve these sites, state and other governmental agencies
43.15 may use their funds for such activities.

43.16 Subd. 3. **Review of plans.** When significant archaeological or historic sites are known
43.17 or, based on scientific investigations, are predicted to exist on public lands or waters, the
43.18 agency or department controlling said lands or waters shall submit construction or
43.19 development plans to the state archaeologist and the ~~director of the society~~ State Historic
43.20 Preservation Office for review prior to the time bids are advertised. The state archaeologist
43.21 and the ~~society~~ State Historic Preservation Office shall promptly review such plans and
43.22 within 30 days of receiving the plans shall make recommendations for the preservation of
43.23 archaeological or historic sites which may be endangered by construction or development
43.24 activities. When archaeological or historic sites are related to Indian history or religion, the
43.25 state archaeologist shall submit the plans to the Indian Affairs Council for the council's
43.26 review and recommend action.

43.27 Sec. 34. Minnesota Statutes 2020, section 138.665, subdivision 2, is amended to read:

43.28 Subd. 2. **Mediation.** The state, state departments, agencies, and political subdivisions,
43.29 including the Board of Regents of the University of Minnesota, have a responsibility to
43.30 protect the physical features and historic character of properties designated in sections
43.31 138.662 and 138.664 or listed on the National Register of Historic Places created by Public
43.32 Law 89-665. Before carrying out any undertaking that will affect designated or listed
43.33 properties, or funding or licensing an undertaking by other parties, the state department or
43.34 agency shall consult with the State Historic Preservation Office pursuant to the ~~society's~~

44.1 State Historic Preservation Office's established procedures to determine appropriate
44.2 treatments and to seek ways to avoid and mitigate any adverse effects on designated or
44.3 listed properties. If the state department or agency and the State Historic Preservation Office
44.4 agree in writing on a suitable course of action, the project may proceed. If the parties cannot
44.5 agree, any one of the parties may request that the governor appoint and convene a mediation
44.6 task force consisting of five members, two appointed by the governor, the chair of the State
44.7 Review Board of the State Historic Preservation Office, the commissioner of administration
44.8 or the commissioner's designee, and one member ~~who is not an employee of the Minnesota~~
44.9 ~~Historical Society~~ appointed by the director of the Minnesota Historical Society. The two
44.10 appointees of the governor and ~~the one~~ of the director of the society shall be qualified by
44.11 training or experience in one or more of the following disciplines: (1) history; (2)
44.12 archaeology; and (3) architectural history. The mediation task force is not subject to the
44.13 conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision
44.14 24, and section 138.664, subdivisions 8 and 111.

44.15 Sec. 35. Minnesota Statutes 2020, section 138.666, is amended to read:

44.16 **138.666 COOPERATION.**

44.17 The state, state departments and agencies, political subdivisions, and the Board of Regents
44.18 of the University of Minnesota shall cooperate with the Minnesota Historical Society and
44.19 the State Historic Preservation Office in safeguarding state historic sites and in the
44.20 preservation of historic and archaeological properties.

44.21 Sec. 36. Minnesota Statutes 2020, section 138.667, is amended to read:

44.22 **138.667 HISTORIC PROPERTIES; CHANGES.**

44.23 Properties designated as historic properties by sections 138.661 to 138.664 may be
44.24 changed from time to time, and the Minnesota Historical Society and the State Historic
44.25 Preservation Office shall notify the legislature of the need for changes, and shall make
44.26 recommendations to keep the state historic sites network and the state register of historic
44.27 places current and complete. The significance of properties proposed for designation under
44.28 section 138.663, subdivision 2, shall be documented under the documentation standards
44.29 established by the ~~Minnesota Historical Society~~. This State Historic Preservation Office.
44.30 Documentation shall include the opinion of the Minnesota Historical Society for the historic
44.31 sites network under section 138.661, subdivision 3, and the State Historic Preservation
44.32 Office for the state register of historic places under section 138.663, subdivision 2, as to
44.33 whether the property meets the selection criteria.

45.1 Sec. 37. Minnesota Statutes 2020, section 138.763, subdivision 1, is amended to read:

45.2 Subdivision 1. **Membership.** There is a St. Anthony Falls Heritage Board consisting of
45.3 22 members with the director of the Minnesota Historical Society as chair. The members
45.4 include the mayor; the chair of the Hennepin County Board of Commissioners or the chair's
45.5 designee; the president of the Minneapolis Park and Recreation Board or the president's
45.6 designee; the superintendent of the park board; two members each from the house of
45.7 representatives appointed by the speaker, the senate appointed by the Rules Committee, the
45.8 city council, the Hennepin County Board, and the park board; one member each from the
45.9 preservation commission, the State Historic Preservation Office, Hennepin County Historical
45.10 Society, and the society; one person appointed by the park board; and two persons appointed
45.11 by the chair of the board.

45.12 Sec. 38. Minnesota Statutes 2020, section 211B.20, subdivision 1, is amended to read:

45.13 Subdivision 1. **Prohibition.** (a) It is unlawful for a person, either directly or indirectly,
45.14 to deny access to an apartment house, dormitory, nursing home, manufactured home park,
45.15 other multiple unit facility used as a residence, or an area in which two or more single-family
45.16 dwellings are located on private roadways to ~~a candidate~~ an individual who ~~has~~:

45.17 (1) has organized a campaign committee under applicable federal or state law;

45.18 (2) has filed a financial report as required by section 211A.02; ~~or~~

45.19 (3) has filed an affidavit of candidacy for elected office; or

45.20 (4) is a United States Census Bureau employee.

45.21 A candidate granted access under this section must be allowed to be accompanied by
45.22 campaign volunteers.

45.23 (b) For candidates, access to a facility or area is only required if it is located within the
45.24 district or territory that will be represented by the office to which the candidate seeks election,
45.25 and the candidate and any accompanying campaign volunteers seek access exclusively for
45.26 the purpose of campaigning for a candidate or registering voters. The candidate must be
45.27 seeking election to office at the next general or special election to be held for that office.

45.28 (c) A candidate and any accompanying campaign volunteers granted access under this
45.29 section must be permitted to leave campaign materials for residents at their doors, except
45.30 that the manager of a nursing home may direct that the campaign materials be left at a central
45.31 location within the facility. The campaign materials must be left in an orderly manner.

46.1 (d) If a facility or area contains multiple buildings, a candidate and accompanying
46.2 volunteers must be permitted to access more than one building on a single visit, but access
46.3 is limited to only one building at a time. If multiple candidates are traveling together, each
46.4 candidate and that candidate's accompanying volunteers is limited to one building at a time,
46.5 but all of the candidates and accompanying volunteers traveling together must not be
46.6 restricted to accessing the same building at the same time.

46.7 (e) For a United States Census Bureau employee, access to a facility or area is only
46.8 required if it is part of their official work duties on a decennial census of population. United
46.9 States Census Bureau employees working on other surveys and censuses are not granted
46.10 access under this section.

46.11 (f) A United States Census Bureau employee must be permitted to leave census materials
46.12 for residents at their doors. The census materials must be left in an orderly manner.

46.13 (g) If a facility or area contains multiple buildings, a United States Census Bureau
46.14 employee must be permitted to access more than one building on a single visit. If multiple
46.15 employees are traveling together, they must not be restricted to accessing the same building
46.16 at the same time.

46.17 ~~(e)~~ (h) A violation of this section is a petty misdemeanor.

46.18 Sec. 39. Minnesota Statutes 2020, section 270B.13, is amended by adding a subdivision
46.19 to read:

46.20 Subd. 3. **Background check; access to federal tax information.** An individual
46.21 performing services for an independent contractor or a vendor under subdivision 1 who has
46.22 or will have access to federal tax information is subject to the requirements of section
46.23 299C.76.

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

46.25 Sec. 40. Minnesota Statutes 2020, section 270C.21, is amended to read:

46.26 **270C.21 TAXPAYER ASSISTANCE GRANTS.**

46.27 Subdivision 1. **Taxpayer assistance.** When the commissioner awards grants to ~~nonprofit~~
46.28 eligible organizations to coordinate, facilitate, encourage, and aid in the provision of taxpayer
46.29 assistance services, the commissioner must provide public notice of the grants in a timely
46.30 manner so that the grant process is completed and grants are awarded by October 1, in order
46.31 for recipient eligible organizations to adequately plan expenditures for the filing season. At

47.1 the time the commissioner provides public notice, the commissioner must also notify
47.2 ~~nonprofit~~ eligible organizations that received grants in the previous biennium.

47.3 Subd. 2. **Eligible organization.** "Eligible organization" means an organization that meets
47.4 the definition of eligible organization provided in section 7526A(e)(2)(B) of the Internal
47.5 Revenue Code.

47.6 **EFFECTIVE DATE.** This section is effective for grants awarded after June 30, 2021.

47.7 Sec. 41. **[299C.76] BACKGROUND CHECK; ACCESS TO FEDERAL TAX**
47.8 **INFORMATION.**

47.9 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following definitions
47.10 apply.

47.11 (b) "Federal tax information" means federal tax returns and return information or
47.12 information derived or created from federal tax returns, in possession of or control by the
47.13 requesting agency, that is covered by the safeguarding provisions of section 6103(p)(4) of
47.14 the Internal Revenue Code.

47.15 (c) "IRS Publication 1075" means Internal Revenue Service Publication 1075 that
47.16 provides guidance and requirements for the protection and confidentiality of federal tax
47.17 information as required in section 6103(p)(4) of the Internal Revenue Code.

47.18 (d) "National criminal history record information" means the Federal Bureau of
47.19 Investigation identification records as defined in Code of Federal Regulations, title 28,
47.20 section 20.3(d).

47.21 (e) "Requesting agency" means the Department of Revenue, Department of Employment
47.22 and Economic Development, Department of Human Services, board of directors of MNsure,
47.23 the Office of MN.IT Services, and counties.

47.24 Subd. 2. **National criminal history record information check.** As required by IRS
47.25 Publication 1075, a requesting agency shall require fingerprints for a national criminal
47.26 history record information check from the following individuals who have or will have
47.27 access to federal tax information:

47.28 (1) a current or prospective permanent or temporary employee of the requesting agency;

47.29 (2) an independent contractor or vendor of the requesting agency;

47.30 (3) an employee or agent of an independent contractor or vendor of the requesting agency;

47.31 or

48.1 (4) any other individual authorized to access federal tax information by the requesting
48.2 agency.

48.3 Subd. 3. **Fingerprint submission and written statement of understanding.** An
48.4 individual subject to this section must provide fingerprints and a written statement of
48.5 understanding that the fingerprints will be used for a background check to the requesting
48.6 agency. The requesting agency must submit the fingerprints and written statement of
48.7 understanding, along with the processing fees, to the superintendent of the Bureau of Criminal
48.8 Apprehension. The fingerprints must only be used for the purposes described in this section.

48.9 Subd. 4. **Bureau of Criminal Apprehension requirements.** (a) After the superintendent
48.10 of the Bureau of Criminal Apprehension notifies requesting agencies that the United States
48.11 Attorney General has approved the request for submission under Public Law 92-544, a
48.12 requesting agency may submit information under subdivision 3.

48.13 (b) Upon receipt of the information under subdivision 3, the superintendent of the Bureau
48.14 of Criminal Apprehension must:

48.15 (1) perform a state criminal history record information search;

48.16 (2) exchange the fingerprints to the Federal Bureau of Investigation to facilitate a search
48.17 of the national criminal history record information;

48.18 (3) compile the results of the state and national criminal history record information
48.19 searches; and

48.20 (4) provide the results to the requesting agency.

48.21 Subd. 5. **Classification of data.** (a) All data collected, created, received, maintained, or
48.22 disseminated by the requesting agency under this section is classified as private data on
48.23 individuals as defined in section 13.02, subdivision 12.

48.24 (b) Notwithstanding any law to the contrary, a requesting agency must not further
48.25 disseminate the results received under subdivision 4.

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

48.27 Sec. 42. Minnesota Statutes 2020, section 349.151, subdivision 2, is amended to read:

48.28 Subd. 2. **Membership.** (a) The board consists of seven members, as follows: (1) five
48.29 members appointed by the governor; (2) one member appointed by the commissioner of
48.30 public safety; and (3) one member appointed by the attorney general.

48.31 (b) All appointments under this subdivision are with the advice and consent of the senate.

49.1 (c) ~~After expiration of the initial terms,~~ Appointments are for four years. A member may
49.2 continue holding office until a successor is appointed unless, prior to the expiration of the
49.3 member's term, the appointing authority notifies the board that a member's appointment
49.4 may not be extended.

49.5 (d) The board shall select one of its members to serve as chair. No more than three
49.6 members appointed by the governor under this subdivision may belong to the same political
49.7 party.

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

49.9 Sec. 43. Minnesota Statutes 2020, section 473.24, is amended to read:

49.10 **473.24 POPULATION ESTIMATES.**

49.11 (a) The Metropolitan Council shall annually prepare an estimate of population for each
49.12 county, city, and town in the metropolitan area and an estimate of the number of households
49.13 and average household size for each city in the metropolitan area with a population of 2,500
49.14 or more, and an estimate of population over age 65 for each county in the metropolitan area,
49.15 and convey the estimates to the governing body of each county, city, or town by June 1
49.16 each year or, in a year following a decennial census, within six weeks of the date the data
49.17 are provided by the United States Census Bureau in that year. In the case of a city or town
49.18 that is located partly within and partly without the metropolitan area, the Metropolitan
49.19 Council shall estimate the proportion of the total population and the average size of
49.20 households that reside within the area. The Metropolitan Council may prepare an estimate
49.21 of the population and of the average household size for any other political subdivision
49.22 located in the metropolitan area.

49.23 (b) A governing body may challenge an estimate made under this section by filing its
49.24 specific objections in writing with the Metropolitan Council by June 24. If the challenge
49.25 does not result in an acceptable estimate, the governing body may have a special census
49.26 conducted by the United States Bureau of the Census. The political subdivision must notify
49.27 the Metropolitan Council on or before July 1 of its intent to have the special census
49.28 conducted. The political subdivision must bear all costs of the special census. Results of
49.29 the special census must be received by the Metropolitan Council by the next April 15 to be
49.30 used in that year's June 1 estimate under this section. In the year following a decennial
49.31 census, challenges to the census count must be submitted to the United States Census Bureau
49.32 through its formal challenge process. The Metropolitan Council shall certify the estimates
49.33 of population and the average household size to the state demographer and to the
49.34 commissioner of revenue by July 15 each year, including any estimates still under objection,

50.1 except that in a year following a decennial census, the estimate must be certified within six
50.2 weeks of the date the data are provided by the United States Census Bureau in that year.

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

50.4 Sec. 44. **PURPOSE; BACKGROUND CHECKS TO ACCESS FEDERAL TAX**
50.5 **INFORMATION.**

50.6 It is the intent of the legislature to ensure compliance with section 6103 of the Internal
50.7 Revenue Code and IRS Publication 1075.

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

50.9 Sec. 45. **RACIAL EQUITY IMPACT ASSESSMENT WORKING GROUP.**

50.10 Subdivision 1. **Working group established; membership.** (a) A Racial Equity Impact
50.11 Assessment Working Group is established. The working group consists of the following
50.12 members:

50.13 (1) the commissioner of human rights or the commissioner's designee;

50.14 (2) a representative of the Center for Economic Inclusion;

50.15 (3) a representative of Voices for Racial Justice;

50.16 (4) three members of the public, appointed by the commissioner of human rights;

50.17 (5) two business community representatives designated by the Minnesota Business
50.18 Partnership;

50.19 (6) one member of the public appointed by the Council for Minnesotans of African
50.20 Heritage;

50.21 (7) one member of the public appointed by the Minnesota Council on Latino Affairs;

50.22 (8) one member of the public appointed by the Council on Asian-Pacific Minnesotans;

50.23 (9) four members affiliated with community-based organizations that represent people
50.24 of color and indigenous communities, appointed by the speaker of the house; and

50.25 (10) four members affiliated with community-based organizations that represent people
50.26 of color and indigenous communities, appointed by the majority leader of the senate.

50.27 (b) In making appointments, the speaker of the house and the majority leader of the
50.28 senate must consult with the members of the People of Color and Indigenous Caucus within
50.29 each respective body.

51.1 (c) The commissioner of management and budget, the state demographer, the state
51.2 economist, and the director of the Legislative Budget Office serve as ex-officio, nonvoting
51.3 members of the working group.

51.4 Subd. 2. **Duties.** (a) The working group must develop recommendations for the
51.5 preparation of a racial equity impact note for proposed legislation. In conducting its work,
51.6 the group must engage members of racial and ethnic groups disproportionately impacted
51.7 by disparities. The working group must consider racial equity analysis procedures for
51.8 legislation proposed in other states, and identify sources of disaggregated data that could
51.9 be used in the development and completion of a racial equity impact note in Minnesota.

51.10 (b) The working group must submit a report describing its recommendations by February
51.11 1, 2022, to the chairs and ranking minority members of the house of representatives Ways
51.12 and Means and State Government Finance and Elections committees, and the senate Finance
51.13 and State Government Finance and Policy and Elections committees. The report may include
51.14 draft legislation to codify the working group's recommendations.

51.15 (c) At its discretion, the working group may continue to study and make additional
51.16 reports following the submission of its initial report under paragraph (b).

51.17 (d) For purposes of this section, "disparities" includes but is not limited to the difference
51.18 in economic, employment, health, education, housing, or public safety outcomes between
51.19 the state population as a whole and racial and ethnic subgroups of the population.

51.20 Subd. 3. **Administration; assistance of experts.** (a) The executive director of the
51.21 Legislative Budget Office shall convene the first meeting of the working group no later than
51.22 September 1, 2021, and serves as the working group's executive secretary. Upon request of
51.23 the working group members, the executive director of the Legislative Budget Office must
51.24 arrange meeting space and provide administrative support for the group.

51.25 (b) In conducting its work, the working group may request the assistance of private
51.26 sector experts specializing in issues related to the economic impacts of racial inequity.

51.27 Subd. 4. **Chair.** The members of the working group must elect a chair or cochairs at the
51.28 initial meeting.

51.29 Subd. 5. **Compensation.** Members of the working group may be compensated as provided
51.30 in Minnesota Statutes, section 15.059, subdivision 3.

51.31 Subd. 6. **Gifts and grants.** The working group may accept gifts and grants, which are
51.32 accepted on behalf of the state and constitute donations to the state. Funds received under

52.1 this subdivision are appropriated to the Legislative Budget Office for purposes of the working
52.2 group.

52.3 Subd. 7. **Deadline for appointments and designations.** The appointments and
52.4 designations authorized by this section must be completed by August 1, 2021.

52.5 Subd. 8. **Expiration.** The working group expires September 1, 2023.

52.6 **Sec. 46. SENSORY ACCESSIBILITY ACCOMMODATIONS GRANTS.**

52.7 (a) The Minnesota Council on Disability shall award grants to state organizations,
52.8 counties, cities, and private holders of public access space to fund building modifications
52.9 to provide sensory accessibility or accommodations to increase accessible community
52.10 involvement and access for individuals who have autism spectrum disorder or a related
52.11 disability or other nonvisible health issue with sensory impacts. Grantees may use grants
52.12 to modify public space to:

52.13 (1) create sensory-friendly spaces;

52.14 (2) modify public use space to meet sensory-friendly design standards;

52.15 (3) equip a facility with mobile tool kits to support sensory needs; or

52.16 (4) provide quiet zones or times of service.

52.17 Grantees must also complete disability training to provide staff with the skills necessary to
52.18 successfully incorporate building modifications that support individuals within the sensory
52.19 modifications made.

52.20 (b) The council may use up to ten percent of this appropriation for grants administration.

52.21 (c) By February 15, 2024, the council shall report to the legislative committees having
52.22 jurisdiction over health and public safety policy on how this appropriation was spent and
52.23 what results were achieved.

52.24 **Sec. 47. CHECK OR DEBIT CARD FOR CERTAIN GAMBLING PURCHASES.**

52.25 Notwithstanding Minnesota Statutes, section 349.2127, subdivision 7, during a telephone
52.26 communication initiated by persons seeking to purchase a raffle ticket, an organization may
52.27 accept a check or debit card for raffle purchases, provided a debit card is checked against
52.28 a nationally recognized database of bank identification numbers that confirms the card is a
52.29 debit card.

53.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 53.2 expires July 1, 2022.

53.3 Sec. 48. **REVISOR INSTRUCTION.**

53.4 The revisor of statutes shall change "central motor pool" to "enterprise fleet" wherever
 53.5 the term appears in Minnesota Statutes.

53.6 Sec. 49. **REPEALER.**

53.7 Subdivision 1. **Legislative auditor.** Minnesota Statutes 2020, sections 3.972, subdivisions
 53.8 2c and 2d; 3.9741, subdivision 5; and 299D.03, subdivision 2a, are repealed.

53.9 Subd. 2. **Employee gainsharing.** Minnesota Statutes 2020, section 16A.90, is repealed.

53.10 Subd. 3. **Interagency agreements and transfers.** Minnesota Statutes 2020, section
 53.11 15.0395, is repealed.

53.12 Subd. 4. **Department of Administration.** Minnesota Statutes 2020, sections 4A.11;
 53.13 179.90; and 179.91, are repealed.

53.14 **ARTICLE 3**

53.15 **ELECTIONS ADMINISTRATION**

53.16 Section 1. Minnesota Statutes 2020, section 5.30, subdivision 2, is amended to read:

53.17 Subd. 2. **Appropriation.** ~~Notwithstanding section 4.07, Money in the Help America~~
 53.18 ~~Vote Act account may be spent only pursuant to direct appropriations enacted from time to~~
 53.19 ~~time by law. Money in the account must be spent~~ is appropriated to the secretary of state
 53.20 to improve the administration of elections in accordance with the Help America Vote Act,
 53.21 the state plan certified by the governor under the act, and for reporting and administrative
 53.22 requirements under the act and plan. To the extent required by federal law, money in the
 53.23 account must be used in a manner that is consistent with the maintenance of effort
 53.24 requirements of section 254(a)(7) of the Help America Vote Act, Public Law 107-252,
 53.25 based on the level of state expenditures for the fiscal year ending June 30, 2000.

53.26 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 53.27 applies to any balances of money in the Help America Vote Act account existing on or after
 53.28 that date.

54.1 Sec. 2. Minnesota Statutes 2020, section 5B.06, is amended to read:

54.2 **5B.06 VOTING BY PROGRAM PARTICIPANT; ABSENTEE BALLOT.**

54.3 A program participant who is otherwise eligible to vote may register with the secretary
54.4 of state as a permanent absentee voter. Notwithstanding section 203B.04, subdivision 5,
54.5 the secretary of state is not required to send an absentee ballot application prior to each
54.6 election to a program participant registered as a permanent absentee voter under this section.
54.7 As soon as practicable before each election, the secretary of state shall determine the precinct
54.8 in which the residential address of ~~the~~ a program participant is located ~~and~~. Upon making
54.9 a precinct determination, the secretary of state shall either (1) request from and receive from
54.10 the county auditor or other election official the ballot for that precinct and ~~shall forward~~
54.11 mail the absentee ballot to the program participant ~~with the other~~, or (2) using the Minnesota
54.12 statewide voter registration system, prepare the program participant's ballot for that precinct
54.13 and mail the absentee ballot to the program participant. The secretary of state shall include
54.14 with each mailed absentee ballot all corresponding materials for absentee balloting as
54.15 required by Minnesota law. The program participant shall complete the ballot and return it
54.16 to the secretary of state, who shall review the ballot in the manner provided by section
54.17 203B.121, subdivision 2. If the ballot and ballot materials comply with the requirements of
54.18 that section, the ballot must be certified by the secretary of state as the ballot of a program
54.19 participant, and must be forwarded to the appropriate electoral jurisdiction for tabulation
54.20 along with all other ballots. The name and address of a program participant must not be
54.21 listed in the statewide voter registration system.

54.22 Sec. 3. Minnesota Statutes 2020, section 8.31, subdivision 1, is amended to read:

54.23 Subdivision 1. **Investigate offenses against provisions of certain designated sections;**
54.24 **assist in enforcement.** The attorney general shall investigate violations of and assist in the
54.25 enforcement of the following laws as in this section provided:

54.26 (1) the law of this state respecting unfair, discriminatory, and other unlawful practices
54.27 in business, commerce, or trade, and specifically, but not exclusively, the Nonprofit
54.28 Corporation Act (sections 317A.001 to 317A.909), the Act Against Unfair Discrimination
54.29 and Competition (sections 325D.01 to 325D.07), the Unlawful Trade Practices Act (sections
54.30 325D.09 to 325D.16), the Antitrust Act (sections 325D.49 to 325D.66), section 325F.67
54.31 and other laws against false or fraudulent advertising, the antidiscrimination acts contained
54.32 in section 325D.67, the act against monopolization of food products (section 325D.68), the
54.33 act regulating telephone advertising services (section 325E.39), the Prevention of Consumer

55.1 Fraud Act (sections 325F.68 to 325F.70), and chapter 53A regulating currency exchanges
55.2 ~~and assist in the enforcement of those laws as in this section provided;~~ and

55.3 (2) section 211B.075 regulating voter intimidation, interference, and deceptive practices
55.4 in elections.

55.5 Sec. 4. Minnesota Statutes 2020, section 13.607, is amended by adding a subdivision to
55.6 read:

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

55.11 Sec. 5. Minnesota Statutes 2020, section 135A.17, subdivision 2, is amended to read:

55.12 Subd. 2. **Residential housing list.** All postsecondary institutions that enroll students
55.13 accepting ~~state or~~ federal financial aid may prepare a current list of students enrolled in the
55.14 institution and residing in the institution's housing or within ten miles of the institution's
55.15 campus. All postsecondary institutions that enroll students accepting state financial aid must
55.16 prepare a current list of students enrolled in the institution and residing in the institution's
55.17 housing or within ten miles of the institution's campus. The list shall include each student's
55.18 current address, unless the student is enrolled in the Safe at Home address confidentiality
55.19 program as provided in chapter 5B. The list shall be certified and sent to the appropriate
55.20 county auditor or auditors for use in election day registration as provided under section
55.21 201.061, subdivision 3. A residential housing list provided under this subdivision may not
55.22 be used or disseminated by a county auditor or the secretary of state for any other purpose.

55.23 Sec. 6. Minnesota Statutes 2020, section 201.014, is amended by adding a subdivision to
55.24 read:

55.25 Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual convicted
55.26 of a felony has the civil right to vote restored when the individual is no longer incarcerated
55.27 for the felony conviction, or upon sentencing if no incarceration is imposed. If the individual
55.28 is later incarcerated for the same offense, the individual's civil right to vote is lost only
55.29 during the period of incarceration.

56.1 Sec. 7. Minnesota Statutes 2020, section 201.071, subdivision 1, is amended to read:

56.2 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
56.3 contain the same information unless otherwise provided by law. A voter registration
56.4 application must contain spaces for the following required information: voter's first name,
56.5 middle name, and last name; voter's previous name, if any; voter's current address; voter's
56.6 previous address, if any; voter's date of birth; voter's municipality and county of residence;
56.7 voter's telephone number, if provided by the voter; date of registration; current and valid
56.8 Minnesota driver's license number or Minnesota state identification number, or if the voter
56.9 has no current and valid Minnesota driver's license or Minnesota state identification, the
56.10 last four digits of the voter's Social Security number; and voter's signature. The paper
56.11 registration application may include the voter's e-mail address, if provided by the voter. The
56.12 electronic voter registration application must include the voter's e-mail address. The
56.13 registration application may include the voter's interest in serving as an election judge, if
56.14 indicated by the voter. The application must also contain the following certification of voter
56.15 eligibility:

56.16 "I certify that I:

56.17 (1) will be at least 18 years old on election day;

56.18 (2) am a citizen of the United States;

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

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

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

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

56.25 (7) ~~have the right to vote because, if I have been convicted of a felony, my felony sentence~~
56.26 ~~has expired (been completed) or I have been discharged from my sentence~~ am not currently
56.27 incarcerated for a conviction of a felony offense; and

56.28 (8) have read and understand the following statement: that giving false information is a
56.29 felony punishable by not more than five years imprisonment or a fine of not more than
56.30 \$10,000, or both."

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

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

57.1 "(2) Will you be 18 years old on or before election day?"

57.2 And the instruction:

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

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

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

57.11 Sec. 8. Minnesota Statutes 2020, section 201.071, subdivision 2, is amended to read:

57.12 Subd. 2. **Instructions.** (a) A registration application shall be accompanied by instructions
57.13 specifying the manner and method of registration, the qualifications for voting, the penalties
57.14 for false registration, and the availability of registration and voting assistance for elderly
57.15 and disabled individuals and residents of health care facilities and hospitals.

57.16 (b) The instructions must indicate that ~~if the voter does not have~~ must provide a valid
57.17 Minnesota driver's license or identification card number, or the last four digits of the voter's
57.18 Social Security number ~~must be provided, unless the voter does not have a Social Security~~
57.19 ~~number~~, unless the voter has not been issued one of those numbers.

57.20 (c) If, prior to election day, a person requests the instructions in Braille, audio format,
57.21 or in a version printed in 16-point bold type with 24-point leading, the county auditor shall
57.22 provide them in the form requested. The secretary of state shall prepare Braille and audio
57.23 copies and make them available.

57.24 Sec. 9. Minnesota Statutes 2020, section 201.071, subdivision 3, is amended to read:

57.25 Subd. 3. **Deficient registration.** ~~No~~ (a) A voter registration application is not deficient
57.26 if it contains the voter's:

57.27 (1) name, address, and date of birth;

57.28 (2) current and valid Minnesota driver's license number ~~or~~, Minnesota state identification
57.29 number, ~~or if the voter has no current and valid Minnesota driver's license or Minnesota~~
57.30 ~~state identification number~~, the last four digits of the voter's Social Security number, ~~if the~~
57.31 ~~voter has been issued a Social Security number;~~

58.1 (3) prior registration, if any; and

58.2 (4) signature.

58.3 (b) A voter registration application is not deficient due to any of the following:

58.4 (1) the absence of a zip code number does not cause the registration to be deficient;

58.5 (2) failure to check a box on an application form that a voter has certified to be true does
58.6 not cause the registration to be deficient; or

58.7 (3) the absence of a number listed under paragraph (a), clause (2), if the voter has not
58.8 been issued one of those numbers and the information can be verified in another government
58.9 database associated with the applicant's name and date of birth, or the application was
58.10 accepted before January 1, 2004.

58.11 ~~The election judges shall request an individual to correct a voter registration application~~
58.12 ~~if it is deficient or illegible. No eligible voter may be prevented from voting unless the~~
58.13 ~~voter's registration application is deficient or the voter is duly and successfully challenged~~
58.14 ~~in accordance with section 201.195 or 204C.12.~~

58.15 (c) A voter registration application:

58.16 (1) accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county
58.17 or municipality may attempt to obtain the date of birth for a voter registration application
58.18 accepted prior to August 1, 1983, by a request to the voter at any time except at the polling
58.19 place. Failure by the voter to comply with this request does not make the registration
58.20 deficient; and

58.21 ~~A voter registration application accepted before January 1, 2004, is not deficient for lack~~
58.22 ~~of a valid Minnesota driver's license or state identification number or the last four digits of~~
58.23 ~~a Social Security number.~~

58.24 ~~A voter registration application submitted by a voter who does not have a Minnesota~~
58.25 ~~driver's license or state identification number, or a Social Security number, is not deficient~~
58.26 ~~for lack of any of these numbers.~~

58.27 ~~A voter registration application~~ (2) submitted electronically through the website of the
58.28 secretary of state prior to April 30, 2014, is not invalid as a result of its electronic submission.

58.29 (d) An election judge must request an individual to correct a voter registration application
58.30 if it is deficient or illegible. An eligible voter must not be prevented from voting unless the
58.31 voter's registration application is deficient or the voter's eligibility to vote is successfully
58.32 challenged under section 201.195 or 204C.12.

59.1 Sec. 10. Minnesota Statutes 2020, section 201.071, subdivision 8, is amended to read:

59.2 Subd. 8. **School district assistance.** School districts shall assist county auditors in
59.3 determining the school district in which a voter ~~resides~~ maintains residence.

59.4 Sec. 11. Minnesota Statutes 2020, section 201.091, subdivision 2, is amended to read:

59.5 Subd. 2. **Corrected list.** By February 15 of each year, the secretary of state shall prepare
59.6 the master list for each county auditor. The records in the statewide registration system must
59.7 be periodically corrected and updated by the county auditor. An updated master list for each
59.8 precinct must be available for absentee voting at least 46 days before each election. A final
59.9 corrected master list must be available ~~seven~~ 14 days before each election.

59.10 Sec. 12. Minnesota Statutes 2020, section 201.12, subdivision 2, is amended to read:

59.11 Subd. 2. **Moved within state.** If any nonforwardable mailing from an election official
59.12 is returned as undeliverable but with a permanent forwarding address in this state, the county
59.13 auditor may change the voter's status to "inactive" in the statewide registration system and
59.14 shall transmit a copy of the mailing to the auditor of the county in which the new address
59.15 is located. If an election is scheduled to occur in the precinct in which the voter ~~resides~~
59.16 maintains residence in the next 47 days, the county auditor shall promptly update the voter's
59.17 address in the statewide voter registration system. If there is not an election scheduled, the
59.18 auditor may wait to update the voter's address until after the next list of address changes is
59.19 received from the secretary of state. Once updated, the county auditor shall mail to the voter
59.20 a notice stating the voter's name, address, precinct, and polling place, except that if the
59.21 voter's record is challenged due to a felony conviction, noncitizenship, name change,
59.22 incompetence, or a court's revocation of voting rights of individuals under guardianship,
59.23 the auditor must not mail the notice. The notice must advise the voter that the voter's voting
59.24 address has been changed and that the voter must notify the county auditor within 21 days
59.25 if the new address is not the voter's address of residence. The notice must state that it must
59.26 be returned if it is not deliverable to the voter at the named address.

59.27 Sec. 13. Minnesota Statutes 2020, section 201.121, subdivision 3, is amended to read:

59.28 Subd. 3. **Postelection sampling.** (a) Within ten days after an election, the county auditor
59.29 shall send the notice required by subdivision 2 to a random sampling of the individuals
59.30 registered on election day. The random sampling shall be determined in accordance with
59.31 the rules of the secretary of state. As soon as practicable after the election, the county auditor
59.32 shall mail the notice required by subdivision 2 to all other individuals registered on election

60.1 day. If a notice is returned as not deliverable, the county auditor shall attempt to determine
60.2 the reason for the return. A county auditor who does not receive or obtain satisfactory proof
60.3 of an individual's eligibility to vote shall immediately notify the county attorney of all of
60.4 the relevant information. ~~The~~ By February 15 of each odd-numbered year, the county auditor
60.5 must notify the secretary of state of the following information for the previous state general
60.6 election by each precinct:

60.7 (1) the total number of all notices that were returned as nondeliverable;

60.8 (2) the total number of nondeliverable notices that the county auditor was able to
60.9 determine the reason for the return along with the reason for each return; and

60.10 (3) the total number of individuals for whom the county auditor does not receive or
60.11 obtain satisfactory proof of an individual's eligibility to vote.

60.12 (b) By March 1 of every odd-numbered year, the secretary of state shall report to the
60.13 chair and ranking minority members of the legislative committees with jurisdiction over
60.14 elections the following information for the previous state general election by each precinct
60.15 and each county:

60.16 (1) the total number of all notices that were returned as nondeliverable;

60.17 (2) the total number of nondeliverable notices that a county auditor was able to determine
60.18 the reason for the return along with the reason for each return; and

60.19 (3) the total number of individuals for whom the county auditor does not receive or
60.20 obtain satisfactory proof of an individual's eligibility to vote.

60.21 Sec. 14. Minnesota Statutes 2020, section 201.13, subdivision 3, is amended to read:

60.22 Subd. 3. **Use of change of address system.** (a) At least once each month the secretary
60.23 of state shall obtain a list of individuals registered to vote in this state who have filed with
60.24 the United States Postal Service a change of their permanent address. The secretary of state
60.25 may also periodically obtain a list of individuals with driver's licenses or state identification
60.26 cards to identify those who are registered to vote who have applied to the Department of
60.27 Public Safety for a replacement driver's license or state identification card with a different
60.28 address, and a list of individuals for whom the Department of Public Safety received
60.29 notification of a driver's license or state identification card cancellation due to a change of
60.30 residency out of state. However, the secretary of state shall not load data derived from these
60.31 lists into the statewide voter registration system within the 47 days before the state primary
60.32 or 47 days before a November general election.

61.1 (b) If the address is changed to another address in this state, the secretary of state shall
61.2 locate the precinct in which the voter ~~resides~~ maintains residence, if possible. If the secretary
61.3 of state is able to locate the precinct in which the voter ~~resides~~ maintains residence, the
61.4 secretary must transmit the information about the changed address by electronic means to
61.5 the county auditor of the county in which the new address is located. For addresses for
61.6 which the secretary of state is unable to determine the precinct, the secretary may forward
61.7 information to the appropriate county auditors for individual review. If the voter has not
61.8 voted or submitted a voter registration application since the address change, upon receipt
61.9 of the information, the county auditor shall update the voter's address in the statewide voter
61.10 registration system. The county auditor shall mail to the voter a notice stating the voter's
61.11 name, address, precinct, and polling place, unless the voter's record is challenged due to a
61.12 felony conviction, noncitizenship, name change, incompetence, or a court's revocation of
61.13 voting rights of individuals under guardianship, in which case the auditor must not mail the
61.14 notice. The notice must advise the voter that the voter's voting address has been changed
61.15 and that the voter must notify the county auditor within 21 days if the new address is not
61.16 the voter's address of residence. The notice must state that it must be returned if it is not
61.17 deliverable to the voter at the named address.

61.18 (c) If the change of permanent address is to an address outside this state, the secretary
61.19 of state shall notify by electronic means the auditor of the county where the voter formerly
61.20 ~~resided~~ maintained residence that the voter has moved to another state. If the voter has not
61.21 voted or submitted a voter registration application since the address change, the county
61.22 auditor shall promptly mail to the voter at the voter's new address a notice advising the voter
61.23 that the voter's status in the statewide voter registration system will be changed to "inactive"
61.24 unless the voter notifies the county auditor within 21 days that the voter is retaining the
61.25 former address as the voter's address of residence, except that if the voter's record is
61.26 challenged due to a felony conviction, noncitizenship, name change, incompetence, or a
61.27 court's revocation of voting rights of individuals under guardianship, the auditor must not
61.28 mail the notice. If the notice is not received by the deadline, the county auditor shall change
61.29 the voter's status to "inactive" in the statewide voter registration system.

61.30 (d) If, in order to maintain voter registration records, the secretary of state enters an
61.31 agreement to share information or data with an organization governed exclusively by a
61.32 group of states, the secretary must first determine that the data security protocols are sufficient
61.33 to safeguard the information or data shared. If required by such an agreement, the secretary
61.34 of state may share the following data from the statewide voter registration system and data
61.35 released to the secretary of state under section 171.12, subdivision 7a:

- 62.1 (1) name;
- 62.2 (2) date of birth;
- 62.3 (3) address;
- 62.4 (4) driver's license or state identification card number;
- 62.5 (5) the last four digits of an individual's Social Security number; and
- 62.6 (6) the date that an individual's record was last updated.

62.7 If the secretary of state enters into such an agreement, the secretary and county auditors
 62.8 must process changes to voter records based upon that data in accordance with this section.
 62.9 Except as otherwise provided in this subdivision, when data is shared with the secretary of
 62.10 state by another state, the secretary of state must maintain the same data classification that
 62.11 the data had while it was in the possession of the state providing the data.

62.12 Sec. 15. Minnesota Statutes 2020, section 201.161, is amended to read:

62.13 **201.161 DRIVER'S LICENSE AND IDENTIFICATION CARD APPLICATIONS**
 62.14 **AUTOMATIC VOTER REGISTRATION.**

62.15 Subdivision 1. Automatic registration. Except as otherwise provided in this section,
 62.16 an individual must be registered to vote if the individual is eligible to vote under section
 62.17 201.014 and properly completes and submits one of the following applications, if the
 62.18 application otherwise requires documentation of citizenship:

- 62.19 (1) an application for a new or renewed Minnesota driver's license or identification card;
 62.20 or
 62.21 (2) an application for benefits or services to a state agency participating under subdivision
 62.22 4.

62.23 Subd. 2. Option to decline registration. After an individual submits an application
 62.24 qualifying for registration under this section, a county auditor must provide, by mail, a
 62.25 notice of the option and the procedures necessary to decline to be registered to vote pursuant
 62.26 to subdivision 6 and section 201.12, subdivision 1. An individual must not be registered to
 62.27 vote if the individual declines to be registered within 20 days of submitting the application.
 62.28 The individual must continue to be offered an opportunity to be registered upon completion
 62.29 or submission of a qualifying application unless the individual presents documentation
 62.30 demonstrating a lack of citizenship or a failure to meet other eligibility criteria.

63.1 Subd. 3. Department of Public Safety. (a) The ~~Department~~ commissioner of public
63.2 safety shall, in consultation with the secretary of state, must change its the applications for
63.3 an original, duplicate, or change of address driver's license or identification card so that the
63.4 forms may also serve as voter registration applications, if the application otherwise includes
63.5 verification of the applicant's citizenship. The forms must contain spaces for all information
63.6 collected by voter registration applications required to register to vote, as prescribed by the
63.7 secretary of state. Applicants for driver's licenses or identification cards must be asked if
63.8 they want to register to vote at the same time and that Unless the applicant has provided an
63.9 address other than the applicant's address of residence under section 171.12, subdivision 7,
63.10 paragraph (d), the commissioner must transmit the information must be transmitted at least
63.11 weekly daily by electronic means to the secretary of state. Pursuant to the Help America
63.12 Vote Act of 2002, Public Law 107-252, the computerized driver's license record containing
63.13 the voter's name, address, date of birth, citizenship, driver's license number or state
63.14 identification number, signature image, county, town, and city or town must be made
63.15 available for access by the secretary of state and interaction with the statewide voter
63.16 registration system. At least monthly, the commissioner must submit data to the secretary
63.17 of state identifying the total number of people applying for services in a manner that qualifies
63.18 for voter registration under this section and the total number of individuals whose records
63.19 were actually transferred for registration.

63.20 (b) Information on an applicant for a form of an original, duplicate, or change of address
63.21 driver's license or identification card that does not include verification of citizenship must
63.22 not be transmitted to the secretary of state. The commissioner must provide these applicants
63.23 with information on the voting eligibility and the requirements for registering to vote at the
63.24 time of the transaction.

63.25 (c) An applicant must not be registered to vote under this subdivision until the
63.26 commissioner of public safety has certified that the department's systems have been tested
63.27 and can accurately provide the required data, and the secretary of state has certified that the
63.28 system for automatic registration of those applicants has been tested and is capable of
63.29 properly determining whether an applicant is eligible to vote. The department's systems
63.30 must be tested and accurately provide the necessary data no later than June 1, 2022.

63.31 (d) For purposes of this section, "driver's license" includes any instruction permit,
63.32 provisional license, limited license, restricted license, or operator's permit issuable by the
63.33 commissioner of public safety under chapter 171.

63.34 Subd. 4. Other agencies and units of government. (a) The commissioner of any state
63.35 agency, and the administrative head of any local government or the government of a federally

64.1 recognized Indian tribe within the state, in consultation with the secretary of state, may
64.2 cause any form or application within its jurisdiction to serve as a voter registration
64.3 application, if the form or application already provides verification of an applicant's United
64.4 States citizenship. The form or application must contain spaces for all information required
64.5 to register to vote as prescribed by the secretary of state. The commissioner or administrative
64.6 head must transmit the information daily by electronic means to the secretary of state on
64.7 any individual whose United States citizenship has been verified. At least monthly, the
64.8 commissioner must submit data to the secretary of state identifying the total number of
64.9 people applying for services in a manner that qualifies for voter registration under this
64.10 section, and the total number of individuals whose records were actually transferred for
64.11 registration.

64.12 (b) The commissioner or administrative head, in consultation with the secretary of state,
64.13 may cause any form or application within its jurisdiction to serve as an update to the address
64.14 on an applicant's existing voter registration record. The commissioner or administrative
64.15 head must transmit the information daily by electronic means to the secretary of state. At
64.16 least monthly, the commissioner or administrative head must submit data to the secretary
64.17 of state identifying the total number of people applying for services in a manner that qualifies
64.18 for a voter registration address update under this paragraph, and the total number of
64.19 individuals whose records were actually transferred for updates.

64.20 (c) An applicant must not be registered to vote under this subdivision until the agency's
64.21 commissioner, or the administrative head of the local or tribal government, has certified
64.22 that the necessary systems have been tested and can accurately provide the required data,
64.23 and the secretary of state has certified that the system for automatic registration of those
64.24 applicants has been tested and is capable of properly determining whether an applicant is
64.25 eligible to vote.

64.26 Subd. 5. **Registration.** (a) The secretary of state must determine whether an applicant
64.27 whose information is submitted under this section is currently registered in the statewide
64.28 voter registration system. For each currently registered voter whose registration is not
64.29 changed, the secretary of state must update the voter's registration date in the statewide
64.30 voter registration system. For each currently registered voter whose registration is changed,
64.31 the secretary of state must transmit the registration daily by electronic means to the county
64.32 auditor of the county where the voter resides.

64.33 (b) If the applicant is not currently registered in the statewide voter registration system,
64.34 the secretary of state must determine whether the applicant is 18 years of age or older and
64.35 a citizen of the United States. The secretary of state must also compare the voter registration

65.1 information received under section 201.145 to determine whether the applicant is eligible
65.2 to vote. If an applicant is less than 18 years of age, the secretary of state must wait until the
65.3 applicant has turned 18 years of age to determine whether the applicant is eligible to vote.
65.4 For each applicant the secretary of state determines is an eligible voter, the secretary of state
65.5 must transmit the registration daily by electronic means to the county auditor of the county
65.6 where the voter resides.

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

65.9 (d) The county auditor must inactivate the voter's record in the statewide voter registration
65.10 system upon receipt of a written request, signed by the voter, that the registration be
65.11 inactivated.

65.12 Subd. 6. **Notice.** Upon receipt of the registration information, the county auditor must
65.13 provide to the voter the notice of registration required by section 201.121, subdivision 2.
65.14 A notice mailed under this subdivision must include information on declining the registration
65.15 within the period authorized by subdivision 2, if the voter does not wish to be registered to
65.16 vote. The secretary of state may adopt rules prescribing the notice required by this subdivision
65.17 and subdivision 2.

65.18 Subd. 7. **Prosecution of registration violations; voluntary action required.** Unless
65.19 an individual knows of the individual's ineligibility to vote and intentionally takes voluntary
65.20 action to become registered, the transfer of the individual's record under this section does
65.21 not constitute completion or submission of a voter registration application by that individual.
65.22 If an application is processed and the individual is registered by the state under this section,
65.23 the application and registration is presumed to have been officially authorized by the state
65.24 and the individual is not subject to penalty under this section or other applicable law if the
65.25 individual is subsequently determined to be ineligible.

65.26 Subd. 8. **Effective date.** A registration application completed pursuant to this section
65.27 that is dated during the 20 days before an election is not effective until the day after the
65.28 election. This subdivision does not limit the ability of a person to register to vote on election
65.29 day as provided in section 201.061, subdivision 3. Any person who submits an application
65.30 under this section that is dated during the 20 days before an election shall be provided at
65.31 the time of application with a notice advising the applicant of the procedures to register to
65.32 vote on election day.

66.1 Sec. 16. Minnesota Statutes 2020, section 201.1611, subdivision 1, is amended to read:

66.2 Subdivision 1. **Forms.** All postsecondary institutions that enroll students accepting state
66.3 or federal financial aid shall provide voter registration forms to each student as early as
66.4 possible in the fall quarter. All school districts shall make available voter registration
66.5 applications each May and September to all students registered as students of the school
66.6 district who will be eligible to vote at the next election after those months. A school district
66.7 has no obligation to provide voter registration applications to students who participate in a
66.8 postsecondary education option program or who otherwise ~~reside~~ maintain residence in the
66.9 district but do not attend a school operated by the district. A school district fulfills its
66.10 obligation to a student under this section if it provides a voter registration application to the
66.11 student one time. The forms must contain spaces for the information required in section
66.12 201.071, subdivision 1, and applicable rules of the secretary of state. The institutions and
66.13 school districts may request these forms from the secretary of state. Institutions shall consult
66.14 with their campus student government in determining the most effective means of distributing
66.15 the forms and in seeking to facilitate election day registration of students under section
66.16 201.061, subdivision 3. School districts must advise students that completion of the voter
66.17 registration application is not a school district requirement.

66.18 Sec. 17. Minnesota Statutes 2020, section 201.162, is amended to read:

66.19 **201.162 DUTIES OF STATE AGENCIES.**

66.20 The commissioner or chief administrative officer of each state agency or
66.21 community-based public agency or nonprofit corporation that contracts with the state agency
66.22 to carry out obligations of the state agency shall provide voter registration services for
66.23 employees and the public including, as applicable, automatic voter registration or information
66.24 on voter eligibility and registration procedures as required under section 201.161. A person
66.25 may complete a voter registration application or apply to change a voter registration name
66.26 or address if the person has the proper qualifications on the date of application. Nonpartisan
66.27 voter registration assistance, including routinely asking members of the public served by
66.28 the agency whether they would like to register to vote and, if necessary, assisting them in
66.29 preparing the registration forms must be part of the job of appropriate agency employees.

66.30 Sec. 18. Minnesota Statutes 2020, section 201.225, subdivision 2, is amended to read:

66.31 Subd. 2. **Technology requirements.** An electronic roster must:

66.32 (1) be able to be loaded with a data file that includes voter registration data in a file
66.33 format prescribed by the secretary of state;

- 67.1 (2) allow for data to be exported in a file format prescribed by the secretary of state;
- 67.2 (3) allow for data to be entered manually or by scanning a Minnesota driver's license or
67.3 identification card to locate a voter record or populate a voter registration application that
67.4 would be printed and signed and dated by the voter. The printed registration application
67.5 can be either a printed form, labels printed with voter information to be affixed to a preprinted
67.6 form, or a combination of both;
- 67.7 (4) allow an election judge to update data that was populated from a scanned driver's
67.8 license or identification card;
- 67.9 (5) cue an election judge to ask for and input data that is not populated from a scanned
67.10 driver's license or identification card that is otherwise required to be collected from the voter
67.11 or an election judge;
- 67.12 (6) immediately alert the election judge if the voter has provided information that indicates
67.13 that the voter is not eligible to vote;
- 67.14 (7) immediately alert the election judge if the electronic roster indicates that a voter has
67.15 already voted in that precinct, the voter's registration status is challenged, or it appears the
67.16 voter ~~resides~~ maintains residence in a different precinct;
- 67.17 (8) provide immediate instructions on how to resolve a particular type of challenge when
67.18 a voter's record is challenged;
- 67.19 (9) provide for a printed voter signature certificate, containing the voter's name, address
67.20 of residence, date of birth, voter identification number, the oath required by section 204C.10,
67.21 and a space for the voter's original signature. The printed voter signature certificate can be
67.22 either a printed form or a label printed with the voter's information to be affixed to the oath;
- 67.23 (10) contain only preregistered voters within the precinct, and not contain preregistered
67.24 voter data on voters registered outside of the precinct;
- 67.25 (11) be only networked within the polling location on election day, except for the purpose
67.26 of updating absentee ballot records;
- 67.27 (12) meet minimum security, reliability, and networking standards established by the
67.28 Office of the Secretary of State in consultation with the Office of MN.IT Services;
- 67.29 (13) be capable of providing a voter's correct polling place; and
- 67.30 (14) perform any other functions necessary for the efficient and secure administration
67.31 of the participating election, as determined by the secretary of state.

68.1 Electronic rosters used only for election day registration do not need to comply with clauses
68.2 (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need
68.3 to comply with clauses (4) and (5).

68.4 Sec. 19. [201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT
68.5 VOTING RIGHTS.

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

68.12 Sec. 20. Minnesota Statutes 2020, section 202A.11, subdivision 2, is amended to read:

68.13 Subd. 2. **Right to use.** A major political party which has adopted a party name is entitled
68.14 to the exclusive use of that name for the designation of its candidates on all ballots, and no
68.15 candidate of any other political party is entitled to have printed on a ballot as a party
68.16 designation any part of that name. Improper use of a major political party's name may be
68.17 the subject of a petition filed under section 204B.44.

68.18 Sec. 21. Minnesota Statutes 2020, section 202A.16, subdivision 1, is amended to read:

68.19 Subdivision 1. **Eligible voters.** Only those individuals who are or will be eligible to vote
68.20 at the time of the next state general election, may vote or be elected a delegate or officer at
68.21 the precinct caucus. An eligible voter may vote or be elected a delegate or officer only in
68.22 the precinct where the voter ~~resides~~ maintains residence at the time of the caucus.

68.23 Sec. 22. Minnesota Statutes 2020, section 203B.01, subdivision 3, is amended to read:

68.24 Subd. 3. **Military.** "Military" means the Army, Navy, Air Force, Marine Corps, Coast
68.25 Guard or Merchant Marine of the United States, all other uniformed services as defined in
68.26 United States Code, title 52, section 20310, and military forces as defined by section 190.05,
68.27 subdivision 3, or any eligible citizen of Minnesota enrolled as a student at the United States
68.28 Naval Academy, the United States Coast Guard Academy, the United States Merchant
68.29 Marine Academy, the United States Air Force Academy, or the United States Military
68.30 Academy.

69.1 Sec. 23. Minnesota Statutes 2020, section 203B.01, is amended by adding a subdivision
69.2 to read:

69.3 Subd. 5. **Utility worker.** "Utility worker" means an employee of a public utility as
69.4 defined by section 216B.02, subdivision 4.

69.5 Sec. 24. Minnesota Statutes 2020, section 203B.02, is amended by adding a subdivision
69.6 to read:

69.7 Subd. 4. **Emergency response providers.** Any trained or certified emergency response
69.8 provider or utility worker who is deployed during the time period authorized by law for
69.9 absentee voting, on election day, or during any state of emergency declared by the President
69.10 of the United States or any governor of any state within the United States may vote by
69.11 absentee ballot either as provided by sections 203B.04 to 203B.15 or sections 203B.16 to
69.12 203B.27.

69.13 Sec. 25. Minnesota Statutes 2020, section 203B.04, subdivision 1, is amended to read:

69.14 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision
69.15 2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election
69.16 may be submitted at any time not less than one day before the day of that election. The
69.17 county auditor shall prepare absentee ballot application forms in the format provided by the
69.18 secretary of state and shall furnish them to any person on request. By January 1 of each
69.19 even-numbered year, the secretary of state shall make the forms to be used available to
69.20 auditors through electronic means. An application submitted pursuant to this subdivision
69.21 shall be in writing. An application may be submitted in person, by electronic facsimile
69.22 device, by electronic mail, or by mail to:

69.23 (1) the county auditor of the county where the applicant maintains residence; or

69.24 (2) the municipal clerk of the municipality, or school district if applicable, where the
69.25 applicant maintains residence.

69.26 For a federal, state, or county election, an absentee ballot application may alternatively be
69.27 submitted electronically through a secure website that shall be maintained by the secretary
69.28 of state for this purpose. Notwithstanding paragraph (b), the secretary of state must require
69.29 applicants using the website to submit the applicant's e-mail address and verifiable Minnesota
69.30 driver's license number, Minnesota state identification card number, or the last four digits
69.31 of the applicant's Social Security number.

70.1 An application submitted electronically under this paragraph may only be transmitted to
70.2 the county auditor for processing if the secretary of state has verified the application
70.3 information matches the information in a government database associated with the applicant's
70.4 driver's license number, state identification card number, or Social Security number. The
70.5 secretary of state must review all unverifiable applications for evidence of suspicious activity
70.6 and must forward any such application to an appropriate law enforcement agency for
70.7 investigation.

70.8 (b) An application shall be approved if it is timely received, signed and dated by the
70.9 applicant, contains the applicant's name and residence and mailing addresses, date of birth,
70.10 and at least one of the following:

70.11 (1) the applicant's Minnesota driver's license number;

70.12 (2) Minnesota state identification card number;

70.13 (3) the last four digits of the applicant's Social Security number; or

70.14 (4) a statement that the applicant does not have any of these numbers.

70.15 (c) To be approved, the application must contain an oath that the information contained
70.16 on the form is accurate, that the applicant is applying on the applicant's own behalf, and
70.17 that the applicant is signing the form under penalty of perjury.

70.18 (d) An applicant's full date of birth, Minnesota driver's license or state identification
70.19 number, and the last four digits of the applicant's Social Security number must not be made
70.20 available for public inspection. An application may be submitted to the county auditor or
70.21 municipal clerk by an electronic facsimile device. An application mailed or returned in
70.22 person to the county auditor or municipal clerk on behalf of a voter by a person other than
70.23 the voter must be deposited in the mail or returned in person to the county auditor or
70.24 municipal clerk within ten days after it has been dated by the voter and no later than six
70.25 days before the election. The absentee ballot applications or a list of persons applying for
70.26 an absentee ballot may not be made available for public inspection until the close of voting
70.27 on election day, except as authorized in section 203B.12, and must be available to the public
70.28 in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

70.29 (e) An application under this subdivision may contain an application under subdivision
70.30 5 to automatically receive an absentee ballot application.

71.1 Sec. 26. Minnesota Statutes 2020, section 203B.081, subdivision 1, is amended to read:

71.2 Subdivision 1. **Location; timing.** An eligible voter may vote by absentee ballot in the
71.3 office of the county auditor and at any other polling place designated by the county auditor
71.4 during the 46 days before the election, except as provided in this section. The county auditor
71.5 shall make such polling place designations at least 14 weeks before the election. Voters
71.6 casting absentee ballots in person for a town election held in March may do so during the
71.7 30 days before the election.

71.8 Sec. 27. Minnesota Statutes 2020, section 203B.081, subdivision 2, is amended to read:

71.9 Subd. 2. ~~Town elections~~ Voting booth; electronic ballot marker. ~~Voters casting~~
71.10 ~~absentee ballots in person for a town election held in March may do so during the 30 days~~
71.11 ~~before the election. The county auditor shall make such designations at least 14 weeks before~~
71.12 ~~the election. For purposes of this section, the county auditor must make available in each~~
71.13 ~~polling place (1) at least one voting booth in each polling place must be made available by~~
71.14 ~~the county auditor for this purpose. The county auditor must also make available, and (2)~~
71.15 ~~at least one electronic ballot marker in each polling place that has implemented a voting~~
71.16 ~~system that is accessible for individuals with disabilities pursuant to section 206.57,~~
71.17 ~~subdivision 5.~~

71.18 Sec. 28. Minnesota Statutes 2020, section 203B.081, subdivision 3, is amended to read:

71.19 Subd. 3. **Alternative procedure.** (a) The county auditor may make available a ballot
71.20 counter and ballot box for use by the voters during the ~~seven~~ 14 days before the election.
71.21 If a ballot counter and ballot box is provided, a voter must be given the option either (1) to
71.22 vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the
71.23 manner provided in this subdivision.

71.24 (b) If a voter chooses to vote in the manner provided in this subdivision, the voter must
71.25 state the voter's name, address, and date of birth to the county auditor or municipal clerk.
71.26 The voter shall sign a voter's certificate, which must include the voter's name, identification
71.27 number, and the certification required by section 201.071, subdivision 1. The signature of
71.28 an individual on the voter's certificate and the issuance of a ballot to the individual is evidence
71.29 of the intent of the individual to vote at that election.

71.30 (c) After signing the voter's certificate, the voter shall be issued a ballot and immediately
71.31 retire to a voting station or other designated location in the polling place to mark the ballot.
71.32 The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter

72.1 may return it to the election official in exchange for a new ballot. After completing the
72.2 ballot, the voter shall deposit the ballot into the ballot box.

72.3 (d) The election official must immediately record that the voter has voted in the manner
72.4 provided in section 203B.121, subdivision 3.

72.5 (e) The election duties required by this subdivision must be performed by the county
72.6 auditor, municipal clerk, or a deputy of the auditor or clerk.

72.7 (f) The secretary of state must prepare voting instructions in languages other than English
72.8 for use by voters casting a ballot under this subdivision. At a minimum, the instructions
72.9 must be prepared and made available in print, electronic, and audiovisual formats in the
72.10 Spanish, Hmong, and Somali languages.

72.11 Sec. 29. Minnesota Statutes 2020, section 203B.11, subdivision 1, is amended to read:

72.12 Subdivision 1. **Generally.** (a) Each full-time municipal clerk or school district clerk
72.13 who has authority under section 203B.05 to administer absentee voting laws shall designate
72.14 election judges to deliver absentee ballots in accordance with this section. The county auditor
72.15 must also designate election judges to perform the duties in this section. A ballot may be
72.16 delivered only to an eligible voter who is a temporary or permanent resident or patient in a
72.17 health care facility or hospital located in the municipality in which the voter maintains
72.18 residence. The ballots shall be delivered by two election judges, each of whom is affiliated
72.19 with a different major political party. When the election judges deliver or return ballots as
72.20 provided in this section, they shall travel together in the same vehicle. Both election judges
72.21 shall be present when an applicant completes the certificate of eligibility and marks the
72.22 absentee ballots, and may assist an applicant as provided in section 204C.15. The election
72.23 judges shall deposit the return envelopes containing the marked absentee ballots in a sealed
72.24 container and return them to the clerk on the same day that they are delivered and marked.

72.25 (b) At the discretion of a full-time municipal clerk, school district clerk, or county auditor,
72.26 absentee ballots may be delivered in the same manner as prescribed in paragraph (a) to a
72.27 veterans home operated under chapter 198 or a shelter for battered women as defined in
72.28 section 611A.37, subdivision 4.

72.29 Sec. 30. Minnesota Statutes 2020, section 203B.12, subdivision 7, is amended to read:

72.30 Subd. 7. **Names of persons; rejected absentee ballots.** (a) The names of voters who
72.31 have submitted an absentee ballot to the county auditor or municipal clerk that has not been

73.1 accepted may not be made available for public inspection until the close of voting on election
73.2 day.

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

73.5 Sec. 31. Minnesota Statutes 2020, section 203B.121, subdivision 2, is amended to read:

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

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

73.17 (1) the voter's name and address on the ~~return~~ signature envelope are the same as the
73.18 information provided on the absentee ballot application;

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

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

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

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

73.29 (6) the voter has not already voted at that election, either in person or, if it is after the
73.30 close of business on the ~~seventh~~ 14th day before the election, by absentee ballot.

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

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

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

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

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

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

74.23 (2) the reason for rejection; and

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

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

74.28 Sec. 32. Minnesota Statutes 2020, section 203B.121, subdivision 3, is amended to read:

74.29 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk
74.30 must immediately record that a voter's absentee ballot has been accepted. After the close
74.31 of business on the ~~seventh~~ 14th day before the election, a voter whose record indicates that
74.32 an absentee ballot has been accepted must not be permitted to cast another ballot at that

75.1 election. In a state primary, general, or state special election for federal or state office, the
75.2 auditor or clerk must also record this information in the statewide voter registration system.

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

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

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

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

75.10 The record of a voter whose absentee ballot was received after the close of business on
75.11 the ~~seventh~~ 14th day before the election is not required to be marked on the roster or
75.12 contained in a supplemental report as required by this paragraph.

75.13 Sec. 33. Minnesota Statutes 2020, section 203B.121, subdivision 4, is amended to read:

75.14 Subd. 4. **Opening of envelopes.** After the close of business on the ~~seventh~~ 14th day
75.15 before the election, the ballots from ~~return~~ secrecy envelopes within the signature envelopes
75.16 marked "Accepted" may be opened, duplicated as needed in the manner provided in section
75.17 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the
75.18 appropriate ballot box. If more than one voted ballot is enclosed in the ballot envelope, the
75.19 ballots must be returned in the manner provided by section 204C.25 for return of spoiled
75.20 ballots, and may not be counted.

75.21 Sec. 34. Minnesota Statutes 2020, section 203B.16, subdivision 2, is amended to read:

75.22 Subd. 2. **Indefinite residence outside United States.** Sections 203B.16 to 203B.27
75.23 provide the exclusive voting procedure for United States citizens who are living indefinitely
75.24 outside the territorial limits of the United States who meet all the qualifications of an eligible
75.25 voter except residence in Minnesota, but who are authorized by federal law to vote in
75.26 Minnesota because they or, if they have never ~~resided~~ maintained residence in the United
75.27 States, a parent maintained residence in Minnesota for at least 20 days immediately prior
75.28 to their departure from the United States. Individuals described in this subdivision shall be
75.29 permitted to vote only for the offices of president, vice-president, senator in Congress, and
75.30 representative in Congress.

76.1 Sec. 35. Minnesota Statutes 2020, section 203B.24, subdivision 1, is amended to read:

76.2 Subdivision 1. **Check of voter eligibility; proper execution of certificate.** Upon receipt
76.3 of an absentee ballot returned as provided in sections 203B.16 to 203B.27, the election
76.4 judges shall compare the voter's name with the names recorded under section 203B.19 in
76.5 the statewide registration system to insure that the ballot is from a voter eligible to cast an
76.6 absentee ballot under sections 203B.16 to 203B.27. The election judges shall mark the return
76.7 envelope "Accepted" and initial or sign the return envelope below the word "Accepted" if
76.8 the election judges are satisfied that:

76.9 (1) the voter's name and address on the return envelope appears in substantially the same
76.10 form as on the application records provided to the election judges by the county auditor;

76.11 (2) the voter has signed the federal oath prescribed pursuant to section 705(b)(2) of the
76.12 Help America Vote Act, Public Law 107-252;

76.13 (3) the voter has set forth the same voter's passport number, or Minnesota driver's license
76.14 or state identification card number, or the last four digits of the voter's Social Security
76.15 number as submitted on the application, if the voter has one of these documents;

76.16 (4) the voter is not known to have died; and

76.17 (5) the voter has not already voted at that election, either in person or by absentee ballot.

76.18 If the identification number described in clause (3) does not match the number as
76.19 submitted on the application, the election judges must make a reasonable effort to satisfy
76.20 themselves through other information provided by the applicant, or by an individual
76.21 authorized to apply on behalf of the voter, that the ballots were returned by the same person
76.22 to whom the ballots were transmitted.

76.23 An absentee ballot cast pursuant to sections 203B.16 to 203B.27 may only be rejected
76.24 for the lack of one of clauses (1) to (5). In particular, failure to place the ballot within the
76.25 ~~security~~ secrecy envelope before placing it in the outer white envelope is not a reason to
76.26 reject an absentee ballot.

76.27 Election judges must note the reason for rejection on the back of the envelope in the
76.28 space provided for that purpose.

76.29 Failure to return unused ballots shall not invalidate a marked ballot, but a ballot shall
76.30 not be counted if the certificate on the return envelope is not properly executed. In all other
76.31 respects the provisions of the Minnesota Election Law governing deposit and counting of
76.32 ballots shall apply. Notwithstanding other provisions of this section, the counting of the
76.33 absentee ballot of a deceased voter does not invalidate the election.

77.1 Sec. 36. Minnesota Statutes 2020, section 204B.06, subdivision 1b, is amended to read:

77.2 Subd. 1b. **Address and telephone number.** (a) An affidavit of candidacy must state a
77.3 telephone number where the candidate can be contacted. An affidavit must also state the
77.4 candidate's address of residence as determined under section 200.031, or at the candidate's
77.5 request in accordance with paragraph (c), the candidate's campaign contact address. The
77.6 form for the affidavit of candidacy must allow the candidate to request, if eligible, that the
77.7 candidate's address of residence be classified as private data, and to provide the certification
77.8 required under paragraph (c) for classification of that address.

77.9 (b) For an office whose residency requirement must be satisfied by the close of the filing
77.10 period, a registered voter in this state may request in writing that the filing officer receiving
77.11 the affidavit of candidacy review the address as provided in this paragraph, at any time up
77.12 to one day after the last day for filing for office. If requested, the filing officer must determine
77.13 whether the address provided in the affidavit of candidacy is within the area represented by
77.14 the office the candidate is seeking. If the filing officer determines that the address is not
77.15 within the area represented by the office, the filing officer must immediately notify the
77.16 candidate and the candidate's name must be removed from the ballot for that office. A
77.17 determination made by a filing officer under this paragraph is subject to judicial review
77.18 under section 204B.44.

77.19 (c) If the candidate requests that the candidate's address of residence be classified as
77.20 private data, the candidate must list the candidate's address of residence on a separate form
77.21 to be attached to the affidavit. The candidate must also certify on the affidavit that either:

77.22 (1) a police report has been submitted or, an order for protection has been issued, or the
77.23 candidate has a reasonable fear in regard to the safety of the candidate or the candidate's
77.24 family; or

77.25 ~~that~~ (2) the candidate's address is otherwise private pursuant to Minnesota law.

77.26 The address of residence provided by a candidate who makes a request for classification
77.27 on the candidate's affidavit of candidacy and provides the certification required by this
77.28 paragraph is classified as private data, as defined in section 13.02, subdivision 12, but may
77.29 be reviewed by the filing officer as provided in this subdivision.

77.30 (d) The requirements of this subdivision do not apply to affidavits of candidacy for a
77.31 candidate for: (1) judicial office; (2) the office of county attorney; or (3) county sheriff.

78.1 Sec. 37. Minnesota Statutes 2020, section 204B.06, subdivision 4a, is amended to read:

78.2 Subd. 4a. **State and local offices.** Candidates who seek nomination for the following
78.3 offices shall state the following additional information on the affidavit:

78.4 (1) for governor or lieutenant governor, that on the first Monday of the next January the
78.5 candidate will be 25 years of age or older and, on the day of the state general election, a
78.6 resident of Minnesota for not less than one year;

78.7 (2) for supreme court justice, court of appeals judge, or district court judge, that the
78.8 candidate is learned in the law;

78.9 (3) for county, municipal, school district, or special district office, that the candidate
78.10 meets any other qualifications for that office prescribed by law;

78.11 (4) for senator or representative in the legislature, that on the day of the general or special
78.12 election to fill the office the candidate will have ~~resided~~ maintained residence not less than
78.13 one year in the state and not less than six months in the legislative district from which the
78.14 candidate seeks election.

78.15 Sec. 38. Minnesota Statutes 2020, section 204B.09, subdivision 1, is amended to read:

78.16 Subdivision 1. **Candidates in state and county general elections.** (a) Except as
78.17 otherwise provided by this subdivision, affidavits of candidacy and nominating petitions
78.18 for county, state, and federal offices filled at the state general election shall be filed not
78.19 more than 84 days nor less than 70 days before the state primary. The affidavit may be
78.20 prepared and signed at any time between 60 days before the filing period opens and the last
78.21 day of the filing period.

78.22 (b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed
78.23 in the presence of a notarial officer or an individual authorized to administer oaths under
78.24 section 358.10.

78.25 (c) This provision does not apply to candidates for presidential elector nominated by
78.26 major political parties. Major party candidates for presidential elector are certified under
78.27 section 208.03. Other candidates for presidential electors may file petitions at least 77 days
78.28 before the general election day pursuant to section 204B.07. Nominating petitions to fill
78.29 vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or
78.30 petition shall be accepted later than 5:00 p.m. on the last day for filing.

78.31 (d) Affidavits and petitions for county offices must be filed with the county auditor of
78.32 that county. Affidavits and petitions for federal offices must be filed with the secretary of

79.1 state. Affidavits and petitions for state offices must be filed with the secretary of state or
79.2 with the county auditor of the county in which the candidate ~~resides~~ maintains residence.

79.3 (e) Affidavits other than those filed pursuant to subdivision 1a must be submitted by
79.4 mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and must
79.5 be received by 5:00 p.m. on the last day for filing.

79.6 Sec. 39. Minnesota Statutes 2020, section 204B.09, subdivision 3, is amended to read:

79.7 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who
79.8 wants write-in votes for the candidate to be counted must file a written request with the
79.9 filing office for the office sought not more than 84 days before the primary and no later
79.10 than the ~~seventh~~ 14th day before the general election. The filing officer shall provide copies
79.11 of the form to make the request. ~~No~~ The filing officer shall not accept a written request ~~shall~~
79.12 ~~be accepted~~ later than 5:00 p.m. on the last day for filing a written request.

79.13 (b) A candidate for president of the United States who files a request under this
79.14 subdivision must ~~include the name of a candidate for vice president of the United States.~~
79.15 file jointly with another individual seeking nomination as a candidate for vice president of
79.16 the United States. A candidate for vice president of the United States who files a request
79.17 under this subdivision must file jointly with another individual seeking nomination as a
79.18 candidate for president of the United States. The request must also include the name of at
79.19 least one candidate for presidential elector. The total number of names of candidates for
79.20 presidential elector on the request may not exceed the total number of electoral votes to be
79.21 cast by Minnesota in the presidential election.

79.22 (c) A candidate for governor who files a request under this subdivision must ~~include the~~
79.23 ~~name of a candidate for lieutenant governor.~~ file jointly with another individual seeking
79.24 nomination as a candidate for lieutenant governor. A candidate for lieutenant governor who
79.25 files a request under this subdivision must file jointly with another individual seeking
79.26 nomination as a candidate for governor.

79.27 Sec. 40. Minnesota Statutes 2020, section 204B.13, is amended by adding a subdivision
79.28 to read:

79.29 Subd. 6a. **Candidates for federal office.** This section does not apply to a vacancy in
79.30 nomination for a federal office.

80.1 Sec. 41. Minnesota Statutes 2020, section 204B.16, subdivision 1, is amended to read:

80.2 Subdivision 1. **Authority; location.** (a) By December 31 of each year, the governing
80.3 body of each municipality and of each county with precincts in unorganized territory must
80.4 designate by ordinance or resolution ~~a polling place for each election precinct. The polling~~
80.5 ~~places designated in the ordinance or resolution are the polling places for the following~~
80.6 ~~calendar year, unless a change is made:~~ any changes to a polling place location. A polling
80.7 place must be maintained for the following calendar year unless changed:

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

80.9 ~~(1)~~ (2) pursuant to section 204B.175;

80.10 ~~(2)~~ (3) because a polling place has become unavailable; or

80.11 ~~(3)~~ (4) because a township designates one location for all state, county, and federal
80.12 elections and one location for all township only elections.

80.13 (b) Polling places must be designated and ballots must be distributed so that no one is
80.14 required to go to more than one polling place to vote in a school district and municipal
80.15 election held on the same day. The polling place for a precinct in a city or in a school district
80.16 located in whole or in part in the metropolitan area defined by section 200.02, subdivision
80.17 24, shall be located within the boundaries of the precinct or within one mile of one of those
80.18 boundaries unless a single polling place is designated for a city pursuant to section 204B.14,
80.19 subdivision 2, or a school district pursuant to section 205A.11. The polling place for a
80.20 precinct in unorganized territory may be located outside the precinct at a place which is
80.21 convenient to the voters of the precinct. If no suitable place is available within a town or
80.22 within a school district located outside the metropolitan area defined by section 200.02,
80.23 subdivision 24, then the polling place for a town or school district may be located outside
80.24 the town or school district within five miles of one of the boundaries of the town or school
80.25 district.

80.26 Sec. 42. Minnesota Statutes 2020, section 204B.19, subdivision 6, is amended to read:

80.27 Subd. 6. **High school students.** Notwithstanding any other requirements of this section,
80.28 a student enrolled in a high school in Minnesota or who is in a home school in compliance
80.29 with sections 120A.22 and 120A.24, who has attained the age of 16 is eligible to be appointed
80.30 as a ~~without party affiliation~~ trainee election judge, without party affiliation, in the county
80.31 in which the student ~~resides~~ maintains residence, or a county adjacent to the county in which
80.32 the student ~~resides~~ maintains residence. The student must meet qualifications for trainee
80.33 election judges specified in rules of the secretary of state. A student appointed as a trainee

81.1 election judge may be excused from school attendance during the hours that the student is
81.2 serving as a trainee election judge if the student submits a written request signed and
81.3 approved by the student's parent or guardian to be absent from school and a certificate from
81.4 the appointing authority stating the hours during which the student will serve as a trainee
81.5 election judge to the principal of the school at least ten days prior to the election. Students
81.6 shall not serve as trainee election judges after 10:00 p.m. Notwithstanding section 177.24
81.7 to the contrary, trainee election judges may be paid not less than two-thirds of the minimum
81.8 wage for a large employer. The principal of the school may approve a request to be absent
81.9 from school conditioned on acceptable academic performance at the time of service as a
81.10 trainee election judge. A school board may determine that students are eligible to receive
81.11 credit for serving as a trainee election judge.

81.12 Sec. 43. Minnesota Statutes 2020, section 204B.21, subdivision 2, is amended to read:

81.13 Subd. 2. **Appointing authority; powers and duties.** (a) Election judges for precincts
81.14 in a municipality shall be appointed by the governing body of the municipality. Election
81.15 judges for precincts in unorganized territory and for performing election-related duties
81.16 assigned by the county auditor shall be appointed by the county board. Election judges for
81.17 a precinct composed of two or more municipalities must be appointed by the governing
81.18 body of the municipality or municipalities responsible for appointing election judges as
81.19 provided in the agreement to combine for election purposes.

81.20 (b) Except as otherwise provided in this section, appointments shall be made from the
81.21 list of voters who ~~reside~~ maintain residence in each precinct, furnished pursuant to subdivision
81.22 1, subject to the eligibility requirements and other qualifications established or authorized
81.23 under section 204B.19. At least two election judges in each precinct must be affiliated with
81.24 different major political parties.

81.25 (c) If no lists have been furnished or if additional election judges are required after all
81.26 listed names in that municipality have been exhausted, the appointing authority may appoint
81.27 other individuals who meet the qualifications to serve as an election judge, including persons
81.28 on the list furnished pursuant to subdivision 1 who indicated a willingness to travel to the
81.29 municipality, and persons who are not affiliated with a major political party. An individual
81.30 who is appointed from a source other than the list furnished pursuant to subdivision 1 must
81.31 provide to the appointing authority the individual's major political party affiliation or a
81.32 statement that the individual does not affiliate with any major political party. An individual
81.33 who refuses to provide the individual's major political party affiliation or a statement that

82.1 the individual does not affiliate with a major political party must not be appointed as an
82.2 election judge.

82.3 (d) The appointing authority must, whenever possible, recruit bilingual high school
82.4 students to serve as trainee election judges pursuant to section 204B.19.

82.5 (e) The appointments shall be made at least 25 days before the election at which the
82.6 election judges will serve, except that the appointing authority may pass a resolution
82.7 authorizing the appointment of additional election judges within the 25 days before the
82.8 election if the appointing authority determines that additional election judges will be required.

82.9 Sec. 44. Minnesota Statutes 2020, section 204B.36, subdivision 2, is amended to read:

82.10 Subd. 2. **Candidates and offices.** The name of each candidate shall be printed at a right
82.11 angle to the length of the ballot. At a general election the name of the political party or the
82.12 political principle of each candidate for partisan office shall be printed above or below the
82.13 name of the candidate. The name of a political party or a political principle shall be printed
82.14 in capital and lowercase letters of the same type, with the capital letters at least one-half the
82.15 height of the capital letters used for names of the candidates. At a general or special election,
82.16 blank lines containing the words "write-in, if any" shall be printed below the name of the
82.17 last candidate for each office, or below the title of the office if no candidate has filed for
82.18 that office, so that a voter may write in the names of individuals whose names are not on
82.19 the ballot. One blank line shall be printed for each officer of that kind to be elected. At a
82.20 primary election, no blank lines shall be provided for writing in the names of individuals
82.21 whose names do not appear on the primary ballot.

82.22 On the left side of the ballot at the same level with the name of each candidate and each
82.23 blank line shall be printed an oval or similar target shape in which the voter may designate
82.24 a vote by filling in the oval or similar mark if a different target shape is used. Each oval or
82.25 target shape shall be the same size. Above the first name on each ballot shall be instructions
82.26 for voting. Directly underneath the official title of each office shall be printed the words
82.27 "Vote for one" or "Vote for up to ..." (any greater number to be elected).

82.28 Sec. 45. Minnesota Statutes 2020, section 204B.44, is amended to read:

82.29 **204B.44 ERRORS AND OMISSIONS; REMEDY.**

82.30 (a) Any individual may file a petition in the manner provided in this section for the
82.31 correction of any of the following errors, omissions, or wrongful acts which have occurred
82.32 or are about to occur:

83.1 (1) an error or omission in the placement or printing of the name or description of any
83.2 candidate or any question on any official ballot, including the placement of a candidate on
83.3 the official ballot who is not eligible to hold the office for which the candidate has filed;

83.4 (2) any other error in preparing or printing any official ballot;

83.5 (3) failure of the chair or secretary of the proper committee of a major political party to
83.6 execute or file a certificate of nomination;

83.7 (4) any wrongful act, omission, or error of any election judge, municipal clerk, county
83.8 auditor, canvassing board or any of its members, the secretary of state, or any other individual
83.9 charged with any duty concerning an election.

83.10 (b) A major political party may file a petition in the manner provided in this section to
83.11 prevent the use of the party's name on an official ballot in a manner that violates section
83.12 202A.11, subdivision 2.

83.13 ~~(b)~~ (c) The petition shall describe the error, omission, or wrongful act and the correction
83.14 sought by the petitioner. The petition shall be filed with any judge of the supreme court in
83.15 the case of an election for state or federal office or any judge of the district court in that
83.16 county in the case of an election for county, municipal, or school district office. The petitioner
83.17 shall serve a copy of the petition on the officer, board or individual charged with the error,
83.18 omission, or wrongful act, on all candidates for the office in the case of an election for state,
83.19 federal, county, municipal, or school district office, and on any other party as required by
83.20 the court. Upon receipt of the petition the court shall immediately set a time for a hearing
83.21 on the matter and order the officer, board or individual charged with the error, omission or
83.22 wrongful act to correct the error or wrongful act or perform the duty or show cause for not
83.23 doing so. In the case of a review of a candidate's eligibility to hold office, the court may
83.24 order the candidate to appear and present sufficient evidence of the candidate's eligibility.
83.25 In the case of a review of a candidate's major political party designation, the court may order
83.26 the candidate to appear and present sufficient evidence of the candidate's right to use the
83.27 party's name. Evidence of a candidate's nomination for endorsement at a party's endorsing
83.28 convention or engagement in the party's governance structure establishes a rebuttable
83.29 presumption that the candidate is entitled to be designated by that party's name on a ballot.
83.30 The court shall issue its findings and a final order for appropriate relief as soon as possible
83.31 after the hearing. Failure to obey the order is contempt of court.

84.1 Sec. 46. Minnesota Statutes 2020, section 204B.45, subdivision 1, is amended to read:

84.2 Subdivision 1. **Authorization.** A town of any size ~~not located in a metropolitan county~~
84.3 ~~as defined by section 473.121~~, or a city having fewer than 400 registered voters on June 1
84.4 of an election year ~~and not located in a metropolitan county as defined by section 473.121~~,
84.5 may provide balloting by mail at any municipal, county, or state election with no polling
84.6 place other than the office of the auditor or clerk or other locations designated by the auditor
84.7 or clerk. The governing body may apply to the county auditor for permission to conduct
84.8 balloting by mail. The county board may provide for balloting by mail in unorganized
84.9 territory. The governing body of any municipality may designate for mail balloting any
84.10 precinct having fewer than 100 registered voters, subject to the approval of the county
84.11 auditor.

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

84.14 Sec. 47. Minnesota Statutes 2020, section 204B.45, subdivision 2, is amended to read:

84.15 Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given
84.16 at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before
84.17 a regularly scheduled election and not more than 30 days nor later than 14 days before any
84.18 other election, the auditor shall mail ballots by nonforwardable mail to all voters registered
84.19 in the city, town, or unorganized territory. No later than 14 days before the election, the
84.20 auditor must make a subsequent mailing of ballots to those voters who register to vote after
84.21 the initial mailing but before the 20th day before the election. Eligible voters not registered
84.22 at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot
84.23 return envelopes, with return postage provided, must be preaddressed to the auditor or clerk
84.24 and the voter may return the ballot by mail or in person to the office of the auditor or clerk.
84.25 The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot
84.26 return envelopes and mark them "accepted" or "rejected" within three days of receipt if
84.27 there are 14 or fewer days before election day, or within five days of receipt if there are
84.28 more than 14 days before election day. The board may consist of deputy county auditors or
84.29 deputy municipal clerks who have received training in the processing and counting of mail
84.30 ballots, who need not be affiliated with a major political party. Election judges performing
84.31 the duties in this section must be of different major political parties, unless they are exempt
84.32 from that requirement under section 205.075, subdivision 4, or section 205A.10. If an
84.33 envelope has been rejected at least five days before the election, the ballots in the envelope
84.34 must remain sealed and the auditor or clerk shall provide the voter with a replacement ballot

85.1 and return envelope in place of the spoiled ballot. If the ballot is rejected within five days
85.2 of the election, the envelope must remain sealed and the official in charge of the ballot board
85.3 must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's
85.4 ballot has been rejected. The official must document the attempts made to contact the voter.

85.5 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to
85.6 indicate that the voter has already cast a ballot in that election. After the close of business
85.7 on the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked
85.8 "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86,
85.9 subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

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

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

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

85.18 Sec. 48. Minnesota Statutes 2020, section 204B.46, is amended to read:

85.19 **204B.46 MAIL ELECTIONS; QUESTIONS.**

85.20 A county, municipality, or school district submitting questions to the voters at a special
85.21 election may conduct an election by mail with no polling place other than the office of the
85.22 auditor or clerk. No offices may be voted on at a mail election, except in overlapping school
85.23 and municipality jurisdictions, where a mail election may include an office when one of the
85.24 jurisdictions also has a question on the ballot. Notice of the election must be given to the
85.25 county auditor at least 74 days prior to the election. This notice shall also fulfill the
85.26 requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must
85.27 be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days
85.28 prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all
85.29 voters registered in the county, municipality, or school district. No later than 14 days before
85.30 the election, the auditor or clerk must make a subsequent mailing of ballots to those voters
85.31 who register to vote after the initial mailing but before the 20th day before the election.
85.32 Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant
85.33 to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and

86.1 absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days
86.2 of receipt if there are 14 or fewer days before election day, or within five days of receipt if
86.3 there are more than 14 days before election day. The board may consist of deputy county
86.4 auditors, deputy municipal clerks, or deputy school district clerks who have received training
86.5 in the processing and counting of mail ballots, who need not be affiliated with a major
86.6 political party. Election judges performing the duties in this section must be of different
86.7 major political parties, unless they are exempt from that requirement under section 205.075,
86.8 subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before
86.9 the election, the ballots in the envelope must remain sealed and the auditor or clerk must
86.10 provide the voter with a replacement ballot and return envelope in place of the spoiled ballot.
86.11 If the ballot is rejected within five days of the election, the envelope must remain sealed
86.12 and the official in charge of the ballot board must attempt to contact the voter by telephone
86.13 or e-mail to notify the voter that the voter's ballot has been rejected. The official must
86.14 document the attempts made to contact the voter.

86.15 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to
86.16 indicate that the voter has already cast a ballot in that election. After the close of business
86.17 on the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked
86.18 "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86,
86.19 subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

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

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

86.25 Sec. 49. Minnesota Statutes 2020, section 204C.05, subdivision 1a, is amended to read:

86.26 Subd. 1a. **Elections; organized town.** The governing body of a town with less than 500
86.27 inhabitants according to the most recent federal decennial census, which is located outside
86.28 the metropolitan area as defined in section 200.02, subdivision 24, may fix a later time for
86.29 voting to begin at state primary, special, or general elections, if approved by a vote of the
86.30 town electors at the annual town meeting. The question of shorter voting hours must be
86.31 included in the notice of the annual town meeting before the question may be submitted to
86.32 the electors at the meeting. The later time may not be later than 10:00 a.m. for special,
86.33 primary, or general elections. The town clerk shall either post or publish notice of the

87.1 changed hours and notify the county auditor and the secretary of state of the change 30 days
87.2 before the election.

87.3 Sec. 50. Minnesota Statutes 2020, section 204C.05, subdivision 1b, is amended to read:

87.4 Subd. 1b. **Elections; unorganized territory.** An unorganized territory or unorganized
87.5 territories which constitute a voting district may have shorter voting hours if at least 20
87.6 percent of the registered voters residing in the voting district sign a petition for shorter hours
87.7 and present it to the county auditor and secretary of state at least 30 days before the election.
87.8 The later time may not be later than 10:00 a.m. for special, primary, or general elections.
87.9 The county auditor shall either post or publish notice of the changed hours, within the voting
87.10 district, 30 days before the election.

87.11 Sec. 51. Minnesota Statutes 2020, section 204C.10, is amended to read:

87.12 **204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;**
87.13 **VOTER RECEIPT.**

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

87.16 (1) is at least 18 years of age;

87.17 (2) a citizen of the United States;

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

87.19 (4) maintains residence at the address shown;

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

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

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

87.26 (8) is registered; and

87.27 (9) has not already voted in the election.

87.28 The roster must also state: "I understand that deliberately providing false information
87.29 is a felony punishable by not more than five years imprisonment and a fine of not more than
87.30 \$10,000, or both."

88.1 (b) At the presidential nomination primary, the polling place roster must also state: "I
88.2 am in general agreement with the principles of the party for whose candidate I intend to
88.3 vote." This statement must appear separately from the statements required in paragraph (a).
88.4 The felony penalty provided for in paragraph (a) does not apply to this paragraph.

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

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

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

88.15 Sec. 52. Minnesota Statutes 2020, section 204C.15, subdivision 1, is amended to read:

88.16 Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for
88.17 assistance because of inability to read English or physical inability to mark a ballot may
88.18 obtain the aid of two election judges who are members of different major political parties.
88.19 The election judges shall mark the ballots as directed by the voter and in as secret a manner
88.20 as circumstances permit. A voter in need of assistance may alternatively obtain the assistance
88.21 of any individual the voter chooses. Only the following persons may not provide assistance
88.22 to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the
88.23 voter's union, or a candidate for election. The person who assists the voter shall,
88.24 unaccompanied by an election judge, retire with that voter to a booth and mark the ballot
88.25 as directed by the voter. ~~No person who assists another voter as provided in the preceding~~
88.26 ~~sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots
88.27 are deposited, the voter may show them privately to an election judge to ascertain that they
88.28 are marked as the voter directed. An election judge or other individual assisting a voter shall
88.29 not in any manner request, persuade, induce, or attempt to persuade or induce the voter to
88.30 vote for any particular political party or candidate. The election judges or other individuals
88.31 who assist the voter shall not reveal to anyone the name of any candidate for whom the
88.32 voter has voted or anything that took place while assisting the voter.

89.1 Sec. 53. Minnesota Statutes 2020, section 204C.21, subdivision 1, is amended to read:

89.2 Subdivision 1. **Method.** The election judges shall take all the ballots of the same kind
89.3 and count the votes cast for each office or question, beginning with the first office or question
89.4 on the ballot. They shall make one pile of the ballots for each candidate who received votes
89.5 for that office, or one pile for the "Yes" votes and one pile for the "No" votes on a question.
89.6 They shall make a pile of totally defective ballots and a pile of totally blank ballots. They
89.7 shall make a pile of ballots that are not totally defective but are defective with respect to
89.8 the office or question being counted and a pile of ballots that are not totally blank but are
89.9 blank with respect to the office or question being counted. After the separation into piles,
89.10 the election judges shall examine each pile and remove and place in the proper pile any
89.11 ballots that are found in the wrong pile. The election judges shall count the totally blank
89.12 and totally defective ballots and set them aside until the counting is over for that ballot. In
89.13 conducting the count of blank ballots, election judges may presume that the total count
89.14 provided for prepackaged ballots is correct. The election judges may pile ballots crosswise
89.15 in groups of 25 in the same pile to facilitate counting. When their counts agree, the election
89.16 judges shall announce the number of ballots in each pile, and shall write the number in the
89.17 proper place on the summary statements.

89.18 The election judges shall then return all the counted ballots, and all the partially defective
89.19 or partially blank ballots, to the original pile to be separated and counted in the same manner
89.20 for the next office or question.

89.21 Sec. 54. Minnesota Statutes 2020, section 204C.27, is amended to read:

89.22 **204C.27 DELIVERY OF RETURNS TO COUNTY AUDITORS.**

89.23 One or more of the election judges in each precinct shall deliver ~~two sets~~ one set of
89.24 summary statements; all spoiled ballots; and the envelopes containing the ballots either
89.25 directly to the municipal clerk for transmittal to the county auditor's office or directly to the
89.26 county auditor's office as soon as possible after the vote counting is completed but no later
89.27 than 24 hours after the end of the hours for voting. One or more election judges shall deliver
89.28 the remaining set of summary statements and returns, all unused and spoiled municipal and
89.29 school district ballots, the envelopes containing municipal and school district ballots, and
89.30 all other things furnished by the municipal or school district clerk, to the municipal or school
89.31 district clerk's office within 24 hours after the end of the hours for voting. The municipal
89.32 or school district clerk shall return all polling place rosters and completed voter registration
89.33 cards to the county auditor within 48 hours after the end of the hours for voting.

90.1 Sec. 55. Minnesota Statutes 2020, section 204C.33, subdivision 3, is amended to read:

90.2 Subd. 3. **State canvass.** The State Canvassing Board shall meet at a public meeting
90.3 space located in the Capitol complex area on the third Tuesday following the state general
90.4 election to canvass the certified copies of the county canvassing board reports received from
90.5 the county auditors and shall prepare a report that states:

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

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

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

90.11 Upon completion of the canvass, the State Canvassing Board shall declare the candidates
90.12 duly elected who received the highest number of votes for each federal and state office. All
90.13 members of the State Canvassing Board shall sign the report and certify its correctness. The
90.14 State Canvassing Board shall declare the result within three days after completing the
90.15 canvass.

90.16 Sec. 56. Minnesota Statutes 2020, section 204C.35, is amended by adding a subdivision
90.17 to read:

90.18 Subd. 2a. **Constitutional amendment recount.** In a state general election when the
90.19 difference between the number of "yes" votes cast on ratification of a proposed constitutional
90.20 amendment is within one-quarter percent of the number of all other ballots cast at the
90.21 election, the canvassing board shall manually recount the votes on that question, including
90.22 the number of "yes" or "no" votes on the question, and the number of ballots that did not
90.23 cast a vote on the question. The results of the recount must be certified by the canvassing
90.24 board as soon as possible.

90.25 Sec. 57. Minnesota Statutes 2020, section 204C.35, subdivision 3, is amended to read:

90.26 Subd. 3. **Scope of recount.** A recount conducted as provided in this section is limited
90.27 in scope to the determination of the number of votes validly cast for the office or question
90.28 to be recounted. Only the ballots cast in the election and the summary statements certified
90.29 by the election judges may be considered in the recount process. Original ballots that have
90.30 been duplicated under section 206.86, subdivision 5, are not within the scope of a recount
90.31 and must not be examined except as provided by a court in an election contest under chapter
90.32 209.

91.1 Sec. 58. Minnesota Statutes 2020, section 204C.36, subdivision 1, is amended to read:

91.2 Subdivision 1. **Publicly funded recounts.** (a) Except as provided in paragraphs (b) and
91.3 (c), a losing candidate for nomination or election to a county, municipal, or school district
91.4 office may request a recount of the votes cast for the nomination or election to that office
91.5 if the difference between the vote cast for that candidate and for a winning candidate for
91.6 nomination or election is less than one-quarter of one percent of the total votes counted for
91.7 that office. In case of offices where two or more seats are being filled from among all the
91.8 candidates for the office, the one-quarter of one percent difference is between the elected
91.9 candidate with the fewest votes and the candidate with the most votes from among the
91.10 candidates who were not elected.

91.11 (b) A losing candidate for nomination or election to a county, municipal, or school
91.12 district office may request a recount of the votes cast for nomination or election to that
91.13 office if the difference between the votes cast for that candidate and for a winning candidate
91.14 for nomination or election is less than one-half of one percent, and the total number of votes
91.15 cast for the nomination or election of all candidates is more than 400 but less than 50,000.
91.16 In cases of offices where two or more seats are being filled from among all the candidates
91.17 for the office, the one-half of one percent difference is between the elected candidate with
91.18 the fewest votes and the candidate with the most votes from among the candidates who
91.19 were not elected.

91.20 (c) A losing candidate for nomination or election to a county, municipal, or school district
91.21 office may request a recount of the votes cast for nomination or election to that office if the
91.22 difference between the vote cast for that candidate and for a winning candidate for nomination
91.23 or election is ten votes or less, and the total number of votes cast for the nomination or
91.24 election of all candidates is no more than 400. In cases of offices where two or more seats
91.25 are being filled from among all the candidates for the office, the ten vote difference is
91.26 between the elected candidate with the fewest votes and the candidate with the most votes
91.27 from among the candidates who were not elected.

91.28 (d) Candidates for county offices shall file a written request for the recount with the
91.29 county auditor. Candidates for municipal or school district offices shall file a written request
91.30 with the municipal or school district clerk as appropriate. All requests under this paragraph
91.31 shall be filed by between the close of the canvass of a primary or special primary and 5:00
91.32 p.m. on the fifth day after the canvass of a primary or special primary or by between the
91.33 close of the canvass of a special or general election and 5:00 p.m. on the seventh day of the
91.34 canvass of a special or general election for which a recount is sought.

92.1 (e) Upon receipt of a request made pursuant to this section, the county auditor shall
92.2 recount the votes for a county office at the expense of the county, the governing body of
92.3 the municipality shall recount the votes for a municipal office at the expense of the
92.4 municipality, and the school board of the school district shall recount the votes for a school
92.5 district office at the expense of the school district.

92.6 Sec. 59. Minnesota Statutes 2020, section 204D.08, subdivision 4, is amended to read:

92.7 Subd. 4. **State partisan primary ballot; party columns.** The state partisan primary
92.8 ballot shall be headed by the words "State Partisan Primary Ballot." The ballot shall be
92.9 printed on white paper. There must be at least three vertical columns on the ballot and each
92.10 major political party shall have a separate column headed by the words "..... Party,"
92.11 giving the party name. Above the party names, the following statement shall be printed.

92.12 "Minnesota Election Law permits you to vote for the candidates of only one political
92.13 party in a state partisan primary election."

92.14 If there are only two major political parties to be listed on the ballot, one party must
92.15 occupy the left-hand column, the other party must occupy the right-hand column, and the
92.16 center column must contain the following statement:

92.17 "Do not vote for candidates of more than one party."

92.18 The names of the candidates seeking the nomination of each major political party shall
92.19 be listed in that party's column. If only one individual files an affidavit of candidacy seeking
92.20 the nomination of a major political party for an office, the name of that individual shall be
92.21 placed on the state partisan primary ballot at the appropriate location in that party's column.

92.22 In each column, the candidates for senator in Congress shall be listed first, candidates
92.23 for representative in Congress second, candidates for state senator third, candidates for state
92.24 representative fourth and then candidates for state office in the order specified by the secretary
92.25 of state. Vacant offices being filled by special election must be listed with other offices of
92.26 that type, but after any office of that type for which a candidate will be elected for a full
92.27 term.

92.28 The party columns shall be substantially the same in width, type, and appearance. The
92.29 columns shall be separated by a 12-point solid line.

92.30 Sec. 60. Minnesota Statutes 2020, section 204D.13, subdivision 1, is amended to read:

92.31 Subdivision 1. **Order of offices.** The candidates for partisan offices shall be placed on
92.32 the state general election ballot in the following order: senator in Congress shall be first;

93.1 representative in Congress, second; state senator, third; and state representative, fourth. The
93.2 candidates for state offices shall follow in the order specified by the secretary of state.
93.3 Candidates for governor and lieutenant governor shall appear so that a single vote may be
93.4 cast for both offices. Vacant offices being filled by special election must be listed with other
93.5 offices of that type, but after any office of that type for which a candidate will be elected
93.6 for a full term.

93.7 Sec. 61. Minnesota Statutes 2020, section 204D.19, subdivision 2, is amended to read:

93.8 Subd. 2. **Special election when legislature will be in session.** Except for vacancies in
93.9 the legislature which occur at any time between the last day of session in an odd-numbered
93.10 year and the ~~40th~~ 54th day prior to the opening day of session in the succeeding
93.11 even-numbered year, when a vacancy occurs and the legislature will be in session so that
93.12 the individual elected as provided by this section could take office and exercise the duties
93.13 of the office immediately upon election, the governor shall issue within five days after the
93.14 vacancy occurs a writ calling for a special election. The special election shall be held as
93.15 soon as possible, consistent with the notice requirements of section 204D.22, subdivision
93.16 3, but in no event more than ~~35~~ 49 days after the issuance of the writ. ~~A special election~~
93.17 ~~must not be held during the four days before or the four days after a holiday as defined in~~
93.18 ~~section 645.44, subdivision 5.~~

93.19 Sec. 62. Minnesota Statutes 2020, section 204D.195, is amended to read:

93.20 **204D.195 DATE OF SPECIAL ELECTION; CERTAIN TIMES PROHIBITED.**

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

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

93.25 (2) on a holiday, or during the four days before or after a holiday, as defined in section
93.26 645.44, subdivision 5.

93.27 **EFFECTIVE DATE.** This section is effective the day following final enactment and
93.28 applies to special elections occurring on or after that date.

93.29 Sec. 63. Minnesota Statutes 2020, section 204D.22, subdivision 3, is amended to read:

93.30 Subd. 3. **Notice of special election.** The county auditor of a county in which a special
93.31 election is to be held shall direct the clerk of each municipality in which the election is to

94.1 be held to post a notice of the special primary and special election at least ~~seven~~ 14 days
94.2 before the special primary and at least ~~14~~ 21 days before the special election in the manner
94.3 provided in sections 204B.33 and 204B.34. If the special primary is to be held ~~14~~ 21 days
94.4 before the special election, a single notice of both elections may be posted seven days before
94.5 the primary.

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

94.9 Sec. 64. Minnesota Statutes 2020, section 204D.23, subdivision 2, is amended to read:

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

94.12 Sec. 65. Minnesota Statutes 2020, section 204D.27, subdivision 5, is amended to read:

94.13 Subd. 5. **Canvass; special primary; state canvassing board; contest.** Not later than
94.14 four days after the returns of the county canvassing boards are certified to the secretary of
94.15 state, the State Canvassing Board shall complete its canvass of the special primary. The
94.16 secretary of state shall then promptly certify to the county auditors the names of the
94.17 nominated individuals, prepare notices of nomination, and notify each nominee of the
94.18 nomination. In case of a contest of a special primary for state senator or state representative,
94.19 the notice of contest must be filed within two days, excluding Sundays and legal holidays,
94.20 after the canvass is completed, and the contest shall otherwise proceed in the manner provided
94.21 by law for contesting elections.

94.22 Sec. 66. Minnesota Statutes 2020, section 204D.28, subdivision 9, is amended to read:

94.23 Subd. 9. **Filing by candidates.** The time for filing of affidavits and nominating petitions
94.24 for candidates to fill a vacancy at a special election shall open 12 weeks before the special
94.25 primary or on the day the secretary of state issues notice of the special election, whichever
94.26 occurs later. Filings shall close ten weeks before the special primary. A candidate filing for
94.27 the office of United States senator to fill a vacancy at a special election when both offices
94.28 of United States senator are required to be placed on the same ballot must specify on the
94.29 affidavit of candidacy the expiration date of the term of the office that the candidate is
94.30 seeking.

95.1 Sec. 67. Minnesota Statutes 2020, section 204D.28, subdivision 10, is amended to read:

95.2 Subd. 10. **United States senator; candidates; designation of term.** When the names
95.3 of candidates for both offices of United States senator are required to be placed on the same
95.4 ballot, the expiration date of the term of each office shall be printed on the ballot in the
95.5 office heading opposite the name of each candidate for nomination or election to that office.

95.6 Sec. 68. Minnesota Statutes 2020, section 205.13, subdivision 5, is amended to read:

95.7 Subd. 5. **Nominating petition; cities of the first class.** A nominating petition filed on
95.8 behalf of a candidate for municipal office in a city of the first class shall be signed by eligible
95.9 voters who ~~reside~~ maintain residence in the election district from which the candidate is to
95.10 be elected. The number of signers shall be at least 500, or two percent of the total number
95.11 of individuals who voted in the municipality, ward, or other election district at the last
95.12 preceding municipal general election, whichever is greater.

95.13 Sec. 69. Minnesota Statutes 2020, section 205A.10, subdivision 5, is amended to read:

95.14 Subd. 5. **School district canvassing board.** For the purpose of a recount of a special
95.15 election conducted under section 126C.17, subdivision 9, or 475.59, the school district
95.16 canvassing board shall consist of one member of the school board other than the clerk,
95.17 selected by the board, the clerk of the school board, the county auditor of the county in
95.18 which the greatest number of school district residents ~~reside~~ maintain residence, the court
95.19 administrator of the district court of the judicial district in which the greatest number of
95.20 school district residents ~~reside~~ maintain residence, and the mayor or chair of the town board
95.21 of the school district's most populous municipality. Any member of the canvassing board
95.22 may appoint a designee to appear at the meeting of the board, except that no designee may
95.23 be a candidate for public office. If one of the individuals fails to appear at the meeting of
95.24 the canvassing board, the county auditor shall appoint an eligible voter of the school district,
95.25 who must not be a member of the school board, to fill the vacancy. Not more than two
95.26 school board members shall serve on the canvassing board at one time. Four members
95.27 constitute a quorum.

95.28 The school board shall serve as the school district canvassing board for the election of
95.29 school board members.

95.30 Sec. 70. Minnesota Statutes 2020, section 205A.12, subdivision 5, is amended to read:

95.31 Subd. 5. **Board elections.** If the proposal for the establishment of election districts is
95.32 approved by the voters, the board shall specify the election districts from which vacancies

96.1 shall be filled as they occur until such time as each board member represents an election
96.2 district. A candidate for school board in a subsequent election must file an affidavit of
96.3 candidacy to be elected as a school board member for the election district in which the
96.4 candidate ~~resides~~ maintains residence. If there are as many election districts as there are
96.5 members of the board, one and only one member of the board shall be elected from each
96.6 election district. In school districts where one or more board members are elected by election
96.7 districts, candidates must indicate on the affidavit of candidacy the number of the district
96.8 from which they seek election or, if appropriate, that they seek election from one of the
96.9 offices elected at large. If the election districts have two or three members each, the terms
96.10 of the members must be staggered. Each board member must be a resident of the election
96.11 district for which elected but the creation of an election district or a change in election
96.12 district boundaries shall not disqualify a board member from serving for the remainder of
96.13 a term.

96.14 Sec. 71. Minnesota Statutes 2020, section 206.805, subdivision 1, is amended to read:

96.15 Subdivision 1. **Contracts required.** (a) The secretary of state, with the assistance of the
96.16 commissioner of administration, must establish one or more state voting systems contracts.
96.17 The contracts should, if practical, include provisions for maintenance of the equipment
96.18 purchased. The voting systems contracts must address precinct-based optical scan voting
96.19 equipment, assistive voting technology, automatic tabulating equipment, and electronic
96.20 roster equipment. The contracts must give the state a perpetual license to use and modify
96.21 the software. The contracts must include provisions to escrow the software source code, ~~as~~
96.22 ~~provided in subdivision 2.~~ Bids for voting systems and related election services must be
96.23 solicited from each vendor selling or leasing voting systems that have been certified for use
96.24 by the secretary of state. Bids for electronic roster equipment, software, and related services
96.25 must be solicited from each vendor selling or leasing electronic roster equipment that meets
96.26 the requirements of section 201.225, subdivision 2. The contracts must be renewed from
96.27 time to time.

96.28 (b) Counties and municipalities may purchase or lease voting systems and obtain related
96.29 election services from the state contracts. All counties and municipalities are members of
96.30 the cooperative purchasing venture of the Department of Administration for the purpose of
96.31 this section. For the purpose of township elections, counties must aggregate orders under
96.32 contracts negotiated under this section for products and services and may apportion the
96.33 costs of those products and services proportionally among the townships receiving the
96.34 products and services. The county is not liable for the timely or accurate delivery of those
96.35 products or services.

97.1 Sec. 72. Minnesota Statutes 2020, section 206.89, subdivision 4, is amended to read:

97.2 Subd. 4. **Standard of acceptable performance by voting system.** A comparison of the
97.3 results compiled by the voting system with the postelection review described in this section
97.4 must show that the results of the electronic voting system differed by no more than ~~one-half~~
97.5 one-quarter of one percent from the manual count of the offices reviewed. Valid votes that
97.6 have been marked by the voter outside the vote targets or using a manual marking device
97.7 that cannot be read by the voting system must not be included in making the determination
97.8 whether the voting system has met the standard of acceptable performance for any precinct.

97.9 Sec. 73. Minnesota Statutes 2020, section 206.89, subdivision 5, is amended to read:

97.10 Subd. 5. **Additional review.** (a) If the postelection review in one of the reviewed precincts
97.11 reveals a difference greater than ~~one-half~~ one-quarter of one percent, or greater than two
97.12 votes in a precinct where ~~400~~ 800 or fewer voters cast ballots, the postelection review official
97.13 must, within two days, conduct an additional review of the races indicated in subdivision
97.14 3 in at least three precincts in the same jurisdiction where the discrepancy was discovered.
97.15 If all precincts in that jurisdiction have been reviewed, the county auditor must immediately
97.16 publicly select by lot at least three additional precincts for review. The postelection review
97.17 official must complete the additional review within two days after the precincts are selected
97.18 and report the results immediately to the county auditor. If the second review in any of the
97.19 reviewed precincts also indicates a difference in the vote totals compiled by the voting
97.20 system that is greater than ~~one-half~~ one-quarter of one percent from the result indicated by
97.21 the postelection review, or greater than two votes in a precinct where ~~400~~ 800 or fewer
97.22 voters cast ballots, the county auditor must conduct a review of the ballots from all the
97.23 remaining precincts in the county for the races indicated in subdivision 3. This review must
97.24 be completed and the results must be reported to the secretary of state within one week after
97.25 the second review was completed.

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

98.1 Sec. 74. Minnesota Statutes 2020, section 206.90, subdivision 6, is amended to read:

98.2 Subd. 6. **Ballots.** In precincts using optical scan voting systems, a single ballot card on
98.3 which all ballot information is included must be printed in black ink on white colored
98.4 material except that marks not to be read by the automatic tabulating equipment may be
98.5 printed in another color ink. In state elections, a single ballot title must be used, as provided
98.6 in sections 204D.08, subdivision 6, and 204D.11, subdivision 1. ~~In odd-numbered years~~
98.7 When both municipal and school district offices or questions appear on the ballot, the single
98.8 ballot title "City (or Town) and School District Ballot" must be used.

98.9 On the front of the ballot must be printed the words "Official Ballot" and the date of the
98.10 election and lines for the initials of at least two election judges.

98.11 When optical scan ballots are used, the offices to be elected must appear in the following
98.12 order: federal offices; state legislative offices; constitutional offices; proposed constitutional
98.13 amendments; county offices and questions; municipal offices and questions; school district
98.14 offices and questions; special district offices and questions; and judicial offices.

98.15 On optical scan ballots, the names of candidates and the words "yes" and "no" for ballot
98.16 questions must be printed as close to their corresponding vote targets as possible.

98.17 The line on an optical scan ballot for write-in votes must contain the words "write-in,
98.18 if any."

98.19 If a primary ballot contains both a partisan ballot and a nonpartisan ballot, the instructions
98.20 to voters must include a statement that reads substantially as follows: "This ballot card
98.21 contains a partisan ballot and a nonpartisan ballot. On the partisan ballot you are permitted
98.22 to vote for candidates of one political party only." If a primary ballot contains political party
98.23 columns on both sides of the ballot, the instructions to voters must include a statement that
98.24 reads substantially as follows: "Additional political parties are printed on the other side of
98.25 this ballot. Vote for one political party only." At the bottom of each political party column
98.26 on the primary ballot, the ballot must contain a statement that reads substantially as follows:
98.27 "Continue voting on the nonpartisan ballot." The instructions in section 204D.08, subdivision
98.28 4, do not apply to optical scan partisan primary ballots. Electronic ballot displays and audio
98.29 ballot readers must follow the order of offices and questions on the optical scan or paper
98.30 ballot used in the same precinct, or the sample ballot posted for that precinct.

98.31 Sec. 75. [206.97] ELECTION SECURITY AND ADMINISTRATION GRANTS.

98.32 Subdivision 1. Grants authorized. The secretary of state may disburse funds governed
98.33 by section 5.30 as grants for federal purposes to political subdivisions as authorized by this

99.1 section. In evaluating an application for a grant, the secretary of state shall consider only
99.2 the information set forth in the application and is not subject to chapter 14.

99.3 Subd. 2. **Use of grants.** A grant awarded under this section may be used for federal
99.4 purposes but restricted to the following:

99.5 (1) updated hardware or software used for administering elections;

99.6 (2) additional physical security for election equipment storage;

99.7 (3) increased polling place accessibility; or

99.8 (4) cybersecurity or physical security training for election officials or election judges.

99.9 Subd. 3. **Application.** The secretary of state may award a grant to a political subdivision
99.10 after receiving an application from the political subdivision. The application must identify:

99.11 (1) the date the application is submitted;

99.12 (2) the name of the political subdivision;

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

99.14 (4) the total number of registered voters as of the date of the application in each precinct
99.15 in the political subdivision;

99.16 (5) the total amount of the grant requested;

99.17 (6) the hardware, software, security improvements, accessibility improvements, or
99.18 training to be acquired or conducted with the grant money;

99.19 (7) the proposed schedule for purchasing and implementing the proposed items and what
99.20 precincts will be impacted by their implementation;

99.21 (8) whether the political subdivision has previously applied for a grant under this
99.22 subdivision and the disposition of that application;

99.23 (9) a certified statement by the political subdivision that the grant will be used only for
99.24 purposes authorized under subdivision 2; and

99.25 (10) any other information required by the secretary of state.

99.26 Subd. 4. **Legislative report.** No later than January 15, 2022, and annually thereafter in
99.27 any year during which grants are disbursed, the secretary of state must submit a report to
99.28 the chairs and ranking minority members of the legislative committees with jurisdiction
99.29 over elections policy on the grant awards. The report must detail each grant awarded,
99.30 including the jurisdiction, the amount of the grant, and how the grant was used.

100.1 Sec. 76. Minnesota Statutes 2020, section 207A.12, is amended to read:

100.2 **207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.**

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

100.6 (b) An individual seeking to vote at the presidential nomination primary must be
100.7 registered to vote pursuant to section 201.054, subdivision 1. The voter must request the
100.8 ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section
100.9 204C.18, subdivision 1, the election judge must record in the polling place roster the name
100.10 of the political party whose ballot the voter requested. When posting voter history pursuant
100.11 to section 201.171, the county auditor must include the name of the political party whose
100.12 ballot the voter requested. The political party ballot selected by a voter is private data on
100.13 individuals as defined under section 13.02, subdivision 12, except as provided in section
100.14 201.091, subdivision 4a. A voter eligible to cast a ballot as provided in section 5B.06 must
100.15 be permitted to cast a ballot at the presidential nomination primary consistent with the
100.16 requirements of that section.

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

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

100.21 Sec. 77. Minnesota Statutes 2020, section 207A.13, is amended to read:

100.22 **207A.13 FORM OF BALLOTS; CANDIDATES ON BALLOT.**

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

100.26 (b) There must be separate ballots for the names of the candidates of each participating
100.27 political party. Each ballot must be headed by the words "Presidential Nomination Primary
100.28 Ballot." The heading must also indicate the party that appears on the ballot.

100.29 (c) If requested by a party chair, the ballot for that participating party must contain a
100.30 place for a voter to indicate a preference for having delegates to the party's national
100.31 convention remain uncommitted. If requested by a party chair, the ballot for that participating
100.32 party must contain a blank line printed below the other choices on the ballot so that a voter

101.1 may write in the name of a person who is not listed on the ballot. A request under this
101.2 paragraph must be submitted to the secretary of state no later than 63 days before the
101.3 presidential nomination primary.

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

101.10 (b) No later than the ~~seventh~~ 14th day before the presidential nomination primary, the
101.11 chair of each participating party must submit to the secretary of state the names of write-in
101.12 candidates, if any, to be counted for that party.

101.13 Sec. 78. Minnesota Statutes 2020, section 207A.14, subdivision 3, is amended to read:

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

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

101.25 Sec. 79. Minnesota Statutes 2020, section 209.021, subdivision 2, is amended to read:

101.26 Subd. 2. **Notice filed with court.** If the contest relates to a nomination or election for
101.27 statewide office, the contestant shall file the notice of contest with the court administrator
101.28 of District Court in Ramsey County. For contests relating to any other office, the contestant
101.29 shall file the notice of contest with the court administrator of district court in the county
101.30 where the contestee ~~resides~~ maintains residence.

101.31 If the contest relates to a constitutional amendment, the contestant shall file the notice
101.32 of contest with the court administrator of District Court in Ramsey County. If the contest

102.1 relates to any other question, the contestant shall file the notice of contest with the court
102.2 administrator of district court for the county or any one of the counties where the question
102.3 appeared on the ballot.

102.4 Sec. 80. [211B.075] VOTER INTIMIDATION, INTERFERENCE, AND DECEPTIVE
102.5 PRACTICES PROHIBITED; CIVIL ENFORCEMENT.

102.6 Subdivision 1. **Intimidation.** (a) A person, whether acting under color of law or
102.7 otherwise, may not directly or indirectly use or threaten force, coercion, violence, restraint,
102.8 damage, harm, or loss, including loss of employment or economic reprisal against:

102.9 (1) an individual with respect to registering or abstaining from registering to vote, voting
102.10 or abstaining from voting, or voting for or against a candidate or ballot question;

102.11 (2) an elections official with respect to the performance of duties related to election
102.12 administration; or

102.13 (3) any person with respect to that person's efforts to encourage another to cast a ballot
102.14 or assist another in registering to vote, traveling to a polling place, casting a ballot, or
102.15 participating in any other aspect of the election process.

102.16 (b) In an action brought to prevent and restrain violations of this section or to require
102.17 the payment of civil penalties, the moving party may show that the action or attempted
102.18 action would cause a reasonable person to feel intimidated. The moving party does not need
102.19 to show that the actor intended to cause the victim to feel intimidated.

102.20 Subd. 2. **Deceptive practices.** (a) No person, whether acting under color of law or
102.21 otherwise, shall within 60 days of an election cause, by any means, information to be
102.22 transmitted that the person:

102.23 (1) intends to impede or prevent another person from exercising the right to vote; and

102.24 (2) knows to be materially false.

102.25 (b) The prohibition in this subdivision includes but is not limited to information regarding
102.26 the time, place, or manner of holding an election; the qualifications for or restrictions on
102.27 voter eligibility at an election; and threats to physical safety associated with casting a ballot.

102.28 Subd. 3. **Interference with registration or voting.** No person, whether acting under
102.29 color of law or otherwise, shall intentionally hinder, interfere with, or prevent another person
102.30 from voting, registering to vote, or aiding another person in casting a ballot or registering
102.31 to vote.

103.1 Subd. 4. Vicarious liability; conspiracy. A person, whether acting under color of law
103.2 or otherwise, may be held vicariously liable for any damages resulting from the violation
103.3 of this section and may be identified in an order restraining violations of this section if that
103.4 person:

103.5 (1) intentionally aids, advises, hires, counsels, abets, incites, compels, or coerces a person
103.6 to violate any provision of this section or attempts to aid, advise, hire, counsel, abet, incite,
103.7 compel, or coerce a person to violate any provision of this section; or

103.8 (2) conspires, combines, agrees, or arranges with another to either commit a violation
103.9 of this section or aid, advise, hire, counsel, abet, incite, compel, or coerce a third person to
103.10 violate any provision of this section.

103.11 Subd. 5. Enforcement. (a) The attorney general or any injured person may enforce this
103.12 section consistent with the authority provided in section 8.31. An action filed by an injured
103.13 person under section 8.31, subdivision 3a, is in the public interest.

103.14 (b) Remedies allowable under this section are cumulative and do not restrict any other
103.15 right or remedy otherwise available to an injured person. An action for a penalty or remedy
103.16 under this section must be brought within two years of the date the violation is alleged to
103.17 have occurred. The complaint process provided in sections 211B.31 to 211B.36 does not
103.18 apply to violations of this section.

103.19 Sec. 81. [211B.076] VOTER INTIMIDATION, INTERFERENCE, AND DECEPTIVE
103.20 PRACTICES PROHIBITED; CRIMINAL PENALTIES.

103.21 Subdivision 1. Intimidation. A person is guilty of a crime if the person, whether acting
103.22 under color of law or otherwise, directly or indirectly uses or threatens force, coercion,
103.23 violence, restraint, damage, harm, or loss, including loss of employment or economic reprisal
103.24 against another with the intent to:

103.25 (1) compel an individual to register or abstain from registering to vote, vote or abstain
103.26 from voting, or vote for or against a candidate or ballot question;

103.27 (2) influence an elections official in the performance of duties related to election
103.28 administration; or

103.29 (3) interfere with any person's efforts to encourage another to cast a ballot or assist
103.30 another person in registering to vote, traveling to a polling place, casting a ballot, or
103.31 participating in any other aspect of the election process.

104.1 Subd. 2. **Deceptive practices.** (a) A person is guilty of a crime if the person, whether
104.2 acting under color of law or otherwise, within 60 days of an election causes, by any means,
104.3 information to be transmitted that the person:

104.4 (1) intends to impede or prevent another person from exercising the right to vote; and

104.5 (2) knows to be materially false.

104.6 (b) The prohibition in this subdivision includes but is not limited to information regarding
104.7 the time, place, or manner of holding an election; the qualifications for or restrictions on
104.8 voter eligibility at an election; and threats to physical safety associated with casting a ballot.

104.9 Subd. 3. **Interference with registration or voting.** A person is guilty of a crime if the
104.10 person, whether acting under color of law or otherwise, intentionally hinders, interferes
104.11 with, or prevents another person from voting, registering to vote, or aiding another person
104.12 in casting a ballot or registering to vote.

104.13 Subd. 4. **Enforcement.** The complaint process provided in sections 211B.31 to 211B.36
104.14 does not apply to violations of this section.

104.15 Subd. 5. **Penalty.** A person who violates this section is guilty of a gross misdemeanor.

104.16 **EFFECTIVE DATE.** This section is effective August 1, 2021, and applies to crimes
104.17 committed on or after that date.

104.18 Sec. 82. Minnesota Statutes 2020, section 211B.11, subdivision 1, is amended to read:

104.19 Subdivision 1. **Soliciting near polling places.** A person may not display campaign
104.20 material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within
104.21 a polling place or within 100 feet of the building in which a polling place is situated, or
104.22 anywhere on the public property on which a polling place is situated, on primary or election
104.23 day to vote for or refrain from voting for a candidate or ballot question. A person may not
104.24 provide political badges, political buttons, or other political insignia to be worn at or about
104.25 the polling place on the day of a primary or election. A political badge, political button, or
104.26 other political insignia may not be worn at or about the polling place on primary or election
104.27 day. This section applies only during voting hours and to areas established by the county
104.28 auditor or municipal clerk for absentee voting as provided in chapter 203B.

104.29 Nothing in this subdivision prohibits the distribution of "I VOTED" stickers as provided
104.30 in section 204B.49.

105.1 Sec. 83. Minnesota Statutes 2020, section 211B.32, subdivision 1, is amended to read:

105.2 Subdivision 1. **Administrative remedy; exhaustion.** (a) Except as provided in ~~paragraph~~
105.3 paragraphs (b) and (c), a complaint alleging a violation of chapter 211A or 211B must be
105.4 filed with the office. The complaint must be finally disposed of by the office before the
105.5 alleged violation may be prosecuted by a county attorney.

105.6 (b) Complaints arising under those sections and related to those individuals and
105.7 associations specified in section 10A.022, subdivision 3, must be filed with the Campaign
105.8 Finance and Public Disclosure Board.

105.9 (c) Violations of sections 211B.075 and 211B.076 may be enforced as provided in those
105.10 sections.

105.11 Sec. 84. **[243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.**

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

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

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

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

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

105.27 **"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.**

105.28 Your receipt of this notice today means that your right to vote in Minnesota has been
105.29 restored. Before you can vote on election day, you still need to register to vote. To register,
105.30 you may complete a voter registration application and return it to the Office of the Minnesota
105.31 Secretary of State. You may also register to vote in your polling place on election day. You
105.32 will not be permitted to cast a ballot until you register to vote. The first time you appear at

106.1 your polling place to cast a ballot, you may be required to provide proof of your current
106.2 residence."

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

106.5 Sec. 85. Minnesota Statutes 2020, section 367.03, subdivision 6, is amended to read:

106.6 Subd. 6. **Vacancies.** (a) When a vacancy occurs in a town office, the town board shall
106.7 fill the vacancy by appointment. Except as provided in paragraph (b), the person appointed
106.8 shall hold office until the next annual town election, when a successor shall be elected for
106.9 the unexpired term.

106.10 (b) When a vacancy occurs in a town office:

106.11 (1) with more than one year remaining in the term; and

106.12 (2) on or after the 14th day before the first day to file an affidavit of candidacy for the
106.13 town election;

106.14 the vacancy must be filled by appointment. The person appointed serves until the next annual
106.15 town election following the election for which affidavits of candidacy are to be filed, when
106.16 a successor shall be elected for the unexpired term.

106.17 (c) A vacancy in the office of supervisor must be filled by an appointment committee
106.18 comprised of the remaining supervisors and the town clerk.

106.19 (d) Any person appointed to fill the vacancy in the office of supervisor must, upon
106.20 assuming the office, be an eligible voter, be 21 years of age, and have ~~resided~~ maintained
106.21 residence in the town for at least 30 days.

106.22 (e) When, because of a vacancy, more than one supervisor is to be chosen at the same
106.23 election, candidates for the offices of supervisor shall file for one of the specific terms being
106.24 filled.

106.25 (f) When, for any reason, the town board or the appointment committee fails to fill a
106.26 vacancy in the position of an elected town officer by appointment, a special election may
106.27 be called. To call a special election, the supervisors and town clerk, or any two of them
106.28 together with at least 12 other town freeholders, must file a statement in the town clerk's
106.29 office. The statement must tell why the election is called and that the interests of the town
106.30 require the election. When the town board or the appointment committee fails to fill a
106.31 vacancy by appointment, a special town election may also be called on petition of 20 percent
106.32 of the electors of the town. The percentage is of the number of voters at the last general

107.1 election. A special town election must be conducted in the manner required for the annual
107.2 town election.

107.3 (g) Law enforcement vacancies must be filled by appointment by the town board.

107.4 Sec. 86. Minnesota Statutes 2020, section 367.25, subdivision 1, is amended to read:

107.5 Subdivision 1. **Requirement, fee.** Every person elected at a March election, elected at
107.6 a special election, or appointed to a town office, within ten days after receiving a certificate
107.7 or notice of election or appointment, shall take and subscribe the oath required by law.
107.8 Persons elected at a November election shall take their oath before assuming office. If taken
107.9 before the town clerk, the oath shall be administered and certified without fee.

107.10 Sec. 87. Minnesota Statutes 2020, section 412.02, subdivision 2a, is amended to read:

107.11 Subd. 2a. **Vacancy.** Except as otherwise provided in subdivision 2b, a vacancy in an
107.12 office shall be filled by council appointment until an election is held as provided in this
107.13 subdivision. In case of a tie vote in the council, the mayor shall make the appointment. If
107.14 the vacancy occurs before the first day to file affidavits of candidacy for the next regular
107.15 city election and more than two years remain in the unexpired term, a special election shall
107.16 be held at or before the next regular city election and the appointed person shall serve until
107.17 the qualification of a successor elected at a special election to fill the unexpired portion of
107.18 the term. If the vacancy occurs on or after the first day to file affidavits of candidacy for
107.19 the regular city election or when less than two years remain in the unexpired term, there
107.20 need not be a special election to fill the vacancy and the appointed person shall serve until
107.21 the qualification of a successor. The council must specify by ordinance under what
107.22 circumstances it will hold a special election to fill a vacancy other than a special election
107.23 held at the same time as the regular city election.

107.24 All of the provisions of the Minnesota Election Law are applicable to special elections
107.25 as far as practicable.

107.26 Sec. 88. Minnesota Statutes 2020, section 447.32, subdivision 4, is amended to read:

107.27 Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a candidate
107.28 for the hospital board shall file an affidavit of candidacy for the election either as member
107.29 at large or as a member representing the city or town where the candidate ~~resides~~ maintains
107.30 residence. The affidavit of candidacy must be filed with the city or town clerk not more
107.31 than 98 days nor less than 84 days before the first Tuesday after the first Monday in
107.32 November of the year in which the general election is held. The city or town clerk must

108.1 forward the affidavits of candidacy to the clerk of the hospital district or, for the first election,
108.2 the clerk of the most populous city or town immediately after the last day of the filing period.
108.3 A candidate may withdraw from the election by filing an affidavit of withdrawal with the
108.4 clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of
108.5 candidacy.

108.6 Voting must be by secret ballot. The clerk shall prepare, at the expense of the district,
108.7 necessary ballots for the election of officers. Ballots must be prepared as provided in the
108.8 rules of the secretary of state. The ballots must be marked and initialed by at least two judges
108.9 as official ballots and used exclusively at the election. Any proposition to be voted on may
108.10 be printed on the ballot provided for the election of officers. The hospital board may also
108.11 authorize the use of voting systems subject to chapter 206. Enough election judges may be
108.12 appointed to receive the votes at each polling place. The election judges shall act as clerks
108.13 of election, count the ballots cast, and submit them to the board for canvass.

108.14 After canvassing the election, the board shall issue a certificate of election to the candidate
108.15 who received the largest number of votes cast for each office. The clerk shall deliver the
108.16 certificate to the person entitled to it in person or by certified mail. Each person certified
108.17 shall file an acceptance and oath of office in writing with the clerk within 30 days after the
108.18 date of delivery or mailing of the certificate. The board may fill any office as provided in
108.19 subdivision 1 if the person elected fails to qualify within 30 days, but qualification is effective
108.20 if made before the board acts to fill the vacancy.

108.21 Sec. 89. Minnesota Statutes 2020, section 609.165, subdivision 1, is amended to read:

108.22 Subdivision 1. **Restoration.** When a person has been deprived of civil rights by reason
108.23 of conviction of a crime and is thereafter discharged, such discharge shall restore the person
108.24 to all civil rights and to full citizenship, ~~with full right to vote and hold office,~~ the same as
108.25 if such conviction had not taken place, and the order of discharge shall so provide.

108.26 Sec. 90. Laws 2019, First Special Session chapter 10, article 1, section 40, is amended to
108.27 read:

108.28 Sec. 40. **HELP AMERICA VOTE ACT TRANSFERS AND APPROPRIATIONS;**
108.29 **SECRETARY OF STATE.**

108.30 (a) \$6,595,610 is appropriated in fiscal year 2019 from the HAVA account established
108.31 in Minnesota Statutes, section 5.30, to the secretary of state for the purposes of improving

109.1 the administration and security of elections as authorized by federal law. Use of the
109.2 appropriation is limited to the following activities:

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

109.5 (2) improving accessibility;

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

109.7 (4) implementing security improvements for election systems.

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

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

109.13 (d) \$167,000 expended by the secretary of state in fiscal years 2018 and 2019 for
109.14 increasing secure access to the statewide voter registration system is deemed:

109.15 (1) to be money used for carrying out the purposes authorized under the Omnibus
109.16 Appropriations Act of 2018, Public Law 115-1410, and the Help America Vote Act of 2002,
109.17 Public Law 107-252, section 101; and

109.18 (2) to be credited toward any match required by those laws.

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

109.20 Sec. 91. Laws 2020, chapter 77, section 3, subdivision 6, is amended to read:

109.21 Subd. 6. **Availability of appropriations.** The appropriations provided in this section
109.22 are onetime and available until ~~December 21, 2024~~ expended.

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

109.24 Sec. 92. **ELECTION DAY REGISTRATION; USE OF MEDICAL BILL TO PROVE**
109.25 **RESIDENCE.**

109.26 The secretary of state must amend Minnesota Rules, section 8200.5100, subpart 2, to
109.27 allow an eligible voter to prove residence in a precinct on election day by presenting a
109.28 medical bill. The amendment to the rule must be effective no later than August 1, 2021.
109.29 The secretary of state may use the good cause exemption under Minnesota Statutes, section

110.1 14.388, subdivision 1, clause (3), to adopt rules under this section and Minnesota Statutes,
110.2 section 14.386, does not apply except as provided under Minnesota Statutes, section 14.388.

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

110.4 **ARTICLE 4**

110.5 **CAMPAIGN FINANCE**

110.6 Section 1. Minnesota Statutes 2020, section 10A.01, subdivision 4, is amended to read:

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

110.14 Sec. 2. Minnesota Statutes 2020, section 10A.01, subdivision 7, is amended to read:

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

110.17 (1) all voters of the state;

110.18 (2) all voters of Hennepin County;

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

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

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

110.24 Sec. 3. Minnesota Statutes 2020, section 10A.01, subdivision 9, is amended to read:

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

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

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

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

111.6 "Expenditure" does not include:

111.7 (1) noncampaign disbursements as defined in subdivision 26;

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

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

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

111.15 Sec. 4. Minnesota Statutes 2020, section 10A.01, is amended by adding a subdivision to
111.16 read:

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

111.19 (1) any county office in Hennepin County;

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

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

111.23 Sec. 5. Minnesota Statutes 2020, section 10A.01, subdivision 11, is amended to read:

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

111.29 (b) "Contribution" includes a loan or advance of credit to a political committee, political
111.30 fund, principal campaign committee, local candidate, or party unit, if the loan or advance

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

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

112.12 Sec. 6. Minnesota Statutes 2020, section 10A.01, subdivision 16a, is amended to read:

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

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

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

112.20 Sec. 7. Minnesota Statutes 2020, section 10A.01, subdivision 17c, is amended to read:

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

112.27 Sec. 8. Minnesota Statutes 2020, section 10A.01, subdivision 18, is amended to read:

112.28 Subd. 18. **Independent expenditure.** "Independent expenditure" means an expenditure
112.29 expressly advocating the election or defeat of a clearly identified candidate or local candidate,
112.30 if the expenditure is made without the express or implied consent, authorization, or
112.31 cooperation of, and not in concert with or at the request or suggestion of, any candidate or
112.32 any candidate's principal campaign committee or agent or any local candidate or local

113.1 candidate's agent. An independent expenditure is not a contribution to that candidate or
113.2 local candidate. An independent expenditure does not include the act of announcing a formal
113.3 public endorsement of a candidate or local candidate for public office, unless the act is
113.4 simultaneously accompanied by an expenditure that would otherwise qualify as an
113.5 independent expenditure under this subdivision.

113.6 Sec. 9. Minnesota Statutes 2020, section 10A.01, subdivision 20, is amended to read:

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

113.10 Sec. 10. Minnesota Statutes 2020, section 10A.01, subdivision 26, is amended to read:

113.11 Subd. 26. **Noncampaign disbursement.** (a) "Noncampaign disbursement" means a
113.12 purchase or payment of money or anything of value made, or an advance of credit incurred,
113.13 or a donation in kind received, by a principal campaign committee for any of the following
113.14 purposes:

113.15 (1) payment for accounting and legal services;

113.16 (2) return of a contribution to the source;

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

113.18 (4) return of a public subsidy;

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

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

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

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

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

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

- 114.1 (11) costs of child care for the candidate's children when campaigning;
- 114.2 (12) fees paid to attend a campaign school;
- 114.3 (13) costs of a postelection party during the election year when a candidate's name will
114.4 no longer appear on a ballot or the general election is concluded, whichever occurs first;
- 114.5 (14) interest on loans paid by a principal campaign committee on outstanding loans;
- 114.6 (15) filing fees;
- 114.7 (16) post-general election holiday or seasonal cards, thank-you notes, or advertisements
114.8 in the news media mailed or published prior to the end of the election cycle;
- 114.9 (17) the cost of campaign material purchased to replace defective campaign material, if
114.10 the defective material is destroyed without being used;
- 114.11 (18) contributions to a party unit;
- 114.12 (19) payments for funeral gifts or memorials;
- 114.13 (20) the cost of a magnet less than six inches in diameter containing legislator contact
114.14 information and distributed to constituents;
- 114.15 (21) costs associated with a candidate attending a political party state or national
114.16 convention in this state;
- 114.17 (22) other purchases or payments specified in board rules or advisory opinions as being
114.18 for any purpose other than to influence the nomination or election of a candidate or to
114.19 promote or defeat a ballot question;
- 114.20 (23) costs paid to a third party for processing contributions made by a credit card, debit
114.21 card, or electronic check;
- 114.22 (24) a contribution to a fund established to support a candidate's participation in a recount
114.23 of ballots affecting that candidate's election;
- 114.24 (25) costs paid by a candidate's principal campaign committee for a single reception
114.25 given in honor of the candidate's retirement from public office after the filing period for
114.26 affidavits of candidacy for that office has closed;
- 114.27 (26) a donation from a terminating principal campaign committee to the state general
114.28 fund; ~~and~~
- 114.29 (27) a donation from a terminating principal campaign committee to a county obligated
114.30 to incur special election expenses due to that candidate's resignation from state office-; and

115.1 (28) during a period starting January 1 in the year following a general election and ending
115.2 on December 31 of the year of general election, payments of \$2,000 or less for
115.3 security-related expenses for a candidate and any immediate family member of the candidate,
115.4 including but not limited to home security cameras, a home security system, and identity
115.5 theft monitoring services. For purposes of this clause, an immediate family member is a
115.6 person who resides in the candidate's household and is the candidate's spouse, fiancée,
115.7 fiance, grandparent, parent, child, grandchild, sibling, including adoptive, half, step, and
115.8 in-law relationships.

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

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

115.14 Sec. 11. Minnesota Statutes 2020, section 10A.01, subdivision 27, is amended to read:

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

115.19 Sec. 12. Minnesota Statutes 2020, section 10A.01, subdivision 28, is amended to read:

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

115.26 Sec. 13. Minnesota Statutes 2020, section 10A.01, subdivision 35, is amended to read:

115.27 Subd. 35. **Public official.** "Public official" means any:

115.28 (1) member of the legislature;

115.29 (2) individual employed by the legislature as secretary of the senate, legislative auditor,
115.30 director of the Legislative Budget Office, chief clerk of the house of representatives, revisor
115.31 of statutes, or researcher, legislative analyst, fiscal analyst, or attorney in the Office of

- 116.1 Senate Counsel, Research and Fiscal Analysis, House Research, or the House Fiscal Analysis
116.2 Department;
- 116.3 (3) constitutional officer in the executive branch and the officer's chief administrative
116.4 deputy;
- 116.5 (4) solicitor general or deputy, assistant, or special assistant attorney general;
- 116.6 (5) commissioner, deputy commissioner, or assistant commissioner of any state
116.7 department or agency as listed in section 15.01 or 15.06, or the state chief information
116.8 officer;
- 116.9 (6) member, chief administrative officer, or deputy chief administrative officer of a state
116.10 board or commission that has either the power to adopt, amend, or repeal rules under chapter
116.11 14, or the power to adjudicate contested cases or appeals under chapter 14;
- 116.12 (7) individual employed in the executive branch who is authorized to adopt, amend, or
116.13 repeal rules under chapter 14 or adjudicate contested cases under chapter 14;
- 116.14 (8) executive director of the State Board of Investment;
- 116.15 (9) deputy of any official listed in clauses (7) and (8);
- 116.16 (10) judge of the Workers' Compensation Court of Appeals;
- 116.17 (11) administrative law judge or compensation judge in the State Office of Administrative
116.18 Hearings or unemployment law judge in the Department of Employment and Economic
116.19 Development;
- 116.20 (12) member, regional administrator, division director, general counsel, or operations
116.21 manager of the Metropolitan Council;
- 116.22 (13) member or chief administrator of a metropolitan agency;
- 116.23 (14) director of the Division of Alcohol and Gambling Enforcement in the Department
116.24 of Public Safety;
- 116.25 (15) member or executive director of the Higher Education Facilities Authority;
- 116.26 (16) member of the board of directors or president of Enterprise Minnesota, Inc.;
- 116.27 (17) member of the board of directors or executive director of the Minnesota State High
116.28 School League;
- 116.29 (18) member of the Minnesota Ballpark Authority established in section 473.755;
- 116.30 (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;

- 117.1 (20) manager of a watershed district, or member of a watershed management organization
 117.2 as defined under section 103B.205, subdivision 13;
- 117.3 (21) supervisor of a soil and water conservation district;
- 117.4 (22) director of Explore Minnesota Tourism;
- 117.5 (23) citizen member of the Lessard-Sams Outdoor Heritage Council established in section
 117.6 97A.056;
- 117.7 (24) citizen member of the Clean Water Council established in section 114D.30;
- 117.8 (25) member or chief executive of the Minnesota Sports Facilities Authority established
 117.9 in section 473J.07;
- 117.10 (26) district court judge, appeals court judge, or supreme court justice;
- 117.11 (27) county commissioner;
- 117.12 (28) member of the Greater Minnesota Regional Parks and Trails Commission; ~~or~~
- 117.13 (29) member of the Destination Medical Center Corporation established in section 469.41
 117.14 ~~;~~ or
- 117.15 (30) chancellor or member of the Board of Trustees of the Minnesota State Colleges
 117.16 and Universities.

117.17 Sec. 14. Minnesota Statutes 2020, section 10A.09, subdivision 1, is amended to read:

117.18 Subdivision 1. **Time for filing.** An individual must file a statement of economic interest
 117.19 ~~with the board:~~

117.20 (1) within 60 days of accepting employment as a public official or a local official in a
 117.21 metropolitan governmental unit;

117.22 (2) within 60 days of assuming office as a district court judge, appeals court judge,
 117.23 supreme court justice, or county commissioner;

117.24 (3) within 14 days after filing an affidavit of candidacy or petition to appear on the ballot
 117.25 for an elective state constitutional or legislative office or an elective local office in a
 117.26 metropolitan governmental unit other than county commissioner;

117.27 (4) in the case of a public official requiring the advice and consent of the senate, within
 117.28 14 days after undertaking the duties of office; or

117.29 (5) in the case of members of the Minnesota Racing Commission, the director of the
 117.30 Minnesota Racing Commission, chief of security, medical officer, inspector of pari-mutuels,

118.1 and stewards employed or approved by the commission or persons who fulfill those duties
118.2 under contract, within 60 days of accepting or assuming duties.

118.3 Sec. 15. Minnesota Statutes 2020, section 10A.09, subdivision 2, is amended to read:

118.4 Subd. 2. **Notice to board.** The secretary of state or the appropriate county auditor, upon
118.5 receiving an affidavit of candidacy or petition to appear on the ballot from an individual
118.6 required by this section to file a statement of economic interest, and any official who
118.7 nominates or employs a public ~~or local~~ official required by this section to file a statement
118.8 of economic interest, must notify the board of the name of the individual required to file a
118.9 statement and the date of the affidavit, petition, or nomination.

118.10 Sec. 16. Minnesota Statutes 2020, section 10A.09, subdivision 5, is amended to read:

118.11 Subd. 5. **Form; general requirements.** (a) A statement of economic interest required
118.12 by this section must be on a form prescribed by the board. The individual filing must provide
118.13 the following information:

118.14 (1) name, address, occupation, and principal place of business;

118.15 (2) the name of each associated business and the nature of that association;

118.16 (3) a listing of all real property within the state, excluding homestead property, in which
118.17 the individual holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or
118.18 seller, or an option to buy, whether direct or indirect, if the interest is valued in excess of
118.19 \$2,500; or (ii) an option to buy, if the property has a fair market value of more than \$50,000;

118.20 (4) a listing of all real property within the state in which a partnership of which the
118.21 individual is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as
118.22 buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of
118.23 the partnership interest is valued in excess of \$2,500; or (ii) an option to buy, if the property
118.24 has a fair market value of more than \$50,000. A listing under this clause or clause (3) must
118.25 indicate the street address and the municipality or the section, township, range and
118.26 approximate acreage, whichever applies, and the county in which the property is located;

118.27 (5) a listing of any investments, ownership, or interests in property connected with
118.28 pari-mutuel horse racing in the United States and Canada, including a racehorse, in which
118.29 the individual directly or indirectly holds a partial or full interest or an immediate family
118.30 member holds a partial or full interest;

118.31 (6) a listing of the principal business or professional activity category of each business
118.32 from which the individual receives more than \$250 in any month during the reporting period

119.1 as an employee, if the individual has an ownership interest of 25 percent or more in the
119.2 business;

119.3 (7) a listing of each principal business or professional activity category from which the
119.4 individual received compensation of more than \$2,500 in the past 12 months as an
119.5 independent contractor; and

119.6 (8) a listing of the full name of each security with a value of more than \$10,000 owned
119.7 in part or in full by the individual, at any time during the reporting period.

119.8 (b) The business or professional categories for purposes of paragraph (a), clauses (6)
119.9 and (7), must be the general topic headings used by the federal Internal Revenue Service
119.10 for purposes of reporting self-employment income on Schedule C. This paragraph does not
119.11 require an individual to report any specific code number from that schedule. Any additional
119.12 principal business or professional activity category may only be adopted if the category is
119.13 enacted by law.

119.14 ~~(e) For the purpose of an original statement of economic interest, "compensation in any~~
119.15 ~~month" includes only compensation received in the calendar month immediately preceding~~
119.16 ~~the date of appointment as a public official or filing as a candidate.~~

119.17 ~~(d)~~ (c) For the purpose of calculating the amount of compensation received from any
119.18 single source in a single month, the amount shall include the total amount received from
119.19 the source during the month, whether or not the amount covers compensation for more than
119.20 one month.

119.21 ~~(e)~~ (d) For the purpose of determining the value of an individual's interest in real property,
119.22 the value of the property is the market value shown on the property tax statement.

119.23 ~~(f) For the purpose of an original statement of economic interest, the individual shall~~
119.24 ~~disclose only those real properties owned on the date of appointment as a public official or~~
119.25 ~~filing as a candidate.~~

119.26 ~~(g)~~ (e) For the purpose of this section, "date of appointment" means the effective date
119.27 of appointment to a position.

119.28 ~~(h)~~ (f) For the purpose of this section, "accepting employment as a public official" means
119.29 the effective date of the appointment to the position, as stated in the appointing authority's
119.30 notice to the board.

120.1 Sec. 17. Minnesota Statutes 2020, section 10A.09, is amended by adding a subdivision to
120.2 read:

120.3 Subd. 5a. **Original statement; reporting period.** (a) An original statement of economic
120.4 interest required under subdivision 1, clause (1), must cover the calendar month before the
120.5 month in which the individual accepted employment as a public official or a local official
120.6 in a metropolitan governmental unit.

120.7 (b) An original statement of economic interest required under subdivision 1, clauses (2),
120.8 (4), and (5), must cover the calendar month before the month in which the individual assumed
120.9 or undertook the duties of office.

120.10 (c) An original statement of economic interest required under subdivision 1, clause (3),
120.11 must cover the calendar month before the month in which the candidate filed the affidavit
120.12 of candidacy.

120.13 Sec. 18. Minnesota Statutes 2020, section 10A.09, subdivision 6, is amended to read:

120.14 **Subd. 6. Annual statement.** (a) Each individual who is required to file a statement of
120.15 economic interest must also file an annual statement by the last Monday in January of each
120.16 year that the individual remains in office. The annual statement must cover the period
120.17 through December 31 of the year prior to the year when the statement is due. The annual
120.18 statement must include the amount of each honorarium in excess of ~~\$50~~ \$250 received since
120.19 the previous statement and the name and address of the source of the honorarium. The board
120.20 must maintain each annual statement of economic interest submitted by an officeholder in
120.21 the same file with the statement submitted as a candidate.

120.22 ~~(b) For the purpose of annual statements of economic interest to be filed, "compensation~~
120.23 ~~in any month" includes compensation and honoraria received in any month between the~~
120.24 ~~end of the period covered in the preceding statement of economic interest and the end of~~
120.25 ~~the current period.~~

120.26 ~~(e)~~ (b) An individual must file the annual statement of economic interest required by
120.27 this subdivision to cover the period for which the individual served as a public official even
120.28 though at the time the statement was filed, the individual is no longer holding that office as
120.29 a public official.

120.30 ~~(d) For the purpose of an annual statement of economic interest, the individual shall~~
120.31 ~~disclose any real property owned at any time between the end of the period covered by the~~
120.32 ~~preceding statement of economic interest and through the last day of the month preceding~~

121.1 ~~the current filing or the last day of employment, if the individual is no longer a public~~
121.2 ~~official.~~

121.3 Sec. 19. Minnesota Statutes 2020, section 10A.12, subdivision 1, is amended to read:

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

121.9 Sec. 20. Minnesota Statutes 2020, section 10A.12, subdivision 2, is amended to read:

121.10 Subd. 2. **Commingling prohibited.** The contents of an association's political fund may
121.11 not be commingled with other funds or with the personal funds of an officer or member of
121.12 the association or the fund. It is not commingling for an association that uses only its own
121.13 general treasury money to make expenditures and disbursements permitted under section
121.14 10A.121, subdivision 1, directly from the depository used for its general treasury money.
121.15 An association that accepts more than \$1,500 in aggregate in contributions to influence the
121.16 nomination or election of candidates or local candidates or more than \$5,000 in contributions
121.17 to promote or defeat a ballot question must establish a separate depository for those
121.18 contributions.

121.19 Sec. 21. Minnesota Statutes 2020, section 10A.121, subdivision 2, is amended to read:

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

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

121.26 (2) makes an approved expenditure.

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

122.1 Sec. 22. Minnesota Statutes 2020, section 10A.13, subdivision 1, is amended to read:

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

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

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

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

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

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

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

122.17 Sec. 23. Minnesota Statutes 2020, section 10A.17, subdivision 4, is amended to read:

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

123.1 Sec. 24. Minnesota Statutes 2020, section 10A.20, is amended by adding a subdivision to
123.2 read:

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

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

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

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

123.11 (b) In addition to the reports required by subdivision 2, the entities listed in paragraph
123.12 (a) must file the following reports in each non-general election year:

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

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

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

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

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

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

123.23 Sec. 25. Minnesota Statutes 2020, section 10A.20, subdivision 3, is amended to read:

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

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

123.30 (c) The report must disclose the name, address, employer, or occupation if self-employed,
123.31 and registration number if registered with the board, of each individual or association that

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

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

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

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

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

124.27 (h) The report must disclose the name, address, and registration number if registered
124.28 with the board of each individual or association to whom aggregate expenditures, approved
124.29 expenditures, independent expenditures, and ballot question expenditures have been made
124.30 by or on behalf of the reporting entity within the year in excess of \$200, together with the
124.31 amount, date, and purpose of each expenditure, including an explanation of how the
124.32 expenditure was used, and the name and address of, and office sought by, each candidate
124.33 or local candidate on whose behalf the expenditure was made, identification of the ballot
124.34 question that the expenditure was intended to promote or defeat and an indication of whether

125.1 the expenditure was to promote or to defeat the ballot question, and in the case of independent
125.2 expenditures made in opposition to a candidate or local candidate, the candidate's or local
125.3 candidate's name, address, and office sought. A reporting entity making an expenditure on
125.4 behalf of more than one candidate ~~for state or legislative office~~ or local candidate must
125.5 allocate the expenditure among the candidates and local candidates on a reasonable cost
125.6 basis and report the allocation for each candidate or local candidate. The report must list
125.7 on separate schedules any independent expenditures made on behalf of local candidates and
125.8 any expenditures made for ballot questions as defined in section 10A.01, subdivision 7,
125.9 clause (2), (3), or (4).

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

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

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

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

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

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

125.33 (o) The report must disclose the name and address of a nonprofit corporation that provides
125.34 administrative assistance to a political committee or political fund as authorized by section

126.1 211B.15, subdivision 17, the type of administrative assistance provided, and the aggregate
126.2 fair market value of each type of assistance provided to the political committee or political
126.3 fund during the reporting period.

126.4 (p) Legislative, statewide, and judicial candidates, party units, and political committees
126.5 and funds must itemize contributions that in aggregate within the year exceed \$200 for
126.6 legislative or statewide candidates or more than \$500 for ballot questions on reports submitted
126.7 to the board. The itemization must include the date on which the contribution was received,
126.8 the individual or association that provided the contribution, and the address of the contributor.
126.9 Additionally, the itemization for a donation in kind must provide a description of the item
126.10 or service received. Contributions that are less than the itemization amount must be reported
126.11 as an aggregate total.

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

126.20 Sec. 26. Minnesota Statutes 2020, section 10A.20, subdivision 6a, is amended to read:

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

126.27 Sec. 27. Minnesota Statutes 2020, section 10A.20, subdivision 13, is amended to read:

126.28 Subd. 13. **Third-party reimbursement.** An individual or association filing a report
126.29 disclosing an expenditure or noncampaign disbursement that must be reported and itemized
126.30 under subdivision 3, paragraph ~~(g)~~ (h) or ~~(h)~~ (m), that is a reimbursement to a third party
126.31 must report the purpose of each expenditure or disbursement for which the third party is
126.32 being reimbursed. In the alternative, the reporting individual or association may report
126.33 individually each of the underlying expenditures being reimbursed. An expenditure or

127.1 disbursement is a reimbursement to a third party if it is for goods or services that were not
127.2 directly provided by the individual or association to whom the expenditure or disbursement
127.3 is made. Third-party reimbursements include payments to credit card companies and
127.4 reimbursement of individuals for expenses they have incurred.

127.5 Sec. 28. Minnesota Statutes 2020, section 10A.27, subdivision 13, is amended to read:

127.6 Subd. 13. **Unregistered association limit; statement; penalty.** (a) The treasurer of a
127.7 political committee, political fund, principal campaign committee, or party unit must not
127.8 accept a contribution of more than \$200 from an association not registered under this chapter
127.9 unless the contribution is accompanied by a ~~written~~ statement that meets the disclosure and
127.10 reporting period requirements imposed by section 10A.20. The statement may be a written
127.11 statement or a government website where the disclosure report for the unregistered association
127.12 may be viewed. This statement must be certified as true and correct by an officer of the
127.13 contributing association. The committee, fund, or party unit that accepts the contribution
127.14 must include a copy of the written statement or website with the report that discloses the
127.15 contribution to the board.

127.16 (b) An unregistered association may provide the ~~written~~ statement required by this
127.17 subdivision to no more than three committees, funds, or party units in a calendar year. Each
127.18 statement must cover at least the 30 days immediately preceding and including the date on
127.19 which the contribution was made. An unregistered association or an officer of it is subject
127.20 to a civil penalty imposed by the board of up to \$1,000, if the association or its officer:

127.21 (1) fails to provide a ~~written~~ statement as required by this subdivision; or

127.22 (2) fails to register after giving the ~~written~~ statement required by this subdivision to more
127.23 than three committees, funds, or party units in a calendar year.

127.24 (c) The treasurer of a political committee, political fund, principal campaign committee,
127.25 or party unit who accepts a contribution in excess of \$200 from an unregistered association
127.26 without the required ~~written~~ disclosure statement is subject to a civil penalty up to four
127.27 times the amount in excess of \$200.

127.28 (d) This subdivision does not apply:

127.29 (1) when a national political party contributes money to its state committee; ~~or~~

127.30 (2) when a federal committee of a major or minor political party registered with the
127.31 board gives an in-kind contribution to the federal committee's state central committee or a
127.32 party organization within a house of the state legislature; or

128.1 ~~(2)~~(3) to purchases by candidates for federal office of tickets to events or space rental
128.2 at events held by party units in this state (i) if the geographical area represented by the party
128.3 unit includes any part of the geographical area of the office that the federal candidate is
128.4 seeking and (ii) the purchase price is not more than that paid by other attendees or renters
128.5 of similar spaces.

128.6 Sec. 29. Minnesota Statutes 2020, section 10A.275, subdivision 1, is amended to read:

128.7 Subdivision 1. **Exceptions.** Notwithstanding other provisions of this chapter, the
128.8 following expenditures by a party unit, or two or more party units acting together, with at
128.9 least one party unit being either: the state committee or the party organization within a
128.10 congressional district, county, or legislative district, are not considered contributions to or
128.11 expenditures on behalf of a candidate for the purposes of section 10A.25 or 10A.27 and
128.12 must not be allocated to candidates under section 10A.20, subdivision 3, paragraph ~~(g)~~ (h):

128.13 (1) expenditures on behalf of candidates of that party generally without referring to any
128.14 of them specifically in a published, posted, or broadcast advertisement;

128.15 (2) expenditures for the preparation, display, mailing, or other distribution of an official
128.16 party sample ballot listing the names of three or more individuals whose names are to appear
128.17 on the ballot;

128.18 (3) expenditures for a telephone ~~conversation including~~ call, voice mail, text message,
128.19 multimedia message, internet chat message, or e-mail when the communication includes
128.20 the names of three or more individuals whose names are to appear on the ballot;

128.21 (4) expenditures for a political party fund-raising effort on behalf of three or more
128.22 candidates; or

128.23 (5) expenditures for party committee staff services that benefit three or more candidates.

128.24 Sec. 30. Minnesota Statutes 2020, section 10A.323, is amended to read:

128.25 **10A.323 AFFIDAVIT OF CONTRIBUTIONS.**

128.26 (a) In addition to the requirements of section 10A.322, to be eligible to receive a public
128.27 subsidy under section 10A.31 a candidate or the candidate's treasurer must:

128.28 (1) between January 1 of the previous year and the cutoff date for transactions included
128.29 in the report of receipts and expenditures due before the primary election, accumulate
128.30 contributions from individuals eligible to vote in this state in at least the amount indicated

129.1 for the office sought, counting only the first \$50 received from each contributor, excluding
129.2 in-kind contributions:

129.3 (i) candidates for governor and lieutenant governor running together, \$35,000;

129.4 (ii) candidates for attorney general, \$15,000;

129.5 (iii) candidates for secretary of state and state auditor, separately, \$6,000;

129.6 (iv) candidates for the senate, \$3,000; and

129.7 (v) candidates for the house of representatives, \$1,500;

129.8 (2) file an affidavit with the board stating that the principal campaign committee has
129.9 complied with this paragraph. The affidavit must state the total amount of contributions that
129.10 have been received from individuals eligible to vote in this state, excluding:

129.11 (i) the portion of any contribution in excess of \$50;

129.12 (ii) any in-kind contribution; and

129.13 (iii) any contribution for which the name and address of the contributor is not known
129.14 and recorded; and

129.15 (3) submit the affidavit required by this section to the board in writing by the deadline
129.16 for reporting of receipts and expenditures before a primary under section 10A.20, subdivision
129.17 4 2.

129.18 (b) A candidate for a vacancy to be filled at a special election for which the filing period
129.19 does not coincide with the filing period for the general election must accumulate the
129.20 contributions specified in paragraph (a) and must submit the affidavit required by this section
129.21 to the board within five days after the close of the filing period for the special election for
129.22 which the candidate filed.

129.23 (c) Notwithstanding paragraphs (a) and (b), a candidate for a vacancy to be filled at a
129.24 special election called under section 204B.13, subdivision 2, paragraph (c), must accumulate
129.25 the contributions specified in paragraph (a) and must submit the affidavit required by this
129.26 section to the board within 12 calendar days after the general election.

129.27 (d) A candidate or the candidate's treasurer must be able to electronically file the affidavit
129.28 required under this section in the same manner as other reports required by this chapter.
129.29 The board must not require the candidate or candidate's treasurer to notarize the affidavit
129.30 of contribution.

130.1 Sec. 31. Minnesota Statutes 2020, section 211B.04, subdivision 2, is amended to read:

130.2 Subd. 2. **Independent expenditures.** (a) The required form of the disclaimer on a written
130.3 independent expenditure is: "This is an independent expenditure prepared and paid for by
130.4 (name of entity participating in the expenditure), (address). It is not coordinated
130.5 with or approved by any candidate nor is any candidate responsible for it. The top three
130.6 contributors funding this expenditure are (1), (2), and (3)" The address must
130.7 be either the entity's mailing address or the entity's website, if the website includes the
130.8 entity's mailing address. When a written independent expenditure is produced and
130.9 disseminated without cost, the words "and paid for" may be omitted from the disclaimer.

130.10 (b) The required form of the disclaimer on a broadcast independent expenditure is: "This
130.11 independent expenditure is paid for by (name of entity participating in the expenditure).
130.12 It is not coordinated with or approved by any candidate nor is any candidate responsible
130.13 for it. The top three contributors funding this expenditure are (1), (2), and (3)
130.14" When a broadcast independent expenditure is produced and disseminated without
130.15 cost, the following disclaimer may be used: "..... (name of entity participating in the
130.16 expenditure) is responsible for the contents of this independent expenditure. It is not
130.17 coordinated with or approved by any candidate nor is any candidate responsible for it."

130.18 (c) The listing of the top three contributors required to be included in a disclaimer under
130.19 this subdivision must identify by name the three individuals or entities making the largest
130.20 contribution required to be reported under chapter 10A to the expending entity during the
130.21 12-month period preceding the first date at which the expenditure was published or presented
130.22 to the public. Contributions to the expending entity that are segregated, tracked, and used
130.23 for purposes other than the expenditure requiring the disclaimer should not be included in
130.24 calculating the top three contributors required to be identified under this subdivision.

130.25 Sec. 32. Minnesota Statutes 2020, section 211B.04, subdivision 3, is amended to read:

130.26 Subd. 3. **Material that does not need a disclaimer.** (a) This section does not apply to
130.27 fund-raising tickets, business cards, personal letters, or similar items that are clearly being
130.28 distributed by the candidate.

130.29 (b) This section does not apply to an individual or association that is not required to
130.30 register or report under chapter 10A or 211A.

130.31 (c) This section does not apply to the following:

130.32 (1) bumper stickers, pins, buttons, pens, or similar small items on which the disclaimer
130.33 cannot be conveniently printed; and

131.1 (2) skywriting, wearing apparel, or other means of displaying an advertisement of such
131.2 a nature that the inclusion of a disclaimer would be impracticable; ~~and~~.

131.3 ~~(3) online banner ads and similar electronic communications that link directly to an~~
131.4 ~~online page that includes the disclaimer.~~

131.5 (d) This section does not modify or repeal section 211B.06.

131.6 Sec. 33. Minnesota Statutes 2020, section 211B.04, is amended by adding a subdivision
131.7 to read:

131.8 Subd. 3a. **Certain electronic communications and advertisements.** Notwithstanding
131.9 subdivisions 1 and 2, the Campaign Finance and Public Disclosure Board must adopt rules
131.10 using the expedited process in section 14.389 to specify the form and content of the disclaimer
131.11 required by those subdivisions for small electronic communications on which the full
131.12 disclaimer cannot be conveniently printed, including but not limited to online banner ads,
131.13 text messages, social media communications, and small advertisements appearing on a
131.14 mobile telephone or other handheld electronic device. In its rules, the board may waive the
131.15 disclaimer requirement for categories of communications where inclusion would be
131.16 technologically impossible.

131.17 Sec. 34. Minnesota Statutes 2020, section 383B.041, is amended to read:

131.18 **383B.041 CAMPAIGN FINANCING, DISCLOSURE OF ECONOMIC**
131.19 **INTERESTS.**

131.20 Subdivision 1. **Hennepin County candidates.** Sections 383B.041 to 383B.058 apply
131.21 to the financing of campaigns for county elections in Hennepin County and for city elections
131.22 in home rule charter cities and statutory cities located wholly within Hennepin County,
131.23 having a population of 75,000 or more, and for school board elections in the Special School
131.24 District No. 1, Minneapolis, and to disclosure of economic interests by candidates and
131.25 elected public officials of those jurisdictions. The provisions of sections 211A.02 to 211A.07
131.26 do not apply to the financing of campaigns for elections subject to the provisions of sections
131.27 383B.041 to 383B.058. Candidates for county commissioner, county attorney, and sheriff
131.28 of Hennepin County must file campaign disclosure forms with the filing officer for Hennepin
131.29 County. These candidates are subject to the provisions of chapter 211A.

131.30 Subd. 2. **Political subdivision candidates.** Candidates for elected city, school board,
131.31 park commissioner, and other political subdivision offices within Hennepin County shall
131.32 file campaign disclosure forms with the filing officer for the political subdivision for which

132.1 the candidate is seeking office. These candidates are subject to the provisions of chapter
132.2 211A.

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

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

132.8 (i) a county office in Hennepin County;

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

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

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

132.13 (i) all voters in Hennepin County;

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

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

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

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

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

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

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

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

132.29 **Subd. 4. Local ordinances and charters superseded.** This section supersedes the
132.30 provisions of any ordinance or resolution of a political subdivision within Hennepin County,
132.31 or any existing special law or home rule charter provision of a political subdivision within

133.1 Hennepin County requiring disclosure of information related to the financing of election
133.2 campaigns.

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

133.12 **Sec. 35. REPEALER.**

133.13 Subdivision 1. **Enterprise Minnesota, Inc.** Minnesota Statutes 2020, sections 116O.03,
133.14 subdivision 9; and 116O.04, subdivision 3, are repealed.

133.15 Subd. 2. **Hennepin County.** Minnesota Statutes 2020, sections 10A.15, subdivision 6;
133.16 383B.042; 383B.043; 383B.044; 383B.045; 383B.046; 383B.047; 383B.048; 383B.049;
133.17 383B.05; 383B.051; 383B.052; 383B.053; 383B.054; 383B.055; 383B.056; and 383B.057,
133.18 are repealed.

133.19 **Sec. 36. EFFECTIVE DATE.**

133.20 This article is effective January 1, 2022, and applies to reports and disclosures required
133.21 to be filed on or after that date.

133.22 **ARTICLE 5**
133.23 **INFORMATION TECHNOLOGY**

133.24 **Section 1. [3.888] LEGISLATIVE COMMISSION ON CYBERSECURITY.**

133.25 Subdivision 1. **Membership.** The Legislative Commission on Cybersecurity consists
133.26 of the following eight members:

133.27 (1) four members of the senate, including two senators appointed by the senate majority
133.28 leader and two senators appointed by the senate minority leader; and

133.29 (2) four members of the house of representatives, including two members appointed by
133.30 the speaker of the house and two members appointed by the minority leader of the house.

134.1 Subd. 2. **Terms; vacancies.** Members of the commission serve for a two-year term
134.2 beginning on appointment and expiring on appointment of a successor after the opening of
134.3 the next regular session of the legislature in the odd-numbered year. A vacancy in the
134.4 membership of the commission must be filled for the unexpired term in a manner that will
134.5 preserve the representation established by this section.

134.6 Subd. 3. **Duties.** The commission shall provide oversight of the state's cybersecurity
134.7 measures. The commission shall review the policies and practices of state agencies with
134.8 regard to cybersecurity and may recommend changes in policy to adequately protect the
134.9 state from cybersecurity threats. The commission may develop recommendations and draft
134.10 legislation to support and strengthen the state's cybersecurity infrastructure.

134.11 Subd. 4. **Chair.** The commission shall elect a chair by a majority vote of members
134.12 present. The officers shall alternate between a member of the senate and a member of the
134.13 house of representatives. A chair shall serve a two-year term expiring upon election of a
134.14 new chair after the opening of the next regular session of the legislature in the odd-numbered
134.15 year.

134.16 Subd. 5. **Meetings.** The commission must meet at least three times per calendar year.
134.17 The meetings of the commission are subject to section 3.055, except that the commission
134.18 may close a meeting when necessary to safeguard the state's cybersecurity. The minutes,
134.19 recordings, and documents from a closed meeting under this subdivision shall be maintained
134.20 by the Legislative Coordinating Commission and shall not be made available to the public
134.21 until eight years after the date of the meeting.

134.22 Subd. 6. **Administration.** The Legislative Coordinating Commission shall provide
134.23 administrative services for the commission.

134.24 Subd. 7. **Sunset.** The commission sunsets December 31, 2028.

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

134.26 Sec. 2. Minnesota Statutes 2020, section 15.01, is amended to read:

134.27 **15.01 DEPARTMENTS OF THE STATE.**

134.28 The following agencies are designated as the departments of the state government: the
134.29 Department of Administration; the Department of Agriculture; the Department of Commerce;
134.30 the Department of Corrections; the Department of Education; the Department of Employment
134.31 and Economic Development; the Department of Health; the Department of Human Rights;
134.32 the Department of Information Technology Services; the Department of Iron Range
134.33 Resources and Rehabilitation; the Department of Labor and Industry; the Department of

135.1 Management and Budget; the Department of Military Affairs; the Department of Natural
 135.2 Resources; the Department of Public Safety; the Department of Human Services; the
 135.3 Department of Revenue; the Department of Transportation; the Department of Veterans
 135.4 Affairs; and their successor departments.

135.5 Sec. 3. Minnesota Statutes 2020, section 16E.01, is amended to read:

135.6 **16E.01 OFFICE OF MN.IT MINNESOTA DEPARTMENT OF INFORMATION**
 135.7 **TECHNOLOGY SERVICES.**

135.8 Subdivision 1. **Creation; chief information officer.** The ~~Office of MN.IT~~ Minnesota
 135.9 Department of Information Technology Services, which may also be known as Minnesota
 135.10 Information Technology Services or Minnesota IT Services, referred to in this chapter as
 135.11 the "~~office,~~" "department," is an agency in the executive branch headed by a commissioner,
 135.12 who also is the ~~state~~ chief information officer. The appointment of the commissioner is
 135.13 subject to the advice and consent of the senate under section 15.066.

135.14 Subd. 1a. **Responsibilities.** The ~~office~~ department shall provide oversight, leadership,
 135.15 and direction for information and telecommunications technology policy and the
 135.16 management, delivery, accessibility, and security of executive branch information and
 135.17 telecommunications technology systems and services in Minnesota. The ~~office~~ department
 135.18 shall manage strategic investments in information and telecommunications technology
 135.19 systems and services ~~to encourage the development of a technically literate society;~~ to ensure
 135.20 sufficient access to and efficient delivery of accessible government services; and to maximize
 135.21 benefits for the state government as an enterprise.

135.22 Subd. 2. **Discretionary powers.** The ~~office~~ department may:

135.23 (1) enter into contracts for goods or services with public or private organizations and
 135.24 charge fees for services it provides;

135.25 (2) apply for, receive, and expend money from public agencies;

135.26 (3) apply for, accept, and disburse grants and other aids from the federal government
 135.27 and other public or private sources;

135.28 (4) enter into contracts with agencies of the federal government, local governmental
 135.29 units, the University of Minnesota and other educational institutions, and private persons
 135.30 and other nongovernmental organizations as necessary to perform its statutory duties;

135.31 (5) sponsor and conduct conferences and studies, collect and disseminate information,
 135.32 and issue reports relating to information and communications technology issues;

136.1 (6) review the technology infrastructure of regions of the state and cooperate with and
136.2 make recommendations to the governor, legislature, state agencies, local governments, local
136.3 technology development agencies, the federal government, private businesses, and individuals
136.4 for the realization of information and communications technology infrastructure development
136.5 potential;

136.6 (7) sponsor, support, and facilitate innovative and collaborative economic and community
136.7 development and government services projects, including technology initiatives related to
136.8 culture and the arts, with public and private organizations; and

136.9 (8) review and recommend alternative sourcing strategies for state information and
136.10 communications systems.

136.11 Subd. 3. **Duties.** (a) The ~~office~~ department shall:

136.12 (1) manage the efficient and effective use of available federal, state, local, and
136.13 public-private resources to develop statewide information and telecommunications technology
136.14 systems and services and its infrastructure;

136.15 (2) approve state agency and intergovernmental information and telecommunications
136.16 technology systems and services development efforts involving state or intergovernmental
136.17 funding, including federal funding, provide information to the legislature regarding projects
136.18 reviewed, and recommend projects for inclusion in the governor's budget under section
136.19 16A.11;

136.20 (3) ~~ensure~~ promote cooperation and collaboration among state and local governments
136.21 in developing intergovernmental information and telecommunications technology systems
136.22 and services, ~~and define the structure and responsibilities of a representative governance~~
136.23 ~~structure~~;

136.24 (4) cooperate and collaborate with the legislative and judicial branches in the development
136.25 of information and communications systems in those branches, as requested;

136.26 (5) continue the development of North Star, the state's official comprehensive online
136.27 service and information initiative;

136.28 ~~(6) promote and collaborate with the state's agencies in the state's transition to an~~
136.29 ~~effectively competitive telecommunications market;~~

136.30 ~~(7) collaborate with entities carrying out education and lifelong learning initiatives to~~
136.31 ~~assist Minnesotans in developing technical literacy and obtaining access to ongoing learning~~
136.32 ~~resources;~~

137.1 ~~(8)~~ (6) promote and coordinate public information access and network initiatives,
137.2 consistent with chapter 13, to connect Minnesota's citizens and communities to each other,
137.3 to their governments, and to the world;

137.4 ~~(9) promote and coordinate electronic commerce initiatives to ensure that Minnesota~~
137.5 ~~businesses and citizens can successfully compete in the global economy;~~

137.6 ~~(10)~~ (7) manage and promote the regular and periodic reinvestment in the information
137.7 and telecommunications technology systems and services infrastructure so that state and
137.8 local government agencies can effectively and efficiently serve their customers;

137.9 ~~(11)~~ (8) facilitate the cooperative development of and ensure compliance with standards
137.10 and policies for information and telecommunications technology systems and services, and
137.11 ~~electronic data practices and privacy, and electronic commerce among international, national,~~
137.12 ~~state, and local public and private organizations~~ within the executive branch;

137.13 ~~(12)~~ (9) eliminate unnecessary duplication of existing information and
137.14 telecommunications technology systems and services provided by state agencies;

137.15 ~~(13)~~ (10) identify, sponsor, develop, and execute shared information and
137.16 telecommunications technology projects and ongoing operations;

137.17 ~~(14)~~ (11) ensure overall security of the state's information and technology systems and
137.18 services; and

137.19 ~~(15)~~ (12) manage and direct compliance with accessibility standards for informational
137.20 technology, including hardware, software, websites, online forms, and online surveys.

137.21 (b) The chief information officer, in consultation with the commissioner of management
137.22 and budget, must determine when it is cost-effective for agencies to develop and use shared
137.23 information and telecommunications technology systems and services for the delivery of
137.24 electronic government services. The chief information officer may require agencies to use
137.25 shared information and telecommunications technology systems and services. The chief
137.26 information officer shall establish reimbursement rates in cooperation with the commissioner
137.27 of management and budget to be billed to agencies and other governmental entities sufficient
137.28 to cover the actual development, operating, maintenance, and administrative costs of the
137.29 shared systems. The methodology for billing may include the use of interagency agreements,
137.30 or other means as allowed by law.

137.31 (c) A state agency that has an information and telecommunications technology project
137.32 ~~with a total expected project cost of more than \$1,000,000~~, whether funded as part of the
137.33 biennial budget or by any other means, shall register with the ~~office~~ department by submitting

138.1 basic project startup documentation, as specified by the chief information officer in both
138.2 format and content, ~~before any project funding is requested or committed and before the~~
138.3 ~~project commences~~. State agency project leaders must demonstrate that the project will be
138.4 properly managed, provide updates to the project documentation as changes are proposed,
138.5 and regularly report on the current status of the project on a schedule agreed to with the
138.6 chief information officer. The chief information officer has the authority to define a project
138.7 for the purposes of this chapter.

138.8 (d) The chief information officer shall monitor progress on any active information and
138.9 telecommunications technology project with a total expected project cost of more than
138.10 \$5,000,000 and report on the performance of the project in comparison with the plans for
138.11 the project in terms of time, scope, and budget. The chief information officer may conduct
138.12 an independent project audit of the project. The audit analysis and evaluation of the projects
138.13 subject to paragraph (c) must be presented to agency executive sponsors, the project
138.14 governance bodies, and the chief information officer. All reports and responses must become
138.15 part of the project record.

138.16 (e) For any active information and telecommunications technology project with a total
138.17 expected project cost of more than \$10,000,000, the state agency must perform an annual
138.18 independent audit that conforms to published project audit principles ~~promulgated~~ adopted
138.19 by the office department.

138.20 (f) The chief information officer shall report by January 15 of each year to the chairs
138.21 and ranking minority members of the legislative committees and divisions with jurisdiction
138.22 over the ~~office department~~ department regarding projects the ~~office department~~ department has reviewed under
138.23 paragraph (a), clause ~~(13)~~ (10). The report must include the reasons for the determinations
138.24 made in the review of each project and a description of its current status.

138.25 Sec. 4. Minnesota Statutes 2020, section 16E.016, is amended to read:

138.26 **16E.016 RESPONSIBILITY FOR INFORMATION TECHNOLOGY SERVICES**
138.27 **AND EQUIPMENT.**

138.28 (a) The chief information officer is responsible for providing or entering into managed
138.29 services contracts for the provision, improvement, and development of the following
138.30 information technology systems and services to state agencies:

138.31 (1) state data centers;

138.32 (2) mainframes including system software;

138.33 (3) servers including system software;

- 139.1 (4) desktops including system software;
- 139.2 (5) laptop computers including system software;
- 139.3 (6) a data network including system software;
- 139.4 (7) database, electronic mail, office systems, reporting, and other standard software
- 139.5 tools;
- 139.6 (8) business application software and related technical support services;
- 139.7 (9) help desk for the components listed in clauses (1) to (8);
- 139.8 (10) maintenance, problem resolution, and break-fix for the components listed in clauses
- 139.9 (1) to (8);
- 139.10 (11) regular upgrades and replacement for the components listed in clauses (1) to (8);
- 139.11 and
- 139.12 (12) network-connected output devices.
- 139.13 (b) All state agency employees whose work primarily involves functions specified in
- 139.14 paragraph (a) are employees of the ~~Office of MN.IT Services~~ Minnesota Department of
- 139.15 Information Technology Services. This includes employees who directly perform the
- 139.16 functions in paragraph (a), as well as employees whose work primarily involves managing,
- 139.17 supervising, or providing administrative services or support services to employees who
- 139.18 directly perform these functions. The chief information officer may assign employees of
- 139.19 the ~~office~~ department to perform work exclusively for another state agency.
- 139.20 (c) Subject to sections 16C.08 and 16C.09, the chief information officer may allow a
- 139.21 state agency to obtain services specified in paragraph (a) through a contract with an outside
- 139.22 vendor when the chief information officer and the agency head agree that a contract would
- 139.23 provide best value, as defined in section 16C.02, under the service-level agreement. The
- 139.24 chief information officer must require that agency contracts with outside vendors ensure
- 139.25 that systems and services are compatible with standards established by the ~~Office of MN.IT~~
- 139.26 Department of Information Technology Services.
- 139.27 (d) The Minnesota State Retirement System, the Public Employees Retirement
- 139.28 Association, the Teachers Retirement Association, the State Board of Investment, the
- 139.29 Campaign Finance and Public Disclosure Board, the State Lottery, and the Statewide Radio
- 139.30 Board are not state agencies for purposes of this section.

140.1 Sec. 5. Minnesota Statutes 2020, section 16E.02, is amended to read:

140.2 **16E.02 OFFICE OF MN.IT MINNESOTA DEPARTMENT OF INFORMATION**
140.3 **TECHNOLOGY SERVICES; STRUCTURE AND PERSONNEL.**

140.4 Subdivision 1. **Office Department management and structure.** (a) The chief
140.5 information officer is appointed by the governor. The chief information officer serves in
140.6 the unclassified service at the pleasure of the governor. The chief information officer must
140.7 have experience leading enterprise-level information technology organizations. The chief
140.8 information officer is the state's chief information officer and information and
140.9 telecommunications technology ~~advisor~~ adviser to the governor.

140.10 (b) The chief information officer may appoint other employees of the office department.
140.11 ~~The~~ Staff of the office department must include individuals knowledgeable in information
140.12 and telecommunications technology systems and services and individuals with specialized
140.13 training in information security and accessibility.

140.14 ~~(c) The chief information officer may appoint a webmaster responsible for the supervision~~
140.15 ~~and development of state websites under the control of the office. The webmaster, if~~
140.16 ~~appointed, shall ensure that these websites are maintained in an easily accessible format~~
140.17 ~~that is consistent throughout state government and are consistent with the accessibility~~
140.18 ~~standards developed under section 16E.03, subdivision 9. The webmaster, if appointed,~~
140.19 ~~shall provide assistance and guidance consistent with the requirements of this paragraph to~~
140.20 ~~other state agencies for the maintenance of other websites not under the direct control of~~
140.21 ~~the office.~~

140.22 Subd. 1a. **Accountability.** The chief information officer reports to the governor. The
140.23 chief information officer must consult regularly with ~~the~~ executive branch agency
140.24 ~~commissioners of administration, management and budget, human services, revenue, and~~
140.25 ~~other commissioners as designated by the governor,~~ on technology projects, standards, and
140.26 services as well as management of resources and staff utilization.

140.27 Sec. 6. Minnesota Statutes 2020, section 16E.03, subdivision 1, is amended to read:

140.28 Subdivision 1. **Definitions.** (a) For the purposes of this chapter, the following terms
140.29 have the meanings given them.

140.30 (b) "Information and telecommunications technology systems and services" means all
140.31 computing and telecommunications hardware and software, the activities undertaken to
140.32 secure that hardware and software, and the activities undertaken to acquire, transport, process,
140.33 analyze, store, and disseminate information electronically. "Information and

141.1 telecommunications technology systems and services" includes all proposed expenditures
141.2 for computing and telecommunications hardware and software, security for that hardware
141.3 and software, and related consulting or other professional services.

141.4 ~~(e) "Information and telecommunications technology project" means an effort to acquire~~
141.5 ~~or produce information and telecommunications technology systems and services.~~

141.6 ~~(d)~~ (c) "Telecommunications" means voice, video, and data electronic transmissions
141.7 transported by wire, wireless, fiber-optic, radio, or other available transport technology.

141.8 ~~(e)~~ (d) "Cyber security" means the protection of data and systems in networks connected
141.9 to the Internet.

141.10 ~~(f)~~ (e) "State agency" means an agency in the executive branch of state government and
141.11 includes the Minnesota Office of Higher Education, but does not include the Minnesota
141.12 State Colleges and Universities unless specifically provided elsewhere in this chapter.

141.13 ~~(g)~~ (f) "Total expected project cost" includes direct staff costs, all supplemental contract
141.14 staff and vendor costs, and costs of hardware and software development or purchase.
141.15 Breaking a project into several phases does not affect the cost threshold, which must be
141.16 computed based on the full cost of all phases.

141.17 ~~(h)~~ (g) "Cloud computing" has the meaning described by the National Institute of
141.18 Standards and Technology of the United States Department of Commerce in special
141.19 publication 800-145, September 2011.

141.20 Sec. 7. Minnesota Statutes 2020, section 16E.03, subdivision 2, is amended to read:

141.21 Subd. 2. **Chief information officer's responsibility.** The chief information officer shall:

141.22 (1) design a master plan for information and telecommunications technology systems
141.23 and services in the state ~~and its political subdivisions~~ and shall report on the plan to the
141.24 governor and legislature at the beginning of each regular session;

141.25 (2) coordinate, review, and approve all information and telecommunications technology
141.26 projects and oversee the state's information and telecommunications technology systems
141.27 and services;

141.28 (3) establish and enforce compliance with standards for information and
141.29 telecommunications technology systems and services that are cost-effective and support
141.30 open systems environments and that are compatible with state, national, and international
141.31 standards, including accessibility standards;

142.1 (4) maintain a library of systems and programs developed by the state ~~and its political~~
142.2 ~~subdivisions~~ for use by agencies of government;

142.3 (5) direct and manage the shared operations of the state's information and
142.4 telecommunications technology systems and services; and

142.5 (6) establish and enforce standards and ensure acquisition of hardware and software
142.6 necessary to protect data and systems in state agency networks connected to the Internet.

142.7 Sec. 8. Minnesota Statutes 2020, section 16E.03, subdivision 3, is amended to read:

142.8 Subd. 3. **Evaluation and approval.** A state agency may not undertake an information
142.9 and telecommunications technology project until it has been evaluated according to the
142.10 procedures developed under subdivision 4. The chief information officer or delegate shall
142.11 give written approval of the proposed project. ~~When notified by the chief information officer~~
142.12 ~~that a project has not been approved, the commissioner of management and budget shall~~
142.13 ~~cancel the unencumbered balance of any appropriation allotted for the project.~~

142.14 Sec. 9. Minnesota Statutes 2020, section 16E.03, subdivision 6, is amended to read:

142.15 Subd. 6. **System development methods.** The chief information officer shall establish
142.16 and, as necessary, update and modify methods for developing information and
142.17 communications systems appropriate to the specific needs of individual state agencies. The
142.18 development methods shall be used to define the design, programming, and implementation
142.19 of systems. ~~The development methods must also enable and require a data processing system~~
142.20 ~~to be defined in terms of its computer programs, input requirements, output formats,~~
142.21 ~~administrative procedures, and processing frequencies.~~

142.22 Sec. 10. Minnesota Statutes 2020, section 16E.036, is amended to read:

142.23 **16E.036 ADVISORY COMMITTEE COUNCIL.**

142.24 (a) The Technology Advisory ~~Committee~~ Council is created to advise the governor,
142.25 executive branch, and state chief information officer. ~~The committee consists of council~~
142.26 shall consist of 15 voting members. The governor shall appoint six members appointed by
142.27 ~~the governor~~ who are individuals actively involved in business planning for state executive
142.28 branch agencies, one county member designated by the Association of Minnesota Counties,
142.29 one member appointed by the governor as a representative of a union that represents state
142.30 information technology employees, and one member appointed by the governor to represent
142.31 private businesses. The governor shall also select six additional members with private-sector

143.1 or public-sector IT experience or experience in academia pertaining to IT. The council shall
143.2 have the following four ex-officio nonvoting members:

143.3 (1) a member of the house of representatives selected by the speaker of the house;

143.4 (2) a member of the house of representatives selected by the minority leader;

143.5 (3) a member of the senate selected by the majority leader; and

143.6 (4) a member of the senate selected by the minority leader.

143.7 The governor shall designate one of the 15 voting members to serve as the council's chair.

143.8 (b) Membership terms, removal of members, and filling of vacancies are as provided in
143.9 section 15.059. Members do not receive compensation or reimbursement for expenses.

143.10 (c) ~~The committee shall select a chair from its members.~~ The chief information officer
143.11 shall provide administrative support to the ~~committee~~ council.

143.12 (d) ~~The committee~~ council shall advise the chief information officer on:

143.13 (1) development and implementation of the state information technology strategic plan;

143.14 (2) critical information technology initiatives for the state;

143.15 (3) standards for state information architecture;

143.16 (4) identification of business and technical needs of state agencies;

143.17 (5) strategic information technology portfolio management, project prioritization, and
143.18 investment decisions;

143.19 (6) ~~the office's~~ department's performance measures and fees for service agreements with
143.20 executive branch agencies;

143.21 (7) management of the state MN.IT services revolving fund; and

143.22 (8) the efficient and effective operation of the ~~office~~ department.

143.23 Sec. 11. Minnesota Statutes 2020, section 16E.04, subdivision 3, is amended to read:

143.24 Subd. 3. **Risk assessment and mitigation.** (a) A risk assessment and risk mitigation
143.25 plan are required for all information systems development projects undertaken by a state
143.26 agency in the executive or judicial branch or by a constitutional officer. The chief information
143.27 officer must contract with an entity outside of state government to conduct the initial
143.28 assessment and prepare the mitigation plan for a project estimated to cost more than
143.29 \$5,000,000. The outside entity conducting the risk assessment and preparing the mitigation
143.30 plan must not have any other direct or indirect financial interest in the project. The risk

144.1 assessment and risk mitigation plan must provide for periodic monitoring by the
144.2 commissioner until the project is completed.

144.3 (b) The risk assessment and risk mitigation plan must be paid for with money appropriated
144.4 for the information and telecommunications technology project. ~~The chief information~~
144.5 ~~officer must notify the commissioner of management and budget when work has begun on~~
144.6 ~~a project and must identify the proposed budget for the project. The commissioner of~~
144.7 ~~management and budget shall ensure that no more than ten percent of the proposed budget~~
144.8 ~~be spent on the project, other than the money spent on the risk assessment and risk mitigation~~
144.9 ~~plan, is spent until the risk assessment and mitigation plan are reported to the chief~~
144.10 ~~information officer and the chief information officer has approved the risk mitigation plan.~~

144.11 Sec. 12. Minnesota Statutes 2020, section 16E.0465, subdivision 2, is amended to read:

144.12 Subd. 2. **Required review and approval.** (a) A state agency receiving an appropriation
144.13 for an information and telecommunications technology project subject to this section must
144.14 divide the project into phases.

144.15 (b) ~~The commissioner of management and budget may not authorize the~~ An encumbrance
144.16 ~~or expenditure of an appropriation of state funds to a state agency~~ may not be made for any
144.17 phase of a state agency information and telecommunications technology project, device, or
144.18 ~~system~~ subject to this section unless the ~~Office of MN.IT~~ Minnesota Department of
144.19 Information Technology Services has reviewed each phase of the project, ~~device, or system,~~
144.20 and based on this review, the chief information officer has determined for each phase that:

144.21 (1) the project is compatible with the state information architecture and other policies
144.22 and standards established by the chief information officer;

144.23 (2) the agency is able to accomplish the goals of the phase of the project with the funds
144.24 appropriated; and

144.25 (3) the project supports the enterprise information technology strategy.

144.26 Sec. 13. Minnesota Statutes 2020, section 16E.05, subdivision 1, is amended to read:

144.27 Subdivision 1. **Duties.** The ~~office~~ department, in consultation with interested persons,
144.28 shall:

144.29 ~~(1) coordinate statewide efforts by units of state and local government to plan for and~~
144.30 ~~develop a system for providing access to government services; and~~

145.1 (2) explore ways and means to improve citizen and business access to public services,
145.2 including implementation of technological improvements.

145.3 Sec. 14. Minnesota Statutes 2020, section 16E.07, subdivision 12, is amended to read:

145.4 Subd. 12. **Private entity services; fee authority.** (a) The ~~office~~ department may enter
145.5 into a contract with a private entity to manage, maintain, support, and expand North Star
145.6 and online government information services to citizens and businesses.

145.7 (b) A contract established under paragraph (a) may provide for compensation of the
145.8 private entity through a fee established under paragraph (c).

145.9 (c) The ~~office~~ department, subject to the approval of the agency or ~~office~~ department
145.10 responsible for the data or services involved in the transaction, may charge and may authorize
145.11 a private entity that enters into a contract under paragraph (a) to charge a convenience fee
145.12 for users of North Star and online government information services up to a total of \$2 per
145.13 transaction, provided that no fee shall be charged for viewing or inspecting data. ~~The office~~
145.14 ~~shall consider the recommendation of the E-Government Advisory Council under section~~
145.15 ~~16E.071 in setting the convenience fee.~~ A fee established under this paragraph is in addition
145.16 to any fees or surcharges authorized under other law.

145.17 (d) Receipts from the convenience fee shall be deposited in the North Star account
145.18 established in subdivision 7. Notwithstanding section 16A.1285, subdivision 2, receipts
145.19 credited to the account are appropriated to the ~~office~~ department for payment to the contracted
145.20 private entity under paragraph (a). In lieu of depositing the receipts in the North Star account,
145.21 the ~~office~~ department can directly transfer the receipts to the private entity or allow the
145.22 private entity to retain the receipts pursuant to a contract established under this subdivision.

145.23 (e) The ~~office~~ department shall report to the chairs and ranking minority members of
145.24 the house of representatives and senate committees with jurisdiction over state government
145.25 finance by January 15 of each odd-numbered year regarding the convenience fee receipts
145.26 and the status of North Star projects and online government information services developed
145.27 and supported by convenience fee receipts.

145.28 Sec. 15. Minnesota Statutes 2020, section 16E.21, subdivision 2, is amended to read:

145.29 Subd. 2. **Charges.** (a) Upon agreement of the participating agency, the ~~Office of MN.IT~~
145.30 Minnesota Department of Information Technology Services may collect a charge or receive
145.31 a fund transfer under section 16E.0466 for purchases of information and telecommunications
145.32 technology systems and services by state agencies and other governmental entities through

146.1 state contracts for purposes described in subdivision 1. Charges collected under this section
146.2 must be credited to the information and telecommunications technology systems and services
146.3 account.

146.4 (b) Notwithstanding section 16A.28, subdivision 3, any unexpended operating balance
146.5 appropriated to a state agency may be transferred to the information and telecommunications
146.6 technology systems and services account for the information technology cost of a specific
146.7 project, subject to the review of the Legislative Advisory Commission under subdivision
146.8 3.

146.9 Sec. 16. Minnesota Statutes 2020, section 97A.057, subdivision 1, is amended to read:

146.10 Subdivision 1. **Compliance with federal law.** The commissioner shall take any action
146.11 necessary to comply with the Federal Aid in Wildlife Restoration Act, United States Code,
146.12 title 16, sections 669 to 669i, and the Federal Aid in Fish Restoration Act, United States
146.13 Code, title 16, sections 777 to 777k. Notwithstanding ~~section 16E.145~~ or any other law to
146.14 the contrary, an appropriation for an information or telecommunications technology project
146.15 from the game and fish fund, as established in section 97A.055, must be made to the
146.16 commissioner. Any assets acquired with or expenditures made from the game and fish fund
146.17 must remain under control of the commissioner.

146.18 Sec. 17. **FIRST APPOINTMENTS AND FIRST MEETING OF LEGISLATIVE**
146.19 **COMMISSION ON CYBERSECURITY.**

146.20 Subdivision 1. **First appointments.** Appointing authorities must make initial
146.21 appointments to the Legislative Commission on Cybersecurity within 60 days after final
146.22 enactment.

146.23 Subd. 2. **First meeting.** The majority leader of the senate shall designate one senate
146.24 member of the Legislative Commission on Cybersecurity under Minnesota Statutes, section
146.25 3.888, to convene the first meeting within 105 days after final enactment. The commission
146.26 must select a chair from among the senate members at the first meeting.

146.27 Subd. 3. **Meetings in 2021.** Notwithstanding Minnesota Statutes, section 3.888,
146.28 subdivision 5, the commission must meet at least twice in 2021.

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

147.1 Sec. 18. **REVISOR INSTRUCTION.**

147.2 The revisor of statutes shall change "Office of MN.IT Services" or similar terms to
147.3 "Minnesota Department of Information Technology Services" wherever it appears in
147.4 Minnesota Statutes.

147.5 Sec. 19. **REPEALER.**

147.6 Minnesota Statutes 2020, sections 16E.0466, subdivision 1; 16E.05, subdivision 3;
147.7 16E.071; and 16E.145, are repealed.

147.8 **ARTICLE 6**147.9 **LOCAL GOVERNMENT POLICY**147.10 Section 1. **[13D.001] DEFINITIONS.**

147.11 Subdivision 1. **Applicability.** For the purposes of this chapter, the terms defined in this
147.12 section have the meanings given.

147.13 Subd. 2. **Interactive technology.** "Interactive technology" means a device, software
147.14 program, or other application that allows individuals in different physical locations to see
147.15 and hear one another.

147.16 Sec. 2. Minnesota Statutes 2020, section 13D.01, subdivision 4, is amended to read:

147.17 Subd. 4. **Votes to be kept in journal.** (a) The votes of the members of the state agency,
147.18 board, commission, or department; or of the governing body, committee, subcommittee,
147.19 board, department, or commission on an action taken in a meeting required by this section
147.20 to be open to the public must be recorded in a journal ~~kept for that purpose~~ or minutes.

147.21 (b) The vote of each member must be recorded on each appropriation of money, except
147.22 for payments of judgments, claims, and amounts fixed by statute.

147.23 Sec. 3. Minnesota Statutes 2020, section 13D.01, subdivision 5, is amended to read:

147.24 Subd. 5. **Public access to journal.** The journal or any minutes used to record votes of
147.25 a meeting subject to this chapter must be open to the public during all normal business hours
147.26 where records of the public body are kept.

148.1 Sec. 4. Minnesota Statutes 2020, section 13D.015, is amended to read:

148.2 **13D.015 STATE ENTITY MEETINGS BY TELEPHONE OR OTHER**
148.3 **ELECTRONIC MEANS INTERACTIVE TECHNOLOGY.**

148.4 Subdivision 1. **Application.** This section applies to:

148.5 (1) a state agency, board, commission, or department, and a statewide public pension
148.6 plan defined in section 356A.01, subdivision 24; and

148.7 (2) a committee, subcommittee, board, department, or commission of an entity listed in
148.8 clause (1).

148.9 Subd. 2. **Conditions.** An entity listed in subdivision 1 may conduct a meeting governed
148.10 by this section and section 13D.01, subdivisions 1, 2, 4, and 5, by telephone or ~~other~~
148.11 ~~electronic means~~ interactive technology so long as the following conditions are met:

148.12 (1) all members of the entity participating in the meeting, wherever their physical location,
148.13 can hear one another and can hear all discussion and testimony;

148.14 (2) members of the public present at the regular meeting location of the entity can hear
148.15 all discussion and all votes of members of the entity and participate in testimony;

148.16 (3) at least one member of the entity is physically present at the regular meeting location;
148.17 and

148.18 (4) all votes are conducted by roll call, so each member's vote on each issue can be
148.19 identified and recorded.

148.20 Subd. 3. **Quorum; participation.** Each member of the entity participating in a meeting
148.21 by telephone or ~~other electronic means~~ interactive technology is considered present at the
148.22 meeting for purposes of determining a quorum and participating in all proceedings.

148.23 Subd. 4. **Monitoring from remote site; costs.** If telephone or ~~another electronic means~~
148.24 interactive technology is used to conduct a meeting, the entity, to the extent practical, shall
148.25 allow a person to monitor the meeting electronically from a remote location. ~~The entity may~~
148.26 ~~require the person making a connection to pay for documented marginal costs that the entity~~
148.27 ~~incurs as a result of the additional connection.~~

148.28 Subd. 5. **Notice.** If telephone or ~~another electronic means~~ interactive technology is used
148.29 to conduct a regular, special, or emergency meeting, the entity shall provide notice of the
148.30 regular meeting location, of the fact that some members may participate by ~~electronic means~~
148.31 interactive technology, and of the provisions of subdivision 4. The timing and method of
148.32 providing notice is governed by section 13D.04. In addition, the entity must post the notice

149.1 on its website at least ten days before any regular meeting as defined in section 13D.04,
149.2 subdivision 1.

149.3 Sec. 5. Minnesota Statutes 2020, section 13D.02, is amended to read:

149.4 **13D.02 OTHER ENTITY MEETINGS CONDUCTED BY INTERACTIVE TV;**
149.5 **CONDITIONS TECHNOLOGY.**

149.6 Subdivision 1. **Conditions.** (a) A meeting governed by section 13D.01, subdivisions 1,
149.7 2, 4, and 5, and this section may be conducted by interactive ~~television~~ technology so long
149.8 as:

149.9 (1) all members of the body participating in the meeting, wherever their physical location,
149.10 can hear and see one another and can hear and see all discussion and testimony presented
149.11 at any location at which at least one member is present;

149.12 (2) members of the public present at the regular meeting location of the body can hear
149.13 and see all discussion and testimony and all votes of members of the body;

149.14 (3) at least one member of the body is physically present at the regular meeting location;

149.15 (4) all votes are conducted by roll call so each member's vote on each issue can be
149.16 identified and recorded; and

149.17 (5) each location at which a member of the body is present is open and accessible to the
149.18 public.

149.19 (b) A meeting satisfies the requirements of paragraph (a), although a member of the
149.20 public body participates from a location that is not open or accessible to the public, if the
149.21 member has not participated more than three times in a calendar year from a location that
149.22 is not open or accessible to the public, and:

149.23 (1) the member is serving in the military and is at a required drill, deployed, or on active
149.24 duty; or

149.25 (2) the member has been advised by a health care professional against being in a public
149.26 place for personal or family medical reasons. This clause only applies when a state of
149.27 emergency has been declared under section 12.31, and expires 60 days after the removal of
149.28 the state of emergency.

149.29 **Subd. 1a. Meeting exception.** This section applies to meetings of entities described in
149.30 section 13D.01, subdivision 1, except meetings of:

150.1 (1) a state agency, board, commission, or department and a statewide public pension
150.2 plan defined in section 356A.01, subdivision 24; and

150.3 (2) a committee, subcommittee, board, department, or commission of an entity listed in
150.4 clause (1).

150.5 Subd. 2. **Members are present for quorum, participation.** Each member of a body
150.6 participating in a meeting by interactive ~~television~~ technology is considered present at the
150.7 meeting for purposes of determining a quorum and participating in all proceedings.

150.8 Subd. 3. **Monitoring from remote site; costs.** If interactive ~~television~~ technology is
150.9 used to conduct a meeting, to the extent practical, a public body shall allow a person to
150.10 monitor the meeting electronically from a remote location. ~~The body may require the person~~
150.11 ~~making such a connection to pay for documented marginal costs that the public body incurs~~
150.12 ~~as a result of the additional connection.~~

150.13 Subd. 4. **Notice of regular and all member sites.** If interactive ~~television~~ technology
150.14 is used to conduct a regular, special, or emergency meeting, the public body shall provide
150.15 notice of the regular meeting location and notice of any site where a member of the public
150.16 body will be participating in the meeting by interactive ~~television~~ technology. The timing
150.17 and method of providing notice must be as described in section 13D.04.

150.18 ~~Subd. 5. **School boards; interactive technology with an audio and visual link.** A~~
150.19 ~~school board conducting a meeting under this section may use interactive technology with~~
150.20 ~~an audio and visual link to conduct the meeting if the school board complies with all other~~
150.21 ~~requirements under this section.~~

150.22 Subd. 6. **Record.** The minutes for a meeting conducted under this section must reflect
150.23 the names of any members appearing by interactive ~~television~~ technology and state the
150.24 reason or reasons for the appearance by interactive ~~television~~ technology.

150.25 Sec. 6. Minnesota Statutes 2020, section 13D.021, is amended to read:

150.26 **13D.021 MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS;**
150.27 **CONDITIONS DURING PANDEMIC OR CHAPTER 12 EMERGENCY.**

150.28 Subdivision 1. **Conditions.** A meeting governed by this section and section 13D.01,
150.29 subdivisions 1, 2, 4, and 5, may be conducted by telephone or ~~other electronic means~~
150.30 interactive technology so long as the following conditions are met:

150.31 (1) the presiding officer, chief legal counsel, or chief administrative officer for the
150.32 affected governing body determines that an in-person meeting or a meeting conducted under

151.1 section 13D.015 or 13D.02 is not practical or prudent because of a health pandemic or an
151.2 emergency declared under chapter 12;

151.3 (2) all members of the body participating in the meeting, wherever their physical location,
151.4 can hear one another and can hear all discussion and testimony;

151.5 (3) members of the public present at the regular meeting location of the body can hear
151.6 all discussion and testimony and all votes of the members of the body, unless attendance at
151.7 the regular meeting location is not feasible due to the health pandemic or emergency
151.8 declaration;

151.9 (4) at least one member of the body, chief legal counsel, or chief administrative officer
151.10 is physically present at the regular meeting location, unless unfeasible due to the health
151.11 pandemic or emergency declaration; and

151.12 (5) all votes are conducted by roll call, so each member's vote on each issue can be
151.13 identified and recorded.

151.14 Subd. 2. **Members are present for quorum, participation.** Each member of the body
151.15 participating in a meeting by telephone or ~~other electronic means~~ interactive technology is
151.16 considered present at the meeting for purposes of determining a quorum and participating
151.17 in all proceedings.

151.18 Subd. 3. **Monitoring from remote site; costs.** If telephone or ~~another electronic means~~
151.19 interactive technology is used to conduct a meeting, to the extent practical, the body shall
151.20 allow a person to monitor the meeting electronically from a remote location. ~~The body may~~
151.21 ~~require the person making a connection to pay for the documented additional cost that the~~
151.22 ~~body incurs as a result of the additional connection.~~

151.23 Subd. 4. **Notice of regular and all member sites.** If telephone or ~~another electronic~~
151.24 ~~means~~ interactive technology is used to conduct a regular, special, or emergency meeting,
151.25 the public body shall provide notice of the regular meeting location, of the fact that some
151.26 members may participate by telephone or ~~other electronic means~~ interactive technology,
151.27 and of the provisions of subdivision 3. The timing and method of providing notice is governed
151.28 by section 13D.04 ~~of the Open Meeting Law~~.

151.29 Subd. 5. **Public comment period during health pandemic or emergency.** If attendance
151.30 at the regular meeting location is not feasible due to a health pandemic or emergency
151.31 declaration and the public body offers a public comment period, members of the public
151.32 shall be permitted to comment from a remote location during the public comment period
151.33 of the meeting, to the extent practical.

152.1 Sec. 7. Minnesota Statutes 2020, section 462.358, is amended by adding a subdivision to
152.2 read:

152.3 Subd. 2d. **Dedication fee; first class cities.** Notwithstanding subdivisions 2b and 2c,
152.4 the city council or other chief governing body of a city of the first class, as defined in section
152.5 410.01, may require that a reasonable portion of land be dedicated to the public or may
152.6 impose a dedication fee in conjunction with the construction permit required for new housing
152.7 units and new commercial and industrial development in the city, wherever located, for
152.8 public parks, playgrounds, recreational facilities, wetlands, trails, or open space. The city
152.9 council or other chief governing body of the city must enact an ordinance to impose a
152.10 dedication of land or a dedication fee. The ordinance may exempt senior housing and
152.11 affordable housing applicants from the dedication of land or the dedication fee requirements.
152.12 The ordinance may set the cash fee based on current land prices at the time the permit is
152.13 issued or set at a flat fee rate per net new residential unit or other standard basis for
152.14 commercial and industrial property.

152.15 **EFFECTIVE DATE.** This section is effective for ordinances enacted on or after August
152.16 1, 2021.

152.17 Sec. 8. Minnesota Statutes 2020, section 469.074, is amended by adding a subdivision to
152.18 read:

152.19 Subd. 4. **Nonprofit corporation creation authority.** The Seaway Port Authority of
152.20 Duluth may create a corporation as a nonprofit corporation under chapter 317A with the
152.21 mission of furthering its goals and duties.

152.22 Sec. 9. Minnesota Statutes 2020, section 471.342, subdivision 1, is amended to read:

152.23 Subdivision 1. **City.** In this section, "city" means a home rule charter or statutory city,
152.24 township, or any political subdivision of the state with statutory sewer ownership or
152.25 operational responsibilities.

152.26 Sec. 10. Minnesota Statutes 2020, section 471.342, subdivision 4, is amended to read:

152.27 Subd. 4. **Program guidelines.** The city shall establish guidelines to govern the program.
152.28 The guidelines shall establish criteria for program eligibility and standards for compliance
152.29 with the program. Prior to adoption of the program guidelines, the city ~~council~~ must conduct
152.30 a public hearing on the proposed guidelines after giving at least ten days' published notice
152.31 of the hearing.

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

153.1 Sec. 11. Minnesota Statutes 2020, section 471.345, subdivision 20, is amended to read:

153.2 Subd. 20. **Solicitations to small business enterprises or veteran-owned small**
153.3 **businesses.** A contract, as defined in subdivision 2, estimated not to exceed ~~\$250,000~~
153.4 \$750,000 may be made pursuant to the provisions of subdivision 4 provided that a business
153.5 that is directly solicited is: (1) certified as a small business enterprise by a county designated
153.6 small business certification program; or (2) certified by the commissioner of administration
153.7 as a small business that is majority-owned and operated by a veteran or a service-disabled
153.8 veteran. This subdivision applies only to county boards.

153.9 Sec. 12. [471.585] MUNICIPAL HOTEL LICENSING.

153.10 (a) A statutory or home rule charter city or a town may adopt an ordinance requiring
153.11 hotels operating within the boundaries of the city or town to have a valid license issued by
153.12 the city or town. A fee for a license under this section may not exceed \$100.

153.13 (b) An ordinance adopted under this section is limited to requiring compliance with state
153.14 and local laws as a condition of licensure. No other licensing conditions or requirements
153.15 are permitted.

153.16 (c) A city or town that has adopted an ordinance under this section may refuse to issue
153.17 a license, or may revoke an existing license, if the hotel fails to comply with the conditions
153.18 of the license.

153.19 Sec. 13. Minnesota Statutes 2020, section 473.606, subdivision 5, is amended to read:

153.20 Subd. 5. **Employees, others, affirmative action; prevailing wage.** The corporation
153.21 shall have the power to appoint engineers and other consultants, attorneys, and such other
153.22 officers, agents, and employees as it may see fit, who shall perform such duties and receive
153.23 such compensation as the corporation may determine ~~notwithstanding the provisions of~~
153.24 ~~section 43A.17, subdivision 9,~~ and be removable at the pleasure of the corporation. The
153.25 corporation must adopt an affirmative action plan, which shall be submitted to the appropriate
153.26 agency or office of the state for review and approval. The plan must include a yearly progress
153.27 report to the agency or office. Whenever the corporation performs any work within the
153.28 limits of a city of the first class, or establishes a minimum wage for skilled or unskilled
153.29 labor in the specifications or any contract for work within one of the cities, the rate of pay
153.30 to such skilled and unskilled labor must be the prevailing rate of wage for such labor in that
153.31 city.

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

154.1 Sec. 14. Laws 1963, chapter 305, section 2, as amended by Laws 1998, chapter 404,
154.2 section 62, is amended to read:

154.3 Sec. 2.

154.4 The authority created under this act shall consist of 11 directors, seven appointed by the
154.5 city of Duluth and four appointed by the governor. The directors serve without compensation
154.6 but may be reimbursed for authorized out-of-pocket expenses incurred in the fulfillment of
154.7 their duties. The original term of three of the directors shall be for one year; the original
154.8 term of two of the directors shall be for two years; and the original term of two of the
154.9 directors shall be for three years, and until their respective successors are appointed and
154.10 qualified. Subsequent terms of directors appointed by the city shall be for three years. All
154.11 terms shall expire on June 30 of the appropriate year. Directors appointed by the governor
154.12 serve at the pleasure of the governor. Whenever a vacancy on such authority shall occur by
154.13 reason of resignation, death, removal from the city, or removal for failure or neglect to
154.14 perform duties of a director, such vacancy shall be filled for the unexpired term. All
154.15 appointments and removal of directors of the authority appointed by the city shall be made
154.16 by the mayor, with the approval of the city council, evidenced by resolution. Every appointee
154.17 who shall fail, within ten days after notification of ~~his~~ appointment, to file with the city
154.18 clerk ~~his~~ the appointee's oath or affirmation to perform faithfully, honestly, and impartially
154.19 the duties of ~~his~~ the office, shall be deemed to have refused such appointment, and thereupon
154.20 another person shall be appointed in the manner prescribed in this section.

154.21 Sec. 15. Laws 1963, chapter 305, section 3, as amended by Laws 1998, chapter 404,
154.22 section 63, is amended to read:

154.23 Sec. 3.

154.24 Subdivision 1. Within 30 days after the members of the authority shall have qualified
154.25 for office, the authority shall meet and organize, and adopt and thereafter may amend such
154.26 rules and regulations for the conduct of the authority as the authority shall deem to be in
154.27 the public interest and most likely to advance, enhance, foster, and promote the use of
154.28 regional assets, the entertainment and convention center, and its facilities for activities,
154.29 conventions, events, and athletic and cultural productions. Such rules and regulations shall
154.30 at all times be in harmony with this act.

154.31 Subd. 2. Such directors shall elect from among their number a ~~president~~ chair and a
154.32 ~~vice-president~~ vice-chair, and shall also elect a treasurer or secretary ~~who may or may not~~
154.33 ~~be a member of such authority~~, or both. No two of such offices may be held by one director.

155.1 The officers shall have the duties and powers usually attendant upon such officers, and such
155.2 other duties and powers not inconsistent herewith as may be provided by the authority.

155.3 Subd. 3. The authority shall select a specific site within the city of Duluth for location
155.4 of a national class entertainment and convention center, and may spend money appropriated,
155.5 or otherwise available to it for that purpose, to acquire property for the center and to plan,
155.6 design, construct, equip, and furnish the center. The authority shall administer, promote,
155.7 and operate the center as a state facility, but for which the state assumes no financial
155.8 responsibility or liability beyond the amounts appropriated for the facility.

155.9 Sec. 16. Laws 1963, chapter 305, section 4, as amended by Laws 1998, chapter 404,
155.10 section 64, is amended to read:

155.11 Sec. 4.

155.12 Subdivision 1. The city treasurer of the city of Duluth shall be the ~~treasurer~~ fiscal agent
155.13 of the authority. The ~~treasurer~~ fiscal agent shall receive and have the custody of all moneys
155.14 of the authority from whatever source derived, and the same shall be deemed public funds.
155.15 The ~~treasurer~~ city of Duluth shall disburse such funds only upon written orders drawn against
155.16 such funds, signed by the manager and approved by the ~~president~~ chair, or in ~~his~~ the chair's
155.17 absence, the ~~vice-president~~ vice-chair of such authority; and each order shall state the name
155.18 of the payee and the nature of the claim for which the same is issued. The ~~treasurer~~ fiscal
155.19 agent shall keep an account of all monies coming into ~~his~~ the fiscal agent's hands, showing
155.20 the source of all receipts and the nature, purpose, and authority of all disbursements, and at
155.21 least four times each year, at times and in a form to be determined by the city council, the
155.22 authority shall file with the city clerk a financial statement of the authority, showing all
155.23 receipts and disbursements, the nature of the same, the moneys on hand, and the purposes
155.24 for which the same are applicable, the credits and assets of the authority, and its outstanding
155.25 liabilities.

155.26 Subd. 2. The authority has the exclusive power to receive, control, and order the
155.27 expenditure of any and all moneys and funds pertaining to the center operations.

155.28 Subd. 3. There are hereby created in the treasury of the city of Duluth a special
155.29 entertainment and convention center fund, hereinafter referred to as the special fund, and
155.30 an entertainment and convention center operating fund, hereinafter referred to as the operating
155.31 fund. The moneys in the special fund shall be used solely for the acquisition and preparation
155.32 of a site, and for the planning, construction, and equipping of the center. The special fund
155.33 shall consist of:

156.1 (1) All moneys derived from the sale of bonds by the city to provide funds for the
156.2 acquisition and preparation of a site, and for the planning, construction, and equipping of
156.3 the center.

156.4 (2) All moneys appropriated or made available to the city of Duluth for the acquisition
156.5 and preparation of a site, and for the planning, construction, and equipping of the center.

156.6 (3) The proceeds of all financial aid or assistance by the city or state governments for
156.7 the acquisition and preparation of a site, and for the planning, construction, and equipping
156.8 of the center.

156.9 (4) All moneys received from the United States of America to aid in the acquisition and
156.10 preparation of a site, and for the planning, construction, and equipping of the center.

156.11 (5) All moneys received as gifts or contributions to the acquisition and preparation of a
156.12 site, and for the planning, construction, and equipping of the center.

156.13 The operating fund shall be used for maintenance, marketing and promotion, operation,
156.14 or betterment of the center, and for expenses of the authority. The operating fund shall
156.15 consist of all moneys of the authority derived from any source other than moneys credited
156.16 to the special fund as hereinabove provided.

156.17 Subd. 4. At least once in each year the city auditor shall make, or cause to be made, at
156.18 the expense of the authority, a complete examination and audit of all books and accounts
156.19 of the aforesaid authority; and for such purpose the city auditor shall have the authority and
156.20 power to inspect and examine such books and accounts at any time during regular business
156.21 hours and such intervals as ~~he may determine~~ determined by the city auditor. One copy of
156.22 such yearly audit shall be filed by the city auditor with the city clerk as a public document.

156.23 Subd. 5. The authority shall annually submit to the governor and the legislature a report
156.24 detailing its activities and finances for the previous year. The report shall also include a
156.25 proposed budget for the succeeding two years, showing in reasonable detail estimated
156.26 operating and nonoperating revenues from all sources, and estimated expenditures for
156.27 operation, administration, ordinary repair, and debt service.

156.28 Subd. 6. The legislative auditor shall make an annual audit of the authority's books and
156.29 accounts once each year or as often as the legislative auditor's funds and personnel permit.

157.1 Sec. 17. Laws 1963, chapter 305, section 5, as amended by Laws 1998, chapter 404,
157.2 section 65, is amended to read:

157.3 Sec. 5.

157.4 Subdivision 1. Wherever the word "center" is used in this act, it means the entertainment
157.5 and convention center complex ~~of~~ and its facilities in the city of Duluth, including the land
157.6 upon which it stands and land appurtenant thereto.

157.7 Subd. 2. Notwithstanding anything to the contrary contained in any law, or in the charter
157.8 of the city of Duluth, or in any ordinance thereof, passed by the city council, or approved
157.9 by the electors of the city, there is hereby conferred upon such authority the power and duty
157.10 to contract for and superintend the erection, construction, equipping and furnishing of the
157.11 center, and to administer, promote, control, direct, manage, and operate the center as a
157.12 municipal facility.

157.13 Sec. 18. Laws 1963, chapter 305, section 8, as amended by Laws 1998, chapter 404,
157.14 section 67, is amended to read:

157.15 Sec. 8.

157.16 The authority shall have the power:

157.17 To adopt and alter all bylaws and rules and regulations which it shall from time to time
157.18 deem best for the conduct of the business of the authority, and for the use of the facilities
157.19 of the authority, and for the purposes of carrying out the objects of this act; but such bylaws,
157.20 rules, and regulations shall not be in conflict with the terms of this act.

157.21 To appoint and remove a manager and such other employees as the authority may deem
157.22 necessary, who shall not be within the civil service classifications of the city, and to prescribe
157.23 the duties and fix the compensation and other benefits of such manager and employees,
157.24 without regard to any provision contained in the charter or any ordinance of the city relating
157.25 to civil service, or to any provision contained in Minnesota Statutes 1961, Sections 197.45
157.26 to 197.47, inclusive.

157.27 To procure and provide for a policy or policies of insurance for the defense and
157.28 indemnification of the city of Duluth, its officers and employees, and directors, manager,
157.29 and employees of the authority, against claims arising against them out of the performance
157.30 of duty, whether such claims be groundless, or otherwise. Premiums for any policies of
157.31 insurance required by this act shall be paid for out of the funds of the entertainment
157.32 convention center authority.

158.1 To implement and carry out the provisions of section 7 of this act.

158.2 To utilize the services and facilities of the city so far as the same are offered by
158.3 appropriate city officials and accepted by the authority, and to pay the city for all charges
158.4 and costs for such services.

158.5 To operate and maintain and to lease from others all facilities necessary or convenient
158.6 in connection with the center and to contract for the operation and maintenance of any parts
158.7 thereof or for services to be performed; to lease the whole or parts thereof, and grant
158.8 concessions, all on such terms and conditions as the authority may determine.

158.9 To authorize and direct the city ~~treasurer~~ fiscal agent to invest, in the manner provided
158.10 by law, any funds held in reserve, or sinking funds, or any funds not required for immediate
158.11 disbursement.

158.12 To fix, alter, charge, and collect rates, fees, and all other charges to be made for all
158.13 services or facilities furnished by the authority for the use of the center facilities by any
158.14 persons or public or private agencies utilizing such services or facilities.

158.15 To make and execute contracts, agreements, instruments, and other arrangements
158.16 necessary or convenient to the exercise of its powers.

158.17 Sec. 19. Laws 1963, chapter 305, section 9, as amended by Laws 1998, chapter 404,
158.18 section 68, is amended to read:

158.19 Sec. 9.

158.20 The manager of the center shall be responsible for the custody and control of all moneys
158.21 received and collected from the daily operations of the center until such moneys are delivered
158.22 to the city ~~treasurer~~ fiscal agent and ~~he~~ the fiscal agent shall have obtained a receipt therefor,
158.23 or until such moneys are deposited in a bank account under control of the city ~~treasurer~~
158.24 fiscal agent.

158.25 The manager shall give bond in favor of the city of Duluth in a sum equal to twice the
158.26 amount of money which will probably be in ~~his~~ the manager's hands at any time during any
158.27 one year, that amount to be determined at least annually by the authority; such bond to be
158.28 conditioned upon the faithful discharge of ~~his~~ the manager's official duties, and be approved
158.29 as to form, correctness, and validity by the city attorney, and filed with the city auditor;
158.30 such bond, however, shall not exceed \$300,000. Premiums for such bonds shall be paid out
158.31 of funds of the authority.

159.1 Sec. 20. Laws 1963, chapter 305, section 10, as amended by Laws 1998, chapter 404,
159.2 section 69, is amended to read:

159.3 Sec. 10.

159.4 The authority shall regulate the making of bids and the letting of contracts through
159.5 procedure established by the authority, subject to the following conditions:

159.6 (a) In all cases of work to be done by contract or the purchase of property of any kind,
159.7 or the rendering of any service to the authority other than professional services, competitive
159.8 bids shall be secured before any purchase is made or any contract awarded where the amount
159.9 involved exceeds the sum of ~~\$2,000~~ \$50,000.

159.10 (b) All bids shall be sealed when received, shall be opened in public at the hour stated
159.11 in the notice; and all original bids, together with all documents pertaining to the award of
159.12 the contract, shall be retained and made a part of the permanent file or record, and shall be
159.13 open to public inspection.

159.14 (c) Purchases of ~~\$2,000~~ \$50,000 or less may, through procedure established by the
159.15 authority, be delegated to the center manager. Contracts involving more than ~~\$2,000~~ \$50,000
159.16 shall be awarded only after authorization by the authority.

159.17 (d) The authority may reject, or through procedure established by the authority, authorize
159.18 the center manager to reject, any and all bids.

159.19 (e) Contract shall be let to the lowest responsible bidder, and purchases shall be made
159.20 from the responsible bidder who offers to furnish the article desired for the lowest sum.

159.21 (f) In determining the lowest responsible bidder, in addition to price, the following may
159.22 be considered:

159.23 (1) The ability, capacity, and skill of the bidder to perform the contract or provide the
159.24 service required.

159.25 (2) Whether the bidder can perform the contract or provide the service promptly, or
159.26 within the time specified, without delay or interference.

159.27 (3) The character, integrity, reputation, judgment, experience and efficiency of the bidder.

159.28 (4) The quality of performance of previous contracts or services.

159.29 (5) The sufficiency of the financial resources and ability of the bidder to perform the
159.30 contract or provide the service.

160.1 (6) The quality, availability, and adaptability of the supplies or contractual service to
160.2 the particular use required.

160.3 (7) The ability of the bidder to provide future maintenance and service for the use of the
160.4 subject of the contract.

160.5 (8) The number and scope of conditions attached to the bid.

160.6 (g) Specifications shall not be so prepared as to exclude all but one type or kind, but
160.7 shall include competitive supplies and equipment; provided, however, that unique or
160.8 noncompetitive articles which are determined by the authority to be sufficiently superior
160.9 for the service intended by the authority, may be purchased without regard to other bids.

160.10 Sec. 21. Laws 2006, chapter 269, section 2, as amended by Laws 2008, chapter 331,
160.11 section 11, Laws 2008, chapter 366, article 17, section 5, and Laws 2013, chapter 85, article
160.12 5, section 43, is amended to read:

160.13 **Sec. 2. DEDICATION FEE.**

160.14 Notwithstanding Minnesota Statutes, section 462.358, subdivision 2d, the Minneapolis
160.15 Park and Recreation Board and the Minneapolis City Council may jointly require that a
160.16 reasonable portion of land be dedicated to the public or impose a dedication fee in conjunction
160.17 with the construction permit required for new housing units and new commercial and
160.18 industrial development in the city, wherever located, for public parks, playgrounds,
160.19 recreational facilities, wetlands, trails, or open space. The dedication of land or dedication
160.20 fee must be imposed by an ordinance jointly enacted by the park board and the city council.
160.21 The cash fee may be set at a flat fee rate per net new residential unit. The ordinance may
160.22 exclude senior housing and affordable housing from paying the fee or the dedication of
160.23 land. The provisions of Minnesota Statutes, section 462.358, subdivisions 2b, paragraph
160.24 (b), and 2c, apply to the application and use of the dedication of land or the dedication fee.

160.25 **EFFECTIVE DATE.** This section is effective August 1, 2021.

160.26 Sec. 22. Laws 2013, chapter 85, article 5, section 44, is amended to read:

160.27 **Sec. 44. CITY OF ST. PAUL DEDICATION FEE.**

160.28 Notwithstanding Minnesota Statutes, section 462.358, subdivision 2d, the city of St.
160.29 Paul may require that a reasonable portion of land be dedicated to the public or impose a
160.30 dedication fee in conjunction with the construction permit required for new housing units
160.31 and new commercial and industrial development in the city, wherever located, for public

161.1 parks, playgrounds, recreational facilities, wetlands, trails, or open space. The dedication
161.2 of land or dedication fee must be imposed by an ordinance enacted by the city council. The
161.3 cash fee may be set at a flat fee rate per net new residential unit. The ordinance may exclude
161.4 senior housing and affordable housing from paying the fee or the dedication of land. The
161.5 provisions of Minnesota Statutes, section 462.358, subdivisions 2b, paragraph (b); and 2c,
161.6 apply to the application and use of the dedication of land or the dedication fee.

161.7 **EFFECTIVE DATE.** This section is effective August 1, 2021.

161.8 Sec. 23. **REPEALER.**

161.9 Minnesota Statutes 2020, section 43A.17, subdivision 9, is repealed.

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

161.11 **ARTICLE 7**

161.12 **MILITARY AND VETERANS POLICY**

161.13 Section 1. Minnesota Statutes 2020, section 10.578, is amended to read:

161.14 **10.578 VETERANS SUICIDE PREVENTION AND AWARENESS DAY.**

161.15 The first Saturday of every October is designated Veterans Suicide Prevention and
161.16 Awareness Day. Each year, the governor shall issue a proclamation honoring this observance.
161.17 Each year in conjunction with this observance, the commissioner of veterans affairs shall
161.18 coordinate activities that raise awareness of, and promote the prevention of, veteran suicides.

161.19 Sec. 2. Minnesota Statutes 2020, section 15.057, is amended to read:

161.20 **15.057 PUBLICITY REPRESENTATIVES.**

161.21 No state department, bureau, or division, whether the same operates on funds appropriated
161.22 or receipts or fees of any nature whatsoever, except the Department of Veterans Affairs,
161.23 the Department of Transportation, the Department of Employment and Economic
161.24 Development, the Game and Fish Division, State Agricultural Society, and Explore Minnesota
161.25 Tourism shall use any of such funds for the payment of the salary or expenses of a publicity
161.26 representative. The head of any such department, bureau, or division shall be personally
161.27 liable for funds used contrary to this provision. This section shall not be construed, however,
161.28 as preventing any such department, bureau, or division from sending out any bulletins or
161.29 other publicity required by any state law or necessary for the satisfactory conduct of the
161.30 business for which such department, bureau, or division was created.

162.1 Sec. 3. Minnesota Statutes 2020, section 190.07, is amended to read:

162.2 **190.07 APPOINTMENT; QUALIFICATIONS; RANK; TERM; VACANCY.**

162.3 **Subdivision 1. Qualifications.** There shall be an adjutant general of the state who shall
162.4 be appointed by the governor within 120 days of a vacancy of the position. The adjutant
162.5 general shall be a staff officer, who at the time of appointment shall be a commissioned
162.6 officer of the National Guard ~~of this state, with not less than ten years military service in~~
162.7 ~~the National Guard of this state or the armed forces of the United States, at least three of~~
162.8 ~~which shall have been commissioned~~ and who shall have reached, at a minimum, the grade
162.9 ~~of a field officer~~ rank of colonel (O-6).

162.10 **Subd. 2. Rank.** The adjutant general shall be promoted, if necessary, directly to and
162.11 shall hold at least the rank of major general and may be promoted to and including the
162.12 ~~highest rank authorized under federal law. However, the adjutant general may not be~~
162.13 ~~promoted to the rank of major general without having at least 20 years service in the~~
162.14 ~~Minnesota National Guard, at least one of which has been in the rank of brigadier general.~~
162.15 If not already a major general, the adjutant general's promotion is effective beginning on
162.16 the date the governor appoints the adjutant general. At the time of appointment and in
162.17 accordance with the authorities governing federal recognition of officers, the adjutant general
162.18 is authorized to wear the rank of major general.

162.19 **Subd. 3. Term.** The term of the adjutant general is for a single term of seven years from
162.20 the date of appointment. Section 15.06, subdivisions 3, 4, and 5, governs filling of vacancies
162.21 ~~in the Office of Adjutant General.~~ The adjutant general shall not be removed from office
162.22 during a term except upon withdrawal of federal recognition or as otherwise provided by
162.23 the military laws of this state.

162.24 **Subd. 4. Vacancy; acting or temporary adjutant general.** In the event of a vacancy
162.25 of the adjutant general, the governor may appoint a person qualified under subdivision 1 as
162.26 an acting adjutant general. If the governor does not appoint an acting adjutant general, the
162.27 deputy adjutant general as defined in section 190.09, subdivision 1, shall become temporary
162.28 adjutant general without further official action. Upon taking office, the acting or temporary
162.29 adjutant general shall have all the powers and emoluments and perform all the duties of the
162.30 office of adjutant general until a permanent adjutant general is appointed.

162.31 Sec. 4. **[196.081] VETERANS STABLE HOUSING INITIATIVE; DATA.**

162.32 **(a) The commissioner may establish a veterans stable housing initiative. If the**
162.33 **commissioner establishes a veterans stable housing initiative under this section, the**

163.1 commissioner must provide resources and support to assist veterans experiencing
163.2 homelessness in obtaining or maintaining stable housing.

163.3 (b) Data on individuals maintained by the commissioner in the Homeless Veteran Registry
163.4 for purposes of the veterans stable housing initiative is private data on individuals as defined
163.5 in section 13.02, subdivision 12, and must not be disclosed or shared except for coordinating
163.6 homelessness prevention efforts with:

163.7 (1) members of the Minnesota Interagency Council on Homelessness; and

163.8 (2) Homeless Veteran Registry partners to address a veteran's episode of homelessness
163.9 or maintain a veteran's housing plan through Department of Veterans Affairs funded
163.10 programs.

163.11 (c) For purposes of this section, "homelessness" means that a veteran lacks a fixed,
163.12 nighttime residence.

163.13 Sec. 5. Minnesota Statutes 2020, section 197.791, subdivision 4, is amended to read:

163.14 Subd. 4. **Eligibility.** (a) A person is eligible for educational assistance under ~~subdivisions~~
163.15 subdivision 5 and 5a if:

163.16 (1) the person is:

163.17 (i) a veteran who is serving or has served honorably in any branch or unit of the United
163.18 States armed forces at any time;

163.19 (ii) a nonveteran who has served honorably for a total of five years or more cumulatively
163.20 as a member of the Minnesota National Guard or any other active or reserve component of
163.21 the United States armed forces, and any part of that service occurred on or after September
163.22 11, 2001;

163.23 (iii) the surviving spouse or child of a person who has served in the military and who
163.24 has died as a direct result of that military service, only if the surviving spouse or child is
163.25 eligible to receive federal education benefits under United States Code, title 38, chapter 33,
163.26 as amended, or United States Code, title 38, chapter 35, as amended; or

163.27 (iv) the spouse or child of a person who has served in the military at any time and who
163.28 has a total and permanent service-connected disability as rated by the United States Veterans
163.29 Administration, only if the spouse or child is eligible to receive federal education benefits
163.30 under United States Code, title 38, chapter 33, as amended, or United States Code, title 38,
163.31 chapter 35, as amended; and

164.1 (2) the person receiving the educational assistance is a Minnesota resident, as defined
164.2 in section 136A.101, subdivision 8; and

164.3 (3) the person receiving the educational assistance:

164.4 (i) is an undergraduate or graduate student at an eligible institution;

164.5 (ii) is maintaining satisfactory academic progress as defined by the institution for students
164.6 participating in federal Title IV programs;

164.7 (iii) is enrolled in an education program leading to a certificate, diploma, or degree at
164.8 an eligible institution;

164.9 (iv) has applied for educational assistance under this section prior to the end of the
164.10 academic term for which the assistance is being requested;

164.11 (v) is in compliance with child support payment requirements under section 136A.121,
164.12 subdivision 2, clause (5); and

164.13 (vi) has completed the Free Application for Federal Student Aid (FAFSA).

164.14 (b) A person's eligibility terminates when the person becomes eligible for benefits under
164.15 section 135A.52.

164.16 (c) To determine eligibility, the commissioner may require official documentation,
164.17 including the person's federal form DD-214 or other official military discharge papers;
164.18 correspondence from the United States Veterans Administration; birth certificate; marriage
164.19 certificate; proof of enrollment at an eligible institution; signed affidavits; proof of residency;
164.20 proof of identity; or any other official documentation the commissioner considers necessary
164.21 to determine eligibility.

164.22 (d) The commissioner may deny eligibility or terminate benefits under this section to
164.23 any person who has not provided sufficient documentation to determine eligibility for the
164.24 program. An applicant may appeal the commissioner's eligibility determination or termination
164.25 of benefits in writing to the commissioner at any time. The commissioner must rule on any
164.26 application or appeal within 30 days of receipt of all documentation that the commissioner
164.27 requires. The decision of the commissioner regarding an appeal is final. However, an
164.28 applicant whose appeal of an eligibility determination has been rejected by the commissioner
164.29 may submit an additional appeal of that determination in writing to the commissioner at
164.30 any time that the applicant is able to provide substantively significant additional information
164.31 regarding the applicant's eligibility for the program. An approval of an applicant's eligibility
164.32 by the commissioner following an appeal by the applicant is not retroactively effective for
164.33 more than one year or the semester of the person's original application, whichever is later.

165.1 (e) Upon receiving an application with insufficient documentation to determine eligibility,
165.2 the commissioner must notify the applicant within 30 days of receipt of the application that
165.3 the application is being suspended pending receipt by the commissioner of sufficient
165.4 documentation from the applicant to determine eligibility.

165.5 Sec. 6. Minnesota Statutes 2020, section 197.791, subdivision 5, is amended to read:

165.6 Subd. 5. **Educational assistance amount.** (a) On approval by the commissioner of
165.7 eligibility for the program, the applicant shall be awarded, on a funds-available basis, the
165.8 educational assistance under the program for use at any time according to program rules at
165.9 any eligible institution.

165.10 (b) The amount of educational assistance in any semester or term for an eligible person
165.11 must be determined by subtracting from the eligible person's cost of attendance the amount
165.12 the person received or was eligible to receive in that semester or term from:

165.13 (1) the federal Pell Grant;

165.14 (2) the state grant program under section 136A.121; and

165.15 (3) any federal military or veterans educational benefits including but not limited to the
165.16 Montgomery GI Bill, GI Bill Kicker, the federal tuition assistance program, vocational
165.17 rehabilitation benefits, and any other federal benefits associated with the person's status as
165.18 a veteran, except veterans disability payments from the United States Department of Veterans
165.19 ~~Administration and payments made under the Veterans Retraining Assistance Program~~
165.20 ~~(VRAP)~~ Affairs.

165.21 (c) The amount of educational assistance for any eligible person who is a full-time
165.22 student must not exceed the following:

165.23 (1) \$3,000 per state fiscal year; and

165.24 (2) \$10,000 in a lifetime.

165.25 (d) For a part-time student, the amount of educational assistance must not exceed \$500
165.26 per semester or term of enrollment. For the purpose of this paragraph, a part-time
165.27 undergraduate student is a student taking fewer than 12 credits or the equivalent for a
165.28 semester or term of enrollment and a part-time graduate student is a student considered part
165.29 time by the eligible institution the graduate student is attending. The minimum award for
165.30 undergraduate and graduate students is \$50 per term.

166.1 Sec. 7. Minnesota Statutes 2020, section 197.791, subdivision 5a, is amended to read:

166.2 Subd. 5a. **Apprenticeship and on-the-job training.** (a) The commissioner, in
166.3 consultation with the commissioners of employment and economic development and labor
166.4 and industry, shall develop and implement an apprenticeship and on-the-job training program
166.5 to administer a portion of the Minnesota GI Bill program to pay benefit amounts to eligible
166.6 persons, as provided in this subdivision.

166.7 (b) An "eligible employer" means an employer operating a qualifying apprenticeship or
166.8 on-the-job training program that has been approved by the commissioner.

166.9 ~~(c) A person is eligible for apprenticeship and on-the-job training assistance under this~~
166.10 ~~subdivision if the person meets the criteria established under subdivision 4, paragraph (a).~~
166.11 ~~The commissioner may determine eligibility as provided in subdivision 4, paragraph (c),~~
166.12 ~~and may deny or terminate benefits as prescribed under subdivision 4, paragraphs (d) and~~
166.13 ~~(e). The amount of assistance paid to or on behalf of an eligible individual under this~~
166.14 ~~subdivision must not exceed the following:~~

166.15 (c) A person is eligible for apprenticeship and on-the-job training assistance under this
166.16 subdivision if the person is:

166.17 (1) a veteran who is serving or has served honorably in any branch or unit of the United
166.18 States armed forces at any time;

166.19 (2) a nonveteran who has served honorably for a total of five years or more cumulatively
166.20 as a member of the Minnesota National Guard or any other active or reserve component of
166.21 the United States armed forces, and any part of that service occurred on or after September
166.22 11, 2001;

166.23 (3) the surviving spouse or child of a person who has served in the military and who has
166.24 died as a direct result of that military service, only if the surviving spouse or child is eligible
166.25 to receive federal education benefits under United States Code, title 38, chapter 33, as
166.26 amended, or United States Code, title 38, chapter 35, as amended; or

166.27 (4) the spouse or child of a person who has served in the military at any time and who
166.28 has a total and permanent service-connected disability as rated by the United States Veterans
166.29 Administration, only if the spouse or child is eligible to receive federal education benefits
166.30 under United States Code, title 38, chapter 33, as amended, or United States Code, title 38,
166.31 chapter 35.

166.32 (d) The amount of assistance paid to or on behalf of an eligible individual under this
166.33 subdivision must not exceed the following:

167.1 (1) \$3,000 per fiscal year for apprenticeship expenses;

167.2 (2) \$3,000 per fiscal year for on-the-job training;

167.3 (3) \$1,000 for a job placement credit payable to an eligible employer upon hiring and
167.4 completion of six consecutive months' employment of a person receiving assistance under
167.5 this subdivision; and

167.6 (4) \$1,000 for a job placement credit payable to an eligible employer after a person
167.7 receiving assistance under this subdivision has been employed by the eligible employer for
167.8 at least 12 consecutive months as a full-time employee.

167.9 (e) No more than \$5,000 in aggregate benefits under this ~~paragraph~~ subdivision may be
167.10 paid to or on behalf of an individual in one fiscal year; ~~and not more than \$10,000 in~~
167.11 ~~aggregate benefits under this paragraph may be paid to or on behalf of an individual over~~
167.12 ~~any period of time.~~

167.13 (f) If an eligible person receives benefits under subdivision 5 or 5b, the eligible person's
167.14 aggregate benefits under this subdivision, subdivisions 5, and 5b, must not exceed \$10,000
167.15 in the eligible person's lifetime.

167.16 ~~(d)~~ (g) Assistance for apprenticeship expenses and on-the-job training is available for
167.17 qualifying programs, which must, at a minimum, meet the following criteria:

167.18 (1) the training must be with an eligible employer;

167.19 (2) the training must be documented and reported;

167.20 (3) the training must reasonably be expected to lead to an entry-level position; and

167.21 (4) the position must require at least six months of training to become fully trained.

167.22 Sec. 8. Minnesota Statutes 2020, section 197.791, subdivision 5b, is amended to read:

167.23 Subd. 5b. **Additional professional or educational benefits.** (a) The commissioner shall
167.24 develop and implement a program to administer a portion of the Minnesota GI Bill program
167.25 to pay additional benefit amounts to eligible persons as provided under this subdivision.

167.26 ~~(b) A person is eligible for additional benefits under this subdivision if the person meets~~
167.27 ~~the criteria established under subdivision 4, paragraph (a), clause (1). The commissioner~~
167.28 ~~may determine eligibility as provided in subdivision 4, paragraph (c), and may deny or~~
167.29 ~~terminate benefits as prescribed under subdivision 4, paragraphs (d) and (e). The amount~~
167.30 ~~of assistance paid to or on behalf of an eligible individual under this subdivision must not~~
167.31 ~~exceed the following amounts:~~

168.1 (b) A person is eligible for additional benefits under this subdivision if the person is:

168.2 (1) a veteran who is serving or has served honorably in any branch or unit of the United
168.3 States armed forces at any time;

168.4 (2) a nonveteran who has served honorably for a total of five years or more cumulatively
168.5 as a member of the Minnesota National Guard or any other active or reserve component of
168.6 the United States armed forces, and any part of that service occurred on or after September
168.7 11, 2001;

168.8 (3) the surviving spouse or child of a person who has served in the military and who has
168.9 died as a direct result of that military service, only if the surviving spouse or child is eligible
168.10 to receive federal education benefits under United States Code, title 38, chapter 33, as
168.11 amended, or United States Code, title 38, chapter 35, as amended; or

168.12 (4) the spouse or child of a person who has served in the military at any time and who
168.13 has a total and permanent service-connected disability as rated by the United States Veterans
168.14 Administration, only if the spouse or child is eligible to receive federal education benefits
168.15 under United States Code, title 38, chapter 33, as amended, or United States Code, title 38,
168.16 chapter 35.

168.17 (c) The amount of assistance paid to or on behalf of an eligible individual under this
168.18 subdivision must not exceed the following amounts:

168.19 (1) \$3,000 per state fiscal year; and

168.20 (2) \$10,000 in a lifetime.

168.21 (d) If an eligible person receives benefits under subdivision 5 or 5a, the eligible person's
168.22 aggregate benefits under this subdivision, subdivisions 5, and 5a, must not exceed \$10,000
168.23 in the eligible person's lifetime.

168.24 ~~(e)~~ (e) A person eligible under this subdivision may use the benefit amounts for the
168.25 following purposes:

168.26 (1) licensing or certification tests, the successful completion of which demonstrates an
168.27 individual's possession of the knowledge or skill required to enter into, maintain, or advance
168.28 in employment in a predetermined and identified vocation or profession, provided that the
168.29 tests and the licensing or credentialing organizations or entities that offer the tests are
168.30 approved by the commissioner;

168.31 (2) tests for admission to institutions of higher learning or graduate schools;

169.1 (3) national tests providing an opportunity for course credit at institutions of higher
169.2 learning;

169.3 (4) a preparatory course for a test that is required or used for admission to an institution
169.4 of higher education or a graduate program; and

169.5 (5) any fee associated with the pursuit of a professional or educational objective specified
169.6 in clauses (1) to (4).

169.7 ~~(d) If an eligible person receives benefits under subdivision 5, the eligible person's~~
169.8 ~~aggregate benefits under this subdivision and subdivision 5 must not exceed \$10,000 in the~~
169.9 ~~eligible person's lifetime.~~

169.10 ~~(e) If an eligible person receives benefits under subdivision 5a, the eligible person's~~
169.11 ~~aggregate benefits under this subdivision and subdivision 5a must not exceed \$10,000 in~~
169.12 ~~the eligible person's lifetime.~~

169.13 Sec. 9. Minnesota Statutes 2020, section 198.006, is amended to read:

169.14 **198.006 SUPPLEMENTAL PROGRAMS.**

169.15 (a) The commissioner shall ~~shall~~ must work with federal, state, local, and private agencies to
169.16 develop alternative institutional and noninstitutional care programs for veterans to supplement
169.17 the mission of the homes. Veterans shall be afforded the least restrictive, most appropriate
169.18 level of care available.

169.19 (b) The commissioner may provide adult day care center programs that offer therapeutic
169.20 and rehabilitation health care services to veterans and support services for caregivers of
169.21 veterans. If the commissioner provides adult day care center programs, the commissioner
169.22 may collect fees from program participants. The commissioner is authorized to apply for
169.23 and accept federal funding for purposes of this paragraph.

169.24 (c) The commissioner may work with federal, state, local, and private entities to make
169.25 available appropriate dental services for veterans homes residents. The commissioner may
169.26 engage with the United States Department of Veterans Affairs to support the dental benefits
169.27 program authorized under this paragraph.

169.28 Sec. 10. Minnesota Statutes 2020, section 198.03, subdivision 2, is amended to read:

169.29 Subd. 2. **Cost of care.** The commissioner shall set out in rules the method of calculating
169.30 the average cost of care for the domiciliary and nursing care residents. The cost must be
169.31 determined yearly based upon the average cost per resident taking into account, but not

170.1 limited to, administrative cost of the homes, the cost of service available to the resident,
170.2 and food and lodging costs. These average costs must be calculated separately for domiciliary
170.3 and nursing care residents. The amount charged each resident for maintenance, if anything,
170.4 must be based on the appropriate average cost of care calculation and the assets and income
170.5 of the resident but must not exceed the appropriate average cost of care.

170.6 Beginning July 1, 2021, the Personal Needs Allowance (PNA) for domiciliary residents
170.7 shall be based on the Minnesota Department of Human Services' (DHS) most recent General
170.8 Assistance program PNA and will be in effect the same date as the DHS PNA is in effect.
170.9 Thereafter, the PNA must be adjusted and put into effect each year or each time DHS adjusts
170.10 the PNA.

170.11 **Sec. 11. [609.1056] MILITARY VETERANS; CRIMES COMMITTED BECAUSE**
170.12 **OF CONDITIONS RESULTING FROM SERVICE; DISCHARGE AND DISMISSAL.**

170.13 Subdivision 1. Definitions. As used in this section, the following terms have the meanings
170.14 given:

170.15 (1) "applicable condition" means sexual trauma, traumatic brain injury, posttraumatic
170.16 stress disorder, substance abuse, or a mental health condition;

170.17 (2) "eligible offense" means any misdemeanor or gross misdemeanor, and any felony
170.18 that is ranked at severity level 7 or lower or D7 or lower on the Sentencing Guidelines grid;

170.19 (3) "pretrial diversion" means the decision of a prosecutor to refer a defendant to a
170.20 diversion program on condition that the criminal charges against the defendant shall be
170.21 dismissed after a specified period of time, or the case shall not be charged, if the defendant
170.22 successfully completes the program of treatment recommended by the United States
170.23 Department of Veterans Affairs or a local, state, federal, or private nonprofit treatment
170.24 program; and

170.25 (4) "veterans treatment court program" means a program that has the following essential
170.26 characteristics:

170.27 (i) the integration of services in the processing of cases in the judicial system;

170.28 (ii) the use of a nonadversarial approach involving prosecutors and defense attorneys to
170.29 promote public safety and to protect the due process rights of program participants;

170.30 (iii) early identification and prompt placement of eligible participants in the program;

170.31 (iv) access to a continuum of alcohol, controlled substance, mental health, and other
170.32 related treatment and rehabilitative services;

- 171.1 (v) careful monitoring of treatment and services provided to program participants;
171.2 (vi) a coordinated strategy to govern program responses to participants' compliance;
171.3 (vii) ongoing judicial interaction with program participants;
171.4 (viii) monitoring and evaluation of program goals and effectiveness;
171.5 (ix) continuing interdisciplinary education to promote effective program planning,
171.6 implementation, and operations;
171.7 (x) development of partnerships with public agencies and community organizations,
171.8 including the United States Department of Veterans Affairs; and
171.9 (xi) inclusion of a participant's family members who agree to be involved in the treatment
171.10 and services provided to the participant under the program.

171.11 Subd. 2. **Deferred prosecution.** (a) The court shall defer prosecution for an eligible
171.12 offense committed by a defendant who was, or currently is, a member of the United States
171.13 military as provided in this subdivision. The court shall do this at the request of the defendant
171.14 upon a finding of guilty after trial or upon a guilty plea.

171.15 (b) A defendant who requests to be sentenced under this subdivision shall release or
171.16 authorize access to military service reports and records relating to the alleged applicable
171.17 condition. The court must file the records as confidential and designate that they remain
171.18 sealed, except as provided in this paragraph. In addition, the court may request, through
171.19 existing resources, an assessment of the defendant. The defendant, through existing records
171.20 or licensed professional evaluation, shall establish the diagnosis of the condition, that it was
171.21 caused by military service, and that the offense was committed as a result of the condition.
171.22 The court, on its own motion or the prosecutor's motion, with notice to defense counsel,
171.23 may order the defendant to furnish to the court for in-camera review or to the prosecutor
171.24 copies of all medical and military service reports and records previously or subsequently
171.25 made concerning the defendant's condition and its connection to service.

171.26 (c) Based on the record, the court shall determine whether, by clear and convincing
171.27 evidence: (1) the defendant suffered from an applicable condition at the time of the offense;
171.28 (2) the applicable condition was caused by service in the United States military; and (3) the
171.29 offense was committed as a result of the applicable condition. Within 15 days of the court's
171.30 determination, either party may file a challenge to the determination and demand a hearing
171.31 on the defendant's eligibility under this subdivision.

171.32 (d) If the court makes the determination described in paragraph (c), the court shall,
171.33 without entering a judgment of guilty, defer further proceedings and place the defendant

172.1 on probation upon such reasonable conditions as it may require and for a period not to
172.2 exceed the maximum period provided by law. A court may extend a defendant's term of
172.3 probation pursuant to section 609.135, subdivision 2, paragraphs (g) and (h). Conditions
172.4 ordered by the court must include treatment, services, rehabilitation, and education sufficient
172.5 so that if completed, the defendant would be eligible for discharge and dismissal under
172.6 subdivision 3. In addition, the court shall order that the defendant undergo a chemical use
172.7 assessment that includes a recommended level of care for the defendant in accordance with
172.8 the criteria contained in rules adopted by the commissioner of human services under section
172.9 254A.03, subdivision 3.

172.10 (e) If the court determines that the defendant is eligible for a deferred sentence but the
172.11 defendant has previously received one for a felony offense under this subdivision, the court
172.12 may, but is not required to, impose a deferred sentence. If the court does not impose a
172.13 deferred sentence, the court may sentence the defendant as otherwise provided in law,
172.14 including as provided in subdivision 4.

172.15 (f) Upon violation of a condition of probation, the court may enter an adjudication of
172.16 guilt and proceed as otherwise provided in law, including as provided in subdivision 4.

172.17 (g) As a condition of probation, the court may order the defendant to attend a local, state,
172.18 federal, or private nonprofit treatment program for a period not to exceed the maximum
172.19 period for which the defendant could have been incarcerated.

172.20 (h) The court, when issuing an order under this subdivision that a defendant attend an
172.21 established treatment program, shall give preference to a treatment program that has a history
172.22 of successfully treating veterans who suffer from applicable conditions caused by military
172.23 service, including but not limited to programs operated by the United States Department of
172.24 Defense or Veterans Affairs.

172.25 (i) The court and any assigned treatment program shall collaborate with, when available,
172.26 the county veterans service officer and the United States Department of Veterans Affairs
172.27 to maximize benefits and services provided to the defendant.

172.28 (j) If available in the county or judicial district having jurisdiction over the case, the
172.29 defendant may be supervised by a veterans treatment court program under subdivision 5.
172.30 If there is a veterans treatment court that meets the requirements of subdivision 5 in the
172.31 county in which the defendant resides or works, supervision of the defendant may be
172.32 transferred to that county or judicial district veterans treatment court program. Upon the
172.33 defendant's successful or unsuccessful completion of the program, the veterans treatment

173.1 court program shall communicate this information to the court of original jurisdiction for
173.2 further action.

173.3 (k) Sentencing pursuant to this subdivision waives any right to administrative review
173.4 pursuant to section 169A.53, subdivision 1, or judicial review pursuant to section 169A.53,
173.5 subdivision 2, for a license revocation or cancellation imposed pursuant to section 169A.52,
173.6 and also waives any right to administrative review pursuant to section 171.177, subdivision
173.7 10, or judicial review pursuant to section 171.177, subdivision 11, for a license revocation
173.8 or cancellation imposed pursuant to section 171.177, if that license revocation or cancellation
173.9 is the result of the same incident that is being sentenced.

173.10 Subd. 3. **Discharge and dismissal.** (a) Upon the expiration of the period of the defendant's
173.11 probation the court shall hold a hearing to discharge the defendant from probation and
173.12 determine whether to dismiss the proceedings against a defendant who received a deferred
173.13 sentence under subdivision 2. The hearing shall be scheduled so that the parties have adequate
173.14 time to prepare and present arguments regarding the issue of dismissal. The parties may
173.15 submit written arguments to the court prior to the date of the hearing and may make oral
173.16 arguments before the court at the hearing. The defendant must be present at the hearing
173.17 unless excused under Minnesota Rules of Criminal Procedure, rule 26.03, subdivision 1,
173.18 clause (3).

173.19 (b) The court shall provide notice to any identifiable victim of the offense at least 15
173.20 days before the hearing is held. Notice to victims of the offense under this subdivision must
173.21 specifically inform the victim of the right to submit an oral or written statement to the court
173.22 at the time of the hearing describing the harm suffered by the victim as a result of the crime
173.23 and the victim's recommendation on whether dismissal should be granted or denied. The
173.24 judge shall consider the victim's statement when making a decision. If a victim notifies the
173.25 prosecutor of an objection to dismissal and is not present at the hearing, the prosecutor shall
173.26 make the objections known to the court.

173.27 (c) The court shall dismiss proceedings against a defendant if the court finds by clear
173.28 and convincing evidence that the defendant:

173.29 (1) is in substantial compliance with the conditions of probation;

173.30 (2) has successfully participated in court-ordered treatment and services to address the
173.31 applicable condition caused by military service;

173.32 (3) does not represent a danger to the health or safety of victims or others; and

174.1 (4) has demonstrated significant benefit from court-ordered education, treatment, or
174.2 rehabilitation to clearly show that a discharge and dismissal under this subdivision is in the
174.3 interests of justice.

174.4 (d) In determining the interests of justice, the court shall consider, among other factors,
174.5 all of the following:

174.6 (1) the defendant's completion and degree of participation in education, treatment, and
174.7 rehabilitation as ordered by the court;

174.8 (2) the defendant's progress in formal education;

174.9 (3) the defendant's development of career potential;

174.10 (4) the defendant's leadership and personal responsibility efforts;

174.11 (5) the defendant's contribution of service in support of the community;

174.12 (6) the level of harm to the community from the offense; and

174.13 (7) the statement of the victim, if any.

174.14 (e) If the court finds that the defendant does not qualify for discharge and dismissal
174.15 under paragraph (c), the court shall enter an adjudication of guilt and proceed as otherwise
174.16 provided in law, including as provided in subdivision 4.

174.17 (f) Discharge and dismissal under this subdivision shall be without court adjudication
174.18 of guilt, but a not public record of the discharge and dismissal shall be retained by the Bureau
174.19 of Criminal Apprehension for the purpose of use by the courts in determining the merits of
174.20 subsequent proceedings against the defendant. The not public record may also be opened
174.21 only upon court order for purposes of a criminal investigation, prosecution, or sentencing.
174.22 Upon request by law enforcement, prosecution, or corrections authorities, the bureau shall
174.23 notify the requesting party of the existence of the not public record and the right to seek a
174.24 court order to open the not public record under this paragraph. The court shall forward a
174.25 record of any discharge and dismissal under this subdivision to the bureau, which shall
174.26 make and maintain the not public record of the discharge and dismissal. The discharge and
174.27 dismissal shall not be deemed a conviction for purposes of disqualifications or disabilities
174.28 imposed by law upon conviction of a crime or for any other purpose. For purposes of this
174.29 paragraph, "not public" has the meaning given in section 13.02, subdivision 8a.

174.30 Subd. 4. **Sentencing departure; waiver of mandatory sentence.** (a) This subdivision
174.31 applies to defendants who plead or are found guilty of any criminal offense except one for
174.32 which registration is required under section 243.166, subdivision 1b.

175.1 (b) Prior to sentencing, a defendant described in paragraph (a) may present proof to the
 175.2 court that the defendant has, since the commission of the offense, engaged in rehabilitative
 175.3 efforts consistent with those described in this section. If the court determines that the
 175.4 defendant has engaged in substantial rehabilitative efforts and the defendant establishes by
 175.5 clear and convincing evidence that:

175.6 (1) the defendant suffered from an applicable condition at the time of the offense;

175.7 (2) the applicable condition was caused by service in the United States military; and

175.8 (3) the offense was committed as a result of the applicable condition;

175.9 the court may determine that the defendant is particularly amenable to probation and order
 175.10 a mitigated durational or dispositional sentencing departure or a waiver of any statutory
 175.11 mandatory minimum sentence applicable to the defendant.

175.12 **Subd. 5. Optional veterans treatment court program; procedures for eligible**
 175.13 **defendants.** A county or judicial district may supervise probation under this section through
 175.14 a veterans treatment court, using county veterans service officers appointed under sections
 175.15 197.60 to 197.606, United States Department of Veterans Affairs veterans justice outreach
 175.16 specialists, probation agents, and any other rehabilitative resources available to the court.

175.17 **Subd. 6. Creation of county and city diversion programs; authorization.** Any county
 175.18 or city may establish and operate a veterans pretrial diversion program for offenders eligible
 175.19 under subdivision 2 without penalty under section 477A.0175.

175.20 **Subd. 7. Exception.** This section does not apply to a person charged with an offense for
 175.21 which registration is required under section 243.166, subdivision 1b.

175.22 **EFFECTIVE DATE.** This section is effective August 1, 2021, and applies to crimes
 175.23 committed on or after that date.

175.24 **Sec. 12. REVISOR INSTRUCTION.**

175.25 The revisor of statutes must renumber the provisions of Minnesota Statutes listed in
 175.26 column A to the references listed in column B. The revisor must also make necessary
 175.27 cross-reference changes in Minnesota Statutes and Minnesota Rules consistent with the
 175.28 renumbering.

	<u>Column A</u>	<u>Column B</u>
175.29		
175.30	<u>197.791, subdivision 5a</u>	<u>197.791, subdivision 6</u>
175.31	<u>197.791, subdivision 5b</u>	<u>197.791, subdivision 7</u>
175.32	<u>197.791, subdivision 6</u>	<u>197.791, subdivision 8</u>

176.1

ARTICLE 8

176.2

DATA ACCESS

176.3 Section 1. Minnesota Statutes 2020, section 192.67, is amended to read:

176.4

192.67 OFFENDERS; TRANSFER TO CIVIL AUTHORITIES; SERVICE

176.5

MEMBER DATA.

176.6

Subdivision 1. Transfer to civil authorities. When any ~~felony~~ criminal offense is

176.7 committed by any officer or enlisted member of the military forces while on duty status

176.8 other than ~~active state~~ federal duty, the officer or enlisted member shall be turned over by

176.9 superior officers to the proper civil authorities of the county or municipality in which the

176.10 offense occurred for punishment for such crime, but such trial and punishment by the civil

176.11 authorities shall not preclude trial and additional punishment or dismissal from the service

176.12 by court-martial for any military offense resulting from the commission of said crime.

176.13

Subd. 2. Service member data. Notwithstanding any provision of chapter 13 or other

176.14 state law, all investigative reports and law enforcement data, including but not limited to

176.15 all data collected and defined under section 13.82 pertaining to any service member of the

176.16 military forces must be made accessible to the adjutant general of the Minnesota National

176.17 Guard upon request of the Office of the State Judge Advocate. All information, data, and

176.18 records obtained under this subdivision may be accessed, copied, transmitted, or provided

176.19 to the adjutant general without a court order or request from the subject of the data when

176.20 the matter involves any officer or enlisted member of the military forces. The adjutant

176.21 general may only use data made accessible under this subdivision in support of military

176.22 justice and Minnesota National Guard administrative and disciplinary actions.

176.23

ARTICLE 9

176.24

PRACTICE OF MILITARY LAW; MILITARY JUDGE SYSTEM

176.25

Section 1. **[192A.041] PRACTICE OF MILITARY LAW.**

176.26

Any commissioned officer of a United States state or territory military force who meets

176.27 the following qualifications may be accepted by the state judge advocate to conduct any

176.28 and all administrative or Minnesota Code of Military Justice activities under this code and

176.29 is exempt from section 481.02:

176.30

(1) has served as a member of the Judge Advocate Generals Corps for not less than two

176.31 years;

177.1 (2) is currently certified as competent for such duty by the Judge Advocate General of
177.2 the military force of which the individual is a member; and

177.3 (3) is a member of good standing of the bar of the highest court of any state.

177.4 Sec. 2. Minnesota Statutes 2020, section 192A.15, subdivision 1, is amended to read:

177.5 Subdivision 1. **Establishment.** There is hereby established a military judge system for
177.6 the ~~state~~ military forces. The military judge system shall be in the Military Department
177.7 under the command of the adjutant general. It shall consist of at least two military judges,
177.8 a number of legal clerks equal to the number of judges and such additional military staff as
177.9 is necessary.

177.10 Sec. 3. Minnesota Statutes 2020, section 192A.15, subdivision 2, is amended to read:

177.11 Subd. 2. **Qualifications of military judge.** A military judge shall be a commissioned
177.12 officer of the state military forces who has been a member of the bar of ~~this~~ any state for at
177.13 least six years, who has served as a member of the Judge Advocate Generals Corps for not
177.14 less than three years, ~~and~~ who is certified to be qualified for such duty by the ~~state~~ Judge
177.15 Advocate General of the armed force of which the officer is a member, and who is accepted
177.16 by the state judge advocate to conduct any and all administrative or Minnesota Code of
177.17 Military Justice activities under this code.

177.18 Sec. 4. Minnesota Statutes 2020, section 192A.155, subdivision 2, is amended to read:

177.19 Subd. 2. **Qualifications of counsel.** Trial counsel or defense counsel detailed for a
177.20 general, special, or summary court-martial:

177.21 (1) must be a person who is a member of the bar of the highest court of ~~the~~ any state, or
177.22 a member of the bar of a federal court; and

177.23 (2) must be certified as competent to perform such duties by the ~~state~~ Judge Advocate
177.24 General of the armed force of which the individual is a member.

177.25

ARTICLE 10

177.26

MILITARY CODE JURISDICTIONAL CHANGES

177.27 Section 1. Minnesota Statutes 2020, section 192A.02, subdivision 2, is amended to read:

177.28 Subd. 2. **Military service in Minnesota.** This code ~~also applies to all persons in the~~
177.29 ~~military while they are serving within this state and while they are under the command of~~
177.30 ~~a commissioned officer of the state military forces.~~ to a member of the military when the

178.1 member is in a status provided for by United States Code, title 32, a regulation adopted
178.2 pursuant to United States Code, title 32, or in state active service. This military service
178.3 includes:

178.4 (1) travel to and from the inactive-duty training site of the member, pursuant to orders
178.5 or regulations;

178.6 (2) intervals between consecutive periods of inactive-duty training on the same day,
178.7 pursuant to orders or regulations; and

178.8 (3) intervals between inactive-duty training on consecutive days, pursuant to orders or
178.9 regulations.

178.10 Sec. 2. Minnesota Statutes 2020, section 192A.384, is amended to read:

178.11 **192A.384 OFFENSES SUBJECT TO COURT-MARTIAL.**

178.12 The jurisdiction of courts-martial ~~shall be~~ under this code is limited to violations of the
178.13 punitive articles in this code prescribed by the manual for courts-martial of the United States,
178.14 assimilated under any Minnesota state law as referenced under section 192A.605, or by the
178.15 Minnesota Code of Military Justice. Any person subject to this code who is charged with
178.16 the commission of an offense which is not an offense under this code or the manual for
178.17 courts-martial of the United States may be surrendered to civil authorities for process in
178.18 accordance with civil law.

178.19 **ARTICLE 11**

178.20 **MILITARY TRIAL PROCEDURE**

178.21 Section 1. Minnesota Statutes 2020, section 192A.20, is amended to read:

178.22 **192A.20 GOVERNOR MAY PRESCRIBE RULES.**

178.23 The procedure, including modes of proof, in cases before military courts and other
178.24 military tribunals organized under this code may be prescribed by the governor or the
178.25 adjutant general by rules, which shall, so far as the governor or the adjutant general considers
178.26 practicable, apply the principles of law and the rules of evidence generally recognized in
178.27 ~~the trial of criminal cases in the courts of the state~~ manual for courts-martial of the United
178.28 States, but which may not be contrary to or inconsistent with this code.

178.29 Sec. 2. Minnesota Statutes 2020, section 192A.235, subdivision 3, is amended to read:

178.30 Subd. 3. **Three-year limitation.** Except as otherwise provided in subdivision 1, and
178.31 section 628.26, a person charged with any offense is not liable to be tried by court-martial

179.1 or punished under section 192A.0851 if the offense was committed more than three years
179.2 before the receipt of sworn charges and specifications by an officer exercising court-martial
179.3 jurisdiction over the command or before the imposition of punishment under section
179.4 192A.0851. The limitation for violations of any offense prescribed under this section shall
179.5 be the lesser of the limitation prescribed by the manual for courts-martial of the United
179.6 States, Minnesota state law, or the Minnesota Code of Military Justice, but in no instance
179.7 shall any limitation exceed that authorized by this code.

179.8 ARTICLE 12

179.9 MILITARY SENTENCES

179.10 Section 1. Minnesota Statutes 2020, section 192A.343, subdivision 3, is amended to read:

179.11 Subd. 3. **Action on findings.** (a) The authority under this section to modify the findings
179.12 and sentence of a court-martial is a matter of command prerogative involving the sole
179.13 discretion of the convening authority. If it is impractical for the convening authority to act,
179.14 the convening authority shall forward the case to a person exercising general court-martial
179.15 jurisdiction who may take action under this section.

179.16 (b) Action on the sentence of a court-martial shall be taken by the convening authority.
179.17 The action may be taken only after the consideration of any matters submitted by the accused
179.18 under subdivision 2 or after the time for submitting the matter expires, whichever is earlier.
179.19 The convening authority, in that person's sole discretion, may approve, disapprove, commute,
179.20 or suspend the sentence in whole or in part.

179.21 (c) Action on the findings of a court-martial by the convening authority or other person
179.22 acting on the sentence is not required. However, such person, in the person's sole discretion,
179.23 may:

179.24 (1) dismiss any charge or specification by setting aside a finding of guilty; or

179.25 (2) change a finding of guilty to a charge or specification to a finding of guilty to an
179.26 offense that is a lesser included offense of the offense stated in the charge or specification.

179.27 (d) The convening authority or other person acting under this section shall issue a final
179.28 order at the conclusion of the court-martial proceeding, including any proceeding in revision,
179.29 rehearing, and reconsideration under subdivision 5. The final order shall be promptly served
179.30 on the accused.

180.1 Sec. 2. Minnesota Statutes 2020, section 192A.353, subdivision 2, is amended to read:

180.2 Subd. 2. **Appeal forwarded.** An appeal under this section shall ~~be forwarded to the~~
180.3 ~~court~~ proceed as prescribed in section 192A.371. In ruling on an appeal under this section,
180.4 that court may act only with respect to matters of law.

180.5 Sec. 3. Minnesota Statutes 2020, section 192A.371, is amended to read:

180.6 **192A.371 REVIEW BY STATE APPELLATE AUTHORITY.**

180.7 Subdivision 1. **Certiorari.** Decisions of a special or general courts-martial may be
180.8 appealed to the Minnesota Court of Appeals according to the Minnesota Rules of Criminal
180.9 and Appellate Procedure. (a) A review of any final order of a special or general court-martial
180.10 proceeding may be had upon certiorari by the supreme court upon petition of any party to
180.11 the proceeding. The review may be had on the ground that: (1) the court-martial was without
180.12 jurisdiction; or (2) the findings of the court-martial and the final order of the convening
180.13 authority: (i) were not justified by the evidence; (ii) were not in conformity with this code,
180.14 military law or other law applicable to the proceedings, or the Classified Information
180.15 Procedures Act; or (iii) were affected by any other error of law.

180.16 (b) A writ of certiorari for review under this section is a matter of right.

180.17 Subd. 2. **Service of writ.** (a) Within 60 days after notice of the final order of a
180.18 court-martial proceeding, the petitioner for review shall obtain from the supreme court a
180.19 writ of certiorari, shall serve the same upon all other parties appearing in the court-martial
180.20 proceeding, and shall file the original writ of certiorari and proof of service with the court
180.21 administrator of the court-martial. No fee or bond is required for either obtaining a writ of
180.22 certiorari or the associated filings required under this paragraph.

180.23 (b) Return upon the writ shall be made to the supreme court and the matter shall be heard
180.24 and determined by the court in accordance with the rules of civil appellate procedure
180.25 applicable to decisions reviewable by certiorari directly in the supreme court.

180.26 Sec. 4. Minnesota Statutes 2020, section 606.06, is amended to read:

180.27 **606.06 CERTIORARI; ADMINISTRATIVE DECISIONS.**

180.28 A writ of certiorari for review of an administrative decision pursuant to chapter 14 or
180.29 of an order publishing the proceedings, findings, or sentence of a court-martial pursuant to
180.30 this code is a matter of right.

ARTICLE 13

MILITARY PUNITIVE ARTICLES UPDATES

Section 1. Minnesota Statutes 2020, section 192A.021, is amended to read:

192A.021 PURELY MILITARY OFFENSES.

(a) Purely military offenses include the offenses contained in the following sections:

192A.39 (Principles), 192A.395 (Accessory after the fact), 192A.405 (Attempts), 192A.41 (Conspiracy), 192A.415 (Solicitation), 192A.42 (Fraudulent enlistment, appointment, or separation), 192A.425 (Unlawful enlistment, appointment, or separation), 192A.43 (Desertion), 192A.435 (Absent without leave), 192A.44 (Missing movement), 192A.445 (Contempt towards officials), 192A.45 (Disrespect towards superior commissioned officer), 192A.455 (Assaulting or willfully disobeying superior commissioned officer), 192A.46 (Insubordinate conduct toward warrant officer or noncommissioned officer), 192A.465 (Failure to obey order or rule), 192A.47 (Cruelty and maltreatment), 192A.475 (Mutiny or sedition), 192A.48 (Resistance, breach of arrest, and escape), 192A.495 (Noncompliance with procedural rules), 192A.50 (Misbehavior before the enemy), 192A.51 (Improper use of countersign), 192A.515 (Forcing a safeguard), 192A.525 (Aiding the enemy), 192A.54 (Military property; loss, damage, destruction, or wrongful disposition), 192A.55 (Improper hazarding of vessel), 192A.56 (Drunk on duty; sleeping on post; leaving post before relief), 192A.566 (Illegal presence of controlled substance while in duty status), 192A.57 (Malingering), 192A.60 (Conduct unbecoming an officer), ~~and~~ 192A.605 (General article), 192A.70 (Prohibited activities with military recruit or trainee by person in a position of special trust), 192A.701 (Nonconsensual distribution of intimate images), 192A.703 (Unauthorized use of government computer), and 192A.704 (Retaliation).

(b) Upon request of the governor or the adjutant general, the superintendent of the Bureau of Criminal Apprehension shall investigate military offenses or any other act or omission under this code within the jurisdiction of the military courts and tribunals.

Sec. 2. Minnesota Statutes 2020, section 192A.111, is amended to read:

192A.111 MAXIMUM LIMITS.

Subdivision 1. **Punishment limits.** ~~The punishment that a court-martial may direct for an offense may not exceed limits prescribed by this code.~~ for a violation of this code is limited to the lesser of the sentence prescribed by the manual for courts-martial of the United States in effect at the time of the offense or the state manual for courts-martial, but in no instance shall any punishment exceed that authorized by this code. A court-martial sentence

182.1 must not (1) exceed more than ten years for a military offense, or (2) adjudge a sentence of
182.2 death.

182.3 Subd. 2. **Level of offense.** (a) ~~Subject to paragraphs (b) and (c),~~ A conviction by general
182.4 court-martial of any military offense for which an accused may receive a sentence of
182.5 confinement for more than one year is a felony offense. All other military offenses are
182.6 misdemeanors, and a sentence of confinement must not exceed 90 days.

182.7 (b) In cases where the civilian authorities decline to prosecute and court-martial
182.8 jurisdiction is taken pursuant to sections 192A.02, subdivision 3, and 192A.605, the level
182.9 of offense and punishment that a court-martial is authorized is defined by the level of offense
182.10 and punishments authorized under the statute any Minnesota state law or the manual for
182.11 courts-martial of the United States for the assimilated crime.

182.12 (c) For crimes under sections 192A.54, 192A.545, 192A.59, and 192A.595 with monetary
182.13 loss of less than \$1,000 or more, confinement must not exceed ten years. A sentence of
182.14 confinement for more than one year is a felony offense shall be limited to that prescribed
182.15 by a special court-martial.

182.16 (d) Any conviction by a summary courts-martial is not a criminal conviction.

182.17 (e) ~~The limits of punishment for violations of the purely military offenses prescribed~~
182.18 ~~under this section shall be the lesser of the sentences prescribed by the manual for~~
182.19 ~~courts-martial of the United States, and the state manual for courts-martial, but in no instance~~
182.20 ~~shall any punishment exceed that authorized by this code.~~

182.21 Sec. 3. Minnesota Statutes 2020, section 192A.56, is amended to read:

182.22 **192A.56 UNDER THE INFLUENCE OF ALCOHOL OR CONTROLLED**
182.23 **SUBSTANCE WHILE ON DUTY; SLEEPING ON POST; LEAVING POST BEFORE**
182.24 **RELIEF.**

182.25 Any person subject to this code who is found to be under the influence of alcohol or a
182.26 controlled substance as defined in section 192A.566 without a valid medical prescription
182.27 while on duty or sleeping upon an assigned post, or who leaves that post before being
182.28 regularly relieved, shall be punished as a court-martial may direct.

182.29 Sec. 4. Minnesota Statutes 2020, section 192A.612, is amended to read:

182.30 **192A.612 SEARCH WARRANTS.**

182.31 ~~During any period of active service under section 190.05, subdivision 5a or 5b, A military~~
182.32 ~~judge is authorized to issue search warrants, directed to a member of the military police of~~

183.1 the state military forces or any peace officer defined under section 626.05, to search any
183.2 person, place, ~~or vehicle within the confines of the property or premises being used for such~~
183.3 ~~active service or any person or vehicle pursued therefrom~~ item or property when there is
183.4 probable cause that a member of the state military forces has committed an offense subject
183.5 to either concurrent or exclusive military jurisdiction during a period of active service as
183.6 defined in section 190.05, subdivisions 5a and 5b, and seize items in accordance with law.
183.7 No search warrant shall be issued except upon probable cause, supported by affidavit or
183.8 sworn testimony naming and describing the person and particularly describing the property
183.9 or thing to be seized and particularly describing the place to be searched.

183.10 Sec. 5. Minnesota Statutes 2020, section 192A.62, is amended to read:

183.11 **192A.62 SECTIONS TO BE EXPLAINED.**

183.12 Sections 192A.02, 192A.025, 192A.045, 192A.065, 192A.07, 192A.08, 192A.0851,
183.13 192A.155, 192A.205, ~~192A.385~~ 192A.39 to 192A.595, and 192A.62 to 192A.63 shall be
183.14 carefully explained to every enlisted member at the time of the member's enlistment or
183.15 transfer or induction into, or at the time of the member's order to duty in or with any of the
183.16 state military forces or within 30 days thereafter. They shall also be explained annually to
183.17 each unit of the state military forces. A complete text of this code and of the rules prescribed
183.18 by the governor thereunder shall be made available to any member of the state military
183.19 forces, upon the member's request, for personal examination. Failure to provide briefings
183.20 to soldiers or otherwise explain this code to soldiers shall not be a defense to a court-martial
183.21 proceeding, except as mitigation in sentencing.

183.22 Sec. 6. **[192A.70] PROHIBITED ACTIVITIES WITH MILITARY RECRUIT OR**
183.23 **TRAINEE BY PERSON IN POSITION OF SPECIAL TRUST.**

183.24 Subdivision 1. **Definitions.** For purposes of this section, the terms defined in this
183.25 subdivision have the meanings given them.

183.26 (1) "Applicant for military service" means a person who, under regulations prescribed
183.27 by the secretary concerned, the Minnesota National Guard authority, or designee concerned,
183.28 is an applicant for original enlistment or appointment in the armed forces.

183.29 (2) "Military recruiter" means a person who, under regulations prescribed by the secretary
183.30 concerned, has the primary duty to recruit persons for military service.

184.1 (3) "Prohibited sexual activity" means, as specified in regulations prescribed by the
184.2 secretary concerned, the Minnesota National Guard authority, or designee concerned,
184.3 inappropriate physical intimacy under circumstances described in such regulations.

184.4 (4) "Specially protected junior member of the armed forces" means:

184.5 (i) a member of the armed forces who is assigned to, or is awaiting assignment to, basic
184.6 training or other initial active duty for training, including a member who is enlisted under
184.7 a delayed entry program;

184.8 (ii) a member of the armed forces who is a cadet, an officer candidate, or a student in
184.9 any other officer qualification program; and

184.10 (iii) a member of the armed forces in any program that, by regulation prescribed by the
184.11 secretary concerned or a Minnesota National Guard authority, or designee concerned, is
184.12 identified as a training program for initial career qualification.

184.13 (5) "Training leadership position" means, with respect to a specially protected junior
184.14 member of the armed forces, any of the following:

184.15 (i) any drill instructor position or other leadership position in a basic training program,
184.16 an officer candidate school, a reserve officers' training corps unit, a training program for
184.17 entry into the armed forces, or any program that, by regulation prescribed by the secretary
184.18 concerned, is identified as a training program for initial career qualification; and

184.19 (ii) faculty and staff of the United States Military Academy, the United States Naval
184.20 Academy, the United States Air Force Academy, the United States Coast Guard Academy,
184.21 and the Minnesota National Guard Regional Training Institute.

184.22 Subd. 2. Abuse of training leadership position. Any person subject to this code:

184.23 (1) who is an officer or a noncommissioned officer;

184.24 (2) who is in a training leadership position with respect to a specially protected junior
184.25 member of the armed forces; and

184.26 (3) who engages in prohibited sexual activity with the specially protected junior member
184.27 of the armed forces;

184.28 shall be punished as a court-martial may direct.

184.29 Subd. 3. Abuse of position as military recruiter. Any person subject to this code:

184.30 (1) who is a military recruiter and engages in prohibited sexual activity with an applicant
184.31 for military service; or

185.1 (2) who is a military recruiter and engages in prohibited sexual activity with a specially
185.2 protected junior member of the armed forces who is enlisted under a delayed entry program;
185.3 shall be punished as a court-martial may direct.

185.4 Subd. 4. **Consent.** Consent is not a defense for any conduct at issue in a prosecution
185.5 under this section.

185.6 **Sec. 7. [192A.701] NONCONSENSUAL DISTRIBUTION OF INTIMATE IMAGES.**

185.7 Subdivision 1. **Definitions.** For purposes of this section, the terms defined in this
185.8 subdivision have the meanings given them.

185.9 (1) "Broadcast" means to electronically transmit a visual image with the intent that it be
185.10 viewed by a person or persons.

185.11 (2) "Distribute" means to deliver to the actual or constructive possession of another
185.12 person, including transmission by mail or electronic means.

185.13 (3) "Intimate visual image" means a visual image that depicts a private area of a person.

185.14 (4) "Private area" means the naked or underwear-clad genitalia, anus, buttocks, or female
185.15 areola or nipple.

185.16 (5) "Reasonable expectation of privacy" means circumstances in which a reasonable
185.17 person would believe that a private area of the person, or sexually explicit conduct involving
185.18 the person, would not be visible to the public.

185.19 (6) "Sexually explicit conduct" means actual or simulated genital-genital contact,
185.20 oral-genital contact, anal-genital contact, or oral-anal contact, whether between persons of
185.21 the same or opposite sex, bestiality, masturbation, or sadistic or masochistic abuse.

185.22 (7) "Visual image" means:

185.23 (i) any developed or undeveloped photograph, picture, film, or video;

185.24 (ii) any digital or computer image, picture, film, or video made by any means or
185.25 transmitted by any means, including streaming media, even if not stored in a permanent
185.26 format; or

185.27 (iii) any digital or electronic data capable of conversion into a visual image.

185.28 Subd. 2. **Crime defined.** Any person subject to this code:

185.29 (1) who knowingly and wrongfully broadcasts or distributes an intimate visual image
185.30 of another person or a visual image of sexually explicit conduct involving a person who:

186.1 (i) is at least 18 years of age at the time the intimate visual image or visual image of
186.2 sexually explicit conduct was created;

186.3 (ii) is identifiable from the intimate visual image or visual image of sexually explicit
186.4 conduct itself, or from information displayed in connection with the intimate visual image
186.5 or visual image of sexually explicit conduct; and

186.6 (iii) does not explicitly consent to the broadcast or distribution of the intimate visual
186.7 image or visual image of sexually explicit conduct;

186.8 (2) who knows that the intimate visual image or visual image of sexually explicit conduct
186.9 was made under circumstances in which the person depicted in the intimate visual image
186.10 or visual image of sexually explicit conduct retained a reasonable expectation of privacy
186.11 regarding any broadcast or distribution of the intimate visual image or visual image of
186.12 sexually explicit conduct;

186.13 (3) who possesses the intent to broadcast or distribute an intimate visual image or visual
186.14 image of sexually explicit conduct:

186.15 (i) to cause harm, harassment, intimidation, emotional distress, or financial loss for the
186.16 person depicted in the intimate visual image or visual image of sexually explicit conduct;

186.17 or

186.18 (ii) to harm substantially the depicted person with respect to that person's health, safety,
186.19 business, calling, career, financial condition, reputation, or personal relationships; and

186.20 (4) whose conduct, under the circumstances, had a reasonably direct and palpable
186.21 connection to a military mission or military environment;

186.22 is guilty of wrongful distribution of intimate visual images or visual images of sexually
186.23 explicit conduct and shall be punished as a court-martial may direct.

186.24 **Sec. 8. [192A.702] FRAUDULENT USE OF CREDIT CARDS, DEBIT CARDS,**
186.25 **AND OTHER ACCESS DEVICES.**

186.26 Subdivision 1. **Crime defined.** Any person subject to this code who knowingly, with
186.27 intent to defraud, uses:

186.28 (1) a stolen credit card, debit card, or other access device;

186.29 (2) a revoked, canceled, or otherwise invalid credit card, debit card, or other access
186.30 device; or

187.1 (3) a credit card, debit card, or other access device without the authorization of a person
187.2 whose authorization was required for use, including a government purchase card or
187.3 government travel card without conforming to the published federal or Minnesota National
187.4 Guard procedures at the time of use;
187.5 to obtain money, property, services, or anything else of value shall be punished as a
187.6 court-martial may direct.

187.7 Subd. 2. **Access device defined.** As used in this section, "access device" has the meaning
187.8 given in United States Code, title 18, section 1029.

187.9 **Sec. 9. [192A.703] UNAUTHORIZED USE OF GOVERNMENT COMPUTER.**

187.10 Subdivision 1. **Definitions.** For purposes of this section, the terms defined in this
187.11 subdivision have the meanings given them.

187.12 (1) "Computer" has the meaning given in United States Code, title 18, section 1030.

187.13 (2) "Damage" has the meaning given in United States Code, title 18, section 1030.

187.14 (3) "Government computer" means a computer owned or operated by or on behalf of
187.15 the United States government or the state of Minnesota.

187.16 Subd. 2. **Crime defined.** Any person subject to this code who:

187.17 (1) knowingly accesses a government computer with an unauthorized purpose and by
187.18 doing so obtains classified information, with reason to believe the information could be
187.19 used to the injury of the United States or the state of Minnesota or to the advantage of any
187.20 foreign nation, and intentionally communicates, delivers, or transmits or causes to be
187.21 communicated, delivered, or transmitted the information to any person not entitled to receive
187.22 it;

187.23 (2) intentionally accesses a government computer with an unauthorized purpose and
187.24 thereby obtains classified or other protected information from any government computer;
187.25 or

187.26 (3) knowingly causes the transmission of a program, information, code, or command,
187.27 and as a result intentionally causes damage without authorization to a government computer;
187.28 shall be punished as a court-martial may direct.

188.1 **Sec. 10. [192A.704] RETALIATION.**

188.2 **Subdivision 1. Definitions.** For purposes of this section, the terms defined in this
188.3 subdivision have the meanings given them.

188.4 (1) "Covered individual or organization" means any recipient of a communication
188.5 specified in United States Code, title 10, section 1034(b)(1)(B), clauses (i) to (v).

188.6 (2) "Inspector general" has the meaning given in United States Code, title 10, section
188.7 1034(j).

188.8 (3) "Protected communication" means:

188.9 (i) a lawful communication to a member of Congress, a state legislator, or an inspector
188.10 general; and

188.11 (ii) a communication to a covered individual or organization, to include the Office of
188.12 the Governor, in which a member of the armed forces complains of, or discloses information
188.13 that the member reasonably believes constitutes evidence of any of the following:

188.14 (A) a violation of law or regulation, including a law or regulation prohibiting sexual
188.15 harassment or unlawful discrimination; or

188.16 (B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial
188.17 and specific danger to public health or safety.

188.18 **Subd. 2. Crimes defined.** Any person subject to this code who, with the intent to retaliate
188.19 against any person for reporting or planning to report a criminal offense, or making or
188.20 planning to make a protected communication, or with the intent to discourage any person
188.21 from reporting a criminal offense or making or planning to make a protected communication:

188.22 (1) wrongfully takes or threatens to take an adverse personnel action against any person;
188.23 or

188.24 (2) wrongfully withholds or threatens to withhold a favorable personnel action with
188.25 respect to any person;

188.26 shall be punished as a court-martial may direct.

188.27 **Sec. 11. REVISOR INSTRUCTION.**

188.28 The revisor of statutes shall recodify the following sections in article 13: sections 6 to
188.29 10, recodify Minnesota Statutes, section 192A.70 as 192A.6011; section 192A.701 as
188.30 192A.6012; section 192A.702 as section 192A.6013; section 192A.703 as section 192A.6014;

189.1 and section 192A.704 as section 192A.6015. The revisor shall correct any cross-references
189.2 made necessary by this recodification.

189.3 Sec. 12. **REPEALER.**

189.4 Minnesota Statutes 2020, section 192A.385, is repealed.

3.972 AUDITS OF AGENCIES.

Subd. 2c. **Audits of the Department of Transportation.** The legislative auditor must audit, as resources permit, the programs and services administered by the Department of Transportation.

Subd. 2d. **Audits of the Department of Public Safety.** The legislative auditor must audit, as resources permit, the programs and services administered by the Department of Public Safety.

3.9741 COST OF CERTAIN AUDITS.

Subd. 5. **State data security; account, appropriation.** (a) The data security account is created in the special revenue fund.

(b) Subject to available funds appropriated under paragraph (a), the legislative auditor shall:

(1) review and audit the audit reports of subscribers and requesters submitted under section 168.327, subdivision 6, including producing findings and opinions;

(2) in collaboration with the commissioner and affected subscribers and requesters, recommend corrective action plans to remediate any deficiencies identified under clause (1); and

(3) review and audit driver records subscription services and bulk data practices of the Department of Public Safety, including identifying any deficiencies and making recommendations to the commissioner.

(c) The legislative auditor shall submit any reports, findings, and recommendations under this subdivision to the legislative commission on data practices.

4A.11 MILESTONES REPORT.

The commissioner must review the statewide system of economic, social, and environmental performance measures in use under section 16A.10, subdivision 1c, and known as Minnesota milestones. The commissioner must provide the economic, social, and environmental information necessary to assist public and elected officials with understanding and evaluating Minnesota milestones. The commissioner must report on the trends and their implications for Minnesota milestones each year and provide the commissioner of management and budget with recommendations for the use of Minnesota milestones in budget documents. The commissioner may contract for the development of information and measures.

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.

15.0395 INTERAGENCY AGREEMENTS AND INTRA-AGENCY TRANSFERS.

(a) By October 15, 2018, and annually thereafter, the head of each agency must provide reports to the chairs and ranking minority members of the legislative committees with jurisdiction over the department or agency's budget on:

(1) interagency agreements or service-level agreements and any renewals or extensions of existing interagency or service-level agreements with another agency if the cumulative value of those agreements is more than \$100,000 in the previous fiscal year; and

(2) transfers of appropriations between accounts within or between agencies, if the cumulative value of the transfers is more than \$100,000 in the previous fiscal year.

The report must include the statutory citation authorizing the agreement, transfer or dollar amount, purpose, and effective date of the agreement, the duration of the agreement, and a copy of the agreement.

(b) As used in this section, "agency" includes the departments of the state listed in section 15.01, a multimember state agency in the executive branch described in section 15.012, paragraph (a), the Office of MN.IT Services, and the Office of Higher Education.

16A.90 EMPLOYEE GAINSHARING SYSTEM.

Subdivision 1. **Commissioner must establish program.** (a) The commissioner shall establish a program to provide onetime bonus compensation to state employees for efforts made to reduce the costs of operating state government or for ways of providing better or more efficient state services. The commissioner may authorize an executive branch appointing authority to make a onetime award to an employee or group of employees whose suggestion or involvement in a project is determined by the commissioner to have resulted in documented cost-savings to the state. Before authorizing awards under this section, the commissioner shall establish guidelines for the program including but not limited to:

(1) the maximum award is ten percent of the documented savings in the first fiscal year in which the savings are realized up to \$50,000;

(2) the award must be paid from the appropriation to which the savings accrued; and

(3) employees whose primary job responsibility is to identify cost savings or ways of providing better or more efficient state services are generally not eligible for bonus compensation under this section except in extraordinary circumstances as defined by the commissioner.

(b) The program required by this section must be in addition to any existing monetary or nonmonetary performance-based recognition programs for state employees, including achievement awards, continuous improvement awards, and general employee recognitions.

Subd. 2. **Biannual legislative report.** No later than August 1, 2017, and biannually thereafter, the commissioner must report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over Minnesota Management and Budget on the status of the program required by this section. The report must detail:

(1) the specific program guidelines established by the commissioner as required by subdivision 1, if the guidelines have not been described in a previous report;

(2) any proposed modifications to the established guidelines under consideration by the commissioner, including the reason for the proposed modifications;

(3) the methods used by the commissioner to promote the program to state employees, if the methods have not been described in a previous report;

(4) a summary of the results of the program that includes the following, categorized by agency:

(i) the number of state employees whose suggestions or involvement in a project were considered for possible bonus compensation, and a description of each suggestion or project that was considered;

(ii) the total amount of bonus compensation actually awarded, itemized by each suggestion or project that resulted in an award and the amount awarded for that suggestion or project; and

(iii) the total amount of documented cost-savings that accrued to the agency as a result of each suggestion or project for which bonus compensation was granted; and

(5) any recommendations for legislation that, in the judgment of the commissioner, would improve the effectiveness of the bonus compensation program established by this section or which would otherwise increase opportunities for state employees to actively participate in the development and implementation of strategies for reducing the costs of operating state government or for providing better or more efficient state services.

16E.0466 STATE AGENCY TECHNOLOGY PROJECTS.

Subdivision 1. **Consultation required.** (a) Every state agency with an information or telecommunications project must consult with the Office of MN.IT Services to determine the information technology cost of the project. Upon agreement between the commissioner of a particular agency and the chief information officer, the agency must transfer the information technology cost portion of the project to the Office of MN.IT Services. Service level agreements must document all project-related transfers under this section. Those agencies specified in section 16E.016, paragraph (d), are exempt from the requirements of this section.

(b) Notwithstanding section 16A.28, subdivision 3, any unexpended operating balance appropriated to a state agency may be transferred to the information and telecommunications technology systems and services account for the information technology cost of a specific project, subject to the review of the Legislative Advisory Commission, under section 16E.21, subdivision 3.

16E.05 GOVERNMENT INFORMATION ACCESS.

Subd. 3. **Capital investment.** No state agency may propose or implement a capital investment plan for a state office building unless:

(1) the agency has developed a plan for increasing telecommuting by employees who would normally work in the building, or the agency has prepared a statement describing why such a plan is not practicable; and

(2) the plan or statement has been reviewed by the office.

16E.071 E-GOVERNMENT ADVISORY COUNCIL.

Subdivision 1. **E-Government Advisory Council established.** The E-Government Advisory Council is established for the purpose of improving online government information services to citizens and businesses.

Subd. 2. **Membership.** The council shall consist of nine members as follows:

(1) the state chief information officer or the chief information officer's designee;

(2) one public member appointed by the speaker of the house;

(3) one public member appointed by the senate Subcommittee on Committees of the Rules and Administration Committee;

(4) five members appointed by the governor representing state executive branch agencies that are actively involved with private businesses, the private business community, or the public; and

(5) one member appointed by the governor who is knowledgeable in public access to government data.

Subd. 3. **Initial appointments and first meeting.** Appointing authorities shall make the first appointments to the council by September 1, 2013. The first member appointed by the speaker of the house shall serve until the first Monday in January 2015. The governor shall designate three initial appointees to serve until the first Monday in January 2015. The term of the other three initial appointees of the governor and the first member appointed by the senate shall be until the first Monday in January 2017. The chief information officer or the chief information officer's designee shall convene the council's first meeting by November 1, 2013, and shall act as chair until the council elects a chair at its first meeting.

Subd. 4. **Terms; removal; vacancies; compensation.** Membership terms, removal of member, and filling of vacancies are as provided in section 15.059, except that members shall not receive compensation or be reimbursed for expenses and except that terms of initial appointees are as provided in subdivision 3.

Subd. 5. **Chair.** The council shall annually elect a chair from its members.

Subd. 6. **Duties.** The council shall recommend to the office the priority of North Star projects and online government information services to be developed and supported by convenience fee receipts. The council shall provide oversight on the convenience fee and its receipts in the North Star account. The council shall by majority quorum vote to recommend to approve or disapprove establishing the convenience fee on particular types of transactions, the fee amount, and any changes in the fee amount. If the convenience fee receipts are retained by or transferred to the private entity in lieu of deposit in the North Star account, the council may audit the private entity's convenience fee receipts, expenses paid by the receipts, and associated financial statements.

Subd. 7. **Staff.** The office shall provide administrative support to the council.

Subd. 8. **Sunset.** The council shall expire the first Monday in January 2017.

Subd. 9. **Reports.** By June 1, 2014, and every year thereafter, the council shall report to the office with its recommendations regarding establishing the convenience fee, the fee amount, and changes to the fee amount.

16E.145 INFORMATION TECHNOLOGY APPROPRIATION.

An appropriation for a state agency information and telecommunications technology project must be made to the chief information officer. The chief information officer must manage and disburse the appropriation on behalf of the sponsoring state agency. Any appropriation for an

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information and telecommunications technology project made to a state agency other than the Office of MN.IT Services is transferred to the chief information officer.

43A.17 SALARY LIMITS, RATES, RANGES AND EXCEPTIONS.

Subd. 9. **Political subdivision compensation limit.** (a) The salary and the value of all other forms of compensation of a person employed by a political subdivision of this state, excluding a school district, may not exceed 110 percent of the salary of the governor as set under section 15A.082, except as provided in this subdivision. For purposes of this subdivision, "political subdivision of this state" includes a statutory or home rule charter city, county, town, metropolitan or regional agency, or other political subdivision, but does not include a hospital, clinic, or health maintenance organization owned by such a governmental unit.

(b) Beginning in 2006, the limit in paragraph (a) must be adjusted annually in January. The limit must equal the limit for the prior year increased by the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year.

(c) Deferred compensation and payroll allocations to purchase an individual annuity contract for an employee are included in determining the employee's salary. Other forms of compensation which must be included to determine an employee's total compensation are all other direct and indirect items of compensation which are not specifically excluded by this subdivision. Other forms of compensation which must not be included in a determination of an employee's total compensation for the purposes of this subdivision are:

(1) employee benefits that are also provided for the majority of all other full-time employees of the political subdivision, vacation and sick leave allowances, health and dental insurance, disability insurance, term life insurance, and pension benefits or like benefits the cost of which is borne by the employee or which is not subject to tax as income under the Internal Revenue Code of 1986;

(2) dues paid to organizations that are of a civic, professional, educational, or governmental nature; and

(3) reimbursement for actual expenses incurred by the employee which the governing body determines to be directly related to the performance of job responsibilities, including any relocation expenses paid during the initial year of employment.

The value of other forms of compensation is the annual cost to the political subdivision for the provision of the compensation.

(d) The salary of a medical doctor or doctor of osteopathic medicine occupying a position that the governing body of the political subdivision has determined requires an M.D. or D.O. degree is excluded from the limitation in this subdivision.

(e) The commissioner may increase the limitation in this subdivision for a position that the commissioner has determined requires special expertise necessitating a higher salary to attract or retain a qualified person. The commissioner shall review each proposed increase giving due consideration to salary rates paid to other persons with similar responsibilities in the state and nation. The commissioner may not increase the limitation until the commissioner has presented the proposed increase to the Legislative Coordinating Commission and received the commission's recommendation on it. The recommendation is advisory only. If the commission does not give its recommendation on a proposed increase within 30 days from its receipt of the proposal, the commission is deemed to have made no recommendation. If the commissioner grants or granted an increase under this paragraph, the new limitation must be adjusted beginning in August 2005 and in each subsequent calendar year in January by the percentage increase equal to the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year.

1160.03 CORPORATION; BOARD OF DIRECTORS; POWERS.

Subd. 9. **Contributions to public officials; disclosure.** Each director shall file a statement with the Campaign Finance and Public Disclosure Board disclosing the nature, amount, date, and recipient of any contribution made to a public official, political committee, political fund, or political party, as defined in chapter 10A, that:

(1) was made within the four years preceding appointment to the Enterprise Minnesota, Inc. board; and

(2) was subject to the reporting requirements of chapter 10A.

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The statement must be updated annually during the director's term to reflect contributions made to public officials during the appointed director's tenure.

1160.04 CORPORATE PERSONNEL.

Subd. 3. **Contributions to public officials; disclosure.** The president shall file a statement with the Campaign Finance and Public Disclosure Board disclosing the nature, amount, date, and recipient of any contribution made to a public official which:

(1) was made within the four years preceding employment with the Enterprise Minnesota, Inc. board; and

(2) was subject to the reporting requirements of chapter 10A.

The statement must be updated annually during the president's employment to reflect contributions made to public officials during the president's tenure.

179.90 OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.

The commissioner of mediation services shall establish an Office of Collaboration and Dispute Resolution within the bureau. The office must:

(1) promote the broad use of community mediation in the state, ensuring that all areas of the state have access to services by providing grants to private nonprofit entities certified by the state court administrator under chapter 494 that assist in resolution of disputes;

(2) assist state agencies, offices of the executive, legislative, and judicial branches, and units of local government in improving collaboration and dispute resolution;

(3) support collaboration and dispute resolution in the public and private sector by providing technical assistance and information on best practices and new developments in dispute resolution options;

(4) educate the public and governmental entities on dispute resolution options; and

(5) promote and utilize collaborative dispute resolution models and processes based on documented best practices including, but not limited to, the Minnesota Solutions model:

(i) establishing criteria and procedures for identification and assessment of dispute resolution projects;

(ii) designating projects and appointing impartial convenors by the commissioner or the commissioner's designee;

(iii) forming multidisciplinary conflict resolution teams; and

(iv) utilizing collaborative techniques, processes, and standards through facilitated meetings until consensus among parties is reached in resolving a dispute.

179.91 GRANTS.

Subdivision 1. **Authority.** The commissioner of mediation services shall to the extent funds are appropriated for this purpose, make grants to private nonprofit community mediation entities certified by the state court administrator under chapter 494 that assist in resolution of disputes. The commissioner shall establish a grant review committee to assist in the review of grant applications and the allocation of grants under this section.

Subd. 2. **Eligibility.** To be eligible for a grant under this section, a nonprofit organization must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).

Subd. 3. **Conditions and exclusions.** A nonprofit entity receiving a grant must agree to comply with guidelines adopted by the state court administrator under section 494.015, subdivision 1. Sections 16B.97 and 16B.98 and policies adopted under those sections apply to grants under this section. The exclusions in section 494.03 apply to grants under this section.

Subd. 4. **Reporting.** Grantees must report data required under chapter 494 to evaluate quality and outcomes.

192A.385 PERSONS TO BE TRIED OR PUNISHED.

Subdivision 1. **Duty status required.** No person may be tried or punished for any offense provided for in sections 192A.39 to 192A.605 unless it was committed while that person was in a duty status as a member of the state military forces not in federal active service.

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Subd. 2. **Determination.** Duty status may extend to any soldier while acting in the line of duty or during any consecutive duty periods. Consecutive duty periods run from the time the soldier is required to be at the assigned duty station until the soldier is dismissed from duty. Duty status may be determined by weighing factors including, but not limited to, whether the soldier:

- (1) is in uniform;
- (2) is attending a unit endorsed event;
- (3) is drilling in excess of 50 miles from the soldier's normal duty station;
- (4) is involved in an activity which is service-connected;
- (5) has been released versus dismissed from duty; and
- (6) is staying at lodging provided by the military or at military expense.

299D.03 STATE PATROL.

Subd. 2a. **Salary and benefits survey.** (a) By January 1 of 2021, 2023, 2027, and 2031, the legislative auditor must conduct a compensation and benefit survey of law enforcement officers in every police department:

(1) in a city with a population in excess of 25,000, located in a metropolitan county, as defined in section 473.121, subdivision 4, that is represented by a union certified by the Bureau of Mediation Services; or

(2) in a city of the first class.

The State Patrol must also be included in the survey.

(b) The legislative auditor must base the survey on compensation and benefits for the past completed calendar year. The survey must be based on full-time equivalent employees. The legislative auditor must calculate compensation using base salary, overtime wages, and premium pay. Premium pay is payment that is received by a majority of employees and includes but is not limited to education pay and longevity pay. The legislative auditor must not include any payments made to officers or troopers for work performed for an entity other than the agency that employs the officer or trooper, regardless of who makes the payment. The legislative auditor must also include in the survey all benefits, including insurance, retirement, and pension benefits. The legislative auditor must include contributions from both the employee and employer when determining benefits.

(c) The legislative auditor must compile the survey results into a report. The report must show each department separately. For each department, the survey must include:

(1) an explanation of the salary structure, and include minimum and maximum salaries for each range or step; and

(2) an explanation of benefits offered, including the options that are offered and the employee and employer contribution for each option.

Wherever possible, the report must be designed so that the data for each department is in the same table or grid format to facilitate easy comparison.

(d) By January 15 of 2021, 2023, 2027, and 2031, the legislative auditor must transmit the survey report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over the State Patrol budget.

(e) It is the legislature's intent to use the information in this study to compare salaries between the identified police departments and the State Patrol and to make appropriate increases to patrol trooper salaries. For purposes of this paragraph, "patrol troopers" has the meaning given in subdivision 2, paragraph (a).

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

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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.

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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.

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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

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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

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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

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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.