

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 1226

(SENATE AUTHORS: KIFFMEYER)

DATE
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Introduction and first reading
Referred to State Government Finance and Policy and Elections
See SF514, Art. 2-3

OFFICIAL STATUS

1.1 A bill for an act

1.2 relating to elections; establishing four uniform election dates each year; requiring

1.3 special elections to be held on one of the four uniform dates; requiring counties

1.4 to administer school elections; making conforming changes; amending Minnesota

1.5 Statutes 2016, sections 103B.545, subdivision 2; 123A.46, subdivision 12; 123A.48,

1.6 subdivisions 14, 15; 123B.63, subdivision 3; 126C.17, subdivision 11; 126C.69,

1.7 subdivision 11; 128D.05, subdivision 2; 200.02, subdivision 4, by adding

1.8 subdivisions; 201.022, subdivision 1; 201.061, subdivisions 3, 6; 201.225,

1.9 subdivisions 1, 6; 201.27, subdivision 2; 203B.01, subdivision 2; 203B.04,

1.10 subdivision 1; 203B.05, subdivision 2; 203B.085; 203B.11, subdivision 1;

1.11 203B.121, subdivisions 1, 2; 203B.15; 204B.181, subdivision 2; 204B.25,

1.12 subdivision 4; 204B.29; 204B.32; 204B.40; 204B.46; 204C.08, subdivision 4;

1.13 204C.20, subdivision 4; 204C.25; 204C.26, subdivision 3; 204C.27; 204C.28,

1.14 subdivision 3; 204C.29, subdivision 1; 204C.36, subdivisions 1, 2, 3, 5; 204D.09,

1.15 subdivision 1; 205.07, subdivision 3; 205.10, by adding a subdivision; 205A.03,

1.16 subdivisions 3, 4; 205A.04, subdivision 3; 205A.05, subdivisions 1, 3, by adding

1.17 a subdivision; 205A.055, subdivision 2; 205A.06, subdivisions 1, 1a, 2, 5; 205A.07,

1.18 subdivisions 1, 2, 3, 3a, 3b; 205A.08, subdivision 5; 205A.10, subdivisions 1, 2,

1.19 3; 205A.11, subdivision 2a; 209.021, subdivision 3; 211B.11, subdivision 1;

1.20 216B.46; 365A.06, subdivision 2; 367.33, subdivision 1; 375.101, subdivision 1;

1.21 375B.07, subdivision 2; 375B.10; 383B.031, subdivision 1; 383E.24, subdivision

1.22 7; 410.10, subdivision 1; 447.32, subdivision 2; 475.59; repealing Minnesota

1.23 Statutes 2016, sections 201.096; 205.10, subdivision 3; 205A.09; 205A.10,

1.24 subdivision 5; 205A.11, subdivisions 2, 3; 205A.12, subdivision 5a.

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

1.26 **ARTICLE 1**

1.27 **UNIFORM ELECTION DATES**

1.28 Section 1. Minnesota Statutes 2016, section 103B.545, subdivision 2, is amended to read:

1.29 Subd. 2. **Election.** The county board or joint county authority shall conduct a special

1.30 election ~~in July or August after receiving the referendum petition~~ on a date authorized in

2.1 section 205.10, subdivision 3a. The special election must be held within the proposed lake
2.2 improvement district. The county auditor shall administer the special election.

2.3 Sec. 2. Minnesota Statutes 2016, section 123A.46, subdivision 12, is amended to read:

2.4 Subd. 12. **Election date.** If an election is required under subdivision 11, then before the
2.5 expiration of a 45 day period after the date of the order for dissolution and attachment, the
2.6 auditor shall set a date and call the election by filing a written order for the election and
2.7 serving a copy of the order personally or by mail on the clerk of the district in which the
2.8 election is to be held. ~~The date shall be not less than 15 nor more than 30 days after the date~~
2.9 ~~of the order, upon which date~~ a special election shall be held in the district proposed for
2.10 dissolution and must be held on a date authorized in section 205A.05, subdivision 1a. The
2.11 auditor shall post and publish notice of the election according to law. Upon receipt of the
2.12 notice, the board shall conduct the election.

2.13 Sec. 3. Minnesota Statutes 2016, section 123A.48, subdivision 14, is amended to read:

2.14 Subd. 14. **Election.** The board shall determine the date of the election; authorized by
2.15 section 205A.05, subdivision 1a, and the number of boundaries of voting precincts, ~~and the~~
2.16 ~~location of the polling places where voting shall be conducted, and the hours the polls will~~
2.17 ~~be open.~~ The board shall also coordinating county auditor, as defined in section 200.02,
2.18 subdivision 16b, shall provide official ballots which must be used exclusively and shall be
2.19 in the following form: "Shall the (name of school district) and the (name of school district)
2.20 be consolidated as proposed? Yes No"

2.21 ~~The board must appoint election judges who shall act as clerks of election.~~ The ballots
2.22 and results must be certified to the ~~board~~ coordinating county auditor and administering
2.23 counties, as defined in section 200.02, subdivision 16, who shall canvass and tabulate the
2.24 total vote cast for and against the proposal.

2.25 Sec. 4. Minnesota Statutes 2016, section 123B.63, subdivision 3, is amended to read:

2.26 Subd. 3. **Capital project levy referendum.** (a) A district may levy the local tax rate
2.27 approved by a majority of the electors voting on the question to provide funds for an approved
2.28 project. The election must take place no more than five years before the estimated date of
2.29 commencement of the project. The referendum must be held on a date ~~set by the board~~
2.30 authorized by section 205A.05, subdivision 1a. A district must meet the requirements of
2.31 section 123B.71 for projects funded under this section. If a review and comment is required
2.32 under section 123B.71, subdivision 8, a referendum for a project not receiving a positive

3.1 review and comment by the commissioner must be approved by at least 60 percent of the
3.2 voters at the election.

3.3 (b) The referendum may be called by the school board and may be held:

3.4 (1) separately, before an election for the issuance of obligations for the project under
3.5 chapter 475; or

3.6 (2) in conjunction with an election for the issuance of obligations for the project under
3.7 chapter 475; or

3.8 (3) notwithstanding section 475.59, as a conjunctive question authorizing both the capital
3.9 project levy and the issuance of obligations for the project under chapter 475. Any obligations
3.10 authorized for a project may be issued within five years of the date of the election.

3.11 (c) The ballot must provide a general description of the proposed project, state the
3.12 estimated total cost of the project, state whether the project has received a positive or negative
3.13 review and comment from the commissioner, state the maximum amount of the capital
3.14 project levy as a percentage of net tax capacity, state the amount that will be raised by that
3.15 local tax rate in the first year it is to be levied, and state the maximum number of years that
3.16 the levy authorization will apply.

3.17 The ballot must contain a textual portion with the information required in this section
3.18 and a question stating substantially the following:

3.19 "Shall the capital project levy proposed by the board of School District No.
3.20 be approved?"

3.21 If approved, the amount provided by the approved local tax rate applied to the net tax
3.22 capacity for the year preceding the year the levy is certified may be certified for the number
3.23 of years, not to exceed ten, approved.

3.24 (d) If the district proposes a new capital project to begin at the time the existing capital
3.25 project expires and at the same maximum tax rate, the general description on the ballot may
3.26 state that the capital project levy is being renewed and that the tax rate is not being increased
3.27 from the previous year's rate. An election to renew authority under this paragraph may be
3.28 called at any time that is otherwise authorized by this subdivision. The ballot notice required
3.29 under section 275.60 may be modified to read:

3.30 "BY VOTING YES ON THIS BALLOT QUESTION, YOU ARE VOTING TO RENEW
3.31 AN EXISTING CAPITAL PROJECTS REFERENDUM THAT IS SCHEDULED TO
3.32 EXPIRE."

(e) In the event a conjunctive question proposes to authorize both the capital project levy and the issuance of obligations for the project, appropriate language authorizing the issuance of obligations must also be included in the question.

(f) The district must notify the commissioner of the results of the referendum.

Sec. 5. Minnesota Statutes 2016, section 126C.17, subdivision 11, is amended to read:

Subd. 11. **Referendum date.** (a) Except for a referendum held under paragraph (b), any referendum under this section held on a day other than the first Tuesday after the first Monday in November must be conducted by mail in accordance with section 204B.46 and held on a date authorized by section 205A.05, subdivision 1a. Notwithstanding subdivision 9, paragraph (b), to the contrary, in the case of a referendum conducted by mail under this paragraph, the notice required by subdivision 9, paragraph (b), must be prepared and delivered by first-class mail at least 20 days before the referendum.

(b) In addition to the referenda allowed in subdivision 9, ~~clause paragraph~~ (a), the commissioner may grant authority to a district to hold a referendum on a ~~different day~~ date authorized by section 205A.05, subdivision 1a, if the district is in statutory operating debt and has an approved plan or has received an extension from the department to file a plan to eliminate the statutory operating debt.

(c) The commissioner must approve, deny, or modify each district's request for a referendum levy on a different day within 60 days of receiving the request from a district.

Sec. 6. Minnesota Statutes 2016, section 128D.05, subdivision 2, is amended to read:

Subd. 2. **Time of change.** A proposed change in election years adopted under subdivision 1 is effective 240 days after passage and publication or at a later date fixed in the proposal. Within 180 days after passage and publication of the proposal, a petition requesting a referendum on the proposal may be filed with the school district clerk. The petition must be signed by eligible voters equal in number to five percent of the total number of votes cast in the city of Minneapolis at the most recent state general election. If the requisite petition is filed within the prescribed period, the proposal does not become effective until it is approved by a majority of the voters voting on the question at a general or special election ~~held at least 60 days after submission of the petition~~ on a date authorized by section 205A.05, subdivision 1a. If the petition is filed, the governing body may reconsider its action in adopting the proposal.

5.1 Sec. 7. Minnesota Statutes 2016, section 200.02, subdivision 4, is amended to read:

5.2 Subd. 4. **Special election.** "Special election" means:

5.3 ~~(a)~~ (1) an election held at any time to fill vacancies in public state or federal offices; or

5.4 ~~(b)~~ (2) an election held by a subdivision of the state for a special purpose held by a
5.5 subdivision of the state on a date authorized by section 205.10, subdivision 3a, or 205A.05,
5.6 subdivision 1a.

5.7 Sec. 8. Minnesota Statutes 2016, section 205.07, subdivision 3, is amended to read:

5.8 Subd. 3. **Effect of ordinance; referendum.** An ordinance changing the year of the
5.9 municipal election is effective 240 days after passage and publication or at a later date fixed
5.10 in the ordinance. Within 180 days after passage and publication of the ordinance, a petition
5.11 requesting a referendum on the ordinance may be filed with the city clerk. The petition shall
5.12 be signed by eligible voters equal in number to ten percent of the total number of votes cast
5.13 in the city at the last municipal general election. If the requisite petition is filed within the
5.14 prescribed period, the ordinance shall not become effective until it is approved by a majority
5.15 of the voters voting on the question at a general or special election held ~~at least 60 days~~
5.16 ~~after submission of the petition~~ on a date authorized by section 205.10, subdivision 3a. If
5.17 the petition is filed, the governing body may reconsider its action in adopting the ordinance.

5.18 Sec. 9. Minnesota Statutes 2016, section 205.10, is amended by adding a subdivision to
5.19 read:

5.20 Subd. 3a. **Uniform election dates.** (a) Except as allowed in paragraph (b) and subdivision
5.21 4, a special election held in a city or town must be held on one of the following dates: the
5.22 second Tuesday in March, the second Tuesday in May, the second Tuesday in August, or
5.23 the first Tuesday after the first Monday in November. A home rule charter city must not
5.24 designate additional dates in its charter.

5.25 (b) A special election may be held on a date other than those designated in paragraph
5.26 (a) if the special election is held in response to an emergency or disaster. "Emergency"
5.27 means an unforeseen combination of circumstances that calls for immediate action to prevent
5.28 a disaster from developing or occurring. "Disaster" means a situation that creates an actual
5.29 or imminent, serious threat to the health and safety of persons or a situation that has resulted
5.30 or is likely to result in catastrophic loss to property or the environment.

Sec. 10. Minnesota Statutes 2016, section 205A.05, subdivision 1, is amended to read:

Subdivision 1. **Questions.** ~~(a)~~ Special elections must be held for a school district on a question on which the voters are authorized by law to pass judgment. The school board may on its own motion call a special election to vote on any matter requiring approval of the voters of a district. Upon petition filed with the school board of 50 or more voters of the school district or five percent of the number of voters voting at the preceding school district general election, whichever is greater, the school board shall by resolution call a special election to vote on any matter requiring approval of the voters of a district. Within seven days of adoption, the school board must transmit a copy of the resolution to the county auditor of the coordinating county. A question is carried only with the majority in its favor required by law. The election officials for a special election are the same as for the most recent school district general election unless changed according to law. Otherwise, special elections must be conducted and the returns made in the manner provided for the school district general election.

~~(b) A special election may not be held:~~

~~(1) during the 56 days before and the 56 days after a regularly scheduled primary or general election conducted wholly or partially within the school district;~~

~~(2) on the date of a regularly scheduled town election or annual meeting in March conducted wholly or partially within the school district; or~~

~~(3) during the 30 days before or the 30 days after a regularly scheduled town election in March conducted wholly or partially within the school district.~~

~~(c) Notwithstanding any other law to the contrary, the time period in which a special election must be conducted under any other law may be extended by the school board to conform with the requirements of this subdivision.~~

Sec. 11. Minnesota Statutes 2016, section 205A.05, is amended by adding a subdivision to read:

Subd. 1a. **Uniform election dates.** (a) Except as allowed in paragraph (b), a special election held in a school district must be held on one of the following dates: the second Tuesday in March, the second Tuesday in May, the second Tuesday in August, or the first Tuesday after the first Monday in November.

(b) A special election may be held on a date other than those designated in paragraph (a) if the special election is held in response to an emergency or disaster. "Emergency" means an unforeseen combination of circumstances that calls for immediate action to prevent

a disaster from developing or occurring. "Disaster" means a situation that creates an actual or imminent, serious threat to the health and safety of persons or a situation that has resulted or is likely to result in catastrophic loss to property.

Sec. 12. Minnesota Statutes 2016, section 216B.46, is amended to read:

216B.46 MUNICIPAL ACQUISITION PROCEDURES; NOTICE; ELECTION.

Any municipality which desires to acquire the property of a public utility as authorized under the provisions of section 216B.45 may determine to do so by resolution of the governing body of the municipality taken after a public hearing of which at least 30 days' published notice shall be given as determined by the governing body. The determination shall become effective when ratified by a majority of the qualified electors voting on the question at a special election to be held ~~for that purpose, not less than 60 nor more than 120 days after the resolution of the governing body of the municipality~~ on a date authorized by section 205.10, subdivision 3a.

Sec. 13. Minnesota Statutes 2016, section 365A.06, subdivision 2, is amended to read:

Subd. 2. **Election.** The town board shall hold a special election within the boundaries of the proposed district ~~not less than 30 nor more than 90 days after receipt of the petition~~ on a date authorized by section 205.10, subdivision 3a. The question submitted and voted upon by the property owners within the territory of the proposed district must be phrased substantially as follows:

"Shall a subordinate service district be established to provide (service or services to be provided) financed by (revenue sources)?"

If a majority of those voting on the question favor creation of the district, the district shall begin upon certification of the vote by the town clerk. The town clerk shall administer the election.

Sec. 14. Minnesota Statutes 2016, section 367.33, subdivision 1, is amended to read:

Subdivision 1. **Election at annual election or special election.** Following the adoption of option A in a town, except a town exercising the powers of a statutory city, the town board may call a special town election to be held ~~not less than 30 nor more than 60 days after the annual town election at which the option is adopted~~ on a date authorized by section 205.10, subdivision 3a, to elect two additional members to the board of supervisors. In lieu of a special election, the town board may determine to elect the additional members at the next annual town election.

If the town is exercising the powers of a statutory city under section 368.01 or a special law granting substantially similar powers, the town board shall call a special election to be held ~~not less than 30 nor more than 60 days after the annual election~~ on a date authorized by section 205.10, subdivision 3a, at which option A is adopted to elect the two additional supervisors.

Sec. 15. Minnesota Statutes 2016, section 375.101, subdivision 1, is amended to read:

Subdivision 1. **Option for filling vacancies; special election.** (a) Except as provided in subdivision 3, a vacancy in the office of county commissioner may be filled as provided in this subdivision and subdivision 2, or as provided in subdivision 4. If the vacancy is to be filled under this subdivision and subdivision 2, it must be filled at a special election. The county board may by resolution call for a special election to be held ~~according to the earliest of the following time schedules:~~

~~(1) not less than 120 days following the date the vacancy is declared, but no later than 12 weeks prior to the date of the next regularly scheduled primary election;~~

~~(2) concurrently with the next regularly scheduled primary election and general election;~~
~~or~~

~~(3) no sooner than 120 days following the next regularly scheduled general election on a date authorized by section 205.10, subdivision 3a.~~

(b) The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term. If the county has been reapportioned since the commencement of the term of the vacant office, the election shall be based on the district as reapportioned.

Sec. 16. Minnesota Statutes 2016, section 375B.07, subdivision 2, is amended to read:

Subd. 2. **Election.** The county board shall make arrangements for the holding of a special election ~~not less than 30 nor more than 90 days after receipt of the petition~~ on a date authorized by section 205.10, subdivision 3a, within the boundaries of the proposed district. The question to be submitted and voted upon by the qualified voters within the territory of the proposed district shall be phrased substantially as follows:

"Shall a subordinate service district be established in order to provide (service or services to be provided) financed by (revenue sources)?"

9.1 If a majority of those voting on the question favor creation of the proposed district, the
9.2 district shall be deemed created upon certification of the vote by the county auditor. The
9.3 county auditor shall administer the election.

9.4 Sec. 17. Minnesota Statutes 2016, section 375B.10, is amended to read:

9.5 **375B.10 WITHDRAWAL; ELECTION.**

9.6 Upon receipt of a petition signed by ten percent of the qualified voters within the territory
9.7 of the subordinate service district requesting the removal of the district, or pursuant to its
9.8 own resolution, the county board shall make arrangements for the holding of a special
9.9 election within the boundaries of the service district ~~not less than 30 nor more than 90 days~~
9.10 ~~after the resolution or receipt of the petition~~ on a date authorized by section 205.10,
9.11 subdivision 3a. The question to be submitted and voted upon by the qualified voters within
9.12 the territory of the district shall be phrased substantially as follows:

9.13 "Shall the subordinate service district presently established be removed and the service
9.14 or services of the county as provided for the service district be discontinued?"

9.15 If a majority of those voting on the question favor the removal and discontinuance of
9.16 the services, the service district shall be removed and the services shall be discontinued
9.17 upon certification of the vote by the county auditor. The county auditor shall administer the
9.18 election.

9.19 Sec. 18. Minnesota Statutes 2016, section 383B.031, subdivision 1, is amended to read:

9.20 Subdivision 1. **More than six months; special election.** Notwithstanding the provisions
9.21 of section 375.101, if a vacancy occurs in a seat on the Board of County Commissioners of
9.22 Hennepin County more than six months before the general election in which a commissioner
9.23 will next be selected to occupy such seat the county auditor shall, within seven days after
9.24 the vacancy occurs, call a special election within the affected district to fill such vacancy.
9.25 The auditor shall specify a date for the election ~~which shall be between 56 and 77 days after~~
9.26 ~~the vacancy occurred~~ to be held on a date authorized by section 205.10, subdivision 3a.
9.27 Candidates shall file with the county auditor prior to the 35th day before the election. The
9.28 primary election shall be held 14 days before the election. If no more than two candidates
9.29 file for the office, the primary election shall be canceled and the date of the general election
9.30 advanced 14 days.

10.1 Sec. 19. Minnesota Statutes 2016, section 383E.24, subdivision 7, is amended to read:

10.2 Subd. 7. **Referendum.** (a) Upon receipt of a petition signed by five percent of the
10.3 qualified voters within the territory of the proposed service district prior to the effective
10.4 date of its creation as specified in subdivision 6, the creation shall be held in abeyance
10.5 pending a referendum vote of all qualified electors residing within the boundaries of the
10.6 proposed service district.

10.7 (b) The county board shall make arrangements for the holding of a special election ~~not~~
10.8 ~~less than 30 or more than 90 days after receipt of such petition~~ on a date authorized by
10.9 section 205.10, subdivision 3a, and within the boundaries of the proposed taxing district.
10.10 The question to be submitted and voted upon by the qualified voters within the territory of
10.11 the proposed service district shall be phrased substantially as follows:

10.12 "Shall a subordinate service district be established in order to provide (service or services
10.13 to be provided) financed by (revenue sources)?"

10.14 (c) If a majority of those voting on the question favor creation of the proposed subordinate
10.15 service district, the district shall be deemed created upon certification of the vote by the
10.16 county auditor. The county auditor shall administer the election.

10.17 Sec. 20. Minnesota Statutes 2016, section 410.10, subdivision 1, is amended to read:

10.18 Subdivision 1. **Timing; procedure; recall.** Upon delivery of such draft, the council or
10.19 other governing body of the city shall cause the proposed charter to be submitted at the next
10.20 general election thereafter occurring in the city within six months after the delivery of such
10.21 draft, and if there is no general city election occurring in the city within six months after
10.22 the delivery of such draft, then the council or other governing body of the city shall cause
10.23 the proposed charter to be submitted at a special election to be held ~~within 90 days after the~~
10.24 ~~delivery of such draft~~ on a date authorized by section 205.10, subdivision 3a. The council
10.25 or other governing body may call a special election for that purpose only at any time. If the
10.26 election is held at the same time with the general election, the voting places and election
10.27 officers shall be the same for both elections. At any time before the council has fixed the
10.28 date of the election upon the proposed charter, the charter commission may recall it for
10.29 further action; and the council may authorize recall of the charter by the commission at any
10.30 later date prior to the first publication of the proposed charter.

11.1 Sec. 21. Minnesota Statutes 2016, section 447.32, subdivision 2, is amended to read:

11.2 Subd. 2. **Elections.** Except as provided in this chapter, the Minnesota Election Law
11.3 applies to hospital district elections, as far as practicable. Regular elections must be held in
11.4 each hospital district at the same time, in the same election precincts, and at the same polling
11.5 places as general elections of state and county officers. It may establish the whole district
11.6 as a single election precinct or establish two or more different election precincts and polling
11.7 places for the elections. If there is more than one precinct, the boundaries of the election
11.8 precincts and the locations of the polling places must be defined in the notice of election,
11.9 either in full or by reference to a description or map on file in the office of the clerk.

11.10 Special elections may be called by the hospital board to vote on any matter required by
11.11 law to be submitted to the voters. A special election ~~may not be conducted either during the~~
11.12 ~~56 days before or the 56 days after a regularly scheduled primary or general election,~~
11.13 ~~conducted wholly or partially within the hospital district~~ must be held on a date authorized
11.14 by section 205.10, subdivision 3a. Special elections must be held within the election precinct
11.15 or precincts and at the polling place or places designated by the board. In the case of the
11.16 first election of officers of a new district, precincts and polling places must be set by the
11.17 governing body of the most populous city or town included in the district.

11.18 Advisory ballots may be submitted by the hospital board on any question it wishes,
11.19 concerning the affairs of the district, but only at a regular election or at a special election
11.20 required for another purpose.

11.21 Sec. 22. Minnesota Statutes 2016, section 475.59, is amended to read:

11.22 **475.59 MANNER OF SUBMISSION; NOTICE.**

11.23 Subdivision 1. **Generally; notice.** When the governing body of a municipality resolves
11.24 to issue bonds for any purpose requiring the approval of the electors, it shall provide for
11.25 submission of the proposition of their issuance at a general or special election or town or
11.26 school district meeting. Notice of such election or meeting shall be given in the manner
11.27 required by law and shall state the maximum amount and the purpose of the proposed issue.
11.28 In any school district, the school board or board of education may, according to its judgment
11.29 and discretion, submit as a single ballot question or as two or more separate questions in
11.30 the notice of election and ballots the proposition of their issuance for any one or more of
11.31 the following, stated conjunctively or in the alternative: acquisition or enlargement of sites,
11.32 acquisition, betterment, erection, furnishing, equipping of one or more new schoolhouses,
11.33 remodeling, repairing, improving, adding to, betterment, furnishing, equipping of one or
11.34 more existing schoolhouses. In any city, town, or county, the governing body may, according

12.1 to its judgment and discretion, submit as a single ballot question or as two or more separate
 12.2 questions in the notice of election and ballots the proposition of their issuance, stated
 12.3 conjunctively or in the alternative, for the acquisition, construction, or improvement of any
 12.4 facilities at one or more locations.

12.5 Subd. 2. **Election date.** An election to approve issuance of bonds under this section held
 12.6 by a municipality or school district must be held on a date authorized in section 205.10,
 12.7 subdivision 3a, or 205A.05, subdivision 1a.

12.8 Sec. 23. **REPEALER.**

12.9 Minnesota Statutes 2016, section 205.10, subdivision 3, is repealed.

12.10 Sec. 24. **EFFECTIVE DATE.**

12.11 This article is effective August 1, 2017, and applies to any special election held on or
 12.12 after that date.

12.13 **ARTICLE 2**

12.14 **SCHOOL ELECTION ADMINISTRATION**

12.15 Section 1. Minnesota Statutes 2016, section 123A.48, subdivision 15, is amended to read:

12.16 Subd. 15. **Effective date.** If a majority of the votes cast on the question at the election
 12.17 approve the consolidation, and if the necessary approving resolutions of boards entitled to
 12.18 act on the plat have been adopted, ~~the board must, within ten days of the election, notify~~
 12.19 ~~the county auditor who shall, within ten days of the notice election~~ or of the expiration of
 12.20 the period during which an election can be called, issue an order setting a date for the
 12.21 effective date of the change. The effective date must be July 1 of the year determined by
 12.22 the board in the original resolution adopted under subdivision 2. The auditor shall mail or
 12.23 deliver a copy of such order to each auditor holding a copy of the plat and to the clerk of
 12.24 each district affected by the order and to the commissioner. ~~The board must similarly notify~~
 12.25 ~~the county auditor~~ If the election fails, the proceedings are then terminated and the county
 12.26 auditor shall so notify the commissioner and the auditors and the clerk of each district
 12.27 affected.

12.28 Sec. 2. Minnesota Statutes 2016, section 126C.69, subdivision 11, is amended to read:

12.29 Subd. 11. **District referendum.** After receipt of the review and comment on the project
 12.30 and before January 1 of the even-numbered year, the question authorizing the borrowing
 12.31 of money for the facilities must be submitted by the school board to the voters of the district

at a regular or special election. The question submitted must state the total amount to be borrowed from all sources. Approval of a majority of those voting on the question is sufficient to authorize the issuance of the obligations on public sale in accordance with chapter 475. The face of the ballot must include the following statement: "APPROVAL OF THIS QUESTION DOES NOT GUARANTEE THAT THE SCHOOL DISTRICT WILL RECEIVE A CAPITAL LOAN FROM THE STATE. THE LOAN MUST BE APPROVED BY THE STATE LEGISLATURE AND IS DEPENDENT ON AVAILABLE FUNDING." The ~~district~~ coordinating county auditor, as defined in section 200.02, subdivision 16b, must mail to the commissioner a certificate by the ~~clerk~~ auditor showing the vote at the election.

Sec. 3. Minnesota Statutes 2016, section 200.02, is amended by adding a subdivision to read:

Subd. 16a. **Coordinating county.** "Coordinating county" means the county where the school district administrative offices are located.

Sec. 4. Minnesota Statutes 2016, section 200.02, is amended by adding a subdivision to read:

Subd. 16b. **Coordinating county auditor.** "Coordinating county auditor" means the county auditor where the school district administrative offices are located.

Sec. 5. Minnesota Statutes 2016, section 200.02, is amended by adding a subdivision to read:

Subd. 16c. **Administering county or administering counties.** "Administering county" or "administering counties" means a county or counties, other than the coordinating county, that include any part of the school district.

Sec. 6. Minnesota Statutes 2016, section 201.022, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** The secretary of state shall maintain a statewide voter registration system to facilitate voter registration and to provide a central database containing voter registration information from around the state. The system must be accessible to the county auditor of each county in the state. The system must also:

(1) provide for voters to submit their voter registration applications to any county auditor, the secretary of state, or the Department of Public Safety;

(2) provide for the definition, establishment, and maintenance of a central database for all voter registration information;

- 14.1 (3) provide for entering data into the statewide registration system;
- 14.2 (4) provide for electronic transfer of completed voter registration applications from the
14.3 Department of Public Safety to the secretary of state or the county auditor;
- 14.4 (5) assign a unique identifier to each legally registered voter in the state;
- 14.5 (6) provide for the acceptance of the Minnesota driver's license number, Minnesota state
14.6 identification number, and last four digits of the Social Security number for each voter
14.7 record;
- 14.8 (7) coordinate with other agency databases within the state;
- 14.9 (8) allow county auditors and the secretary of state to add or modify information in the
14.10 system to provide for accurate and up-to-date records;
- 14.11 (9) allow county auditors, municipal ~~and school district~~ clerks, and the secretary of state
14.12 to have electronic access to the statewide registration system for review and search
14.13 capabilities;
- 14.14 (10) provide security and protection of all information in the statewide registration
14.15 system and ensure that unauthorized access is not allowed;
- 14.16 (11) provide access to municipal clerks to use the system;
- 14.17 (12) provide a system for each county to identify the precinct to which a voter should
14.18 be assigned for voting purposes;
- 14.19 (13) provide daily reports accessible by county auditors on the driver's license numbers,
14.20 state identification numbers, or last four digits of the Social Security numbers submitted on
14.21 voter registration applications that have been verified as accurate by the secretary of state;
14.22 and
- 14.23 (14) provide reports on the number of absentee ballots transmitted to and returned and
14.24 cast by voters under section 203B.16.

14.25 The appropriate state or local official shall provide security measures to prevent
14.26 unauthorized access to the computerized list established under section 201.021.

14.27 Sec. 7. Minnesota Statutes 2016, section 201.061, subdivision 3, is amended to read:

14.28 Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register
14.29 on election day by appearing in person at the polling place for the precinct in which the
14.30 individual maintains residence, by completing a registration application, making an oath in

15.1 the form prescribed by the secretary of state and providing proof of residence. An individual
15.2 may prove residence for purposes of registering by:

15.3 (1) presenting a driver's license or Minnesota identification card issued pursuant to
15.4 section 171.07;

15.5 (2) presenting any document approved by the secretary of state as proper identification;

15.6 (3) presenting one of the following:

15.7 (i) a current valid student identification card from a postsecondary educational institution
15.8 in Minnesota, if a list of students from that institution has been prepared under section
15.9 135A.17 and certified to the county auditor in the manner provided in rules of the secretary
15.10 of state; or

15.11 (ii) a current student fee statement that contains the student's valid address in the precinct
15.12 together with a picture identification card; or

15.13 (4) having a voter who is registered to vote in the precinct, or an employee employed
15.14 by and working in a residential facility in the precinct and vouching for a resident in the
15.15 facility, sign an oath in the presence of the election judge vouching that the voter or employee
15.16 personally knows that the individual is a resident of the precinct. A voter who has been
15.17 vouched for on election day may not sign a proof of residence oath vouching for any other
15.18 individual on that election day. A voter who is registered to vote in the precinct may sign
15.19 up to eight proof-of-residence oaths on any election day. This limitation does not apply to
15.20 an employee of a residential facility described in this clause. The secretary of state shall
15.21 provide a form for election judges to use in recording the number of individuals for whom
15.22 a voter signs proof-of-residence oaths on election day. The form must include space for the
15.23 maximum number of individuals for whom a voter may sign proof-of-residence oaths. For
15.24 each proof-of-residence oath, the form must include a statement that the individual: (i) is
15.25 registered to vote in the precinct or is an employee of a residential facility in the precinct,
15.26 (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the
15.27 statement on oath. The form must include a space for the voter's printed name, signature,
15.28 telephone number, and address.

15.29 The oath required by this subdivision and Minnesota Rules, part 8200.9939, must be
15.30 attached to the voter registration application.

15.31 (b) The operator of a residential facility shall prepare a list of the names of its employees
15.32 currently working in the residential facility and the address of the residential facility. The

16.1 operator shall certify the list and provide it to the appropriate county auditor no less than
16.2 20 days before each election for use in election day registration.

16.3 (c) "Residential facility" means transitional housing as defined in section 256E.33,
16.4 subdivision 1; a supervised living facility licensed by the commissioner of health under
16.5 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision
16.6 5; a residence registered with the commissioner of health as a housing with services
16.7 establishment as defined in section 144D.01, subdivision 4; a veterans home operated by
16.8 the board of directors of the Minnesota Veterans Homes under chapter 198; a residence
16.9 licensed by the commissioner of human services to provide a residential program as defined
16.10 in section 245A.02, subdivision 14; a residential facility for persons with a developmental
16.11 disability licensed by the commissioner of human services under section 252.28; group
16.12 residential housing as defined in section 256I.03, subdivision 3; a shelter for battered women
16.13 as defined in section 611A.37, subdivision 4; or a supervised publicly or privately operated
16.14 shelter or dwelling designed to provide temporary living accommodations for the homeless.

16.15 (d) For tribal band members, an individual may prove residence for purposes of
16.16 registering by:

16.17 (1) presenting an identification card issued by the tribal government of a tribe recognized
16.18 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the
16.19 name, address, signature, and picture of the individual; or

16.20 (2) presenting an identification card issued by the tribal government of a tribe recognized
16.21 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the
16.22 name, signature, and picture of the individual and also presenting one of the documents
16.23 listed in Minnesota Rules, part 8200.5100, subpart 2, item B.

16.24 (e) A county, ~~school district~~, or municipality may require that an election judge
16.25 responsible for election day registration initial each completed registration application.

16.26 Sec. 8. Minnesota Statutes 2016, section 201.061, subdivision 6, is amended to read:

16.27 Subd. 6. **Precinct map.** Except as otherwise provided by this subdivision, the county
16.28 auditor shall provide each precinct with an accurate precinct map or precinct finder to assist
16.29 the election judges in determining whether an address is located in that precinct. A county
16.30 auditor may delegate this responsibility as provided in section 201.221, subdivision 4, to a
16.31 municipal or ~~school district~~ clerk who prepares precinct maps as provided in section 204B.14,
16.32 subdivision 5.

17.1 Sec. 9. Minnesota Statutes 2016, section 201.225, subdivision 1, is amended to read:

17.2 Subdivision 1. **Authority.** A county, or municipality, ~~or school district~~ may use electronic
17.3 rosters for any election. In a county, or municipality, ~~or school district~~ that uses electronic
17.4 rosters, the head elections official may designate that some or all of the precincts use
17.5 electronic rosters. An electronic roster must comply with all of the requirements of this
17.6 section. An electronic roster must include information required in section 201.221,
17.7 subdivision 3, and any rules adopted pursuant to that section.

17.8 Sec. 10. Minnesota Statutes 2016, section 201.225, subdivision 6, is amended to read:

17.9 Subd. 6. **Reporting; certification.** (a) A county, or municipality, ~~or school district~~ that
17.10 intends to use electronic rosters in an upcoming election must notify the Office of the
17.11 Secretary of State at least 90 days before the first election in which the county, or
17.12 municipality, ~~or school district~~ intends to use electronic rosters. The notification must specify
17.13 whether all precincts will use electronic rosters, and if not, specify which precincts will be
17.14 using electronic rosters. The notification is valid for all subsequent elections, unless revoked
17.15 by the county, or municipality, ~~or school district~~. If precincts within a county, or municipality,
17.16 ~~or school district~~ that were not included in the initial notification intend to use electronic
17.17 rosters, a new notification must be submitted.

17.18 (b) The county, or municipality, ~~or school district~~ that intends to use electronic rosters
17.19 must certify to the Office of the Secretary of State at least 30 days before the election that
17.20 the electronic rosters meet all of the requirements in this section.

17.21 Sec. 11. Minnesota Statutes 2016, section 201.27, subdivision 2, is amended to read:

17.22 Subd. 2. **Knowledge of violation.** A deputy, clerk, employee, or other subordinate of a
17.23 county auditor or municipal ~~or school district~~ clerk who has knowledge or reason to believe
17.24 that a violation of this chapter has occurred shall immediately transmit a report of the
17.25 knowledge or belief to the county auditor or municipal ~~or school district~~ clerk, together with
17.26 any possessed evidence of the violation. Any county auditor or municipal ~~or school district~~
17.27 clerk who has knowledge or reason to believe that a violation of this chapter has occurred
17.28 shall immediately transmit a report of the knowledge or belief to the county attorney of the
17.29 county where the violation is thought to have occurred, together with any possessed evidence
17.30 of the violation. The county auditor or municipal ~~or school district~~ clerk shall also
17.31 immediately send a copy of the report to the secretary of state. A violation of this subdivision
17.32 is a misdemeanor.

18.1 Sec. 12. Minnesota Statutes 2016, section 203B.01, subdivision 2, is amended to read:

18.2 Subd. 2. **Municipal clerk.** "Municipal clerk" means a full-time town or city clerk who
18.3 is authorized or required to administer the provisions of sections 203B.04 to 203B.15, as
18.4 provided in section 203B.05. ~~"Municipal clerk" also means clerk of the school district who~~
18.5 ~~is authorized or required to administer the provisions of sections 203B.04 to 203B.15, as~~
18.6 ~~provided in section 203B.05 for a school district election not held on the same day as a~~
18.7 ~~statewide election.~~

18.8 Sec. 13. Minnesota Statutes 2016, section 203B.04, subdivision 1, is amended to read:

18.9 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision
18.10 2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election
18.11 may be submitted at any time not less than one day before the day of that election. The
18.12 county auditor shall prepare absentee ballot application forms in the format provided by the
18.13 secretary of state and shall furnish them to any person on request. By January 1 of each
18.14 even-numbered year, the secretary of state shall make the forms to be used available to
18.15 auditors through electronic means. An application submitted pursuant to this subdivision
18.16 shall be in writing. An application may be submitted in person, by electronic facsimile
18.17 device, by electronic mail, or by mail to:

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

18.19 (2) the municipal clerk of the municipality, ~~or school district if applicable,~~ where the
18.20 applicant maintains residence.

18.21 For a federal, state, or county election, an absentee ballot application may alternatively be
18.22 submitted electronically through a secure Web site that shall be maintained by the secretary
18.23 of state for this purpose. Notwithstanding paragraph (b), the secretary of state must require
18.24 applicants using the Web site to submit the applicant's e-mail address and verifiable
18.25 Minnesota driver's license number, Minnesota state identification card number, or the last
18.26 four digits of the applicant's Social Security number.

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

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

- (1) the applicant's Minnesota driver's license number;
- (2) Minnesota state identification card number;
- (3) the last four digits of the applicant's Social Security number; or
- (4) a statement that the applicant does not have any of these numbers.

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

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

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

Sec. 14. Minnesota Statutes 2016, section 203B.05, subdivision 2, is amended to read:

Subd. 2. **City, school district, and town elections.** For city, and town, ~~and school district~~ elections not held on the same day as a statewide election, applications for absentee ballots shall be filed with the city, ~~school district~~, or town clerk and the duties prescribed by this chapter for the county auditor shall be performed by the city, ~~school district~~, or town clerk unless the county auditor agrees to perform those duties on behalf of the city, ~~school district~~, or town clerk. For school district elections not held on the same day as a statewide election, applications for absentee ballots shall be filed with the coordinating county auditor, and the county auditor shall perform the duties prescribed by this chapter for school district elections. The costs incurred to provide absentee ballots and perform the duties prescribed by this subdivision shall be paid by the city, or town, ~~or school district~~ holding the election. The

20.1 school district shall reimburse the coordinating county and administering counties for the
20.2 costs incurred to provide absentee ballots and perform the duties prescribed in this
20.3 subdivision.

20.4 Notwithstanding any other law, this chapter applies to school district elections held on
20.5 the same day as a statewide election or an election for a county or municipality wholly or
20.6 partially within the school district.

20.7 Sec. 15. Minnesota Statutes 2016, section 203B.085, is amended to read:

20.8 **203B.085 COUNTY AUDITOR'S AND MUNICIPAL CLERK'S OFFICES TO**
20.9 **REMAIN OPEN DURING CERTAIN HOURS PRECEDING ELECTION.**

20.10 The county auditor's office in each county and the clerk's office in each city or town
20.11 authorized under section 203B.05 to administer absentee balloting must be open for
20.12 acceptance of absentee ballot applications and casting of absentee ballots from 10:00 a.m.
20.13 to 3:00 p.m. on Saturday and until 5:00 p.m. on the day immediately preceding a primary,
20.14 special, or general election unless that day falls on a Saturday or Sunday. Town clerks'
20.15 offices must be open for absentee voting from 10:00 a.m. to 12:00 noon on the Saturday
20.16 before a town general election held in March. ~~The school district clerk, when performing~~
20.17 ~~the county auditor's election duties, need not comply with this section.~~

20.18 Sec. 16. Minnesota Statutes 2016, section 203B.11, subdivision 1, is amended to read:

20.19 Subdivision 1. **Generally.** Each full-time municipal clerk ~~or school district clerk~~ who
20.20 has authority under section 203B.05 to administer absentee voting laws shall designate
20.21 election judges to deliver absentee ballots in accordance with this section. The county auditor
20.22 must also designate election judges to perform the duties in this section. A ballot may be
20.23 delivered only to an eligible voter who is a temporary or permanent resident or patient in a
20.24 health care facility or hospital located in the municipality in which the voter maintains
20.25 residence. The ballots shall be delivered by two election judges, each of whom is affiliated
20.26 with a different major political party. When the election judges deliver or return ballots as
20.27 provided in this section, they shall travel together in the same vehicle. Both election judges
20.28 shall be present when an applicant completes the certificate of eligibility and marks the
20.29 absentee ballots, and may assist an applicant as provided in section 204C.15. The election
20.30 judges shall deposit the return envelopes containing the marked absentee ballots in a sealed
20.31 container and return them to the clerk on the same day that they are delivered and marked.

21.1 Sec. 17. Minnesota Statutes 2016, section 203B.121, subdivision 1, is amended to read:

21.2 Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county;
21.3 ~~and municipality, and school district~~ with responsibility to accept and reject absentee ballots
21.4 must, by ordinance or resolution, establish a ballot board. The board must consist of a
21.5 sufficient number of election judges trained in the handling of absentee ballots and appointed
21.6 as provided in sections 204B.19 to 204B.22. The board may include deputy county auditors
21.7 or deputy city clerks who have received training in the processing and counting of absentee
21.8 ballots.

21.9 (b) Each jurisdiction must pay a reasonable compensation to each member of that
21.10 jurisdiction's ballot board for services rendered during an election.

21.11 (c) Except as otherwise provided by this section, all provisions of the Minnesota Election
21.12 Law apply to a ballot board.

21.13 Sec. 18. Minnesota Statutes 2016, section 203B.121, subdivision 2, is amended to read:

21.14 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board
21.15 shall take possession of all return envelopes delivered to them in accordance with section
21.16 203B.08. Upon receipt from the county auditor, municipal clerk, or ~~school district clerk~~
21.17 coordinating county auditor, two or more members of the ballot board shall examine each
21.18 return envelope and shall mark it accepted or rejected in the manner provided in this
21.19 subdivision. Election judges performing the duties in this section must be of different major
21.20 political parties, unless they are exempt from that requirement under section 205.075,
21.21 subdivision 4, or section 205A.10, subdivision 2.

21.22 (b) The members of the ballot board shall mark the return envelope "Accepted" and
21.23 initial or sign the return envelope below the word "Accepted" if a majority of the members
21.24 of the ballot board examining the envelope are satisfied that:

21.25 (1) the voter's name and address on the return envelope are the same as the information
21.26 provided on the absentee ballot application;

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

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

22.1 (4) the voter is registered and eligible to vote in the precinct or has included a properly
22.2 completed voter registration application in the return envelope;

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

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

22.7 The return envelope from accepted ballots must be preserved and returned to the county
22.8 auditor.

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

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

22.19 (3) If an envelope is rejected within five days of the election, the envelope must remain
22.20 sealed and the official in charge of the ballot board must attempt to contact the voter by
22.21 telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official
22.22 must document the attempts made to contact the voter.

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

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

22.31 (2) the reason for rejection; and

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

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

Sec. 19. Minnesota Statutes 2016, section 203B.15, is amended to read:

203B.15 ADMINISTRATIVE EXPENSES.

Each county shall pay the expenses incurred by its county auditor ~~and~~ each municipality ~~or school district~~ shall pay the expenses incurred by its clerk, and each school district shall pay the expenses incurred by the coordinating county and administering counties for administering the provisions of sections 203B.04 to 203B.15.

Sec. 20. Minnesota Statutes 2016, section 204B.181, subdivision 2, is amended to read:

Subd. 2. County elections emergency plans. (a) County election officials, in consultation with the political subdivision's local organization for emergency management established under section 12.25 and the municipalities and school districts within the county, must develop a county elections emergency plan to be made available for use in all state, county, municipal, and school district elections held in that county.

(b) In developing the county elections emergency plan, the county must address the needs of voters with disabilities in all aspects of the plan. Where ballot security is affected, the plan must provide procedures to maintain the security of the ballots. When an emergency requires the relocation of the polling place, the plan must include procedures for securing the ballots and voting equipment, notifying the public and other government officials, and restoring voting activities as soon as possible. If the county contains jurisdictions that cross county lines, the affected counties must make efforts to ensure that the emergency procedures affecting the local jurisdiction are uniform throughout the jurisdiction.

(c) ~~Cities, and towns, and school districts~~ may create a local elections emergency plan that meets the requirements of the county elections emergency plan. If a local jurisdiction creates a local elections emergency plan, the procedures within the local elections emergency plan govern in all election emergencies within that local jurisdiction.

(d) County election officials and any municipality with a local elections emergency plan must review their county or local elections emergency plan prior to each state general election. Any revisions to the county or local elections emergency plan must be completed and filed with the secretary of state by July 1 prior to the state general election.

24.1 Sec. 21. Minnesota Statutes 2016, section 204B.25, subdivision 4, is amended to read:

24.2 Subd. 4. **Training for local election officials.** At least once every two years, the county
24.3 auditor shall conduct training sessions for the municipal ~~and school district~~ clerks in the
24.4 county. The training sessions must be conducted in the manner provided by the secretary
24.5 of state. No local election official may administer an election without receiving training
24.6 from the county auditor.

24.7 Sec. 22. Minnesota Statutes 2016, section 204B.29, is amended to read:

24.8 **204B.29 ELECTION JUDGES; ELECTION SUPPLIES; DUTIES.**

24.9 Subdivision 1. **Securing election materials.** Before 9:00 p.m. on the day preceding an
24.10 election, at least one election judge from each precinct in each municipality, or school
24.11 district if applicable, shall secure voter registration files, ballots, forms, envelopes and other
24.12 required supplies from the municipal clerk, ~~school district clerk~~ coordinating county auditor,
24.13 or other legal custodian. The election judge shall deliver the materials to the polling place
24.14 before the time when voting is scheduled to begin on election day. The county auditor shall
24.15 send or deliver the election supplies enumerated in this section to the election judges in the
24.16 precincts in unorganized territory. The election supplies may be sent by certified mail, parcel
24.17 post, express mail or any other postal service providing assured delivery by no later than
24.18 the day before the election. If the election supplies are delivered by any other means, they
24.19 shall be delivered by no later than the day before the election.

24.20 Each precinct shall be furnished with 100 ballots of each kind for every 85 individuals
24.21 who voted in that precinct at the last election for the same office or on similar questions, or
24.22 with ballots of each kind in an amount at least ten percent greater than the number of votes
24.23 which are reasonably expected to be cast in that precinct in that election, whichever supply
24.24 of ballots is greater. No precinct shall be furnished with any ballots containing the name of
24.25 any candidate who cannot properly be voted for in that precinct.

24.26 The election judges shall be responsible for the preservation of all election materials
24.27 received by them until returned to the appropriate election officials after the voting has
24.28 ended.

24.29 Subd. 2. **Failure of election judges to secure materials.** If no election judge secures
24.30 the election materials for a precinct in any municipality, or school district if applicable, as
24.31 provided in subdivision 1, the municipal ~~or school district~~ clerk or coordinating county
24.32 auditor shall deliver them to an election judge for that precinct not later than the time when
24.33 voting is scheduled to begin. The municipal ~~or school district~~ clerk or coordinating county

25.1 auditor shall require the election judge accepting delivery of the election supplies to sign a
25.2 receipt for them. The election judges of that precinct shall pay the expenses of delivery of
25.3 the materials and shall be liable for the penalty provided by law for neglect of duty.

25.4 Sec. 23. Minnesota Statutes 2016, section 204B.32, is amended to read:

25.5 **204B.32 ELECTION EXPENSES; PAYMENT.**

25.6 Subdivision 1. **Payment.** (a) The secretary of state shall pay the compensation for
25.7 presidential electors and all necessary expenses incurred by the secretary of state in
25.8 connection with elections.

25.9 (b) The counties shall pay the compensation prescribed in section 204B.31, clauses (2)
25.10 and (3), the cost of printing the state general election ballots when machines are used, the
25.11 state partisan primary ballots, and the state and county nonpartisan primary ballots, all
25.12 necessary expenses incurred by county auditors in connection with elections, and the expenses
25.13 of special county elections.

25.14 (c) Subject to subdivision 2, the municipalities shall pay the compensation prescribed
25.15 for election judges and sergeants at arms, the cost of printing the municipal ballots, providing
25.16 ballot boxes, providing and equipping polling places and all necessary expenses of the
25.17 municipal clerks in connection with elections, except special county elections.

25.18 (d) The school districts shall ~~pay~~ reimburse the coordinating county and administering
25.19 counties for the compensation prescribed for election judges and sergeants-at-arms, the cost
25.20 of printing the school district ballots, providing ballot boxes, providing and equipping polling
25.21 places and all necessary expenses of the ~~school district clerks~~ coordinating county auditor
25.22 in connection with school district elections not held in conjunction with state elections.
25.23 When school district elections are held in conjunction with state elections, the school district
25.24 shall pay the costs of printing the school district ballots, providing ballot boxes and all
25.25 necessary expenses of the school district ~~clerk~~ election.

25.26 All disbursements under this section shall be presented, audited, and paid as in the case
25.27 of other public expenses.

25.28 Subd. 2. **Allocation of election expenses.** The secretary of state shall develop procedures
25.29 for the allocation of election expenses among counties, municipalities, and school districts
25.30 for elections that are held concurrently. The following expenses must be included in the
25.31 procedures: salaries of election judges; postage for absentee ballots and applications;
25.32 preparation of polling places; preparation and testing of electronic voting systems; ballot
25.33 preparation; publication of election notices and sample ballots; transportation of ballots and

26.1 election supplies; and compensation for administrative expenses of the county auditor,
26.2 municipal clerk, or ~~school district clerk~~ coordinating county auditor.

26.3 Sec. 24. Minnesota Statutes 2016, section 204B.40, is amended to read:

26.4 **204B.40 BALLOTS; ELECTION RECORDS AND OTHER MATERIALS;**
26.5 **DISPOSITION; INSPECTION OF BALLOTS.**

26.6 The county auditors, municipal clerks, and ~~school district clerks~~ coordinating county
26.7 auditor shall retain all election materials returned to them after any election for at least 22
26.8 months from the date of that election. All election materials involved in a contested election
26.9 must be retained for 22 months or until the contest has been finally determined, whichever
26.10 is later. Abstracts filed by canvassing boards shall be retained permanently by any officer
26.11 with whom those abstracts are filed. Election materials no longer required to be retained
26.12 pursuant to this section shall be disposed of in accordance with sections 138.163 to 138.21.
26.13 Sealed envelopes containing voted ballots must be retained unopened, except as provided
26.14 in this section, in a secure location. The county auditor, municipal clerk, or ~~school district~~
26.15 ~~clerk~~ coordinating county auditor shall not permit any voted ballots to be tampered with or
26.16 defaced.

26.17 After the time for filing a notice of contest for an election has passed, the secretary of
26.18 state may, for the purpose of monitoring and evaluating election procedures: (1) open the
26.19 sealed ballot envelopes and inspect the ballots for that election maintained by the county
26.20 auditors, municipal clerks, or ~~school district clerks~~ coordinating county auditor; (2) inspect
26.21 the polling place rosters and completed voter registration applications; or (3) examine other
26.22 forms required in the Minnesota election laws for use in the polling place. No inspected
26.23 ballot or document may be marked or identified in any manner. After inspection, all ballots
26.24 must be returned to the ballot envelope and the ballot envelope must be securely resealed.
26.25 Any other election materials inspected or examined must be secured or resealed. No polling
26.26 place roster may be inspected until the voting history for that precinct has been posted. No
26.27 voter registration application may be inspected until the information on it has been entered
26.28 into the statewide registration system.

26.29 Sec. 25. Minnesota Statutes 2016, section 204B.46, is amended to read:

26.30 **204B.46 MAIL ELECTIONS; QUESTIONS.**

26.31 A county, municipality, or school district submitting questions to the voters at a special
26.32 election may conduct an election by mail with no polling place other than the office of the
26.33 auditor or clerk. No offices may be voted on at a mail election. Notice of the election must

27.1 be given to the county auditor at least 74 days prior to the election. This notice shall also
27.2 fulfill the requirements of Minnesota Rules, part 8210.3000. The special mail ballot
27.3 procedures must be posted at least six weeks prior to the election. Not more than 46 nor
27.4 later than 14 days prior to the election, the auditor or clerk shall mail ballots by
27.5 nonforwardable mail to all voters registered in the county, municipality, or school district.
27.6 No later than 14 days before the election, the auditor or clerk must make a subsequent
27.7 mailing of ballots to those voters who register to vote after the initial mailing but before the
27.8 20th day before the election. Eligible voters not registered at the time the ballots are mailed
27.9 may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint a ballot
27.10 board to examine the mail and absentee ballot return envelopes and mark them "Accepted"
27.11 or "Rejected" within three days of receipt if there are 14 or fewer days before election day,
27.12 or within five days of receipt if there are more than 14 days before election day. The board
27.13 may consist of deputy county auditors; or deputy municipal clerks; ~~or deputy school district~~
27.14 ~~clerks~~ who have received training in the processing and counting of mail ballots, who need
27.15 not be affiliated with a major political party. Election judges performing the duties in this
27.16 section must be of different major political parties, unless they are exempt from that
27.17 requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has
27.18 been rejected at least five days before the election, the ballots in the envelope must remain
27.19 sealed and the auditor or clerk must provide the voter with a replacement ballot and return
27.20 envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election,
27.21 the envelope must remain sealed and the official in charge of the ballot board must attempt
27.22 to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been
27.23 rejected. The official must document the attempts made to contact the voter.

27.24 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to
27.25 indicate that the voter has already cast a ballot in that election. After the close of business
27.26 on the seventh day before the election, the ballots from return envelopes marked "Accepted"
27.27 may be opened, duplicated as needed in the manner provided by section 206.86, subdivision
27.28 5, initialed by the ballot board, and deposited in the appropriate ballot box.

27.29 In all other respects, the provisions of the Minnesota Election Law governing deposit
27.30 and counting of ballots apply.

27.31 The mail and absentee ballots for a precinct must be counted together and reported as
27.32 one vote total. No vote totals from ballots may be made public before the close of voting
27.33 on election day.

28.1 Sec. 26. Minnesota Statutes 2016, section 204C.08, subdivision 4, is amended to read:

28.2 Subd. 4. **Ballot box boxcar seals.** The governing body of a municipality or school district
28.3 by resolution may direct the municipal ~~or school district~~ clerk or coordinating county auditor
28.4 to furnish a boxcar seal for each ballot box in place of a lock and key. Each seal shall consist
28.5 of a numbered strap with a self-locking device securely attached to one end of the strap so
28.6 that the other end may be inserted and securely locked in the seal. No two straps shall bear
28.7 the same number.

28.8 Sec. 27. Minnesota Statutes 2016, section 204C.20, subdivision 4, is amended to read:

28.9 Subd. 4. **Ballots not counted; disposition.** When the final count of ballots agrees with
28.10 the number of ballots to be counted, those ballots not counted shall be attached to a certificate
28.11 made by the election judges which states why the ballots were not counted. The certificate
28.12 and uncounted ballots shall be sealed in a separate envelope and returned to the county
28.13 auditor ~~or, municipal or school district clerk,~~ or coordinating county auditor from whom
28.14 they were received.

28.15 Sec. 28. Minnesota Statutes 2016, section 204C.25, is amended to read:

28.16 **204C.25 DISPOSITION OF BALLOTS.**

28.17 After the count and the summary statements have been completed, in the presence of
28.18 all the election judges, the counted, defective, and blank ballots shall be placed in envelopes,
28.19 and the envelopes shall be sealed. The election judges shall sign each envelope over the
28.20 sealed part so that the envelope cannot be opened without disturbing the continuity of the
28.21 signatures. The number of ballots in each envelope, the name of the town or city, and the
28.22 name of the precinct shall be plainly written upon the envelopes. The number and name of
28.23 the district must be plainly written on envelopes containing school district ballots. The
28.24 spoiled ballots shall be placed in separate envelopes and returned with the unused ballots
28.25 to the county auditor ~~or, municipal or school district clerk,~~ or coordinating county auditor
28.26 from whom they were received.

28.27 Sec. 29. Minnesota Statutes 2016, section 204C.26, subdivision 3, is amended to read:

28.28 Subd. 3. **Secretary of state.** No later than ten weeks before the state primary in each
28.29 even-numbered year, the secretary of state shall prescribe the form for summary statements
28.30 of election returns and the methods by which returns for the state primary and state general
28.31 election shall be recorded by precinct, county, and state election officials. Each county
28.32 auditor ~~and, municipal or school district clerk,~~ and coordinating county auditor required to

furnish summary statements shall prepare them in the manner prescribed by the secretary of state. The summary statement of the primary returns shall be in the same form as the summary statement of the general election returns except that a separate part of the summary statement shall be provided for the partisan primary ballot and a separate part for the nonpartisan primary ballot.

Sec. 30. Minnesota Statutes 2016, section 204C.27, is amended to read:

204C.27 DELIVERY OF RETURNS TO COUNTY AUDITORS.

One or more of the election judges in each precinct shall deliver two sets of summary statements; all spoiled ballots; and the envelopes containing the ballots either directly to the municipal clerk for transmittal to the county auditor's office or directly to the county auditor's office as soon as possible after the vote counting is completed but no later than 24 hours after the end of the hours for voting. One or more election judges shall deliver the remaining set of summary statements and returns, all unused and spoiled municipal and school district ballots, the envelopes containing municipal and school district ballots, and all other things furnished by the municipal ~~or school district~~ clerk or coordinating county auditor, to the municipal ~~or school district~~ clerk's or coordinating county auditor's office within 24 hours after the end of the hours for voting. The municipal ~~or school district~~ clerk or coordinating county auditor shall return all polling place rosters and completed voter registration cards to the county auditor within 48 hours after the end of the hours for voting.

Sec. 31. Minnesota Statutes 2016, section 204C.28, subdivision 3, is amended to read:

Subd. 3. **School district returns and materials.** At a school district election held in conjunction with a state election, the county auditor or municipal clerk shall deliver the summary statements of the school district election returns, all unused and spoiled school district ballots, and the envelope containing the school district ballots from each precinct to the ~~clerk of the appropriate school district~~ coordinating county auditor within 48 hours after the polls close.

Sec. 32. Minnesota Statutes 2016, section 204C.29, subdivision 1, is amended to read:

Subdivision 1. **Failure of election judges to make delivery; penalty.** If the election judges fail to deliver returns as required by section 204C.27, the county auditor ~~or~~ or municipal ~~or school district~~ clerk, or coordinating county auditor to whom the returns should have been delivered shall dispatch a special messenger to obtain them. The messenger shall receive the same compensation as an election judge would receive for performing the same

30.1 service and shall be subject to the same penalties as an election judge for violation of any
30.2 provision of the Minnesota Election Law.

30.3 Sec. 33. Minnesota Statutes 2016, section 204C.36, subdivision 1, is amended to read:

30.4 Subdivision 1. **Publicly funded recounts.** (a) Except as provided in paragraphs (b) and
30.5 (c), a losing candidate for nomination or election to a county, municipal, or school district
30.6 office may request a recount of the votes cast for the nomination or election to that office
30.7 if the difference between the vote cast for that candidate and for a winning candidate for
30.8 nomination or election is less than one-quarter of one percent of the total votes counted for
30.9 that office. In case of offices where two or more seats are being filled from among all the
30.10 candidates for the office, the one-quarter of one percent difference is between the elected
30.11 candidate with the fewest votes and the candidate with the most votes from among the
30.12 candidates who were not elected.

30.13 (b) A losing candidate for nomination or election to a county, municipal, or school
30.14 district office may request a recount of the votes cast for nomination or election to that
30.15 office if the difference between the votes cast for that candidate and for a winning candidate
30.16 for nomination or election is less than one-half of one percent, and the total number of votes
30.17 cast for the nomination or election of all candidates is more than 400 but less than 50,000.
30.18 In cases of offices where two or more seats are being filled from among all the candidates
30.19 for the office, the one-half of one percent difference is between the elected candidate with
30.20 the fewest votes and the candidate with the most votes from among the candidates who
30.21 were not elected.

30.22 (c) A losing candidate for nomination or election to a county, municipal, or school district
30.23 office may request a recount of the votes cast for nomination or election to that office if the
30.24 difference between the vote cast for that candidate and for a winning candidate for nomination
30.25 or election is ten votes or less, and the total number of votes cast for the nomination or
30.26 election of all candidates is no more than 400. In cases of offices where two or more seats
30.27 are being filled from among all the candidates for the office, the ten vote difference is
30.28 between the elected candidate with the fewest votes and the candidate with the most votes
30.29 from among the candidates who were not elected.

30.30 (d) Candidates for county offices shall file a written request for the recount with the
30.31 county auditor. Candidates for municipal or school district offices shall file a written request
30.32 with the municipal or school district clerk as appropriate. Candidates for school district
30.33 offices shall file a written request for the recount with the coordinating county auditor. All
30.34 requests shall be filed by 5:00 p.m. on the fifth day after the canvass of a primary or special

31.1 primary or by 5:00 p.m. on the seventh day of the canvass of a special or general election
31.2 for which a recount is sought.

31.3 (e) Upon receipt of a request made pursuant to this section, the county auditor shall
31.4 recount the votes for a county office at the expense of the county, the governing body of
31.5 the municipality shall recount the votes for a municipal office at the expense of the
31.6 municipality, and the ~~school board of the school district~~ coordinating county auditor shall
31.7 recount the votes for a school district office at the expense of the school district.

31.8 Sec. 34. Minnesota Statutes 2016, section 204C.36, subdivision 2, is amended to read:

31.9 Subd. 2. **Discretionary candidate recounts.** (a) A losing candidate for nomination or
31.10 election to a county, municipal, or school district office may request a recount in the manner
31.11 provided in this section at the candidate's own expense when the vote difference is greater
31.12 than the difference required by subdivision 1, paragraphs (a) to (e). The votes shall be
31.13 manually recounted as provided in this section if the requesting candidate files with the
31.14 county auditor, municipal clerk, or ~~school district clerk~~ coordinating county auditor a bond,
31.15 cash, or surety in an amount set by the governing body of the jurisdiction ~~or the school~~
31.16 ~~board of the school district~~ for the payment of the recount expenses.

31.17 (b) The requesting candidate may provide the filing officer with a list of up to three
31.18 precincts that are to be recounted first and may waive the balance of the recount after these
31.19 precincts have been counted. If the candidate provides a list, the recount official must
31.20 determine the expenses for those precincts in the manner provided by paragraph (b).

31.21 (c) A discretionary recount of a primary must not delay delivery of the notice of
31.22 nomination to the winning candidate under section 204C.32.

31.23 (d) The results of the recount must be certified by the canvassing board as soon as
31.24 possible.

31.25 (e) If the winner of the race is changed by the optional recount, the cost of the recount
31.26 must be paid by the jurisdiction conducting the recount.

31.27 (f) If a result of the vote counting in the manual recount is different from the result of
31.28 the vote counting reported on election day by a margin greater than the standard for
31.29 acceptable performance of voting systems provided in section 206.89, subdivision 4, the
31.30 cost of the recount must be paid by the jurisdiction conducting the recount.

32.1 Sec. 35. Minnesota Statutes 2016, section 204C.36, subdivision 3, is amended to read:

32.2 Subd. 3. **Discretionary ballot question recounts.** A recount may be conducted for a
32.3 ballot question when the difference between the votes for and the votes against the question
32.4 is less than or equal to the difference provided in subdivision 1. A recount may be requested
32.5 by any person eligible to vote on the ballot question. A written request for a recount must
32.6 be filed with the ~~filing officer of the county, municipality, or school district~~ municipal clerk,
32.7 county auditor, or coordinating county auditor placing the question on the ballot and must
32.8 be accompanied by a petition containing the signatures of 25 voters eligible to vote on the
32.9 question. Upon receipt of a written request when the difference between the votes for and
32.10 the votes against the question is less than or equal to the difference provided in subdivision
32.11 1, the county auditor shall recount the votes for a county question at the expense of the
32.12 county, the governing body of the municipality shall recount the votes for a municipal
32.13 question at the expense of the municipality, and the ~~school board of the school district~~
32.14 coordinating county auditor shall recount the votes for a school district question at the
32.15 expense of the school district. If the difference between the votes for and the votes against
32.16 the question is greater than the difference provided in subdivision 1, the person requesting
32.17 the recount shall also file with the filing officer of the county, municipality, or school district
32.18 a bond, cash, or surety in an amount set by the appropriate governing body for the payment
32.19 of recount expenses. The written request, petition, and any bond, cash, or surety required
32.20 must be filed during the time for notice of contest for the election for which the recount is
32.21 requested.

32.22 Sec. 36. Minnesota Statutes 2016, section 204C.36, subdivision 5, is amended to read:

32.23 Subd. 5. **Notice of contest.** Time for notice of contest of a nomination or election to a
32.24 county office which is recounted pursuant to this section shall begin to run upon certification
32.25 of the results of the recount by the county canvassing board. Time for notice of contest of
32.26 a nomination or election to a municipal office which is recounted pursuant to this section
32.27 shall begin to run upon certification of the results by the governing body of the municipality.
32.28 Time for notice of contest of a school district election that is recounted under this subdivision
32.29 begins to run on certification of the results of the recount by the ~~school board~~ county
32.30 canvassing boards.

32.31 Sec. 37. Minnesota Statutes 2016, section 204D.09, subdivision 1, is amended to read:

32.32 Subdivision 1. **Example ballot.** No later than May 1 of each year, the secretary of state
32.33 shall supply each auditor with a copy of an example ballot to be used at the state primary

and state general election. The example ballot must illustrate the format required for the ballots used in the primary and general elections that year. The county auditor shall distribute copies of the example ballot to municipal ~~and school district~~ clerks in municipalities ~~and school districts~~ holding elections that year. The official ballot must conform in all respects to the example ballot.

Sec. 38. Minnesota Statutes 2016, section 205A.03, subdivision 3, is amended to read:

Subd. 3. **Candidates, filing.** The ~~clerk~~ county auditor of the coordinating county shall place upon the primary ballot without partisan designation the names of individuals whose candidacies have been filed and for whom the proper filing fee has been paid. When not more than twice as many school board candidates as there are at-large school board positions available file for nomination for the office or when not more than two candidates for a specified school board position file for nomination for that office, their names must not be placed upon the primary ballot and must be placed on the school district general election ballot as the nominees for that office. When more than one school board member is to be elected for full terms at the same election, the candidates' names shall be placed under one office on the ballot with the number to be elected to the office specified directly underneath the title and identification of the office.

Sec. 39. Minnesota Statutes 2016, section 205A.03, subdivision 4, is amended to read:

Subd. 4. **Results.** (a) The school district primary must be conducted and the returns made in the manner provided for the state primary as far as practicable. If the primary is conducted:

(1) only within that school district, a canvass may be conducted on either the second or third day after the primary; or

(2) in conjunction with the state primary, the canvass must be conducted on the third day after the primary, except as otherwise provided in paragraph (b).

The ~~school board of the school district~~ coordinating county and any administering counties shall canvass the returns, and the two candidates for each specified school board position who receive the highest number of votes, or a number of candidates equal to twice the number of individuals to be elected to at-large school board positions who receive the highest number of votes, are the nominees for the office named. Their names must be certified to the ~~school district clerk~~ coordinating county administrator who shall place them on the school district general election ballot without partisan designation and without payment of an additional fee.

(b) Following a school district primary as described in paragraph (a), clause (2), a canvass may be conducted on the second day after the primary if the county auditor of each county in which the school district is located agrees to administratively review the school district's primary voting statistics for accuracy and completeness within a time that permits the canvass to be conducted on that day.

Sec. 40. Minnesota Statutes 2016, section 205A.04, subdivision 3, is amended to read:

Subd. 3. **Change in year of general election.** The school board may, by resolution, change the year in which the school district general election will be held. The resolution must be approved no later than four weeks before the first day to file affidavits of candidacy for the general election. A plan for the orderly transition to the new election year must be included in the resolution. The terms of school board members may be lengthened or shortened by one year as a part of the transition process. Within seven days of adoption, the school board must transmit a copy of the resolution to the county auditor of the coordinating county.

Sec. 41. Minnesota Statutes 2016, section 205A.05, subdivision 3, is amended to read:

Subd. 3. **Cancellation.** A special election ordered by the school board on its own motion under subdivision 1 may be canceled by motion of the school board, but not less than 74 days before an election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, or 46 days before any other election. Within three days of adoption, the school board must notify the county auditor of the coordinating county that the election is canceled.

Sec. 42. Minnesota Statutes 2016, section 205A.055, subdivision 2, is amended to read:

Subd. 2. **Postponement of election.** (a) In the event of severe or inclement weather, the ~~school district clerk~~ coordinating county auditor may postpone an election when the National Weather Service or a law enforcement agency has issued storm warnings or travel advisories indicating that the weather conditions would make travel to a polling place difficult or hazardous for voters and election judges. When one or more jurisdictions are holding elections in conjunction with one another, the jurisdiction that covers the largest geographic area has the authority, after consulting with the other auditors and clerks, to make the decision to postpone all of the elections. A decision to postpone an election must apply to every precinct in the jurisdiction.

(b) A decision to postpone an election must be made no later than 6:00 p.m. on the day before the election. The ~~clerk~~ coordinating county auditor must contact the election judges and notify local media outlets of the postponement. The clerk and coordinating county auditor must also post a notice on ~~the~~ each jurisdiction's Web site, if practicable.

(c) A postponed election must be rescheduled for the next following Tuesday after the election was originally scheduled. The date on which the postponed election will be held shall be considered the date of the election for purposes of absentee voting under chapter 203B. An election that is postponed due to weather may be postponed again if necessary under this section.

Sec. 43. Minnesota Statutes 2016, section 205A.06, subdivision 1, is amended to read:

Subdivision 1. **Affidavit of candidacy.** An individual who is eligible and desires to become a candidate for an office to be voted on at the election must file an affidavit of candidacy with the ~~school district clerk~~ auditor of the coordinating county. The affidavit must be in the form prescribed by section 204B.06. The ~~school district clerk~~ auditor of the coordinating county shall also accept an application signed by at least five voters and filed on behalf of an eligible voter in the school district whom they desire to be a candidate, if service of a copy of the application has been made on the candidate and proof of service is endorsed on the application being filed. No individual shall be nominated by nominating petition for a school district elective office. Upon receipt of the proper filing fee, the ~~clerk~~ auditor of the coordinating county shall place the name of the candidate on the official ballot without partisan designation.

Sec. 44. Minnesota Statutes 2016, section 205A.06, subdivision 1a, is amended to read:

Subd. 1a. **Filing period.** In school districts that have adopted a resolution to choose nominees for school board by a primary election, affidavits of candidacy must be filed with the ~~school district clerk~~ auditor of the coordinating county no earlier than the 84th day and no later than the 70th day before the second Tuesday in August in the year when the school district general election is held. In all other school districts, affidavits of candidacy must be filed no earlier than the 98th day and no later than the 84th day before the school district general election.

Sec. 45. Minnesota Statutes 2016, section 205A.06, subdivision 2, is amended to read:

Subd. 2. **Notice of filing dates.** At least two weeks before the first day to file affidavits of candidacy, the ~~school district clerk~~ coordinating county and each administering county

shall publish a notice in the official newspaper stating the first and last dates on which affidavits of candidacy may be filed in the ~~clerk's~~ coordinating county auditor's office and the closing time for filing on the last day for filing. The school district clerk shall post a similar notice in the administrative offices of the school district at least ten days before the first day to file affidavits of candidacy.

Sec. 46. Minnesota Statutes 2016, section 205A.06, subdivision 5, is amended to read:

Subd. 5. **Withdrawal.** A candidate for a school district elective office may withdraw from the election by filing an affidavit of withdrawal with the ~~school district clerk~~ coordinating county auditor no later than 5:00 p.m. two days after the last day for filing affidavits of candidacy. After that date, no candidate may file an affidavit of withdrawal.

Sec. 47. Minnesota Statutes 2016, section 205A.07, subdivision 1, is amended to read:

Subdivision 1. **Publication and posting.** ~~The clerk of a school district~~ coordinating county and each administering county shall give two weeks' published notice and give ten days' posted notice of a school district primary, general, or special election, stating the time of the election, the location of each polling place, the offices to be filled, and all propositions or questions to be voted upon at the primary, general, or special election. The notice shall be posted for public inspection in the administrative offices of the school district ~~for public inspection~~ and at the county seat of the coordinating county and each administering county.

Sec. 48. Minnesota Statutes 2016, section 205A.07, subdivision 2, is amended to read:

Subd. 2. **Sample ballot, posting.** For every school district primary, general, or special election, the school district clerk shall at least four days before the primary, general, or special election, post a sample ballot in the administrative offices of the school district for public inspection, ~~and~~ The auditor of the coordinating county and each administering county must post a sample ballot at the county seat. The coordinating county auditor shall post a sample ballot in each polling place on election day.

Sec. 49. Minnesota Statutes 2016, section 205A.07, subdivision 3, is amended to read:

Subd. 3. **Notice to auditor.** At least 74 days before every school district election, the ~~school district clerk~~ coordinating county auditor shall provide a written notice to the county auditor of each administering county in which the school district is located. The notice must include the date of the election, the offices to be voted on at the election, and the title and language for each ballot question to be voted on at the election. For the purposes of meeting

the timelines of this section, in a bond election, a notice, including a proposed question, may be provided to the county auditor before receipt of a review and comment from the commissioner of education and before actual initiation of the election. At least 74 days before every school district election, the school district clerk must provide written notice to the county auditor of any special election canceled under section 205A.05, subdivision 3.

Sec. 50. Minnesota Statutes 2016, section 205A.07, subdivision 3a, is amended to read:

Subd. 3a. **Notice to commissioner of education.** At least 74 days before every school district election under section 123B.62, 123B.63, 126C.17, 126C.69, or 475.58, the ~~school district clerk~~ coordinating county auditor shall provide a written notice to the commissioner of education. The notice must include the date of the election and the title and language for each ballot question to be voted on at the election. At least 74 days before every school district election, the ~~school district clerk~~ coordinating county auditor must provide a written notice to the commissioner of education of any special election canceled under section 205A.05, subdivision 3. The certified vote totals for each ballot question shall be provided in a written notice to the commissioner in a timely manner.

Sec. 51. Minnesota Statutes 2016, section 205A.07, subdivision 3b, is amended to read:

Subd. 3b. **Notice to secretary of state.** At least 74 days before every school district election ~~for which a notice is provided to the county auditor under subdivision 3~~, the county auditor shall provide a notice of the election to the secretary of state, in a manner and including information prescribed by the secretary of state.

Sec. 52. Minnesota Statutes 2016, section 205A.08, subdivision 5, is amended to read:

Subd. 5. **Form of ballot.** The ballots for school district elections must be prepared by the ~~school district clerk~~ coordinating county auditor in the manner provided in the rules of the secretary of state.

Sec. 53. Minnesota Statutes 2016, section 205A.10, subdivision 1, is amended to read:

Subdivision 1. **Materials, ballots.** The ~~school district clerk~~ coordinating county auditor shall prepare and have printed the necessary election materials, including ballots, for a school district election. The names must be arranged on school district ballots in the manner provided in section 204D.08, subdivision 3, for state elections.

38.1 Sec. 54. Minnesota Statutes 2016, section 205A.10, subdivision 2, is amended to read:

38.2 Subd. 2. **Election, conduct.** A school district election must be by secret ballot and must
38.3 be held and the returns made in the manner provided for the state general election, as far as
38.4 practicable. ~~The vote totals from a ballot board established pursuant to section 203B.121~~
38.5 ~~may be tabulated and reported by the school district as a whole rather than by precinct. For~~
38.6 ~~school district elections not held in conjunction with a statewide election, the school board~~
38.7 ~~shall appoint election judges as provided in section 204B.21, subdivision 2. The provisions~~
38.8 ~~of sections 204B.19, subdivision 5; 204B.21, subdivision 2; 204C.15; 204C.19; 206.83;~~
38.9 ~~and 206.86, subdivision 2, relating to party balance in appointment of judges and to duties~~
38.10 ~~to be performed by judges of different major political parties do not apply to school district~~
38.11 ~~elections not held in conjunction with a statewide election. The canvassing board established~~
38.12 by the coordinating county and each administering county shall canvass the results.

38.13 Sec. 55. Minnesota Statutes 2016, section 205A.10, subdivision 3, is amended to read:

38.14 Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** Between the
38.15 third and tenth days after a school district election other than a recount of a special election
38.16 conducted under section 126C.17, subdivision 9, or 475.59, the ~~school board~~ coordinating
38.17 county and administering counties shall canvass the returns and declare the results of the
38.18 election. After the time for contesting elections has passed, the ~~school district clerk~~
38.19 coordinating county auditor shall issue a certificate of election to each successful candidate.
38.20 If there is a contest, the certificate of election to that office must not be issued until the
38.21 outcome of the contest has been determined by the proper court. If there is a tie vote, the
38.22 ~~school board~~ coordinating county auditor shall determine the result by lot. The ~~clerk~~
38.23 coordinating county auditor shall deliver the certificate of election to the successful candidate
38.24 by personal service or certified mail. The successful candidate shall file an acceptance and
38.25 oath of office in writing with the ~~clerk~~ coordinating county auditor within 30 days of the
38.26 date of mailing or personal service. A person who fails to qualify prior to the time specified
38.27 shall be deemed to have refused to serve, but that filing may be made at any time before
38.28 action to fill the vacancy has been taken. The ~~school district clerk shall certify the results~~
38.29 ~~of the election to the county auditor, and the clerk~~ coordinating county auditor shall be the
38.30 final custodian of the ballots and the returns of the election. The coordinating county auditor
38.31 must notify the school district clerk of the election results.

38.32 ~~A school district canvassing board shall perform the duties of the school board according~~
38.33 ~~to the requirements of this subdivision for a recount of a special election conducted under~~
38.34 ~~section 126C.17, subdivision 9, or 475.59.~~

39.1 Sec. 56. Minnesota Statutes 2016, section 205A.11, subdivision 2a, is amended to read:

39.2 Subd. 2a. **Notice of special elections.** The ~~school district clerk~~ coordinating county
39.3 auditor shall prepare a notice to the voters who will be ~~voting in a combined polling place~~
39.4 for eligible to vote in a school district special election. The notice must include the following
39.5 information: the date of the election, the hours of voting, and the location of the voter's
39.6 polling place. The notice must be sent by nonforwardable mail to every affected household
39.7 in the school district with at least one registered voter. The notice must be mailed no later
39.8 than 14 days before the election. The mailed notice is not required for a school district
39.9 special election that is held on the second Tuesday in August, the Tuesday following the
39.10 first Monday in November, or for a special election conducted entirely by mail. ~~A notice~~
39.11 ~~that is returned as undeliverable must be forwarded immediately to the county auditor.~~

39.12 Sec. 57. Minnesota Statutes 2016, section 209.021, subdivision 3, is amended to read:

39.13 Subd. 3. **Notice served on parties.** In all contests relating to the nomination or election
39.14 of a candidate, the notice of contest must be served on the candidate who is the contestee,
39.15 a copy of the notice must be sent to the contestee's last known address by certified mail,
39.16 and a copy must be furnished to the official authorized to issue the certificate of election.
39.17 If personal or substituted service on the contestee cannot be made, an affidavit of the attempt
39.18 by the person attempting to make service and the affidavit of the person who sent a copy
39.19 of the notice to the contestee by certified mail is sufficient to confer jurisdiction upon the
39.20 court to decide the contest.

39.21 If the contest relates to a constitutional amendment, notice of contest must be served on
39.22 the secretary of state, who is the contestee. If a contest relates to a question voted on within
39.23 only one county, school district, or municipality, a copy of the notice of contest must be
39.24 served on the county auditor, ~~clerk of the school district~~ coordinating county auditor, or
39.25 municipal clerk, respectively, who is the contestee. If the contest is upon the question of
39.26 consolidation or reorganization of a school district, a copy of the notice of contest must be
39.27 served on the county auditor authorized by law to issue the order.

39.28 Sec. 58. Minnesota Statutes 2016, section 211B.11, subdivision 1, is amended to read:

39.29 Subdivision 1. **Soliciting near polling places.** A person may not display campaign
39.30 material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within
39.31 a polling place or within 100 feet of the building in which a polling place is situated, or
39.32 anywhere on the public property on which a polling place is situated, on primary or election
39.33 day to vote for or refrain from voting for a candidate or ballot question. A person may not

provide political badges, political buttons, or other political insignia to be worn at or about the polling place on the day of a primary or election. A political badge, political button, or other political insignia may not be worn at or about the polling place on primary or election day. This section applies to areas established by the county auditor or municipal clerk for absentee voting as provided in chapter 203B.

The secretary of state, county auditor, municipal clerk, or ~~school district clerk~~ coordinating county auditor may provide stickers ~~which~~ that contain the words "I VOTED" and nothing more. Election judges may offer a sticker of this type to each voter who has signed the polling place roster or voter signature certificate.

Sec. 59. **REVISOR'S INSTRUCTION.**

The revisor of statutes must make any corrections to cross-references made necessary by this article. The revisor of statutes must make any changes to statutory language to reflect the changes made in this article.

Sec. 60. **REPEALER.**

Minnesota Statutes 2016, sections 201.096; 205A.09; 205A.10, subdivision 5; 205A.11, subdivisions 2 and 3; and 205A.12, subdivision 5a, are repealed.

Sec. 61. **EFFECTIVE DATE.**

This article is effective August 1, 2017, and applies to school elections held on or after that date.

APPENDIX
Article locations in 17-3164

ARTICLE 1 UNIFORM ELECTION DATES Page.Ln 1.26

ARTICLE 2 SCHOOL ELECTION ADMINISTRATION Page.Ln 12.13

201.096 SCHOOL ELECTIONS; USE OF VOTER REGISTRATION SYSTEM.

The county auditor shall allow independent or special school districts to use the necessary portions of the statewide registration system for school district elections. The county auditor may impose reasonable requirements to preserve the security and integrity of the system. The county auditor and the school district shall provide by agreement for the details of the use of the system by the school district. The school board may designate a member of the board or an employee as registration officer. The provisions of this chapter and chapter 203B relating to registration of voters apply to school district elections in which the statewide registration system is used.

205.10 MUNICIPAL SPECIAL ELECTIONS.

Subd. 3. **Prohibition.** No special election authorized under subdivision 1 may be held within 56 days after the state general election.

205A.09 VOTING HOURS.

Subdivision 1. **Metropolitan area school districts.** At a school district election in a school district located in whole or in part within a metropolitan county included in the definition of metropolitan area in section 200.02, subdivision 24, the school board, by resolution adopted before giving notice of the election, may designate the time during which the polling places will remain open for voting at the next succeeding and all later school district elections. The polling places must open no later than 10:00 a.m. and close no earlier than 8:00 p.m. The resolution shall remain in force until it is revoked by the school board.

Subd. 2. **Other school districts.** At a school district election in a school district other than one described in subdivision 1, the school board, by resolution adopted before giving notice of the election, may designate the time during which the polling places will remain open for voting at the next succeeding and all later school district elections. All polling places must be open between the hours of 5:00 p.m. and 8:00 p.m. The resolution must remain in force until it is revoked by the school board or changed because of request by voters as provided in this subdivision. If a petition requesting longer voting hours, signed by a number of voters equal to 20 percent of the votes cast at the last school district election, is presented to the school district clerk no later than 30 days before a school district election, then the polling places for that election must open at 10:00 a.m. and close at 8:00 p.m. The school district clerk must give ten days' published notice and posted notice of the changed voting hours and notify appropriate county auditors of the change.

205A.10 PROCEDURE.

Subd. 5. **School district canvassing board.** For the purpose of a recount of a special election conducted under section 126C.17, subdivision 9, or 475.59, the school district canvassing board shall consist of one member of the school board other than the clerk, selected by the board, the clerk of the school board, the county auditor of the county in which the greatest number of school district residents reside, the court administrator of the district court of the judicial district in which the greatest number of school district residents reside, and the mayor or chair of the town board of the school district's most populous municipality. Any member of the canvassing board may appoint a designee to appear at the meeting of the board, except that no designee may be a candidate for public office. If one of the individuals fails to appear at the meeting of the canvassing board, the county auditor shall appoint an eligible voter of the school district, who must not be a member of the school board, to fill the vacancy. Not more than two school board members shall serve on the canvassing board at one time. Four members constitute a quorum.

The school board shall serve as the school district canvassing board for the election of school board members.

205A.11 PRECINCTS; POLLING PLACES.

Subd. 2. **Combined polling place.** When no other election is being held in two or more precincts on the day of a school district election, the school board may designate one or more combined polling places at which the voters in those precincts may vote in the school district election. In school districts that have organized into separate board member election districts under section 205A.12, a combined polling place for a school general election must be arranged so that it does not include more than one board member election district.

APPENDIX

Repealed Minnesota Statutes: 17-3164

Subd. 3. **Procedure.** The designation of a polling place pursuant to this section remains effective until a different polling place is designated. No designation of a new or different polling place becomes effective less than 90 days prior to an election, except that a new polling place may be designated to replace a polling place that has become unavailable for use. The school board must notify the county auditor within 30 days after the establishment of a polling place as provided in this section. The notice must include a list of the precincts that will be voting at each polling place. The school board must send the notice required by section 204B.16, subdivision 1a, after a polling place is established as provided in this section, but no additional notices of this kind are required for any subsequent similar elections until the location of the polling place or the combination of precincts voting at the polling place is changed. The secretary of state shall provide a single polling place roster for use in any polling place established as provided in this section. A single set of election judges must be appointed to serve in the polling place. The number of election judges required must be based on the total number of persons voting at the last similar election in all the precincts to be voting at the single polling place. A single ballot box may be provided for all the ballots.

205A.12 SCHOOL BOARD ELECTION DISTRICTS.

Subd. 5a. **School districts.** The school board of a school district may provide for the use by the district of an electronic voting system in one or more polling places or combined polling places in the school district for an election not held in conjunction with a statewide election. No system may be adopted or used unless it has been approved by the secretary of state pursuant to section 206.57. The school district shall notify the secretary of state of its decision in compliance with section 206.58, subdivision 4.