

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 1064

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| DATE | D-PG | OFFICIAL STATUS |
|------------|------|---|
| 02/17/2021 | 422 | Introduction and first reading Referred to State Government Finance and Policy and Elections |

1.1 A bill for an act

1.2 relating to elections; modifying provisions related to voter registration; absentee

1.3 voting; establishing a system of early voting; eliminating a restriction on the number

1.4 of voters an individual may assist on election day; modifying standards governing

1.5 access to Help America Vote Act funds; regulating intimidation, deceptive practices,

1.6 and interference with voter registration and voting; campaign finance; regulating

1.7 small donor political committees and funds; establishing a small donor state match

1.8 program; establishing a Democracy Dollar coupon program; exempting certain

1.9 candidate expenditures from aggregate expenditure limits; repealing the political

1.10 contribution refund program; repealing the campaign public subsidy program;

1.11 providing principles and procedures related to redistricting of congressional and

1.12 legislative districts; establishing a criminal penalty; requiring reports; appropriating

1.13 money; amending Minnesota Statutes 2020, sections 5.30, subdivision 2; 8.31,

1.14 subdivision 1; 10A.01, subdivisions 11, 16a, by adding subdivisions; 10A.02,

1.15 subdivision 13; 10A.15, subdivision 1; 10A.20, subdivision 3; 10A.25, by adding

1.16 subdivisions; 10A.257, subdivision 1; 10A.322, subdivision 1; 10A.323; 10A.34,

1.17 subdivision 4; 13.607, by adding a subdivision; 135A.17, subdivision 2; 201.014,

1.18 by adding a subdivision; 201.022, subdivision 1; 201.054, subdivisions 1, 2;

1.19 201.061, subdivisions 1, 3, by adding subdivisions; 201.071, subdivision 1; 201.091,

1.20 subdivision 4; 201.161; 201.162; 203B.001; 203B.01, by adding a subdivision;

1.21 203B.03, subdivision 1; 203B.04, subdivision 5; 203B.05, subdivision 1; 203B.06,

1.22 subdivisions 1, 3; 203B.07, subdivision 3; 203B.08, subdivisions 1, 3; 203B.081,

1.23 subdivision 2; 203B.12, subdivision 7; 203B.121, subdivisions 1, 2, 3, 4, 5, by

1.24 adding a subdivision; 204B.28, subdivision 2; 204C.10; 204C.15, subdivision 1;

1.25 206.82, subdivision 1; 206.83; 211B.04, subdivisions 2, 3, by adding a subdivision;

1.26 211B.32, subdivision 1; 289A.37, subdivision 2; 289A.50, subdivision 1; 290.01,

1.27 subdivision 6; 609.165, subdivision 1; proposing coding for new law in Minnesota

1.28 Statutes, chapters 2; 10A; 201; 203B; 211B; 243; proposing coding for new law

1.29 as Minnesota Statutes, chapter 10B; repealing Minnesota Statutes 2020, sections

1.30 10A.31, subdivisions 5, 5a, 6, 6a, 7, 7a, 7b, 10, 11; 10A.315; 10A.321; 10A.322,

1.31 subdivision 4; 10A.324, subdivisions 1, 3; 13.4967, subdivision 2; 203B.081,

1.32 subdivision 3; 290.06, subdivision 23.

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

2.2 **ARTICLE 1**
2.3 **STRENGTHENING VOTER REGISTRATION**

2.4 Section 1. Minnesota Statutes 2020, section 13.607, is amended by adding a subdivision
2.5 to read:

2.6 **Subd. 9. Data derived from driver's license, Minnesota identification card, or**
2.7 **learner's permit applications.** Data on an application for a driver's license, a Minnesota
2.8 identification card, or a learner's permit transferred to the secretary of state that are provided
2.9 by a person whom the secretary of state determines is not eligible to vote are governed by
2.10 section 201.161.

2.11 Sec. 2. Minnesota Statutes 2020, section 135A.17, subdivision 2, is amended to read:

2.12 **Subd. 2. Residential housing list.** All postsecondary institutions that enroll students
2.13 accepting ~~state or~~ federal financial aid may prepare a current list of students enrolled in the
2.14 institution and residing in the institution's housing or within ten miles of the institution's
2.15 campus. All postsecondary institutions that enroll students accepting state financial aid must
2.16 prepare a current list of students enrolled in the institution and residing in the institution's
2.17 housing or within ten miles of the institution's campus. The list shall include each student's
2.18 current address. The list shall be certified and sent to the appropriate county auditor or
2.19 auditors for use in election day registration as provided under section 201.061, subdivision
2.20 3. A residential housing list provided under this subdivision may not be used or disseminated
2.21 by a county auditor or the secretary of state for any other purpose.

2.22 Sec. 3. Minnesota Statutes 2020, section 201.054, subdivision 1, is amended to read:

2.23 Subdivision 1. **Registration.** (a) An individual may register to vote:

2.24 (1) at any time before the 20th day preceding any election as provided in section 201.061,
2.25 subdivision 1;

2.26 (2) on the day of an election as provided in section 201.061, subdivision 3; or

2.27 (3) when submitting an absentee ballot, by enclosing a completed registration application
2.28 as provided in section 203B.04, subdivision 4.

2.29 (b) An individual who is under the age of 18, but who is at least 16 years of age and
2.30 otherwise eligible, may submit a voter registration application as provided in section 201.061,
2.31 subdivisions 1 and 1b.

3.1 Sec. 4. Minnesota Statutes 2020, section 201.054, subdivision 2, is amended to read:

3.2 Subd. 2. **Prohibitions; penalty.** No individual shall intentionally:

3.3 (1) cause or attempt to cause the individual's name to be registered in any precinct if the
3.4 individual is not eligible to vote, except as permitted by section 201.061, subdivision 1b;

3.5 (2) cause or attempt to cause the individual's name to be registered for the purpose of
3.6 voting in more than one precinct;

3.7 (3) misrepresent the individual's identity when attempting to register to vote; or

3.8 (4) aid, abet, counsel, or procure any other individual to violate this subdivision.

3.9 A violation of this subdivision is a felony.

3.10 Sec. 5. Minnesota Statutes 2020, section 201.061, subdivision 1, is amended to read:

3.11 Subdivision 1. **Prior to election day.** (a) At any time except during the 20 days
3.12 immediately preceding any regularly scheduled election, an eligible voter or any individual
3.13 who will be an eligible voter at the time of the next election may register to vote in the
3.14 precinct in which the voter maintains residence by completing a voter registration application
3.15 as described in section 201.071, subdivision 1. A completed application may be submitted:

3.16 (1) in person or by mail to the county auditor of that county or to the Secretary of State's
3.17 Office; or

3.18 (2) electronically through a secure website that shall be maintained by the secretary of
3.19 state for this purpose, if the applicant has an e-mail address and provides the applicant's
3.20 verifiable Minnesota driver's license number, Minnesota state identification card number,
3.21 or the last four digits of the applicant's Social Security number.

3.22 (b) A registration that is received in person or by mail no later than 5:00 p.m. on the
3.23 21st day preceding any election, or a registration received electronically through the secretary
3.24 of state's secure website no later than 11:59 p.m. on the 21st day preceding any election,
3.25 shall be accepted. An improperly addressed or delivered registration application shall be
3.26 forwarded within two working days after receipt to the county auditor of the county where
3.27 the voter maintains residence. A state or local agency or an individual that accepts completed
3.28 voter registration applications from a voter must submit the completed applications to the
3.29 secretary of state or the appropriate county auditor within ten calendar days after the
3.30 applications are dated by the voter.

3.31 ~~(b)~~(c) An application submitted electronically under paragraph (a), clause (2), may only
3.32 be transmitted to the county auditor for processing if the secretary of state has verified the

4.1 application information matches the information in a government database associated with
4.2 the applicant's driver's license number, state identification card number, or Social Security
4.3 number. The secretary of state must review all unverifiable voter registration applications
4.4 submitted electronically for evidence of suspicious activity and must forward any such
4.5 application to an appropriate law enforcement agency for investigation.

4.6 (d) An individual may not electronically submit a voter registration application on behalf
4.7 of any other individual, except that the secretary of state may provide features on the secure
4.8 website established under paragraph (a), clause (2), that allow third parties to connect
4.9 application programming interfaces that facilitate an individual's submission of voter
4.10 registration information while interacting with the third party.

4.11 ~~(e)~~ (e) For purposes of this section, mail registration is defined as a voter registration
4.12 application delivered to the secretary of state, county auditor, or municipal clerk by the
4.13 United States Postal Service or a commercial carrier.

4.14 Sec. 6. Minnesota Statutes 2020, section 201.061, is amended by adding a subdivision to
4.15 read:

4.16 Subd. 1b. **Preregistration.** An individual who is under the age of 18, but who is at least
4.17 16 years of age and meets all requirements for eligibility in section 201.014, except for age,
4.18 may submit a voter registration application or be automatically registered under section
4.19 201.161 at the address in which the voter maintains residence pursuant to subdivision 1.
4.20 Nothing in this section shall be construed to entitle an individual to appear on a polling
4.21 place roster or cast a ballot at an election if the individual does not meet all eligibility
4.22 requirements for voting, including age.

4.23 Sec. 7. Minnesota Statutes 2020, section 201.061, subdivision 3, is amended to read:

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

4.29 (1) presenting a driver's license, learner's permit, or Minnesota identification card issued
4.30 pursuant to section 171.07, or a receipt for one of these documents that contains the voter's
4.31 valid address in the precinct;

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

5.1 (3) having a valid registration in the same precinct;

5.2 (4) presenting a notice of late registration mailed by the county auditor or municipal
5.3 clerk;

5.4 (5) presenting one of the following:

5.5 (i) a current valid student identification card from a postsecondary educational institution
5.6 in Minnesota, if a list of students from that institution has been prepared under section
5.7 135A.17 and certified to the county auditor in the manner provided in rules of the secretary
5.8 of state; or

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

5.11 ~~(4)~~ (6) having a voter who is registered to vote in the precinct, or an employee employed
5.12 by and working in a residential facility in the precinct and vouching for a resident in the
5.13 facility, sign an oath in the presence of the election judge vouching that the voter or employee
5.14 personally knows that the individual is a resident of the precinct. A voter who has been
5.15 vouched for on election day may not sign a proof of residence oath vouching for any other
5.16 individual on that election day. A voter who is registered to vote in the precinct may sign
5.17 up to eight proof-of-residence oaths on any election day. This limitation does not apply to
5.18 an employee of a residential facility described in this clause. The secretary of state shall
5.19 provide a form for election judges to use in recording the number of individuals for whom
5.20 a voter signs proof-of-residence oaths on election day. The form must include space for the
5.21 maximum number of individuals for whom a voter may sign proof-of-residence oaths. For
5.22 each proof-of-residence oath, the form must include a statement that the individual: (i) is
5.23 registered to vote in the precinct or is an employee of a residential facility in the precinct,
5.24 (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the
5.25 statement on oath. The form must include a space for the voter's printed name, signature,
5.26 telephone number, and address.

5.27 (b) The oath required by this subdivision and Minnesota Rules, part 8200.9939, must
5.28 be attached to the voter registration application.

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

6.1 ~~(e)~~ (d) "Residential facility" means transitional housing as defined in section 256E.33,
 6.2 subdivision 1; a supervised living facility licensed by the commissioner of health under
 6.3 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision
 6.4 5; a residence registered with the commissioner of health as a housing with services
 6.5 establishment as defined in section 144D.01, subdivision 4; a veterans home operated by
 6.6 the board of directors of the Minnesota Veterans Homes under chapter 198; a residence
 6.7 licensed by the commissioner of human services to provide a residential program as defined
 6.8 in section 245A.02, subdivision 14; a residential facility for persons with a developmental
 6.9 disability licensed by the commissioner of human services under section 252.28; setting
 6.10 authorized to provide housing support as defined in section 256I.03, subdivision 3; a shelter
 6.11 for battered women as defined in section 611A.37, subdivision 4; or a supervised publicly
 6.12 or privately operated shelter or dwelling designed to provide temporary living
 6.13 accommodations for the homeless.

6.14 ~~(d)~~ (e) For tribal band members, an individual may prove residence for purposes of
 6.15 registering by:

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

6.19 (2) presenting an identification card issued by the tribal government of a tribe recognized
 6.20 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the
 6.21 name, signature, and picture of the individual and also presenting one of the documents
 6.22 listed in Minnesota Rules, part 8200.5100, subpart 2, item B subdivision 3a, paragraph (c).

6.23 (f) An eligible voter who resides on a reservation but does not have a residential address
 6.24 recognized by the United States Postal Service may register to vote using, as the voter's
 6.25 residential address, the address of the tribal council headquarters or any other address
 6.26 approved by the secretary of the tribal council.

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

6.29 Sec. 8. Minnesota Statutes 2020, section 201.061, is amended by adding a subdivision to
 6.30 read:

6.31 Subd. 3a. **Additional proofs of residence permitted with photo identification.** (a) An
 6.32 eligible voter may prove residence under this subdivision by presenting one of the photo

7.1 identification cards listed in paragraph (b) and one of the additional proofs of residence
7.2 listed in paragraph (c).

7.3 (b) The following documents are acceptable photo identification cards under this
7.4 subdivision if the documents contain the voter's name and photograph:

7.5 (1) a driver's license, a learner's permit, or identification card, issued by the state of
7.6 Minnesota or any other state of the United States as defined in Minnesota Statutes, section
7.7 645.44, subdivision 11;

7.8 (2) a United States passport;

7.9 (3) a United States military or veteran identification card;

7.10 (4) a student identification card issued by a Minnesota secondary or postsecondary
7.11 educational institution; or

7.12 (5) a tribal identification card issued by the tribal government of a tribe recognized by
7.13 the Bureau of Indian Affairs, United States Department of the Interior, that contains the
7.14 individual's signature.

7.15 (c) The following documents are acceptable additional proofs of residence under this
7.16 subdivision if the documents show the voter's name and current address in the precinct:

7.17 (1) an original bill, including account statements and start-of-service notification, for
7.18 telephone, television, or Internet provider services, regardless of how those telephone,
7.19 television, or Internet provider services are delivered; gas, electric, solid waste, water, or
7.20 sewer services; credit card or banking services; or rent or mortgage payments. The due date
7.21 on the bill must be within 30 days before or after election day or, for bills without a due
7.22 date, dated within 30 days before election day. For bills delivered electronically, "original"
7.23 means a printed copy of the electronic bill or a display of the bill on the voter's portable
7.24 electronic device;

7.25 (2) a current student fee statement that contains the student's valid address in the precinct;
7.26 or

7.27 (3) a residential lease or residential rental agreement if the lease or rental agreement is
7.28 valid through election day.

7.29 Sec. 9. Minnesota Statutes 2020, section 201.061, is amended by adding a subdivision to
7.30 read:

7.31 Subd. 3b. **Additional proofs of residence permitted for students.** (a) An eligible voter
7.32 may prove residence by presenting a current valid photo identification issued by a

8.1 postsecondary educational institution in Minnesota if the voter's name; student identification
8.2 number, if available; and address within the precinct appear on a current residential housing
8.3 list under section 135A.17, certified to the county auditor by the postsecondary educational
8.4 institution.

8.5 (b) This additional proof of residence for students must not be allowed unless the
8.6 postsecondary educational institution submits to the county auditor no later than 60 days
8.7 prior to the election a written agreement that the postsecondary educational institution will
8.8 certify for use at the election accurate updated residential housing lists under section 135A.17.
8.9 A written agreement is effective for the election and all subsequent elections held in that
8.10 calendar year, including the November general election.

8.11 (c) The additional proof of residence for students must be allowed on an equal basis for
8.12 voters who reside in housing meeting the requirements of section 135A.17, if the residential
8.13 housing lists certified by the postsecondary educational institution meet the requirements
8.14 of this subdivision.

8.15 (d) An updated residential housing list must be certified to the county auditor no earlier
8.16 than 20 days prior to each election. The certification must be dated and signed by the chief
8.17 officer or designee of the postsecondary educational institution and must state that the list
8.18 is current and accurate and includes only the names of persons residing as of the date of the
8.19 certification.

8.20 (e) The county auditor shall instruct the election judges of the precinct in procedures for
8.21 use of the list in conjunction with photo identification. The auditor shall supply a list to the
8.22 election judges with the election supplies for the precinct.

8.23 (f) The county auditor shall notify all postsecondary educational institutions in the county
8.24 of the provisions of this subdivision.

8.25 Sec. 10. Minnesota Statutes 2020, section 201.071, subdivision 1, is amended to read:

8.26 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
8.27 contain the same information unless otherwise provided by law. A voter registration
8.28 application must contain spaces for the following required information: voter's first name,
8.29 middle name, and last name; voter's previous name, if any; voter's current address; voter's
8.30 previous address, if any; voter's date of birth; voter's municipality and county of residence;
8.31 voter's telephone number, if provided by the voter; date of registration; current and valid
8.32 Minnesota driver's license number or Minnesota state identification number, or if the voter
8.33 has no current and valid Minnesota driver's license or Minnesota state identification, the

9.1 last four digits of the voter's Social Security number; a box to indicate a voter's preference
 9.2 to join the permanent absentee voter list; and voter's signature. The paper registration
 9.3 application may include the voter's e-mail address, if provided by the voter. The electronic
 9.4 voter registration application must include the voter's e-mail address. The registration
 9.5 application may include the voter's interest in serving as an election judge, if indicated by
 9.6 the voter. The application must also contain the following certification of voter eligibility:

9.7 "I certify that I:

9.8 (1) ~~will be at least 18 years old on election day~~ am at least 16 years old and understand
 9.9 that I must be at least 18 years old to be eligible to vote;

9.10 (2) am a citizen of the United States;

9.11 (3) will have resided in Minnesota for 20 days immediately preceding election day;

9.12 (4) maintain residence at the address given on the registration form;

9.13 (5) am not under court-ordered guardianship in which the court order revokes my right
 9.14 to vote;

9.15 (6) have not been found by a court to be legally incompetent to vote;

9.16 (7) have the right to vote because, if I have been convicted of a felony, my felony sentence
 9.17 has expired (been completed) or I have been discharged from my sentence; and

9.18 (8) have read and understand the following statement: that giving false information is a
 9.19 felony punishable by not more than five years imprisonment or a fine of not more than
 9.20 \$10,000, or both."

9.21 The certification must include boxes for the voter to respond to the following questions:

9.22 "(1) Are you a citizen of the United States?" and

9.23 "(2) ~~Will you be 18 years old on or before election day~~ Are you at least 16 years old and
 9.24 will you be at least 18 years old on or before the day of the election in which you intend to
 9.25 vote?"

9.26 And the instruction:

9.27 "If you checked 'no' to either of these questions, do not complete this form."

9.28 The form of the voter registration application and the certification of voter eligibility
 9.29 must be as provided in this subdivision and approved by the secretary of state. Voter
 9.30 registration forms authorized by the National Voter Registration Act must also be accepted

10.1 as valid. The federal postcard application form must also be accepted as valid if it is not
10.2 deficient and the voter is eligible to register in Minnesota.

10.3 An individual may use a voter registration application to apply to register to vote in
10.4 Minnesota or to change information on an existing registration.

10.5 Sec. 11. Minnesota Statutes 2020, section 201.091, subdivision 4, is amended to read:

10.6 Subd. 4. **Public information lists.** The county auditor shall make available for inspection
10.7 a public information list which must contain the name, address, year of birth, and voting
10.8 history of each registered voter in the county. Data on applicants submitted pursuant to
10.9 section 201.061, subdivision 1b, are not part of the public information list until the voter is
10.10 registered or has voting history. The list must not include the party choice of any voter who
10.11 voted in a presidential nomination primary. The telephone number must be included on the
10.12 list if provided by the voter. The public information list may also include information on
10.13 voting districts. The county auditor may adopt reasonable rules governing access to the list.
10.14 No individual inspecting the public information list shall tamper with or alter it in any
10.15 manner. No individual who inspects the public information list or who acquires a list of
10.16 registered voters prepared from the public information list may use any information contained
10.17 in the list for purposes unrelated to elections, political activities, or law enforcement. The
10.18 secretary of state may provide copies of the public information lists and other information
10.19 from the statewide registration system for uses related to elections, political activities, or
10.20 in response to a law enforcement inquiry from a public official concerning a failure to
10.21 comply with any criminal statute or any state or local tax statute.

10.22 Before inspecting the public information list or obtaining a list of voters or other
10.23 information from the list, the individual shall provide identification to the public official
10.24 having custody of the public information list and shall state in writing that any information
10.25 obtained from the list will not be used for purposes unrelated to elections, political activities,
10.26 or law enforcement. Requests to examine or obtain information from the public information
10.27 lists or the statewide registration system must be made and processed in the manner provided
10.28 in the rules of the secretary of state.

10.29 Upon receipt of a statement signed by the voter that withholding the voter's name from
10.30 the public information list is required for the safety of the voter or the voter's family, the
10.31 secretary of state and county auditor must withhold from the public information list the
10.32 name of a registered voter.

11.1 Sec. 12. Minnesota Statutes 2020, section 201.161, is amended to read:

11.2 **201.161 DRIVER'S LICENSE AND IDENTIFICATION CARD APPLICATIONS**
 11.3 **AUTOMATIC VOTER REGISTRATION.**

11.4 Subdivision 1. Automatic registration. Except as otherwise provided in this section,
 11.5 an individual must be registered to vote if the individual is eligible to vote under section
 11.6 201.014 and properly completes and submits one of the following applications, if the
 11.7 application otherwise requires documentation of citizenship:

11.8 (1) an application for a new or renewed Minnesota driver's license, instruction permit,
 11.9 or identification card;

11.10 (2) an initial or renewal application for medical assistance under chapter 256B or
 11.11 MinnesotaCare under chapter 256C; or

11.12 (3) an application for benefits or services to a state agency participating under subdivision
 11.13 4.

11.14 Subd. 2. Option to decline registration. After an individual submits an application
 11.15 qualifying for registration under this section, the individual must be provided, by mail, a
 11.16 notice of the option and the procedures necessary to decline to be registered to vote. The
 11.17 secretary of state may prescribe the form and content of this notice. An individual must not
 11.18 be registered to vote if the individual declines to be registered within 20 days of submitting
 11.19 the application. The individual must continue to be offered an opportunity to be registered
 11.20 upon completion or submission of a qualifying application unless the individual has presented
 11.21 documentation demonstrating a lack of citizenship or a failure to meet other eligibility
 11.22 criteria.

11.23 Subd. 3. Department of Public Safety. (a) The Department commissioner of public
 11.24 safety shall, in consultation with the secretary of state, must change its the applications for
 11.25 an original, duplicate, or change of address driver's license, instruction permit, or
 11.26 identification card so that the forms may also serve as voter registration applications, if the
 11.27 application otherwise includes verification of the applicant's citizenship. The forms must
 11.28 contain spaces for all information collected by voter registration applications required to
 11.29 register to vote, as prescribed by the secretary of state. Applicants for driver's licenses or
 11.30 identification cards must be asked if they want to register to vote at the same time and that
 11.31 Unless the applicant has provided an address other than the applicant's address of residence
 11.32 under section 171.12, subdivision 7, paragraph (d), the commissioner must transmit the
 11.33 information must be transmitted at least weekly daily by electronic means to the secretary
 11.34 of state. Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the

12.1 computerized driver's license record containing the voter's name, address, date of birth,
12.2 citizenship, driver's license number or state identification number, signature image, county,
12.3 ~~town,~~ and city or town must be made available for access by the secretary of state and
12.4 interaction with the statewide voter registration system. At least monthly, the commissioner
12.5 must submit data to the secretary of state identifying the total number of people applying
12.6 for services in a manner that qualifies for voter registration under this section and the total
12.7 number of individuals whose records were actually transferred for registration.

12.8 (b) Information on an applicant for a form of an original, duplicate, or change of address
12.9 driver's license, instruction permit, or identification card that does not include verification
12.10 of citizenship must not be transmitted to the secretary of state. The commissioner must
12.11 provide these applicants with information on the voting eligibility and the requirements for
12.12 registering to vote at the time of the transaction.

12.13 (c) An applicant must not be registered to vote under this subdivision until the
12.14 commissioner of public safety has certified that the department's systems have been tested
12.15 and can accurately provide the required data, and the secretary of state has certified that the
12.16 system for automatic registration of those applicants has been tested and is capable of
12.17 properly determining whether an applicant is eligible to vote. The department's systems
12.18 must be tested and accurately provide the necessary data no later than June 1, 2022.

12.19 Subd. 4. **Department of Human Services.** (a) The commissioner of human services,
12.20 in consultation with the secretary of state, must ensure the applications described in
12.21 subdivision 1, clause (2), may also serve as voter registration applications for any individual
12.22 whose name appears on the application and for whom United States citizenship can be
12.23 verified. The applications must contain spaces for all information required to register to
12.24 vote, as prescribed by the secretary of state. The commissioner must transmit information
12.25 daily by electronic means to the secretary of state on any individual whose United States
12.26 citizenship has been verified. At least monthly, the commissioner must submit data to the
12.27 secretary of state identifying the total number of people applying for services in a manner
12.28 that qualifies for voter registration under this section and the total number of individuals
12.29 whose records were actually transferred for registration.

12.30 (b) An applicant must not be registered to vote under this subdivision until the
12.31 commissioner of human services has certified that the department's systems have been tested
12.32 and can accurately provide the required data, and the secretary of state has certified that the
12.33 system for automatic registration of those applicants has been tested and is capable of
12.34 properly determining whether an applicant is eligible to vote. The department's systems
12.35 must be tested and accurately provide the necessary data no later than June 1, 2022.

13.1 Subd. 5. Other agencies and units of government. (a) The commissioner of any state
13.2 agency, and the administrative head of any local government or the government of a federally
13.3 recognized Indian tribe within the state, in consultation with the secretary of state, may
13.4 cause any form or application within its jurisdiction to serve as a voter registration
13.5 application, if the form or application already provides verification of an applicant's United
13.6 States citizenship. The form or application must contain spaces for all information required
13.7 to register to vote, as prescribed by the secretary of state. The commissioner or administrative
13.8 head must transmit information daily by electronic means to the secretary of state on any
13.9 individual whose United States citizenship has been verified. At least monthly, the
13.10 commissioner must submit data to the secretary of state identifying the total number of
13.11 people applying for services in a manner that qualifies for voter registration under this
13.12 section, and the total number of individuals whose records were actually transferred for
13.13 registration.

13.14 (b) The commissioner or administrative head, in consultation with the secretary of state,
13.15 may cause any form or application within its jurisdiction to serve as an update to the address
13.16 on an applicant's existing voter registration record. The commissioner or administrative
13.17 head must transmit these information daily by electronic means to the secretary of state. At
13.18 least monthly, the commissioner or administrative head must submit data to the secretary
13.19 of state identifying the total number of people applying for services in a manner that qualifies
13.20 for a voter registration address update under this paragraph, and the total number of
13.21 individuals whose records were actually transferred for updates.

13.22 (c) An applicant must not be registered to vote under this subdivision until the agency's
13.23 commissioner, or the administrative head of the local or tribal government, has certified
13.24 that the necessary systems have been tested and can accurately provide the required data,
13.25 and the secretary of state has certified that the system for automatic registration of those
13.26 applicants has been tested and is capable of properly determining whether an applicant is
13.27 eligible to vote.

13.28 Subd. 6. Registration. (a) The secretary of state must determine whether an applicant
13.29 whose information is submitted under this section is currently registered in the statewide
13.30 voter registration system. For each currently registered voter whose registration is not
13.31 changed, the secretary of state must update the voter's registration date in the statewide
13.32 voter registration system. For each currently registered voter whose registration is changed,
13.33 the secretary of state must transmit the registration daily by electronic means to the county
13.34 auditor of the county where the voter resides.

14.1 (b) If the applicant is not currently registered in the statewide voter registration system,
14.2 the secretary of state must determine whether the applicant is 18 years of age or older and
14.3 a citizen of the United States. The secretary of state must also compare the voter registration
14.4 information received under section 201.145 to determine whether the applicant is eligible
14.5 to vote. If an applicant is less than 18 years of age, the secretary of state must wait until the
14.6 applicant has turned 18 years of age to determine whether the applicant is eligible to vote.
14.7 For each applicant the secretary of state determines is an eligible voter, the secretary of state
14.8 must transmit the registration daily by electronic means to the county auditor of the county
14.9 where the voter resides.

14.10 (c) Any data on applicants who the secretary determines are not eligible to vote are
14.11 private data on individuals, as defined in section 13.02, subdivision 12.

14.12 (d) The county auditor must delete the voter's record from the statewide voter registration
14.13 system upon receipt of a written request, signed by the voter, that the registration be removed.

14.14 Subd. 7. **Notice.** (a) Upon receipt of the registration information, the county auditor
14.15 must provide to the voter the notice of registration required by section 201.121, subdivision
14.16 2. A notice mailed under this subdivision must include information on declining the
14.17 registration within the period authorized by subdivision 2, if the voter does not wish to be
14.18 registered to vote. The secretary of state may adopt rules prescribing the notice required by
14.19 this subdivision.

14.20 Subd. 8. **Prosecution of registration violations; voluntary action required.** Unless
14.21 an individual knows of the individual's ineligibility to vote and intentionally takes voluntary
14.22 action to become registered, the transfer of the individual's record under this section does
14.23 not constitute completion or submission of a voter registration application by that individual.
14.24 If an application is processed and the individual is registered by the state under this section,
14.25 the application and registration is presumed to have been officially authorized by the state
14.26 and the individual is not subject to penalty under this section or other applicable law if the
14.27 individual is subsequently determined to be ineligible.

14.28 Subd. 9. **Effective date.** A registration application completed pursuant to this section
14.29 that is dated during the 20 days before an election is not effective until the day after the
14.30 election. This subdivision does not limit the ability of a person to register to vote on election
14.31 day as provided in section 201.061, subdivision 3. Any person who submits an application
14.32 under this section that is dated during the 20 days before an election shall be provided at
14.33 the time of application with a notice advising the applicant of the procedures to register to
14.34 vote on election day.

15.1 Sec. 13. Minnesota Statutes 2020, section 201.162, is amended to read:

15.2 **201.162 DUTIES OF STATE AGENCIES.**

15.3 The commissioner or chief administrative officer of each state agency or
 15.4 community-based public agency or nonprofit corporation that contracts with the state agency
 15.5 to carry out obligations of the state agency shall provide voter registration services for
 15.6 employees and the public, including as applicable, automatic voter registration or information
 15.7 on voter eligibility and registration procedures as required under section 201.161. A person
 15.8 may complete a voter registration application or apply to change a voter registration name
 15.9 or address if the person has the proper qualifications on the date of application. Nonpartisan
 15.10 voter registration assistance, including routinely asking members of the public served by
 15.11 the agency whether they would like to register to vote and, if necessary, assisting them in
 15.12 preparing the registration forms must be part of the job of appropriate agency employees.

15.13 Sec. 14. **TRANSITION TO NEW VOTER REGISTRATION APPLICATION**
 15.14 **FORMS.**

15.15 After the effective date of this act, an election official may use existing voter registration
 15.16 forms that do not comply with this act's requirements for applicants who are 18 years of
 15.17 age or older at the time of registration. Applicants who are 16 years of age at the time of
 15.18 registration must use an application form that meets the requirements in this act. Beginning
 15.19 on the effective date of this act, an election official must not print or copy voter registration
 15.20 applications that do not meet the requirements of this act.

15.21 **ARTICLE 2**

15.22 **PROMOTING VOTER ACCESS**

15.23 Section 1. Minnesota Statutes 2020, section 201.014, is amended by adding a subdivision
 15.24 to read:

15.25 Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual convicted
 15.26 of a felony has the civil right to vote restored when the individual completes any incarceration
 15.27 imposed and executed by the court for the offense, or upon sentencing if no incarceration
 15.28 is imposed. If the individual is later incarcerated for the same offense, the individual's civil
 15.29 right to vote is lost only during the period of incarceration.

15.30 Sec. 2. Minnesota Statutes 2020, section 201.022, subdivision 1, is amended to read:

15.31 Subdivision 1. **Establishment.** The secretary of state shall maintain a statewide voter
 15.32 registration system to facilitate voter registration and to provide a central database containing

- 16.1 voter registration information from around the state. The system must be accessible to the
16.2 county auditor of each county in the state. The system must also:
- 16.3 (1) provide for voters to submit their voter registration applications to any county auditor,
16.4 the secretary of state, or the Department of Public Safety;
- 16.5 (2) provide for the definition, establishment, and maintenance of a central database for
16.6 all voter registration information;
- 16.7 (3) provide for entering data into the statewide registration system;
- 16.8 (4) provide for electronic transfer of completed voter registration applications from the
16.9 Department of Public Safety to the secretary of state or the county auditor;
- 16.10 (5) assign a unique identifier to each legally registered voter in the state;
- 16.11 (6) provide for the acceptance of the Minnesota driver's license number, Minnesota state
16.12 identification number, and last four digits of the Social Security number for each voter
16.13 record;
- 16.14 (7) coordinate with other agency databases within the state;
- 16.15 (8) allow county auditors and the secretary of state to add or modify information in the
16.16 system to provide for accurate and up-to-date records;
- 16.17 (9) allow county auditors, municipal and school district clerks, and the secretary of state
16.18 to have electronic access to the statewide registration system for review and search
16.19 capabilities;
- 16.20 (10) provide security and protection of all information in the statewide registration
16.21 system and ensure that unauthorized access is not allowed;
- 16.22 (11) provide access to municipal clerks to use the system;
- 16.23 (12) provide a system for each county to identify the precinct to which a voter should
16.24 be assigned for voting purposes;
- 16.25 (13) provide daily reports accessible by county auditors on the driver's license numbers,
16.26 state identification numbers, or last four digits of the Social Security numbers submitted on
16.27 voter registration applications that have been verified as accurate by the secretary of state;
16.28 ~~and~~
- 16.29 (14) provide reports on the number of absentee ballots transmitted to and returned and
16.30 cast by voters under section 203B.16.; and
- 16.31 (15) provide reports necessary for early voting.

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

17.3 Sec. 3. Minnesota Statutes 2020, section 201.071, subdivision 1, is amended to read:

17.4 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
17.5 contain the same information unless otherwise provided by law. A voter registration
17.6 application must contain spaces for the following required information: voter's first name,
17.7 middle name, and last name; voter's previous name, if any; voter's current address; voter's
17.8 previous address, if any; voter's date of birth; voter's municipality and county of residence;
17.9 voter's telephone number, if provided by the voter; date of registration; current and valid
17.10 Minnesota driver's license number or Minnesota state identification number, or if the voter
17.11 has no current and valid Minnesota driver's license or Minnesota state identification, the
17.12 last four digits of the voter's Social Security number; and voter's signature. The paper
17.13 registration application may include the voter's e-mail address, if provided by the voter. The
17.14 electronic voter registration application must include the voter's e-mail address. The
17.15 registration application may include the voter's interest in serving as an election judge, if
17.16 indicated by the voter. The application must also contain the following certification of voter
17.17 eligibility:

17.18 "I certify that I:

17.19 (1) will be at least 18 years old on election day;

17.20 (2) am a citizen of the United States;

17.21 (3) will have resided in Minnesota for 20 days immediately preceding election day;

17.22 (4) maintain residence at the address given on the registration form;

17.23 (5) am not under court-ordered guardianship in which the court order revokes my right
17.24 to vote;

17.25 (6) have not been found by a court to be legally incompetent to vote;

17.26 (7) ~~have the right to vote because, if I have been convicted of a felony, my felony sentence~~
17.27 ~~has expired (been completed) or I have been discharged from my sentence~~ am not currently
17.28 incarcerated for a felony offense; and

17.29 (8) have read and understand the following statement: that giving false information is a
17.30 felony punishable by not more than five years imprisonment or a fine of not more than
17.31 \$10,000, or both."

17.32 The certification must include boxes for the voter to respond to the following questions:

18.1 "(1) Are you a citizen of the United States?" and

18.2 "(2) Will you be 18 years old on or before election day?"

18.3 And the instruction:

18.4 "If you checked 'no' to either of these questions, do not complete this form."

18.5 The form of the voter registration application and the certification of voter eligibility
18.6 must be as provided in this subdivision and approved by the secretary of state. Voter
18.7 registration forms authorized by the National Voter Registration Act must also be accepted
18.8 as valid. The federal postcard application form must also be accepted as valid if it is not
18.9 deficient and the voter is eligible to register in Minnesota.

18.10 An individual may use a voter registration application to apply to register to vote in
18.11 Minnesota or to change information on an existing registration.

18.12 **Sec. 4. [201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT**
18.13 **VOTING RIGHTS.**

18.14 The secretary of state shall develop accurate and complete information in a single
18.15 publication about the voting rights of people who have been charged with or convicted of
18.16 a crime. This publication must be made available electronically to the state court administrator
18.17 for distribution to judges, court personnel, probation officers, and the commissioner of
18.18 corrections for distribution to corrections officials, parole and supervised release agents,
18.19 and the public.

18.20 Sec. 5. Minnesota Statutes 2020, section 203B.001, is amended to read:

18.21 **203B.001 ELECTION LAW APPLICABILITY.**

18.22 The Minnesota Election Law is applicable to voting by absentee ballot and early voting
18.23 unless otherwise provided in this chapter.

18.24 Sec. 6. Minnesota Statutes 2020, section 203B.01, is amended by adding a subdivision to
18.25 read:

18.26 Subd. 5. **Early voting.** "Early voting" means voting in person before election day at the
18.27 office of the county auditor or designated municipal clerk, or at any other location designated
18.28 under section 203B.33, within the time period provided in section 203B.31.

19.1 Sec. 7. Minnesota Statutes 2020, section 203B.03, subdivision 1, is amended to read:

19.2 Subdivision 1. **Violation.** (a) No individual shall intentionally:

19.3 (1) make or sign any false certificate required by this chapter;

19.4 (2) make any false or untrue statement in any application for absentee ballots;

19.5 (3) apply for absentee ballots more than once in any election with the intent to cast an
19.6 illegal ballot;

19.7 (4) exhibit a ballot marked by that individual to any other individual;

19.8 (5) do any act in violation of the provisions of this chapter for the purpose of casting an
19.9 illegal vote in any precinct or for the purpose of aiding another to cast an illegal vote;

19.10 (6) use information from absentee ballot or early voting materials or records for purposes
19.11 unrelated to elections, political activities, or law enforcement;

19.12 (7) provide assistance to an absentee or early voter except in the manner provided by
19.13 section 204C.15, subdivision 1;

19.14 (8) solicit the vote of an absentee or early voter while in the immediate presence of the
19.15 voter during the time the individual knows the absentee or early voter is voting; or

19.16 (9) alter an absentee ballot application after it has been signed by the voter, except by
19.17 an election official for administrative purposes.

19.18 (b) Before inspecting information from absentee ballot or early voting materials or
19.19 records, an individual shall provide identification to the public official having custody of
19.20 the material or information.

19.21 Sec. 8. Minnesota Statutes 2020, section 203B.04, subdivision 5, is amended to read:

19.22 Subd. 5. **Permanent absentee voter status.** (a) An eligible voter may apply to a county
19.23 auditor or municipal clerk to automatically receive an absentee ballot ~~application~~ before
19.24 each election, other than an election by mail conducted under section 204B.45, and to have
19.25 the status as a permanent absentee voter indicated on the voter's registration record. An
19.26 eligible voter listed as an ongoing absentee voter as of July 31, 2013, pursuant to laws in
19.27 effect on that date, shall be treated as if the voter applied for status as a permanent absentee
19.28 voter pursuant to this subdivision.

19.29 (b) A voter who applies under paragraph (a) must automatically be provided an absentee
19.30 ballot ~~application~~ for each eligible election. A voter's permanent absentee status ends and
19.31 automatic ballot ~~application~~ delivery must be terminated on:

20.1 (1) the voter's written request;

20.2 (2) the voter's death;

20.3 (3) return of an absentee ballot as undeliverable; or

20.4 (4) a change in the voter's status to "challenged" or "inactive" in the statewide voter
20.5 registration system.

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

20.7 (d) This subdivision does not apply to a voter residing in a jurisdiction that conducts
20.8 elections entirely by mail under section 204B.45.

20.9 Sec. 9. Minnesota Statutes 2020, section 203B.05, subdivision 1, is amended to read:

20.10 Subdivision 1. **Generally.** The full-time clerk of any city or town shall administer the
20.11 provisions of sections 203B.04 to 203B.15 if:

20.12 (1) the county auditor of that county has designated the clerk to administer them; or

20.13 (2) the clerk has given the county auditor of that county notice of intention to administer
20.14 them.

20.15 The designation or notice must specify whether the clerk will be responsible for the
20.16 administration of a ballot board as provided in section 203B.121.

20.17 A clerk of a city that is located in more than one county may only administer the
20.18 provisions of sections 203B.04 to 203B.15 and 203B.30 to 203B.35 if the clerk has been
20.19 designated by each of the county auditors or has provided notice to each of the county
20.20 auditors that the city will administer absentee voting. A clerk may only administer the
20.21 provisions of sections 203B.04 to 203B.15 if the clerk has technical capacity to access the
20.22 statewide voter registration system in the secure manner prescribed by the secretary of state.
20.23 The secretary of state must identify hardware, software, security, or other technical
20.24 prerequisites necessary to ensure the security, access controls, and performance of the
20.25 statewide voter registration system. A clerk must receive training approved by the secretary
20.26 of state on the use of the statewide voter registration system before administering this section.
20.27 A clerk may not use the statewide voter registration system until the clerk has received the
20.28 required training. The county auditor must notify the secretary of state of any municipal
20.29 clerk who will be administering the provisions of this section and the duties that the clerk
20.30 will administer.

21.1 Sec. 10. Minnesota Statutes 2020, section 203B.06, subdivision 1, is amended to read:

21.2 Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal
21.3 clerk shall prepare and print a sufficient number of blank application forms for absentee
21.4 ballots. The county auditor or municipal clerk shall deliver a blank application form to any
21.5 voter who requests one pursuant to section 203B.04. ~~Blank application forms must be mailed~~
21.6 ~~to eligible voters who have requested an application pursuant to section 203B.04, subdivision~~
21.7 ~~5, at least 60 days before:~~

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

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

21.12 ~~(3) a special primary to fill a federal or county office vacancy or special election to fill~~
21.13 ~~a federal or county office vacancy, if a primary is not required to be held pursuant to section~~
21.14 ~~204D.03, subdivision 3, or 204D.07, subdivision 3; and~~

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

21.18 Sec. 11. Minnesota Statutes 2020, section 203B.06, subdivision 3, is amended to read:

21.19 Subd. 3. **Delivery of ballots.** (a) The county auditor or municipal clerk, or full-time
21.20 clerk of any city or town administering an election pursuant to section 203B.05, shall mail
21.21 absentee ballots to voters on the permanent absentee ballot list pursuant to section 203B.04,
21.22 subdivision 5, at least 46 days before:

21.23 (1) each regularly scheduled primary or general election for federal, state, county, city,
21.24 or school board office;

21.25 (2) each special primary or special election to fill a federal, state, county, city, or school
21.26 board vacancy; except

21.27 (3) town clerks administering absentee ballots for a town general election held in March
21.28 shall deliver absentee ballots at least 30 days before the election.

21.29 (b) The commissioner of corrections must provide the secretary of state with a list of
21.30 the names and mailing addresses of state adult correctional facilities. An application for an
21.31 absentee ballot that provides an address included on the list provided by the commissioner
21.32 of corrections must not be accepted and an absentee ballot must not be provided to the

22.1 applicant. The county auditor or municipal clerk must promptly transmit a copy of the
 22.2 application to the county attorney. The Department of Corrections must implement procedures
 22.3 to ensure that absentee ballots issued under this chapter are not received or mailed by
 22.4 offenders incarcerated at state adult correctional facilities.

22.5 ~~(b)~~ (c) If an application for absentee ballots is accepted at a time when absentee ballots
 22.6 are not yet available for distribution, the county auditor, or municipal clerk accepting the
 22.7 application shall file it and as soon as absentee ballots are available for distribution shall
 22.8 mail them to the address specified in the application. If an application for absentee ballots
 22.9 is accepted when absentee ballots are available for distribution, the county auditor or
 22.10 municipal clerk accepting the application shall promptly:

22.11 (1) mail the ballots to the voter whose signature appears on the application if the
 22.12 application is submitted by mail and does not request commercial shipping under clause
 22.13 (2);

22.14 (2) ship the ballots to the voter using a commercial shipper requested by the voter at the
 22.15 voter's expense;

22.16 (3) deliver the absentee ballots directly to the voter if the application is submitted in
 22.17 person; or

22.18 (4) deliver the absentee ballots in a sealed transmittal envelope to an agent who has been
 22.19 designated to bring the ballots, as provided in section 203B.11, subdivision 4, to a voter
 22.20 who would have difficulty getting to the polls because of incapacitating health reasons, or
 22.21 who is disabled, or who is a patient in a health care facility, a resident of a facility providing
 22.22 assisted living services governed by chapter 144G, a participant in a residential program
 22.23 for adults licensed under section 245A.02, subdivision 14, or a resident of a shelter for
 22.24 battered women as defined in section 611A.37, subdivision 4.

22.25 ~~(e)~~ (d) If an application does not indicate the election for which absentee ballots are
 22.26 sought, the county auditor or municipal clerk shall mail or deliver only the ballots for the
 22.27 next election occurring after receipt of the application. Only one set of ballots may be mailed,
 22.28 shipped, or delivered to an applicant for any election, except as provided in section 203B.121,
 22.29 subdivision 2, or when a replacement ballot has been requested by the voter for a ballot that
 22.30 has been spoiled or lost in transit.

22.31 Sec. 12. Minnesota Statutes 2020, section 203B.07, subdivision 3, is amended to read:

22.32 Subd. 3. **Eligibility certificate.** A certificate of eligibility to vote by absentee ballot
 22.33 shall be printed on the back of the return envelope. The certificate shall contain space for

23.1 the voter's Minnesota driver's license number, state identification number, or the last four
 23.2 digits of the voter's Social Security number, or to indicate that the voter does not have one
 23.3 of these numbers. The space must be designed to ensure that the voter provides the same
 23.4 type of identification as provided on the voter's absentee ballot application for purposes of
 23.5 comparison. The certificate must also contain a statement to be signed and sworn by the
 23.6 voter indicating that the voter meets all of the requirements established by law for voting
 23.7 by absentee ballot and space for a statement signed by a person who is registered to vote in
 23.8 Minnesota or by a notary public or other individual authorized to administer oaths stating
 23.9 that:

23.10 ~~(1) the ballots were displayed to that individual unmarked;~~

23.11 ~~(2) the voter marked the ballots in that individual's presence without showing how they~~
 23.12 ~~were marked, or, if the voter was physically unable to mark them, that the voter directed~~
 23.13 ~~another individual to mark them; and~~

23.14 ~~(3) if the voter was not previously registered, the voter has provided proof of residence~~
 23.15 ~~as required by section 201.061, subdivision 3.~~

23.16 Sec. 13. Minnesota Statutes 2020, section 203B.08, subdivision 1, is amended to read:

23.17 Subdivision 1. **Marking and return by voter.** An eligible voter who receives absentee
 23.18 ballots as provided in this chapter shall mark them in the manner specified in the directions
 23.19 for casting the absentee ballots. The return envelope containing marked ballots may be
 23.20 mailed as provided in the directions for casting the absentee ballots or may be left with the
 23.21 county auditor or municipal clerk who transmitted the absentee ballots to the voter in person
 23.22 or by deposit in an absentee ballot drop box designated under section 203B.082. If delivered
 23.23 in person, the return envelope must be submitted to the county auditor or municipal clerk
 23.24 by 3:00 p.m. on election day.

23.25 The voter may designate an agent to deliver in person the sealed absentee ballot return
 23.26 envelope to the county auditor or municipal clerk or to deposit the return envelope in the
 23.27 mail. An agent may deliver or mail the return envelopes of not more than three voters in
 23.28 any election. Any person designated as an agent who tampers with either the return envelope
 23.29 or the voted ballots or does not immediately mail or deliver the return envelope to the county
 23.30 auditor or municipal clerk is guilty of a misdemeanor.

24.1 Sec. 14. Minnesota Statutes 2020, section 203B.08, subdivision 3, is amended to read:

24.2 Subd. 3. **Procedures on receipt of ballots.** When absentee ballots are returned to a
24.3 county auditor or municipal clerk, that official shall stamp or initial and date the return
24.4 envelope and place it in a secure location with other return envelopes received by that office.
24.5 Within five days after receipt, the county auditor or municipal clerk shall deliver to the
24.6 ballot board all ballots received, except that during the 14 days immediately preceding an
24.7 election, the county auditor or municipal clerk shall deliver all ballots received to the ballot
24.8 board within three days. Ballots received on election day ~~either (1) after 3:00 p.m., if~~
24.9 ~~delivered in person; or (2) after 8:00 p.m., if delivered in person; ballots postmarked after~~
24.10 election day; and ballots postmarked on or before election day but delivered more than
24.11 seven days after election day, if delivered by mail or a package delivery service, shall be
24.12 marked as received late by the county auditor or municipal clerk, and must not be delivered
24.13 to the ballot board. As used in this subdivision, "postmark" means any type of imprint
24.14 applied by the United States Postal Service to indicate the location and date the United
24.15 States Postal Service accepted custody of a piece of mail, including a bar code, circular
24.16 stamp, or other tracking marks.

24.17 Sec. 15. Minnesota Statutes 2020, section 203B.081, subdivision 2, is amended to read:

24.18 Subd. 2. **Town elections.** Voters casting absentee ballots in person for a town election
24.19 held in March may do so during the 30 days before the election, except that an eligible voter
24.20 may not vote by absentee ballot in person during the period designated for early voting, as
24.21 provided in section 203B.31. The county auditor shall make such designations at least 14
24.22 weeks before the election. At least one voting booth in each polling place must be made
24.23 available by the county auditor for this purpose. The county auditor must also make available
24.24 at least one electronic ballot marker in each polling place that has implemented a voting
24.25 system that is accessible for individuals with disabilities pursuant to section 206.57,
24.26 subdivision 5.

24.27 Sec. 16. [203B.082] ABSENTEE BALLOT DROP BOXES.

24.28 Subdivision 1. **Definition.** As used in this section, "drop box" means a secure receptacle
24.29 or container established to receive completed absentee ballots 24 hours per day. Drop box
24.30 does not include a receptacle or container maintained by the United States Postal Service,
24.31 a location at which a voter or an agent may return a completed absentee ballot by providing
24.32 it directly to an employee of the county auditor or municipal clerk, or a receptacle or container
24.33 located inside a government building for this purpose.

25.1 Subd. 2. **Minimum standards.** The county auditor or municipal clerk must provide
25.2 locations at which a voter may deposit a completed absentee ballot in a secure drop box,
25.3 consistent with the following:

25.4 (1) at least one location must be provided for every 20,000 registered voters in the
25.5 jurisdiction. If there are fewer than 20,000 registered voters in the jurisdiction, the county
25.6 auditor or municipal clerk must provide at least one location;

25.7 (2) if more than one location is required, locations must be distributed in a manner that
25.8 ensures equitable access to the drop boxes among all voters in the jurisdiction;

25.9 (3) locations must be continually monitored by county or municipal staff, including
25.10 through the use of video surveillance or other systems meeting standards prescribed by the
25.11 secretary of state;

25.12 (4) the drop box must contain signage or markings that clearly identifies it as an official
25.13 absentee ballot return location, consistent with standards prescribed by the secretary of state;
25.14 and

25.15 (5) deposited ballots must be retrieved by the county auditor or municipal clerk on a
25.16 regular basis and at least once per day during the absentee voting period.

25.17 Subd. 3. **Publication of locations required.** (a) The county auditor or municipal clerk
25.18 must provide a preliminary list of designated absentee ballot drop box locations to the
25.19 secretary of state no later than 40 days prior to the start of the absentee voting period at
25.20 every regularly scheduled primary or general election. The preliminary list must be published
25.21 on the website of the county or municipality and on the website of the secretary of state at
25.22 least 35 days prior to the start of the absentee voting period.

25.23 (b) The county auditor or municipal clerk must provide a final list of designated absentee
25.24 ballot drop box locations to the secretary of state no later than 20 days prior to the start of
25.25 the absentee voting period at every regularly scheduled primary or general election. The
25.26 list must be published on the website of the county or municipality and on the website of
25.27 the secretary of state at least 15 days prior to the start of the absentee voting period.

25.28 Subd. 4. **Electioneering prohibited.** Section 211B.11 applies to conduct within 100
25.29 feet of an absentee ballot drop box established under this section.

25.30 Subd. 5. **Rules.** The secretary of state must adopt rules establishing the standards required
25.31 by subdivision 1 and any other procedures necessary to implement this section.

26.1 Sec. 17. **[203B.095] ABSENTEE VOTING INSTRUCTIONS IN LANGUAGES**
 26.2 **OTHER THAN ENGLISH.**

26.3 The secretary of state must prepare voting instructions in languages other than English
 26.4 for use by voters casting a ballot under this chapter. At a minimum, the instructions must
 26.5 be prepared and made available in print, electronic, and audio-visual formats in the Spanish,
 26.6 Hmong, and Somali languages.

26.7 Sec. 18. Minnesota Statutes 2020, section 203B.12, subdivision 7, is amended to read:

26.8 Subd. 7. **Names of persons requesting an absentee ballot; rejected absentee ballots.** (a)
 26.9 The names of voters who have applied for an absentee ballot are public. The names of voters
 26.10 who have submitted an absentee ballot to the county auditor or municipal clerk that has not
 26.11 been accepted may not be made available for public inspection until the close of voting on
 26.12 election day.

26.13 (b) The secretary of state must release a public report at least weekly during the absentee
 26.14 voting period on the aggregate number of received absentee ballots that were rejected and
 26.15 the reasons for the rejections.

26.16 Sec. 19. Minnesota Statutes 2020, section 203B.121, subdivision 1, is amended to read:

26.17 Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county,
 26.18 municipality, and school district with responsibility to accept and reject absentee ballots or
 26.19 to administer early voting must, by ordinance or resolution, establish a ballot board. The
 26.20 board must consist of a sufficient number of election judges trained in the handling of
 26.21 absentee ballots and appointed as provided in sections 204B.19 to 204B.22. The board may
 26.22 include deputy county auditors or deputy city clerks who have received training in the
 26.23 processing and counting of absentee ballots.

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

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

26.28 Sec. 20. Minnesota Statutes 2020, section 203B.121, subdivision 2, is amended to read:

26.29 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board
 26.30 shall take possession of all return envelopes delivered to them in accordance with section
 26.31 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk,

27.1 two or more members of the ballot board shall examine each return envelope and shall mark
27.2 it accepted or rejected in the manner provided in this subdivision. Election judges performing
27.3 the duties in this section must be of different major political parties, unless they are exempt
27.4 from that requirement under section 205.075, subdivision 4, or section 205A.10, subdivision
27.5 2.

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

27.9 (1) the voter's name and address on the return envelope are the same as the information
27.10 provided on the absentee ballot application or voter record;

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

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

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

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

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

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

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

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

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

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

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

28.16 (2) the reason for rejection; and

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

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

28.21 Sec. 21. Minnesota Statutes 2020, section 203B.121, is amended by adding a subdivision
 28.22 to read:

28.23 Subd. 2a. **Duties of ballot board; early voting.** The members of the ballot board shall
 28.24 administer the process of early voting as prescribed in section 203B.35 and shall make a
 28.25 record of voters who cast ballots early and count those ballots as provided in subdivisions
 28.26 4 and 5.

28.27 Sec. 22. Minnesota Statutes 2020, section 203B.121, subdivision 3, is amended to read:

28.28 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk
 28.29 must immediately record that a voter's absentee ballot has been accepted or that the voter
 28.30 has cast a ballot pursuant to the early voting procedures provided in this chapter. A voter
 28.31 whose record indicates that the voter has cast an early ballot must not be permitted to cast
 28.32 another ballot in that election. After the close of business on the ~~seventh day before the~~

29.1 ~~election~~ day prior to the beginning of the early voting period as provided in section 203B.31,
29.2 a voter whose record indicates that an absentee ballot has been accepted must not be permitted
29.3 to cast another ballot at that election. In a state primary, general, or state special election
29.4 for federal ~~or~~, state, or county office, the auditor or clerk must also record this information
29.5 in the statewide voter registration system.

29.6 (b) The roster must be marked, and a supplemental report of absentee and early voters
29.7 who submitted a voter registration application with their ballot must be created, no later
29.8 than the start of voting on election day to indicate the voters that have already cast a ballot
29.9 at the election. The roster may be marked either:

29.10 (1) by the county auditor or municipal clerk before election day;

29.11 (2) by the ballot board before election day; or

29.12 (3) by the election judges at the polling place on election day.

29.13 The record of a voter whose absentee ballot was received after the close of business on
29.14 the seventh day before the election is not required to be marked on the roster or contained
29.15 in a supplemental report as required by this paragraph.

29.16 Sec. 23. Minnesota Statutes 2020, section 203B.121, subdivision 4, is amended to read:

29.17 Subd. 4. **Opening of envelopes.** After the close of business on the ~~seventh day before~~
29.18 ~~the election~~ day prior to the beginning of the early voting period as provided in section
29.19 203B.31, the ballots from return envelopes marked "Accepted" may be opened, duplicated
29.20 as needed in the manner provided in section 206.86, subdivision 5, initialed by the members
29.21 of the ballot board, and deposited in the appropriate ballot box. If more than one voted ballot
29.22 is enclosed in the ballot envelope, the ballots must be returned in the manner provided by
29.23 section 204C.25 for return of spoiled ballots, and may not be counted.

29.24 Sec. 24. Minnesota Statutes 2020, section 203B.121, subdivision 5, is amended to read:

29.25 Subd. 5. **Storage and counting of absentee and early voting ballots.** (a) On a day on
29.26 which absentee or early voting ballots are inserted into a ballot box, two members of the
29.27 ballot board must:

29.28 (1) remove the ballots from the ballot box at the end of the day;

29.29 (2) without inspecting the ballots, ensure that the number of ballots removed from the
29.30 ballot box is equal to the number of voters who cast early votes and whose absentee ballots
29.31 were accepted that day; and

30.1 (3) seal and secure all voted and unvoted ballots present in that location at the end of
30.2 the day.

30.3 (b) After the polls have closed on election day, two members of the ballot board must
30.4 count the ballots, tabulating the vote in a manner that indicates each vote of the voter and
30.5 the total votes cast for each candidate or question. In state primary and state general elections,
30.6 the results must indicate the total votes cast for each candidate or question in each precinct
30.7 and report the vote totals tabulated for each precinct. The count must be recorded on a
30.8 summary statement in substantially the same format as provided in section 204C.26. The
30.9 ballot board shall submit at least one completed summary statement to the county auditor
30.10 or municipal clerk. The county auditor or municipal clerk may require the ballot board to
30.11 submit a sufficient number of completed summary statements to comply with the provisions
30.12 of section 204C.27, or the county auditor or municipal clerk may certify reports containing
30.13 the details of the ballot board summary statement to the recipients of the summary statements
30.14 designated in section 204C.27.

30.15 In state primary and state general elections, these vote totals shall be added to the vote
30.16 totals on the summary statements of the returns for the appropriate precinct. In other elections,
30.17 these vote totals may be added to the vote totals on the summary statement of returns for
30.18 the appropriate precinct or may be reported as a separate total.

30.19 The count shall be public. No vote totals from ballots may be made public before the
30.20 close of voting on election day.

30.21 (c) In addition to the requirements of paragraphs (a) and (b), if the task has not been
30.22 completed previously, the members of the ballot board must verify as soon as possible, but
30.23 no later than 24 hours after the end of the hours for voting, that voters whose absentee ballots
30.24 arrived after the rosters were marked or supplemental reports were generated and whose
30.25 ballots were accepted did not vote in person on election day. An absentee ballot submitted
30.26 by a voter who has voted in person on election day must be rejected. All other accepted
30.27 absentee ballots must be opened, duplicated if necessary, and counted by members of the
30.28 ballot board. The vote totals from these ballots must be incorporated into the totals with the
30.29 other absentee ballots and handled according to paragraph (b).

30.30 Sec. 25. [203B.30] EARLY VOTING; APPLICABILITY.

30.31 (a) Any eligible voter may vote in person in a federal, state, or county election prior to
30.32 the date of the election, in the manner provided in sections 203B.31 to 203B.35.

31.1 (b)(1) Subject to clause (2), for city elections not held in conjunction with a federal,
 31.2 state, or county election, the city may authorize eligible voters to vote in the manner provided
 31.3 in sections 203B.31 to 203B.35 upon resolution of the governing body of the city, adopted
 31.4 prior to the first day for filing affidavits of candidacy for the election. In the case of a home
 31.5 rule charter city, authorization may alternatively be made by amendment to the city's charter
 31.6 for this purpose.

31.7 (2) A city may only authorize voting under sections 203B.31 to 203B.35 if the municipal
 31.8 clerk has the technical capacity to access the statewide voter registration system in the secure
 31.9 manner prescribed by the secretary of state. The secretary of state must identify hardware,
 31.10 software, security, or other technical prerequisites necessary to ensure the security, access
 31.11 controls, and performance of the statewide voter registration system. The clerk must receive
 31.12 training approved by the secretary of state on the use of the statewide voter registration
 31.13 system before administering voting authorized under this paragraph. The clerk may not use
 31.14 the statewide voter registration system until the clerk has received the required training.
 31.15 The secretary of state may adopt rules using the exempt rulemaking procedure in section
 31.16 14.386 as necessary to implement these requirements.

31.17 **Sec. 26. [203B.31] TIME PERIOD FOR EARLY VOTING.**

31.18 Early voting must be available to any eligible voter as provided in section 203B.32 for
 31.19 every primary, general, and special election subject to early voting under section 203B.30
 31.20 from 30 days before the election through 5:00 p.m. on the day before the election. All voters
 31.21 in line at 5:00 p.m. on the day before the election must be allowed to vote in the same manner
 31.22 as provided in section 204C.05, subdivision 2.

31.23 **Sec. 27. [203B.32] HOURS FOR EARLY VOTING.**

31.24 Early voting must be available between the hours of 8:00 a.m. and 4:30 p.m. on each
 31.25 weekday during the time period provided in section 203B.31, from 8:00 a.m. to 8:00 p.m.
 31.26 on at least one weekday, and from 10:00 a.m. to 5:00 p.m. on the two Saturdays before the
 31.27 election.

31.28 **Sec. 28. [203B.33] LOCATIONS FOR EARLY VOTING.**

31.29 (a) Early voting must be made available at polling places designated in the county
 31.30 auditor's offices in county-owned or operated buildings, at the municipal clerk's office in
 31.31 every municipality that has been delegated the responsibility to administer absentee voting
 31.32 as provided in section 203B.05 or which is conducting an election that includes early voting

32.1 as authorized in section 203B.30, and at any other county or city-owned or operated buildings
32.2 designated by the county auditor or municipal clerk. The county auditor or municipal clerk
32.3 must designate a sufficient number of locations to ensure that one polling place exists for
32.4 every XXX people in the county and that locations are geographically distributed to ensure
32.5 a reasonable opportunity for all eligible voters in the county to vote early. If a sufficient
32.6 number of county or city-owned buildings are not suitable for use as early voting locations,
32.7 the county auditor or municipal clerk may contract for the use of other suitable locations
32.8 that meet the standards required by law for operation of a polling place. At least one voting
32.9 station and one ballot marking device for disabled voters must be made available in each
32.10 polling place.

32.11 (b) The county auditor or municipal clerk must make an electronic ballot counter available
32.12 in each polling place.

32.13 (c) This section does not prohibit the county auditor from establishing additional polling
32.14 places, other than those required by paragraph (a), that are open for fewer than 46 days. If
32.15 a polling place is open fewer than 46 days before the election, the county auditor or municipal
32.16 clerk must post the polling place location and hours of operation on the jurisdiction's website
32.17 and must inform the secretary of state of the polling place's location and hours.

32.18 **Sec. 29. [203B.34] NOTICE TO VOTERS.**

32.19 The county auditor or municipal clerk must prepare a notice to the voters of the days,
32.20 times, and locations for early voting. This notice must be posted on the county's website,
32.21 if applicable, and the website for each municipality in the county where an early voting
32.22 location is designated for the election at least 14 days before the first day for early voting.
32.23 If a county or municipality does not have a website, the county auditor or municipal clerk
32.24 must publish the notice at least once in the jurisdiction's official newspaper at least seven
32.25 days and not more than 14 days before the first day for early voting.

32.26 **Sec. 30. [203B.35] PROCEDURES FOR EARLY VOTING.**

32.27 Subdivision 1. **Voting procedure.** (a) Each voter shall sign the certification provided
32.28 in section 204C.10. An individual who is not registered to vote must register in the manner
32.29 provided in section 201.061, subdivision 3.

32.30 (b) After the voter has signed the certification, a member of the ballot board must provide
32.31 a ballot to the voter. Ballots must be prepared and distributed by members of the ballot
32.32 board in the manner provided in section 204C.09. The voter must mark the ballot and deposit

33.1 it in either a precinct voting system or a sealed ballot box. A voter may not leave the polling
 33.2 place with the ballot.

33.3 Subd. 2. **Processing of ballots.** Ballots cast pursuant to sections 203B.30 to 203B.35
 33.4 must be processed and counted by a ballot board.

33.5 Sec. 31. Minnesota Statutes 2020, section 204B.28, subdivision 2, is amended to read:

33.6 Subd. 2. **Election supplies; duties of county auditors and clerks.** (a) Except as
 33.7 otherwise provided for absentee ballots in this section and in section 204B.35, subdivision
 33.8 4, the county auditor shall complete the preparation of the election materials for which the
 33.9 auditor is responsible at least four days before every state primary and state general election.
 33.10 At any time after all election materials are available from the county auditor but not later
 33.11 than four days before the election each municipal clerk shall secure from the county auditor:

33.12 ~~(a)~~ (1) the forms that are required for the conduct of the election;

33.13 ~~(b)~~ (2) any printed voter instruction materials furnished by the secretary of state;

33.14 ~~(c)~~ (3) any other instructions for election officers; and

33.15 ~~(d)~~ (4) a sufficient quantity of the official ballots, registration files, envelopes for ballot
 33.16 returns, and other supplies and materials required for each precinct in order to comply with
 33.17 the provisions of the Minnesota Election Law. The county auditor may furnish the election
 33.18 supplies to the municipal clerks in the same manner as the supplies are furnished to precincts
 33.19 in unorganized territory pursuant to section 204B.29, subdivision 1.

33.20 (b) The county auditor must prepare and make available election materials for early
 33.21 voting to city clerks designated to administer early voting under section 203B.05 at least
 33.22 one day prior to the beginning of the early voting period as provided in section 203B.31.

33.23 Sec. 32. Minnesota Statutes 2020, section 204C.10, is amended to read:

33.24 **204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;**
 33.25 **VOTER RECEIPT.**

33.26 (a) An individual seeking to vote shall sign a polling place roster or voter signature
 33.27 certificate which states that the individual:

33.28 (1) is at least 18 years of age;_;

33.29 (2) a citizen of the United States;_;

33.30 (3) has resided in Minnesota for 20 days immediately preceding the election;_;

34.1 (4) maintains residence at the address shown;₂

34.2 (5) is not under a guardianship in which the court order revokes the individual's right to
34.3 vote;₂

34.4 (6) has not been found by a court of law to be legally incompetent to vote ~~or~~;₂

34.5 (7) has the right to vote because, if the individual was convicted of a felony, ~~the felony~~
34.6 ~~sentence has expired or been completed or the individual has been discharged from the~~
34.7 ~~sentence~~; completed the term of incarceration, if any, for the felony offense;

34.8 (8) is registered; and

34.9 (9) has not already voted in the election.

34.10 The roster must also state: "I understand that deliberately providing false information
34.11 is a felony punishable by not more than five years imprisonment and a fine of not more than
34.12 \$10,000, or both."

34.13 (b) At the presidential nomination primary, the polling place roster must also state: "I
34.14 am in general agreement with the principles of the party for whose candidate I intend to
34.15 vote." This statement must appear separately from the statements required in paragraph (a).
34.16 The felony penalty provided for in paragraph (a) does not apply to this paragraph.

34.17 (c) A judge may, before the applicant signs the roster or voter signature certificate,
34.18 confirm the applicant's name, address, and date of birth.

34.19 (d) After the applicant signs the roster or voter signature certificate, the judge shall give
34.20 the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in
34.21 charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to
34.22 the voter the ballot. The voters' receipts must be maintained during the time for notice of
34.23 filing an election contest.

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

34.27 Sec. 33. Minnesota Statutes 2020, section 204C.15, subdivision 1, is amended to read:

34.28 Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for
34.29 assistance because of inability to read English or physical inability to mark a ballot may
34.30 obtain the aid of two election judges who are members of different major political parties.
34.31 The election judges shall mark the ballots as directed by the voter and in as secret a manner
34.32 as circumstances permit. A voter in need of assistance may alternatively obtain the assistance

35.1 of any individual the voter chooses. Only the following persons may not provide assistance
35.2 to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the
35.3 voter's union, or a candidate for election. The person who assists the voter shall,
35.4 unaccompanied by an election judge, retire with that voter to a booth and mark the ballot
35.5 as directed by the voter. ~~No person who assists another voter as provided in the preceding~~
35.6 ~~sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots
35.7 are deposited, the voter may show them privately to an election judge to ascertain that they
35.8 are marked as the voter directed. An election judge or other individual assisting a voter shall
35.9 not in any manner request, persuade, induce, or attempt to persuade or induce the voter to
35.10 vote for any particular political party or candidate. The election judges or other individuals
35.11 who assist the voter shall not reveal to anyone the name of any candidate for whom the
35.12 voter has voted or anything that took place while assisting the voter.

35.13 Sec. 34. Minnesota Statutes 2020, section 206.82, subdivision 1, is amended to read:

35.14 Subdivision 1. **Program.** A program or programs for use in an election conducted by
35.15 means of an electronic voting system or using an electronic ballot marker shall be prepared
35.16 at the direction of the county auditor or municipal clerk who is responsible for the conduct
35.17 of the election and shall be independently verified by a competent person designated by
35.18 that official. The term "competent person" as used in this section means a person who can
35.19 demonstrate knowledge as a computer programmer and who is other than and wholly
35.20 independent of any person operating or employed by the counting center or the corporation
35.21 or other preparer of the program. A test deck prepared by a competent person shall be used
35.22 for independent verification of the program; it shall test the maximum digits used in totaling
35.23 the returns and shall be usable by insertion during the tabulation process as well as prior to
35.24 tabulation. A test deck must also be prepared using the electronic ballot marker program
35.25 and must also be used to verify that all valid votes counted by the vote tabulator may be
35.26 selected using the electronic ballot marker. The computer program for any election and an
35.27 exact duplicate of the program for use as backup must be completed and delivered to the
35.28 election jurisdiction or the county auditor in charge of a common central counting center
35.29 at least 40 days prior to the election. The secretary of state shall adopt rules further specifying
35.30 test procedures.

36.1 Sec. 35. Minnesota Statutes 2020, section 206.83, is amended to read:

36.2 **206.83 TESTING OF VOTING SYSTEMS.**

36.3 ~~Within 14~~ At least 37 days before election day, the official in charge of elections shall
36.4 have the voting system tested to ascertain that the system will correctly mark ballots using
36.5 all methods supported by the system, including through assistive technology, and count the
36.6 votes cast for all candidates and on all questions. Public notice of the time and place of the
36.7 test must be given at least two days in advance by publication once in official newspapers.
36.8 The test must be observed by at least two election judges, who are not of the same major
36.9 political party, and must be open to representatives of the political parties, candidates, the
36.10 press, and the public. The test must be conducted by (1) processing a preaudited group of
36.11 ballots punched or marked to record a predetermined number of valid votes for each candidate
36.12 and on each question, and must include for each office one or more ballot cards which have
36.13 votes in excess of the number allowed by law in order to test the ability of the voting system
36.14 tabulator and electronic ballot marker to reject those votes; and (2) processing an additional
36.15 test deck of ballots marked using the electronic ballot marker for the precinct, including
36.16 ballots marked using the electronic ballot display, audio ballot reader, and any assistive
36.17 voting technology used with the electronic ballot marker. If any error is detected, the cause
36.18 must be ascertained and corrected and an errorless count must be made before the voting
36.19 system may be used in the election. After the completion of the test, the programs used and
36.20 ballot cards must be sealed, retained, and disposed of as provided for paper ballots.

36.21 Sec. 36. **[243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.**

36.22 Subdivision 1. **Correctional facilities; designation of official.** The chief executive
36.23 officer of each state and local correctional facility shall designate an official within the
36.24 facility to provide the notice and application required under this section to a person to whom
36.25 the civil right to vote is restored by reason of the person's release from actual incarceration.
36.26 The official shall maintain an adequate supply of voter registration applications and
36.27 informational materials for this purpose.

36.28 Subd. 2. **Notice requirement.** A notice of restoration of the civil right to vote and a
36.29 voter registration application must be provided as follows:

36.30 (1) the chief executive officer of each state and local correctional facility shall provide
36.31 the notice and application to a person being released from the facility following incarceration
36.32 for a felony-level offense; and

37.1 (2) a probation officer or supervised release agent shall provide the notice and application
 37.2 to all individuals under correctional supervision for a felony-level offense.

37.3 Subd. 3. **Form of notice.** The notice required by subdivision 2 must appear substantially
 37.4 as follows:

37.5 **"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.**

37.6 Your receipt of this notice today means that your right to vote in Minnesota has been
 37.7 restored. Before you can vote on election day, you still need to register to vote. To register,
 37.8 you may complete a voter registration application and return it to the Office of the Minnesota
 37.9 Secretary of State. You may also register to vote in your polling place on election day. You
 37.10 will not be permitted to cast a ballot until you register to vote. The first time you appear at
 37.11 your polling place to cast a ballot, you may be required to provide proof of your current
 37.12 residence."

37.13 Subd. 4. **Failure to provide notice.** A failure to provide proper notice as required by
 37.14 this section does not prevent the restoration of the person's civil right to vote.

37.15 Sec. 37. Minnesota Statutes 2020, section 609.165, subdivision 1, is amended to read:

37.16 Subdivision 1. **Restoration.** When a person has been deprived of civil rights by reason
 37.17 of conviction of a crime and is thereafter discharged, such discharge shall restore the person
 37.18 to all civil rights and to full citizenship, ~~with full right to vote and hold office,~~ the same as
 37.19 if such conviction had not taken place, and the order of discharge shall so provide.

37.20 Sec. 38. **REPEALER.**

37.21 Minnesota Statutes 2020, section 203B.081, subdivision 3, is repealed.

37.22 Sec. 39. **EFFECTIVE DATE; APPLICABILITY.**

37.23 Except where otherwise provided, this article is effective and applies to elections held
 37.24 on or after August 1, 2021. The provisions of this act related to early voting are effective
 37.25 when the secretary of state has certified that:

37.26 (1) the statewide voter registration system has been tested and shown to properly allow
 37.27 for the tracking of the information required to conduct early voting and can handle the
 37.28 expected volume of use; and

37.29 (2) precinct voting equipment that can tabulate at least 30 different ballot styles has been
 37.30 certified for use in this state. Upon certification pursuant to this section, the provisions of
 37.31 this act related to early voting apply to all federal, state, and county elections held on August

38.1 1, 2021, and thereafter. A jurisdiction may implement the requirements of this act prior to
 38.2 the date provided in this section if the secretary of state has made the required certifications
 38.3 at least 90 days prior to the date of the election at which early voting will be used.

38.4 ARTICLE 3

38.5 PROHIBITING VOTER INTIMIDATION AND SAFEGUARDING ELECTIONS 38.6 SYSTEM

38.7 Section 1. Minnesota Statutes 2020, section 5.30, subdivision 2, is amended to read:

38.8 Subd. 2. **Appropriation.** ~~Notwithstanding section 4.07,~~ Money in the Help America
 38.9 Vote Act account ~~may be spent only pursuant to direct appropriations enacted from time to~~
 38.10 ~~time by law. Money in the account must be spent~~ is appropriated to the secretary of state
 38.11 to improve the administration of elections in accordance with the Help America Vote Act,
 38.12 the state plan certified by the governor under the act, and for reporting and administrative
 38.13 requirements under the act and plan. To the extent required by federal law, money in the
 38.14 account must be used in a manner that is consistent with the maintenance of effort
 38.15 requirements of section 254(a)(7) of the Help America Vote Act, Public Law 107-252,
 38.16 based on the level of state expenditures for the fiscal year ending June 30, 2000.

38.17 EFFECTIVE DATE. This section is effective the day following final enactment and
 38.18 applies to any balances of money in the Help America Vote Act account existing on or after
 38.19 that date.

38.20 Sec. 2. Minnesota Statutes 2020, section 8.31, subdivision 1, is amended to read:

38.21 Subdivision 1. **Investigate offenses against provisions of certain designated sections;**
 38.22 **assist in enforcement.** The attorney general shall investigate violations of and assist in the
 38.23 enforcement of the following laws as in this section provided:

38.24 (1) the law of this state respecting unfair, discriminatory, and other unlawful practices
 38.25 in business, commerce, or trade, and specifically, but not exclusively, the Nonprofit
 38.26 Corporation Act (sections 317A.001 to 317A.909), the Act Against Unfair Discrimination
 38.27 and Competition (sections 325D.01 to 325D.07), the Unlawful Trade Practices Act (sections
 38.28 325D.09 to 325D.16), the Antitrust Act (sections 325D.49 to 325D.66), section 325F.67
 38.29 and other laws against false or fraudulent advertising, the antidiscrimination acts contained
 38.30 in section 325D.67, the act against monopolization of food products (section 325D.68), the
 38.31 act regulating telephone advertising services (section 325E.39), the Prevention of Consumer
 38.32 Fraud Act (sections 325F.68 to 325F.70), and chapter 53A regulating currency exchanges
 38.33 and assist in the enforcement of those laws as in this section provided.; and

39.1 (2) section 211B.075 regulating voter intimidation, interference, and deceptive practices
 39.2 in elections.

39.3 **Sec. 3. [211B.075] VOTER INTIMIDATION, INTERFERENCE, AND DECEPTIVE**
 39.4 **PRACTICES PROHIBITED.**

39.5 Subdivision 1. **Intimidation.** (a) No person, whether acting under color of law or
 39.6 otherwise, shall engage in intimidation directed at:

39.7 (1) a voter;

39.8 (2) an elections official; or

39.9 (3) a person aiding with any aspect of the election process including but not limited to
 39.10 assisting another person in registering to vote or encouraging another person to cast a ballot.

39.11 (b) As used in this subdivision, "intimidation" means any action or attempted action,
 39.12 regardless of the actor's mental state of mind, that intimidates, threatens, coerces, or injures
 39.13 another person, or any action or attempted action that would cause a reasonable person to
 39.14 feel intimidated, threatened, coerced, or injured, due to the person's exercise of the right to
 39.15 vote, efforts to assist another person in exercising the right to vote, or conduct of duties
 39.16 related to election administration. Intimidation may include but is not limited to an action
 39.17 or attempted action that causes a person to be fearful of potential collateral consequences
 39.18 or future harm.

39.19 Subd. 2. **Deceptive practices.** (a) No person, whether acting under color of law or
 39.20 otherwise, shall within 60 days of an election cause, by any means, information to be
 39.21 transmitted that the person:

39.22 (1) intends to impede or prevent another person from exercising the right to vote; and

39.23 (2) knows to be materially false.

39.24 (b) The prohibition in this subdivision includes but is not limited to information regarding
 39.25 the time, place, or manner of holding an election; the qualifications for or restrictions on
 39.26 voter eligibility at an election; and threats to physical safety associated with casting a ballot.

39.27 Subd. 3. **Interference with registration or voting.** No person, whether acting under
 39.28 color of law or otherwise, shall intentionally hinder, interfere with, or prevent another person
 39.29 from voting, registering to vote, or aiding another person in casting a ballot or registering
 39.30 to vote.

39.31 Subd. 4. **Aiding and abetting; conspiracy.** No person, whether acting under color of
 39.32 law or otherwise, shall:

40.1 (1) intentionally aid, abet, incite, compel, or coerce a person to violate the provisions of
 40.2 this section or attempt to aid, abet, incite, compel, or coerce a person to violate the provisions
 40.3 of this section; or

40.4 (b) conspire, combine, agree, or arrange with any other person to take action, or aid or
 40.5 abet any action, in violation of this section.

40.6 Subd. 5. **Criminal penalty; civil enforcement.** (a) A person who intentionally violates
 40.7 this section is guilty of a felony and may be sentenced to imprisonment of not more than
 40.8 two years or payment of a fine of not more than \$100,000, or both.

40.9 (b) The attorney general or any injured person may enforce this section consistent with
 40.10 the authority provided in section 8.31. An action filed by an injured person under section
 40.11 8.31, subdivision 3a, is in the public interest.

40.12 (c) Remedies allowable under this section are cumulative and do not restrict any other
 40.13 right or remedy otherwise available to an injured person. An action for a penalty or remedy
 40.14 under this section must be brought within two years of the date the violation is alleged to
 40.15 have occurred. The complaint process provided in sections 211B.31 to 211B.36 does not
 40.16 apply to violations of this section.

40.17 Sec. 4. Minnesota Statutes 2020, section 211B.32, subdivision 1, is amended to read:

40.18 Subdivision 1. **Administrative remedy; exhaustion.** (a) Except as provided in ~~paragraph~~
 40.19 ~~paragraphs~~ (b) and (c), a complaint alleging a violation of chapter 211A or 211B must be
 40.20 filed with the office. The complaint must be finally disposed of by the office before the
 40.21 alleged violation may be prosecuted by a county attorney.

40.22 (b) Complaints arising under those sections and related to those individuals and
 40.23 associations specified in section 10A.022, subdivision 3, must be filed with the Campaign
 40.24 Finance and Public Disclosure Board.

40.25 (c) Violations of section 211B.075 may be enforced as provided in that section.

40.26 ARTICLE 4

40.27 MODERNIZING MINNESOTA'S CAMPAIGN FINANCE SYSTEM TO EMPOWER 40.28 VOTERS AND SMALL DONORS

40.29 Section 1. Minnesota Statutes 2020, section 10A.01, subdivision 11, is amended to read:

40.30 Subd. 11. **Contribution.** (a) "Contribution" means money, a negotiable instrument,
 40.31 Democracy Dollar coupon redemption under chapter 10B, or a donation in kind that is given
 40.32 to a political committee, political fund, principal campaign committee, or party unit. An

41.1 allocation by an association of general treasury money to be used for activities that must
41.2 be or are reported through the association's political fund is considered to be a contribution
41.3 for the purposes of disclosure required by this chapter.

41.4 (b) "Contribution" includes a loan or advance of credit to a political committee, political
41.5 fund, principal campaign committee, or party unit, if the loan or advance of credit is: (1)
41.6 forgiven; or (2) repaid by an individual or an association other than the political committee,
41.7 political fund, principal campaign committee, or party unit to which the loan or advance of
41.8 credit was made. If an advance of credit or a loan is forgiven or repaid as provided in this
41.9 paragraph, it is a contribution in the year in which the loan or advance of credit was made.

41.10 (c) "Contribution" does not include services provided without compensation by an
41.11 individual volunteering personal time on behalf of a candidate, ballot question, political
41.12 committee, political fund, principal campaign committee, or party unit; the publishing or
41.13 broadcasting of news items or editorial comments by the news media; or an individual's
41.14 unreimbursed personal use of an automobile owned by the individual while volunteering
41.15 personal time.

41.16 Sec. 2. Minnesota Statutes 2020, section 10A.01, is amended by adding a subdivision to
41.17 read:

41.18 Subd. 35c. **Small donor political committee.** A "small donor political committee"
41.19 means a political committee that engages only in the activities authorized by section 10A.122.

41.20 Sec. 3. Minnesota Statutes 2020, section 10A.01, is amended by adding a subdivision to
41.21 read:

41.22 Subd. 35d. **Small donor political fund.** A "small donor political fund" means a political
41.23 fund that engages only in the activities authorized by section 10A.122.

41.24 Sec. 4. Minnesota Statutes 2020, section 10A.02, subdivision 13, is amended to read:

41.25 Subd. 13. **Rules.** (a) Chapter 14 applies to the board. The board may adopt rules to carry
41.26 out the purposes of this chapter and chapter 10B.

41.27 (b) In addition to the notice required under chapter 14, the board shall notify the chairs
41.28 and ranking minority members of the committees or subcommittees in the senate and house
41.29 of representatives with primary jurisdiction over elections within seven calendar days of
41.30 taking the following actions:

41.31 (1) publication of a notice of intent to adopt rules or a notice of hearing;

42.1 (2) publication of proposed rules in the State Register;

42.2 (3) issuance of a statement of need and reasonableness; or

42.3 (4) adoption of final rules.

42.4 **Sec. 5. [10A.122] SMALL DONOR POLITICAL COMMITTEES AND FUNDS.**

42.5 **Subdivision 1. Authorized activities.** A small donor political committee or fund may:

42.6 (1) accept contributions of no more than \$200, in aggregate, from any individual
42.7 contributor during an election cycle;

42.8 (2) make contributions to candidates, political parties, or other political committees or
42.9 funds of no more than \$2,000 during an election cycle;

42.10 (3) assist a candidate in collecting contributions or Democracy Dollar coupons that are
42.11 eligible for state matching funds under section 10A.305;

42.12 (4) engage in coordinated expenditures with candidates and political parties; and

42.13 (5) engage in coordinated expenditures with political committees or funds.

42.14 **Subd. 2. Other laws apply.** Except as provided in this section or as expressed in other
42.15 applicable law, the laws governing organization, registration, and reporting by a political
42.16 committee or fund apply to a small donor political committee or fund.

42.17 **Subd. 3. Penalty.** A small donor political committee or fund is subject to a civil penalty
42.18 up to four times the amount of a contribution if the contribution is in excess of the limit
42.19 provided by subdivision 1.

42.20 Sec. 6. Minnesota Statutes 2020, section 10A.15, subdivision 1, is amended to read:

42.21 Subdivision 1. **Anonymous contributions.** A political committee, political fund, principal
42.22 campaign committee, or party unit may not retain an anonymous contribution in excess of
42.23 \$20, but must forward it to the board for deposit in the general account of the state elections
42.24 campaign account. An anonymous contribution is not an eligible contribution for purposes
42.25 of qualifying for the Democracy Dollar coupon program established in chapter 10B.

42.26 Sec. 7. Minnesota Statutes 2020, section 10A.20, subdivision 3, is amended to read:

42.27 Subd. 3. **Contents of report.** (a) The report required by this section must include each
42.28 of the items listed in paragraphs (b) to ~~(q)~~ (s) that are applicable to the filer. The board shall
42.29 prescribe forms based on filer type indicating which of those items must be included on the
42.30 filer's report.

43.1 (b) The report must disclose the amount of liquid assets on hand at the beginning of the
43.2 reporting period.

43.3 (c) The report must disclose the name, address, employer, or occupation if self-employed,
43.4 and registration number if registered with the board, of each individual or association that
43.5 has made one or more contributions to the reporting entity, including the purchase of tickets
43.6 for a fund-raising effort, that in aggregate within the year exceed \$200 for legislative or
43.7 statewide candidates or more than \$500 for ballot questions, together with the amount and
43.8 date of each contribution, and the aggregate amount of contributions within the year from
43.9 each source so disclosed. A donation in kind must be disclosed at its fair market value. An
43.10 approved expenditure must be listed as a donation in kind. A donation in kind is considered
43.11 consumed in the reporting period in which it is received. The names of contributors must
43.12 be listed in alphabetical order. Contributions from the same contributor must be listed under
43.13 the same name. When a contribution received from a contributor in a reporting period is
43.14 added to previously reported unitemized contributions from the same contributor and the
43.15 aggregate exceeds the disclosure threshold of this paragraph, the name, address, and
43.16 employer, or occupation if self-employed, of the contributor must then be listed on the
43.17 report.

43.18 (d) In the case of a principal campaign committee's report, the report must disclose the
43.19 aggregate number of individuals residing in the district the candidate seeks to represent that
43.20 made contributions of \$200 or less.

43.21 (e) The report must disclose the aggregate number and value of all Democracy Dollar
43.22 coupons redeemed for a contribution under chapter 10B by the reporting entity during the
43.23 reporting period.

43.24 (f) In the case of a principal campaign committee's report on behalf of a candidate who
43.25 has agreed to be bound by expenditure limits, the report must disclose the aggregate value
43.26 of grassroots campaign expenditures that are exempt from the expenditure limits under
43.27 section 10A.25, subdivision 14.

43.28 (g) The report must disclose the sum of contributions to the reporting entity during the
43.29 reporting period.

43.30 (e)(h) The report must disclose each loan made or received by the reporting entity within
43.31 the year in aggregate in excess of \$200, continuously reported until repaid or forgiven,
43.32 together with the name, address, occupation, principal place of business, if any, and
43.33 registration number if registered with the board of the lender and any endorser and the date
43.34 and amount of the loan. If a loan made to the principal campaign committee of a candidate

44.1 is forgiven or is repaid by an entity other than that principal campaign committee, it must
44.2 be reported as a contribution for the year in which the loan was made.

44.3 ~~(f)~~ (i) The report must disclose each receipt over \$200 during the reporting period not
44.4 otherwise listed under paragraphs (c) to ~~(e)~~ (g).

44.5 ~~(g)~~ (j) The report must disclose the sum of all receipts of the reporting entity during the
44.6 reporting period.

44.7 ~~(h)~~ (k) The report must disclose the name, address, and registration number if registered
44.8 with the board of each individual or association to whom aggregate expenditures, approved
44.9 expenditures, independent expenditures, and ballot question expenditures have been made
44.10 by or on behalf of the reporting entity within the year in excess of \$200, together with the
44.11 amount, date, and purpose of each expenditure, including an explanation of how the
44.12 expenditure was used, and the name and address of, and office sought by, each candidate
44.13 on whose behalf the expenditure was made, identification of the ballot question that the
44.14 expenditure was intended to promote or defeat and an indication of whether the expenditure
44.15 was to promote or to defeat the ballot question, and in the case of independent expenditures
44.16 made in opposition to a candidate, the candidate's name, address, and office sought. A
44.17 reporting entity making an expenditure on behalf of more than one candidate for state or
44.18 legislative office must allocate the expenditure among the candidates on a reasonable cost
44.19 basis and report the allocation for each candidate.

44.20 ~~(i)~~ (l) The report must disclose the sum of all expenditures made by or on behalf of the
44.21 reporting entity during the reporting period.

44.22 ~~(j)~~ (m) The report must disclose the amount and nature of an advance of credit incurred
44.23 by the reporting entity, continuously reported until paid or forgiven. If an advance of credit
44.24 incurred by the principal campaign committee of a candidate is forgiven by the creditor or
44.25 paid by an entity other than that principal campaign committee, it must be reported as a
44.26 donation in kind for the year in which the advance of credit was made.

44.27 ~~(k)~~ (n) The report must disclose the name, address, and registration number if registered
44.28 with the board of each political committee, political fund, principal campaign committee,
44.29 or party unit to which contributions have been made that aggregate in excess of \$200 within
44.30 the year and the amount and date of each contribution.

44.31 ~~(l)~~ (o) The report must disclose the sum of all contributions made by the reporting entity
44.32 during the reporting period.

45.1 ~~(m)~~ (p) The report must disclose the name, address, and registration number if registered
 45.2 with the board of each individual or association to whom noncampaign disbursements have
 45.3 been made that aggregate in excess of \$200 within the year by or on behalf of the reporting
 45.4 entity and the amount, date, and purpose of each noncampaign disbursement, including an
 45.5 explanation of how the expenditure was used.

45.6 ~~(n)~~ (q) The report must disclose the sum of all noncampaign disbursements made within
 45.7 the year by or on behalf of the reporting entity.

45.8 ~~(o)~~ (r) The report must disclose the name and address of a nonprofit corporation that
 45.9 provides administrative assistance to a political committee or political fund as authorized
 45.10 by section 211B.15, subdivision 17, the type of administrative assistance provided, and the
 45.11 aggregate fair market value of each type of assistance provided to the political committee
 45.12 or political fund during the reporting period.

45.13 ~~(p)~~ (s) Legislative, statewide, and judicial candidates, party units, and political committees
 45.14 and funds must itemize contributions that in aggregate within the year exceed \$200 for
 45.15 legislative or statewide candidates or more than \$500 for ballot questions on reports submitted
 45.16 to the board. The itemization must include the date on which the contribution was received,
 45.17 the individual or association that provided the contribution, and the address of the contributor.
 45.18 Additionally, the itemization for a donation in kind must provide a description of the item
 45.19 or service received. Contributions that are less than the itemization amount must be reported
 45.20 as an aggregate total.

45.21 ~~(q)~~ (t) Legislative, statewide, and judicial candidates, party units, political committees
 45.22 and funds, and committees to promote or defeat a ballot question must itemize expenditures
 45.23 and noncampaign disbursements that in aggregate exceed \$200 in a calendar year on reports
 45.24 submitted to the board. The itemization must include the date on which the committee made
 45.25 or became obligated to make the expenditure or disbursement, the name and address of the
 45.26 vendor that provided the service or item purchased, and a description of the service or item
 45.27 purchased, including an explanation of how the expenditure was used. Expenditures and
 45.28 noncampaign disbursements must be listed on the report alphabetically by vendor.

45.29 Sec. 8. Minnesota Statutes 2020, section 10A.25, is amended by adding a subdivision to
 45.30 read:

45.31 Subd. 14. **Grassroots campaign expenditures exempted.** (a) The limits provided by
 45.32 subdivision 2 do not apply to expenditures for staff of the candidate's principal campaign
 45.33 committee or to costs associated with direct voter contacts.

46.1 (b) As used in this subdivision:

46.2 (1) "direct voter contacts" means individualized outreach to a specific voter by an
 46.3 individual staff person or volunteer that is conducted in person, by telephone, or by electronic
 46.4 means and in a manner that provides the voter an opportunity to communicate in real-time
 46.5 directly with the staff person or volunteer conducting the outreach; and

46.6 (2) "expenditures for staff" includes costs associated with providing the committee's
 46.7 staff with salary, benefits, worker's compensation insurance, and reasonable administrative
 46.8 expenses.

46.9 Sec. 9. Minnesota Statutes 2020, section 10A.25, is amended by adding a subdivision to
 46.10 read:

46.11 Subd. 15. **Approved expenditures; small donor committee.** An approved expenditure
 46.12 by a small donor committee as authorized under section 10A.122 must be counted toward
 46.13 the expenditure limits provided in this section, unless the expenditure is for an activity
 46.14 exempted under subdivision 14.

46.15 Sec. 10. Minnesota Statutes 2020, section 10A.257, subdivision 1, is amended to read:

46.16 Subdivision 1. **Unused funds.** After all campaign expenditures and noncampaign
 46.17 disbursements for an election cycle have been made, an amount up to 25 percent of the
 46.18 election cycle expenditure limit for the office may be carried forward. Any remaining amount
 46.19 up to the total amount of the ~~public subsidy~~ state match from the state elections campaign
 46.20 fund must be returned to the state treasury for credit to the general fund under section
 46.21 10A.324. Any remaining amount in excess of the total ~~public subsidy~~ state match must be
 46.22 contributed to the state elections campaign account or a political party for multicandidate
 46.23 expenditures as defined in section 10A.275.

46.24 Sec. 11. **[10A.305] SMALL DONOR CONTRIBUTION MATCH PROGRAM.**

46.25 Subdivision 1. **State match program established.** (a) Subject to the eligibility
 46.26 requirements provided in subdivision 2, a candidate's principal campaign committee is
 46.27 eligible to receive a state match for each contribution received by the committee from a
 46.28 contributor who is a Minnesota resident, as follows:

46.29 (1) a contribution made by a contributor residing in the district that the candidate seeks
 46.30 to represent must be matched with a state contribution equal to six times the amount of the
 46.31 contribution; and

47.1 (2) a contribution made by a contributor who does not reside in the district that the
47.2 candidate seeks to represent must be matched with a state contribution equal to three times
47.3 the amount of the contribution.

47.4 (b) Subject to the eligibility requirements in subdivision 2, the state central committee
47.5 of a political party is eligible to receive a match for each contribution made by a contributor
47.6 who is a Minnesota resident in an amount equal to the amount of the contribution.

47.7 Subd. 2. **Eligibility.** (a) To be eligible to receive a state match under subdivision 1:

47.8 (1) the receiving candidate or political party must meet the qualifications for participation
47.9 in the Democracy Dollar coupon program established in section 10B.07; and

47.10 (2) the contribution must have been made by a Minnesota resident, and the contributor
47.11 must not contribute more than \$100 to the candidate's principal campaign committee or the
47.12 political party during the election cycle.

47.13 (b) An individual may make eligible contributions to multiple principal campaign
47.14 committees or political parties during an election cycle, but only the first \$500 in
47.15 contributions are eligible to be matched under this section. A Democracy Dollar coupon
47.16 assigned to a principal campaign committee under chapter 10B is eligible for a match under
47.17 this section.

47.18 (c) If a contributor's contributions exceed \$100 to the candidate's principal campaign
47.19 committee or political party during the election cycle after a contribution qualifies for a
47.20 state match under this section, the candidate or party must:

47.21 (1) refund the excess contribution to the contributor;

47.22 (2) return the match on the original contributions to the board; or

47.23 (3) transfer the excess contribution to the board for deposit in the state elections campaign
47.24 account.

47.25 Subd. 3. **Maximum amount of state match.** The maximum amount of state matching
47.26 funds an eligible candidate or political party may receive in an election cycle is as follows:

47.27 (1) for a candidate for state legislative office, 50 percent of the expenditure limit for the
47.28 office provided in section 10A.25, subdivision 2;

47.29 (2) for a candidate for state constitutional office, 30 percent of the expenditure limit for
47.30 the office provided in section 10A.25, subdivision 2; and

47.31 (3) for the state central committee of a political party, \$30,000.

48.1 Subd. 4. **Later contributions.** This subdivision does not prohibit the contributor from
48.2 making a contribution to the principal campaign committee or political party unit in excess
48.3 of the limit established by subdivision 2 after the candidate or political party has received
48.4 the maximum state match amount allowed by subdivision 3.

48.5 Subd. 5. **Distribution of funds.** Amounts deposited in the state elections campaign
48.6 account must be used for the purpose of providing matching funds under this section.
48.7 Amounts designated in the account for each separate political party may only be used to
48.8 provide matching funds for candidates of that political party. The board must distribute state
48.9 matching funds to qualifying candidates and political party units on a first-come, first-served
48.10 basis until all funds are exhausted. Matching funds must be released within 30 days of
48.11 application by a principal campaign committee or party unit. The board may prescribe a
48.12 form for this purpose and may require the committee or party unit to submit documentation
48.13 demonstrating each contribution's eligibility to receive a match.

48.14 Subd. 6. **Rulemaking.** The board may adopt rules using the expedited process in section
48.15 14.389 as necessary to implement the program established by this section.

48.16 Sec. 12. Minnesota Statutes 2020, section 10A.322, subdivision 1, is amended to read:

48.17 Subdivision 1. **Agreement by candidate.** (a) As a condition of receiving a ~~public subsidy~~
48.18 small donor match under section 10A.305, a candidate must sign and file with the board a
48.19 written agreement in which the candidate agrees that the candidate will comply with sections
48.20 10A.25; 10A.27, subdivision 10; 10A.324; and 10A.38.

48.21 (b) Before the first day of filing for office, the board must forward agreement forms to
48.22 all filing officers. The board must also provide agreement forms to candidates on request
48.23 at any time. The candidate must file the agreement with the board at least three weeks before
48.24 the candidate's state primary. An agreement may not be filed after that date. An agreement
48.25 once filed may not be rescinded.

48.26 (c) The board must notify the commissioner of revenue of any agreement signed under
48.27 this subdivision.

48.28 (d) Notwithstanding paragraph (b), if a vacancy occurs that will be filled by means of
48.29 a special election and the filing period does not coincide with the filing period for the general
48.30 election, a candidate may sign and submit a spending limit agreement not later than the day
48.31 after the close of the filing period for the special election for which the candidate filed.

48.32 (e) Notwithstanding paragraphs (b) and (d), if a vacancy occurs that will be filled by
48.33 means of a special election called under section 204B.13, subdivision 2, paragraph (c), a

49.1 candidate may sign and submit a spending limit agreement not later than eight calendar
49.2 days after the general election.

49.3 Sec. 13. Minnesota Statutes 2020, section 10A.323, is amended to read:

49.4 **10A.323 AFFIDAVIT OF CONTRIBUTIONS.**

49.5 (a) In addition to the requirements of section 10A.322, to be eligible to receive a ~~public~~
49.6 ~~subsidy under section 10A.31~~ small donor match under section 10A.305 a candidate or the
49.7 candidate's treasurer must:

49.8 (1) between January 1 of the previous year and the cutoff date for transactions included
49.9 in the report of receipts and expenditures due before the primary election, accumulate
49.10 contributions from individuals eligible to vote in this state in at least the amount indicated
49.11 for the office sought, counting only the first ~~\$50~~ \$100 received from each contributor,
49.12 excluding in-kind contributions:

49.13 (i) candidates for governor and lieutenant governor running together, \$35,000;

49.14 (ii) candidates for attorney general, \$15,000;

49.15 (iii) candidates for secretary of state and state auditor, separately, \$6,000;

49.16 (iv) candidates for the senate, \$3,000; and

49.17 (v) candidates for the house of representatives, \$1,500;

49.18 (2) file an affidavit with the board stating that the principal campaign committee has
49.19 complied with this paragraph. The affidavit must state the total amount of contributions that
49.20 have been received from individuals eligible to vote in this state, excluding:

49.21 (i) the portion of any contribution in excess of \$50;

49.22 (ii) any in-kind contribution; and

49.23 (iii) any contribution for which the name and address of the contributor is not known
49.24 and recorded; and

49.25 (3) submit the affidavit required by this section to the board in writing by the deadline
49.26 for reporting of receipts and expenditures before a primary under section 10A.20, subdivision
49.27 4.

49.28 (b) A candidate for a vacancy to be filled at a special election for which the filing period
49.29 does not coincide with the filing period for the general election must accumulate the
49.30 contributions specified in paragraph (a) and must submit the affidavit required by this section

50.1 to the board within five days after the close of the filing period for the special election for
50.2 which the candidate filed.

50.3 (c) Notwithstanding paragraphs (a) and (b), a candidate for a vacancy to be filled at a
50.4 special election called under section 204B.13, subdivision 2, paragraph (c), must accumulate
50.5 the contributions specified in paragraph (a) and must submit the affidavit required by this
50.6 section to the board within 12 calendar days after the general election.

50.7 (d) A candidate or the candidate's treasurer must be able to electronically file the affidavit
50.8 required under this section in the same manner as other reports required by this chapter.
50.9 The board must not require the candidate or candidate's treasurer to notarize the affidavit
50.10 of contribution.

50.11 Sec. 14. Minnesota Statutes 2020, section 10A.34, subdivision 4, is amended to read:

50.12 Subd. 4. **Penalty for violations of chapter 10B or 211B under board's jurisdiction.** If
50.13 a civil penalty is not specified in chapter 10B, or a section of chapter 211B brought under
50.14 the board's jurisdiction by section 10A.022, subdivision 3, the board may impose a civil
50.15 penalty of up to \$3,000.

50.16 Sec. 15. **[10B.01] DEFINITIONS.**

50.17 Except where otherwise provided, the definitions in section 10A.01 apply to this chapter.

50.18 Sec. 16. **[10B.02] ISSUANCE OF DEMOCRACY DOLLAR COUPONS.**

50.19 Subdivision 1. **Issuance of coupons to eligible contributors.** (a) No later than March
50.20 1 of each year, the secretary of state must provide a set of two Democracy Dollar coupons
50.21 to every person with an active registration in the Statewide Voter Registration System as
50.22 of the previous December 31. Each coupon within the set must be redeemable by a qualifying
50.23 principal campaign committee or political party unit for a contribution of \$25 to that
50.24 committee or party unit, as directed by the individual to whom the coupon was issued. An
50.25 individual coupon may not be divided into smaller increments. The secretary of state must
50.26 provide an option for an individual to request to receive the coupon in an electronic format.

50.27 (b) A person may request that the coupon be delivered to a physical or electronic address
50.28 that is other than that indicated in the person's voter registration record, provided that the
50.29 alternate physical address is in Minnesota.

50.30 Subd. 2. **Opt-in.** Any individual who is otherwise eligible to vote in Minnesota, but not
50.31 registered, may submit a written request to the secretary of state for issuance of a set of

51.1 coupons under subdivision 1. A request under this subdivision may be submitted to the
 51.2 secretary of state between January 1 and July 1 of each year. The secretary of state must
 51.3 prescribe a form for this purpose. Upon verification that the individual is eligible to receive
 51.4 a set of coupons, the secretary of state must deliver the coupons to the eligible individual
 51.5 no later than October 1 of that year.

51.6 Sec. 17. **[10B.03] FORM OF COUPON; RULEMAKING.**

51.7 (a) The Campaign Finance and Public Disclosure Board must adopt rules using the
 51.8 expedited process in section 14.389 to establish the form of the Democracy Dollar coupon.

51.9 (b) At a minimum, the coupon must:

51.10 (1) require the holder to indicate the name of an eligible candidate or political party unit
 51.11 to which the value of the coupon is to be assigned;

51.12 (2) provide space for the holder's name, address, original signature, and a statement by
 51.13 the holder attesting to the holder's understanding of the laws and rules governing the
 51.14 Democracy Dollar coupon program;

51.15 (3) include a clear indication that the coupon has no cash value, is not transferable, and
 51.16 may be assigned only as provided in the laws and rules governing the coupon program; and

51.17 (4) be in a form that permits third parties to utilize a secure application programming
 51.18 interface or other internet-based system to facilitate the assignment and redemption of
 51.19 coupons.

51.20 Sec. 18. **[10B.04] ASSIGNMENT, DELIVERY, AND RECEIPT OF COUPON.**

51.21 Subdivision 1. **Assignment.** (a) Democracy Dollar coupons are only assignable as
 51.22 authorized by this section.

51.23 (b) A person lawfully holding a coupon may assign it to a qualified candidate or political
 51.24 party unit by completing the information required under section 10B.03 and delivering the
 51.25 coupon to the board, a qualified candidate, or a representative of a qualified candidate or
 51.26 political party unit.

51.27 Subd. 2. **Delivery.** A properly assigned Democracy Dollar coupon may be delivered to
 51.28 the qualified candidate or political party unit by mail, in person, electronically through the
 51.29 board's website, or electronically using a secure application programming interface or other
 51.30 internet-based system that meets standards approved by the board. The holder of a coupon
 51.31 may designate an agent to deliver an assigned coupon in person. The board must establish

52.1 a secure, user-friendly online system for electronic delivery of assigned coupons. A qualified
 52.2 candidate or a representative of a qualified candidate or political party unit may assist a
 52.3 holder in accessing the online system for delivery of an assigned coupon.

52.4 Subd. 3. **Deadline for assignment and redemption.** A Democracy Dollar coupon is
 52.5 valid for a contribution redemption only if assigned to a qualified candidate or political
 52.6 party unit no later than 30 days following the date of the next state general election occurring
 52.7 after the coupon was issued and submitted for redemption by the qualified candidate or
 52.8 political party unit by December 31 of that year.

52.9 Subd. 4. **Status of coupon if voter becomes ineligible to vote.** A coupon is invalid if
 52.10 the holder to which it was issued becomes ineligible to vote in Minnesota before the coupon
 52.11 is assigned.

52.12 Subd. 5. **Assignment is irrevocable.** The valid assignment and delivery of a coupon is
 52.13 irrevocable, except that a coupon may be re-assigned to another recipient if the board
 52.14 determines that the assigned recipient is ineligible to redeem it. In making an assignment,
 52.15 the holder of the coupon assumes the risk that the coupon may not be redeemed by the
 52.16 candidate or political party unit to which it is assigned.

52.17 Subd. 6. **Chapter 325L applies.** Chapter 325L applies to Democracy Dollar coupons
 52.18 assigned, delivered, or submitted for redemption under this chapter in an electronic format.

52.19 **Sec. 19. [10B.05] NO CASH VALUE.**

52.20 Democracy Dollar coupons have no cash value and are not assets, income, or the property
 52.21 of the holder to which a coupon is issued.

52.22 **Sec. 20. [10B.06] PROHIBITIONS.**

52.23 Assignment or transfer of a Democracy Dollar coupon for cash or other consideration
 52.24 is prohibited. A person may not offer to purchase, buy, or sell a coupon and may not transfer
 52.25 it as a gift to any other person. A coupon may not be assigned by proxy, power of attorney,
 52.26 or agent.

52.27 **Sec. 21. [10B.07] QUALIFICATION OF CANDIDATES AND POLITICAL**
 52.28 **PARTIES.**

52.29 Subdivision 1. **Candidate qualification.** (a) To be qualified for assignment or redemption
 52.30 of a Democracy Dollar coupon, a candidate must, as of the time the coupon is assigned and
 52.31 redeemed:

53.1 (1) have designated a principal campaign committee that is currently registered under
 53.2 chapter 10A;

53.3 (2) be seeking an office for which voluntary spending limits are specified in section
 53.4 10A.25; and

53.5 (3) have signed and be currently bound by an agreement governed by section 10A.322.

53.6 (b) A candidate is no longer qualified to receive by assignment or redeem a coupon if
 53.7 the candidate fails to advance to a general election following a primary election for the
 53.8 office to which the candidate is seeking election or if the candidate is determined to be in
 53.9 violation of the terms of the agreement to limit campaign expenditures provided in section
 53.10 10A.322.

53.11 Subd. 2. **Political party unit qualification.** A Democracy Dollar coupon may be assigned
 53.12 to and redeemed by a unit of a major political party unit as defined in section 200.02,
 53.13 subdivision 7, or a minor political party unit qualifying for inclusion on the income tax or
 53.14 property tax refund form under section 10A.31, subdivision 3a.

53.15 Sec. 22. **[10B.08] REDEMPTION OF COUPONS; DISTRIBUTION OF**
 53.16 **CONTRIBUTIONS.**

53.17 Subdivision 1. **Redemption value cap.** (a) As used in this section, the "redemption
 53.18 value cap" means the maximum aggregate dollar value of coupons that may be redeemed
 53.19 by qualified candidates and political parties in a calendar year.

53.20 (b) For calendar years 2022 and 2023, and each two-year period thereafter until an
 53.21 increase is required under this paragraph, the redemption value cap for each year is an
 53.22 amount equal to eight percent of the total dollar value of all coupons issued by the secretary
 53.23 of state in that year. If, as of December 31 of an even-numbered year, the dollar value of
 53.24 all coupons redeemed during that year and the immediately preceding odd-numbered year
 53.25 exceeds 75 percent of the aggregated redemption value cap for those two years, the
 53.26 redemption value cap must be increased by an additional two percent of the total value of
 53.27 all coupons issued by the secretary of state each year, beginning in the next odd-numbered
 53.28 year and for every year thereafter. The redemption value cap may be subsequently increased
 53.29 in two percent increments according to the standards in this paragraph but may not exceed
 53.30 16 percent of the total value of coupons issued unless otherwise expressly authorized by
 53.31 law. No later than January 30 of each year, the board, in consultation with the commissioner
 53.32 of management and budget, must certify the applicable redemption value cap that applies
 53.33 during that year.

54.1 Subd. 2. **Redemption procedures.** A candidate or political party unit that has been
54.2 assigned a Democracy Dollar coupon may submit it to the board for redemption. Assigned
54.3 coupons submitted directly to the board by the holder to which the coupon was issued are
54.4 presumed submitted for redemption on behalf of the assigned candidate or party unit.

54.5 Subd. 3. **Verification.** (a) The board must verify the following before redeeming a
54.6 coupon:

54.7 (1) the qualification of the receiving candidate or political party unit;

54.8 (2) the eligibility of the person to whom the coupon was issued;

54.9 (3) whether redemption of the coupon would result in the candidate receiving a
54.10 contribution in excess of the amounts authorized by law; and

54.11 (4) whether redemption of the coupon would cause the total dollar value of redeemed
54.12 coupons to exceed the redemption value cap.

54.13 (b) The board may require the assigned candidate or political party unit to submit
54.14 documents or records necessary to complete the verifications required by this subdivision.
54.15 The eligibility of the person to whom a coupon is issued must be confirmed by the secretary
54.16 of state.

54.17 (c) The board must provide a notice to the original holder of a coupon and to the assigned
54.18 recipient if a coupon cannot be verified as eligible for redemption, the reason the coupon
54.19 could not be verified or redeemed, and, if applicable, instructions for re-assigning the coupon
54.20 to another eligible recipient.

54.21 Subd. 4. **Distribution of contribution.** Upon determination that the coupon is valid for
54.22 redemption, the board must disburse the value of the coupon to the assigned candidate's
54.23 principal campaign committee or to the treasurer of the assigned political party unit. The
54.24 board may adopt procedures for disbursement of the contribution through an electronic
54.25 funds transfer to the committee or party unit. These procedures are exempt from chapter
54.26 14, and section 14.386 does not apply.

54.27 Subd. 5. **Effect of coupons on contribution reporting and limits.** The value of the
54.28 coupon, once redeemed, must be recorded as a contribution made in the name of the person
54.29 to whom the coupon is issued. Redeemed coupons must be included in the calculation of
54.30 that person's contributions for purposes of reporting under section 10A.20, subdivision 3,
54.31 and for purposes of the contribution limits established in section 10A.27.

54.32 Subd. 6. **Redemption and distribution schedule.** The board must promptly verify all
54.33 assigned coupons received by the board, regardless of the method of submission. The board

55.1 must redeem all properly verified coupons and distribute contributions on a regular schedule,
 55.2 no less than two times per month, no less than one time per week beginning 60 days prior
 55.3 to the date of a state primary or state general election, and, to the extent practical, no less
 55.4 than one time per week during the campaign period preceding a special primary or special
 55.5 general election as determined by the board.

55.6 Subd. 7. **Appropriation.** Amounts necessary to redeem coupons and distribute the
 55.7 resulting contributions required under this chapter are appropriated annually from the general
 55.8 fund to the board. The amount appropriated to the board may not exceed the redemption
 55.9 value cap in any year.

55.10 Sec. 23. **[10B.09] USE OF CONTRIBUTION.**

55.11 A contribution received by a principal campaign committee or political party unit under
 55.12 this chapter may only be used for purposes authorized under chapter 10A or section 211B.12.

55.13 Sec. 24. **[10B.10] RETURN OF PROCEEDS; RULEMAKING.**

55.14 (a) A candidate who has redeemed a Democracy Dollar coupon and subsequently
 55.15 withdraws as a candidate for office, dies, becomes ineligible, loses qualification, is defeated
 55.16 in a primary or general election, or is elected at a general election must, within a reasonable
 55.17 period, return any unspent coupon contribution proceeds to the board.

55.18 (b) The board must adopt rules using the expedited rulemaking process in section 14.389
 55.19 to establish accounting standards and other requirements for compliance with this section.

55.20 Sec. 25. **[10B.11] VIOLATIONS; ENFORCEMENT.**

55.21 The board may make audits and investigations with respect to the requirements of this
 55.22 chapter, consistent with the authority, procedures, and remedies provided in sections 10A.022
 55.23 and 10A.34.

55.24 Sec. 26. Minnesota Statutes 2020, section 289A.37, subdivision 2, is amended to read:

55.25 Subd. 2. **Erroneous refunds.** (a) Except as provided in paragraph (b), an erroneous
 55.26 refund occurs when the commissioner issues a payment to a person that exceeds the amount
 55.27 the person is entitled to receive under law. An erroneous refund is considered an
 55.28 underpayment of tax on the date issued.

55.29 (b) To the extent that the amount paid does not exceed the amount claimed by the
 55.30 taxpayer, an erroneous refund does not include the following:

56.1 (1) any amount of a refund or credit paid pursuant to a claim for refund filed by a
56.2 taxpayer, including but not limited to refunds of claims made under section ~~290.06,~~
56.3 ~~subdivision 23;~~ 290.067; 290.0671; 290.0672; 290.0674; 290.0675; 290.0677; 290.068;
56.4 290.0681; or 290.0692; or chapter 290A; or

56.5 (2) any amount paid pursuant to a claim for refund of an overpayment of tax filed by a
56.6 taxpayer.

56.7 (c) The commissioner may make an assessment to recover an erroneous refund at any
56.8 time within two years from the issuance of the erroneous refund. If all or part of the erroneous
56.9 refund was induced by fraud or misrepresentation of a material fact, the assessment may
56.10 be made at any time.

56.11 (d) Assessments of amounts that are not erroneous refunds under paragraph (b) must be
56.12 conducted under section 289A.38.

56.13 Sec. 27. Minnesota Statutes 2020, section 289A.50, subdivision 1, is amended to read:

56.14 Subdivision 1. **General right to refund.** (a) Subject to the requirements of this section
56.15 and section 289A.40, a taxpayer who has paid a tax in excess of the taxes lawfully due and
56.16 who files a written claim for refund will be refunded or credited the overpayment of the tax
56.17 determined by the commissioner to be erroneously paid.

56.18 (b) The claim must specify the name of the taxpayer, the date when and the period for
56.19 which the tax was paid, the kind of tax paid, the amount of the tax that the taxpayer claims
56.20 was erroneously paid, the grounds on which a refund is claimed, and other information
56.21 relative to the payment and in the form required by the commissioner. An income tax, estate
56.22 tax, or corporate franchise tax return, or amended return claiming an overpayment constitutes
56.23 a claim for refund.

56.24 (c) When, in the course of an examination, and within the time for requesting a refund,
56.25 the commissioner determines that there has been an overpayment of tax, the commissioner
56.26 shall refund or credit the overpayment to the taxpayer and no demand is necessary. If the
56.27 overpayment exceeds \$1, the amount of the overpayment must be refunded to the taxpayer.
56.28 If the amount of the overpayment is less than \$1, the commissioner is not required to refund.
56.29 In these situations, the commissioner does not have to make written findings or serve notice
56.30 by mail to the taxpayer.

56.31 (d) If the amount allowable as a credit for withholding, estimated taxes, or dependent
56.32 care exceeds the tax against which the credit is allowable, the amount of the excess is
56.33 considered an overpayment. ~~The refund allowed by section 290.06, subdivision 23, is also~~

57.1 ~~considered an overpayment.~~ The requirements of section 270C.33 do not apply to the
57.2 refunding of such an overpayment shown on the original return filed by a taxpayer.

57.3 (e) If the entertainment tax withheld at the source exceeds by \$1 or more the taxes,
57.4 penalties, and interest reported in the return of the entertainment entity or imposed by section
57.5 290.9201, the excess must be refunded to the entertainment entity. If the excess is less than
57.6 \$1, the commissioner need not refund that amount.

57.7 (f) If the surety deposit required for a construction contract exceeds the liability of the
57.8 out-of-state contractor, the commissioner shall refund the difference to the contractor.

57.9 (g) An action of the commissioner in refunding the amount of the overpayment does not
57.10 constitute a determination of the correctness of the return of the taxpayer.

57.11 (h) There is appropriated from the general fund to the commissioner of revenue the
57.12 amount necessary to pay refunds allowed under this section.

57.13 Sec. 28. Minnesota Statutes 2020, section 290.01, subdivision 6, is amended to read:

57.14 Subd. 6. **Taxpayer.** The term "taxpayer" means any person or corporation subject to a
57.15 tax imposed by this chapter. ~~For purposes of section 290.06, subdivision 23, the term~~
57.16 ~~"taxpayer" means an individual eligible to vote in Minnesota under section 201.014.~~

57.17 Sec. 29. **POLITICAL CONTRIBUTIONS REFUND; CALENDAR YEAR 2020 AND**
57.18 **2021 CONTRIBUTIONS AND RECEIPTS.**

57.19 Notwithstanding the repeal of the political contribution refund in section 18, the
57.20 commissioner of revenue must continue to pay refunds for political contributions made in
57.21 calendar year 2020 for claims filed by April 15, 2021, and calendar year 2021 for claims
57.22 filed by April 15, 2022. A candidate or political party unit may not issue political contribution
57.23 refund receipts after July 1, 2021.

57.24 Sec. 30. **REPEALER.**

57.25 Minnesota Statutes 2020, sections 10A.31, subdivisions 5, 5a, 6, 6a, 7, 7a, 7b, 10, and
57.26 11; 10A.315; 10A.321; 10A.322, subdivision 4; 10A.324, subdivisions 1 and 3; 13.4967,
57.27 subdivision 2; and 290.06, subdivision 23, are repealed.

58.1 Sec. 31. **EFFECTIVE DATE; RULEMAKING.**

58.2 This article is effective January 1, 2022, except that the Campaign Finance and Public
 58.3 Disclosure Board may proceed to propose and adopt administrative rules required by this
 58.4 article beginning the day following final enactment.

58.5 **ARTICLE 5**

58.6 **INCREASING TRANSPARENCY AND DISCLOSURE OF SECRET SPENDING**

58.7 Section 1. Minnesota Statutes 2020, section 10A.01, subdivision 16a, is amended to read:

58.8 Subd. 16a. **Expressly advocating.** "Expressly advocating" means:

58.9 (1) that a communication clearly identifies a candidate and uses words or phrases of
 58.10 express advocacy;

58.11 (2) that a communication when taken as a whole and with limited reference to external
 58.12 events, such as the proximity to the election, is susceptible of no reasonable interpretation
 58.13 other than as an appeal advocating the election or defeat of one or more clearly identified
 58.14 candidates; or

58.15 (3) that a communication promotes, supports, criticizes, or opposes a candidate, regardless
 58.16 of whether the communication expressly advocates the election or defeat of a candidate.

58.17 Sec. 2. Minnesota Statutes 2020, section 211B.04, subdivision 2, is amended to read:

58.18 Subd. 2. **Independent expenditures.** (a) The required form of the disclaimer on a written
 58.19 independent expenditure is: "This is an independent expenditure prepared and paid for by
 58.20 (name of entity participating in the expenditure), (address). It is not coordinated
 58.21 with or approved by any candidate nor is any candidate responsible for it. The top three
 58.22 contributors funding this expenditure are (1)....., (2)....., and (3)....." The address must
 58.23 be either the entity's mailing address or the entity's website, if the website includes the
 58.24 entity's mailing address. When a written independent expenditure is produced and
 58.25 disseminated without cost, the words "and paid for" may be omitted from the disclaimer.

58.26 (b) The required form of the disclaimer on a broadcast independent expenditure is: "This
 58.27 independent expenditure is paid for by (name of entity participating in the expenditure).
 58.28 It is not coordinated with or approved by any candidate nor is any candidate responsible
 58.29 for it. The top three contributors funding this expenditure are (1)....., (2)....., and (3)....."
 58.30 When a broadcast independent expenditure is produced and disseminated without cost, the
 58.31 following disclaimer may be used: "..... (name of entity participating in the expenditure)

59.1 is responsible for the contents of this independent expenditure. It is not coordinated with
59.2 or approved by any candidate nor is any candidate responsible for it."

59.3 (c) The listing of the top three contributors required to be included in a disclaimer under
59.4 this subdivision must identify by name the three individuals or entities making the largest
59.5 contribution required to be reported under chapter 10A to the expending entity during the
59.6 12-month period preceding the first date at which the expenditure was published or presented
59.7 to the public. Contributions to the expending entity that are segregated, tracked, and used
59.8 for purposes other than the expenditure requiring the disclaimer should not be included in
59.9 calculating the top three contributors required to be identified under this subdivision.

59.10 Sec. 3. Minnesota Statutes 2020, section 211B.04, subdivision 3, is amended to read:

59.11 Subd. 3. **Material that does not need a disclaimer.** (a) This section does not apply to
59.12 fund-raising tickets, business cards, personal letters, or similar items that are clearly being
59.13 distributed by the candidate.

59.14 (b) This section does not apply to an individual or association that is not required to
59.15 register or report under chapter 10A or 211A.

59.16 (c) This section does not apply to the following:

59.17 (1) bumper stickers, pins, buttons, pens, or similar small items on which the disclaimer
59.18 cannot be conveniently printed; and

59.19 (2) skywriting, wearing apparel, or other means of displaying an advertisement of such
59.20 a nature that the inclusion of a disclaimer would be impracticable; and

59.21 ~~(3) online banner ads and similar electronic communications that link directly to an~~
59.22 ~~online page that includes the disclaimer.~~

59.23 (d) This section does not modify or repeal section 211B.06.

59.24 Sec. 4. Minnesota Statutes 2020, section 211B.04, is amended by adding a subdivision to
59.25 read:

59.26 Subd. 3a. **Certain electronic communications and advertisements.** Notwithstanding
59.27 subdivisions 1 and 2, the Campaign Finance and Public Disclosure Board must adopt rules
59.28 using the expedited process in section 14.389 to specify the form and content of the disclaimer
59.29 required by those subdivisions for small electronic communications on which the full
59.30 disclaimer cannot be conveniently printed including but not limited to online banner ads,
59.31 text messages, social media communications, and small advertisements appearing on a

60.1 mobile telephone or other handheld electronic device. In its rules, the board may waive the
60.2 disclaimer requirement for categories of communications where inclusion would be
60.3 technologically impossible.

60.4 **ARTICLE 6**

60.5 **CREATING TRANSPARENCY AND FAIR PRINCIPLES FOR REDISTRICTING** 60.6 **PROCESS**

60.7 Section 1. **[2.035] DISTRICTING PRINCIPLES.**

60.8 Subdivision 1. **Application.** The principles in this section apply to congressional and
60.9 legislative districts.

60.10 Subd. 2. **Prohibited information.** No plan shall be drawn to purposefully favor or
60.11 disfavor a political party or candidate.

60.12 Subd. 3. **Priority of principles.** A redistricting plan must adhere to the principles in
60.13 subdivisions 4 to 12. Where it is not possible to fully comply with the principles contained
60.14 below, a plan shall give priority to those principles in the order in which they are listed,
60.15 except to the extent that doing so would violate federal or state law.

60.16 Subd. 4. **Population equality.** (a) Congressional districts must be as nearly equal in
60.17 population as practicable.

60.18 (b) Legislative districts must be substantially equal in population. The population of a
60.19 legislative district must not deviate from the ideal by more than one percent.

60.20 Subd. 5. **Contiguity.** The districts must be contiguous allowing for easy travel throughout
60.21 the district. Contiguity by water is sufficient if the water is not a serious obstacle to travel
60.22 within the district. Districts with areas that touch only at a point are not contiguous.

60.23 Subd. 6. **Minority representation.** (a) Each district must be drawn in compliance with
60.24 all state and federal laws. A district must not be drawn with either the purpose or effect of
60.25 diluting, denying, or abridging the right of any citizen of the United States to vote on account
60.26 of race, ethnicity, or membership in a language minority group, whether by themselves or
60.27 when voting in concert with other people.

60.28 (b) Racial, ethnic, and language minorities must have an equal opportunity to participate
60.29 in the political process and elect candidates of their choice. Racial, ethnic, and language
60.30 minorities who constitute less than a voting-age majority of a district must have an
60.31 opportunity to substantially influence the outcome of an election.

61.1 Subd. 7. **Communities of interest.** District boundaries shall recognize communities of
61.2 interest. A community of interest is a contiguous population sharing common social and
61.3 economic interests that should be included within a single district for purposes of the
61.4 community's effective and fair representation. Communities of interest include but are not
61.5 limited to geographic areas where there are clearly recognizable similarities of social,
61.6 cultural, ethnic, economic, or other interests. Examples of shared interests are those common
61.7 to an urban area, rural area, industrial area, or agricultural area and those common to areas
61.8 in which the people share similar living standards, have similar work opportunities, or have
61.9 access to the same media of communication relevant to the election process. Communities
61.10 of interest shall not include relationships with political parties, incumbents, or political
61.11 candidates.

61.12 Subd. 8. **Political subdivisions.** Counties, cities, and municipalities should be preserved
61.13 to the greatest extent possible and in compliance with the other principles to preserve rather
61.14 than divide them among multiple districts.

61.15 Subd. 9. **Incumbents.** The residence of incumbents shall not be taken into consideration
61.16 in the development or adoption of a proposed plan.

61.17 Subd. 10. **Compactness.** Districts must be compact. Compactness must be measured
61.18 by using one or more statistical tests.

61.19 Subd. 11. **Partisan symmetry and bias.** A district must not be drawn in a manner that
61.20 unduly favors or disfavors any political party. Applicable judicial standards and the best
61.21 available scientific and statistical methods must be used to assess whether a plan unduly
61.22 favors or disfavors a political party.

61.23 Subd. 12. **Numbering.** (a) Congressional district numbers must begin with district one
61.24 in the southeast corner of the state and end with the district with the highest number in the
61.25 northeast corner of the state.

61.26 (b) Legislative districts must be numbered in a regular series, beginning with house
61.27 district 1A in the northwest corner of the state and proceeding across the state from west to
61.28 east, north to south. In a county that includes more than one whole senate district, the districts
61.29 must be numbered consecutively.

61.30 Sec. 2. **[2.036] REDISTRICTING; LEGISLATIVE PROCESS.**

61.31 Subdivision 1. **Administrative support.** The Legislative Coordinating Commission
61.32 shall provide administrative support to the redistricting process.

62.1 Subd. 2. **Database.** The geographic areas and population counts used in maps, tables,
62.2 and legal descriptions of congressional and legislative districts considered by the legislature
62.3 must be those used by the Geographic Information Services (GIS) Office of the Legislative
62.4 Coordinating Commission. The population counts shall be the block population counts
62.5 provided to the state under Public Law 94-171 after each decennial census, subject to
62.6 correction of any errors acknowledged by the United States Census Bureau and, to the extent
62.7 practicable, adjusted so that persons who are incarcerated are counted at their last known
62.8 residential address before incarceration. The GIS Office must make the database available
62.9 to the public on the GIS Office website.

62.10 Subd. 3. **Publication; block equivalency file requirements.** A redistricting plan must
62.11 not be considered for adoption by the senate or house of representatives until the redistricting
62.12 plan's block equivalency file has been submitted to the GIS Office in a form prescribed by
62.13 the GIS Office. The block equivalency file must show the district to which each census
62.14 block has been assigned. The GIS Office shall publish each plan submitted to it on the GIS
62.15 Office website.

62.16 Subd. 4. **Reports.** Publication of a plan must include the following reports:

62.17 (1) a population equality report, listing each district in the plan, its population as the
62.18 total number of persons, and deviations from the ideal as both a number of persons and as
62.19 a percentage of the population. The report must also show the populations of the largest
62.20 and smallest districts and the overall range of deviations of the districts;

62.21 (2) a contiguity report, listing each district that is noncontiguous either because two
62.22 areas of a district do not touch or because they are linked by a point;

62.23 (3) a minority voting-age population report, listing for each district the voting age
62.24 population of each racial or language minority and the total minority voting age population,
62.25 according to the categories recommended by the United States Department of Justice. The
62.26 report must also highlight each district with 30 percent or more total minority population;

62.27 (4) a communities of interest report; if the chief author of a plan asserts that it preserves
62.28 a community of interest, maps of the plan must include a layer identifying the census blocks
62.29 within the community of interest. Publication of the plan must also include a report that
62.30 lays out the research and process used to identify the communities of interest and lists the
62.31 district or districts to which the community of interest has been assigned. The report must
62.32 include the number of communities of interest that are split and the number of times the
62.33 communities were split;

63.1 (5) a political subdivision splits report, listing the split counties, cities, towns, unorganized
63.2 territories, and precincts and the district to which each portion of a split subdivision is
63.3 assigned. The report must also show the number of subdivisions split and the number of
63.4 times a subdivision is split;

63.5 (6) a plan components report, listing for each district the names and populations of the
63.6 counties within it and, where a county is split between or among districts, the names and
63.7 populations of the portion of the split county and each of the split county's whole or partial
63.8 cities, townships, unorganized territories, and precincts within each district.

63.9 (7) a measures of compactness report, listing for each district at least the results of the
63.10 Reock, Polsby-Popper, Minimum Convex Hull, Population Polygon, Population Circle,
63.11 Ehrenburg, Length-Width, measures of compactness. The report must also state for all the
63.12 districts in a plan the sum of its perimeters and the mean of its other measurements. The
63.13 commission may consider other tests of compactness; and

63.14 (8) a partisan bias report, listing multiple measures of partisan symmetry or other
63.15 measures of partisan bias as accepted in political science literature and the best available
63.16 scientific and statistical methods.

63.17 Subd. 5. **Legislative committee process; district hearings.** (a) The legislature recognizes
63.18 the importance of public engagement, transparency, and accountability in the redistricting
63.19 process and the role those values play in strengthening representative democracy. The
63.20 legislature intends that any committee established will:

63.21 (1) conduct at least one public hearing in each existing congressional district to solicit
63.22 public input on issues important to that district in drawing new district boundaries, including
63.23 but not limited to defining communities of interest for consideration;

63.24 (2) publish on the committee's website preliminary drafts of the congressional and
63.25 legislative district plans and each preliminary draft's accompanying reports at least two
63.26 weeks before a committee considers a motion to adopt each plan; and

63.27 (3) allow the public to submit comments after publication of a plan and before the
63.28 committee considers a motion to adopt the plan.

63.29 (b) To the extent practicable, a legislative committee must permit interested persons to
63.30 draw and submit proposed plans for the committee's consideration and allow interested
63.31 persons to respond to plans submitted by others before the committee develops and publishes
63.32 its proposed plans.

64.1 Subd. 6. Public access to records. (a) Notwithstanding any law or rule to the contrary,
64.2 records of the legislature related to development, consideration, or adoption of a redistricting
64.3 plan are public, including but not limited to draft plans, analyses of plan, and supplemental
64.4 data used to develop a plan.

64.5 (b) This subdivision does not require disclosure of data or communications protected
64.6 by the attorney-client privilege or a legislator's communications with nonpartisan legislative
64.7 staff regarding confidential bill drafting or other legislative services unless further directed
64.8 by the committee on rules and legislative administration of the house or the committee on
64.9 rules and administration of the senate.

10A.31 DESIGNATION OF INCOME TAX PAYMENTS.

Subd. 5. **Allocation.** (a) **General account.** In each calendar year the money in the general account must be allocated to candidates as follows:

- (1) 21 percent for the offices of governor and lieutenant governor together;
- (2) 4.2 percent for the office of attorney general;
- (3) 2.4 percent each for the offices of secretary of state and state auditor;
- (4) in each calendar year during the period in which state senators serve a four-year term, 23-1/3 percent for the office of state senator, and 46-2/3 percent for the office of state representative; and
- (5) in each calendar year during the period in which state senators serve a two-year term, 35 percent each for the offices of state senator and state representative.

(b) **Party account.** In each calendar year the money in each party account must be allocated as follows:

- (1) 14 percent for the offices of governor and lieutenant governor together;
- (2) 2.8 percent for the office of attorney general;
- (3) 1.6 percent each for the offices of secretary of state and state auditor;
- (4) in each calendar year during the period in which state senators serve a four-year term, 23-1/3 percent for the office of state senator, and 46-2/3 percent for the office of state representative;
- (5) in each calendar year during the period in which state senators serve a two-year term, 35 percent each for the offices of state senator and state representative; and
- (6) ten percent or \$50,000, whichever is less, for the state committee of a political party; one-third of any amount in excess of that allocated to the state committee of a political party under this clause must be allocated to the office of state senator and two-thirds must be allocated to the office of state representative under clause (4).

Money allocated to each state committee under clause (6) must be deposited in a separate account and must be spent for only those items enumerated in section 10A.275. Money allocated to a state committee under clause (6) must be paid to the committee by the board as it is received in the account on a monthly basis, with payment on the 15th day of the calendar month following the month in which the returns were processed by the Department of Revenue, provided that these distributions would be equal to 90 percent of the amount of money indicated in the Department of Revenue's weekly unedited reports of income tax returns and property tax refund returns processed in the month, as notified by the Department of Revenue to the board. The amounts paid to each state committee are subject to biennial adjustment and settlement at the time of each certification required of the commissioner of revenue under subdivisions 7 and 10. If the total amount of payments received by a state committee for the period reflected on a certification by the Department of Revenue is different from the amount that should have been received during the period according to the certification, each subsequent monthly payment must be increased or decreased to the fullest extent possible until the amount of the overpayment is recovered or the underpayment is distributed.

Subd. 5a. **Party account for legislative candidates.** To ensure that money will be returned to the counties from which it was collected and to ensure that the distribution of money rationally relates to the support for particular parties or for particular candidates within legislative districts, money from the party accounts for legislative candidates must be distributed as provided in this subdivision.

Each candidate for the state senate and state house of representatives whose name is to appear on the ballot in the general election must receive money from the candidate's party account allocated to candidates for the state senate or state house of representatives, whichever applies, according to the following formula:

For each county within the candidate's district, the candidate's share of the dollars designated by taxpayers who resided in that county and credited to the candidate's party account and allocated to that office must be:

- (1) the sum of the votes cast in the last general election in that part of the county in the candidate's district for all candidates of that candidate's party whose names appeared on the ballot statewide and for the state senate and state house of representatives, divided by

APPENDIX
Repealed Minnesota Statutes: 21-02624

(2) the sum of the votes cast in the entire county in the last general election for all candidates of that candidate's party whose names appeared on the ballot statewide and for the state senate and state house of representatives, multiplied by

(3) the amount in the candidate's party account designated by taxpayers who resided in that county and allocated to that office.

The sum of all the county shares calculated in the formula above is the candidate's share of the candidate's party account.

In a year in which an election for the state senate occurs, with respect to votes for candidates for the state senate only, "last general election" means the last general election in which an election for the state senate occurred.

For a party under whose name no candidate's name appeared on the ballot statewide in the last general election, amounts in the party's account must be allocated based on (i) the number of people voting in the last general election in that part of the county in the candidate's district, divided by (ii) the number of the people voting in the entire county in the last general election, multiplied by (iii) the amount in the candidate's party account designated by taxpayers who resided in that county and allocated to that office.

In the first general election after the legislature is redistricted, "the candidate's district" means the newly drawn district and voting data from the last general election must be applied to the area encompassing the newly drawn district, notwithstanding that the area was in a different district in the last general election.

If in a district there was no candidate of a party for the state senate or state house of representatives in the last general election, or if a candidate for the state senate or state house of representatives was unopposed, the vote for that office for that party is the average vote of all the remaining candidates of that party in each county of that district whose votes are included in the sums in clauses (1) and (2). The average vote must be added to the sums in clauses (1) and (2) before the calculation is made for all districts in the county.

Subd. 6. Distribution of party accounts. As soon as the board has obtained from the secretary of state the results of the primary election, but no later than one week after certification by the State Canvassing Board of the results of the primary, the board must distribute the available money in each party account, as certified by the commissioner of revenue one week before the state primary, to the candidates of that party who have signed a spending limit agreement under section 10A.322 and filed the affidavit of contributions required by section 10A.323, who were opposed in either the primary election or the general election, and whose names are to appear on the ballot in the general election, according to the allocations set forth in subdivisions 5 and 5a. The public subsidy from the party account may not be paid in an amount greater than the expenditure limit of the candidate or the expenditure limit that would have applied to the candidate if the candidate had not been freed from expenditure limits under section 10A.25, subdivision 10.

Subd. 6a. Party account money not distributed. Money from a party account not distributed to candidates for state senator or representative in any election year must be returned to the general fund of the state, except that the subsidy from the party account an unopposed candidate would otherwise have been eligible to receive must be paid to the state committee of the candidate's political party to be deposited in a special account under subdivision 5, paragraph (b), clause (6), and used for only those items permitted under section 10A.275. Money from a party account not distributed to candidates for other offices in an election year must be returned to the party account for reallocation to candidates as provided in subdivision 5, paragraph (b), in the following year.

Subd. 7. Distribution of general account. (a) As soon as the board has obtained the results of the primary election from the secretary of state, but no later than one week after certification of the primary results by the State Canvassing Board, the board must distribute the available money in the general account, as certified by the commissioner of revenue one week before the state primary and according to allocations set forth in subdivision 5, in equal amounts to all candidates of a major political party whose names are to appear on the ballot in the general election and who:

- (1) have signed a spending limit agreement under section 10A.322;
- (2) have filed the affidavit of contributions required by section 10A.323; and
- (3) were opposed in either the primary election or the general election.

(b) The public subsidy under this subdivision may not be paid in an amount that would cause the sum of the public subsidy paid from the party account plus the public subsidy paid from the

general account to exceed 50 percent of the expenditure limit for the candidate or 50 percent of the expenditure limit that would have applied to the candidate if the candidate had not been freed from expenditure limits under section 10A.25, subdivision 10. Money from the general account not paid to a candidate because of the 50 percent limit must be distributed equally among all other qualifying candidates for the same office until all have reached the 50 percent limit or the balance in the general account is exhausted.

Subd. 7a. **Withholding of public subsidy.** If a candidate who is eligible for payment of public subsidy under this section has not filed the report of receipts and expenditures required under section 10A.20 before a primary election, any public subsidy for which that candidate is eligible must be withheld by the board until the candidate complies with the filing requirements of section 10A.20 and the board has sufficient time to review or audit the report. If a candidate who is eligible for public subsidy does not file the report due before the primary election under section 10A.20 by the date that the report of receipts and expenditures filed before the general election is due, that candidate shall not be paid public subsidy for that election.

Subd. 7b. **Failure to repay.** A candidate who fails to repay money required by the agreement cannot be paid additional public subsidy funds during the current or future election cycles until the entirety of the unexpended funds and any associated collection fees are either repaid to the board or discharged by court action.

Subd. 10. **December distribution.** In the event that on the date of either certification by the commissioner of revenue as provided in subdivision 6 or 7, less than 98 percent of the tax returns have been processed, the commissioner of revenue must certify to the board by December 1 the amount accumulated in each account since the previous certification. By December 15, the board must distribute to each candidate according to the allocations in subdivisions 5 and 5a the amounts to which the candidates are entitled.

Subd. 11. **Write-in candidate.** For the purposes of this section, a write-in candidate is a candidate only upon complying with sections 10A.322 and 10A.323.

10A.315 SPECIAL ELECTION SUBSIDY.

(a) Each eligible candidate for a legislative office in a special election must be paid a public subsidy equal to the sum of:

(1) the party account money at the last general election for the candidate's party for the office the candidate is seeking; and

(2) the general account money paid to a candidate for the same office at the last general election.

(b) A candidate who wishes to receive this public subsidy must submit a signed agreement under section 10A.322 to the board and must meet the contribution requirements of section 10A.323. The special election subsidy must be distributed in the same manner as money in the party and general accounts is distributed to legislative candidates in a general election.

(c) The amount necessary to make the payments required by this section is appropriated from the general fund for transfer to the state special elections campaign account for distribution by the board as set forth in this section.

10A.321 ESTIMATES OF MINIMUM AMOUNTS TO BE RECEIVED.

Subdivision 1. **Calculation and certification of estimates.** The commissioner of revenue must calculate and certify to the board one week before the first day for filing for office in each election year an estimate of the total amount in the state general account of the state elections campaign account and the amount of money each candidate who qualifies, as provided in section 10A.31, subdivisions 6 and 7, may receive from the candidate's party account in the state elections campaign account. This estimate must be based upon the allocations and formulas in section 10A.31, subdivisions 5 and 5a, any necessary vote totals provided by the secretary of state to apply the formulas in section 10A.31, subdivisions 5 and 5a, and the amount of money expected to be available after 100 percent of the tax returns have been processed.

Subd. 2. **Publication, certification, and notification procedures.** Before the first day of filing for office, the board must publish and forward to all filing officers the estimates calculated and certified under subdivision 1 along with a copy of section 10A.25, subdivision 10. Within one week after the last day for filing for office, the secretary of state must certify to the board the name, address, office sought, and party affiliation of each candidate who has filed with that office an affidavit of candidacy or petition to appear on the ballot. The auditor of each county must certify to the board the same information for each candidate who has filed with that county an affidavit of

candidacy or petition to appear on the ballot. Within two weeks after the last day for filing for office, the board must notify all candidates of their estimated minimum amount. The board must include with the notice a form for the agreement provided in section 10A.322 along with a copy of section 10A.25, subdivision 10.

10A.322 SPENDING LIMIT AGREEMENTS.

Subd. 4. **Refund receipt forms; penalty.** (a) The board must make available to a political party on request and to any candidate for whom an agreement under this section is effective, a supply of official refund receipt forms that state in boldface type that:

(1) a contributor who is given a receipt form is eligible to claim a refund as provided in section 290.06, subdivision 23; and

(2) if the contribution is to a candidate, that the candidate has signed an agreement to limit campaign expenditures as provided in this section.

The forms must provide duplicate copies of the receipt to be attached to the contributor's claim.

(b) The willful issuance of an official refund receipt form or a facsimile of one to any of the candidate's contributors by a candidate or treasurer of a candidate who did not sign an agreement under this section is subject to a civil penalty of up to \$3,000 imposed by the board.

(c) The willful issuance of an official refund receipt form or a facsimile to an individual not eligible to claim a refund under section 290.06, subdivision 23, is subject to a civil penalty of up to \$3,000 imposed by the board.

(d) A violation of paragraph (b) or (c) is a misdemeanor.

10A.324 RETURN OF PUBLIC SUBSIDY.

Subdivision 1. **When return required.** A candidate must return all or a portion of the public subsidy received from the state elections campaign account or the public subsidy received under section 10A.315, under the circumstances in this section or section 10A.257, subdivision 1.

To the extent that the amount of public subsidy received exceeds the aggregate of: (1) actual expenditures made by the principal campaign committee of the candidate; and (2) approved expenditures made on behalf of the candidate, the treasurer of the candidate's principal campaign committee must return an amount equal to the difference to the board. The cost of postage that was not used during an election cycle and payments that created credit balances at vendors at the close of an election cycle are not considered expenditures for purposes of determining the amount to be returned. Expenditures in excess of the candidate's spending limit do not count in determining aggregate expenditures under this paragraph.

Subd. 3. **How return determined.** Whether or not a candidate is required under subdivision 1 to return all or a portion of the public subsidy must be determined from the report required to be filed with the board by that candidate by January 31 of the year following an election. An amount required to be returned must be submitted in the form of a check or money order and must accompany the report filed with the board. The board must deposit the check or money order in the state treasury for credit to the general fund. The amount returned must not exceed the amount of public subsidy received by the candidate.

13.4967 OTHER TAX DATA CODED ELSEWHERE.

Subd. 2. **Political contribution refund.** Certain political contribution refund data in the Revenue Department are classified under section 290.06, subdivision 23.

203B.081 LOCATIONS AND METHODS FOR ABSENTEE VOTING IN PERSON.

Subd. 3. **Alternative procedure.** (a) The county auditor may make available a ballot counter and ballot box for use by the voters during the seven days before the election. If a ballot counter and ballot box is provided, a voter must be given the option either (1) to vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the manner provided in this subdivision.

(b) If a voter chooses to vote in the manner provided in this subdivision, the voter must state the voter's name, address, and date of birth to the county auditor or municipal clerk. The voter shall sign a voter's certificate, which must include the voter's name, identification number, and the certification required by section 201.071, subdivision 1. The signature of an individual on the voter's certificate and the issuance of a ballot to the individual is evidence of the intent of the individual to vote at that election.

APPENDIX
Repealed Minnesota Statutes: 21-02624

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

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

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

290.06 RATES OF TAX; CREDITS.

Subd. 23. **Refund of contributions to political parties and candidates.** (a) A taxpayer may claim a refund equal to the amount of the taxpayer's contributions made in the calendar year to candidates and to a political party. The maximum refund for an individual must not exceed \$50 and for a married couple, filing jointly, must not exceed \$100. A refund of a contribution is allowed only if the taxpayer files a form required by the commissioner and attaches to the form a copy of an official refund receipt form issued by the candidate or party and signed by the candidate, the treasurer of the candidate's principal campaign committee, or the chair or treasurer of the party unit, after the contribution was received. The receipt forms must be numbered, and the data on the receipt that are not public must be made available to the campaign finance and public disclosure board upon its request. A claim must be filed with the commissioner no sooner than January 1 of the calendar year in which the contribution was made and no later than April 15 of the calendar year following the calendar year in which the contribution was made. A taxpayer may file only one claim per calendar year. Amounts paid by the commissioner after June 15 of the calendar year following the calendar year in which the contribution was made must include interest at the rate specified in section 270C.405.

(b) No refund is allowed under this subdivision for a contribution to a candidate unless the candidate:

- (1) has signed an agreement to limit campaign expenditures as provided in section 10A.322;
- (2) is seeking an office for which voluntary spending limits are specified in section 10A.25; and
- (3) has designated a principal campaign committee.

This subdivision does not limit the campaign expenditures of a candidate who does not sign an agreement but accepts a contribution for which the contributor improperly claims a refund.

(c) For purposes of this subdivision, "political party" means a major political party as defined in section 200.02, subdivision 7, or a minor political party qualifying for inclusion on the income tax or property tax refund form under section 10A.31, subdivision 3a.

A "major party" or "minor party" includes the aggregate of that party's organization within each house of the legislature, the state party organization, and the party organization within congressional districts, counties, legislative districts, municipalities, and precincts.

"Candidate" means a candidate as defined in section 10A.01, subdivision 10, except a candidate for judicial office.

"Contribution" means a gift of money.

(d) The commissioner shall make copies of the form available to the public and candidates upon request.

(e) The following data collected or maintained by the commissioner under this subdivision are private: the identities of individuals claiming a refund, the identities of candidates to whom those individuals have made contributions, and the amount of each contribution.

(f) The commissioner shall report to the campaign finance and public disclosure board by each August 1 a summary showing the total number and aggregate amount of political contribution refunds made on behalf of each candidate and each political party. These data are public.

(g) The amount necessary to pay claims for the refund provided in this section is appropriated from the general fund to the commissioner of revenue.

APPENDIX
Repealed Minnesota Statutes: 21-02624

(h) For a taxpayer who files a claim for refund via the Internet or other electronic means, the commissioner may accept the number on the official receipt as documentation that a contribution was made rather than the actual receipt as required by paragraph (a).