

8200.5100 REGISTRATION AT PRECINCT ONLY.

Subpart 1. **Procedure; proof.** Any person otherwise qualified but not registered to vote in the precinct in which the person resides may register to vote on election day at the polling place of the precinct in which the person resides. To register on election day, a person must complete and sign the registration application and provide proof of residence. A person may prove residence on election day only:

A. by presenting:

(1) a valid Minnesota driver's license, learner's permit, or a receipt for either that contains the voter's valid address in the precinct;

(2) a valid Minnesota identification card issued by the Minnesota Department of Public Safety or a receipt for the identification card that contains the voter's valid address in the precinct; or

(3) a tribal 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;

B. by having a valid registration in the same precinct;

C. by presenting a notice of late registration mailed by the county auditor or municipal clerk;

D. by having a person who is registered to vote in the precinct and knows the applicant is a resident of the precinct sign the oath in part 8200.9939; or

E. by having an employee employed by and working in a residential facility located in the precinct, who knows that the applicant is a resident of that residential facility, vouch for that facility resident, and sign the oath in part 8200.9939, in the presence of the election judge.

"Residential facility" means transitional housing as defined in Minnesota Statutes, section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner of health under Minnesota Statutes, section 144.50, subdivision 6; a nursing home as defined in Minnesota Statutes, section 144A.01, subdivision 5; a residence registered with the commissioner of health as a housing with services establishment as defined in Minnesota Statutes, section 144D.01, subdivision 4; a veterans home operated by the board of directors of the Minnesota Veterans Homes under Minnesota Statutes, chapter 198; a residence licensed by the commissioner of human services to provide a residential program as defined in Minnesota Statutes, section 245A.02, subdivision 14; a residential facility for persons with a developmental disability licensed by the commissioner of human services under Minnesota Statutes, section 252.28; group residential housing as defined in Minnesota Statutes, section 256I.03, subdivision 3; a shelter for battered women as defined

in Minnesota Statutes, section 611A.37, subdivision 4; or a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless.

To be eligible to sign the oath, the employee must:

(1) have his or her name appear on a list of employees provided by the general manager or equivalent officer of the residential facility to the county auditor at least 20 days before the election; or

(2) provide a statement on the facility's letterhead that the individual is an employee of the facility that is signed and dated by a manager or equivalent officer of the facility. The statement must be in substantially the following form:

To the Election Judges

I am a [insert title of manager or equivalent officer here] at [insert residential facility name here].

Let it be known and recorded that [insert employee name here] is an employee of [insert residential facility name here], a residential facility as defined in Minnesota Statutes, section 201.061, subdivision 3, paragraph (c), and by my signature I certify that this is true as of the date signed.

[signature]

[date]

Printed Name of Residential Facility Manager or
Equivalent Officer

If the letterhead on which the document submitted under subitem (1) or (2) does not include the address of the residential facility in the precinct, the document must also include this address.

The oaths in items D and E must be attached to the voter registration application and retained for at least 22 months.

Subp. 2. **Additional proof of residence allowed.** An eligible voter may prove residence under this subpart by presenting one of the photo identification cards listed in item A and one of the additional proofs of residence listed in item B.

A. The following documents are acceptable photo identification cards under this subpart if they contain the voter's name and photograph:

(1) a Minnesota driver's license or identification card;

- (2) a United States passport;
- (3) a United States military identification card;
- (4) a student identification card issued by a Minnesota postsecondary educational institution; or
- (5) a tribal 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 individual's signature.

B. An original bill for:

(1) telephone, television, or Internet provider services, regardless of how those telephone, television, or Internet provider services are delivered; or

(2) gas, electric, solid waste, water, or sewer services,
is acceptable as an additional proof of residence under this subpart if:

(a) the bill shows the voter's name and current address in the precinct;
and

(b) the due date on the bill is within 30 days before or after election day.

A rent statement from a landlord that itemizes utility expenses and meets the requirements of this item is a utility bill for purposes of providing proof of residence;

(3) a current student fee statement that contains the student's valid address in the precinct is also acceptable as proof of residence.

If the photo identification presented by the voter establishes the voter's identity and the additional proof of residence presented by the voter establishes the voter's current address in the precinct, the voter shall have proven residence under this subpart.

C. The secretary of state shall provide samples of utility bills acceptable as additional proof of residence under item B to local election officials for use in election judge training and in the polling place on election day.

Subp. 3. **Additional proof of residence allowed for students.** An eligible voter may prove residence by presenting a current valid photo identification issued by a postsecondary educational institution in Minnesota if the voter's name, student identification number (if available), and address within the precinct appear on a current list of persons residing in the postsecondary educational institution's housing certified to the county auditor by the postsecondary educational institution.

This additional proof of residence for students must not be allowed unless the postsecondary educational institution submits to the county auditor no later than 60 days prior to the election a written agreement that the postsecondary educational institution will

certify for use at the election accurate updated lists of persons residing in housing owned, operated, leased, or otherwise controlled by the postsecondary educational institution. A written agreement is effective for the election and all subsequent elections held in that calendar year, including the November general election which is instead governed by subpart 4.

The additional proof of residence for students must be allowed on an equal basis for voters resident in housing of any postsecondary education institution within the county, if lists certified by the postsecondary educational institution meet the requirements of this part.

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

The auditor shall instruct the election judges of the precinct in procedures for use of the list in conjunction with photo identification. The auditor shall supply a list to the election judges with the election supplies for the precinct.

The auditor shall notify all postsecondary educational institutions in the county of the provisions of this subpart and subpart 4.

Subp. 4. Additional proof of residence allowed for students at November general elections. An eligible voter may prove residence at the general election held in November of each year by presenting a current valid photo identification issued by a postsecondary educational institution in Minnesota if the voter's name, student identification number (if available), and address within the precinct appear on a list of students certified to the secretary of state by the postsecondary educational institution.

This additional proof of residence for students must not be allowed unless the postsecondary educational institution submits to the secretary of state no later than 60 days prior to the November general election an agreement that the postsecondary educational institution will certify for use at the November general election an accurate updated list of persons residing in housing owned, operated, leased, or otherwise controlled by the postsecondary educational institution.

The agreement may also include a provision that the postsecondary educational institution will certify for use at the November general election an accurate updated list of currently enrolled students who are recorded with the postsecondary educational institution as residing in Minnesota.

The additional proof of residence must be allowed on an equal basis if lists certified by the postsecondary educational institution meet the requirements of this part.

An updated list must be certified to the secretary of state no earlier than 30 and no later than 25 days prior to the November general election, in an electronic format specified by the secretary of state. The certification must be dated and signed by the chief officer or designee of the postsecondary educational institution and must state that the list is current and accurate and includes only the names of persons residing in housing controlled by the postsecondary educational institution or, if the postsecondary educational institution agreed, currently enrolled students residing in Minnesota as of the date of certification.

The secretary of state must combine the data received from each postsecondary educational institution under this subpart and must process the data through the automated precinct-finder to determine the precinct in which the address provided for each student is located. If the data submitted by the postsecondary educational institution is insufficient for the secretary of state to determine the proper precinct, the associated student name must not appear in any list forwarded to a county auditor under this subpart. At least 14 days prior to the November general election, the secretary of state must forward to the appropriate county auditor lists of students containing the students' names and addresses for which precinct determinations have been made along with their postsecondary educational institutions. The lists provided by the secretary of state must be sorted by precinct and student last name and must be forwarded to the county auditors in an electronic format specified by the secretary of state. Alternatively, the list provided to the county auditors may be provided in another medium, if a written agreement specifying the medium is signed by the secretary of state and the county auditor at least 90 days before the November general election. A written agreement is effective for all elections until rescinded by either party.

The auditor shall instruct the election judges of the precinct in procedures for use of the list in conjunction with photo identification. The auditor shall forward to the election judges the portion of the list provided by the secretary of state corresponding to the precinct with the election supplies for that precinct.

Statutory Authority: *MS s 14.388; 201.022; 201.061; 201.221; 203B.09*

History: *11 SR 218; 12 SR 2215; 20 SR 2787; 23 SR 403; 23 SR 459; 25 SR 616; 31 SR 350; 32 SR 2055*

NOTE: Subparts 1, item E, and 4 have been vetoed by the governor, at 32 SR 2060.

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