

**SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION**

S.F. No. 4130

(SENATE AUTHORS: KIFFMEYER)

DATE
03/21/2022

D-PG
5470

OFFICIAL STATUS
Introduction and first reading
Referred to State Government Finance and Policy and Elections

1.1 A bill for an act

1.2 relating to elections; making technical and policy changes to provisions related to

1.3 elections administration; amending Minnesota Statutes 2020, sections 5B.06;

1.4 201.061, subdivision 3; 201.071, subdivisions 1, 3, 8; 201.12, subdivision 2; 201.13,

1.5 subdivision 3; 201.1611, subdivision 1; 202A.16, subdivision 1; 203B.01, by

1.6 adding a subdivision; 203B.02, by adding a subdivision; 203B.081, subdivisions

1.7 1, 2; 203B.11, subdivision 1; 203B.16, subdivision 2; 204B.06, subdivision 4a;

1.8 204B.09, subdivision 1; 204B.13, by adding a subdivision; 204B.19, subdivision

1.9 6; 204B.21, subdivision 2; 204B.45, subdivisions 1, 2; 204B.46; 204C.15,

1.10 subdivision 1; 204C.33, subdivision 3; 204D.19, subdivision 2; 204D.22,

1.11 subdivision 3; 204D.23, subdivision 2; 205.13, subdivision 5; 205A.10, subdivision

1.12 5; 205A.12, subdivision 5; 207A.12; 209.021, subdivision 2; 211B.11, subdivision

1.13 1; 367.03, subdivision 6; 447.32, subdivision 4; Minnesota Statutes 2021

1.14 Supplement, sections 201.225, subdivision 2; 204B.16, subdivision 1.

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

1.16 Section 1. Minnesota Statutes 2020, section 5B.06, is amended to read:

1.17 **5B.06 VOTING BY PROGRAM PARTICIPANT; ABSENTEE BALLOT.**

1.18 A program participant who is otherwise eligible to vote may register with the secretary

1.19 of state as a permanent absentee voter. Notwithstanding section 203B.04, subdivision 5,

1.20 the secretary of state is not required to send an absentee ballot application prior to each

1.21 election to a program participant registered as a permanent absentee voter under this section.

1.22 As soon as practicable before each election, the secretary of state shall determine the precinct

1.23 in which the residential address of ~~the~~ a program participant is located ~~and~~. Upon making

1.24 a precinct determination, the secretary of state shall either (1) request from and receive from

1.25 the county auditor or other election official the ballot for that precinct and shall forward

1.26 mail the absentee ballot to the program participant with the other, or (2) using the Minnesota

1.27 statewide voter registration system, prepare the program participant's ballot for that precinct

and mail the absentee ballot to the program participant. The secretary of state shall include with each mailed absentee ballot all corresponding materials for absentee balloting as required by Minnesota law. The program participant shall complete the ballot and return it to the secretary of state, who shall review the ballot in the manner provided by section 203B.121, subdivision 2. If the ballot and ballot materials comply with the requirements of that section, the ballot must be certified by the secretary of state as the ballot of a program participant, and must be forwarded to the appropriate electoral jurisdiction for tabulation along with all other ballots. The name and address of a program participant must not be listed in the statewide voter registration system.

Sec. 2. Minnesota Statutes 2020, section 201.061, subdivision 3, is amended to read:

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

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

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

(3) presenting one of the following:

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

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

(4) having a voter who is registered to vote in the precinct, or an employee employed by and working in a residential facility in the precinct and vouching for a resident in the facility, sign an oath in the presence of the election judge vouching that the voter or employee personally knows that the individual is a resident of the precinct. A voter who has been vouched for on election day may not sign a proof of residence oath vouching for any other individual on that election day. A voter who is registered to vote in the precinct may sign up to eight proof-of-residence oaths on any election day. This limitation does not apply to an employee of a residential facility described in this clause. The secretary of state shall

provide a form for election judges to use in recording the number of individuals for whom a voter signs proof-of-residence oaths on election day. The form must include space for the maximum number of individuals for whom a voter may sign proof-of-residence oaths. For each proof-of-residence oath, the form must include a statement that the individual: (i) is registered to vote in the precinct or is an employee of a residential facility in the precinct, (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the statement on oath. The form must include a space for the voter's printed name, signature, telephone number, and address.

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

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

(c) "Residential facility" means transitional housing as defined in section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner of health under section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision 5; ~~a residence registered with the commissioner of health as a housing with services establishment as defined in section 144D.01, subdivision 4~~ an assisted living facility licensed by the commissioner of health under chapter 144G; a veterans home operated by the board of directors of the Minnesota Veterans Homes under chapter 198; a residence licensed by the commissioner of human services to provide a residential program as defined in section 245A.02, subdivision 14; a residential facility for persons with a developmental disability licensed by the commissioner of human services under section 252.28; setting authorized to provide housing support as defined in section 256I.03, subdivision 3; a shelter for battered women as defined in section 611A.37, subdivision 4; ~~or a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless; a facility where a provider operates a residential treatment program as defined in section 245.462, subdivision 23; or a facility where a provider operates an adult foster care program as defined in section 245A.02, subdivision 6c.~~

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

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

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

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

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

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

"I certify that I:

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

(2) am a citizen of the United States;

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

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

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

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

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

5.4 (8) have read and understand the following statement: that giving false information is a
5.5 felony punishable by not more than five years imprisonment or a fine of not more than
5.6 \$10,000, or both."

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

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

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

5.10 And the instruction:

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

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

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

5.19 Sec. 4. Minnesota Statutes 2020, section 201.071, subdivision 3, is amended to read:

5.20 Subd. 3. **Deficient registration.** ~~No~~ (a) A voter registration application is not deficient
5.21 if it contains the voter's:

5.22 (1) name, address, and date of birth;₂

5.23 (2) current and valid Minnesota driver's license number ~~or~~, Minnesota state identification
5.24 number, ~~or if the voter has no current and valid Minnesota driver's license or Minnesota~~
5.25 ~~state identification number~~, the last four digits of the voter's Social Security number, ~~if the~~
5.26 ~~voter has been issued a Social Security number;~~₂

5.27 (3) prior registration, if any;₂ and

5.28 (4) signature.

5.29 (b) A voter registration application is not deficient due to any of the following:

5.30 (1) the absence of a zip code number ~~does not cause the registration to be deficient;~~₂

6.1 (2) failure to check a box on an application form that a voter has certified to be true does
6.2 not cause the registration to be deficient; or

6.3 (3) the absence of a number listed under paragraph (a), clause (2), if the voter has not
6.4 been issued one of those numbers and the information can be verified in another government
6.5 database associated with the applicant's name and date of birth, or the application was
6.6 accepted before January 1, 2004.

6.7 ~~The election judges shall request an individual to correct a voter registration application~~
6.8 ~~if it is deficient or illegible. No eligible voter may be prevented from voting unless the~~
6.9 ~~voter's registration application is deficient or the voter is duly and successfully challenged~~
6.10 ~~in accordance with section 201.195 or 204C.12.~~

6.11 (c) A voter registration application:

6.12 (1) accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county
6.13 or municipality may attempt to obtain the date of birth for a voter registration application
6.14 accepted prior to August 1, 1983, by a request to the voter at any time except at the polling
6.15 place. Failure by the voter to comply with this request does not make the registration
6.16 deficient; and

6.17 ~~A voter registration application accepted before January 1, 2004, is not deficient for lack~~
6.18 ~~of a valid Minnesota driver's license or state identification number or the last four digits of~~
6.19 ~~a Social Security number.~~

6.20 ~~A voter registration application submitted by a voter who does not have a Minnesota~~
6.21 ~~driver's license or state identification number, or a Social Security number, is not deficient~~
6.22 ~~for lack of any of these numbers.~~

6.23 ~~A voter registration application (2) submitted electronically through the website of the~~
6.24 ~~secretary of state prior to April 30, 2014, is not invalid as a result of its electronic submission.~~

6.25 (d) An election judge must request an individual to correct a voter registration application
6.26 if it is deficient or illegible. An eligible voter must not be prevented from voting unless the
6.27 voter's registration application is deficient or the voter's eligibility to vote is successfully
6.28 challenged under section 201.195 or 204C.12.

6.29 Sec. 5. Minnesota Statutes 2020, section 201.071, subdivision 8, is amended to read:

6.30 Subd. 8. **School district assistance.** School districts shall assist county auditors in
6.31 determining the school district in which a voter ~~resides~~ maintains residence.

7.1 Sec. 6. Minnesota Statutes 2020, section 201.12, subdivision 2, is amended to read:

7.2 Subd. 2. **Moved within state.** If any nonforwardable mailing from an election official
7.3 is returned as undeliverable but with a permanent forwarding address in this state, the county
7.4 auditor may change the voter's status to "inactive" in the statewide registration system and
7.5 shall transmit a copy of the mailing to the auditor of the county in which the new address
7.6 is located. If an election is scheduled to occur in the precinct in which the voter ~~resides~~
7.7 maintains residence in the next 47 days, the county auditor shall promptly update the voter's
7.8 address in the statewide voter registration system. If there is not an election scheduled, the
7.9 auditor may wait to update the voter's address until after the next list of address changes is
7.10 received from the secretary of state. Once updated, the county auditor shall mail to the voter
7.11 a notice stating the voter's name, address, precinct, and polling place, except that if the
7.12 voter's record is challenged due to a felony conviction, noncitizenship, name change,
7.13 incompetence, or a court's revocation of voting rights of individuals under guardianship,
7.14 the auditor must not mail the notice. The notice must advise the voter that the voter's voting
7.15 address has been changed and that the voter must notify the county auditor within 21 days
7.16 if the new address is not the voter's address of residence. The notice must state that it must
7.17 be returned if it is not deliverable to the voter at the named address.

7.18 Sec. 7. Minnesota Statutes 2020, section 201.13, subdivision 3, is amended to read:

7.19 Subd. 3. **Use of change of address system.** (a) At least once each month the secretary
7.20 of state shall obtain a list of individuals registered to vote in this state who have filed with
7.21 the United States Postal Service a change of their permanent address. The secretary of state
7.22 may also periodically obtain a list of individuals with driver's licenses or state identification
7.23 cards to identify those who are registered to vote who have applied to the Department of
7.24 Public Safety for a replacement driver's license or state identification card with a different
7.25 address, and a list of individuals for whom the Department of Public Safety received
7.26 notification of a driver's license or state identification card cancellation due to a change of
7.27 residency out of state. However, the secretary of state shall not load data derived from these
7.28 lists into the statewide voter registration system within the 47 days before the state primary
7.29 or 47 days before a November general election.

7.30 (b) If the address is changed to another address in this state, the secretary of state shall
7.31 locate the precinct in which the voter ~~resides~~ maintains residence, if possible. If the secretary
7.32 of state is able to locate the precinct in which the voter ~~resides~~ maintains residence, the
7.33 secretary must transmit the information about the changed address by electronic means to
7.34 the county auditor of the county in which the new address is located. For addresses for

which the secretary of state is unable to determine the precinct, the secretary may forward information to the appropriate county auditors for individual review. If the voter has not voted or submitted a voter registration application since the address change, upon receipt of the information, the county auditor shall update the voter's address in the statewide voter registration system. The county auditor shall mail to the voter a notice stating the voter's name, address, precinct, and polling place, unless the voter's record is challenged due to a felony conviction, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, in which case the auditor must not mail the notice. The notice must advise the voter that the voter's voting address has been changed and that the voter must notify the county auditor within 21 days if the new address is not the voter's address of residence. The notice must state that it must be returned if it is not deliverable to the voter at the named address.

(c) If the change of permanent address is to an address outside this state, the secretary of state shall notify by electronic means the auditor of the county where the voter formerly ~~resided~~ maintained residence that the voter has moved to another state. If the voter has not voted or submitted a voter registration application since the address change, the county auditor shall promptly mail to the voter at the voter's new address a notice advising the voter that the voter's status in the statewide voter registration system will be changed to "inactive" unless the voter notifies the county auditor within 21 days that the voter is retaining the former address as the voter's address of residence, except that if the voter's record is challenged due to a felony conviction, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, the auditor must not mail the notice. If the notice is not received by the deadline, the county auditor shall change the voter's status to "inactive" in the statewide voter registration system.

(d) If, in order to maintain voter registration records, the secretary of state enters an agreement to share information or data with an organization governed exclusively by a group of states, the secretary must first determine that the data security protocols are sufficient to safeguard the information or data shared. If required by such an agreement, the secretary of state may share the following data from the statewide voter registration system and data released to the secretary of state under section 171.12, subdivision 7a:

(1) name;

(2) date of birth;

(3) address;

(4) driver's license or state identification card number;

9.1 (5) the last four digits of an individual's Social Security number; and

9.2 (6) the date that an individual's record was last updated.

9.3 If the secretary of state enters into such an agreement, the secretary and county auditors
9.4 must process changes to voter records based upon that data in accordance with this section.

9.5 Except as otherwise provided in this subdivision, when data is shared with the secretary of
9.6 state by another state, the secretary of state must maintain the same data classification that
9.7 the data had while it was in the possession of the state providing the data.

9.8 Sec. 8. Minnesota Statutes 2020, section 201.1611, subdivision 1, is amended to read:

9.9 Subdivision 1. **Forms.** All postsecondary institutions that enroll students accepting state
9.10 or federal financial aid shall provide voter registration forms to each student as early as
9.11 possible in the fall quarter. All school districts shall make available voter registration
9.12 applications each May and September to all students registered as students of the school
9.13 district who will be eligible to vote at the next election after those months. A school district
9.14 has no obligation to provide voter registration applications to students who participate in a
9.15 postsecondary education option program or who otherwise ~~reside~~ maintain residence in the
9.16 district but do not attend a school operated by the district. A school district fulfills its
9.17 obligation to a student under this section if it provides a voter registration application to the
9.18 student one time. The forms must contain spaces for the information required in section
9.19 201.071, subdivision 1, and applicable rules of the secretary of state. The institutions and
9.20 school districts may request these forms from the secretary of state. Institutions shall consult
9.21 with their campus student government in determining the most effective means of distributing
9.22 the forms and in seeking to facilitate election day registration of students under section
9.23 201.061, subdivision 3. School districts must advise students that completion of the voter
9.24 registration application is not a school district requirement.

9.25 Sec. 9. Minnesota Statutes 2021 Supplement, section 201.225, subdivision 2, is amended
9.26 to read:

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

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

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

9.31 (3) allow for data to be entered manually or by scanning a Minnesota driver's license or
9.32 identification card to locate a voter record or populate a voter registration application that

10.1 would be printed and signed and dated by the voter. The printed registration application
10.2 can be either a printed form, labels printed with voter information to be affixed to a preprinted
10.3 form, or a combination of both;

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

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

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

10.11 (7) immediately alert the election judge if the electronic roster indicates that a voter has
10.12 already voted in that precinct, the voter's registration status is challenged, or it appears the
10.13 voter ~~resides~~ maintains residence in a different precinct;

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

10.16 (9) provide for a printed voter signature certificate, containing the voter's name, address
10.17 of residence, date of birth, voter identification number, the oath required by section 204C.10,
10.18 and a space for the voter's original signature. The printed voter signature certificate can be
10.19 either a printed form or a label printed with the voter's information to be affixed to the oath;

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

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

10.24 (12) meet minimum security, reliability, and networking standards established by the
10.25 Office of the Secretary of State in consultation with the Department of Information
10.26 Technology Services;

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

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

10.30 Electronic rosters used only for election day registration do not need to comply with clauses
10.31 (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need
10.32 to comply with clauses (4) and (5).

11.1 Sec. 10. Minnesota Statutes 2020, section 202A.16, subdivision 1, is amended to read:

11.2 Subdivision 1. **Eligible voters.** Only those individuals who are or will be eligible to vote
11.3 at the time of the next state general election, may vote or be elected a delegate or officer at
11.4 the precinct caucus. An eligible voter may vote or be elected a delegate or officer only in
11.5 the precinct where the voter ~~resides~~ maintains residence at the time of the caucus.

11.6 Sec. 11. Minnesota Statutes 2020, section 203B.01, is amended by adding a subdivision
11.7 to read:

11.8 Subd. 5. **Utility worker.** "Utility worker" means an employee of a public utility as
11.9 defined by section 216B.02, subdivision 4.

11.10 Sec. 12. Minnesota Statutes 2020, section 203B.02, is amended by adding a subdivision
11.11 to read:

11.12 Subd. 4. **Emergency response providers.** Any trained or certified emergency response
11.13 provider or utility worker who is deployed during the time period authorized by law for
11.14 absentee voting, on election day, or during any state of emergency declared by the President
11.15 of the United States or any governor of any state within the United States may vote by
11.16 absentee ballot either as provided by sections 203B.04 to 203B.15 or sections 203B.16 to
11.17 203B.27.

11.18 Sec. 13. Minnesota Statutes 2020, section 203B.081, subdivision 1, is amended to read:

11.19 Subdivision 1. **Location; timing.** An eligible voter may vote by absentee ballot in the
11.20 office of the county auditor and at any other polling place designated by the county auditor
11.21 during the 46 days before the election, except as provided in this section. The county auditor
11.22 shall make such polling place designations at least 14 weeks before the election. Voters
11.23 casting absentee ballots in person for a town election held in March may do so during the
11.24 30 days before the election.

11.25 Sec. 14. Minnesota Statutes 2020, section 203B.081, subdivision 2, is amended to read:

11.26 Subd. 2. ~~**Town elections**~~ **Voting booth; electronic ballot marker.** ~~Voters casting~~
11.27 ~~absentee ballots in person for a town election held in March may do so during the 30 days~~
11.28 ~~before the election. The county auditor shall make such designations at least 14 weeks before~~
11.29 ~~the election. For purposes of this section, the county auditor must make available in each~~
11.30 polling place (1) at least one voting booth in each polling place must be made available by
11.31 the county auditor for this purpose. The county auditor must also make available, and (2)

12.1 at least one electronic ballot marker ~~in each polling place that has implemented a voting~~
12.2 ~~system that is accessible~~ for individuals with disabilities pursuant to section 206.57,
12.3 subdivision 5.

12.4 Sec. 15. Minnesota Statutes 2020, section 203B.11, subdivision 1, is amended to read:

12.5 Subdivision 1. **Generally.** (a) Each full-time municipal clerk or school district clerk
12.6 who has authority under section 203B.05 to administer absentee voting laws shall designate
12.7 election judges to deliver absentee ballots in accordance with this section. The county auditor
12.8 must also designate election judges to perform the duties in this section. A ballot may be
12.9 delivered only to an eligible voter who is a temporary or permanent resident or patient in a
12.10 health care facility or hospital located in the municipality in which the voter maintains
12.11 residence. The ballots shall be delivered by two election judges, each of whom is affiliated
12.12 with a different major political party. When the election judges deliver or return ballots as
12.13 provided in this section, they shall travel together in the same vehicle. Both election judges
12.14 shall be present when an applicant completes the certificate of eligibility and marks the
12.15 absentee ballots, and may assist an applicant as provided in section 204C.15. The election
12.16 judges shall deposit the return envelopes containing the marked absentee ballots in a sealed
12.17 container and return them to the clerk on the same day that they are delivered and marked.

12.18 (b) At the discretion of a full-time municipal clerk, school district clerk, or county auditor,
12.19 absentee ballots may be delivered in the same manner as prescribed in paragraph (a) to a
12.20 veterans home operated by the board of directors of the Minnesota veterans homes under
12.21 chapter 198 or a shelter for battered women as defined in section 611A.37, subdivision 4.

12.22 Sec. 16. Minnesota Statutes 2020, section 203B.16, subdivision 2, is amended to read:

12.23 Subd. 2. **Indefinite residence outside United States.** Sections 203B.16 to 203B.27
12.24 provide the exclusive voting procedure for United States citizens who are living indefinitely
12.25 outside the territorial limits of the United States who meet all the qualifications of an eligible
12.26 voter except residence in Minnesota, but who are authorized by federal law to vote in
12.27 Minnesota because they or, if they have never ~~resided~~ maintained residence in the United
12.28 States, a parent maintained residence in Minnesota for at least 20 days immediately prior
12.29 to their departure from the United States. Individuals described in this subdivision shall be
12.30 permitted to vote only for the offices of president, vice-president, senator in Congress, and
12.31 representative in Congress.

13.1 Sec. 17. Minnesota Statutes 2020, section 204B.06, subdivision 4a, is amended to read:

13.2 Subd. 4a. **State and local offices.** Candidates who seek nomination for the following
13.3 offices shall state the following additional information on the affidavit:

13.4 (1) for governor or lieutenant governor, that on the first Monday of the next January the
13.5 candidate will be 25 years of age or older and, on the day of the state general election, a
13.6 resident of Minnesota for not less than one year;

13.7 (2) for supreme court justice, court of appeals judge, or district court judge, that the
13.8 candidate is learned in the law;

13.9 (3) for county, municipal, school district, or special district office, that the candidate
13.10 meets any other qualifications for that office prescribed by law;

13.11 (4) for senator or representative in the legislature, that on the day of the general or special
13.12 election to fill the office the candidate will have ~~resided~~ maintained residence not less than
13.13 one year in the state and not less than six months in the legislative district from which the
13.14 candidate seeks election.

13.15 Sec. 18. Minnesota Statutes 2020, section 204B.09, subdivision 1, is amended to read:

13.16 Subdivision 1. **Candidates in state and county general elections.** (a) Except as
13.17 otherwise provided by this subdivision, affidavits of candidacy and nominating petitions
13.18 for county, state, and federal offices filled at the state general election shall be filed not
13.19 more than 84 days nor less than 70 days before the state primary. The affidavit may be
13.20 prepared and signed at any time between 60 days before the filing period opens and the last
13.21 day of the filing period.

13.22 (b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed
13.23 in the presence of a notarial officer or an individual authorized to administer oaths under
13.24 section 358.10.

13.25 (c) This provision does not apply to candidates for presidential elector nominated by
13.26 major political parties. Major party candidates for presidential elector are certified under
13.27 section 208.03. Other candidates for presidential electors may file petitions at least 77 days
13.28 before the general election day pursuant to section 204B.07. Nominating petitions to fill
13.29 vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or
13.30 petition shall be accepted later than 5:00 p.m. on the last day for filing.

13.31 (d) Affidavits and petitions for county offices must be filed with the county auditor of
13.32 that county. Affidavits and petitions for federal offices must be filed with the secretary of

14.1 state. Affidavits and petitions for state offices must be filed with the secretary of state or
14.2 with the county auditor of the county in which the candidate ~~resides~~ maintains residence.

14.3 (e) Affidavits other than those filed pursuant to subdivision 1a must be submitted by
14.4 mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and must
14.5 be received by 5:00 p.m. on the last day for filing.

14.6 Sec. 19. Minnesota Statutes 2020, section 204B.13, is amended by adding a subdivision
14.7 to read:

14.8 Subd. 6a. **Candidates for federal office.** This section does not apply to a vacancy in
14.9 nomination for a federal office.

14.10 Sec. 20. Minnesota Statutes 2021 Supplement, section 204B.16, subdivision 1, is amended
14.11 to read:

14.12 Subdivision 1. **Authority; location.** (a) By December 31 of each year, the governing
14.13 body of each municipality and of each county with precincts in unorganized territory must
14.14 designate by ordinance or resolution ~~a polling place for each election precinct. The polling~~
14.15 ~~places designated in the ordinance or resolution are the polling places for the following~~
14.16 ~~calendar year, unless a change is made;~~ any changes to a polling place location. A polling
14.17 place must be maintained for the following calendar year unless changed:

14.18 (1) by ordinance or resolution by December 31 of the previous year;

14.19 ~~(1)~~ (2) pursuant to section 204B.175;

14.20 ~~(2)~~ (3) because a polling place has become unavailable;

14.21 ~~(3)~~ (4) because a township designates one location for all state, county, and federal
14.22 elections and one location for all township only elections; and

14.23 ~~(4)~~ (5) pursuant to section 204B.14, subdivision 3.

14.24 (b) Polling places must be designated and ballots must be distributed so that no one is
14.25 required to go to more than one polling place to vote in a school district and municipal
14.26 election held on the same day. The polling place for a precinct in a city or in a school district
14.27 located in whole or in part in the metropolitan area defined by section 200.02, subdivision
14.28 24, shall be located within the boundaries of the precinct or within one mile of one of those
14.29 boundaries unless a single polling place is designated for a city pursuant to section 204B.14,
14.30 subdivision 2, or a school district pursuant to section 205A.11. The polling place for a
14.31 precinct in unorganized territory may be located outside the precinct at a place which is

convenient to the voters of the precinct. If no suitable place is available within a town or within a school district located outside the metropolitan area defined by section 200.02, subdivision 24, then the polling place for a town or school district may be located outside the town or school district within five miles of one of the boundaries of the town or school district.

Sec. 21. Minnesota Statutes 2020, section 204B.19, subdivision 6, is amended to read:

Subd. 6. **High school students.** Notwithstanding any other requirements of this section, a student enrolled in a high school in Minnesota or who is in a home school in compliance with sections 120A.22 and 120A.24, who has attained the age of 16 is eligible to be appointed as a without party affiliation trainee election judge in the county in which the student ~~resides~~ maintains residence, or a county adjacent to the county in which the student ~~resides~~ maintains residence. The student must meet qualifications for trainee election judges specified in rules of the secretary of state. A student appointed as a trainee election judge may be excused from school attendance during the hours that the student is serving as a trainee election judge if the student submits a written request signed and approved by the student's parent or guardian to be absent from school and a certificate from the appointing authority stating the hours during which the student will serve as a trainee election judge to the principal of the school at least ten days prior to the election. Students shall not serve as trainee election judges after 10:00 p.m. Notwithstanding section 177.24 to the contrary, trainee election judges may be paid not less than two-thirds of the minimum wage for a large employer. The principal of the school may approve a request to be absent from school conditioned on acceptable academic performance at the time of service as a trainee election judge.

Sec. 22. Minnesota Statutes 2020, section 204B.21, subdivision 2, is amended to read:

Subd. 2. **Appointing authority; powers and duties.** Election judges for precincts in a municipality shall be appointed by the governing body of the municipality. Election judges for precincts in unorganized territory and for performing election-related duties assigned by the county auditor shall be appointed by the county board. Election judges for a precinct composed of two or more municipalities must be appointed by the governing body of the municipality or municipalities responsible for appointing election judges as provided in the agreement to combine for election purposes. Except as otherwise provided in this section, appointments shall be made from the list of voters who ~~reside~~ maintain residence in each precinct, furnished pursuant to subdivision 1, subject to the eligibility requirements and other qualifications established or authorized under section 204B.19. At least two election judges in each precinct must be affiliated with different major political parties. If no lists

have been furnished or if additional election judges are required after all listed names in that municipality have been exhausted, the appointing authority may appoint other individuals who meet the qualifications to serve as an election judge, including persons on the list furnished pursuant to subdivision 1 who indicated a willingness to travel to the municipality, and persons who are not affiliated with a major political party. An individual who is appointed from a source other than the list furnished pursuant to subdivision 1 must provide to the appointing authority the individual's major political party affiliation or a statement that the individual does not affiliate with any major political party. An individual who refuses to provide the individual's major political party affiliation or a statement that the individual does not affiliate with a major political party must not be appointed as an election judge. The appointments shall be made at least 25 days before the election at which the election judges will serve, except that the appointing authority may pass a resolution authorizing the appointment of additional election judges within the 25 days before the election if the appointing authority determines that additional election judges will be required.

Sec. 23. Minnesota Statutes 2020, section 204B.45, subdivision 1, is amended to read:

Subdivision 1. **Authorization.** A town of any size ~~not located in a metropolitan county as defined by section 473.121,~~ or a city having fewer than 400 registered voters on June 1 of an election year ~~and not located in a metropolitan county as defined by section 473.121,~~ may provide balloting by mail at any municipal, county, or state election with no polling place other than the office of the auditor or clerk or other locations designated by the auditor or clerk. The governing body may apply to the county auditor for permission to conduct balloting by mail. The county board may provide for balloting by mail in unorganized territory. The governing body of any municipality may designate for mail balloting any precinct having fewer than 100 registered voters, subject to the approval of the county auditor.

Voted ballots may be returned in person to any location designated by the county auditor or municipal clerk.

Sec. 24. Minnesota Statutes 2020, section 204B.45, subdivision 2, is amended to read:

Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before a regularly scheduled election and not more than 30 days nor later than 14 days before any other election, the auditor shall mail ballots by nonforwardable mail to all voters registered in the city, town, or unorganized territory. No later than 14 days before the election, the

auditor must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot return envelopes, with return postage provided, must be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in person to the office of the auditor or clerk. The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "accepted" or "rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors or deputy municipal clerks who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk shall provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the seventh day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from mail or absentee ballots may be made public before the close of voting on election day.

The costs of the mailing shall be paid by the election jurisdiction in which the voter ~~resides~~ maintains residence. Any ballot received by 8:00 p.m. on the day of the election must be counted.

Sec. 25. Minnesota Statutes 2020, section 204B.46, is amended to read:

204B.46 MAIL ELECTIONS; QUESTIONS.

A county, municipality, or school district submitting questions to the voters at a special election may conduct an election by mail with no polling place other than the office of the auditor or clerk. No offices may be voted on at a mail election~~-, except in overlapping school and municipality jurisdictions, where a mail election may include an office when one of the jurisdictions also has a question on the ballot.~~ Notice of the election must be given to the county auditor at least 74 days prior to the election. This notice shall also fulfill the requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all voters registered in the county, municipality, or school district. No later than 14 days before the election, the auditor or clerk must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors, deputy municipal clerks, or deputy school district clerks who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk must provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the seventh day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

19.1 In all other respects, the provisions of the Minnesota Election Law governing deposit
19.2 and counting of ballots apply.

19.3 The mail and absentee ballots for a precinct must be counted together and reported as
19.4 one vote total. No vote totals from ballots may be made public before the close of voting
19.5 on election day.

19.6 Sec. 26. Minnesota Statutes 2020, section 204C.15, subdivision 1, is amended to read:

19.7 Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for
19.8 assistance because of inability to read English or physical inability to mark a ballot may
19.9 obtain the aid of two election judges who are members of different major political parties.
19.10 The election judges shall mark the ballots as directed by the voter and in as secret a manner
19.11 as circumstances permit. A voter in need of assistance may alternatively obtain the assistance
19.12 of any individual the voter chooses. Only the following persons may not provide assistance
19.13 to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the
19.14 voter's union, or a candidate for election. The person who assists the voter shall,
19.15 unaccompanied by an election judge, retire with that voter to a booth and mark the ballot
19.16 as directed by the voter. ~~No person who assists another voter as provided in the preceding~~
19.17 ~~sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots
19.18 are deposited, the voter may show them privately to an election judge to ascertain that they
19.19 are marked as the voter directed. An election judge or other individual assisting a voter shall
19.20 not in any manner request, persuade, induce, or attempt to persuade or induce the voter to
19.21 vote for any particular political party or candidate. The election judges or other individuals
19.22 who assist the voter shall not reveal to anyone the name of any candidate for whom the
19.23 voter has voted or anything that took place while assisting the voter.

19.24 Sec. 27. Minnesota Statutes 2020, section 204C.33, subdivision 3, is amended to read:

19.25 Subd. 3. **State canvass.** The State Canvassing Board shall meet at a public meeting
19.26 space located in the Capitol complex area on the third Tuesday following the state general
19.27 election to canvass the certified copies of the county canvassing board reports received from
19.28 the county auditors and shall prepare a report that states:

19.29 (1) the number of individuals voting in the state and in each county;

19.30 (2) the number of votes received by each of the candidates, specifying the counties in
19.31 which they were cast; and

20.1 (3) the number of votes counted for and against each constitutional amendment, specifying
20.2 the counties in which they were cast.

20.3 Upon completion of the canvass, the State Canvassing Board shall declare the candidates
20.4 duly elected who received the highest number of votes for each federal and state office. All
20.5 members of the State Canvassing Board shall sign the report and certify its correctness. The
20.6 State Canvassing Board shall declare the result within three days after completing the
20.7 canvass.

20.8 Sec. 28. Minnesota Statutes 2020, section 204D.19, subdivision 2, is amended to read:

20.9 Subd. 2. **Special election when legislature will be in session.** Except for vacancies in
20.10 the legislature which occur at any time between the last day of session in an odd-numbered
20.11 year and the ~~40th~~ 54th day prior to the opening day of session in the succeeding
20.12 even-numbered year, when a vacancy occurs and the legislature will be in session so that
20.13 the individual elected as provided by this section could take office and exercise the duties
20.14 of the office immediately upon election, the governor shall issue within five days after the
20.15 vacancy occurs a writ calling for a special election. The special election shall be held as
20.16 soon as possible, consistent with the notice requirements of section 204D.22, subdivision
20.17 3, but in no event more than ~~35~~ 49 days after the issuance of the writ. ~~A special election~~
20.18 ~~must not be held during the four days before or the four days after a holiday as defined in~~
20.19 ~~section 645.44, subdivision 5.~~

20.20 Sec. 29. Minnesota Statutes 2020, section 204D.22, subdivision 3, is amended to read:

20.21 Subd. 3. **Notice of special election.** The county auditor of a county in which a special
20.22 election is to be held shall direct the clerk of each municipality in which the election is to
20.23 be held to post a notice of the special primary and special election at least ~~seven~~ 14 days
20.24 before the special primary and at least ~~14~~ 21 days before the special election in the manner
20.25 provided in sections 204B.33 and 204B.34. If the special primary is to be held ~~14~~ 21 days
20.26 before the special election, a single notice of both elections may be posted seven days before
20.27 the primary.

20.28 When the special primary or special election is to be held on the same day as any other
20.29 election, notice of the special primary or special election may be included in the notice of
20.30 the other election, if practicable.

21.1 Sec. 30. Minnesota Statutes 2020, section 204D.23, subdivision 2, is amended to read:

21.2 Subd. 2. **Time of filing.** Except as provided in subdivision 3, the affidavits and petitions
21.3 shall be filed no later than ~~14~~ 21 days before the special primary.

21.4 Sec. 31. Minnesota Statutes 2020, section 205.13, subdivision 5, is amended to read:

21.5 Subd. 5. **Nominating petition; cities of the first class.** A nominating petition filed on
21.6 behalf of a candidate for municipal office in a city of the first class shall be signed by eligible
21.7 voters who ~~reside~~ maintain residence in the election district from which the candidate is to
21.8 be elected. The number of signers shall be at least 500, or two percent of the total number
21.9 of individuals who voted in the municipality, ward, or other election district at the last
21.10 preceding municipal general election, whichever is greater.

21.11 Sec. 32. Minnesota Statutes 2020, section 205A.10, subdivision 5, is amended to read:

21.12 Subd. 5. **School district canvassing board.** For the purpose of a recount of a special
21.13 election conducted under section 126C.17, subdivision 9, or 475.59, the school district
21.14 canvassing board shall consist of one member of the school board other than the clerk,
21.15 selected by the board, the clerk of the school board, the county auditor of the county in
21.16 which the greatest number of school district residents ~~reside~~ maintain residence, the court
21.17 administrator of the district court of the judicial district in which the greatest number of
21.18 school district residents ~~reside~~ maintain residence, and the mayor or chair of the town board
21.19 of the school district's most populous municipality. Any member of the canvassing board
21.20 may appoint a designee to appear at the meeting of the board, except that no designee may
21.21 be a candidate for public office. If one of the individuals fails to appear at the meeting of
21.22 the canvassing board, the county auditor shall appoint an eligible voter of the school district,
21.23 who must not be a member of the school board, to fill the vacancy. Not more than two
21.24 school board members shall serve on the canvassing board at one time. Four members
21.25 constitute a quorum.

21.26 The school board shall serve as the school district canvassing board for the election of
21.27 school board members.

21.28 Sec. 33. Minnesota Statutes 2020, section 205A.12, subdivision 5, is amended to read:

21.29 Subd. 5. **Board elections.** If the proposal for the establishment of election districts is
21.30 approved by the voters, the board shall specify the election districts from which vacancies
21.31 shall be filled as they occur until such time as each board member represents an election
21.32 district. A candidate for school board in a subsequent election must file an affidavit of

22.1 candidacy to be elected as a school board member for the election district in which the
22.2 candidate ~~resides~~ maintains residence. If there are as many election districts as there are
22.3 members of the board, one and only one member of the board shall be elected from each
22.4 election district. In school districts where one or more board members are elected by election
22.5 districts, candidates must indicate on the affidavit of candidacy the number of the district
22.6 from which they seek election or, if appropriate, that they seek election from one of the
22.7 offices elected at large. If the election districts have two or three members each, the terms
22.8 of the members must be staggered. Each board member must be a resident of the election
22.9 district for which elected but the creation of an election district or a change in election
22.10 district boundaries shall not disqualify a board member from serving for the remainder of
22.11 a term.

22.12 Sec. 34. Minnesota Statutes 2020, section 207A.12, is amended to read:

22.13 **207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.**

22.14 (a) Except as otherwise provided by law, the presidential nomination primary must be
22.15 conducted, and the results canvassed and returned, in the manner provided by law for the
22.16 state primary.

22.17 (b) An individual seeking to vote at the presidential nomination primary must be
22.18 registered to vote pursuant to section 201.054, subdivision 1. The voter must request the
22.19 ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section
22.20 204C.18, subdivision 1, the election judge must record in the polling place roster the name
22.21 of the political party whose ballot the voter requested. When posting voter history pursuant
22.22 to section 201.171, the county auditor must include the name of the political party whose
22.23 ballot the voter requested. The political party ballot selected by a voter is private data on
22.24 individuals as defined under section 13.02, subdivision 12, except as provided in section
22.25 201.091, subdivision 4a. A voter eligible to cast a ballot as provided in section 5B.06 must
22.26 be permitted to cast a ballot at the presidential nomination primary consistent with the
22.27 requirements of that section.

22.28 (c) Immediately after the state canvassing board declares the results of the presidential
22.29 nomination primary, the secretary of state must notify the chair of each party of the results.

22.30 (d) The results of the presidential nomination primary must bind the election of delegates
22.31 in each party.

23.1 Sec. 35. Minnesota Statutes 2020, section 209.021, subdivision 2, is amended to read:

23.2 Subd. 2. **Notice filed with court.** If the contest relates to a nomination or election for
23.3 statewide office, the contestant shall file the notice of contest with the court administrator
23.4 of District Court in Ramsey County. For contests relating to any other office, the contestant
23.5 shall file the notice of contest with the court administrator of district court in the county
23.6 where the contestee ~~resides~~ maintains residence.

23.7 If the contest relates to a constitutional amendment, the contestant shall file the notice
23.8 of contest with the court administrator of District Court in Ramsey County. If the contest
23.9 relates to any other question, the contestant shall file the notice of contest with the court
23.10 administrator of district court for the county or any one of the counties where the question
23.11 appeared on the ballot.

23.12 Sec. 36. Minnesota Statutes 2020, section 211B.11, subdivision 1, is amended to read:

23.13 Subdivision 1. **Soliciting near polling places.** A person may not display campaign
23.14 material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within
23.15 a polling place or within 100 feet of the building in which a polling place is situated, or
23.16 anywhere on the public property on which a polling place is situated, on primary or election
23.17 day to vote for or refrain from voting for a candidate or ballot question. A person may not
23.18 provide political badges, political buttons, or other political insignia to be worn at or about
23.19 the polling place on the day of a primary or election. A political badge, political button, or
23.20 other political insignia may not be worn at or about the polling place on primary or election
23.21 day. This section applies only during voting hours and to areas established by the county
23.22 auditor or municipal clerk for absentee voting as provided in chapter 203B.

23.23 Nothing in this subdivision prohibits the distribution of "I VOTED" stickers as provided
23.24 in section 204B.49.

23.25 Sec. 37. Minnesota Statutes 2020, section 367.03, subdivision 6, is amended to read:

23.26 Subd. 6. **Vacancies.** (a) When a vacancy occurs in a town office, the town board shall
23.27 fill the vacancy by appointment. Except as provided in paragraph (b), the person appointed
23.28 shall hold office until the next annual town election, when a successor shall be elected for
23.29 the unexpired term.

23.30 (b) When a vacancy occurs in a town office:

23.31 (1) with more than one year remaining in the term; and

24.1 (2) on or after the 14th day before the first day to file an affidavit of candidacy for the
24.2 town election;

24.3 the vacancy must be filled by appointment. The person appointed serves until the next annual
24.4 town election following the election for which affidavits of candidacy are to be filed, when
24.5 a successor shall be elected for the unexpired term.

24.6 (c) A vacancy in the office of supervisor must be filled by an appointment committee
24.7 comprised of the remaining supervisors and the town clerk.

24.8 (d) Any person appointed to fill the vacancy in the office of supervisor must, upon
24.9 assuming the office, be an eligible voter, be 21 years of age, and have ~~resided~~ maintained
24.10 residence in the town for at least 30 days.

24.11 (e) When, because of a vacancy, more than one supervisor is to be chosen at the same
24.12 election, candidates for the offices of supervisor shall file for one of the specific terms being
24.13 filled.

24.14 (f) When, for any reason, the town board or the appointment committee fails to fill a
24.15 vacancy in the position of an elected town officer by appointment, a special election may
24.16 be called. To call a special election, the supervisors and town clerk, or any two of them
24.17 together with at least 12 other town freeholders, must file a statement in the town clerk's
24.18 office. The statement must tell why the election is called and that the interests of the town
24.19 require the election. When the town board or the appointment committee fails to fill a
24.20 vacancy by appointment, a special town election may also be called on petition of 20 percent
24.21 of the electors of the town. The percentage is of the number of voters at the last general
24.22 election. A special town election must be conducted in the manner required for the annual
24.23 town election.

24.24 (g) Law enforcement vacancies must be filled by appointment by the town board.

24.25 Sec. 38. Minnesota Statutes 2020, section 447.32, subdivision 4, is amended to read:

24.26 Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a candidate
24.27 for the hospital board shall file an affidavit of candidacy for the election either as member
24.28 at large or as a member representing the city or town where the candidate ~~resides~~ maintains
24.29 residence. The affidavit of candidacy must be filed with the city or town clerk not more
24.30 than 98 days nor less than 84 days before the first Tuesday after the first Monday in
24.31 November of the year in which the general election is held. The city or town clerk must
24.32 forward the affidavits of candidacy to the clerk of the hospital district or, for the first election,
24.33 the clerk of the most populous city or town immediately after the last day of the filing period.

25.1 A candidate may withdraw from the election by filing an affidavit of withdrawal with the
25.2 clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of
25.3 candidacy.

25.4 Voting must be by secret ballot. The clerk shall prepare, at the expense of the district,
25.5 necessary ballots for the election of officers. Ballots must be prepared as provided in the
25.6 rules of the secretary of state. The ballots must be marked and initialed by at least two judges
25.7 as official ballots and used exclusively at the election. Any proposition to be voted on may
25.8 be printed on the ballot provided for the election of officers. The hospital board may also
25.9 authorize the use of voting systems subject to chapter 206. Enough election judges may be
25.10 appointed to receive the votes at each polling place. The election judges shall act as clerks
25.11 of election, count the ballots cast, and submit them to the board for canvass.

25.12 After canvassing the election, the board shall issue a certificate of election to the candidate
25.13 who received the largest number of votes cast for each office. The clerk shall deliver the
25.14 certificate to the person entitled to it in person or by certified mail. Each person certified
25.15 shall file an acceptance and oath of office in writing with the clerk within 30 days after the
25.16 date of delivery or mailing of the certificate. The board may fill any office as provided in
25.17 subdivision 1 if the person elected fails to qualify within 30 days, but qualification is effective
25.18 if made before the board acts to fill the vacancy.