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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **3**

- 01/04/2023 Authored by Greenman, Hortman, Long, Freiberg, Frazier and others
The bill was read for the first time and referred to the Committee on Elections Finance and Policy
- 02/09/2023 Adoption of Report: Amended and re-referred to the Committee on Transportation Finance and Policy
- 02/15/2023 Adoption of Report: Amended and re-referred to the Committee on Public Safety Finance and Policy
- 02/27/2023 Adoption of Report: Re-referred to the Committee on Human Services Finance
- 03/01/2023 Adoption of Report: Re-referred to the Committee on Judiciary Finance and Civil Law
- 03/06/2023 Adoption of Report: Amended and re-referred to the Committee on State and Local Government Finance and Policy
- 03/09/2023 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
- 04/04/2023 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 elections; modifying provisions related to voter registration; absentee

1.3 voting; requiring voting instructions and sample ballots to be multilingual and

1.4 interpreters to be provided in certain situations; regulating intimidation, deceptive

1.5 practices, and interference with voter registration and voting; campaign finance;

1.6 expanding the definition of express advocacy; providing penalties; requiring reports;

1.7 appropriating money; amending Minnesota Statutes 2022, sections 10A.01,

1.8 subdivision 16a; 10A.27, subdivision 11; 13.607, by adding a subdivision; 171.06,

1.9 subdivision 3, as amended; 201.054, subdivisions 1, 2; 201.061, by adding a

1.10 subdivision; 201.071, subdivision 1, as amended; 201.091, subdivision 4; 201.161;

1.11 201.162; 203B.04, subdivisions 1, 5; 203B.06, subdivisions 1, 3; 203B.12, by

1.12 adding subdivisions; 203B.121, subdivision 2; 211B.15, subdivisions 1, 7b, by

1.13 adding subdivisions; 211B.32, subdivision 1; Laws 2023, chapter 12, section 9;

1.14 proposing coding for new law in Minnesota Statutes, chapters 204B; 211B.

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

1.16 ARTICLE 1

1.17 STRENGTHEN THE FREEDOM TO VOTE

1.18 Section 1. Minnesota Statutes 2022, section 13.607, is amended by adding a subdivision

1.19 to read:

1.20 Subd. 9. Ineligible voter data. Any data transferred to the secretary of state regarding

1.21 applicants who are determined ineligible to register to vote is governed by section 201.161.

1.22 Sec. 2. Minnesota Statutes 2022, section 171.06, subdivision 3, as amended by Laws 2023,

1.23 chapter 13, article 1, section 3, is amended to read:

1.24 Subd. 3. **Contents of application; other information.** (a) An application must:

1.25 (1) state the full name, date of birth, sex, and either (i) the residence address of the

1.26 applicant, or (ii) designated address under section 5B.05;

2.1 (2) as may be required by the commissioner, contain a description of the applicant and
2.2 any other facts pertaining to the applicant, the applicant's driving privileges, and the
2.3 applicant's ability to operate a motor vehicle with safety;

2.4 (3) state:

2.5 (i) the applicant's Social Security number; or

2.6 (ii) if the applicant does not have a Social Security number and is applying for a
2.7 Minnesota identification card, instruction permit, or class D provisional or driver's license,
2.8 that the applicant elects not to specify a Social Security number;

2.9 (4) contain a notification to the applicant of the availability of a living will/health care
2.10 directive designation on the license under section 171.07, subdivision 7; ~~and~~

2.11 (5) include a method for the applicant to:

2.12 (i) request a veteran designation on the license under section 171.07, subdivision 15,
2.13 and the driving record under section 171.12, subdivision 5a;

2.14 (ii) indicate a desire to make an anatomical gift under subdivision 3b, paragraph (e);

2.15 (iii) as applicable, designate document retention as provided under section 171.12,
2.16 subdivision 3c; and

2.17 (iv) indicate emergency contacts as provided under section 171.12, subdivision 5b; and

2.18 (6) meet the requirements under section 201.161, subdivision 3.

2.19 (b) Applications must be accompanied by satisfactory evidence demonstrating:

2.20 (1) identity, date of birth, and any legal name change if applicable; and

2.21 (2) for driver's licenses and Minnesota identification cards that meet all requirements of
2.22 the REAL ID Act:

2.23 (i) principal residence address in Minnesota, including application for a change of address,
2.24 unless the applicant provides a designated address under section 5B.05;

2.25 (ii) Social Security number, or related documentation as applicable; and

2.26 (iii) lawful status, as defined in Code of Federal Regulations, title 6, section 37.3.

2.27 (c) An application for an enhanced driver's license or enhanced identification card must
2.28 be accompanied by:

2.29 (1) satisfactory evidence demonstrating the applicant's full legal name and United States
2.30 citizenship; and

3.1 (2) a photographic identity document.

3.2 (d) A valid Department of Corrections or Federal Bureau of Prisons identification card
3.3 containing the applicant's full name, date of birth, and photograph issued to the applicant
3.4 is an acceptable form of proof of identity in an application for an identification card,
3.5 instruction permit, or driver's license as a secondary document for purposes of Minnesota
3.6 Rules, part 7410.0400, and successor rules.

3.7 (e) An application form must not provide for identification of (1) the accompanying
3.8 documents used by an applicant to demonstrate identity, or (2) except as provided in
3.9 paragraphs (b) and (c), the applicant's citizenship, immigration status, or lawful presence
3.10 in the United States. The commissioner and a driver's license agent must not inquire about
3.11 an applicant's citizenship, immigration status, or lawful presence in the United States, except
3.12 as provided in paragraphs (b) and (c).

3.13 **EFFECTIVE DATE.** This section is effective June 1, 2023.

3.14 Sec. 3. Minnesota Statutes 2022, section 201.054, subdivision 1, is amended to read:

3.15 Subdivision 1. **Registration.** (a) An individual may register to vote:

3.16 (1) at any time before the 20th day preceding any election as provided in section 201.061,
3.17 subdivision 1;

3.18 (2) on the day of an election as provided in section 201.061, subdivision 3; or

3.19 (3) when submitting an absentee ballot, by enclosing a completed registration application
3.20 as provided in section 203B.04, subdivision 4.

3.21 (b) An individual who is under the age of 18, but who is at least 16 years of age and
3.22 otherwise eligible, may submit a voter registration application as provided in section 201.061,
3.23 subdivisions 1 and 1b.

3.24 **EFFECTIVE DATE.** This section is effective June 1, 2023.

3.25 Sec. 4. Minnesota Statutes 2022, section 201.054, subdivision 2, is amended to read:

3.26 Subd. 2. **Prohibitions; penalty.** No individual shall intentionally:

3.27 (1) cause or attempt to cause the individual's name to be registered in any precinct if the
3.28 individual is not eligible to vote, except as permitted by section 201.061, subdivision 1b;

3.29 (2) cause or attempt to cause the individual's name to be registered for the purpose of
3.30 voting in more than one precinct;

4.1 (3) misrepresent the individual's identity when attempting to register to vote; or

4.2 (4) aid, abet, counsel, or procure any other individual to violate this subdivision.

4.3 A violation of this subdivision is a felony.

4.4 **EFFECTIVE DATE.** This section is effective June 1, 2023.

4.5 Sec. 5. Minnesota Statutes 2022, section 201.061, is amended by adding a subdivision to
4.6 read:

4.7 **Subd. 1b. Preregistration.** An individual who is under the age of 18, but who is at least
4.8 16 years of age and meets all requirements for eligibility in section 201.014, except for age,
4.9 may submit a voter registration application or be automatically registered under section
4.10 201.161 at the address in which the voter maintains residence pursuant to subdivision 1.
4.11 Nothing in this section shall be construed to entitle an individual to appear on a polling
4.12 place roster or cast a ballot at an election if the individual does not meet all eligibility
4.13 requirements for voting, including age.

4.14 **EFFECTIVE DATE.** This section is effective June 1, 2023.

4.15 Sec. 6. Minnesota Statutes 2022, section 201.071, subdivision 1, as amended by Laws
4.16 2023, chapter 12, section 2, is amended to read:

4.17 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
4.18 contain the same information unless otherwise provided by law. A voter registration
4.19 application must contain spaces for the following required information: voter's first name,
4.20 middle name, and last name; voter's previous name, if any; voter's current address; voter's
4.21 previous address, if any; voter's date of birth; voter's municipality and county of residence;
4.22 voter's telephone number, if provided by the voter; date of registration; current and valid
4.23 Minnesota driver's license number or Minnesota state identification number, or if the voter
4.24 has no current and valid Minnesota driver's license or Minnesota state identification, the
4.25 last four digits of the voter's Social Security number; and voter's signature. The paper
4.26 registration application may include the voter's email address, if provided by the voter. The
4.27 electronic voter registration application must include the voter's email address. The
4.28 registration application may include the voter's interest in serving as an election judge, if
4.29 indicated by the voter. The application must also contain the following certification of voter
4.30 eligibility:

4.31 "I certify that I:

5.1 (1) ~~will be at least 18 years old on election day~~ am at least 16 years old and understand
5.2 that I must be at least 18 years old to be eligible to vote;

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

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

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

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

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

5.9 (7) am not currently incarcerated for a conviction of a felony offense; and

5.10 (8) have read and understand the following statement: that giving false information is a
5.11 felony punishable by not more than five years imprisonment or a fine of not more than
5.12 \$10,000, or both."

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

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

5.15 "(2) ~~Will you be 18 years old on or before election day?~~ Are you at least 16 years old
5.16 and will you be at least 18 years old on or before the day of the election in which you intend
5.17 to vote?"

5.18 And the instruction:

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

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

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

5.27 **EFFECTIVE DATE.** This section is effective June 1, 2023.

6.1 Sec. 7. Minnesota Statutes 2022, section 201.071, subdivision 1, as amended by Laws
6.2 2023, chapter 12, section 2, is amended to read:

6.3 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
6.4 contain the same information unless otherwise provided by law. A voter registration
6.5 application must contain spaces for the following required information: voter's first name,
6.6 middle name, and last name; voter's previous name, if any; voter's current address; voter's
6.7 previous address, if any; voter's date of birth; voter's municipality and county of residence;
6.8 voter's telephone number, if provided by the voter; date of registration; current and valid
6.9 Minnesota driver's license number or Minnesota state identification number, or if the voter
6.10 has no current and valid Minnesota driver's license or Minnesota state identification, the
6.11 last four digits of the voter's Social Security number; a box to indicate a voter's preference
6.12 to join the permanent absentee voter list; and voter's signature. The paper registration
6.13 application may include the voter's email address, if provided by the voter. The electronic
6.14 voter registration application must include the voter's email address. The registration
6.15 application may include the voter's interest in serving as an election judge, if indicated by
6.16 the voter. The application must also contain the following certification of voter eligibility:

6.17 "I certify that I:

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

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

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

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

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

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

6.25 (7) am not currently incarcerated for a conviction of a felony offense; and

6.26 (8) have read and understand the following statement: that giving false information is a
6.27 felony punishable by not more than five years imprisonment or a fine of not more than
6.28 \$10,000, or both."

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

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

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

7.1 And the instruction:

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

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

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

7.10 **EFFECTIVE DATE.** This section is effective June 1, 2024.

7.11 Sec. 8. Minnesota Statutes 2022, section 201.091, subdivision 4, is amended to read:

7.12 Subd. 4. **Public information lists.** The county auditor shall make available for inspection
7.13 a public information list which must contain the name, address, year of birth, and voting
7.14 history of each registered voter in the county. Data on applicants submitted pursuant to
7.15 section 201.061, subdivision 1b, are not part of the public information list until the voter is
7.16 registered or has voting history. The list must not include the party choice of any voter who
7.17 voted in a presidential nomination primary. The telephone number must be included on the
7.18 list if provided by the voter. The public information list may also include information on
7.19 voting districts. The county auditor may adopt reasonable rules governing access to the list.
7.20 No individual inspecting the public information list shall tamper with or alter it in any
7.21 manner. No individual who inspects the public information list or who acquires a list of
7.22 registered voters prepared from the public information list may use any information contained
7.23 in the list for purposes unrelated to elections, political activities, or law enforcement. The
7.24 secretary of state may provide copies of the public information lists and other information
7.25 from the statewide registration system for uses related to elections, political activities, or
7.26 in response to a law enforcement inquiry from a public official concerning a failure to
7.27 comply with any criminal statute or any state or local tax statute.

7.28 Before inspecting the public information list or obtaining a list of voters or other
7.29 information from the list, the individual shall provide identification to the public official
7.30 having custody of the public information list and shall state in writing that any information
7.31 obtained from the list will not be used for purposes unrelated to elections, political activities,
7.32 or law enforcement. Requests to examine or obtain information from the public information

8.1 lists or the statewide registration system must be made and processed in the manner provided
8.2 in the rules of the secretary of state.

8.3 Upon receipt of a statement signed by the voter that withholding the voter's name from
8.4 the public information list is required for the safety of the voter or the voter's family, the
8.5 secretary of state and county auditor must withhold from the public information list the
8.6 name of a registered voter.

8.7 **EFFECTIVE DATE.** This section is effective June 1, 2023.

8.8 Sec. 9. Minnesota Statutes 2022, section 201.161, is amended to read:

8.9 **201.161 DRIVER'S LICENSE AND IDENTIFICATION CARD APPLICATIONS**
8.10 **AUTOMATIC VOTER REGISTRATION.**

8.11 Subdivision 1. **Automatic registration.** (a) Except as otherwise provided in this section,
8.12 an individual must be registered to vote if the individual is eligible to vote under section
8.13 201.014 and properly completes and submits one of the following applications, if the
8.14 application includes documentation or verification of United States citizenship or records
8.15 reflect that the applicant provided proof of citizenship during a previous agency transaction:

8.16 (1) an application for a new or renewed Minnesota driver's license or identification card;

8.17 (2) an initial or renewal application for MinnesotaCare under chapter 256L or medical
8.18 assistance under chapter 256B; or

8.19 (3) an application for benefits or services to a state agency participating under subdivision
8.20 5.

8.21 (b) If a registered voter supplies a different name or address as part of an application
8.22 under this subdivision from the name and address in the voter registration record, the
8.23 registrant's voter registration record must be updated to reflect the name or address
8.24 information provided.

8.25 Subd. 2. **Option to decline.** Upon receipt of the registration information, the county
8.26 auditor must queue for mailing in the statewide voter registration system a notice to the
8.27 individual that provides an opportunity to decline the registration. The secretary of state
8.28 must promptly mail all notices queued in the statewide voter registration system. An
8.29 individual must not be registered if the individual declines to be registered within 20 days
8.30 of the date of the mailing of the notice under this section. An otherwise eligible individual
8.31 who declines to register must be offered a new registration opportunity with each qualifying
8.32 application submitted under subdivision 1. The notice must be drafted to ensure maximum

9.1 language access consistent with maintaining readability, and at a minimum must identify a
9.2 website where the materials are made available in the ten most common languages for which
9.3 translation is needed by voters.

9.4 Subd. 3. **Department of Public Safety.** (a) The ~~Department~~ commissioner of public
9.5 safety ~~shall, in consultation with the secretary of state, must change its~~ the applications for
9.6 an original, duplicate, or change of address driver's license or identification card so that ~~the~~
9.7 ~~forms may also serve as voter registration applications. The forms must contain spaces for~~
9.8 ~~all information collected by voter registration applications prescribed by the secretary of~~
9.9 ~~state. Applicants for driver's licenses or identification cards must be asked if they want to~~
9.10 ~~register to vote at the same time and that information must be transmitted at least weekly~~
9.11 ~~any forms where applicants may provide documentation of United States citizenship contain~~
9.12 ~~spaces for all information required to register to vote, as prescribed by the secretary of state.~~
9.13 Unless the applicant has provided an address other than the applicant's address of residence
9.14 under section 171.12, subdivision 7, paragraph (d), the commissioner must transmit the
9.15 information daily by electronic means to the secretary of state. Pursuant to the Help America
9.16 Vote Act of 2002, Public Law 107-252, the computerized driver's license record containing
9.17 the voter's name, address, date of birth, citizenship, driver's license number or state
9.18 identification number, county, ~~town~~, and city or town must be made available for access by
9.19 the secretary of state and interaction with the statewide voter registration system. The
9.20 commissioner must submit data to the secretary of state identifying the total number of
9.21 individuals that completed qualifying transactions under this section and the total number
9.22 of individuals whose records were ultimately transferred for registration. At a minimum,
9.23 the commissioner must submit the data to the secretary of state on the same day each month.
9.24 The secretary of state must publish a monthly report of this data.

9.25 (b) An applicant's information must not be transmitted to the secretary of state under
9.26 this section unless the applicant provides documentation of United States citizenship or
9.27 records maintained by the Department of Public Safety indicate that the applicant provided
9.28 documentation demonstrating United States citizenship as part of a previous license or
9.29 identification card transaction. If the applicant does not provide or has not previously
9.30 provided documentation of United States citizenship, the commissioner must provide
9.31 information during the transaction regarding voter registration and eligibility criteria. If the
9.32 applicant provides documentation during the transaction indicating that the applicant is not
9.33 a United States citizen, the applicant's information must not be transmitted to the secretary
9.34 of state and the applicant must not be offered a voter registration opportunity.

9.35 (c) No applicant may be registered to vote under this subdivision until:

10.1 (1) the commissioner of public safety has certified that the department's systems have
10.2 been tested and can accurately provide the required data and accurately exclude from
10.3 transmission data on individuals who have not provided documentary evidence of United
10.4 States citizenship; and

10.5 (2) the secretary of state has certified that the system for automatic registration of those
10.6 applicants has been tested and is capable of properly determining whether an applicant is
10.7 eligible to submit a voter registration application.

10.8 The department's systems must be tested and accurately provide the necessary data no later
10.9 than December 1, 2023.

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

10.13 Subd. 4. **Department of Human Services.** (a) If permitted by the federal government,
10.14 the commissioner of human services, in consultation with the secretary of state, must ensure
10.15 the applications described in subdivision 1, paragraph (a), clause (2), also serve as voter
10.16 registration applications for applicants 18 years of age or older whose United States
10.17 citizenship has been verified as part of the application. The commissioner must transmit
10.18 information required to register to vote, as prescribed by the secretary of state, daily by
10.19 electronic means to the secretary of state for an individual whose United States citizenship
10.20 has been verified. The commissioner must submit data to the secretary of state identifying
10.21 the total number of individuals who completed qualifying transactions under this section
10.22 and the total number of individuals whose records were ultimately transferred for registration.
10.23 At a minimum, the commissioner must submit the data to the secretary of state on the same
10.24 day each month.

10.25 (b) No applicant may be registered to vote under this subdivision until (1) the
10.26 commissioner of human services has certified that the department's systems have been tested
10.27 and can accurately provide the required data and accurately exclude from transmission data
10.28 on individuals who have not provided documentary evidence of United States citizenship,
10.29 and (2) the secretary of state has certified that the system for automatic registration of those
10.30 applicants has been tested and is capable of properly determining whether an applicant is
10.31 eligible to vote. The department's systems must be tested and accurately provide the necessary
10.32 data no later than September 30 of the year following the year in which federal approval or
10.33 permission is given, contingent on appropriations being available for this purpose.

11.1 Subd. 5. Other agencies and units of government. (a) The commissioner of management
11.2 and budget must, in consultation with the secretary of state, identify any other state agency
11.3 that is eligible to implement automatic voter registration. The commissioner must consider
11.4 a state agency eligible if the agency collects, processes, or stores the following information
11.5 as part of providing assistance or services: name, residential address, date of birth, and
11.6 citizenship verification. An eligible agency must submit a report to the governor and secretary
11.7 of state no later than December 1, 2024, describing steps needed to implement automatic
11.8 voter registration, barriers to implementation and ways to mitigate them, and applicable
11.9 federal and state privacy protections for the data under consideration. By June 1, 2025, the
11.10 governor, at the governor's sole discretion, must make final decisions, as to which agencies
11.11 will implement automatic voter registration by December 31, 2025, and which agencies
11.12 could implement automatic voter registration if provided with additional resources or if the
11.13 legislature changed the law to allow data to be used for automatic voter registration. The
11.14 governor must notify the commissioner of management and budget of the governor's
11.15 decisions related to automatic voter registration. By October 1, 2025, the commissioner of
11.16 management and budget must report to the chairs and ranking minority members of the
11.17 legislative committees with jurisdiction over election policy and finance. The report must
11.18 include:

11.19 (1) the agencies that will implement automatic voter registration by December 31, 2025;

11.20 (2) the agencies which could implement automatic voter registration if provided with
11.21 additional resources and recommendations on the necessary additional resources; and

11.22 (3) the agencies that could implement automatic voter registration if the legislature
11.23 changed the law to allow data to be used for voter registration and recommendations on
11.24 how the law could be changed to allow the use of the data for this purpose.

11.25 (b) An agency may not begin verifying citizenship as part of an agency transaction for
11.26 the sole purpose of providing automatic voter registration. Once an agency has implemented
11.27 automatic voter registration, it must continue to provide automatic voter registration unless
11.28 otherwise expressly required by law. For each individual whose United States citizenship
11.29 has been verified, the commissioner or agency head must transmit information required to
11.30 register to vote, as prescribed by the secretary of state, to the secretary of state by electronic
11.31 means. The governor must determine the frequency of the transmissions for each agency.

11.32 (c) No applicant may be registered to vote under this subdivision until (1) the agency's
11.33 commissioner or agency head has certified that the necessary systems have been tested and
11.34 can accurately provide the required data and accurately exclude from transmission data on

12.1 individuals whose United States citizenship has not been verified, and (2) the secretary of
12.2 state has certified that the system for automatic registration of those applicants has been
12.3 tested and is capable of properly determining whether an applicant is eligible to vote.

12.4 Subd. 6. **Registration.** (a) The secretary of state must compare all application information
12.5 submitted under this section with the information received under section 201.145 to determine
12.6 whether an applicant is eligible to vote. If an applicant appears on the list of individuals
12.7 who are ineligible to vote, the secretary of state must not process the application further
12.8 and must not share the applicant's information with the county for registration. For applicants
12.9 who do not appear to be ineligible to vote, the secretary of state must determine whether
12.10 the applicant whose information is submitted under this section is currently registered in
12.11 the statewide voter registration system.

12.12 (b) If the applicant is not currently registered in the statewide voter registration system,
12.13 the secretary of state must transmit the registration daily by electronic means to the county
12.14 auditor of the county where the voter resides.

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

12.17 (d) The county auditor must cancel the voter's record in the statewide voter registration
12.18 system upon receipt of a written request, signed by the voter, that the registration be removed.

12.19 Subd. 7. **Prosecution of registration violations; voluntary action required.** The
12.20 transfer of an individual's record under this section does not constitute an attempt to register
12.21 to vote or a completion of a voter registration form by that individual. If such a registration
12.22 is processed by the state and the individual thereafter attempts to vote or votes, it is presumed
12.23 to have been officially authorized by the state and the individual is not subject to any penalty
12.24 under this chapter. This subdivision does not apply to an individual who knowingly and
12.25 willfully makes a false statement to effectuate voter registration or who intentionally takes
12.26 voluntary action to register to vote or vote knowing of the individual's ineligibility to vote.

12.27 Subd. 8. **Effective date of registration.** Unless the applicant declines registration, the
12.28 effective date is the date that the county auditor processes the application. This subdivision
12.29 does not limit the ability of a person to register to vote on election day as provided in section
12.30 201.061, subdivision 3. Any person who submits a qualifying application under subdivision
12.31 1 that is dated during the 20 days before an election must be provided, at the time of
12.32 application, with a notice advising the applicant of the procedures to register to vote on
12.33 election day.

12.34 **EFFECTIVE DATE.** This section is effective July 1, 2023.

13.1 Sec. 10. Minnesota Statutes 2022, section 201.162, is amended to read:

13.2 **201.162 DUTIES OF STATE AGENCIES.**

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

13.13 **EFFECTIVE DATE.** This section is effective July 1, 2023.

13.14 Sec. 11. Minnesota Statutes 2022, section 203B.04, subdivision 1, is amended to read:

13.15 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision
13.16 2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election
13.17 may be submitted at any time not less than one day before the day of that election. The
13.18 county auditor shall prepare absentee ballot application forms in the format provided by the
13.19 secretary of state and shall furnish them to any person on request. By January 1 of each
13.20 even-numbered year, the secretary of state shall make the forms to be used available to
13.21 auditors through electronic means. An application submitted pursuant to this subdivision
13.22 shall be in writing. An application may be submitted in person, by electronic facsimile
13.23 device, by electronic mail, or by mail to:

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

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

13.27 For a federal, state, or county election, an absentee ballot application may alternatively be
13.28 submitted electronically through a secure website that shall be maintained by the secretary
13.29 of state for this purpose. Notwithstanding paragraph (b), the secretary of state must require
13.30 applicants using the website to submit the applicant's email address and verifiable Minnesota
13.31 driver's license number, Minnesota state identification card number, or the last four digits
13.32 of the applicant's Social Security number.

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

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

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

14.12 (2) Minnesota state identification card number;

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

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

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

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

14.29 (e) An application under this subdivision may contain an application under subdivision
14.30 5 to automatically receive an absentee ballot application.

14.31 **EFFECTIVE DATE.** This section is effective June 1, 2024.

15.1 Sec. 12. Minnesota Statutes 2022, section 203B.04, subdivision 5, is amended to read:

15.2 Subd. 5. **Permanent absentee voter status.** (a) An eligible voter may apply to a county
15.3 auditor or municipal clerk to automatically receive an absentee ballot ~~application~~ before
15.4 each election, other than an election by mail conducted under section 204B.45, and to have
15.5 the status as a permanent absentee voter indicated on the voter's registration record. An
15.6 eligible voter listed as an ongoing absentee voter as of July 31, 2013, pursuant to laws in
15.7 effect on that date, shall be treated as if the voter applied for status as a permanent absentee
15.8 voter pursuant to this subdivision.

15.9 (b) A voter who applies under paragraph (a) must automatically be provided an absentee
15.10 ballot ~~application~~ for each eligible election. A voter's permanent absentee status ends and
15.11 automatic ballot ~~application~~ delivery must be terminated on:

15.12 (1) the voter's written request;

15.13 (2) the voter's death;

15.14 (3) return of an absentee ballot as undeliverable; or

15.15 (4) a change in the voter's status to "challenged" or "inactive" in the statewide voter
15.16 registration system.

15.17 (c) The secretary of state shall adopt rules governing procedures under this subdivision.

15.18 (d) This subdivision does not apply to a voter residing in a jurisdiction that conducts
15.19 elections entirely by mail under section 204B.45.

15.20 **EFFECTIVE DATE.** This section is effective June 1, 2024.

15.21 Sec. 13. Minnesota Statutes 2022, section 203B.06, subdivision 1, is amended to read:

15.22 Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal
15.23 clerk shall prepare and print a sufficient number of blank application forms for absentee
15.24 ballots. The county auditor or municipal clerk shall deliver a blank application form to any
15.25 voter who requests one pursuant to section 203B.04. ~~Blank application forms must be mailed~~
15.26 ~~to eligible voters who have requested an application pursuant to section 203B.04, subdivision~~
15.27 ~~5, at least 60 days before:~~

15.28 ~~(1) each regularly scheduled primary for federal, state, county, city, or school board~~
15.29 ~~office;~~

15.30 ~~(2) each regularly scheduled general election for city or school board office for which~~
15.31 ~~a primary is not held; and~~

16.1 ~~(3) a special primary to fill a federal or county office vacancy or special election to fill~~
 16.2 ~~a federal or county office vacancy, if a primary is not required to be held pursuant to section~~
 16.3 ~~204D.03, subdivision 3, or 204D.07, subdivision 3; and~~

16.4 ~~(4) any election held in conjunction with an election described in clauses (1) to (3);~~
 16.5 ~~or at least 45 days before any other primary or other election for which a primary is not~~
 16.6 ~~held.~~

16.7 **EFFECTIVE DATE.** This section is effective June 1, 2024.

16.8 Sec. 14. Minnesota Statutes 2022, section 203B.06, subdivision 3, is amended to read:

16.9 Subd. 3. **Delivery of ballots.** (a) The county auditor, municipal clerk, school district
 16.10 clerk, or full-time clerk of any city or town administering an election pursuant to section
 16.11 203B.05, shall mail absentee ballots to voters on the permanent absentee ballot list pursuant
 16.12 to section 203B.04, subdivision 5, on the following timelines:

16.13 (1) except as otherwise provided by this section, at least 46 days before each regularly
 16.14 scheduled primary and general election and each special primary and special election;

16.15 (2) as soon as practicable for a special election held pursuant to section 204D.19,
 16.16 subdivisions 2 and 3; and

16.17 (3) at least 30 days before a town general election held in March.

16.18 (b) The commissioner of corrections must provide the secretary of state with a list of
 16.19 the names and mailing addresses of state adult correctional facilities. An application for an
 16.20 absentee ballot that provides an address included on the list provided by the commissioner
 16.21 of corrections must not be accepted and an absentee ballot must not be provided to the
 16.22 applicant. The county auditor or municipal clerk must promptly transmit a copy of the
 16.23 application to the county attorney. The Department of Corrections must implement procedures
 16.24 to ensure that absentee ballots issued under this chapter are not received or mailed by
 16.25 offenders incarcerated at state adult correctional facilities.

16.26 ~~(b)~~ (c) If an application for absentee ballots is accepted at a time when absentee ballots
 16.27 are not yet available for distribution, the county auditor, or municipal clerk accepting the
 16.28 application shall file it and as soon as absentee ballots are available for distribution shall
 16.29 mail them to the address specified in the application. If an application for absentee ballots
 16.30 is accepted when absentee ballots are available for distribution, the county auditor or
 16.31 municipal clerk accepting the application shall promptly:

17.1 (1) mail the ballots to the voter whose signature appears on the application if the
17.2 application is submitted by mail and does not request commercial shipping under clause
17.3 (2);

17.4 (2) ship the ballots to the voter using a commercial shipper requested by the voter at the
17.5 voter's expense;

17.6 (3) deliver the absentee ballots directly to the voter if the application is submitted in
17.7 person; or

17.8 (4) deliver the absentee ballots in a sealed transmittal envelope to an agent who has been
17.9 designated to bring the ballots, as provided in section 203B.11, subdivision 4, to a voter
17.10 who would have difficulty getting to the polls because of incapacitating health reasons, or
17.11 who is disabled, or who is a patient in a health care facility, a resident of a facility providing
17.12 assisted living services governed by chapter 144G, a participant in a residential program
17.13 for adults licensed under section 245A.02, subdivision 14, or a resident of a shelter for
17.14 battered women as defined in section 611A.37, subdivision 4.

17.15 ~~(e)~~ (d) If an application does not indicate the election for which absentee ballots are
17.16 sought, the county auditor or municipal clerk shall mail or deliver only the ballots for the
17.17 next election occurring after receipt of the application. Only one set of ballots may be mailed,
17.18 shipped, or delivered to an applicant for any election, except as provided in section 203B.121,
17.19 subdivision 2, or when a replacement ballot has been requested by the voter for a ballot that
17.20 has been spoiled or lost in transit.

17.21 **EFFECTIVE DATE.** This section is effective June 1, 2024.

17.22 Sec. 15. Minnesota Statutes 2022, section 203B.12, is amended by adding a subdivision
17.23 to read:

17.24 **Subd. 9. Names of persons; permanent absentee voters.** The secretary of state must
17.25 maintain a list of permanent absentee voters. The list must be available to the public in the
17.26 same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

17.27 **EFFECTIVE DATE.** This section is effective June 1, 2024.

17.28 Sec. 16. Minnesota Statutes 2022, section 203B.12, is amended by adding a subdivision
17.29 to read:

17.30 **Subd. 10. Names of persons; absentee ballot applications.** The names of voters who
17.31 have submitted an absentee ballot application to the county auditor or municipal clerk must

18.1 be available to the public in the same manner as public information lists in section 201.091,
18.2 subdivisions 4, 5, and 9.

18.3 **EFFECTIVE DATE.** This section is effective June 1, 2024.

18.4 Sec. 17. Minnesota Statutes 2022, section 203B.121, subdivision 2, is amended to read:

18.5 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board
18.6 shall take possession of all signature envelopes delivered to them in accordance with section
18.7 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk,
18.8 two or more members of the ballot board shall examine each signature envelope and shall
18.9 mark it accepted or rejected in the manner provided in this subdivision. Election judges
18.10 performing the duties in this section must be of different major political parties, unless they
18.11 are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10,
18.12 subdivision 2.

18.13 (b) The members of the ballot board shall mark the signature envelope "Accepted" and
18.14 initial or sign the signature envelope below the word "Accepted" if a majority of the members
18.15 of the ballot board examining the envelope are satisfied that:

18.16 (1) the voter's name and address on the signature envelope are the same as the information
18.17 provided on the absentee ballot application or voter record;

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

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

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

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

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

18.30 The signature envelope from accepted ballots must be preserved and returned to the
18.31 county auditor.

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

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

19.11 (3) If an envelope is rejected within five days of the election, the envelope must remain
19.12 sealed and the official in charge of the ballot board must attempt to contact the voter ~~by~~
19.13 ~~telephone or email~~ to notify the voter that the voter's ballot has been rejected. The ballot
19.14 board must contact the voter by the method or methods of communication provided by the
19.15 voter on the voter's application for an absentee ballot or voter registration. The official must
19.16 document the attempts made to contact the voter.

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

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

19.25 (2) the reason for rejection; and

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

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

19.30 **EFFECTIVE DATE.** This section is effective June 1, 2024.

20.1 Sec. 18. Laws 2023, chapter 12, section 9, is amended to read:

20.2 Sec. 9. **EFFECTIVE DATE.**

20.3 Except as otherwise provided, this act is effective ~~July~~ June 1, 2023, and applies to the
20.4 right to vote at elections conducted on or after that date.

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

20.6 Sec. 19. **TRANSITION TO NEW VOTER REGISTRATION APPLICATIONS.**

20.7 Notwithstanding the requirements of this act or Laws 2023, chapter 12, a completed
20.8 voter registration application submitted by a voter is not deficient for purposes of registering
20.9 that voter if the application form was printed or provided to the voter prior to the effective
20.10 date of any modification required by this act or by Laws 2023, chapter 12. Beginning on
20.11 the effective date of a modification required by this act or by Laws 2023, chapter 12, an
20.12 election official must not print, copy, or publicly distribute a blank voter registration
20.13 application that does not include the required modification.

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

20.15 **ARTICLE 2**

20.16 **PROTECT VOTERS AND OUR ELECTIONS SYSTEM**

20.17 Section 1. **[204B.295] VOTING INSTRUCTIONS AND SAMPLE BALLOTS IN**
20.18 **LANGUAGES OTHER THAN ENGLISH; MULTILINGUAL ELECTION JUDGES.**

20.19 Subdivision 1. **Duty.** The secretary of state or county auditor must contract with a
20.20 translator certified by the American Translators Association to develop voting instructions
20.21 and sample ballots in languages other than English, to be made available in polling places
20.22 during elections as required by this section. At a minimum, voting instructions and sample
20.23 ballots must be prepared and made available in polling places in the three most commonly
20.24 spoken non-English languages in the state as determined by the state demographer for the
20.25 previous calendar year. The secretary of state must provide sample ballots in print and
20.26 electronic formats, and voting instructions in print, electronic, and audio-visual formats, on
20.27 the secretary of state's website in at least the three most commonly spoken non-English
20.28 languages in the state as determined by the state demographer for the previous calendar
20.29 year.

20.30 Subd. 2. **Designation of language minority districts.** No later than 90 days before an
20.31 election, the secretary of state or county auditor, in consultation with the state demographer,

21.1 must determine the percentage of residents in each census tract who are members of a
21.2 language minority and who lack sufficient skills in English to vote without assistance.
21.3 Language minority districts will be designated if three percent or more of the population in
21.4 a corresponding census tract speak English "less than very well" according to the most
21.5 recent census data.

21.6 Subd. 3. **Translation required; interpreter required.** (a) If the number of residents
21.7 determined under subdivision 2 equals three percent or more of a census tract, or if interested
21.8 citizens or organizations provide information that gives the secretary of state or county
21.9 auditor sufficient reason to believe a need exists, at least two copies of the translated voting
21.10 instructions and sample ballot must be provided to each precinct in that district during any
21.11 regular or special state or local election conducted in that district.

21.12 (b) If the number of residents determined under subdivision 2 equals 20 percent or more
21.13 of the population of a census tract, or if interested citizens or organizations provide
21.14 information that gives the secretary of state or county auditor sufficient reason to believe a
21.15 need exists, at least four copies of the translated voting instructions and sample ballot must
21.16 be provided to each precinct in that district during any regular or special state or local
21.17 election conducted in that district. In these precincts, the county auditor or municipal clerk
21.18 must appoint at least one interpreter to translate in a specified language if ten or more
21.19 registered voters in the precinct file a request for interpretive services for that language with
21.20 the secretary of state or county auditor at least 30 days prior to the date of the election. This
21.21 interpreter must wear a name tag or other badge indicating the interpreter's language
21.22 certification. For purposes of section 204C.06 and any other applicable law, an interpreter
21.23 appointed under this section is considered an election official and may be present in a polling
21.24 place for the purpose of conducting duties assigned by the county auditor or municipal clerk.

21.25 Subd. 4. **Use of materials; notice required.** The translated voting instructions and
21.26 sample ballots required by this section must be made available for use by voters as a reference
21.27 when completing and casting an official ballot. In addition to the number of copies required,
21.28 at least one sample ballot and set of instructions in each applicable language, along with a
21.29 notice written in that language indicating the availability of those materials, must be posted
21.30 in a conspicuous location in each polling place.

21.31 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to elections
21.32 conducted on or after January 1, 2024.

22.1 Sec. 2. [211B.075] INTIMIDATION AND INTERFERENCE WITH THE VOTING
22.2 PROCESS; PENALTIES.

22.3 Subdivision 1. **Intimidation.** (a) A person may not directly or indirectly use or threaten
22.4 force, coercion, violence, restraint, damage, harm, or loss, including loss of employment
22.5 or economic reprisal against:

22.6 (1) any person with the intent to compel that person to register or abstain from registering
22.7 to vote, vote or abstain from voting, or vote for or against a candidate or ballot question; or

22.8 (2) any person with the intent to impede that person's efforts to encourage another to
22.9 cast a ballot or assist another in registering to vote, traveling to a polling place, casting a
22.10 ballot, or participating in any other aspect of the election process.

22.11 (b) Notwithstanding paragraph (a), in a civil action brought to prevent and restrain
22.12 violations of this subdivision or to require the payment of civil penalties, the plaintiff must
22.13 demonstrate that the action or attempted action would cause a reasonable person to feel
22.14 intimidated. The plaintiff does not need to show that the defendant intended to cause the
22.15 victim to feel intimidated.

22.16 Subd. 2. **Deceptive practices.** (a) No person may, within 60 days of an election, cause
22.17 information to be transmitted by any means that the person:

22.18 (1) intends to impede or prevent another person from exercising the right to vote; and

22.19 (2) knows to be materially false.

22.20 (b) The prohibition in this subdivision includes but is not limited to information regarding
22.21 the time, place, or manner of holding an election; the qualifications for or restrictions on
22.22 voter eligibility at an election; and threats to physical safety associated with casting a ballot.

22.23 Subd. 3. **Interference with registration or voting.** No person may intentionally hinder,
22.24 interfere with, or prevent another person from voting, registering to vote, or aiding another
22.25 person in casting a ballot or registering to vote.

22.26 Subd. 4. **Vicarious liability; conspiracy.** A person may be held vicariously liable for
22.27 any damages resulting from the violation of this section and may be identified in an order
22.28 restraining violations of this section if that person:

22.29 (1) intentionally aids, advises, hires, counsels, abets, incites, compels, or coerces a person
22.30 to violate any provision of this section or attempts to aid, advise, hire, counsel, abet, incite,
22.31 compel, or coerce a person to violate any provision of this section; or

23.1 (2) conspires, combines, agrees, or arranges with another to either commit a violation
23.2 of this section or aid, advise, hire, counsel, abet, incite, compel, or coerce a third person to
23.3 violate any provision of this section.

23.4 Subd. 5. **Criminal penalties; civil remedies.** (a) A person who violates this section is
23.5 guilty of a gross misdemeanor.

23.6 (b) The attorney general or any person injured by an act prohibited by this section may
23.7 bring a civil action to prevent or restrain a violation of this section if there is a reasonable
23.8 basis to believe that an individual or entity is committing or intends to commit a prohibited
23.9 act.

23.10 (c) The attorney general, or any person injured by an act prohibited by this section, may
23.11 bring a civil action pursuant to section 8.31 to recover damages, together with costs of
23.12 investigation and reasonable attorney fees, and receive other equitable relief as determined
23.13 by the court. An action brought by any person under section 8.31, subdivision 3a, is in the
23.14 public interest. In addition to all other damages, the court may impose a civil penalty of up
23.15 to \$1,000 for each violation.

23.16 (d) Civil remedies allowable under this section are cumulative and do not restrict any
23.17 other right or remedy otherwise available. An action for a penalty or remedy under this
23.18 section must be brought within two years of the date the violation is alleged to have occurred.
23.19 The complaint process provided in sections 211B.31 to 211B.36 does not apply to violations
23.20 of this section.

23.21 **EFFECTIVE DATE.** This section is effective June 15, 2023, and applies to violations
23.22 occurring on or after that date.

23.23 Sec. 3. Minnesota Statutes 2022, section 211B.32, subdivision 1, is amended to read:

23.24 Subdivision 1. **Administrative remedy; exhaustion.** (a) Except as provided in ~~paragraph~~
23.25 paragraphs (b) and (c), a complaint alleging a violation of chapter 211A or 211B must be
23.26 filed with the office. The complaint must be finally disposed of by the office before the
23.27 alleged violation may be prosecuted by a county attorney.

23.28 (b) Complaints arising under those sections and related to those individuals and
23.29 associations specified in section 10A.022, subdivision 3, must be filed with the Campaign
23.30 Finance and Public Disclosure Board.

23.31 (c) Violations of section 211B.075 may be enforced as provided in that section.

24.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 24.2 applies to violations occurring on or after that date.

24.3 **ARTICLE 3**

24.4 **MODERNIZE CAMPAIGN FINANCE SYSTEM TO EMPOWER VOTERS AND**
 24.5 **INCREASE DISCLOSURE OF SECRET SPENDING**

24.6 Section 1. Minnesota Statutes 2022, section 10A.01, subdivision 16a, is amended to read:

24.7 Subd. 16a. **Expressly advocating.** "Expressly advocating" means that a communication:

24.8 (1) clearly identifies a candidate or a local candidate and uses words or phrases of express
 24.9 advocacy; or

24.10 (2) when taken as a whole and with limited reference to external events, such as the
 24.11 proximity to the election, could only be interpreted by a reasonable person as containing
 24.12 advocacy of the election or defeat of one or more clearly identified candidates because:

24.13 (i) the electoral portion of the communication is unmistakable, unambiguous, and
 24.14 suggestive of only one meaning; and

24.15 (ii) reasonable minds could not differ as to whether the communication encourages
 24.16 actions to elect or defeat one or more clearly identified candidates or encourages some other
 24.17 kind of action.

24.18 Sec. 2. Minnesota Statutes 2022, section 10A.27, subdivision 11, is amended to read:

24.19 Subd. 11. **Contributions from certain types of contributors.** (a) A candidate must not
 24.20 permit the candidate's principal campaign committee to accept a contribution from a political
 24.21 committee, political fund, lobbyist, or association not registered with the board if the
 24.22 contribution will cause the aggregate contributions from those types of contributors during
 24.23 an election cycle segment to exceed an amount equal to 20 percent of the election cycle
 24.24 segment expenditure limits for the office sought by the candidate, provided that the 20
 24.25 percent limit must be rounded to the nearest \$100.

24.26 (b) A candidate must not permit the candidate's principal campaign committee to accept
 24.27 a contribution that is prohibited by section 211B.15.

24.28 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to
 24.29 contributions, expenditures, and other applicable activities occurring on or after that date.

25.1 Sec. 3. Minnesota Statutes 2022, section 211B.15, subdivision 1, is amended to read:

25.2 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this
25.3 subdivision have the meanings given. Unless otherwise provided, the definitions in section
25.4 10A.01 also apply to this section.

25.5 (b) "Chief executive officer" means the highest-ranking officer or decision-making
25.6 individual with authority over a corporation's affairs.

25.7 (c) "Corporation" means:

25.8 (1) a corporation organized for profit that does business in this state;

25.9 (2) a nonprofit corporation that carries out activities in this state; or

25.10 (3) a limited liability company formed under chapter 322C, or under similar laws of
25.11 another state, that does business in this state.

25.12 (d) "Foreign-influenced corporation" means a corporation as defined in paragraph (c),
25.13 clause (1) or (3), for which at least one of the following conditions is met:

25.14 (1) a single foreign investor holds, owns, controls, or otherwise has direct or indirect
25.15 beneficial ownership of one percent or more of the total equity, outstanding voting shares,
25.16 membership units, or other applicable ownership interests of the corporation;

25.17 (2) two or more foreign investors in aggregate hold, own, control, or otherwise have
25.18 direct or indirect beneficial ownership of five percent or more of the total equity, outstanding
25.19 voting shares, membership units, or other applicable ownership interests of the corporation;
25.20 or

25.21 (3) a foreign investor participates directly or indirectly in the corporation's
25.22 decision-making process with respect to the corporation's political activities in the United
25.23 States.

25.24 The calculation of a person's or entity's ownership interest for purposes of clauses (1) and
25.25 (2) must exclude any portion of the person's or entity's direct or indirect beneficial ownership
25.26 of equity, outstanding voting shares, membership units, or otherwise applicable ownership
25.27 interests of a corporation that are held or owned in a mutual fund based in the United States.

25.28 (e) "Foreign investor" means a person or entity that:

25.29 (1) holds, owns, controls, or otherwise has direct or indirect beneficial ownership of
25.30 equity, outstanding voting shares, membership units, or otherwise applicable ownership
25.31 interests of a corporation; and

26.1 (2) is any of the following:

26.2 (i) a government of a foreign country;

26.3 (ii) a political party organized in a foreign country;

26.4 (iii) a partnership, association, corporation, organization, or other combination of persons
26.5 organized under the laws of or having its principal place of business in a foreign country;

26.6 (iv) an individual outside of the United States who is not a citizen or national of the
26.7 United States and who is not lawfully admitted for permanent residence in the United States;

26.8 or

26.9 (v) a corporation in which a foreign investor as defined in items (i) to (iv) holds, owns,
26.10 controls, or otherwise has directly or indirectly acquired beneficial ownership of equity or
26.11 voting shares in an amount that is equal to or greater than 50 percent of the total equity or
26.12 outstanding voting shares.

26.13 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to
26.14 contributions, expenditures, and other applicable activities occurring on or after that date.

26.15 Sec. 4. Minnesota Statutes 2022, section 211B.15, is amended by adding a subdivision to
26.16 read:

26.17 Subd. 4a. **Foreign-influenced corporations.** (a) Notwithstanding subdivisions 3 and
26.18 4, a foreign-influenced corporation must not:

26.19 (1) make an expenditure, or offer or agree to make an expenditure, to promote or defeat
26.20 the candidacy of an individual for nomination, election, or appointment to a public office;

26.21 (2) make contributions or expenditures to promote or defeat a ballot question, or to
26.22 qualify a question for placement on the ballot;

26.23 (3) make a contribution to a candidate for nomination, election, or appointment to a
26.24 public office or to a candidate's principal campaign committee; or

26.25 (4) make a contribution to a political committee, political fund, or political party unit.

26.26 (b) A foreign-influenced corporation must not make a contribution or donation to any
26.27 other person or entity with the express or implied condition that the contribution or donation
26.28 or any part of it be used for any of the purposes prohibited by this subdivision.

26.29 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to
26.30 contributions, expenditures, and other applicable activities occurring on or after that date.

27.1 Sec. 5. Minnesota Statutes 2022, section 211B.15, is amended by adding a subdivision to
27.2 read:

27.3 Subd. 4b. **Certification of compliance with subdivision 4a.** A corporation as defined
27.4 in subdivision 1, paragraph (c), clause (1) or (3), that makes a contribution or expenditure
27.5 authorized by subdivision 3 or 4 must submit a certification to the Campaign Finance and
27.6 Public Disclosure Board that it was not a foreign-influenced corporation as of the date the
27.7 contribution or expenditure was made. The certification must be submitted within seven
27.8 business days after the contribution or expenditure is made and must be signed by the
27.9 corporation's chief executive officer after reasonable inquiry, under penalty of perjury. If
27.10 the activity requiring certification was a contribution to an independent expenditure
27.11 committee, the corporation must additionally provide a copy of the certification to that
27.12 committee. For purposes of this certification, the corporation shall ascertain beneficial
27.13 ownership in a manner consistent with chapter 302A or, if it is registered on a national
27.14 securities exchange, as set forth in Code of Federal Regulations, title 17, sections 240.13d-3
27.15 and 240.13d-5. The corporation shall provide a copy of the statement of certification to any
27.16 candidate or committee to which it contributes, and upon request of the recipient, to any
27.17 other person to which it contributes.

27.18 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to
27.19 contributions, expenditures, and other applicable activities occurring on or after that date.

27.20 Sec. 6. Minnesota Statutes 2022, section 211B.15, subdivision 7b, is amended to read:

27.21 Subd. 7b. **Knowing violations.** An individual or a corporation knowingly violates this
27.22 section if, at the time of a transaction, the individual or the corporation knew:

27.23 (1) that the transaction causing the violation constituted a contribution under chapter
27.24 10A, 211A, or 383B; and

27.25 (2) that the contributor was a corporation subject to the prohibitions of subdivision 2 or
27.26 4a.

27.27 **EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to
27.28 contributions, expenditures, and other applicable activities occurring on or after that date.

28.1

ARTICLE 4

28.2

APPROPRIATIONS

28.3

Section 1. **APPROPRIATIONS.**

28.4

28.5

28.6

Subdivision 1. **Attorney general.** \$100,000 in fiscal year 2024 and \$100,000 in fiscal year 2025 are appropriated from the general fund to the attorney general for enforcement of Minnesota Statutes, section 211B.075.

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Subd. 2. **Secretary of state.** \$709,000 in fiscal year 2024 and \$152,000 in fiscal year 2025 are appropriated from the general fund to the secretary of state for implementation of the requirements of this act. The base for this appropriation is \$470,000 in fiscal year 2026 and \$152,000 in fiscal year 2027.

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28.12

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Subd. 3. **Department of Public Safety.** \$45,000 in fiscal year 2024 is appropriated from the vehicle services operating account under Minnesota Statutes, section 299A.705, to the commissioner of public safety for implementation of Minnesota Statutes, section 201.161.

28.14

28.15

28.16

Subd. 4. **Appropriations given effect once.** If an appropriation in this section is enacted more than once during the 2023 regular legislative session, the appropriation must be given effect only once.