

S.F. No. 514 and H.F. No. 729, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

The following document shows the differences between S.F. No. 514, the fifth engrossment, and H.F. No. 729, the first engrossment.

May 16, 2017

Patrick D. Murphy
Chief Clerk, House of Representatives

Explanation of Comparison Reports

When a Senate File is received from the Senate, it is given its first reading and must be referred to the appropriate standing committee or division under Rule 1.11.

But if the House File companion of that Senate File has already been reported out of Committee and given its second reading and is on the General Register, the Senate File must be referred to the Chief Clerk for comparison pursuant to Rule 1.15.

The Chief Clerk reports whether the bills were found to be identical or not identical. Once the bills have been compared and the differences have been reported, the Senate File is given its second reading and is substituted for the House File. The House File is then considered withdrawn.

Pursuant to rule 3.33, if the bills are not identical and the chief author of the bill wishes to use the House language, the chief author must give notice of their intent to substitute the House language when the bill is placed on the Calendar for the Day or the Fiscal Calendar. If the chief author of the bill wishes to keep the Senate language, no action is required.

1.1 A bill for an act
 1.2 relating to elections; **making technical and policy changes to provisions related to**
 1.3 **the administration of elections; providing uniform special election dates; changing**
 1.4 **the date of the state primary from August to June; changing the date of primary**
 1.5 **elections conducted by a political subdivision in certain circumstances; authorizing**
 1.6 **the appointment of certain county offices; amending Minnesota Statutes 2016,**
 1.7 **sections 103B.545, subdivision 2; 123A.46, subdivision 12; 123B.09, subdivision**
 1.8 **5b; 123B.63, subdivision 3; 126C.17, subdivision 11; 128D.05, subdivision 2;**
 1.9 **201.121, subdivision 1; 201.225, subdivision 2; 203B.081, subdivision 3; 204B.09,**
 1.10 **subdivision 3; 204B.13, subdivision 1; 204B.14, subdivision 2; 204B.16,**
 1.11 **subdivision 1a; 204B.21; 204B.31, subdivision 2; 204C.32, subdivision 2; 204C.33,**
 1.12 **subdivision 3; 204D.03, subdivision 1; 204D.09, subdivision 1; 204D.28,**
 1.13 **subdivision 5; 205.065, subdivisions 1, 2, 5; 205.07, subdivisions 1, 3; 205.10, by**
 1.14 **adding a subdivision; 205A.03, subdivisions 1, 2; 205A.05, subdivisions 1, 2, by**
 1.15 **adding a subdivision; 205A.06, subdivision 1a; 205A.11, subdivision 2a; 206.61,**
 1.16 **subdivision 5; 206.82, subdivision 2; 208.04, subdivision 1; 211B.11, subdivision**
 1.17 **1; 216B.46; 365A.06, subdivision 2; 367.33, subdivision 1; 375.08; 375.101,**
 1.18 **subdivision 1; 375B.07, subdivision 2; 375B.10; 382.01; 382.02; 383B.031,**
 1.19 **subdivision 1; 383E.24, subdivision 7; 410.10, subdivision 1; 447.32, subdivision**
 1.20 **2; 475.59; proposing coding for new law in Minnesota Statutes, chapters 204B;**
 1.21 **375A; repealing Minnesota Statutes 2016, section 205.10, subdivision 3.**

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

1.23 **ARTICLE 1**
 1.24 **ELECTION ADMINISTRATION**

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:**

1.25 Section 1. Minnesota Statutes 2016, section 123B.09, subdivision 5b, is amended to read:

1.26 Subd. 5b. **Appointments to fill vacancies; special elections.** (a) Any vacancy on the
1.27 board, other than a vacancy described in subdivision 4, must be filled by board appointment
1.28 at a regular or special meeting. The appointment shall be evidenced by a resolution entered
1.29 in the minutes and shall be effective 30 days following adoption of the resolution, subject
1.30 to paragraph (b). If the appointment becomes effective, it shall continue until an election is
2.1 held under this subdivision. All elections to fill vacancies shall be for the unexpired term.
2.2 A special election to fill the vacancy must be held no later than the first Tuesday after the
2.3 first Monday in November following the vacancy. If the vacancy occurs less than 90 days
2.4 prior to the first Tuesday after the first Monday in November in the year in which the vacancy
2.5 occurs, the special election must be held no later than the first Tuesday after the first Monday
2.6 in November of the following calendar year. If the vacancy occurs less than 90 days prior
2.7 to the first Tuesday after the first Monday in November in the third year of the term, no
2.8 special election is required. If the vacancy is filled by a special election, the person elected
2.9 at that election for the ensuing term shall take office immediately after receiving the
2.10 certificate of election, filing the bond, and taking the oath of office.

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

2.19 Sec. 2. Minnesota Statutes 2016, section 201.121, subdivision 1, is amended to read:

2.20 Subdivision 1. **Entry of registration information.** (a) At the time a voter registration
2.21 application is properly completed, submitted, and received in accordance with sections
2.22 201.061 and 201.071, the county auditor shall enter the information contained on it into the
2.23 statewide registration system. Voter registration applications completed before election day
2.24 must be entered into the statewide registration system within ten days after they have been
2.25 submitted to the county auditor. Voter registration applications completed on election day
2.26 must be entered into the statewide registration system within 42 days after the election,
2.27 unless the county auditor notifies the secretary of state before the 42-day deadline has
2.28 expired that the deadline will not be met. Upon receipt of a notification under this paragraph,

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).

2.29 the secretary of state must extend the deadline for that county auditor by an additional 28
 2.30 days. The secretary of state may waive a county's obligations under this paragraph if, on
 2.31 good cause shown, the county demonstrates its permanent inability to comply.

2.32 The secretary of state must post data on each county's compliance with this paragraph on
 2.33 the secretary of state's Web site including, as applicable, the date each county fully complied
 2.34 or the deadline by which a county's compliance must be complete.

3.1 (b) Upon receiving a completed voter registration application, the secretary of state may
 3.2 electronically transmit the information on the application to the appropriate county auditor
 3.3 as soon as possible for review by the county auditor before final entry into the statewide
 3.4 registration system. The secretary of state may mail the voter registration application to the
 3.5 county auditor.

3.6 (c) Within ten days after the county auditor has entered information from a voter
 3.7 registration application into the statewide registration system, the secretary of state shall
 3.8 compare the voter's name, date of birth, and driver's license number, state identification
 3.9 number, or the last four digits of the Social Security number with the same information
 3.10 contained in the Department of Public Safety database.

3.11 (d) The secretary of state shall provide a report to the county auditor on a weekly basis
 3.12 that includes a list of voters whose name, date of birth, or identification number have been
 3.13 compared with the same information in the Department of Public Safety database and cannot
 3.14 be verified as provided in this subdivision. The report must list separately those voters who
 3.15 have submitted a voter registration application by mail and have not voted in a federal
 3.16 election in this state.

3.17 (e) The county auditor shall compile a list of voters for whom the county auditor and
 3.18 the secretary of state are unable to conclude that information on the voter registration
 3.19 application and the corresponding information in the Department of Public Safety database
 3.20 relate to the same person.

3.21 (f) The county auditor shall send a notice of incomplete registration to any voter whose
 3.22 name appears on the list and change the voter's status to "incomplete." A voter who receives
 3.23 a notice of incomplete registration from the county auditor may either provide the information
 3.24 required to complete the registration at least 21 days before the next election or at the polling
 3.25 place on election day.

3.26 Sec. 3. Minnesota Statutes 2016, section 201.225, subdivision 2, is amended to read:

3.27 Subd. 2. **Technology requirements.** An electronic roster must:

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:

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

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

3.31 (3) allow for data to be entered manually or by scanning a Minnesota driver's license or
 3.32 identification card to locate a voter record or populate a voter registration application that
 3.33 would be printed and signed and dated by the voter. The printed registration application
 4.1 can be either a printed form, labels printed with voter information to be affixed to a preprinted
 4.2 form, ~~or~~ a combination of both, or an electronic record that the voter signs electronically
 4.3 and is printed following its completion at the polling place;

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

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

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

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

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

4.16 (9) provide for a printed voter signature certificate, containing the voter's name, address
 4.17 of residence, date of birth, voter identification number, the oath required by section 204C.10,
 4.18 and a space for the voter's original signature. The printed voter signature certificate can be
 4.19 either a printed form or a label printed with the voter's information to be affixed to the oath,
 4.20 or an electronic record that the voter signs electronically and is printed following its
 4.21 completion at the polling place;

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

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

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

4.28 (13) be capable of providing a voter's correct polling place; and

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

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.

5.1 Electronic rosters used only for election day registration do not need to comply with clauses
 5.2 (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need
 5.3 to comply with clauses (4) and (5).

5.4 Sec. 4. Minnesota Statutes 2016, section 203B.081, subdivision 3, is amended to read:

5.5 Subd. 3. **Alternative procedure.** (a) The county auditor may make available a ballot
 5.6 counter and ballot box for use by the voters ~~during the seven days before the election.~~ If a
 5.7 ballot counter and ballot box is provided, a voter must be given the option either (1) to vote
 5.8 using the process provided in section 203B.08, subdivision 1, or (2) to vote in the manner
 5.9 provided in this subdivision. When providing these options, the county auditor must inform
 5.10 the voter that choosing to cast an absentee ballot in the manner provided in this subdivision
 5.11 prohibits the voter from submitting a replacement absentee ballot at a later date.

5.12 (b) If a voter chooses to vote in the manner provided in this subdivision, the voter must
 5.13 state the voter's name, address, and date of birth to the county auditor or municipal clerk.
 5.14 The voter shall sign a voter's certificate, which must include the voter's name, identification
 5.15 number, and the certification required by section 201.071, subdivision 1. The certificate
 5.16 must also include the following statement: "I understand that my absentee ballot will be
 5.17 counted as cast today, and that I cannot submit a replacement absentee ballot to change my
 5.18 votes at a later date." The signature of an individual on the voter's certificate and the issuance
 5.19 of a ballot to the individual is evidence of the intent of the individual to vote at that election.

5.20 (c) After signing the voter's certificate, the voter shall be issued a ballot and immediately
 5.21 retire to a voting station or other designated location in the polling place to mark the ballot.
 5.22 The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter
 5.23 may return it to the election official in exchange for a new ballot. After completing the
 5.24 ballot, the voter shall deposit the ballot into the ballot box.

5.25 (d) The election official must immediately record that the voter has voted in the manner
 5.26 provided in section 203B.121, subdivision 3.

5.27 (e) The election duties required by this subdivision must be performed by the county
 5.28 auditor, municipal clerk, or a deputy of the auditor or clerk.

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

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

6.4 (b) A candidate for president of the United States who files a request under this
 6.5 subdivision must include the name of a candidate for vice-president of the United States.
 6.6 The request must also include the name of at least one candidate for presidential elector.

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.

6.7 The total number of names of candidates for presidential elector on the request may not
6.8 exceed the total number of electoral votes to be cast by Minnesota in the presidential election.

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

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

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

6.16 (1) dies;

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

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

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

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

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

7.5 Sec. 8. Minnesota Statutes 2016, section 204B.21, is amended to read:

7.6 **204B.21 APPOINTMENT OF ELECTION JUDGES.**

7.7 Subdivision 1. **Appointment lists; duties of political parties and secretary of state.**
7.8 On May 1 in a year in which there is an election for a partisan political office, each major
7.9 political party shall prepare a list of eligible voters to act as election judges in each election
7.10 precinct. The list provided by the party must indicate which eligible voters are willing to
7.11 travel to a precinct outside of their home jurisdiction to act as an election judge, and the

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.

7.12 jurisdictions to which each eligible voter is willing to travel for that purpose. The political
 7.13 parties shall furnish the lists electronically to the secretary of state, in a format specified by
 7.14 the secretary of state. The secretary of state must combine the data received from each
 7.15 political party under this subdivision and must process the data to locate the precinct in
 7.16 which the address provided for each potential election judge is located. If the data submitted
 7.17 by a political party is insufficient for the secretary of state to locate the proper precinct, the
 7.18 associated name must not appear in any list forwarded to an appointing authority under this
 7.19 subdivision. The secretary of state shall notify political parties of any proposed election
 7.20 judges with addresses that could not be located in a precinct.

7.21 By May 15, the secretary of state shall furnish electronically to the county auditor a list
 7.22 of the appropriate names for each election precinct in the jurisdiction of the appointing
 7.23 authority, and a list of the names of individuals residing outside of the jurisdiction who
 7.24 indicated a willingness to travel to that jurisdiction to act as an election judge, noting the
 7.25 political party affiliation of each individual on the list. The county auditor must promptly
 7.26 forward the appropriate names to the appropriate municipal clerk.

7.27 Subd. 2. **Appointing authority; powers and duties.** Election judges for precincts in a
 7.28 municipality shall be appointed by the governing body of the municipality. Election judges
 7.29 for precincts in unorganized territory and for performing election-related duties assigned
 7.30 by the county auditor shall be appointed by the county board. Election judges for a precinct
 7.31 composed of two or more municipalities must be appointed by the governing body of the
 7.32 municipality or municipalities responsible for appointing election judges as provided in the
 7.33 agreement to combine for election purposes. Except as otherwise provided in this section,
 7.34 appointments shall be made from ~~lists~~ the list of voters who reside in each precinct, furnished
 8.1 pursuant to subdivision 1, subject to the eligibility requirements and other qualifications
 8.2 established or authorized under section 204B.19. At least two election judges in each precinct
 8.3 must be affiliated with different major political parties. If no lists have been furnished or if
 8.4 additional election judges are required after all listed names in that municipality have been
 8.5 exhausted, the appointing authority may appoint other individuals who meet the qualifications
 8.6 to serve as an election judge, including persons on the list furnished pursuant to subdivision
 8.7 1 who indicated a willingness to travel to the municipality, and persons who are not affiliated
 8.8 with a major political party. The appointments shall be made at least 25 days before the
 8.9 election at which the election judges will serve, except that the appointing authority may
 8.10 pass a resolution authorizing the appointment of additional election judges within the 25
 8.11 days before the election if the appointing authority determines that additional election judges
 8.12 will be required.

8.13 Sec. 9. Minnesota Statutes 2016, section 204B.31, subdivision 2, is amended to read:

8.14 Subd. 2. **Volunteer service; election judge travel.** (a) Any person appointed to serve
 8.15 as an election judge may elect to serve without payment by submitting a written statement
 8.16 to the appropriate governing body no later than ten days before the election.

8.17 (b) Subdivision 1 does not require the payment of mileage or other travel expenses to
 8.18 an election judge residing in another jurisdiction, if the election judge's name was included

8.19 on the list of individuals who indicated a willingness to travel to another jurisdiction provided
8.20 under section 204B.21, subdivision 1.

8.21 Sec. 10. [204B.49] "I VOTED" STICKERS.

8.22 The secretary of state, county auditor, municipal clerk, school district clerk, or an election
8.23 judge may provide a sticker containing the words "I VOTED," and nothing more, to an
8.24 individual who:

8.25 (1) has successfully deposited a ballot into a ballot box, under section 203B.081,
8.26 subdivision 3, or 204C.13, subdivision 5;

8.27 (2) is provided an absentee ballot under section 203B.07, subdivision 1, or 203B.21,
8.28 subdivision 2; or

8.29 (3) is provided a ballot by mail under section 204B.45 or 204B.46.

9.1 Sec. 11. Minnesota Statutes 2016, section 204C.32, subdivision 2, is amended to read:

9.2 Subd. 2. **State canvass.** The State Canvassing Board shall meet ~~at the secretary of state's~~
9.3 ~~office~~ at a public meeting space located in the Capitol complex area seven days after the
9.4 state primary to canvass the certified copies of the county canvassing board reports received
9.5 from the county auditors. Immediately after the canvassing board declares the results, the
9.6 secretary of state shall certify the names of the nominees to the county auditors. The secretary
9.7 of state shall mail to each nominee a notice of nomination.

9.8 Sec. 12. Minnesota Statutes 2016, section 204C.33, subdivision 3, is amended to read:

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

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

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

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

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

9.21 Sec. 13. Minnesota Statutes 2016, section 205.065, subdivision 5, is amended to read:

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

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:~~

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

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

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

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

10.8 Sec. 14. Minnesota Statutes 2016, section 205.07, subdivision 1, is amended to read:

10.9 Subdivision 1. **Date of election.** The municipal general election in each city shall be
10.10 held on the first Tuesday after the first Monday in November in every even-numbered year.
10.11 Notwithstanding any provision of law to the contrary and subject to the provisions of this
10.12 section, the governing body of a city may, by ordinance passed at a regular meeting held
10.13 before June 1 of any year, elect to at least 180 calendar days before the first day to file for
10.14 candidate in the next municipal election, decide to hold the election on the first Tuesday
10.15 after the first Monday in November in each either an even- or odd-numbered year. A city
10.16 may hold elections in either the even-numbered year or the odd-numbered year, but not
10.17 both. When a city changes its elections from one year to another, and does not provide for
10.18 the expiration of terms by ordinance, the term of an incumbent expiring at a time when no
10.19 municipal election is held in the months immediately prior to expiration is extended until
10.20 the date for taking office following the next scheduled municipal election. If the change
10.21 results in having three council members to be elected at a succeeding election, the two
10.22 individuals receiving the highest vote shall serve for terms of four years and the individual
10.23 receiving the third highest number of votes shall serve for a term of two years. To provide
10.24 an orderly transition to the odd or even year election plan, the governing body of the city
10.25 may adopt supplementary ordinances regulating initial elections and officers to be chosen
10.26 at the elections and shortening or lengthening the terms of incumbents and those elected at
10.27 the initial election. The term of office for the mayor may be either two or four years. The
10.28 term of office of council members is four years. Whenever the time of the municipal election
10.29 is changed, the city clerk immediately shall notify in writing the county auditor and secretary
10.30 of state of the change of date. Thereafter the municipal general election shall be held on the
10.31 first Tuesday after the first Monday in November in each odd-numbered or even-numbered
10.32 year until the ordinance is revoked and notification of the change is made. A municipal

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 candidate 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

10.33 general election scheduled to be held in an odd-numbered year may be postponed for
10.34 inclement weather as provided in section 205.105.

11.1 Sec. 15. Minnesota Statutes 2016, section 205A.05, subdivision 2, is amended to read:

11.2 Subd. 2. **Vacancies in school district offices.** Special elections to fill vacancies in
11.3 elective school district offices shall be held in school districts pursuant to section ~~123B.095~~
11.4 123B.09. When more than one vacancy exists in an office elected at-large, voters must be
11.5 instructed to vote for up to the number of vacancies to be filled.

11.6 Sec. 16. Minnesota Statutes 2016, section 208.04, subdivision 1, is amended to read:

11.7 Subdivision 1. **Form of presidential ballots.** When presidential electors and alternates
11.8 are to be voted for, a vote cast for the party candidates for president and vice president shall
11.9 be deemed a vote for that party's electors and alternates as filed with the secretary of state.
11.10 The secretary of state shall certify the names of all duly nominated presidential and vice
11.11 presidential candidates to the county auditors of the counties of the state. Each county
11.12 auditor, subject to the rules of the secretary of state, shall cause the names of the candidates
11.13 of each major political party and the candidates nominated by petition to be ~~printed in capital~~
11.14 ~~letters~~, set in type of the same size and style as for candidates on the state general election

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

11.15 ballot, before the party designation. To the left of, and on the same line with the names of
 11.16 the candidates for president and vice president, near the margin, shall be placed ~~a square or~~
 11.17 ~~box~~ an oval or similar target shape, in which the voters may indicate their choice ~~by marking~~
 11.18 ~~an "X."~~.

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

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.

ARTICLE 2
UNIFORM ELECTION DATES

- 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"

- 11.23 Sec. 17. Minnesota Statutes 2016, section 211B.11, subdivision 1, is amended to read:
- 11.24 Subdivision 1. **Soliciting near polling places.** A person may not display campaign
- 11.25 material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within
- 11.26 a polling place or within 100 feet of the building in which a polling place is situated, or
- 11.27 anywhere on the public property on which a polling place is situated, on primary or election
- 11.28 day to vote for or refrain from voting for a candidate or ballot question. A person may not
- 11.29 provide political badges, political buttons, or other political insignia to be worn at or about
- 11.30 the polling place on the day of a primary or election. A political badge, political button, or
- 11.31 other political insignia may not be worn at or about the polling place on primary or election
- 11.32 day. This section applies to areas established by the county auditor or municipal clerk for
- 11.33 absentee voting as provided in chapter 203B.
- 12.1 The secretary of state, county auditor, municipal clerk, or school district clerk may
- 12.2 provide stickers which contain the words "I VOTED" and nothing more. Election judges

12.3 ~~may offer a sticker of this type to each voter who has signed the polling place roster or voter~~
 12.4 ~~signature certificate. Nothing in this subdivision prohibits the distribution of "I VOTED"~~
 12.5 ~~stickers as provided in section 204B.49.~~

ARTICLE 2

UNIFORM SPECIAL ELECTIONS

12.6
12.7

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.

ARTICLE 4

CHALLENGES; VOTER INFORMATION

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

52.12 Subd. 4. **Use of electronic access data.** Electronic access data may be disseminated:
 52.13 (1) to the commissioner for the purpose of evaluating electronic government services;
 52.14 (2) to another government entity or a federal law enforcement agency to prevent or report
 52.15 unlawful intrusions into government electronic systems; or
 52.16 (3) as otherwise provided by law.

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

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

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

52.22 Subd. 33. **Citizenship data; voter registration.** The use of citizenship data reported to
 52.23 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 absentee
- 53.19 election day registrants list, the election judge must not allow the individual to register or
- 53.20 to vote in the polling place. If the person's name appears on the challenged voter list, the
- 53.21 election judge must allow the individual to register or vote, but the voter must not be allowed
- 53.22 to sign the polling place roster or cast a ballot. Instead, a voter allowed to register despite
- 53.23 appearing on the challenged voter list must be allowed to cast a provisional ballot. The
- 53.24 election judge who registers an individual at the polling place on election day shall not
- 53.25 handle that voter's ballots at any time prior to the opening of the ballot box after the voting
- 53.26 ends. Registration applications and forms for oaths shall be available at each polling place.
- 53.27 If an individual who registers on election day proves residence by oath of a registered voter,
- 53.28 the form containing the oath shall be attached to the individual's registration application.
- 53.29 Registration applications completed on election day shall be forwarded to the county auditor
- 53.30 who shall add the name of each voter to the registration system unless the information
- 53.31 forwarded is substantially deficient. A county auditor who finds an election day registration
- 53.32 substantially deficient shall give written notice to the individual whose registration is found
- 54.1 deficient. An election day registration shall not be found deficient solely because the
- 54.2 individual who provided proof of residence was ineligible to do so.
- 54.3 Sec. 8. Minnesota Statutes 2016, section 201.091, subdivision 4, is amended to read:
- 54.4 Subd. 4. **Public information lists.** (a) The county auditor shall make available for
- 54.5 inspection a public information list which must contain the name, address, year of birth,
- 54.6 and voting history of each registered voter in the county. The list must indicate each voter
- 54.7 whose status is challenged in the statewide voter registration system at the time the list was
- 54.8 prepared. For each voter, the list must include the history of each change in status and the
- 54.9 date that the change to that status was made. The list must include the party choice of any
- 54.10 voter who voted in the most recent presidential nomination primary. The telephone number

- 54.11 must be included on the list if provided by the voter. The public information list may also
 54.12 include information on voting districts. The list must also include individuals that were
 54.13 previously registered but were removed from the statewide voter registration system, and
 54.14 the reason for the removal.
- 54.15 (b) The county auditor may adopt reasonable rules governing access to the list. No
 54.16 individual inspecting the public information list shall tamper with or alter it in any manner.
 54.17 No individual who inspects the public information list or who acquires a list of registered
 54.18 voters prepared from the public information list may use any information contained in the
 54.19 list for purposes unrelated to elections, political activities, or law enforcement.
- 54.20 (c) The secretary of state may provide copies of the public information lists and other
 54.21 information from the statewide registration system for uses related to elections, political
 54.22 activities, or in response to a law enforcement inquiry from a public official concerning a
 54.23 failure to comply with any criminal statute or any state or local tax statute.
- 54.24 (d) Before inspecting the public information list or obtaining a list of voters or other
 54.25 information from the list, the individual shall provide identification to the public official
 54.26 having custody of the public information list and shall state in writing that any information
 54.27 obtained from the list will not be used for purposes unrelated to elections, political activities,
 54.28 or law enforcement. Requests to examine or obtain information from the public information
 54.29 lists or the statewide registration system must be made and processed in the manner provided
 54.30 in the rules of the secretary of state.
- 54.31 (e) Upon receipt of a statement signed by the voter that withholding the voter's name
 54.32 from the public information list is required for the safety of the voter or the voter's family,
 54.33 the secretary of state and county auditor must withhold from the public information list the
 54.34 name of a registered voter.
- 55.1 **EFFECTIVE DATE.** This section is effective July 1, 2017, and applies to public
 55.2 information lists created on or after that date. Information on status changes or individuals
 55.3 removed from the statewide voter registration system collected prior to July 1, 2017, must
 55.4 not be included on a public information list.
- 55.5 Sec. 9. Minnesota Statutes 2016, section 201.121, subdivision 3, is amended to read:
- 55.6 Subd. 3. **Postelection sampling.** (a) Within ten days after an election, the county auditor
 55.7 shall send the notice required by subdivision 2 to a random sampling of the individuals
 55.8 registered on election day. The random sampling shall be determined in accordance with
 55.9 the rules of the secretary of state. As soon as practicable after the election, the county auditor
 55.10 shall mail the notice required by subdivision 2 to all other individuals registered on election
 55.11 day. If a notice is returned as not deliverable, the county auditor shall attempt to determine
 55.12 the reason for the return. A county auditor who does not receive or obtain satisfactory proof
 55.13 of an individual's eligibility to vote shall immediately notify the county attorney of all of
 55.14 the relevant information and the secretary of state of the numbers by precinct. The county
 55.15 auditor must notify the secretary of state of the following information for each precinct:

- 55.16 (1) the total number of all notices that were returned as nondeliverable;
- 55.17 (2) the total number of nondeliverable notices that the county auditor was able to
- 55.18 determine the reason for the return along with the reason for each return;
- 55.19 (3) the total number of nondeliverable notices that the county auditor was unable to
- 55.20 determine the reason for the return.
- 55.21 (b) By March 1 of every odd-numbered year, the secretary of state shall report to the
- 55.22 chair and ranking minority members of the legislative committees with jurisdiction over
- 55.23 elections the number of notices reported under this subdivision to the secretary of state for
- 55.24 the previous state general election by county and precinct. following information for each
- 55.25 precinct and each county:
- 55.26 (1) the total number of all notices that were returned as nondeliverable;
- 55.27 (2) the total number of nondeliverable notices that a county auditor was able to determine
- 55.28 the reason for the return along with the reason for each return; and
- 55.29 (3) the total number of nondeliverable notices that a county auditor was unable to
- 55.30 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.

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

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

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

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

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

12.24 Subd. 3. **Capital project levy referendum.** (a) A district may levy the local tax rate
12.25 approved by a majority of the electors voting on the question to provide funds for an approved
12.26 project. The election must take place no more than five years before the estimated date of

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.

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 coordinate 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

12.27 commencement of the project. The referendum must be held on a date ~~set by the board~~
 12.28 ~~authorized by section 205A.05, subdivision 1a.~~ A district must meet the requirements of
 12.29 section 123B.71 for projects funded under this section. If a review and comment is required
 12.30 under section 123B.71, subdivision 8, a referendum for a project not receiving a positive
 12.31 review and comment by the commissioner must be approved by at least 60 percent of the
 12.32 voters at the election.

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

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

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

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

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

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

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

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

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

13.28 "BY VOTING YES ON THIS BALLOT QUESTION, YOU ARE VOTING TO RENEW
 13.29 AN EXISTING CAPITAL PROJECTS REFERENDUM THAT IS SCHEDULED TO
 13.30 EXPIRE."

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

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.

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

14.2 Sec. 4. Minnesota Statutes 2016, section 126C.17, subdivision 11, is amended to read:

14.3 Subd. 11. **Referendum date.** (a) Except for a referendum held under paragraph (b), any
 14.4 referendum under this section held on a day other than the first Tuesday after the first
 14.5 Monday in November must be conducted by mail in accordance with section 204B.46 and
 14.6 held on a date authorized by section 205A.05, subdivision 1a. Notwithstanding subdivision
 14.7 9, paragraph (b), to the contrary, in the case of a referendum conducted by mail under this
 14.8 paragraph, the notice required by subdivision 9, paragraph (b), must be prepared and delivered
 14.9 by first-class mail at least 20 days before the referendum.

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

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

14.17 Sec. 5. Minnesota Statutes 2016, section 128D.05, subdivision 2, is amended to read:

14.18 Subd. 2. **Time of change.** A proposed change in election years adopted under subdivision
 14.19 1 is effective 240 days after passage and publication or at a later date fixed in the proposal.
 14.20 Within 180 days after passage and publication of the proposal, a petition requesting a
 14.21 referendum on the proposal may be filed with the school district clerk. The petition must
 14.22 be signed by eligible voters equal in number to five percent of the total number of votes
 14.23 cast in the city of Minneapolis at the most recent state general election. If the requisite
 14.24 petition is filed within the prescribed period, the proposal does not become effective until
 14.25 it is approved by a majority of the voters voting on the question at a general or special
 14.26 election held ~~at least 60 days after submission of the petition~~ on a date authorized by section
 14.27 205A.05, subdivision 1a. If the petition is filed, the governing body may reconsider its
 14.28 action in adopting the proposal.

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,

14.29 Sec. 6. Minnesota Statutes 2016, section 205.07, subdivision 3, is amended to read:

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

15.8 Sec. 7. Minnesota Statutes 2016, section 205.10, is amended by adding a subdivision to
 15.9 read:

15.10 Subd. 3a. **Special election dates.** (a) Except as allowed in paragraph (b) and subdivision
 15.11 4, a special election held in a city or town must be held on one of the following dates: the
 15.12 second Tuesday in February, the second Tuesday in April, the second Tuesday in May, the
 15.13 second Tuesday in August, or the first Tuesday after the first Monday in November. A home
 15.14 rule charter city must not designate additional dates in its charter.

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

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.

15.21 Sec. 8. Minnesota Statutes 2016, section 205A.05, subdivision 1, is amended to read:

15.22 Subdivision 1. **Questions.** ~~(a)~~ Special elections must be held for a school district on a

15.23 question on which the voters are authorized by law to pass judgment. The school board may

15.24 on its own motion call a special election to vote on any matter requiring approval of the

15.25 voters of a district. Upon petition filed with the school board of 50 or more voters of the

15.26 school district or five percent of the number of voters voting at the preceding school district

15.27 general election, whichever is greater, the school board shall by resolution call a special

15.28 election to vote on any matter requiring approval of the voters of a district. A question is

15.29 carried only with the majority in its favor required by law. The election officials for a special

15.30 election are the same as for the most recent school district general election unless changed

15.31 according to law. Otherwise, special elections must be conducted and the returns made in

15.32 the manner provided for the school district general election.

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

16.1 ~~(1) during the 56 days before and the 56 days after a regularly scheduled primary or~~

16.2 ~~general election conducted wholly or partially within the school district;~~

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.

16.3 ~~(2) on the date of a regularly scheduled town election or annual meeting in March~~
 16.4 ~~conducted wholly or partially within the school district; or~~
 16.5 ~~(3) during the 30 days before or the 30 days after a regularly scheduled town election~~
 16.6 ~~in March conducted wholly or partially within the school district.~~
 16.7 ~~(e) Notwithstanding any other law to the contrary, the time period in which a special~~
 16.8 ~~election must be conducted under any other law may be extended by the school board to~~
 16.9 ~~conform with the requirements of this subdivision.~~

16.10 Sec. 9. Minnesota Statutes 2016, section 205A.05, is amended by adding a subdivision to
 16.11 read:

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

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

16.22 Sec. 10. Minnesota Statutes 2016, section 216B.46, is amended to read:

16.23 **216B.46 MUNICIPAL ACQUISITION PROCEDURES; NOTICE; ELECTION.**

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

17.1 Sec. 11. Minnesota Statutes 2016, section 365A.06, subdivision 2, is amended to read:

17.2 Subd. 2. **Election.** The town board shall hold a special election within the boundaries
 17.3 of the proposed district ~~not less than 30 nor more than 90 days after receipt of the petition~~
 17.4 on a date authorized by section 205.10, subdivision 3a. The question submitted and voted

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 ~~(e) 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 to
 18.2 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

17.5 upon by the property owners within the territory of the proposed district must be phrased
17.6 substantially as follows:

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

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

17.12 Sec. 12. Minnesota Statutes 2016, section 367.33, subdivision 1, is amended to read:

17.13 Subdivision 1. **Election at annual election or special election.** Following the adoption
17.14 of option A in a town, except a town exercising the powers of a statutory city, the town
17.15 board may call a special town election to be held ~~not less than 30 nor more than 60 days~~
17.16 ~~after the annual town election at which the option is adopted on a date authorized by section~~
17.17 205.10, subdivision 3a, to elect two additional members to the board of supervisors. In lieu
17.18 of a special election, the town board may determine to elect the additional members at the
17.19 next annual town election.

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

17.25 Sec. 13. Minnesota Statutes 2016, section 375.101, subdivision 1, is amended to read:

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

18.1 ~~(1) not less than 120 days following the date the vacancy is declared, but no later than~~
18.2 ~~12 weeks prior to the date of the next regularly scheduled primary election;~~

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

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

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

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.

18.12 Sec. 14. Minnesota Statutes 2016, section 375B.07, subdivision 2, is amended to read:

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

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

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

18.23 Sec. 15. Minnesota Statutes 2016, section 375B.10, is amended to read:

18.24 **375B.10 WITHDRAWAL; ELECTION.**

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

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

19.3 If a majority of those voting on the question favor the removal and discontinuance of
 19.4 the services, the service district shall be removed and the services shall be discontinued
 19.5 upon certification of the vote by the county auditor. The county auditor shall administer the
 19.6 election.

19.7 Sec. 16. Minnesota Statutes 2016, section 383B.031, subdivision 1, is amended to read:

19.8 Subdivision 1. **More than six months; special election.** Notwithstanding the provisions
 19.9 of section 375.101, if a vacancy occurs in a seat on the Board of County Commissioners of
 19.10 Hennepin County more than six months before the general election in which a commissioner
 19.11 will next be selected to occupy such seat the county auditor shall, within seven days after
 19.12 the vacancy occurs, call a special election within the affected district to fill such vacancy.
 19.13 The auditor shall specify a date for the election ~~which shall be between 56 and 77 days after~~
 19.14 ~~the vacancy occurred~~ to be held on a date authorized by section 205.10, subdivision 3a.
 19.15 Candidates shall file with the county auditor prior to the 35th day before the election. The
 19.16 primary election shall be held 14 days before the election. If no more than two candidates
 19.17 file for the office, the primary election shall be canceled and the date of the general election
 19.18 advanced 14 days.

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.

19.19 Sec. 17. Minnesota Statutes 2016, section 383E.24, subdivision 7, is amended to read:

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

19.25 (b) The county board shall make arrangements for the holding of a special election ~~not~~
19.26 ~~less than 30 or more than 90 days after receipt of such petition on a date authorized by~~
19.27 ~~section 205.10, subdivision 3a, and~~ within the boundaries of the proposed taxing district.

19.28 The question to be submitted and voted upon by the qualified voters within the territory of
19.29 the proposed service district shall be phrased substantially as follows:

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

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

20.4 Sec. 18. Minnesota Statutes 2016, section 410.10, subdivision 1, is amended to read:

20.5 Subdivision 1. **Timing; procedure; recall.** Upon delivery of such draft, the council or
20.6 other governing body of the city shall cause the proposed charter to be submitted at the next
20.7 general election thereafter occurring in the city within six months after the delivery of such
20.8 draft, and if there is no general city election occurring in the city within six months after
20.9 the delivery of such draft, then the council or other governing body of the city shall cause
20.10 the proposed charter to be submitted at a special election to be held ~~within 90 days after the~~
20.11 ~~delivery of such draft on a date authorized by section 205.10, subdivision 3a.~~ The council
20.12 or other governing body may call a special election for that purpose only at any time. If the
20.13 election is held at the same time with the general election, the voting places and election
20.14 officers shall be the same for both elections. At any time before the council has fixed the
20.15 date of the election upon the proposed charter, the charter commission may recall it for
20.16 further action; and the council may authorize recall of the charter by the commission at any
20.17 later date prior to the first publication of the proposed charter.

20.18 Sec. 19. Minnesota Statutes 2016, section 447.32, subdivision 2, is amended to read:

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

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.

20.27 Special elections may be called by the hospital board to vote on any matter required by
 20.28 law to be submitted to the voters. A special election ~~may not be conducted either during the~~
 20.29 ~~56 days before or the 56 days after a regularly scheduled primary or general election,~~
 20.30 ~~conducted wholly or partially within the hospital district~~ must be held on a date authorized
 20.31 by section 205.10, subdivision 3a. Special elections must be held within the election precinct
 20.32 or precincts and at the polling place or places designated by the board. In the case of the
 21.1 first election of officers of a new district, precincts and polling places must be set by the
 21.2 governing body of the most populous city or town included in the district.

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

21.6 Sec. 20. Minnesota Statutes 2016, section 475.59, is amended to read:

21.7 **475.59 MANNER OF SUBMISSION; NOTICE.**

21.8 Subdivision 1. Generally; notice. When the governing body of a municipality resolves
 21.9 to issue bonds for any purpose requiring the approval of the electors, it shall provide for
 21.10 submission of the proposition of their issuance at a general or special election or town or
 21.11 school district meeting. Notice of such election or meeting shall be given in the manner
 21.12 required by law and shall state the maximum amount and the purpose of the proposed issue.
 21.13 In any school district, the school board or board of education may, according to its judgment
 21.14 and discretion, submit as a single ballot question or as two or more separate questions in
 21.15 the notice of election and ballots the proposition of their issuance for any one or more of
 21.16 the following, stated conjunctively or in the alternative: acquisition or enlargement of sites,
 21.17 acquisition, betterment, erection, furnishing, equipping of one or more new schoolhouses,
 21.18 remodeling, repairing, improving, adding to, betterment, furnishing, equipping of one or
 21.19 more existing schoolhouses. In any city, town, or county, the governing body may, according
 21.20 to its judgment and discretion, submit as a single ballot question or as two or more separate
 21.21 questions in the notice of election and ballots the proposition of their issuance, stated
 21.22 conjunctively or in the alternative, for the acquisition, construction, or improvement of any
 21.23 facilities at one or more locations.

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

21.27 Sec. 21. **REPEALER.**

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

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.

21.29 Sec. 22. **EFFECTIVE DATE.**

21.30 This article is effective August 1, 2017, and applies to any special elections held on or
21.31 after that date.

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.

22.1 **ARTICLE 3**

22.2 **JUNE PRIMARY**

22.3 Section 1. Minnesota Statutes 2016, section 204B.14, subdivision 2, is amended to read:

22.4 Subd. 2. **Separate precincts; combined polling place.** (a) The following shall constitute
22.5 at least one election precinct:

22.6 (1) each city ward; and

22.7 (2) each town and each statutory city.

22.8 (b) A single, accessible, combined polling place may be established no later than
22.9 November 1 if a presidential nomination primary is scheduled to occur in the following
22.10 year or ~~May~~ March 1 of any other year:

22.11 (1) for any city of the third or fourth class, any town, or any city having territory in more
22.12 than one county, in which all the voters of the city or town shall cast their ballots;

22.13 (2) for contiguous precincts in the same municipality;

22.14 (3) for up to four contiguous municipalities located entirely outside the metropolitan
22.15 area, as defined by section 200.02, subdivision 24, that are contained in the same county;
22.16 or

22.17 (4) for noncontiguous precincts located in one or more counties.

22.18 Subject to the requirements of paragraph (c), a single, accessible, combined polling place
22.19 may be established after May 1 of any year in the event of an emergency.

22.20 A copy of the ordinance or resolution establishing a combined polling place must be
22.21 filed with the county auditor within 30 days after approval by the governing body. A polling
22.22 place combined under clause (3) must be approved by the governing body of each
22.23 participating municipality. A polling place combined under clause (4) must be approved by
22.24 the governing body of each participating municipality and the secretary of state and may
22.25 be located outside any of the noncontiguous precincts. A municipality withdrawing from
22.26 participation in a combined polling place must do so by filing a resolution of withdrawal
22.27 with the county auditor no later than October 1 if a presidential nomination primary is
22.28 scheduled to occur in the following year or ~~April~~ February 1 of any other year.

22.29 The secretary of state shall provide a separate polling place roster for each precinct
22.30 served by the combined polling place, except that in a precinct that uses electronic rosters
22.31 the secretary of state shall provide separate data files for each precinct. A single set of
22.32 election judges may be appointed to serve at a combined polling place. The number of
23.1 election judges required must be based on the total number of persons voting at the last

23.2 similar election in all precincts to be voting at the combined polling place. Separate ballot
 23.3 boxes must be provided for the ballots from each precinct. The results of the election must
 23.4 be reported separately for each precinct served by the combined polling place, except in a
 23.5 polling place established under clause (2) where one of the precincts has fewer than ten
 23.6 registered voters, in which case the results of that precinct must be reported in the manner
 23.7 specified by the secretary of state.

23.8 (c) If a local elections official determines that an emergency situation preventing the
 23.9 safe, secure, and full operation of a polling place on election day has occurred or is imminent,
 23.10 the local elections official may combine two or more polling places for that election pursuant
 23.11 to this subdivision. To the extent possible, the polling places must be combined and the
 23.12 election conducted according to the requirements of paragraph (b), except that:

23.13 (1) polling places may be combined after May 1 and until the polls close on election
 23.14 day;

23.15 (2) any city or town, regardless of size or location, may establish a combined polling
 23.16 place under this paragraph;

23.17 (3) the governing body is not required to adopt an ordinance or resolution to establish
 23.18 the combined polling place;

23.19 (4) a polling place combined under paragraph (b), clause (3) or (4), must be approved
 23.20 by the local election official of each participating municipality;

23.21 (5) the local elections official must immediately notify the county auditor and the
 23.22 secretary of state of the combination, including the reason for the emergency combination
 23.23 and the location of the combined polling place. As soon as possible, the local elections
 23.24 official must also post a notice stating the reason for the combination and the location of
 23.25 the combined polling place. The notice must also be posted on the governing board's Web
 23.26 site, if one exists. The local elections official must also notify the election judges and request
 23.27 that local media outlets publicly announce the reason for the combination and the location
 23.28 of the combined polling place; and

23.29 (6) on election day, the local elections official must post a notice in large print in a
 23.30 conspicuous place at the polling place where the emergency occurred, if practical, stating
 23.31 the location of the combined polling place. The local election official must also post the
 23.32 notice, if practical, in a location visible by voters who vote from their motor vehicles as
 23.33 provided in section 204C.15, subdivision 2. If polling place hours are extended pursuant to
 23.34 section 204C.05, subdivision 2, paragraph (b), the posted notices required by this paragraph
 24.1 must include a statement that the polling place hours at the combined polling place will be
 24.2 extended until the specified time.

24.3 Sec. 2. Minnesota Statutes 2016, section 204B.21, subdivision 1, is amended to read:

24.4 Subdivision 1. **Appointment lists; duties of political parties and secretary of state.**
 24.5 On ~~May~~ March 1 in a year in which there is an election for a partisan political office, each
 24.6 major political party shall prepare a list of eligible voters to act as election judges in each

24.7 election precinct. The political parties shall furnish the lists electronically to the secretary
 24.8 of state, in a format specified by the secretary of state. The secretary of state must combine
 24.9 the data received from each political party under this subdivision and must process the data
 24.10 to locate the precinct in which the address provided for each potential election judge is
 24.11 located. If the data submitted by a political party is insufficient for the secretary of state to
 24.12 locate the proper precinct, the associated name must not appear in any list forwarded to an
 24.13 appointing authority under this subdivision. The secretary of state shall notify political
 24.14 parties of any proposed election judges with addresses that could not be located in a precinct.

24.15 By ~~May~~ March 15, the secretary of state shall furnish electronically to the county auditor
 24.16 a list of the appropriate names for each election precinct in the jurisdiction of the appointing
 24.17 authority, noting the political party affiliation of each individual on the list. The county
 24.18 auditor must promptly forward the appropriate names to the appropriate municipal clerk.

24.19 Sec. 3. Minnesota Statutes 2016, section 204D.03, subdivision 1, is amended to read:

24.20 Subdivision 1. **State primary.** The state primary shall be held on the ~~second~~ first Tuesday
 24.21 ~~after the third Monday in August~~ June in each even-numbered year to select the nominees
 24.22 of the major political parties for partisan offices and the nominees for nonpartisan offices
 24.23 to be filled at the state general election, other than presidential electors.

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

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

24.4

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

24.5

24.6 Subd. 11. **District referendum.** After receipt of the review and comment on the project
 24.7 and before January 1 of the even-numbered year, the question authorizing the borrowing
 24.8 of money for the facilities must be submitted by the school board to the voters of the district
 at a regular or special election. The question submitted must state the total amount to be

- 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 ~~elect~~ 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 or 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

24.24 Sec. 4. Minnesota Statutes 2016, section 204D.09, subdivision 1, is amended to read:

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

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

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.

25.1 Sec. 5. Minnesota Statutes 2016, section 204D.28, subdivision 5, is amended to read:

25.2 Subd. 5. **Regular state primary.** "Regular state primary" means:

25.3 (a) the state primary at which candidates are nominated for offices elected at the state
 25.4 general election; or

25.5 (b) a primary held on the ~~second~~ first Tuesday after the third Monday in ~~August~~ June
 25.6 of odd-numbered years.

25.7 Sec. 6. Minnesota Statutes 2016, section 205.065, subdivision 1, is amended to read:

25.8 Subdivision 1. **Establishing primary.** A municipal primary for the purpose of nominating
 25.9 elective officers may be held in any city on the ~~second~~ first Tuesday after the third Monday
 25.10 in ~~August~~ June of any year in which a municipal general election is to be held for the purpose
 25.11 of electing officers. The date of a municipal primary held in an odd-numbered year may be
 25.12 postponed for inclement weather as provided in section 205.105.

25.13 Sec. 7. Minnesota Statutes 2016, section 205.065, subdivision 2, is amended to read:

25.14 Subd. 2. **Resolution or ordinance.** The governing body of a city may, by ordinance or
 25.15 resolution adopted by ~~April~~ January 15 in the year when a municipal general election is
 25.16 held, elect to choose nominees for municipal offices by a primary as provided in this section.
 25.17 The resolution or ordinance, when adopted, is effective for all ensuing municipal elections
 25.18 until it is revoked. The municipal clerk shall notify the secretary of state and the county
 25.19 auditor within 30 days after the adoption of the resolution or ordinance.

25.20 Sec. 8. Minnesota Statutes 2016, section 205A.03, subdivision 1, is amended to read:

25.21 Subdivision 1. **Resolution requiring primary in certain circumstances.** The school
 25.22 board of a school district may, by resolution adopted by ~~April~~ January 15 of any year, decide
 25.23 to choose nominees for school board by a primary as provided in this section. The resolution,
 25.24 when adopted, is effective for all ensuing elections of board members in that school district
 25.25 until it is revoked. If the board decides to choose nominees by primary and if there are more
 25.26 than two candidates for a specified school board position or more than twice as many school
 25.27 board candidates as there are at-large school board positions available, the school district
 25.28 must hold a primary.

26.1 Sec. 9. Minnesota Statutes 2016, section 205A.03, subdivision 2, is amended to read:

26.2 Subd. 2. **Date.** The school district primary must be held on the ~~second~~ first Tuesday
26.3 after the third Monday in August June in the year when the school district general election
26.4 is held. The clerk shall give notice of the primary in the manner provided in section 205A.07.
26.5 The date of a school district primary held in an odd-numbered year may be postponed for
26.6 inclement weather as provided in section 205A.055.

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

26.7 Sec. 10. Minnesota Statutes 2016, section 205A.06, subdivision 1a, is amended to read:

26.8 Subd. 1a. **Filing period.** In school districts that have adopted a resolution to choose
26.9 nominees for school board by a primary election, affidavits of candidacy must be filed with
26.10 the school district clerk no earlier than the 84th day and no later than the 70th day before
26.11 the second first Tuesday after the third Monday in August June in the year when the school
26.12 district general election is held. In all other school districts, affidavits of candidacy must be
26.13 filed no earlier than the 98th day and no later than the 84th day before the school district
26.14 general election.

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 ~~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.

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

26.16 Subd. 2a. **Notice of special elections.** The school district clerk shall prepare a notice to
 26.17 the voters who will be voting in a combined polling place for a school district special election.
 26.18 The notice must include the following information: the date of the election, the hours of
 26.19 voting, and the location of the voter's polling place. The notice must be sent by
 26.20 nonforwardable mail to every affected household in the school district with at least one
 26.21 registered voter. The notice must be mailed no later than 14 days before the election. The
 26.22 mailed notice is not required for a school district special election that is held on the ~~second~~
 26.23 ~~first~~ Tuesday ~~after the third Monday~~ in ~~August~~ ~~June~~, the Tuesday following the first Monday
 26.24 in November, or for a special election conducted entirely by mail. A notice that is returned
 26.25 as undeliverable must be forwarded immediately to the county auditor.

26.26 Sec. 12. Minnesota Statutes 2016, section 206.61, subdivision 5, is amended to read:

26.27 Subd. 5. **Alternation.** The provisions of the election laws requiring the alternation of
 26.28 names of candidates must be observed as far as practicable by changing the order of the
 26.29 names on an electronic voting system in the various precincts so that each name appears on
 26.30 the machines or marking devices used in a municipality substantially an equal number of
 26.31 times in the first, last, and in each intermediate place in the list or group in which they
 26.32 belong. However, the arrangement of candidates' names must be the same on all voting
 27.1 systems used in the same precinct. If the number of names to be alternated exceeds the

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.~~

27.2 number of precincts, the election official responsible for providing the ballots, in accordance
27.3 with subdivision 1, shall determine by lot the alternation of names.

27.4 If an electronic ballot marker is used with a paper ballot that is not an optical scan ballot
27.5 card, the manner of alternation of candidate names on the paper ballot must be as prescribed
27.6 for optical scan ballots in this subdivision.

27.7 The rules adopted by the secretary of state for the rotation of candidate names must use
27.8 the number of registered voters in each precinct as of 8:00 a.m. on ~~May~~ March 1 of the year
27.9 when the rotation will be made as the basis for determining the rotation of names.

27.10 Sec. 13. Minnesota Statutes 2016, section 206.82, subdivision 2, is amended to read:

27.11 Subd. 2. **Plan.** The municipal clerk in a municipality where an electronic voting system
27.12 is used and the county auditor of a county in which an electronic voting system is used in
27.13 more than one municipality and the county auditor of a county in which a counting center
27.14 serving more than one municipality is located shall prepare a plan which indicates acquisition
27.15 of sufficient facilities, computer time, and professional services and which describes the
27.16 proposed manner of complying with section 206.80. The plan must be signed, notarized,
27.17 and submitted to the secretary of state more than 60 days before the first election at which
27.18 the municipality uses an electronic voting system. Before ~~May~~ March 1 of each subsequent
27.19 general election year, the clerk or auditor shall submit to the secretary of state notification
27.20 of any changes to the plan on file with the secretary of state. The secretary of state shall
27.21 review each plan for its sufficiency and may request technical assistance from the Office
27.22 of MN.IT Services or other agency which may be operating as the central computer authority.
27.23 The secretary of state shall notify each reporting authority of the sufficiency or insufficiency
27.24 of its plan within 20 days of receipt of the plan. The attorney general, upon request of the
27.25 secretary of state, may seek a district court order requiring an election official to fulfill
27.26 duties imposed by this subdivision or by rules promulgated pursuant to this section.

27.27 Sec. 14. **EFFECTIVE DATE.**

27.28 Sections 1 to 13 are effective January 1, 2018, and apply to elections conducted on or
27.29 after that date.

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.

27.30 **ARTICLE 4**
27.31 **COUNTY OFFICES**

27.32 Section 1. Minnesota Statutes 2016, section 375.08, is amended to read:

28.1 **375.08 BOARD TO FILL VACANCIES IN COUNTY OFFICES.**

28.2 When a vacancy occurs in the office of an elected county auditor, county treasurer,
28.3 county recorder, sheriff, county attorney, county surveyor, or coroner, the county board
28.4 shall fill it by appointment. For that purpose it shall meet at the usual place of meeting, upon
28.5 one day's notice from the chair or clerk, which shall be served personally upon each member
28.6 in the same manner as a district court summons. The person appointed shall give the bond

28.7 and take the oath required by law, and serve the remainder of the term, and until a successor
28.8 qualifies. When a vacancy occurs in an office that has a chief deputy or first assistant, the
28.9 chief deputy or first assistant may perform all the duties and functions of the office until it
28.10 is filled by appointment by the county board.

28.11 Sec. 2. Minnesota Statutes 2016, section 375.101, subdivision 1, is amended to read:

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

28.18 (1) not less than 120 days following the date the vacancy is declared, but no later than
28.19 12 weeks prior to the date of the next regularly scheduled primary election;

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

28.22 (3) no sooner than 120 days following the next regularly scheduled general election.

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

28.28 (c) If a special election is required to be held to fill a vacancy in the office of county
28.29 commissioner, the county board may temporarily fill the vacancy by appointment before
28.30 the vacancy is filled by special election. Before making an appointment to temporarily fill
28.31 a vacancy under this subdivision, the board must allow public testimony from persons
28.32 residing in the district in which the vacancy occurs relating to the qualifications of the
28.33 prospective appointee. After the board selects the person to temporarily fill the vacancy,
29.1 the board shall adopt and enter into the minutes of its proceedings a resolution evidencing
29.2 the appointment. The term of the appointment expires when a successor is chosen by special
29.3 election and takes the oath of office.

29.4 Sec. 3. **[375A.1205] APPOINTING COUNTY RECORDERS.**

29.5 Subdivision 1. **Authority to appoint county recorder.** A county board may appoint
29.6 the county recorder under section 375A.10, subdivision 2, by following the process outlined
29.7 in this section. Notwithstanding section 375A.12, a referendum is not required if the
29.8 appointment is made pursuant to this section. A county board shall only use the authority
29.9 to appoint under the following circumstances:

29.10 (1) there is a vacancy in the office due to resignation or death; or

29.11 (2) there is a signed contract with the county board and the incumbent recorder that
29.12 provides that the incumbent officer will be appointed to the position and retain tenure, pay,
29.13 and benefits equal to or greater than length of service.

29.14 Subd. 2. **Responsibility of county officer.** At least 104 days before the filing date for
29.15 office under section 204B.09, an elected county officer must notify the county board in
29.16 writing whether the officer will be filing for another term. If the officer indicates in writing
29.17 that the officer will not file for the office and the county board has passed a resolution under
29.18 subdivision 6, affidavits of candidacy will not be accepted for that office and the office will
29.19 not be placed on the ballot.

29.20 Subd. 3. **Board controls; may change as long as duties done.** Upon adoption of a
29.21 resolution by the county board of commissioners and subject to subdivisions 5 and 6, the
29.22 duties of an elected official required by statute whose office is made appointive as authorized
29.23 by this section must be discharged by the county board of commissioners acting through a
29.24 department head appointed by the board for that purpose. Reorganization, reallocation,
29.25 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid
29.26 the discharge of duties required by statute.

29.27 Subd. 4. **Discharge or demotion.** (a) A county recorder who was elected at the most
29.28 recent election for that office prior to a county board resolution to make the office appointed,
29.29 and is appointed by the county board to the office, may not be involuntarily demoted or
29.30 discharged except for incompetency or misconduct.

29.31 (b) Before demoting or discharging an office holder under this subdivision, the board
29.32 must notify the office holder in writing and state its grounds for the proposed demotion or
29.33 discharge in reasonable detail. Within ten days after receipt of this notification, the office
30.1 holder may make a written request for a hearing before an arbitrator and the request must
30.2 be granted before final action is taken. Failure to request a hearing before an arbitrator
30.3 during this period is considered acquiescence to the board's action. The board may suspend
30.4 an office holder with pay pending the conclusion of the hearing and determination of the
30.5 issues raised in the hearing after charges have been filed which constitute grounds for
30.6 demotion or discharge. If an office holder has been charged with a felony and the underlying
30.7 conduct that is the subject of the felony charge is a ground for a proposed discharge, the
30.8 suspension pending the conclusion of the hearing and determination of the issues may be
30.9 without pay. If a hearing under this subdivision is held, the board must reimburse the office
30.10 holder for any salary or compensation withheld if the final decision of the arbitrator does
30.11 not result in a penalty or discharge of the office holder.

30.12 (c) If the office holder and the board are unable to mutually agree on an arbitrator, the
30.13 board must request from the Bureau of Mediation Services a list of seven persons qualified
30.14 to serve as an arbitrator. If the office holder and the board are unable to mutually agree on
30.15 an arbitrator from the list provided, the parties shall alternately strike names from the list
30.16 until the name of one arbitrator remains. The person remaining after the striking procedure
30.17 must be the arbitrator. If the parties are unable to agree on who shall strike the first name,

30.18 the question must be decided by a flip of a coin. The office holder and the board must share
 30.19 equally the costs and fees of the arbitrator except as set forth in paragraph (g).

30.20 (d) The arbitrator shall determine, by a preponderance of the evidence, whether the
 30.21 grounds for discharge or demotion exist to support the proposed discharge or demotion. A
 30.22 lesser penalty than demotion or discharge may be imposed by the arbitrator only to the
 30.23 extent that either party proposes such lesser penalty in the proceeding. In making the
 30.24 determination, the arbitration proceeding is governed by sections 572B.15 to 572B.28.

30.25 (e) An arbitration hearing conducted under this subdivision is a meeting for preliminary
 30.26 consideration of allegations or charges within the meaning of section 13D.05, subdivision
 30.27 3, paragraph (a), and must be closed, unless the office holder requests it to be open.

30.28 (f) The arbitrator's award is final and binding on the parties, subject to sections 572B.18
 30.29 to 572B.28.

30.30 (g) In the event the arbitrator rules not to demote or discharge the office holder, the
 30.31 board shall pay all of the costs and fees of the arbitrator and the attorney fees of the office
 30.32 holder.

30.33 Subd. 5. **Incumbents to complete term.** The person elected at the last general election
 30.34 to an office made appointive under this section must serve in that capacity and perform the
 31.1 duties, functions, and responsibilities required by statute until the completion of the term
 31.2 of office to which the person was elected, or until a vacancy occurs in the office, whichever
 31.3 occurs earlier.

31.4 Subd. 6. **Publishing resolution; petition; referendum.** (a) Before the adoption of the
 31.5 resolution to provide for the appointment of an office as described in subdivision 1, the
 31.6 county board must publish a proposed resolution notifying the public of its intent to consider
 31.7 the issue once each week, for two consecutive weeks, in the official publication of the
 31.8 county. Following publication and prior to formally adopting the resolution, the county
 31.9 board shall provide an opportunity at its next regular meeting for public comment relating
 31.10 to the issue. After the public comment opportunity, at the same meeting or a subsequent
 31.11 meeting, the county board of commissioners may adopt a resolution that provides for the
 31.12 appointment of the office or offices as permitted in this section. The resolution must be
 31.13 approved by at least 80 percent of the members of the county board. The resolution may
 31.14 take effect 30 days after it is adopted, or at a later date stated in the resolution, unless a
 31.15 petition is filed as provided in paragraph (b).

31.16 (b) Except when an office is made appointive under subdivision 1, clause (2), within 30
 31.17 days after the county board adopts the resolution, a petition requesting a referendum may
 31.18 be filed with the county auditor. The petition must be signed by at least ten percent of the
 31.19 registered voters of the county. The petition must meet the requirements of the secretary of
 31.20 state, as provided in section 204B.071, and any rules adopted to implement that section. If
 31.21 the petition is sufficient, the county board resolution is rescinded.

31.22 Subd. 7. **Reverting to elected offices.** (a) The county board may adopt a resolution to
 31.23 provide for the election of an office made an appointed position under this section, but not

31.24 until at least three years after the office was made an appointed position. The county board
31.25 must publish a proposed resolution notifying the public of its intent to consider the issue
31.26 once each week, for two consecutive weeks, in the official publication of the county.
31.27 Following publication and before formally adopting the resolution, the county board must
31.28 provide an opportunity at its next regular meeting for public comment relating to the issue.
31.29 After the public comment opportunity, at the same meeting or a subsequent meeting, the
31.30 county board of commissioners may adopt the resolution. The resolution must be approved
31.31 by at least 60 percent of the members of the county board and is effective August 1 following
31.32 adoption of the resolution.

31.33 (b) The question of whether an office made an appointed position under this section
31.34 must be made an elected office must be placed on the ballot at the next general election if
31.35 (1) the position has been an appointed position for at least three years; (2) a petition signed
32.1 by at least ten percent of the registered voters of the county is filed with the office of the
32.2 county auditor by August 1 of the year in which the general election is held; and (3) the
32.3 petition meets the requirements of the secretary of state, as provided in section 204B.071,
32.4 and any rules adopted to implement that section. If a majority of the voters of the county
32.5 voting on the question vote in favor of making the office an elected position, the election
32.6 for that office must be held at the next regular or special election.

32.7 Sec. 4. Minnesota Statutes 2016, section 382.01, is amended to read:

32.8 **382.01 OFFICERS ELECTED; TERMS.**

32.9 In every county in this state there shall be elected at the general election in 1918 a county
32.10 auditor, a county treasurer, sheriff, county recorder, county attorney, and coroner.

32.11 The terms of office of these officers shall be four years and shall begin on the first
32.12 Monday in January next succeeding their election. They shall hold office until their successors
32.13 are elected and qualified. Each of these offices shall must be filled by election every four
32.14 years thereafter, unless an office is consolidated with another county officer or made
32.15 appointive under chapter 375A or other general or special law.

32.16 Sec. 5. Minnesota Statutes 2016, section 382.02, is amended to read:

32.17 **382.02 VACANCIES, HOW FILLED.**

32.18 Any appointment made to fill a vacancy in any of the offices named in section 382.01
32.19 that has not been made appointive under chapter 375A or other general or special law shall
32.20 be for the balance of such entire term, and be made by the county board.

32.21 Sec. 6. **MORRISON COUNTY RECORDER MAY BE APPOINTED.**

32.22 Subdivision 1. Authorization to make office appointive. Notwithstanding Minnesota
32.23 Statutes, section 382.01, upon adoption of a resolution by the Morrison County Board of
32.24 Commissioners, the office of county recorder is not elective but must be filled by appointment
32.25 by the county board as provided in the resolution.

32.26 Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of a
 32.27 resolution by the county board of commissioners, and subject to subdivisions 3 and 4, the
 32.28 duties of an elected official required by statute whose office is made appointive as authorized
 32.29 by this section must be discharged by the county board of commissioners acting through a
 32.30 department head appointed by the board for that purpose. Reorganization, reallocation,
 33.1 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid
 33.2 the discharge of duties required by statute.

33.3 Subd. 3. **Incumbents to complete term.** The person elected at the last general election
 33.4 to an office made appointive under this section must serve in that capacity and perform the
 33.5 duties, functions, and responsibilities required by statute until the completion of the term
 33.6 of office to which the person was elected or until a vacancy occurs in the office, whichever
 33.7 occurs earlier.

33.8 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption of a
 33.9 resolution to provide for the appointment of the county recorder, the county board must
 33.10 publish a proposed resolution notifying the public of its intent to consider the issue once
 33.11 each week for two consecutive weeks in the official publication of the county. Following
 33.12 publication and prior to formally adopting the resolution, the county board shall provide an
 33.13 opportunity at its next regular meeting for public comment relating to the issue. After the
 33.14 public comment opportunity, at the same meeting or a subsequent meeting, the county board
 33.15 of commissioners may adopt a resolution that provides for the appointment of the county
 33.16 recorder as permitted in this section. The resolution must be approved by at least 80 percent
 33.17 of the members of the county board. The resolution may take effect 60 days after it is
 33.18 adopted, or at a later date stated in the resolution, unless a petition is filed as provided in
 33.19 paragraph (b).

33.20 (b) Within 60 days after the county board adopts the resolution, a petition requesting a
 33.21 referendum may be filed with the county auditor-treasurer. The petition must be signed by
 33.22 at least ten percent of the registered voters of the county. The petition must meet the
 33.23 requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071,
 33.24 and any rules adopted to implement that section. If the petition is sufficient, the question
 33.25 of appointing the county recorder must be placed on the ballot at a regular or special election.
 33.26 If a majority of the voters of the county voting on the question vote in favor of appointment,
 33.27 the resolution may be implemented.

33.28 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution to
 33.29 provide for the election of an office made an appointed position under this section, but not
 33.30 until at least three years after the office was made an appointed position. The county board
 33.31 must publish a proposed resolution notifying the public of its intent to consider the issue
 33.32 once each week for two consecutive weeks in the official publication of the county. Following
 33.33 publication and before formally adopting the resolution, the county board must provide an
 33.34 opportunity at its next regular meeting for public comment relating to the issue. After the
 33.35 public comment hearing, the county board may adopt the resolution. The resolution must

- 34.1 be approved by at least 60 percent of the members of the county board and is effective
 34.2 August 1 following adoption of the resolution.
- 34.3 (b) The question of whether an office made an appointed position under this section
 34.4 must be made an elected office must be placed on the ballot at the next general election if:
- 34.5 (1) the position has been an appointed position for at least three years;
- 34.6 (2) a petition signed by at least ten percent of the registered voters of the county is filed
 34.7 with the office of the county auditor-treasurer by August 1 of the year in which the general
 34.8 election is held; and
- 34.9 (3) the petition meets the requirements of the secretary of state, as provided in Minnesota
 34.10 Statutes, section 204B.071, and any rules adopted to implement that section. If a majority
 34.11 of the voters of the county voting on the question vote in favor of making the office an
 34.12 elected position, the election for the office must be held at the next regular or special election.
- 34.13 **EFFECTIVE DATE.** This section is effective the day after the Morrison County Board
 34.14 of Commissioners and its chief clerical officer timely complete their compliance with
 34.15 Minnesota Statutes, section 645.021, subdivisions 2 and 3.
- 34.16 Sec. 7. **BENTON COUNTY RECORDER MAY BE APPOINTED.**
- 34.17 Subdivision 1. **Authorization to make office appointive.** Notwithstanding Minnesota
 34.18 Statutes, section 382.01, upon adoption of a resolution by the Benton County Board of
 34.19 Commissioners, the office of county recorder is not elective but must be filled by appointment
 34.20 by the county board as provided in the resolution.
- 34.21 Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of a
 34.22 resolution by the county board of commissioners, and subject to subdivisions 3 and 4, the
 34.23 duties of an elected official required by statute whose office is made appointive as authorized
 34.24 by this section must be discharged by the county board of commissioners acting through a
 34.25 department head appointed by the board for that purpose. Reorganization, reallocation,
 34.26 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid
 34.27 the discharge of duties required by statute.
- 34.28 Subd. 3. **Incumbents to complete term.** The person elected at the last general election
 34.29 to an office made appointive under this section must serve in that capacity and perform the
 34.30 duties, functions, and responsibilities required by statute until the completion of the term
 34.31 of office to which the person was elected or until a vacancy occurs in the office, whichever
 34.32 occurs earlier.
- 35.1 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption of a
 35.2 resolution to provide for the appointment of the county recorder, the county board must
 35.3 publish a proposed resolution notifying the public of its intent to consider the issue once
 35.4 each week for two consecutive weeks in the official publication of the county. Following
 35.5 publication and prior to formally adopting the resolution, the county board shall provide an
 35.6 opportunity at its next regular meeting for public comment relating to the issue. After the
 35.7 public comment opportunity, at the same meeting or a subsequent meeting, the county board

35.8 of commissioners may adopt a resolution that provides for the appointment of the county
 35.9 recorder as permitted in this section. The resolution must be approved by at least 80 percent
 35.10 of the members of the county board. The resolution may take effect 60 days after it is
 35.11 adopted, or at a later date stated in the resolution, unless a petition is filed as provided in
 35.12 paragraph (b).

35.13 (b) Within 60 days after the county board adopts the resolution, a petition requesting a
 35.14 referendum may be filed with the county auditor-treasurer. The petition must be signed by
 35.15 at least ten percent of the registered voters of the county. The petition must meet the
 35.16 requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071,
 35.17 and any rules adopted to implement that section. If the petition is sufficient, the question
 35.18 of appointing the county recorder must be placed on the ballot at a regular or special election.
 35.19 If a majority of the voters of the county voting on the question vote in favor of appointment,
 35.20 the resolution may be implemented.

35.21 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution to
 35.22 provide for the election of an office made an appointed position under this section, but not
 35.23 until at least three years after the office was made an appointed position. The county board
 35.24 must publish a proposed resolution notifying the public of its intent to consider the issue
 35.25 once each week for two consecutive weeks in the official publication of the county. Following
 35.26 publication and before formally adopting the resolution, the county board must provide an
 35.27 opportunity at its next regular meeting for public comment relating to the issue. After the
 35.28 public comment hearing, the county board may adopt the resolution. The resolution must
 35.29 be approved by at least 60 percent of the members of the county board and is effective
 35.30 August 1 following adoption of the resolution.

35.31 (b) The question of whether an office made an appointed position under this section
 35.32 must be made an elected office must be placed on the ballot at the next general election if:

35.33 (1) the position has been an appointed position for at least three years;

36.1 (2) a petition signed by at least ten percent of the registered voters of the county is filed
 36.2 with the office of the county auditor-treasurer by August 1 of the year in which the general
 36.3 election is held; and

36.4 (3) the petition meets the requirements of the secretary of state, as provided in Minnesota
 36.5 Statutes, section 204B.071, and any rules adopted to implement that section. If a majority
 36.6 of the voters of the county voting on the question vote in favor of making the office an
 36.7 elected position, the election for the office must be held at the next regular or special election.

36.8 **EFFECTIVE DATE.** This section is effective the day after the Benton County Board
 36.9 of Commissioners and its chief clerical officer timely complete their compliance with
 36.10 Minnesota Statutes, section 645.021, subdivisions 2 and 3.

36.11 Sec. 8. **PINE COUNTY AUDITOR-TREASURER MAY BE APPOINTED.**

36.12 Subdivision 1. **Authorization to make office appointive.** Notwithstanding Minnesota
 36.13 Statutes, section 382.01, upon adoption of a resolution by the Pine County Board of

36.14 Commissioners, the office of county auditor-treasurer is not elective but must be filled by
36.15 appointment by the county board as provided in the resolution.

36.16 Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of a
36.17 resolution by the county board of commissioners and subject to subdivisions 3 and 4, the
36.18 duties of an elected official required by statute whose office is made appointive as authorized
36.19 by this section must be discharged by the county board of commissioners acting through a
36.20 department head appointed by the board for that purpose. Reorganization, reallocation,
36.21 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid
36.22 the discharge of duties required by statute.

36.23 Subd. 3. **Incumbent to complete term.** The person elected at the last general election
36.24 to an office made appointive under this section must serve in that capacity and perform the
36.25 duties, functions, and responsibilities required by statute until the completion of the term
36.26 of office to which the person was elected or until a vacancy occurs in the office, whichever
36.27 occurs earlier.

36.28 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption of a
36.29 resolution to provide for the appointment of the county auditor-treasurer, the county board
36.30 must publish a proposed resolution notifying the public of its intent to consider the issue
36.31 once each week for two consecutive weeks in the official publication of the county. Following
36.32 publication and prior to formally adopting the resolution, the county board shall provide an
36.33 opportunity at its next regular meeting for public comment relating to the issue. After the
37.1 public comment opportunity, at the same meeting or a subsequent meeting, the county board
37.2 of commissioners may adopt a resolution that provides for the appointment of the county
37.3 auditor-treasurer as permitted in this section. The resolution must be approved by at least
37.4 80 percent of the members of the county board. The resolution may take effect 60 days after
37.5 it is adopted, or at a later date stated in the resolution, unless a petition is filed as provided
37.6 in paragraph (b).

37.7 (b) Within 60 days after the county board adopts the resolution, a petition requesting a
37.8 referendum may be filed with the county auditor-treasurer. The petition must be signed by
37.9 at least ten percent of the registered voters of the county. The petition must meet the
37.10 requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071,
37.11 and any rules adopted to implement that section. If the petition is sufficient, the question
37.12 of appointing the county auditor-treasurer must be placed on the ballot at a regular or special
37.13 election. If a majority of the voters of the county voting on the question vote in favor of
37.14 appointment, the resolution may be implemented.

37.15 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution to
37.16 provide for the election of an office made an appointed position under this section, but not
37.17 until at least three years after the office was made an appointed position. The county board
37.18 must publish a proposed resolution notifying the public of its intent to consider the issue
37.19 once each week for two consecutive weeks in the official publication of the county. Following
37.20 publication and before formally adopting the resolution, the county board must provide an
37.21 opportunity at its next regular meeting for public comment relating to the issue. After the
37.22 public comment hearing, the county board may adopt the resolution. The resolution must

- 37.23 be approved by at least 60 percent of the members of the county board and is effective
37.24 August 1 following adoption of the resolution.
- 37.25 (b) The question of whether an office made an appointed position under this section
37.26 must be made an elected office must be placed on the ballot at the next general election if:
- 37.27 (1) the position has been an appointed position for at least three years;
- 37.28 (2) a petition signed by at least ten percent of the registered voters of the county is filed
37.29 with the office of the county auditor-treasurer by August 1 of the year in which the general
37.30 election is held; and
- 37.31 (3) the petition meets the requirements of the secretary of state, as provided in Minnesota
37.32 Statutes, section 204B.071, and any rules adopted to implement that section. If a majority
37.33 of the voters of the county voting on the question vote in favor of making the office an
37.34 elected position, the election for the office must be held at the next regular or special election.
- 38.1 **EFFECTIVE DATE.** This section is effective the day after the Pine County Board of
38.2 Commissioners and its chief clerical officer timely complete their compliance with Minnesota
38.3 Statutes, section 645.021, subdivisions 2 and 3.
- 38.4 Sec. 9. **STEARNS COUNTY RECORDER MAY BE APPOINTED.**
- 38.5 Subdivision 1. **Authorization to make office appointive.** Notwithstanding Minnesota
38.6 Statutes, section 382.01, upon adoption of a resolution by the Stearns County Board of
38.7 Commissioners, the office of county recorder is not elective but must be filled by appointment
38.8 by the county board as provided in the resolution.
- 38.9 Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of a
38.10 resolution by the county board of commissioners, and subject to subdivisions 3 and 4, the
38.11 duties of an elected official required by statute whose office is made appointive as authorized
38.12 by this section must be discharged by the county board of commissioners acting through a
38.13 department head appointed by the board for that purpose. Reorganization, reallocation,
38.14 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid
38.15 the discharge of duties required by statute.
- 38.16 Subd. 3. **Incumbents to complete term.** The person elected at the last general election
38.17 to an office made appointive under this section must serve in that capacity and perform the
38.18 duties, functions, and responsibilities required by statute until the completion of the term
38.19 of office to which the person was elected or until a vacancy occurs in the office, whichever
38.20 occurs earlier.
- 38.21 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption of a
38.22 resolution to provide for the appointment of the county recorder, the county board must
38.23 publish a proposed resolution notifying the public of its intent to consider the issue once
38.24 each week for two consecutive weeks in the official publication of the county. Following
38.25 publication and prior to formally adopting the resolution, the county board shall provide an
38.26 opportunity at its next regular meeting for public comment relating to the issue. After the
38.27 public comment opportunity, at the same meeting or a subsequent meeting, the county board

38.28 of commissioners may adopt a resolution that provides for the appointment of the county
 38.29 recorder as permitted in this section. The resolution must be approved by at least 80 percent
 38.30 of the members of the county board. The resolution may take effect 60 days after it is
 38.31 adopted, or at a later date stated in the resolution, unless a petition is filed as provided in
 38.32 paragraph (b).

38.33 (b) Within 60 days after the county board adopts the resolution, a petition requesting a
 38.34 referendum may be filed with the county auditor-treasurer. The petition must be signed by
 39.1 at least ten percent of the registered voters of the county. The petition must meet the
 39.2 requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071,
 39.3 and any rules adopted to implement that section. If the petition is sufficient, the question
 39.4 of appointing the county recorder must be placed on the ballot at a regular or special election.
 39.5 If a majority of the voters of the county voting on the question vote in favor of appointment,
 39.6 the resolution may be implemented.

39.7 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution to
 39.8 provide for the election of an office made an appointed position under this section, but not
 39.9 until at least three years after the office was made an appointed position. The county board
 39.10 must publish a proposed resolution notifying the public of its intent to consider the issue
 39.11 once each week for two consecutive weeks in the official publication of the county. Following
 39.12 publication and before formally adopting the resolution, the county board must provide an
 39.13 opportunity at its next regular meeting for public comment relating to the issue. After the
 39.14 public comment hearing, the county board may adopt the resolution. The resolution must
 39.15 be approved by at least 60 percent of the members of the county board and is effective
 39.16 August 1 following adoption of the resolution.

39.17 (b) The question of whether an office made an appointed position under this section
 39.18 must be made an elected office must be placed on the ballot at the next general election if:

39.19 (1) the position has been an appointed position for at least three years;

39.20 (2) a petition signed by at least ten percent of the registered voters of the county is filed
 39.21 with the office of the county auditor-treasurer by August 1 of the year in which the general
 39.22 election is held; and

39.23 (3) the petition meets the requirements of the secretary of state, as provided in Minnesota
 39.24 Statutes, section 204B.071, and any rules adopted to implement that section. If a majority
 39.25 of the voters of the county voting on the question vote in favor of making the office an
 39.26 elected position, the election for the office must be held at the next regular or special election.

39.27 **EFFECTIVE DATE.** This section is effective the day after the Stearns County Board
 39.28 of Commissioners and its chief clerical officer timely complete their compliance with
 39.29 Minnesota Statutes, section 645.021, subdivisions 2 and 3.

39.30 Sec. 10. **MARSHALL COUNTY RECORDER MAY BE APPOINTED.**

39.31 Subdivision 1. **Authorization to make office appointive.** Notwithstanding Minnesota
 39.32 Statutes, section 382.01, upon adoption of a resolution by the Marshall County Board of

40.1 Commissioners, the office of county recorder is not elective but must be filled by appointment
40.2 by the county board as provided in the resolution.

40.3 Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of a
40.4 resolution by the county board of commissioners, and subject to subdivisions 3 and 4, the
40.5 duties of an elected official required by statute whose office is made appointive as authorized
40.6 by this section must be discharged by the county board of commissioners acting through a
40.7 department head appointed by the board for that purpose. Reorganization, reallocation,
40.8 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid
40.9 the discharge of duties required by statute.

40.10 Subd. 3. **Incumbents to complete term.** The person elected at the last general election
40.11 to an office made appointive under this section must serve in that capacity and perform the
40.12 duties, functions, and responsibilities required by statute until the completion of the term
40.13 of office to which the person was elected or until a vacancy occurs in the office, whichever
40.14 occurs earlier.

40.15 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption of a
40.16 resolution to provide for the appointment of the county recorder, the county board must
40.17 publish a proposed resolution notifying the public of its intent to consider the issue once
40.18 each week for two consecutive weeks in the official publication of the county. Following
40.19 publication and prior to formally adopting the resolution, the county board shall provide an
40.20 opportunity at its next regular meeting for public comment relating to the issue. After the
40.21 public comment opportunity, at the same meeting or a subsequent meeting, the county board
40.22 of commissioners may adopt a resolution that provides for the appointment of the county
40.23 recorder as permitted in this section. The resolution must be approved by at least 80 percent
40.24 of the members of the county board. The resolution may take effect 60 days after it is
40.25 adopted, or at a later date stated in the resolution, unless a petition is filed as provided in
40.26 paragraph (b).

40.27 (b) Within 60 days after the county board adopts the resolution, a petition requesting a
40.28 referendum may be filed with the county auditor-treasurer. The petition must be signed by
40.29 at least ten percent of the registered voters of the county. The petition must meet the
40.30 requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071,
40.31 and any rules adopted to implement that section. If the petition is sufficient, the question
40.32 of appointing the county recorder must be placed on the ballot at a regular or special election.
40.33 If a majority of the voters of the county voting on the question vote in favor of appointment,
40.34 the resolution may be implemented.

41.1 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution to
41.2 provide for the election of an office made an appointed position under this section, but not
41.3 until at least three years after the office was made an appointed position. The county board
41.4 must publish a proposed resolution notifying the public of its intent to consider the issue
41.5 once each week for two consecutive weeks in the official publication of the county. Following
41.6 publication and before formally adopting the resolution, the county board must provide an
41.7 opportunity at its next regular meeting for public comment relating to the issue. After the
41.8 public comment hearing, the county board may adopt the resolution. The resolution must

- 41.9 be approved by at least 60 percent of the members of the county board and is effective
 41.10 August 1 following adoption of the resolution.
- 41.11 (b) The question of whether an office made an appointed position under this section
 41.12 must be made an elected office must be placed on the ballot at the next general election if:
- 41.13 (1) the position has been an appointed position for at least three years;
- 41.14 (2) a petition signed by at least ten percent of the registered voters of the county is filed
 41.15 with the office of the county auditor-treasurer by August 1 of the year in which the general
 41.16 election is held; and
- 41.17 (3) the petition meets the requirements of the secretary of state, as provided in Minnesota
 41.18 Statutes, section 204B.071, and any rules adopted to implement that section. If a majority
 41.19 of the voters of the county voting on the question vote in favor of making the office an
 41.20 elected position, the election for the office must be held at the next regular or special election.
- 41.21 **EFFECTIVE DATE.** This section is effective the day after the Marshall County Board
 41.22 of Commissioners and its chief clerical officer timely complete their compliance with
 41.23 Minnesota Statutes, section 645.021, subdivisions 2 and 3.
- 41.24 Sec. 11. **RICE COUNTY AUDITOR-TREASURER AND RECORDER MAY BE**
 41.25 **APPOINTED.**
- 41.26 Subdivision 1. **Authorization to make office appointive.** Notwithstanding Minnesota
 41.27 Statutes, section 382.01, upon adoption of a resolution by the Rice County Board of
 41.28 Commissioners, the offices of county auditor-treasurer and county recorder are not elective
 41.29 but must be filled by appointment by the county board as provided in the resolution.
- 41.30 Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of a
 41.31 resolution by the county board of commissioners, and subject to subdivisions 3 and 4, the
 41.32 duties of an elected official required by statute whose office is made appointive as authorized
 41.33 by this section must be discharged by the county board of commissioners acting through a
 42.1 department head appointed by the board for that purpose. Reorganization, reallocation,
 42.2 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid
 42.3 the discharge of duties required by statute.
- 42.4 Subd. 3. **Incumbents to complete term.** The person elected at the last general election
 42.5 to an office made appointive under this section must serve in that elected capacity and
 42.6 perform the duties, functions, and responsibilities required by statute until the completion
 42.7 of the term of office to which the person was elected or until a vacancy occurs in the office,
 42.8 whichever occurs earlier.
- 42.9 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption of a
 42.10 resolution to provide for the appointment of the county auditor-treasurer and county recorder,
 42.11 the county board must publish a proposed resolution notifying the public of its intent to
 42.12 consider the issue once each week for two consecutive weeks in the official publication of
 42.13 the county. Following publication and prior to formally adopting the resolution, the county
 42.14 board shall provide an opportunity at its next regular meeting for public comment relating

42.15 to the issue. After the public comment opportunity, at the same meeting or a subsequent
 42.16 meeting, the county board of commissioners may adopt a resolution that provides for the
 42.17 appointment of the county auditor-treasurer and county recorder as permitted in this section.
 42.18 The resolution must be approved by at least 80 percent of the members of the county board.
 42.19 The resolution may take effect 60 days after it is adopted, or at a later date stated in the
 42.20 resolution, unless a petition is filed as provided in paragraph (b).

42.21 (b) Within 60 days after the county board adopts the resolution, a petition requesting a
 42.22 referendum may be filed with the county auditor-treasurer. The petition must be signed by
 42.23 at least ten percent of the registered voters of the county. The petition must meet the
 42.24 requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071,
 42.25 and any rules adopted to implement that section. If the petition is sufficient, the question
 42.26 of appointing the county auditor-treasurer and county recorder must be placed on the ballot
 42.27 at a regular or special election. If a majority of the voters of the county voting on the question
 42.28 vote in favor of appointment, the resolution may be implemented.

42.29 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution to
 42.30 provide for the election of an office made an appointed position under this section, but not
 42.31 until at least three years after the office was made an appointed position. The county board
 42.32 must publish a proposed resolution notifying the public of its intent to consider the issue
 42.33 once each week or two consecutive weeks in the official publication of the county. Following
 42.34 publication and before formally adopting the resolution, the county board must provide an
 42.35 opportunity at its next regular meeting for public comment relating to the issue. After the
 43.1 public comment hearing, the county board may adopt the resolution. The resolution must
 43.2 be approved by at least 60 percent of the members of the county board and is effective
 43.3 August 1 following adoption of the resolution.

43.4 (b) The question of whether an office made an appointed position under this section
 43.5 must be made an elected office must be placed on the ballot at the next general election if:

43.6 (1) the position has been an appointed position for at least three years;

43.7 (2) a petition signed by at least ten percent of the registered voters of the county is filed
 43.8 with the office of the county auditor-treasurer by August 1 of the year in which the general
 43.9 election is held; and

43.10 (3) the petition meets the requirements of the secretary of state, as provided in Minnesota
 43.11 Statutes, section 204B.071, and any rules adopted to implement that section. If a majority
 43.12 of the voters of the county voting on the question vote in favor of making the office an
 43.13 elected position, the election for the office must be held at the next regular or special election.

43.14 **EFFECTIVE DATE.** This section is effective the day after the Rice County Board of
 43.15 Commissioners and its chief clerical officer timely complete their compliance with Minnesota
 43.16 Statutes, section 645.021, subdivisions 2 and 3.

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.