

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 1831

(SENATE AUTHORS: KIFFMEYER and Lang)

DATE	D-PG	OFFICIAL STATUS
03/08/2021	720	Introduction and first reading Referred to State Government Finance and Policy and Elections
04/06/2021	1218	Author added Lang
04/08/2021	1439a	Comm report: To pass as amended and re-refer to Finance
04/19/2021	2927a	Comm report: To pass as amended
	2954	Second reading
04/20/2021	3017	Rule 45-amend, subst. General Orders HF1952 See First Special Session 2021, SF2

1.1 A bill for an act

1.2 relating to operation of state government; appropriating money for the legislature,

1.3 office of the governor and lieutenant governor, secretary of state, attorney general,

1.4 state auditor, Military and Veterans Affairs, and certain state agencies, departments,

1.5 offices, boards, commissions, councils, Minnesota State Lottery, Minnesota

1.6 Humanities Center, and certain retirement accounts; canceling certain 2021

1.7 appropriated funds; modifying Legislative Coordinating Commission provisions;

1.8 creating the Legislative Commission on Cybersecurity; modifying the legislative

1.9 auditor's duties; prohibiting a businesses address on the secretary of state's website

1.10 under certain circumstances; modifying provisions pertaining to peacetime

1.11 emergencies, administrative procedures, and distribution of state employees during

1.12 a layoff; establishing the SAVI program; determining growth of state employment;

1.13 changing audits of state use of federal funds; making changes affecting the budget

1.14 and budget forecast; authorizing virtual payments; modifying provisions affecting

1.15 the motor pool; changing the name of the office of MN.IT Services; requiring the

1.16 state to contract with a pharmacy benefit manager; adding provisions related to

1.17 cosmetology, public employee pay, non-health-related licensing board, retirement,

1.18 standard of time, federal funds for COVID-19 spending, executive orders, unfilled

1.19 state agency positions, obsolete rules report, state surplus property, repair of

1.20 Christopher Columbus statue, campaign finance, and elections; changing provisions

1.21 of the legislative advisory commission; providing for expenditure and review of

1.22 federal money; requiring a report on the use of federal money; establishing a

1.23 stadium payoff fund; changing pari-mutuel horse racing and lawful gambling and

1.24 gambling taxes provisions; providing veterans and military affairs policy;

1.25 establishing the capitol flag program; amending Minnesota Statutes 2020, sections

1.26 3.30, subdivision 2; 3.3005, subdivisions 2, 2a, 4, 5, by adding a subdivision;

1.27 3.302, subdivision 3; 3.303, subdivision 1; 3.8853, subdivision 4, by adding a

1.28 subdivision; 3.971, subdivision 2, by adding a subdivision; 3.972, subdivisions 2,

1.29 2a; 3.9741, subdivision 5; 3.978, subdivision 2; 3.979, subdivision 3; 3.98,

1.30 subdivision 1; 4.07, by adding a subdivision; 10.578; 10A.01, subdivisions 26,

1.31 35; 10A.09, subdivisions 1, 2, 5, 6, by adding a subdivision; 10A.14, by adding a

1.32 subdivision; 10A.20, subdivision 13; 10A.27, subdivision 13; 10A.275, subdivision

1.33 1; 10A.31, subdivision 7; 10A.323; 12.31, subdivision 2; 13.64, subdivisions 3,

1.34 4; 14.05, subdivision 1; 14.389, subdivision 5; 14.57; 15.01; 15.057; 16A.06, by

1.35 adding a subdivision; 16A.152, subdivision 2; 16A.28, subdivision 3; 16B.24,

1.36 subdivision 1, by adding a subdivision; 16B.281, subdivisions 3, 6; 16B.2975, by

1.37 adding a subdivision; 16B.48, subdivision 2; 16B.54, subdivisions 1, 2; 16E.01;

1.38 16E.016; 16E.02; 16E.03, subdivisions 1, 2, 3, 6; 16E.036; 16E.04, subdivision

2.1 3; 16E.0465, subdivision 2; 16E.05, subdivision 1; 16E.07, subdivision 12; 16E.21,
 2.2 subdivision 2; 97A.057, subdivision 1; 138.081, subdivisions 1, 2, 3; 138.31, by
 2.3 adding a subdivision; 138.34; 138.38; 138.40; 138.661, subdivision 2, by adding
 2.4 a subdivision; 138.665, subdivision 2; 138.666; 138.667; 138.669; 138.763,
 2.5 subdivision 1; 155A.23, subdivision 16, by adding a subdivision; 155A.271,
 2.6 subdivision 2; 179A.20, by adding a subdivision; 190.07; 197.791, subdivisions
 2.7 4, 5, 5a, 5b; 198.006; 201.061, subdivisions 1a, 3, 4; 201.091, subdivision 4;
 2.8 201.121, subdivisions 1, 3; 201.225, subdivisions 2, 5; 203B.01, subdivision 3;
 2.9 203B.04, subdivisions 1, 4; 203B.07, subdivision 3; 203B.08, subdivision 3;
 2.10 203B.081, subdivisions 1, 2, 3; 203B.12, subdivision 7; 203B.121, subdivisions
 2.11 2, 4; 203B.24, subdivision 1; 204B.09, subdivision 3; 204B.14, subdivision 3;
 2.12 204B.16, subdivision 1; 204B.21, by adding a subdivision; 204B.36, subdivision
 2.13 2; 204C.05, subdivisions 1a, 1b; 204C.10; 204C.12, subdivision 2; 204C.21,
 2.14 subdivision 1; 204C.24, by adding a subdivision; 204C.27; 204C.32; 204C.33,
 2.15 subdivision 1; 204C.36, subdivision 1; 204C.37; 204D.08, subdivision 4; 204D.13,
 2.16 subdivision 1; 204D.195; 204D.27, subdivision 5; 204D.28, subdivisions 9, 10;
 2.17 205.065, subdivision 5; 205.185, subdivision 3; 205A.03, subdivision 4; 205A.10,
 2.18 subdivision 3; 206.805, subdivision 1; 206.89, subdivisions 4, 5; 206.90, subdivision
 2.19 6; 207A.13; 207A.14, subdivision 3; 208.03; 208.05; 214.01, subdivision 3; 240.01,
 2.20 subdivision 18; 240.06, subdivision 7; 240.11; 240.131, subdivision 7; 240.24,
 2.21 subdivisions 2a, 3; 240.30, subdivision 5; 297E.021, subdivisions 3, 4, by adding
 2.22 a subdivision; 349.151, subdivision 2; 349A.01, by adding a subdivision; 349A.08,
 2.23 subdivision 9; 353.27, subdivision 3c; 353.505; 367.25, subdivision 1; 412.02,
 2.24 subdivision 2a; 477A.03, subdivision 2b; 645.071; proposing coding for new law
 2.25 in Minnesota Statutes, chapters 3; 5; 10A; 15; 16A; 16B; 43A; 138; 196; 201;
 2.26 204B; 204C; 206; 609; repealing Minnesota Statutes 2020, sections 3.972,
 2.27 subdivisions 2c, 2d; 16E.0466, subdivision 1; 16E.05, subdivision 3; 16E.071;
 2.28 16E.145; 116O.03, subdivision 9; 116O.04, subdivision 3; 135A.17, subdivision
 2.29 2; 155A.23, subdivision 2; 201.061, subdivision 7; 204C.12, subdivision 3.

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

2.31 **ARTICLE 1**

2.32 **STATE GOVERNMENT APPROPRIATIONS**

2.33 Section 1. **STATE GOVERNMENT APPROPRIATIONS.**

2.34 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
 2.35 and for the purposes specified in this article. The appropriations are from the general fund,
 2.36 or another named fund, and are available for the fiscal years indicated for each purpose.
 2.37 The figures "2022" and "2023" used in this article mean that the appropriations listed under
 2.38 them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively.
 2.39 "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium"
 2.40 is fiscal years 2022 and 2023.

2.41 **APPROPRIATIONS**

2.42 **Available for the Year**

2.43 **Ending June 30**

2.44 **2022**

2023

2.45 Sec. 2. **LEGISLATURE**

3.1	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 98,130,000</u>	<u>\$ 97,739,000</u>
3.2	<u>The amounts that may be spent for each</u>		
3.3	<u>purpose are specified in the following</u>		
3.4	<u>subdivisions.</u>		
3.5	<u>Subd. 2. Senate</u>	<u>37,430,000</u>	<u>37,545,000</u>
3.6	<u>Subd. 3. House of Representatives</u>	<u>38,857,000</u>	<u>38,857,000</u>
3.7	<u>Subd. 4. Legislative Coordinating Commission</u>	<u>21,843,000</u>	<u>21,337,000</u>
3.8	<u>The base for this appropriation in fiscal year</u>		
3.9	<u>2024 and each year thereafter is \$21,562,000.</u>		
3.10	<u>\$190,000 the first year and \$170,000 the</u>		
3.11	<u>second year are for the Legislative</u>		
3.12	<u>Commission on Cybersecurity.</u>		
3.13	<u>\$50,000 each year is to comply with</u>		
3.14	<u>accessibility standards pursuant to Minnesota</u>		
3.15	<u>Statutes, section 3.199. If the appropriation</u>		
3.16	<u>for either year is insufficient, the appropriation</u>		
3.17	<u>for the other year is available for it. The base</u>		
3.18	<u>for this appropriation in fiscal year 2024 and</u>		
3.19	<u>each year thereafter is \$250,000.</u>		
3.20	<u>From its funds, \$10,000 each year is for</u>		
3.21	<u>purposes of the legislators' forum, through</u>		
3.22	<u>which Minnesota legislators meet with</u>		
3.23	<u>counterparts from South Dakota, North</u>		
3.24	<u>Dakota, and Manitoba to discuss issues of</u>		
3.25	<u>mutual concern.</u>		
3.26	<u>Legislative Auditor. \$8,096,000 the first year</u>		
3.27	<u>and \$7,596,000 the second year are for the</u>		
3.28	<u>Office of the Legislative Auditor.</u>		
3.29	<u>Of the amount in fiscal year 2021, \$500,000</u>		
3.30	<u>is for the audit required under article 4, section</u>		
3.31	<u>65. This is a onetime appropriation.</u>		
3.32	<u>Within the resources that become available to</u>		
3.33	<u>the legislative auditor from the removal of</u>		

4.1 responsibility for conducting the annual single
 4.2 audit of federal funds, the legislative auditor
 4.3 must increase the number of special review
 4.4 staff by at least two full-time equivalents.

4.5 The legislative auditor may use any unspent
 4.6 amounts appropriated under Laws 2017, First
 4.7 Special Session chapter 6, article 18, section
 4.8 2, subdivision 3, paragraph (b), and
 4.9 subdivision 5, paragraph (b); and Laws 2019,
 4.10 First Special Session chapter 9, article 14,
 4.11 section 2, subdivision 3, paragraphs (i) and
 4.12 (j), to conduct audits required by Minnesota
 4.13 Statutes, section 3.972, subdivision 2a, in
 4.14 fiscal years 2022 and 2023.

4.15 **Revisor of Statutes.** \$7,207,000 in each year
 4.16 is for the Office of the Revisor of Statutes.

4.17 **Legislative Reference Library.** \$1,775,000
 4.18 in each year is for the Legislative Reference
 4.19 Library.

4.20 **Legislative Budget Office.** \$1,483,000 in each
 4.21 year is for the Legislative Budget Office.

4.22 **Sec. 3. GOVERNOR AND LIEUTENANT**
 4.23 **GOVERNOR**

\$ 3,622,000 \$ 3,622,000

4.24 (a) This appropriation is to fund the Office of
 4.25 the Governor and Lieutenant Governor.

4.26 (b) \$19,000 the first year and \$19,000 the
 4.27 second year are for necessary expenses in the
 4.28 normal performance of the governor's and
 4.29 lieutenant governor's duties for which no other
 4.30 reimbursement is provided.

4.31 (c) By September 1 of each year, the
 4.32 commissioner of management and budget shall
 4.33 report to the chairs and ranking minority
 4.34 members of the legislative committees with

5.1 jurisdiction over state government finance any
 5.2 personnel costs incurred by the Offices of the
 5.3 Governor and Lieutenant Governor that were
 5.4 supported by appropriations to other agencies
 5.5 during the previous fiscal year. The Office of
 5.6 the Governor shall inform the chairs and
 5.7 ranking minority members of the committees
 5.8 before initiating any interagency agreements.

5.9 Sec. 4. STATE AUDITOR \$ 10,665,000 \$ 10,602,000

5.10 Sec. 5. ATTORNEY GENERAL \$ 26,629,000 \$ 26,429,000

5.11 Appropriations by Fund

	<u>2022</u>	<u>2023</u>
5.12 <u>General</u>	<u>23,713,000</u>	<u>23,513,000</u>
5.13 <u>State Government</u>		
5.14 <u>Special Revenue</u>	<u>2,521,000</u>	<u>2,521,000</u>
5.15 <u>Environmental</u>	<u>145,000</u>	<u>145,000</u>
5.16 <u>Remediation</u>	<u>250,000</u>	<u>250,000</u>

5.17 Remediation

5.18 Sec. 6. SECRETARY OF STATE \$ 17,218,000 \$ 17,152,000

5.19 The base for this appropriation in fiscal year
 5.20 2024 and each year thereafter is \$12,902,000.

5.21 \$9,750,000 each year is for transfer to the
 5.22 voting equipment grant account under
 5.23 Minnesota Statutes, section 206.95. The base
 5.24 for this appropriation in fiscal year 2024 and
 5.25 each year thereafter is \$5,500,000.

5.26 Sec. 7. CAMPAIGN FINANCE AND PUBLIC
 5.27 DISCLOSURE BOARD \$ 1,123,000 \$ 1,123,000

5.28 Sec. 8. STATE BOARD OF INVESTMENT \$ 139,000 \$ 139,000

5.29 Sec. 9. ADMINISTRATIVE HEARINGS \$ 8,231,000 \$ 8,231,000

5.30 Appropriations by Fund

	<u>2022</u>	<u>2023</u>
5.31 <u>General</u>	<u>400,000</u>	<u>400,000</u>
5.32 <u>Workers'</u>		
5.33 <u>Compensation</u>	<u>7,831,000</u>	<u>7,831,000</u>

6.1 \$263,000 each year is for municipal boundary
 6.2 adjustments.

6.3 Sec. 10. OFFICE OF MN.IT SERVICES \$ 7,300,000 \$ 7,300,000

6.4 (a) \$5,000,000 each year is for enhancements
 6.5 to cybersecurity across state government.

6.6 Of this amount, \$2,100,000 in fiscal year 2022
 6.7 and \$2,050,000 in fiscal year 2023 are to
 6.8 implement recommendations from the
 6.9 Governor's Blue Ribbon Council on
 6.10 Information Technology, established by
 6.11 Executive Order 19-02 and re-established by
 6.12 Executive Order 20-77. The base for this
 6.13 appropriation is \$1,400,000 in fiscal years
 6.14 2024 and 2025.

6.15 (b) The commissioner of management and
 6.16 budget is authorized to provide cash flow
 6.17 assistance of up to \$50,000,000 from the
 6.18 special revenue fund or other statutory general
 6.19 funds as defined in Minnesota Statutes, section
 6.20 16A.671, subdivision 3, paragraph (a), to the
 6.21 Office of MN.IT Services for the purpose of
 6.22 managing revenue and expenditure
 6.23 differences. These funds shall be repaid with
 6.24 interest by the end of the fiscal year 2023
 6.25 closing period.

6.26 (c) During the biennium ending June 30, 2023,
 6.27 Office of MN.IT Services must not charge
 6.28 fees to a public noncommercial educational
 6.29 television broadcast station eligible for funding
 6.30 under Minnesota Statutes, chapter 129D, for
 6.31 access to the state broadcast infrastructure. If
 6.32 the access fees not charged to public
 6.33 noncommercial educational television
 6.34 broadcast stations total more than \$400,000

- 8.1 Subd. 4. **Fiscal Agent** 13,334,000 13,334,000
- 8.2 The appropriations under this section are to
 8.3 the commissioner of administration for the
 8.4 purposes specified.
- 8.5 **In-Lieu of Rent.** \$10,515,000 in each year is
 8.6 for space costs of the legislature and veterans
 8.7 organizations, ceremonial space, and
 8.8 statutorily free space.
- 8.9 **Public Television.** (a) \$1,550,000 each year
 8.10 is for matching grants for public television.
- 8.11 (b) \$250,000 each year is for public television
 8.12 equipment grants under Minnesota Statutes,
 8.13 section 129D.13.
- 8.14 (c) The commissioner of administration must
 8.15 consider the recommendations of the
 8.16 Minnesota Public Television Association
 8.17 before allocating the amounts appropriated in
 8.18 paragraphs (a) and (b) for equipment or
 8.19 matching grants.
- 8.20 **Public Radio.** (a) \$392,000 each year is for
 8.21 community service grants to public
 8.22 educational radio stations. This appropriation
 8.23 may be used to disseminate emergency
 8.24 information in foreign languages.
- 8.25 (b) \$117,000 each year is for equipment grants
 8.26 to public educational radio stations. This
 8.27 appropriation may be used for the repair,
 8.28 rental, and purchase of equipment including
 8.29 equipment under \$500.
- 8.30 (c) \$510,000 each year is for equipment grants
 8.31 to Minnesota Public Radio, Inc., including
 8.32 upgrades to Minnesota's Emergency Alert and
 8.33 AMBER Alert Systems.

10.1	<u>Appropriations by Fund</u>		
10.2	<u>General</u>	<u>129,710,000</u>	<u>129,710,000</u>
10.3	<u>Health Care Access</u>	<u>1,760,000</u>	<u>1,760,000</u>
10.4	<u>Highway User Tax</u>		
10.5	<u>Distribution</u>	<u>2,195,000</u>	<u>2,195,000</u>
10.6	<u>Environmental</u>	<u>259,000</u>	<u>259,000</u>
10.7	<u>Taxpayer Assistance. (a)\$600,000 each year</u>		
10.8	<u>is for the commissioner of revenue to make</u>		
10.9	<u>grants to one or more nonprofit organizations,</u>		
10.10	<u>qualifying under section 501(c)(3) of the</u>		
10.11	<u>Internal Revenue Code of 1986, to coordinate,</u>		
10.12	<u>facilitate, encourage, and aid in the provision</u>		
10.13	<u>of taxpayer assistance services. The</u>		
10.14	<u>unencumbered balance in the first year does</u>		
10.15	<u>not cancel but is available for the second year.</u>		
10.16	<u>(b) For purposes of this section, "taxpayer</u>		
10.17	<u>assistance services" means accounting and tax</u>		
10.18	<u>preparation services provided by volunteers</u>		
10.19	<u>to low-income, elderly, and disadvantaged</u>		
10.20	<u>Minnesota residents to help them file federal</u>		
10.21	<u>and state income tax returns and Minnesota</u>		
10.22	<u>property tax refund claims and to provide</u>		
10.23	<u>personal representation before the Department</u>		
10.24	<u>of Revenue and Internal Revenue Service.</u>		
10.25	<u>Subd. 3. Debt Collection Management</u>	<u>28,347,000</u>	<u>28,347,000</u>
10.26	<u>Sec. 15. GAMBLING CONTROL</u>	<u>\$ 5,728,000</u>	<u>\$ 5,123,000</u>
10.27	<u>These appropriations are from the lawful</u>		
10.28	<u>gambling regulation account in the special</u>		
10.29	<u>revenue fund. The base for this appropriation</u>		
10.30	<u>in fiscal year 2024 is \$5,093,000. The base for</u>		
10.31	<u>this appropriation in fiscal year 2025 and each</u>		
10.32	<u>year thereafter is \$4,923,000.</u>		
10.33	<u>\$865,000 the first year and \$260,000 the</u>		
10.34	<u>second year are to create an information</u>		
10.35	<u>system and to update the board's website. The</u>		

12.1	<u>(d) Farmamerica</u>		<u>365,000</u>	<u>115,000</u>
12.2	<u>\$250,000 the first year is for site</u>			
12.3	<u>improvements, including classroom, upgrades,</u>			
12.4	<u>visitor center remodeling, and expanded</u>			
12.5	<u>agricultural literacy programming.</u>			
12.6	<u>(e) Minnesota Military Museum</u>		<u>50,000</u>	<u>50,000</u>
12.7	<u>Any unencumbered balance remaining in this</u>			
12.8	<u>subdivision the first year does not cancel but</u>			
12.9	<u>is available for the second year of the</u>			
12.10	<u>biennium.</u>			
12.11	Sec. 24. <u>BOARD OF THE ARTS</u>			
12.12	Subdivision 1. <u>Total Appropriation</u>	\$	<u>7,541,000</u>	\$ <u>7,541,000</u>
12.13	<u>The amounts that may be spent for each</u>			
12.14	<u>purpose are specified in the following</u>			
12.15	<u>subdivisions.</u>			
12.16	Subd. 2. <u>Operations and Services</u>		<u>602,000</u>	<u>602,000</u>
12.17	Subd. 3. <u>Grants Program</u>		<u>4,800,000</u>	<u>4,800,000</u>
12.18	Subd. 4. <u>Regional Arts Councils</u>		<u>2,139,000</u>	<u>2,139,000</u>
12.19	<u>Any unencumbered balance remaining in this</u>			
12.20	<u>section the first year does not cancel, but is</u>			
12.21	<u>available for the second year.</u>			
12.22	Sec. 25. <u>MINNESOTA HUMANITIES</u>			
12.23	<u>CENTER</u>	\$	<u>375,000</u>	\$ <u>375,000</u>
12.24	Sec. 26. <u>BOARD OF ACCOUNTANCY</u>	\$	<u>675,000</u>	\$ <u>675,000</u>
12.25	Sec. 27. <u>BOARD OF ARCHITECTURE</u>			
12.26	<u>ENGINEERING, LAND SURVEYING,</u>			
12.27	<u>LANDSCAPE ARCHITECTURE,</u>			
12.28	<u>GEOSCIENCE, AND INTERIOR DESIGN</u>	\$	<u>851,000</u>	\$ <u>851,000</u>
12.29	Sec. 28. <u>BOARD OF COSMETOLOGIST</u>			
12.30	<u>EXAMINERS</u>	\$	<u>2,923,000</u>	\$ <u>2,923,000</u>
12.31	Sec. 29. <u>BOARD OF BARBER EXAMINERS</u>	\$	<u>343,000</u>	\$ <u>343,000</u>
12.32	Sec. 30. <u>GENERAL CONTINGENT</u>			
12.33	<u>ACCOUNTS</u>	\$	<u>1,000,000</u>	\$ <u>500,000</u>

13.1	<u>Appropriations by Fund</u>		
13.2	<u>2022</u>	<u>2023</u>	
13.3	<u>General</u>	<u>500,000</u>	<u>0</u>
13.4	<u>State Government</u>		
13.5	<u>Special Revenue</u>	<u>400,000</u>	<u>400,000</u>
13.6	<u>Workers'</u>		
13.7	<u>Compensation</u>	<u>100,000</u>	<u>100,000</u>
13.8	<u>(a) The appropriations in this section may only</u>		
13.9	<u>be spent with the approval of the governor</u>		
13.10	<u>after consultation with the Legislative</u>		
13.11	<u>Advisory Commission pursuant to Minnesota</u>		
13.12	<u>Statutes, section 3.30.</u>		
13.13	<u>(b) If an appropriation in this section for either</u>		
13.14	<u>year is insufficient, the appropriation for the</u>		
13.15	<u>other year is available for it.</u>		
13.16	<u>(c) If a contingent account appropriation is</u>		
13.17	<u>made in one fiscal year, it should be</u>		
13.18	<u>considered a biennial appropriation.</u>		
13.19	Sec. 31. <u>TORT CLAIMS</u>	<u>\$</u>	<u>161,000</u> <u>\$</u> <u>161,000</u>
13.20	<u>These appropriations are to be spent by the</u>		
13.21	<u>commissioner of management and budget</u>		
13.22	<u>according to Minnesota Statutes, section</u>		
13.23	<u>3.736, subdivision 7. If the appropriation for</u>		
13.24	<u>either year is insufficient, the appropriation</u>		
13.25	<u>for the other year is available for it.</u>		
13.26	<u>Sec. 32. MINNESOTA STATE RETIREMENT</u>		
13.27	<u>SYSTEM</u>		
13.28	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>14,886,000</u> <u>\$</u> <u>14,878,000</u>
13.29	<u>The amounts that may be spent for each</u>		
13.30	<u>purpose are specified in the following</u>		
13.31	<u>subdivisions.</u>		
13.32	<u>Subd. 2. Combined Legislators and</u>		
13.33	<u>Constitutional Officers Retirement Plan</u>		
		<u>8,886,000</u>	<u>8,878,000</u>

- 14.1 Under Minnesota Statutes, sections 3A.03,
 14.2 subdivision 2; 3A.04, subdivisions 3 and 4;
 14.3 and 3A.115.
- 14.4 If an appropriation in this section for either
 14.5 year is insufficient, the appropriation for the
 14.6 other year is available for it.
- 14.7 **Subd. 3. Judges Retirement Plan** 6,000,000 6,000,000
- 14.8 For transfer to the judges retirement fund
 14.9 under Minnesota Statutes, section 490.123.
 14.10 This transfer continues each fiscal year until
 14.11 the judges retirement plan reaches 100 percent
 14.12 funding as determined by an actuarial
 14.13 valuation prepared according to Minnesota
 14.14 Statutes, section 356.214.
- 14.15 **Sec. 33. PUBLIC EMPLOYEES RETIREMENT**
 14.16 **ASSOCIATION** \$ 15,000,000 \$ 15,000,000
- 14.17 (a) \$9,000,000 in each year is for direct state
 14.18 aid to the public employees police and fire
 14.19 retirement plan authorized under Minnesota
 14.20 Statutes, section 353.65, subdivision 3b.
- 14.21 (b) State payments from the general fund to
 14.22 the Public Employees Retirement Association
 14.23 on behalf of the former MERF division
 14.24 account are \$6,000,000 on September 15,
 14.25 2021, and \$6,000,000 on September 15, 2022.
 14.26 These amounts are estimated to be needed
 14.27 under Minnesota Statutes, section 353.505.
- 14.28 **Sec. 34. TEACHERS RETIREMENT**
 14.29 **ASSOCIATION** \$ 29,831,000 \$ 29,831,000
- 14.30 The amounts estimated to be needed are as
 14.31 follows:
- 14.32 **Special Direct State Aid. \$27,331,000 each**
 14.33 **year is for special direct state aid authorized**
 14.34 **under Minnesota Statutes, section 354.436.**

15.1	<u>Special Direct State Matching Aid.</u>		
15.2	<u>\$2,500,000 each year is for special direct state</u>		
15.3	<u>matching aid authorized under Minnesota</u>		
15.4	<u>Statutes, section 354.435.</u>		
15.5	Sec. 35. <u>ST. PAUL TEACHERS RETIREMENT</u>		
15.6	<u>FUND</u>	<u>\$ 14,827,000</u>	<u>\$ 14,827,000</u>
15.7	<u>The amounts estimated to be needed for</u>		
15.8	<u>special direct state aid to the first class city</u>		
15.9	<u>teachers retirement fund association authorized</u>		
15.10	<u>under Minnesota Statutes, section 354A.12,</u>		
15.11	<u>subdivisions 3a and 3c.</u>		
15.12	Sec. 36. <u>MILITARY AFFAIRS</u>		
15.13	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 24,393,000</u>	<u>\$ 24,589,000</u>
15.14	<u>The amounts that may be spent for each</u>		
15.15	<u>purpose are specified in the following</u>		
15.16	<u>subdivisions.</u>		
15.17	<u>Subd. 2. Maintenance of Training Facilities</u>	<u>9,772,000</u>	<u>9,842,000</u>
15.18	<u>Subd. 3. General Support</u>	<u>3,507,000</u>	<u>3,633,000</u>
15.19	<u>Subd. 4. Enlistment Incentives</u>	<u>11,114,000</u>	<u>11,114,000</u>
15.20	<u>The appropriations in this subdivision are</u>		
15.21	<u>available until June 30, 2025, except that any</u>		
15.22	<u>unspent amounts allocated to a program</u>		
15.23	<u>otherwise supported by this appropriation are</u>		
15.24	<u>canceled to the general fund upon receipt of</u>		
15.25	<u>federal funds in the same amount to support</u>		
15.26	<u>administration of that program.</u>		
15.27	<u>If the amount for fiscal year 2022 is</u>		
15.28	<u>insufficient, the amount for 2023 is available</u>		
15.29	<u>in fiscal year 2022.</u>		
15.30	Sec. 37. <u>VETERANS AFFAIRS</u>		
15.31	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 79,851,000</u>	<u>\$ 79,389,000</u>

16.1 The amounts that may be spent for each
 16.2 purpose are specified in the following
 16.3 subdivisions.

16.4	<u>Subd. 2. Veterans Programs and Services</u>	<u>19,218,000</u>	<u>19,134,000</u>
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16.5 The base for this appropriation in fiscal year
 16.6 2024 and each year thereafter is \$18,236,000.

16.7 (a) **Veterans Service Organizations.**

16.8 \$353,000 each year is for grants to the
 16.9 following congressionally chartered veterans
 16.10 service organizations as designated by the
 16.11 commissioner: Disabled American Veterans,
 16.12 Military Order of the Purple Heart, the
 16.13 American Legion, Veterans of Foreign Wars,
 16.14 Vietnam Veterans of America, AMVETS, and
 16.15 Paralyzed Veterans of America. This funding
 16.16 must be allocated in direct proportion to the
 16.17 funding currently being provided by the
 16.18 commissioner to these organizations.

16.19 (b) **Minnesota Assistance Council for**

16.20 **Veterans.** \$750,000 each year is for a grant
 16.21 to the Minnesota Assistance Council for
 16.22 Veterans to provide assistance throughout
 16.23 Minnesota to veterans and their families who
 16.24 are homeless or in danger of homelessness,
 16.25 including assistance with the following:

16.26 (1) utilities;

16.27 (2) employment; and

16.28 (3) legal issues.

16.29 The assistance authorized under this paragraph
 16.30 must be made only to veterans who have
 16.31 resided in Minnesota for 30 days prior to
 16.32 application for assistance and according to
 16.33 other guidelines established by the

17.1 commissioner. In order to avoid duplication
17.2 of services, the commissioner must ensure that
17.3 this assistance is coordinated with all other
17.4 available programs for veterans.

17.5 **(c) Honor Guards.** \$200,000 each year is for
17.6 compensation for honor guards at the funerals
17.7 of veterans under Minnesota Statutes, section
17.8 197.231.

17.9 **(d) Minnesota GI Bill.** \$200,000 each year is
17.10 for the costs of administering the Minnesota
17.11 GI Bill postsecondary educational benefits,
17.12 on-the-job training, and apprenticeship
17.13 program under Minnesota Statutes, section
17.14 197.791.

17.15 **(e) Gold Star Program.** \$100,000 each year
17.16 is for administering the Gold Star Program for
17.17 surviving family members of deceased
17.18 veterans.

17.19 **(f) County Veterans Service Office.**
17.20 \$1,100,000 each year is for funding the
17.21 County Veterans Service Office grant program
17.22 under Minnesota Statutes, section 197.608.

17.23 **(g) Veteran Homelessness Initiative.**
17.24 \$750,000 each year is for an initiative to
17.25 prevent and end veteran homelessness. The
17.26 commissioner of veterans affairs may provide
17.27 housing vouchers and other services to
17.28 alleviate homelessness among veterans and
17.29 former service members in Minnesota. The
17.30 commissioner may contract for program
17.31 administration and may establish a vacancy
17.32 reserve fund. This is a onetime appropriation.

17.33 **(h) 9/11 Task Force.** \$112,000 the first year
17.34 is for the Advisory Task Force on 9/11 and

18.1 Global War on Terrorism Remembrance. The
 18.2 task force must collect, memorialize, and
 18.3 publish stories of Minnesotans' service in the
 18.4 Global War on Terrorism and impacts on their
 18.5 dependents. The task force must host a
 18.6 remembrance program in September 2021.

18.7 This is a onetime appropriation.

18.8 (i) **Camp Bliss.** \$75,000 each year is for a
 18.9 grant to Independent Lifestyles, Inc. for
 18.10 expenses related to retreats for veterans at
 18.11 Camp Bliss in Walker, Minnesota, including
 18.12 therapy, transportation, and activities
 18.13 customized for veterans. This is a onetime
 18.14 appropriation.

18.15 Subd. 3. **Veterans Health Care**

60,633,000

60,255,000

18.16 (a) **Transfers.** \$59,633,000 the first year and
 18.17 \$59,605,000 the second year may be
 18.18 transferred to a veterans homes special
 18.19 revenue account in the special revenue fund
 18.20 in the same manner as other receipts are
 18.21 deposited according to Minnesota Statutes,
 18.22 section 198.34, and are appropriated to the
 18.23 commissioner of veterans affairs for the
 18.24 operation of veterans homes facilities and
 18.25 programs. The base for this transfer in fiscal
 18.26 year 2024 and each year thereafter is
 18.27 \$58,736,000.

18.28 (b) **Veteran Suicide Prevention Initiative.**
 18.29 \$1,000,000 the first year and \$650,000 the
 18.30 second year are to address the problem of
 18.31 death by suicide among veterans in Minnesota.
 18.32 The commissioner of veterans affairs may use
 18.33 funds for personnel, training, research,
 18.34 marketing, and professional or technical
 18.35 contracts. The base for this appropriation in

19.1 fiscal year 2024 and each year thereafter is
19.2 \$550,000.

19.3 **Sec. 38. APPROPRIATION; DEPARTMENT OF ADMINISTRATION.**

19.4 \$5,499,000 in fiscal year 2021 is appropriated from the general fund to the commissioner
19.5 of administration to reimburse the Federal Emergency Management Agency for the real
19.6 property described in article 2, section 102. This is a onetime appropriation and is available
19.7 until June 30, 2022.

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

19.9 **Sec. 39. APPROPRIATION; SECRETARY OF STATE.**

19.10 \$919,000 in fiscal year 2021 is appropriated from the general fund to the secretary of
19.11 state to implement the requirements of article 4. This is a onetime appropriation and is
19.12 available until June 30, 2022.

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

19.14 **Sec. 40. HAVA APPROPRIATIONS; MODIFICATION.**

19.15 (a) Notwithstanding any law to the contrary, the secretary of state must use all unobligated
19.16 amounts in the Help America Vote Act account appropriated under Laws 2019, First Special
19.17 Session chapter 10, article 1, section 40, to make grants to political subdivisions for the
19.18 purchase of election equipment in the manner prescribed under Minnesota Statutes, section
19.19 206.95. Expenditures under this section are subject to the federal Omnibus Appropriations
19.20 Act of 2018, Public Law 115-1410. These funds are available until March 23, 2023.

19.21 (b) Notwithstanding any law to the contrary, the secretary of state must use all unobligated
19.22 amounts in the Help America Vote Act account appropriated under Laws 2020, chapter 77,
19.23 section 3, to make grants to political subdivisions for the purchase of election equipment
19.24 in the manner prescribed under Minnesota Statutes, section 206.95. Expenditures under this
19.25 section are subject to the federal Consolidated Appropriations Act, 2020, Public Law 116-93,
19.26 Title V. These funds are available until December 21, 2024.

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

19.28 **Sec. 41. CANCELLATION; FISCAL YEAR 2021.**

19.29 (a) \$379,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First
19.30 Special Session chapter 10, article 1, section 10 is canceled.

20.1 (b) \$300,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First
 20.2 Special Session chapter 10, article 1, section 11, subdivision 1 is canceled. This amount is
 20.3 from the fiscal year 2021 appropriation for government and citizen services.

20.4 (c) \$1,367,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First
 20.5 Special Session chapter 10, article 1, section 13 is canceled.

20.6 (d) \$8,274,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First
 20.7 Special Session chapter 10, article 1, section 14, subdivision 1 is canceled. Of this amount,
 20.8 \$7,305,000 is from the fiscal year 2021 appropriation for tax system management, and
 20.9 \$969,000 is from the fiscal year 2021 appropriation for debt collection management.

20.10 (e) \$86,000 of the fiscal year 2020 general fund appropriation for moving and relocation
 20.11 expenses under Laws 2019, First Special Session chapter 10, article 1, section 24, subdivision
 20.12 2, as amended by Laws 2020, chapter 104, article 2, section 4 is canceled.

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

20.14 Sec. 42. **CANCELLATIONS; ITA ACCOUNT.**

20.15 (a) \$179,000 from the information and telecommunications technology systems and
 20.16 services account established under Minnesota Statutes, section 16E.21, is canceled to the
 20.17 general fund.

20.18 (b) \$14,000 from the information and telecommunications technology systems and
 20.19 services account established under Minnesota Statutes, section 16E.21, is canceled to the
 20.20 workers' compensation fund.

20.21 (c) \$5,000 from the information and telecommunications technology systems and services
 20.22 account established under Minnesota Statutes, section 16E.21, is canceled to the state
 20.23 government special revenue fund.

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

20.25 **ARTICLE 2**

20.26 **STATE GOVERNMENT OPERATIONS**

20.27 Section 1. Minnesota Statutes 2020, section 3.30, subdivision 2, is amended to read:

20.28 Subd. 2. **Members; duties.** ~~(a) The majority leader of the senate or a designee, the chair~~
 20.29 ~~of the senate Committee on Finance, and the chair of the senate Division of Finance~~
 20.30 ~~responsible for overseeing the items being considered by the commission, the speaker of~~
 20.31 ~~the house or a designee, the chair of the house of representatives Committee on Ways and~~

21.1 ~~Means, and the chair of the appropriate finance committee, or division of the house of~~
21.2 ~~representatives committee responsible for overseeing the items being considered by the~~
21.3 ~~commissioner, constitute the Legislative Advisory Commission. The division chair of the~~
21.4 ~~Finance Committee in the senate and the division chair of the appropriate finance committee~~
21.5 ~~or division in the house of representatives~~ The Legislative Advisory Commission is composed
21.6 of the majority leader of the senate or a designee, the minority leader of the senate or a
21.7 designee, the president of the senate, the chair of the senate Committee on Finance, the
21.8 ranking minority member of the senate Committee on Finance, the chair of the appropriate
21.9 senate committee with budget jurisdiction over the item under consideration, the ranking
21.10 minority member of the appropriate senate committee with budget jurisdiction over the item
21.11 under consideration, the speaker of the house of representatives or a designee, the minority
21.12 leader of the house of representatives or a designee, the majority leader of the house of
21.13 representatives, the chair of the house of representatives Committee on Ways and Means,
21.14 the ranking minority member of the house of representatives Committee on Ways and
21.15 Means, the chair of the appropriate house of representatives committee with budget
21.16 jurisdiction over the item under consideration, and the ranking minority member of the
21.17 appropriate house of representatives committee with budget jurisdiction over the item under
21.18 consideration. The Legislative Advisory Commission members that serve on the commission
21.19 by being the chair or ranking minority member of the appropriate committee with budget
21.20 jurisdiction over the item under consideration shall rotate according to the items being
21.21 considered by the commission. If any of the members elect not to serve on the commission,
21.22 the house of which they are members, if in session, shall select some other member for the
21.23 vacancy. If the legislature is not in session, vacancies in the house of representatives
21.24 membership of the commission shall be filled by the last speaker of the house or, if the
21.25 speaker is not available, by the last chair of the house of representatives Rules Committee,
21.26 and by the last senate Committee on Committees or other appointing authority designated
21.27 by the senate rules in case of a senate vacancy. ~~The commissioner of management and~~
21.28 ~~budget shall be secretary of the commission and keep a permanent record and minutes of~~
21.29 ~~its proceedings, which are public records. The commissioner of management and budget~~
21.30 ~~shall post to the agency website all actions of the commission. Members shall receive~~
21.31 ~~traveling and subsistence expenses incurred attending meetings of the commission. The~~
21.32 ~~commission shall meet from time to time upon the call of the governor or upon the call of~~
21.33 ~~the secretary at the request of two or more of its members.~~ A recommendation of the
21.34 commission must be made at a meeting of the commission unless a written recommendation
21.35 is signed by all the members entitled to vote on the item.

22.1 (b) Members shall receive traveling and subsistence expenses incurred while attending
 22.2 meetings of the commission.

22.3 (c) The chair of the commission alternates between a member of the senate and a member
 22.4 of the house of representatives in January of each odd-numbered year.

22.5 (d) The commissioner of management and budget shall serve as secretary of the
 22.6 Legislative Advisory Commission. The secretary shall keep a permanent record and minutes
 22.7 of the commission's proceedings, which are public records.

22.8 (e) The commissioner of management and budget shall post to the agency website all
 22.9 actions of the commission.

22.10 (f) The commission shall meet from time to time upon the call of the governor or upon
 22.11 the call of the secretary at the request of two or more of the commission's members.

22.12 Sec. 2. Minnesota Statutes 2020, section 3.3005, is amended by adding a subdivision to
 22.13 read:

22.14 Subd. 1a. **Application.** This section applies to the expenditure of all federal money
 22.15 whether that federal money is appropriated under section 4.07 or another section, unless
 22.16 the federal money is specifically excluded from the requirements of this section.

22.17 Sec. 3. Minnesota Statutes 2020, section 3.3005, subdivision 2, is amended to read:

22.18 **Subd. 2. Governor's request to legislature.** (a) A state agency shall not expend money
 22.19 received by it under federal law for any purpose unless a request to spend federal money
 22.20 from that source for that purpose in that biennium has been submitted by the governor to
 22.21 the legislature as a part of a budget request submitted during or within ten days before the
 22.22 start of a regular legislative session, or unless specifically authorized by law or as provided
 22.23 by this section. A budget request submitted to the legislature according to this subdivision
 22.24 must be submitted at least 20 days before the deadline set by the legislature for legislative
 22.25 budget committees to act on finance bills.

22.26 (b) A budget request to spend federal funds submitted to the legislature under this
 22.27 subdivision must clearly identify the federal funds submitted for review under this subdivision
 22.28 and subject to the review period under subdivision 2a. A state agency is prohibited from
 22.29 expending money subject to the requirements of paragraph (a) if the request to spend federal
 22.30 money from that source for that purpose in that biennium has not previously been reviewed
 22.31 by the commission and is not clearly identified in the governor's federal funds budget request
 22.32 for review under this subdivision.

23.1 Sec. 4. Minnesota Statutes 2020, section 3.3005, subdivision 2a, is amended to read:

23.2 Subd. 2a. **Review of federal funds spending request.** (a) Twenty days after a governor's
 23.3 budget request that includes a request to spend federal money is submitted to the legislature
 23.4 under subdivision 2, a state agency may expend money included in that request unless,
 23.5 within the 20-day period, a member of the Legislative Advisory Commission requests further
 23.6 review. If a Legislative Advisory Commission member requests further review of a federal
 23.7 funds spending request, the agency may not expend the federal funds until the request has
 23.8 been satisfied and withdrawn, the expenditure is approved in law, or, if the commission has
 23.9 not provided a negative review under paragraph (b), the regular session of the legislature
 23.10 is adjourned for the year.

23.11 (b) If a member requests further review under paragraph (a), the member may request
 23.12 the chair of the Legislative Advisory Commission to call a public meeting to review the
 23.13 proposed expenditure of federal funds on which the member requested more information.
 23.14 The chair of the commission must call a public meeting of the commission to review the
 23.15 proposed expenditure within ten days. If at the public meeting a majority of the commission
 23.16 members provide a negative recommendation on the proposed expenditure that is under
 23.17 review, the agency is prohibited from expending the money. The commission may hold a
 23.18 separate public meeting and may revoke its negative recommendation. If the negative
 23.19 recommendation is revoked by the commission, the agency may expend the federal funds
 23.20 after the regular session of the legislature is adjourned for the year.

23.21 Sec. 5. Minnesota Statutes 2020, section 3.3005, subdivision 4, is amended to read:

23.22 Subd. 4. **Interim procedures; urgencies.** (a) If federal money is awarded to the state
 23.23 for expenditure after the deadline in subdivision 2 or while the legislature is not in session,
 23.24 and the availability of money from that source or for that purpose or in that fiscal year could
 23.25 not reasonably have been anticipated and included in the governor's budget request, and an
 23.26 urgency requires that all or part of the money be encumbered or expended before the
 23.27 legislature reconvenes or prior to the end of the 20-day period specified in subdivision 2,
 23.28 it may be allotted to a state agency after the ~~requirements of subdivision 5 are met~~ Legislative
 23.29 Advisory Commission has reviewed the request. If the members of the commission make
 23.30 a positive recommendation or no recommendation, or if the commission has not reviewed
 23.31 the request within ten days after the date the request was submitted, the commissioner may
 23.32 approve the request and the federal money may be allotted for expenditure. If the commission
 23.33 makes a negative recommendation or a recommendation for further review within ten days
 23.34 after the date the request was submitted, the commissioner is prohibited from approving

24.1 the expenditure of the federal money. If a request to expend federal money submitted under
 24.2 this subdivision receives a negative recommendation or a recommendation for further review,
 24.3 the request may be submitted again under subdivision 2 or 6.

24.4 (b) For the purpose of this subdivision, a recommendation of the commission must be
 24.5 made at a meeting of the commission unless a written recommendation is signed by all
 24.6 members entitled to vote on the item.

24.7 (c) For the purposes of this subdivision, an urgency exists if:

24.8 (1) the expenditure of the federal funds would prevent imminent harm to life or property;
 24.9 or

24.10 (2) failure to encumber or spend the federal funds before the expiration of the earliest
 24.11 time provided under this subdivision would result in a loss of the federal funds.

24.12 Sec. 6. Minnesota Statutes 2020, section 3.3005, subdivision 5, is amended to read:

24.13 Subd. 5. **Legislative Advisory Commission review.** Federal money that is awarded
 24.14 and becomes available under subdivision 3, 3a, or 3b, or 4 may be allotted after the
 24.15 commissioner of management and budget has submitted the request to the members of the
 24.16 Legislative Advisory Commission for their review and recommendation ~~for further review.~~
 24.17 ~~If a recommendation is not made within ten days, no further review by the Legislative~~
 24.18 ~~Advisory Commission is required, and the commissioner shall approve or disapprove the~~
 24.19 ~~request. If a recommendation by any member is for further review the governor shall submit~~
 24.20 ~~the request to the Legislative Advisory Commission for its review and recommendation.~~
 24.21 ~~Failure or refusal of the commission to make a recommendation promptly is a negative~~
 24.22 ~~recommendation.~~ If a member of the commission makes a negative recommendation or
 24.23 requests further review on a request within 20 days after the date the request was submitted,
 24.24 the commissioner is prohibited from approving the expenditure of the federal money. If a
 24.25 request to expend federal money submitted under this subdivision receives a negative
 24.26 recommendation or a request for further review, the request may be submitted again under
 24.27 subdivision 2. If the members of the commission make a positive recommendation or no
 24.28 recommendation, the commissioner may approve the request and the federal money may
 24.29 be allotted for expenditure.

24.30 Sec. 7. Minnesota Statutes 2020, section 3.302, subdivision 3, is amended to read:

24.31 Subd. 3. **State documents.** The library is a depository of all documents published by
 24.32 the state and shall receive them automatically without cost to the legislature or library. As

25.1 used in this chapter, "document" includes any publication issued by the state, constitutional
25.2 officers, departments, commissions, councils, bureaus, research centers, societies, task
25.3 forces, including advisory task forces created under section 15.014 or 15.0593, or other
25.4 agencies supported by state funds, or any publication prepared for the state by private
25.5 individuals or organizations considered to be of interest or value to the library. Intraoffice
25.6 or interoffice memos and forms and information concerning only the internal operation of
25.7 an agency are not included.

25.8 Sec. 8. Minnesota Statutes 2020, section 3.303, subdivision 1, is amended to read:

25.9 Subdivision 1. **Purpose.** The Legislative Coordinating Commission is created to
25.10 coordinate the legislative activities of the senate and house of representatives and the joint
25.11 legislative commissions, committees, offices, and task forces.

25.12 Sec. 9. Minnesota Statutes 2020, section 3.8853, subdivision 4, is amended to read:

25.13 Subd. 4. **Access to data; treatment.** Upon request of the director of the Legislative
25.14 Budget Office, the head or chief administrative officer of each department or agency of
25.15 state government, including the supreme court, must promptly supply data ~~that are used to~~
25.16 used by the agency to prepare or necessary for the Legislative Budget Office to review or
25.17 prepare a fiscal note, including data that are not public data under section 13.64 or other
25.18 applicable law, unless there are federal laws or regulations that prohibit the provision of the
25.19 not public data for this purpose. Not public data supplied under this subdivision may only
25.20 be used by the Legislative Budget Office to review a department or agency's work in
25.21 preparing a fiscal note and may not be used or disseminated for any other purpose, including
25.22 use by or dissemination to a legislator or to any officer, department, agency, or committee
25.23 within the legislative branch. Violation of this subdivision by the director or other staff of
25.24 the Legislative Budget Office is cause for removal, suspension without pay, or immediate
25.25 dismissal at the direction of the oversight commission.

25.26 Sec. 10. Minnesota Statutes 2020, section 3.8853, is amended by adding a subdivision to
25.27 read:

25.28 Subd. 4a. **Access employees.** Upon request of the director of the Legislative Budget
25.29 Office, the head or chief administrative officer of each department or agency of state
25.30 government, including the supreme court, must permit reasonable access to employees with
25.31 subject matter expertise to assist the Legislative Budget Office prepare and review fiscal
25.32 notes or enacted legislation.

26.1 Sec. 11. **[3.888] LEGISLATIVE COMMISSION ON CYBERSECURITY.**

26.2 Subdivision 1. **Membership.** The Legislative Commission on Cybersecurity consists
26.3 of the following eight members:

26.4 (1) four senators, including two senators appointed by the senate majority leader and
26.5 two senators appointed by the senate minority leader; and

26.6 (2) four members of the house of representatives, including two members appointed by
26.7 the speaker of the house and two members appointed by the minority leader of the house.

26.8 Subd. 2. **Terms; vacancies.** Members of the commission serve for a two-year term
26.9 beginning upon appointment and expiring on appointment of a successor after the opening
26.10 of the next regular session of the legislature in the odd-numbered year. A vacancy in the
26.11 membership of the commission must be filled for the unexpired term in a manner that will
26.12 preserve the representation established by this section.

26.13 Subd. 3. **Duties.** The commission shall provide oversight of the state's cybersecurity
26.14 measures. The commission shall review the policies and practices of state agencies with
26.15 regard to cybersecurity and may recommend changes in policy to adequately protect the
26.16 state from cybersecurity threats. The commission may develop recommendations and draft
26.17 legislation to support and strengthen the state's cybersecurity infrastructure.

26.18 Subd. 4. **Chair.** The commission shall elect a chair by a majority vote of members
26.19 present. If the commission is unable to elect a chair by a majority vote at its first meeting
26.20 of a biennium, the ranking member of the majority party shall serve as chair. The officers
26.21 shall alternate between a member of the senate and a member of the house of representatives.
26.22 A chair shall serve a two-year term expiring upon election of a new chair after the opening
26.23 of the next regular session of the legislature in the odd-numbered year.

26.24 Subd. 5. **Meetings.** The commission must meet at least three times per calendar year.
26.25 The meetings of the commission are subject to section 3.055, except that the commission
26.26 may close a meeting when necessary to safeguard the state's cybersecurity. The minutes,
26.27 recordings, and documents from a closed meeting under this subdivision shall be maintained
26.28 by the Legislative Coordinating Commission and shall not be made available to the public
26.29 until eight years after the date of the meeting.

26.30 Subd. 6. **Administration.** The Legislative Coordinating Commission shall provide
26.31 administrative services for the commission.

26.32 Subd. 7. **Expiration.** The commission expires December 31, 2028.

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

27.1 Sec. 12. Minnesota Statutes 2020, section 3.971, subdivision 2, is amended to read:

27.2 Subd. 2. **Staff; compensation.** (a) The legislative auditor shall establish a Financial
27.3 Audits Division and a Program Evaluation Division to fulfill the duties prescribed in this
27.4 section.

27.5 (b) Each division may be supervised by a deputy auditor, appointed by the legislative
27.6 auditor, with the approval of the commission, for a term coterminous with the legislative
27.7 auditor's term. The deputy auditors may be removed before the expiration of their terms
27.8 only for cause. The legislative auditor and deputy auditors may each appoint ~~a confidential~~
27.9 ~~secretary~~ an administrative support specialist to serve at pleasure. The salaries and benefits
27.10 of the legislative auditor, deputy auditors, and ~~confidential secretaries~~ administrative support
27.11 specialists shall be determined by the compensation plan approved by the Legislative
27.12 Coordinating Commission. The deputy auditors may perform and exercise the powers,
27.13 duties and responsibilities imposed by law on the legislative auditor when authorized by
27.14 the legislative auditor.

27.15 ~~(e) The legislative auditor must appoint a fiscal oversight officer with duties that include~~
27.16 ~~performing the review under section 3.972, subdivision 4.~~

27.17 ~~(d) (c) The legislative auditor, deputy auditors, and the confidential secretaries~~
27.18 administrative support specialists shall serve in the unclassified civil service, but ~~the fiscal~~
27.19 ~~oversight officer and all other employees of the legislative auditor are~~ shall serve in the
27.20 classified civil service. Compensation for employees of the legislative auditor in the classified
27.21 service shall be governed by a plan prepared by the legislative auditor and approved by the
27.22 Legislative Coordinating Commission and the legislature under section 3.855, subdivision
27.23 3.

27.24 ~~(e) (d)~~ While in office, a person appointed deputy for the Financial Audit Division must
27.25 hold an active license as a certified public accountant.

27.26 (e) Notwithstanding Minnesota Statutes, section 43A.32, subdivisions 2 and 3, or any
27.27 other law to the contrary, an employee of the legislative auditor is prohibited from being a
27.28 candidate for an elected public office.

27.29 Sec. 13. Minnesota Statutes 2020, section 3.971, is amended by adding a subdivision to
27.30 read:

27.31 Subd. 8a. **Special reviews.** The legislative auditor may conduct a special review to: (1)
27.32 fulfill a legal requirement; (2) investigate allegations that an individual or organization
27.33 subject to audit by the legislative auditor may not have complied with legal requirements

28.1 related to the use of public money, other public resources, or government data classified as
 28.2 not public; (3) respond to a legislative request for a review of an organization or program
 28.3 subject to audit by the legislative auditor; or (4) investigate allegations that an individual
 28.4 may not have complied with section 43A.38 or 43A.39.

28.5 Sec. 14. Minnesota Statutes 2020, section 3.972, subdivision 2, is amended to read:

28.6 Subd. 2. **Audits of state and semistate agencies.** The legislative auditor shall ~~make a~~
 28.7 ~~constant, as resources permit, audit of all the financial affairs activities of~~ (1) all departments
 28.8 ~~and, agencies of, offices, and other organizations in the state, executive branch; (2) courts,~~
 28.9 ~~offices, and other organizations in the state judicial branch; and of the financial records and~~
 28.10 ~~transactions of~~ (3) public boards, associations, and societies, and other public organizations
 28.11 created by state law or supported, wholly or in part, by state funds. Once in each year, if
 28.12 ~~funds and personnel permit, without previous notice, The legislative auditor shall visit each~~
 28.13 ~~state department and agency, association or society and, so far as practicable,~~

28.14 (1) ~~inspect;~~

28.15 (2) ~~thoroughly examine its books and accounts, verifying the funds, securities, and other~~
 28.16 ~~assets;~~

28.17 (3) ~~check the items of receipts and disbursements with its voucher records;~~

28.18 (4) ~~ascertain the character of the official bonds for its officers and the financial ability~~
 28.19 ~~of the bonding institution;~~

28.20 (5) ~~inspect its sources of revenue and the use and disposition of state appropriations and~~
 28.21 ~~property;~~

28.22 (6) ~~investigate the methods of purchase and sale and the character of contracts on public~~
 28.23 ~~account;~~

28.24 (7) ~~ascertain proper custody and depository for its funds and securities;~~

28.25 (8) ~~verify the inventory of public property and other assets held in trust; and~~

28.26 (9) ascertain that all financial transactions and operations involving the public funds and
 28.27 property of the state comply with the spirit and purpose of the law, are sound by modern
 28.28 standards of financial management, and are for the best protection of ~~the public interest~~
 28.29 funds and other public resources.

29.1 Sec. 15. Minnesota Statutes 2020, section 3.972, subdivision 2a, is amended to read:

29.2 Subd. 2a. **Audits of Department of Human Services.** ~~(a) To ensure continuous effective~~
 29.3 legislative oversight and accountability, the legislative auditor shall give high priority to
 29.4 auditing the programs, services, and benefits administered by the Department of Human
 29.5 Services. ~~The audits shall determine whether~~ As resources permit, the legislative auditor
 29.6 shall track and assess expenditures throughout the human service delivery system, from the
 29.7 department offered to the point of service delivery, and determine whether human services
 29.8 programs and provided, services, and benefits are being provided cost-effectively and only
 29.9 to eligible persons individuals and organizations, and complied in compliance with applicable
 29.10 legal requirements.

29.11 ~~(b) The legislative auditor shall, based on an assessment of risk and using professional~~
 29.12 ~~standards to provide a statistically significant sample, no less than three times each year,~~
 29.13 ~~test a representative sample of persons enrolled in a medical assistance program or~~
 29.14 ~~MinnesotaCare to determine whether they are eligible to receive benefits under those~~
 29.15 ~~programs. The legislative auditor shall report the results to the commissioner of human~~
 29.16 ~~services and recommend corrective actions. The commissioner shall provide a response to~~
 29.17 ~~the legislative auditor within 20 business days, including corrective actions to be taken to~~
 29.18 ~~address any problems identified by the legislative auditor and anticipated completion dates.~~
 29.19 ~~The legislative auditor shall monitor the commissioner's implementation of corrective actions~~
 29.20 ~~and periodically report the results to the Legislative Audit Commission and the chairs and~~
 29.21 ~~ranking minority members of the legislative committees with jurisdiction over health and~~
 29.22 ~~human services policy and finance. The legislative auditor's reports to the commission and~~
 29.23 ~~the chairs and ranking minority members must include recommendations for any legislative~~
 29.24 ~~actions needed to ensure that medical assistance and MinnesotaCare benefits are provided~~
 29.25 ~~only to eligible persons.~~

29.26 Sec. 16. Minnesota Statutes 2020, section 3.9741, subdivision 5, is amended to read:

29.27 Subd. 5. **State Data security; account; appropriation.** ~~(a) The data security account~~
 29.28 ~~is created in the special revenue fund. Money in the account is appropriated to the legislative~~
 29.29 auditor.

29.30 ~~(b) Subject to available funds appropriated under paragraph (a), the legislative auditor~~
 29.31 ~~shall:~~

29.32 ~~(1) review and audit the audit reports of subscribers and requesters submitted under~~
 29.33 ~~section 168.327, subdivision 6, including producing findings and opinions;~~

30.1 ~~(2) in collaboration with the commissioner and affected subscribers and requesters,~~
 30.2 ~~recommend corrective action plans to remediate any deficiencies identified under clause~~
 30.3 ~~(1); and~~

30.4 ~~(3) review and audit driver records subscription services and bulk data practices of the~~
 30.5 ~~Department of Public Safety, including identifying any deficiencies and making~~
 30.6 ~~recommendations to the commissioner.~~

30.7 ~~(e) The legislative auditor shall submit any reports, findings, and recommendations~~
 30.8 ~~under this subdivision to the legislative commission on data practices.~~

30.9 Sec. 17. Minnesota Statutes 2020, section 3.978, subdivision 2, is amended to read:

30.10 Subd. 2. **Inquiry and inspection power; duty to aid legislative auditor.** All public
 30.11 officials and their deputies and employees, and all corporations, firms, and individuals
 30.12 having business involving the receipt, disbursement, or custody of public funds shall at all
 30.13 times afford reasonable facilities for examinations by the legislative auditor, make returns
 30.14 and reports required by the legislative auditor, attend and answer under oath the legislative
 30.15 auditor's lawful inquiries, produce and exhibit all books, accounts, documents, data of any
 30.16 classification, and property that the legislative auditor ~~may need~~ requests to inspect, and in
 30.17 all things ~~aid~~ cooperate with the legislative auditor ~~in the performance of duties.~~

30.18 Sec. 18. Minnesota Statutes 2020, section 3.979, subdivision 3, is amended to read:

30.19 Subd. 3. **Audit data.** (a) "Audit" as used in this subdivision means a financial audit,
 30.20 ~~review,~~ program evaluation, ~~best practices~~ special review, or investigation. Data relating to
 30.21 an audit are not public or with respect to data on individuals are confidential until the final
 30.22 report of the audit has been released by the legislative auditor or the audit is no longer being
 30.23 actively pursued. Upon release of a final audit report by the legislative auditor, data relating
 30.24 to an audit are public except data otherwise classified as not public.

30.25 (b) Data related to an audit but not published in the audit report and that the legislative
 30.26 auditor reasonably believes will be used in litigation are not public and with respect to data
 30.27 on individuals are confidential until the litigation has been completed or is no longer being
 30.28 actively pursued.

30.29 (c) Data ~~on individuals~~ that could reasonably be used to determine the identity of an
 30.30 individual supplying data for an audit are private if the data supplied by the individual were
 30.31 needed for an audit and the individual would not have provided the data to the legislative

31.1 auditor without an assurance that the individual's identity would remain private, or the
 31.2 legislative auditor reasonably believes that the subject would not have provided the data.

31.3 (d) The definitions of terms provided in section 13.02 apply for purposes of this
 31.4 subdivision.

31.5 Sec. 19. Minnesota Statutes 2020, section 3.98, subdivision 1, is amended to read:

31.6 Subdivision 1. **Preparation; duties.** (a) The head or chief administrative officer of each
 31.7 department or agency of the state government, including the supreme court, shall prepare
 31.8 a fiscal note consistent with the standards and procedures adopted under section 3.8853, at
 31.9 the request of the chair of the standing committee to which a bill has been referred, or the
 31.10 chair of the house of representatives Ways and Means Committee, or the chair of the senate
 31.11 Committee on Finance, and as assigned by the director of the Legislative Budget Office.
 31.12 The Legislative Budget Office may prepare a fiscal note if an agency does not comply with
 31.13 this subdivision.

31.14 (b) For purposes of this subdivision, "supreme court" includes all agencies, committees,
 31.15 and commissions supervised or appointed by the state supreme court or the state court
 31.16 administrator.

31.17 Sec. 20. Minnesota Statutes 2020, section 4.07, is amended by adding a subdivision to
 31.18 read:

31.19 Subd. 4. **Federal funds savings; reports.** Beginning July 1, 2021, each state agency
 31.20 must submit a detailed report to the chairs and ranking minority members of the senate
 31.21 Committee on Finance and the house of representatives Committee on Ways and Means,
 31.22 and the chairs and ranking minority members of the legislative committees with jurisdiction
 31.23 over the budget for the agency concerning the use of any federal funds as described within
 31.24 this section. The report must detail the use of any federal funds in the calendar quarter
 31.25 preceding the report that permitted the agency to redirect or reduce the use of state funds.
 31.26 Agencies must continue reporting pursuant to this section on the first day of each subsequent
 31.27 calendar quarter until July 1, 2025, and annually on June 30 of each year beginning in 2026.
 31.28 For the purposes of this section, "agency" has the meaning given in section 16A.011,
 31.29 subdivision 2.

31.30 Sec. 21. [5.42] **DISPLAY OF BUSINESS ADDRESS ON WEBSITE.**

31.31 (a) The secretary of state must not display on its website the addresses of an eligible
 31.32 business entity that has made a written request to have the addresses omitted from the

32.1 website. A business entity is eligible to have all addresses omitted from display if the entity
 32.2 certifies that:

32.3 (1) there is only one shareholder, member, manager, or owner of the business entity;

32.4 (2) the shareholder, manager, member, or owner is a natural person; and

32.5 (3) at least one of the addresses provided is the residential address of the sole shareholder,
 32.6 manager, member, or owner.

32.7 The secretary of state shall post a notice that this option is available and a link to the form
 32.8 needed to make a request on the secretary's website. The secretary of state shall also attach
 32.9 a copy of the request form to all business filing forms provided in a paper format that require
 32.10 a business entity to submit an address.

32.11 (b) This section does not change the classification of data under chapter 13 and addresses
 32.12 shall be made available to the public in response to requests made by telephone, mail, e-mail,
 32.13 and facsimile transmission.

32.14 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to business
 32.15 entity filings filed with the secretary of state on or after that date.

32.16 Sec. 22. Minnesota Statutes 2020, section 12.31, subdivision 2, is amended to read:

32.17 **Subd. 2. Declaration of peacetime emergency.** (a) The governor may declare a
 32.18 peacetime emergency. A peacetime declaration of emergency may be declared only when
 32.19 an act of nature, a technological failure or malfunction, a terrorist incident, an industrial
 32.20 accident, a hazardous materials accident, or a civil disturbance endangers life and property
 32.21 and local government resources are inadequate to handle the situation. If the peacetime
 32.22 emergency occurs on Indian lands, the governor or state director of emergency management
 32.23 shall consult with tribal authorities before the governor makes such a declaration. Nothing
 32.24 in this section shall be construed to limit the governor's authority to act without such
 32.25 consultation when the situation calls for prompt and timely action. When the governor
 32.26 declares a peacetime emergency, the governor must immediately notify the majority and
 32.27 minority leaders of the senate and the speaker and majority and minority leaders of the
 32.28 house of representatives. A peacetime emergency must not be continued for more than five
 32.29 days unless extended by resolution of the Executive Council for up to an additional 25 days
 32.30 for a cumulative total of 30 days. An order, or proclamation declaring, continuing, or
 32.31 terminating an emergency must be given prompt and general publicity and filed with the
 32.32 secretary of state.

33.1 (b) The governor shall not extend a peacetime emergency beyond the 30 days provided
 33.2 in paragraph (a), unless the extension is approved by majority vote of each house of the
 33.3 legislature, the legislature may terminate a peacetime emergency extending beyond 30 days.
 33.4 The governor may make additional proposals to extend the peacetime emergency, and the
 33.5 legislature may, by majority vote of each house, extend the peacetime emergency for up to
 33.6 an additional 30 days per proposal. If the governor determines a need to extend the peacetime
 33.7 emergency declaration beyond 30 days or beyond a peacetime emergency declaration
 33.8 extended by up to 30 days by the legislature under this paragraph and the legislature is not
 33.9 sitting in session, the governor must provide at least three days' notice to the majority and
 33.10 minority leaders in both houses of the legislature of the governor's intent to issue a call
 33.11 immediately convening both houses of the legislature. Nothing in this section limits the
 33.12 governor's authority over or command of the National Guard as described in the Military
 33.13 Code, chapters 190 to 192A, and required by the Minnesota Constitution, article V, section
 33.14 3.

33.15 (c) The governor shall not allow a peacetime emergency declaration to expire and declare
 33.16 a new peacetime emergency for the same emergency in an effort to avoid obtaining legislative
 33.17 approval for an extension of a peacetime emergency as provided under this subdivision.

33.18 (d) If a peacetime emergency declaration is in effect under this subdivision and the
 33.19 governor determines the need to declare an additional, separate peacetime emergency in
 33.20 response to a different event than the event for which the first emergency was declared, the
 33.21 governor is not required to make an additional declaration under this subdivision for the
 33.22 second peacetime emergency except for purposes of receiving federal aid under section
 33.23 12.22. A second peacetime emergency declared under this paragraph shall be effective for
 33.24 the duration of the first peacetime emergency declaration. An extension of either the first
 33.25 or second peacetime emergency declaration, or both, under this paragraph is subject to
 33.26 legislative approval as required in paragraph (b).

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

33.28 Sec. 23. Minnesota Statutes 2020, section 13.64, subdivision 3, is amended to read:

33.29 Subd. 3. **Unofficial fiscal note.** (a) For purposes of this subdivision, "unofficial fiscal
 33.30 note" means a fiscal note requested by or on behalf of a member of the legislature on draft
 33.31 language for a bill that has not been introduced. Unofficial fiscal notes are public data unless
 33.32 a classification under paragraph (b) applies.

33.33 (b) This paragraph applies if a request for an unofficial fiscal note is accompanied by a
 33.34 directive from the requester that the data be classified under this paragraph subdivision.

34.1 Government data on the request, the bill draft, and the unofficial fiscal note are private data
 34.2 on individuals or nonpublic data, ~~provided~~ except that the data are accessible to, and may
 34.3 be disclosed by, the requester. If the proposed bill draft used to develop the unofficial fiscal
 34.4 note or an updated version is subsequently ~~used for an introduced bill, or any legislation,~~
 34.5 ~~including an amendment or a proposed bill, that any member of the legislature offers for~~
 34.6 ~~consideration by a legislative committee~~ introduced as a bill, included in an introduced bill,
 34.7 offered as an amendment, or otherwise distributed at a public meeting or event, or if an
 34.8 unofficial fiscal note is distributed at a public meeting or event, the fiscal note becomes
 34.9 public data.

34.10 (c) An agency must not share data that is classified under this subdivision as nonpublic
 34.11 data or private data on individuals with another agency without authorization from the bill
 34.12 author, as obtained from the director of the Legislative Budget Office. This paragraph
 34.13 supersedes any authorization to share data with the commissioner of management and budget
 34.14 under section 15.08 or 16A.06, subdivision 7, or other applicable law.

34.15 Sec. 24. Minnesota Statutes 2020, section 13.64, subdivision 4, is amended to read:

34.16 Subd. 4. **Fiscal note data must be shared with Legislative Budget Office.** A head or
 34.17 chief administrative officer of a department or agency of the state government, including
 34.18 the supreme court, must provide data that are used to prepare a fiscal note or for the
 34.19 Legislative Budget Office to review the accuracy of fiscal notes on enacted legislation,
 34.20 including data that are not public data under this section to the director of the Legislative
 34.21 Budget Office upon the director's request and consistent with section 3.8853, subdivision
 34.22 4, unless there are federal laws or regulations that prohibit the provision of the not public
 34.23 data for this purpose. The data must be supplied according to any standards and procedures
 34.24 adopted under section 3.8853, subdivision 3, including any standards and procedures
 34.25 governing timeliness. Notwithstanding section 13.05, subdivision 9, a responsible authority
 34.26 may not require the Legislative Budget Office to pay a cost for supplying data requested
 34.27 under this subdivision.

34.28 Sec. 25. Minnesota Statutes 2020, section 14.05, subdivision 1, is amended to read:

34.29 Subdivision 1. **Authority to adopt original rules restricted.** Each agency shall adopt,
 34.30 amend, suspend, or repeal its rules in accordance with the procedures specified in sections
 34.31 14.001 to 14.69, and only pursuant to specific authority delegated by law and in full
 34.32 compliance with its duties and obligations. If a law authorizing rules is repealed, the rules
 34.33 adopted pursuant to that law are automatically repealed on the effective date of the law's

35.1 repeal unless there is another law authorizing the rules. Except as provided in ~~section 14.06~~
 35.2 sections 14.388 and 14.3895, sections 14.001 to 14.69 shall not be specific authority for an
 35.3 agency to adopt, amend, suspend, or repeal rules.

35.4 **EFFECTIVE DATE.** This section is effective July 1, 2021, and applies to rules adopted
 35.5 on or after that date.

35.6 Sec. 26. Minnesota Statutes 2020, section 14.389, subdivision 5, is amended to read:

35.7 Subd. 5. **Option.** A law authorizing or requiring rules to be adopted under this section
 35.8 may refer specifically to this subdivision. If the law contains a specific reference to this
 35.9 subdivision, as opposed to a general reference to this section:

35.10 (1) the notice required in subdivision 2 must include a statement that a public hearing
 35.11 will be held if ~~100~~ 25 or more people request a hearing. The request must be in the manner
 35.12 specified in section 14.25; and

35.13 (2) if ~~100~~ 25 or more people submit a written request for a public hearing, the agency
 35.14 may adopt the rule only after complying with all of the requirements of chapter 14 for rules
 35.15 adopted after a public hearing.

35.16 **EFFECTIVE DATE.** This section is effective July 1, 2021, and applies to rules proposed
 35.17 on or after that date.

35.18 Sec. 27. Minnesota Statutes 2020, section 14.57, is amended to read:

35.19 **14.57 INITIATION; DECISION; AGREEMENT TO ARBITRATE.**

35.20 (a) An agency shall initiate a contested case proceeding when one is required by law.
 35.21 ~~Unless otherwise provided by law, An agency shall decide~~ submit a contested case ~~only to~~
 35.22 the Office of Administrative Hearings for disposition in accordance with the contested case
 35.23 procedures of the Administrative Procedure Act. Upon initiation of a contested case
 35.24 proceeding, ~~an agency may, by order, provide that~~ the report or order of the administrative
 35.25 law judge constitutes the final decision in the case.

35.26 (b) As an alternative to initiating or continuing with a contested case proceeding, the
 35.27 parties, subsequent to agency approval, may enter into a written agreement to submit the
 35.28 issues raised to arbitration by an administrative law judge according to sections 572B.01
 35.29 to 572B.31.

35.30 **EFFECTIVE DATE.** This section is effective August 1, 2021, and applies to contested
 35.31 cases initiated on or after that date.

36.1 Sec. 28. Minnesota Statutes 2020, section 15.01, is amended to read:

36.2 **15.01 DEPARTMENTS OF THE STATE.**

36.3 The following agencies are designated as the departments of the state government: the
 36.4 Department of Administration; the Department of Agriculture; the Department of Commerce;
 36.5 the Department of Corrections; the Department of Education; the Department of Employment
 36.6 and Economic Development; the Department of Health; the Department of Human Rights;
 36.7 the Department of Information Technology Services; the Department of Iron Range
 36.8 Resources and Rehabilitation; the Department of Labor and Industry; the Department of
 36.9 Management and Budget; the Department of Military Affairs; the Department of Natural
 36.10 Resources; the Department of Public Safety; the Department of Human Services; the
 36.11 Department of Revenue; the Department of Transportation; the Department of Veterans
 36.12 Affairs; and their successor departments.

36.13 Sec. 29. **[15.442] GEOGRAPHIC DISTRIBUTION OF STATE EMPLOYEE**
 36.14 **LAYOFFS.**

36.15 Notwithstanding any law to the contrary, if layoffs of employees of executive branch
 36.16 state agencies are necessary due to an anticipated budget deficit, each executive branch state
 36.17 agency must make personnel reductions so that economies of the state outside of the
 36.18 metropolitan area, as defined in section 473.121, subdivision 2, are not disproportionately
 36.19 affected by the layoffs. "Executive branch state agency" has the meaning given in section
 36.20 16A.011, subdivision 12a.

36.21 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 36.22 applies to collective bargaining agreements entered into on or after that date.

36.23 Sec. 30. **[15.761] SAVI PROGRAM.**

36.24 Subdivision 1. **Program established.** The state agency value initiative (SAVI) program
 36.25 is established to encourage state agencies to identify cost-effective and efficiency measures
 36.26 in agency programs and operations that result in cost savings for the state. All state agencies
 36.27 not separately authorized to carry forward operating funds may participate in this program.

36.28 Subd. 2. **Retained savings.** (a) In order to encourage innovation and creative cost savings
 36.29 by state employees, upon approval of the commissioner of management and budget, 50
 36.30 percent of any appropriations for agency operations that remain unspent at the end of a
 36.31 biennium because of unanticipated innovation, efficiencies, or creative cost-savings may
 36.32 be carried forward and retained by the agency to fund specific agency proposals or projects.

37.1 Agencies choosing to spend retained savings funds must ensure that project expenditures
 37.2 do not create future obligations beyond the amounts available from the retained savings.
 37.3 The retained savings must be used only to fund projects that directly support the performance
 37.4 of the agency's duties. This section does not restrict authority granted by other law to carry
 37.5 forward money for a different period or for different purposes.

37.6 (b) This section supersedes any contrary provision of section 16A.28.

37.7 Subd. 3. **Review process.** An agency may spend money for a project after:

37.8 (1) the agency has posted notice of spending for the proposed project on the agency
 37.9 website for at least 30 days;

37.10 (2) the commissioner of management and budget has approved spending money from
 37.11 the SAVI account for the project; and

37.12 (3) the commissioner has notified the Legislative Advisory Commission for its review
 37.13 and comment.

37.14 Subd. 4. **SAVI-dedicated account.** Each agency that participates in the SAVI program
 37.15 shall have a SAVI-dedicated account in the special revenue fund, or other appropriate fund
 37.16 as determined by the commissioner of management and budget, into which the agency's
 37.17 savings are deposited. The agency will manage and review projects that are funded from
 37.18 this account. Money in the account is appropriated to the participating agency for purposes
 37.19 authorized by this section.

37.20 **EFFECTIVE DATE.** This section is effective June 30, 2022, and first applies to funds
 37.21 to be carried forward from the biennium ending June 30, 2022, to the biennium beginning
 37.22 July 1, 2022.

37.23 Sec. 31. **[16A.0465] LIMITING GROWTH IN STATE EMPLOYMENT BASED**
 37.24 **ON STATE POPULATION.**

37.25 The percentage growth of the total number of full-time equivalent positions employed
 37.26 by all executive branch state agencies from one fiscal year to the next must not exceed the
 37.27 percentage growth of the state population during the same time frame, as projected by the
 37.28 state demographer. "Executive branch state agencies" as used in this section has the meaning
 37.29 given for the same term in Minnesota Statutes, section 16A.011, subdivision 12a, and does
 37.30 not include Minnesota State Colleges and Universities.

38.1 Sec. 32. Minnesota Statutes 2020, section 16A.06, is amended by adding a subdivision to
38.2 read:

38.3 Subd. 12. **Audit of state's use of federal funds; annual appropriation.** The
38.4 commissioner shall contract with a qualified auditor to conduct the annual audit required
38.5 by the United States Single Audit Act of 1984, Public Law 98-502, the Single Audit Act
38.6 Amendments of 1996, Public Law 104-156, and Title 2 United States Code of Federal
38.7 Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and
38.8 Audit Requirements for Federal Awards (Uniform Guidance). There is annually appropriated
38.9 from the general fund to the commissioner an amount sufficient to pay the cost of the annual
38.10 audit. The cost of the audit shall be billed to the agencies audited during the subsequent
38.11 fiscal year. Amounts paid by state agencies shall be deposited to the general fund.

38.12 Sec. 33. Minnesota Statutes 2020, section 16A.152, subdivision 2, is amended to read:

38.13 Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund
38.14 revenues and expenditures, the commissioner of management and budget determines that
38.15 there will be a positive unrestricted budgetary general fund balance at the close of the
38.16 biennium, the commissioner of management and budget must allocate money to the following
38.17 accounts and purposes in priority order:

38.18 (1) the cash flow account established in subdivision 1 until that account reaches
38.19 \$350,000,000;

38.20 (2) the budget reserve account established in subdivision 1a until that account reaches
38.21 \$1,596,522,000;

38.22 (3) the amount necessary to increase the aid payment schedule for school district aids
38.23 and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest
38.24 tenth of a percent without exceeding the amount available and with any remaining funds
38.25 deposited in the budget reserve;

38.26 (4) the amount necessary to restore all or a portion of the net aid reductions under section
38.27 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75,
38.28 subdivision 5, by the same amount; and

38.29 ~~(5) the clean water fund established in section 114D.50 until \$22,000,000 has been~~
38.30 ~~transferred into the fund; and~~

38.31 ~~(6)~~ (5) the amount necessary to increase the Minnesota 21st century fund by not more
38.32 than the difference between \$5,000,000 and the sum of the amounts credited and canceled
38.33 to it in the previous 12 months under Laws 2020, chapter 71, article 1, section 11, until the

39.1 sum of all transfers under this section and all amounts credited or canceled under Laws
39.2 2020, chapter 71, article 1, section 11, equals \$20,000,000.

39.3 (b) The amounts necessary to meet the requirements of this section are appropriated
39.4 from the general fund within two weeks after the forecast is released or, in the case of
39.5 transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations
39.6 schedules otherwise established in statute.

39.7 (c) The commissioner of management and budget shall certify the total dollar amount
39.8 of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education.
39.9 The commissioner of education shall increase the aid payment percentage and reduce the
39.10 property tax shift percentage by these amounts and apply those reductions to the current
39.11 fiscal year and thereafter.

39.12 (d) Paragraph (a), clause (5), expires after the entire amount of the transfer has been
39.13 made.

39.14 Sec. 34. Minnesota Statutes 2020, section 16A.28, subdivision 3, is amended to read:

39.15 Subd. 3. **Lapse.** Any portion of any appropriation not carried forward and remaining
39.16 unexpended and unencumbered at the close of a fiscal year lapses to the fund from which
39.17 it was originally appropriated. Except as provided in section 15.761, any appropriation
39.18 amounts not carried forward and remaining unexpended and unencumbered at the close of
39.19 a biennium lapse to the fund from which the appropriation was made.

39.20 **EFFECTIVE DATE.** This section is effective June 30, 2022.

39.21 Sec. 35. **[16A.401] VIRTUAL PAYMENTS AUTHORIZED.**

39.22 Subdivision 1. **Virtual payments.** The commissioner may establish a program to issue
39.23 virtual payments from the state treasury. Any rebate to the state generated by the program
39.24 must be deposited in the general fund unless retained under subdivision 3.

39.25 Subd. 2. **Rebates.** Notwithstanding subdivision 1, rebates attributable to expenditures
39.26 in funds established in the state constitution or protected by federal law must be returned
39.27 to the account from which the expenditure originated.

39.28 Subd. 3. **Rebates retained.** The commissioner may retain a portion of rebates for the
39.29 administration of this section. Money retained under this subdivision must be deposited in
39.30 an account in the special revenue fund and is appropriated to the commissioner for the
39.31 purposes of this section.

40.1 **Sec. 36. [16A.728] STADIUM PAYOFF FUND.**

40.2 **Subdivision 1. Creation of fund.** The commissioner of management and budget shall
40.3 establish the stadium payoff fund in the state treasury.

40.4 **Subd. 2. Payoff supplement transfer.** (a) If on the basis of a final closing balance for
40.5 the general fund for a fiscal year the amount of the general reserve account under section
40.6 297E.021, subdivision 4, exceeds the greater of the stadium-related expenses under section
40.7 297E.021, subdivision 3, clause (1), or \$44,000,000, the commissioner shall certify a payoff
40.8 supplement in the general reserve account. The payoff supplement is equal to the difference
40.9 between the general reserve account at the final closing of a fiscal year and the greater of
40.10 the stadium-related expenses, or \$44,000,000.

40.11 (b) By October 1 of each year, the commissioner shall transfer the payoff supplement
40.12 computed under paragraph (a) to the stadium payoff fund.

40.13 **Subd. 3. Use of fund.** (a) After the date that the appropriation bonds under section
40.14 16A.695 become callable, the commissioner must use the amount in the fund to redeem or
40.15 defease outstanding debt for the stadium appropriation bonds under section 16A.965, to the
40.16 extent permitted by the bond contract. The money in the fund is appropriated only for this
40.17 purpose. Notwithstanding sections 16A.66 and 16A.965, refunding bonds issued after
40.18 redeeming outstanding debt for the stadium authorized under section 473J.03, subdivision
40.19 8, using funds from the stadium payoff fund may be issued without regard to whether the
40.20 interest to be paid on the bonds is includable in gross income for federal tax purposes.

40.21 (b) After receiving the written approval of a majority of the senate members and a
40.22 majority of the house members of the Legislative Advisory Commission, the commissioner
40.23 may transfer balances in the stadium payoff fund to the general fund to offset a shortfall in
40.24 revenue collected under section 297A.994.

40.25 **Subd. 4. Report.** By October 15, 2021, and each year thereafter, the commissioner of
40.26 management and budget must analyze and report to the legislature about the use of the
40.27 money in the stadium payoff fund, and the amount of the actual and projected payoff balance
40.28 transfers from the general reserve account. The report should also analyze when the money
40.29 in the stadium payoff fund will be used to redeem or defease the outstanding debt on the
40.30 stadium appropriation bonds under section 16A.965. The report must be provided to the
40.31 chairs and ranking minority members of the house of representatives Committee on Ways
40.32 and Means and Taxes Committee, and the chairs and ranking minority members of the
40.33 senate Finance Committee and Taxes Committee.

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

41.1 Sec. 37. Minnesota Statutes 2020, section 16B.24, subdivision 1, is amended to read:

41.2 Subdivision 1. **Operation and maintenance of buildings.** The commissioner is
 41.3 authorized to maintain and operate the State Capitol building and grounds, subject to whatever
 41.4 standards and policies are set for its appearance and cleanliness by the Capitol Area
 41.5 Architectural and Planning Board and the commissioner under section 15B.15, subdivision
 41.6 2, and all other buildings, cafeterias, and grounds in state-owned buildings in the Capitol
 41.7 Area under section 15B.02, the state Department of Public Safety, Bureau of Criminal
 41.8 Apprehension building in St. Paul, ~~the state Department of Health building in Minneapolis,~~
 41.9 ~~321 Grove Street buildings~~ 603 Pine Street building in St. Paul, Fleet and Surplus Services
 41.10 building in Arden Hills, Ely Revenue building, any other properties acquired by the
 41.11 Department of Administration, and, when the commissioner considers it advisable and
 41.12 practicable, any other building or premises owned or rented by the state for the use of a
 41.13 state agency. The commissioner shall assign and reassign office space in the Capitol and
 41.14 state buildings to make an equitable division of available space among agencies. The
 41.15 commissioner shall regularly update the long-range strategic plan for locating agencies and
 41.16 shall follow the plan in assigning and reassigning space to agencies. The plan must include
 41.17 locational and urban design criteria, a cost-analysis method to be used in weighing state
 41.18 ownership against leasing of space in specific instances, and a transportation management
 41.19 plan. If the commissioner determines that a deviation from the plan is necessary or desirable
 41.20 in a specific instance, the commissioner shall provide the legislature with a timely written
 41.21 explanation of the reasons for the deviation. The power granted in this subdivision does not
 41.22 apply to state hospitals or to educational, penal, correctional, or other institutions not
 41.23 enumerated in this subdivision the control of which is vested by law in some other agency.

41.24 Sec. 38. Minnesota Statutes 2020, section 16B.24, is amended by adding a subdivision to
 41.25 read:

41.26 Subd. 13. **Electric vehicle charging.** The commissioner shall require that a user of a
 41.27 charging station located on the State Capitol complex used to charge a private electric
 41.28 vehicle pay an electric service fee. The commissioner shall set the electric service fee rate
 41.29 to cover electricity costs for charging an electric vehicle, depreciation for the charging
 41.30 station, and the administrative costs associated with providing electric charging stations.

41.31 Sec. 39. Minnesota Statutes 2020, section 16B.281, subdivision 3, is amended to read:

41.32 Subd. 3. **Notice to agencies; determination of surplus.** The commissioner of
 41.33 administration shall send written notice to all state departments, agencies, and the University

42.1 of Minnesota describing any lands or tracts that may be declared surplus. For any property
42.2 designated as a historic place under section 138.664 or a historic site under section 138.662,
42.3 the commissioner must send written notice to the State Historic Preservation Office describing
42.4 any lands or tracts that may be declared surplus. If a department or agency or the University
42.5 of Minnesota desires custody of the lands or tracts, it shall submit a written request to the
42.6 commissioner, no later than four calendar weeks after mailing of the notice, setting forth
42.7 in detail its reasons for desiring to acquire and its intended use of the land or tract. The
42.8 commissioner shall then determine whether any of the lands described should be declared
42.9 surplus and offered for sale or otherwise disposed of by transferring custodial control to
42.10 other requesting state departments or agencies or to the Board of Regents of the University
42.11 of Minnesota for educational purposes, provided however that transfer to the Board of
42.12 Regents shall not be determinative of tax exemption or immunity. If the commissioner
42.13 determines that any of the lands are no longer needed for state purposes, the commissioner
42.14 shall make findings of fact, describe the lands, declare the lands to be surplus state land,
42.15 and state the reasons for the sale or disposition of the lands.

42.16 Sec. 40. Minnesota Statutes 2020, section 16B.281, subdivision 6, is amended to read:

42.17 Subd. 6. **Maintenance of land before sale.** The state department or agency holding
42.18 custodial control shall maintain the state-owned lands until the lands are sold or otherwise
42.19 disposed of as provided for in sections 16B.281 to 16B.287. State-owned land designated
42.20 as a historic place under section 138.664 or a historic site under section 138.662 must not
42.21 be disposed of without specific authorization in law.

42.22 Sec. 41. Minnesota Statutes 2020, section 16B.2975, is amended by adding a subdivision
42.23 to read:

42.24 Subd. 8. **Canine management.** The commissioner may give and convey to a canine's
42.25 handler the state's entirety of the right, title, interest, and estate in and to a canine who is
42.26 retired from service, with whom the handler trained and worked while the canine was in
42.27 service to the state. The handler is solely responsible for all future expenses related to the
42.28 retired canine.

42.29 Sec. 42. Minnesota Statutes 2020, section 16B.48, subdivision 2, is amended to read:

42.30 Subd. 2. **Purpose of funds.** Money in the state treasury credited to the general services
42.31 revolving fund and money that is deposited in the fund is appropriated annually to the
42.32 commissioner for the following purposes:

43.1 (1) to operate the central mailing service, including purchasing postage and related items
43.2 and refunding postage deposits;

43.3 (2) to operate a documents service as prescribed by section 16B.51;

43.4 (3) to provide services for the maintenance, operation, and upkeep of buildings and
43.5 grounds managed by the commissioner of administration;

43.6 ~~(4) to operate a materials handling service, including interagency mail and product~~
43.7 ~~delivery, solid waste removal, courier service, equipment rental, and vehicle and equipment~~
43.8 ~~maintenance;~~

43.9 ~~(5)~~ (4) to provide analytical, statistical, and organizational development services to state
43.10 agencies, local units of government, metropolitan and regional agencies, and school districts;
43.11 and

43.12 ~~(6)~~ (5) to perform services for any other agency. Money may be expended for this purpose
43.13 only when directed by the governor. The agency receiving the services shall reimburse the
43.14 fund for their cost, and the commissioner shall make the appropriate transfers when requested.
43.15 The term "services" as used in this clause means compensation paid officers and employees
43.16 of the state government; supplies, materials, equipment, and other articles and things used
43.17 by or furnished to an agency; and utility services and other services for the maintenance,
43.18 operation, and upkeep of buildings and offices of the state government; ~~and.~~

43.19 ~~(7) to operate a state recycling center.~~

43.20 Sec. 43. Minnesota Statutes 2020, section 16B.54, subdivision 1, is amended to read:

43.21 Subdivision 1. **Motor pools.** The commissioner shall manage a central motor pool of
43.22 passenger motor vehicles and trucks used by state agencies with principal offices in the city
43.23 of St. Paul and may provide for branch central motor pools at other places within the state.
43.24 For purposes of this section, (1) "agencies" includes the Minnesota State Colleges and
43.25 Universities, ~~and~~ (2) "passenger motor vehicle" means on-road vehicle capable of transporting
43.26 people, and (3) "truck" means a pickup or panel truck up to one ton carrying capacity.

43.27 Sec. 44. Minnesota Statutes 2020, section 16B.54, subdivision 2, is amended to read:

43.28 Subd. 2. **Vehicles.** (a) The commissioner may direct an agency to make a transfer of a
43.29 passenger motor vehicle or truck currently assigned to it. The transfer must be made to the
43.30 commissioner for use in the central motor pool. The commissioner shall reimburse an agency
43.31 whose motor vehicles have been paid for with funds dedicated by the constitution for a
43.32 special purpose and which are assigned to the central motor pool. The amount of

44.1 reimbursement for a motor vehicle is its average wholesale price as determined from the
44.2 midwest edition of the National Automobile Dealers Association official used car guide.

44.3 (b) To the extent that funds are available for the purpose, the commissioner may purchase
44.4 or otherwise acquire additional passenger motor vehicles and trucks necessary for the central
44.5 motor pool. The title to all motor vehicles assigned to or purchased or acquired for the
44.6 central motor pool is in the name of the Department of Administration.

44.7 (c) On the request of an agency, the commissioner may transfer to the central motor
44.8 pool any passenger motor vehicle or truck for the purpose of disposing of it. The department
44.9 or agency transferring the vehicle or truck must be paid for it from the motor pool revolving
44.10 account established by this section in an amount equal to two-thirds of the average wholesale
44.11 price of the vehicle or truck as determined from the midwest edition of the National
44.12 Automobile Dealers Association official used car guide.

44.13 (d) The commissioner shall provide for the uniform marking of all motor vehicles. Motor
44.14 vehicle colors must be selected from the regular color chart provided by the manufacturer
44.15 each year. The commissioner may further provide for the use of motor vehicles without
44.16 marking by:

44.17 (1) the governor;

44.18 (2) the lieutenant governor;

44.19 (3) the Division of Criminal Apprehension, the Division of Alcohol and Gambling
44.20 Enforcement, and arson investigators of the Division of Fire Marshal in the Department of
44.21 Public Safety;

44.22 (4) the Financial Institutions Division and investigative staff of the Department of
44.23 Commerce;

44.24 (5) the Division of Disease Prevention and Control of the Department of Health;

44.25 (6) the State Lottery;

44.26 (7) criminal investigators of the Department of Revenue;

44.27 (8) state-owned community service facilities in the Department of Human Services;

44.28 (9) the Office of the Attorney General; ~~and~~

44.29 (10) the investigative staff of the Gambling Control Board; and

44.30 (11) the Department of Corrections inmate community work crew program under section
44.31 352.91, subdivision 3g.

45.1 Sec. 45. Minnesota Statutes 2020, section 16E.01, is amended to read:

45.2 **16E.01 OFFICE OF MN.IT MINNESOTA DEPARTMENT OF INFORMATION**
 45.3 **TECHNOLOGY SERVICES.**

45.4 Subdivision 1. **Creation; chief information officer.** The ~~Office of MN.IT~~ Minnesota
 45.5 Department of Information Technology Services, which may also be known as Minnesota
 45.6 Information Technology Services or Minnesota IT Services, referred to in this chapter as
 45.7 the "~~office,~~" "department," is an agency in the executive branch headed by a commissioner,
 45.8 who also is the ~~state~~ chief information officer. The appointment of the commissioner is
 45.9 subject to the advice and consent of the senate under section 15.066.

45.10 Subd. 1a. **Responsibilities.** The ~~office~~ department shall provide oversight, leadership,
 45.11 and direction for information and telecommunications technology policy and the
 45.12 management, delivery, accessibility, and security of executive branch information and
 45.13 telecommunications technology systems and services in Minnesota. The ~~office~~ department
 45.14 shall manage strategic investments in information and telecommunications technology
 45.15 systems and services ~~to encourage the development of a technically literate society,~~ to ensure
 45.16 sufficient access to and efficient delivery of accessible government services, and to maximize
 45.17 benefits for the state government as an enterprise.

45.18 Subd. 2. **Discretionary powers.** The ~~office~~ department may:

45.19 (1) enter into contracts for goods or services with public or private organizations and
 45.20 charge fees for services it provides;

45.21 (2) apply for, receive, and expend money from public agencies;

45.22 (3) apply for, accept, and disburse grants and other aids from the federal government
 45.23 and other public or private sources;

45.24 (4) enter into contracts with agencies of the federal government, local governmental
 45.25 units, the University of Minnesota and other educational institutions, and private persons
 45.26 and other nongovernmental organizations as necessary to perform its statutory duties;

45.27 (5) sponsor and conduct conferences and studies, collect and disseminate information,
 45.28 and issue reports relating to information and communications technology issues;

45.29 (6) review the technology infrastructure of regions of the state and cooperate with and
 45.30 make recommendations to the governor, legislature, state agencies, local governments, local
 45.31 technology development agencies, the federal government, private businesses, and individuals
 45.32 for the realization of information and communications technology infrastructure development
 45.33 potential;

46.1 (7) sponsor, support, and facilitate innovative and collaborative economic and community
 46.2 development and government services projects, including technology initiatives related to
 46.3 culture and the arts, with public and private organizations; and

46.4 (8) review and recommend alternative sourcing strategies for state information and
 46.5 communications systems.

46.6 Subd. 3. **Duties.** (a) The ~~office~~ department shall:

46.7 (1) manage the efficient and effective use of available federal, state, local, and
 46.8 public-private resources to develop statewide information and telecommunications technology
 46.9 systems and services and its infrastructure;

46.10 (2) approve state agency and intergovernmental information and telecommunications
 46.11 technology systems and services development efforts involving state or intergovernmental
 46.12 funding, including federal funding, provide information to the legislature regarding projects
 46.13 reviewed, and recommend projects for inclusion in the governor's budget under section
 46.14 16A.11;

46.15 (3) ~~ensure~~ promote cooperation and collaboration among state and local governments
 46.16 in developing intergovernmental information and telecommunications technology systems
 46.17 and services, ~~and define the structure and responsibilities of a representative governance~~
 46.18 ~~structure;~~

46.19 (4) cooperate and collaborate with the legislative and judicial branches in the development
 46.20 of information and communications systems in those branches, as requested;

46.21 (5) continue the development of North Star, the state's official comprehensive online
 46.22 service and information initiative;

46.23 ~~(6) promote and collaborate with the state's agencies in the state's transition to an~~
 46.24 ~~effectively competitive telecommunications market;~~

46.25 ~~(7) collaborate with entities carrying out education and lifelong learning initiatives to~~
 46.26 ~~assist Minnesotans in developing technical literacy and obtaining access to ongoing learning~~
 46.27 ~~resources;~~

46.28 ~~(8)~~ (6) promote and coordinate public information access and network initiatives,
 46.29 consistent with chapter 13, to connect Minnesota's citizens and communities to each other,
 46.30 to their governments, and to the world;

46.31 ~~(9) promote and coordinate electronic commerce initiatives to ensure that Minnesota~~
 46.32 ~~businesses and citizens can successfully compete in the global economy;~~

47.1 ~~(10)~~ (7) manage and promote the regular and periodic reinvestment in the information
47.2 and telecommunications technology systems and services infrastructure so that state and
47.3 local government agencies can effectively and efficiently serve their customers;

47.4 ~~(11)~~ (8) facilitate the cooperative development of and ensure compliance with standards
47.5 and policies for information and telecommunications technology systems and services,
47.6 electronic data practices and privacy, ~~and electronic commerce among international, national,~~
47.7 ~~state, and local public and private organizations~~ within the executive branch;

47.8 ~~(12)~~ (9) eliminate unnecessary duplication of existing information and
47.9 telecommunications technology systems and services provided by state agencies;

47.10 ~~(13)~~ (10) identify, sponsor, develop, and execute shared information and
47.11 telecommunications technology projects and ongoing operations;

47.12 ~~(14)~~ (11) ensure overall security of the state's information and technology systems and
47.13 services; and

47.14 ~~(15)~~ (12) manage and direct compliance with accessibility standards for informational
47.15 technology, including hardware, software, websites, online forms, and online surveys.

47.16 (b) The chief information officer, in consultation with the commissioner of management
47.17 and budget, must determine when it is cost-effective for agencies to develop and use shared
47.18 information and telecommunications technology systems and services for the delivery of
47.19 electronic government services. The chief information officer may require agencies to use
47.20 shared information and telecommunications technology systems and services. The chief
47.21 information officer shall establish reimbursement rates in cooperation with the commissioner
47.22 of management and budget to be billed to agencies and other governmental entities sufficient
47.23 to cover the actual development, operating, maintenance, and administrative costs of the
47.24 shared systems. The methodology for billing may include the use of interagency agreements,
47.25 or other means as allowed by law.

47.26 (c) A state agency that has an information and telecommunications technology project
47.27 ~~with a total expected project cost of more than \$1,000,000~~, whether funded as part of the
47.28 biennial budget or by any other means, shall register with the ~~office~~ department by submitting
47.29 basic project startup documentation, as specified by the chief information officer in both
47.30 format and content, ~~before any project funding is requested or committed and before the~~
47.31 ~~project commences~~. State agency project leaders must demonstrate that the project will be
47.32 properly managed, provide updates to the project documentation as changes are proposed,
47.33 and regularly report on the current status of the project on a schedule agreed to with the

48.1 chief information officer. The chief information officer has the authority to define a project
 48.2 for the purposes of this chapter.

48.3 (d) The chief information officer shall monitor progress on any active information and
 48.4 telecommunications technology project with a total expected project cost of more than
 48.5 \$5,000,000 and report on the performance of the project in comparison with the plans for
 48.6 the project in terms of time, scope, and budget. The chief information officer may conduct
 48.7 an independent project audit of the project. The audit analysis and evaluation of the projects
 48.8 subject to paragraph (c) must be presented to agency executive sponsors, the project
 48.9 governance bodies, and the chief information officer. All reports and responses must become
 48.10 part of the project record.

48.11 (e) For any active information and telecommunications technology project with a total
 48.12 expected project cost of more than \$10,000,000, the state agency must perform an annual
 48.13 independent audit that conforms to published project audit principles ~~promulgated~~ adopted
 48.14 by the ~~office~~ department.

48.15 (f) The chief information officer shall report by January 15 of each year to the chairs
 48.16 and ranking minority members of the legislative committees and divisions with jurisdiction
 48.17 over the ~~office~~ department regarding projects the ~~office~~ department has reviewed under
 48.18 paragraph (a), clause ~~(13)~~ (10). The report must include the reasons for the determinations
 48.19 made in the review of each project and a description of its current status.

48.20 Sec. 46. Minnesota Statutes 2020, section 16E.016, is amended to read:

48.21 **16E.016 RESPONSIBILITY FOR INFORMATION TECHNOLOGY SERVICES**
 48.22 **AND EQUIPMENT.**

48.23 (a) The chief information officer is responsible for providing or entering into managed
 48.24 services contracts for the provision, improvement, and development of the following
 48.25 information technology systems and services to state agencies:

- 48.26 (1) state data centers;
- 48.27 (2) mainframes including system software;
- 48.28 (3) servers including system software;
- 48.29 (4) desktops including system software;
- 48.30 (5) laptop computers including system software;
- 48.31 (6) a data network including system software;

49.1 (7) database, electronic mail, office systems, reporting, and other standard software
49.2 tools;

49.3 (8) business application software and related technical support services;

49.4 (9) help desk for the components listed in clauses (1) to (8);

49.5 (10) maintenance, problem resolution, and break-fix for the components listed in clauses
49.6 (1) to (8);

49.7 (11) regular upgrades and replacement for the components listed in clauses (1) to (8);
49.8 and

49.9 (12) network-connected output devices.

49.10 (b) All state agency employees whose work primarily involves functions specified in
49.11 paragraph (a) are employees of the ~~Office of MN.IT Services~~ Minnesota Department of
49.12 Information Technology Services. This includes employees who directly perform the
49.13 functions in paragraph (a), as well as employees whose work primarily involves managing,
49.14 supervising, or providing administrative services or support services to employees who
49.15 directly perform these functions. The chief information officer may assign employees of
49.16 the ~~office~~ department to perform work exclusively for another state agency.

49.17 (c) Subject to sections 16C.08 and 16C.09, the chief information officer may allow a
49.18 state agency to obtain services specified in paragraph (a) through a contract with an outside
49.19 vendor when the chief information officer and the agency head agree that a contract would
49.20 provide best value, as defined in section 16C.02, under the service-level agreement. The
49.21 chief information officer must require that agency contracts with outside vendors ensure
49.22 that systems and services are compatible with standards established by the ~~Office of MN.IT~~
49.23 Minnesota Department of Information Technology Services.

49.24 (d) The Minnesota State Retirement System, the Public Employees Retirement
49.25 Association, the Teachers Retirement Association, the State Board of Investment, the
49.26 Campaign Finance and Public Disclosure Board, the State Lottery, and the Statewide Radio
49.27 Board are not state agencies for purposes of this section.

49.28 Sec. 47. Minnesota Statutes 2020, section 16E.02, is amended to read:

49.29 **16E.02 OFFICE OF MN.IT MINNESOTA DEPARTMENT OF INFORMATION**
49.30 **TECHNOLOGY SERVICES; STRUCTURE AND PERSONNEL.**

49.31 Subdivision 1. **Office Department management and structure.** (a) The chief
49.32 information officer is appointed by the governor. The chief information officer serves in

50.1 the unclassified service at the pleasure of the governor. The chief information officer must
 50.2 have experience leading enterprise-level information technology organizations. The chief
 50.3 information officer is the state's chief information officer and information and
 50.4 telecommunications technology ~~advisor~~ adviser to the governor.

50.5 (b) The chief information officer may appoint other employees of the ~~office~~ department.
 50.6 The Staff of the ~~office~~ department must include individuals knowledgeable in information
 50.7 and telecommunications technology systems and services and individuals with specialized
 50.8 training in information security and accessibility.

50.9 ~~(e) The chief information officer may appoint a webmaster responsible for the supervision~~
 50.10 ~~and development of state websites under the control of the office. The webmaster, if~~
 50.11 ~~appointed, shall ensure that these websites are maintained in an easily accessible format~~
 50.12 ~~that is consistent throughout state government and are consistent with the accessibility~~
 50.13 ~~standards developed under section 16E.03, subdivision 9. The webmaster, if appointed,~~
 50.14 ~~shall provide assistance and guidance consistent with the requirements of this paragraph to~~
 50.15 ~~other state agencies for the maintenance of other websites not under the direct control of~~
 50.16 ~~the office.~~

50.17 Subd. 1a. **Accountability.** The chief information officer reports to the governor. The
 50.18 chief information officer must consult regularly with ~~the~~ executive branch agency
 50.19 ~~commissioners of administration, management and budget, human services, revenue, and~~
 50.20 ~~other commissioners as designated by the governor,~~ on technology projects, standards, and
 50.21 services as well as management of resources and staff utilization.

50.22 Sec. 48. Minnesota Statutes 2020, section 16E.03, subdivision 1, is amended to read:

50.23 Subdivision 1. **Definitions.** (a) For the purposes of this chapter, the following terms
 50.24 have the meanings given them.

50.25 (b) "Information and telecommunications technology systems and services" means all
 50.26 computing and telecommunications hardware and software, the activities undertaken to
 50.27 secure that hardware and software, and the activities undertaken to acquire, transport, process,
 50.28 analyze, store, and disseminate information electronically. "Information and
 50.29 telecommunications technology systems and services" includes all proposed expenditures
 50.30 for computing and telecommunications hardware and software, security for that hardware
 50.31 and software, and related consulting or other professional services.

50.32 ~~(c) "Information and telecommunications technology project" means an effort to acquire~~
 50.33 ~~or produce information and telecommunications technology systems and services.~~

51.1 ~~(d)~~ (c) "Telecommunications" means voice, video, and data electronic transmissions
 51.2 transported by wire, wireless, fiber-optic, radio, or other available transport technology.

51.3 ~~(e)~~ (d) "Cyber security" means the protection of data and systems in networks connected
 51.4 to the Internet.

51.5 ~~(f)~~ (e) "State agency" means an agency in the executive branch of state government and
 51.6 includes the Minnesota Office of Higher Education, but does not include the Minnesota
 51.7 State Colleges and Universities unless specifically provided elsewhere in this chapter.

51.8 ~~(g)~~ (f) "Total expected project cost" includes direct staff costs, all supplemental contract
 51.9 staff and vendor costs, and costs of hardware and software development or purchase.
 51.10 Breaking a project into several phases does not affect the cost threshold, which must be
 51.11 computed based on the full cost of all phases.

51.12 ~~(h)~~ (g) "Cloud computing" has the meaning described by the National Institute of
 51.13 Standards and Technology of the United States Department of Commerce in special
 51.14 publication 800-145, September 2011.

51.15 Sec. 49. Minnesota Statutes 2020, section 16E.03, subdivision 2, is amended to read:

51.16 Subd. 2. **Chief information officer's responsibility.** The chief information officer shall:

51.17 (1) design a master plan for information and telecommunications technology systems
 51.18 and services in the state ~~and its political subdivisions~~ and shall report on the plan to the
 51.19 governor and legislature at the beginning of each regular session;

51.20 (2) coordinate, review, and approve all information and telecommunications technology
 51.21 projects and oversee the state's information and telecommunications technology systems
 51.22 and services;

51.23 (3) establish and enforce compliance with standards for information and
 51.24 telecommunications technology systems and services that are cost-effective and support
 51.25 open systems environments and that are compatible with state, national, and international
 51.26 standards, including accessibility standards;

51.27 (4) maintain a library of systems and programs developed by the state ~~and its political~~
 51.28 ~~subdivisions~~ for use by agencies of government;

51.29 (5) direct and manage the shared operations of the state's information and
 51.30 telecommunications technology systems and services; and

51.31 (6) establish and enforce standards and ensure acquisition of hardware and software
 51.32 necessary to protect data and systems in state agency networks connected to the Internet.

52.1 Sec. 50. Minnesota Statutes 2020, section 16E.03, subdivision 3, is amended to read:

52.2 Subd. 3. **Evaluation and approval.** A state agency may not undertake an information
52.3 and telecommunications technology project until it has been evaluated according to the
52.4 procedures developed under subdivision 4. The chief information officer or delegate shall
52.5 give written approval of the proposed project. ~~When notified by the chief information officer~~
52.6 ~~that a project has not been approved, the commissioner of management and budget shall~~
52.7 ~~cancel the unencumbered balance of any appropriation allotted for the project.~~

52.8 Sec. 51. Minnesota Statutes 2020, section 16E.03, subdivision 6, is amended to read:

52.9 Subd. 6. **System development methods.** The chief information officer shall establish
52.10 and, as necessary, update and modify methods for developing information and
52.11 communications systems appropriate to the specific needs of individual state agencies. The
52.12 development methods shall be used to define the design, programming, and implementation
52.13 of systems. ~~The development methods must also enable and require a data processing system~~
52.14 ~~to be defined in terms of its computer programs, input requirements, output formats,~~
52.15 ~~administrative procedures, and processing frequencies.~~

52.16 Sec. 52. Minnesota Statutes 2020, section 16E.036, is amended to read:

52.17 **16E.036 ADVISORY COMMITTEE COUNCIL.**

52.18 (a) The Technology Advisory ~~Committee~~ Council is created to advise the governor,
52.19 executive branch, and the state chief information officer. ~~The committee consists of council~~
52.20 shall consist of 15 voting members. The governor shall appoint six members appointed by
52.21 ~~the governor~~ who are individuals actively involved in business planning for state executive
52.22 branch agencies, one county member designated by the Association of Minnesota Counties,
52.23 one member appointed by the governor as a representative of a union that represents state
52.24 information technology employees, and one member appointed by the governor to represent
52.25 private businesses. The governor shall also select six additional members with private-sector
52.26 or public-sector IT experience or experience in academia pertaining to IT. The council shall
52.27 have the following four ex officio nonvoting members:

52.28 (1) a member of the house of representatives selected by the speaker of the house;

52.29 (2) a member of the house of representatives selected by the minority leader of the house
52.30 of representatives;

52.31 (3) a member of the senate selected by the majority leader of the senate; and

52.32 (4) a member of the senate selected by the minority leader of the senate.

53.1 The governor shall designate one of the 15 voting members to serve as the council's chair.

53.2 (b) Membership terms, removal of members, and filling of vacancies are as provided in
53.3 section 15.059. Members do not receive compensation or reimbursement for expenses.

53.4 (c) ~~The committee shall select a chair from its members.~~ The chief information officer
53.5 shall provide administrative support to the ~~committee~~ council.

53.6 (d) The ~~committee~~ council shall advise the chief information officer on:

53.7 (1) development and implementation of the state information technology strategic plan;

53.8 (2) critical information technology initiatives for the state;

53.9 (3) standards for state information architecture;

53.10 (4) identification of business and technical needs of state agencies;

53.11 (5) strategic information technology portfolio management, project prioritization, and
53.12 investment decisions;

53.13 (6) the ~~office's~~ department's performance measures and fees for service agreements with
53.14 executive branch agencies;

53.15 (7) management of the state MN.IT services revolving fund; and

53.16 (8) the efficient and effective operation of the ~~office~~ department.

53.17 Sec. 53. Minnesota Statutes 2020, section 16E.04, subdivision 3, is amended to read:

53.18 Subd. 3. **Risk assessment and mitigation.** (a) A risk assessment and risk mitigation
53.19 plan are required for all information systems development projects undertaken by a state
53.20 agency in the executive or judicial branch or by a constitutional officer. The chief information
53.21 officer must contract with an entity outside of state government to conduct the initial
53.22 assessment and prepare the mitigation plan for a project estimated to cost more than
53.23 \$5,000,000. The outside entity conducting the risk assessment and preparing the mitigation
53.24 plan must not have any other direct or indirect financial interest in the project. The risk
53.25 assessment and risk mitigation plan must provide for periodic monitoring by the
53.26 commissioner until the project is completed.

53.27 (b) The risk assessment and risk mitigation plan must be paid for with money appropriated
53.28 for the information and telecommunications technology project. ~~The chief information~~
53.29 ~~officer must notify the commissioner of management and budget when work has begun on~~
53.30 ~~a project and must identify the proposed budget for the project. The commissioner of~~
53.31 ~~management and budget shall ensure that no more than ten percent of the proposed budget~~

54.1 ~~be spent on the project, other than the money spent on the risk assessment and risk mitigation~~
 54.2 ~~plan, is spent until the risk assessment and mitigation plan are reported to the chief~~
 54.3 ~~information officer and the chief information officer has approved the risk mitigation plan.~~

54.4 Sec. 54. Minnesota Statutes 2020, section 16E.0465, subdivision 2, is amended to read:

54.5 Subd. 2. **Required review and approval.** (a) A state agency receiving an appropriation
 54.6 for an information and telecommunications technology project subject to this section must
 54.7 divide the project into phases.

54.8 (b) ~~The commissioner of management and budget may not authorize the~~ An encumbrance
 54.9 ~~or expenditure of an appropriation of state funds to a state agency~~ may not be made for any
 54.10 phase of a state agency information and telecommunications technology project, device, or
 54.11 ~~system~~ subject to this section unless the ~~Office of MN.IT~~ Minnesota Department of
 54.12 Information Technology Services has reviewed each phase of the project, ~~device, or system,~~
 54.13 and based on this review, the chief information officer has determined for each phase that:

54.14 (1) the project is compatible with the state information architecture and other policies
 54.15 and standards established by the chief information officer;

54.16 (2) the agency is able to accomplish the goals of the phase of the project with the funds
 54.17 appropriated; and

54.18 (3) the project supports the enterprise information technology strategy.

54.19 Sec. 55. Minnesota Statutes 2020, section 16E.05, subdivision 1, is amended to read:

54.20 Subdivision 1. **Duties.** The ~~office~~ department, in consultation with interested persons,
 54.21 shall:

54.22 ~~(1) coordinate statewide efforts by units of state and local government to plan for and~~
 54.23 ~~develop a system for providing access to government services; and~~

54.24 ~~(2)~~ explore ways and means to improve citizen and business access to public services,
 54.25 including implementation of technological improvements.

54.26 Sec. 56. Minnesota Statutes 2020, section 16E.07, subdivision 12, is amended to read:

54.27 Subd. 12. **Private entity services; fee authority.** (a) The ~~office~~ department may enter
 54.28 into a contract with a private entity to manage, maintain, support, and expand North Star
 54.29 and online government information services to citizens and businesses.

55.1 (b) A contract established under paragraph (a) may provide for compensation of the
55.2 private entity through a fee established under paragraph (c).

55.3 (c) The ~~office~~ department, subject to the approval of the agency or ~~office~~ department
55.4 responsible for the data or services involved in the transaction, may charge and may authorize
55.5 a private entity that enters into a contract under paragraph (a) to charge a convenience fee
55.6 for users of North Star and online government information services up to a total of \$2 per
55.7 transaction, provided that no fee shall be charged for viewing or inspecting data. ~~The office~~
55.8 ~~shall consider the recommendation of the E-Government Advisory Council under section~~
55.9 ~~16E.071 in setting the convenience fee.~~ A fee established under this paragraph is in addition
55.10 to any fees or surcharges authorized under other law.

55.11 (d) Receipts from the convenience fee shall be deposited in the North Star account
55.12 established in subdivision 7. Notwithstanding section 16A.1285, subdivision 2, receipts
55.13 credited to the account are appropriated to the ~~office~~ department for payment to the contracted
55.14 private entity under paragraph (a). In lieu of depositing the receipts in the North Star account,
55.15 the ~~office~~ department can directly transfer the receipts to the private entity or allow the
55.16 private entity to retain the receipts pursuant to a contract established under this subdivision.

55.17 (e) The ~~office~~ department shall report to the chairs and ranking minority members of
55.18 the house of representatives and senate committees with jurisdiction over state government
55.19 finance by January 15 of each odd-numbered year regarding the convenience fee receipts
55.20 and the status of North Star projects and online government information services developed
55.21 and supported by convenience fee receipts.

55.22 Sec. 57. Minnesota Statutes 2020, section 16E.21, subdivision 2, is amended to read:

55.23 Subd. 2. **Charges.** (a) Upon agreement of the participating agency, the ~~Office of MN.IT~~
55.24 Minnesota Department of Information Technology Services may collect a charge or receive
55.25 a fund transfer under section 16E.0466 for purchases of information and telecommunications
55.26 technology systems and services by state agencies and other governmental entities through
55.27 state contracts for purposes described in subdivision 1. Charges collected under this section
55.28 must be credited to the information and telecommunications technology systems and services
55.29 account.

55.30 (b) Notwithstanding section 16A.28, subdivision 3, any unexpended operating balance
55.31 appropriated to a state agency may be transferred to the information and telecommunications
55.32 technology systems and services account for the information technology cost of a specific
55.33 project, subject to the review of the Legislative Advisory Commission under section 16E.21,
55.34 subdivision 3.

56.1 Sec. 58. [43A.3165] PROCUREMENT OF A PHARMACY BENEFIT MANAGER
56.2 AND A PLATFORM TECHNOLOGY VENDOR.

56.3 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
56.4 the meanings given.

56.5 (b) "Market check" means a technology-driven evaluation of prescription drug pricing
56.6 based on benchmarks derived from reverse auction processes conducted in the United States
56.7 over the immediately preceding 12 months.

56.8 (c) "Pharmacy benefit management services" means:

56.9 (1) the procurement of prescription drugs at a negotiated rate for dispensation within
56.10 the State Employees Group Insurance Program (SEGIP) to enrollees;

56.11 (2) the administration and management of the prescription drug benefit under SEGIP;
56.12 and

56.13 (3) any of the following services provided with regard to the administration and
56.14 management of the prescription drug benefit, including:

56.15 (i) mail service pharmacy;

56.16 (ii) claims processing, retail network management, and payment of claims to pharmacies
56.17 for prescription drugs dispensed to enrollees;

56.18 (iii) supplemental rebate contracting and administration;

56.19 (iv) patient compliance, therapeutic intervention, and generic substitution programs; or

56.20 (v) disease management programs.

56.21 (d) "Pharmacy benefit manager" has the meaning given in section 62W.02, subdivision
56.22 15, paragraph (a).

56.23 (e) "Price" means the projected cost of a bid for providing pharmacy benefit management
56.24 services over the duration of the contract.

56.25 (f) "Reverse auction" means an automated bidding process conducted online that starts
56.26 with an opening price and allows qualified bidders to counteroffer a lower price for multiple
56.27 rounds of bidding.

56.28 (g) "SEGIP" is the State Employees Group Insurance Program under section 43A.316,
56.29 provided to participants eligible under section 43A.24.

56.30 Subd. 2. Purpose. The purpose of this section is to optimize prescription drug savings
56.31 in SEGIP through:

57.1 (1) contracting with a pharmacy benefit manager to manage and administer the
57.2 prescription drug benefit for SEGIP;

57.3 (2) the adoption of a reverse auction process for the selection of a pharmacy benefit
57.4 manager;

57.5 (3) providing a process for the electronic review and validation of pharmacy benefit
57.6 manager claims invoices for the purpose of reconciling pharmacy bills;

57.7 (4) market checks of the pharmacy benefit manager's prescription drug pricing; and

57.8 (5) limiting independent pharmacies from unsustainable reimbursement practices.

57.9 Subd. 3. **Procurement of a pharmacy benefit manager.** (a) Notwithstanding any law
57.10 to the contrary, the commissioner of management and budget shall procure a contract for
57.11 the services of a pharmacy benefit manager to administer the prescription drug benefit and
57.12 pharmacy benefit management services for SEGIP participants, effective January 1, 2023.

57.13 (b) The commissioner shall conduct a reverse auction as described in this section to
57.14 select the pharmacy benefit manager.

57.15 (c) In consultation with the technology platform vendor selected under subdivision 4
57.16 and any recommendations offered by the Formulary Committee under section 256B.0625,
57.17 subdivision 13c, the commissioner shall specify the terms of a participant bidding agreement
57.18 that all bidders must accept as a prerequisite for participation in the reverse auction process,
57.19 including:

57.20 (1) common definitions;

57.21 (2) prescription drug classifications;

57.22 (3) retail pricing rules, including maximum allowable cost price lists and dispensing
57.23 fees; and

57.24 (4) any other contract terms the commissioner deems necessary to further the purpose
57.25 of this section as specified under subdivision 2.

57.26 (d) A pharmacy benefit manager that submits a bid under this subdivision must provide
57.27 the commissioner access to complete pharmacy claims data necessary for the commissioner
57.28 to conduct the reverse auction and to carry out administrative and management duties.

57.29 (e) The terms of any contract entered into under this subdivision shall not be modified
57.30 by the pharmacy benefit manager except with the approval of the commissioner.

58.1 (f) The commissioner may structure the contract awarded under this subdivision to pay
58.2 the cost of the technology platform and the associated professional services contracted for
58.3 under this subdivision by assessing a per-prescription fee to be paid directly by the pharmacy
58.4 benefit manager to the technology platform vendor.

58.5 (g) The commissioner must perform annual market checks on pharmacy benefit manager
58.6 services performed by the pharmacy benefit manager during the term of the contract. A
58.7 market check performed under this paragraph may include an evaluation of the effect of
58.8 alternative drug pricing metrics, such as the national average drug acquisition cost and
58.9 average wholesale price, on the cost of prescription drugs and savings to the state.

58.10 (h) The commissioner shall make regular, periodic payment of invoices within the time
58.11 periods specified in the contract based on the automated adjudication of invoiced claims
58.12 using the technology platform to validate that claims payments comply with the terms of
58.13 the contract.

58.14 Subd. 4. **Technology platform vendor.** (a) Notwithstanding section 16C.08, at least
58.15 three months before the reverse auction process is scheduled to be completed, the
58.16 commissioner shall procure through a competitive bidding process a contract with a
58.17 professional services vendor for a technology platform and any associated professional
58.18 services necessary to operate the platform to:

58.19 (1) evaluate the qualifications of prospective pharmacy benefit manager bidders for the
58.20 pharmacy benefit manager procurement;

58.21 (2) automatically adjudicate prescription drug claims; and

58.22 (3) collect data on pharmacy reimbursement.

58.23 (b) The platform procured under paragraph (a) must have the capability to:

58.24 (1) host and conduct an online automated reverse auction:

58.25 (i) using a software application and high-performance data infrastructure to intake,
58.26 cleanse, and normalize pharmacy benefit manager data; and

58.27 (ii) with development methods and information security standards that have been validated
58.28 by receiving Service Organization Control 2 (SOC 2) and National Institute of Standards
58.29 and Technology certification;

58.30 (2) automate repricing of diverse and complex pharmacy benefit manager prescription
58.31 drug pricing proposals to enable direct comparisons of the price of bids using all annual

59.1 claims data available for the medical assistance program using code-based classification or
 59.2 prescription drugs from nationally accepted drug sources;

59.3 (3) simultaneously evaluate, within one hour, diverse and complex multiple proposals
 59.4 from full-service pharmacy benefit managers, including average wholesale price (AWP),
 59.5 guaranteed net cost, and National Average Drug Acquisition Cost (NADAC) pricing models,
 59.6 as well as proposals from pharmacy benefit administrators and specialty drug and rebate
 59.7 carve-out service providers;

59.8 (4) produce an automated report and analysis of bids, including ranking of bids on the
 59.9 comparative costs and qualitative aspects of the costs within one hour after the close of each
 59.10 round of reverse auction bidding; and

59.11 (5) after the close of the reverse auction process, perform an electronic, line-by-line,
 59.12 claim-by-claim review of all invoiced pharmacy benefit manager claims within one hour
 59.13 of receipt that allows for an online comparison of pharmacy benefit manager invoices, an
 59.14 audit of other services provided by the pharmacy benefit manager services, and identifies
 59.15 all deviations from the specific terms of the services contract resulting from the reverse
 59.16 auction.

59.17 (c) The commissioner shall not award the platform technology vendor contract under
 59.18 this subdivision to:

59.19 (1) a pharmacy benefit manager;

59.20 (2) a subsidiary or affiliate of a pharmacy benefit manager; or

59.21 (3) a vendor that is managed by a pharmacy benefit manager or receives, directly or
 59.22 indirectly, remuneration from a pharmacy benefit manager for aggregating clients into a
 59.23 contractual relationship with a pharmacy benefit manager.

59.24 (d) The vendor that is awarded the contract under this subdivision must not subcontract
 59.25 any part of the reverse auction process or the review described under paragraph (b), clause
 59.26 (5).

59.27 Sec. 59. Minnesota Statutes 2020, section 97A.057, subdivision 1, is amended to read:

59.28 Subdivision 1. **Compliance with federal law.** The commissioner shall take any action
 59.29 necessary to comply with the Federal Aid in Wildlife Restoration Act, United States Code,
 59.30 title 16, sections 669 to 669i, and the Federal Aid in Fish Restoration Act, United States
 59.31 Code, title 16, sections 777 to 777k. Notwithstanding ~~section 16E.145~~ or any other law to
 59.32 the contrary, an appropriation for an information or telecommunications technology project

60.1 from the game and fish fund, as established in section 97A.055, must be made to the
60.2 commissioner. Any assets acquired with or expenditures made from the game and fish fund
60.3 must remain under control of the commissioner.

60.4 Sec. 60. Minnesota Statutes 2020, section 138.081, subdivision 1, is amended to read:

60.5 Subdivision 1. **Department of Administration as agency to accept federal funds.** The
60.6 Department of Administration is hereby designated the state agency with power to accept
60.7 any and all money provided for or made available to this state by the United States of
60.8 America or any department or agency thereof for surveys, restoration, construction,
60.9 equipping, or other purposes relating to the State Historic sites Preservation Program in
60.10 accordance with the provisions of federal law and any rules or regulations promulgated
60.11 thereunder and are further authorized to do any and all things required of this state by such
60.12 federal law and the rules and regulations promulgated thereunder in order to obtain such
60.13 federal money.

60.14 Sec. 61. Minnesota Statutes 2020, section 138.081, subdivision 2, is amended to read:

60.15 Subd. 2. **Commissioner's responsibilities.** The commissioner as the state historic
60.16 preservation officer shall be responsible for the preparation, implementation and
60.17 administration of the State Historic Preservation Plan and shall administer the State Historic
60.18 Preservation Program authorized by the National Historic Preservation Act (United States
60.19 Code, title ~~16~~ 54, section ~~470~~ 300101 et seq. ~~as amended~~). The commissioner shall review
60.20 and approve in writing all grants-in-aid for architectural, archaeological and historic
60.21 preservation made by state agencies and funded by the state or a combination of state and
60.22 federal funds in accordance with the State Historic Preservation Program.

60.23 Sec. 62. Minnesota Statutes 2020, section 138.081, subdivision 3, is amended to read:

60.24 Subd. 3. **Administration of federal act.** The Department of Administration is designated
60.25 as the state agency to administer the provisions of the federal act providing for the
60.26 preservation of historical and archaeological data, United States Code, title ~~16~~, sections ~~469~~
60.27 ~~to 469C~~ 54, section 312501, as amended, insofar as the provisions of the act provide for
60.28 implementation by the state.

61.1 Sec. 63. Minnesota Statutes 2020, section 138.31, is amended by adding a subdivision to
61.2 read:

61.3 Subd. 13a. **State Historic Preservation Office.** "State Historic Preservation Office"
61.4 means the State Historic Preservation Office at the Department of Administration.

61.5 Sec. 64. Minnesota Statutes 2020, section 138.34, is amended to read:

61.6 **138.34 ADMINISTRATION OF THE ACT.**

61.7 The state archaeologist shall act as the agent of the state to administer and enforce the
61.8 provisions of sections 138.31 to 138.42. Some enforcement provisions are shared with the
61.9 society and the State Historic Preservation Office.

61.10 Sec. 65. Minnesota Statutes 2020, section 138.38, is amended to read:

61.11 **138.38 REPORTS OF STATE ARCHAEOLOGIST.**

61.12 The state archaeologist shall consult with and keep the Indian Affairs Council ~~and~~, the
61.13 director of the historical society, and the State Historic Preservation Office informed as to
61.14 significant field archaeology, projected or in progress, and as to significant discoveries
61.15 made. Annually, and also upon leaving office, the state archaeologist shall file with the
61.16 commissioner a full report of the office's activities including a summary of the activities of
61.17 licensees, from the date of the last full report of the state archaeologist. Copies of the report
61.18 must be sent upon completion to the Minnesota Historical Society ~~and~~, the Indian Affairs
61.19 Council, and the State Historic Preservation Office, and made available to other interested
61.20 parties.

61.21 Sec. 66. Minnesota Statutes 2020, section 138.40, is amended to read:

61.22 **138.40 COOPERATION OF STATE AGENCIES; DEVELOPMENT PLANS.**

61.23 Subdivision 1. **Cooperation.** The Department of Natural Resources, the Department of
61.24 Transportation, and all other state agencies whose activities may be affected, shall cooperate
61.25 with the historical society, the State Historic Preservation Office, and the state archaeologist
61.26 to carry out the provisions of sections 138.31 to 138.42 and the rules issued thereunder, but
61.27 sections 138.31 to 138.42 are not meant to burden persons who wish to use state property
61.28 for recreational and other lawful purposes or to unnecessarily restrict the use of state property.

61.29 Subd. 2. **Compliance, enforcement, preservation.** State and other governmental agencies
61.30 shall comply with and aid in the enforcement of provisions of sections 138.31 to 138.42.
61.31 Conservation officers and other enforcement officers of the Department of Natural Resources

62.1 shall enforce the provisions of sections 138.31 to 138.42 and report violations to the ~~director~~
 62.2 ~~of the society~~ state archeologist. When archaeological or historic sites are known or, based
 62.3 on scientific investigations are predicted to exist on public lands or waters, the agency or
 62.4 department controlling said lands or waters shall use the professional services of
 62.5 archaeologists from the University of Minnesota, Minnesota Historical Society, or other
 62.6 qualified professional archaeologists, to preserve these sites. In the event that archaeological
 62.7 excavation is required to protect or preserve these sites, state and other governmental agencies
 62.8 may use their funds for such activities.

62.9 Subd. 3. **Review of plans.** When significant archaeological or historic sites are known
 62.10 or, based on scientific investigations, are predicted to exist on public lands or waters, the
 62.11 agency or department controlling said lands or waters shall submit construction or
 62.12 development plans to the state archaeologist and the ~~director of the society~~ State Historic
 62.13 Preservation Office for review prior to the time bids are advertised. The state archaeologist
 62.14 and the ~~society~~ State Historic Preservation Office shall promptly review such plans and
 62.15 within 30 days of receiving the plans shall make recommendations for the preservation of
 62.16 archaeological or historic sites which may be endangered by construction or development
 62.17 activities. When archaeological or historic sites are related to Indian history or religion, the
 62.18 state archaeologist shall submit the plans to the Indian Affairs Council for the council's
 62.19 review and recommend action.

62.20 Sec. 67. Minnesota Statutes 2020, section 138.661, subdivision 2, is amended to read:

62.21 Subd. 2. **Authority for property owned by the Historical Society.** The Minnesota
 62.22 Historical Society shall exercise the administration and control of the sites in section 138.662
 62.23 ~~other than the Minnesota State Capitol~~ that are owned by the Minnesota Historical Society,
 62.24 preserve their historic features, conduct archaeological investigations, establish necessary
 62.25 interpretive centers, and perform additional duties and services at the sites necessary to meet
 62.26 their educational mission. ~~Ownership of the properties is either by the state or the Minnesota~~
 62.27 ~~Historical Society.~~ The Minnesota Historical Society may contract with existing state
 62.28 departments and agencies for materials and services, including utility services, necessary
 62.29 for the administration and maintenance of the sites listed in section 138.662 that are owned
 62.30 by the Minnesota Historical Society. The authority of the commissioner of natural resources
 62.31 to administer and control the historic sites enumerated in section 138.662 that are owned
 62.32 by the Minnesota Historical Society is withdrawn, and is conferred upon the Minnesota
 62.33 Historical Society. ~~The commissioner of natural resources shall continue to administer and~~
 62.34 ~~control the state parks enumerated in this section excepting the portions designated as historic~~

63.1 ~~sites, the administration and control of which is by this section vested in the Minnesota~~
 63.2 ~~Historical Society.~~

63.3 Sec. 68. Minnesota Statutes 2020, section 138.661, is amended by adding a subdivision
 63.4 to read:

63.5 Subd. 2a. **Authority for property owned by the state.** The State Historic Preservation
 63.6 Office shall exercise the administration and control of the sites in section 138.662 that are
 63.7 owned by the state, preserve their historic features, conduct archaeological investigations,
 63.8 establish necessary interpretive centers, and perform additional duties and services at the
 63.9 sites necessary to meet their educational mission. The State Historic Preservation Office
 63.10 may contract with existing state departments and agencies for materials and services,
 63.11 including utility services, necessary for the administration and maintenance of the sites
 63.12 listed in section 138.662 that are owned by the state. The authority of the commissioner of
 63.13 natural resources to administer and control the historic sites enumerated in section 138.662
 63.14 that are owned by the state is withdrawn, and is conferred upon the State Historic Preservation
 63.15 Office. The commissioner of natural resources shall continue to administer and control the
 63.16 state parks enumerated in this section excepting the portions designated as historic sites,
 63.17 the administration and control of which is by this section vested in the State Historic
 63.18 Preservation Office.

63.19 Sec. 69. Minnesota Statutes 2020, section 138.665, subdivision 2, is amended to read:

63.20 Subd. 2. **Mediation.** The state, state departments, agencies, and political subdivisions,
 63.21 including the Board of Regents of the University of Minnesota, have a responsibility to
 63.22 protect the physical features and historic character of properties designated in sections
 63.23 138.662 and 138.664 or listed on the National Register of Historic Places created by Public
 63.24 Law 89-665. Before carrying out any undertaking that will affect designated or listed
 63.25 properties, or funding or licensing an undertaking by other parties, or conveying state-owned
 63.26 designated or listed property, the state department or agency shall consult with the State
 63.27 Historic Preservation Office pursuant to the ~~society's~~ State Historic Preservation Office's
 63.28 established procedures to determine appropriate treatments and to seek ways to avoid and
 63.29 mitigate any adverse effects on designated or listed properties. If the state department or
 63.30 agency and the State Historic Preservation Office agree in writing on a suitable course of
 63.31 action, the project may proceed. If the parties cannot agree, any one of the parties may
 63.32 request that the governor appoint and convene a mediation task force consisting of five
 63.33 members, two appointed by the governor, the chair of the State Review Board of the State
 63.34 Historic Preservation Office, the commissioner of administration or the commissioner's

64.1 designee, and one member who is not an employee of the Minnesota Historical Society
 64.2 appointed by the director of the Minnesota Historical Society. The two appointees of the
 64.3 governor and ~~the one~~ of the director of the society shall be qualified by training or experience
 64.4 in one or more of the following disciplines: (1) history; (2) archaeology; and (3) architectural
 64.5 history. The mediation task force is not subject to the conditions of section 15.059. This
 64.6 subdivision does not apply to section 138.662, subdivision 24, and section 138.664,
 64.7 subdivisions 8 and 111.

64.8 Sec. 70. Minnesota Statutes 2020, section 138.666, is amended to read:

64.9 **138.666 COOPERATION.**

64.10 The state, state departments and agencies, political subdivisions, and the Board of Regents
 64.11 of the University of Minnesota shall cooperate with the Minnesota Historical Society and
 64.12 the State Historic Preservation Office in safeguarding state historic sites and in the
 64.13 preservation of historic and archaeological properties.

64.14 Sec. 71. Minnesota Statutes 2020, section 138.667, is amended to read:

64.15 **138.667 HISTORIC PROPERTIES; CHANGES.**

64.16 Properties designated as historic properties by sections 138.661 to 138.664 may be
 64.17 changed from time to time, and the Minnesota Historical Society and the State Historic
 64.18 Preservation Office shall notify the legislature of the need for changes, and shall make
 64.19 recommendations to keep the state historic sites network and the state register of historic
 64.20 places current and complete. The significance of properties proposed for designation under
 64.21 section 138.663, subdivision 2, shall be documented under the documentation standards
 64.22 established by the ~~Minnesota Historical Society~~. This State Historic Preservation Office.
 64.23 documentation shall include the opinion of the Minnesota Historical Society for the historic
 64.24 sites network under section 138.661, subdivision 3, and the State Historic Preservation
 64.25 Office for the state register of historic places under section 138.663, subdivision 2, as to
 64.26 whether the property meets the selection criteria.

64.27 **Sec. 72. [138.6675] UNITED STATES AND MINNESOTA FLAGS.**

64.28 At every historic site owned by the state, a United States flag and a Minnesota state flag
 64.29 must be displayed on a flag pole on the grounds of the site, or outside a building on the site
 64.30 on proper staffs. The State Historic Preservation Office must display the flags in a prominent
 64.31 place and in a manner consistent with the United States Flag Code.

65.1 **EFFECTIVE DATE.** This section is effective July 1, 2024, except that the State Historic
 65.2 Preservation Office must install flag poles and staffs and display flags as funding becomes
 65.3 available for this purpose.

65.4 Sec. 73. Minnesota Statutes 2020, section 138.669, is amended to read:

65.5 **138.669 CONTRACTS FOR HISTORIC SITE MANAGEMENT.**

65.6 The ~~Minnesota Historical Society~~ State Historic Preservation Office may contract with
 65.7 a county, municipality, or a county or local historical society for the management and
 65.8 operation of sites in the state historic site network. Notwithstanding section 138.668, the
 65.9 contract may provide for the retention of admission fees received by the management unit
 65.10 and for grants-in-aid to the management unit for use in the site's operation and maintenance.

65.11 **EFFECTIVE DATE.** This section is effective July 1, 2021, and applies to contracts
 65.12 executed on or after that date.

65.13 Sec. 74. Minnesota Statutes 2020, section 138.763, subdivision 1, is amended to read:

65.14 Subdivision 1. **Membership.** There is a St. Anthony Falls Heritage Board consisting of
 65.15 22 members with the director of the Minnesota Historical Society as chair. The members
 65.16 include the mayor; the chair of the Hennepin County Board of Commissioners or the chair's
 65.17 designee; the president of the Minneapolis Park and Recreation Board or the president's
 65.18 designee; the superintendent of the park board; two members each from the house of
 65.19 representatives appointed by the speaker, the senate appointed by the Rules Committee, the
 65.20 city council, the Hennepin County Board, and the park board; one member each from the
 65.21 preservation commission, the State Historic Preservation Office, Hennepin County Historical
 65.22 Society, and the society; one person appointed by the park board; and two persons appointed
 65.23 by the chair of the board.

65.24 Sec. 75. Minnesota Statutes 2020, section 155A.23, is amended by adding a subdivision
 65.25 to read:

65.26 Subd. 2a. **Commissioner.** "Commissioner" means the commissioner of health.

65.27 Sec. 76. Minnesota Statutes 2020, section 155A.23, subdivision 16, is amended to read:

65.28 Subd. 16. **School manager.** A "school manager" is ~~a cosmetologist who is a salon~~
 65.29 ~~manager and~~ who has a school manager license. A school manager must maintain an active
 65.30 salon manager's license.

66.1 Sec. 77. Minnesota Statutes 2020, section 155A.271, subdivision 2, is amended to read:

66.2 Subd. 2. **Continuing education providers.** (a) Only a ~~board-licensed~~ school of
66.3 cosmetology licensed under this chapter, a postsecondary institution as defined in section
66.4 136A.103, paragraph (a), or a ~~board-recognized~~ professional association organized under
66.5 chapter 317A may be approved by the ~~board~~ commissioner to offer continuing education
66.6 for credit under subdivision 1, paragraph (a). Continuing education under subdivision 1,
66.7 paragraph (b), may be offered by a:

66.8 (1) ~~board-licensed~~ school of cosmetology licensed under this chapter;

66.9 (2) ~~board-recognized~~ professional association organized under chapter 317A; or

66.10 (3) ~~board-licensed~~ salon licensed under this chapter.

66.11 An approved school or professional association may offer web-based continuing education
66.12 instruction to achieve maximum involvement of licensees. Continuing education providers
66.13 are encouraged to offer classes available in foreign language formats.

66.14 (b) ~~Board~~ Commissioner approval of any continuing education provider is valid for one
66.15 calendar year and is contingent upon submission and preapproval of the lesson plan or plans
66.16 with learning objectives for the class to be offered and the payment of the application fee
66.17 in section 155A.25, subdivision 1a, paragraph (d), clause (10). The ~~board~~ commissioner
66.18 shall maintain a list of approved providers and courses on the ~~board's~~ Department of Health's
66.19 website. The ~~board~~ commissioner may revoke authorization of a continuing education
66.20 provider at any time for just cause and the ~~board~~ commissioner may demand return of
66.21 documents required under subdivision 3.

66.22 Sec. 78. Minnesota Statutes 2020, section 179A.20, is amended by adding a subdivision
66.23 to read:

66.24 Subd. 2b. **Limited by appropriation.** A public employer must not contract to pay more
66.25 to employees in compensation and benefits in a biennium than is permitted under the first
66.26 spending plan submitted by July 31 in an odd-numbered year and approved by the
66.27 commissioner under section 16A.14, subdivisions 3 and 4.

66.28 Sec. 79. Minnesota Statutes 2020, section 214.01, subdivision 3, is amended to read:

66.29 Subd. 3. **Non-health-related licensing board.** "Non-health-related licensing board"
66.30 means the Professional Educator Licensing and Standards Board established pursuant to
66.31 section 122A.07, the Board of Barber Examiners established pursuant to section 154.001,
66.32 ~~the Board of Cosmetologist Examiners established pursuant to section 155A.20~~, the Board

67.1 of Assessors established pursuant to section 270.41, the Board of Architecture, Engineering,
67.2 Land Surveying, Landscape Architecture, Geoscience, and Interior Design established
67.3 pursuant to section 326.04, the Private Detective and Protective Agent Licensing Board
67.4 established pursuant to section 326.33, the Board of Accountancy established pursuant to
67.5 section 326A.02, and the Peace Officer Standards and Training Board established pursuant
67.6 to section 626.841.

67.7 Sec. 80. Minnesota Statutes 2020, section 240.01, subdivision 18, is amended to read:

67.8 Subd. 18. **Racing meeting.** "Racing meeting" is a series of days in which racing days
67.9 are not separated by more than five nonracing days unless approved in advance by the
67.10 commission.

67.11 Sec. 81. Minnesota Statutes 2020, section 240.06, subdivision 7, is amended to read:

67.12 Subd. 7. **License suspension and revocation.** The commission:

67.13 (1) may revoke a class A license for (i) a violation of law, order, or rule which in the
67.14 commission's opinion adversely affects the integrity of horse racing in Minnesota, or for
67.15 an intentional false statement made in a license application, or (ii) a willful failure to pay
67.16 any money required to be paid by Laws 1983, chapter 214;

67.17 (2) may revoke a class A license for failure to perform material covenants or
67.18 representations made in a license application; and

67.19 (3) shall revoke a class A license if live racing has not been conducted on at least 50
67.20 racing days assigned by the commission during any period of 12 consecutive months, unless
67.21 the commission authorizes a shorter period because of circumstances beyond the licensee's
67.22 control pursuant to section 240.30, subdivision 5.

67.23 The commission may suspend a class A license for up to one year for a violation of law,
67.24 order, or rule which in the commission's opinion adversely affects the integrity of horse
67.25 racing in Minnesota, and may suspend a class A license indefinitely if it determines that
67.26 the licensee has as an officer, director, shareholder, or other person with a direct, indirect,
67.27 or beneficial interest a person who is in the commission's opinion inimical to the integrity
67.28 of horse racing in Minnesota or who cannot be certified under subdivision 1, clause (4).

67.29 A license revocation or suspension under this subdivision is a contested case under
67.30 sections 14.57 to 14.69 of the Administrative Procedure Act, and is in addition to criminal
67.31 penalties imposed for a violation of law or rule.

68.1 Sec. 82. Minnesota Statutes 2020, section 240.11, is amended to read:

68.2 **240.11 LICENSES NONTRANSFERABLE.**

68.3 (a) Except as provided in paragraph (b), a license issued under this chapter may not be
68.4 transferred.

68.5 (b) A class A, class B, class C, or class D license to provide advance deposit wagering
68.6 may be transferred with prior approval by the commission.

68.7 Sec. 83. Minnesota Statutes 2020, section 240.131, subdivision 7, is amended to read:

68.8 Subd. 7. **Payments to state.** (a) A regulatory fee is imposed at the rate of two percent
68.9 of all amounts wagered by Minnesota residents with an authorized advance deposit wagering
68.10 provider. The fee shall be declared on a form prescribed by the commission. The ADW
68.11 provider must pay the fee to the commission no more than 15 days after the end of the month
68.12 in which the wager was made. Fees collected under this paragraph must be deposited in the
68.13 state treasury and credited to a racing and card-playing regulation account in the special
68.14 revenue fund and are appropriated to the commission to offset the costs incurred by the
68.15 commission as described in section 240.30, subdivision 9, or the costs associated with
68.16 regulating horse racing and pari-mutuel wagering in Minnesota.

68.17 (b) A breeders fund fee is imposed in the amount of one-quarter of one percent of all
68.18 amounts wagered by Minnesota residents with an authorized advance deposit wagering
68.19 provider. The fee shall be declared on a form prescribed by the commission. The ADW
68.20 provider must pay the fee to the commission no more than 15 days after the end of the month
68.21 in which the wager was made. Fees collected under this paragraph must be deposited in the
68.22 state treasury and credited to a racing and card-playing regulation account in the special
68.23 revenue fund and are appropriated to the commission to offset the cost of administering the
68.24 breeders fund and promote horse breeding in Minnesota.

68.25 Sec. 84. Minnesota Statutes 2020, section 240.24, subdivision 2a, is amended to read:

68.26 Subd. 2a. **Reimbursement.** Increased expenses related to the use of upgraded drug
68.27 testing technologies and procedures are deemed to be necessary costs within the meaning
68.28 of section 240.155 and the commission ~~shall~~ may be reimbursed for these expenses from
68.29 receipts from card playing activities regulated by the commission.

69.1 Sec. 85. Minnesota Statutes 2020, section 240.24, subdivision 3, is amended to read:

69.2 Subd. 3. **Fees.** The commission shall establish by rule a fee or schedule of fees that may
 69.3 be used to recover the costs of medical testing of horses running at racetracks licensed by
 69.4 the commission. Fees charged for the testing of horses shall cover the cost of the medical
 69.5 testing laboratory. Fee receipts shall be deposited in the state treasury and credited to the
 69.6 racing reimbursement account.

69.7 Sec. 86. Minnesota Statutes 2020, section 240.30, subdivision 5, is amended to read:

69.8 Subd. 5. **Limitation.** (a) The commission shall not authorize a licensee to operate a card
 69.9 club if the licensee has not conducted at least 50 days of live racing at a class A facility
 69.10 within the past 12 months or during the preceding calendar year unless the commission
 69.11 authorizes a shorter period ~~because of~~ as a result of an epidemic, natural disaster, flood,
 69.12 war, or other circumstances beyond the licensee's control that made conducting 50 days of
 69.13 live racing untenable for either public or equine health, welfare, or safety.

69.14 (b) Any authorization by the commission for a shorter period under paragraph (a), must
 69.15 be approved in writing by the horsepersons' organization representing the majority of
 69.16 horsepersons racing the breed racing the majority of races at the licensee's class A facility
 69.17 during the preceding 12 months.

69.18 Sec. 87. Minnesota Statutes 2020, section 297E.021, subdivision 3, is amended to read:

69.19 Subd. 3. **Available revenues.** For purposes of this section, "available revenues" equals
 69.20 the amount determined under subdivision 2, ~~plus up to \$20,000,000 each fiscal year from~~
 69.21 ~~the taxes imposed under section 290.06, subdivision 1:~~

69.22 (1) reduced by the following amounts paid for the fiscal year under:

69.23 (i) the appropriation to principal and interest on appropriation bonds under section
 69.24 16A.965, subdivision 8;

69.25 (ii) the appropriation from the general fund to make operating expense payments under
 69.26 section 473J.13, subdivision 2, paragraph (b);

69.27 (iii) the appropriation for contributions to the capital reserve fund under section 473J.13,
 69.28 subdivision 4, paragraph (c);

69.29 (iv) the appropriations under Laws 2012, chapter 299, article 4, for administration and
 69.30 any successor appropriation;

70.1 (v) the reduction in revenues resulting from the sales tax exemptions under section
70.2 297A.71, subdivision 43;

70.3 (vi) reimbursements authorized by section 473J.15, subdivision 2, paragraph (d);

70.4 (vii) the compulsive gambling appropriations under section 297E.02, subdivision 3,
70.5 paragraph (c), and any successor appropriation; and

70.6 (viii) the appropriation for the city of St. Paul under section 16A.726, paragraph (c); and

70.7 (2) increased by the revenue deposited in the general fund under section 297A.994,
70.8 subdivision 4, clauses (1) to (3), for the fiscal year.

70.9 Sec. 88. Minnesota Statutes 2020, section 297E.021, is amended by adding a subdivision
70.10 to read:

70.11 Subd. 3a. **Revenue dedication.** If the commissioner of management and budget
70.12 determines that the available revenues determined under subdivision 2 are insufficient, the
70.13 commissioner may add up to \$20,000,000 each fiscal year from the taxes imposed under
70.14 section 290.06, subdivision 1, to the available revenues under subdivision 3. The
70.15 commissioner must notify the chairs and ranking minority members of the house of
70.16 representatives Ways and Means Committee and the senate Finance Committee at least 15
70.17 days prior to increasing the available revenue under subdivision 3.

70.18 Sec. 89. Minnesota Statutes 2020, section 297E.021, subdivision 4, is amended to read:

70.19 **Subd. 4. Appropriation; general reserve account.** To the extent the commissioner
70.20 determines that revenues are available under ~~subdivision~~ subdivisions 3 and 3a for the fiscal
70.21 year, those amounts are appropriated from the general fund for deposit in a general reserve
70.22 account established by order of the commissioner of management and budget. Amounts in
70.23 this reserve are appropriated as necessary for application against any shortfall in the amounts
70.24 deposited to the general fund under section 297A.994 or, after consultation with the
70.25 Legislative Commission on Planning and Fiscal Policy, amounts in this reserve are
70.26 appropriated to the commissioner of management and budget for other uses related to the
70.27 stadium authorized under section 473J.03, subdivision 8, that the commissioner deems
70.28 financially prudent including but not limited to reimbursements for capital and operating
70.29 costs relating to the stadium, refundings, and prepayment of debt. In no event, shall available
70.30 revenues be pledged, nor shall the appropriations of available revenues made by this section
70.31 constitute a pledge of available revenues as security for the prepayment of principal and
70.32 interest on the appropriation bonds under section 16A.965.

71.1 Sec. 90. Minnesota Statutes 2020, section 349.151, subdivision 2, is amended to read:

71.2 Subd. 2. **Membership.** (a) The board consists of seven members, as follows: (1) five
71.3 members appointed by the governor; (2) one member appointed by the commissioner of
71.4 public safety; and (3) one member appointed by the attorney general.

71.5 (b) All appointments under this subdivision are with the advice and consent of the senate.

71.6 (c) ~~After expiration of the initial terms,~~ Appointments are for four years. A member may
71.7 continue holding office until a successor is appointed unless, prior to the expiration of the
71.8 member's term, the appointing authority notifies the board that a member's appointment
71.9 may not be extended.

71.10 (d) The board shall select one of its members to serve as chair. No more than three
71.11 members appointed by the governor under this subdivision may belong to the same political
71.12 party.

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

71.14 Sec. 91. Minnesota Statutes 2020, section 349A.01, is amended by adding a subdivision
71.15 to read:

71.16 Subd. 14. **Second chance drawing.** "Second chance drawing" means a drawing in which
71.17 an eligible nonwinning lottery ticket is submitted to the lottery for entry into a drawing for
71.18 a chance to win a prize.

71.19 Sec. 92. Minnesota Statutes 2020, section 349A.08, subdivision 9, is amended to read:

71.20 Subd. 9. **Privacy.** (a) The phone number and street address of a winner of a lottery prize
71.21 is private data on individuals under chapter 13.

71.22 (b) Data on an individual, including name, physical and electronic address, and telephone
71.23 number, that are given to the lottery for direct marketing purposes are private data on
71.24 individuals as defined in section 13.02. For purposes of this subdivision, "direct marketing"
71.25 means marketing conducted by the lottery directly with the consumer.

71.26 (c) The name of the winner of a lottery prize that includes a cash payment greater than
71.27 \$10,000, and the name of a winner of a second chance drawing prize that includes a cash
71.28 payment greater than \$10,000, are private data on individuals under chapter 13.

71.29 (d) The name of the winner of a lottery prize that is classified under paragraph (c) may
71.30 be made public if the winner provides written consent after the director has informed the
71.31 winner of the director's intended use of the winner's name.

72.1 **EFFECTIVE DATE.** This section is effective September 1, 2021.

72.2 Sec. 93. Minnesota Statutes 2020, section 353.27, subdivision 3c, is amended to read:

72.3 Subd. 3c. **Former MERF members; member and employer contributions.** (a) For
72.4 the period July 1, 2019, through December 31, 2031, the member contributions for former
72.5 members of the Minneapolis Employees Retirement Fund and by the former Minneapolis
72.6 Employees Retirement Fund-covered employing units are governed by this subdivision.

72.7 (b) The member contribution for a public employee who was a member of the former
72.8 Minneapolis Employees Retirement Fund on June 29, 2010, is 9.75 percent of the salary of
72.9 the employee.

72.10 (c) The employer regular contribution with respect to a public employee who was a
72.11 member of the former Minneapolis Employees Retirement Fund on June 29, 2010, is 9.75
72.12 percent of the salary of the employee.

72.13 (d) The annual employer supplemental contribution is the employing unit's share of
72.14 ~~\$21,000,000~~ \$31,000,000.

72.15 (e) Each employing unit's share under paragraph (d) is the amount determined from an
72.16 allocation between each employing unit in the portion equal to the unit's employer
72.17 supplemental contribution paid or payable under Minnesota Statutes 2012, section 353.50,
72.18 during calendar year 2014.

72.19 (f) The employer supplemental contribution amount under paragraph (d) for calendar
72.20 year 2019 must be invoiced by the executive director of the Public Employees Retirement
72.21 Association by July 1, 2019. For subsequent calendar years, the employer supplemental
72.22 contribution under paragraph (d) must be invoiced on January 31 of each year. The employer
72.23 supplemental contribution is payable in two parts, with the first half payable on or before
72.24 July 31 and with the second half payable on or before December 15. Late payments are
72.25 payable with interest, compounded annually, at the applicable rate or rates specified in
72.26 section 356.59, subdivision 3, per month for each month or portion of a month that has
72.27 elapsed after the due date.

72.28 (g) The employer supplemental contribution under paragraph (d) terminates on December
72.29 31, 2031.

73.1 Sec. 94. Minnesota Statutes 2020, section 353.505, is amended to read:

73.2 **353.505 STATE CONTRIBUTIONS; FORMER MERF DIVISION.**

73.3 (a) On September 15, 2019, and annually thereafter, the state shall pay to the general
73.4 employees retirement plan of the Public Employees Retirement Association, with respect
73.5 to the former MERF division, ~~\$16,000,000~~ \$6,000,000.

73.6 (b) State contributions under this section end on September 15, 2031.

73.7 (c) The commissioner of management and budget shall pay the contribution specified
73.8 in this section. The amount required is appropriated annually from the general fund to the
73.9 commissioner of management and budget.

73.10 Sec. 95. Minnesota Statutes 2020, section 477A.03, subdivision 2b, is amended to read:

73.11 Subd. 2b. **Counties.** (a) For aids payable in 2018 and 2019, the total aid payable under
73.12 section 477A.0124, subdivision 3, is \$103,795,000, of which \$3,000,000 shall be allocated
73.13 as required under Laws 2014, chapter 150, article 4, section 6. For aids payable in 2020,
73.14 the total aid payable under section 477A.0124, subdivision 3, is \$116,795,000, of which
73.15 \$3,000,000 shall be allocated as required under Laws 2014, chapter 150, article 4, section
73.16 6. For aids payable in 2021 through 2024, the total aid payable under section 477A.0124,
73.17 subdivision 3, is \$118,795,000, of which \$3,000,000 shall be allocated as required under
73.18 Laws 2014, chapter 150, article 4, section 6. For aids payable in 2025 and thereafter, the
73.19 total aid payable under section 477A.0124, subdivision 3, is \$115,795,000. Each calendar
73.20 year, \$500,000 of this appropriation shall be retained by the commissioner of revenue to
73.21 make reimbursements to the commissioner of management and budget for payments made
73.22 under section 611.27. The reimbursements shall be to defray the additional costs associated
73.23 with court-ordered counsel under section 611.27. Any retained amounts not used for
73.24 reimbursement in a year shall be included in the next distribution of county need aid that
73.25 is certified to the county auditors for the purpose of property tax reduction for the next taxes
73.26 payable year.

73.27 (b) For aids payable in 2018 and 2019, the total aid under section 477A.0124, subdivision
73.28 4, is \$130,873,444. For aids payable in 2020, the total aid under section 477A.0124,
73.29 subdivision 4, is \$143,873,444. For aids payable in 2021 and thereafter, the total aid under
73.30 section 477A.0124, subdivision 4, is \$145,873,444. The commissioner of revenue shall
73.31 transfer to the ~~commissioner of management and budget~~ Legislative Budget Office \$207,000
73.32 annually for the cost of preparation of local impact notes as required by section 3.987, and
73.33 other local government activities. The commissioner of revenue shall transfer to the

74.1 commissioner of education \$7,000 annually for the cost of preparation of local impact notes
 74.2 for school districts as required by section 3.987. The commissioner of revenue shall deduct
 74.3 the amounts transferred under this paragraph from the appropriation under this paragraph.
 74.4 The amounts transferred are appropriated to the commissioner of management and budget
 74.5 and the commissioner of education respectively.

74.6 Sec. 96. Minnesota Statutes 2020, section 645.071, is amended to read:

74.7 **645.071 STANDARD OF TIME.**

74.8 Every mention of, or reference to, any hour or time in any law, during any period of the
 74.9 year, is to be construed with reference to and in accordance with the ~~standard time or~~
 74.10 advanced standard time provided by federal law. No department of the state government
 74.11 and no county, city or town shall employ, during any period of the year, any other time, or
 74.12 adopt any ordinance or order providing for the use, during any period of the year, of any
 74.13 other time than the federal ~~standard time or~~ advanced standard time.

74.14 **EFFECTIVE DATE.** This section is effective upon the first commencement of advanced
 74.15 standard time, also known as daylight saving time, following enactment of an amendment
 74.16 to United States Code, title 15, section 260a, or another applicable law, which authorizes
 74.17 states to observe advanced standard time year-round.

74.18 Sec. 97. **FEDERAL FUNDS; SUSPENSION OF STATUTORY APPROPRIATION.**

74.19 Notwithstanding Minnesota Statutes, sections 3.3005 and 4.07, or any other appropriation
 74.20 of federal funds, any federal funds received by the state of Minnesota for COVID-19 between
 74.21 March 1, 2021, and June 30, 2022, must not be spent except pursuant to a direct appropriation
 74.22 by law. This section does not apply to appropriations of federal funds under Laws 2020,
 74.23 Seventh Special Session chapter 2, article 7.

74.24 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 74.25 applies to all federal funds received between March 1, 2021, and June 30, 2022.

74.26 Sec. 98. **VIOLATION OF EXECUTIVE ORDERS DURING A PEACETIME**
 74.27 **EMERGENCY.**

74.28 Notwithstanding any other law to the contrary, no board or agency, including agencies
 74.29 that issue licenses, may impose additional penalties on a business for a violation of an
 74.30 executive order issued in response to the spread of COVID-19, pursuant to Minnesota
 74.31 Statutes, section 12.21 or 12.31, beyond the penalties imposed by the executive orders.

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

75.2 Sec. 99. **REDUCTION IN APPROPRIATIONS FOR UNFILLED POSITIONS.**

75.3 Subdivision 1. **Reduction required.** The general fund and nongeneral fund appropriations
75.4 to an executive branch state agency for agency operations for the biennium ending June 30,
75.5 2023, are reduced by the amount for salary and benefits savings that results from any
75.6 positions that have not been filled within 180 days of the initial posting of the position.
75.7 "Agency" as used in this section has the meaning given in Minnesota Statutes, section
75.8 16A.011, subdivision 12a, but does not include Minnesota State Colleges and Universities.
75.9 This section applies only to positions that are posted in fiscal years 2021, 2022, and 2023.
75.10 Reductions made under this subdivision must be reflected as reductions in agency base
75.11 budgets for fiscal years 2024 and 2025. This section does not apply to:

75.12 (1) any position within the Department of Public Safety;

75.13 (2) any position that requires law enforcement training; or

75.14 (3) any other public safety position.

75.15 Subd. 2. **Reporting.** The commissioner of management and budget must report to the
75.16 chairs and ranking minority members of the senate and the house of representatives finance
75.17 committees regarding the amount of reductions in spending by each agency under this
75.18 section.

75.19 Sec. 100. **OBSOLETE RULES REPORT MUST DESCRIBE CURRENT GRANTS**
75.20 **OF RULEMAKING AUTHORITY.**

75.21 (a) As part of its obsolete rules report due December 1, 2021, each agency must list all
75.22 current grants of rulemaking authority provided to the agency by law. The list must include
75.23 a citation to the applicable law, a citation to any current rules adopted under the authority
75.24 provided by that law, and describe, in the agency's view, whether the grant of authority
75.25 complies with the provisions of Minnesota Statutes, section 14.05, subdivision 1, that permit
75.26 adoption of rules only under a specific grant of rulemaking authority. A grant of rulemaking
75.27 authority is presumed invalid for purposes of adopting future rules if the authority is not
75.28 cited in the report required by this section.

75.29 (b) The requirements of this section are in addition to the ongoing requirements for the
75.30 obsolete rules report provided by Minnesota Statutes, section 14.05, subdivision 5.

76.1 Sec. 101. **FIRST APPOINTMENTS AND FIRST MEETING OF LEGISLATIVE**
76.2 **COMMISSION ON CYBERSECURITY.**

76.3 Subdivision 1. First appointments. Appointing authorities must make initial
76.4 appointments to the Legislative Commission on Cybersecurity within 60 days after final
76.5 enactment. These members serve a term that expires on appointment of a successor after
76.6 the start of the next regular session of the legislature in 2023.

76.7 Subd. 2. First meeting. The majority leader of the senate shall designate one senate
76.8 member of the Legislative Commission on Cybersecurity under Minnesota Statutes, section
76.9 3.888, to convene the first meeting within 105 days after final enactment. The commission
76.10 must select a chair from among the senate members at the first meeting.

76.11 Subd. 3. Meetings in 2021. Notwithstanding Minnesota Statutes, section 3.888,
76.12 subdivision 5, the commission must meet at least twice in 2021.

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

76.14 Sec. 102. **DESIGNATION AND SALE OF SURPLUS STATE-OWNED REAL**
76.15 **PROPERTY; ST. PAUL.**

76.16 (a) For purposes of this act, "L'Orient Street property" means the real property located
76.17 at 1415 L'Orient Street in the city of St. Paul that was acquired by the state using money
76.18 appropriated from the COVID-19 Minnesota fund in accordance with the Legislative
76.19 COVID-19 Response Commission, Action Order number 13, signed by the commissioner
76.20 of management and budget May 7, 2020.

76.21 (b) The commissioner of administration must designate the L'Orient Street property as
76.22 surplus and dispose of the property in accordance with Minnesota Statutes, sections 16B.281
76.23 to 16B.287.

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

76.25 Sec. 103. **REQUIRING REPAIR AND RETURN OF COLUMBUS STATUE.**

76.26 The commissioner of administration shall repair the statue of Christopher Columbus
76.27 and its pedestal that was illegally removed from its place on the Capitol grounds in the
76.28 summer of 2020. Notwithstanding any process in law for approving the installation of
76.29 memorials or artwork on the Capitol grounds, the commissioner must reinstall the statue in
76.30 its former location on the Capitol grounds on the same pedestal with the same signage as
76.31 before its removal.

77.1 Sec. 104. **CONDITIONAL REPEALER.**

77.2 The commissioner of management and budget shall report within 30 days that the bonds
77.3 under Minnesota Statutes, section 16A.965, have been redeemed or defeased to the revisor
77.4 of statutes.

77.5 Sec. 105. **TRANSFER FROM THE BOARD OF COSMETOLOGIST EXAMINERS**
77.6 **TO COMMISSIONER OF HEALTH.**

77.7 Minnesota Statutes, section 15.039, applies to the transfer of responsibilities from the
77.8 Board of Cosmetologist Examiners to the commissioner of health, except that the position
77.9 of executive director of the Board of Cosmetologist Examiners is not transferred.

77.10 Sec. 106. **REVISOR INSTRUCTION.**

77.11 Subdivision 1. **MN.IT.** The revisor of statutes shall change "Office of MN.IT Services"
77.12 to "Minnesota Department of Information Technology Services" wherever it appears in
77.13 Minnesota Statutes.

77.14 Subd. 2. **Contested case procedures.** By January 15, 2022, the revisor of statutes shall
77.15 present a bill to the legislature to make the conforming statutory changes to incorporate the
77.16 contested case procedures under section 16.

77.17 Subd. 3. **Cosmetology.** The revisor of statutes shall change the terms "board" and
77.18 "executive secretary of the board" to "commissioner of health" or "commissioner" wherever
77.19 those terms appear in Minnesota Statutes, chapter 155A, and in Minnesota Rules adopted
77.20 by the Board of Cosmetologist Examiners.

77.21 Subd. 4. **Enterprise fleet.** The revisor of statutes shall change "central motor pool" to
77.22 "enterprise fleet" wherever it appears in Minnesota Statutes.

77.23 Sec. 107. **REPEALER.**

77.24 (a) Minnesota Statutes 2020, section 3.972, subdivisions 2c and 2d, are repealed.

77.25 (b) Minnesota Statutes 2020, sections 16E.0466, subdivision 1; 16E.05, subdivision 3;
77.26 16E.071; and 16E.145, are repealed.

77.27 (c) Minnesota Statutes 2020, section 155A.23, subdivision 2, is repealed.

78.1

ARTICLE 3

78.2

CAMPAIGN FINANCE

78.3 Section 1. Minnesota Statutes 2020, section 10A.01, subdivision 26, is amended to read:

78.4 Subd. 26. **Noncampaign disbursement.** (a) "Noncampaign disbursement" means a
78.5 purchase or payment of money or anything of value made, or an advance of credit incurred,
78.6 or a donation in kind received, by a principal campaign committee for any of the following
78.7 purposes:

78.8 (1) payment for accounting and legal services;

78.9 (2) return of a contribution to the source;

78.10 (3) repayment of a loan made to the principal campaign committee by that committee;

78.11 (4) return of a public subsidy;

78.12 (5) payment for food, beverages, and necessary utensils and supplies, entertainment,
78.13 and facility rental for a fund-raising event;

78.14 (6) services for a constituent by a member of the legislature or a constitutional officer
78.15 in the executive branch as provided in section 10A.173, subdivision 1;

78.16 (7) payment for food and beverages consumed by a candidate or volunteers while they
78.17 are engaged in campaign activities;

78.18 (8) payment for food or a beverage consumed while attending a reception or meeting
78.19 directly related to legislative duties;

78.20 (9) payment of expenses incurred by elected or appointed leaders of a legislative caucus
78.21 in carrying out their leadership responsibilities;

78.22 (10) payment by a principal campaign committee of the candidate's expenses for serving
78.23 in public office, other than for personal uses;

78.24 (11) costs of child care for the candidate's children when campaigning;

78.25 (12) fees paid to attend a campaign school;

78.26 (13) costs of a postelection party during the election year when a candidate's name will
78.27 no longer appear on a ballot or the general election is concluded, whichever occurs first;

78.28 (14) interest on loans paid by a principal campaign committee on outstanding loans;

78.29 (15) filing fees;

79.1 (16) post-general election holiday or seasonal cards, thank-you notes, or advertisements
79.2 in the news media mailed or published prior to the end of the election cycle;

79.3 (17) the cost of campaign material purchased to replace defective campaign material, if
79.4 the defective material is destroyed without being used;

79.5 (18) contributions to a party unit;

79.6 (19) payments for funeral gifts or memorials;

79.7 (20) the cost of a magnet less than six inches in diameter containing legislator contact
79.8 information and distributed to constituents;

79.9 (21) costs associated with a candidate attending a political party state or national
79.10 convention in this state;

79.11 (22) other purchases or payments specified in board rules or advisory opinions as being
79.12 for any purpose other than to influence the nomination or election of a candidate or to
79.13 promote or defeat a ballot question;

79.14 (23) costs paid to a third party for processing contributions made by a credit card, debit
79.15 card, or electronic check;

79.16 (24) a contribution to a fund established to support a candidate's participation in a recount
79.17 of ballots affecting that candidate's election;

79.18 (25) costs paid by a candidate's principal campaign committee for a single reception
79.19 given in honor of the candidate's retirement from public office after the filing period for
79.20 affidavits of candidacy for that office has closed;

79.21 (26) a donation from a terminating principal campaign committee to the state general
79.22 fund; ~~and~~

79.23 (27) a donation from a terminating principal campaign committee to a county obligated
79.24 to incur special election expenses due to that candidate's resignation from state office; and

79.25 (28) during a period starting January 1 in the year following a general election and ending
79.26 on December 31 of the year of general election, total payments of up to \$2,000 for security
79.27 expenses for a candidate, including home security hardware, maintenance of home security
79.28 hardware, identity theft monitoring services, and credit monitoring services.

79.29 (b) The board must determine whether an activity involves a noncampaign disbursement
79.30 within the meaning of this subdivision.

80.1 (c) A noncampaign disbursement is considered to be made in the year in which the
80.2 candidate made the purchase of goods or services or incurred an obligation to pay for goods
80.3 or services.

80.4 **EFFECTIVE DATE.** This section is effective the day following final enactment and
80.5 applies to payments made on or after January 1, 2021.

80.6 Sec. 2. Minnesota Statutes 2020, section 10A.01, subdivision 35, is amended to read:

80.7 Subd. 35. **Public official.** "Public official" means any:

80.8 (1) member of the legislature;

80.9 (2) individual employed by the legislature as secretary of the senate, legislative auditor,
80.10 director of the Legislative Budget Office, chief clerk of the house of representatives, revisor
80.11 of statutes, or researcher, legislative analyst, fiscal analyst, or attorney in the Office of
80.12 Senate Counsel, Research and Fiscal Analysis, House Research, or the House Fiscal Analysis
80.13 Department;

80.14 (3) constitutional officer in the executive branch and the officer's chief administrative
80.15 deputy;

80.16 (4) solicitor general or deputy, assistant, or special assistant attorney general;

80.17 (5) commissioner, deputy commissioner, or assistant commissioner of any state
80.18 department or agency as listed in section 15.01 or 15.06, or the state chief information
80.19 officer;

80.20 (6) member, chief administrative officer, or deputy chief administrative officer of a state
80.21 board or commission that has either the power to adopt, amend, or repeal rules under chapter
80.22 14, or the power to adjudicate contested cases or appeals under chapter 14;

80.23 (7) individual employed in the executive branch who is authorized to adopt, amend, or
80.24 repeal rules under chapter 14 or adjudicate contested cases under chapter 14;

80.25 (8) executive director of the State Board of Investment;

80.26 (9) deputy of any official listed in clauses (7) and (8);

80.27 (10) judge of the Workers' Compensation Court of Appeals;

80.28 (11) administrative law judge or compensation judge in the State Office of Administrative
80.29 Hearings or unemployment law judge in the Department of Employment and Economic
80.30 Development;

- 81.1 (12) member, regional administrator, division director, general counsel, or operations
 81.2 manager of the Metropolitan Council;
- 81.3 (13) member or chief administrator of a metropolitan agency;
- 81.4 (14) director of the Division of Alcohol and Gambling Enforcement in the Department
 81.5 of Public Safety;
- 81.6 (15) member or executive director of the Higher Education Facilities Authority;
- 81.7 (16) member of the board of directors or president of Enterprise Minnesota, Inc.;
- 81.8 (17) member of the board of directors or executive director of the Minnesota State High
 81.9 School League;
- 81.10 (18) member of the Minnesota Ballpark Authority established in section 473.755;
- 81.11 (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;
- 81.12 (20) manager of a watershed district, or member of a watershed management organization
 81.13 as defined under section 103B.205, subdivision 13;
- 81.14 (21) supervisor of a soil and water conservation district;
- 81.15 (22) director of Explore Minnesota Tourism;
- 81.16 (23) citizen member of the Lessard-Sams Outdoor Heritage Council established in section
 81.17 97A.056;
- 81.18 (24) citizen member of the Clean Water Council established in section 114D.30;
- 81.19 (25) member or chief executive of the Minnesota Sports Facilities Authority established
 81.20 in section 473J.07;
- 81.21 (26) district court judge, appeals court judge, or supreme court justice;
- 81.22 (27) county commissioner;
- 81.23 (28) member of the Greater Minnesota Regional Parks and Trails Commission; ~~or~~
- 81.24 (29) member of the Destination Medical Center Corporation established in section 469.41
 81.25 ; or
- 81.26 (30) chancellor or member of the Board of Trustees of the Minnesota State Colleges
 81.27 and Universities.

82.1 Sec. 3. Minnesota Statutes 2020, section 10A.09, subdivision 1, is amended to read:

82.2 Subdivision 1. **Time for filing.** An individual must file a statement of economic interest
82.3 ~~with the board:~~

82.4 (1) within 60 days of accepting employment as a public official or a local official in a
82.5 metropolitan governmental unit;

82.6 (2) within 60 days of assuming office as a district court judge, appeals court judge,
82.7 supreme court justice, or county commissioner;

82.8 (3) within 14 days after filing an affidavit of candidacy or petition to appear on the ballot
82.9 for an elective state constitutional or legislative office or an elective local office in a
82.10 metropolitan governmental unit other than county commissioner;

82.11 (4) in the case of a public official requiring the advice and consent of the senate, within
82.12 14 days after undertaking the duties of office; or

82.13 (5) in the case of members of the Minnesota Racing Commission, the director of the
82.14 Minnesota Racing Commission, chief of security, medical officer, inspector of pari-mutuels,
82.15 and stewards employed or approved by the commission or persons who fulfill those duties
82.16 under contract, within 60 days of accepting or assuming duties.

82.17 Sec. 4. Minnesota Statutes 2020, section 10A.09, subdivision 2, is amended to read:

82.18 Subd. 2. **Notice to board.** The secretary of state or the appropriate county auditor, upon
82.19 receiving an affidavit of candidacy or petition to appear on the ballot from an individual
82.20 required by this section to file a statement of economic interest, and any official who
82.21 nominates or employs a public ~~or local~~ official required by this section to file a statement
82.22 of economic interest, must notify the board of the name of the individual required to file a
82.23 statement and the date of the affidavit, petition, or nomination.

82.24 Sec. 5. Minnesota Statutes 2020, section 10A.09, subdivision 5, is amended to read:

82.25 Subd. 5. **Form; general requirements.** (a) A statement of economic interest required
82.26 by this section must be on a form prescribed by the board. The individual filing must provide
82.27 the following information:

82.28 (1) name, address, occupation, and principal place of business;

82.29 (2) the name of each associated business and the nature of that association;

82.30 (3) a listing of all real property within the state, excluding homestead property, in which
82.31 the individual holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or

83.1 seller, or an option to buy, whether direct or indirect, if the interest is valued in excess of
83.2 \$2,500; or (ii) an option to buy, if the property has a fair market value of more than \$50,000;

83.3 (4) a listing of all real property within the state in which a partnership of which the
83.4 individual is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as
83.5 buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of
83.6 the partnership interest is valued in excess of \$2,500; or (ii) an option to buy, if the property
83.7 has a fair market value of more than \$50,000. A listing under this clause or clause (3) must
83.8 indicate the street address and the municipality or the section, township, range and
83.9 approximate acreage, whichever applies, and the county in which the property is located;

83.10 (5) a listing of any investments, ownership, or interests in property connected with
83.11 pari-mutuel horse racing in the United States and Canada, including a racehorse, in which
83.12 the individual directly or indirectly holds a partial or full interest or an immediate family
83.13 member holds a partial or full interest;

83.14 (6) a listing of the principal business or professional activity category of each business
83.15 from which the individual receives more than \$250 in any month during the reporting period
83.16 as an employee, if the individual has an ownership interest of 25 percent or more in the
83.17 business;

83.18 (7) a listing of each principal business or professional activity category from which the
83.19 individual received compensation of more than \$2,500 in the past 12 months as an
83.20 independent contractor; and

83.21 (8) a listing of the full name of each security with a value of more than \$10,000 owned
83.22 in part or in full by the individual, at any time during the reporting period.

83.23 (b) The business or professional categories for purposes of paragraph (a), clauses (6)
83.24 and (7), must be the general topic headings used by the federal Internal Revenue Service
83.25 for purposes of reporting self-employment income on Schedule C. This paragraph does not
83.26 require an individual to report any specific code number from that schedule. Any additional
83.27 principal business or professional activity category may only be adopted if the category is
83.28 enacted by law.

83.29 ~~(e) For the purpose of an original statement of economic interest, "compensation in any~~
83.30 ~~month" includes only compensation received in the calendar month immediately preceding~~
83.31 ~~the date of appointment as a public official or filing as a candidate.~~

83.32 ~~(d)~~ (c) For the purpose of calculating the amount of compensation received from any
83.33 single source in a single month, the amount shall include the total amount received from

84.1 the source during the month, whether or not the amount covers compensation for more than
84.2 one month.

84.3 ~~(e)~~ (d) For the purpose of determining the value of an individual's interest in real property,
84.4 the value of the property is the market value shown on the property tax statement.

84.5 ~~(f) For the purpose of an original statement of economic interest, the individual shall~~
84.6 ~~disclose only those real properties owned on the date of appointment as a public official or~~
84.7 ~~filing as a candidate.~~

84.8 ~~(g)~~ (e) For the purpose of this section, "date of appointment" means the effective date
84.9 of appointment to a position.

84.10 ~~(h)~~ (f) For the purpose of this section, "accepting employment as a public official" means
84.11 the effective date of the appointment to the position, as stated in the appointing authority's
84.12 notice to the board.

84.13 Sec. 6. Minnesota Statutes 2020, section 10A.09, is amended by adding a subdivision to
84.14 read:

84.15 Subd. 5a. **Original statement; reporting period.** (a) An original statement of economic
84.16 interest required under subdivision 1, clause (1), must cover the calendar month before the
84.17 month in which the individual accepted employment as a public official or a local official
84.18 in a metropolitan governmental unit.

84.19 (b) An original statement of economic interest required under subdivision 1, clauses (2),
84.20 (4), and (5), must cover the calendar month before the month in which the individual assumed
84.21 or undertook the duties of office.

84.22 (c) An original statement of economic interest required under subdivision 1, clause (3),
84.23 must cover the calendar month before the month in which the candidate filed the affidavit
84.24 of candidacy.

84.25 Sec. 7. Minnesota Statutes 2020, section 10A.09, subdivision 6, is amended to read:

84.26 **Subd. 6. Annual statement.** (a) Each individual who is required to file a statement of
84.27 economic interest must also file an annual statement by the last Monday in January of each
84.28 year that the individual remains in office. The annual statement must cover the period
84.29 through December 31 of the year prior to the year when the statement is due. The annual
84.30 statement must include the amount of each honorarium in excess of ~~\$50~~ \$250 received since
84.31 the previous statement and the name and address of the source of the honorarium. The board

85.1 must maintain each annual statement of economic interest submitted by an officeholder in
85.2 the same file with the statement submitted as a candidate.

85.3 ~~(b) For the purpose of annual statements of economic interest to be filed, "compensation~~
85.4 ~~in any month" includes compensation and honoraria received in any month between the~~
85.5 ~~end of the period covered in the preceding statement of economic interest and the end of~~
85.6 ~~the current period.~~

85.7 ~~(e)~~ (b) An individual must file the annual statement of economic interest required by
85.8 this subdivision to cover the period for which the individual served as a public official even
85.9 though at the time the statement was filed, the individual is no longer holding that office as
85.10 a public official.

85.11 ~~(d) For the purpose of an annual statement of economic interest, the individual shall~~
85.12 ~~disclose any real property owned at any time between the end of the period covered by the~~
85.13 ~~preceding statement of economic interest and through the last day of the month preceding~~
85.14 ~~the current filing or the last day of employment, if the individual is no longer a public~~
85.15 ~~official.~~

85.16 Sec. 8. Minnesota Statutes 2020, section 10A.14, is amended by adding a subdivision to
85.17 read:

85.18 Subd. 2a. **Alternate contact information; form.** (a) A candidate; treasurer of a political
85.19 committee, political fund, principal campaign committee, or party unit; or chair of a political
85.20 committee, principal campaign committee, or party unit may file a form with the board that
85.21 includes alternate contact information. If a form is filed, the form must include the following
85.22 information for the filer:

85.23 (1) name;

85.24 (2) political committee, political fund, principal campaign committee, or party unit; and

85.25 (3) alternate contact information.

85.26 (b) The board must only use the alternate contact information to contact the filer for the
85.27 purposes of administering chapter 10A. Information collected pursuant to this subdivision
85.28 is private data on individuals.

85.29 (c) For purposes of this subdivision, "alternate contact information" means an address,
85.30 phone number, or e-mail address that is different from the information provided on the form
85.31 required by subdivision 2.

85.32 **EFFECTIVE DATE.** This section is effective August 1, 2021.

86.1 Sec. 9. Minnesota Statutes 2020, section 10A.20, subdivision 13, is amended to read:

86.2 Subd. 13. **Third-party reimbursement.** An individual or association filing a report
 86.3 disclosing an expenditure or noncampaign disbursement that must be reported and itemized
 86.4 under subdivision 3, paragraph ~~(g)~~ (h) or ~~(l)~~ (m), that is a reimbursement to a third party
 86.5 must report the purpose of each expenditure or disbursement for which the third party is
 86.6 being reimbursed. In the alternative, the reporting individual or association may report
 86.7 individually each of the underlying expenditures being reimbursed. An expenditure or
 86.8 disbursement is a reimbursement to a third party if it is for goods or services that were not
 86.9 directly provided by the individual or association to whom the expenditure or disbursement
 86.10 is made. Third-party reimbursements include payments to credit card companies and
 86.11 reimbursement of individuals for expenses they have incurred.

86.12 Sec. 10. Minnesota Statutes 2020, section 10A.27, subdivision 13, is amended to read:

86.13 Subd. 13. **Unregistered association limit; statement; penalty.** (a) The treasurer of a
 86.14 political committee, political fund, principal campaign committee, or party unit must not
 86.15 accept a contribution of more than \$200 from an association not registered under this chapter
 86.16 unless the contribution is accompanied by a ~~written~~ statement that meets the disclosure and
 86.17 reporting period requirements imposed by section 10A.20. The statement may be a written
 86.18 statement or a government website where the disclosure report for the unregistered association
 86.19 may be viewed. This statement must be certified as true and correct by an officer of the
 86.20 contributing association. The committee, fund, or party unit that accepts the contribution
 86.21 must include a copy of the written statement or website with the report that discloses the
 86.22 contribution to the board.

86.23 (b) An unregistered association may provide the ~~written~~ statement required by this
 86.24 subdivision to no more than three committees, funds, or party units in a calendar year. Each
 86.25 statement must cover at least the 30 days immediately preceding and including the date on
 86.26 which the contribution was made. An unregistered association or an officer of it is subject
 86.27 to a civil penalty imposed by the board of up to \$1,000, if the association or its officer:

86.28 (1) fails to provide a ~~written~~ statement as required by this subdivision; or

86.29 (2) fails to register after giving the ~~written~~ statement required by this subdivision to more
 86.30 than three committees, funds, or party units in a calendar year.

86.31 (c) The treasurer of a political committee, political fund, principal campaign committee,
 86.32 or party unit who accepts a contribution in excess of \$200 from an unregistered association

87.1 without the required ~~written~~ disclosure statement is subject to a civil penalty up to four
87.2 times the amount in excess of \$200.

87.3 (d) This subdivision does not apply:

87.4 (1) when a national political party contributes money to its state committee; ~~or~~

87.5 (2) when a federal committee of a major or minor political party registered with the
87.6 board gives an in-kind contribution to the federal committee's state central committee or a
87.7 party organization within a house of the state legislature; or

87.8 ~~(2)~~ (3) to purchases by candidates for federal office of tickets to events or space rental
87.9 at events held by party units in this state (i) if the geographical area represented by the party
87.10 unit includes any part of the geographical area of the office that the federal candidate is
87.11 seeking and (ii) the purchase price is not more than that paid by other attendees or renters
87.12 of similar spaces.

87.13 Sec. 11. Minnesota Statutes 2020, section 10A.275, subdivision 1, is amended to read:

87.14 Subdivision 1. **Exceptions.** Notwithstanding other provisions of this chapter, the
87.15 following expenditures by a party unit, or two or more party units acting together, with at
87.16 least one party unit being either: the state committee or the party organization within a
87.17 congressional district, county, or legislative district, are not considered contributions to or
87.18 expenditures on behalf of a candidate for the purposes of section 10A.25 or 10A.27 and
87.19 must not be allocated to candidates under section 10A.20, subdivision 3, paragraph ~~(g)~~ (h):

87.20 (1) expenditures on behalf of candidates of that party generally without referring to any
87.21 of them specifically in a published, posted, or broadcast advertisement;

87.22 (2) expenditures for the preparation, display, mailing, or other distribution of an official
87.23 party sample ballot listing the names of three or more individuals whose names are to appear
87.24 on the ballot;

87.25 (3) expenditures for a telephone ~~conversation including~~ call, voice mail, text message,
87.26 multimedia message, internet chat message, or e-mail when the communication includes
87.27 the names of three or more individuals whose names are to appear on the ballot;

87.28 (4) expenditures for a political party fund-raising effort on behalf of three or more
87.29 candidates; or

87.30 (5) expenditures for party committee staff services that benefit three or more candidates.

88.1 Sec. 12. Minnesota Statutes 2020, section 10A.31, subdivision 7, is amended to read:

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

88.9 (1) have signed a spending limit agreement under section 10A.322;

88.10 (2) have filed the affidavit of contributions required by section 10A.323; and

88.11 (3) were opposed in either the primary election or the general election.

88.12 (b) If one or more candidates for an office are not eligible for the public subsidy, and
88.13 one or more candidates for the same office are eligible for the public subsidy, then the
88.14 amount of public subsidy that would have otherwise been paid to the ineligible candidate
88.15 or candidates must be equally distributed to the eligible candidate or candidates.

88.16 ~~(b)~~ (c) The public subsidy under this subdivision may not be paid in an amount that
88.17 would cause the sum of the public subsidy paid from the party account plus the public
88.18 subsidy paid from the general account to exceed 50 percent of the expenditure limit for the
88.19 candidate or 50 percent of the expenditure limit that would have applied to the candidate if
88.20 the candidate had not been freed from expenditure limits under section 10A.25, subdivision
88.21 10. Money from the general account not paid to a candidate because of the 50 percent limit
88.22 must be distributed equally among all other qualifying candidates for the same office until
88.23 all have reached the 50 percent limit or the balance in the general account is exhausted.

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

88.25 **10A.323 AFFIDAVIT OF CONTRIBUTIONS.**

88.26 (a) In addition to the requirements of section 10A.322, to be eligible to receive a public
88.27 subsidy under section 10A.31 a candidate or the candidate's treasurer must:

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

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

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

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

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

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

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

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

89.10 (ii) any in-kind contribution; and

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

89.13 (3) submit the affidavit required by this section to the board in writing by the deadline
89.14 for reporting of receipts and expenditures before a primary under section 10A.20, subdivision
89.15 4 2.

89.16 (b) A candidate for a vacancy to be filled at a special election for which the filing period
89.17 does not coincide with the filing period for the general election must accumulate the
89.18 contributions specified in paragraph (a) and must submit the affidavit required by this section
89.19 to the board within five days after the close of the filing period for the special election for
89.20 which the candidate filed.

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

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

89.29 Sec. 14. **REPEALER.**

89.30 Minnesota Statutes 2020, sections 116O.03, subdivision 9; and 116O.04, subdivision 3,
89.31 are repealed.

90.1

ARTICLE 4

90.2

ELECTIONS90.3 Section 1. **[5.385] USE OF PUBLIC FUNDS; BALLOT QUESTIONS.**

90.4 Notwithstanding section 10A.52, paragraph (b), the secretary of state shall not spend,
 90.5 or cause to be spent, any public funds or use any other public resource with the purpose of
 90.6 promoting or defeating a ballot question at any time. The secretary of state shall not use the
 90.7 inherent prestige of the office in any manner that has the effect of promoting or defeating
 90.8 a ballot question. The secretary of state may spend public funds to provide impartial and
 90.9 balanced information on ballot questions that does not have the effect of promoting or
 90.10 defeating a ballot question. For purposes of this section, public funds means all general,
 90.11 special, permanent, trust, and other funds, regardless of source or purpose, held or
 90.12 administered by a government entity.

90.13 Sec. 2. **[10A.52] USE OF PUBLIC FUNDS; BALLOT QUESTIONS.**

90.14 (a) No public official shall spend, or cause to be spent, any public funds or use any other
 90.15 public resource with the purpose of promoting or defeating a ballot question or in a manner
 90.16 that has the effect of promoting or defeating a ballot question.

90.17 (b) This prohibition only applies after final enactment of a legislative act that places a
 90.18 ballot question on the ballot.

90.19 (c) For purposes of this section, public funds means all general, special, permanent, trust,
 90.20 and other funds, regardless of source or purpose, held or administered by a government
 90.21 entity.

90.22 Sec. 3. Minnesota Statutes 2020, section 201.061, subdivision 1a, is amended to read:

90.23 Subd. 1a. **Incomplete registration by mail.** ~~If the county auditor determines that a voter~~
 90.24 ~~who has submitted a voter registration application by mail has not previously voted in this~~
 90.25 ~~state for a federal office and has also not presented a document authorized for election day~~
 90.26 ~~registration in section 201.061, subdivision 3, to the county auditor, and the county auditor~~
 90.27 ~~is unable to verify the voter's driver's license, state identification, or last four digits of the~~
 90.28 ~~voter's Social Security number as provided by the voter on the voter registration application~~
 90.29 whether the voter is eligible to vote, then the county auditor must notify the voter that the
 90.30 registration is incomplete and to complete registration by using one of the following methods:

91.1 ~~(1) presenting to the auditor~~ submitting a completed voter registration application more
 91.2 ~~than 20 days before the election a document authorized for election day registration in~~
 91.3 ~~section 201.061, subdivision 3;~~

91.4 (2) registering in person before or on election day; or

91.5 (3) if voting by absentee ballot or by mail, following election day registration procedures
 91.6 for absentee voters as described in section 203B.04, subdivision 4; ~~or~~

91.7 ~~(4) providing proof of residence by any of the methods authorized for election day~~
 91.8 ~~registration in section 201.061, subdivision 3.~~

91.9 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
 91.10 on or after that date.

91.11 Sec. 4. Minnesota Statutes 2020, section 201.061, subdivision 3, is amended to read:

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

91.17 ~~(1) presenting a driver's license or Minnesota identification card issued pursuant to~~
 91.18 ~~section 171.07;~~

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

91.20 ~~(3) presenting one of the following:~~

91.21 ~~(i) a current valid student identification card from a postsecondary educational institution~~
 91.22 ~~in Minnesota, if a list of students from that institution has been prepared under section~~
 91.23 ~~135A.17 and certified to the county auditor in the manner provided in rules of the secretary~~
 91.24 ~~of state; or~~

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

91.27 ~~(4) having a voter who is registered to vote in the precinct, or an employee employed~~
 91.28 ~~by and working in a residential facility in the precinct and vouching for a resident in the~~
 91.29 ~~facility, sign an oath in the presence of the election judge vouching that the voter or employee~~
 91.30 ~~personally knows that the individual is a resident of the precinct. A voter who has been~~
 91.31 ~~vouched for on election day may not sign a proof of residence oath vouching for any other~~
 91.32 ~~individual on that election day. A voter who is registered to vote in the precinct may sign~~

92.1 ~~up to eight proof-of-residence oaths on any election day. This limitation does not apply to~~
 92.2 ~~an employee of a residential facility described in this clause. The secretary of state shall~~
 92.3 ~~provide a form for election judges to use in recording the number of individuals for whom~~
 92.4 ~~a voter signs proof-of-residence oaths on election day. The form must include space for the~~
 92.5 ~~maximum number of individuals for whom a voter may sign proof-of-residence oaths. For~~
 92.6 ~~each proof-of-residence oath, the form must include a statement that the individual: (i) is~~
 92.7 ~~registered to vote in the precinct or is an employee of a residential facility in the precinct;~~
 92.8 ~~(ii) personally knows that the voter is a resident of the precinct, and (iii) is making the~~
 92.9 ~~statement on oath. The form must include a space for the voter's printed name, signature,~~
 92.10 ~~telephone number, and address.~~

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

92.13 ~~(b) The operator of a residential facility shall prepare a list of the names of its employees~~
 92.14 ~~currently working in the residential facility and the address of the residential facility. The~~
 92.15 ~~operator shall certify the list and provide it to the appropriate county auditor no less than~~
 92.16 ~~20 days before each election for use in election day registration.~~

92.17 ~~(c) "Residential facility" means transitional housing as defined in section 256E.33,~~
 92.18 ~~subdivision 1; a supervised living facility licensed by the commissioner of health under~~
 92.19 ~~section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision~~
 92.20 ~~5; a residence registered with the commissioner of health as a housing with services~~
 92.21 ~~establishment as defined in section 144D.01, subdivision 4; a veterans home operated by~~
 92.22 ~~the board of directors of the Minnesota Veterans Homes under chapter 198; a residence~~
 92.23 ~~licensed by the commissioner of human services to provide a residential program as defined~~
 92.24 ~~in section 245A.02, subdivision 14; a residential facility for persons with a developmental~~
 92.25 ~~disability licensed by the commissioner of human services under section 252.28; setting~~
 92.26 ~~authorized to provide housing support as defined in section 256I.03, subdivision 3; a shelter~~
 92.27 ~~for battered women as defined in section 611A.37, subdivision 4; or a supervised publicly~~
 92.28 ~~or privately operated shelter or dwelling designed to provide temporary living~~
 92.29 ~~accommodations for the homeless.~~

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

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

93.1 ~~(2) presenting an identification card issued by the tribal government of a tribe recognized~~
 93.2 ~~by the Bureau of Indian Affairs, United States Department of the Interior, that contains the~~
 93.3 ~~name, signature, and picture of the individual and also presenting one of the documents~~
 93.4 ~~listed in Minnesota Rules, part 8200.5100, subpart 2, item B. For purposes of registration~~
 93.5 ~~under this subdivision, the voter registration application must be printed on or affixed to a~~
 93.6 ~~provisional ballot envelope and contain the information required by section 201.071,~~
 93.7 ~~subdivision 1. The application may be completed using an electronic roster and then printed~~
 93.8 ~~and affixed to the provisional ballot envelope. An individual who registers on election day~~
 93.9 ~~is entitled to cast a provisional ballot pursuant to section 204C.135.~~

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

93.12 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
 93.13 on or after that date.

93.14 Sec. 5. Minnesota Statutes 2020, section 201.061, subdivision 4, is amended to read:

93.15 Subd. 4. **Registration by election judges; procedures.** Registration at the polling place
 93.16 on election day shall be conducted by the election judges. Before registering an individual
 93.17 to vote at the polling place, the election judge must review any list of absentee election day
 93.18 registrants provided by the county auditor or municipal clerk to see if the person has already
 93.19 voted by absentee ballot. If the person's name appears on the list, the election judge must
 93.20 not allow the individual to register or to vote in the polling place. The election judge who
 93.21 registers an individual at the polling place on election day shall not handle that voter's ballots
 93.22 at any time prior to the opening of the ballot box after the voting ends. Registration
 93.23 applications ~~and forms for oaths~~ shall be available at each polling place. ~~If an individual~~
 93.24 ~~who registers on election day proves residence by oath of a registered voter, the form~~
 93.25 ~~containing the oath shall be attached to the individual's registration application. Registration~~
 93.26 ~~applications completed on election day shall be forwarded to the county auditor who shall~~
 93.27 ~~add the name of each voter to the registration system unless the information forwarded is~~
 93.28 ~~substantially deficient. A county auditor who finds an election day registration substantially~~
 93.29 ~~deficient shall give written notice to the individual whose registration is found deficient.~~
 93.30 ~~An election day registration shall not be found deficient solely because the individual who~~
 93.31 ~~provided proof of residence was ineligible to do so.~~

94.1 Sec. 6. Minnesota Statutes 2020, section 201.091, subdivision 4, is amended to read:

94.2 Subd. 4. **Public information lists.** (a) The county auditor shall make available for
94.3 inspection a public information list which must contain the name, address, year of birth,
94.4 and voting history of each registered voter in the county. The list must indicate each voter
94.5 whose status is challenged in the statewide voter registration system at the time the list was
94.6 prepared. For each voter, the list must include the history of each change in status and the
94.7 date that the change to that status was made. The list must also include individuals that were
94.8 previously registered but were removed or made inactive in the statewide voter registration
94.9 system, and the reason for the removal or inactivation.

94.10 The list must not include the party choice of any voter who voted in a presidential
94.11 nomination primary. The telephone number must be included on the list if provided by the
94.12 voter. The public information list may also include information on voting districts.

94.13 (b) The county auditor may adopt reasonable rules governing access to the list. No
94.14 individual inspecting the public information list shall tamper with or alter it in any manner.
94.15 No individual who inspects the public information list or who acquires a list of registered
94.16 voters prepared from the public information list may use any information contained in the
94.17 list for purposes unrelated to elections, political activities, or law enforcement. The secretary
94.18 of state may provide copies of the public information lists and other information from the
94.19 statewide registration system for uses related to elections, political activities, or in response
94.20 to a law enforcement inquiry from a public official concerning a failure to comply with any
94.21 criminal statute or any state or local tax statute.

94.22 (c) Before inspecting the public information list or obtaining a list of voters or other
94.23 information from the list, the individual shall provide identification to the public official
94.24 having custody of the public information list and shall state in writing that any information
94.25 obtained from the list will not be used for purposes unrelated to elections, political activities,
94.26 or law enforcement. Requests to examine or obtain information from the public information
94.27 lists or the statewide registration system must be made and processed in the manner provided
94.28 in the rules of the secretary of state.

94.29 (d) Upon receipt of a statement signed by the voter that withholding the voter's name
94.30 from the public information list is required for the safety of the voter or the voter's family,
94.31 the secretary of state and county auditor must withhold from the public information list the
94.32 name of a registered voter.

94.33 **EFFECTIVE DATE.** This section is effective July 1, 2021, and applies to public
94.34 information lists created on or after that date. Information on status changes or individuals

95.1 removed from the statewide voter registration system collected prior to July 1, 2021, must
 95.2 not be included on a public information list.

95.3 Sec. 7. Minnesota Statutes 2020, section 201.121, subdivision 1, is amended to read:

95.4 Subdivision 1. **Entry of registration information.** (a) At the time a voter registration
 95.5 application is properly completed, submitted, and received in accordance with sections
 95.6 201.061 and 201.071, the county auditor shall enter the information contained on it into the
 95.7 statewide registration system. Voter registration applications completed before election day
 95.8 must be entered into the statewide registration system within ten days after they have been
 95.9 submitted to the county auditor. Voter registration applications completed on election day
 95.10 must be entered into the statewide registration system ~~within 42~~ as soon as possible, but no
 95.11 later than three days after the election, unless the county auditor notifies the secretary of
 95.12 state before the deadline has expired that the deadline will not be met. Upon receipt of a
 95.13 notification under this paragraph, the secretary of state must extend the deadline for that
 95.14 county auditor by an additional 28 days. The secretary of state may waive a county's
 95.15 obligations under this paragraph if, on good cause shown, the county demonstrates its
 95.16 permanent inability to comply.

95.17 ~~The secretary of state must post data on each county's compliance with this paragraph on~~
 95.18 ~~the secretary of state's website including, as applicable, the date each county fully complied~~
 95.19 ~~or the deadline by which a county's compliance must be complete.~~

95.20 (b) Upon receiving a completed voter registration application, the secretary of state may
 95.21 electronically transmit the information on the application to the appropriate county auditor
 95.22 as soon as possible for review by the county auditor before final entry into the statewide
 95.23 registration system. The secretary of state may mail the voter registration application to the
 95.24 county auditor.

95.25 (c) Within ten days after the county auditor has entered information from a voter
 95.26 registration application into the statewide registration system, the secretary of state shall
 95.27 compare the voter's name, date of birth, and driver's license number, state identification
 95.28 number, or the last four digits of the Social Security number with the same information
 95.29 contained in the Department of Public Safety database. For applications received on election
 95.30 day, this must be completed within three days after the county auditor or municipal clerk
 95.31 has entered the information into the statewide voter registration system.

95.32 (d) The secretary of state shall provide a report to the county auditor on a weekly basis
 95.33 that includes a list of voters whose name, date of birth, or identification number have been
 95.34 compared with the same information in the Department of Public Safety database and cannot

96.1 be verified as provided in this subdivision. The report must list separately those voters who
 96.2 have submitted a voter registration application by mail and have not voted in a federal
 96.3 election in this state. For the six days following an election, the secretary of state must
 96.4 provide this report at least daily to county auditors and municipal clerks.

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

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

96.14 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
 96.15 on or after that date.

96.16 Sec. 8. Minnesota Statutes 2020, section 201.121, subdivision 3, is amended to read:

96.17 Subd. 3. **Postelection sampling.** (a) Within ten days after an election, the county auditor
 96.18 shall send the notice required by subdivision 2 to a random sampling of the individuals
 96.19 registered on election day. The random sampling shall be determined in accordance with
 96.20 the rules of the secretary of state. As soon as practicable after the election, the county auditor
 96.21 shall mail the notice required by subdivision 2 to all other individuals registered on election
 96.22 day. If a notice is returned as not deliverable, the county auditor shall attempt to determine
 96.23 the reason for the return. A county auditor who does not receive or obtain satisfactory proof
 96.24 of an individual's eligibility to vote shall immediately notify the county attorney of all of
 96.25 the relevant information. ~~The~~ By February 15 of each year, the county auditor must notify
 96.26 the secretary of state of the following information for each election held in the previous
 96.27 year by each precinct:

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

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

96.31 (3) the total number of individuals for whom the county auditor does not receive or
 96.32 obtain satisfactory proof of an individual's eligibility to vote.

97.1 (b) By March 1 of every ~~odd-numbered~~ year, the secretary of state shall report to the
 97.2 chair and ranking minority members of the legislative committees with jurisdiction over
 97.3 elections the following information for each election held in the previous year by each
 97.4 precinct and each county:

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

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

97.8 (3) the total number of individuals for whom the county auditor does not receive or
 97.9 obtain satisfactory proof of an individual's eligibility to vote.

97.10 Sec. 9. [201.146] NOTICE OF CHALLENGE; CONTEST.

97.11 Subdivision 1. Notice of challenge. No later than seven days after changing the status
 97.12 of a registrant in the statewide voter registration system pursuant to section 201.13,
 97.13 subdivision 1, 201.14, or 201.145, the county auditor or municipal clerk must mail a notice
 97.14 to the registrant. The notice must include, at a minimum, the following information:

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

97.16 (2) the reason for the change;

97.17 (3) a copy of the information provided by the state agency or court that was the basis
 97.18 for the change in status; and

97.19 (4) a description of the process to contest the change in status, as provided in subdivision
 97.20 2.

97.21 Subd. 2. Contest. (a) An individual whose status was challenged in the statewide voter
 97.22 registration system pursuant to section 201.13, subdivision 1, 201.14, or 201.145 has the
 97.23 right to contest the challenge as provided in this section.

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

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

98.1 (d) After reviewing the required data, and after the review meeting if one occurred, the
 98.2 named entity must determine whether the data is accurate or should be changed. If the named
 98.3 entity determines that no change to the data is required, the named entity must notify the
 98.4 individual. If the named entity determines that the data must be changed, the named entity
 98.5 must promptly notify the individual and the secretary of state. Upon receiving the changed
 98.6 data from the named entity, the secretary of state must promptly remove the challenged
 98.7 status. If an individual disagrees with the decision of the named entity, the individual may
 98.8 appeal to the district court.

98.9 (e) For purposes of this section, "named entity" means the entity listed in the notice as
 98.10 required by subdivision 1, clause (3).

98.11 **EFFECTIVE DATE.** This section is effective July 1, 2021, and applies to individuals
 98.12 who are challenged on or after that date, and applies to reports received by the secretary of
 98.13 state on or after that date. The notices required by subdivision 1 must be sent to individuals
 98.14 who are challenged in the statewide voter registration system pursuant to this section on or
 98.15 after July 1, 2021.

98.16 Sec. 10. Minnesota Statutes 2020, section 201.225, subdivision 2, is amended to read:

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

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

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

98.21 (3) allow for data to be entered manually or by scanning a Minnesota driver's license or
 98.22 identification card to locate a voter record or populate a voter registration application that
 98.23 would be printed and signed and dated by the voter. ~~The printed registration application~~
 98.24 ~~can be either a printed form, labels printed with voter information to be affixed to a preprinted~~
 98.25 ~~form, or a combination of both~~ and affixed to the provisional ballot envelope;

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

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

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

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

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

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

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

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

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

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

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

99.19 Electronic rosters used only for election day registration do not need to comply with clauses
 99.20 (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need
 99.21 to comply with clauses (4) and (5).

99.22 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
 99.23 on or after that date.

99.24 Sec. 11. Minnesota Statutes 2020, section 201.225, subdivision 5, is amended to read:

99.25 Subd. 5. **Election day.** (a) Precincts may use electronic rosters for election day
 99.26 registration, to process preregistered voters, or both. ~~The printed election day registration~~
 99.27 ~~applications must be reviewed when electronic records are processed in the statewide voter~~
 99.28 ~~registration system.~~ The election judges shall determine the number of ballots to be counted
 99.29 by counting the number of original voter signature certificates or the number of voter receipts.

99.30 (b) Each precinct using electronic rosters shall have a paper backup system approved
 99.31 by the secretary of state present at the polling place to use in the event that the election
 99.32 judges are unable to use the electronic roster.

100.1 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
100.2 on or after that date.

100.3 Sec. 12. Minnesota Statutes 2020, section 203B.01, subdivision 3, is amended to read:

100.4 Subd. 3. **Military.** "Military" means the Army, Navy, Air Force, Marine Corps, Coast
100.5 Guard or Merchant Marine of the United States, all other uniformed services as defined in
100.6 United States Code, title 52, section 20310, and military forces as defined by section 190.05,
100.7 subdivision 3, or any eligible citizen of Minnesota enrolled as a student at the United States
100.8 Naval Academy, the United States Coast Guard Academy, the United States Merchant
100.9 Marine Academy, the United States Air Force Academy, or the United States Military
100.10 Academy.

100.11 Sec. 13. Minnesota Statutes 2020, section 203B.04, subdivision 1, is amended to read:

100.12 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision
100.13 2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election
100.14 may be submitted at any time not less than one day before the day of that election. The
100.15 county auditor shall prepare absentee ballot application forms in the format provided by the
100.16 secretary of state and shall furnish them to any person on request. By January 1 of each
100.17 even-numbered year, the secretary of state shall make the forms to be used available to
100.18 auditors through electronic means. An application submitted pursuant to this subdivision
100.19 shall be in writing. An application may be submitted in person, by electronic facsimile
100.20 device, by electronic mail, or by mail to:

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

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

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

100.30 An application submitted electronically under this paragraph may only be transmitted to
100.31 the county auditor for processing if the secretary of state has verified the application
100.32 information matches the information in a government database associated with the applicant's

101.1 driver's license number, state identification card number, or Social Security number. The
 101.2 secretary of state must review all unverifiable applications for evidence of suspicious activity
 101.3 and must forward any such application to an appropriate law enforcement agency for
 101.4 investigation.

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

- 101.8 (1) the applicant's Minnesota driver's license number;
- 101.9 (2) Minnesota state identification card number;
- 101.10 (3) the last four digits of the applicant's Social Security number; or
- 101.11 (4) a statement that the applicant does not have any of these numbers.

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

101.15 (d) An applicant's full date of birth, Minnesota driver's license or state identification
 101.16 number, and the last four digits of the applicant's Social Security number must not be made
 101.17 available for public inspection. An application may be submitted to the county auditor or
 101.18 municipal clerk by an electronic facsimile device. An application mailed or returned in
 101.19 person to the county auditor or municipal clerk on behalf of a voter by a person other than
 101.20 the voter must be deposited in the mail or returned in person to the county auditor or
 101.21 municipal clerk within ten days after it has been dated by the voter and no later than six
 101.22 days before the election. The absentee ballot applications or a list of persons applying for
 101.23 an absentee ballot may not be made available for public inspection until the close of voting
 101.24 on election day, except as authorized in section 203B.12, and must be available to the public
 101.25 in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

101.26 (e) An application under this subdivision may contain an application under subdivision
 101.27 5 to automatically receive an absentee ballot application.

101.28 Sec. 14. Minnesota Statutes 2020, section 203B.04, subdivision 4, is amended to read:

101.29 Subd. 4. **Registration at time of application.** An eligible voter who is not registered
 101.30 to vote but who is otherwise eligible to vote by absentee ballot may register by ~~including~~
 101.31 submitting a completed voter registration application with the absentee ballot. ~~The individual~~
 101.32 ~~shall present proof of residence as required by section 201.061, subdivision 3, to the~~

102.1 ~~individual who witnesses the marking of the absentee ballots~~ If the absentee ballot and voter
 102.2 registration application are returned by mail, the voter registration must be placed into the
 102.3 return envelope along with the signature envelope. A military voter, as defined in section
 102.4 203B.01, may register in this manner if voting pursuant to sections 203B.04 to 203B.15, or
 102.5 may register pursuant to sections 203B.16 to 203B.27.

102.6 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
 102.7 on or after that date.

102.8 Sec. 15. Minnesota Statutes 2020, section 203B.07, subdivision 3, is amended to read:

102.9 Subd. 3. **Eligibility certificate.** A certificate of eligibility to vote by absentee ballot
 102.10 shall be printed on the back of the return envelope. The certificate shall contain space for
 102.11 the voter's Minnesota driver's license number, state identification number, or the last four
 102.12 digits of the voter's Social Security number, or to indicate that the voter does not have one
 102.13 of these numbers. The space must be designed to ensure that the voter provides the same
 102.14 type of identification as provided on the voter's absentee ballot application for purposes of
 102.15 comparison. The certificate must also contain a statement to be signed and sworn by the
 102.16 voter indicating that the voter meets all of the requirements established by law for voting
 102.17 by absentee ballot and space for a statement signed by a person who is registered to vote in
 102.18 Minnesota or by a notary public or other individual authorized to administer oaths stating
 102.19 that:

102.20 (1) the ballots were displayed to that individual unmarked; and

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

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

102.26 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
 102.27 on or after that date.

102.28 Sec. 16. Minnesota Statutes 2020, section 203B.08, subdivision 3, is amended to read:

102.29 Subd. 3. **Procedures on receipt of ballots.** (a) When absentee ballots are returned to a
 102.30 county auditor or municipal clerk, that official shall stamp or initial and date the return
 102.31 envelope ~~and~~. The county auditor must open the return envelope to determine if a voter
 102.32 registration application is in the envelope. If a voter registration application is in the envelope,

103.1 the county auditor must remove the voter registration application. The county auditor must
 103.2 reseal the return envelope, initial across the seal, and note that a voter registration application
 103.3 was removed from the envelope. The county auditor must place ~~it~~ all return envelopes in a
 103.4 secure location with other return envelopes received by that office. Except for voter
 103.5 registration applications removed pursuant to this section, all contents of the return envelope
 103.6 must remain in the return envelope until delivered to the ballot board.

103.7 (b) Within five days after receipt, the county auditor or municipal clerk shall deliver to
 103.8 the ballot board all ballots received, except that during the 14 days immediately preceding
 103.9 an election, the county auditor or municipal clerk shall deliver all ballots received to the
 103.10 ballot board within three days. Ballots received on election day either (1) after 3:00 p.m.,
 103.11 if delivered in person; or (2) after 8:00 p.m., if delivered by mail or a package delivery
 103.12 service, shall be marked as received late by the county auditor or municipal clerk, and must
 103.13 not be delivered to the ballot board.

103.14 (c) Upon removing the voter registration application as required by paragraph (a), the
 103.15 county auditor must immediately process the voter registration application as provided in
 103.16 section 201.121, subdivisions 1 and 2.

103.17 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
 103.18 on or after that date.

103.19 Sec. 17. Minnesota Statutes 2020, section 203B.081, subdivision 1, is amended to read:

103.20 Subdivision 1. **Location; timing.** An eligible voter may vote by absentee ballot in the
 103.21 office of the county auditor and at any other polling place designated by the county auditor
 103.22 during the 46 days before the election, except as provided in this section. Any other polling
 103.23 place designated by the county auditor pursuant to this section must be at a precinct polling
 103.24 place designated pursuant to section 204B.16. Where the county auditor administers absentee
 103.25 voting, all polling places must be open for in-person absentee voting for the entire absentee
 103.26 voting period during the same days and hours as the office of the county auditor is open for
 103.27 in-person absentee voting. Where a municipal clerk has been designated to administer
 103.28 absentee voting pursuant to section 203B.05, all polling places designated within the
 103.29 municipality must be open for in-person absentee voting for the entire absentee voting period
 103.30 during the regular business hours for the municipal clerk's office.

103.31 Sec. 18. Minnesota Statutes 2020, section 203B.081, subdivision 2, is amended to read:

103.32 Subd. 2. **Town elections.** Voters casting absentee ballots in person for a town election
 103.33 held in March may do so during the 30 days before the election. ~~The county auditor shall~~

104.1 ~~make such designations at least 14 weeks before the election.~~ At least one voting booth in
104.2 each polling place must be made available by the county auditor for this purpose. The county
104.3 auditor must also make available at least one electronic ballot marker in each polling place
104.4 that has implemented a voting system that is accessible for individuals with disabilities
104.5 pursuant to section 206.57, subdivision 5.

104.6 Sec. 19. Minnesota Statutes 2020, section 203B.081, subdivision 3, is amended to read:

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

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

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

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

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

104.27 (f) If a person is not preregistered to vote, the person must not be allowed to cast an
104.28 absentee ballot using the alternative procedure authorized by this subdivision.

104.29 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
104.30 on or after that date.

105.1 Sec. 20. Minnesota Statutes 2020, section 203B.12, subdivision 7, is amended to read:

105.2 Subd. 7. **Names of persons; rejected absentee ballots.** The names of voters who have
105.3 submitted an absentee ballot to the county auditor or municipal clerk that has not been
105.4 accepted may not be made available for public inspection until the close of voting on election
105.5 day.

105.6 After the close of voting on election day, the lists must be available to the public in the
105.7 same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

105.8 Sec. 21. Minnesota Statutes 2020, section 203B.121, subdivision 2, is amended to read:

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

105.17 (b) The members of the ballot board shall mark the ~~return~~ signature envelope "Accepted"
105.18 and initial or sign the ~~return~~ signature envelope below the word "Accepted" if a majority
105.19 of the members of the ballot board examining the envelope are satisfied that:

105.20 (1) the voter's name and address on the ~~return~~ signature envelope are the same as the
105.21 information provided on the absentee ballot application;

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

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

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

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

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

106.3 The ~~return~~ signature envelope from accepted ballots must be preserved and returned to
106.4 the county auditor.

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

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

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

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

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

106.27 (2) the reason for rejection; and

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

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

106.32 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
106.33 on or after that date.

107.1 Sec. 22. Minnesota Statutes 2020, section 203B.121, subdivision 4, is amended to read:

107.2 Subd. 4. **Opening of envelopes.** After the close of business on the seventh day before
107.3 the election, the ballots from ~~return~~ secrecy envelopes within the signature envelopes marked
107.4 "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86,
107.5 subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate
107.6 ballot box. If more than one voted ballot is enclosed in the ballot envelope, the ballots must
107.7 be returned in the manner provided by section 204C.25 for return of spoiled ballots, and
107.8 may not be counted.

107.9 Sec. 23. Minnesota Statutes 2020, section 203B.24, subdivision 1, is amended to read:

107.10 Subdivision 1. **Check of voter eligibility; proper execution of certificate.** Upon receipt
107.11 of an absentee ballot returned as provided in sections 203B.16 to 203B.27, the election
107.12 judges shall compare the voter's name with the names recorded under section 203B.19 in
107.13 the statewide registration system to insure that the ballot is from a voter eligible to cast an
107.14 absentee ballot under sections 203B.16 to 203B.27. The election judges shall mark the ~~return~~
107.15 signature envelope "Accepted" and initial or sign the ~~return~~ signature envelope below the
107.16 word "Accepted" if the election judges are satisfied that:

107.17 (1) the voter's name and address on the ~~return~~ signature envelope appears in substantially
107.18 the same form as on the application records provided to the election judges by the county
107.19 auditor;

107.20 (2) the voter has signed the federal oath prescribed pursuant to section 705(b)(2) of the
107.21 Help America Vote Act, Public Law 107-252;

107.22 (3) the voter has set forth the same voter's passport number, or Minnesota driver's license
107.23 or state identification card number, or the last four digits of the voter's Social Security
107.24 number as submitted on the application, if the voter has one of these documents;

107.25 (4) the voter is not known to have died; and

107.26 (5) the voter has not already voted at that election, either in person or by absentee ballot.

107.27 If the identification number described in clause (3) does not match the number as
107.28 submitted on the application, the election judges must make a reasonable effort to satisfy
107.29 themselves through other information provided by the applicant, or by an individual
107.30 authorized to apply on behalf of the voter, that the ballots were returned by the same person
107.31 to whom the ballots were transmitted.

108.1 An absentee ballot cast pursuant to sections 203B.16 to 203B.27 may only be rejected
108.2 for the lack of one of clauses (1) to (5). In particular, failure to place the ballot within the
108.3 ~~security~~ secrecy envelope before placing it in the outer white envelope is not a reason to
108.4 reject an absentee ballot.

108.5 Election judges must note the reason for rejection on the back of the envelope in the
108.6 space provided for that purpose.

108.7 Failure to return unused ballots shall not invalidate a marked ballot, but a ballot shall
108.8 not be counted if the certificate on the return envelope is not properly executed. In all other
108.9 respects the provisions of the Minnesota Election Law governing deposit and counting of
108.10 ballots shall apply. Notwithstanding other provisions of this section, the counting of the
108.11 absentee ballot of a deceased voter does not invalidate the election.

108.12 Sec. 24. Minnesota Statutes 2020, section 204B.09, subdivision 3, is amended to read:

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

108.19 (b) A candidate for president of the United States who files a request under this
108.20 subdivision must ~~include the name of a candidate for vice president of the United States.~~
108.21 file jointly with another individual seeking nomination as a candidate for vice president of
108.22 the United States. A candidate for vice president of the United States who files a request
108.23 under this subdivision must file jointly with another individual seeking nomination as a
108.24 candidate for president of the United States. The request must also include the name of at
108.25 least one candidate for presidential elector. The total number of names of candidates for
108.26 presidential elector on the request may not exceed the total number of electoral votes to be
108.27 cast by Minnesota in the presidential election.

108.28 (c) A candidate for governor who files a request under this subdivision must ~~include the~~
108.29 ~~name of a candidate for lieutenant governor.~~ file jointly with another individual seeking
108.30 nomination as a candidate for lieutenant governor. A candidate for lieutenant governor who
108.31 files a request under this subdivision must file jointly with another individual seeking
108.32 nomination as a candidate for governor.

109.1 Sec. 25. Minnesota Statutes 2020, section 204B.14, subdivision 3, is amended to read:

109.2 Subd. 3. **Boundary changes; prohibitions; exception.** (a) Notwithstanding other law
109.3 or charter provisions to the contrary, during the period from January 1 in any year ending
109.4 in zero to the time when the legislature has been redistricted in a year ending in one or two,
109.5 no changes may be made in the boundaries of any election precinct except as provided in
109.6 this subdivision.

109.7 ~~(a)~~ (b) If a city annexes an unincorporated area located in the same county as the city
109.8 and adjacent to the corporate boundary, the annexed area may be included in an election
109.9 precinct immediately adjacent to it.

109.10 ~~(b)~~ (c) A municipality or county may establish new election precincts lying entirely
109.11 within the boundaries of any existing precinct and shall assign names to the new precincts
109.12 which include the name of the former precinct.

109.13 ~~(c)~~ (d) Precinct boundaries in a city of the first class electing council members by wards
109.14 may be reestablished within four weeks of the adoption of ward boundaries in a year ending
109.15 in one, as provided in section 204B.135, subdivision 1. If precinct boundaries are
109.16 reestablished in a year ending in one, the city council must designate polling places for each
109.17 election precinct pursuant to section 204B.16, subdivision 1, within 30 days establishing
109.18 precinct boundaries. The polling place designations are effective for the year ending in one.

109.19 ~~(d)~~ (e) Precinct boundaries must be reestablished within 60 days of the time when the
109.20 legislature has been redistricted, or at least 19 weeks before the state primary election in a
109.21 year ending in two, whichever comes first. The governing body of each municipality and
109.22 of each county with precincts in unorganized territory must designate polling places for
109.23 each election precinct pursuant to section 204B.16, subdivision 1, within 30 days of
109.24 establishing precinct boundaries or at least 19 weeks before the state primary election in a
109.25 year ending in two, whichever comes first. The adoption of reestablished precinct boundaries
109.26 and polling places becomes effective on the date of the state primary election in the year
109.27 ending in two.

109.28 (f) Precincts must be arranged so that no precinct lies in more than one legislative or
109.29 congressional district.

109.30 Sec. 26. Minnesota Statutes 2020, section 204B.16, subdivision 1, is amended to read:

109.31 Subdivision 1. **Authority; location.** By December 31 of each year, the governing body
109.32 of each municipality and of each county with precincts in unorganized territory must
109.33 designate by ordinance or resolution a polling place for each election precinct. The polling

110.1 places designated in the ordinance or resolution are the polling places for the following
 110.2 calendar year, unless a change is made:

110.3 (1) pursuant to section 204B.175;

110.4 (2) because a polling place has become unavailable; ~~or~~

110.5 (3) because a township designates one location for all state and federal elections and
 110.6 one location for all township only elections; and

110.7 (4) pursuant to section 204B.14, subdivision 3.

110.8 (b) Polling places must be designated and ballots must be distributed so that no one is
 110.9 required to go to more than one polling place to vote in a school district and municipal
 110.10 election held on the same day. The polling place for a precinct in a city or in a school district
 110.11 located in whole or in part in the metropolitan area defined by section 200.02, subdivision
 110.12 24, shall be located within the boundaries of the precinct or within one mile of one of those
 110.13 boundaries unless a single polling place is designated for a city pursuant to section 204B.14,
 110.14 subdivision 2, or a school district pursuant to section 205A.11. The polling place for a
 110.15 precinct in unorganized territory may be located outside the precinct at a place which is
 110.16 convenient to the voters of the precinct. If no suitable place is available within a town or
 110.17 within a school district located outside the metropolitan area defined by section 200.02,
 110.18 subdivision 24, then the polling place for a town or school district may be located outside
 110.19 the town or school district within five miles of one of the boundaries of the town or school
 110.20 district.

110.21 Sec. 27. Minnesota Statutes 2020, section 204B.21, is amended by adding a subdivision
 110.22 to read:

110.23 Subd. 4. Election judge list; party affiliation. (a) Notwithstanding section 13.43, the
 110.24 municipal clerk or county auditor must submit to the secretary of state a list of each person
 110.25 who served as an election judge for an election. The list must be submitted to the secretary
 110.26 of state within 14 days after an election. The list must include the following information
 110.27 for each election judge:

110.28 (1) name;

110.29 (2) address;

110.30 (3) whether the election judge was appointed from a list provided by a major political
 110.31 party or from another source; if the election judge was appointed from another source, the
 110.32 list must include a description of that source; and

111.1 (4) whether the election judge was affiliated with a major political party and, if so, which
 111.2 party.

111.3 (b) Notwithstanding section 13.43, the secretary of state must provide a list of politically
 111.4 affiliated election judges to the chair of the respective major political party. The lists must
 111.5 be provided to the chairs between 14 and 21 days after an election. The information on the
 111.6 lists must be used only for purposes related to elections or political activity.

111.7 Sec. 28. Minnesota Statutes 2020, section 204B.36, subdivision 2, is amended to read:

111.8 Subd. 2. **Candidates and offices.** The name of each candidate shall be printed at a right
 111.9 angle to the length of the ballot. At a general election the name of the political party or the
 111.10 political principle of each candidate for partisan office shall be printed above or below the
 111.11 name of the candidate. The name of a political party or a political principle shall be printed
 111.12 in capital and lowercase letters of the same type, with the capital letters at least one-half the
 111.13 height of the capital letters used for names of the candidates. At a general or special election,
 111.14 blank lines containing the words "write-in, if any" shall be printed below the name of the
 111.15 last candidate for each office, or below the title of the office if no candidate has filed for
 111.16 that office, so that a voter may write in the names of individuals whose names are not on
 111.17 the ballot. One blank line shall be printed for each officer of that kind to be elected. At a
 111.18 primary election, no blank lines shall be provided for writing in the names of individuals
 111.19 whose names do not appear on the primary ballot.

111.20 On the left side of the ballot at the same level with the name of each candidate and each
 111.21 blank line shall be printed an oval or similar target shape in which the voter may designate
 111.22 a vote by filling in the oval or similar mark if a different target shape is used. Each oval or
 111.23 target shape shall be the same size. Above the first name on each ballot shall be instructions
 111.24 for voting. Directly underneath the official title of each office shall be printed the words
 111.25 "Vote for one" or "Vote for up to ..." (any greater number to be elected).

111.26 Sec. 29. **[204B.50] RANKED-CHOICE VOTING; PROHIBITION.**

111.27 (a) The following political subdivisions may not adopt or enforce in any manner a rule,
 111.28 resolution, charter provision, or ordinance establishing ranked-choice voting as a method
 111.29 of voting, or any voting method similar to ranked-choice voting, for local offices within the
 111.30 political subdivision:

111.31 (1) home rule charter or statutory cities;

111.32 (2) counties;

112.1 (3) townships; and

112.2 (4) school districts.

112.3 (b) For purposes of this section, "ranked-choice voting" means any election method in
112.4 which a voter ranks or assigns a numerical value to candidates for an office in order of the
112.5 voter's preference.

112.6 (c) Any rule, resolution, charter provision, or ordinance inconsistent with this section is
112.7 void.

112.8 **EFFECTIVE DATE.** This section is effective the day following final enactment and
112.9 applies to elections on or after that date.

112.10 Sec. 30. Minnesota Statutes 2020, section 204C.05, subdivision 1a, is amended to read:

112.11 Subd. 1a. **Elections; organized town.** The governing body of a town with less than 500
112.12 inhabitants according to the most recent federal decennial census, which is located outside
112.13 the metropolitan area as defined in section 200.02, subdivision 24, may fix a later time for
112.14 voting to begin at state primary, special, or general elections, if approved by a vote of the
112.15 town electors at the annual town meeting. The question of shorter voting hours must be
112.16 included in the notice of the annual town meeting before the question may be submitted to
112.17 the electors at the meeting. The later time may not be later than 10:00 a.m. for special,
112.18 primary, or general elections. The town clerk shall either post or publish notice of the
112.19 changed hours and notify the county auditor and the secretary of state of the change 30 days
112.20 before the election.

112.21 Sec. 31. Minnesota Statutes 2020, section 204C.05, subdivision 1b, is amended to read:

112.22 Subd. 1b. **Elections; unorganized territory.** An unorganized territory or unorganized
112.23 territories which constitute a voting district may have shorter voting hours if at least 20
112.24 percent of the registered voters residing in the voting district sign a petition for shorter hours
112.25 and present it to the county auditor and secretary of state at least 30 days before the election.
112.26 The later time may not be later than 10:00 a.m. for special, primary, or general elections.
112.27 The county auditor shall either post or publish notice of the changed hours, within the voting
112.28 district, 30 days before the election.

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

113.2 **204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;**
 113.3 **VOTER RECEIPT.**

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

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

113.18 (c) ~~A judge may,~~ Before the applicant signs the roster or voter signature certificate, an
 113.19 election judge must confirm the applicant's name, address, and date of birth.If the voter's
 113.20 registration status is challenged, the voter must not be allowed to sign the polling place
 113.21 roster or a voter signature certificate, but must be allowed to cast an administrative challenged
 113.22 ballot or a verification challenged ballot pursuant to section 204C.136. A voter must be
 113.23 allowed to cast an administrative challenged ballot if the basis of the challenge is:

113.24 (1) based on a death reported by the commissioner of health;

113.25 (2) a name change recorded with a court in state;

113.26 (3) a Minnesota court order revoking the person's right to vote or where the court has
 113.27 found the person to be legally incompetent to vote;

113.28 (4) a felony conviction; or

113.29 (5) a temporary lawful status in the county based on a person's driver's license status.

113.30 A voter must be allowed to cast a verification challenged ballot if the challenge is for any
 113.31 other reason.

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

114.6 (e) ~~Whenever a challenged status appears on the polling place roster,~~ If a voter has a
 114.7 challenged status in the statewide voter registration system at the time the roster was prepared,
 114.8 the voter's challenged status must be indicated on the roster. The roster must also include
 114.9 the basis for the challenge. An election judge must ensure that the challenge is concealed
 114.10 or hidden from the view of any voter other than the voter whose status is challenged.

114.11 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
 114.12 on or after that date.

114.13 Sec. 33. Minnesota Statutes 2020, section 204C.12, subdivision 2, is amended to read:

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

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

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

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

114.25 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
 114.26 on or after that date.

114.27 Sec. 34. **[204C.135] PROVISIONAL BALLOTS.**

114.28 Subdivision 1. **Casting provisional ballots.** (a) A voter who registered on election day
 114.29 pursuant to section 201.061, subdivision 3, is entitled to cast a provisional ballot.

114.30 (b) A voter seeking to cast a provisional ballot must sign a provisional ballot roster or
 114.31 a provisional voter signature certificate and complete a voter registration application. The

115.1 voter registration application may be completed by an electronic roster and affixed to the
115.2 provisional ballot envelope. The voter must also swear or affirm in writing that the voter is
115.3 eligible to vote, has not voted previously in the same election, and meets the criteria for
115.4 registering to vote in the precinct in which the voter appears.

115.5 (c) Once the voter has completed the provisional ballot envelope, the voter must be
115.6 allowed to cast a provisional ballot. The provisional ballot must be in the same form as the
115.7 official ballot available in the precinct on election day. A completed provisional ballot shall
115.8 be sealed in a secrecy envelope. The secrecy envelope shall be sealed inside the voter's
115.9 provisional ballot envelope and deposited by the voter in a secure, sealed provisional ballot
115.10 box. Completed provisional ballots must not be combined with other voted ballots in the
115.11 polling place.

115.12 (d) The secretary of state must prescribe the form of the secrecy and provisional ballot
115.13 envelopes. The provisional ballot envelope must be a color other than that provided for
115.14 absentee ballot envelopes or challenged ballot envelopes and must be prominently labeled
115.15 "Provisional Ballot Envelope."

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

115.19 **Subd. 2. Accepting or rejecting provisional ballot envelopes.** (a) Within seven days
115.20 after the election, two or more election judges that are affiliated with different major political
115.21 parties must process each applicant's registration application as provided by section 201.121,
115.22 subdivisions 1 and 2. If more than two election judges are processing registration applications,
115.23 the party balance requirements of section 204B.19, subdivision 5, apply. All election judges
115.24 processing voter registration applications must have a major political party affiliation. If
115.25 the applicant is registered to vote, then the election judges must determine if the voter's
115.26 status is challenged in the statewide voter registration system. If the voter's status is
115.27 challenged, the provisional ballot must not be accepted but must be processed as a challenged
115.28 ballot as provided in section 204C.136, subdivision 2. If the ballot will be treated as a
115.29 verification challenged ballot, the election judges must attempt to contact the voter to inform
115.30 the voter they must appear in-person to prove their eligibility to vote before their ballot will
115.31 be counted. If the applicant is registered to vote and the voter's status is not challenged in
115.32 the statewide voter registration system, that voter's provisional ballot envelope must be
115.33 accepted. The election judges must mark the provisional ballot envelope "Accepted" and
115.34 initial or sign the envelope below the word "Accepted." If the applicant is not registered to
115.35 vote, the provisional ballot envelope must be rejected. If a provisional ballot envelope is

116.1 rejected, the election judges must mark the provisional ballot envelope "Rejected," initial
116.2 or sign it below the word "Rejected," and list the reason for rejection on the envelope. The
116.3 election judges must promptly record in the statewide voter registration system that a voter's
116.4 provisional ballot envelope has been accepted or rejected.

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

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

116.11 Subd. 3. **Provisional ballots; reconciliation.** On the seventh day after the election and
116.12 prior to counting any provisional ballots in the final vote totals from a precinct, the two or
116.13 more election judges that are affiliated with different major political parties must verify that
116.14 the number of signatures appearing on the provisional ballot roster from that precinct is
116.15 equal to or greater than the number of provisional ballots submitted by voters in the precinct
116.16 on election day. If more than two election judges are reconciling ballots, the party balance
116.17 requirements of section 204B.19, subdivision 5, apply. All election judges must have a
116.18 major political party affiliation. Any discrepancy must be resolved before the provisional
116.19 ballots from the precinct may be counted. Excess provisional ballots must be randomly
116.20 withdrawn from the accepted provisional ballots in the manner required by section 204C.20,
116.21 subdivision 2.

116.22 Subd. 4. **Counting provisional ballots.** Once the reconciliation process required by
116.23 subdivision 3 is completed, accepted provisional ballot envelopes must be opened; duplicated
116.24 as needed in the manner provided in section 206.86, subdivision 5; initialed by the election
116.25 judges; and deposited in the appropriate ballot box. If more than one ballot is enclosed in
116.26 the ballot envelope, the ballots must be spoiled and must not be counted.

116.27 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
116.28 on or after that date.

116.29 Sec. 35. **[204C.136] CHALLENGED BALLOTS.**

116.30 Subdivision 1. **Casting challenged ballots.** (a) A voter whose registration status is
116.31 challenged is entitled to cast a challenged ballot. A voter must be allowed to cast an
116.32 administrative challenged ballot if the basis of the challenge is:

116.33 (1) based on a death reported by the commissioner of health;

117.1 (2) a name change recorded with a court in state;

117.2 (3) a Minnesota court order revoking the person's right to vote or where the court has
117.3 found the person to be legally incompetent to vote;

117.4 (4) a felony conviction; or

117.5 (5) a temporary lawful status in the county based on a person's driver's license status.

117.6 A voter must be allowed to cast a verification challenged ballot if the challenge is for any
117.7 other reason. For purposes of this section, both types of challenged ballots are handled the
117.8 in the same manner except where otherwise specified.

117.9 (b) A voter seeking to cast a challenged ballot must sign a challenged ballot roster or a
117.10 challenged voter signature certificate and complete a challenged ballot envelope. The roster
117.11 must indicate whether the voter is provided with an administrative challenged ballot or a
117.12 verification challenged ballot. The envelope must contain a space for the voter to list the
117.13 voter's name, address of residence, date of birth, voter identification number, and any other
117.14 information prescribed by the secretary of state. The voter must also swear or affirm, in
117.15 writing, that the voter is eligible to vote, has not voted previously in the same election, and
117.16 meets the criteria for registering to vote in the precinct in which the voter appears.

117.17 (c) Once the voter has completed the challenged ballot envelope, the voter must be
117.18 allowed to cast a challenged ballot. The challenged ballot must be in the same form as the
117.19 official ballot available in the precinct on election day. A completed challenged ballot shall
117.20 be sealed in a secrecy envelope. The secrecy envelope shall be sealed inside the voter's
117.21 challenged ballot envelope and deposited by the voter in a secure, sealed challenged ballot
117.22 box. There must be separate ballot boxes for administrative challenged ballot envelopes
117.23 and verification challenged ballot envelopes. Completed challenged ballots may not be
117.24 combined with other voted ballots in the polling place.

117.25 (d) The form of the secrecy and challenged ballot envelopes shall be prescribed by the
117.26 secretary of state. The administrative challenged ballot envelopes and verification challenged
117.27 ballot envelopes must be different colors and must be a color other than that provided for
117.28 absentee ballot envelopes or provisional ballot envelopes and must be prominently labeled
117.29 "Administrative Challenged Ballot Envelope" or "Verification Challenged Envelope."

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

118.1 Subd. 2. **Accepting or rejecting challenged ballot envelopes.** (a) This paragraph applies
118.2 to accepting or rejecting administrative challenged ballot envelopes. Before the meeting of
118.3 the canvassing board, the two or more election judges that are affiliated with different major
118.4 political parties must accept or reject each challenged ballot. If more than two election
118.5 judges are processing registration applications, the party balance requirements of section
118.6 204B.19, subdivision 5, apply. All election judges processing voter registration applications
118.7 must have a major political party affiliation. The election judges must review the information
118.8 in the statewide voter registration system, required by section 201.145, subdivision 1,
118.9 paragraph (b), for the date of the election. If the information shows that the voter was not
118.10 challenged, or should not have been challenged on that date and was otherwise eligible to
118.11 vote, that voter's challenged ballot must be accepted. The election judges must mark the
118.12 challenged ballot envelope "Accepted" and initial or sign the envelope below the word
118.13 "Accepted." If a challenged ballot envelope is not accepted, the election judges must mark
118.14 the challenged ballot envelope "Rejected," initial or sign it below the word "Rejected," and
118.15 list the reason for the rejection on the envelope. The election judges must promptly record
118.16 in the statewide voter registration system that a voter's challenged ballot has been accepted
118.17 or rejected.

118.18 (b) This paragraph applies to accepting or rejecting verification challenged ballot
118.19 envelopes. A voter who casts a verification challenged ballot may personally appear at the
118.20 office of the county auditor or municipal clerk no later than seven calendar days following
118.21 the election to prove that the voter's challenged ballot should be counted. The county auditor's
118.22 office and the city clerk's office must be open for approving verification challenged ballots
118.23 on the Saturday following the election for the hours prescribed in section 203B.085. The
118.24 voter must provide proof of eligibility to vote in the precinct where the voter cast the
118.25 verification challenged ballot. Two or more election judges that are affiliated with different
118.26 major political parties must review the voter's proof of eligibility. If more than two election
118.27 judges are reviewing eligibility, the party balance requirements of section 204B.19,
118.28 subdivision 5, apply. All election judges processing voter registration applications must
118.29 have a major political party affiliation. The election judges must accept a challenged ballot
118.30 if the voter is able to provide satisfactory proof of the voter's eligibility. The election judges
118.31 must mark the challenged ballot envelope "Accepted" and initial or sign the envelope below
118.32 the word "Accepted." If a challenged ballot envelope is not accepted, the election judges
118.33 must mark the challenged ballot envelope "Rejected," initial or sign it below the word
118.34 "Rejected," and list the reason for the rejection on the envelope. The election judges must
118.35 promptly record in the statewide voter registration system that a voter's challenged ballot
118.36 has been accepted or rejected.

119.1 (c) The county auditor or municipal clerk must mail the voter a written notice of
 119.2 challenged ballot rejection between six and ten weeks following the election. The notice
 119.3 must include the reason for rejection and the name of the appropriate election official to
 119.4 whom the voter may direct further questions, along with appropriate contact information.

119.5 (d) A challenged ballot envelope marked "Rejected" may not be opened or subject to
 119.6 further review except in an election contest filed pursuant to chapter 209.

119.7 Subd. 3. **Challenged ballots; reconciliation.** Prior to counting any challenged ballots
 119.8 in the final vote totals from a precinct, the two or more election judges that are affiliated
 119.9 with different major political parties must verify that the number of signatures appearing
 119.10 on the challenged ballot roster from that precinct is equal to or greater than the number of
 119.11 challenged ballots submitted by voters in the precinct on election day. If more than two
 119.12 election judges are reconciling ballots, the party balance requirements of section 204B.19,
 119.13 subdivision 5, apply. All election judges must have a major political party affiliation. Any
 119.14 discrepancy must be resolved before the challenged ballots from the precinct may be counted.
 119.15 Excess challenged ballots to be counted must be randomly withdrawn in the manner required
 119.16 by section 204C.20, subdivision 2.

119.17 Subd. 4. **Counting challenged ballots.** Accepted challenged ballot envelopes must be
 119.18 opened, duplicated as needed in the manner provided in section 206.86, subdivision 5,
 119.19 initialed by the election judges, and deposited in the appropriate ballot box. If more than
 119.20 one ballot is enclosed in the ballot envelope, the ballots must be spoiled and must not be
 119.21 counted.

119.22 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
 119.23 on or after that date.

119.24 Sec. 36. **[204C.137] PROVISIONAL AND CHALLENGED BALLOTS; PUBLIC**
 119.25 **INFORMATION LISTS.**

119.26 On the eighth day after the election, the following information must be made available
 119.27 for public inspection:

119.28 (1) the names of all voters who cast provisional ballots;

119.29 (2) the names of all voters whose provisional ballots were rejected;

119.30 (3) the names of all voters who cast challenged ballots and whether the ballot was an
 119.31 administrative challenged ballot or a verification challenged ballot; and

119.32 (4) the names of all voters whose challenged ballots were rejected.

120.1 This information must be available to the public in the same manner as public information
120.2 lists in section 201.091, subdivisions 4, 5, and 9.

120.3 Sec. 37. Minnesota Statutes 2020, section 204C.21, subdivision 1, is amended to read:

120.4 Subdivision 1. **Method.** The election judges shall take all the ballots of the same kind
120.5 and count the votes cast for each office or question, beginning with the first office or question
120.6 on the ballot. They shall make one pile of the ballots for each candidate who received votes
120.7 for that office, or one pile for the "Yes" votes and one pile for the "No" votes on a question.
120.8 They shall make a pile of totally defective ballots and a pile of totally blank ballots. They
120.9 shall make a pile of ballots that are not totally defective but are defective with respect to
120.10 the office or question being counted and a pile of ballots that are not totally blank but are
120.11 blank with respect to the office or question being counted. After the separation into piles,
120.12 the election judges shall examine each pile and remove and place in the proper pile any
120.13 ballots that are found in the wrong pile. The election judges shall count the totally blank
120.14 and totally defective ballots and set them aside until the counting is over for that ballot. In
120.15 conducting the count of blank ballots, election judges may presume that the total count
120.16 provided for sealed prepackaged ballots is correct. The election judges may pile ballots
120.17 crosswise in groups of 25 in the same pile to facilitate counting. When their counts agree,
120.18 the election judges shall announce the number of ballots in each pile, and shall write the
120.19 number in the proper place on the summary statements.

120.20 The election judges shall then return all the counted ballots, and all the partially defective
120.21 or partially blank ballots, to the original pile to be separated and counted in the same manner
120.22 for the next office or question.

120.23 Sec. 38. Minnesota Statutes 2020, section 204C.24, is amended by adding a subdivision
120.24 to read:

120.25 Subd. 3. **Copy to candidates.** Upon request of a candidate or a candidate's representative,
120.26 an election judge must provide a copy of the summary statement or printed tape results to
120.27 the candidate or representative.

120.28 Sec. 39. Minnesota Statutes 2020, section 204C.27, is amended to read:

120.29 **204C.27 DELIVERY OF RETURNS TO COUNTY AUDITORS.**

120.30 One or more of the election judges in each precinct shall deliver ~~two sets~~ one set of
120.31 summary statements; all spoiled ballots; and the envelopes containing the ballots either
120.32 directly to the municipal clerk for transmittal to the county auditor's office or directly to the

121.1 county auditor's office as soon as possible after the vote counting is completed but no later
 121.2 than 24 hours after the end of the hours for voting. One or more election judges shall deliver
 121.3 the remaining set of summary statements and returns, all unused and spoiled municipal and
 121.4 school district ballots, the envelopes containing municipal and school district ballots, and
 121.5 all other things furnished by the municipal or school district clerk, to the municipal or school
 121.6 district clerk's office within 24 hours after the end of the hours for voting. The municipal
 121.7 or school district clerk shall return all polling place rosters and completed voter registration
 121.8 cards to the county auditor within 48 hours after the end of the hours for voting.

121.9 Sec. 40. Minnesota Statutes 2020, section 204C.32, is amended to read:

121.10 **204C.32 CANVASS OF STATE PRIMARIES.**

121.11 Subdivision 1. **County canvass.** The county canvassing board shall meet at the county
 121.12 auditor's office on ~~either the second or third~~ the tenth day following the state primary. After
 121.13 taking the oath of office, the canvassing board shall publicly canvass the election returns
 121.14 delivered to the county auditor. The board shall complete the canvass by the ~~third~~ tenth day
 121.15 following the state primary and shall promptly prepare and file with the county auditor a
 121.16 report that states:

121.17 (a) the number of individuals voting at the election in the county, and in each precinct;

121.18 (b) the number of individuals registering to vote on election day and the number of
 121.19 individuals registered before election day in each precinct;

121.20 (c) for each major political party, the names of the candidates running for each partisan
 121.21 office and the number of votes received by each candidate in the county and in each precinct;

121.22 (d) the names of the candidates of each major political party who are nominated; and

121.23 (e) the number of votes received by each of the candidates for nonpartisan office in each
 121.24 precinct in the county and the names of the candidates nominated for nonpartisan office.

121.25 Upon completion of the canvass, the county auditor shall mail or deliver a notice of
 121.26 nomination to each nominee for county office voted for only in that county. The county
 121.27 auditor shall transmit one of the certified copies of the county canvassing board report for
 121.28 state and federal offices to the secretary of state by express mail or similar service
 121.29 immediately upon conclusion of the county canvass. The secretary of state shall mail a
 121.30 notice of nomination to each nominee for state or federal office.

121.31 Subd. 2. **State canvass.** The State Canvassing Board shall meet at a public meeting
 121.32 space located in the Capitol complex area ~~seven~~ 14 days after the state primary to canvass

122.1 the certified copies of the county canvassing board reports received from the county auditors.
122.2 Immediately after the canvassing board declares the results, the secretary of state shall
122.3 certify the names of the nominees to the county auditors. The secretary of state shall mail
122.4 to each nominee a notice of nomination.

122.5 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
122.6 on or after that date.

122.7 Sec. 41. Minnesota Statutes 2020, section 204C.33, subdivision 1, is amended to read:

122.8 Subdivision 1. **County canvass.** The county canvassing board shall meet at the county
122.9 auditor's office between the ~~third~~ tenth and ~~tenth~~ 17th days following the state general
122.10 election. After taking the oath of office, the board shall promptly and publicly canvass the
122.11 general election returns delivered to the county auditor. Upon completion of the canvass,
122.12 the board shall promptly prepare and file with the county auditor a report which states:

122.13 (a) the number of individuals voting at the election in the county and in each precinct;

122.14 (b) the number of individuals registering to vote on election day and the number of
122.15 individuals registered before election day in each precinct;

122.16 (c) the names of the candidates for each office and the number of votes received by each
122.17 candidate in the county and in each precinct;

122.18 (d) the number of votes counted for and against a proposed change of county lines or
122.19 county seat; and

122.20 (e) the number of votes counted for and against a constitutional amendment or other
122.21 question in the county and in each precinct.

122.22 The result of write-in votes cast on the general election ballots must be compiled by the
122.23 county auditor before the county canvass, except that write-in votes for a candidate for
122.24 federal, state, or county office must not be counted unless the candidate has timely filed a
122.25 request under section 204B.09, subdivision 3. The county auditor shall arrange for each
122.26 municipality to provide an adequate number of election judges to perform this duty or the
122.27 county auditor may appoint additional election judges for this purpose. The county auditor
122.28 may open the envelopes or containers in which the voted ballots have been sealed in order
122.29 to count and record the write-in votes and must reseal the voted ballots at the conclusion of
122.30 this process. The county auditor must prepare a separate report of votes received by precinct
122.31 for write-in candidates for federal, state, and county offices who have requested under
122.32 section 204B.09 that votes for those candidates be tallied.

123.1 Upon completion of the canvass, the county canvassing board shall declare the candidate
123.2 duly elected who received the highest number of votes for each county and state office voted
123.3 for only within the county. The county auditor shall transmit a certified copy of the county
123.4 canvassing board report for state and federal offices to the secretary of state by messenger,
123.5 express mail, or similar service immediately upon conclusion of the county canvass.

123.6 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
123.7 on or after that date.

123.8 Sec. 42. Minnesota Statutes 2020, section 204C.36, subdivision 1, is amended to read:

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

123.18 (b) A losing candidate for nomination or election to a county, municipal, or school
123.19 district office may request a recount of the votes cast for nomination or election to that
123.20 office if the difference between the votes cast for that candidate and for a winning candidate
123.21 for nomination or election is less than one-half of one percent, and the total number of votes
123.22 cast for the nomination or election of all candidates is more than 400 but less than 50,000.
123.23 In cases of offices where two or more seats are being filled from among all the candidates
123.24 for the office, the one-half of one percent difference is between the elected candidate with
123.25 the fewest votes and the candidate with the most votes from among the candidates who
123.26 were not elected.

123.27 (c) A losing candidate for nomination or election to a county, municipal, or school district
123.28 office may request a recount of the votes cast for nomination or election to that office if the
123.29 difference between the vote cast for that candidate and for a winning candidate for nomination
123.30 or election is ten votes or less, and the total number of votes cast for the nomination or
123.31 election of all candidates is no more than 400. In cases of offices where two or more seats
123.32 are being filled from among all the candidates for the office, the ten vote difference is
123.33 between the elected candidate with the fewest votes and the candidate with the most votes
123.34 from among the candidates who were not elected.

124.1 (d) Candidates for county offices shall file a written request for the recount with the
 124.2 county auditor. Candidates for municipal or school district offices shall file a written request
 124.3 with the municipal or school district clerk as appropriate. All requests under this paragraph
 124.4 shall be filed ~~by~~ between the close of the canvass of a primary or special primary and 5:00
 124.5 p.m. on the fifth day after the canvass of a primary or special primary or ~~by~~ between the
 124.6 close of the canvass of a special or general election and 5:00 p.m. on the seventh day of the
 124.7 canvass of a special or general election for which a recount is sought.

124.8 (e) Upon receipt of a request made pursuant to this section, the county auditor shall
 124.9 recount the votes for a county office at the expense of the county, the governing body of
 124.10 the municipality shall recount the votes for a municipal office at the expense of the
 124.11 municipality, and the school board of the school district shall recount the votes for a school
 124.12 district office at the expense of the school district.

124.13 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
 124.14 on or after that date.

124.15 Sec. 43. Minnesota Statutes 2020, section 204C.37, is amended to read:

124.16 **204C.37 COUNTY CANVASS; RETURN OF REPORTS TO SECRETARY OF**
 124.17 **STATE.**

124.18 A copy of the report required by sections 204C.32, subdivision 1, and 204C.33,
 124.19 subdivision 1, shall be certified under the official seal of the county auditor. The copy shall
 124.20 be enclosed in an envelope addressed to the secretary of state, with the county auditor's
 124.21 name and official address and the words "Election Returns" endorsed on the envelope. The
 124.22 copy of the canvassing board report must be sent by express mail or delivered to the secretary
 124.23 of state. If the copy is not received by the secretary of state within ~~ten~~ 17 days following
 124.24 ~~the applicable election~~ a primary election, or within 24 days following a general election,
 124.25 the secretary of state shall immediately notify the county auditor, who shall deliver another
 124.26 copy to the secretary of state by special messenger.

124.27 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
 124.28 on or after that date.

124.29 Sec. 44. Minnesota Statutes 2020, section 204D.08, subdivision 4, is amended to read:

124.30 Subd. 4. **State partisan primary ballot; party columns.** The state partisan primary
 124.31 ballot shall be headed by the words "State Partisan Primary Ballot." The ballot shall be
 124.32 printed on white paper. There must be at least three vertical columns on the ballot and each

125.1 major political party shall have a separate column headed by the words "..... Party,"
125.2 giving the party name. Above the party names, the following statement shall be printed.

125.3 "Minnesota Election Law permits you to vote for the candidates of only one political
125.4 party in a state partisan primary election."

125.5 If there are only two major political parties to be listed on the ballot, one party must
125.6 occupy the left-hand column, the other party must occupy the right-hand column, and the
125.7 center column must contain the following statement:

125.8 "Do not vote for candidates of more than one party."

125.9 The names of the candidates seeking the nomination of each major political party shall
125.10 be listed in that party's column. If only one individual files an affidavit of candidacy seeking
125.11 the nomination of a major political party for an office, the name of that individual shall be
125.12 placed on the state partisan primary ballot at the appropriate location in that party's column.

125.13 In each column, the candidates for senator in Congress shall be listed first, candidates
125.14 for representative in Congress second, candidates for state senator third, candidates for state
125.15 representative fourth and then candidates for state office in the order specified by the secretary
125.16 of state. Vacant offices being filled by special election must be listed with other offices of
125.17 that type, but after any office of that type for which a candidate will be elected for a full
125.18 term.

125.19 The party columns shall be substantially the same in width, type, and appearance. The
125.20 columns shall be separated by a 12-point solid line.

125.21 Sec. 45. Minnesota Statutes 2020, section 204D.13, subdivision 1, is amended to read:

125.22 Subdivision 1. **Order of offices.** The candidates for partisan offices shall be placed on
125.23 the state general election ballot in the following order: senator in Congress shall be first;
125.24 representative in Congress, second; state senator, third; and state representative, fourth. The
125.25 candidates for state offices shall follow in the order specified by the secretary of state.
125.26 Candidates for governor and lieutenant governor shall appear so that a single vote may be
125.27 cast for both offices. Vacant offices being filled by special election must be listed with other
125.28 offices of that type, but after any office of that type for which a candidate will be elected
125.29 for a full term.

126.1 Sec. 46. Minnesota Statutes 2020, section 204D.195, is amended to read:

126.2 **204D.195 DATE OF SPECIAL ELECTION; CERTAIN TIMES PROHIBITED.**

126.3 Notwithstanding any other provision of law, a special primary and special general election
126.4 may not be held:

126.5 (1) for a period beginning the day following the date of the state primary election and
126.6 ending the day prior to the date of the state general election; or

126.7 (2) on a holiday, or during the four days before or after a holiday, as defined in section
126.8 645.44, subdivision 5.

126.9 **EFFECTIVE DATE.** This section is effective the day following final enactment and
126.10 applies to special elections occurring on or after that date.

126.11 Sec. 47. Minnesota Statutes 2020, section 204D.27, subdivision 5, is amended to read:

126.12 Subd. 5. **Canvass; special primary; state canvassing board; contest.** Not later than
126.13 four days after the returns of the county canvassing boards are certified to the secretary of
126.14 state, the State Canvassing Board shall complete its canvass of the special primary. The
126.15 secretary of state shall then promptly certify to the county auditors the names of the
126.16 nominated individuals, prepare notices of nomination, and notify each nominee of the
126.17 nomination. In case of a contest of a special primary for state senator or state representative,
126.18 the notice of contest must be filed within two days, excluding Sundays and legal holidays,
126.19 after the canvass is completed, and the contest shall otherwise proceed in the manner provided
126.20 by law for contesting elections.

126.21 Sec. 48. Minnesota Statutes 2020, section 204D.28, subdivision 9, is amended to read:

126.22 Subd. 9. **Filing by candidates.** The time for filing of affidavits and nominating petitions
126.23 for candidates to fill a vacancy at a special election shall open 12 weeks before the special
126.24 primary or on the day the secretary of state issues notice of the special election, whichever
126.25 occurs later. Filings shall close ten weeks before the special primary. A candidate filing for
126.26 the office of United States senator to fill a vacancy at a special election when both offices
126.27 of United States senator are required to be placed on the same ballot must specify on the
126.28 affidavit of candidacy the expiration date of the term of the office that the candidate is
126.29 seeking.

127.1 Sec. 49. Minnesota Statutes 2020, section 204D.28, subdivision 10, is amended to read:

127.2 Subd. 10. **United States senator; candidates; designation of term.** When the names
127.3 of candidates for both offices of United States senator are required to be placed on the same
127.4 ballot, the expiration date of the term of each office shall be printed on the ballot in the
127.5 office heading opposite the name of each candidate for nomination or election to that office.

127.6 Sec. 50. Minnesota Statutes 2020, section 205.065, subdivision 5, is amended to read:

127.7 Subd. 5. **Results.** The municipal primary shall be conducted and the returns made in the
127.8 manner provided for the state primary so far as practicable. ~~The canvass may be conducted~~
127.9 ~~on either the second or third day after the primary.~~

127.10 The governing body of the municipality shall canvass the returns on the tenth day after
127.11 the primary, and the two candidates for each office who receive the highest number of votes,
127.12 or a number of candidates equal to twice the number of individuals to be elected to the
127.13 office, who receive the highest number of votes, shall be the nominees for the office named.
127.14 Their names shall be certified to the municipal clerk who shall place them on the municipal
127.15 general election ballot without partisan designation and without payment of an additional
127.16 fee.

127.17 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
127.18 on or after that date.

127.19 Sec. 51. Minnesota Statutes 2020, section 205.185, subdivision 3, is amended to read:

127.20 Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** (a) Between
127.21 the ~~third~~ tenth and ~~tenth~~ 17th days after an election, the governing body of a city conducting
127.22 any election including a special municipal election, or the governing body of a town
127.23 conducting the general election in November shall act as the canvassing board, canvass the
127.24 returns, and declare the results of the election. The governing body of a town conducting
127.25 the general election in March shall act as the canvassing board, canvass the returns, and
127.26 declare the results of the election within ~~two~~ nine days after an election.

127.27 (b) After the time for contesting elections has passed, the municipal clerk shall issue a
127.28 certificate of election to each successful candidate. In case of a contest, the certificate shall
127.29 not be issued until the outcome of the contest has been determined by the proper court.

127.30 (c) In case of a tie vote, the canvassing board having jurisdiction over the municipality
127.31 shall determine the result by lot. The clerk of the canvassing board shall certify the results

128.1 of the election to the county auditor, and the clerk shall be the final custodian of the ballots
128.2 and the returns of the election.

128.3 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
128.4 on or after that date.

128.5 Sec. 52. Minnesota Statutes 2020, section 205A.03, subdivision 4, is amended to read:

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

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

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

128.13 On the tenth day after the primary, the school board of the school district shall canvass
128.14 the returns, and the two candidates for each specified school board position who receive
128.15 the highest number of votes, or a number of candidates equal to twice the number of
128.16 individuals to be elected to at-large school board positions who receive the highest number
128.17 of votes, are the nominees for the office named. Their names must be certified to the school
128.18 district clerk who shall place them on the school district general election ballot without
128.19 partisan designation and without payment of an additional fee.

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

128.25 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
128.26 on or after that date.

128.27 Sec. 53. Minnesota Statutes 2020, section 205A.10, subdivision 3, is amended to read:

128.28 Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** Between the
128.29 ~~third~~ tenth and ~~tenth~~ 17th days after a school district election other than a recount of a special
128.30 election conducted under section 126C.17, subdivision 9, or 475.59, the school board shall
128.31 canvass the returns and declare the results of the election. After the time for contesting
128.32 elections has passed, the school district clerk shall issue a certificate of election to each

129.1 successful candidate. If there is a contest, the certificate of election to that office must not
 129.2 be issued until the outcome of the contest has been determined by the proper court. If there
 129.3 is a tie vote, the school board shall determine the result by lot. The clerk shall deliver the
 129.4 certificate of election to the successful candidate by personal service or certified mail. The
 129.5 successful candidate shall file an acceptance and oath of office in writing with the clerk
 129.6 within 30 days of the date of mailing or personal service. A person who fails to qualify prior
 129.7 to the time specified shall be deemed to have refused to serve, but that filing may be made
 129.8 at any time before action to fill the vacancy has been taken. The school district clerk shall
 129.9 certify the results of the election to the county auditor, and the clerk shall be the final
 129.10 custodian of the ballots and the returns of the election.

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

129.14 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
 129.15 on or after that date.

129.16 Sec. 54. Minnesota Statutes 2020, section 206.805, subdivision 1, is amended to read:

129.17 Subdivision 1. **Contracts required.** (a) The secretary of state, with the assistance of the
 129.18 commissioner of administration, must establish one or more state voting systems contracts.
 129.19 The contracts should, if practical, include provisions for maintenance of the equipment
 129.20 purchased. The voting systems contracts must address precinct-based optical scan voting
 129.21 equipment, assistive voting technology, automatic tabulating equipment, and electronic
 129.22 roster equipment. The contracts must give the state a perpetual license to use and modify
 129.23 the software. The contracts must include provisions to escrow the software source code,~~as~~
 129.24 ~~provided in subdivision 2.~~ Bids for voting systems and related election services must be
 129.25 solicited from each vendor selling or leasing voting systems that have been certified for use
 129.26 by the secretary of state. Bids for electronic roster equipment, software, and related services
 129.27 must be solicited from each vendor selling or leasing electronic roster equipment that meets
 129.28 the requirements of section 201.225, subdivision 2. The contracts must be renewed from
 129.29 time to time.

129.30 (b) Counties and municipalities may purchase or lease voting systems and obtain related
 129.31 election services from the state contracts. All counties and municipalities are members of
 129.32 the cooperative purchasing venture of the Department of Administration for the purpose of
 129.33 this section. For the purpose of township elections, counties must aggregate orders under
 129.34 contracts negotiated under this section for products and services and may apportion the

130.1 costs of those products and services proportionally among the townships receiving the
130.2 products and services. The county is not liable for the timely or accurate delivery of those
130.3 products or services.

130.4 Sec. 55. Minnesota Statutes 2020, section 206.89, subdivision 4, is amended to read:

130.5 Subd. 4. **Standard of acceptable performance by voting system.** A comparison of the
130.6 results compiled by the voting system with the postelection review described in this section
130.7 must show that the results of the electronic voting system differed ~~by no more than one-half~~
130.8 ~~of one percent~~ from the manual count of the offices reviewed by no more than two votes in
130.9 a precinct where fewer than 1,200 voters cast ballots, three votes in a precinct where between
130.10 1,200 and 1,599 voters cast ballots, four votes in a precinct where between 1,600 and 1,999
130.11 voters cast ballots, or five votes in a precinct where 2,000 or more voters cast ballots. Valid
130.12 votes that have been marked by the voter outside the vote targets or using a manual marking
130.13 device that cannot be read by the voting system must not be included in making the
130.14 determination whether the voting system has met the standard of acceptable performance
130.15 for any precinct.

130.16 Sec. 56. Minnesota Statutes 2020, section 206.89, subdivision 5, is amended to read:

130.17 Subd. 5. **Additional review.** (a) If the postelection review in one of the reviewed precincts
130.18 reveals a difference greater than ~~one-half of one percent, or greater than two votes in a~~
130.19 ~~precinct where 400 or fewer voters cast ballots~~ the thresholds specified in subdivision 4,
130.20 the postelection review official must, within two days, conduct an additional review of the
130.21 races indicated in subdivision 3 in at least three precincts in the same jurisdiction where the
130.22 discrepancy was discovered. If all precincts in that jurisdiction have been reviewed, the
130.23 county auditor must immediately publicly select by lot at least three additional precincts
130.24 for review. The postelection review official must complete the additional review within two
130.25 days after the precincts are selected and report the results immediately to the county auditor.
130.26 If the second review in any of the reviewed precincts also indicates a difference in the vote
130.27 totals compiled by the voting system that is greater than ~~one-half of one percent from the~~
130.28 ~~result indicated by the postelection review, or greater than two votes in a precinct where~~
130.29 ~~400 or fewer voters cast ballots~~ the thresholds specified in subdivision 4, the county auditor
130.30 must conduct a review of the ballots from all the remaining precincts in the county for the
130.31 races indicated in subdivision 3. This review must be completed and the results must be
130.32 reported to the secretary of state within one week after the second review was completed.

131.1 (b) If the results from the countywide reviews from one or more counties comprising in
131.2 the aggregate more than ten percent of the total number of persons voting in the election
131.3 clearly indicate that an error in vote counting has occurred, the secretary of state must notify
131.4 the postelection review official of each county in the district that they must conduct manual
131.5 recounts of all the ballots in the district for the affected office using the procedure outlined
131.6 in section 204C.35. The recount must be completed and the results reported to the appropriate
131.7 canvassing board within two weeks after the postelection review official received notice
131.8 from the secretary of state.

131.9 Sec. 57. Minnesota Statutes 2020, section 206.90, subdivision 6, is amended to read:

131.10 Subd. 6. **Ballots.** In precincts using optical scan voting systems, a single ballot card on
131.11 which all ballot information is included must be printed in black ink on white colored
131.12 material except that marks not to be read by the automatic tabulating equipment may be
131.13 printed in another color ink. In state elections, a single ballot title must be used, as provided
131.14 in sections 204D.08, subdivision 6, and 204D.11, subdivision 1. ~~In odd-numbered years~~
131.15 When both municipal and school district offices or questions appear on the ballot, the single
131.16 ballot title "City (or Town) and School District Ballot" must be used.

131.17 On the front of the ballot must be printed the words "Official Ballot" and the date of the
131.18 election and lines for the initials of at least two election judges.

131.19 When optical scan ballots are used, the offices to be elected must appear in the following
131.20 order: federal offices; state legislative offices; constitutional offices; proposed constitutional
131.21 amendments; county offices and questions; municipal offices and questions; school district
131.22 offices and questions; special district offices and questions; and judicial offices.

131.23 On optical scan ballots, the names of candidates and the words "yes" and "no" for ballot
131.24 questions must be printed as close to their corresponding vote targets as possible.

131.25 The line on an optical scan ballot for write-in votes must contain the words "write-in,
131.26 if any."

131.27 If a primary ballot contains both a partisan ballot and a nonpartisan ballot, the instructions
131.28 to voters must include a statement that reads substantially as follows: "This ballot card
131.29 contains a partisan ballot and a nonpartisan ballot. On the partisan ballot you are permitted
131.30 to vote for candidates of one political party only." If a primary ballot contains political party
131.31 columns on both sides of the ballot, the instructions to voters must include a statement that
131.32 reads substantially as follows: "Additional political parties are printed on the other side of
131.33 this ballot. Vote for one political party only." At the bottom of each political party column

132.1 on the primary ballot, the ballot must contain a statement that reads substantially as follows:
 132.2 "Continue voting on the nonpartisan ballot." The instructions in section 204D.08, subdivision
 132.3 4, do not apply to optical scan partisan primary ballots. Electronic ballot displays and audio
 132.4 ballot readers must follow the order of offices and questions on the optical scan or paper
 132.5 ballot used in the same precinct, or the sample ballot posted for that precinct.

132.6 Sec. 58. 206.93 **AUDIT LOGS.**

132.7 (a) For purposes of this section, "audit log" means recorded information that allows a
 132.8 person to see each action of the equipment, including transmitting data in any manner, in a
 132.9 way that allows the person to verify or reconstruct the steps followed without compromising
 132.10 the ballot or voter secrecy.

132.11 (b) Each ballot tabulator used in the state must maintain an audit log. A full copy of each
 132.12 tabulator's audit log must be printed after the tabulation of election results on election night.
 132.13 The printed copy of the log must be retained in the county auditor or municipal clerk's office
 132.14 as provided in section 204B.40.

132.15 (c) Within 30 days of the state general election, the county auditor or municipal clerk
 132.16 must provide to the secretary of state copies of the audit log from each tabulator used in the
 132.17 state primary or the state general election. The secretary of state must compile the audit
 132.18 logs and transmit them to the legislature by January 1 of each odd-numbered year.

132.19 Sec. 59. Minnesota Statutes 2020, section 207A.13, is amended to read:

132.20 **207A.13 FORM OF BALLOTS; CANDIDATES ON BALLOT.**

132.21 Subdivision 1. **Form.** (a) Except as provided by law, presidential nomination primary
 132.22 ballots shall be printed in the same manner as state primary ballots as far as practicable. A
 132.23 sufficient number of each ballot shall be printed for each precinct and ward in the state.

132.24 (b) There must be separate ballots for the names of the candidates of each participating
 132.25 political party. Each ballot must be headed by the words "Presidential Nomination Primary
 132.26 Ballot." The heading must also indicate the party that appears on the ballot.

132.27 (c) If requested by a party chair, the ballot for that participating party must contain a
 132.28 place for a voter to indicate a preference for having delegates to the party's national
 132.29 convention remain uncommitted. If requested by a party chair, the ballot for that participating
 132.30 party must contain a blank line printed below the other choices on the ballot so that a voter
 132.31 may write in the name of a person who is not listed on the ballot. A request under this

133.1 paragraph must be submitted to the secretary of state no later than 63 days before the
 133.2 presidential nomination primary.

133.3 Subd. 2. **Candidates on the ballot.** (a) Each party participating in the presidential
 133.4 nomination primary must determine which candidates are to be placed on the presidential
 133.5 nomination primary ballot for that party. The chair of each participating party must submit
 133.6 to the secretary of state the names of the candidates to appear on the ballot for that party no
 133.7 later than 63 days before the presidential nomination primary. Once submitted, changes
 133.8 must not be made to the candidates that will appear on the ballot.

133.9 (b) No later than the seventh day before the presidential nomination primary, the chair
 133.10 of each participating party must submit to the secretary of state the names of write-in
 133.11 candidates, if any, to be counted for that party.

133.12 Sec. 60. Minnesota Statutes 2020, section 207A.14, subdivision 3, is amended to read:

133.13 Subd. 3. **Notice of primary to public.** At least 15 days before the date of the presidential
 133.14 nomination primary, each municipal clerk shall post a public notice stating the date of the
 133.15 presidential nomination primary, the location of each polling place in the municipality, the
 133.16 hours during which the polling places in the municipality will be open, and information
 133.17 about the requirements of section 207A.12, paragraph (b), ~~including a notice that the voter's~~
 133.18 ~~choice of a political party's ballot will be recorded and is public information.~~ The county
 133.19 auditor shall post a similar notice in the auditor's office with information for any polling
 133.20 places in unorganized territory in the county. The governing body of a municipality or
 133.21 county may publish the notice in addition to posting it. Failure to give notice does not
 133.22 invalidate the election.

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

133.24 Sec. 61. Minnesota Statutes 2020, section 208.03, is amended to read:

133.25 **208.03 NOMINATION OF PRESIDENTIAL ELECTORS AND ALTERNATES.**

133.26 Presidential electors and alternates for the major political parties of this state shall be
 133.27 nominated by delegate conventions called and held under the supervision of the respective
 133.28 state central committees of the parties of this state. Each major political party shall nominate
 133.29 one presidential elector from each congressional district and two presidential electors from
 133.30 the state at large. At least 71 days before the general election day the chair of the major
 133.31 political party shall certify to the secretary of state the names of the persons nominated as
 133.32 presidential electors, the names of persons nominated as alternate presidential electors, and

134.1 the names of the party candidates for president and vice president. For each person nominated
 134.2 as an elector or alternate elector, the chair shall indicate whether the person is nominated
 134.3 as an at-large elector or is nominated to represent a congressional district. If the person is
 134.4 nominated to represent a congressional district, the chair must indicate the congressional
 134.5 district number for each nominee. The chair shall also certify that the party candidates for
 134.6 president and vice president have no affidavit on file as a candidate for any office in this
 134.7 state at the ensuing general election.

134.8 Sec. 62. Minnesota Statutes 2020, section 208.05, is amended to read:

134.9 **208.05 STATE CANVASSING BOARD.**

134.10 The State Canvassing Board at its meeting on the date provided in section 204C.33 shall
 134.11 open and canvass the returns made to the secretary of state for presidential electors and
 134.12 alternates, prepare a statement of the number of votes cast for the persons receiving votes
 134.13 for these offices statewide and within each congressional district, and declare the person or
 134.14 persons receiving the highest number of votes for each office duly elected, as follows:

134.15 (1) the statewide vote totals must be used to determine the persons elected to serve as
 134.16 electors under the at-large designation; and

134.17 (2) the vote totals within each congressional district must be used to determine the person
 134.18 elected to serve as an elector representing that district.

134.19 When it appears that more than the number of persons to be elected as presidential
 134.20 electors or alternates have the highest and an equal number of votes, the secretary of state,
 134.21 in the presence of the board shall decide by lot which of the persons shall be declared elected.
 134.22 The governor shall transmit to each person declared elected a certificate of election, signed
 134.23 by the governor, sealed with the state seal, and countersigned by the secretary of state.

134.24 Sec. 63. Minnesota Statutes 2020, section 367.25, subdivision 1, is amended to read:

134.25 Subdivision 1. **Requirement, fee.** Every person elected at a March election, elected at
 134.26 a special election, or appointed to a town office, within ten days after receiving a certificate
 134.27 or notice of election or appointment, shall take and subscribe the oath required by law.
 134.28 Persons elected at a November election shall take their oath before assuming office. If taken
 134.29 before the town clerk, the oath shall be administered and certified without fee.

135.1 Sec. 64. Minnesota Statutes 2020, section 412.02, subdivision 2a, is amended to read:

135.2 Subd. 2a. **Vacancy.** Except as otherwise provided in subdivision 2b, a vacancy in an
135.3 office shall be filled by council appointment until an election is held as provided in this
135.4 subdivision. In case of a tie vote in the council, the mayor shall make the appointment. If
135.5 the vacancy occurs before the first day to file affidavits of candidacy for the next regular
135.6 city election and more than two years remain in the unexpired term, a special election shall
135.7 be held at or before the next regular city election and the appointed person shall serve until
135.8 the qualification of a successor elected at a special election to fill the unexpired portion of
135.9 the term. If the vacancy occurs on or after the first day to file affidavits of candidacy for
135.10 the regular city election or when less than two years remain in the unexpired term, there
135.11 need not be a special election to fill the vacancy and the appointed person shall serve until
135.12 the qualification of a successor. The council must specify by ordinance under what
135.13 circumstances it will hold a special election to fill a vacancy other than a special election
135.14 held at the same time as the regular city election.

135.15 All of the provisions of the Minnesota Election Law are applicable to special elections
135.16 as far as practicable.

135.17 Sec. 65. **AUDIT OF ELECTION EQUIPMENT.**

135.18 (a) For purposes of this section, "election equipment means" electronic poll books,
135.19 tabulating equipment, electronic voting systems, and assistive voting technology.

135.20 (b) The legislative auditor must conduct an audit of election equipment and related
135.21 software as described in this section. The auditor must complete the audit by February 1,
135.22 2022. The auditor may contract with a vendor to complete any or all of the requirements of
135.23 this section. At a minimum, the audit must include eight cities or counties in the metropolitan
135.24 area, as defined by Minnesota Statutes, section 473.121, subdivision 2, and eight cities or
135.25 counties outside of the metropolitan area. To the extent possible, the auditor must select
135.26 cities and counties so as to examine at least one of each model of tabulator used in the state
135.27 and at least one of each model of assistive voting equipment used in the state.

135.28 (c) The auditor must review all elections policies, procedures, and practices, for:

135.29 (1) selecting and procuring election equipment and related software; and

135.30 (2) for updating or maintaining election equipment and related software.

135.31 The auditor must determine whether the policies, procedures, and practices are consistent
135.32 with state law.

136.1 (d) The auditor must examine election equipment and related software that was used in
136.2 the 2020 general election. At a minimum, the auditor must:

136.3 (1) specify the brand, model, and year of manufacture for each piece of election
136.4 equipment;

136.5 (2) specify the brand and version of each type of software used;

136.6 (3) determine whether any software updates or other changes were made to the equipment
136.7 after completion of the testing required by Minnesota Statutes, section 206.83, and if so,
136.8 the purpose of the updates or changes;

136.9 (4) whether the equipment is capable of connecting to the internet or is otherwise capable
136.10 of transmitting data;

136.11 (5) review the incident logs from each polling place to identify incidents related to
136.12 equipment or software and determine the cause of the incident and how it was resolved;
136.13 and

136.14 (6) review the source code to determine whether the code functioned as represented by
136.15 the vendor and that the code was free from defects.

136.16 Upon request, the secretary of state must provide a copy of the source code to the auditor.

136.17 (e) For each piece of equipment that is capable of connecting to the internet or otherwise
136.18 capable of transmitting data, the auditor must:

136.19 (1) determine the manner of connecting to the internet and any security or encryption
136.20 measures in place; and

136.21 (2) review any audit log or other similar data to determine each time the equipment was
136.22 connected to the internet since September 18, 2020, and if possible, determine the purpose
136.23 of the connection.

136.24 (f) The auditor must examine each ballot tabulator or central count machine or the related
136.25 software to determine the accuracy of the machine. For the 2020 general election results,
136.26 the auditor must also examine whether the tape from the tabulator or machine accurately
136.27 reflects the ballots counted by the machine.

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

136.29 **Sec. 66. PUBLIC AWARENESS CAMPAIGN; SECRETARY OF STATE.**

136.30 The secretary of state must contract with a vendor to conduct a public awareness campaign
136.31 to encourage people to register to vote prior to election day. At a minimum, the vendor must

137.1 conduct the public awareness campaign in each even-numbered year from June 1 until the
 137.2 voter registration period ends prior to the state general election. The secretary of state may
 137.3 consult with the vendor in coordinating material related to the campaign, but the secretary,
 137.4 the secretary's staff, and any other documents or materials promoting the Office of the
 137.5 Secretary of State may not appear visually or audibly in any advertising or promotional
 137.6 items disseminated by the vendor as part of the public awareness campaign.

137.7 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to elections
 137.8 on or after that date.

137.9 Sec. 67. **REPEALER.**

137.10 Minnesota Statutes 2020, sections 135A.17, subdivision 2; 201.061, subdivision 7; and
 137.11 204C.12, subdivision 3, are repealed.

137.12 Sec. 68. **EFFECTIVE DATE.**

137.13 Except as otherwise provided, this article is effective July 1, 2021 and applies to elections
 137.14 on or after that date.

137.15 **ARTICLE 5**

137.16 **VETERANS AND MILITARY AFFAIRS POLICY**

137.17 Section 1. Minnesota Statutes 2020, section 10.578, is amended to read:

137.18 **10.578 VETERANS SUICIDE PREVENTION AND AWARENESS DAY.**

137.19 The first Saturday of every October is designated Veterans Suicide Prevention and
 137.20 Awareness Day. Each year, the governor shall issue a proclamation honoring this observance.
 137.21 Each year in conjunction with this observance, the commissioner of veterans affairs shall
 137.22 coordinate activities that raise awareness of, and promote the prevention of, veteran suicides.

137.23 Sec. 2. Minnesota Statutes 2020, section 15.057, is amended to read:

137.24 **15.057 PUBLICITY REPRESENTATIVES.**

137.25 No state department, bureau, or division, whether the same operates on funds appropriated
 137.26 or receipts or fees of any nature whatsoever, except the Department of Veterans Affairs,
 137.27 the Department of Transportation, the Department of Employment and Economic
 137.28 Development, the Game and Fish Division, State Agricultural Society, and Explore Minnesota
 137.29 Tourism shall use any of such funds for the payment of the salary or expenses of a publicity
 137.30 representative. The head of any such department, bureau, or division shall be personally

138.1 liable for funds used contrary to this provision. This section shall not be construed, however,
138.2 as preventing any such department, bureau, or division from sending out any bulletins or
138.3 other publicity required by any state law or necessary for the satisfactory conduct of the
138.4 business for which such department, bureau, or division was created.

138.5 Sec. 3. **[16B.276] CAPITOL FLAG PROGRAM.**

138.6 Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given
138.7 them.

138.8 (b) "Active service" has the meaning given in section 190.05, subdivision 5.

138.9 (c) "Eligible family member" means a surviving spouse, parent or legal guardian, child,
138.10 or sibling of (1) a public safety officer killed in the line of duty, or (2) a person who has
138.11 died while serving honorably in active service in the United States armed forces. For purposes
138.12 of this section, an eligibility relationship may be established by birth or adoption.

138.13 (d) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision
138.14 3.

138.15 (e) "Public safety officer" has the meaning given in section 299A.41, subdivision 4.

138.16 Subd. 2. **Establishment.** A Capitol flag program is established. The purpose of the
138.17 program is to make a Minnesota state flag and an American flag that were flown over the
138.18 Minnesota State Capitol available to the family members of a public safety officer killed
138.19 in the line of duty or a member of the United States armed forces who died while in active
138.20 service. In addition to appropriations provided by law, the commissioner of management
138.21 and budget may receive gifts to support the program as authorized in sections 16A.013 to
138.22 16A.016. The program established by this section is required only to the extent that sufficient
138.23 funds are available through appropriations or gifts to support its operations.

138.24 Subd. 3. **Submission of request; presentation.** (a) A flag request may only be made
138.25 by a legislator or state constitutional officer on behalf of an eligible family member after
138.26 verification of the family member's eligibility under the procedures adopted under subdivision
138.27 4. The request must be made to the commissioner of administration, and must indicate the
138.28 type of flag requested, a certification that the family member's eligibility has been verified,
138.29 special requests for the date the flag is requested to be flown over the Capitol, and the
138.30 method of presentment. The commissioner may adopt a form to be used for this purpose.
138.31 With at least 30 days' notice, the commissioner must honor a request that a flag be flown
138.32 on a specific commemorative date.

139.1 (b) Upon receipt of a request, the commissioner shall deliver the requested flags to the
 139.2 requesting legislator or constitutional officer for coordination of a later presentment
 139.3 ceremony. If relevant information is made available, the commissioner shall provide a
 139.4 certificate memorializing the details of the occasion and the date the flag was flown with
 139.5 each flag presented.

139.6 Subd. 4. **Verification of eligibility.** The house of representatives, the senate, and each
 139.7 constitutional officer must adopt procedures for the administration of flag requests received
 139.8 from eligible family members, including a procedure for verification of a family member's
 139.9 eligibility to receive a flag.

139.10 Subd. 5. **Eligibility; fees.** (a) For deaths that occur on or after August 1, 2021, the family
 139.11 of a public safety officer killed in the line of duty or service member of the United States
 139.12 armed forces who died in active service is entitled to receive one United States flag and one
 139.13 Minnesota state flag free of charge under this section. If multiple flags of the same type are
 139.14 requested to be flown in honor of the same decedent, the commissioner may charge a
 139.15 reasonable fee that does not exceed the actual cost of flying each flag and preparing a
 139.16 certificate memorializing the occasion.

139.17 (b) For deaths that occurred before August 1, 2021, the family of a public safety officer
 139.18 killed in the line of duty or service member of the United States armed forces who died in
 139.19 active service may receive a Minnesota state flag and a United States flag for a fee, unless
 139.20 there are donated, nonstate funds available to provide a flag without a fee. If payment of a
 139.21 fee is required under this paragraph, the commissioner may charge an eligible family an
 139.22 amount that does not exceed the actual cost of flying each flag and preparing a certificate
 139.23 memorializing the occasion.

139.24 **EFFECTIVE DATE.** This section is effective August 1, 2021.

139.25 Sec. 4. Minnesota Statutes 2020, section 190.07, is amended to read:

139.26 **190.07 APPOINTMENT; QUALIFICATIONS; RANK; TERM; VACANCY.**

139.27 Subdivision 1. **Qualifications.** There shall be an adjutant general of the state who shall
 139.28 be appointed by the governor within 120 days of a vacancy of the position. The adjutant
 139.29 general shall be a staff officer, who at the time of appointment shall be a commissioned
 139.30 officer of the National Guard of this state, ~~with not less than ten years military service in~~
 139.31 ~~the National Guard of this state or the armed forces of the United States, at least three of~~
 139.32 ~~which shall have been commissioned~~ and who shall have reached, at a minimum, the grade
 139.33 ~~of a field officer~~ rank of colonel (O-6).

140.1 Subd. 2. Rank. The adjutant general shall be promoted, if necessary, directly to and
 140.2 shall hold at least the rank of major general and may be promoted to and including the
 140.3 highest rank authorized under federal law. However, the adjutant general may not be
 140.4 promoted to the rank of major general without having at least 20 years service in the
 140.5 Minnesota National Guard, at least one of which has been in the rank of brigadier general.
 140.6 If not already a major general, the adjutant general's promotion is effective beginning on
 140.7 the date the governor appoints the adjutant general. At the time of appointment and in
 140.8 accordance with the authorities governing federal recognition of officers, the adjutant general
 140.9 is authorized to wear the rank of major general.

140.10 Subd. 3. Term. The term of the adjutant general is for a single term of seven years from
 140.11 the date of appointment. Section 15.06, subdivisions 3, 4, and 5, governs filling of vacancies
 140.12 in the Office of Adjutant General. The adjutant general shall not be removed from office
 140.13 during a term except upon withdrawal of federal recognition or as otherwise provided by
 140.14 the military laws of this state.

140.15 Subd. 4. Vacancy; acting or temporary adjutant general. In the event of a vacancy
 140.16 of the adjutant general, the governor may appoint a person qualified under subdivision 1 as
 140.17 an acting adjutant general. If the governor does not appoint an acting adjutant general, the
 140.18 deputy adjutant general as defined in section 190.09, subdivision 1, shall become temporary
 140.19 adjutant general without further official action. Upon taking office, the acting or temporary
 140.20 adjutant general shall have all the powers and emoluments and perform all the duties of the
 140.21 office of adjutant general until a permanent adjutant general is appointed.

140.22 **Sec. 5. [196.081] VETERANS STABLE HOUSING INITIATIVE; DATA.**

140.23 (a) The commissioner may establish a veterans stable housing initiative. If the
 140.24 commissioner establishes a veterans stable housing initiative under this section, the
 140.25 commissioner must provide resources and support to assist veterans experiencing
 140.26 homelessness in obtaining or maintaining stable housing.

140.27 (b) Data on individuals maintained by the commissioner in the Homeless Veteran Registry
 140.28 for purposes of the veterans stable housing initiative is private data on individuals as defined
 140.29 in section 13.02, subdivision 12, and must not be disclosed or shared except for coordinating
 140.30 homelessness prevention efforts with:

140.31 (1) members of the Minnesota Interagency Council on Homelessness; and

141.1 (2) Homeless Veteran Registry partners to address a veteran's episode of homelessness
141.2 or maintain a veteran's housing plan through Department of Veterans Affairs funded
141.3 programs.

141.4 (c) For purposes of this section, "homelessness" means that a veteran lacks a fixed,
141.5 nighttime residence.

141.6 Sec. 6. Minnesota Statutes 2020, section 197.791, subdivision 4, is amended to read:

141.7 Subd. 4. **Eligibility.** (a) A person is eligible for educational assistance under ~~subdivisions~~
141.8 subdivision 5 and 5a if:

141.9 (1) the person is:

141.10 (i) a veteran who is serving or has served honorably in any branch or unit of the United
141.11 States armed forces at any time;

141.12 (ii) a nonveteran who has served honorably for a total of five years or more cumulatively
141.13 as a member of the Minnesota National Guard or any other active or reserve component of
141.14 the United States armed forces, and any part of that service occurred on or after September
141.15 11, 2001;

141.16 (iii) the surviving spouse or child of a person who has served in the military and who
141.17 has died as a direct result of that military service, only if the surviving spouse or child is
141.18 eligible to receive federal education benefits under United States Code, title 38, chapter 33,
141.19 as amended, or United States Code, title 38, chapter 35, as amended; or

141.20 (iv) the spouse or child of a person who has served in the military at any time and who
141.21 has a total and permanent service-connected disability as rated by the United States Veterans
141.22 Administration, only if the spouse or child is eligible to receive federal education benefits
141.23 under United States Code, title 38, chapter 33, as amended, or United States Code, title 38,
141.24 chapter 35, as amended; and

141.25 (2) the person receiving the educational assistance is a Minnesota resident, as defined
141.26 in section 136A.101, subdivision 8; and

141.27 (3) the person receiving the educational assistance:

141.28 (i) is an undergraduate or graduate student at an eligible institution;

141.29 (ii) is maintaining satisfactory academic progress as defined by the institution for students
141.30 participating in federal Title IV programs;

142.1 (iii) is enrolled in an education program leading to a certificate, diploma, or degree at
142.2 an eligible institution;

142.3 (iv) has applied for educational assistance under this section prior to the end of the
142.4 academic term for which the assistance is being requested;

142.5 (v) is in compliance with child support payment requirements under section 136A.121,
142.6 subdivision 2, clause (5); and

142.7 (vi) has completed the Free Application for Federal Student Aid (FAFSA).

142.8 (b) A person's eligibility terminates when the person becomes eligible for benefits under
142.9 section 135A.52.

142.10 (c) To determine eligibility, the commissioner may require official documentation,
142.11 including the person's federal form DD-214 or other official military discharge papers;
142.12 correspondence from the United States Veterans Administration; birth certificate; marriage
142.13 certificate; proof of enrollment at an eligible institution; signed affidavits; proof of residency;
142.14 proof of identity; or any other official documentation the commissioner considers necessary
142.15 to determine eligibility.

142.16 (d) The commissioner may deny eligibility or terminate benefits under this section to
142.17 any person who has not provided sufficient documentation to determine eligibility for the
142.18 program. An applicant may appeal the commissioner's eligibility determination or termination
142.19 of benefits in writing to the commissioner at any time. The commissioner must rule on any
142.20 application or appeal within 30 days of receipt of all documentation that the commissioner
142.21 requires. The decision of the commissioner regarding an appeal is final. However, an
142.22 applicant whose appeal of an eligibility determination has been rejected by the commissioner
142.23 may submit an additional appeal of that determination in writing to the commissioner at
142.24 any time that the applicant is able to provide substantively significant additional information
142.25 regarding the applicant's eligibility for the program. An approval of an applicant's eligibility
142.26 by the commissioner following an appeal by the applicant is not retroactively effective for
142.27 more than one year or the semester of the person's original application, whichever is later.

142.28 (e) Upon receiving an application with insufficient documentation to determine eligibility,
142.29 the commissioner must notify the applicant within 30 days of receipt of the application that
142.30 the application is being suspended pending receipt by the commissioner of sufficient
142.31 documentation from the applicant to determine eligibility.

143.1 Sec. 7. Minnesota Statutes 2020, section 197.791, subdivision 5, is amended to read:

143.2 Subd. 5. **Educational assistance amount.** (a) On approval by the commissioner of
143.3 eligibility for the program, the applicant shall be awarded, on a funds-available basis, the
143.4 educational assistance under the program for use at any time according to program rules at
143.5 any eligible institution.

143.6 (b) The amount of educational assistance in any semester or term for an eligible person
143.7 must be determined by subtracting from the eligible person's cost of attendance the amount
143.8 the person received or was eligible to receive in that semester or term from:

143.9 (1) the federal Pell Grant;

143.10 (2) the state grant program under section 136A.121; and

143.11 (3) any federal military or veterans educational benefits including but not limited to the
143.12 Montgomery GI Bill, GI Bill Kicker, the federal tuition assistance program, vocational
143.13 rehabilitation benefits, and any other federal benefits associated with the person's status as
143.14 a veteran, except veterans disability payments from the United States Department of Veterans
143.15 ~~Administration and payments made under the Veterans Retraining Assistance Program~~
143.16 ~~(VRAP)~~ Affairs.

143.17 (c) The amount of educational assistance for any eligible person who is a full-time
143.18 student must not exceed the following:

143.19 (1) \$3,000 per state fiscal year; and

143.20 (2) \$10,000 in a lifetime.

143.21 (d) For a part-time student, the amount of educational assistance must not exceed \$500
143.22 per semester or term of enrollment. For the purpose of this paragraph, a part-time
143.23 undergraduate student is a student taking fewer than 12 credits or the equivalent for a
143.24 semester or term of enrollment and a part-time graduate student is a student considered part
143.25 time by the eligible institution the graduate student is attending. The minimum award for
143.26 undergraduate and graduate students is \$50 per term.

143.27 Sec. 8. Minnesota Statutes 2020, section 197.791, subdivision 5a, is amended to read:

143.28 Subd. 5a. **Apprenticeship and on-the-job training.** (a) The commissioner, in
143.29 consultation with the commissioners of employment and economic development and labor
143.30 and industry, shall develop and implement an apprenticeship and on-the-job training program
143.31 to administer a portion of the Minnesota GI Bill program to pay benefit amounts to eligible
143.32 persons, as provided in this subdivision.

144.1 (b) An "eligible employer" means an employer operating a qualifying apprenticeship or
144.2 on-the-job training program that has been approved by the commissioner.

144.3 ~~(c) A person is eligible for apprenticeship and on-the-job training assistance under this~~
144.4 ~~subdivision if the person meets the criteria established under subdivision 4, paragraph (a).~~
144.5 ~~The commissioner may determine eligibility as provided in subdivision 4, paragraph (c),~~
144.6 ~~and may deny or terminate benefits as prescribed under subdivision 4, paragraphs (d) and~~
144.7 ~~(e). The amount of assistance paid to or on behalf of an eligible individual under this~~
144.8 ~~subdivision must not exceed the following:~~

144.9 (c) A person is eligible for apprenticeship and on-the-job training assistance under this
144.10 subdivision if the person is:

144.11 (i) a veteran who is serving or has served honorably in any branch or unit of the United
144.12 States armed forces at any time;

144.13 (ii) a nonveteran who has served honorably for a total of five years or more cumulatively
144.14 as a member of the Minnesota National Guard or any other active or reserve component of
144.15 the United States armed forces, and any part of that service occurred on or after September
144.16 11, 2001;

144.17 (iii) the surviving spouse or child of a person who has served in the military and who
144.18 has died as a direct result of that military service, only if the surviving spouse or child is
144.19 eligible to receive federal education benefits under United States Code, title 38, chapter 33,
144.20 as amended, or United States Code, title 38, chapter 35, as amended; or

144.21 (iv) the spouse or child of a person who has served in the military at any time and who
144.22 has a total and permanent service-connected disability as rated by the United States Veterans
144.23 Administration, only if the spouse or child is eligible to receive federal education benefits
144.24 under United States Code, title 38, chapter 33, as amended, or United States Code, title 38,
144.25 chapter 35, as amended.

144.26 (d) The amount of assistance paid to or on behalf of an eligible individual under this
144.27 subdivision must not exceed the following:

144.28 (1) \$3,000 per fiscal year for apprenticeship expenses;

144.29 (2) \$3,000 per fiscal year for on-the-job training;

144.30 (3) \$1,000 for a job placement credit payable to an eligible employer upon hiring and
144.31 completion of six consecutive months' employment of a person receiving assistance under
144.32 this subdivision; and

145.1 (4) \$1,000 for a job placement credit payable to an eligible employer after a person
 145.2 receiving assistance under this subdivision has been employed by the eligible employer for
 145.3 at least 12 consecutive months as a full-time employee.

145.4 (e) No more than \$5,000 in aggregate benefits under this paragraph subdivision may be
 145.5 paid to or on behalf of an individual in one fiscal year; and not more than \$10,000 in
 145.6 aggregate benefits under this paragraph may be paid to or on behalf of an individual over
 145.7 any period of time.

145.8 (f) If an eligible person receives benefits under subdivision 5 or 5b, the eligible person's
 145.9 aggregate benefits under this subdivision and subdivisions 5 and 5b must not exceed \$10,000
 145.10 in the eligible person's lifetime.

145.11 ~~(d)~~ (g) Assistance for apprenticeship expenses and on-the-job training is available for
 145.12 qualifying programs, which must, at a minimum, meet the following criteria:

145.13 (1) the training must be with an eligible employer;

145.14 (2) the training must be documented and reported;

145.15 (3) the training must reasonably be expected to lead to an entry-level position; and

145.16 (4) the position must require at least six months of training to become fully trained.

145.17 Sec. 9. Minnesota Statutes 2020, section 197.791, subdivision 5b, is amended to read:

145.18 Subd. 5b. **Additional professional or educational benefits.** (a) The commissioner shall
 145.19 develop and implement a program to administer a portion of the Minnesota GI Bill program
 145.20 to pay additional benefit amounts to eligible persons as provided under this subdivision.

145.21 ~~(b) A person is eligible for additional benefits under this subdivision if the person meets~~
 145.22 ~~the criteria established under subdivision 4, paragraph (a), clause (1). The commissioner~~
 145.23 ~~may determine eligibility as provided in subdivision 4, paragraph (c), and may deny or~~
 145.24 ~~terminate benefits as prescribed under subdivision 4, paragraphs (d) and (e). The amount~~
 145.25 ~~of assistance paid to or on behalf of an eligible individual under this subdivision must not~~
 145.26 ~~exceed the following amounts:~~

145.27 (b) A person is eligible for additional benefits under this subdivision if the person is:

145.28 (i) a veteran who is serving or has served honorably in any branch or unit of the United
 145.29 States armed forces at any time;

145.30 (ii) a nonveteran who has served honorably for a total of five years or more cumulatively
 145.31 as a member of the Minnesota National Guard or any other active or reserve component of

146.1 the United States armed forces, and any part of that service occurred on or after September
146.2 11, 2001;

146.3 (iii) the surviving spouse or child of a person who has served in the military and who
146.4 has died as a direct result of that military service, only if the surviving spouse or child is
146.5 eligible to receive federal education benefits under United States Code, title 38, chapter 33,
146.6 as amended, or United States Code, title 38, chapter 35, as amended; or

146.7 (iv) the spouse or child of a person who has served in the military at any time and who
146.8 has a total and permanent service-connected disability as rated by the United States Veterans
146.9 Administration, only if the spouse or child is eligible to receive federal education benefits
146.10 under United States Code, title 38, chapter 33, as amended, or United States Code, title 38,
146.11 chapter 35, as amended.

146.12 (c) The amount of assistance paid to or on behalf of an eligible individual under this
146.13 subdivision must not exceed the following amounts:

146.14 (1) \$3,000 per state fiscal year; and

146.15 (2) \$10,000 in a lifetime.

146.16 (d) If an eligible person receives benefits under subdivision 5 or 5a, the eligible person's
146.17 aggregate benefits under this subdivision and subdivisions 5 and 5a must not exceed \$10,000
146.18 in the eligible person's lifetime.

146.19 ~~(e)~~ (e) A person eligible under this subdivision may use the benefit amounts for the
146.20 following purposes:

146.21 (1) licensing or certification tests, the successful completion of which demonstrates an
146.22 individual's possession of the knowledge or skill required to enter into, maintain, or advance
146.23 in employment in a predetermined and identified vocation or profession, provided that the
146.24 tests and the licensing or credentialing organizations or entities that offer the tests are
146.25 approved by the commissioner;

146.26 (2) tests for admission to institutions of higher learning or graduate schools;

146.27 (3) national tests providing an opportunity for course credit at institutions of higher
146.28 learning;

146.29 (4) a preparatory course for a test that is required or used for admission to an institution
146.30 of higher education or a graduate program; and

146.31 (5) any fee associated with the pursuit of a professional or educational objective specified
146.32 in clauses (1) to (4).

147.1 ~~(d) If an eligible person receives benefits under subdivision 5, the eligible person's~~
 147.2 ~~aggregate benefits under this subdivision and subdivision 5 must not exceed \$10,000 in the~~
 147.3 ~~eligible person's lifetime.~~

147.4 ~~(e) If an eligible person receives benefits under subdivision 5a, the eligible person's~~
 147.5 ~~aggregate benefits under this subdivision and subdivision 5a must not exceed \$10,000 in~~
 147.6 ~~the eligible person's lifetime.~~

147.7 Sec. 10. Minnesota Statutes 2020, section 198.006, is amended to read:

147.8 **198.006 SUPPLEMENTAL PROGRAMS.**

147.9 (a) The commissioner shall must work with federal, state, local, and private agencies to
 147.10 develop alternative institutional and noninstitutional care programs for veterans to supplement
 147.11 the mission of the homes. Veterans shall be afforded the least restrictive, most appropriate
 147.12 level of care available.

147.13 (b) The commissioner may work with federal, state, local, and private entities to make
 147.14 available appropriate dental services for veterans homes residents. The commissioner may
 147.15 engage with the United States Department of Veterans Affairs to support the dental benefits
 147.16 program authorized under this paragraph.

147.17 (c) The commissioner may provide adult day care center programs that offer therapeutic
 147.18 and rehabilitation health care services to veterans and support services for caregivers of
 147.19 veterans. If the commissioner provides adult day care center programs, the commissioner
 147.20 may collect fees from program participants. The commissioner is authorized to apply for
 147.21 and accept federal funding for purposes of this paragraph.

147.22 Sec. 11. **[609.1056] MILITARY VETERAN OFFENDERS RESTORATIVE JUSTICE**
 147.23 **SENTENCE.**

147.24 **Subdivision 1. Offenses as a result of military service; presentence supervision**
 147.25 **procedures.** (a) Except as provided for in subdivision 2, paragraph (f), in the case of a
 147.26 person charged with a criminal offense that is either Severity Level 7, D7, or lower in the
 147.27 Minnesota Sentencing Guidelines, including misdemeanor or gross misdemeanor offenses,
 147.28 who could otherwise be sentenced to county jail or state prison and who alleges that the
 147.29 offense was committed as a result of sexual trauma, traumatic brain injury, posttraumatic
 147.30 stress disorder, substance abuse, or mental health conditions stemming from service in the
 147.31 United States military, the court shall, prior to entering a plea of guilty, make a determination
 147.32 as to whether the defendant was, or currently is, a member of the United States military and

148.1 whether the defendant may be suffering from sexual trauma, traumatic brain injury,
148.2 posttraumatic stress disorder, substance abuse, or mental health conditions as a result of
148.3 that person's service. The court may request, through existing resources, an assessment to
148.4 aid in that determination.

148.5 (b) A defendant who requests to be sentenced under this section shall release or authorize
148.6 access to military service reports and records relating to the alleged conditions stemming
148.7 from service in the United States military. The records shall be filed as confidential and
148.8 remain sealed, except as provided for in this paragraph. The defendant, through existing
148.9 records or licensed professional evaluation, shall establish the diagnosis of the condition
148.10 and its connection to military service. The court, on the prosecutor's motion with notice to
148.11 defense counsel, may order the defendant to furnish to the court for in camera review or to
148.12 the prosecutor copies of all medical and military service reports and records previously or
148.13 subsequently made concerning the defendant's condition and its connection to service. Based
148.14 on the record, the court shall make findings on whether, by clear and convincing evidence,
148.15 the defendant suffers from a diagnosable condition and whether that condition stems from
148.16 service in the United States military. Within 15 days of the court's findings, either party
148.17 may file a challenge to the findings and demand a hearing on the defendant's eligibility
148.18 under this section.

148.19 If the court determines that a defendant suffers from a substance abuse disorder, the court
148.20 shall order a Rule 25 assessment under Minnesota Rules, part 9530.6615, and follow the
148.21 recommendations contained in the assessment. If the court determines that a defendant
148.22 suffers from posttraumatic stress disorder, traumatic brain injury, or other mental health
148.23 conditions, the court shall order a mental health assessment conducted by a licensed mental
148.24 health professional and follow the recommendations contained in the examiner's report.

148.25 (c) If the court concludes that a defendant who entered a plea of guilty to a criminal
148.26 offense is a person described in this subdivision or the parties stipulate to eligibility, and if
148.27 the defendant is otherwise eligible for probation, the court shall, upon the defendant entering
148.28 a plea of guilty, without entering a judgment of guilty and with the consent of the defendant,
148.29 prosecutor, and victim, defer further proceedings and place the defendant on probation upon
148.30 such reasonable conditions as it may require and for a period not to exceed the maximum
148.31 sentence provided for the violation unless extended by the court to complete treatment as
148.32 per section 609.135, subdivision 2, paragraph (h). If the veteran has previously received a
148.33 stay of adjudication for a felony offense under this section, the court may in its discretion
148.34 sentence consistent with this section or deny the use of this section on subsequent felony
148.35 offenses. If the court denies a stay of adjudication on this basis, the court may sentence

149.1 pursuant to the guidelines, application or waiver of statutory mandatory minimums, or a
149.2 departure pursuant to subdivision 2, paragraph (d).

149.3 (d) Upon violation of a condition of the probation, the court may enter an adjudication
149.4 of guilt and proceed as otherwise provided by law, including sentencing pursuant to the
149.5 guidelines, application or waiver of statutory mandatory minimums, or a departure pursuant
149.6 to subdivision 2, paragraph (d).

149.7 (e) As a condition of probation, the court may order the defendant to attend a local, state,
149.8 federal, or private nonprofit treatment program for a period not to exceed that period which
149.9 the defendant would have served in state prison or county jail, provided the court determines
149.10 that an appropriate treatment program exists. Pursuant to section 609.135, subdivision 2,
149.11 paragraph (h), the court may extend an offender's probation if the offender has not completed
149.12 court-ordered treatment.

149.13 (f) The court, in making an order under this section to order a defendant to attend an
149.14 established treatment program, shall give preference to a treatment program that has a history
149.15 of successfully treating veterans who suffer from sexual trauma, traumatic brain injury,
149.16 posttraumatic stress disorder, substance abuse, or mental health conditions as a result of
149.17 that service, including but not limited to programs operated by the United States Department
149.18 of Defense or Veterans Affairs. If an appropriate treatment provider is not available in the
149.19 offender's county of residence or public funding is not available, the Minnesota Department
149.20 of Veterans Affairs shall coordinate with the United States Department of Veterans Affairs
149.21 to locate an appropriate treatment program and sources to fund the cost of the offender's
149.22 participation in the program.

149.23 (g) The court and the assigned treatment program shall, when available, collaborate with
149.24 the county veterans service officer and the United States Department of Veterans Affairs
149.25 to maximize benefits and services provided to the veteran.

149.26 (h) If available in the county or judicial district having jurisdiction over the case, the
149.27 defendant may be supervised by the veterans treatment court program under subdivision 3.
149.28 If there is a veterans treatment court that meets the requirements of subdivision 3 in the
149.29 county in which the defendant resides or works, supervision of the defendant may be
149.30 transferred to that county or judicial district veterans treatment court program. If the defendant
149.31 successfully completes the veterans treatment court program in the supervising jurisdiction,
149.32 that jurisdiction shall sentence the defendant under this section. If the defendant is
149.33 unsuccessful in the veterans treatment court program, the defendant's supervision shall be
149.34 returned to the jurisdiction that initiated the transfer for standard sentencing.

150.1 (i) Sentencing pursuant to this section waives any right to administrative review pursuant
150.2 to section 169A.53, subdivision 1, or judicial review pursuant to section 169A.53, subdivision
150.3 2, for a license revocation or cancellation imposed pursuant to section 169A.52, and also
150.4 waives any right to administrative review pursuant to section 171.177, subdivision 10, or
150.5 judicial review pursuant to section 171.177, subdivision 11, for a license revocation or
150.6 cancellation imposed pursuant to section 171.177, if that license revocation or cancellation
150.7 is the result of the same incident that is being sentenced.

150.8 Subd. 2. Restorative justice for military veterans; dismissal of charges. (a) It is in
150.9 the interest of justice to restore a defendant who acquired a criminal record due to a mental
150.10 health condition stemming from service in the United States military to the community of
150.11 law-abiding citizens. The restorative provisions of this subdivision apply to cases in which
150.12 a court monitoring the defendant's performance of probation under this section finds by
150.13 clear and convincing evidence at a public hearing, held after not less than 15 days' notice
150.14 to the prosecution, the defense, and any victim of the offense, that all of the following
150.15 describe the defendant:

150.16 (1) the defendant was granted probation and was a person eligible under subdivision 1
150.17 at the time that probation was granted;

150.18 (2) the defendant is in compliance with the conditions of that probation;

150.19 (3) the defendant has successfully completed court-ordered treatment and services to
150.20 address the sexual trauma, traumatic brain injury, posttraumatic stress disorder, substance
150.21 abuse, or mental health conditions stemming from military service;

150.22 (4) the defendant does not present a danger to the health and safety of others including
150.23 any victims; and

150.24 (5) the defendant has demonstrated significant benefit from court-ordered education,
150.25 treatment, or rehabilitation to clearly show that granting restorative relief pursuant to this
150.26 subdivision would be in the interest of justice.

150.27 (b) When determining whether granting restorative relief under this subdivision is in
150.28 the interest of justice, the court may consider, among other factors, all of the following:

150.29 (1) the defendant's completion and degree of participation in education, treatment, and
150.30 rehabilitation as ordered by the court;

150.31 (2) the defendant's progress in formal education;

150.32 (3) the defendant's development of career potential;

151.1 (4) the defendant's leadership and personal responsibility efforts;
 151.2 (5) the defendant's contribution of service in support of the community;
 151.3 (6) the level of harm to the community from the offense; and
 151.4 (7) the level of harm to the victim from the offense with the court's determination of
 151.5 harm guided by the factors for evaluating injury and loss contained in the applicable victim's
 151.6 rights provisions of chapter 611A.

151.7 (c) If the court finds that a case satisfies each of the requirements described in paragraph
 151.8 (a), then upon expiration of the period of probation the court shall discharge the defendant
 151.9 and dismiss the proceedings against that defendant. Discharge and dismissal under this
 151.10 subdivision shall be without court adjudication of guilt. The court shall maintain a public
 151.11 record of the discharge and dismissal.

151.12 (d) If the court finds that a defendant placed on probation under subdivision 1 does not
 151.13 satisfy each of the requirements described in paragraph (a), the court shall enter an
 151.14 adjudication of guilt and proceed as otherwise provided by law, including sentencing pursuant
 151.15 to the guidelines, application or waiver of statutory mandatory minimums, or a departure
 151.16 pursuant to paragraph (e).

151.17 (e) If the charge to which the defendant entered a plea of guilty is listed under subdivision
 151.18 1, paragraph (a), and is for an offense that is a presumptive commitment to state
 151.19 imprisonment, the court may use the factors of paragraph (a) to justify a dispositional
 151.20 departure or any appropriate sentence, including the application or waiver of statutory
 151.21 mandatory minimums. If the court finds that paragraph (a), clauses (1) to (5), factors, the
 151.22 defendant is presumed amenable to probation.

151.23 (f) This subdivision does not apply to an offense for which registration is required under
 151.24 section 243.166, subdivision 1b, a crime of violence as defined in section 624.712,
 151.25 subdivision 5, or a gross misdemeanor or felony-level domestic violence offense.

151.26 **Subd. 3. Optional veterans treatment court program; procedures for eligible**
 151.27 **defendants.** (a) A county or judicial district may supervise probation under this section
 151.28 through a veterans treatment court using county veterans service officers appointed under
 151.29 sections 197.60 to 197.606, United States Department of Veterans Affairs veterans justice
 151.30 outreach specialists, probation agents, and any other rehabilitative resources available to
 151.31 the court.

151.32 (b) "Veterans treatment court program" means a program that has the following essential
 151.33 characteristics:

- 152.1 (1) the integration of services in the processing of cases in the judicial system;
- 152.2 (2) the use of a nonadversarial approach involving prosecutors and defense attorneys to
- 152.3 promote public safety and to protect the due process rights of program participants;
- 152.4 (3) early identification and prompt placement of eligible participants in the program;
- 152.5 (4) access to a continuum of alcohol, controlled substance, mental health, and other
- 152.6 related treatment and rehabilitative services;
- 152.7 (5) careful monitoring of treatment and services provided to program participants;
- 152.8 (6) a coordinated strategy to govern program responses to participants' compliance;
- 152.9 (7) ongoing judicial interaction with program participants;
- 152.10 (8) monitoring and evaluation of program goals and effectiveness;
- 152.11 (9) continuing interdisciplinary education to promote effective program planning,
- 152.12 implementation, and operations;
- 152.13 (10) development of partnerships with public agencies and community organizations,
- 152.14 including the United States Department of Veterans Affairs; and
- 152.15 (11) inclusion of a participant's family members who agree to be involved in the treatment
- 152.16 and services provided to the participant under the program.

152.17 **Subd. 4. Creation of county and city diversion programs; authorization.** Any county

152.18 or city may establish and operate a veterans pretrial diversion program for offenders eligible

152.19 under subdivision 1 without penalty under section 477A.0175. "Pretrial diversion" means

152.20 the decision of a prosecutor to refer an offender to a diversion program on condition that

152.21 the criminal charges against the offender shall be dismissed after a specified period of time,

152.22 or the case shall not be charged, if the offender successfully completes the program of

152.23 treatment recommended by the United States Department of Veterans Affairs or a local,

152.24 state, federal, or private nonprofit treatment program.

152.25 **EFFECTIVE DATE.** This section is effective August 1, 2021.

152.26 **Sec. 12. REVISOR INSTRUCTION.**

152.27 The revisor of statutes must renumber the provisions of Minnesota Statutes listed in

152.28 column A to the references listed in column B. The revisor must also make necessary

152.29 cross-reference changes in Minnesota Statutes and Minnesota Rules consistent with the

152.30 renumbering.

	<u>Column A</u>	<u>Column B</u>
153.1		
153.2	<u>197.791, subdivision 5a</u>	<u>197.791, subdivision 6</u>
153.3	<u>197.791, subdivision 5b</u>	<u>197.791, subdivision 7</u>
153.4	<u>197.791, subdivision 6</u>	<u>197.791, subdivision 8</u>

3.972 AUDITS OF AGENCIES.

Subd. 2c. **Audits of the Department of Transportation.** The legislative auditor must audit, as resources permit, the programs and services administered by the Department of Transportation.

Subd. 2d. **Audits of the Department of Public Safety.** The legislative auditor must audit, as resources permit, the programs and services administered by the Department of Public Safety.

16E.0466 STATE AGENCY TECHNOLOGY PROJECTS.

Subdivision 1. **Consultation required.** (a) Every state agency with an information or telecommunications project must consult with the Office of MN.IT Services to determine the information technology cost of the project. Upon agreement between the commissioner of a particular agency and the chief information officer, the agency must transfer the information technology cost portion of the project to the Office of MN.IT Services. Service level agreements must document all project-related transfers under this section. Those agencies specified in section 16E.016, paragraph (d), are exempt from the requirements of this section.

(b) Notwithstanding section 16A.28, subdivision 3, any unexpended operating balance appropriated to a state agency may be transferred to the information and telecommunications technology systems and services account for the information technology cost of a specific project, subject to the review of the Legislative Advisory Commission, under section 16E.21, subdivision 3.

16E.05 GOVERNMENT INFORMATION ACCESS.

Subd. 3. **Capital investment.** No state agency may propose or implement a capital investment plan for a state office building unless:

(1) the agency has developed a plan for increasing telecommuting by employees who would normally work in the building, or the agency has prepared a statement describing why such a plan is not practicable; and

(2) the plan or statement has been reviewed by the office.

16E.071 E-GOVERNMENT ADVISORY COUNCIL.

Subdivision 1. **E-Government Advisory Council established.** The E-Government Advisory Council is established for the purpose of improving online government information services to citizens and businesses.

Subd. 2. **Membership.** The council shall consist of nine members as follows:

(1) the state chief information officer or the chief information officer's designee;

(2) one public member appointed by the speaker of the house;

(3) one public member appointed by the senate Subcommittee on Committees of the Rules and Administration Committee;

(4) five members appointed by the governor representing state executive branch agencies that are actively involved with private businesses, the private business community, or the public; and

(5) one member appointed by the governor who is knowledgeable in public access to government data.

Subd. 3. **Initial appointments and first meeting.** Appointing authorities shall make the first appointments to the council by September 1, 2013. The first member appointed by the speaker of the house shall serve until the first Monday in January 2015. The governor shall designate three initial appointees to serve until the first Monday in January 2015. The term of the other three initial appointees of the governor and the first member appointed by the senate shall be until the first Monday in January 2017. The chief information officer or the chief information officer's designee shall convene the council's first meeting by November 1, 2013, and shall act as chair until the council elects a chair at its first meeting.

Subd. 4. **Terms; removal; vacancies; compensation.** Membership terms, removal of member, and filling of vacancies are as provided in section 15.059, except that members shall not receive compensation or be reimbursed for expenses and except that terms of initial appointees are as provided in subdivision 3.

Subd. 5. **Chair.** The council shall annually elect a chair from its members.

APPENDIX
Repealed Minnesota Statutes: S1831-2

Subd. 6. **Duties.** The council shall recommend to the office the priority of North Star projects and online government information services to be developed and supported by convenience fee receipts. The council shall provide oversight on the convenience fee and its receipts in the North Star account. The council shall by majority quorum vote to recommend to approve or disapprove establishing the convenience fee on particular types of transactions, the fee amount, and any changes in the fee amount. If the convenience fee receipts are retained by or transferred to the private entity in lieu of deposit in the North Star account, the council may audit the private entity's convenience fee receipts, expenses paid by the receipts, and associated financial statements.

Subd. 7. **Staff.** The office shall provide administrative support to the council.

Subd. 8. **Sunset.** The council shall expire the first Monday in January 2017.

Subd. 9. **Reports.** By June 1, 2014, and every year thereafter, the council shall report to the office with its recommendations regarding establishing the convenience fee, the fee amount, and changes to the fee amount.

16E.145 INFORMATION TECHNOLOGY APPROPRIATION.

An appropriation for a state agency information and telecommunications technology project must be made to the chief information officer. The chief information officer must manage and disburse the appropriation on behalf of the sponsoring state agency. Any appropriation for an information and telecommunications technology project made to a state agency other than the Office of MN.IT Services is transferred to the chief information officer.

116O.03 CORPORATION; BOARD OF DIRECTORS; POWERS.

Subd. 9. **Contributions to public officials; disclosure.** Each director shall file a statement with the Campaign Finance and Public Disclosure Board disclosing the nature, amount, date, and recipient of any contribution made to a public official, political committee, political fund, or political party, as defined in chapter 10A, that:

(1) was made within the four years preceding appointment to the Enterprise Minnesota, Inc. board; and

(2) was subject to the reporting requirements of chapter 10A.

The statement must be updated annually during the director's term to reflect contributions made to public officials during the appointed director's tenure.

116O.04 CORPORATE PERSONNEL.

Subd. 3. **Contributions to public officials; disclosure.** The president shall file a statement with the Campaign Finance and Public Disclosure Board disclosing the nature, amount, date, and recipient of any contribution made to a public official which:

(1) was made within the four years preceding employment with the Enterprise Minnesota, Inc. board; and

(2) was subject to the reporting requirements of chapter 10A.

The statement must be updated annually during the president's employment to reflect contributions made to public officials during the president's tenure.

135A.17 PROVISIONS TO FACILITATE VOTING.

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

155A.23 DEFINITIONS.

Subd. 2. **Board.** "Board" means the Board of Cosmetologist Examiners.

201.061 REGISTRATION ON OR BEFORE ELECTION DAY.

Subd. 7. **Record of attempted registrations.** The election judge responsible for election day registration shall attempt to keep a record of the number of individuals who attempt to register on

APPENDIX
Repealed Minnesota Statutes: S1831-2

election day but who cannot provide proof of residence as required by this section. The record shall be forwarded to the county auditor with the election returns for that precinct.

204C.12 CHALLENGES TO VOTERS; PENALTY.

Subd. 3. **Determination of residence.** In determining the legal residence of a challenged individual, the election judges shall be governed by the principles contained in section 200.031. If the challenged individual's answers to the questions show ineligibility to vote in that precinct, the individual shall not be allowed to vote. If the individual has marked ballots but not yet deposited them in the ballot boxes before the election judges determine ineligibility to vote in that precinct, the marked ballots shall be placed unopened with the spoiled ballots. If the answers to the questions fail to show that the individual is not eligible to vote in that precinct and the challenge is not withdrawn, the election judges shall verbally administer the oath on the voter certificate to the individual. After taking the oath and completing and signing the voter certificate, the challenged individual shall be allowed to vote.