

This Document can be made available in alternative formats upon request

State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 193

01/28/2013 Authored by Simon  
The bill was read for the first time and referred to the Committee on Elections

1.1 A bill for an act  
1.2 relating to elections; modifying eligibility requirements for voting by absentee  
1.3 ballot; modifying certain procedures related to applying for or obtaining an  
1.4 absentee ballot; requiring county auditors to explain absentee ballot changes to  
1.5 certain voters; amending Minnesota Statutes 2012, sections 203B.02, subdivision  
1.6 1; 203B.04, subdivisions 1, 6; 203B.06, subdivision 1; repealing Minnesota  
1.7 Statutes 2012, section 203B.04, subdivision 5.

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

1.9 Section 1. Minnesota Statutes 2012, section 203B.02, subdivision 1, is amended to read:

1.10 Subdivision 1. ~~Unable to go to polling place~~ **Absentee voting; eligibility.** (a) Any  
1.11 eligible voter ~~who reasonably expects to be unable to go to the polling place on election~~  
1.12 ~~day in the precinct where the individual maintains residence because of absence from the~~  
1.13 ~~precinct; illness, including isolation or quarantine under sections 144.419 to 144.4196~~  
1.14 ~~or United States Code, title 42, sections 264 to 272; disability; religious discipline;~~  
1.15 ~~observance of a religious holiday; or service as an election judge in another precinct may~~  
1.16 vote by absentee ballot as provided in sections 203B.04 to 203B.15.

1.17 (b) ~~If the governor has declared an emergency and filed the declaration with the~~  
1.18 ~~secretary of state under section 12.31, and the declaration states that the emergency has~~  
1.19 ~~made it difficult for voters to go to the polling place on election day, any voter in a~~  
1.20 ~~precinct covered by the declaration may vote by absentee ballot as provided in sections~~  
1.21 ~~203B.04 to 203B.15.~~

1.22 Sec. 2. Minnesota Statutes 2012, section 203B.04, subdivision 1, is amended to read:

1.23 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by  
1.24 subdivision 2 or by section 203B.11, subdivision 4, an application for absentee ballots for

2.1 any election may be submitted at any time not less than one day before the day of that  
 2.2 election. The county auditor shall prepare absentee ballot application forms in the format  
 2.3 provided by the secretary of state and shall furnish them to any person on request. By  
 2.4 January 1 of each even-numbered year, the secretary of state shall make the forms to be  
 2.5 used available to auditors through electronic means. An application submitted pursuant to  
 2.6 this subdivision shall be in writing and shall be submitted to:

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

2.8 (2) the municipal clerk of the municipality, or school district if applicable, where  
 2.9 the applicant maintains residence.

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

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

2.14 (2) Minnesota state identification card number;

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

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

2.17 (c) To be approved, the application ~~must state that the applicant is eligible to vote by~~  
 2.18 ~~absentee ballot for one of the reasons specified in section 203B.02,~~ and must contain an oath  
 2.19 that the information contained on the form is accurate, that the applicant is applying on the  
 2.20 applicant's own behalf, and that the applicant is signing the form under penalty of perjury.

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

2.31 (e) An application under this subdivision may contain an application under  
 2.32 subdivision 5 6 to automatically receive an absentee ballot ~~application~~.

2.33 Sec. 3. Minnesota Statutes 2012, section 203B.04, subdivision 6, is amended to read:

2.34 Subd. 6. **Ongoing absentee status; termination.** (a) An eligible voter may apply to  
 2.35 a county auditor or municipal clerk for status as an ongoing absentee voter ~~who reasonably~~

3.1 ~~expects to meet the requirements of section 203B.02, subdivision 1.~~ Each applicant must  
 3.2 automatically be provided with an absentee ballot ~~application~~ for each ensuing election  
 3.3 other than an election by mail conducted under section 204B.45, and must have the status  
 3.4 of ongoing absentee voter indicated on the voter's registration record. Ballots sent in  
 3.5 accordance with this section must be sent by nonforwardable mail.

3.6 (b) Ongoing absentee voter status ends on:

3.7 (1) the voter's written request;

3.8 (2) the voter's death;

3.9 (3) return of an ongoing absentee ballot as undeliverable;

3.10 (4) a change in the voter's status so that the voter is not eligible to vote under section  
 3.11 201.15 or 201.155; or

3.12 (5) placement of the voter's registration on inactive status under section 201.171.

3.13 Sec. 4. Minnesota Statutes 2012, section 203B.06, subdivision 1, is amended to read:

3.14 Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal  
 3.15 clerk shall prepare and print a sufficient number of blank application forms for absentee  
 3.16 ballots. The county auditor or municipal clerk shall deliver a blank application form to  
 3.17 any voter who requests one pursuant to section 203B.04. ~~Blank application forms must be~~  
 3.18 ~~mailed to eligible voters who have requested an application pursuant to section 203B.04,~~  
 3.19 ~~subdivision 5 or 6, at least 60 days before:~~

3.20 (1) ~~each regularly scheduled primary for federal, state, county, city, or school board~~  
 3.21 ~~office;~~

3.22 (2) ~~each regularly scheduled general election for city or school board office for~~  
 3.23 ~~which a primary is not held; and~~

3.24 (3) ~~a special primary to fill a federal or county office vacancy or special election to~~  
 3.25 ~~fill a federal or county office vacancy, if a primary is not required to be held pursuant to~~  
 3.26 ~~section 204D.03, subdivision 3, or 204D.07, subdivision 3; and~~

3.27 (4) ~~any election held in conjunction with an election described in clauses (1) to (3);~~  
 3.28 ~~or at least 45 days before any other primary or other election for which a primary is not held.~~

3.29 Sec. 5. **EXPLANATION OF ABSENTEE BALLOT CHANGES; COUNTY**  
 3.30 **AUDITOR DUTIES.**

3.31 By May 1, 2014, each county auditor shall mail an explanation of the changes to the  
 3.32 ongoing absentee balloting process and an updated ongoing absentee voter application  
 3.33 to every voter with ongoing absentee ballot status in the county auditor's county. Each  
 3.34 county auditor shall also mail this explanation to every voter in the county auditor's

4.1 county with permanent absentee ballot status on the voter's voter record as of the effective  
4.2 date of this act. A voter must return the application to maintain the voter's status as an  
4.3 ongoing absentee voter.

4.4 Upon receipt of a completed application, the county auditor shall scan and retain an  
4.5 image of the application until the ongoing absentee voter's status ends.

4.6 Sec. 6. **REPEALER.**

4.7 Minnesota Statutes 2012, section 203B.04, subdivision 5, is repealed.

APPENDIX  
Repealed Minnesota Statutes: 13-0555

**203B.04 APPLICATION FOR BALLOTS.**

Subd. 5. **Permanent illness or disability.** (a) An eligible voter who reasonably expects to be permanently unable to go to the polling place on election day because of illness or disability may apply to a county auditor or municipal clerk under this section to automatically receive an absentee ballot application before each election, other than an election by mail conducted under section 204B.45, and to have the status as a permanent absentee voter indicated on the voter's registration record.

(b) The secretary of state shall adopt rules governing procedures under this subdivision.