

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION

S.F. No. 2401

(SENATE AUTHORS: HOFFMAN)

DATE	D-PG	OFFICIAL STATUS
03/06/2014	5998	Introduction and first reading Referred to Rules and Administration
03/17/2014		Comm report: To pass as amended and re-refer to Transportation and Public Safety

A bill for an act

1.1 relating to elections; voters; authorizing secretary of state to obtain certain data
 1.2 from Department of Public Safety; authorizing secretary of state to share certain
 1.3 data; appropriating money; amending Minnesota Statutes 2012, sections 171.12,
 1.4 subdivision 7a; 201.13, subdivision 3.
 1.5

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

1.7 Section 1. Minnesota Statutes 2012, section 171.12, subdivision 7a, is amended to read:

1.8 Subd. 7a. **Disclosure of personal information.** The commissioner shall disclose
 1.9 personal information where the use is related to the operation of a motor vehicle or to
 1.10 public safety. The use of personal information is related to public safety if it concerns the
 1.11 physical safety or security of drivers, vehicles, pedestrians, or property. The commissioner
 1.12 may refuse to disclose data under this subdivision when the commissioner concludes that
 1.13 the requester is likely to use the data for illegal, improper, or noninvestigative purposes.

1.14 The commissioner shall disclose personal information to the secretary of state for the
 1.15 purpose of increasing voter registration and maintaining voter registration records in the
 1.16 statewide voter registration system.

1.17 Sec. 2. Minnesota Statutes 2012, section 201.13, subdivision 3, is amended to read:

1.18 Subd. 3. **Use of change of address system.** (a) At least once each month the
 1.19 secretary of state shall obtain a list of individuals registered to vote in this state who have
 1.20 filed with the United States Postal Service a change of their permanent address. The
 1.21 secretary of state may also periodically obtain a list of individuals with driver's licenses or
 1.22 state identification cards to identify those who are registered to vote who have applied to
 1.23 the Department of Public Safety for a replacement driver's license or identification card
 1.24 with a different address, and a list of individuals for whom the Department of Public

2.1 Safety received notification of a driver's license or state identification card cancellation
2.2 due to a change of residency out of state. However, the secretary of state shall not load
2.3 data derived from ~~this list~~ these lists into the statewide voter registration system within the
2.4 47 days before the state primary or 47 days before a November general election.

2.5 (b) If the address is changed to another address in this state, the secretary of state shall
2.6 locate the precinct in which the voter resides, if possible. If the secretary of state is able to
2.7 locate the precinct in which the voter resides, the secretary must transmit the information
2.8 about the changed address by electronic means to the county auditor of the county in
2.9 which the new address is located. For addresses for which the secretary of state is unable
2.10 to determine the precinct, the secretary may forward information to county auditors for
2.11 individual review. If the voter has not voted or submitted a voter registration application
2.12 since the address change, upon receipt of the information, the county auditor shall update
2.13 the voter's address in the statewide voter registration system. The county auditor shall mail
2.14 to the voter a notice stating the voter's name, address, precinct, and polling place, unless
2.15 the voter's record is challenged due to a felony conviction, noncitizenship, name change,
2.16 incompetence, or a court's revocation of voting rights of individuals under guardianship, in
2.17 which case the auditor must not mail the notice. The notice must advise the voter that the
2.18 voter's voting address has been changed and that the voter must notify the county auditor
2.19 within 21 days if the new address is not the voter's address of residence. The notice must
2.20 state that it must be returned if it is not deliverable to the voter at the named address.

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

2.33 (d) If, in order to maintain voter registration records, the secretary of state enters
2.34 an agreement to share information or data with groups of states, the secretary must first
2.35 determine that the data security protocols are sufficient to safeguard the information or
2.36 data shared. The secretary of state may share data required by an agreement, including

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

3.7 Sec. 3. **APPROPRIATION.**

3.8 \$..... is appropriated from the general fund to the secretary of state in fiscal year
3.9 2015 to carry out the duties authorized under this act. Of the amount appropriated under
3.10 this section, \$..... is added to the base of the agency.