

56.14

## ARTICLE 4

56.15

## RACING COMMISSION

56.16 Section 1. Minnesota Statutes 2018, section 240.01, is amended by adding a subdivision  
56.17 to read:

56.18 Subd. 18a. **Racing or gaming-related vendor.** "Racing or gaming-related vendor"  
56.19 means any person or entity that manufactures, sells, provides, distributes, repairs or maintains  
56.20 equipment or supplies used at a Class A facility or provides services to a Class A facility  
56.21 or Class B license holder that are directly related to the running of a horse race, simulcasting,  
56.22 pari-mutuel betting, or card playing.

56.23 EFFECTIVE DATE. This section is effective July 1, 2019.

56.24 Sec. 2. Minnesota Statutes 2018, section 240.02, subdivision 2, is amended to read:

56.25 Subd. 2. **Qualifications.** A member of the commission must have been a resident of  
56.26 Minnesota for at least five years before appointment, and must have a background and  
56.27 experience as would qualify for membership on the commission. ~~A member must, before~~  
56.28 ~~taking a place on the commission, file a bond in the principal sum of \$100,000 payable to~~  
56.29 ~~the state, conditioned upon the faithful performance of duties.~~ No commissioner, nor any  
56.30 member of the commissioner's immediate family residing in the same household, may hold  
57.1 a license issued by the commission or have a direct or indirect financial interest in a  
57.2 corporation, partnership, or association which holds a license issued by the commission.

57.3 Sec. 3. Minnesota Statutes 2018, section 240.02, subdivision 6, is amended to read:

57.4 Subd. 6. **Annual Biennial report.** The commission shall on February 15 of each  
57.5 ~~odd-numbered~~ year submit a report to the governor and legislature on its activities,  
57.6 organizational structure, receipts and disbursements, and recommendations for changes in  
57.7 the laws relating to racing and pari-mutuel betting.

57.8 Sec. 4. Minnesota Statutes 2018, section 240.08, subdivision 5, is amended to read:

57.9 Subd. 5. **Revocation and suspension.** (a) After providing a licensee with notice and an  
57.10 opportunity to be heard, the commission may:

57.11 (1) revoke a class C license for a violation of law or rule which in the commission's  
57.12 opinion adversely affects the integrity of horse racing in Minnesota, the public health,  
57.13 welfare, or safety, or for an intentional false statement made in a license application; ~~or~~

57.14 ~~The commission may~~ (2) suspend a class C license for up to ~~one year~~ five years for a  
57.15 violation of law, order or rule. If the license expires during the term of suspension, the  
57.16 licensee shall be ineligible to apply for another license from the commission until the  
57.17 expiration of the term of suspension.

42.1 Sec. 39. Minnesota Statutes 2018, section 240.01, is amended by adding a subdivision to  
42.2 read:

42.3 Subd. 18a. **Racing or gaming-related vendor.** "Racing or gaming-related vendor"  
42.4 means any person or entity that manufactures, sells, provides, distributes, repairs or maintains  
42.5 equipment or supplies used at a Class A facility, or provides services to a Class A facility  
42.6 or Class B license holder that are directly related to the running of a horse race, simulcasting,  
42.7 pari-mutuel betting, or card playing.

42.8 Sec. 40. Minnesota Statutes 2018, section 240.02, subdivision 2, is amended to read:

42.9 Subd. 2. **Qualifications.** A member of the commission must have been a resident of  
42.10 Minnesota for at least five years before appointment, and must have a background and  
42.11 experience as would qualify for membership on the commission. ~~A member must, before~~  
42.12 ~~taking a place on the commission, file a bond in the principal sum of \$100,000 payable to~~  
42.13 ~~the state, conditioned upon the faithful performance of duties.~~ No commissioner, nor any  
42.14 member of the commissioner's immediate family residing in the same household, may hold  
42.15 a license issued by the commission or have a direct or indirect financial interest in a  
42.16 corporation, partnership, or association which holds a license issued by the commission.

42.17 Sec. 41. Minnesota Statutes 2018, section 240.02, subdivision 6, is amended to read:

42.18 Subd. 6. **Annual Biennial report.** The commission shall on February 15 of each  
42.19 ~~odd-numbered~~ year submit a report to the governor and legislature on its activities,  
42.20 organizational structure, receipts and disbursements, including specific detail on the use of  
42.21 amounts statutorily appropriated to the commission under this chapter, and recommendations  
42.22 for changes in the laws relating to racing and pari-mutuel betting.

42.23 Sec. 42. Minnesota Statutes 2018, section 240.08, subdivision 5, is amended to read:

42.24 Subd. 5. **Revocation and suspension.** (a) After providing a licensee with notice and an  
42.25 opportunity to be heard, the commission may:

42.26 (1) revoke a class C license for a violation of law or rule which in the commission's  
42.27 opinion adversely affects the integrity of horse racing in Minnesota, the public health,  
42.28 welfare, or safety, or for an intentional false statement made in a license application; ~~or~~

42.29 ~~The commission may~~ (2) suspend a class C license for up to ~~one year~~ five years for a  
42.30 violation of law, order or rule. If the license expires during the term of suspension, the  
42.31 licensee shall be ineligible to apply for another license from the commission until the  
42.32 expiration of the term of suspension.

57.18 (b) The commission may delegate to its designated agents the authority to impose  
 57.19 suspensions of class C licenses, ~~and~~.

57.20 (c) Except as provided in paragraph (d), the ~~revocation or~~ suspension of a class C license  
 57.21 may be appealed to the commission according to its rules.

57.22 (b) A license revocation or suspension for more than 90 days is a contested case under  
 57.23 sections 14.57 to 14.69 of the Administrative Procedure Act and is in addition to criminal  
 57.24 penalties imposed for a violation of law or rule.

57.25 (d) If the commission revokes or suspends a class C license for more than one year, the  
 57.26 licensee has the right to appeal by requesting a contested case hearing under chapter 14.  
 57.27 The request must be made in writing and sent to the commission by certified mail or personal  
 57.28 service. A request sent by certified mail must be postmarked within ten days after the licensee  
 57.29 receives the order of revocation or suspension from the commission. A request sent by  
 57.30 personal service must be received by the commission within ten days after the licensee  
 57.31 receives the order of revocation or suspension from the commission.

58.1 (e) The commission may summarily suspend a license for ~~more than~~ up to 90 days prior  
 58.2 to a contested case hearing where it is necessary to ensure the integrity of racing or to protect  
 58.3 the public health, welfare, or safety. ~~A contested case hearing must be held within 30 days~~  
 58.4 ~~of the summary suspension and the administrative law judge's report must be issued within~~  
 58.5 ~~30 days from the close of the hearing record. In all cases involving summary suspension~~  
 58.6 ~~the commission must issue its final decision within 30 days from receipt of the report of~~  
 58.7 ~~the administrative law judge and subsequent exceptions and argument under section 14.61.~~  
 58.8 The licensee has the right to appeal a summary suspension to the commission according to  
 58.9 its rules.

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

58.11 Sec. 5. Minnesota Statutes 2018, section 240.10, is amended to read:  
 58.12 240.10 LICENSE FEES.

58.13 (a) The fee for a class A license is \$253,000 per year and must be remitted on July 1.  
 58.14 The fee for a class B license is \$500 for each assigned racing day and \$100 for each day on  
 58.15 which simulcasting is authorized and must be remitted on July 1. The fee for a class D  
 58.16 license is \$50 for each assigned racing day on which racing is actually conducted. Fees  
 58.17 imposed on class D licenses must be paid to the commission at a time and in a manner as  
 58.18 provided by rule of the commission.

58.19 (b) The commission shall by rule establish an annual license fee for each occupation it  
 58.20 licenses under section 240.08.

58.21 (c) The initial annual license application fee for a class C license to provide advance  
 58.22 deposit wagering on horse racing under this chapter is \$10,000 and an annual license fee  
 58.23 of \$2,500 applies thereafter.

43.1 (b) The commission may delegate to its designated agents the authority to impose  
 43.2 suspensions of class C licenses, ~~and~~.

43.3 (c) Except as provided in paragraph (d), the ~~revocation or~~ suspension of a class C license  
 43.4 may be appealed to the commission according to its rules.

43.5 (b) A license revocation or suspension for more than 90 days is a contested case under  
 43.6 sections 14.57 to 14.69 of the Administrative Procedure Act and is in addition to criminal  
 43.7 penalties imposed for a violation of law or rule.

43.8 (d) If the commission revokes or suspends a class C license for more than one year, the  
 43.9 licensee has the right to appeal by requesting a contested case hearing under chapter 14.  
 43.10 The request must be made in writing and sent to the commission by certified mail or personal  
 43.11 service. A request sent by certified mail must be postmarked within ten days after the licensee  
 43.12 receives the order of revocation or suspension from the commission. A request sent by  
 43.13 personal service must be received by the commission within ten days after the licensee  
 43.14 receives the order of revocation or suspension from the commission.

43.15 (e) The commission may summarily suspend a license for ~~more than~~ up to 90 days prior  
 43.16 to a contested case hearing where it is necessary to ensure the integrity of racing or to protect  
 43.17 the public health, welfare, or safety. ~~A contested case hearing must be held within 30 days~~  
 43.18 ~~of the summary suspension and the administrative law judge's report must be issued within~~  
 43.19 ~~30 days from the close of the hearing record. In all cases involving summary suspension~~  
 43.20 ~~the commission must issue its final decision within 30 days from receipt of the report of~~  
 43.21 ~~the administrative law judge and subsequent exceptions and argument under section 14.61.~~  
 43.22 The licensee has the right to appeal a summary suspension to the commission according to  
 43.23 its rules.

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

43.25 Sec. 43. Minnesota Statutes 2018, section 240.10, is amended to read:  
 43.26 240.10 LICENSE FEES.

43.27 (a) The fee for a class A license is \$253,000 per year and must be remitted on July 1.  
 43.28 The fee for a class B license is \$500 for each assigned racing day and \$100 for each day on  
 43.29 which simulcasting is authorized and must be remitted on July 1. The fee for a class D  
 43.30 license is \$50 for each assigned racing day on which racing is actually conducted. Fees  
 43.31 imposed on class D licenses must be paid to the commission at a time and in a manner as  
 43.32 provided by rule of the commission.

44.1 (b) The commission shall by rule establish an annual license fee for each occupation it  
 44.2 licenses under section 240.08.

44.3 (c) The initial annual license application fee for a class C license to provide advance  
 44.4 deposit wagering on horse racing under this chapter is \$10,000 and an annual license fee  
 44.5 of \$2,500 applies thereafter.

58.24 (d) Notwithstanding section 16A.1283, the commission shall by rule establish an annual  
 58.25 license fee for each type of racing or gaming-related vendor it licenses, not to exceed \$2,500.

58.26 **EFFECTIVE DATE.** This section is effective July 1, 2019.

58.27 Sec. 6. Minnesota Statutes 2018, section 240.12, is amended to read:  
 58.28 240.12 LICENSE AGREEMENTS.

58.29 The commission may enter into agreements or compacts with comparable bodies in  
 58.30 other racing jurisdictions for the mutual recognition of occupational licenses issued by each  
 58.31 body. The commission may by rule provide for and may charge a fee for the registration of  
 58.32 each license issued in another jurisdiction.

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

59.2 Sec. 7. Minnesota Statutes 2018, section 240.13, subdivision 5, is amended to read:

59.3 Subd. 5. **Purses.** (a) From the amounts deducted from all pari-mutuel pools by a licensee,  
 59.4 including breakage, an amount equal to not less than the following percentages of all money  
 59.5 in all pools must be set aside by the licensee and used for purses for races conducted by the  
 59.6 licensee, provided that a licensee may agree by contract with an organization representing  
 59.7 a majority of the horsepersons racing the breed involved to set aside amounts in addition  
 59.8 to the following percentages, if the contract is in writing and ~~filed with~~ reviewed by the  
 59.9 commission for compliance with this subdivision:

59.10 (1) for live races conducted at a class A facility, 8.4 percent of handle;

59.11 (2) for simulcasts conducted any day a class A facility is licensed, not less than 37 percent  
 59.12 of the ~~takeout amount~~ remaining after deduction for the state pari-mutuel tax, payment to  
 59.13 the breeders fund, and payment to the sending out-of-state racetrack for receipt of the signal.

59.14 The commission may by rule provide for the administration and enforcement of this  
 59.15 subdivision. The deductions for payment to the sending out-of-state racetrack must be actual,  
 59.16 except that when there exists any overlap of ownership, control, or interest between the  
 59.17 sending out-of-state racetrack and the receiving licensee, the deduction must not be greater  
 59.18 than three percent unless agreed to between the licensee and the horsepersons' organization  
 59.19 representing the majority of horsepersons racing the breed racing the majority of races  
 59.20 during the existing racing meeting or, if outside of the racing season, during the most recent  
 59.21 racing meeting.

59.22 The licensee shall pay to the commission for deposit in the Minnesota breeders fund  
 59.23 5-1/2 percent of the takeout from all pari-mutuel pools generated by wagering at the licensee's  
 59.24 facility on simulcasts of races not conducted in this state.

59.25 ~~(b) From the money set aside for purses;~~ The licensee shall pay to the horseperson's  
 59.26 organization representing the majority of the horsepersons racing the breed involved and  
 59.27 contracting with the licensee with respect to purses and the conduct of the racing meetings  
 59.28 and providing representation to its members, an amount as may be determined by agreement

44.6 (d) Notwithstanding section 16A.1283, the commission shall by rule establish an annual  
 44.7 license fee for each type of racing or gaming-related vendor it licenses, not to exceed \$2,500.

44.8 Sec. 44. Minnesota Statutes 2018, section 240.12, is amended to read:  
 44.9 240.12 LICENSE AGREEMENTS.

44.10 The commission may enter into agreements or compacts with comparable bodies in  
 44.11 other racing jurisdictions for the mutual recognition of occupational licenses issued by each  
 44.12 body. The commission may by rule provide for and may charge a fee for the registration of  
 44.13 each license issued in another jurisdiction.

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

44.15 Sec. 45. Minnesota Statutes 2018, section 240.13, subdivision 5, is amended to read:

44.16 Subd. 5. **Purses.** (a) From the amounts deducted from all pari-mutuel pools by a licensee,  
 44.17 including breakage, an amount equal to not less than the following percentages of all money  
 44.18 in all pools must be set aside by the licensee and used for purses for races conducted by the  
 44.19 licensee, provided that a licensee may agree by contract with an organization representing  
 44.20 a majority of the horsepersons racing the breed involved to set aside amounts in addition  
 44.21 to the following percentages, if the contract is in writing and ~~filed with~~ reviewed by the  
 44.22 commission for compliance with this subdivision:

44.23 (1) for live races conducted at a class A facility, 8.4 percent of handle;

44.24 (2) for simulcasts conducted any day a class A facility is licensed, not less than 37 percent  
 44.25 of the ~~takeout amount~~ remaining after deduction for the state pari-mutuel tax, payment to  
 44.26 the breeders fund, and payment to the sending out-of-state racetrack for receipt of the signal.

44.27 The commission may by rule provide for the administration and enforcement of this  
 44.28 subdivision. The deductions for payment to the sending out-of-state racetrack must be actual,  
 44.29 except that when there exists any overlap of ownership, control, or interest between the  
 44.30 sending out-of-state racetrack and the receiving licensee, the deduction must not be greater  
 44.31 than three percent unless agreed to between the licensee and the horsepersons' organization  
 45.1 representing the majority of horsepersons racing the breed racing the majority of races  
 45.2 during the existing racing meeting or, if outside of the racing season, during the most recent  
 45.3 racing meeting.

45.4 The licensee shall pay to the commission for deposit in the Minnesota breeders fund  
 45.5 5-1/2 percent of the takeout from all pari-mutuel pools generated by wagering at the licensee's  
 45.6 facility on simulcasts of races not conducted in this state.

45.7 ~~(b) From the money set aside for purses;~~ The licensee shall pay to the horseperson's  
 45.8 organization representing the majority of the horsepersons racing the breed involved and  
 45.9 contracting with the licensee with respect to purses and the conduct of the racing meetings  
 45.10 and providing representation to its members, an amount as may be determined by agreement

59.29 by the licensee and the horsepersons' organization sufficient to provide benevolent programs,  
 59.30 benefits, and services for horsepersons and their on-track employees. The amount paid may  
 59.31 be deducted ~~only~~ from the money set aside for purses to be paid in races for the breed  
 59.32 represented by the horseperson's organization or may be paid from breakage retained by  
 59.33 the licensee from live or simulcast wagering as agreed between the licensee and horsepersons'  
 60.1 organization. With respect to racing meetings where more than one breed is racing, the  
 60.2 licensee may contract independently with the horseperson's organization representing each  
 60.3 breed racing. The contract must be in writing and reviewed by the commission for compliance  
 60.4 with this subdivision.

60.5 (c) Notwithstanding sections 325D.49 to 325D.66, a horseperson's organization  
 60.6 representing the majority of the horsepersons racing a breed at a meeting, and the members  
 60.7 thereof, may agree to withhold horses during a meeting.

60.8 (d) Money set aside for purses from wagering on simulcasts must be used for purses for  
 60.9 live races involving the same breed involved in the simulcast except that money set aside  
 60.10 for purses and payments to the breeders fund from wagering on simulcasts of races not  
 60.11 conducted in this state, occurring during a live mixed meet, must be allotted to the purses  
 60.12 and breeders fund for each breed participating in the mixed meet as agreed upon by the  
 60.13 breed organizations participating in the live mixed meet. The agreement shall be in writing  
 60.14 and ~~filed with~~ reviewed by the commission for compliance with this subdivision prior to  
 60.15 the first day of the live mixed meet. In the absence of a written agreement ~~filed with~~ reviewed  
 60.16 by the commission, the money set aside for purses and payments to the breeders fund from  
 60.17 wagering on simulcasts, occurring during a live mixed meet, shall be allotted to each breed  
 60.18 participating in the live mixed meet in the same proportion that the number of live races  
 60.19 run by each breed bears to the total number of live races conducted during the period of the  
 60.20 mixed meet.

60.21 (e) The allocation of money set aside for purses to particular racing meets may be  
 60.22 adjusted, relative to overpayments and underpayments, by contract between the licensee  
 60.23 and the horsepersons' organization representing the majority of horsepersons racing the  
 60.24 breed involved at the licensee's facility. The contract must be in writing and reviewed by  
 60.25 the commission for compliance with this subdivision.

60.26 (f) Subject to the provisions of this chapter, money set aside from pari-mutuel pools for  
 60.27 purses must be for the breed involved in the race that generated the pool, except that if the  
 60.28 breed involved in the race generating the pari-mutuel pool is not racing in the current racing  
 60.29 meeting, or has not raced within the preceding 12 months at the licensee's class A facility,  
 60.30 money set aside for purses may be distributed proportionately to those breeds that have run  
 60.31 during the preceding 12 months or paid to the commission and used for purses or to promote  
 60.32 racing for the breed involved in the race generating the pari-mutuel pool, or both, in a manner  
 60.33 prescribed by the commission.

60.34 (g) This subdivision does not apply to a class D licensee.

45.11 by the licensee and the horsepersons' organization sufficient to provide benevolent programs,  
 45.12 benefits, and services for horsepersons and their on-track employees. The amount paid may  
 45.13 be deducted ~~only~~ from the money set aside for purses to be paid in races for the breed  
 45.14 represented by the horseperson's organization or may be paid from breakage retained by  
 45.15 the licensee from live or simulcast wagering as agreed between the licensee and horsepersons'  
 45.16 organization. With respect to racing meetings where more than one breed is racing, the  
 45.17 licensee may contract independently with the horseperson's organization representing each  
 45.18 breed racing. The contract must be in writing and reviewed by the commission for compliance  
 45.19 with this subdivision.

45.20 (c) Notwithstanding sections 325D.49 to 325D.66, a horseperson's organization  
 45.21 representing the majority of the horsepersons racing a breed at a meeting, and the members  
 45.22 thereof, may agree to withhold horses during a meeting.

45.23 (d) Money set aside for purses from wagering on simulcasts must be used for purses for  
 45.24 live races involving the same breed involved in the simulcast except that money set aside  
 45.25 for purses and payments to the breeders fund from wagering on simulcasts of races not  
 45.26 conducted in this state, occurring during a live mixed meet, must be allotted to the purses  
 45.27 and breeders fund for each breed participating in the mixed meet as agreed upon by the  
 45.28 breed organizations participating in the live mixed meet. The agreement shall be in writing  
 45.29 and ~~filed with~~ reviewed by the commission for compliance with this subdivision prior to  
 45.30 the first day of the live mixed meet. In the absence of a written agreement ~~filed with~~ reviewed  
 45.31 by the commission, the money set aside for purses and payments to the breeders fund from  
 45.32 wagering on simulcasts, occurring during a live mixed meet, shall be allotted to each breed  
 45.33 participating in the live mixed meet in the same proportion that the number of live races  
 45.34 run by each breed bears to the total number of live races conducted during the period of the  
 45.35 mixed meet.

46.1 (e) The allocation of money set aside for purses to particular racing meets may be  
 46.2 adjusted, relative to overpayments and underpayments, by contract between the licensee  
 46.3 and the horsepersons' organization representing the majority of horsepersons racing the  
 46.4 breed involved at the licensee's facility. The contract must be in writing and reviewed by  
 46.5 the commission for compliance with this subdivision.

46.6 (f) Subject to the provisions of this chapter, money set aside from pari-mutuel pools for  
 46.7 purses must be for the breed involved in the race that generated the pool, except that if the  
 46.8 breed involved in the race generating the pari-mutuel pool is not racing in the current racing  
 46.9 meeting, or has not raced within the preceding 12 months at the licensee's class A facility,  
 46.10 money set aside for purses may be distributed proportionately to those breeds that have run  
 46.11 during the preceding 12 months or paid to the commission and used for purses or to promote  
 46.12 racing for the breed involved in the race generating the pari-mutuel pool, or both, in a manner  
 46.13 prescribed by the commission.

46.14 (g) This subdivision does not apply to a class D licensee.

61.1 EFFECTIVE DATE. This section is effective July 1, 2019.

61.2 Sec. 8. Minnesota Statutes 2018, section 240.131, subdivision 7, is amended to read:

61.3 Subd. 7. **Payments to state.** (a) A regulatory fee is imposed at the rate of one percent  
61.4 of all amounts wagered by Minnesota residents with an authorized advance deposit wagering  
61.5 provider. The fee shall be declared on a form prescribed by the commission. The ADW  
61.6 provider must pay the fee to the commission no more than ~~seven~~ 15 days after the end of  
61.7 the month in which the wager was made. Fees collected under this paragraph must be  
61.8 deposited in the state treasury and credited to a racing and card-playing regulation account  
61.9 in the special revenue fund and are appropriated to the commission to offset the costs  
61.10 associated with regulating horse racing and pari-mutuel wagering in Minnesota.

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

61.19 EFFECTIVE DATE. This section is effective July 1, 2019.

61.20 Sec. 9. Minnesota Statutes 2018, section 240.135, is amended to read:  
61.21 240.135 CARD CLUB REVENUE.

61.22 (a) From the amounts received from charges authorized under section 240.30, subdivision  
61.23 4, the licensee shall set aside the amounts specified in this section to be used for purse  
61.24 payments. These amounts are in addition to the breeders fund and purse requirements set  
61.25 forth elsewhere in this chapter.

61.26 (1) For amounts between zero and \$6,000,000, the licensee shall set aside not less than  
61.27 ten percent to be used as purses.

61.28 (2) For amounts in excess of \$6,000,000, the licensee shall set aside not less than 14  
61.29 percent to be used as purses.

61.30 (b) From all amounts set aside under paragraph (a), the licensee shall set aside ten percent  
61.31 to be deposited in the breeders fund.

62.1 (c) It is the intent of the legislature that the proceeds of the card playing activities  
62.2 authorized by this chapter be used to improve the horse racing industry by improving purses.  
62.3 The licensee and the horseperson's organization representing the majority of horsepersons  
62.4 who have raced at the racetrack during the preceding 12 months may negotiate percentages  
62.5 that exceed those stated in this section if the agreement is in writing and ~~filed with~~ reviewed  
62.6 by the commission for compliance with this section. The commission shall annually review  
62.7 the financial details of card playing activities and determine if the present use of card playing

46.15 Sec. 46. Minnesota Statutes 2018, section 240.131, subdivision 7, is amended to read:

46.16 Subd. 7. **Payments to state.** (a) A regulatory fee is imposed at the rate of one percent  
46.17 of all amounts wagered by Minnesota residents with an authorized advance deposit wagering  
46.18 provider. The fee shall be declared on a form prescribed by the commission. The ADW  
46.19 provider must pay the fee to the commission no more than ~~seven~~ 15 days after the end of  
46.20 the month in which the wager was made. Fees collected under this paragraph must be  
46.21 deposited in the state treasury and credited to a racing and card-playing regulation account  
46.22 in the special revenue fund and are appropriated to the commission to offset the costs  
46.23 associated with regulating horse racing and pari-mutuel wagering in Minnesota.

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

47.1 Sec. 47. Minnesota Statutes 2018, section 240.135, is amended to read:  
47.2 240.135 CARD CLUB REVENUE.

47.3 (a) From the amounts received from charges authorized under section 240.30, subdivision  
47.4 4, the licensee shall set aside the amounts specified in this section to be used for purse  
47.5 payments. These amounts are in addition to the breeders fund and purse requirements set  
47.6 forth elsewhere in this chapter.

47.7 (1) For amounts between zero and \$6,000,000, the licensee shall set aside not less than  
47.8 ten percent to be used as purses.

47.9 (2) For amounts in excess of \$6,000,000, the licensee shall set aside not less than 14  
47.10 percent to be used as purses.

47.11 (b) From all amounts set aside under paragraph (a), the licensee shall set aside ten percent  
47.12 to be deposited in the breeders fund.

47.13 (c) It is the intent of the legislature that the proceeds of the card playing activities  
47.14 authorized by this chapter be used to improve the horse racing industry by improving purses.  
47.15 The licensee and the horseperson's organization representing the majority of horsepersons  
47.16 who have raced at the racetrack during the preceding 12 months may negotiate percentages  
47.17 that exceed those stated in this section if the agreement is in writing and ~~filed with~~ reviewed  
47.18 by the commission for compliance with this section. The commission shall annually review  
47.19 the financial details of card playing activities and determine if the present use of card playing

62.8 proceeds is consistent with the policy established by this paragraph. If the commission  
 62.9 determines that the use of the proceeds does not comply with the policy set forth herein,  
 62.10 then the commission shall direct the parties to make the changes necessary to ensure  
 62.11 compliance. If these changes require legislation, the commission shall make the appropriate  
 62.12 recommendations to the legislature.

62.13 EFFECTIVE DATE. This section is effective July 1, 2019.

47.20 proceeds is consistent with the policy established by this paragraph. If the commission  
 47.21 determines that the use of the proceeds does not comply with the policy set forth herein,  
 47.22 then the commission shall direct the parties to make the changes necessary to ensure  
 47.23 compliance. If these changes require legislation, the commission shall make the appropriate  
 47.24 recommendations to the legislature.

47.25 Sec. 48. Minnesota Statutes 2018, section 240.15, subdivision 6, is amended to read:

47.26 Subd. 6. **Disposition of proceeds; account.** The commission shall distribute all money  
 47.27 received under this section, and, except as provided otherwise by section 240.131, all money  
 47.28 received from license fees, regulatory fees, and fines it collects, according to this subdivision.  
 47.29 All money designated for deposit in the Minnesota breeders fund must be paid into that  
 47.30 fund for distribution under section 240.18 except that all money generated by simulcasts  
 47.31 must be distributed as provided in section 240.18, subdivisions 2, paragraph (d), clauses  
 47.32 (1), (2), and (3); and 3. Revenue from an admissions tax imposed under subdivision 1 must  
 47.33 be paid to the local unit of government at whose request it was imposed, at times and in a  
 48.1 manner the commission determines. Taxes received under this section must be paid to the  
 48.2 commissioner of management and budget for deposit in the general fund. All revenues from  
 48.3 licenses and other fees imposed by the commission must be deposited in the state treasury  
 48.4 and credited to a racing and card playing regulation account in the special revenue fund.  
 48.5 Receipts in this account are available for the operations of the commission up to the amount  
 48.6 authorized in biennial appropriations from the legislature. If a fiscal biennium ends without  
 48.7 the enactment of an appropriation to the commission for the following biennium, receipts  
 48.8 in this account are annually appropriated to the commission for the operations of the  
 48.9 commission up to the amount authorized in the second year of the most recently enacted  
 48.10 biennial appropriation, until a biennial appropriation is enacted.

48.11 Sec. 49. Minnesota Statutes 2018, section 240.155, subdivision 1, is amended to read:

48.12 Subdivision 1. **Reimbursement account credit.** Money received by the commission as  
 48.13 reimbursement for the costs of services provided by veterinarians, stewards, ~~and~~ medical  
 48.14 testing of horses, and fees received by the commission in the form of fees for regulatory  
 48.15 services must be deposited in the state treasury and credited to a racing reimbursement  
 48.16 account in the special revenue fund, except as provided under subdivision 2. Receipts are  
 48.17 appropriated, within the meaning of Article XI, section 1, of the Minnesota Constitution,  
 48.18 to the commission to pay the costs of providing the services and all other costs necessary  
 48.19 to allow the commission to fulfill its regulatory oversight duties required by chapter 240  
 48.20 and commission rule. If the major appropriation bills needed to finance state government  
 48.21 are not enacted by the beginning of a fiscal biennium, the commission shall continue  
 48.22 operations as required by chapter 240 and commission rule.

62.14 Sec. 10. Minnesota Statutes 2018, section 240.16, subdivision 1, is amended to read:

62.15 Subdivision 1. **Powers and duties.** All horse races run at a licensed racetrack must be  
62.16 presided over by a board of three stewards, who must be appointees of the commission or  
62.17 persons approved by it. The commission shall designate one steward as chair. At least two  
62.18 stewards for all races either shall be employees of the commission who shall serve in the  
62.19 unclassified service, or shall be under contract with the commission to serve as stewards.  
62.20 The commission may delegate the following duties and powers to a board of stewards:

- 62.21 (1) to ensure that races are run in accordance with the commission's rules;
- 62.22 (2) to supervise the conduct of racing to ensure the integrity of the sport;
- 62.23 (3) to settle disputes arising from the running of horse races, and to certify official results;
- 62.24 (4) to impose on licensees, for violation of law or commission rules, fines ~~not exceeding~~  
62.25 ~~\$5,000 and license suspensions not exceeding 90 days~~ of up to \$10,000, suspensions of up  
62.26 ~~to one year, and other sanctions as delegated by the commission or permitted under its rules;~~
- 62.27 (5) to recommend to the commission where warranted penalties in excess of those in  
62.28 clause (4);
- 62.29 (6) to otherwise enforce the laws and rules of racing; and
- 62.30 (7) to perform other duties and have other powers assigned by the commission.

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

63.1 Sec. 11. Minnesota Statutes 2018, section 240.16, subdivision 2, is amended to read:

63.2 Subd. 2. **Appeals; hearings.** ~~Except as provided by section 240.08, subdivision 5, a~~  
63.3 ~~ruling of a board of stewards may be appealed to the commission or be reviewed by it. The~~  
63.4 ~~commission may review any ruling by the board of stewards on its own initiative. The~~  
63.5 ~~commission may provide for appeals to be heard by less than a quorum of the commission.~~  
63.6 A hearing on a penalty imposed by a board of stewards must be granted on request.

48.23 Sec. 50. ~~[240.1561] APPROPRIATION FOR FUNCTIONS SUPPORTING ONGOING~~  
48.24 ~~OPERATION OF THE RACING COMMISSION.~~

48.25 ~~If, by July 1 of an odd-numbered year, legislation has not been enacted to appropriate~~  
48.26 ~~money for the next biennium to the commissioner of management and budget for central~~  
48.27 ~~accounting, procurement, payroll, and human resources functions, amounts necessary to~~  
48.28 ~~operate those functions associated with operation of the Racing Commission under chapter~~  
48.29 ~~240 are appropriated for the next biennium from the general fund to the commissioner of~~  
48.30 ~~management and budget. As necessary, the commissioner may transfer a portion of this~~  
48.31 ~~appropriation to other state agencies to support carrying out these functions. Any subsequent~~  
48.32 ~~appropriation to the commissioner of management and budget for a biennium in which this~~  
48.33 ~~section has been applied shall supersede and replace the funding authorized in this section.~~

49.1 Sec. 51. Minnesota Statutes 2018, section 240.16, subdivision 1, is amended to read:

49.2 Subdivision 1. **Powers and duties.** All horse races run at a licensed racetrack must be  
49.3 presided over by a board of three stewards, who must be appointees of the commission or  
49.4 persons approved by it. The commission shall designate one steward as chair. At least two  
49.5 stewards for all races either shall be employees of the commission who shall serve in the  
49.6 unclassified service, or shall be under contract with the commission to serve as stewards.  
49.7 The commission may delegate the following duties and powers to a board of stewards:

- 49.8 (1) to ensure that races are run in accordance with the commission's rules;
- 49.9 (2) to supervise the conduct of racing to ensure the integrity of the sport;
- 49.10 (3) to settle disputes arising from the running of horse races, and to certify official results;
- 49.11 (4) to impose on licensees, for violation of law or commission rules, fines ~~not exceeding~~  
49.12 ~~\$5,000 and license suspensions not exceeding 90 days~~ of up to \$10,000, suspensions of up  
49.13 ~~to one year, and other sanctions as delegated by the commission or permitted under its rules;~~
- 49.14 (5) to recommend to the commission where warranted penalties in excess of those in  
49.15 clause (4);
- 49.16 (6) to otherwise enforce the laws and rules of racing; and
- 49.17 (7) to perform other duties and have other powers assigned by the commission.

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

49.19 Sec. 52. Minnesota Statutes 2018, section 240.16, subdivision 2, is amended to read:

49.20 Subd. 2. **Appeals; hearings.** ~~Except as provided by section 240.08, subdivision 5, a~~  
49.21 ~~ruling of a board of stewards may be appealed to the commission or be reviewed by it. The~~  
49.22 ~~commission may review any ruling by the board of stewards on its own initiative. The~~  
49.23 ~~commission may provide for appeals to be heard by less than a quorum of the commission.~~  
49.24 A hearing on a penalty imposed by a board of stewards must be granted on request.

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

63.8 Sec. 12. Minnesota Statutes 2018, section 240.18, subdivision 2, is amended to read:

63.9 Subd. 2. **Thoroughbred and quarterhorse categories.** (a) With respect to available  
63.10 money apportioned in the thoroughbred and quarterhorse categories, 20 percent must be  
63.11 expended as follows:

63.12 (1) at least one-half in the form of grants, contracts, or expenditures for equine research  
63.13 and related education at ~~the University of Minnesota School of Veterinary Medicine~~ public  
63.14 institutions of postsecondary learning in the state; and

63.15 (2) the balance in the form of grants, contracts, or expenditures for one or more of the  
63.16 following:

63.17 (i) additional equine research and related education;

63.18 (ii) substance abuse programs for licensed personnel at racetracks in this state; and

63.19 (iii) promotion and public information regarding industry and commission activities;  
63.20 racehorse breeding, ownership, and management; and development and expansion of  
63.21 economic benefits from racing.

63.22 (b) As a condition of a grant, contract, or expenditure under paragraph (a), the commission  
63.23 shall require an annual report from the recipient on the use of the funds ~~to the commission,~~  
63.24 ~~the chair of the house of representatives Committee on General Legislation, Veterans Affairs,~~  
63.25 ~~and Gaming, and the chair of the senate committee on Gaming Regulation.~~

63.26 (c) The commission shall include in its ~~annual~~ biennial report a summary of each grant,  
63.27 contract, or expenditure under paragraph (a), clause (2), and a description of how the  
63.28 commission has coordinated activities among recipients to ensure the most efficient and  
63.29 effective use of funds.

63.30 (d) After deducting the amount for paragraph (a), the balance of the available proceeds  
63.31 in each category may be expended by the commission to:

64.1 (1) supplement purses for races held exclusively for Minnesota-bred or Minnesota-foaled  
64.2 horses, and supplement purses for Minnesota-bred or Minnesota-foaled horses racing in  
64.3 nonrestricted races in that category;

64.4 (2) pay breeders' or owners' awards to the breeders or owners of Minnesota-bred horses  
64.5 in that category which win money at ~~licensed~~ pari-mutuel racetracks ~~in the state~~ licensed  
64.6 by any state or province; and

64.7 (3) provide other financial incentives to encourage the horse breeding industry in  
64.8 Minnesota.

64.9 Sec. 13. Minnesota Statutes 2018, section 240.18, subdivision 3, is amended to read:

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

49.26 Sec. 53. Minnesota Statutes 2018, section 240.18, subdivision 2, is amended to read:

49.27 Subd. 2. **Thoroughbred and quarterhorse categories.** (a) With respect to available  
49.28 money apportioned in the thoroughbred and quarterhorse categories, 20 percent must be  
49.29 expended as follows:

50.1 (1) at least one-half in the form of grants, contracts, or expenditures for equine research  
50.2 and related education at ~~the University of Minnesota School of Veterinary Medicine~~ public  
50.3 institutions of postsecondary learning in the state; and

50.4 (2) the balance in the form of grants, contracts, or expenditures for one or more of the  
50.5 following:

50.6 (i) additional equine research and related education;

50.7 (ii) substance abuse programs for licensed personnel at racetracks in this state; and

50.8 (iii) promotion and public information regarding industry and commission activities;  
50.9 racehorse breeding, ownership, and management; and development and expansion of  
50.10 economic benefits from racing.

50.11 (b) As a condition of a grant, contract, or expenditure under paragraph (a), the commission  
50.12 shall require an annual report from the recipient on the use of the funds ~~to the commission,~~  
50.13 ~~the chair of the house of representatives Committee on General Legislation, Veterans Affairs,~~  
50.14 ~~and Gaming, and the chair of the senate committee on Gaming Regulation.~~

50.15 (c) The commission shall include in its ~~annual~~ biennial report a summary of each grant,  
50.16 contract, or expenditure under paragraph (a), clause (2), and a description of how the  
50.17 commission has coordinated activities among recipients to ensure the most efficient and  
50.18 effective use of funds.

50.19 (d) After deducting the amount for paragraph (a), the balance of the available proceeds  
50.20 in each category may be expended by the commission to:

50.21 (1) supplement purses for races held exclusively for Minnesota-bred or Minnesota-foaled  
50.22 horses, and supplement purses for Minnesota-bred or Minnesota-foaled horses racing in  
50.23 nonrestricted races in that category;

50.24 (2) pay breeders' or owners' awards to the breeders or owners of Minnesota-bred horses  
50.25 in that category which win money at ~~licensed~~ pari-mutuel racetracks ~~in the state~~ licensed  
50.26 by any state or province; and

50.27 (3) provide other financial incentives to encourage the horse breeding industry in  
50.28 Minnesota.

50.29 Sec. 54. Minnesota Statutes 2018, section 240.18, subdivision 3, is amended to read:

64.10 Subd. 3. **Standardbred category.** (a) With respect to the available money apportioned  
 64.11 in the standardbred category, 20 percent must be expended as follows:

64.12 (1) one-half of that amount to supplement purses for standardbreds at non-pari-mutuel  
 64.13 racetracks in the state; and

64.14 ~~(2) one-fourth of that amount for the development of non-pari-mutuel standardbred~~  
 64.15 ~~tracks in the state; and~~

64.16 ~~(3) one-fourth~~ (2) one-half of that amount as grants for equine research and related  
 64.17 education at public institutions of postsecondary learning in the state.

64.18 (b) After deducting the amount for paragraph (a), the balance of the available proceeds  
 64.19 in the standardbred category must be expended by the commission to:

64.20 (1) supplement purses for races held exclusively for Minnesota-bred and Minnesota-foaled  
 64.21 standardbreds;

64.22 (2) pay breeders or owners awards to the breeders or owners of Minnesota-bred  
 64.23 standardbreds which win money at licensed racetracks in the state; and

64.24 (3) provide other financial incentives to encourage the horse breeding industry in  
 64.25 Minnesota.

64.26 Sec. 14. Minnesota Statutes 2018, section 240.22, is amended to read:  
 64.27 240.22 FINES.

64.28 (a) The commission shall by rule establish a schedule of civil fines of up to \$50,000 for  
 64.29 a class C licensee and up to \$200,000 for a class A, B, or D licensee for violations of laws  
 64.30 related to horse racing or of the commission's rules. The schedule must be based on and  
 65.1 reflect the culpability, frequency and severity of the violator's actions. The commission may  
 65.2 impose a fine from this schedule on a licensee for a violation of those rules or laws relating  
 65.3 to horse racing. The fine is in addition to any criminal penalty imposed for the same violation.  
 65.4 Except as provided in paragraph (b), fines may be appealed to the commission according  
 65.5 to its rules. Fines imposed by the commission must be paid to the commission and except  
 65.6 as provided in paragraph (c), forwarded to the commissioner of management and budget  
 65.7 for deposit in the state treasury and credited to a racing and card-playing regulation account  
 65.8 in the special revenue fund and appropriated to the commission to distribute in the form of  
 65.9 grants, contracts, or expenditures to support racehorse adoption, retirement, and repurposing.

65.10 (b) If the commission issues a fine in excess of ~~\$5,000~~ \$10,000, the license holder has  
 65.11 the right to request a contested case hearing under chapter 14, to be held as set forth in  
 65.12 Minnesota Rules, chapter 1400. The appeal of a fine must be made in writing to the  
 65.13 commission by certified mail or personal service. An appeal sent by certified mail must be  
 65.14 postmarked within ten days after the license holder receives the fine order from the  
 65.15 commission. An appeal sent by personal service must be received by the commission within  
 65.16 ten days after the license holder receives the fine order from the commission.

50.30 Subd. 3. **Standardbred category.** (a) With respect to the available money apportioned  
 50.31 in the standardbred category, 20 percent must be expended as follows:

51.1 (1) one-half of that amount to supplement purses for standardbreds at non-pari-mutuel  
 51.2 racetracks in the state; and

51.3 ~~(2) one-fourth of that amount for the development of non-pari-mutuel standardbred~~  
 51.4 ~~tracks in the state; and~~

51.5 ~~(3) one-fourth~~ (2) one-half of that amount as grants for equine research and related  
 51.6 education at public institutions of postsecondary learning in the state.

51.7 (b) After deducting the amount for paragraph (a), the balance of the available proceeds  
 51.8 in the standardbred category must be expended by the commission to:

51.9 (1) supplement purses for races held exclusively for Minnesota-bred and Minnesota-foaled  
 51.10 standardbreds;

51.11 (2) pay breeders or owners awards to the breeders or owners of Minnesota-bred  
 51.12 standardbreds which win money at licensed racetracks in the state; and

51.13 (3) provide other financial incentives to encourage the horse breeding industry in  
 51.14 Minnesota.

51.15 Sec. 55. Minnesota Statutes 2018, section 240.22, is amended to read:  
 51.16 240.22 FINES.

51.17 (a) The commission shall by rule establish a schedule of civil fines of up to \$50,000 for  
 51.18 a class C licensee and up to \$200,000 for a class A, B, or D licensee for violations of laws  
 51.19 related to horse racing or of the commission's rules. The schedule must be based on and  
 51.20 reflect the culpability, frequency and severity of the violator's actions. The commission may  
 51.21 impose a fine from this schedule on a licensee for a violation of those rules or laws relating  
 51.22 to horse racing. The fine is in addition to any criminal penalty imposed for the same violation.  
 51.23 Except as provided in paragraph (b), fines may be appealed to the commission according  
 51.24 to its rules. Fines imposed by the commission must be paid to the commission and except  
 51.25 as provided in paragraph (c), forwarded to the commissioner of management and budget  
 51.26 for deposit in the state treasury and credited to a racing and card-playing regulation account  
 51.27 in the special revenue fund and appropriated to the commission to distribute in the form of  
 51.28 grants, contracts, or expenditures to support racehorse adoption, retirement, and repurposing.

51.29 (b) If the commission issues a fine in excess of ~~\$5,000~~ \$10,000, the license holder has  
 51.30 the right to request a contested case hearing under chapter 14, to be held as set forth in  
 51.31 Minnesota Rules, chapter 1400. The appeal of a fine must be made in writing to the  
 51.32 commission by certified mail or personal service. An appeal sent by certified mail must be  
 52.1 postmarked within ten days after the license holder receives the fine order from the  
 52.2 commission. An appeal sent by personal service must be received by the commission within  
 52.3 ten days after the license holder receives the fine order from the commission.

65.17 (c) If the commission is the prevailing party in a contested case proceeding, the  
 65.18 commission may recover, from amounts to be forwarded under paragraph (a), reasonable  
 65.19 attorney fees and costs associated with the contested case.

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

65.21 Sec. 15. Minnesota Statutes 2018, section 240.27, is amended to read:  
 65.22 240.27 EXCLUSION OF CERTAIN PERSONS.

65.23 Subdivision 1. **Persons excluded.** The commission may exclude from any and all licensed  
 65.24 racetracks in the state a person who:

65.25 (1) has been convicted of a felony under the laws of any state or the United States;

65.26 (2) has had a license suspended, revoked, or denied by the commission or by the racing  
 65.27 authority of any other jurisdiction; or

65.28 (3) is determined by the commission, on the basis of evidence presented to it, to be a  
 65.29 threat to the public safety or the integrity of racing or card playing in Minnesota.

65.30 Subd. 2. **Hearing; appeal.** An order to exclude ~~a~~ an unlicensed person from any or all  
 65.31 licensed racetracks in the state must be made by the commission ~~at~~ following a public  
 65.32 hearing of which the person to be excluded must have had at least five days' notice. If present  
 66.1 at the hearing, the person must be permitted to show cause why the exclusion should not  
 66.2 be ordered. An appeal of the order may be made in the same manner as other appeals under  
 66.3 section 240.20.

66.4 Subd. 3. **Notice to racetracks.** Upon issuing an order excluding a person from any or  
 66.5 all licensed racetracks, the commission shall send a copy of the order to the excluded person  
 66.6 and to all racetracks or telercing facilities named in it, along with other information as it  
 66.7 deems necessary to permit compliance with the order.

66.8 Subd. 4. **Prohibitions.** It is a gross misdemeanor for a person named in an exclusion  
 66.9 order to enter, attempt to enter, or be on the premises of a racetrack named in the order  
 66.10 while it is in effect, and for a person licensed to conduct racing or operate a racetrack  
 66.11 knowingly to permit an excluded person to enter or be on the premises.

66.12 Subd. 5. **Exclusions by racetrack.** ~~The holder of a license to conduct racing may eject~~  
 66.13 ~~and exclude from its premises any licensee or any other person who is in violation of any~~  
 66.14 ~~state law or commission rule or order or who is a threat to racing integrity or the public~~  
 66.15 ~~safety. A person so excluded from racetrack premises may appeal the exclusion to the~~  
 66.16 ~~commission and must be given a public hearing on the appeal upon request. At the hearing~~  
 66.17 ~~the person must be given the opportunity to show cause why the exclusion should not have~~  
 66.18 ~~been ordered. If the commission after the hearing finds that the integrity of racing and the~~  
 66.19 ~~public safety do not justify the exclusion, it shall order the racetrack making the exclusion~~  
 66.20 ~~to reinstate or readmit the person. An appeal of a commission order upholding the exclusion~~  
 66.21 ~~is governed by section 240.20. A licensed racetrack may eject and exclude from its premises~~  
 66.22 ~~any person for any lawful reason. If a licensed racetrack excludes a person for a suspected~~

52.4 (c) If the commission is the prevailing party in a contested case proceeding, the  
 52.5 commission may recover, from amounts to be forwarded under paragraph (a), reasonable  
 52.6 attorney fees and costs associated with the contested case.

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

52.8 Sec. 56. Minnesota Statutes 2018, section 240.27, is amended to read:  
 52.9 240.27 EXCLUSION OF CERTAIN PERSONS.

52.10 Subdivision 1. **Persons excluded.** The commission may exclude from any and all licensed  
 52.11 racetracks in the state a person who:

52.12 (1) has been convicted of a felony under the laws of any state or the United States;

52.13 (2) has had a license suspended, revoked, or denied by the commission or by the racing  
 52.14 authority of any other jurisdiction; or

52.15 (3) is determined by the commission, on the basis of evidence presented to it, to be a  
 52.16 threat to the public safety or the integrity of racing or card playing in Minnesota.

52.17 Subd. 2. **Hearing; appeal.** An order to exclude ~~a~~ an unlicensed person from any or all  
 52.18 licensed racetracks in the state must be made by the commission ~~at~~ following a public  
 52.19 hearing of which the person to be excluded must have had at least five days' notice. If present  
 52.20 at the hearing, the person must be permitted to show cause why the exclusion should not  
 52.21 be ordered. An appeal of the order may be made in the same manner as other appeals under  
 52.22 section 240.20.

52.23 Subd. 3. **Notice to racetracks.** Upon issuing an order excluding a person from any or  
 52.24 all licensed racetracks, the commission shall send a copy of the order to the excluded person  
 52.25 and to all racetracks or telercing facilities named in it, along with other information as it  
 52.26 deems necessary to permit compliance with the order.

52.27 Subd. 4. **Prohibitions.** It is a gross misdemeanor for a person named in an exclusion  
 52.28 order to enter, attempt to enter, or be on the premises of a racetrack named in the order  
 52.29 while it is in effect, and for a person licensed to conduct racing or operate a racetrack  
 52.30 knowingly to permit an excluded person to enter or be on the premises.

52.31 Subd. 5. **Exclusions by racetrack.** ~~The holder of a license to conduct racing may eject~~  
 52.32 ~~and exclude from its premises any licensee or any other person who is in violation of any~~  
 53.1 ~~state law or commission rule or order or who is a threat to racing integrity or the public~~  
 53.2 ~~safety. A person so excluded from racetrack premises may appeal the exclusion to the~~  
 53.3 ~~commission and must be given a public hearing on the appeal upon request. At the hearing~~  
 53.4 ~~the person must be given the opportunity to show cause why the exclusion should not have~~  
 53.5 ~~been ordered. If the commission after the hearing finds that the integrity of racing and the~~  
 53.6 ~~public safety do not justify the exclusion, it shall order the racetrack making the exclusion~~  
 53.7 ~~to reinstate or readmit the person. An appeal of a commission order upholding the exclusion~~  
 53.8 ~~is governed by section 240.20. A licensed racetrack may eject and exclude from its premises~~  
 53.9 ~~any person for any lawful reason. If a licensed racetrack excludes a person for a suspected~~

66.23 or potential violation of law or rule, or if a licensed racetrack excludes any person for more  
 66.24 than five days, the licensed racetrack shall provide the person's name and reason for the  
 66.25 exclusion to the commission within 72 hours.

53.10 or potential violation of law or rule, or if a licensed racetrack excludes any person for more  
 53.11 than five days, the licensed racetrack shall provide the person's name and reason for the  
 53.12 exclusion to the commission within 72 hours.

53.13 Sec. 57. Minnesota Statutes 2018, section 240.30, subdivision 9, is amended to read:

53.14 Subd. 9. **Reimbursement to commission.** The commission shall require that the licensee  
 53.15 reimburse it for the commission's actual costs, including personnel costs, of regulating the  
 53.16 card club. Amounts received under this subdivision must be deposited as provided in section  
 53.17 240.155, subdivision 1, and are appropriated to the commission.

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

108.3

#### ARTICLE 4

108.4

#### ELECTIONS AND VOTING RIGHTS

108.5 Section 1. Minnesota Statutes 2018, section 13.607, is amended by adding a subdivision  
 108.6 to read:

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

108.11 Sec. 2. Minnesota Statutes 2018, section 123B.09, subdivision 5b, is amended to read:

108.12 Subd. 5b. **Appointments to fill vacancies; special elections.** (a) Any vacancy on the  
 108.13 board, other than a vacancy described in subdivision 4, must be filled by board appointment  
 108.14 at a regular or special meeting. The appointment shall be evidenced by a resolution entered  
 108.15 in the minutes and shall be effective 30 days following adoption of the resolution, subject  
 108.16 to paragraph (b). If the appointment becomes effective, ~~it shall continue until an election is~~  
 108.17 ~~held under this subdivision. All elections to fill vacancies shall be for the unexpired term.~~  
 108.18 ~~A special election to fill the vacancy must be held no later than the first Tuesday after the~~  
 108.19 ~~first Monday in November following the vacancy. If the vacancy occurs less than 90 days~~  
 108.20 ~~prior to the first Tuesday after the first Monday in November in the year in which the vacancy~~  
 108.21 ~~occurs, the special election must be held no later than the first Tuesday after the first Monday~~  
 108.22 ~~in November of the following calendar year. If the vacancy occurs less than 90 days prior~~  
 108.23 ~~to the first Tuesday after the first Monday in November in the third year of the term, no~~  
 108.24 ~~special election is required. If the vacancy is filled by a special election, the person elected~~  
 108.25 ~~at that election for the ensuing term shall take office immediately after receiving the~~  
 108.26 ~~certificate of election, filing the bond, and taking the oath of office the appointee shall serve~~  
 108.27 for the remainder of the unexpired term.

108.28 (b) An appointment made under paragraph (a) shall not be effective if a petition to reject  
 108.29 the appointee is filed with the school district clerk. To be valid, a petition to reject an  
 108.30 appointee must be signed by a number of eligible voters residing in the district equal to at

108.31 least five percent of the total number of voters voting in the district at the most recent state  
 108.32 general election, and must be filed within 30 days of the board's adoption of the resolution  
 108.33 making the appointment. If a valid petition is filed according to the requirements of this  
 109.1 paragraph, the appointment by the school board is ineffective and the board must name a  
 109.2 new appointee as provided in paragraph (a).

109.3 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies  
 109.4 created on or after that date.

109.5 Sec. 3. Minnesota Statutes 2018, section 126C.17, subdivision 9, is amended to read:

109.6 Subd. 9. **Referendum revenue.** (a) The revenue authorized by section 126C.10,  
 109.7 subdivision 1, may be increased in the amount approved by the voters of the district at a  
 109.8 referendum called for the purpose. The referendum may be called by the board. The  
 109.9 referendum must be conducted one or two calendar years before the increased levy authority,  
 109.10 if approved, first becomes payable. Only one election to approve an increase may be held  
 109.11 in a calendar year. Unless the referendum is conducted by mail under subdivision 11,  
 109.12 paragraph (a), the referendum must be held on the first Tuesday after the first Monday in  
 109.13 November. The ballot must state the maximum amount of the increased revenue per adjusted  
 109.14 pupil unit. The ballot may state a schedule, determined by the board, of increased revenue  
 109.15 per adjusted pupil unit that differs from year to year over the number of years for which the  
 109.16 increased revenue is authorized or may state that the amount shall increase annually by the  
 109.17 rate of inflation. For this purpose, the rate of inflation shall be the annual inflationary increase  
 109.18 calculated under subdivision 2, paragraph (b). The ballot may state that existing referendum  
 109.19 levy authority is expiring. In this case, the ballot may also compare the proposed levy  
 109.20 authority to the existing expiring levy authority, and express the proposed increase as the  
 109.21 amount, if any, over the expiring referendum levy authority. The ballot must designate the  
 109.22 specific number of years, not to exceed ten, for which the referendum authorization applies.  
 109.23 The ballot, including a ballot on the question to revoke or reduce the increased revenue  
 109.24 amount under paragraph (c), must abbreviate the term "per adjusted pupil unit" as "per  
 109.25 pupil." The notice required under section 275.60 may be modified to read, in cases of  
 109.26 renewing existing levies at the same amount per pupil as in the previous year:

109.27 "BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING TO  
 109.28 EXTEND AN EXISTING PROPERTY TAX REFERENDUM THAT IS SCHEDULED  
 109.29 TO EXPIRE."

109.30 The ballot may contain a textual portion with the information required in this subdivision  
 109.31 and a question stating substantially the following:

109.32 "Shall the increase in the revenue proposed by (petition to) the board of ....., School  
 109.33 District No. ..., be approved?"

110.1 If approved, an amount equal to the approved revenue per adjusted pupil unit times the  
 110.2 adjusted pupil units for the school year beginning in the year after the levy is certified shall

110.3 be authorized for certification for the number of years approved, if applicable, or until  
110.4 revoked or reduced by the voters of the district at a subsequent referendum.

110.5 (b) The board must deliver by mail at least 15 days but no more than ~~30~~ 45 days before  
110.6 the day of the referendum to each taxpayer a notice of the referendum and the proposed  
110.7 revenue increase. The board need not mail more than one notice to any taxpayer. For the  
110.8 purpose of giving mailed notice under this subdivision, owners must be those shown to be  
110.9 owners on the records of the county auditor or, in any county where tax statements are  
110.10 mailed by the county treasurer, on the records of the county treasurer. Every property owner  
110.11 whose name does not appear on the records of the county auditor or the county treasurer is  
110.12 deemed to have waived this mailed notice unless the owner has requested in writing that  
110.13 the county auditor or county treasurer, as the case may be, include the name on the records  
110.14 for this purpose. The notice must project the anticipated amount of tax increase in annual  
110.15 dollars for typical residential homesteads, agricultural homesteads, apartments, and  
110.16 commercial-industrial property within the school district.

110.17 The notice for a referendum may state that an existing referendum levy is expiring and  
110.18 project the anticipated amount of increase over the existing referendum levy in the first  
110.19 year, if any, in annual dollars for typical residential homesteads, agricultural homesteads,  
110.20 apartments, and commercial-industrial property within the district.

110.21 The notice must include the following statement: "Passage of this referendum will result  
110.22 in an increase in your property taxes." However, in cases of renewing existing levies, the  
110.23 notice may include the following statement: "Passage of this referendum extends an existing  
110.24 operating referendum at the same amount per pupil as in the previous year."

110.25 (c) A referendum on the question of revoking or reducing the increased revenue amount  
110.26 authorized pursuant to paragraph (a) may be called by the board. A referendum to revoke  
110.27 or reduce the revenue amount must state the amount per adjusted pupil unit by which the  
110.28 authority is to be reduced. Revenue authority approved by the voters of the district pursuant  
110.29 to paragraph (a) must be available to the school district at least once before it is subject to  
110.30 a referendum on its revocation or reduction for subsequent years. Only one revocation or  
110.31 reduction referendum may be held to revoke or reduce referendum revenue for any specific  
110.32 year and for years thereafter.

110.33 (d) The approval of 50 percent plus one of those voting on the question is required to  
110.34 pass a referendum authorized by this subdivision.

111.1 (e) At least 15 days before the day of the referendum, the district must submit a copy of  
111.2 the notice required under paragraph (b) to the commissioner and to the county auditor of  
111.3 each county in which the district is located. Within 15 days after the results of the referendum  
111.4 have been certified by the board, or in the case of a recount, the certification of the results  
111.5 of the recount by the canvassing board, the district must notify the commissioner of the  
111.6 results of the referendum.

- 111.7 **EFFECTIVE DATE.** This section is effective July 1, 2019.
- 111.8 Sec. 4. Minnesota Statutes 2018, section 174.24, is amended by adding a subdivision to  
111.9 read:
- 111.10 Subd. 7a. **Transit service on election day.** An eligible recipient of operating assistance  
111.11 under this section who contracts or has contracted to provide fixed route public transit shall  
111.12 provide fixed route public transit service free of charge on a day a state general election is  
111.13 held.
- 111.14 **EFFECTIVE DATE.** This section is effective July 1, 2020.
- 111.15 Sec. 5. Minnesota Statutes 2018, section 201.014, is amended by adding a subdivision to  
111.16 read:
- 111.17 Subd. 2a. **Felony conviction; restoration of civil right to vote.** (a) Except as provided  
111.18 in paragraph (b), an individual convicted of a felony has the civil right to vote restored when  
111.19 the individual completes any incarceration imposed and executed by the court for the offense  
111.20 or upon sentencing if no incarceration is imposed. If the individual is later incarcerated for  
111.21 the same offense, the individual's civil right to vote is lost only during the period of  
111.22 incarceration.
- 111.23 (b) An individual convicted of a felony offense related to elections, voting, or the conduct  
111.24 of campaigns under chapters 200 to 211B has the civil right to vote restored when the  
111.25 individual's sentence has expired or is fully discharged.
- 111.26 Sec. 6. Minnesota Statutes 2018, section 201.022, subdivision 1, is amended to read:
- 111.27 Subdivision 1. **Establishment.** The secretary of state shall maintain a statewide voter  
111.28 registration system to facilitate voter registration and to provide a central database containing  
111.29 voter registration information from around the state. The system must be accessible to the  
111.30 county auditor of each county in the state. The system must also:
- 112.1 (1) provide for voters to submit their voter registration applications to any county auditor,  
112.2 the secretary of state, or the Department of Public Safety;
- 112.3 (2) provide for the definition, establishment, and maintenance of a central database for  
112.4 all voter registration information;
- 112.5 (3) provide for entering data into the statewide registration system;
- 112.6 (4) provide for electronic transfer of completed voter registration applications from the  
112.7 Department of Public Safety to the secretary of state or the county auditor;
- 112.8 (5) assign a unique identifier to each legally registered voter in the state;
- 112.9 (6) provide for the acceptance of the Minnesota driver's license number, Minnesota state  
112.10 identification number, and last four digits of the Social Security number for each voter  
112.11 record;

- 112.12 (7) coordinate with other agency databases within the state;
- 112.13 (8) allow county auditors and the secretary of state to add or modify information in the  
112.14 system to provide for accurate and up-to-date records;
- 112.15 (9) allow county auditors, municipal and school district clerks, and the secretary of state  
112.16 to have electronic access to the statewide registration system for review and search  
112.17 capabilities;
- 112.18 (10) provide security and protection of all information in the statewide registration  
112.19 system and ensure that unauthorized access is not allowed;
- 112.20 (11) provide access to municipal clerks to use the system;
- 112.21 (12) provide a system for each county to identify the precinct to which a voter should  
112.22 be assigned for voting purposes;
- 112.23 (13) provide daily reports accessible by county auditors on the driver's license numbers,  
112.24 state identification numbers, or last four digits of the Social Security numbers submitted on  
112.25 voter registration applications that have been verified as accurate by the secretary of state;  
112.26 ~~and~~
- 112.27 (14) provide reports on the number of absentee ballots transmitted to and returned and  
112.28 cast by voters under section 203B.16; and
- 112.29 (15) provide reports necessary for early voting.
- 112.30 The appropriate state or local official shall provide security measures to prevent  
112.31 unauthorized access to the computerized list established under section 201.021.
- 113.1 Sec. 7. Minnesota Statutes 2018, section 201.071, subdivision 1, is amended to read:
- 113.2 Subdivision 1. **Form.** Both paper and electronic voter registration applications must  
113.3 contain the same information unless otherwise provided by law. A voter registration  
113.4 application must contain spaces for the following required information: voter's first name,  
113.5 middle name, and last name; voter's previous name, if any; voter's current address; voter's  
113.6 previous address, if any; voter's date of birth; voter's municipality and county of residence;  
113.7 voter's telephone number, if provided by the voter; date of registration; current and valid  
113.8 Minnesota driver's license number or Minnesota state identification number, or if the voter  
113.9 has no current and valid Minnesota driver's license or Minnesota state identification, the  
113.10 last four digits of the voter's Social Security number; and voter's signature. The paper  
113.11 registration application may include the voter's e-mail address, if provided by the voter. The  
113.12 electronic voter registration application must include the voter's e-mail address. The  
113.13 registration application may include the voter's interest in serving as an election judge, if  
113.14 indicated by the voter. The application must also contain the following certification of voter  
113.15 eligibility:
- 113.16 "I certify that I:

- 113.17 (1) will be at least 18 years old on election day;
- 113.18 (2) am a citizen of the United States;
- 113.19 (3) will have resided in Minnesota for 20 days immediately preceding election day;
- 113.20 (4) maintain residence at the address given on the registration form;
- 113.21 (5) am not under court-ordered guardianship in which the court order revokes my right  
113.22 to vote;
- 113.23 (6) have not been found by a court to be legally incompetent to vote;
- 113.24 (7) ~~have the right to vote because, if I have been convicted of a felony, my felony sentence~~  
113.25 ~~has expired (been completed) or I have been discharged from my sentence~~ have the right  
113.26 to vote because, if I have been convicted of a felony, my civil rights have been restored;  
113.27 and
- 113.28 (8) have read and understand the following statement: that giving false information is a  
113.29 felony punishable by not more than five years imprisonment or a fine of not more than  
113.30 \$10,000, or both."
- 113.31 The certification must include boxes for the voter to respond to the following questions:
- 113.32 "(1) Are you a citizen of the United States?" and
- 114.1 "(2) Will you be 18 years old on or before election day?"
- 114.2 And the instruction:
- 114.3 "If you checked 'no' to either of these questions, do not complete this form."
- 114.4 The form of the voter registration application and the certification of voter eligibility  
114.5 must be as provided in this subdivision and approved by the secretary of state. Voter  
114.6 registration forms authorized by the National Voter Registration Act must also be accepted  
114.7 as valid. The federal postcard application form must also be accepted as valid if it is not  
114.8 deficient and the voter is eligible to register in Minnesota.
- 114.9 An individual may use a voter registration application to apply to register to vote in  
114.10 Minnesota or to change information on an existing registration.
- 114.11 Sec. 8. Minnesota Statutes 2018, section 201.091, subdivision 4, is amended to read:
- 114.12 Subd. 4. **Public information lists.** The county auditor shall make available for inspection  
114.13 a public information list which must contain the name, address, year of birth, and voting  
114.14 history of each registered voter in the county. The list must not include the party choice of  
114.15 any voter who voted in ~~the most recent~~ a presidential nomination primary. The telephone  
114.16 number must be included on the list if provided by the voter. The public information list  
114.17 may also include information on voting districts. The county auditor may adopt reasonable  
114.18 rules governing access to the list. No individual inspecting the public information list shall

114.19 tamper with or alter it in any manner. No individual who inspects the public information  
 114.20 list or who acquires a list of registered voters prepared from the public information list may  
 114.21 use any information contained in the list for purposes unrelated to elections, political  
 114.22 activities, or law enforcement. The secretary of state may provide copies of the public  
 114.23 information lists and other information from the statewide registration system for uses  
 114.24 related to elections, political activities, or in response to a law enforcement inquiry from a  
 114.25 public official concerning a failure to comply with any criminal statute or any state or local  
 114.26 tax statute.

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

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

115.5 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential  
 115.6 nomination primaries conducted on or after that date.

115.7 Sec. 9. Minnesota Statutes 2018, section 201.091, is amended by adding a subdivision to  
 115.8 read:

115.9 Subd. 4a. **Presidential primary political party list.** For each major political party that  
 115.10 participated in the presidential nomination primary, the secretary of state must maintain a  
 115.11 list of the voters who voted in the presidential nomination primary and selected that political  
 115.12 party. Information maintained on the lists is private data on individuals as defined under  
 115.13 section 13.02, subdivision 12, except that the secretary of state must provide to the chair of  
 115.14 each major political party a list of voters who selected the chair's party for the most recent  
 115.15 presidential nomination primary.

115.16 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential  
 115.17 nomination primaries conducted on or after that date.

115.18 Sec. 10. Minnesota Statutes 2018, section 201.161, is amended to read:  
 115.19 201.161 AUTOMATIC REGISTRATION OF DRIVER'S LICENSE,  
 115.20 INSTRUCTION PERMIT, AND IDENTIFICATION CARD APPLICATIONS,  
 115.21 APPLICANTS.

115.22 Subdivision 1. **Automatic registration.** An individual who properly completes an  
 115.23 application for a new or renewed Minnesota driver's license, instruction permit, or

115.24 identification card, and who is eligible to vote under section 201.014, must be registered to  
115.25 vote as provided in this section, unless the applicant declines to be registered.

115.26 Subd. 2. **Applications.** The ~~Department~~ commissioner of public safety, in consultation  
115.27 with the secretary of state, shall change ~~its~~ the applications for an original, duplicate, or  
115.28 change of address driver's license, instruction permit, or identification card so that the forms  
115.29 may also serve as voter registration applications. The forms must contain spaces for all  
115.30 information collected by voter registration applications prescribed by the secretary of state.  
115.31 Applicants for driver's licenses or identification cards must be asked if they want to register  
115.32 to vote at the same time and that and a box for the applicant to decline to be registered to  
116.1 vote. The form must clearly state that it is a felony for a person who is not eligible to vote  
116.2 to register to vote or cast a ballot. Unless the applicant has declined to be registered to vote  
116.3 or has provided an address other than the applicant's address of residence under section  
116.4 171.12, subdivision 7, paragraph (d), the commissioner shall transmit the information ~~must~~  
116.5 ~~be transmitted at least weekly~~ daily by electronic means to the secretary of state. Pursuant  
116.6 to the Help America Vote Act of 2002, Public Law 107-252, the computerized driver's  
116.7 license record containing the voter's name, address, date of birth, citizenship, driver's license  
116.8 number or state identification number, county, ~~town~~, and city or town must be made available  
116.9 for access by the secretary of state and interaction with the statewide voter registration  
116.10 system.

116.11 Subd. 3. **Registration.** (a) The secretary of state shall determine whether the applicant  
116.12 is currently registered in the statewide voter registration system. For each currently registered  
116.13 voter whose registration is not changed, the secretary of state shall update the voter's  
116.14 registration date in the statewide voter registration system. For each currently registered  
116.15 voter whose registration is changed, the secretary of state shall transmit the registration  
116.16 daily by electronic means to the county auditor of the county where the voter resides.

116.17 (b) If the applicant is not currently registered in the statewide voter registration system,  
116.18 the secretary of state shall determine whether the applicant is 18 years of age or older and  
116.19 a citizen of the United States and compare the voter registration information received under  
116.20 section 201.145 to determine whether the applicant is eligible to vote. If an applicant is less  
116.21 than 18 years of age, the secretary of state shall wait until the applicant has turned 18 years  
116.22 of age to determine whether the applicant is eligible to vote. For each applicant the secretary  
116.23 of state determines is an eligible voter, the secretary of state shall transmit the registration  
116.24 daily by electronic means to the county auditor of the county where the voter resides.

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

116.27 Subd. 4. **Notice.** Upon receipt of the registration, the county auditor shall mail to the  
116.28 voter the notice of registration required by section 201.121, subdivision 2.

- 116.29 Subd. 5. **Registering 20 days before election.** An application for registration that is  
116.30 dated during the 20 days before an election in any jurisdiction within which the voter resides  
116.31 is not effective until the day after the election.
- 116.32 Subd. 6. **System certification.** An applicant for a Minnesota driver's license, instruction  
116.33 permit, or identification card must not be registered to vote until the commissioner of public  
116.34 safety has certified that the department's systems have been tested and can accurately provide  
117.1 the necessary data, and the secretary of state has certified that the system for automatic  
117.2 registration of those applicants has been tested and is capable of properly determining  
117.3 whether an applicant is eligible to vote.
- 117.4 Subd. 7. **Implementation costs.** The secretary of state and commissioner of public safety  
117.5 must absorb any costs associated with implementation of this section using existing  
117.6 appropriations provided to the secretary or commissioner by law.
- 117.7 Sec. 11. [201.276] **DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT**  
117.8 **VOTING RIGHTS.**
- 117.9 The secretary of state shall develop accurate and complete information in a single  
117.10 publication about the voting rights of people who have been charged with or convicted of  
117.11 a crime. This publication must be made available electronically to the state court administrator  
117.12 for distribution to judges, court personnel, probation officers, and the commissioner of  
117.13 corrections for distribution to corrections officials, parole and supervised release agents,  
117.14 and the public.
- 117.15 Sec. 12. Minnesota Statutes 2018, section 203B.001, is amended to read:  
117.16 203B.001 ELECTION LAW APPLICABILITY.
- 117.17 The Minnesota Election Law is applicable to voting by absentee ballot and early voting  
117.18 unless otherwise provided in this chapter.
- 117.19 Sec. 13. Minnesota Statutes 2018, section 203B.01, is amended by adding a subdivision  
117.20 to read:
- 117.21 Subd. 5. **Early voting.** "Early voting" means voting in person before election day at the  
117.22 office of the county auditor or designated municipal clerk within the time period provided  
117.23 in section 203B.31.
- 117.24 Sec. 14. Minnesota Statutes 2018, section 203B.03, subdivision 1, is amended to read:
- 117.25 Subdivision 1. **Violation.** (a) No individual shall intentionally:
- 117.26 (1) make or sign any false certificate required by this chapter;
- 117.27 (2) make any false or untrue statement in any application for absentee ballots;
- 117.28 (3) apply for absentee ballots more than once in any election with the intent to cast an  
117.29 illegal ballot;

- 118.1 (4) exhibit a ballot marked by that individual to any other individual;
- 118.2 (5) do any act in violation of the provisions of this chapter for the purpose of casting an  
118.3 illegal vote in any precinct or for the purpose of aiding another to cast an illegal vote;
- 118.4 (6) use information from absentee ballot or early voting materials or records for purposes  
118.5 unrelated to elections, political activities, or law enforcement;
- 118.6 (7) provide assistance to an absentee or early voter except in the manner provided by  
118.7 section 204C.15, subdivision 1;
- 118.8 (8) solicit the vote of an absentee or early voter while in the immediate presence of the  
118.9 voter during the time the individual knows the absentee or early voter is voting; or
- 118.10 (9) alter an absentee ballot application after it has been signed by the voter, except by  
118.11 an election official for administrative purposes.
- 118.12 (b) Before inspecting information from absentee ballot or early voting materials or  
118.13 records, an individual shall provide identification to the public official having custody of  
118.14 the material or information.
- 118.15 Sec. 15. Minnesota Statutes 2018, section 203B.04, subdivision 5, is amended to read:
- 118.16 Subd. 5. **Permanent absentee voter status.** (a) An eligible voter may apply to a county  
118.17 auditor or municipal clerk to automatically receive an absentee ballot ~~application~~ before  
118.18 each election, other than an election by mail conducted under section 204B.45, and to have  
118.19 the status as a permanent absentee voter indicated on the voter's registration record. The  
118.20 secretary of state must prescribe a form for this purpose. An eligible voter listed as an  
118.21 ongoing absentee voter as of July 31, 2013, pursuant to laws in effect on that date, shall be  
118.22 treated as if the voter applied for status as a permanent absentee voter pursuant to this  
118.23 subdivision.
- 118.24 (b) A voter who applies under paragraph (a) must automatically be provided an absentee  
118.25 ballot ~~application~~ for each eligible election. A voter's permanent absentee status ends and  
118.26 automatic ballot ~~application~~ delivery must be terminated on:
- 118.27 (1) the voter's written request;
- 118.28 (2) the voter's death;
- 118.29 (3) return of an absentee ballot as undeliverable; or
- 118.30 (4) a change in the voter's status to "challenged" or "inactive" in the statewide voter  
118.31 registration system.
- 119.1 (c) The secretary of state shall adopt rules governing procedures under this subdivision.
- 119.2 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections  
119.3 conducted on or after that date.

119.4 Sec. 16. [203B.045] VOTERS WITH A DISABILITY.

119.5 Subdivision 1. **Transmitting ballot and certificate of voter eligibility.** (a) A voter with  
 119.6 a temporary or permanent disability may include in an application for absentee ballots a  
 119.7 request that the ballots, instructions, and a certificate of voter eligibility meeting the  
 119.8 requirements of section 203B.21, subdivision 3, be transmitted to the voter electronically  
 119.9 in an accessible format, including ballots with the ability to be marked by accessible software  
 119.10 or devices. Upon receipt of a properly completed application requesting accessible electronic  
 119.11 transmission, the county auditor shall electronically transmit the requested materials to the  
 119.12 voter.

119.13 (b) Electronic materials provided by a county auditor to a voter under this subdivision  
 119.14 must comply with the accessibility standards developed under section 16E.03, subdivision  
 119.15 9.

119.16 (c) The county auditor or municipal clerk must provide a return envelope containing  
 119.17 first class postage to a voter requesting a ballot and ballot materials under this subdivision.

119.18 Subd. 2. **Marking ballots.** The voter may electronically mark the ballot using accessible  
 119.19 software or devices.

119.20 Subd. 3. **Returning voted ballots.** The voter must return the voted ballots and the  
 119.21 certificate of voter eligibility to the county auditor in a sealed envelope.

119.22 Sec. 17. Minnesota Statutes 2018, section 203B.05, subdivision 1, is amended to read:

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

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

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

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

119.30 A clerk of a city that is located in more than one county may only administer the  
 119.31 provisions of sections 203B.04 to 203B.15 and 203B.30 to 203B.35 if the clerk has been  
 120.1 designated by each of the county auditors or has provided notice to each of the county  
 120.2 auditors that the city will administer absentee voting. A clerk may only administer the  
 120.3 provisions of sections 203B.04 to 203B.15 if the clerk has technical capacity to access the  
 120.4 statewide voter registration system in the secure manner prescribed by the secretary of state.  
 120.5 The secretary of state must identify hardware, software, security, or other technical  
 120.6 prerequisites necessary to ensure the security, access controls, and performance of the  
 120.7 statewide voter registration system. A clerk must receive training approved by the secretary  
 120.8 of state on the use of the statewide voter registration system before administering this section.  
 120.9 A clerk may not use the statewide voter registration system until the clerk has received the

- 120.10 required training. The county auditor must notify the secretary of state of any municipal  
 120.11 clerk who will be administering the provisions of this section and the duties that the clerk  
 120.12 will administer.
- 120.13 Sec. 18. Minnesota Statutes 2018, section 203B.06, subdivision 1, is amended to read:
- 120.14 Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal  
 120.15 clerk shall prepare and print a sufficient number of blank application forms for absentee  
 120.16 ballots. The county auditor or municipal clerk shall deliver a blank application form to any  
 120.17 voter who requests one pursuant to section 203B.04. ~~Blank application forms must be mailed~~  
 120.18 ~~to eligible voters who have requested an application pursuant to section 203B.04, subdivision~~  
 120.19 ~~5, at least 60 days before:~~
- 120.20 (1) ~~each regularly scheduled primary for federal, state, county, city, or school board~~  
 120.21 ~~office;~~
- 120.22 (2) ~~each regularly scheduled general election for city or school board office for which~~  
 120.23 ~~a primary is not held; and~~
- 120.24 (3) ~~a special primary to fill a federal or county office vacancy or special election to fill~~  
 120.25 ~~a federal or county office vacancy, if a primary is not required to be held pursuant to section~~  
 120.26 ~~204D.03, subdivision 3, or 204D.07, subdivision 3; and~~
- 120.27 (4) ~~any election held in conjunction with an election described in clauses (1) to (3);~~  
 120.28 ~~or at least 45 days before any other primary or other election for which a primary is not~~  
 120.29 ~~held.~~
- 120.30 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections  
 120.31 conducted on or after that date.
- 121.1 Sec. 19. Minnesota Statutes 2018, section 203B.06, subdivision 3, is amended to read:
- 121.2 Subd. 3. **Delivery of ballots.** (a) The county auditor or municipal clerk, or full-time  
 121.3 clerk of any city or town administering an election pursuant to section 203B.05, shall mail  
 121.4 absentee ballots to voters on the permanent absentee ballot list pursuant to section 203B.04,  
 121.5 subdivision 5, at least 45 days before:
- 121.6 (1) each regularly scheduled primary or general election for federal, state, county, city,  
 121.7 or school board office;
- 121.8 (2) each special primary or special election to fill a federal, state, county, city, or school  
 121.9 board vacancy; except
- 121.10 (3) town clerks administering absentee ballots for a town general election held in March  
 121.11 shall deliver absentee ballots at least 30 days before the election.
- 121.12 (b) The commissioner of corrections must provide the secretary of state with a list of  
 121.13 the names and mailing addresses of state adult correctional facilities. An application for an

121.14 absentee ballot that provides an address included on the list provided by the commissioner  
121.15 of corrections must not be accepted and an absentee ballot must not be provided to the  
121.16 applicant. The county auditor or municipal clerk must promptly transmit a copy of the  
121.17 application to the county attorney. The Department of Corrections must implement procedures  
121.18 to ensure that absentee ballots issued under this chapter are not received or mailed by  
121.19 offenders incarcerated at state adult correctional facilities.

121.20 ~~(b)~~ (c) If an application for absentee ballots is accepted at a time when absentee ballots  
121.21 are not yet available for distribution, the county auditor, or municipal clerk accepting the  
121.22 application shall file it and as soon as absentee ballots are available for distribution shall  
121.23 mail them to the address specified in the application. If an application for absentee ballots  
121.24 is accepted when absentee ballots are available for distribution, the county auditor or  
121.25 municipal clerk accepting the application shall promptly:

121.26 (1) mail the ballots to the voter whose signature appears on the application if the  
121.27 application is submitted by mail and does not request commercial shipping under clause  
121.28 (2);

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

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

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

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

122.14 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections  
122.15 conducted on or after that date.

122.16 Sec. 20. Minnesota Statutes 2018, section 203B.081, subdivision 1, is amended to read:

122.17 Subdivision 1. **Location; timing.** (a) An eligible voter may vote by absentee ballot in  
122.18 the office of the county auditor and at any other polling place designated by the county

- 122.19 auditor or by a municipal clerk authorized to conduct absentee balloting under section  
122.20 203B.05 during the 46 days before the election, except as provided in this section.
- 122.21 (b) A polling place location, other than the office of the county auditor, may be opened  
122.22 for fewer than 46 days. If a polling place is open fewer than 46 days before the election,  
122.23 the county auditor or municipal clerk must post the polling place location and hours of  
122.24 operation on the jurisdiction's website and must inform the secretary of state of the polling  
122.25 place's location and hours.
- 122.26 Sec. 21. Minnesota Statutes 2018, section 203B.085, is amended to read:  
122.27 203B.085 COUNTY AUDITOR'S AND MUNICIPAL CLERK'S OFFICES TO  
122.28 REMAIN OPEN DURING CERTAIN HOURS PRECEDING ELECTION.
- 122.29 The county auditor's office in each county and the clerk's office in each city or town  
122.30 authorized under section 203B.05 to administer absentee balloting must be open for  
122.31 acceptance of absentee ballot applications and casting of absentee ballots from 8:00 a.m.  
122.32 to 12:00 noon on the day immediately preceding an election subject to early voting under  
123.1 section 203B.30 unless that day falls on a Sunday. When performing the duties of the county  
123.2 auditor in an election not subject to early voting under section 203B.30, the clerk's office  
123.3 must be open from 10:00 a.m. to 3:00 p.m. on Saturday and until 5:00 p.m. on the day  
123.4 immediately preceding a primary, special, or general election unless that day falls on a  
123.5 Saturday or Sunday. Town clerks' offices must be open for absentee voting from 10:00 a.m.  
123.6 to 12:00 noon on the Saturday before a town general election held in March. The school  
123.7 district clerk, when performing the county auditor's election duties, need not comply with  
123.8 this section.
- 123.9 Sec. 22. Minnesota Statutes 2018, section 203B.121, subdivision 1, is amended to read:
- 123.10 Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county,  
123.11 municipality, and school district with responsibility to accept and reject absentee ballots or  
123.12 to administer early voting must, by ordinance or resolution, establish a ballot board. The  
123.13 board must consist of a sufficient number of election judges trained in the handling of  
123.14 absentee ballots and appointed as provided in sections 204B.19 to 204B.22. The board may  
123.15 include deputy county auditors or deputy city clerks who have received training in the  
123.16 processing and counting of absentee ballots.
- 123.17 (b) Each jurisdiction must pay a reasonable compensation to each member of that  
123.18 jurisdiction's ballot board for services rendered during an election.
- 123.19 (c) Except as otherwise provided by this section, all provisions of the Minnesota Election  
123.20 Law apply to a ballot board.
- 123.21 Sec. 23. Minnesota Statutes 2018, section 203B.121, subdivision 2, is amended to read:
- 123.22 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board  
123.23 shall take possession of all return envelopes delivered to them in accordance with section  
123.24 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk,

123.25 two or more members of the ballot board shall examine each return envelope and shall mark  
123.26 it accepted or rejected in the manner provided in this subdivision. Election judges performing  
123.27 the duties in this section must be of different major political parties, unless they are exempt  
123.28 from that requirement under section 205.075, subdivision 4, or section 205A.10, subdivision  
123.29 2.

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

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

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

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

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

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

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

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

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

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

124.27 (3) If an envelope is rejected within five days of the election, the envelope must remain  
124.28 sealed and the official in charge of the ballot board must attempt to contact the voter by

- 124.29 telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official  
124.30 must document the attempts made to contact the voter.
- 124.31 (d) The official in charge of the absentee ballot board must mail the voter a written notice  
124.32 of absentee ballot rejection between six and ten weeks following the election. If the official  
124.33 determines that the voter has otherwise cast a ballot in the election, no notice is required.  
125.1 If an absentee ballot arrives after the deadline for submission provided by this chapter, the  
125.2 notice must be provided between six to ten weeks after receipt of the ballot. A notice of  
125.3 absentee ballot rejection must contain the following information:
- 125.4 (1) the date on which the absentee ballot was rejected or, if the ballot was received after  
125.5 the required deadline for submission, the date on which the ballot was received;
- 125.6 (2) the reason for rejection; and
- 125.7 (3) the name of the appropriate election official to whom the voter may direct further  
125.8 questions, along with appropriate contact information.
- 125.9 (e) An absentee ballot return envelope marked "Rejected" may not be opened or subject  
125.10 to further review except in an election contest filed pursuant to chapter 209.
- 125.11 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections  
125.12 conducted on or after that date.
- 125.13 Sec. 24. Minnesota Statutes 2018, section 203B.121, is amended by adding a subdivision  
125.14 to read:
- 125.15 Subd. 2a. **Duties of ballot board; early voting.** The members of the ballot board shall  
125.16 administer the process of early voting as prescribed in section 203B.35, and shall make a  
125.17 record of voters who cast ballots early and count those ballots as provided in subdivisions  
125.18 4 and 5.
- 125.19 Sec. 25. Minnesota Statutes 2018, section 203B.121, subdivision 3, is amended to read:
- 125.20 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk  
125.21 must immediately record that a voter's absentee ballot has been accepted ~~or that the voter~~  
125.22 has cast a ballot pursuant to the early voting procedures provided in this chapter. A voter  
125.23 whose record indicates that the voter has cast an early ballot must not be permitted to cast  
125.24 another ballot in that election. After the close of business on the ~~seventh day before the~~  
125.25 ~~election~~ day prior to the beginning of the early voting period as provided in section 203B.31,  
125.26 a voter whose record indicates that an absentee ballot has been accepted must not be permitted  
125.27 to cast another ballot at that election. In a state primary, general, or state special election  
125.28 for federal ~~or~~ state, or county office, the auditor or clerk must also record this information  
125.29 in the statewide voter registration system.
- 125.30 (b) The roster must be marked, and a supplemental report of absentee and early voters  
125.31 who submitted a voter registration application with their ballot must be created, no later

- 126.1 than the start of voting on election day to indicate the voters that have already cast a ballot  
126.2 at the election. The roster may be marked either:
- 126.3 (1) by the county auditor or municipal clerk before election day;
- 126.4 (2) by the ballot board before election day; or
- 126.5 (3) by the election judges at the polling place on election day.
- 126.6 The record of a voter whose absentee ballot was received after the close of business on  
126.7 the seventh day before the election is not required to be marked on the roster or contained  
126.8 in a supplemental report as required by this paragraph.
- 126.9 Sec. 26. Minnesota Statutes 2018, section 203B.121, subdivision 4, is amended to read:
- 126.10 Subd. 4. **Opening of envelopes.** After the close of business on the seventh day before  
126.11 the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated  
126.12 as needed in the manner provided in section 206.86, subdivision 5, initialed by the members  
126.13 of the ballot board, and deposited in the appropriate ballot box. If more than one voted ballot  
126.14 is enclosed in the ballot envelope, the ballots must be returned in the manner provided by  
126.15 section 204C.25 for return of spoiled ballots, and may not be counted.
- 126.16 Sec. 27. Minnesota Statutes 2018, section 203B.121, subdivision 5, is amended to read:
- 126.17 Subd. 5. **Storage and counting of absentee and early voting ballots.** (a) On a day on  
126.18 which absentee or early voting ballots are inserted into a ballot box, two members of the  
126.19 ballot board must:
- 126.20 (1) remove the ballots from the ballot box at the end of the day;
- 126.21 (2) without inspecting the ballots, ensure that the number of ballots removed from the  
126.22 ballot box is equal to the number of voters who cast early votes and whose absentee ballots  
126.23 were accepted that day; and
- 126.24 (3) seal and secure all voted and unvoted ballots present in that location at the end of  
126.25 the day.
- 126.26 (b) After the polls have closed on election day, two members of the ballot board must  
126.27 count the ballots, tabulating the vote in a manner that indicates each vote of the voter and  
126.28 the total votes cast for each candidate or question. In state primary and state general elections,  
126.29 the results must indicate the total votes cast for each candidate or question in each precinct  
126.30 and report the vote totals tabulated for each precinct. The count must be recorded on a  
126.31 summary statement in substantially the same format as provided in section 204C.26. The  
127.1 ballot board shall submit at least one completed summary statement to the county auditor  
127.2 or municipal clerk. The county auditor or municipal clerk may require the ballot board to  
127.3 submit a sufficient number of completed summary statements to comply with the provisions  
127.4 of section 204C.27, or the county auditor or municipal clerk may certify reports containing

127.5 the details of the ballot board summary statement to the recipients of the summary statements  
127.6 designated in section 204C.27.

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

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

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

127.22 Sec. 28. [203B.30] EARLY VOTING; APPLICABILITY.

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

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

127.31 (2) A city may only authorize voting under sections 203B.31 to 203B.35 if the municipal  
127.32 clerk has the technical capacity to access the statewide voter registration system in the secure  
127.33 manner prescribed by the secretary of state. The secretary of state must identify hardware,  
128.1 software, security, or other technical prerequisites necessary to ensure the security, access  
128.2 controls, and performance of the statewide voter registration system. The clerk must receive  
128.3 training approved by the secretary of state on the use of the statewide voter registration  
128.4 system before administering voting authorized under this paragraph. The clerk may not use  
128.5 the statewide voter registration system until the clerk has received the required training.

128.6 Sec. 29. [203B.31] TIME PERIOD FOR EARLY VOTING.

128.7 Early voting must be available to any eligible voter as provided in section 203B.32 for  
128.8 every primary, general, and special election subject to early voting under section 203B.30  
128.9 from 30 days before the election through 5:00 p.m. on the third day before the election. All

- 128.10 voters in line at 5:00 p.m. on the third day before the election must be allowed to vote in  
128.11 the same manner as provided in section 204C.05, subdivision 2.
- 128.12 Sec. 30. [203B.32] HOURS FOR EARLY VOTING.
- 128.13 Early voting must be available between the hours of 8:00 a.m. and 4:30 p.m. on each  
128.14 weekday during the time period provided in section 203B.31, from 8:00 a.m. to 8:00 p.m.  
128.15 on at least one weekday, and from 10:00 a.m. to 5:00 p.m. on the two Saturdays before the  
128.16 election.
- 128.17 Sec. 31. [203B.33] LOCATIONS FOR EARLY VOTING.
- 128.18 (a) Early voting must be made available at polling places designated in the county  
128.19 auditor's offices in county-owned or operated buildings, at the municipal clerk's office in  
128.20 every municipality that has been delegated the responsibility to administer absentee voting  
128.21 as provided in section 203B.05 or which is conducting an election that includes early voting,  
128.22 as authorized in section 203B.30, and at any other county or city-owned or operated buildings  
128.23 designated by the county auditor or municipal clerk. At least one voting station and one  
128.24 ballot marking device for disabled voters must be made available in each polling place.
- 128.25 (b) The county auditor or municipal clerk must make an electronic ballot counter available  
128.26 in each polling place.
- 128.27 Sec. 32. [203B.34] NOTICE TO VOTERS.
- 128.28 The county auditor or municipal clerk must prepare a notice to the voters of the days,  
128.29 times, and locations for early voting. This notice must be posted on the county's website,  
128.30 if applicable, and the website for each municipality in the county where an early voting  
128.31 location is designated for the election at least 14 days before the first day for early voting.  
129.1 If a county or municipality does not have a website, the county auditor or municipal clerk  
129.2 must publish the notice at least once in the jurisdiction's official newspaper at least seven  
129.3 days and not more than 14 days before the first day for early voting.
- 129.4 Sec. 33. [203B.35] PROCEDURES FOR EARLY VOTING.
- 129.5 Subdivision 1. **Voting procedure.** Each voter shall sign the certification provided in  
129.6 section 204C.10. An individual who is not registered to vote must register in the manner  
129.7 provided in section 201.061, subdivision 3.
- 129.8 After the voter has signed the certification, a member of the ballot board must provide  
129.9 a ballot to the voter. Ballots must be prepared and distributed by members of the ballot  
129.10 board in the manner provided in section 204C.09. The voter must mark the ballot and deposit  
129.11 it in either a precinct voting system or a sealed ballot box. A voter may not leave the polling  
129.12 place with the ballot.
- 129.13 Subd. 2. **Processing of ballots.** Ballots cast pursuant to sections 203B.30 to 203B.35  
129.14 must be processed and counted by a ballot board.

129.15 Sec. 34. Minnesota Statutes 2018, section 204B.28, subdivision 2, is amended to read:

129.16 Subd. 2. **Election supplies; duties of county auditors and clerks.** (a) Except as  
 129.17 otherwise provided for absentee ballots in this section and in section 204B.35, subdivision  
 129.18 4, the county auditor shall complete the preparation of the election materials for which the  
 129.19 auditor is responsible at least four days before every state primary and state general election.  
 129.20 At any time after all election materials are available from the county auditor but not later  
 129.21 than four days before the election each municipal clerk shall secure from the county auditor:

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

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

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

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

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

130.4 Sec. 35. Minnesota Statutes 2018, section 204B.35, is amended by adding a subdivision  
 130.5 to read:

130.6 Subd. 6. **Electronic voting systems.** Notwithstanding sections 204B.35 to 204B.44 and  
 130.7 chapter 204D, a jurisdiction may employ an electronic voting system provided by section  
 130.8 206.80, paragraph (b), clause (3), displaying the required ballot information on an electronic  
 130.9 device in a format that substantially meets the requirements of law.

130.10 Sec. 36. Minnesota Statutes 2018, section 204B.45, subdivision 1, is amended to read:

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

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

130.23 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to elections  
130.24 conducted on or after that date.

130.25 Sec. 37. Minnesota Statutes 2018, section 204B.45, subdivision 2, is amended to read:

130.26 Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given  
130.27 at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before  
130.28 a regularly scheduled election and not more than 30 days nor later than 14 days before any  
130.29 other election, the auditor shall mail ballots by nonforwardable mail to all voters registered  
130.30 in the city, town, or unorganized territory. No later than 14 days before the election, the  
130.31 auditor must make a subsequent mailing of ballots to those voters who register to vote after  
130.32 the initial mailing but before the 20th day before the election. Eligible voters not registered  
131.1 at the time the ballots are mailed and eligible voters with a temporary or permanent disability  
131.2 may apply for ballots as provided in chapter 203B. Ballot return envelopes, with return  
131.3 postage provided, must be preaddressed to the auditor or clerk and the voter may return the  
131.4 ballot by mail or in person to the office of the auditor or clerk. The auditor or clerk must  
131.5 appoint a ballot board to examine the mail and absentee ballot return envelopes and mark  
131.6 them "accepted" or "rejected" within three days of receipt if there are 14 or fewer days  
131.7 before election day, or within five days of receipt if there are more than 14 days before  
131.8 election day. The board may consist of deputy county auditors or deputy municipal clerks  
131.9 who have received training in the processing and counting of mail ballots, who need not be  
131.10 affiliated with a major political party. Election judges performing the duties in this section  
131.11 must be of different major political parties, unless they are exempt from that requirement  
131.12 under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected  
131.13 at least five days before the election, the ballots in the envelope must remain sealed and the  
131.14 auditor or clerk shall provide the voter with a replacement ballot and return envelope in  
131.15 place of the spoiled ballot. If the ballot is rejected within five days of the election, the  
131.16 envelope must remain sealed and the official in charge of the ballot board must attempt to  
131.17 contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been  
131.18 rejected. The official must document the attempts made to contact the voter.

131.19 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to  
131.20 indicate that the voter has already cast a ballot in that election. After the close of business  
131.21 on the seventh day before the election, the ballots from return envelopes marked "Accepted"  
131.22 may be opened, duplicated as needed in the manner provided by section 206.86, subdivision  
131.23 5, initialed by the members of the ballot board, and deposited in the ballot box.

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

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

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

- 132.1 Sec. 38. Minnesota Statutes 2018, section 204C.03, is amended by adding a subdivision  
 132.2 to read:
- 132.3 Subd. 5. **Transit service.** Certain requirements for transit service on the date of a state  
 132.4 general election are as provided in sections 174.24, subdivision 7a, and 473.408, subdivision  
 132.5 11.
- 132.6 **EFFECTIVE DATE.** This section is effective July 1, 2020.
- 132.7 Sec. 39. Minnesota Statutes 2018, section 204C.10, is amended to read:  
 132.8 204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;  
 132.9 VOTER RECEIPT.
- 132.10 (a) An individual seeking to vote shall sign a polling place roster or voter signature  
 132.11 certificate which states that the individual:
- 132.12 (1) is at least 18 years of age;  
 132.13 (2) a citizen of the United States;  
 132.14 (3) has resided in Minnesota for 20 days immediately preceding the election;  
 132.15 (4) maintains residence at the address shown;  
 132.16 (5) is not under a guardianship in which the court order revokes the individual's right to  
 132.17 vote;  
 132.18 (6) has not been found by a court of law to be legally incompetent to vote ~~or~~;  
 132.19 (7) has the right to vote because, if the individual was convicted of a felony, ~~the felony~~  
 132.20 ~~sentence has expired or been completed or the individual has been discharged from the~~  
 132.21 ~~sentence, the individual's civil rights have been restored;~~  
 132.22 (8) is registered; and  
 132.23 (9) has not already voted in the election.
- 132.24 The roster must also state: "I understand that deliberately providing false information  
 132.25 is a felony punishable by not more than five years imprisonment and a fine of not more than  
 132.26 \$10,000, or both."
- 132.27 (b) At the presidential nomination primary, the polling place roster must also state: "I  
 132.28 am in general agreement with the principles of the party for whose candidate I intend to  
 132.29 vote, ~~and I understand that my choice of a party's ballot will be public information.~~" This  
 133.1 statement must appear separately from the statements required in paragraph (a). The felony  
 133.2 penalty provided for in paragraph (a) does not apply to this paragraph.
- 133.3 ~~(a)~~ (b) A judge may, before the applicant signs the roster or voter signature certificate,  
 133.4 confirm the applicant's name, address, and date of birth.

133.5 ~~(c)~~ (c) After the applicant signs the roster or voter signature certificate, the judge shall  
 133.6 give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge  
 133.7 in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand  
 133.8 to the voter the ballot. The voters' receipts must be maintained during the time for notice  
 133.9 of filing an election contest.

133.10 ~~(d)~~ (d) Whenever a challenged status appears on the polling place roster, an election  
 133.11 judge must ensure that the challenge is concealed or hidden from the view of any voter other  
 133.12 than the voter whose status is challenged.

133.13 Sec. 40. Minnesota Statutes 2018, section 204C.15, subdivision 1, is amended to read:

133.14 Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for  
 133.15 assistance because of inability to read English or physical inability to mark a ballot may  
 133.16 obtain the aid of two election judges who are members of different major political parties.  
 133.17 The election judges shall mark the ballots as directed by the voter and in as secret a manner  
 133.18 as circumstances permit. A voter in need of assistance may alternatively obtain the assistance  
 133.19 of any individual the voter chooses. Only the following persons may not provide assistance  
 133.20 to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the  
 133.21 voter's union, or a candidate for election. The person who assists the voter shall,  
 133.22 unaccompanied by an election judge, retire with that voter to a booth and mark the ballot  
 133.23 as directed by the voter. ~~No person who assists another voter as provided in the preceding~~  
 133.24 ~~sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots  
 133.25 are deposited, the voter may show them privately to an election judge to ascertain that they  
 133.26 are marked as the voter directed. An election judge or other individual assisting a voter shall  
 133.27 not in any manner request, persuade, induce, or attempt to persuade or induce the voter to  
 133.28 vote for any particular political party or candidate. The election judges or other individuals  
 133.29 who assist the voter shall not reveal to anyone the name of any candidate for whom the  
 133.30 voter has voted or anything that took place while assisting the voter.

133.31 Sec. 41. Minnesota Statutes 2018, section 204C.24, subdivision 1, is amended to read:

133.32 Subdivision 1. **Information requirements.** Precinct summary statements shall be  
 133.33 submitted by the election judges in every precinct. For all elections, the election judges  
 134.1 shall complete three or more copies of the summary statements, and each copy shall contain  
 134.2 the following information for each kind of ballot:

134.3 (1) the number of ballots delivered to the precinct as adjusted by the actual count made  
 134.4 by the election judges, the number of unofficial ballots made, and the number of absentee  
 134.5 ballots delivered to the precinct;

134.6 (2) the number of votes each candidate received or the number of yes and no votes on  
 134.7 each question, the number of undervotes, the number of overvotes, and the number of  
 134.8 defective ballots with respect to each office or question;

134.9 (3) the number of spoiled ballots, the number of duplicate ballots made, the number of  
 134.10 absentee ballots rejected, and the number of unused ballots, presuming that the total count  
 134.11 provided on each package of unopened prepackaged ballots is correct;

134.12 (4) the number of voted ballots indicating only a voter's choices as provided by section  
 134.13 206.80, paragraph (b), clause (3);

134.14 ~~(4)~~ (5) the number of individuals who voted at the election in the precinct which must  
 134.15 equal the total number of ballots cast in the precinct, as required by sections 204C.20 and  
 134.16 206.86, subdivision 1;

134.17 ~~(5)~~ (6) the number of voters registering on election day in that precinct; and

134.18 ~~(6)~~ (7) the signatures of the election judges who counted the ballots certifying that all  
 134.19 of the ballots cast were properly piled, checked, and counted; and that the numbers entered  
 134.20 by the election judges on the summary statements correctly show the number of votes cast  
 134.21 for each candidate and for and against each question.

134.22 At least two copies of the summary statement must be prepared for elections not held  
 134.23 on the same day as the state elections.

134.24 Sec. 42. Minnesota Statutes 2018, section 204D.19, subdivision 2, is amended to read:

134.25 Subd. 2. **Special election when legislature will be in session.** Except for vacancies in  
 134.26 the legislature which occur at any time between the last day of session in an odd-numbered  
 134.27 year and the ~~40th~~ 54th day prior to the opening day of session in the succeeding  
 134.28 even-numbered year, when a vacancy occurs and the legislature will be in session so that  
 134.29 the individual elected as provided by this section could take office and exercise the duties  
 134.30 of the office immediately upon election, the governor shall issue within five days after the  
 134.31 vacancy occurs a writ calling for a special election. The special election shall be held as  
 134.32 soon as possible, consistent with the notice requirements of section 204D.22, subdivision  
 135.1 3, but in no event more than ~~35~~ 49 days after the issuance of the writ. ~~A special election~~  
 135.2 ~~must not be held during the four days before or the four days after a holiday as defined in~~  
 135.3 ~~section 645.44, subdivision 5.~~

135.4 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies  
 135.5 occurring on or after that date.

135.6 Sec. 43. Minnesota Statutes 2018, section 204D.195, is amended to read:  
 135.7 204D.195 DATE OF SPECIAL ELECTION; CERTAIN TIMES PROHIBITED.

135.8 Notwithstanding any other provision of law, a special primary and special general election  
 135.9 may not be held:

135.10 (1) for a period beginning the day following the date of the state primary election and  
 135.11 ending the day prior to the date of the state general election; or

135.12 (2) on a holiday, or during the four days before or the four days after a holiday, as defined  
135.13 in section 645.44, subdivision 5.

135.14 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
135.15 applies to special elections for vacancies in office occurring on or after that date.

135.16 Sec. 44. Minnesota Statutes 2018, section 204D.22, subdivision 3, is amended to read:

135.17 Subd. 3. **Notice of special election.** The county auditor of a county in which a special  
135.18 election is to be held shall direct the clerk of each municipality in which the election is to  
135.19 be held to post a notice of the special primary and special election at least ~~seven~~ 14 days  
135.20 before the special primary and at least ~~14~~ 21 days before the special election in the manner  
135.21 provided in sections 204B.33 and 204B.34. If the special primary is to be held ~~14~~ 21 days  
135.22 before the special election, a single notice of both elections may be posted seven days before  
135.23 the primary.

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

135.27 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies  
135.28 occurring on or after that date.

136.1 Sec. 45. Minnesota Statutes 2018, section 204D.23, subdivision 2, is amended to read:

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

136.4 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to vacancies  
136.5 occurring on or after that date.

136.6 Sec. 46. [204D.275] LOCAL REIMBURSEMENT FOR SPECIAL ELECTIONS.

136.7 Subdivision 1. **Reimbursement authorized.** Each county and municipality shall be  
136.8 reimbursed for the cost of conducting a special election as defined in section 200.02,  
136.9 subdivision 4, for a federal or state office.

136.10 Subd. 2. **Expenses eligible for reimbursement.** The secretary of state shall reimburse  
136.11 each county and municipality for the cost of:

136.12 (1) preparation and printing of ballots and other election materials for the special election;

136.13 (2) postage for absentee ballots;

136.14 (3) publication of the sample ballot;

136.15 (4) preparation of polling places;

136.16 (5) preparation of electronic voting systems;

- 136.17 (6) compensation paid to the county canvassing board members;  
136.18 (7) election judge salaries; and  
136.19 (8) other reasonable costs of administering the election, as approved by the secretary of  
136.20 state.
- 136.21 Reimbursable costs do not include salaries of permanent local officials or the cost of reusable  
136.22 supplies and equipment.
- 136.23 Subd. 3. **Reimbursement requests.** (a) Not more than 90 days after the special election,  
136.24 the county auditor must submit a request for reimbursement of the costs incurred by the  
136.25 county for conducting the special election and the municipal clerk must submit a request  
136.26 for reimbursement of the costs incurred by the municipality for conducting the special  
136.27 election. The request for reimbursement must be submitted to the secretary of state and  
136.28 must be accompanied by an itemized description of actual county or municipal expenditures  
136.29 including copies of invoices. In addition, the county auditor or municipal clerk must certify  
136.30 that the request for reimbursement is based on actual costs incurred by the county or  
136.31 municipality in the special election. The secretary of state shall provide each county and  
137.1 municipality with the appropriate forms for requesting payment and certifying expenses  
137.2 under this subdivision.
- 137.3 (b) The secretary of state must not reimburse expenses unless the request for payment  
137.4 and certification of costs has been submitted as provided in this subdivision. The secretary  
137.5 of state must complete the issuance of reimbursements to the counties and municipalities  
137.6 for qualifying claims no later than 120 days after the special election. Amounts necessary  
137.7 to pay qualifying claims are appropriated from the general fund to the secretary of state for  
137.8 that purpose.
- 137.9 Sec. 47. [204E.01] APPLICABILITY.
- 137.10 This chapter applies to all elections expressly authorized by law to use ranked-choice  
137.11 voting. All other provisions of the Minnesota Election Law also apply, to the extent they  
137.12 are not inconsistent with this chapter.
- 137.13 Sec. 48. [204E.02] DEFINITIONS.
- 137.14 Subdivision 1. **Scope.** The definitions in this section apply to this chapter.
- 137.15 Subd. 2. **Batch elimination.** "Batch elimination" means a simultaneous defeat of multiple  
137.16 continuing candidates that have no mathematical chance of being elected.
- 137.17 Subd. 3. **Chief election official.** "Chief election official" means the principal officer in  
137.18 the jurisdiction charged with duties relating to elections.
- 137.19 Subd. 4. **Duplicate ranking.** "Duplicate ranking" means a voter has ranked the same  
137.20 candidate at multiple rankings for the office being counted.

- 137.21 Subd. 5. **Exhausted ballot.** "Exhausted ballot" means a ballot that can no longer be  
137.22 advanced under the procedures in section 204E.06.
- 137.23 Subd. 6. **Highest continuing ranking.** "Highest continuing ranking" means the ranking  
137.24 on a voter's ballot with the lowest numerical value for a continuing candidate.
- 137.25 Subd. 7. **Mathematically impossible to be elected.** "Mathematically impossible to be  
137.26 elected" means either:
- 137.27 (1) the candidate cannot be elected because the candidate's current vote total plus all  
137.28 votes that could possibly be transferred to the candidate in future rounds from candidates  
137.29 with fewer votes or an equal number of votes and surplus votes would not be enough to  
137.30 surpass the candidate with the next higher current vote total; or
- 138.1 (2) the candidate has a lower current vote total than a candidate who is described by  
138.2 clause (1).
- 138.3 Subd. 8. **Overvote.** "Overvote" means a voter has ranked more than one candidate at  
138.4 the same ranking.
- 138.5 Subd. 9. **Partially defective ballot.** "Partially defective ballot" means a ballot that is  
138.6 defective to the extent that the election judges are unable to determine the voter's intent with  
138.7 respect to the office being counted.
- 138.8 Subd. 10. **Ranked-choice voting.** "Ranked-choice voting" means an election method  
138.9 in which voters rank candidates for an office in order of their preference, with each vote  
138.10 counting for the highest-ranked continuing candidate on each ballot until that candidate has  
138.11 been elected or defeated by the method established in this chapter.
- 138.12 Subd. 11. **Ranked-choice voting tabulation center.** "Ranked-choice voting tabulation  
138.13 center" means the place selected for the automatic or manual processing and tabulation of  
138.14 ballots.
- 138.15 Subd. 12. **Ranking.** "Ranking" means the number assigned by a voter to a candidate to  
138.16 express the voter's preference for that candidate. Ranking number one is the highest ranking.  
138.17 A ranking of lower numerical value indicates a greater preference for a candidate than a  
138.18 ranking of higher numerical value.
- 138.19 Subd. 13. **Round.** "Round" means an instance of the sequence of voting tabulation steps  
138.20 established in section 204E.06.
- 138.21 Subd. 14. **Skipped ranking.** "Skipped ranking" means a voter has left a ranking blank  
138.22 and ranks a candidate at a subsequent ranking.
- 138.23 Subd. 15. **Surplus.** "Surplus" means the total number of votes cast for an elected  
138.24 candidate in excess of the threshold.
- 138.25 Subd. 16. **Surplus fraction of a vote.** "Surplus fraction of a vote" means the proportion  
138.26 of each vote to be transferred when a surplus is transferred. The surplus fraction is calculated

- 138.27 by dividing the surplus by the total votes cast for the elected candidate, calculated to four  
138.28 decimal places, ignoring any remainder.
- 138.29 Subd. 17. **Threshold.** "Threshold" means the number of votes sufficient for a candidate  
138.30 to be elected. In any given election, the threshold equals the total votes counted in the first  
138.31 round after removing defective ballots, divided by the sum of one plus the number of offices  
138.32 to be filled and adding one to the quotient, disregarding any fractions.
- 139.1 Subd. 18. **Transfer value.** "Transfer value" means the fraction of a vote that a transferred  
139.2 ballot will contribute to the next ranked continuing candidate on that ballot. The transfer  
139.3 value of a vote cast for an elected candidate is calculated by multiplying the surplus fraction  
139.4 of each vote by its current value, calculated to four decimal places, ignoring any remainder.  
139.5 The transfer value of a vote cast for a defeated candidate is the same as its current value.
- 139.6 Subd. 19. **Transferable vote.** "Transferable vote" means a vote or a fraction of a vote  
139.7 for a candidate who has been either elected or defeated.
- 139.8 Subd. 20. **Totally defective ballot.** "Totally defective ballot" means a ballot that is  
139.9 defective to the extent that election judges are unable to determine the voter's intent for any  
139.10 office on the ballot.
- 139.11 Subd. 21. **Undervote.** "Undervote" means a voter did not rank any candidates for an  
139.12 office.
- 139.13 Sec. 49. [204E.03] AUTHORIZATION TO ADOPT RANKED-CHOICE VOTING;  
139.14 IMPLEMENTATION.
- 139.15 (a) The following political subdivisions may adopt, in the manner provided in this section,  
139.16 ranked-choice voting as a method of voting for local offices within the political subdivision:
- 139.17 (1) home rule charter or statutory cities;  
139.18 (2) counties;  
139.19 (3) townships; and  
139.20 (4) school districts.
- 139.21 (b) A jurisdiction that adopts ranked-choice voting may do so by adopting an ordinance  
139.22 or resolution or by a ballot question presented to the voters. The ranked-choice voting  
139.23 method may be repealed by one of the same methods provided for adoption.
- 139.24 (c) A home rule charter jurisdiction that adopts a ranked-choice voting system in its  
139.25 charter may adopt this chapter by reference in an ordinance, but is not required to do so.  
139.26 Nothing in this chapter prevents a home rule charter jurisdiction from adopting another  
139.27 voting method in its charter.
- 139.28 (d) Ranked-choice voting shall only be used to elect local offices at a general or special  
139.29 election, or at a primary election which serves as a party-nominating election for a partisan

- 139.30 office. A primary election must not be held for any nonpartisan offices that are elected using  
139.31 ranked-choice voting.
- 140.1 (e) A jurisdiction that adopts the use of ranked-choice voting in local elections must do  
140.2 so no later than 30 days before the first day for filing affidavits of candidacy for the office  
140.3 for which ranked-choice voting is to be used as the method of election.
- 140.4 (f) Repeal of ranked-choice voting must be no later than 30 days before the first day for  
140.5 filing affidavits of candidacy for offices for which ranked-choice voting is used as the  
140.6 method of election.
- 140.7 (g) The chief election official shall notify the secretary of state and, if applicable, the  
140.8 county auditor within 30 days following adoption or repeal of ranked-choice voting.
- 140.9 Sec. 50. [204E.04] BALLOTS.
- 140.10 Subdivision 1. **Ballot format.** (a) If there are three or more qualified candidates, a ballot  
140.11 must allow a voter to rank at least three candidates for each office in order of preference  
140.12 and must also allow the voter to add write-in candidates.
- 140.13 (b) A ballot must:
- 140.14 (1) include instructions to voters that clearly indicate how to mark the ballot;
- 140.15 (2) include instructions to voters that clearly indicate how to rank candidates in order  
140.16 of the voter's preference; and
- 140.17 (3) indicate the number of seats to be elected for each office.
- 140.18 (c) A jurisdiction may use ballots compatible with alphanumeric character recognition  
140.19 voting equipment.
- 140.20 Subd. 2. **Mixed-election method ballots.** If elections are held in which ranked-choice  
140.21 voting is used in addition to other methods of voting, the ranked-choice voting and  
140.22 non-ranked-choice voting elections must be on the same ballot card if possible, with  
140.23 ranked-choice voting and non-ranked-choice voting portions clearly separated on the ballot  
140.24 card. A separate ballot card may be used if necessary. A jurisdiction may deviate from the  
140.25 standard ballot order of offices to allow separation of ranked-choice voting and  
140.26 non-ranked-choice voting elections.
- 140.27 Subd. 3. **Ballot format rules.** The chief election official shall establish administrative  
140.28 rules for ballot format after a voting mechanism has been selected, consistent with this  
140.29 section.
- 141.1 Sec. 51. [204E.05] RANKED-CHOICE VOTING TABULATION CENTER.
- 141.2 Subdivision 1. **Tabulation of votes; generally.** The chief election official shall designate  
141.3 one location to serve as the ranked-choice voting tabulation center. The center must be

- 141.4 accessible to the public for the purpose of observing the vote tabulation. Tabulation of votes  
141.5 must be conducted as described in section 204E.06.
- 141.6 Subd. 2. **Precinct tabulation.** When the hours for voting have ended and all voting has  
141.7 concluded, the election judges in each precinct shall record and publicly declare the number  
141.8 of first choices cast for each candidate in that precinct. The election judges must then securely  
141.9 transfer all electronic voting data and ballots from the precinct to the ranked-choice voting  
141.10 tabulation center designated under this section. Upon receipt at the ranked-choice voting  
141.11 tabulation center, all electronic voting data and ballots shall be secured.
- 141.12 Subd. 3. **Notice of recess in count.** At any time following receipt of materials under  
141.13 subdivision 1, the chief election official may declare a recess. Notice of the recess must  
141.14 include the date, time, and location at which the process of recording and tabulating votes  
141.15 will resume and the reason for the recess. Notice must be posted on the city's official bulletin  
141.16 board and on the door of the ranked-choice voting tabulation center.
- 141.17 Subd. 4. **Recording write-in votes.** At a time set by the chief election official, the  
141.18 election judges shall convene at the ranked-choice voting tabulation center to examine  
141.19 ballots on which voters have indicated a write-in choice, and record the names and number  
141.20 of votes received by each write-in candidate. In the event that votes cast for the write-in  
141.21 category are not eliminated as provided in section 204E.06, the results must be entered into  
141.22 the ranked-choice voting tabulation software.
- 141.23 Subd. 5. **Ranked-choice vote tabulation.** After all votes have been recorded, and at a  
141.24 time set by the chief election official, the process of tabulating votes cast for offices to be  
141.25 elected using the ranked-choice method must begin. The counting must continue until  
141.26 preliminary results for all races are determined, subject to subdivision 3.
- 141.27 Sec. 52. [204E.06] TABULATION OF VOTES.
- 141.28 (a) Tabulation of votes at the ranked-choice voting tabulation center must proceed in  
141.29 rounds for each office to be counted. The threshold must be calculated and publicly declared.  
141.30 Each round must proceed sequentially as follows:
- 141.31 (1) the number of votes cast for each candidate for the current round must be counted.  
141.32 If the number of candidates whose vote totals equal or exceed the threshold are equal to the  
141.33 number of seats to be filled, those candidates who are continuing candidates are elected and  
142.1 the tabulation is complete. If the number of candidates whose vote totals are equal to or  
142.2 greater than the threshold is not equal to the number of seats to be filled, a new round begins  
142.3 and the tabulation must continue as provided in the remainder of this paragraph;
- 142.4 (2) surplus votes for any candidates whose vote totals are equal to or greater than the  
142.5 threshold must be calculated;
- 142.6 (3) after any surplus votes are calculated but not yet transferred, all candidates for whom  
142.7 it is mathematically impossible to be elected must be defeated by batch elimination. Votes  
142.8 for the defeated candidates must be transferred to each ballot's next-ranked continuing

- 142.9 candidate, and the tabulation process reiterates beginning with clause (2). If no candidate  
142.10 can be defeated mathematically, the tabulation must continue as described in clause (4);
- 142.11 (4) the transfer value of each vote cast for an elected candidate must be transferred to  
142.12 the next continuing candidate on that ballot. Of the candidates whose vote totals reach or  
142.13 exceed the threshold, the candidate with the largest surplus is declared elected and that  
142.14 candidate's surplus is transferred. A tie between two or more candidates must immediately  
142.15 and publicly be resolved by lot by the chief election official at the tabulation center. The  
142.16 surplus of the candidate chosen by lot must be transferred before other transfers are made.  
142.17 The result of the tie resolution must be recorded and reused in the event of a recount. If no  
142.18 candidate has a surplus, the tabulation must continue as described in clause (5); otherwise,  
142.19 the tabulation process must reiterate beginning with clause (2);
- 142.20 (5) if there are no transferable surplus votes, the candidate with the fewest votes is  
142.21 defeated. Votes for the defeated candidate must be transferred to each ballot's next-ranked  
142.22 continuing candidate. Ties between candidates with the fewest votes must be decided by  
142.23 lot, and the candidate chosen by lot must be defeated. The result of the tie resolution must  
142.24 be recorded and reused in the event of a recount. The tabulation process must reiterate  
142.25 beginning with clause (2); and
- 142.26 (6) the procedures in clauses (2) to (5) must be repeated until the number of candidates  
142.27 whose vote totals are equal to or exceed the threshold is equal to the number of seats to be  
142.28 filled, or until the number of continuing candidates is equal to the number of offices yet to  
142.29 be elected. If the number of continuing candidates is equal to the number of offices yet to  
142.30 be elected, the remaining continuing candidates must be declared elected. In the case of a  
142.31 tie between two continuing candidates, the tie must be decided by lot as provided in section  
142.32 204C.34, and the candidate chosen by lot must be defeated. The result of the tie resolution  
142.33 must be recorded and reused in the event of a recount.
- 143.1 (b) When a single skipped ranking is encountered on a ballot, that ballot must count  
143.2 toward the next nonskipped ranking. If any ballot cannot be advanced because no further  
143.3 candidates are ranked on that ballot, because a voter has skipped more than one ranking, or  
143.4 because an undervote, overvote, or duplicate ranking is encountered, the ballot must not  
143.5 count toward any candidate in that round or in subsequent rounds for the office being  
143.6 counted.
- 143.7 Sec. 53. [204E.07] REPORTING RESULTS.
- 143.8 (a) Each precinct must print a precinct summary statement, which must include the  
143.9 number of first choices cast for each candidate in that precinct.
- 143.10 (b) The ranked-choice voting tabulation center must print a summary statement with the  
143.11 following information: total votes cast; number of undervotes; number of totally defective  
143.12 and spoiled ballots; threshold calculation; total first choice rankings for all candidates;

- 143.13 round-by-round tabulation results, including simultaneous batch eliminations, surplus  
143.14 transfers, and defeated candidate transfers; and exhausted ballots at each round.
- 143.15 (c) The election abstract must include the information required in the ranked-choice  
143.16 voting tabulation center summary statement, with the addition of the number of registered  
143.17 voters by precinct, the number of same-day voter registrations, and the number of absentee  
143.18 voters.
- 143.19 Sec. 54. [204E.08] RECOUNTS.
- 143.20 (a) A candidate defeated in the final round of tabulation may request a recount as provided  
143.21 in section 204C.36.
- 143.22 (b) A candidate defeated in the final round of tabulation when the vote difference is  
143.23 greater than that provided in section 204C.36 may request a recount at the candidate's own  
143.24 expense. A candidate defeated in an earlier round of tabulation may request a recount at the  
143.25 candidate's own expense. The candidate is responsible for all expenses associated with the  
143.26 recount, regardless of the vote difference between the candidates in the round in which the  
143.27 requesting candidate was defeated. The requesting candidate shall file with the filing officer  
143.28 a bond, cash, or surety in an amount set by the filing officer for the payment of the recount  
143.29 expenses. Expenses must be determined as provided in section 204C.36, subdivision 4.
- 143.30 (c) Rules adopted by the secretary of state under section 204C.36 for recounts apply to  
143.31 recounts conducted under this section.
- 144.1 Sec. 55. [204E.09] RULES.
- 144.2 The secretary of state may adopt rules necessary to implement the requirements and  
144.3 procedures established by this chapter.
- 144.4 Sec. 56. Minnesota Statutes 2018, section 205.13, subdivision 2, is amended to read:
- 144.5 Subd. 2. **Notice of filing dates.** At least two weeks before the first day to file affidavits  
144.6 of candidacy, the municipal clerk shall publish a notice stating the first and last dates on  
144.7 which affidavits of candidacy may be filed in the clerk's office and the closing time for  
144.8 filing on the last day for filing. The clerk shall post a similar notice at least ten days before  
144.9 the first day to file affidavits of candidacy. The notice must indicate the method of election  
144.10 to be used for the offices on the ballot. The notice must separately list any office for which  
144.11 affidavits of candidacy may be filed to fill the unexpired portion of a term when a special  
144.12 election is being held to fill a vacancy as provided in section 412.02, subdivision 2a.
- 144.13 Sec. 57. Minnesota Statutes 2018, section 206.58, subdivision 1, is amended to read:
- 144.14 Subdivision 1. **Municipalities.** (a) The governing body of a municipality, at a regular  
144.15 meeting or at a special meeting called for the purpose, may provide for the use of an  
144.16 electronic voting system in one or more precincts and at all elections in the precincts, subject  
144.17 to approval by the county auditor. The governing body shall disseminate information to the  
144.18 public about the use of a new voting system at least 60 days prior to the election and shall

144.19 provide for instruction of voters with a demonstration voting system in a public place for  
144.20 the six weeks immediately prior to the first election at which the new voting system will be  
144.21 used.

144.22 (b) No system may be adopted or used unless it has been approved by the secretary of  
144.23 state pursuant to section 206.57.

144.24 (c) The governing body of a municipality may provide for the use of an electronic voting  
144.25 system that has been approved by the secretary of state under section 206.57 but includes  
144.26 an automatic tabulating equipment reallocation feature that has not been approved by the  
144.27 secretary of state if the municipal clerk certifies to the secretary of state, within 30 days  
144.28 from the date of adoption under paragraph (a), that the reallocation feature:

144.29 (1) has been certified as required under section 206.57, subdivision 6; and

144.30 (2) meets the municipality's ordinance requirements for electronic voting systems.

145.1 Sec. 58. Minnesota Statutes 2018, section 206.61, is amended by adding a subdivision to  
145.2 read:

145.3 Subd. 1a. **Availability of alternate ballot formats.** In precincts using a ballot format  
145.4 authorized by section 206.80, paragraph (b), clause (3), voters must be provided the option  
145.5 of voting a regularly printed optical scan ballot.

145.6 Sec. 59. Minnesota Statutes 2018, section 206.80, is amended to read:  
145.7 206.80 ELECTRONIC VOTING SYSTEMS.

145.8 (a) An electronic voting system may not be employed unless it:

145.9 (1) permits every voter to vote in secret;

145.10 (2) permits every voter to vote for all candidates and questions for whom or upon which  
145.11 the voter is legally entitled to vote;

145.12 (3) provides for write-in voting when authorized;

145.13 (4) automatically rejects, except as provided in section 206.84 with respect to write-in  
145.14 votes, all votes for an office or question when the number of votes cast on it exceeds the  
145.15 number which the voter is entitled to cast;

145.16 (5) permits a voter at a primary election to select secretly the party for which the voter  
145.17 wishes to vote;

145.18 (6) automatically rejects all votes cast in a primary election by a voter when the voter  
145.19 votes for candidates of more than one party; and

145.20 (7) provides every voter an opportunity to verify votes recorded on the permanent paper  
145.21 ballot, either visually or using assistive voting technology, and to change votes or correct  
145.22 any error before the voter's ballot is cast and counted, produces an individual, discrete,

- 145.23 permanent, paper ballot cast by the voter, and preserves the paper ballot as an official record  
 145.24 available for use in any recount.
- 145.25 (b) An electronic voting system purchased on or after June 4, 2005, may not be employed  
 145.26 unless it:
- 145.27 (1) accepts and tabulates, in the polling place or at a counting center, a marked optical  
 145.28 scan ballot; ~~or~~
- 145.29 (2) creates a marked optical scan ballot that can be tabulated in the polling place or at a  
 145.30 counting center by automatic tabulating equipment certified for use in this state; or
- 146.1 (3) creates a marked paper ballot indicating, at a minimum, the date of the election, the  
 146.2 name of the precinct, an electronically readable precinct identifier or ballot style indicator,  
 146.3 and the voter's votes for each office or question, generated from the voter's use of a touch  
 146.4 screen or other electronic device on which a complete ballot meeting the information  
 146.5 requirements of any applicable law was displayed electronically.
- 146.6 (c) Jurisdictions using multiple ballot formats must not record the ballot formats of  
 146.7 electronic voting system used by a particular voter.
- 146.8 Sec. 60. [206.802] ELECTRONIC VOTING SYSTEMS; PURCHASING.
- 146.9 Any new voting equipment purchased for use in Minnesota for the purpose of replacing  
 146.10 a voting system must have the ability to:
- 146.11 (1) capture and store ballot data;
- 146.12 (2) keep data anonymous;
- 146.13 (3) accept ranked or cumulative voting data under a variety of tabulation rules;
- 146.14 (4) be programmable to follow all other specifications of the ranked-choice voting system  
 146.15 as provided in chapter 204E;
- 146.16 (5) provide a minimum of three rankings for ranked-choice voting elections;
- 146.17 (6) notify voters of the following errors: overvotes, skipped rankings, and duplicate  
 146.18 rankings in a ranked-choice voting election; and
- 146.19 (7) be programmable to print a zero tape indicating all rankings for all candidates in a  
 146.20 ranked-choice voting election.
- 146.21 **EFFECTIVE DATE.** This section is effective upon certification by the secretary of  
 146.22 state that equipment meeting the standards required by this section is available for purchase  
 146.23 and implementation.
- 146.24 Sec. 61. Minnesota Statutes 2018, section 206.82, subdivision 1, is amended to read:
- 146.25 Subdivision 1. **Program.** A program or programs for use in an election conducted by  
 146.26 means of an electronic voting system or using an electronic ballot marker shall be prepared

146.27 at the direction of the county auditor or municipal clerk who is responsible for the conduct  
146.28 of the election and shall be independently verified by a competent person designated by  
146.29 that official. The term "competent person" as used in this section means a person who can  
146.30 demonstrate knowledge as a computer programmer and who is other than and wholly  
146.31 independent of any person operating or employed by the counting center or the corporation  
147.1 or other preparer of the program. A test deck prepared by a competent person shall be used  
147.2 for independent verification of the program; it shall test the maximum digits used in totaling  
147.3 the returns and shall be usable by insertion during the tabulation process as well as prior to  
147.4 tabulation. A test deck must also be prepared using the electronic ballot marker program  
147.5 and must also be used to verify that all valid votes counted by the vote tabulator may be  
147.6 selected using the electronic ballot marker. The computer program for any election and an  
147.7 exact duplicate of the program for use as backup must be completed and delivered to the  
147.8 election jurisdiction or the county auditor in charge of a common central counting center  
147.9 at least 40 days prior to the election. The secretary of state shall adopt rules further specifying  
147.10 test procedures.

147.11 Sec. 62. Minnesota Statutes 2018, section 206.83, is amended to read:

147.12 206.83 TESTING OF VOTING SYSTEMS.

147.13 (a) Within ~~44~~ 37 days before election day, the official in charge of elections shall have  
147.14 the voting system tested to ascertain that the system will correctly mark ballots using all  
147.15 methods supported by the system, including ranked-choice voting if applicable, and through  
147.16 assistive technology, and count the votes cast for all candidates and on all questions. Public  
147.17 notice of the time and place of the test must be given at least two days in advance by  
147.18 publication once in official newspapers. The test must be observed by at least two election  
147.19 judges, who are not of the same major political party, and must be open to representatives  
147.20 of the political parties, candidates, the press, and the public. The test must be conducted by  
147.21 (1) processing a preaudited group of ballots punched or marked to record a predetermined  
147.22 number of valid votes for each candidate and on each question, and must include for each  
147.23 office one or more ballot cards which have votes in excess of the number allowed by law  
147.24 in order to test the ability of the voting system tabulator and electronic ballot marker to  
147.25 reject those votes; and (2) processing an additional test deck of ballots marked using the  
147.26 electronic ballot marker for the precinct, including ballots marked using the electronic ballot  
147.27 display, audio ballot reader, and any assistive voting technology used with the electronic  
147.28 ballot marker. If an election is to be conducted using ranked-choice voting, the equipment  
147.29 must also be tested to ensure that each ranking for each candidate is recorded properly.

147.30 (b) If any error is detected, the cause must be ascertained and corrected and an errorless  
147.31 count must be made before the voting system may be used in the election.

147.32 (c) After the completion of the test, the programs used and ballot cards must be sealed,  
147.33 retained, and disposed of as provided for paper ballots.

148.1 Sec. 63. Minnesota Statutes 2018, section 206.86, is amended by adding a subdivision to  
148.2 read:

148.3 Subd. 5a. **Ballots in precincts with multiple styles of voting system.** (a) This subdivision  
148.4 applies only to precincts using a ballot format as provided by section 206.80, paragraph (b),  
148.5 clause (3), that was used by ten or fewer voters.

148.6 (b) In the event the results of a precinct are subject to a recount under section 204C.35  
148.7 or 204C.36, or are subject to postelection review under section 206.89, the election judges  
148.8 from that precinct are not eligible to participate in conducting a recount or postelection  
148.9 review in that precinct.

148.10 Sec. 64. Minnesota Statutes 2018, section 206.89, subdivision 2, is amended to read:

148.11 Subd. 2. **Selection for review; notice.** At the canvass of the state primary, the county  
148.12 canvassing board in each county must set the date, time, and place for the postelection  
148.13 review of the state general election to be held under this section. In jurisdictions where  
148.14 ranked-choice voting is used, the date, time, and place for postelection review must be set  
148.15 by the county auditor at least 30 days before the election. The postelection review must not  
148.16 begin before the 11th day after the state general election and must be complete no later than  
148.17 the 18th day after the state general election.

148.18 At the canvass of the state general election, the county canvassing boards must select  
148.19 the precincts to be reviewed by lot. The ballots to be reviewed for a precinct include both  
148.20 the ballots counted at the polling place for that precinct and the absentee ballots counted  
148.21 centrally by a ballot board for that precinct. The county canvassing board of a county with  
148.22 fewer than 50,000 registered voters must conduct a postelection review of a total of at least  
148.23 two precincts. The county canvassing board of a county with between 50,000 and 100,000  
148.24 registered voters must conduct a review of a total of at least three precincts. The county  
148.25 canvassing board of a county with over 100,000 registered voters must conduct a review  
148.26 of a total of at least four precincts, or three percent of the total number of precincts in the  
148.27 county, whichever is greater. At least one precinct selected in each county must have had  
148.28 more than 150 votes cast at the general election.

148.29 The county auditor must notify the secretary of state of the precincts that have been  
148.30 chosen for review and the time and place the postelection review for that county will be  
148.31 conducted, as soon as the decisions are made. If the selection of precincts has not resulted  
148.32 in the selection of at least four precincts in each congressional district, the secretary of state  
148.33 may require counties to select by lot additional precincts to meet the congressional district  
148.34 requirement. The secretary of state must post this information on the office website.

149.1 Sec. 65. Minnesota Statutes 2018, section 206.89, subdivision 3, is amended to read:

149.2 Subd. 3. **Scope and conduct of review.** The county canvassing board shall appoint the  
149.3 postelection review official as defined in subdivision 1. The postelection review must be  
149.4 conducted of the votes cast for president or governor; United States senator; and United  
149.5 States representative. In jurisdictions where ranked-choice voting is used, the review must  
149.6 also include at least one single-seat ranked-choice voting election and at least one  
149.7 multiple-seat ranked-choice voting election, if such an election occurred. A postelection

149.8 review of a ranked-choice voting election must be conducted for elections decided most  
149.9 closely in the final round, by percentage. The postelection review official may conduct  
149.10 postelection review of the votes cast for additional offices.

149.11 The postelection review must be conducted in public at the location where the voted  
149.12 ballots have been securely stored after the state general election or at another location chosen  
149.13 by the county canvassing board. The postelection review official for each precinct selected  
149.14 must conduct the postelection review and may be assisted by election judges designated by  
149.15 the postelection review official for this purpose. The party balance requirement of section  
149.16 204B.19 applies to election judges designated for the review. The postelection review must  
149.17 consist of a manual count of the ballots used in the precincts selected and must be performed  
149.18 in the manner provided by section 204C.21. The postelection review must be conducted in  
149.19 the manner provided for recounts under section 204C.361 to the extent practicable, and  
149.20 where ranked-choice voting is used, must include testing of the accumulation software using  
149.21 stored electronic data for those precincts that are not reviewed by manual count. The review  
149.22 must be completed no later than two days before the meeting of the state canvassing board  
149.23 to certify the results of the state general election.

149.24 Sec. 66. [206.97] ELECTION SECURITY AND ADMINISTRATION GRANTS.

149.25 Subdivision 1. **Grants authorized.** The secretary of state must disburse \$1,000,000 in  
149.26 grants from funds governed by section 5.30 to political subdivisions as authorized by this  
149.27 section. In evaluating an application for a grant, the secretary of state shall consider only  
149.28 the information set forth in the application and is not subject to chapter 14.

149.29 Subd. 2. **Use of grants.** A grant awarded under this section may be used for the following:

149.30 (1) updated hardware or software used for administering elections;

149.31 (2) additional physical security for election equipment storage;

149.32 (3) increased polling place accessibility; or

149.33 (4) cybersecurity or physical security training for election officials or election judges.

150.1 Subd. 3. **Application.** The secretary of state may award a grant to a political subdivision  
150.2 after receiving an application from the political subdivision. The application must identify:

150.3 (1) the date the application is submitted;

150.4 (2) the name of the political subdivision;

150.5 (3) the name and title of the individual who prepared the application;

150.6 (4) the total number of registered voters as of the date of the application in each precinct  
150.7 in the political subdivision;

150.8 (5) the total amount of the grant requested;

- 150.9 (6) the hardware, software, security improvements, accessibility improvements, or  
150.10 training to be acquired or conducted with the grant money;
- 150.11 (7) the proposed schedule for purchasing and implementing the proposed items and what  
150.12 precincts will be impacted by their implementation;
- 150.13 (8) whether the political subdivision has previously applied for a grant under this  
150.14 subdivision and the disposition of that application;
- 150.15 (9) a certified statement by the political subdivision that the grant will be used only for  
150.16 purposes authorized under subdivision 2; and
- 150.17 (10) any other information required by the secretary of state.
- 150.18 Subd. 4. **Legislative report.** No later than January 15, 2020, and annually thereafter  
150.19 until the appropriations provided for grants under this section have been exhausted, the  
150.20 secretary of state must submit a report to the chairs and ranking minority members of the  
150.21 legislative committees with jurisdiction over elections policy on grants awarded by this  
150.22 section. The report must detail each grant awarded, including the jurisdiction, the amount  
150.23 of the grant, and how the grant was used.
- 150.24 Sec. 67. Minnesota Statutes 2018, section 207A.11, is amended to read:  
150.25 207A.11 PRESIDENTIAL NOMINATION PRIMARY ESTABLISHED.
- 150.26 (a) A presidential nomination primary must be held each year in which a president and  
150.27 vice president of the United States are to be nominated and elected.
- 150.28 (b) The party chairs must jointly submit to the secretary of state, no later than March 1  
150.29 in a year prior to a presidential election year, the single date on which the parties have agreed  
150.30 to conduct the presidential nomination primary in the next year. The date selected must not  
150.31 be the date of the town general election provided in section 205.075, subdivision 1. If a date  
151.1 is not jointly submitted by the deadline, the presidential nomination primary must be held  
151.2 on the first Tuesday in March in the year of the presidential election. No other election may  
151.3 be conducted on the date of the presidential nomination primary.
- 151.4 (c) The secretary of state must adopt rules to implement the provisions of this chapter.  
151.5 The secretary of state shall consult with the party chairs throughout the rulemaking process,  
151.6 including seeking advice about possible rules before issuing a notice of intent to adopt rules,  
151.7 consultation before the notice of comment is published, consultation on the statement of  
151.8 need and reasonableness, consultation in drafting and revising the rules, and consultation  
151.9 regarding any modifications to the rule being considered.
- 151.10 (d) This chapter only applies to a major political party that selects delegates at the  
151.11 presidential nomination primary to send to a national convention. A major political party  
151.12 that does not participate in a national convention is not eligible to participate in the  
151.13 presidential nomination primary.

151.14 (e) For purposes of this chapter, "political party" or "party" means a major political party  
151.15 as defined in section 200.02, subdivision 7, that is eligible to participate in the presidential  
151.16 nomination primary.

151.17 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential  
151.18 nomination primaries conducted on or after that date.

151.19 Sec. 68. Minnesota Statutes 2018, section 207A.12, is amended to read:  
151.20 207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.

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

151.24 (b) An individual seeking to vote at the presidential nomination primary must be  
151.25 registered to vote pursuant to section 201.054, subdivision 1. The voter must request the  
151.26 ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section  
151.27 204C.18, subdivision 1, the election judge must record in the polling place roster the name  
151.28 of the political party whose ballot the voter requested. When posting voter history pursuant  
151.29 to section 201.171, the county auditor must include the name of the political party whose  
151.30 ballot the voter requested. ~~The voter instruction posters, pamphlets, and other informational~~  
151.31 ~~materials prepared for a presidential primary by the secretary of state pursuant to section~~  
151.32 ~~204D.27 must include information about the requirements of this paragraph, including a~~  
151.33 ~~notice that the voter's choice of a political party's ballot will be recorded and is public~~  
152.1 information. The political party ballot selected by a voter is private data on individuals as  
152.2 defined under section 13.02, subdivision 12, except as provided in section 201.091,  
152.3 subdivision 4a.

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

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

152.8 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential  
152.9 nomination primaries conducted on or after that date.

152.10 Sec. 69. Minnesota Statutes 2018, section 207A.13, is amended by adding a subdivision  
152.11 to read:

152.12 Subd. 3. **Tax return disclosure required.** (a) No later than 63 days before the presidential  
152.13 nomination primary, a candidate for presidential nomination must:

152.14 (1) publicly release a copy of the candidate's federal income tax returns, as defined in  
152.15 United States Code, title 26, section 6103(b)(1), for at least the five most recent taxable  
152.16 years for which a return has been filed with the Internal Revenue Service; or

- 152.17 (2) file with the secretary of state:
- 152.18 (i) the federal tax returns as described in clause (1); and
- 152.19 (ii) written consent, in a form prescribed by the secretary of state, for the public disclosure  
152.20 of such returns pursuant to this section.
- 152.21 (b) The secretary of state shall make tax returns filed or released under this section  
152.22 publicly available on the secretary of state's website within seven days of receipt or release.  
152.23 The secretary of state may make additional schedules or forms filed under this section  
152.24 publicly available upon request. Prior to making any federal tax returns public, the secretary  
152.25 of state shall redact such information contained in the returns as deemed needed in  
152.26 consultation with the commissioner of revenue.
- 152.27 (c) Notwithstanding a party's determination under subdivision 2, a presidential candidate  
152.28 who does not comply with the requirements of this subdivision may not appear on the  
152.29 presidential nomination primary ballot.
- 152.30 (d) No later than 63 days before a general election for president, all candidates for  
152.31 president and vice-president shall comply with paragraph (a). Notwithstanding section  
153.1 208.04, subdivision 1, candidates for president or vice-president who do not comply with  
153.2 paragraph (a) may not appear on the general election ballot.
- 153.3 (e) No later than 63 days before a state primary or state general election at which a  
153.4 constitutional office is on the ballot, all candidates for each constitutional office to be  
153.5 nominated or elected must release or file federal income tax returns in the same manner as  
153.6 required for a candidate for president under paragraph (a). The secretary of state must post  
153.7 these returns on the secretary of state's website consistent with paragraph (b). A candidate  
153.8 for constitutional office who does not comply with this paragraph may not appear on the  
153.9 state general election ballot.
- 153.10 Sec. 70. Minnesota Statutes 2018, section 207A.14, subdivision 2, is amended to read:
- 153.11 Subd. 2. **Sample Example ballots.** No later than 70 days before the presidential  
153.12 nomination primary, the secretary of state must supply each county auditor with ~~sample~~  
153.13 **example** ballots to be used at the presidential nomination primary. The ~~sample example~~  
153.14 ballots must illustrate the format required for the ballots used in the presidential nomination  
153.15 primary.
- 153.16 Sec. 71. Minnesota Statutes 2018, section 207A.15, subdivision 2, is amended to read:
- 153.17 Subd. 2. **Reimbursable local expenses.** (a) The secretary of state shall reimburse the  
153.18 counties and municipalities for expenses incurred in the administration of the presidential  
153.19 nomination primary from money contained in the presidential nomination primary elections  
153.20 account. The following expenses are eligible for reimbursement: preparation and printing  
153.21 of ballots; postage for absentee ballots; publication of the sample ballot; preparation of  
153.22 polling places in an amount not to exceed \$150 per polling place; preparation of electronic  
153.23 voting systems in an amount not to exceed \$100 per precinct; compensation for temporary

153.24 staff or overtime payments; salaries of election judges; ~~and~~ compensation of county  
153.25 canvassing board members; and other expenses as approved by the secretary of state.

153.26 (b) Within 60 days after the results of a presidential nomination primary are certified  
153.27 by the State Canvassing Board, the county auditor must submit a request for payment of  
153.28 the costs incurred by the county for conducting the presidential nomination primary, and  
153.29 the municipal clerk must submit a request for payment of the costs incurred by the  
153.30 municipality for conducting the presidential nomination primary. The request for payment  
153.31 must be submitted to the secretary of state, and must be accompanied by an itemized  
153.32 description of actual county or municipal expenditures, including copies of invoices. In  
153.33 addition, the county auditor or municipal clerk must certify that the request for reimbursement  
154.1 is based on actual costs incurred by the county or municipality in the presidential nomination  
154.2 primary.

154.3 (c) The secretary of state shall provide each county and municipality with the appropriate  
154.4 forms for requesting payment and certifying expenses under this subdivision. The secretary  
154.5 of state must not reimburse expenses unless the request for payment and certification of  
154.6 costs has been submitted as provided in this subdivision. The secretary of state must complete  
154.7 the issuance of reimbursements to the counties and municipalities no later than 90 days after  
154.8 the results of the presidential nomination primary have been certified by the State Canvassing  
154.9 Board.

154.10 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to presidential  
154.11 nomination primaries conducted on or after that date.

154.12 Sec. 72. [208.051] AGREEMENT AMONG THE STATES TO ELECT THE  
154.13 PRESIDENT BY NATIONAL POPULAR VOTE.

154.14 The Agreement Among the States to Elect the President by National Popular Vote is  
154.15 enacted into law and entered into with all other states legally joining in it in substantially  
154.16 the following form:

154.17 Article I - Membership

154.18 Any state of the United States and the District of Columbia may become a member of  
154.19 this agreement by enacting this agreement.

154.20 Article II - Right of the People in Member States to

154.21 Vote for President and Vice President

154.22 Each member state shall conduct a statewide popular election for president and vice  
154.23 president of the United States.

154.24 Article III - Manner of Appointing Presidential Electors in Member States

154.25 Prior to the time set by law for the meeting and voting by the presidential electors, the  
154.26 chief election official of each member state shall determine the number of votes for each

154.27 presidential slate in each state of the United States and in the District of Columbia in which  
154.28 votes have been cast in a statewide popular election and shall add such votes together to  
154.29 produce a "national popular vote total" for each presidential slate. The chief election official  
154.30 of each member state shall designate the presidential slate with the largest national popular  
154.31 vote total as the "national popular vote winner." The presidential elector certifying official  
155.1 of each member state shall certify the appointment in that official's own state of the elector  
155.2 slate nominated in that state in association with the national popular vote winner. At least  
155.3 six days before the day fixed by law for the meeting and voting by the presidential electors,  
155.4 each member state shall make a final determination of the number of popular votes cast in  
155.5 the state for each presidential slate and shall communicate an official statement of such  
155.6 determination within 24 hours to the chief election official of each other member state. The  
155.7 chief election official of each member state shall treat as conclusive an official statement  
155.8 containing the number of popular votes in a state for each presidential slate made by the  
155.9 day established by federal law for making a state's final determination conclusive as to the  
155.10 counting of electoral votes by Congress. In event of a tie for the national popular vote  
155.11 winner, the presidential elector certifying official of each member state shall certify the  
155.12 appointment of the elector slate nominated in association with the presidential slate receiving  
155.13 the largest number of popular votes within that official's own state. If, for any reason, the  
155.14 number of presidential electors nominated in a member state in association with the national  
155.15 popular vote winner is less than or greater than that state's number of electoral votes, the  
155.16 presidential candidate on the presidential slate that has been designated as the national  
155.17 popular vote winner shall have the power to nominate the presidential electors for that state  
155.18 and that state's presidential elector certifying official shall certify the appointment of such  
155.19 nominees. The chief election official of each member state shall immediately release to the  
155.20 public all vote counts or statements of votes as they are determined or obtained. This article  
155.21 shall govern the appointment of presidential electors in each member state in any year in  
155.22 which this agreement is, on July 20, in effect in states cumulatively possessing a majority  
155.23 of the electoral votes.

155.24 Article IV - Other Provisions

155.25 This agreement shall take effect when states cumulatively possessing a majority of the  
155.26 electoral votes have enacted this agreement in substantially the same form and the enactments  
155.27 by such states have taken effect in each state. Any member state may withdraw from this  
155.28 agreement, except that a withdrawal occurring six months or less before the end of a  
155.29 president's term shall not become effective until a president or vice president shall have  
155.30 been qualified to serve the next term. The chief executive of each member state shall promptly  
155.31 notify the chief executive of all other states of when this agreement has been enacted and  
155.32 has taken effect in that official's state, when the state has withdrawn from this agreement,  
155.33 and when this agreement takes effect generally. This agreement shall terminate if the electoral  
155.34 college is abolished. If any provision of this agreement is held invalid, the remaining  
155.35 provisions shall not be affected.

156.1 Article V - Definitions

- 156.2 For purposes of this agreement,
- 156.3 "chief executive" means the governor of a state of the United States or the mayor of the  
156.4 District of Columbia;
- 156.5 "elector slate" means a slate of candidates who have been nominated in a state for the  
156.6 position of presidential elector in association with a presidential slate;
- 156.7 "chief election official" means the state official or body that is authorized to certify the  
156.8 total number of popular votes for each presidential slate;
- 156.9 "presidential elector" means an elector for president and vice president of the United  
156.10 States;
- 156.11 "presidential elector certifying official" means the state official or body that is authorized  
156.12 to certify the appointment of the state's presidential electors;
- 156.13 "presidential slate" means a slate of two persons, the first of whom has been nominated  
156.14 as a candidate for president of the United States and the second of whom has been nominated  
156.15 as a candidate for vice president of the United States, or any legal successors to such persons,  
156.16 regardless of whether both names appear on the ballot presented to the voter in a particular  
156.17 state;
- 156.18 "state" means a state of the United States and the District of Columbia; and
- 156.19 "statewide popular election" means a general election in which votes are cast for  
156.20 presidential slates by individual voters and counted on a statewide basis.
- 156.21 Sec. 73. [243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.
- 156.22 Subdivision 1. **Correctional facilities; designation of official.** The chief executive  
156.23 officer of each state and local correctional facility shall designate an official within the  
156.24 facility to provide the notice and application required under this section to persons to whom  
156.25 the civil right to vote is restored under section 201.014, subdivision 2a. The official shall  
156.26 maintain an adequate supply of voter registration applications and informational materials  
156.27 for this purpose.
- 156.28 Subd. 2. **Notice requirement.** A notice of restoration of the civil right to vote and a  
156.29 voter registration application must be provided as follows:
- 156.30 (1) the chief executive officer of each state and local correctional facility shall provide  
156.31 the notice and application to a person being released from the facility following incarceration  
157.1 for a felony-level offense whose civil rights are restored at the time of release under section  
157.2 201.014, subdivision 2a; and
- 157.3 (2) a probation officer or supervised release agent shall provide the notice and application  
157.4 to all individuals under correctional supervision for a felony-level offense whose civil rights  
157.5 have been restored under section 201.014, subdivision 2a.

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

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

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

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

157.18 Sec. 74. Minnesota Statutes 2018, section 473.408, is amended by adding a subdivision  
 157.19 to read:

157.20 Subd. 11. **Transit service on election day.** (a) The Metropolitan Council shall provide  
 157.21 regular route transit, as defined under section 473.385, subdivision 1, paragraph (b), free  
 157.22 of charge on a day a state general election is held.

157.23 (b) The requirements under this subdivision apply to operators of regular route transit  
 157.24 (1) receiving financial assistance under section 473.388, or (2) operating under section  
 157.25 473.405, subdivision 12.

157.26 **EFFECTIVE DATE; APPLICATION.** This section is effective July 1, 2020, and  
 157.27 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

157.28 Sec. 75. Minnesota Statutes 2018, section 609.165, subdivision 1, is amended to read:

157.29 Subdivision 1. **Restoration.** Except as provided in section 201.014, subdivision 2a,  
 157.30 when a person has been deprived of civil rights by reason of conviction of a crime and is  
 157.31 thereafter discharged, such discharge shall restore the person to all civil rights and to full  
 158.1 citizenship, with full right to vote and hold office, the same as if such conviction had not  
 158.2 taken place, and the order of discharge shall so provide.

158.3 Sec. 76. **REPEALER; EARLY VOTING.**

158.4 Minnesota Statutes 2018, section 203B.081, subdivision 3, is repealed.

158.5 Sec. 77. **EFFECTIVE DATE; EARLY VOTING.**

158.6 The provisions of this article related to early voting are effective when the secretary of  
 158.7 state has certified that:

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

158.11 (2) precinct voting equipment that can tabulate at least 30 different ballot styles has been  
158.12 certified for use in this state. Upon certification pursuant to this section, the provisions of  
158.13 this act related to early voting apply to all federal, state, and county elections held on August  
158.14 1, 2019, and thereafter. A jurisdiction may implement the requirements of this act prior to  
158.15 the date provided in this section, if the secretary of state has made the required certifications  
158.16 at least 90 days prior to the date of the election at which early voting will be used.

158.17 **ARTICLE 5**

158.18 **CAMPAIGN FINANCE**

158.19 Section 1. Minnesota Statutes 2018, section 10A.01, subdivision 4, is amended to read:

158.20 Subd. 4. **Approved expenditure.** "Approved expenditure" means an expenditure made  
158.21 on behalf of a candidate or a local candidate by an entity other than the candidate's principal  
158.22 campaign committee ~~of the candidate or the local candidate~~, if the expenditure is made with  
158.23 the authorization or expressed or implied consent of, or in cooperation or in concert with,  
158.24 or at the request or suggestion of the candidate or local candidate, the candidate's principal  
158.25 campaign committee, or the candidate's or local candidate's agent. An approved expenditure  
158.26 is a contribution to that candidate or local candidate.

158.27 Sec. 2. Minnesota Statutes 2018, section 10A.01, subdivision 7, is amended to read:

158.28 Subd. 7. **Ballot question.** "Ballot question" means a question or proposition that is placed  
158.29 on the ballot and that may be voted on by:

158.30 (1) all voters of the state;

159.1 (2) all voters of Hennepin County;

159.2 (3) all voters of any home rule charter city or statutory city located wholly within  
159.3 Hennepin County and having a population of 75,000 or more; or

159.4 (4) all voters of Special School District No. 1.

159.5 "Promoting or defeating a ballot question" includes activities, other than lobbying  
159.6 activities, related to qualifying the question for placement on the ballot.

159.7 Sec. 3. Minnesota Statutes 2018, section 10A.01, subdivision 9, is amended to read:

159.8 Subd. 9. **Campaign expenditure.** "Campaign expenditure" or "expenditure" means a  
159.9 purchase or payment of money or anything of value, or an advance of credit, made or  
159.10 incurred for the purpose of influencing the nomination or election of a candidate or a local  
159.11 candidate or for the purpose of promoting or defeating a ballot question.

159.12 An expenditure is considered to be made in the year in which the candidate made the  
159.13 purchase of goods or services or incurred an obligation to pay for goods or services.

159.14 An expenditure made for the purpose of defeating a candidate or a local candidate is  
159.15 considered made for the purpose of influencing the nomination or election of that candidate  
159.16 or local candidate or any opponent of that candidate or local candidate.

159.17 Except as provided in clause (1), "expenditure" includes the dollar value of a donation  
159.18 in kind.

159.19 "Expenditure" does not include:

159.20 (1) noncampaign disbursements as defined in subdivision 26;

159.21 (2) services provided without compensation by an individual volunteering personal time  
159.22 on behalf of a candidate or a local candidate, ballot question, political committee, political  
159.23 fund, principal campaign committee, or party unit;

159.24 (3) the publishing or broadcasting of news items or editorial comments by the news  
159.25 media; or

159.26 (4) an individual's unreimbursed personal use of an automobile owned by the individual  
159.27 and used by the individual while volunteering personal time.

160.1 Sec. 4. Minnesota Statutes 2018, section 10A.01, is amended by adding a subdivision to  
160.2 read:

160.3 Subd. 10d. **Local candidate.** "Local candidate" means an individual who seeks  
160.4 nomination or election to:

160.5 (1) any county office in Hennepin County;

160.6 (2) any city office in any home rule charter city or statutory city located wholly within  
160.7 Hennepin County and having a population of 75,000 or more; or

160.8 (3) the school board in Special School District No. 1.

160.9 Sec. 5. Minnesota Statutes 2018, section 10A.01, subdivision 11, is amended to read:

160.10 Subd. 11. **Contribution.** (a) "Contribution" means money, a negotiable instrument, or  
160.11 a donation in kind that is given to a political committee, political fund, principal campaign  
160.12 committee, local candidate, or party unit. An allocation by an association of general treasury  
160.13 money to be used for activities that must be or are reported through the association's political  
160.14 fund is considered to be a contribution for the purposes of disclosure required by this chapter.

160.15 (b) "Contribution" includes a loan or advance of credit to a political committee, political  
160.16 fund, principal campaign committee, local candidate, or party unit, if the loan or advance  
160.17 of credit is: (1) forgiven; or (2) repaid by an individual or an association other than the  
160.18 political committee, political fund, principal campaign committee, local candidate, or party  
160.19 unit to which the loan or advance of credit was made. If an advance of credit or a loan is

160.20 forgiven or repaid as provided in this paragraph, it is a contribution in the year in which the  
160.21 loan or advance of credit was made.

160.22 (c) "Contribution" does not include services provided without compensation by an  
160.23 individual volunteering personal time on behalf of a candidate, local candidate, ballot  
160.24 question, political committee, political fund, principal campaign committee, or party unit;  
160.25 the publishing or broadcasting of news items or editorial comments by the news media; or  
160.26 an individual's unreimbursed personal use of an automobile owned by the individual while  
160.27 volunteering personal time.

160.28 Sec. 6. Minnesota Statutes 2018, section 10A.01, subdivision 16a, is amended to read:

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

160.30 (1) that a communication clearly identifies a candidate or a local candidate and uses  
160.31 words or phrases of express advocacy; or

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

161.5 **EFFECTIVE DATE.** This section is effective August 1, 2019, except that clause (2)  
161.6 is effective January 1, 2020, and applies to expenditures and electioneering communications  
161.7 made on or after that date.

161.8 Sec. 7. Minnesota Statutes 2018, section 10A.01, subdivision 17c, is amended to read:

161.9 Subd. 17c. **General treasury money.** "General treasury money" means money that an  
161.10 association other than a principal campaign committee, party unit, or political committee  
161.11 accumulates through membership dues and fees, donations to the association for its general  
161.12 purposes, and income from the operation of a business. General treasury money does not  
161.13 include money collected to influence the nomination or election of candidates or local  
161.14 candidates or to promote or defeat a ballot question.

161.15 Sec. 8. Minnesota Statutes 2018, section 10A.01, subdivision 18, is amended to read:

161.16 Subd. 18. **Independent expenditure.** "Independent expenditure" means an expenditure  
161.17 expressly advocating the election or defeat of a clearly identified candidate or local candidate,  
161.18 if the expenditure is made without the express or implied consent, authorization, or  
161.19 cooperation of, and not in concert with or at the request or suggestion of, any candidate or  
161.20 any candidate's principal campaign committee or agent or any local candidate or local  
161.21 candidate's agent. An independent expenditure is not a contribution to that candidate or  
161.22 local candidate. An independent expenditure does not include the act of announcing a formal  
161.23 public endorsement of a candidate or local candidate for public office, unless the act is  
161.24 simultaneously accompanied by an expenditure that would otherwise qualify as an  
161.25 independent expenditure under this subdivision.

161.26 Sec. 9. Minnesota Statutes 2018, section 10A.01, subdivision 20, is amended to read:

161.27 Subd. 20. **Loan.** "Loan" means an advance of money or anything of value made to a  
161.28 political committee, political fund, principal campaign committee, local candidate, or party  
161.29 unit.

162.1 Sec. 10. Minnesota Statutes 2018, section 10A.01, subdivision 26, is amended to read:

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

162.6 (1) payment for accounting and legal services;

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

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

162.9 (4) return of a public subsidy;

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

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

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

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

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

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

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

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

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

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

162.27 (15) filing fees;

- 162.28 (16) post-general election holiday or seasonal cards, thank-you notes, or advertisements  
162.29 in the news media mailed or published prior to the end of the election cycle;
- 163.1 (17) the cost of campaign material purchased to replace defective campaign material, if  
163.2 the defective material is destroyed without being used;
- 163.3 (18) contributions to a party unit;
- 163.4 (19) payments for funeral gifts or memorials;
- 163.5 (20) the cost of a magnet less than six inches in diameter containing legislator contact  
163.6 information and distributed to constituents;
- 163.7 (21) costs associated with a candidate attending a political party state or national  
163.8 convention in this state;
- 163.9 (22) other purchases or payments specified in board rules or advisory opinions as being  
163.10 for any purpose other than to influence the nomination or election of a candidate or to  
163.11 promote or defeat a ballot question;
- 163.12 (23) costs paid to a third party for processing contributions made by a credit card, debit  
163.13 card, or electronic check;
- 163.14 (24) a contribution to a fund established to support a candidate's participation in a recount  
163.15 of ballots affecting that candidate's election;
- 163.16 (25) costs paid by a candidate's principal campaign committee for a single reception  
163.17 given in honor of the candidate's retirement from public office after the filing period for  
163.18 affidavits of candidacy for that office has closed;
- 163.19 (26) a donation from a terminating principal campaign committee to the state general  
163.20 fund; ~~and~~
- 163.21 (27) a donation from a terminating principal campaign committee to a county obligated  
163.22 to incur special election expenses due to that candidate's resignation from state office; and
- 163.23 (28) payment of expenses for home security cameras, an electronic home security system,  
163.24 and identity theft monitoring services for a candidate and any immediate family members  
163.25 of the candidate residing in the candidate's household.
- 163.26 (b) The board must determine whether an activity involves a noncampaign disbursement  
163.27 within the meaning of this subdivision.
- 163.28 (c) A noncampaign disbursement is considered to be made in the year in which the  
163.29 candidate made the purchase of goods or services or incurred an obligation to pay for goods  
163.30 or services.
- 164.1 Sec. 11. Minnesota Statutes 2018, section 10A.01, subdivision 27, is amended to read:

164.2 Subd. 27. **Political committee.** "Political committee" means an association whose major  
164.3 purpose is to influence the nomination or election of one or more candidates or local  
164.4 candidates or to promote or defeat a ballot question, other than a principal campaign  
164.5 committee, local candidate, or a political party unit.

164.6 Sec. 12. Minnesota Statutes 2018, section 10A.01, subdivision 28, is amended to read:

164.7 Subd. 28. **Political fund.** "Political fund" means an accumulation of dues or voluntary  
164.8 contributions by an association other than a political committee, principal campaign  
164.9 committee, or party unit, if the accumulation is collected or expended to influence the  
164.10 nomination or election of one or more candidates or local candidates or to promote or defeat  
164.11 a ballot question. The term political fund as used in this chapter may also refer to the  
164.12 association acting through its political fund.

164.13 Sec. 13. Minnesota Statutes 2018, section 10A.12, subdivision 1, is amended to read:

164.14 Subdivision 1. **When required for contributions and approved expenditures.** An  
164.15 association other than a political committee or party unit may not contribute more than \$750  
164.16 in aggregate in any calendar year to candidates, local candidates, political committees, or  
164.17 party units or make approved expenditures of more than \$750 in aggregate in any calendar  
164.18 year unless the contribution or expenditure is made through a political fund.

164.19 Sec. 14. Minnesota Statutes 2018, section 10A.12, subdivision 2, is amended to read:

164.20 Subd. 2. **Commingling prohibited.** The contents of an association's political fund may  
164.21 not be commingled with other funds or with the personal funds of an officer or member of  
164.22 the association or the fund. It is not commingling for an association that uses only its own  
164.23 general treasury money to make expenditures and disbursements permitted under section  
164.24 10A.121, subdivision 1, directly from the depository used for its general treasury money.  
164.25 An association that accepts more than \$1,500 in aggregate in contributions to influence the  
164.26 nomination or election of candidates or local candidates or more than \$5,000 in contributions  
164.27 to promote or defeat a ballot question must establish a separate depository for those  
164.28 contributions.

164.29 Sec. 15. Minnesota Statutes 2018, section 10A.121, subdivision 1, is amended to read:

164.30 Subdivision 1. **Permitted disbursements.** An independent expenditure political  
164.31 committee or fund, or a ballot question political committee or fund, may:

- 165.1 (1) pay costs associated with its fund-raising and general operations;
- 165.2 (2) pay for communications that do not constitute contributions or approved expenditures;
- 165.3 (3) make contributions to independent expenditure or ballot question political committees  
165.4 or funds;
- 165.5 (4) make independent expenditures;
- 165.6 (5) make expenditures to promote or defeat ballot questions;

- 165.7 (6) return a contribution to its source;
- 165.8 (7) for a political fund, record bookkeeping entries transferring the association's general  
165.9 treasury money allocated for political purposes back to the general treasury of the association;  
165.10 ~~and~~
- 165.11 (8) for a political fund, return general treasury money transferred to a separate depository  
165.12 to the general depository of the association; ~~and~~
- 165.13 (9) make disbursements for electioneering communications.
- 165.14 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to  
165.15 expenditures and electioneering communications made on or after that date.
- 165.16 Sec. 16. Minnesota Statutes 2018, section 10A.121, subdivision 2, is amended to read:
- 165.17 Subd. 2. **Penalty.** (a) An independent expenditure political committee or independent  
165.18 expenditure political fund is subject to a civil penalty of up to four times the amount of the  
165.19 contribution or approved expenditure if it does the following:
- 165.20 (1) makes a contribution to a candidate, local candidate, party unit, political committee,  
165.21 or political fund other than an independent expenditure political committee or an independent  
165.22 expenditure political fund; or
- 165.23 (2) makes an approved expenditure.
- 165.24 (b) No other penalty provided in law may be imposed for conduct that is subject to a  
165.25 civil penalty under this section.
- 165.26 Sec. 17. Minnesota Statutes 2018, section 10A.13, subdivision 1, is amended to read:
- 165.27 Subdivision 1. **Accounts; penalty.** The treasurer of a political committee, political fund,  
165.28 principal campaign committee, or party unit must keep an account of:
- 166.1 (1) the sum of all contributions, except any donation in kind valued at \$20 or less, made  
166.2 to the committee, fund, or party unit;
- 166.3 (2) the name and address of each source of a contribution made to the committee, fund,  
166.4 or party unit in excess of \$20, together with the date and amount of each;
- 166.5 (3) each expenditure made by the committee, fund, or party unit, together with the date  
166.6 and amount;
- 166.7 (4) each approved expenditure made on behalf of the committee, fund, or party unit,  
166.8 together with the date and amount; and
- 166.9 (5) the name and address of each political committee, political fund, principal campaign  
166.10 committee, local candidate, or party unit to which contributions in excess of \$20 have been  
166.11 made, together with the date and amount.

166.12 Any individual who knowingly violates this subdivision is subject to a civil penalty  
166.13 imposed by the board of up to \$1,000.

166.14 Sec. 18. Minnesota Statutes 2018, section 10A.17, subdivision 4, is amended to read:

166.15 Subd. 4. **Independent expenditures.** An individual, political committee, political fund,  
166.16 principal campaign committee, or party unit that independently solicits or accepts  
166.17 contributions or makes independent expenditures on behalf of a candidate or local candidate  
166.18 must publicly disclose that the expenditure is an independent expenditure. All written and  
166.19 broadcast communications with those from whom contributions are independently solicited  
166.20 or accepted or to whom independent expenditures are made on behalf of a candidate or local  
166.21 candidate must contain a statement in substantially the form provided in section 211B.04,  
166.22 subdivision 2. The statement must be on the front page of all written communications and  
166.23 at the end of all broadcast communications made by that individual, political committee,  
166.24 political fund, principal campaign committee, or party unit on the candidate's or local  
166.25 candidate's behalf.

166.26 Sec. 19. Minnesota Statutes 2018, section 10A.20, is amended by adding a subdivision to  
166.27 read:

166.28 Subd. 2a. **Local election reports.** (a) This subdivision applies to a political committee,  
166.29 political fund, or political party unit that during a nongeneral election year:

166.30 (1) spends in aggregate more than \$200 to influence the nomination or election of local  
166.31 candidates;

167.1 (2) spends in aggregate more than \$200 to make independent expenditures on behalf of  
167.2 local candidates; or

167.3 (3) spends in aggregate more than \$200 to promote or defeat ballot questions defined  
167.4 in section 10A.01, subdivision 7, clause (2), (3), or (4).

167.5 (b) In addition to the reports required under subdivision 2, the entities listed in paragraph  
167.6 (a) must file the following reports in each nongeneral election year:

167.7 (1) a first-quarter report covering the calendar year through March 31, which is due  
167.8 April 14;

167.9 (2) a report covering the calendar year through May 31, which is due June 14;

167.10 (3) a pre-primary-election report due 15 days before the local primary election date  
167.11 specified in section 205.065;

167.12 (4) a pre-general-election report due 42 days before the local general election; and

167.13 (5) a pre-general-election report due ten days before a local general election.

167.14 The reporting obligations in this paragraph begin with the first report due after the  
167.15 reporting period in which the entity reaches the spending threshold specified in paragraph  
167.16 (a).

167.17 Sec. 20. Minnesota Statutes 2018, section 10A.20, subdivision 3, is amended to read:

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

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

167.24 (c) The report must disclose the name, address, employer, or occupation if self-employed,  
167.25 and registration number if registered with the board, of each individual or association that  
167.26 has made one or more contributions to the reporting entity, including the purchase of tickets  
167.27 for a fund-raising effort, that in aggregate within the year exceed \$200 for legislative or  
167.28 statewide candidates or more than \$500 for ballot questions, together with the amount and  
167.29 date of each contribution, and the aggregate amount of contributions within the year from  
167.30 each source so disclosed. A donation in kind must be disclosed at its fair market value. An  
167.31 approved expenditure must be listed as a donation in kind. A donation in kind is considered  
167.32 consumed in the reporting period in which it is received. The names of contributors must  
168.1 be listed in alphabetical order. Contributions from the same contributor must be listed under  
168.2 the same name. When a contribution received from a contributor in a reporting period is  
168.3 added to previously reported unitemized contributions from the same contributor and the  
168.4 aggregate exceeds the disclosure threshold of this paragraph, the name, address, and  
168.5 employer, or occupation if self-employed, of the contributor must then be listed on the  
168.6 report.

168.7 (d) The report must disclose the sum of contributions to the reporting entity during the  
168.8 reporting period.

168.9 (e) The report must disclose each loan made or received by the reporting entity within  
168.10 the year in aggregate in excess of \$200, continuously reported until repaid or forgiven,  
168.11 together with the name, address, occupation, principal place of business, if any, and  
168.12 registration number if registered with the board of the lender and any endorser and the date  
168.13 and amount of the loan. If a loan made to the principal campaign committee of a candidate  
168.14 is forgiven or is repaid by an entity other than that principal campaign committee, it must  
168.15 be reported as a contribution for the year in which the loan was made.

168.16 (f) The report must disclose each receipt over \$200 during the reporting period not  
168.17 otherwise listed under paragraphs (c) to (e).

168.18 (g) The report must disclose the sum of all receipts of the reporting entity during the  
168.19 reporting period.

168.20 (h) The report must disclose the following:

168.21 (1) the name, address, and registration number if registered with the board of each  
168.22 individual or association to whom aggregate expenditures, approved expenditures,  
168.23 independent expenditures, ~~and~~ ballot question expenditures, and disbursements for  
168.24 electioneering communications have been made by or on behalf of the reporting entity  
168.25 within the year in excess of \$200, ~~together with~~;

168.26 (2) the amount, date, and purpose of each expenditure, including an explanation of how  
168.27 the expenditure was used, ~~and~~;

168.28 (3) the name and address of, and office sought by, each candidate or local candidate on  
168.29 whose behalf the expenditure was made; or, in the case of electioneering communications,  
168.30 each candidate identified positively in the communication;

168.31 (4) identification of the ballot question that the expenditure was intended to promote or  
168.32 defeat and an indication of whether the expenditure was to promote or to defeat the ballot  
168.33 question; and

169.1 (5) in the case of independent expenditures made in opposition to a candidate, local  
169.2 candidate, or electioneering communications in which a candidate is identified negatively,  
169.3 the candidate's or local candidate's name, address, and office sought. A reporting entity  
169.4 making an expenditure on behalf of more than one candidate for state or legislative office  
169.5 must allocate the expenditure among the candidates or local candidates on a reasonable cost  
169.6 basis and report the allocation for each candidate or local candidate. The report must list  
169.7 on separate schedules any independent expenditures made on behalf of local candidates and  
169.8 any expenditures made for ballot questions as defined in section 10A.01, subdivision 7,  
169.9 clause (2), (3), or (4).

169.10 (i) The report must disclose the sum of all expenditures made by or on behalf of the  
169.11 reporting entity during the reporting period.

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

169.17 (k) The report must disclose the name, address, and registration number if registered  
169.18 with the board of each political committee, political fund, principal campaign committee,  
169.19 local candidate, or party unit to which contributions have been made that aggregate in excess  
169.20 of \$200 within the year and the amount and date of each contribution. The report must list  
169.21 on separate schedules any contributions made to state candidates' principal campaign  
169.22 committees and any contributions made to local candidates.

169.23 (l) The report must disclose the sum of all contributions made by the reporting entity  
169.24 during the reporting period and must separately disclose the sum of all contributions made  
169.25 to local candidates by the reporting entity during the reporting period.

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

169.31 (n) The report must disclose the sum of all noncampaign disbursements made within  
169.32 the year by or on behalf of the reporting entity.

169.33 (o) The report must disclose the name and address of a nonprofit corporation that provides  
169.34 administrative assistance to a political committee or political fund as authorized by section  
170.1 211B.15, subdivision 17, the type of administrative assistance provided, and the aggregate  
170.2 fair market value of each type of assistance provided to the political committee or political  
170.3 fund during the reporting period.

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

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

170.20 **EFFECTIVE DATE.** The amendments related to electioneering communications are  
170.21 effective January 1, 2020, and apply to expenditures and electioneering communications  
170.22 made on or after that date.

170.23 Sec. 21. Minnesota Statutes 2018, section 10A.20, subdivision 6a, is amended to read:

170.24 Subd. 6a. **Statement of independence.** An individual, political committee, political  
170.25 fund, or party unit filing a report or statement disclosing an independent expenditure under  
170.26 subdivision 3 or 6 must file with the report a sworn statement that the disclosed expenditures  
170.27 were not made with the authorization or expressed or implied consent of, or in cooperation

- 170.28 or in concert with, or at the request or suggestion of any candidate ~~or~~; any candidate's  
170.29 principal campaign committee or agent; or any local candidate or any local candidate's  
170.30 agent.
- 170.31 Sec. 22. [10A.201] ELECTIONEERING COMMUNICATIONS.
- 170.32 Subdivision 1. Electioneering communication. (a) "Electioneering communication"  
170.33 means a communication distributed by television, radio, satellite, the Internet, or cable  
171.1 broadcasting system; by means of printed material, signs, or billboards; through the use of  
171.2 telephone communications; or by electronic communication, including electronic mail or  
171.3 electronic text messaging that:
- 171.4 (1) refers to a clearly identified candidate;
- 171.5 (2) is made within:
- 171.6 (i) 30 days before a primary election or special primary election for the office sought  
171.7 by the candidate; or
- 171.8 (ii) 60 days before a general election or special election for the office sought by the  
171.9 candidate;
- 171.10 (3) is targeted to the relevant electorate; and
- 171.11 (4) is made without the express or implied consent, authorization, or cooperation of, and  
171.12 not in concert with or at the request or suggestion of, a candidate or a candidate's principal  
171.13 campaign committee or agent.
- 171.14 (b) Electioneering communication does not include:
- 171.15 (1) the publishing or broadcasting of news items or editorial comments by the news  
171.16 media;
- 171.17 (2) a communication that constitutes an approved expenditure or an independent  
171.18 expenditure;
- 171.19 (3) a voter guide, which is a pamphlet or similar printed material, intended to help voters  
171.20 compare candidates' positions on a set of issues, as long as each of the following is true:
- 171.21 (i) the guide does not focus on a single issue or a narrow range of issues, but includes  
171.22 questions and subjects sufficient to encompass major issues of interest to the entire electorate;
- 171.23 (ii) the questions and any other description of the issues are clear and unbiased in both  
171.24 their structure and content;
- 171.25 (iii) the questions posed and provided to the candidates are identical to those included  
171.26 in the guide;

- 171.27 (iv) each candidate included in the guide is given a reasonable amount of time and the  
171.28 same opportunity as other candidates to respond to the questions;
- 171.29 (v) if the candidate is given limited choices for an answer to a question, for example:  
171.30 "support," "oppose," "yes," or "no," the candidate is also given an opportunity, subject to  
171.31 reasonable limits, to explain the candidate's position in the candidate's own words; the fact  
172.1 that a candidate provided an explanation is clearly indicated in the guide; and the guide  
172.2 clearly indicates that the explanations will be made available for public inspection, subject  
172.3 to reasonable conditions;
- 172.4 (vi) answers included in the guide are those provided by the candidates in response to  
172.5 questions, the candidates' answers are unedited, and the answers appear in close proximity  
172.6 to the question to which they respond;
- 172.7 (vii) if the guide includes candidates' positions based on information other than responses  
172.8 provided directly by the candidate, the positions are based on recorded votes or public  
172.9 statements of the candidates and are presented in an unedited and unbiased manner; and
- 172.10 (viii) the guide includes all major party candidates for each office listed in the guide;
- 172.11 (4) a candidate forum or debate hosted by one or more nonprofit organizations that does  
172.12 not endorse, support, or oppose candidates, as long as each of the following is true:
- 172.13 (i) the forum or debate includes the participation of at least two candidates for each  
172.14 office featured;
- 172.15 (ii) the forum or debate is structured so that it does not promote one candidate or one  
172.16 candidate's issues of interest over another; and
- 172.17 (iii) candidates are selected for participation in the forum or debate based on  
172.18 preestablished, objective criteria;
- 172.19 (5) any other communication specified in board rules or advisory opinions as being  
172.20 excluded from the definition of electioneering communication; or
- 172.21 (6) a communication that:
- 172.22 (i) refers to a clearly identified candidate who is an incumbent member of the legislature  
172.23 or a constitutional officer;
- 172.24 (ii) refers to a clearly identified issue that is or was before the legislature in the form of  
172.25 an introduced bill; and
- 172.26 (iii) is made when the legislature is in session or within ten days after the last day of a  
172.27 regular session of the legislature.
- 172.28 (c) A communication that meets the requirements of paragraph (a) but is made with the  
172.29 authorization or express or implied consent of, or in cooperation or in concert with, or at

- 172.30 the request or suggestion of a candidate, a candidate's principal campaign committee, or a  
172.31 candidate's agent is an approved expenditure.
- 173.1 (d) Distributing a voter guide questionnaire, survey, or similar document to candidates  
173.2 and communications with candidates limited to obtaining their responses, without more, do  
173.3 not constitute communications that would result in the voter guide being an approved  
173.4 expenditure on behalf of the candidate.
- 173.5 **Subd. 2. Targeted to relevant electorate.** (a) For purposes of this section, a  
173.6 communication that refers to a clearly identified candidate is targeted to the relevant electorate  
173.7 if the communication is distributed to or can be received by more than 1,500 persons in the  
173.8 district the candidate seeks to represent, in the case of a candidate for the house of  
173.9 representatives, senate, or a district court judicial office or by more than 6,000 persons in  
173.10 the state, in the case of a candidate for constitutional office or appellate court judicial office.  
173.11 When determining the number of persons to whom a communication in the form of printed  
173.12 material, telephone communication, electronic mail, or electronic text messaging is  
173.13 distributed, an association may exclude communications distributed to its own members.
- 173.14 (b) A communication consisting of printed materials, other than signs, billboards, or  
173.15 advertisements published in the print media, is targeted to the relevant electorate if it meets  
173.16 the requirements of paragraph (a) and is distributed to voters by means of United States  
173.17 mail or through direct delivery to a resident's home or business.
- 173.18 **Subd. 3. Disclosure of electioneering communications.** (a) Electioneering  
173.19 communications made by a political committee, a party unit, or a principal campaign  
173.20 committee must be disclosed on the periodic reports of receipts and expenditures filed by  
173.21 the association on the schedule and in accordance with the terms of section 10A.20.
- 173.22 (b) An association other than a political committee, party unit, or principal campaign  
173.23 committee may register a political fund with the board and disclose its electioneering  
173.24 communications on the reports of receipts and expenditures filed by the political fund. If it  
173.25 does so, it must disclose its disbursements for electioneering communications on the schedule  
173.26 and in accordance with the terms of section 10A.20.
- 173.27 (c) An association that does not disclose its disbursements for electioneering  
173.28 communications under paragraph (a) or (b) must disclose its electioneering communications  
173.29 according to the requirements of subdivision 4.
- 173.30 **Subd. 4. Statement required for electioneering communications.** (a) Except for  
173.31 associations providing disclosure as specified in subdivision 3, paragraph (a) or (b), every  
173.32 person who makes a disbursement for the costs of producing or distributing electioneering  
173.33 communications that aggregate more than \$1,500 in a calendar year must, within 24 hours  
174.1 of each disclosure date, file with the board a disclosure statement containing the information  
174.2 described in this subdivision.

- 174.3 (b) Each statement required to be filed under this section must contain the following  
174.4 information:
- 174.5 (1) the names of: (i) the association making the disbursement; (ii) any person exercising  
174.6 direction or control over the activities of the association with respect to the disbursement;  
174.7 and (iii) the custodian of the financial records of the association making the disbursement;
- 174.8 (2) the address of the association making the disbursement;
- 174.9 (3) the amount of each disbursement of more than \$200 during the period covered by  
174.10 the statement, a description of the purpose of the disbursement, and the identification of the  
174.11 person to whom the disbursement was made;
- 174.12 (4) the names of the candidates identified or to be identified in the communication;
- 174.13 (5) if the disbursements were paid out of a segregated bank account that consists of funds  
174.14 donated specifically for electioneering communications, the name and address of each  
174.15 person who gave the association more than \$200 in aggregate to that account during the  
174.16 period beginning on the first day of the preceding calendar year and ending on the disclosure  
174.17 date; and
- 174.18 (6) if the disbursements for electioneering communications were made using general  
174.19 treasury money of the association, an association that has paid more than \$5,000 in aggregate  
174.20 for electioneering communications during the calendar year must file with its disclosure  
174.21 statement a written statement that includes the name, address, and amount attributable to  
174.22 each person that paid the association membership dues or fees, or made donations to the  
174.23 association that, in total, aggregate more than \$5,000 of the money used by the association  
174.24 for electioneering communications. The statement must also include the total amount of the  
174.25 disbursements for electioneering communications attributable to persons not subject to  
174.26 itemization under this clause. The statement must be certified as true by an officer of the  
174.27 association that made the disbursements for the electioneering communications.
- 174.28 (c) To determine the amount of the membership dues or fees, or donations made by a  
174.29 person to an association and attributable to the association's disbursements for electioneering  
174.30 communications, the association must separately prorate the total disbursements made for  
174.31 electioneering communications during the calendar year over all general treasury money  
174.32 received during the calendar year.
- 175.1 (d) If the amount spent for electioneering communications exceeds the amount of general  
175.2 treasury money received by the association during that year:
- 175.3 (1) the electioneering communications must be attributed first to all receipts of general  
175.4 treasury money received during the calendar year in which the electioneering communications  
175.5 were made;

175.6 (2) any amount of current year electioneering communications that exceeds the total of  
175.7 all receipts of general treasury money during the current calendar year must be prorated  
175.8 over all general treasury money received in the preceding calendar year; and

175.9 (3) if the allocation made in clauses (1) and (2) is insufficient to cover the subject of  
175.10 electioneering communications, no further allocation is required.

175.11 (e) After a portion of the general treasury money received by an association from a  
175.12 person has been designated as the source of a disbursement for electioneering  
175.13 communications, that portion of the association's general treasury money received from that  
175.14 person may not be designated as the source of any other disbursement for electioneering  
175.15 communications or as the source for any contribution to an independent expenditure political  
175.16 committee or fund.

175.17 Subd. 5. **Disclosure date.** For purposes of this section, the term "disclosure date" means  
175.18 the earlier of:

175.19 (1) the first date on which an electioneering communication is publicly distributed,  
175.20 provided that the person making the electioneering communication has made disbursements  
175.21 for the direct costs of producing or distributing one or more electioneering communication  
175.22 aggregating in excess of \$1,500; or

175.23 (2) any other date during the same calendar year on which an electioneering  
175.24 communication is publicly distributed, provided that the person making the electioneering  
175.25 communication has made disbursements for the direct costs of distributing one or more  
175.26 electioneering communication aggregating in excess of \$1,500 since the most recent  
175.27 disclosure date.

175.28 Subd. 6. **Contracts to disburse.** For purposes of this section, a person shall be treated  
175.29 as having made a disbursement if the person has entered into an obligation to make the  
175.30 disbursement.

175.31 Subd. 7. **Statement of attribution.** (a) An electioneering communication must include  
175.32 a statement of attribution.

176.1 (1) For communications distributed by printed material, signs, and billboards, the  
176.2 statement must say, in conspicuous letters: "Paid for by [association name] [address]."

176.3 (2) For communications distributed by television, radio, satellite, or a cable broadcasting  
176.4 system, the statement must be included at the end of the communication and must orally  
176.5 state at a volume and speed that a person of ordinary hearing can comprehend: "The preceding  
176.6 communication was paid for by the [association name]."

176.7 (3) For communications distributed by telephone, the statement must precede the  
176.8 communication and must orally state at a volume and speed that a person of ordinary hearing  
176.9 can comprehend: "The following communication is paid for by the [association name]."

176.10 (b) If the communication is paid for by an association registered with the board, the  
176.11 statement of attribution must use the association's name as it is registered with the board.  
176.12 If the communication is paid for by an association not registered with the board, the statement  
176.13 of attribution must use the association's name as it is disclosed to the board on the  
176.14 association's disclosure statement associated with the communication.

176.15 **Subd. 8. Failure to file; penalty.** (a) If a person fails to file a statement required by this  
176.16 section by the date the statement is due, the board may impose a late filing fee of \$50 per  
176.17 day, not to exceed \$1,000, commencing the day after the statement was due.

176.18 (b) The board must send notice by certified mail to a person who fails to file a statement  
176.19 within ten business days after the statement was due that the person may be subject to a  
176.20 civil penalty for failure to file the statement. A person who fails to file the statement within  
176.21 seven days after the certified mail notice was sent by the board is subject to a civil penalty  
176.22 imposed by the board of up to \$1,000.

176.23 (c) An association that provides disclosure under section 10A.20 rather than under this  
176.24 section is subject to the late filing fee and civil penalty provisions of section 10A.20 and is  
176.25 not subject to the penalties provided in this subdivision.

176.26 (d) An association that makes electioneering communications under this section and  
176.27 willfully fails to provide the statement required by subdivision 4, paragraph (b), clause (6),  
176.28 within the time specified is subject to an additional civil penalty of up to four times the  
176.29 amount of the electioneering communications disbursements that should have been included  
176.30 on the statement.

176.31 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to  
176.32 expenditures and electioneering communications made on or after that date.

177.1 **Sec. 23. Minnesota Statutes 2018, section 10A.244, is amended to read:**  
177.2 **10A.244 VOLUNTARY INACTIVE STATUS; POLITICAL FUNDS.**

177.3 **Subdivision 1. Election of voluntary inactive status.** An association that has a political  
177.4 fund registered under this chapter may elect to have the fund placed on voluntary inactive  
177.5 status if the following conditions are met:

177.6 (1) the association makes a written request for inactive status;

177.7 (2) the association has filed all periodic reports required by this chapter and has received  
177.8 no contributions into its political fund and made no expenditures or disbursements, including  
177.9 disbursements for electioneering communications, through its political fund since the last  
177.10 date included on the association's most recent report; and

177.11 (3) the association has satisfied all obligations to the state for late filing fees and civil  
177.12 penalties imposed by the board or the board has waived this requirement.

177.13 **Subd. 2. Effect of voluntary inactive status.** After an association has complied with  
177.14 the requirements of subdivision 1:

177.15 (1) the board must notify the association that its political fund has been placed in  
177.16 voluntary inactive status and of the terms of this section;

177.17 (2) the board must stop sending the association reports, forms, and notices of report due  
177.18 dates that are periodically sent to entities registered with the board;

177.19 (3) the association is not required to file periodic disclosure reports for its political fund  
177.20 as otherwise required under this chapter;

177.21 (4) the association may not accept contributions into its political fund and may not make  
177.22 expenditures, contributions, or disbursements, including disbursements for electioneering  
177.23 communications, through its political fund; and

177.24 (5) if the association maintains a separate depository account for its political fund, it  
177.25 may continue to pay bank service charges and receive interest paid on that account while  
177.26 its political fund is in inactive status.

177.27 Subd. 3. **Resumption of active status or termination.** (a) An association that has placed  
177.28 its political fund in voluntary inactive status may resume active status upon written notice  
177.29 to the board.

177.30 (b) A political fund placed in voluntary inactive status must resume active status within  
177.31 14 days of the date that it has accepted contributions or made expenditures, contributions,  
177.32 or disbursements, including disbursements for electioneering communications, that aggregate  
178.1 more than \$750 since the political fund was placed on inactive status. If, after meeting this  
178.2 threshold, the association does not notify the board that its fund has resumed active status,  
178.3 the board may place the association's political fund in active status and notify the association  
178.4 of the change in status.

178.5 (c) An association that has placed its political fund in voluntary inactive status may  
178.6 terminate the registration of the fund without returning it to active status.

178.7 Subd. 4. **Penalty for financial activity while in voluntary inactive status.** If an  
178.8 association fails to notify the board of its political fund's resumption of active status under  
178.9 subdivision 3, the board may impose a civil penalty of \$50 per day, not to exceed \$1,000  
178.10 commencing on the 15th calendar day after the fund resumed active status.

178.11 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to  
178.12 expenditures and electioneering communications made on or after that date.

178.13 Sec. 24. Minnesota Statutes 2018, section 10A.25, subdivision 3a, is amended to read:

178.14 Subd. 3a. **Independent expenditures and electioneering communications.** The principal  
178.15 campaign committee of a candidate must not make independent expenditures or  
178.16 disbursements for electioneering communications. If the principal campaign committee of  
178.17 a candidate makes a contribution to an independent expenditure committee or independent  
178.18 expenditure fund on or after January 1 of the year the candidate's office will appear on the

178.19 ballot, the independent expenditure committee or independent expenditure fund must not  
178.20 make an independent expenditure for that candidate.

178.21 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to  
178.22 expenditures and electioneering communications made on or after that date.

178.23 Sec. 25. Minnesota Statutes 2018, section 10A.27, subdivision 15, is amended to read:

178.24 Subd. 15. **Contributions or use of general treasury money.** (a) An association may,  
178.25 if not prohibited by other law, contribute its general treasury money to an independent  
178.26 expenditure or ballot question political committee or fund, including its own independent  
178.27 expenditure or ballot question political committee or fund, without complying with  
178.28 subdivision 13.

178.29 (b) Before the day when the recipient committee or fund's next report must be filed with  
178.30 the board under section 10A.20, subdivision 2 or 5, an association that has contributed more  
178.31 than \$5,000 in aggregate to independent expenditure political committees or funds during  
178.32 the calendar year or has contributed more than \$5,000 in aggregate to ballot question political  
179.1 committees or funds during the calendar year must provide in writing to the recipient's  
179.2 treasurer a statement that includes the name, address, and amount attributable to each person  
179.3 that paid the association dues or fees, or made donations to the association that, in total,  
179.4 aggregate more than \$5,000 of the contribution from the association to the independent  
179.5 expenditure or ballot question political committee or fund. The statement must also include  
179.6 the total amount of the contribution attributable to persons not subject to itemization under  
179.7 this section. The statement must be certified as true by an officer of the donor association.

179.8 (c) To determine the amount of membership dues or fees, or donations made by a person  
179.9 to an association and attributable to the association's contribution to the independent  
179.10 expenditure or ballot question political committee or fund, the donor association must:  
179.11 separately prorate the total independent expenditures and ballot question expenditures made  
179.12 during the calendar year over all general treasury money received during the calendar year.

179.13 ~~(1) apply a pro rata calculation to all unrestricted dues, fees, and contributions received~~  
179.14 ~~by the donor association in the calendar year; or~~

179.15 ~~(2) as provided in paragraph (d), identify the specific individuals or associations whose~~  
179.16 ~~dues, fees, or contributions are included in the contribution to the independent expenditure~~  
179.17 ~~political committee or fund.~~

179.18 ~~(d) Dues, fees, or contributions from an individual or association must be identified in~~  
179.19 ~~a contribution to an independent expenditure political committee or fund under paragraph~~  
179.20 ~~(e), clause (2), if:~~

179.21 ~~(1) the individual or association has specifically authorized the donor association to use~~  
179.22 ~~the individual's or association's dues, fees, or contributions for this purpose; or~~

179.23 ~~(2) the individual's or association's dues, fees, or contributions to the donor association~~  
179.24 ~~are unrestricted and the donor association designates them as the source of the subject~~  
179.25 ~~contribution to the independent expenditure political committee or fund.~~

179.26 (d) If the amount contributed to independent expenditure and ballot question political  
179.27 committees or funds in a calendar year exceeds the amount of general treasury money  
179.28 received by the association during that year:

179.29 (1) the contributions must be attributed first to all receipts of general treasury money  
179.30 received during the calendar year in which the contributions were made;

179.31 (2) any amount of current-year contributions that exceeds the total of all receipts of  
179.32 general treasury money during the current calendar year must be prorated over all general  
179.33 treasury money received in the preceding calendar year; and

180.1 (3) if the allocation made in clauses (1) and (2) is insufficient to cover the subject  
180.2 independent expenditures and ballot question expenditures, no further allocation is required.

180.3 (e) After a portion of the general treasury money received by an association from a  
180.4 person has been designated as the source of a contribution to an independent expenditure  
180.5 or ballot question political committee or fund, that portion of the association's general  
180.6 treasury money received from that person may not be designated as the source of any other  
180.7 contribution to an independent expenditure or ballot question political committee or fund,  
180.8 or as the source of funds for a disbursement for electioneering communications made by  
180.9 that association.

180.10 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to  
180.11 expenditures and electioneering communications made on or after that date.

180.12 Sec. 26. Minnesota Statutes 2018, section 383B.041, is amended to read:  
180.13 383B.041 CAMPAIGN FINANCING, DISCLOSURE OF ECONOMIC  
180.14 INTERESTS.

180.15 Subdivision 1. **Hennepin County candidates.** Sections 383B.041 to 383B.058 apply  
180.16 to the financing of campaigns for county elections in Hennepin County and for city elections  
180.17 in home rule charter cities and statutory cities located wholly within Hennepin County,  
180.18 having a population of 75,000 or more, and for school board elections in the Special School  
180.19 District No. 1, Minneapolis, and to disclosure of economic interests by candidates and  
180.20 elected public officials of those jurisdictions. The provisions of sections 211A.02 to 211A.07  
180.21 do not apply to the financing of campaigns for elections subject to the provisions of sections  
180.22 383B.041 to 383B.058. Candidates for county commissioner, county attorney, and sheriff  
180.23 of Hennepin County must file campaign disclosure forms with the filing officer for Hennepin  
180.24 County. These candidates are subject to the provisions of chapter 211A.

180.25 Subd. 2. **Political subdivision candidates.** Candidates for elected city, school board,  
180.26 park commissioner, and other political subdivision offices within Hennepin County shall  
180.27 file campaign disclosure forms with the filing officer for the political subdivision for which

- 180.28 the candidate is seeking office. These candidates are subject to the provisions of chapter  
180.29 211A.
- 180.30 Subd. 3. **Political committees, political funds, and independent expenditures.** (a)  
180.31 The provisions of chapter 10A apply to political committees as defined in section 10A.01,  
180.32 subdivision 27; political funds as defined in section 10A.01, subdivision 28; and independent  
180.33 expenditures as defined in section 10A.01, subdivision 18, related to:
- 181.1 (1) a campaign for the nomination or election of a candidate for:
- 181.2 (i) a county office in Hennepin County;
- 181.3 (ii) a city office in a home rule charter or statutory city located wholly within Hennepin  
181.4 County with a population of 75,000 or more; or
- 181.5 (iii) the school board in Special School District No. 1; and
- 181.6 (2) a ballot question or proposition that may be voted on by:
- 181.7 (i) all voters in Hennepin County;
- 181.8 (ii) all voters of a home rule charter or statutory city located wholly within Hennepin  
181.9 County and having a population of 75,000 or more; or
- 181.10 (iii) all voters in Special School District No. 1.
- 181.11 (b) The provisions of chapter 211A apply to a campaign for nomination or election for  
181.12 an office in the following political subdivisions:
- 181.13 (1) a home rule or statutory city located wholly within Hennepin County and having a  
181.14 population of less than 75,000; and
- 181.15 (2) a school district located wholly within Hennepin County other than Special School  
181.16 District No. 1.
- 181.17 (c) The provisions of chapter 211A apply to a ballot question or proposition that may  
181.18 be voted on by:
- 181.19 (1) all voters of a home rule or statutory city located wholly within Hennepin County  
181.20 and having a population of less than 75,000; and
- 181.21 (2) all voters of a school district located wholly within Hennepin County other than  
181.22 Special School District No. 1.
- 181.23 Subd. 4. **Local ordinances and charters superseded.** This section supersedes the  
181.24 provisions of any ordinance or resolution of a political subdivision within Hennepin County  
181.25 or any existing special law or home rule charter provision of a political subdivision within  
181.26 Hennepin County requiring disclosure of information related to the financing of election  
181.27 campaigns.

181.28 Subd. 5. **Economic interest disclosure; Special School District No. 1.** Every candidate  
181.29 for school board in Special School District No. 1, Minneapolis, must file an original statement  
181.30 of economic interest with the school district within 14 days of the filing of an affidavit or  
181.31 petition to appear on the ballot. An elected official in Special School District No. 1,  
182.1 Minneapolis, must file the annual statement required in section 10A.09, subdivision 6, with  
182.2 the school district for every year that the individual serves in office. An original and annual  
182.3 statement must contain the information listed in section 10A.09, subdivision 5. The provisions  
182.4 of section 10A.09, subdivisions 6a, 7, and 9, apply to statements required under this  
182.5 subdivision.

182.6 Sec. 27. **REPEALER.**

182.7 Minnesota Statutes 2018, sections 10A.15, subdivision 6; 383B.042; 383B.043; 383B.044;  
182.8 383B.045; 383B.046; 383B.047; 383B.048; 383B.049; 383B.05; 383B.051; 383B.052;  
182.9 383B.053; 383B.054; 383B.055; 383B.056; and 383B.057, are repealed.

182.10 **ARTICLE 6**

182.11 **REDISTRICTING**

182.12 Section 1. [2.032] REDISTRICTING COMMISSION.

182.13 Subdivision 1. **Commission membership; duties.** In each year ending in one, a  
182.14 redistricting commission is created to draw the boundaries of congressional and legislative  
182.15 districts in accordance with the principles established in section 2.035. The commission  
182.16 consists of 12 public members, to be appointed in the manner provided in subdivision 2,  
182.17 and five retired judges of the appellate or district courts of this state who have not served  
182.18 in a party-designated or party-endorsed position, such as legislator, to be appointed in the  
182.19 manner provided in subdivision 3.

182.20 Subd. 2. **Public members; appointment.** (a) The secretary of state shall supervise the  
182.21 appointment of public members to the redistricting commission.

182.22 (b) By January 15 of each year ending in zero, the secretary of state shall open a widely  
182.23 publicized process that encourages eligible residents of this state to apply for membership  
182.24 on the redistricting commission. The secretary of state shall solicit recommendations for  
182.25 appointment to the redistricting commission from nongovernmental organizations with an  
182.26 interest in the elections process.

182.27 (c) The secretary of state shall provide an application form which must be designed to  
182.28 show: (1) that an applicant meets the requirements of this subdivision; (2) that the application  
182.29 must be submitted under oath affirming the truthfulness of its contents under penalty of  
182.30 perjury; and (3) the applicant's demographic information, such as gender, race, ethnicity,  
182.31 and age.

182.32 (d) The following persons are not eligible to serve as a commissioner:

- 183.1 (1) a person who is not eligible to vote;
- 183.2 (2) a person under a contract with, or who serves as a consultant or staff to, or who has  
183.3 an immediate family relationship with the governor, a member of the legislature, or a member  
183.4 of congress; and
- 183.5 (3) a person, or member of the person's immediate family, who has done any of the  
183.6 following during the ten years immediately preceding the date of application:
- 183.7 (i) has been appointed to, elected to, or a candidate for federal or state office;
- 183.8 (ii) served as an officer, employee, or paid consultant of a political party or of the  
183.9 campaign committee of a candidate for elective federal or state office;
- 183.10 (iii) served as an elected or appointed member of a political party state central committee;
- 183.11 (iv) registered as a federal, state, or local lobbyist or principal;
- 183.12 (v) served as paid congressional or legislative staff; or
- 183.13 (vi) violated the candidate contribution limits in section 10A.27.
- 183.14 (e) For purposes of this subdivision, a member of a person's immediate family means a  
183.15 sibling, spouse, parent or stepparent, child or stepchild, or in-law.
- 183.16 (f) The secretary of state shall process applications as they are received and remove from  
183.17 the applicant pool any person not eligible to serve as a commissioner and notify the person  
183.18 of the reason the person was removed. To be considered, applications must be received by  
183.19 September 15 of the year ending in zero. An applicant must provide with the application  
183.20 two positive references from community leaders or groups that promote civic engagement  
183.21 with whom the applicant has worked and demonstrate that the applicant:
- 183.22 (1) has experience with outreach to community groups to encourage civic participation  
183.23 with an emphasis on historically disenfranchised groups; or
- 183.24 (2) has an interest in or experience with government, elections, or civic life.
- 183.25 (g) The secretary of state shall, based on a review of the applications, prepare a list of  
183.26 120 applicant finalists who have demonstrated based on their application an ability to be  
183.27 impartial and respect the diversity of this state's many communities. The list must, to the  
183.28 extent practicable, reflect the gender, socioeconomic, age, racial, language, ethnic, and  
183.29 geographic diversity of the state.
- 183.30 (h) The list must include:
- 183.31 (1) 40 applicant finalists identifying with the largest major political party in Minnesota;
- 184.1 (2) 40 applicant finalists identifying with the second largest major political party in  
184.2 Minnesota; and

- 184.3 (3) 40 applicant finalists identifying their political party preference as belonging to a  
184.4 party not described in clause (1) or (2) or to no party.
- 184.5 For purposes of this paragraph, the two largest political parties are the parties whose  
184.6 candidates received the greatest and second greatest number of votes at the most recent two  
184.7 gubernatorial elections.
- 184.8 (i) By December 15 of the year ending in zero, the secretary of state shall give the list  
184.9 of finalists and their applications to the majority and minority leaders of the senate, the  
184.10 speaker of the house, and the minority leader of the house of representatives. At an open  
184.11 meeting, each of the four leaders shall remove 21 applicant finalists from the list: seven  
184.12 applicant finalists identifying their political party preference with the majority party in the  
184.13 house of representatives, seven applicant finalists identifying their political party preference  
184.14 with the minority party in the house of representatives, and seven applicant finalists who  
184.15 identified their political party preference with a party different than the majority party in  
184.16 the house of representatives and the minority party of the house of representatives or with  
184.17 no party. The leaders shall remove applicants one at a time in the order listed above, unless  
184.18 the leaders agree to a different order.
- 184.19 (j) By January 15 of each year ending in one, after the process of removing applicants  
184.20 from the list is completed, each of the four leaders of the house of representatives and senate  
184.21 shall give the list of finalists and their applications to the secretary of state. The secretary  
184.22 of state shall randomly draw four names from the remaining applicants identifying their  
184.23 political party preference as belonging to the majority party of the house of representatives,  
184.24 four identifying their political party preference as belonging to the minority party of the  
184.25 house of representatives, and four identifying their political party preference as belonging  
184.26 to a different party than the majority party in the house of representatives and the minority  
184.27 party of the house of representatives or to no party. These 12 persons shall serve as public  
184.28 member commissioners.
- 184.29 (k) The secretary of state's actions under this subdivision are not subject to chapter 14.
- 184.30 Subd. 3. **Retired judges; appointment.** By January 15 of each year ending in one, the  
184.31 four leaders of the house of representatives and senate shall each appoint one retired judge,  
184.32 after consulting with each other in an effort to attain geographic balance in their  
184.33 appointments. If the legislative leaders do not make the appointment by the deadline, the  
184.34 chief justice of the supreme court shall make the appointment by January 22 of that year.  
185.1 The director of the Legislative Coordinating Commission shall convene a meeting of the  
185.2 four retired judges by January 29 of that year. The four retired judges shall then appoint the  
185.3 fifth retired judge by a vote of at least three judges.
- 185.4 Subd. 4. **Code of conduct.** (a) In performing their duties, the five retired judges serving  
185.5 as commissioners shall abide by the Code of Judicial Conduct and are considered judicial  
185.6 officers as defined in section 609.415.

- 185.7 (b) Public members of the commission exercise the function of a public officer as defined  
185.8 in section 609.415.
- 185.9 Subd. 5. **Removal; filling vacancies.** (a) A commissioner can be removed with two-thirds  
185.10 vote of the commission after notice and a hearing for reasons that would justify recall of a  
185.11 state official under section 211C.02.
- 185.12 (b) The commission must remove a commissioner who participates in a communication  
185.13 that violates subdivision 8.
- 185.14 (c) Except for vacancies filled by the chief justice, vacancies on the commission must  
185.15 be filled by the appointing authority that made the initial appointment within 30 days after  
185.16 the vacancy occurs. The appointing authority for public members is the secretary of state  
185.17 and must be filled by drawing from the same partisan pool as the vacant position. If no  
185.18 applicants in the pool are available for service, the secretary of state shall establish a new  
185.19 pool, as provided in subdivision 2.
- 185.20 Subd. 6. **Open records.** The commission is subject to chapter 13, except that a plan is  
185.21 not public data until it has been submitted to the commission for its consideration.
- 185.22 Subd. 7. **Open meetings.** The commission is subject to chapter 13D.
- 185.23 Subd. 8. **Certain communications prohibited.** (a) Commissioners and commission  
185.24 staff must not communicate with anyone except other commissioners or staff regarding the  
185.25 content of a plan. The prohibition under this paragraph does not apply to open meetings of  
185.26 the commission.
- 185.27 (b) A commissioner may not direct, request, suggest, or recommend an interpretation  
185.28 of a districting principle or a change to a district boundary to commission staff except during  
185.29 open meetings of the commission. Commission staff shall report to the commission attempts  
185.30 made to exert influence over the staff's role in the drafting of plans.
- 185.31 Subd. 9. **Lobbyist registration.** Action of the commission to submit a redistricting plan  
185.32 to the legislature is an administrative action for purposes of section 10A.01, subdivision  
185.33 21, requiring certain persons to register as a lobbyist.
- 186.1 Subd. 10. **Compensation and expenses.** Commissioners must be compensated for their  
186.2 commission activity as provided in section 15.059, subdivision 3.
- 186.3 Subd. 11. **Plans submitted to commission.** The commission shall adopt a schedule for  
186.4 interested persons to submit proposed plans and to respond to plans proposed by others.  
186.5 The commission shall also adopt standards to govern the format of plans submitted. The  
186.6 schedule and standards adopted by the commission under this subdivision are not rules.  
186.7 Chapter 14 and section 14.386 do not apply to this section.
- 186.8 Subd. 12. **Public hearings.** The commission shall hold at least one public hearing in  
186.9 each congressional district before adopting the first congressional and legislative district  
186.10 plans. The commission must ask for input on defining communities of interest for

186.11 consideration. The commission must publish on its website preliminary drafts of the  
186.12 congressional and legislative district plans and each preliminary draft's accompanying  
186.13 reports at least one week before a hearing required under this subdivision and allow the  
186.14 public at least 30 days to submit comments after publication.

186.15 Subd. 13. **Deadlines.** (a) By April 30 of each year ending in one, the commission shall  
186.16 submit plans to the legislature for congressional and legislative districts. Each plan must be  
186.17 accompanied by a report summarizing information and testimony received by the commission  
186.18 in the course of the hearings and including any comments and conclusions the commissioners  
186.19 deem appropriate on the information and testimony received at the hearings or otherwise  
186.20 presented. Any plan submitted to the legislature must be approved by an affirmative vote  
186.21 of at least 13 members of the commission.

186.22 (b) The legislature intends that a bill be introduced to enact each plan and that the bill  
186.23 be brought to a vote in either the senate or the house of representatives under a procedure  
186.24 or rule permitting no amendments except those of a purely corrective nature, not less than  
186.25 one week after the report of the commission was received and made available to the members  
186.26 of the legislature. The legislature further intends that the bill be brought to a vote in the  
186.27 second body within one week after final passage in the first body under a similar procedure  
186.28 or rule. If either the senate or the house of representatives fails to approve a first plan  
186.29 submitted by the commission, within one week after the failure the secretary of the senate  
186.30 or the chief clerk of the house of representatives must notify the commission of the failure,  
186.31 including any information that the senate or house of representatives may direct by resolution  
186.32 regarding reasons why the plan was not approved. If the governor vetoes a plan, the veto  
186.33 message serves as the notice.

187.1 (c) The commission shall submit a second plan within two weeks after the commission  
187.2 received the notice, unless by then the legislature has adjourned the regular session in the  
187.3 year ending in one, in which case the second plan must be submitted to the legislature at  
187.4 the opening of its regular session in the year ending in two. The legislature intends that a  
187.5 second plan be considered by the legislature under the same procedure as provided for a  
187.6 first plan under paragraph (b).

187.7 (d) If the commission fails to submit a plan by either of these two deadlines, the legislature  
187.8 may proceed to enact a plan in place of the missing plan without waiting for the commission  
187.9 to submit a plan.

187.10 (e) If the secretary of the senate or the chief clerk of the house of representatives notifies  
187.11 the commission that a second plan has failed, or the governor vetoes a second plan, the  
187.12 commission shall submit a third plan within two weeks after the commission received the  
187.13 notice, unless by then the legislature has adjourned the regular session in the year ending  
187.14 in one, in which case the third plan must be submitted to the legislature at the opening of  
187.15 its regular session in the year ending in two. The third plan is subject to the same procedure  
187.16 as provided for first and second plans under paragraph (b).

- 187.17 Final approval of all plans, whether enacted by the legislature or as provided by order  
187.18 of the court, must take place no later than the date provided in section 204B.14, subdivision  
187.19 1a.
- 187.20 Subd. 14. **Data used.** (a) To draw congressional and legislative districts, the commission  
187.21 shall use, at a minimum, census data representing the entire population of Minnesota.
- 187.22 (b) The commission shall use redistricting population data that includes data for persons  
187.23 who are incarcerated reflecting their residence to be their last known residential address  
187.24 before incarceration.
- 187.25 Subd. 15. **Expiration.** (a) The commission expires when both congressional and  
187.26 legislative redistricting plans have been enacted into law or adopted by order of the court  
187.27 and any legal challenges to the plans have been resolved.
- 187.28 (b) If use of a plan is enjoined after the commission expires, the court enjoining the plan  
187.29 may direct that a new commission be appointed under this section to draft a remedial plan  
187.30 for presentation to the legislature in accordance with deadlines established by order of the  
187.31 court.
- 188.1 Sec. 2. [2.035] DISTRICTING PRINCIPLES.
- 188.2 Subdivision 1. **Application.** The principles in this section apply to congressional and  
188.3 legislative districts.
- 188.4 Subd. 2. **Prohibited information.** (a) No plan shall be drawn to purposefully favor or  
188.5 disfavor a political party or candidate.
- 188.6 (b) Information regarding registered voters, political affiliation, voting history, and  
188.7 demographics shall be sequestered from the Redistricting Commission for the initial phase  
188.8 of the process, but may be used to test for compliance with the goals in subdivision 3 and  
188.9 reports described in section 2.036, subdivision 4.
- 188.10 Subd. 3. **Priority of principles.** Redistricting commissioners appointed under section  
188.11 2.032 shall adhere to the principles in subdivisions 4 to 12 when drawing congressional and  
188.12 legislative districts. Where it is not possible to fully comply with the principles contained  
188.13 below, a redistricting plan shall give priority to those principles in the order in which they  
188.14 are listed, except to the extent that doing so would violate federal or state law.
- 188.15 Subd. 4. **Population equality.** (a) Congressional districts must be as nearly equal in  
188.16 population as practicable.
- 188.17 (b) Legislative districts must be substantially equal in population. The population of a  
188.18 legislative district must not deviate from the ideal by more than one percent.

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

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

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

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

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

189.12 Subd. 9. **Incumbents.** The residence of incumbents shall not be taken into consideration  
189.13 in the development or approval of a proposed plan.

189.14 Subd. 10. **Compactness.** Compactness must be measured by using one or more statistical  
189.15 tests and must be compact.

189.16 Subd. 11. **Partisan symmetry and bias.** A district must not be drawn in a manner that  
189.17 unduly favors or disfavors any political party. The commission shall use judicial standards  
189.18 and the best available scientific and statistical methods to assess whether a plan unduly  
189.19 favors or disfavors a political party.

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

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

189.27 Sec. 3. [2.036] LEGISLATIVE COORDINATING COMMISSION;  
189.28 REDISTRICTING.

189.29 Subdivision 1. **Administrative support.** The Legislative Coordinating Commission  
189.30 shall provide administrative support to the Redistricting Commission.

189.31 Subd. 2. **Database.** The geographic areas and population counts used in maps, tables,  
189.32 and legal descriptions of congressional and legislative districts considered by the legislature  
189.33 must be those used by the Geographic Information Services (GIS) Office of the Legislative  
190.1 Coordinating Commission. The population counts shall be the block population counts  
190.2 provided to the state under Public Law 94-171 after each decennial census, subject to  
190.3 correction of any errors acknowledged by the United States Census Bureau. The GIS Office  
190.4 must make the database available to the public on the GIS Office website.

190.5 Subd. 3. **Publication; consideration of plans.** A redistricting plan must not be considered  
190.6 for adoption by the senate or house of representatives until the redistricting plan's block  
190.7 equivalency file has been submitted to the GIS Office in a form prescribed by the GIS  
190.8 Office. The block equivalency file must show the district to which each census block has  
190.9 been assigned. The GIS Office shall publish each plan submitted to it on the GIS Office  
190.10 website.

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

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

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

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

190.22 (4) a communities of interest report, if the chief author of a plan asserts that it preserves  
190.23 a community of interest, maps of the plan must include a layer identifying the census blocks  
190.24 within the community of interest. Publication of the plan must also include a report that  
190.25 lays out the research and process used to identify the communities of interest and lists the  
190.26 district or districts to which the community of interest has been assigned. The report must

- 190.27 include the number of communities of interest that are split and the number of times the  
 190.28 communities were split;
- 190.29 (5) a political subdivision splits report, listing the split counties, cities, towns, unorganized  
 190.30 territories, and precincts, and the district to which each portion of a split subdivision is  
 190.31 assigned. The report must also show the number of subdivisions split and the number of  
 190.32 times a subdivision is split;
- 191.1 (6) a plan components report, listing for each district the names and populations of the  
 191.2 counties within it and, where a county is split between or among districts, the names and  
 191.3 populations of the portion of the split county and each of the split county's whole or partial  
 191.4 cities, townships, unorganized territories, and precincts within each district.
- 191.5 (7) a measures of compactness report, listing for each district at least the results of the  
 191.6 Reock, Polsby-Popper, Minimum Convex Hull, Population Polygon, Population Circle,  
 191.7 Ehrenburg, Length-Width, measures of compactness. The report must also state for all the  
 191.8 districts in a plan the sum of its perimeters and the mean of its other measurements. The  
 191.9 commission may consider other tests of compactness; and
- 191.10 (8) a partisan bias report, listing multiple measures of partisan symmetry or other  
 191.11 measures of partisan bias as accepted in political science literature and the best available  
 191.12 scientific and statistical methods.
- 191.13 Sec. 4. [204B.136] REDISTRICTING OF LOCAL ELECTION DISTRICTS.
- 191.14 Subdivision 1. **Redistricting plan standards; Redistricting Commission.** The principles  
 191.15 provided in section 2.035 must be applied to the redistricting of:
- 191.16 (1) county commissioner districts, county park districts, and soil and water conservation  
 191.17 supervisor districts in counties with a population greater than 100,000; and
- 191.18 (2) wards in cities with a population greater than 75,000.
- 191.19 Subd. 2. **Population variance.** The minimum population variance permitted for county  
 191.20 districts and wards may be up to 1.5 percent of the mean population for all districts or wards  
 191.21 in a redistricting plan adopted as provided in this section.
- 191.22 Subd. 3. **Procedure.** Redistricting plans required by this section shall be prepared and  
 191.23 adopted by the charter commission, or where such a commission does not exist, by a  
 191.24 redistricting commission of no fewer than seven and no more than 15 members appointed  
 191.25 by the chief judge of the district court in which a majority of the population of the affected  
 191.26 jurisdiction reside. Members of a commission appointed under this subdivision must meet  
 191.27 the qualification standards for a public member of the Redistricting Commission as described  
 191.28 in section 2.032, subdivision 2, paragraph (d).