

**SENATE**  
**STATE OF MINNESOTA**  
**NINETIETH SESSION**

**S.F. No. 514**

(SENATE AUTHORS: KIFFMEYER)

DATE	D-PG	OFFICIAL STATUS
02/02/2017	482	Introduction and first reading Referred to State Government Finance and Policy and Elections
03/01/2017	822a	Comm report: To pass as amended and re-refer to Judiciary and Public Safety Finance and Policy
03/06/2017	1001a	Comm report: To pass as amended and re-refer to Local Government
	1002	Rule 12.10: report of votes in committee
03/08/2017	1153a	Comm report: To pass as amended and re-refer to Transportation Finance and Policy
03/09/2017	1244	Comm report: To pass and re-referred to Finance
04/27/2017	3320a	Comm report: To pass as amended
	3329	Second reading
05/15/2017		Special Order: Amended
		Third reading Passed

1.1 A bill for an act

1.2 relating to elections; modifying provisions related to elections and election

1.3 administration; establishing a voting equipment grant; establishing uniform election

1.4 dates, polling place hours, and polling places; requiring counties to administer

1.5 school district elections; requiring additional voter data to be public; modifying

1.6 voter status challenge provisions; establishing a provisional ballot system;

1.7 appropriating money; amending Minnesota Statutes 2016, sections 3.088,

1.8 subdivision 1; 13.15, subdivision 4; 13.607, by adding a subdivision; 13.6905,

1.9 subdivision 33; 13.841, subdivision 3; 13.851, subdivision 10; 103B.545,

1.10 subdivision 2; 123A.46, subdivision 12; 123A.48, subdivisions 14, 15; 123B.09,

1.11 subdivision 5b; 123B.63, subdivision 3; 126C.17, subdivision 11; 126C.69,

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

1.13 subdivisions; 201.022, subdivision 1; 201.061, subdivisions 3, 4, 6; 201.091,

1.14 subdivision 4; 201.121, subdivision 3; 201.225, subdivisions 1, 2, 6; 201.27,

1.15 subdivision 2; 203B.01, subdivision 2; 203B.04, subdivision 1; 203B.05,

1.16 subdivision 2; 203B.081, subdivision 1; 203B.085; 203B.11, subdivision 1;

1.17 203B.121, subdivisions 1, 2; 203B.15; 204B.09, subdivision 3; 204B.13,

1.18 subdivision 1; 204B.16, subdivisions 1, 1a; 204B.181, subdivision 2; 204B.21,

1.19 subdivision 2, by adding a subdivision; 204B.25, subdivision 4; 204B.29; 204B.32;

1.20 204B.40; 204B.46; 204C.08, subdivision 4; 204C.10; 204C.12, subdivisions 1, 2,

1.21 3; 204C.14, subdivision 1; 204C.20, subdivision 4; 204C.25; 204C.26, subdivision

1.22 3; 204C.27; 204C.28, subdivision 3; 204C.29, subdivision 1; 204C.32, subdivision

1.23 2; 204C.33, subdivision 3; 204C.36, subdivisions 1, 2, 3, 5; 204D.09, subdivision

1.24 1; 204D.19, by adding a subdivision; 205.065, subdivision 5; 205.07, subdivisions

1.25 1, 3; 205.10, subdivision 4, by adding a subdivision; 205.175; 205A.03, subdivisions

1.26 3, 4; 205A.04, subdivision 3; 205A.05, subdivisions 1, 2, 3, by adding a subdivision;

1.27 205A.055, subdivision 2; 205A.06, subdivisions 1, 1a, 2, 5; 205A.07, subdivisions

1.28 1, 2, 3, 3a, 3b; 205A.08, subdivision 5; 205A.10, subdivisions 1, 2, 3, 5; 205A.11,

1.29 subdivision 2a; 206.805, subdivision 1; 208.04, subdivision 1; 209.021, subdivision

1.30 3; 211B.11, subdivision 1; 216B.46; 241.065, subdivision 2; 365A.06, subdivision

1.31 2; 367.33, subdivision 1; 375.101, subdivision 1; 375B.07, subdivision 2; 375B.10;

1.32 383B.031, subdivision 1; 383E.24, subdivision 7; 410.10, subdivision 1; 447.32,

1.33 subdivision 2; 475.59; proposing coding for new law in Minnesota Statutes, chapters

1.34 201; 204C; repealing Minnesota Statutes 2016, sections 201.096; 201.15; 201.155;

1.35 201.157; 201.158; 204B.16, subdivision 3; 205.10, subdivision 3; 205A.09;

1.36 205A.11, subdivisions 2, 3; 205A.12, subdivision 5a.

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

2.1 **ARTICLE 1**2.2 **ELECTION ADMINISTRATION**

2.3 Section 1. Minnesota Statutes 2016, section 3.088, subdivision 1, is amended to read:

2.4 Subdivision 1. **Leave of absence without pay.** Subject to this section, any appointed  
2.5 officer or employee of a political subdivision, municipal corporation, or school district of  
2.6 the state or an institution of learning maintained by the state who serves as a legislator or  
2.7 is elected to a full-time city or county office or to an Indian tribal council in Minnesota is  
2.8 entitled to a leave of absence from the public office or to employment without pay when  
2.9 on the business of the office, with right of reinstatement as provided in this section.

2.10 Sec. 2. Minnesota Statutes 2016, section 123B.09, subdivision 5b, is amended to read:

2.11 Subd. 5b. **Appointments to fill vacancies; special elections.** (a) Any vacancy on the  
2.12 board, other than a vacancy described in subdivision 4, must be filled by board appointment  
2.13 at a regular or special meeting. The appointment shall be evidenced by a resolution entered  
2.14 in the minutes and shall be effective 30 days following adoption of the resolution, subject  
2.15 to paragraph (b). If the appointment becomes effective, it shall continue until an election is  
2.16 held under this subdivision. All elections to fill vacancies shall be for the unexpired term.  
2.17 A special election to fill the vacancy must be held ~~no later than~~ on the first Tuesday after  
2.18 the first Monday in November following the vacancy. If the vacancy occurs less than 90  
2.19 days prior to the first Tuesday after the first Monday in November in the year in which the  
2.20 vacancy occurs, the special election must be held ~~no later than~~ on the first Tuesday after  
2.21 the first Monday in November of the following calendar year. If the vacancy occurs less  
2.22 than 90 days prior to the first Tuesday after the first Monday in November in the third year  
2.23 of the term, no special election is required. If the vacancy is filled by a special election, the  
2.24 person elected at that election for the ensuing term shall take office immediately after  
2.25 receiving the certificate of election, filing the bond, and taking the oath of office.

2.26 (b) An appointment made under paragraph (a) shall not be effective if a petition to reject  
2.27 the appointee is filed with the school district clerk. To be valid, a petition to reject an  
2.28 appointee must be signed by a number of eligible voters residing in the district equal to at  
2.29 least five percent of the total number of voters voting in the district at the most recent state  
2.30 general election, and must be filed within 30 days of the board's adoption of the resolution  
2.31 making the appointment. If a valid petition is filed according to the requirements of this  
2.32 paragraph, the appointment by the school board is ineffective and the board must name a  
2.33 new appointee as provided in paragraph (a).

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

3.3 Subd. 29. **Original signature.** "Original signature" does not include an electronic  
3.4 signature.

3.5 Sec. 4. Minnesota Statutes 2016, section 201.225, subdivision 2, is amended to read:

3.6 Subd. 2. **Technology requirements.** (a) An electronic roster must:

3.7 (1) be able to be loaded with a data file that includes voter registration data in a file  
3.8 format prescribed by the secretary of state;

3.9 (2) allow for data to be exported in a file format prescribed by the secretary of state;

3.10 (3) allow for data to be entered manually or by scanning a Minnesota driver's license or  
3.11 identification card to locate a voter record or populate a voter registration application that  
3.12 would be printed and signed and dated by the voter. The printed registration application  
3.13 can be either a printed form, labels printed with voter information to be affixed to a preprinted  
3.14 form, or a combination of both;

3.15 (4) allow an election judge to update data that was populated from a scanned driver's  
3.16 license or identification card;

3.17 (5) cue an election judge to ask for and input data that is not populated from a scanned  
3.18 driver's license or identification card that is otherwise required to be collected from the voter  
3.19 or an election judge;

3.20 (6) immediately alert the election judge if the voter has provided information that indicates  
3.21 that the voter is not eligible to vote;

3.22 (7) immediately alert the election judge if the electronic roster indicates that a voter has  
3.23 already voted in that precinct, the voter's registration status is challenged, or it appears the  
3.24 voter resides in a different precinct;

3.25 (8) provide immediate instructions on how to resolve a particular type of challenge when  
3.26 a voter's record is challenged;

3.27 (9) provide for a printed voter signature certificate, containing the voter's name, address  
3.28 of residence, date of birth, voter identification number, the oath required by section 204C.10,  
3.29 and a space for the voter's original signature. The printed voter signature certificate can be  
3.30 either a printed form or a label printed with the voter's information to be affixed to the oath;

4.1 (10) contain only preregistered voters within the precinct, and not contain preregistered  
4.2 voter data on voters registered outside of the precinct;

4.3 (11) be only networked within the polling location on election day, except for the purpose  
4.4 of updating absentee ballot records;

4.5 (12) meet minimum security, reliability, and networking standards established by the  
4.6 Office of the Secretary of State in consultation with the Office of MN.IT Services;

4.7 (13) electronic rosters purchased after the effective date of this act must include the  
4.8 following security features: (i) an intrusion detection system; and (ii) an alarm system or a  
4.9 physical locking device;

4.10 (14) be capable of providing a voter's correct polling place; and

4.11 ~~(14)~~ (15) perform any other functions necessary for the efficient and secure administration  
4.12 of the participating election, as determined by the secretary of state.

4.13 (b) Electronic rosters used only for election day registration do not need to comply with  
4.14 clauses (1), (8), and (10). Electronic rosters used only for preregistered voter processing do  
4.15 not need to comply with clauses (4) and (5).

4.16 Sec. 5. Minnesota Statutes 2016, section 204B.09, subdivision 3, is amended to read:

4.17 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who  
4.18 wants write-in votes for the candidate to be counted must file a written request with the  
4.19 filing office for the office sought not more than 84 days before the primary and no later  
4.20 than the seventh day before the general election. The filing officer shall provide copies of  
4.21 the form to make the request. No written request shall be accepted later than 5:00 p.m. on  
4.22 the last day for filing a written request.

4.23 (b) A candidate for president of the United States who files a request under this  
4.24 subdivision must include the name of a candidate for vice-president of the United States.  
4.25 The request must also include the name of at least one candidate for presidential elector.  
4.26 The total number of names of candidates for presidential elector on the request may not  
4.27 exceed the total number of electoral votes to be cast by Minnesota in the presidential election.

4.28 (c) A candidate for governor who files a request under this subdivision must include the  
4.29 name of a candidate for lieutenant governor.

5.1 Sec. 6. Minnesota Statutes 2016, section 204B.13, subdivision 1, is amended to read:

5.2 Subdivision 1. **Partisan office.** (a) A vacancy in nomination for a partisan office must  
5.3 be filled in the manner provided by this section. A vacancy in nomination exists for a partisan  
5.4 office when a major political party candidate who has been nominated in accordance with  
5.5 section 204D.03, subdivision 3, or 204D.10, subdivision 1:

5.6 (1) dies;

5.7 (2) withdraws by filing an affidavit of withdrawal, as provided in paragraph (b), at least  
5.8 one day prior to the general election with the same official who received the affidavit of  
5.9 candidacy; or

5.10 (3) is determined to be ineligible to hold the office the candidate is seeking, pursuant to  
5.11 a court order issued under section 204B.44.

5.12 (b) An affidavit of withdrawal filed under paragraph (a), clause ~~(3)~~ (2), must state that  
5.13 the candidate has been diagnosed with a catastrophic illness that will permanently and  
5.14 continuously incapacitate the candidate and prevent the candidate from performing the  
5.15 duties of the office sought, if elected. The affidavit must be accompanied by a certificate  
5.16 verifying the candidate's illness meets the requirements of this paragraph, signed by at least  
5.17 two licensed physicians. The affidavit and certificate may be filed by the candidate or the  
5.18 candidate's legal guardian.

5.19 Sec. 7. Minnesota Statutes 2016, section 204B.16, subdivision 1a, is amended to read:

5.20 Subd. 1a. **Notice to voters.** If the location of a polling place has been changed, the  
5.21 governing body establishing the polling place shall send to every affected household with  
5.22 at least one registered voter in the precinct a nonforwardable mailed notice stating the  
5.23 location of the new polling place at least 25 days before the next election. The secretary of  
5.24 state shall prepare a sample of this notice. A notice that is returned as undeliverable must  
5.25 be forwarded immediately to the county auditor. This subdivision does not apply to a polling  
5.26 place location that is changed on election day under section ~~204B.17~~ 204B.175.

5.27 Sec. 8. Minnesota Statutes 2016, section 204C.32, subdivision 2, is amended to read:

5.28 Subd. 2. **State canvass.** The State Canvassing Board shall meet ~~at the secretary of state's~~  
5.29 ~~office~~ at a public meeting space located in the Capitol complex area seven days after the  
5.30 state primary to canvass the certified copies of the county canvassing board reports received  
5.31 from the county auditors. Immediately after the canvassing board declares the results, the

6.1 secretary of state shall certify the names of the nominees to the county auditors. The secretary  
 6.2 of state shall mail to each nominee a notice of nomination.

6.3 Sec. 9. Minnesota Statutes 2016, section 204C.33, subdivision 3, is amended to read:

6.4 Subd. 3. **State canvass.** The State Canvassing Board shall meet ~~at the secretary of state's~~  
 6.5 ~~office~~ at a public meeting space located in the Capitol complex area on the third Tuesday  
 6.6 following the state general election to canvass the certified copies of the county canvassing  
 6.7 board reports received from the county auditors and shall prepare a report that states:

6.8 ~~(a)~~ (1) the number of individuals voting in the state and in each county;

6.9 ~~(b)~~ (2) the number of votes received by each of the candidates, specifying the counties  
 6.10 in which they were cast; and

6.11 ~~(c)~~ (3) the number of votes counted for and against each constitutional amendment,  
 6.12 specifying the counties in which they were cast.

6.13 All members of the State Canvassing Board shall sign the report and certify its  
 6.14 correctness. The State Canvassing Board shall declare the result within three days after  
 6.15 completing the canvass.

6.16 Sec. 10. Minnesota Statutes 2016, section 205.065, subdivision 5, is amended to read:

6.17 Subd. 5. **Results.** ~~(a)~~ The municipal primary shall be conducted and the returns made  
 6.18 in the manner provided for the state primary so far as practicable. ~~If the primary is conducted:~~

6.19 ~~(1) only within that municipality, a~~ The canvass may be conducted on either the second  
 6.20 or third day after the primary; ~~or~~

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

6.23 The governing body of the municipality shall canvass the returns, and the two candidates  
 6.24 for each office who receive the highest number of votes, or a number of candidates equal  
 6.25 to twice the number of individuals to be elected to the office, who receive the highest number  
 6.26 of votes, shall be the nominees for the office named. Their names shall be certified to the  
 6.27 municipal clerk who shall place them on the municipal general election ballot without  
 6.28 partisan designation and without payment of an additional fee.

6.29 ~~(b) Following a municipal primary as described in paragraph (a), clause (2), a canvass~~  
 6.30 ~~may be conducted on the second day after the primary if the county auditor of each county~~  
 6.31 ~~in which the municipality is located agrees to administratively review the municipality's~~

7.1 ~~primary voting statistics for accuracy and completeness within a time that permits the canvass~~  
 7.2 ~~to be conducted on that day.~~

7.3 Sec. 11. Minnesota Statutes 2016, section 205.07, subdivision 1, is amended to read:

7.4 Subdivision 1. **Date of election.** The municipal general election in each city shall be  
 7.5 held on the first Tuesday after the first Monday in November in every even-numbered year.  
 7.6 Notwithstanding any provision of law to the contrary and subject to the provisions of this  
 7.7 section, the governing body of a city may, by ordinance passed at a regular meeting held  
 7.8 ~~before June 1 of any year, elect to~~ at least 180 calendar days before the first day to file for  
 7.9 candidacy in the next municipal election, decide to hold the election on the first Tuesday  
 7.10 after the first Monday in November in each either an even- or odd-numbered year. A city  
 7.11 may hold elections in either the even-numbered year or the odd-numbered year, but not  
 7.12 both. When a city changes its elections from one year to another, and does not provide for  
 7.13 the expiration of terms by ordinance, the term of an incumbent expiring at a time when no  
 7.14 municipal election is held in the months immediately prior to expiration is extended until  
 7.15 the date for taking office following the next scheduled municipal election. If the change  
 7.16 results in having three council members to be elected at a succeeding election, the two  
 7.17 individuals receiving the highest vote shall serve for terms of four years and the individual  
 7.18 receiving the third highest number of votes shall serve for a term of two years. To provide  
 7.19 an orderly transition to the odd or even year election plan, the governing body of the city  
 7.20 may adopt supplementary ordinances regulating initial elections and officers to be chosen  
 7.21 at the elections and shortening or lengthening the terms of incumbents and those elected at  
 7.22 the initial election. The term of office for the mayor may be either two or four years. The  
 7.23 term of office of council members is four years. Whenever the time of the municipal election  
 7.24 is changed, the city clerk immediately shall notify in writing the county auditor and secretary  
 7.25 of state of the change of date. Thereafter the municipal general election shall be held on the  
 7.26 first Tuesday after the first Monday in November in each odd-numbered or even-numbered  
 7.27 year until the ordinance is revoked and notification of the change is made. A municipal  
 7.28 general election scheduled to be held in an odd-numbered year may be postponed for  
 7.29 inclement weather as provided in section 205.105.

7.30 Sec. 12. Minnesota Statutes 2016, section 205A.05, subdivision 2, is amended to read:

7.31 Subd. 2. **Vacancies in school district offices.** Special elections to fill vacancies in  
 7.32 elective school district offices shall be held in school districts pursuant to section ~~123B.095~~  
 7.33 123B.09, subdivision 5b. When more than one vacancy exists in an office elected at-large,  
 7.34 voters must be instructed to vote for up to the number of vacancies to be filled.

8.1 Sec. 13. Minnesota Statutes 2016, section 206.805, subdivision 1, is amended to read:

8.2 Subdivision 1. **Contracts required.** (a) The secretary of state, with the assistance of the  
 8.3 commissioner of administration, ~~shall~~ must establish one or more state voting systems  
 8.4 contracts. The contracts should, if practical, include provisions for maintenance of the  
 8.5 equipment purchased. The voting systems contracts must address precinct-based optical  
 8.6 scan voting equipment, ~~and ballot marking equipment for persons with disabilities and other~~  
 8.7 ~~voters~~ assistive voting technology, automatic tabulating equipment, and electronic roster  
 8.8 equipment. The contracts must give the state a perpetual license to use and modify the  
 8.9 software. The contracts must include provisions to escrow the software source code, as  
 8.10 provided in subdivision 2. Bids for voting systems and related election services must be  
 8.11 solicited from each vendor selling or leasing voting systems that have been certified for use  
 8.12 by the secretary of state. Bids for electronic roster equipment, software, and related services  
 8.13 must be solicited from each vendor selling or leasing electronic roster equipment that meets  
 8.14 the requirements of section 201.225, subdivision 2. The contracts must be renewed from  
 8.15 time to time.

8.16 (b) Counties and municipalities may purchase or lease voting systems and obtain related  
 8.17 election services from the state contracts. All counties and municipalities are members of  
 8.18 the cooperative purchasing venture of the Department of Administration for the purpose of  
 8.19 this section. For the purpose of township elections, counties must aggregate orders under  
 8.20 contracts negotiated under this section for products and services and may apportion the  
 8.21 costs of those products and services proportionally among the townships receiving the  
 8.22 products and services. The county is not liable for the timely or accurate delivery of those  
 8.23 products or services.

8.24 Sec. 14. Minnesota Statutes 2016, section 208.04, subdivision 1, is amended to read:

8.25 Subdivision 1. **Form of presidential ballots.** When presidential electors and alternates  
 8.26 are to be voted for, a vote cast for the party candidates for president and vice president shall  
 8.27 be deemed a vote for that party's electors and alternates as filed with the secretary of state.  
 8.28 The secretary of state shall certify the names of all duly nominated presidential and vice  
 8.29 presidential candidates to the county auditors of the counties of the state. Each county  
 8.30 auditor, subject to the rules of the secretary of state, shall cause the names of the candidates  
 8.31 of each major political party and the candidates nominated by petition to be ~~printed in capital~~  
 8.32 ~~letters~~, set in type of the same size and style as for candidates on the state general election  
 8.33 ballot, before the party designation. To the left of, and on the same line with the names of  
 8.34 the candidates for president and vice president, near the margin, shall be placed ~~a square or~~



9.1 ~~box~~ an oval or similar target shape, in which the voters may indicate their choice ~~by marking~~  
 9.2 ~~an "X."~~.

9.3 The form for the presidential ballot and the relative position of the several candidates  
 9.4 shall be determined by the rules applicable to other state officers. The state ballot, with the  
 9.5 required heading, shall be printed on the same piece of paper and shall be below the  
 9.6 presidential ballot with a blank space between one inch in width.

9.7 Sec. 15. **VOTING EQUIPMENT GRANT.**

9.8 Subdivision 1. Voting equipment grant account. A voting equipment grant is  
 9.9 established. Funds are appropriated to the secretary of state to provide grants to counties  
 9.10 and municipalities as authorized by this section. Funds appropriated for the grant are available  
 9.11 until expended.

9.12 Subd. 2. Authorized equipment. (a) A county or municipality may apply to receive a  
 9.13 grant under this section for the purchase or lease of the following equipment:

9.14 (1) electronic roster equipment and software that meets the technology requirements of  
 9.15 Minnesota Statutes, section 201.225, subdivision 2;

9.16 (2) assistive voting technology; or

9.17 (3) automatic tabulating equipment.

9.18 A purchase or lease of equipment is eligible for a grant under this section if the purchase  
 9.19 is made, or lease entered, on or after July 1, 2017. A county or municipality that has  
 9.20 purchased or leased eligible equipment before July 1, 2017, may apply for reimbursement.

9.21 (b) The grant funds must not be used for maintenance or repair of voting equipment.

9.22 Subd. 3. Amount of grant. A county or municipal government is eligible to receive a  
 9.23 grant equal to 75 percent of the total cost of the electronic roster equipment and software  
 9.24 or 50 percent of the total cost for assistive voting technology or automatic tabulating  
 9.25 equipment. The secretary of state must first award grants to counties and municipalities  
 9.26 leasing or purchasing new equipment or software. If funds remain after awarding grants for  
 9.27 new equipment or software, the secretary of state must use the remaining funds for grants  
 9.28 to counties and municipalities seeking reimbursement for equipment or software already  
 9.29 purchased.

9.30 Subd. 4. Application for grant; certification of costs. (a) To receive a grant, a county  
 9.31 or municipality must submit an application to the secretary of state. The secretary of state  
 9.32 shall prescribe a form for this purpose. At a minimum, the application must describe:

- 10.1 (1) the type of equipment or software proposed for purchase or lease;
- 10.2 (2) the expected total cost of the equipment or software, and sources of funding that will  
 10.3 be used for the purchase or lease in addition to the grant funding provided by this section;
- 10.4 (3) the county's or municipality's plan to address the long-term maintenance, repair, and  
 10.5 eventual replacement costs for the equipment or software without using any funds from the  
 10.6 grant for these purposes; and
- 10.7 (4) any other information required by the secretary of state.

10.8 (b) The secretary of state must establish:

- 10.9 (1) a deadline for receipt of grant applications;
- 10.10 (2) a procedure for awarding and distributing grants;
- 10.11 (3) criteria for the fair, proportional distribution of grants if the funds do not completely  
 10.12 cover the requests for a particular type of equipment; and
- 10.13 (4) a process for verifying the proper use of the grants after distribution.

10.14 Subd. 5. **Report to legislature.** No later than January 15, 2018, and annually thereafter  
 10.15 until the appropriations provided for grants under this section have been exhausted, the  
 10.16 secretary of state must submit a report to the legislative committees with jurisdiction over  
 10.17 elections policy on grants awarded by this section. The report must detail each grant awarded,  
 10.18 including the jurisdiction, the amount of the grant, and the type of equipment or software  
 10.19 purchased.

10.20 Sec. 16. **VOTING EQUIPMENT GRANT ACCOUNT; APPROPRIATION.**

10.21 \$5,000,000 in fiscal year 2018 is appropriated from the general fund to the secretary of  
 10.22 state for the voting equipment grant established in section 15. The secretary of state may  
 10.23 retain up to \$80,000 for administrative costs. This is a onetime appropriation.

## 10.24 **ARTICLE 2**

### 10.25 **UNIFORM ELECTION DATES**

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

10.27 Subd. 2. **Election.** The county board or joint county authority shall conduct a special  
 10.28 election ~~in July or August after receiving the referendum petition~~ on a date authorized in  
 10.29 section 205.10, subdivision 3a. The special election must be held within the proposed lake  
 10.30 improvement district. The county auditor shall administer the special election.

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

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

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

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

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

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

11.24 Subd. 3. **Capital project levy referendum.** (a) A district may levy the local tax rate  
 11.25 approved by a majority of the electors voting on the question to provide funds for an approved  
 11.26 project. The election must take place no more than five years before the estimated date of  
 11.27 commencement of the project. The referendum must be held on a date ~~set by the board~~  
 11.28 authorized by section 205A.05, subdivision 1a. A district must meet the requirements of  
 11.29 section 123B.71 for projects funded under this section. If a review and comment is required  
 11.30 under section 123B.71, subdivision 8, a referendum for a project not receiving a positive  
 11.31 review and comment by the commissioner must be approved by at least 60 percent of the  
 11.32 voters at the election.

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

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

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

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

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

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

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

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

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

12.27 "BY VOTING YES ON THIS BALLOT QUESTION, YOU ARE VOTING TO RENEW  
12.28 AN EXISTING CAPITAL PROJECTS REFERENDUM THAT IS SCHEDULED TO  
12.29 EXPIRE."

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

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

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

13.2 Subd. 11. **Referendum date.** (a) Except for a referendum held under paragraph (b), any  
 13.3 referendum under this section held on a day other than the first Tuesday after the first  
 13.4 Monday in November must be conducted by mail in accordance with section 204B.46 and  
 13.5 held on a date authorized by section 205A.05, subdivision 1a. Notwithstanding subdivision  
 13.6 9, paragraph (b), to the contrary, in the case of a referendum conducted by mail under this  
 13.7 paragraph, the notice required by subdivision 9, paragraph (b), must be prepared and delivered  
 13.8 by first-class mail at least 20 days before the referendum.

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

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

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

13.17 Subd. 2. **Time of change.** A proposed change in election years adopted under subdivision  
 13.18 1 is effective 240 days after passage and publication or at a later date fixed in the proposal.  
 13.19 Within 180 days after passage and publication of the proposal, a petition requesting a  
 13.20 referendum on the proposal may be filed with the school district clerk. The petition must  
 13.21 be signed by eligible voters equal in number to five percent of the total number of votes  
 13.22 cast in the city of Minneapolis at the most recent state general election. If the requisite  
 13.23 petition is filed within the prescribed period, the proposal does not become effective until  
 13.24 it is approved by a majority of the voters voting on the question at a general or special  
 13.25 election held ~~at least 60 days after submission of the petition~~ on a date authorized by section  
 13.26 205A.05, subdivision 1a. If the petition is filed, the governing body may reconsider its  
 13.27 action in adopting the proposal.

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

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

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

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

14.4 Sec. 8. Minnesota Statutes 2016, section 203B.081, subdivision 1, is amended to read:

14.5 Subdivision 1. **Location; timing.** During the 46 days before the election, an eligible  
 14.6 voter may vote by absentee ballot in the office of the county auditor and at any other polling  
 14.7 place designated by the county auditor during ~~the 46 days before the election~~ regular business  
 14.8 hours of the polling place, except as provided in this section. A voter waiting in line to  
 14.9 register or to vote at the close of business must be allowed to vote.

14.10 Sec. 9. Minnesota Statutes 2016, section 203B.085, is amended to read:

14.11 **203B.085 COUNTY AUDITOR'S AND MUNICIPAL CLERK'S OFFICES TO**  
 14.12 **REMAIN OPEN DURING CERTAIN HOURS PRECEDING ELECTION.**

14.13 The county auditor's office in each county and the clerk's office in each city or town  
 14.14 authorized under section 203B.05 to administer absentee balloting must be open for  
 14.15 acceptance of absentee ballot applications and casting of absentee ballots from 10:00 a.m.  
 14.16 to 3:00 p.m. on Saturday and until 5:00 p.m. on the day immediately preceding a primary,  
 14.17 special, or general election unless that day falls on a Saturday or Sunday. Town clerks'  
 14.18 offices must be open for absentee voting from 10:00 a.m. to 12:00 noon on the Saturday  
 14.19 before a town general election held in March. ~~The school district clerk, when performing~~  
 14.20 ~~the county auditor's election duties, need not comply with this section.~~ A voter waiting in  
 14.21 line to register or to vote at the close of the polling location must be allowed to vote. On  
 14.22 the Saturday before the election and on the day immediately preceding an election, a county  
 14.23 auditor or municipal clerk must not accept absentee ballots at times other than those specified  
 14.24 in this section.

14.25 Sec. 10. Minnesota Statutes 2016, section 204B.16, subdivision 1, is amended to read:

14.26 Subdivision 1. **Authority; location.** By December 31 of each year, the governing body  
 14.27 of each municipality and of each county with precincts in unorganized territory ~~shall~~ must  
 14.28 designate by ordinance or resolution a polling place for each election precinct. The polling  
 14.29 places designated in the ordinance or resolution are the polling places for the following  
 14.30 calendar year, unless a change is made:

14.31 (1) pursuant to section 204B.175; or

14.32 (2) because a polling place has become unavailable.

15.1 Polling places must be designated and ballots must be distributed so that no one is required  
 15.2 to go to more than one polling place to vote in a school district and municipal election held  
 15.3 on the same day. The polling place for a precinct in a city or in a school district located in  
 15.4 whole or in part in the metropolitan area defined by section 200.02, subdivision 24, shall  
 15.5 be located within the boundaries of the precinct or within one mile of one of those boundaries  
 15.6 unless a single polling place is designated for a city pursuant to section 204B.14, subdivision  
 15.7 2, or a school district pursuant to section 205A.11. The polling place for a precinct in  
 15.8 unorganized territory may be located outside the precinct at a place which is convenient to  
 15.9 the voters of the precinct. If no suitable place is available within a town or within a school  
 15.10 district located outside the metropolitan area defined by section 200.02, subdivision 24,  
 15.11 then the polling place for a town or school district may be located outside the town or school  
 15.12 district within five miles of one of the boundaries of the town or school district.

15.13 Sec. 11. Minnesota Statutes 2016, section 204D.19, is amended by adding a subdivision  
 15.14 to read:

15.15 Subd. 3a. Preferred election dates. Whenever possible, special elections to fill a vacancy  
 15.16 in the office of state senator or state representative should be held on one of the following  
 15.17 dates: the fourth Tuesday in February, the second Tuesday in May, the second Tuesday in  
 15.18 August, or the first Tuesday after the first Monday in November.

15.19 Sec. 12. Minnesota Statutes 2016, section 205.07, subdivision 3, is amended to read:

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

15.30 Sec. 13. Minnesota Statutes 2016, section 205.10, is amended by adding a subdivision to  
 15.31 read:

15.32 Subd. 3a. Uniform election dates. (a) Except as allowed in paragraph (b) and subdivision  
 15.33 4, a special election held in a city or town must be held on one of the following dates: the

16.1 fourth Tuesday in February, the second Tuesday in May, the second Tuesday in August, or  
 16.2 the first Tuesday after the first Monday in November. A special election primary must be  
 16.3 held on the uniform date prior to the uniform date on which the election is scheduled. A  
 16.4 home rule charter city must not designate additional dates in its charter.

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

16.11 Sec. 14. Minnesota Statutes 2016, section 205.10, subdivision 4, is amended to read:

16.12 Subd. 4. **Vacancies in town offices.** Special elections ~~must be held with the town general~~  
 16.13 ~~election~~ to fill vacancies in town offices as provided in section 367.03, subdivision 6, must  
 16.14 be held with the town general election or on a date authorized by subdivision 3a.

16.15 Sec. 15. Minnesota Statutes 2016, section 205.175, is amended to read:

16.16 **205.175 TOWN VOTING HOURS.**

16.17 Subdivision 1. **Minimum voting hours; towns.** In all ~~municipal~~ town elections, the  
 16.18 polling places will remain open for voting from 5:00 p.m. to 8:00 p.m.

16.19 Subd. 2. **Metropolitan area municipalities towns.** The ~~governing body of a municipality~~  
 16.20 ~~which~~ town board that is located within a metropolitan county included in the definition of  
 16.21 metropolitan area in section 200.02, subdivision 24, may designate the time during which  
 16.22 the polling places will remain open for voting at the next succeeding and all subsequent  
 16.23 ~~municipal~~ town elections, provided that the polling places ~~shall~~ must open no later than  
 16.24 10:00 a.m. and ~~shall~~ must close no earlier than 8:00 p.m. The resolution ~~shall~~ must remain  
 16.25 in force until it is revoked by the ~~municipal governing body~~ town board.

16.26 Subd. 3. **Other municipalities towns.** The ~~governing body of a municipality~~ town board  
 16.27 other than a ~~municipality~~ town described in subdivision 2, may by resolution adopted prior  
 16.28 to giving notice of the election, designate the time, in addition to the minimum voting hours  
 16.29 provided in subdivision 1, during which the polling places will remain open for voting at  
 16.30 the next succeeding and all subsequent ~~municipal~~ town elections. The resolution ~~shall~~ must  
 16.31 remain in force until it is revoked by the ~~municipal governing body~~ town board or changed  
 16.32 because of request by voters as provided in this subdivision. If a petition requesting longer



17.1 voting hours, signed by a number of voters equal to 20 percent of the votes cast at the last  
 17.2 ~~municipal town~~ election, is presented to the ~~municipal town~~ clerk no later than 30 days prior  
 17.3 to the ~~municipal town~~ election, then the polling places for that election ~~shall~~ must open at  
 17.4 10:00 a.m. and close at 8:00 p.m. The ~~municipal town~~ clerk ~~shall~~ must give ten days' notice  
 17.5 of the changed voting hours and notify the county auditor of the change. ~~Municipalities~~  
 17.6 Towns covered by this subdivision ~~shall~~ must certify their election hours to the county  
 17.7 auditor in January of each year.

17.8 Sec. 16. Minnesota Statutes 2016, section 205A.05, subdivision 1, is amended to read:

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

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

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

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

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

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

18.1 Sec. 17. Minnesota Statutes 2016, section 205A.05, is amended by adding a subdivision  
18.2 to read:

18.3 Subd. 1a. **Uniform election dates.** (a) Except as allowed in paragraph (b), a special  
18.4 election held in a school district must be held on one of the following dates: the fourth  
18.5 Tuesday in February, the second Tuesday in May, the second Tuesday in August, or the  
18.6 first Tuesday after the first Monday in November. A special election primary must be held  
18.7 on the uniform date prior to the uniform date on which the election is scheduled.

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

18.14 Sec. 18. Minnesota Statutes 2016, section 216B.46, is amended to read:

18.15 **216B.46 MUNICIPAL ACQUISITION PROCEDURES; NOTICE; ELECTION.**

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

18.24 Sec. 19. Minnesota Statutes 2016, section 365A.06, subdivision 2, is amended to read:

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

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

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

19.4 Sec. 20. Minnesota Statutes 2016, section 367.33, subdivision 1, is amended to read:

19.5 Subdivision 1. **Election at annual election or special election.** Following the adoption  
 19.6 of option A in a town, except a town exercising the powers of a statutory city, the town  
 19.7 board may call a special town election to be held ~~not less than 30 nor more than 60 days~~  
 19.8 ~~after the annual town election at which the option is adopted~~ on a date authorized by section  
 19.9 205.10, subdivision 3a, to elect two additional members to the board of supervisors. In lieu  
 19.10 of a special election, the town board may determine to elect the additional members at the  
 19.11 next annual town election.

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

19.17 Sec. 21. Minnesota Statutes 2016, section 375.101, subdivision 1, is amended to read:

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

19.24 ~~(1) not less than 120 days following the date the vacancy is declared, but no later than~~  
 19.25 ~~12 weeks prior to the date of the next regularly scheduled primary election;~~

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

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

19.30 (b) The person elected at the special election shall take office immediately after receipt  
 19.31 of the certificate of election and upon filing the bond and taking the oath of office and shall  
 19.32 serve the remainder of the unexpired term. If the county has been reapportioned since the

20.1 commencement of the term of the vacant office, the election shall be based on the district  
20.2 as reapportioned.

20.3 Sec. 22. Minnesota Statutes 2016, section 375B.07, subdivision 2, is amended to read:

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

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

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

20.14 Sec. 23. Minnesota Statutes 2016, section 375B.10, is amended to read:

20.15 **375B.10 WITHDRAWAL; ELECTION.**

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

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

20.25 If a majority of those voting on the question favor the removal and discontinuance of  
20.26 the services, the service district shall be removed and the services shall be discontinued  
20.27 upon certification of the vote by the county auditor. The county auditor shall administer the  
20.28 election.

20.29 Sec. 24. Minnesota Statutes 2016, section 383B.031, subdivision 1, is amended to read:

20.30 Subdivision 1. **More than six months; special election.** Notwithstanding the provisions  
20.31 of section 375.101, if a vacancy occurs in a seat on the Board of County Commissioners of

21.1 Hennepin County more than six months before the general election in which a commissioner  
 21.2 will next be selected to occupy such seat the county auditor shall, within seven days after  
 21.3 the vacancy occurs, call a special election within the affected district to fill such vacancy.  
 21.4 The auditor shall specify a date for the election ~~which shall be between 56 and 77 days after~~  
 21.5 ~~the vacancy occurred~~ to be held on a date authorized by section 205.10, subdivision 3a.  
 21.6 Candidates shall file with the county auditor prior to the 35th day before the election. The  
 21.7 primary election shall be held 14 days before the election. If no more than two candidates  
 21.8 file for the office, the primary election shall be canceled and the date of the general election  
 21.9 advanced 14 days.

21.10 Sec. 25. Minnesota Statutes 2016, section 383E.24, subdivision 7, is amended to read:

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

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

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

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

21.26 Sec. 26. Minnesota Statutes 2016, section 410.10, subdivision 1, is amended to read:

21.27 Subdivision 1. **Timing; procedure; recall.** Upon delivery of such draft, the council or  
 21.28 other governing body of the city shall cause the proposed charter to be submitted at the next  
 21.29 general election thereafter occurring in the city within six months after the delivery of such  
 21.30 draft, and if there is no general city election occurring in the city within six months after  
 21.31 the delivery of such draft, then the council or other governing body of the city shall cause  
 21.32 the proposed charter to be submitted at a special election to be held ~~within 90 days after the~~  
 21.33 ~~delivery of such draft~~ on a date authorized by section 205.10, subdivision 3a. The council

22.1 or other governing body may call a special election for that purpose only at any time. If the  
 22.2 election is held at the same time with the general election, the voting places and election  
 22.3 officers shall be the same for both elections. At any time before the council has fixed the  
 22.4 date of the election upon the proposed charter, the charter commission may recall it for  
 22.5 further action; and the council may authorize recall of the charter by the commission at any  
 22.6 later date prior to the first publication of the proposed charter.

22.7 Sec. 27. Minnesota Statutes 2016, section 447.32, subdivision 2, is amended to read:

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

22.16 Special elections may be called by the hospital board to vote on any matter required by  
 22.17 law to be submitted to the voters. A special election ~~may not be conducted either during the~~  
 22.18 ~~56 days before or the 56 days after a regularly scheduled primary or general election,~~  
 22.19 ~~conducted wholly or partially within the hospital district~~ must be held on a date authorized  
 22.20 by section 205.10, subdivision 3a. Special elections must be held within the election precinct  
 22.21 or precincts and at the polling place or places designated by the board. In the case of the  
 22.22 first election of officers of a new district, precincts and polling places must be set by the  
 22.23 governing body of the most populous city or town included in the district.

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

22.27 Sec. 28. Minnesota Statutes 2016, section 475.59, is amended to read:

22.28 **475.59 MANNER OF SUBMISSION; NOTICE.**

22.29 Subdivision 1. Generally; notice. When the governing body of a municipality resolves  
 22.30 to issue bonds for any purpose requiring the approval of the electors, it shall provide for  
 22.31 submission of the proposition of their issuance at a general or special election or town or  
 22.32 school district meeting. Notice of such election or meeting shall be given in the manner  
 22.33 required by law and shall state the maximum amount and the purpose of the proposed issue.

23.1 In any school district, the school board or board of education may, according to its judgment  
 23.2 and discretion, submit as a single ballot question or as two or more separate questions in  
 23.3 the notice of election and ballots the proposition of their issuance for any one or more of  
 23.4 the following, stated conjunctively or in the alternative: acquisition or enlargement of sites,  
 23.5 acquisition, betterment, erection, furnishing, equipping of one or more new schoolhouses,  
 23.6 remodeling, repairing, improving, adding to, betterment, furnishing, equipping of one or  
 23.7 more existing schoolhouses. In any city, town, or county, the governing body may, according  
 23.8 to its judgment and discretion, submit as a single ballot question or as two or more separate  
 23.9 questions in the notice of election and ballots the proposition of their issuance, stated  
 23.10 conjunctively or in the alternative, for the acquisition, construction, or improvement of any  
 23.11 facilities at one or more locations.

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

23.15 Sec. 29. **REPEALER.**

23.16 Minnesota Statutes 2016, sections 204B.16, subdivision 3; and 205.10, subdivision 3,  
 23.17 are repealed.

23.18 Sec. 30. **EFFECTIVE DATE.**

23.19 This article is effective January 1, 2018, and applies to any special election held on or  
 23.20 after that date.

### 23.21 **ARTICLE 3**

#### 23.22 **SCHOOL ELECTION ADMINISTRATION**

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

23.24 Subd. 15. **Effective date.** If a majority of the votes cast on the question at the election  
 23.25 approve the consolidation, and if the necessary approving resolutions of boards entitled to  
 23.26 act on the plat have been adopted, ~~the board must, within ten days of the election, notify~~  
 23.27 ~~the county auditor who shall, within ten days of the notice election~~ the county auditor or of the expiration of  
 23.28 the period during which an election can be called, issue an order setting a date for the  
 23.29 effective date of the change. The effective date must be July 1 of the year determined by  
 23.30 the board in the original resolution adopted under subdivision 2. The auditor shall mail or  
 23.31 deliver a copy of such order to each auditor holding a copy of the plat and to the clerk of  
 23.32 each district affected by the order and to the commissioner. ~~The board must similarly notify~~

24.1 ~~the county auditor~~ If the election fails, the proceedings are then terminated and the county  
 24.2 auditor shall so notify the commissioner and the auditors and the clerk of each district  
 24.3 affected.

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

24.5 Subd. 11. **District referendum.** After receipt of the review and comment on the project  
 24.6 and before January 1 of the even-numbered year, the question authorizing the borrowing  
 24.7 of money for the facilities must be submitted by the school board to the voters of the district  
 24.8 at a regular or special election. The question submitted must state the total amount to be  
 24.9 borrowed from all sources. Approval of a majority of those voting on the question is sufficient  
 24.10 to authorize the issuance of the obligations on public sale in accordance with chapter 475.  
 24.11 The face of the ballot must include the following statement: "APPROVAL OF THIS  
 24.12 QUESTION DOES NOT GUARANTEE THAT THE SCHOOL DISTRICT WILL  
 24.13 RECEIVE A CAPITAL LOAN FROM THE STATE. THE LOAN MUST BE APPROVED  
 24.14 BY THE STATE LEGISLATURE AND IS DEPENDENT ON AVAILABLE FUNDING."  
 24.15 The ~~district~~ coordinating county auditor, as defined in section 200.02, subdivision 16b, must  
 24.16 mail to the commissioner a certificate by the ~~clerk~~ auditor showing the vote at the election.

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

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

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

24.23 Subd. 16b. **Coordinating county auditor.** "Coordinating county auditor" means the  
 24.24 county auditor of the coordinating county.

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

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



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

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

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

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

25.10 (3) provide for entering data into the statewide registration system;

25.11 (4) provide for electronic transfer of completed voter registration applications from the  
25.12 Department of Public Safety to the secretary of state or the county auditor;

25.13 (5) assign a unique identifier to each legally registered voter in the state;

25.14 (6) provide for the acceptance of the Minnesota driver's license number, Minnesota state  
25.15 identification number, and last four digits of the Social Security number for each voter  
25.16 record;

25.17 (7) coordinate with other agency databases within the state;

25.18 (8) allow county auditors and the secretary of state to add or modify information in the  
25.19 system to provide for accurate and up-to-date records;

25.20 (9) allow county auditors, municipal ~~and school district~~ clerks, and the secretary of state  
25.21 to have electronic access to the statewide registration system for review and search  
25.22 capabilities;

25.23 (10) provide security and protection of all information in the statewide registration  
25.24 system and ensure that unauthorized access is not allowed;

25.25 (11) provide access to municipal clerks to use the system;

25.26 (12) provide a system for each county to identify the precinct to which a voter should  
25.27 be assigned for voting purposes;

25.28 (13) provide daily reports accessible by county auditors on the driver's license numbers,  
25.29 state identification numbers, or last four digits of the Social Security numbers submitted on  
25.30 voter registration applications that have been verified as accurate by the secretary of state;  
25.31 and

26.1 (14) provide reports on the number of absentee ballots transmitted to and returned and  
26.2 cast by voters under section 203B.16.

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

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

26.6 Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register  
26.7 on election day by appearing in person at the polling place for the precinct in which the  
26.8 individual maintains residence, by completing a registration application, making an oath in  
26.9 the form prescribed by the secretary of state and providing proof of residence. An individual  
26.10 may prove residence for purposes of registering by:

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

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

26.14 (3) presenting one of the following:

26.15 (i) a current valid student identification card from a postsecondary educational institution  
26.16 in Minnesota, if a list of students from that institution has been prepared under section  
26.17 135A.17 and certified to the county auditor in the manner provided in rules of the secretary  
26.18 of state; or

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

26.21 (4) having a voter who is registered to vote in the precinct, or an employee employed  
26.22 by and working in a residential facility in the precinct and vouching for a resident in the  
26.23 facility, sign an oath in the presence of the election judge vouching that the voter or employee  
26.24 personally knows that the individual is a resident of the precinct. A voter who has been  
26.25 vouched for on election day may not sign a proof of residence oath vouching for any other  
26.26 individual on that election day. A voter who is registered to vote in the precinct may sign  
26.27 up to eight proof-of-residence oaths on any election day. This limitation does not apply to  
26.28 an employee of a residential facility described in this clause. The secretary of state shall  
26.29 provide a form for election judges to use in recording the number of individuals for whom  
26.30 a voter signs proof-of-residence oaths on election day. The form must include space for the  
26.31 maximum number of individuals for whom a voter may sign proof-of-residence oaths. For  
26.32 each proof-of-residence oath, the form must include a statement that the individual: (i) is  
26.33 registered to vote in the precinct or is an employee of a residential facility in the precinct,

27.1 (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the  
 27.2 statement on oath. The form must include a space for the voter's printed name, signature,  
 27.3 telephone number, and address.

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

27.6 (b) The operator of a residential facility shall prepare a list of the names of its employees  
 27.7 currently working in the residential facility and the address of the residential facility. The  
 27.8 operator shall certify the list and provide it to the appropriate county auditor no less than  
 27.9 20 days before each election for use in election day registration.

27.10 (c) "Residential facility" means transitional housing as defined in section 256E.33,  
 27.11 subdivision 1; a supervised living facility licensed by the commissioner of health under  
 27.12 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision  
 27.13 5; a residence registered with the commissioner of health as a housing with services  
 27.14 establishment as defined in section 144D.01, subdivision 4; a veterans home operated by  
 27.15 the board of directors of the Minnesota Veterans Homes under chapter 198; a residence  
 27.16 licensed by the commissioner of human services to provide a residential program as defined  
 27.17 in section 245A.02, subdivision 14; a residential facility for persons with a developmental  
 27.18 disability licensed by the commissioner of human services under section 252.28; group  
 27.19 residential housing as defined in section 256I.03, subdivision 3; a shelter for battered women  
 27.20 as defined in section 611A.37, subdivision 4; or a supervised publicly or privately operated  
 27.21 shelter or dwelling designed to provide temporary living accommodations for the homeless.

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

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

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

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

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

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

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

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

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

28.16 Subd. 6. **Reporting; certification.** (a) A county; or municipality; ~~or school district~~ that  
 28.17 intends to use electronic rosters in an upcoming election must notify the Office of the  
 28.18 Secretary of State at least 90 days before the first election in which the county; or  
 28.19 municipality; ~~or school district~~ intends to use electronic rosters. The notification must specify  
 28.20 whether all precincts will use electronic rosters, and if not, specify which precincts will be  
 28.21 using electronic rosters. The notification is valid for all subsequent elections, unless revoked  
 28.22 by the county; or municipality; ~~or school district~~. If precincts within a county; or municipality;  
 28.23 ~~or school district~~ that were not included in the initial notification intend to use electronic  
 28.24 rosters, a new notification must be submitted.

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

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

28.29 Subd. 2. **Knowledge of violation.** A deputy, clerk, employee, or other subordinate of a  
 28.30 county auditor or municipal ~~or school district~~ clerk who has knowledge or reason to believe  
 28.31 that a violation of this chapter has occurred shall immediately transmit a report of the  
 28.32 knowledge or belief to the county auditor or municipal ~~or school district~~ clerk, together with

29.1 any possessed evidence of the violation. Any county auditor or municipal ~~or school district~~  
 29.2 clerk who has knowledge or reason to believe that a violation of this chapter has occurred  
 29.3 shall immediately transmit a report of the knowledge or belief to the county attorney of the  
 29.4 county where the violation is thought to have occurred, together with any possessed evidence  
 29.5 of the violation. The county auditor or municipal ~~or school district~~ clerk shall also  
 29.6 immediately send a copy of the report to the secretary of state. A violation of this subdivision  
 29.7 is a misdemeanor.

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

29.9 Subd. 2. **Municipal clerk.** "Municipal clerk" means a full-time town or city clerk who  
 29.10 is authorized or required to administer the provisions of sections 203B.04 to 203B.15, as  
 29.11 provided in section 203B.05. ~~"Municipal clerk" also means clerk of the school district who~~  
 29.12 ~~is authorized or required to administer the provisions of sections 203B.04 to 203B.15, as~~  
 29.13 ~~provided in section 203B.05 for a school district election not held on the same day as a~~  
 29.14 ~~statewide election.~~

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

29.16 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision  
 29.17 2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election  
 29.18 may be submitted at any time not less than one day before the day of that election. The  
 29.19 county auditor shall prepare absentee ballot application forms in the format provided by the  
 29.20 secretary of state and shall furnish them to any person on request. By January 1 of each  
 29.21 even-numbered year, the secretary of state shall make the forms to be used available to  
 29.22 auditors through electronic means. An application submitted pursuant to this subdivision  
 29.23 shall be in writing. An application may be submitted in person, by electronic facsimile  
 29.24 device, by electronic mail, or by mail to:

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

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

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

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

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

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

30.12 (2) Minnesota state identification card number;

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

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

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

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

30.28 (e) An application under this subdivision may contain an application under subdivision  
30.29 5 to automatically receive an absentee ballot application.

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

30.31 Subd. 2. **City, school district, and town elections.** For city, and town, ~~and school district~~  
30.32 elections not held on the same day as a statewide election, applications for absentee ballots

31.1 shall be filed with the city,~~school district~~, or town clerk and the duties prescribed by this  
 31.2 chapter for the county auditor shall be performed by the city,~~school district~~, or town clerk  
 31.3 unless the county auditor agrees to perform those duties on behalf of the city,~~school district~~,  
 31.4 or town clerk. For school district elections not held on the same day as a statewide election,  
 31.5 applications for absentee ballots shall be filed with the county auditor of the county where  
 31.6 the applicant maintains residence. The county auditors of the coordinating county and  
 31.7 administering counties must perform the duties prescribed by this chapter for school district  
 31.8 elections. The coordinating county auditor must coordinate and oversee absentee voting in  
 31.9 all counties in the school district. The costs incurred to provide absentee ballots and perform  
 31.10 the duties prescribed by this subdivision shall be paid by the city,or town,~~or school district~~  
 31.11 holding the election. The school district shall reimburse the coordinating county and any  
 31.12 administering counties for the costs incurred to provide absentee ballots and perform the  
 31.13 duties prescribed in this subdivision.

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

31.17 Sec. 15. Minnesota Statutes 2016, section 203B.11, subdivision 1, is amended to read:

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

31.31 Sec. 16. Minnesota Statutes 2016, section 203B.121, subdivision 1, is amended to read:

31.32 Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county;  
 31.33 and municipality,~~and school district~~ with responsibility to accept and reject absentee ballots

32.1 must, by ordinance or resolution, establish a ballot board. The coordinating county board  
 32.2 must, by ordinance or resolution, establish a ballot board for school district elections. The  
 32.3 board must consist of a sufficient number of election judges trained in the handling of  
 32.4 absentee ballots and appointed as provided in sections 204B.19 to 204B.22. The board may  
 32.5 include deputy county auditors or deputy city clerks who have received training in the  
 32.6 processing and counting of absentee ballots.

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

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

32.11 Sec. 17. Minnesota Statutes 2016, section 203B.121, subdivision 2, is amended to read:

32.12 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board  
 32.13 shall take possession of all return envelopes delivered to them in accordance with section  
 32.14 203B.08. Upon receipt from the county auditor, municipal clerk, or ~~school district clerk~~  
 32.15 coordinating county auditor, two or more members of the ballot board shall examine each  
 32.16 return envelope and shall mark it accepted or rejected in the manner provided in this  
 32.17 subdivision. Election judges performing the duties in this section must be of different major  
 32.18 political parties, unless they are exempt from that requirement under section 205.075,  
 32.19 subdivision 4, or section 205A.10, subdivision 2.

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

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

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

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

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



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

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

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

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

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

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

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

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

33.29 (2) the reason for rejection; and

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

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

34.1 Sec. 18. Minnesota Statutes 2016, section 203B.15, is amended to read:

34.2 **203B.15 ADMINISTRATIVE EXPENSES.**

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

34.7 Sec. 19. Minnesota Statutes 2016, section 204B.181, subdivision 2, is amended to read:

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

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

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

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

34.29 Sec. 20. Minnesota Statutes 2016, section 204B.25, subdivision 4, is amended to read:

34.30 Subd. 4. **Training for local election officials.** At least once every two years, the county  
 34.31 auditor shall conduct training sessions for the municipal ~~and school district~~ clerks in the  
 34.32 county. The training sessions must be conducted in the manner provided by the secretary

35.1 of state. No local election official may administer an election without receiving training  
35.2 from the county auditor.

35.3 Sec. 21. Minnesota Statutes 2016, section 204B.29, is amended to read:

35.4 **204B.29 ELECTION JUDGES; ELECTION SUPPLIES; DUTIES.**

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

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

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

35.25 Subd. 2. **Failure of election judges to secure materials.** If no election judge secures  
35.26 the election materials for a precinct in any municipality, or school district if applicable, as  
35.27 provided in subdivision 1, the municipal ~~or school district~~ clerk or coordinating county  
35.28 auditor shall deliver them to an election judge for that precinct not later than the time when  
35.29 voting is scheduled to begin. The municipal ~~or school district~~ clerk or coordinating county  
35.30 auditor shall require the election judge accepting delivery of the election supplies to sign a  
35.31 receipt for them. The election judges of that precinct shall pay the expenses of delivery of  
35.32 the materials and shall be liable for the penalty provided by law for neglect of duty.

36.1 Sec. 22. Minnesota Statutes 2016, section 204B.32, is amended to read:

36.2 **204B.32 ELECTION EXPENSES; PAYMENT.**

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

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

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

36.15 ~~(d) The school districts shall pay the compensation prescribed for election judges and~~  
36.16 ~~sergeants-at-arms, the cost of printing the school district ballots, providing ballot boxes,~~  
36.17 ~~providing and equipping polling places and all necessary expenses of the school district~~  
36.18 ~~clerks in connection with school district elections not held in conjunction with state elections.~~  
36.19 When school district elections are held in conjunction with state elections, the school district  
36.20 shall pay must reimburse the coordinating county for the costs of printing the school district  
36.21 ballots, providing ballot boxes, and all necessary expenses of the school district clerk  
36.22 coordinating county or administering counties. When school district elections are not held  
36.23 in conjunction with state elections, the school district must reimburse the coordinating  
36.24 county for the following costs incurred in the coordinating county or any administering  
36.25 county: the compensation prescribed for election judges and sergeants-at-arms, the cost of  
36.26 printing the school district ballots, providing ballot boxes, providing and equipping polling  
36.27 places, and all necessary expenses of the coordinating county and administering counties.

36.28 (e) All disbursements under this section shall be presented, audited, and paid as in the  
36.29 case of other public expenses.

36.30 Subd. 2. **Allocation of election expenses.** The secretary of state shall develop procedures  
36.31 for the allocation of election expenses among counties, municipalities, and school districts  
36.32 for elections that are held concurrently. The following expenses must be included in the  
36.33 procedures: salaries of election judges; postage for absentee ballots and applications;  
36.34 preparation of polling places; preparation and testing of electronic voting systems; ballot

37.1 preparation; publication of election notices and sample ballots; transportation of ballots and  
 37.2 election supplies; and compensation for administrative expenses of the county auditor,  
 37.3 coordinating county auditor, administering county auditor, or municipal clerk, or school  
 37.4 district clerk. The costs attributable to the school district election must be paid by the school  
 37.5 district to the coordinating county auditor.

37.6 Subd. 3. School district reimbursement of county costs. For all school district elections,  
 37.7 each administering county must submit to the coordinating county an itemized list of expenses  
 37.8 for conducting the administering county's share of the school district election. The  
 37.9 coordinating county auditor must seek reimbursement from the school district for the total  
 37.10 cost of the school district election. The coordinating county auditor must then reimburse  
 37.11 each administering county for that county's share of the election expenses.

37.12 Sec. 23. Minnesota Statutes 2016, section 204B.40, is amended to read:

37.13 **204B.40 BALLOTS; ELECTION RECORDS AND OTHER MATERIALS;**  
 37.14 **DISPOSITION; INSPECTION OF BALLOTS.**

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

37.26 After the time for filing a notice of contest for an election has passed, the secretary of  
 37.27 state may, for the purpose of monitoring and evaluating election procedures: (1) open the  
 37.28 sealed ballot envelopes and inspect the ballots for that election maintained by the county  
 37.29 auditors, municipal clerks, or ~~school district clerks~~ coordinating county auditor; (2) inspect  
 37.30 the polling place rosters and completed voter registration applications; or (3) examine other  
 37.31 forms required in the Minnesota election laws for use in the polling place. No inspected  
 37.32 ballot or document may be marked or identified in any manner. After inspection, all ballots  
 37.33 must be returned to the ballot envelope and the ballot envelope must be securely resealed.  
 37.34 Any other election materials inspected or examined must be secured or resealed. No polling

38.1 place roster may be inspected until the voting history for that precinct has been posted. No  
 38.2 voter registration application may be inspected until the information on it has been entered  
 38.3 into the statewide registration system.

38.4 Sec. 24. Minnesota Statutes 2016, section 204B.46, is amended to read:

38.5 **204B.46 MAIL ELECTIONS; QUESTIONS.**

38.6 A county, municipality, or school district submitting questions to the voters at a special  
 38.7 election may conduct an election by mail with no polling place other than the office of the  
 38.8 auditor or clerk. No offices may be voted on at a mail election. Notice of the election must  
 38.9 be given to the county auditor at least 74 days prior to the election. This notice shall also  
 38.10 fulfill the requirements of Minnesota Rules, part 8210.3000. The special mail ballot  
 38.11 procedures must be posted at least six weeks prior to the election. Not more than 46 nor  
 38.12 later than 14 days prior to the election, the auditor or clerk shall mail ballots by  
 38.13 nonforwardable mail to all voters registered in the county, municipality, or school district.  
 38.14 No later than 14 days before the election, the auditor or clerk must make a subsequent  
 38.15 mailing of ballots to those voters who register to vote after the initial mailing but before the  
 38.16 20th day before the election. Eligible voters not registered at the time the ballots are mailed  
 38.17 may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint a ballot  
 38.18 board to examine the mail and absentee ballot return envelopes and mark them "Accepted"  
 38.19 or "Rejected" within three days of receipt if there are 14 or fewer days before election day,  
 38.20 or within five days of receipt if there are more than 14 days before election day. The board  
 38.21 may consist of deputy county auditors; or deputy municipal clerks; ~~or deputy school district~~  
 38.22 ~~clerks~~ who have received training in the processing and counting of mail ballots, who need  
 38.23 not be affiliated with a major political party. Election judges performing the duties in this  
 38.24 section must be of different major political parties, unless they are exempt from that  
 38.25 requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has  
 38.26 been rejected at least five days before the election, the ballots in the envelope must remain  
 38.27 sealed and the auditor or clerk must provide the voter with a replacement ballot and return  
 38.28 envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election,  
 38.29 the envelope must remain sealed and the official in charge of the ballot board must attempt  
 38.30 to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been  
 38.31 rejected. The official must document the attempts made to contact the voter.

38.32 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to  
 38.33 indicate that the voter has already cast a ballot in that election. After the close of business  
 38.34 on the seventh day before the election, the ballots from return envelopes marked "Accepted"

39.1 may be opened, duplicated as needed in the manner provided by section 206.86, subdivision  
39.2 5, initialed by the ballot board, and deposited in the appropriate ballot box.

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

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

39.8 Sec. 25. Minnesota Statutes 2016, section 204C.08, subdivision 4, is amended to read:

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

39.15 Sec. 26. Minnesota Statutes 2016, section 204C.20, subdivision 4, is amended to read:

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

39.22 Sec. 27. Minnesota Statutes 2016, section 204C.25, is amended to read:

39.23 **204C.25 DISPOSITION OF BALLOTS.**

39.24 After the count and the summary statements have been completed, in the presence of  
39.25 all the election judges, the counted, defective, and blank ballots shall be placed in envelopes,  
39.26 and the envelopes shall be sealed. The election judges shall sign each envelope over the  
39.27 sealed part so that the envelope cannot be opened without disturbing the continuity of the  
39.28 signatures. The number of ballots in each envelope, the name of the town or city, and the  
39.29 name of the precinct shall be plainly written upon the envelopes. The number and name of  
39.30 the district must be plainly written on envelopes containing school district ballots. The  
39.31 spoiled ballots shall be placed in separate envelopes and returned with the unused ballots

40.1 to the county auditor ~~or, municipal or school district clerk,~~ or coordinating county auditor  
 40.2 from whom they were received.

40.3 Sec. 28. Minnesota Statutes 2016, section 204C.26, subdivision 3, is amended to read:

40.4 Subd. 3. **Secretary of state.** No later than ten weeks before the state primary in each  
 40.5 even-numbered year, the secretary of state shall prescribe the form for summary statements  
 40.6 of election returns and the methods by which returns for the state primary and state general  
 40.7 election shall be recorded by precinct, county, and state election officials. Each county  
 40.8 auditor ~~and, municipal or school district clerk,~~ and coordinating county auditor required to  
 40.9 furnish summary statements shall prepare them in the manner prescribed by the secretary  
 40.10 of state. The summary statement of the primary returns shall be in the same form as the  
 40.11 summary statement of the general election returns except that a separate part of the summary  
 40.12 statement shall be provided for the partisan primary ballot and a separate part for the  
 40.13 nonpartisan primary ballot.

40.14 Sec. 29. Minnesota Statutes 2016, section 204C.27, is amended to read:

40.15 **204C.27 DELIVERY OF RETURNS TO COUNTY AUDITORS.**

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

40.28 Sec. 30. Minnesota Statutes 2016, section 204C.28, subdivision 3, is amended to read:

40.29 Subd. 3. **School district returns and materials.** At a school district election held in  
 40.30 conjunction with a state election, the county auditor or municipal clerk shall deliver the  
 40.31 summary statements of the school district election returns, all unused and spoiled school  
 40.32 district ballots, and the envelope containing the school district ballots from each precinct



41.1 to the ~~clerk of the~~ appropriate ~~school district~~ coordinating county auditor within 48 hours  
41.2 after the polls close.

41.3 Sec. 31. Minnesota Statutes 2016, section 204C.29, subdivision 1, is amended to read:

41.4 Subdivision 1. **Failure of election judges to make delivery; penalty.** If the election  
41.5 judges fail to deliver returns as required by section 204C.27, the county auditor ~~or~~ municipal  
41.6 ~~or school district clerk,~~ or coordinating county auditor to whom the returns should have  
41.7 been delivered shall dispatch a special messenger to obtain them. The messenger shall  
41.8 receive the same compensation as an election judge would receive for performing the same  
41.9 service and shall be subject to the same penalties as an election judge for violation of any  
41.10 provision of the Minnesota Election Law.

41.11 Sec. 32. Minnesota Statutes 2016, section 204C.36, subdivision 1, is amended to read:

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

41.21 (b) A losing candidate for nomination or election to a county, municipal, or school  
41.22 district office may request a recount of the votes cast for nomination or election to that  
41.23 office if the difference between the votes cast for that candidate and for a winning candidate  
41.24 for nomination or election is less than one-half of one percent, and the total number of votes  
41.25 cast for the nomination or election of all candidates is more than 400 but less than 50,000.  
41.26 In cases of offices where two or more seats are being filled from among all the candidates  
41.27 for the office, the one-half of one percent difference is between the elected candidate with  
41.28 the fewest votes and the candidate with the most votes from among the candidates who  
41.29 were not elected.

41.30 (c) A losing candidate for nomination or election to a county, municipal, or school district  
41.31 office may request a recount of the votes cast for nomination or election to that office if the  
41.32 difference between the vote cast for that candidate and for a winning candidate for nomination  
41.33 or election is ten votes or less, and the total number of votes cast for the nomination or

42.1 election of all candidates is no more than 400. In cases of offices where two or more seats  
 42.2 are being filled from among all the candidates for the office, the ten vote difference is  
 42.3 between the elected candidate with the fewest votes and the candidate with the most votes  
 42.4 from among the candidates who were not elected.

42.5 (d) Candidates for county offices shall file a written request for the recount with the  
 42.6 county auditor. Candidates for municipal ~~or school district~~ offices shall file a written request  
 42.7 with the municipal ~~or school district~~ clerk ~~as appropriate~~. Candidates for school district  
 42.8 offices shall file a written request for the recount with the coordinating county auditor. All  
 42.9 requests shall be filed by 5:00 p.m. on the fifth day after the canvass of a primary or special  
 42.10 primary or by 5:00 p.m. on the seventh day of the canvass of a special or general election  
 42.11 for which a recount is sought.

42.12 (e) Upon receipt of a request made pursuant to this section, the county auditor shall  
 42.13 recount the votes for a county office at the expense of the county, the governing body of  
 42.14 the municipality shall recount the votes for a municipal office at the expense of the  
 42.15 municipality, and the ~~school board of the school district~~ coordinating county auditor shall  
 42.16 recount the votes for a school district office at the expense of the school district.

42.17 Sec. 33. Minnesota Statutes 2016, section 204C.36, subdivision 2, is amended to read:

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

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

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

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

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

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

43.7 Sec. 34. Minnesota Statutes 2016, section 204C.36, subdivision 3, is amended to read:

43.8 Subd. 3. **Discretionary ballot question recounts.** A recount may be conducted for a  
43.9 ballot question when the difference between the votes for and the votes against the question  
43.10 is less than or equal to the difference provided in subdivision 1. A recount may be requested  
43.11 by any person eligible to vote on the ballot question. A written request for a recount must  
43.12 be filed with the ~~filing officer of the county, municipality, or school district~~ municipal clerk,  
43.13 county auditor, or coordinating county auditor placing the question on the ballot and must  
43.14 be accompanied by a petition containing the signatures of 25 voters eligible to vote on the  
43.15 question. Upon receipt of a written request when the difference between the votes for and  
43.16 the votes against the question is less than or equal to the difference provided in subdivision  
43.17 1, the county auditor shall recount the votes for a county question at the expense of the  
43.18 county, the governing body of the municipality shall recount the votes for a municipal  
43.19 question at the expense of the municipality, and the ~~school board of the school district~~  
43.20 coordinating county auditor shall recount the votes for a school district question at the  
43.21 expense of the school district. If the difference between the votes for and the votes against  
43.22 the question is greater than the difference provided in subdivision 1, the person requesting  
43.23 the recount shall also file with the filing officer of the county, municipality, or school district  
43.24 a bond, cash, or surety in an amount set by the appropriate governing body for the payment  
43.25 of recount expenses. The written request, petition, and any bond, cash, or surety required  
43.26 must be filed during the time for notice of contest for the election for which the recount is  
43.27 requested.

43.28 Sec. 35. Minnesota Statutes 2016, section 204C.36, subdivision 5, is amended to read:

43.29 Subd. 5. **Notice of contest.** Time for notice of contest of a nomination or election to a  
43.30 county office which is recounted pursuant to this section shall begin to run upon certification  
43.31 of the results of the recount by the county canvassing board. Time for notice of contest of  
43.32 a nomination or election to a municipal office which is recounted pursuant to this section  
43.33 shall begin to run upon certification of the results by the governing body of the municipality.

44.1 Time for notice of contest of a school district election that is recounted under this subdivision  
 44.2 begins to run on certification of the results of the recount by the school ~~board~~ district  
 44.3 canvassing boards.

44.4 Sec. 36. Minnesota Statutes 2016, section 204D.09, subdivision 1, is amended to read:

44.5 Subdivision 1. **Example ballot.** No later than May 1 of each year, the secretary of state  
 44.6 shall supply each auditor with a copy of an example ballot to be used at the state primary  
 44.7 and state general election. The example ballot must illustrate the format required for the  
 44.8 ballots used in the primary and general elections that year. The county auditor shall distribute  
 44.9 copies of the example ballot to municipal ~~and school district~~ clerks in municipalities ~~and~~  
 44.10 ~~school districts~~ holding elections that year. The official ballot must conform in all respects  
 44.11 to the example ballot.

44.12 Sec. 37. Minnesota Statutes 2016, section 205A.03, subdivision 3, is amended to read:

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

44.24 Sec. 38. Minnesota Statutes 2016, section 205A.03, subdivision 4, is amended to read:

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

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

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

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

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

45.13 Sec. 39. Minnesota Statutes 2016, section 205A.04, subdivision 3, is amended to read:

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

45.21 Sec. 40. Minnesota Statutes 2016, section 205A.05, subdivision 3, is amended to read:

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

45.28 Sec. 41. Minnesota Statutes 2016, section 205A.055, subdivision 2, is amended to read:

45.29 Subd. 2. **Postponement of election.** (a) In the event of severe or inclement weather, the  
 45.30 ~~school district clerk~~ coordinating county auditor may postpone an election when the National  
 45.31 Weather Service or a law enforcement agency has issued storm warnings or travel advisories  
 45.32 indicating that the weather conditions would make travel to a polling place difficult or

46.1 hazardous for voters and election judges. When one or more jurisdictions are holding  
 46.2 elections in conjunction with one another, the jurisdiction that covers the largest geographic  
 46.3 area has the authority, after consulting with the other auditors and clerks, to make the decision  
 46.4 to postpone all of the elections. A decision to postpone an election must apply to every  
 46.5 precinct in the jurisdiction.

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

46.10 (c) A postponed election must be rescheduled for the next following Tuesday after the  
 46.11 election was originally scheduled. The date on which the postponed election will be held  
 46.12 shall be considered the date of the election for purposes of absentee voting under chapter  
 46.13 203B. An election that is postponed due to weather may be postponed again if necessary  
 46.14 under this section.

46.15 Sec. 42. Minnesota Statutes 2016, section 205A.06, subdivision 1, is amended to read:

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

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

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

47.1 filed no earlier than the 98th day and no later than the 84th day before the school district  
47.2 general election.

47.3 Sec. 44. Minnesota Statutes 2016, section 205A.06, subdivision 2, is amended to read:

47.4 Subd. 2. **Notice of filing dates.** At least two weeks before the first day to file affidavits  
47.5 of candidacy, the ~~school district clerk~~ coordinating county auditor shall publish a notice in  
47.6 the official newspaper stating the first and last dates on which affidavits of candidacy may  
47.7 be filed in the ~~clerk's~~ coordinating county auditor's office and the closing time for filing on  
47.8 the last day for filing. The school district clerk shall post a similar notice in the administrative  
47.9 offices of the school district at least ten days before the first day to file affidavits of  
47.10 candidacy.

47.11 Sec. 45. Minnesota Statutes 2016, section 205A.06, subdivision 5, is amended to read:

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

47.16 Sec. 46. Minnesota Statutes 2016, section 205A.07, subdivision 1, is amended to read:

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

47.24 Sec. 47. Minnesota Statutes 2016, section 205A.07, subdivision 2, is amended to read:

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

48.1 Sec. 48. Minnesota Statutes 2016, section 205A.07, subdivision 3, is amended to read:

48.2 Subd. 3. **Notice to auditor.** At least 74 days before every school district election, the  
48.3 ~~school district clerk~~ coordinating county auditor shall provide a written notice to the county  
48.4 auditor of each administering county in which the school district is located. The notice must  
48.5 include the date of the election, the offices to be voted on at the election, and the title and  
48.6 language for each ballot question to be voted on at the election. For the purposes of meeting  
48.7 the timelines of this section, in a bond election, a notice, including a proposed question,  
48.8 may be provided to the county auditor before receipt of a review and comment from the  
48.9 commissioner of education and before actual initiation of the election. At least 74 days  
48.10 before every school district election, the school district clerk must provide written notice  
48.11 to the county auditor of any special election canceled under section 205A.05, subdivision  
48.12 3.

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

48.14 Subd. 3a. **Notice to commissioner of education.** At least 74 days before every school  
48.15 district election under section 123B.62, 123B.63, 126C.17, 126C.69, or 475.58, the ~~school~~  
48.16 ~~district clerk~~ coordinating county auditor shall provide a written notice to the commissioner  
48.17 of education. The notice must include the date of the election and the title and language for  
48.18 each ballot question to be voted on at the election. At least 74 days before every school  
48.19 district election, the ~~school district clerk~~ coordinating county auditor must provide a written  
48.20 notice to the commissioner of education of any special election canceled under section  
48.21 205A.05, subdivision 3. The certified vote totals for each ballot question shall be provided  
48.22 in a written notice to the commissioner in a timely manner.

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

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

48.28 Sec. 51. Minnesota Statutes 2016, section 205A.08, subdivision 5, is amended to read:

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



49.1 Sec. 52. Minnesota Statutes 2016, section 205A.10, subdivision 1, is amended to read:

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

49.6 Sec. 53. Minnesota Statutes 2016, section 205A.10, subdivision 2, is amended to read:

49.7 Subd. 2. **Election, conduct.** A school district election must be by secret ballot and must  
49.8 be held and the returns made in the manner provided for the state general election, as far as  
49.9 practicable. The vote totals from a ballot board established pursuant to section 203B.121  
49.10 may be tabulated and reported by the school district as a whole rather than by precinct. ~~For~~  
49.11 ~~school district elections not held in conjunction with a statewide election, the school board~~  
49.12 ~~shall appoint election judges as provided in section 204B.21, subdivision 2. The provisions~~  
49.13 ~~of sections 204B.19, subdivision 5; 204B.21, subdivision 2; 204C.15; 204C.19; 206.83;~~  
49.14 ~~and 206.86, subdivision 2, relating to party balance in appointment of judges and to duties~~  
49.15 ~~to be performed by judges of different major political parties do not apply to school district~~  
49.16 ~~elections not held in conjunction with a statewide election.~~

49.17 Sec. 54. Minnesota Statutes 2016, section 205A.10, subdivision 3, is amended to read:

49.18 Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** Between the  
49.19 third and tenth days after a school district election other than a recount of a special election  
49.20 conducted under section 126C.17, subdivision 9, or 475.59, the school board ~~board~~ district  
49.21 canvassing board shall canvass the returns and declare the results of the election. After the  
49.22 time for contesting elections has passed, ~~the school district clerk~~ coordinating county auditor  
49.23 shall issue a certificate of election to each successful candidate. If there is a contest, the  
49.24 certificate of election to that office must not be issued until the outcome of the contest has  
49.25 been determined by the proper court. If there is a tie vote, ~~the school board~~ coordinating  
49.26 county auditor shall determine the result by lot. ~~The clerk~~ coordinating county auditor shall  
49.27 deliver the certificate of election to the successful candidate by personal service or certified  
49.28 mail. The successful candidate shall file an acceptance and oath of office in writing with  
49.29 ~~the clerk~~ coordinating county auditor within 30 days of the date of mailing or personal  
49.30 service. A person who fails to qualify prior to the time specified shall be deemed to have  
49.31 refused to serve, but that filing may be made at any time before action to fill the vacancy  
49.32 has been taken. ~~The school district clerk shall certify the results of the election to the county~~  
49.33 ~~auditor, and the clerk~~ coordinating county auditor shall be the final custodian of the ballots

50.1 and the returns of the election. The coordinating county auditor must notify the school  
 50.2 district clerk of the election results.

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

50.6 Sec. 55. Minnesota Statutes 2016, section 205A.10, subdivision 5, is amended to read:

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

50.21 The school district canvassing board shall ~~serve as the school district canvassing board~~  
 50.22 ~~for~~ canvass the election of school board members.

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

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

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

51.2 Subd. 3. **Notice served on parties.** In all contests relating to the nomination or election  
 51.3 of a candidate, the notice of contest must be served on the candidate who is the contestee,  
 51.4 a copy of the notice must be sent to the contestee's last known address by certified mail,  
 51.5 and a copy must be furnished to the official authorized to issue the certificate of election.  
 51.6 If personal or substituted service on the contestee cannot be made, an affidavit of the attempt  
 51.7 by the person attempting to make service and the affidavit of the person who sent a copy  
 51.8 of the notice to the contestee by certified mail is sufficient to confer jurisdiction upon the  
 51.9 court to decide the contest.

51.10 If the contest relates to a constitutional amendment, notice of contest must be served on  
 51.11 the secretary of state, who is the contestee. If a contest relates to a question voted on within  
 51.12 only one county, school district, or municipality, a copy of the notice of contest must be  
 51.13 served on the county auditor, ~~clerk of the school district~~ coordinating county auditor, or  
 51.14 municipal clerk, respectively, who is the contestee. If the contest is upon the question of  
 51.15 consolidation or reorganization of a school district, a copy of the notice of contest must be  
 51.16 served on the county auditor authorized by law to issue the order.

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

51.18 Subdivision 1. **Soliciting near polling places.** A person may not display campaign  
 51.19 material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within  
 51.20 a polling place or within 100 feet of the building in which a polling place is situated, or  
 51.21 anywhere on the public property on which a polling place is situated, on primary or election  
 51.22 day to vote for or refrain from voting for a candidate or ballot question. A person may not  
 51.23 provide political badges, political buttons, or other political insignia to be worn at or about  
 51.24 the polling place on the day of a primary or election. A political badge, political button, or  
 51.25 other political insignia may not be worn at or about the polling place on primary or election  
 51.26 day. This section applies to areas established by the county auditor or municipal clerk for  
 51.27 absentee voting as provided in chapter 203B.

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

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

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

52.5 Sec. 60. **REPEALER.**

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

52.8 Sec. 61. **EFFECTIVE DATE.**

52.9 This article is effective January 1, 2018, and applies to school elections held on or after  
 52.10 that date.

52.11 **ARTICLE 4**52.12 **CHALLENGES; VOTER INFORMATION**

52.13 Section 1. Minnesota Statutes 2016, section 13.15, subdivision 4, is amended to read:

52.14 Subd. 4. **Use of electronic access data.** Electronic access data may be disseminated:

52.15 (1) to the commissioner for the purpose of evaluating electronic government services;

52.16 (2) to another government entity or a federal law enforcement agency to prevent or report  
 52.17 unlawful intrusions into government electronic systems; or

52.18 (3) as otherwise provided by law.

52.19 Sec. 2. Minnesota Statutes 2016, section 13.607, is amended by adding a subdivision to  
 52.20 read:

52.21 Subd. 9. **Election judge party affiliation.** The party affiliation of election judges is  
 52.22 classified as provided in section 204B.21, subdivision 3.

52.23 Sec. 3. Minnesota Statutes 2016, section 13.6905, subdivision 33, is amended to read:

52.24 Subd. 33. **Citizenship data; voter registration.** The use of citizenship data reported to  
 52.25 the secretary of state is governed by section ~~201.158~~ 201.145.

53.1 Sec. 4. Minnesota Statutes 2016, section 13.841, subdivision 3, is amended to read:

53.2 Subd. 3. **Felony conviction data; voter registration.** Felony conviction data reported  
53.3 to the secretary of state is governed by section ~~201.155~~ 201.145.

53.4 Sec. 5. Minnesota Statutes 2016, section 13.851, subdivision 10, is amended to read:

53.5 Subd. 10. **Felony offender data; voter registration.** The use of felony offender data  
53.6 made available to the secretary of state is governed by section ~~201.157~~ 201.145.

53.7 Sec. 6. Minnesota Statutes 2016, section 200.02, is amended by adding a subdivision to  
53.8 read:

53.9 Subd. 30. **Personal knowledge.** "Personal knowledge" means knowledge gained through  
53.10 firsthand observation or experience, as opposed to knowledge based on what someone else  
53.11 has said.

53.12 Sec. 7. Minnesota Statutes 2016, section 201.061, subdivision 4, is amended to read:

53.13 Subd. 4. **Registration by election judges; procedures.** Registration at the polling place  
53.14 on election day shall be conducted by the election judges. Before registering an individual  
53.15 to vote at the polling place, the election judge must review: (1) any list of absentee election  
53.16 day registrants provided by the county auditor or municipal clerk to see if the person has  
53.17 already voted by absentee ballot; and (2) the precinct list of challenged voters required under  
53.18 section 201.145, subdivision 1, paragraph (c). If the person's name appears on ~~the~~ either  
53.19 list, the election judge must not allow the individual to register or to vote in the polling  
53.20 place. The election judge who registers an individual at the polling place on election day  
53.21 shall not handle that voter's ballots at any time prior to the opening of the ballot box after  
53.22 the voting ends. Registration applications and forms for oaths shall be available at each  
53.23 polling place. If an individual who registers on election day proves residence by oath of a  
53.24 registered voter, the form containing the oath shall be attached to the individual's registration  
53.25 application. Registration applications completed on election day shall be forwarded to the  
53.26 county auditor who shall add the name of each voter to the registration system unless the  
53.27 information forwarded is substantially deficient. A county auditor who finds an election  
53.28 day registration substantially deficient shall give written notice to the individual whose  
53.29 registration is found deficient. An election day registration shall not be found deficient  
53.30 solely because the individual who provided proof of residence was ineligible to do so.

54.1 Sec. 8. Minnesota Statutes 2016, section 201.091, subdivision 4, is amended to read:

54.2 Subd. 4. **Public information lists.** (a) The county auditor shall make available for  
54.3 inspection a public information list which must contain the name, address, year of birth,  
54.4 and voting history of each registered voter in the county. The list must indicate each voter  
54.5 whose status is challenged in the statewide voter registration system at the time the list was  
54.6 prepared. For each voter, the list must include the history of each change in status and the  
54.7 date that the change to that status was made. The list must include the party choice of any  
54.8 voter who voted in the most recent presidential nomination primary. The telephone number  
54.9 must be included on the list if provided by the voter. The public information list may also  
54.10 include information on voting districts. The list must also include individuals that were  
54.11 previously registered but were removed from the statewide voter registration system, and  
54.12 the reason for the removal.

54.13 (b) The county auditor may adopt reasonable rules governing access to the list. No  
54.14 individual inspecting the public information list shall tamper with or alter it in any manner.  
54.15 No individual who inspects the public information list or who acquires a list of registered  
54.16 voters prepared from the public information list may use any information contained in the  
54.17 list for purposes unrelated to elections, political activities, or law enforcement.

54.18 (c) The secretary of state may provide copies of the public information lists and other  
54.19 information from the statewide registration system for uses related to elections, political  
54.20 activities, or in response to a law enforcement inquiry from a public official concerning a  
54.21 failure to comply with any criminal statute or any state or local tax statute.

54.22 (d) Before inspecting the public information list or obtaining a list of voters or other  
54.23 information from the list, the individual shall provide identification to the public official  
54.24 having custody of the public information list and shall state in writing that any information  
54.25 obtained from the list will not be used for purposes unrelated to elections, political activities,  
54.26 or law enforcement. Requests to examine or obtain information from the public information  
54.27 lists or the statewide registration system must be made and processed in the manner provided  
54.28 in the rules of the secretary of state.

54.29 (e) Upon receipt of a statement signed by the voter that withholding the voter's name  
54.30 from the public information list is required for the safety of the voter or the voter's family,  
54.31 the secretary of state and county auditor must withhold from the public information list the  
54.32 name of a registered voter.

54.33 **EFFECTIVE DATE.** This section is effective July 1, 2017, and applies to public  
54.34 information lists created on or after that date. Information on status changes or individuals

55.1 removed from the statewide voter registration system collected prior to July 1, 2017, must  
 55.2 not be included on a public information list.

55.3 Sec. 9. Minnesota Statutes 2016, section 201.121, subdivision 3, is amended to read:

55.4 Subd. 3. **Postelection sampling.** (a) Within ten days after an election, the county auditor  
 55.5 shall send the notice required by subdivision 2 to a random sampling of the individuals  
 55.6 registered on election day. The random sampling shall be determined in accordance with  
 55.7 the rules of the secretary of state. As soon as practicable after the election, the county auditor  
 55.8 shall mail the notice required by subdivision 2 to all other individuals registered on election  
 55.9 day. If a notice is returned as not deliverable, the county auditor shall attempt to determine  
 55.10 the reason for the return. A county auditor who does not receive or obtain satisfactory proof  
 55.11 of an individual's eligibility to vote shall immediately notify the county attorney of all of  
 55.12 the relevant information and the secretary of state of the numbers by precinct. The county  
 55.13 auditor must notify the secretary of state of the following information for each precinct:

55.14 (1) the total number of all notices that were returned as nondeliverable;

55.15 (2) the total number of nondeliverable notices that the county auditor was able to  
 55.16 determine the reason for the return along with the reason for each return;

55.17 (3) the total number of nondeliverable notices that the county auditor was unable to  
 55.18 determine the reason for the return.

55.19 (b) By March 1 of every odd-numbered year, the secretary of state shall report to the  
 55.20 chair and ranking minority members of the legislative committees with jurisdiction over  
 55.21 elections the number of notices reported under this subdivision to the secretary of state for  
 55.22 the previous state general election by county and precinct. following information for each  
 55.23 precinct and each county:

55.24 (1) the total number of all notices that were returned as nondeliverable;

55.25 (2) the total number of nondeliverable notices that a county auditor was able to determine  
 55.26 the reason for the return along with the reason for each return; and

55.27 (3) the total number of nondeliverable notices that a county auditor was unable to  
 55.28 determine the reason for the return.

56.1 Sec. 10. **[201.145] REPORTS ON GUARDIANSHIPS, LEGAL INCOMPETENCE,**  
56.2 **FELONY CONVICTIONS, AND CITIZENSHIP; STATUS CHANGES.**

56.3 **Subdivision 1. Report requirements.** (a) Reports required by this section must be  
56.4 submitted to the secretary of state as provided in this section. Reports from the state court  
56.5 administrator that are required under this section must be made on a daily basis, excluding  
56.6 weekends and holidays. Reports from the commissioner of corrections and the commissioner  
56.7 of public safety that are required under this section must be made to the secretary of state  
56.8 at least monthly. Reports must be submitted by electronic means. Reports from the  
56.9 commissioner of corrections and the commissioner of public safety must include a complete  
56.10 list of each individual under the reporting entity's jurisdiction and must not provide only  
56.11 the changes since the last report.

56.12 (b) The secretary of state must retain each report for a minimum of four years. The  
56.13 reports must be retained in the statewide voter registration system in a manner that allows  
56.14 users to search the reports for a particular date.

56.15 (c) No sooner than seven days before an election, the secretary of state must prepare  
56.16 and transmit to each county auditor a single list for each precinct in that county that includes  
56.17 each individual identified in a report required by this section. Each county auditor must  
56.18 ensure that at least one copy of the precinct list is delivered to the corresponding precinct  
56.19 polling place.

56.20 **Subd. 2. State court administrator report.** (a) The state court administrator must report  
56.21 on individuals 17 years of age or older who are under a guardianship in which a court order  
56.22 revokes the ward's right to vote or where the court has found the individual to be legally  
56.23 incompetent to vote.

56.24 (b) The state court administrator must report on individuals transferred to the jurisdiction  
56.25 of the court who meet a condition specified in paragraph (a).

56.26 (c) Each report required under this subdivision must include the following information  
56.27 for each individual in the report: name, address, date of birth, and, if available, last four  
56.28 digits of the Social Security number and driver's license or state identification card number.

56.29 (d) No later than seven calendar days after receiving a report under this subdivision, the  
56.30 secretary of state must determine if a person identified under paragraphs (a) and (b) is  
56.31 registered to vote and must prepare a list of those registrants for the county auditor. No later  
56.32 than seven calendar days after receiving the list from the secretary of state, the county auditor  
56.33 must challenge the status on the record in the statewide voter registration system of each  
56.34 individual named in the list. The county auditor must include the reason for the challenge.



- 57.1 Subd. 3. Commissioner of corrections report; state court administrator report. (a)  
57.2 The state court administrator must report on individuals 17 years of age or older who have  
57.3 been convicted of a felony.
- 57.4 (b) The commissioner of corrections must report on individuals 17 years of age or older  
57.5 who are currently:
- 57.6 (1) serving felony sentences under the commissioner's jurisdiction; or  
57.7 (2) on probation for felony offenses that resulted in the loss of civil rights, as indicated  
57.8 by the statewide supervision system established under section 241.065.
- 57.9 (c) Each report under this subdivision must include the following information for each  
57.10 individual: name, address or last known residential address that is not a correctional facility,  
57.11 and date of birth. If available, each report must also include the individual's: corrections'  
57.12 state identification number, last four digits of the Social Security number, driver's license  
57.13 or state identification card number, date of sentence, effective date of the sentence, county  
57.14 in which the conviction occurred, and date of discharge.
- 57.15 (d) No later than seven calendar days after receiving a report under this subdivision, the  
57.16 secretary of state must determine if a person identified under paragraphs (a) and (b) is  
57.17 registered to vote and must prepare a list of those registrants for the county auditor. No later  
57.18 than seven calendar days after receiving the list from the secretary of state, the county auditor  
57.19 must challenge the status on the record in the statewide voter registration system of each  
57.20 individual named in the list. The county auditor must include the reason for the challenge.
- 57.21 (e) The county auditor must identify an individual who registered to vote or voted while  
57.22 serving a felony sentence under the commissioner's jurisdiction or while on probation for  
57.23 a felony offense that resulted in the loss of civil rights during a period when the individual's  
57.24 civil rights were revoked. The county auditor must immediately send notice to the county  
57.25 attorney. The notice must include the name of the individual and any other identifying  
57.26 information as well as the evidence that shows the individual registered to vote or voted  
57.27 during the period when the individual's civil rights were revoked.
- 57.28 Subd. 4. Reports; restoration of right to vote. (a) The state court administrator must  
57.29 report on each individual whose guardianship was modified to restore the ward's right to  
57.30 vote or whose guardianship was terminated by order of the court under section 524.5-317  
57.31 after being ineligible to vote for any of the reasons specified in subdivision 2, paragraph  
57.32 (a).

58.1 (b) The state court administrator must report on individuals previously convicted of a  
58.2 felony whose civil rights have been restored.

58.3 (c) The commissioner of corrections must report on individuals who were serving a  
58.4 felony sentence under the commissioner's jurisdiction or who were on probation for a felony  
58.5 offense under the commissioner's jurisdiction that resulted in the loss of civil rights but who  
58.6 have been discharged from the sentence.

58.7 (d) Each report under this subdivision must include the following information for each  
58.8 individual: name, address, date of birth, and, if available, the last four digits of the Social  
58.9 Security number. For reports required by paragraphs (b) and (c), each report must also  
58.10 include the individual's, if available: corrections' state identification number, driver's license  
58.11 or state identification card number, date of sentence, effective date of the sentence, county  
58.12 in which the conviction occurred, and date of discharge.

58.13 (e) No later than seven calendar days after receiving a report under this subdivision, the  
58.14 secretary of state must determine if a person is registered to vote and must prepare a list of  
58.15 those registrants for the county auditor. No later than seven calendar days after receiving  
58.16 the list from the secretary of state, the county auditor must remove the challenge status on  
58.17 the record in the statewide voter registration system of each individual named in the list.  
58.18 The county auditor must include the reason for removing the challenge.

58.19 Subd. 5. **Commissioner of public safety report.** (a) The commissioner of public safety  
58.20 must report on individuals identified by department data as having temporary lawful status  
58.21 in the United States.

58.22 (b) The report under this section must include the following information for each  
58.23 individual: name, address, date of birth, driver's license or state identification card number,  
58.24 and, if available, last four digits of the Social Security number.

58.25 (c) No later than seven calendar days after receiving a report under this subdivision, the  
58.26 secretary of state must determine if a person identified under paragraph (a) is registered to  
58.27 vote and prepare a list of those voters for the county auditor. Within seven calendar days  
58.28 of receiving the list from the secretary of state, the county auditor must challenge the status  
58.29 on the record in the statewide voter registration system of each individual named in the list.  
58.30 The county auditor must include the reason for the challenge.

58.31 (d) The county auditor must also immediately send notice to the county attorney of each  
58.32 individual identified in paragraph (c). The notice must include the name of the individual  
58.33 and any other identifying information as well as the evidence that shows the individual  
58.34 registered to vote or voted and is not a citizen.

59.1 Subd. 6. **Notice of challenge.** No later than seven days after changing the status of a  
59.2 registrant in the statewide voter registration system, the county auditor must mail a notice  
59.3 to the registrant. The notice must include, at a minimum, the following information:

59.4 (1) a statement that the voter's status was challenged or that a challenge was removed;

59.5 (2) the reason for the change;

59.6 (3) a copy of the information provided by the entity that was the basis for the change in  
59.7 status; and

59.8 (4) a description of the process to contest the change in status, as provided in section  
59.9 201.146.

59.10 **EFFECTIVE DATE.** This section is effective July 1, 2017, and applies to reports  
59.11 received by the secretary of state on or after that date. The notices required by subdivision  
59.12 6 must be sent to individuals who are challenged in the statewide voter registration system  
59.13 pursuant to this section on or after July 1, 2017.

59.14 Sec. 11. **[201.146] CONTESTING A CHALLENGE.**

59.15 (a) An individual whose status was challenged in the statewide voter registration system  
59.16 pursuant to section 201.145 has the right to contest the challenge as provided in this section.

59.17 (b) To contest the challenge, the individual must file a contest petition with the named  
59.18 entity. The petition must state the basis for the contest and provide any supporting  
59.19 documentation. The individual may request a review meeting as part of the petition. The  
59.20 meeting may be conducted by interactive video technology. The petition must be in a form  
59.21 prescribed by the secretary of state.

59.22 (c) No later than seven days after receiving the contest petition, the named entity must  
59.23 review the contest petition and any supporting documentation, as well as the data provided  
59.24 to the secretary of state. If the individual requested a review meeting, the named entity must  
59.25 schedule a meeting with the individual within 14 days after receiving the contest petition.

59.26 (d) After reviewing the required data, and after the review meeting if one occurred, the  
59.27 named entity must determine whether the data is accurate or should be changed. If the named  
59.28 entity determines that no change to the data is required, the named entity must notify the  
59.29 individual. If the named entity determines that the data must be changed, the named entity  
59.30 must promptly notify the individual and the secretary of state. Upon receiving the changed  
59.31 data from the named entity, the secretary of state must promptly remove the challenged

60.1 status. If an individual disagrees with the decision of the named entity, the individual may  
60.2 appeal to the district court.

60.3 (e) For purposes of this section, "named entity" means the entity listed in the notice as  
60.4 required by section 201.145, subdivision 6.

60.5 **EFFECTIVE DATE.** This section is effective July 1, 2017, and applies to individuals  
60.6 who are challenged on or after that date.

60.7 Sec. 12. Minnesota Statutes 2016, section 204B.21, subdivision 2, is amended to read:

60.8 Subd. 2. **Appointing authority; powers and duties.** Election judges for precincts in a  
60.9 municipality shall be appointed by the governing body of the municipality. Election judges  
60.10 for precincts in unorganized territory and for performing election-related duties assigned  
60.11 by the county auditor shall be appointed by the county board. Election judges for a precinct  
60.12 composed of two or more municipalities must be appointed by the governing body of the  
60.13 municipality or municipalities responsible for appointing election judges as provided in the  
60.14 agreement to combine for election purposes. Except as otherwise provided in this section,  
60.15 appointments shall be made from lists furnished pursuant to subdivision 1 subject to the  
60.16 eligibility requirements and other qualifications established or authorized under section  
60.17 204B.19. At least two election judges in each precinct must be affiliated with different major  
60.18 political parties. If no lists have been furnished or if additional election judges are required  
60.19 after all listed names in that municipality have been exhausted, the appointing authority  
60.20 may appoint other individuals who meet the qualifications to serve as an election judge,  
60.21 including persons who are not affiliated with a major political party. An individual who is  
60.22 appointed from a source other than the list furnished pursuant to subdivision 1 must provide  
60.23 to the appointing authority the individual's major political party affiliation or a statement  
60.24 that the individual does not affiliate with any major political party. An individual who  
60.25 refuses to provide the individual's major political party affiliation or a statement that the  
60.26 individual does not affiliate with a major political party must not be appointed as an election  
60.27 judge. The appointments shall be made at least 25 days before the election at which the  
60.28 election judges will serve, except that the appointing authority may pass a resolution  
60.29 authorizing the appointment of additional election judges within the 25 days before the  
60.30 election if the appointing authority determines that additional election judges will be required.

61.1 Sec. 13. Minnesota Statutes 2016, section 204B.21, is amended by adding a subdivision  
61.2 to read:

61.3 Subd. 3. Access to election judge party affiliation. Notwithstanding section 13.43,  
61.4 the major political party affiliation of an election judge or a statement that the judge does  
61.5 not affiliate with a major political party is accessible to an individual who is appointed to  
61.6 serve as an election judge in the same precinct for the same election.

61.7 Sec. 14. Minnesota Statutes 2016, section 204C.10, is amended to read:

61.8 **204C.10 PERMANENT REGISTRATION; VERIFICATION OF REGISTRATION.**

61.9 (a) An individual seeking to vote shall sign a polling place roster or voter signature  
61.10 certificate which states that the individual is at least 18 years of age, a citizen of the United  
61.11 States, has resided in Minnesota for 20 days immediately preceding the election, maintains  
61.12 residence at the address shown, is not under a guardianship in which the court order revokes  
61.13 the individual's right to vote, has not been found by a court of law to be legally incompetent  
61.14 to vote or has the right to vote because, if the individual was convicted of a felony, the  
61.15 felony sentence has expired or been completed or the individual has been discharged from  
61.16 the sentence, is registered and has not already voted in the election. The roster must also  
61.17 state: "I understand that deliberately providing false information is a felony punishable by  
61.18 not more than five years imprisonment and a fine of not more than \$10,000, or both."

61.19 (b) At the presidential nomination primary, the polling place roster must also state: "I  
61.20 am in general agreement with the principles of the party for whose candidate I intend to  
61.21 vote, and I understand that my choice of a party's ballot will be public information." This  
61.22 statement must appear separately from the statements required in paragraph (a). The felony  
61.23 penalty provided for in paragraph (a) does not apply to this paragraph.

61.24 (c) ~~A judge may,~~ Before the applicant signs the roster or voter signature certificate, an  
61.25 election judge must confirm the applicant's name, address, and date of birth. Unless the  
61.26 challenge is resolved pursuant to section 204C.12, subdivision 3, a voter whose registration  
61.27 status is listed as challenged must not be allowed to sign the polling place roster or sign a  
61.28 voter signature certificate, but the voter must be allowed to cast a provisional ballot as  
61.29 provided in section 204C.135.

61.30 (d) After the applicant signs the roster or voter signature certificate, the judge shall give  
61.31 the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in  
61.32 charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to

62.1 the voter the ballot. The voters' receipts must be maintained during the time for notice of  
 62.2 filing an election contest.

62.3 (e) Whenever a challenged status appears on the polling place roster, an election judge  
 62.4 must ensure that the challenge is concealed or hidden from the view of any voter other than  
 62.5 the voter whose status is challenged.

62.6 Sec. 15. Minnesota Statutes 2016, section 204C.12, subdivision 1, is amended to read:

62.7 Subdivision 1. **Manner of challenging.** An election judge shall, and an authorized  
 62.8 challenger or other voter may, challenge an individual ~~whom the person knows or reasonably~~  
 62.9 ~~believes~~ based on personal knowledge that the individual is not an eligible voter.

62.10 Sec. 16. Minnesota Statutes 2016, section 204C.12, subdivision 2, is amended to read:

62.11 Subd. 2. **Statement of grounds; oath.** A challenger must be a resident of this state. The  
 62.12 secretary of state shall prepare a form that challengers must complete and sign when making  
 62.13 a challenge. The form must include space to state the ground for the challenge, a statement  
 62.14 that the challenge is based on the challenger's personal knowledge, and a statement that the  
 62.15 challenge is made under oath. The form must include a space for the challenger's printed  
 62.16 name, signature, telephone number, and address.

62.17 ~~An election judge shall administer to the challenged individual the following oath:~~

62.18 ~~"Do you solemnly swear (or affirm) that you will fully and truly answer all questions~~  
 62.19 ~~put to you concerning your eligibility to vote at this election?"~~

62.20 ~~The election judge shall then ask the challenged individual sufficient questions to test~~  
 62.21 ~~that individual's residence and right to vote.~~

62.22 Sec. 17. Minnesota Statutes 2016, section 204C.12, subdivision 3, is amended to read:

62.23 Subd. 3. **Determination of residence.** ~~In determining the~~ (a) For an individual whose  
 62.24 residency in the precinct is challenged, an election judge must administer to the challenged  
 62.25 individual the following oath: "Do you solemnly swear (or affirm) that you will fully and  
 62.26 truly answer all questions put to you concerning your residency in this precinct?" The  
 62.27 election judge must then ask the challenged questions to determine the individual's legal  
 62.28 residence ~~of a challenged individual,~~ in the precinct. The election judges shall must be  
 62.29 governed by the principles contained in section 200.031. If the challenged individual's  
 62.30 answers to the questions show ~~ineligibility to vote in~~ that the individual does not live in the  
 62.31 precinct, the individual shall must not be allowed to vote. If the individual has marked

63.1 ballots but not yet deposited them in the ballot boxes before the election judges determine  
 63.2 ineligibility to vote in that precinct, the marked ballots ~~shall~~ must be placed unopened with  
 63.3 the spoiled ballots. If the answers to the questions fail to show that the individual ~~is not~~  
 63.4 ~~eligible to vote in that~~ does not reside in the precinct and the challenge is not withdrawn,  
 63.5 the election judges ~~shall~~ must verbally administer the oath on the voter certificate to the  
 63.6 individual. After taking the oath and completing and signing the voter certificate, the  
 63.7 challenged individual ~~shall~~ must be allowed to vote.

63.8 (b) The process described in this section must not be used for any purpose other than  
 63.9 determining residency in the precinct.

63.10 **Sec. 18. [204C.135] PROVISIONAL BALLOTS.**

63.11 Subdivision 1. Casting provisional ballots. (a) A voter whose registration status is  
 63.12 challenged, and the challenge is not resolved pursuant to section 204C.12, is entitled to cast  
 63.13 a provisional ballot.

63.14 (b) A voter seeking to cast a provisional ballot must sign a provisional ballot roster or  
 63.15 a provisional voter signature certificate and complete a provisional ballot envelope. The  
 63.16 envelope must contain a space for the voter to list the voter's name, address of residence,  
 63.17 date of birth, voter identification number, and any other information prescribed by the  
 63.18 secretary of state. The voter must also swear or affirm, in writing, that the voter is eligible  
 63.19 to vote, has not voted previously in the same election, and meets the criteria for registering  
 63.20 to vote in the precinct in which the voter appears.

63.21 (c) Once the voter has completed the provisional ballot envelope, the voter must be  
 63.22 allowed to cast a provisional ballot. The provisional ballot must be in the same form as the  
 63.23 official ballot available in the precinct on election day. A completed provisional ballot shall  
 63.24 be sealed in a secrecy envelope. The secrecy envelope shall be sealed inside the voter's  
 63.25 provisional ballot envelope and deposited by the voter in a secure, sealed provisional ballot  
 63.26 box. Completed provisional ballots may not be combined with other voted ballots in the  
 63.27 polling place.

63.28 (d) The form of the secrecy and provisional ballot envelopes shall be prescribed by the  
 63.29 secretary of state. The provisional ballot envelope must be a color other than that provided  
 63.30 for absentee ballot envelopes and must be prominently labeled "Provisional Ballot Envelope."

63.31 (e) Provisional ballots and related documentation shall be delivered to and securely  
 63.32 maintained by the county auditor or municipal clerk in the same manner as required for  
 63.33 other election materials under sections 204C.27 and 204C.28.

64.1 Subd. 2. **Accepting or rejecting provisional ballot envelopes.** (a) Before the meeting  
 64.2 of the canvassing board, the county auditor or municipal clerk must accept or reject each  
 64.3 provisional ballot. The county auditor or municipal clerk must review the information in  
 64.4 the statewide voter registration system, required by section 201.145, subdivision 1, paragraph  
 64.5 (b), for the date of the election. If the information shows that the voter was not challenged,  
 64.6 or should not have been challenged on that date and was otherwise eligible to vote, that  
 64.7 voter's provisional ballot must be accepted. The county auditor or municipal clerk must  
 64.8 mark the provisional ballot envelope "Accepted" and initial or sign the envelope below the  
 64.9 word "Accepted." If a provisional ballot envelope is not accepted, the county auditor or  
 64.10 municipal clerk must mark the provisional ballot envelope "Rejected," initial or sign it below  
 64.11 the word "Rejected," and list the reason for the rejection on the envelope. The county auditor  
 64.12 or municipal clerk must promptly record in the statewide voter registration system that a  
 64.13 voter's provisional ballot has been accepted or rejected.

64.14 (b) The county auditor or municipal clerk must mail the voter a written notice of  
 64.15 provisional ballot rejection between six and ten weeks following the election. The notice  
 64.16 must include the reason for rejection and the name of the appropriate election official to  
 64.17 whom the voter may direct further questions, along with appropriate contact information.

64.18 (c) A provisional ballot envelope marked "Rejected" may not be opened or subject to  
 64.19 further review except in an election contest filed pursuant to chapter 209.

64.20 Subd. 3. **Provisional ballots; reconciliation.** Prior to counting any provisional ballots  
 64.21 in the final vote totals from a precinct, the county auditor or municipal clerk must verify  
 64.22 that the number of signatures appearing on the provisional ballot roster from that precinct  
 64.23 is equal to or greater than the number of provisional ballots submitted by voters in the  
 64.24 precinct on election day. Any discrepancy must be resolved before the provisional ballots  
 64.25 from the precinct may be counted. Excess provisional ballots to be counted must be randomly  
 64.26 withdrawn in the manner required by section 204C.20, subdivision 2.

64.27 Subd. 4. **Counting provisional ballots.** Accepted provisional ballot envelopes must be  
 64.28 opened, duplicated as needed in the manner provided in section 206.86, subdivision 5,  
 64.29 initialed by the members of the ballot board, and deposited in the appropriate ballot box. If  
 64.30 more than one ballot is enclosed in the ballot envelope, the ballots must be spoiled and must  
 64.31 not be counted.

64.32 Sec. 19. Minnesota Statutes 2016, section 204C.14, subdivision 1, is amended to read:

64.33 Subdivision 1. **Violations; penalty.** (a) No individual shall intentionally:



65.1 ~~(a)~~ (1) misrepresent the individual's identity in applying for a ballot, depositing a ballot  
 65.2 in a ballot box, requesting a provisional ballot or requesting that a provisional ballot be  
 65.3 counted, or attempting to vote by means of a voting machine or electronic voting system;

65.4 ~~(b)~~ (2) vote more than once at the same election;

65.5 ~~(c)~~ (3) put a ballot in a ballot box for any illegal purpose;

65.6 ~~(d)~~ (4) give more than one ballot of the same kind to an election judge to be placed in a  
 65.7 ballot box;

65.8 ~~(e)~~ (5) aid, abet, counsel or procure another to go into any precinct for the purpose of  
 65.9 voting in that precinct, knowing that the other individual is not eligible to vote in that  
 65.10 precinct; ~~or~~

65.11 ~~(f)~~ (6) aid, abet, counsel or procure another to do any act in violation of this section; or

65.12 (7) challenge a voter's eligibility to vote knowing that the challenge is not meritorious  
 65.13 or acting in reckless disregard of whether the challenge is meritorious.

65.14 (b) A violation of this section is a felony.

65.15 Sec. 20. Minnesota Statutes 2016, section 241.065, subdivision 2, is amended to read:

65.16 Subd. 2. **Establishment.** The Department of Corrections shall administer and maintain  
 65.17 a computerized data system for the purpose of assisting criminal justice agencies in  
 65.18 monitoring and enforcing the conditions of conditional release imposed on criminal offenders  
 65.19 by a sentencing court or the commissioner of corrections. The adult data and juvenile data  
 65.20 as defined in section 260B.171 in the statewide supervision system are private data as defined  
 65.21 in section 13.02, subdivision 12, but are accessible to criminal justice agencies as defined  
 65.22 in section 13.02, subdivision 3a, to the Minnesota sex offender program as provided in  
 65.23 section 246B.04, subdivision 3, to public defenders as provided in section 611.272, to all  
 65.24 trial courts and appellate courts, and to criminal justice agencies in other states in the conduct  
 65.25 of their official duties. Adult data in the statewide supervision system are accessible to the  
 65.26 secretary of state for the purposes described in section ~~201.157~~ 201.145.

65.27 Sec. 21. **INITIAL REPORT ON GUARDIANSHIPS, LEGAL INCOMPETENCE,**  
 65.28 **FELONY CONVICTIONS, AND CITIZENSHIP, AND STATUS CHANGES.**

65.29 Subdivision 1. Court administrator initial report. (a) By July 1, 2017, the state court  
 65.30 administrator must report to the secretary of state on the following groups of individuals:

66.1 (1) each individual 17 years of age or older who are under a guardianship in which a  
 66.2 court order revokes the ward's right to vote or where the court has found the individual to  
 66.3 be legally incompetent to vote;

66.4 (2) each individual 17 years of age or older who has been convicted of a felony;

66.5 (3) each individual whose guardianship was modified to restore the ward's right to vote  
 66.6 or whose guardianship was terminated by order of the court under Minnesota Statutes,  
 66.7 section 524.5-317, after being ineligible to vote for any of the reasons specified in subdivision  
 66.8 2, paragraph (a); and

66.9 (4) each individual previously convicted of a felony whose civil rights have been restored.

66.10 (b) Each report under this subdivision must include the following information for each  
 66.11 individual: name, address, date of birth, and, if available, the last four digits of the Social  
 66.12 Security number. For reports required by paragraph (a), clauses (2) and (4), each report  
 66.13 must also include the individual's, if available: corrections' state identification number,  
 66.14 driver's license or state identification card number, date of sentence, effective date of the  
 66.15 sentence, county in which the conviction occurred, and date of discharge.

66.16 Subd. 2. **Commissioner of corrections initial report.** (a) By July 1, 2017, the  
 66.17 commissioner of corrections must report to the secretary of state on the following groups  
 66.18 of individuals:

66.19 (1) each individual 17 years of age or older who are currently:

66.20 (i) serving felony sentences under the commissioner's jurisdiction; or

66.21 (ii) on probation for felony offenses that resulted in the loss of civil rights, as indicated  
 66.22 by the statewide supervision system established under Minnesota Statutes, section 241.065;  
 66.23 and

66.24 (2) each individual who was serving a felony sentence under the commissioner's  
 66.25 jurisdiction or who was on probation for a felony offense under the commissioner's  
 66.26 jurisdiction that resulted in the loss of civil rights but who has been discharged from the  
 66.27 sentence.

66.28 (b) Each report under this subdivision must include the following information for each  
 66.29 individual: name, address or last known residential address that is not a correctional facility,  
 66.30 and date of birth. If available, each report must also include the individual's: corrections'  
 66.31 state identification number, last four digits of the Social Security number, driver's license  
 66.32 or state identification card number, date of sentence, effective date of the sentence, county  
 66.33 in which the conviction occurred, and date of discharge.

67.1 Subd. 3. Commissioner of public safety initial report. By July 1, 2017, the  
67.2 commissioner of public safety must report to the secretary of state on each individual  
67.3 identified by the department as having temporary lawful status in the United States. The  
67.4 report section must include the following information for each individual: name, address,  
67.5 date of birth, driver's license or state identification card number, and, if available, last four  
67.6 digits of the Social Security number.

67.7 Subd. 4. Initial report use. The secretary of state must enter all information from each  
67.8 report received under this section into the statewide voter registration system. The reports  
67.9 must be retained in the statewide voter registration system in a manner that allows users to  
67.10 search the reports for a particular date.

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

67.12 Sec. 22. REPEALER.

67.13 Minnesota Statutes 2016, sections 201.15; 201.155; 201.157; and 201.158, are repealed.

67.14 Sec. 23. EFFECTIVE DATE.

67.15 This article is effective July 1, 2017.

APPENDIX  
Article locations in S0514-4

ARTICLE 1	ELECTION ADMINISTRATION .....	Page.Ln 2.1
ARTICLE 2	UNIFORM ELECTION DATES .....	Page.Ln 10.24
ARTICLE 3	SCHOOL ELECTION ADMINISTRATION .....	Page.Ln 23.21
ARTICLE 4	CHALLENGES; VOTER INFORMATION .....	Page.Ln 52.11

**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.

**201.15 DISTRICT JUDGE, REPORT GUARDIANSHIPS AND COMMITMENTS.**

Subdivision 1. **Guardianships and incompetents.** Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the state court administrator shall report regularly by electronic means to the secretary of state the name, address, date of birth, and, if available, driver's license or state identification card number of each individual 18 years of age or over, who since the last report:

(1) was placed under a guardianship in which the court order revokes the ward's right to vote; or

(2) was adjudged legally incompetent.

The court administrator shall also report the same information for each individual transferred to the jurisdiction of the court who meets a condition specified in clause (1) or (2). The secretary of state shall determine if any of the persons in the report is registered to vote and shall prepare a list of those registrants for the county auditor. The county auditor shall change the status on the record in the statewide registration system of any individual named in the report to indicate that the individual is not eligible to reregister or vote.

Subd. 2. **Guardianship termination or modification.** Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the state court administrator shall report regularly by electronic means to the secretary of state the name, address, date of birth, and, if available, driver's license or state identification card number of each individual whose guardianship was modified to restore the ward's right to vote or whose guardianship was terminated by order of the court under section 524.5-317 after being ineligible to vote for any of the reasons specified in subdivision 1. The secretary of state shall determine if any of the persons in the report is registered to vote and shall prepare a list of those registrants for the county auditor. The county auditor shall change the status on the voter's record in the statewide registration system to "active."

**201.155 REPORT ON FELONY CONVICTIONS.**

Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the state court administrator shall report regularly by electronic means to the secretary of state the name, address, date of birth, and, if available, driver's license or state identification card number, date of sentence, effective date of the sentence, and county in which the conviction occurred of each person who has been convicted of a felony. The state court administrator shall also report the name, address, and date of birth of each person previously convicted of a felony whose civil rights have been restored. The secretary of state shall determine if any of the persons in the report is registered to vote and shall prepare a list of those registrants for each county auditor. The county auditor shall change the status of those registrants in the appropriate manner in the statewide registration system.

**201.157 USE OF DEPARTMENT OF CORRECTIONS DATA.**

(a) The commissioner of corrections shall make electronic data available to the secretary of state on individuals 18 years of age or older who are currently:

(1) serving felony sentences under the commissioner's jurisdiction; or

(2) on probation for felony offenses that would result in the loss of civil rights, as indicated by the statewide supervision system established under section 241.065.

The data must include the name, date of birth, last known residential address that is not a correctional facility, and, if available, corrections' state identification number, and the driver's license or state identification card number, and, if an individual has completed the sentence, the date of discharge.

(b) The secretary of state must determine if any data newly indicates that:

(1) an individual with an active voter registration in the statewide voter registration system is currently serving a felony sentence under the commissioner's jurisdiction or is on probation for

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a felony offense that would result in the loss of civil rights and the individual's voter record does not already have a challenged status due to a felony conviction;

(2) an individual with an active voter registration in the statewide voter registration system who is currently serving a felony sentence under the commissioner's jurisdiction or who is on probation for a felony offense that would result in the loss of civil rights appears to have registered to vote or to have voted during a period when the individual's civil rights were revoked; and

(3) an individual with a voter record that has a challenged status due to a felony conviction who was serving a felony sentence under the commissioner's jurisdiction or who has been on probation for a felony offense that would result in the loss of civil rights has been discharged from a sentence.

The secretary of state shall prepare a list of the registrants included under clause (1), (2), or (3) for each county auditor. For individuals under clause (1), the county auditor shall challenge the individual's record in the statewide voter registration system. The county auditor must provide information to the county attorney about individuals under clause (2) for the county attorney's investigation. For individuals under clause (3), the county auditor must determine if the challenge status should be removed from the voter record for the individual, and if so, must remove the challenge.

The secretary of state must make the required determinations and provide the required lists to the county auditors at least monthly.

For each state general election that occurs prior to the statewide voter registration system being programmed to generate lists as required by this section, the secretary of state must make the determination and provide lists to the county auditors between 30 and 60 days before the election and again between six and ten weeks after the election. In the year following that state election, the secretary of state must make this determination and provide lists to the county auditors again as part of the annual list maintenance.

#### **201.158 USE OF DEPARTMENT OF PUBLIC SAFETY DATA.**

As required by the Help America Vote Act of 2002, Public Law 107-252, the commissioner of public safety shall make electronic data on citizenship available to the secretary of state. The secretary of state must determine whether the data newly indicates that any individuals who have active records in the statewide voter registration system are not citizens. The secretary of state shall prepare a list of those voters for each county auditor at least monthly. The county auditor shall change the status of those registrants in the statewide voter registration system to reflect that they are challenged based upon their citizenship and must notify the county attorney.

#### **204B.16 POLLING PLACES; DESIGNATION.**

Subd. 3. **Designation effective until changed.** The designation of a polling place pursuant to this section shall remain effective until a different polling place is designated for that precinct. No designation of a new or different polling place shall become effective less than 90 days prior to an election, including school district elections or referenda, and no polling place changes may occur during the period between the state primary and the state general election, except that a new polling place may be designated to replace a polling place that has become unavailable for use.

#### **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

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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.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.

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.