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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 703

02/01/2017 Authored by Nelson; Dehn, R., and Clark
The bill was read for the first time and referred to the Committee on Transportation and Regional Governance Policy

1.1 A bill for an act

1.2 relating to elections; providing for automatic voter registration of applicants for a
1.3 driver's license, instruction permit, or identification card; amending Minnesota
1.4 Statutes 2016, sections 13.607, by adding a subdivision; 201.161.

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

1.6 Section 1. Minnesota Statutes 2016, section 13.607, is amended by adding a subdivision

1.7 to read:

1.8 Subd. 9. **Data derived from driver's license applications.** Data on an application for

1.9 a driver's license, a Minnesota identification card, or a learner's permit transferred to the

1.10 secretary of state that are provided by a person whom the secretary of state determines is

1.11 not eligible to vote are governed by section 201.161.

1.12 Sec. 2. Minnesota Statutes 2016, section 201.161, is amended to read:

1.13 **201.161 AUTOMATIC REGISTRATION OF DRIVER'S LICENSE,**

1.14 **INSTRUCTION PERMIT, AND IDENTIFICATION CARD** ~~APPLICATIONS~~

1.15 **APPLICANTS.**

1.16 Subdivision 1. **Automatic registration.** Except as otherwise provided in this section,

1.17 an individual who properly completes an application for a new or renewed Minnesota driver's

1.18 license, instruction permit, or identification card, and who is eligible to vote under section

1.19 201.014, must be registered to vote as provided in subdivisions 2 to 5.

1.20 Subd. 2. **Applications.** The ~~Department~~ commissioner of public safety, in consultation

1.21 with the secretary of state, shall change ~~its~~ the applications for an original, duplicate, or

1.22 change of address driver's license, instruction permit, or identification card so that the forms

2.1   may also serve as voter registration applications. The forms must contain spaces for all

2.2   information collected by voter registration applications prescribed by the secretary of state.

2.3   ~~Applicants for driver's licenses or identification cards must be asked if they want to register~~

2.4   ~~to vote at the same time and that~~ Unless the applicant has provided an address other than

2.5   the applicant's address of residence under section 171.12, subdivision 7, paragraph (d), the

2.6   commissioner shall transmit the information ~~must be transmitted at least weekly~~ daily by

2.7   electronic means to the secretary of state. Pursuant to the Help America Vote Act of 2002,

2.8   Public Law 107-252, the computerized driver's license record containing the voter's name,

2.9   address, date of birth, citizenship, driver's license number or state identification number,

2.10   county, ~~town,~~ and city or town must be made available for access by the secretary of state

2.11   and interaction with the statewide voter registration system.

2.12   Subd. 3. **Registration.** (a) The secretary of state shall determine whether the applicant

2.13   is currently registered in the statewide voter registration system. For each currently registered

2.14   voter whose registration is not changed, the secretary of state shall update the voter's

2.15   registration date in the statewide voter registration system. For each currently registered

2.16   voter whose registration is changed, the secretary of state shall transmit the registration

2.17   daily by electronic means to the county auditor of the county where the voter resides.

2.18   (b) If the applicant is not currently registered in the statewide voter registration system,

2.19   the secretary of state shall determine whether the applicant is 18 years of age or older and

2.20   a citizen of the United States and compare the voter registration information received from

2.21   the commissioner of public safety with the information on wards, incompetents, and felons

2.22   received from the state court administrator under sections 201.15 and 201.155, and with

2.23   data received from the commissioner of corrections under section 201.157, to determine

2.24   whether the applicant is eligible to vote. If an applicant is less than 18 years of age, the

2.25   secretary of state shall wait until the applicant has turned 18 years of age to determine

2.26   whether the applicant is eligible to vote. For each applicant the secretary of state determines

2.27   is an eligible voter, the secretary of state shall transmit the registration daily by electronic

2.28   means to the county auditor of the county where the voter resides.

2.29   (c) Any data on applicants who the secretary determines are not eligible to vote are

2.30   private data on individuals, as defined in section 13.02, subdivision 12.

2.31   Subd. 4. **Notice; option to decline registration.** (a) Upon receipt of the registration,

2.32   the county auditor shall mail to the voter the notice of registration required by section

2.33   201.121, subdivision 2, provided that a notice mailed under this subdivision must also

2.34   provide information to the voter on declining the registration, if the voter does not wish to

2.35   be registered to vote.

3.1   (b) The county auditor must delete the voter's record from the statewide voter registration

3.2   system upon receipt of a written request, signed by the voter, that the registration be removed.

3.3   Subd. 5. **Effective date.** An application for registration that is dated during the 20 days

3.4   before an election in any jurisdiction within which the voter resides is not effective until

3.5   the day after the election.

3.6   Sec. 3. **EFFECTIVE DATE.**

3.7   An applicant for a Minnesota driver's license, instruction permit, or identification card

3.8   must not be registered to vote under section 2 until the commissioner of the Department of

3.9   Public Safety has certified that the department's systems have been tested and can accurately

3.10   provide the necessary data, and the secretary of state has certified that the system for

3.11   automatic registration of those applicants has been tested and is capable of properly

3.12   determining whether an applicant is eligible to vote.