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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 2542

03/27/2017 Authored by Lesch, Omar, Nelson, Masin, Bly and others
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy

1.1 A bill for an act
1.2 relating to elections; amending requirements for participating in a program that
1.3 crosschecks voter registration data with data from other states; amending Minnesota
1.4 Statutes 2016, section 201.13, subdivision 3, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2016, section 201.13, subdivision 3, is amended to read:

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

1.18 (b) If the address is changed to another address in this state, the secretary of state shall
1.19 locate the precinct in which the voter resides, if possible. If the secretary of state is able to
1.20 locate the precinct in which the voter resides, the secretary must transmit the information
1.21 about the changed address by electronic means to the county auditor of the county in which
1.22 the new address is located. For addresses for which the secretary of state is unable to
1.23 determine the precinct, the secretary may forward information to the appropriate county
1.24 auditors for individual review. If the voter has not voted or submitted a voter registration

2.1 application since the address change, upon receipt of the information, the county auditor
 2.2 shall update the voter's address in the statewide voter registration system. The county auditor
 2.3 shall mail to the voter a notice stating the voter's name, address, precinct, and polling place,
 2.4 unless the voter's record is challenged due to a felony conviction, noncitizenship, name
 2.5 change, incompetence, or a court's revocation of voting rights of individuals under
 2.6 guardianship, in which case the auditor must not mail the notice. The notice must advise
 2.7 the voter that the voter's voting address has been changed and that the voter must notify the
 2.8 county auditor within 21 days if the new address is not the voter's address of residence. The
 2.9 notice must state that it must be returned if it is not deliverable to the voter at the named
 2.10 address.

2.11 (c) If the change of permanent address is to an address outside this state, the secretary
 2.12 of state shall notify by electronic means the auditor of the county where the voter formerly
 2.13 resided that the voter has moved to another state. If the voter has not voted or submitted a
 2.14 voter registration application since the address change, the county auditor shall promptly
 2.15 mail to the voter at the voter's new address a notice advising the voter that the voter's status
 2.16 in the statewide voter registration system will be changed to "inactive" unless the voter
 2.17 notifies the county auditor within 21 days that the voter is retaining the former address as
 2.18 the voter's address of residence, except that if the voter's record is challenged due to a felony
 2.19 conviction, noncitizenship, name change, incompetence, or a court's revocation of voting
 2.20 rights of individuals under guardianship, the auditor must not mail the notice. If the notice
 2.21 is not received by the deadline, the county auditor shall change the voter's status to "inactive"
 2.22 in the statewide voter registration system.

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

2.29 ~~(1) name;~~

2.30 ~~(2) date of birth;~~

2.31 ~~(3) address;~~

2.32 ~~(4) driver's license or state identification card number;~~

2.33 ~~(5) the last four digits of an individual's Social Security number; and~~

3.1 ~~(6) the date that an individual's record was last updated.~~

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

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

3.8 Sec. 2. Minnesota Statutes 2016, section 201.13, is amended by adding a subdivision to
 3.9 read:

3.10 Subd. 3a. **Voter registration crosscheck program authority.** (a) The secretary of state
 3.11 may enter into an agreement to share information or data with an organization governed
 3.12 exclusively by a group of states pursuant to this subdivision. The secretary must only enter
 3.13 into an agreement to share information or data with an organization that requires member
 3.14 states to share the following information:

3.15 (1) first name, middle name or initial, and last name;

3.16 (2) date of birth;

3.17 (3) address;

3.18 (4) driver's license or state identification card number;

3.19 (5) the last four digits of an individual's Social Security number; and

3.20 (6) the date that an individual's record was last updated.

3.21 (b) Before the secretary enters into an agreement authorized by this subdivision, the
 3.22 secretary must first report to the legislative committees with jurisdiction over election policy
 3.23 on:

3.24 (1) the name of the organization, a description of the organization's structure and
 3.25 leadership, a copy of any rules or bylaws, and a copy of the agreement;

3.26 (2) a description of the data to be shared and how the data will be used;

3.27 (3) a list of any membership fees or dues;

3.28 (4) a list of other states already participating in the organization; and

3.29 (5) a description of data security protocols and a statement that the secretary finds the
 3.30 protocols to be sufficient.

4.1 An agreement must not go into effect until 15 legislative days after the report is submitted.

4.2 (c) If the secretary enters into an agreement authorized by this subdivision, the secretary
4.3 must share the following data from the statewide voter registration system and data released
4.4 to the secretary of state under section 171.12, subdivision 7a:

4.5 (1) first name, middle name or initial, and last name;

4.6 (2) date of birth;

4.7 (3) address;

4.8 (4) driver's license or state identification card number;

4.9 (5) the last four digits of an individual's Social Security number; and

4.10 (6) the date that an individual's record was last updated.

4.11 (d) If the secretary of state enters into an agreement authorized by this subdivision, the
4.12 secretary and county auditors must process changes to voter records based upon that data
4.13 in accordance with this section. Except as otherwise provided in this subdivision, when data
4.14 is shared with the secretary of state by another state, the secretary of state must maintain
4.15 the same data classification that the data had while it was in the possession of the state
4.16 providing the data.

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