SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 481

1.1 A bill for an act

1.2 relating to elections; modifying provisions related to electronic voting systems;
1.3 permitting alternative printed ballot styles; amending Minnesota Statutes 2018,
1.4 sections 204B.35, by adding a subdivision; 204C.24, subdivision 1; 206.80; 206.86,
1.5 by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2018, section 204B.35, is amended by adding a subdivision
1.8 to read:

1.9 Subd. 6. **Electronic voting systems.** Notwithstanding sections 204B.35 to 204B.44 and
1.10 chapter 204D, a jurisdiction may prepare blank paper ballots, if the jurisdiction employs an
1.11 electronic voting system and the required information is instead displayed on a touch screen
1.12 or other electronic device in a format that substantially meets the requirements of law.

1.13 Sec. 2. Minnesota Statutes 2018, section 204C.24, subdivision 1, is amended to read:

1.14 Subdivision 1. **Information requirements.** Precinct summary statements shall be
1.15 submitted by the election judges in every precinct. For all elections, the election judges
1.16 shall complete three or more copies of the summary statements, and each copy shall contain
1.17 the following information for each kind of ballot:

1.18 (1) the number of ballots delivered to the precinct as adjusted by the actual count made
1.19 by the election judges, the number of unofficial ballots made, and the number of absentee
1.20 ballots delivered to the precinct;

2.1   (2) the number of votes each candidate received or the number of yes and no votes on

2.2   each question, the number of undervotes, the number of overvotes, and the number of

2.3   defective ballots with respect to each office or question;

2.4   (3) the number of spoiled ballots, the number of duplicate ballots made, the number of

2.5   absentee ballots rejected, and the number of unused ballots, presuming that the total count

2.6   provided on each package of unopened prepackaged ballots is correct;

2.7   (4) the number of voted ballots indicating only a voter's choices as provided by section

2.8   206.80, paragraph (b), clause (3);

2.9   (5) the number of individuals who voted at the election in the precinct which must equal

2.10   the total number of ballots cast in the precinct, as required by sections 204C.20 and 206.86,

2.11   subdivision 1;

2.12   (5) (6) the number of voters registering on election day in that precinct; and

2.13   (6) (7) the signatures of the election judges who counted the ballots certifying that all

2.14   of the ballots cast were properly piled, checked, and counted; and that the numbers entered

2.15   by the election judges on the summary statements correctly show the number of votes cast

2.16   for each candidate and for and against each question.

2.17   At least two copies of the summary statement must be prepared for elections not held

2.18   on the same day as the state elections.

2.19   Sec. 3. Minnesota Statutes 2018, section 206.80, is amended to read:

2.20   **206.80 ELECTRONIC VOTING SYSTEMS.**

2.21   (a) An electronic voting system may not be employed unless it:

2.22   (1) permits every voter to vote in secret;

2.23   (2) permits every voter to vote for all candidates and questions for whom or upon which

2.24   the voter is legally entitled to vote;

2.25   (3) provides for write-in voting when authorized;

2.26   (4) automatically rejects, except as provided in section 206.84 with respect to write-in

2.27   votes, all votes for an office or question when the number of votes cast on it exceeds the

2.28   number which the voter is entitled to cast;

2.29   (5) permits a voter at a primary election to select secretly the party for which the voter

2.30   wishes to vote;

3.1   (6) automatically rejects all votes cast in a primary election by a voter when the voter

3.2   votes for candidates of more than one party; and

3.3   (7) provides every voter an opportunity to verify votes recorded on the permanent paper

3.4   ballot, either visually or using assistive voting technology, and to change votes or correct

3.5   any error before the voter's ballot is cast and counted, produces an individual, discrete,

3.6   permanent, paper ballot cast by the voter, and preserves the paper ballot as an official record

3.7   available for use in any recount.

3.8   (b) An electronic voting system purchased on or after June 4, 2005, may not be employed

3.9   unless it:

3.10   (1) accepts and tabulates, in the polling place or at a counting center, a marked optical

3.11   scan ballot; or

3.12   (2) creates a marked optical scan ballot that can be tabulated in the polling place or at a

3.13   counting center by automatic tabulating equipment certified for use in this state.; or

3.14   (3) creates a marked paper ballot indicating, at a minimum, the voter's votes for each

3.15   office or question, generated from the voter's use of a touch screen or other electronic device

3.16   on which a complete ballot meeting the information requirements of any applicable law

3.17   was displayed electronically.

3.18   (c) The use of multiple ballot formats of electronic voting systems in a jurisdiction is

3.19   not a violation of a voter's right to vote in secret, provided that a record of the ballot formats

3.20   of electronic voting system used by a voter is not recorded by the election judges or any

3.21   other elections official in any form.

3.22   Sec. 4. Minnesota Statutes 2018, section 206.86, is amended by adding a subdivision to

3.23   read:

3.24   Subd. 5a. **Ballots in precincts with multiple styles of voting system.** (a) This subdivision

3.25   applies only to precincts using a ballot format as provided by section 206.80, paragraph (b),

3.26   clause (3), that was used by ten or fewer voters.

3.27   (b) In the event the results of a precinct are subject to a recount under section 204C.35

3.28   or 204C.36, or are subject to a postelection review under section 206.89, the election judges

3.29   from that precinct are not eligible to participate in conducting a recount or postelection

3.30   review in that precinct.