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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2875

03/10/2014 Authored by Mullery
The bill was read for the first time and referred to the Committee on Elections

1.1 A bill for an act
1.2 relating to elections; clarifying the civil right to vote for individuals convicted
1.3 of a felony; amending Minnesota Statutes 2012, sections 201.014, by adding a
1.4 subdivision; 201.071, subdivision 1; 204C.08, subdivision 1d; 204C.10.

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

1.6 Section 1. Minnesota Statutes 2012, section 201.014, is amended by adding a
1.7 subdivision to read:

1.8 Subd. 2a. **Felony conviction; civil right to vote.** If an individual is convicted of a
1.9 felony, that individual shall retain the civil right to vote except while that individual is
1.10 under an order or sentence to be incarcerated at the time of the vote.

1.11 Sec. 2. Minnesota Statutes 2012, section 201.071, subdivision 1, is amended to read:

1.12 Subdivision 1. **Form.** A voter registration application must be of suitable size and
1.13 weight for mailing and contain spaces for the following required information: voter's first
1.14 name, middle name, and last name; voter's previous name, if any; voter's current address;
1.15 voter's previous address, if any; voter's date of birth; voter's municipality and county
1.16 of residence; voter's telephone number, if provided by the voter; date of registration;
1.17 current and valid Minnesota driver's license number or Minnesota state identification
1.18 number, or if the voter has no current and valid Minnesota driver's license or Minnesota
1.19 state identification, the last four digits of the voter's Social Security number; and voter's
1.20 signature. The registration application may include the voter's e-mail address, if provided
1.21 by the voter, and the voter's interest in serving as an election judge, if indicated by the
1.22 voter. The application must also contain the following certification of voter eligibility:

1.23 "I certify that I:

- 2.1 (1) will be at least 18 years old on election day;
- 2.2 (2) am a citizen of the United States;
- 2.3 (3) will have resided in Minnesota for 20 days immediately preceding election day;
- 2.4 (4) maintain residence at the address given on the registration form;
- 2.5 (5) am not under court-ordered guardianship in which the court order revokes my
- 2.6 right to vote;
- 2.7 (6) have not been found by a court to be legally incompetent to vote;
- 2.8 (7) ~~have the right to vote because, if I have been convicted of a felony, my felony~~
- 2.9 ~~sentence has expired (been completed) or I have been discharged from my sentence~~ am
- 2.10 not currently incarcerated for a felony offense; and
- 2.11 (8) have read and understand the following statement: that giving false information
- 2.12 is a felony punishable by not more than five years imprisonment or a fine of not more
- 2.13 than \$10,000, or both."

2.14 The certification must include boxes for the voter to respond to the following

2.15 questions:

- 2.16 "(1) Are you a citizen of the United States?" and
- 2.17 "(2) Will you be 18 years old on or before election day?"

2.18 And the instruction:

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

2.20 The form of the voter registration application and the certification of voter eligibility

2.21 must be as provided in this subdivision and approved by the secretary of state. Voter

2.22 registration forms authorized by the National Voter Registration Act must also be accepted

2.23 as valid. The federal postcard application form must also be accepted as valid if it is not

2.24 deficient and the voter is eligible to register in Minnesota.

2.25 An individual may use a voter registration application to apply to register to vote in

2.26 Minnesota or to change information on an existing registration.

2.27 Sec. 3. Minnesota Statutes 2012, section 204C.08, subdivision 1d, is amended to read:

2.28 Subd. 1d. **Voter's Bill of Rights.** The county auditor shall prepare and provide to

2.29 each polling place sufficient copies of a poster setting forth the Voter's Bill of Rights as set

2.30 forth in this section. Before the hours of voting are scheduled to begin, the election judges

2.31 shall post it in a conspicuous location or locations in the polling place. The Voter's Bill

2.32 of Rights is as follows:

2.33 "VOTER'S BILL OF RIGHTS

2.34 For all persons residing in this state who meet federal voting eligibility requirements:

3.1 (1) You have the right to be absent from work for the purpose of voting without
 3.2 reduction to your pay, personal leave, or vacation time on election day for the time
 3.3 necessary to appear at your polling place, cast a ballot, and return to work.

3.4 (2) If you are in line at your polling place any time before 8:00 p.m., you have the
 3.5 right to vote.

3.6 (3) If you can provide the required proof of residence, you have the right to register
 3.7 to vote and to vote on election day.

3.8 (4) If you are unable to sign your name, you have the right to orally confirm your
 3.9 identity with an election judge and to direct another person to sign your name for you.

3.10 (5) You have the right to request special assistance when voting.

3.11 (6) If you need assistance, you may be accompanied into the voting booth by a
 3.12 person of your choice, except by an agent of your employer or union or a candidate.

3.13 (7) You have the right to bring your minor children into the polling place and into
 3.14 the voting booth with you.

3.15 (8) ~~If you have been convicted of a felony but your felony sentence has expired~~
 3.16 ~~(been completed) or you have been discharged from your sentence, you have the right to~~
 3.17 ~~vote~~ You have the right to vote even if you have been convicted of a felony as long as you
 3.18 are not under an order or sentence to be incarcerated for the felony at the time of the vote.

3.19 (9) If you are under a guardianship, you have the right to vote, unless the court
 3.20 order revokes your right to vote.

3.21 (10) You have the right to vote without anyone in the polling place trying to
 3.22 influence your vote.

3.23 (11) If you make a mistake or spoil your ballot before it is submitted, you have the
 3.24 right to receive a replacement ballot and vote.

3.25 (12) You have the right to file a written complaint at your polling place if you are
 3.26 dissatisfied with the way an election is being run.

3.27 (13) You have the right to take a sample ballot into the voting booth with you.

3.28 (14) You have the right to take a copy of this Voter's Bill of Rights into the voting
 3.29 booth with you."

3.30 Sec. 4. Minnesota Statutes 2012, section 204C.10, is amended to read:

3.31 **204C.10 PERMANENT REGISTRATION; VERIFICATION OF**
 3.32 **REGISTRATION.**

3.33 (a) An individual seeking to vote shall sign a polling place roster which states
 3.34 that the individual is at least 18 years of age, a citizen of the United States, has resided
 3.35 in Minnesota for 20 days immediately preceding the election, maintains residence at

4.1 the address shown, is not under a guardianship in which the court order revokes the
4.2 individual's right to vote, has not been found by a court of law to be legally incompetent to
4.3 vote or has the right to vote because, if the individual was convicted of a felony, ~~the felony~~
4.4 ~~sentence has expired or been completed or the individual has been discharged from the~~
4.5 ~~sentence~~ is not under an order or sentence to be incarcerated for a felony at the time of the
4.6 vote, is registered, and has not already voted in the election. The roster must also state:
4.7 "I understand that deliberately providing false information is a felony punishable by not
4.8 more than five years imprisonment and a fine of not more than \$10,000, or both."

4.9 (b) A judge may, before the applicant signs the roster, confirm the applicant's name,
4.10 address, and date of birth.

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