

1.1 **Secretary of State**

1.2 **Adopted Permanent Rules Governing General Safe at Home Program Provisions**

1.3 **8290.0100 DEFINITIONS.**

1.4 [For text of subp 1, see M.R.]

1.5 Subp. 2. **Actual address.** "Actual address" means a Minnesota residential street
1.6 address, school address, or work address of an individual, as specified on the individual's
1.7 application to be a program participant, program renewal application, certification
1.8 continuance, or change of address form under this chapter.

1.9 [For text of subps 3 to 7, see M.R.]

1.10 Subp. 8. **Criminal justice system management.** "Criminal justice system
1.11 management" means the eligible person:

- 1.12 A. has been convicted of a crime or offense; or
1.13 B. has pled guilty to a crime or offense; or
1.14 C. has been adjudicated of a crime or offense; or
1.15 D. has pled no contest to a crime or offense; and
1.16 E. is under supervision for that crime or offense.

1.17 [For text of subps 9 and 10, see M.R.]

1.18 Subp. 11. **Eligible person.** "Eligible person" means an adult, a minor, or an
1.19 incapacitated person, as defined in Minnesota Statutes, section 524.5-102, and residing in
1.20 Minnesota, who is not a person registered or required to register as a predatory offender
1.21 under Minnesota Statutes, section 243.166 or 243.167, or the law of another jurisdiction,
1.22 and for whom there is good reason to believe:

- 1.23 A. that the eligible person is a victim of domestic violence, sexual assault,
1.24 or stalking; or

2.1 B. that the applicant fears for the applicant's safety, the safety of another
2.2 person who resides in the same household, or the safety of persons on whose behalf
2.3 the application is made.

2.4 Subp. 12. **Lot number.** "Lot number" means the specific identifier assigned by
2.5 the secretary of state to a program participant for use in sorting mail and confirming
2.6 program participation in accordance with Minnesota Statutes, section 5B.03, subdivision
2.7 1, clause (8).

2.8 Subp. 13. **Mail.** "Mail" means first class letters and flats delivered via the United
2.9 States Postal Service, including priority, express, and certified mail, and excluding
2.10 packages, parcels, periodicals, and catalogs, unless they are clearly identifiable as
2.11 pharmaceuticals or clearly indicate that they are sent by a state or county government
2.12 agency, that are specifically addressed to a program participant and delivered to the
2.13 designated address by the United States Postal Service.

2.14 Subp. 14. **Mailing address.** "Mailing address" means the residential street address
2.15 to which the secretary of state must forward a program participant's mail, except in
2.16 those cases where the United States Postal Service provides no delivery service to the
2.17 residential address, in which case it means a post office box serviced by the United States
2.18 Postal Service.

2.19 [For text of subps 15 to 22, see M.R.]

2.20 **8290.0200 APPLICATION.**

2.21 Subpart 1. **Certification of program participant.** The secretary of state shall certify
2.22 an eligible person as a program participant when the secretary of state receives a properly
2.23 executed application that contains:

2.24 [For text of items A and B, see M.R.]

3.1 C. a listing of all minor children residing at the residential address, each minor
3.2 child's full legal name, each minor child's date of birth, and each minor child's relationship
3.3 to the applicant;

3.4 D. a statement by the applicant that the applicant has good reason to believe that
3.5 the eligible person is not applying for certification as a program participant in order to
3.6 avoid prosecution for a crime and either:

3.7 (1) that the eligible person listed on the application has survived domestic
3.8 violence, sexual assault, or stalking; or

3.9 (2) that the eligible person fears for the person's safety, the safety of
3.10 another person who resides in the same household, or the safety of persons on whose
3.11 behalf the application is made;

3.12 [For text of items E to H, see M.R.]

3.13 I. the number of motor vehicles that will be registered at the eligible person's
3.14 designated address;

3.15 [For text of item J, see M.R.]

3.16 K. a statement whether the eligible person is currently the subject of any
3.17 pending or ongoing criminal actions, and, if so, the prosecuting authority, adjudicative
3.18 authority, or probation authority, and consent for the secretary of state to forward notice of
3.19 the participant's designated address, to the prosecuting authority, adjudicative authority, or
3.20 probation authority;

3.21 L. a statement that the eligible person agrees to provide an actual address, upon
3.22 request, to any supervising person if the eligible person is or becomes subject to criminal
3.23 justice system management with specific conditions related to the program participant's
3.24 actual address;

3.25 [For text of item M, see M.R.]

4.1 N. a statement that the eligible person understands that the eligible person is
4.2 personally responsible for any consequences of a delayed mail delivery if the eligible
4.3 person requests a short-term mail hold pursuant to this chapter;

4.4 O. the signature of the applicant and the date signed; and

4.5 P. the signature of the application assistant and the date signed.

4.6 [For text of subps 2 to 4, see M.R.]

4.7 Subp. 5. **Notification to prosecuting authority, adjudicative authority, and**
4.8 **probation authority.** If the applicant discloses on the application that the eligible
4.9 person is currently the subject of pending or ongoing criminal legal action, at the time
4.10 of the application, the applicant must complete a form letter to notify each prosecuting
4.11 authority, adjudicative authority, and probation authority for the pending or ongoing
4.12 criminal action of the designated address and the designation of the secretary of state as
4.13 agent for purposes of service of process. The secretary of state must provide form letters
4.14 to all application assistants. The form letter must include a statement that any prospective
4.15 service of process must be clearly labeled as service of process on the exterior of the
4.16 envelope containing the service.

4.17 [For text of subps 6 to 10, see M.R.]

4.18 **8290.0300 CERTIFICATION OF PROGRAM PARTICIPANT.**

4.19 Subpart 1. **Certification.** An eligible person or a minor child residing at the
4.20 residential address for whom a properly completed application or renewal is filed shall be
4.21 certified by the secretary of state as a program participant.

4.22 [For text of subp 2, see M.R.]

4.23 Subp. 3. **Duties of secretary of state and program participant.** Upon certification,
4.24 the secretary of state shall, within three business days, issue and mail a Safe at Home card
4.25 to the program participant's mailing address with instructions on how to use the Safe at

5.1 Home card. Upon receipt, the program participant must immediately sign the Safe at
5.2 Home card. A program participant under the age of 11 may have the card signed by
5.3 the adult responsible for the participant.

5.4 Subp. 4. **Communication; verification of identity.** The secretary of state must
5.5 verify the identity of the applicant or program participant before discussing any data
5.6 related to certification or otherwise related to the applicant or program participant.

5.7 Subp. 5. **Notification to other parties.** If an application submitted to the secretary
5.8 of state discloses that the eligible person is the subject of a pending or ongoing criminal
5.9 legal action, the applicant or eligible person must have completed and submitted with the
5.10 application the form letter referenced in part 8290.0200, subpart 5. The secretary of state
5.11 must mail the letter to the appropriate prosecuting authority, probation authority, and
5.12 adjudicative authority. If compliance with this subpart is necessary and the letters have not
5.13 been submitted to the secretary of state, the secretary of state shall certify the program
5.14 participant, and provide the program participant with new form letters and instructions on
5.15 how they must be used. Failure by the applicant to provide these letters to the secretary of
5.16 state shall lead to cancellation pursuant to part 8290.0900.

5.17 [For text of subp 6, see M.R.]

5.18 **8290.0400 DESIGNATED ADDRESS.**

5.19 [For text of subps 1 to 4, see M.R.]

5.20 Subp. 5. **Short-term mail hold.** The secretary of state may hold a participant's
5.21 mail for up to three days upon request of the program participant. The secretary of state
5.22 may hold a participant's mail for up to a total of three weeks if the participant has sent
5.23 a signed, written mail hold request to the secretary of state that includes a telephone
5.24 number at which the participant can be reached. Upon receipt of a written request, the
5.25 secretary of state must compare the signature of the program participant or applicant on
5.26 the request with the signature on the original application or on any other document on file

6.1 with the secretary of state and conclude that the signatures are the same. The mail hold
6.2 is effective the date the secretary of state receives the request, unless the participant has
6.3 indicated an alternate effective future date.

6.4 Subp. 6. **Limited circumstances of use of actual address.**

6.5 [For text of items A and B, see M.R.]

6.6 C. A program participant who is subject to criminal justice system management
6.7 must, upon request, supply the program participant's actual address to the participant's
6.8 supervising person, in addition to the designated address, if there are specific court-ordered
6.9 conditions related to the participant's actual address as part of the supervision.

6.10 [For text of items D and E, see M.R.]

6.11 [For text of subp 7, see M.R.]

6.12 **8290.0500 SERVICE OF PROCESS.**

6.13 Subpart 1. **Secretary of state as agent.** The secretary of state shall be an agent
6.14 of the program participant upon whom any summons, writ, notice, demand, or process
6.15 may be served. The secretary of state shall not charge a fee for accepting service. The
6.16 secretary of state ceases to be agent when a program participant is canceled or withdraws
6.17 from program participation.

6.18 Subp. 2. **Service by mail.** Service on the secretary of state of any such summons,
6.19 writ, notice, demand, or process must be made by mailing the summons, writ, notice,
6.20 demand, or process to the participant, including the participant's first and last name, at
6.21 the participant's designated address. If an envelope enclosing the summons, writ, notice,
6.22 demand, or process is clearly labeled as service of process on the outside of the envelope
6.23 and is served by first class or certified mail on the secretary of state, the secretary of state
6.24 shall forward the service to the program participant no later than the next business day
6.25 unless the program participant has requested a mail hold or is in a pending cancellation

7.1 status due to undeliverable mail. If the secretary of state receives service for a program
7.2 participant in pending cancellation status due to undeliverable mail, the secretary of state
7.3 must attempt to contact the participant through alternative means and obtain a current
7.4 mailing address. If the secretary of state cannot obtain an alternative mailing address
7.5 within two business days of the receipt of service, the secretary of state must forward the
7.6 service to the program participant at the address on file with the secretary of state. As
7.7 the secretary of state is the agent for service of process, the signed receipt of certified
7.8 mail by the secretary of state constitutes proof of service on the program participant and
7.9 commences the time in which responsive pleadings must be filed.

7.10 Subp. 3. **Service in person.** In the event that personal service of any document is
7.11 required by law, that document may be served by delivering the document to any public
7.12 counter of the Office of the Secretary of State. In order for the secretary of state to accept
7.13 service on a participant, the service documents must indicate the program participant's
7.14 first and last name and lot number. The secretary of state must forward the service to the
7.15 program participant no later than the next business day unless the program participant has
7.16 requested a mail hold or is in a pending cancellation status due to undeliverable mail. If the
7.17 secretary of state receives service for a program participant in pending cancellation status
7.18 due to undeliverable mail, the secretary of state must attempt to contact the participant
7.19 through alternative means and obtain a current mailing address. If the secretary of state
7.20 cannot obtain an alternative mailing address within two business days of the receipt of
7.21 service, the secretary of state must forward the service to the program participant at the
7.22 address on file with the secretary of state. As the secretary of state is the agent for service of
7.23 process, an affidavit of service on the secretary of state constitutes proof of service on the
7.24 program participant and commences the time in which responsive pleadings must be filed.

7.25 Subp. 4. **Record.** The secretary of state shall maintain, in the program participant's
7.26 file, a record of services served upon the secretary of state for that participant. The
7.27 secretary of state shall include in the file the action taken on that service, including the

8.1 name of the program participant to whom the service is directed, the date of receipt, the date
8.2 of mailing, and whether the mailing was returned to the secretary of state as undeliverable.

8.3 **8290.0600 ATTAINING AGE OF MAJORITY.**

8.4 Subpart 1. **Notification of option to continue certification.** When a program
8.5 participant reaches the age of 18, the secretary of state shall inform the program participant
8.6 of the option of continuing certification in Safe at Home by sending a certification
8.7 continuance form by first class mail to the program participant's mailing address. The
8.8 notice must provide instructions to the program participant on what actions to take upon
8.9 attaining the age of majority if the program participant does not submit a certification
8.10 continuance form, including the return of the Safe at Home card and notification to public
8.11 and private persons of the actual address, and that the designated address is no longer the
8.12 address of the program participant. If the secretary of state has not received a certification
8.13 continuance form within 30 days after the program participant reaches the age of 18, the
8.14 secretary of state must mail a notice to the program participant stating that the program
8.15 participant is in pending cancellation status and the program participant's certification shall
8.16 be canceled if the participant fails to submit the certification of continuance within ten days.

8.17 Subp. 1a. **Voter registration information.** Along with the certification continuance
8.18 form sent 30 days prior to expiration, the secretary of state must also offer the program
8.19 participant the opportunity to register to vote as an ongoing absentee voter with the
8.20 secretary of state, pursuant to part 8290.1300 and Minnesota Statutes, section 5B.06.

8.21 Subp. 1b. **Certification continuance.** The secretary of state shall renew the
8.22 certification of a program participant when the secretary of state receives a certification
8.23 continuance from that program participant. The certification continuance must contain
8.24 the same information required in the application as specified in part 8290.0200, subpart
8.25 1, except the certification continuance need not contain the signature of an application
8.26 assistant.

9.1 [For text of subps 2 to 4, see M.R.]

9.2 **8290.0700 CHANGES IN PROGRAM PARTICIPANT INFORMATION.**

9.3 Subpart 1. **Notification of personal contact changes.** A program participant or
9.4 applicant shall send signed, written notification of a change of mailing or actual address,
9.5 telephone number, legal name, or permanent contact data to the secretary of state.

9.6 [For text of subp 2, see M.R.]

9.7 Subp. 3. **Notification of name changes.** If the legal name of a program participant
9.8 changes, the program participant or applicant shall send signed, written notification to
9.9 the secretary of state along with a copy of the court order or other formal documentation
9.10 indicating the legal name change and the program participant's Safe at Home card or a
9.11 statement that the program participant has misplaced the Safe at Home card. The program
9.12 participant must also provide the secretary of state the new signature for the purpose of
9.13 future changes according to this part. The secretary of state must send a Safe at Home
9.14 card with the participant's new legal name to the participant within two business days
9.15 of receiving notification under this subpart and conducting the verification required by
9.16 subpart 4.

9.17 Subp. 4. **Signature verification.** Before making changes in information effective,
9.18 the secretary of state must compare the signature of the program participant or applicant on
9.19 the notification of the change with the signature on the original application, or on any other
9.20 document on file with the secretary of state, and conclude that the signatures are the same.

9.21 [For text of subp 5, see M.R.]

9.22 **8290.0900 FAILURE TO NOTIFY SECRETARY OF STATE OF CHANGES IN**
9.23 **INFORMATION; CANCELLATION.**

9.24 Subpart 1. **Warning by secretary of state.** If:

10.1 A. the secretary of state learns that a program participant has failed to provide
10.2 prior notification about a change in the participant's mailing or residential address,
10.3 telephone number, legal name, or permanent contact data, as required by part 8290.0700,
10.4 subpart 1;

10.5 B. mail forwarded by the secretary of state to the program participant is
10.6 returned as undeliverable;

10.7 C. the program participant has not complied with part 8290.0200, subpart
10.8 5, if required, at the time the secretary of state mails notice of the certification to the
10.9 program participant; or

10.10 D. the program participant has not complied with part 8290.0600 after 30
10.11 days of reaching the age of 18;
10.12 the secretary of state must contact the program participant or applicant, if different, to
10.13 request that the program participant or applicant comply with part 8290.0200, subpart 5,
10.14 8290.0600, or 8290.0700, subpart 1. The notice must state that if the program participant
10.15 or applicant fails to comply within ten business days, the program participant's certification
10.16 shall be canceled and the former program participant must return any Safe at Home cards
10.17 in the participant's possession.

10.18 Subp. 1a. **Participant no longer eligible.** If the secretary of state learns that a
10.19 program participant is no longer eligible, the secretary of state must provide the program
10.20 participant with the opportunity to submit a withdrawal request in accordance with part
10.21 8290.1000.

10.22 Subp. 1b. **Pending cancellation status.** After the secretary of state has provided
10.23 notice as required by subpart 1 or 1a, the program participant is in pending cancellation
10.24 status. While in this status, the secretary of state must hold the program participant's
10.25 mail and must not forward it to the program participant. Pending cancellation status
10.26 ends after ten business days, or upon the program participant's compliance with part

11.1 8290.0200, subpart 5, 8290.0700, subpart 1, or 8290.1000, whichever occurs first. This
11.2 subpart does not prevent the secretary of state from forwarding correspondence marked
11.3 "service of process" pursuant to part 8290.0500.

11.4 **Subp. 2. Cancellation.**

11.5 A. If the program participant's pending cancellation status expires, the secretary
11.6 of state must cancel the certification of the program participant.

11.7 B. If a program participant or applicant provides false information when
11.8 applying for certification or renewal, or on a change of information notice, the secretary of
11.9 state must cancel the certification of the program participant.

11.10 [For text of subps 3 and 4, see M.R.]

11.11 **8290.1000 WITHDRAWAL OF PROGRAM CERTIFICATION.**

11.12 **Subpart 1. Withdrawal request.**

11.13 A. A program participant or an applicant, if different, may withdraw from Safe
11.14 at Home by submitting a signed withdrawal request along with any Safe at Home cards.

11.15 [For text of item B, see M.R.]

11.16 C. The program participant shall list the names of any minor children who are
11.17 being withdrawn from the program on the withdrawal request.

11.18 D. The program participant or applicant may request mail be forwarded up to 30
11.19 days immediately following the date on which the withdrawal is effective and may provide
11.20 an address to which mail should be forwarded for this period, if different than the mailing
11.21 address on record. The secretary of state may only forward mail within the United States.

11.22 [For text of item E, see M.R.]

11.23 **Subp. 2. Signature verification.** Before terminating a program participant's
11.24 certification, the secretary of state must compare the signature of the program participant

12.1 or applicant on the withdrawal request with the signature on the original application or on
12.2 any other document on file with the secretary of state and conclude that the signatures
12.3 are the same.

12.4 Subp. 3. **Termination.** Certification as a program participant shall be terminated
12.5 upon withdrawal. The termination is effective on the day the withdrawal request is
12.6 received by the secretary of state, unless the participant designated a future effective
12.7 date on the withdrawal request.

12.8 Subp. 4. **Mail forwarding.** Mail received at the designated address for the program
12.9 participant other than mail designated "Do Not Forward," "Return Service Requested,"
12.10 "Service of Process," or similarly designated, must be forwarded to the program participant
12.11 for 30 days after the effective date of withdrawal, unless the program participant or
12.12 applicant has designated a shorter period. After 30 days mail must be returned to the sender.

12.13 [For text of subp 5, see M.R.]

12.14 **8290.1100 RENEWAL OF PROGRAM CERTIFICATION.**

12.15 [For text of subp 1, see M.R.]

12.16 Subp. 2. **Application.** The secretary of state shall renew the certification of a
12.17 program participant when the secretary of state receives a certification renewal form from
12.18 that program participant or applicant, if different. The application must contain the same
12.19 information required in the application as specified in part 8290.0200, subpart 1, except
12.20 the renewal need not contain the signature of an application assistant.

12.21 [For text of subps 3 to 6, see M.R.]

12.22 Subp. 7. **Duties of secretary of state and program participants.** The secretary
12.23 of state must send new Safe at Home cards with updated expiration dates within three
12.24 business days of renewing a program participant's certification. Upon receipt, the program

13.1 participant must immediately sign the Safe at Home card. A program participant under the
13.2 age of 11 may have the card signed by the adult responsible for that person.

13.3 [For text of subp 8, see M.R.]

13.4 **8290.1300 VOTING BY PROGRAM PARTICIPANT.**

13.5 [For text of subps 1 to 6a, see M.R.]

13.6 Subp. 7. **Return of unvoted ballots.** The secretary of state must return unvoted
13.7 absentee ballots to the appropriate county auditor in cases in which:

13.8 A. they are returned by the United States Postal Service; or

13.9 B. the program participant is canceled or withdraws from the program after the
13.10 ballots were requested, but before they were mailed; or

13.11 C. the program participant's residential address is updated on the program
13.12 participant's voting record in accordance with subpart 2c after the ballots were requested,
13.13 but before they were mailed; or

13.14 D. the program participant's voter eligibility is challenged in accordance with
13.15 subpart 2b after the ballots were requested, but before they were mailed; or

13.16 E. the program participant dies after the ballots were requested, but before
13.17 they were mailed.

13.18 [For text of subps 8 to 10d, see M.R.]

13.19 Subp. 10e. **Participant moved after ballots were sent.** If, prior to the time frame for
13.20 processing ballots in accordance with Minnesota Statutes, section 203B.121, subdivision
13.21 4, a program participant's residential address is updated on the program participant's
13.22 voting record in accordance with subpart 2c, then the secretary of state must mark the
13.23 voter's record of the ballot as "spoiled."

14.1 If the secretary of state has not received the voted ballot from the program participant,
14.2 the secretary of state must notify the program participant that the program participant
14.3 should destroy the ballot and dispose of the other ballot materials and that the ballot will
14.4 not be counted if it is returned.

14.5 If the program participant's ballot was forwarded to the county auditor and otherwise
14.6 would have been accepted, then the secretary of state must promptly notify the county
14.7 auditor in writing that the ballot board should reject the ballot.

14.8 The secretary of state must request a replacement ballot for the voter from the
14.9 appropriate county auditor. Before sending the new ballot to the participant, the secretary
14.10 of state must print the words "Replacement Ballot" on the signature envelope.

14.11 Subp. 10f. **Ineligibility after ballot is forwarded to county.** If, after a ballot was
14.12 forwarded to the county auditor that otherwise would have been accepted,

14.13 A. a program participant withdraws or is canceled from the program; or

14.14 B. the program participant's voter record is challenged in accordance with
14.15 subpart 2b; or

14.16 C. the program participant dies,
14.17 then the secretary of state must promptly notify the county auditor in writing that the ballot
14.18 board should reject the ballot if the ballot board has not already processed the ballot in
14.19 accordance with Minnesota Statutes, section 203B.121, subdivision 4.

14.20 Subp. 10g. **Notice of ballot disposition.** Within six to ten weeks after the election,
14.21 the secretary of state must send a notice to a program participant if the absentee ballot
14.22 board was instructed to reject the program participant's ballot.

14.23 [For text of subps 11 and 12, see M.R.]

14.24 Subp. 13. **Record keeping.** The secretary of state must maintain a record for each
14.25 election with the number of ballots requested by precinct/school district combinations,

15.1 blank ballots received from each county auditor, assembled ballots sent to program
15.2 participants, unvoted ballots returned to the county auditors, ballot envelopes returned
15.3 by program participants to the secretary of state, and certification envelopes forwarded
15.4 to county auditors.

15.5 [For text of subp 14, see M.R.]

15.6 **8290.1400 SUMMARY DATA.**

15.7 For purposes of collecting state aid on motor vehicles pursuant to Minnesota Statutes,
15.8 section 163.051, the secretary of state shall issue to the Department of Public Safety
15.9 and to the Minnesota Department of Transportation a table containing summary data by
15.10 county on the number of motor vehicles reported as registered at the program participant's
15.11 designated address by program participants. The table must be used only for the purposes
15.12 of issuing state aid on motor vehicles and wheelage tax administration.

15.13 **8290.1500 APPLICATION ASSISTANT ACCREDITATION.**

15.14 Subpart 1. **Role of community-based programs.** The role of the community-based
15.15 programs in Safe at Home is to select potential application assistants to explain to an
15.16 applicant the program's services and limitations, explain to an applicant a program
15.17 participant's responsibilities, and assist applicants in the completion of application
15.18 materials.

15.19 [For text of subps 2 to 8, see M.R.]