

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2774

03/08/2016 Authored by Fenton, Nelson and Fischer
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy
03/14/2016 Adoption of Report: Re-referred to the Committee on Public Safety and Crime Prevention Policy and Finance
03/31/2016 Adoption of Report: Placed on the General Register
Read Second Time

1.1 A bill for an act
1.2 relating to elections; requiring the development of election emergency plans;
1.3 proposing coding for new law in Minnesota Statutes, chapter 204B.

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

1.5 Section 1. [204B.181] ELECTION EMERGENCY PLANS.

1.6 Subdivision 1. State elections emergency plans. (a) The secretary of state, in
1.7 consultation with the director of Homeland Security and Emergency Management, must
1.8 develop a state elections emergency plan.

1.9 (b) The secretary of state must also coordinate with the governor to incorporate
1.10 election needs into the state's continuity of government and continuity of operations plans.

1.11 (c) The secretary of state must create a state guide to assist county and local election
1.12 officials in developing a county elections emergency plan required by subdivision 2.
1.13 The secretary of state must consult with the Minnesota State Council on Disability in
1.14 developing the guide. The guide must include a model county elections emergency plan
1.15 that meets the requirements of this section.

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

1.21 (b) In developing the county elections emergency plan, the county must address
1.22 the needs of voters with disabilities in all aspects of the plan. Where ballot security
1.23 is affected, the plan must provide procedures to maintain the security of the ballots.
1.24 When an emergency requires the relocation of the polling place, the plan must include

2.1 procedures for securing the ballots and voting equipment, notifying the public and other  
2.2 government officials, and restoring voting activities as soon as possible. If the county  
2.3 contains jurisdictions that cross county lines, the affected counties must make efforts  
2.4 to ensure that the emergency procedures affecting the local jurisdiction are uniform  
2.5 throughout the jurisdiction.

2.6 (c) Cities, towns, and school districts may create a local elections emergency plan  
2.7 that meets the requirements of the county elections emergency plan. If a local jurisdiction  
2.8 creates a local elections emergency plan, the procedures within the local elections  
2.9 emergency plan govern in all election emergencies within that local jurisdiction.

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

2.14 **EFFECTIVE DATE.** This section is effective August 1, 2016, except that the initial  
2.15 county elections emergency plans required under subdivision 2 are due September 1, 2016.