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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2423

03/13/2019 Authored by Dehn and Gomez
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 proposing a constitutional amendment to article VII, section 1; allowing political
1.3 subdivisions to lower the voting age to 16 for local elections; making conforming
1.4 changes; amending Minnesota Statutes 2018, sections 201.014, subdivision 1;
1.5 201.071, subdivision 1; 203B.21, subdivision 3; 204C.10; proposing coding for
1.6 new law in Minnesota Statutes, chapter 201.

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

1.8 ARTICLE 1
1.9 CONSTITUTIONAL AMENDMENT

1.10 Section 1. CONSTITUTIONAL AMENDMENT PROPOSED.

1.11 An amendment to the Minnesota Constitution is proposed to the people. If the amendment
1.12 is adopted, article VII, section 1, will read:

1.13 Section 1. Every person 18 years of age or more who has been a citizen of the United
1.14 States for three months and who has resided in the precinct for 30 days next preceding an
1.15 election shall be entitled to vote in that precinct. A county, municipality, or school district
1.16 may lower the voting age to 16 years of age for local elections but must not amend any
1.17 other voter eligibility requirements. The place of voting by one otherwise qualified who
1.18 has changed his residence within 30 days preceding the election shall be prescribed by law.
1.19 The following persons shall not be entitled or permitted to vote at any election in this state:
1.20 A person not meeting the above requirements; a person who has been convicted of treason
1.21 or felony, unless restored to civil rights; a person under guardianship, or a person who is
1.22 insane or not mentally competent.

2.1 Sec. 2. **SUBMISSION TO VOTERS.**

2.2 The proposed amendment must be submitted to the people at the 2020 general election.

2.3 The question submitted must be:

2.4 "Shall the Minnesota Constitution be amended to allow political subdivisions to lower
2.5 the voting age to 16 years of age for local elections?"

2.6 Yes

2.7 No "

2.8 **ARTICLE 2**

2.9 **CONFORMING CHANGES**

2.10 Section 1. Minnesota Statutes 2018, section 201.014, subdivision 1, is amended to read:

2.11 Subdivision 1. **Requirements.** Except as provided in subdivision 2, an individual who
2.12 meets the following requirements at the time of an election is eligible to vote. The individual
2.13 must:

2.14 (1) be 18 years of age or older or be 16 years of age or older to vote in a local election
2.15 as provided in section 201.017;

2.16 (2) be a citizen of the United States; and

2.17 (3) maintain residence in Minnesota for 20 days immediately preceding the election.

2.18 Sec. 2. **[201.017] VOTING AGE FOR COUNTY, SCHOOL, OR MUNICIPAL**
2.19 **ELECTIONS.**

2.20 The governing body of a county, municipality, or school district may adopt a resolution
2.21 that allows a person 16 years or older to vote in elections held by the jurisdiction that adopted
2.22 the resolution. The voter must satisfy all other voter eligibility requirements. A person under
2.23 the age of 18 may only vote for offices and ballot questions for the jurisdiction that has
2.24 adopted the lower voting age. A person under the age of 18 must not be allowed to vote for
2.25 any state or federal office or state ballot question. The ballot provided to an individual
2.26 authorized to vote under this section must be prepared so that the individual may vote only
2.27 for local offices or questions where the voter is authorized to vote.

2.28 Sec. 3. Minnesota Statutes 2018, section 201.071, subdivision 1, is amended to read:

2.29 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
2.30 contain the same information unless otherwise provided by law. A voter registration

3.1 application must contain spaces for the following required information: voter's first name,
3.2 middle name, and last name; voter's previous name, if any; voter's current address; voter's
3.3 previous address, if any; voter's date of birth; voter's municipality and county of residence;
3.4 voter's telephone number, if provided by the voter; date of registration; current and valid
3.5 Minnesota driver's license number or Minnesota state identification number, or if the voter
3.6 has no current and valid Minnesota driver's license or Minnesota state identification, the
3.7 last four digits of the voter's Social Security number; and voter's signature. The paper
3.8 registration application may include the voter's e-mail address, if provided by the voter. The
3.9 electronic voter registration application must include the voter's e-mail address. The
3.10 registration application may include the voter's interest in serving as an election judge, if
3.11 indicated by the voter. The application must also contain the following certification of voter
3.12 eligibility:

3.13 "I certify that I:

3.14 (1) will be at least 18 years old on election day or be 16 years of age or older on election
3.15 day to vote in a local election as provided in section 201.017;

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

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

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

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

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

3.22 (7) have the right to vote because, if I have been convicted of a felony, my felony sentence
3.23 has expired (been completed) or I have been discharged from my sentence; and

3.24 (8) have read and understand the following statement: that giving false information is a
3.25 felony punishable by not more than five years imprisonment or a fine of not more than
3.26 \$10,000, or both."

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

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

3.29 "(2) Will you be 18 years old on or before election day or will you be 16 years old on
3.30 or before election day to vote in a local election as provided in section 201.017?"

3.31 And the instruction:

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

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

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

4.9 Sec. 4. Minnesota Statutes 2018, section 203B.21, subdivision 3, is amended to read:

4.10 Subd. 3. **Back of return envelope.** On the back of the return envelope a certificate shall
4.11 appear with space for:

4.12 (1) the voter's address of present or former residence in Minnesota;

4.13 (2) the voter's current e-mail address, if the voter has one;

4.14 (3) a statement indicating the category described in section 203B.16 to which the voter
4.15 belongs;

4.16 (4) a statement that the voter has not cast and will not cast another absentee ballot in the
4.17 same election or elections;

4.18 (5) a statement that the voter personally marked the ballots without showing them to
4.19 anyone, or if physically unable to mark them, that the voter directed another individual to
4.20 mark them; and

4.21 (6) the same voter's passport number, Minnesota driver's license or state identification
4.22 card number, or the last four digits of the voter's Social Security number as provided on the
4.23 absentee ballot application; if the voter does not have access to any of these documents, the
4.24 voter may attest to the truthfulness of the contents of the certificate under penalty of perjury.

4.25 The certificate shall also contain a signed oath in the form required by section 705 of
4.26 the Help America Vote Act, Public Law 107-252, which must read:

4.27 "I swear or affirm, under penalty of perjury, that:

4.28 I am a member of the uniformed services or merchant marine on active duty or an eligible
4.29 spouse or dependent of such a member; a United States citizen temporarily residing outside
4.30 the United States; or other United States citizen residing outside the United States; and I
4.31 am a United States citizen, at least 18 years of age (or will be by the date of the election)

5.1 or I am at least 16 years of age to vote in a local election as provided in section 201.017,
5.2 and I am eligible to vote in the requested jurisdiction; I have not been convicted of a felony,
5.3 or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting
5.4 rights have been reinstated; and I am not registering, requesting a ballot, or voting in any
5.5 other jurisdiction in the United States except the jurisdiction cited in this voting form. In
5.6 voting, I have marked and sealed my ballot in private and have not allowed any person to
5.7 observe the marking of the ballot, except for those authorized to assist voters under state or
5.8 federal law. I have not been influenced.

5.9 The information on this form is true, accurate, and complete to the best of my knowledge.
5.10 I understand that a material misstatement of fact in completion of this document may
5.11 constitute grounds for a conviction for perjury."

5.12 Sec. 5. Minnesota Statutes 2018, section 204C.10, is amended to read:

5.13 **204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;**
5.14 **VOTER RECEIPT.**

5.15 (a) An individual seeking to vote shall sign a polling place roster or voter signature
5.16 certificate which states that the individual is at least 18 years of age or at least 16 years of
5.17 age to vote in a local election as provided in section 201.017, a citizen of the United States,
5.18 has resided in Minnesota for 20 days immediately preceding the election, maintains residence
5.19 at the address shown, is not under a guardianship in which the court order revokes the
5.20 individual's right to vote, has not been found by a court of law to be legally incompetent to
5.21 vote or has the right to vote because, if the individual was convicted of a felony, the felony
5.22 sentence has expired or been completed or the individual has been discharged from the
5.23 sentence, is registered and has not already voted in the election. The roster must also state:
5.24 "I understand that deliberately providing false information is a felony punishable by not
5.25 more than five years imprisonment and a fine of not more than \$10,000, or both."

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

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

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

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

6.9 **Sec. 6. EFFECTIVE DATE.**

6.10 This article is effective January 1, 2021, if the constitutional amendment in article 1 is
6.11 approved by the voters at the 2020 general election and applies to local elections held on
6.12 or after that date.