ARTICLE 3

CAMPAIGN FINANCE AND ELECTIONS

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

A program participant who is otherwise eligible to vote may register with the secretary of state as a permanent absentee voter. Notwithstanding section 203B.04, subdivision 5, the secretary of state is not required to send an absentee ballot application prior to each election to a program participant registered as a permanent absentee voter under this section. As soon as practicable before each election, the secretary of state shall determine the precinct in which the residential address of the program participant is located. Upon making a precinct determination, the secretary of state shall either (1) request from and receive from the county auditor or other election official the ballot for that precinct and mail the absentee ballot to the program participant with the other materials for absentee balloting as required by Minnesota law. The program participant shall complete the ballot and return it to the secretary of state, who shall review the ballot in the manner provided by section 203B.121, subdivision 2. If the ballot and ballot materials comply with the requirements of that section, the ballot must be certified by the secretary of state as the ballot of a program participant, and must be forwarded to the appropriate electoral jurisdiction for tabulation along with all other ballots. The name and address of a program participant must not be listed in the statewide voter registration system.

ARTICLE 6

ELECTIONS & CAMPAIGN FINANCE

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

Subd. 10. Candidate. "Candidate" means an individual who seeks nomination or election as a state constitutional officer, legislator, or judge. An individual is deemed to seek nomination or election if the individual has taken the action necessary under the law of this state to qualify for nomination or election, has received contributions or made expenditures in excess of $200, or has given implicit or explicit consent for any other person to receive contributions or make expenditures in excess of $200, for the purpose of bringing about the individual's nomination or election. A candidate remains a candidate until the candidate's principal campaign committee is dissolved as provided in section 10A.243.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 2. Minnesota Statutes 2021 Supplement, section 10A.01, subdivision 16a, is amended to read:

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

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

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

Sec. 2. Minnesota Statutes 2020, section 10A.105, subdivision 1, is amended to read:

Subdivision 1. Single committee. A candidate must not accept contributions from a source, other than self, in aggregate in excess of $200 or accept a public subsidy unless the candidate designates and causes to be formed a single principal campaign committee for each office sought. A candidate may not authorize, designate, or cause to be formed any other political committee bearing the candidate's name or title or otherwise operating under the direct or indirect control of the candidate. However, a candidate may be involved in the direct or indirect control of a party unit.

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

Sec. 3. Minnesota Statutes 2020, section 10A.14, subdivision 1, is amended to read:

Subdivision 1. First registration. (a) The treasurer of a political committee, principal campaign committee, or party unit must register with the board by filing a registration statement. The registration statement must be filed by the earliest of the following dates:

(1) no later than 14 days after the committee, fund, principal campaign committee, or party unit has made a contribution, received contributions, or made expenditures in excess of $200;

(2) no later than the next report of receipts and expenditures filing date applicable to the committee, fund, principal campaign committee, or party unit if the committee, fund, or party unit reached the threshold in clause (1) before the end of the reporting period covered by that report; or

(3) by the end of the next business day after it has received a loan or contribution that must be reported under section 10A.20, subdivision 5.

(b) This subdivision does not apply to ballot question or independent expenditure political committees or funds, which are subject to subdivision 1a.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 4. Minnesota Statutes 2020, section 10A.20, subdivision 6, is amended to read:

Subd. 6. Report when no committee. (a) A candidate who does not designate and cause to be formed a principal campaign committee and who makes campaign expenditures in aggregate in excess of $200 in a year must file with the board a report containing the information required by subdivision 3. Reports required by this subdivision must be filed by the dates on which reports by principal campaign committees must be filed.

(b) An individual who makes independent expenditures that aggregate more than $1,500 in a calendar year or expenditures to promote or defeat a ballot question that aggregate more than $5,000 in a calendar year must file with the board a report containing the information required by subdivision 3. A report required by this subdivision must be filed by the date on which the next report by political committees and political funds must be filed.

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

Sec. 5. Minnesota Statutes 2020, section 10A.25, subdivision 2, is amended to read:

Subd. 2. Amounts. (a) In a segment of an election cycle, the principal campaign committee of the candidate must not make campaign expenditures nor permit approved expenditures to be made on behalf of the candidate that result in aggregate expenditures in excess of the following:

(1) for governor and lieutenant governor, running together, $3,817,700 in the election segment and $1,697,400 in the nonelection segment;

(2) for attorney general, $654,600 in the election segment and $226,400 in the nonelection segment;

(3) for secretary of state and state auditor, separately, $436,400 in the election segment and $113,300 in the nonelection segment;

(4) for state senator, $102,800 in the election segment and $32,800 in a nonelection segment;

(5) for state representative, $68,500 in the election segment.

(b) In addition to the amount in paragraph (a), clause (1), a candidate for endorsement for the office of lieutenant governor at the convention of a political party may make campaign expenditures and approved expenditures of five percent of that amount to seek endorsement. If a special election cycle occurs during a general election cycle, expenditures by or on behalf of a candidate in the special election do not count as expenditures by or on behalf of the candidate in the general election.

(c) If a special election cycle occurs during a general election cycle, expenditures by or on behalf of a candidate in the special election do not count as expenditures by or on behalf of the candidate in the general election.

(d) The expenditure limits in this subdivision for an office are increased by ten percent for a candidate who has not previously held the same office, whose name has not previously been on the primary or general election ballot for that office, and who has not in the past ten years raised or spent more than $200 in a run for any other office whose territory
now includes a population that is more than one-third of the population in the territory of
the new office. Candidates who qualify for first-time candidate status receive a ten percent
increase in the campaign expenditure limit in all segments of the applicable election cycle.
In the case of a legislative candidate, the office is that of a member of the house of
representatives or senate without regard to any specific district.

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

Sec. 6. Minnesota Statutes 2020, section 10A.273, subdivision 1, is amended to read:

Subdivision 1. Contributions during legislative session. (a) A candidate for the
legislature or for constitutional office, the candidate's principal campaign committee, or a
political committee or party unit established by all or a part of the party organization within
a house of the legislature, must not solicit or accept a contribution from a registered lobbyist,
political committee, political fund, or an association not registered with the board during a
regular session of the legislature.
(b) A registered lobbyist, political committee, political fund, or an association not
registered with the board must not make a contribution to a candidate for the legislature or
for constitutional office, the candidate's principal campaign committee, or a political
committee or party unit established by all or a part of the party organization within a house
of the legislature during a regular session of the legislature.
(c) A candidate for the legislature or for constitutional office, the candidate's principal
campaign committee, or a political committee or party unit established by all or a part of
the party organization within a house of the legislature must not solicit or accept, at any

time of year, a contribution from a registered lobbyist, political committee, political fund,
or an association not registered with the board, if in exchange for the contribution:

(1) a registered lobbyist or any other individual is granted special access to a meeting
room, hospitality area, or other event space where candidates for the legislature or for
constitutional office are likely to gather; and

(2) the purpose of granting the special access is to facilitate informal meetings or
socialization with a candidate for the legislature or for constitutional office during a regular
or special session of the legislature.

As used in this paragraph, "special access" means privileges to enter and use a space that
is not freely available to members of the public or that is subject to the discretionary approval
of the responsible candidate, principal campaign committee, or a political committee or
party unit established by all or part of the party organization within a house of the legislature.
A registered lobbyist, political committee, political fund, or an association not registered
with the board is prohibited from offering or making a contribution that may not be solicited
or accepted under this paragraph.
Sec. 7. Minnesota Statutes 2020, section 13.607, is amended by adding a subdivision to read:

Subd. 6a. Registered voter lists. Data on registered voters is governed by section 201.022, subdivision 4.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to requests for data made on or after that date.

Sec. 8. Minnesota Statutes 2020, section 201.022, is amended by adding a subdivision to read:

Subd. 4. Data. (a) Except as provided in this subdivision, all data in the statewide voter registration system is public data on individuals, as defined in section 13.02, subdivision 15.

(b) The following data is private data on individuals, as defined in section 13.02, subdivision 12: any identifying information related to a minor, a voter's date of birth, driver's license number, identification card number, military identification card number, passport number, or any part of a voter's Social Security number.

(c) Information maintained on the presidential primary political party list required by section 201.091, subdivision 4a, is private data on individuals as defined under section 13.02, subdivision 12, except that the secretary of state must provide the list to the chair of each major political party.

(d) Upon receipt of a statement signed by the voter that withholding the voter's name from the public is required for the safety of the voter or the voter's family, the secretary of state and county auditor must withhold from the public the name of the registered voter. Data withheld pursuant to this paragraph is private data on individuals, as defined in section 13.02, subdivision 12.

(e) Any person requesting public data must state in writing that any information obtained from the statewide voter registration system will not be used for purposes unrelated to elections, political activities, or law enforcement.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to requests for data made on or after that date.

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

Subd. 3. Election day registration. (a) An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration application, making an oath in the form prescribed by the secretary of state and providing proof of residence. An individual may prove residence for purposes of registering by:
(1) presenting a driver's license or Minnesota identification card issued pursuant to section 171.07;
(2) presenting any document approved by the secretary of state as proper identification;
(3) presenting one of the following:
   (i) a current valid student identification card from a postsecondary educational institution in Minnesota, if a list of students from that institution has been prepared under section 135A.17 and certified to the county auditor in the manner provided in rules of the secretary of state; or
   (ii) a current student fee statement that contains the student's valid address in the precinct together with a picture identification card; or
(4) having a voter who is registered to vote in the precinct, or an employee employed by and working in a residential facility in the precinct and vouching for a resident in the facility, sign an oath in the presence of the election judge vouching that the voter or employee personally knows that the individual is a resident of the precinct. A voter who has been vouched for on election day may not sign a proof of residence oath vouching for any other individual on that election day. A voter who is registered to vote in the precinct may sign up to eight proof-of-residence oaths on any election day. This limitation does not apply to an employee of a residential facility described in this clause. The secretary of state shall provide a form for election judges to use in recording the number of individuals for whom a voter signs proof-of-residence oaths on election day. The form must include space for the maximum number of individuals for whom a voter may sign proof-of-residence oaths. For each proof-of-residence oath, the form must include a statement that the individual: (i) is registered to vote in the precinct or is an employee of a residential facility in the precinct, (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the statement on oath. The form must include a space for the voter's printed name, signature, telephone number, and address.

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

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

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

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

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

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

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

Sec. 5. Minnesota Statutes 2020, section 201.071, subdivision 1, is amended to read:

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

"I certify that I:

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

(2) am a citizen of the United States;"
(3) will have resided maintained residence in Minnesota for 20 days immediately preceding election day;

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

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

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

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

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

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

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

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

And the instruction:

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

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

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

Sec. 6. Minnesota Statutes 2020, section 201.071, subdivision 3, is amended to read:

Subd. 3. Deficient registration. (a) A voter registration application is not deficient if it contains the voter’s:

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

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

(3) prior registration, if any, and

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

1. The absence of a zip code number does not cause the registration to be deficient.

2. Failure to check a box on an application form that a voter has certified to be true does not cause the registration to be deficient. The election judge shall request an individual to correct a voter registration application if it is deficient or illegible. No eligible voter may be prevented from voting unless the voter's registration application is deficient or the voter is duly and successfully challenged in accordance with section 201.195 or 204C.12, or

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

(c) A voter registration application:

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

and

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

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

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

Sec. 7. Minnesota Statutes 2020, section 201.071, subdivision 8, is amended to read:

Subd. 8. School district assistance. School districts shall assist county auditors in determining the school district in which a voter resides or maintains residency.

Sec. 8. Minnesota Statutes 2020, section 201.091, subdivision 8, is amended to read:

Subd. 2. Corrected list. By February 15 of each year, the secretary of state shall prepare the master list for each county auditor. The records in the statewide registration system must be periodically corrected and updated by the county auditor. An updated master list for each
precinct must be available for absentee voting at least 46 days before each election. A final
corrected master list must be available seven 14 days before each election.

Sec. 9. Minnesota Statutes 2020, section 201.091, subdivision 4, is amended to read:

Subd. 4. Public information lists. The county auditor shall make available for inspection
a public information list which must contain the name, address, year of birth, and voting
history of each registered voter in the county. The list must not include the party choice of
any voter who voted in a presidential nomination primary, data classified as private data on
individuals pursuant to section 201.022, subdivision 4. The telephone number must be
included on the list if provided by the voter. The public information list may also include
information on voting districts. The county auditor may adopt reasonable rules governing
access to the list. No individual inspecting the public information list shall tamper with or
alter it in any manner. No individual who inspects the public information list or who acquires
a list of registered voters prepared from the public information list may use any information
contained in the list for purposes unrelated to elections, political activities, or law
enforcement. The secretary of state may provide copies of the public information lists and
other information from the statewide registration system for uses related to elections, political
activities, or in response to a law enforcement inquiry from a public official concerning a
failure to comply with any criminal statute or any state or local tax statute.

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

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

EFFECTIVE DATE. This section is effective the day following final enactment and
applies to requests for data made on or after that date.

Sec. 10. Minnesota Statutes 2020, section 201.091, subdivision 4a, is amended to read:

Subd. 4a. Presidential nomination primary political party list. The secretary of state
must maintain a list of the voters who voted in a presidential nomination primary and the
political party each voter selected. Information maintained on the list is private data on
individuals as defined under section 13.02, subdivision 12, except that the secretary of state
must provide the list to the chair of each major political party.
EFFECTIVE DATE. This section is effective the day following final enactment and applies to requests for data made on or after that date.

Sec. 11. Minnesota Statutes 2020, section 201.091, is amended by adding a subdivision to read:

Subd. 10. Requests for data. Nothing in this section prevents a person from requesting public data as described in section 201.022, subdivision 4.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to requests for data made on or after that date.

Sec. 9. Minnesota Statutes 2020, section 201.12, subdivision 2, is amended to read:

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

Sec. 12. Minnesota Statutes 2020, section 201.121, subdivision 1, is amended to read:

Subdivision 1. Entry of registration information. (a) At the time a voter registration application is properly completed, submitted, and received in accordance with sections 201.061 and 201.071, the county auditor shall enter the information contained on it into the statewide voter registration system. Voter registration applications completed before election day must be entered into the statewide voter registration system within ten days after they have been submitted to the county auditor. Voter registration applications completed on election day must be entered into the statewide voter registration system within 42 days after the election, unless the county auditor notifies the secretary of state before the deadline has expired that the deadline will not be met. Upon receipt of a notification under this paragraph, the secretary of state may waive a county's obligations under this
paragraph if, on good cause shown, the county demonstrates its permanent inability to comply before the canvass of that election is started.

The secretary of state must post data on each county's compliance with this paragraph on the secretary of state's website including, as applicable, the date each county fully complied or the deadline by which a county's compliance must be complete.

(b) Upon receiving a completed voter registration application, the secretary of state may electronically transmit the information on the application to the appropriate county auditor as soon as possible for review by the county auditor before final entry into the statewide voter registration system. The secretary of state may mail the voter registration application to the county auditor.

(c) Within ten days after the county auditor has entered information from a voter registration application into the statewide voter registration system, the secretary of state shall compare the voter's name, date of birth, and driver's license number, state identification number, or the last four digits of the Social Security number with the same information contained in the Department of Public Safety database.

(d) The secretary of state shall provide a report to the county auditor on a weekly basis that includes a list of voters whose name, date of birth, or identification number have been compared with the same information in the Department of Public Safety database and cannot be verified as provided in this subdivision. The report must list separately those voters who have submitted a voter registration application by mail and have not voted in a federal election in this state.

(e) The county auditor shall compile a list of voters for whom the county auditor and the secretary of state are unable to conclude that information on the voter registration application and the corresponding information in the Department of Public Safety database relate to the same person.

(f) The county auditor shall send a notice of incomplete registration to any voter whose name appears on the list and change the voter's status to "incomplete." A voter who receives a notice of incomplete registration from the county auditor may either provide the information required to complete the registration at least 21 days before the next election or at the polling place on election day.

EFFECTIVE DATE. This section is effective September 1, 2022, and applies to elections on or after that date.

Sec. 10. Minnesota Statutes 2020, section 201.13, subdivision 3, is amended to read:

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

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

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

(d) If, in order to maintain voter registration records, the secretary of state enters an agreement to share information or data with an organization governed exclusively by a group of states, the secretary must first determine that the data security protocols are sufficient to safeguard the information or data shared. If required by such an agreement, the secretary of state may share the following data from the statewide voter registration system and data released to the secretary of state under section 171.12, subdivision 7a:
(1) name;
(2) date of birth;
(3) address;
(4) driver's license or state identification card number;
(5) the last four digits of an individual's Social Security number; and
(6) the date that an individual's record was last updated.

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

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

Sec. 11. Minnesota Statutes 2020, section 201.1611, subdivision 1, is amended to read:

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

Sec. 13. Minnesota Statutes 2020, section 201.171, is amended to read:

201.171 POSTING VOTING HISTORY; FAILURE TO VOTE; REGISTRATION REMOVED.

Within six weeks after the canvass of an election, the county auditor shall must post the voting history for every person who voted in the election. After the close of the calendar year, the secretary of state shall must determine if any registrants have not voted during the preceding four years. The secretary of state shall must perform list...
maintenance by changing the status of those registrants to "inactive" in the statewide registration system. The list maintenance performed must be conducted in a manner that ensures that the name of each registered voter appears in the official list of eligible voters in the statewide registration system. A voter must not be removed from the official list of eligible voters unless the voter is not eligible or is not registered to vote. List maintenance must include procedures for eliminating duplicate names from the official list of eligible voters.

The secretary of state shall also prepare a report to the county auditor containing the names of all registrants whose status was changed to "inactive."

Registrants whose status was changed to "inactive" must register in the manner specified in section 201.054 before voting in any primary, special primary, general, school district, or special election, as required by section 201.018.

Although not counted in an election, a late or rejected absentee or mail ballot must be considered a vote for the purpose of continuing registration under this section, but is not considered voting history for the purpose of public information lists available under section 201.091, subdivision 4.

EFFECTIVE DATE. This section is effective September 1, 2022, and applies to elections on or after that date.

Sec. 12. Minnesota Statutes 2021 Supplement, section 201.225, subdivision 2, is amended to read:

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

1. be able to be loaded with a data file that includes voter registration data in a file format prescribed by the secretary of state;
2. allow for data to be exported in a file format prescribed by the secretary of state;
3. allow for data to be entered manually or by scanning a Minnesota driver's license or identification card to locate a voter record or populate a voter registration application that would be printed and signed and dated by the voter. The printed registration application can be either a printed form, labels printed with voter information to be affixed to a preprinted form, or a combination of both;
4. allow an election judge to update data that was populated from a scanned driver's license or identification card;
5. cue an election judge to ask for and input data that is not populated from a scanned driver's license or identification card that is otherwise required to be collected from the voter or an election judge;
6. immediately alert the election judge if the voter has provided information that indicates that the voter is not eligible to vote;
(7) immediately alert the election judge if the electronic roster indicates that a voter has already voted in that precinct, the voter's registration status is challenged, or it appears the voter resides in a different precinct;

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

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

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

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

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

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

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

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

Sec. 13. Minnesota Statutes 2020, section 202A.16, subdivision 1, is amended to read:

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

Sec. 14. Minnesota Statutes 2020, section 203B.01, is amended by adding a subdivision to read:


Sec. 15. Minnesota Statutes 2020, section 203B.02, is amended by adding a subdivision to read:

Subd. 4. Emergency response providers. Any trained or certified emergency response provider or utility worker who is deployed during the time period authorized by law for...
82.17 Sec. 14. Minnesota Statutes 2020, section 203B.07, subdivision 1, is amended to read:

82.18 Subdivision 1. **Delivery of envelopes, directions.** The county auditor or the municipal
clerk shall prepare, print, and transmit a return envelope, a signature envelope, a ballot
secrecy envelope, and a copy of the directions for casting an absentee ballot to each
applicant whose application for absentee ballots is accepted pursuant to section 203B.04. The
county auditor or municipal clerk shall provide first class postage for the return envelope. The
directions for casting an absentee ballot shall be printed in at least 14-point bold type with
heavy leading and may be printed on the ballot secrecy envelope.

82.19 When a person requests
the directions in Braille or on audio file, the county auditor or municipal clerk shall provide
them in the form requested. The secretary of state shall prepare Braille and audio file copies
and make them available.

82.20 When a voter registration application is sent to the applicant as provided in section
203B.06, subdivision 4, the directions or registration application shall include instructions
for registering to vote.

82.21 Sec. 15. Minnesota Statutes 2020, section 203B.07, subdivision 2, is amended to read:

82.22 Subd. 2. **Design of envelopes.** (a) The return signature envelope shall be of sufficient
size to conveniently enclose and contain the ballot secrecy envelope and a folded voter
registration application. The return signature envelope shall be designed to open on the
left-hand end.

82.23 (b) The return envelope must be designed in one of the following ways:

82.24 (1) it must be of sufficient size to contain an additional signature envelope that when
sealed, conceals the signature, identification, and other information; or

82.25 (2) it must be the signature envelope and provide an additional flap that when sealed,
conceals the signature, identification, and other information.

82.26 (c) Election officials may open the flap or the additional return envelope at any time
after receiving the returned ballot to inspect the returned certificate for completeness or to
ascertain other information.

82.27 Sec. 16. Minnesota Statutes 2020, section 203B.07, subdivision 3, is amended to read:

82.28 Subd. 3. **Eligibility certificate.** A certificate of eligibility to vote by absentee ballot
shall be printed on the back of the return signature envelope. The certificate shall contain
space for the voter's Minnesota driver's license number, state identification number, or the
last four digits of the voter's Social Security number, or to indicate that the voter does not
have one of these numbers. The space must be designed to ensure that the voter provides
the same type of identification as provided on the voter's absentee ballot application for

purposes of comparison. The certificate must also contain a statement to be signed and

sworn by the voter indicating that the voter meets all of the requirements established by law

for voting by absentee ballot and space for a statement signed by a person who is registered
to vote in Minnesota or by a notary public or other individual authorized to administer oaths

stating that:

(1) the ballots were displayed to that individual unmarked;

(2) the voter marked the ballots in that individual's presence without showing how they

were marked, or, if the voter was physically unable to mark them, that the voter directed

another individual to mark them; and

(3) if the voter was not previously registered, the voter has provided proof of residence

as required by section 201.061, subdivision 3.

An eligible voter who receives absentee

ballots as provided in this chapter shall mark them in the manner specified in the directions

for casting the absentee ballots. The return envelope containing marked ballots may be

mailed as provided in the directions for casting the absentee ballots, may be

left with

personally delivered to

the

office of the

county auditor or municipal clerk who transmitted

the absentee ballots to the voter, or may be left in a drop box as provided in section 203B.082.

If delivered in person, the return envelope must be submitted to the county auditor or

municipal clerk by 3:00 p.m. on election day.

(b) The voter may designate an agent to deliver in person the sealed absentee ballot

return envelope to the county auditor or municipal clerk or to deposit the return envelope

in the mail. An agent may deliver or mail the return envelopes of not more than three voters

in any election. An agent must not deposit the absentee ballot return envelope of another

person in a drop box. Any person designated as an agent who tampers with either the return

envelope or the voted ballots or does not immediately mail or deliver the return envelope

to the county auditor or municipal clerk is guilty of a misdemeanor.

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

applies to elections conducted on or after that date.

Subdivision 1. Location; timing. An eligible voter may vote by absentee ballot in the

office of the county auditor and at any other polling place designated by the county auditor

during the 46 days before the election, except as provided in this section. The county auditor

shall make such polling place designations at least 14 weeks before the election. Voters

Sec. 17. Minnesota Statutes 2021 Supplement, section 203B.08, subdivision 1, is amended

to read:

Subdivision 1. Marking and return by voter. (a) An eligible voter who receives absentee

ballots as provided in this chapter shall mark them in the manner specified in the directions

for casting the absentee ballots. The return envelope containing marked ballots may be

mailed as provided in the directions for casting the absentee ballots, may be

personally delivered to the office of the county auditor or municipal clerk who transmitted

the absentee ballots to the voter, or may be left in a drop box as provided in section 203B.082.

If delivered in person, the return envelope must be submitted to the county auditor or

municipal clerk by 3:00 p.m. on election day.

(b) The voter may designate an agent to deliver in person the sealed absentee ballot

return envelope to the county auditor or municipal clerk or to deposit the return envelope

in the mail. An agent may deliver or mail the return envelopes of not more than three voters

in any election. An agent must not deposit the absentee ballot return envelope of another

person in a drop box. Any person designated as an agent who tampers with either the return

envelope or the voted ballots or does not immediately mail or deliver the return envelope

to the county auditor or municipal clerk is guilty of a misdemeanor.

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

applies to elections conducted on or after that date.

Subdivision 1. Location; timing. An eligible voter may vote by absentee ballot in the

office of the county auditor and at any other polling place designated by the county auditor during the 46 days before the election, except as provided in this section. The county auditor shall make such polling place designations at least 14 weeks before the election.
Sec. 20. Minnesota Statutes 2020, section 203B.081, subdivision 2, is amended to read:

Subd. 2. Town elections Voting booth; electronic ballot marker. Voters casting absentee ballots in person for a town election held in March may do so during the 30 days before the election. The county auditor shall make each designation at least 14 weeks before the election. For purposes of this section, the county auditor must make available in each polling place (1) at least one voting booth in each polling place that has implemented a voting system that is accessible for individuals with disabilities pursuant to section 206.57, subdivision 5.

Sec. 21. Minnesota Statutes 2020, section 203B.081, subdivision 3, is amended to read:

Subd. 3. Alternative procedure. (a) The county auditor may make available a ballot counter and ballot box for use by the voters during the 14 days before the election. If a ballot counter and ballot box is provided, a voter must be given the option either (1) to vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the manner provided in this subdivision.

(b) If a voter chooses to vote in the manner provided in this subdivision, the voter must state the voter's name, address, and date of birth to the county auditor or municipal clerk. The voter shall sign a voter's certificate, which must include the voter's name, identification number, and the certification required by section 201.071, subdivision 1. The signature of an individual on the voter's certificate and the issuance of a ballot to the individual is evidence of the intent of the individual to vote at that election.

(c) After signing the voter's certificate, the voter shall be issued a ballot and immediately retire to a voting station or other designated location in the polling place to mark the ballot. The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter may return it to the election official in exchange for a new ballot. After completing the ballot, the voter shall deposit the ballot into the ballot box. The election official must immediately record that the voter has voted in the manner provided in section 203B.121, subdivision 3.

(d) The election duties required by this subdivision must be performed by the county auditor, municipal clerk, or a deputy of the auditor or clerk.
Sec. 19. Minnesota Statutes 2021 Supplement, section 203B.082, is amended to read:

203B.082 ABSENTEE BALLOT DROP BOXES; SECURITY AND INTEGRITY.

Subd. 1. Definition. As used in this section, "drop box" means a secure receptacle or container established to receive completed absentee ballots 24 hours per day. Drop box does not include a receptacle or container maintained by the United States Postal Service, or a location at which a voter or an agent may return a completed absentee ballot by providing it directly to an employee of the county auditor or municipal clerk.

Subd. 2. Minimum security and integrity standards. The county auditor or municipal clerk may provide locations at which a voter may deposit a completed absentee ballot enclosed in the completed signature envelope in a secure drop box, consistent with the following security and integrity standards:

1. at least one location must be provided for every 50,000 registered voters in the jurisdiction. If there are fewer than 50,000 registered voters in the jurisdiction, the county auditor or municipal clerk must provide at least one location;

2. if more than one location is required, the locations must be distributed in a manner that ensures equitable access to the drop boxes among all voters in the jurisdiction;

3. at the request of a federally recognized Tribe with a reservation in the county, the county auditor must establish at least one ballot drop box on the reservation on a site selected by the Tribe that is accessible to the county auditor by a public road;

4. each drop box must be continually recorded during the absentee voting period;

5. each drop box must be designed to prevent an unauthorized person from moving, removing, or tampering with the drop box;

6. each drop box placed in an outdoor location must be fastened to a building, bolted to a concrete pad, or otherwise attached to a similarly secure structure;

7. ballots deposited in a drop box must be secured against access by any unauthorized person, and in the case of a drop box located in an outdoor location, the drop box must be secured against damage due to weather or other natural conditions;
(8) each drop box must be assigned an identification number that is unique to that drop box; and

(9) each drop box must contain signage or markings that:

(i) clearly identifies the drop box as an official absentee ballot return location; and

(ii) include the statement: "You can only return your own ballot in this drop box."

(iii) include the location and hours where an agent may return an absentee ballot; and

(iv) include the identification number assigned to the drop box;

(10) deposited ballots must be collected at least once per business day during the absentee voting period by the county auditor, municipal clerk, or an elections official trained by the county auditor or municipal clerk in the proper maintenance and handling of absentee ballots and absentee ballot drop boxes, and in the security measures used to protect absentee ballots; and

(11) ballots collected from each drop box must be properly date-stamped and stored in a locked ballot container or other secured and locked space consistent with any applicable laws governing the collection and storage of absentee ballots.

Subd. 3. Publication of locations required. (a) The county auditor or municipal clerk must provide a list of designated absentee ballot drop box locations to the secretary of state no later than 40 days prior to the start of the absentee voting period at every regularly scheduled primary or general election. The list must be published on the website of the county or municipality and on the website of the secretary of state at least 35 days prior to the start of the absentee voting period.

(b) The county auditor or municipal clerk must provide an updated list of designated absentee ballot drop box locations to the secretary of state no later than 20 days prior to the start of the absentee voting period at every regularly scheduled primary or general election, if any locations have changed or been added since submission of the list under paragraph (a). The list must be published on the website of the county or municipality and on the website of the secretary of state at least 15 days prior to the start of the absentee voting period.

Subd. 4. Electioneering prohibited. Section 211B.11 applies to conduct within 100 feet of an absentee ballot drop box established under this section.

Subd. 5. Ballot collection log and report. The county auditor or municipal clerk must maintain a log for each drop box. The log must include the unique identification number of each drop box and:

(a) The list must be published on the website of the county or municipality and on the website of the secretary of state at least 15 days prior to the start of the absentee voting period.

Subd. 5. Ballot collection log and report. The county auditor or municipal clerk must maintain a log for each drop box. The log must include the unique identification number of each drop box and:

(4) each drop box must be assigned an identification number that is unique to that drop box;

(8) each drop box must contain signage or markings that:

(i) clearly identifies the drop box as an official absentee ballot return location; and

(ii) include the statement: "STOP! You can only return your own ballot in this drop box."

(iii) include the location and hours where an agent may return an absentee ballot; and

(iv) include the identification number assigned to the drop box;

(9) deposited ballots must be collected at least once per business day during the absentee voting period by the county auditor, municipal clerk, or an elections official trained by the county auditor or municipal clerk in the proper maintenance and handling of absentee ballots; and

(10) ballots collected from each drop box must be properly date-stamped and stored in a locked ballot container or other secured and locked space consistent with any applicable laws governing the collection and storage of absentee ballots.
assigned to the drop box. The log must include the following information for each day during the absentee voting period:

1. the date and time of each ballot collection;
2. the person who collected the ballots; and
3. the number of ballots collected.

(b) Before the meeting of the local canvassing board, each county auditor and municipal clerk must total the number of ballots collected from each drop box for each day during the absentee voting period and submit the totals to the local ballot board and the secretary of state. Before the meeting of the state canvassing board for an election, the secretary of state must compile the totals, broken down by county. Prior to the state canvassing board beginning its state canvass, the secretary of state must submit the totals to the state canvassing board and the chairs and ranking minority members of the legislative committees having jurisdiction over election policy.

Subd. 6. Rulemaking prohibited. The secretary of state is not authorized to adopt rules to implement or supplement the provisions of this section.

EFFECTIVE DATE. This section is effective September 1, 2022, and applies to elections conducted on or after that date, except that subdivision 6 is effective the day following final enactment.
Sec. 20. Minnesota Statutes 2021 Supplement, section 203B.121, subdivision 1, is amended to read:

Subdivision 1. Establishment; applicable laws. (a) The governing body of each county, municipality, and school district with responsibility to accept and reject absentee ballots must, by ordinance or resolution, establish a ballot board. The board must consist of a sufficient number of election judges appointed as provided in sections 204B.19 to 204B.22. The board must not include deputy county auditors or deputy city clerks who have received training in the processing and counting of absentee ballots, unless the deputy county auditor or deputy city clerk has been appointed an election judge as provided in sections 204B.19 to 204B.22. Each member of the ballot board must be provided adequate training on the processing and counting of absentee ballots, including but not limited to instruction on accepting and rejecting absentee ballots, storage of absentee ballots, timelines and deadlines, the role of the ballot board, procedures for opening absentee ballot envelopes, procedures for counting absentee ballots, and procedures for reporting absentee ballot totals.

(b) Each jurisdiction must pay a reasonable compensation to each member of that jurisdiction's ballot board for services rendered during an election.

c) Except as otherwise provided by this section, all provisions of the Minnesota Election Law apply to a ballot board.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to elections on or after that date.

Sec. 25. Minnesota Statutes 2021 Supplement, section 203B.121, subdivision 2, is amended to read:

Subd. 2. Duties of ballot board; absentee ballots. (a) The members of the ballot board shall take possession of all signature envelopes delivered to them in accordance with section 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk, two or more members of the ballot board shall examine each signature envelope and shall mark it accepted or rejected in the manner provided in this subdivision. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10, subdivision 2.

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

1) the voter's name and address on the signature envelope are the same as the information provided on the absentee ballot application;

2) the voter signed the certification on the envelope;

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

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

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

(6) the voter has not already voted at that election, either in person or, if it is after the close of business on the 14th day before the election, by absentee ballot. The signature envelope from accepted ballots must be preserved and returned to the county auditor.

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

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

(3) If an envelope is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

(d) The official in charge of the absentee ballot board must mail the voter a written notice of absentee ballot rejection between six and ten weeks following the election. If the official determines that the voter has otherwise cast a ballot in the election, no notice is required. If an absentee ballot arrives after the deadline for submission provided by this chapter, the notice must be provided between six to ten weeks after receipt of the ballot. A notice of absentee ballot rejection must contain the following information:

(1) the date on which the absentee ballot was rejected or, if the ballot was received after the required deadline for submission, the date on which the ballot was received;

(2) the reason for rejection; and

(3) the name of the appropriate election official to whom the voter may direct further questions, along with appropriate contact information.
(e) An absentee ballot signature envelope marked "Rejected" may not be opened or
subject to further review except in an election contest filed pursuant to chapter 209.

Sec. 26. Minnesota Statutes 2020, section 203B.121, subdivision 3, is amended to read:

(b) When applicable, the county auditor or municipal clerk
must immediately record that a voter's absentee ballot has been accepted. After the close
of business on the seventeenth day before the election, a voter whose record indicates that
an absentee ballot has been accepted must not be permitted to cast another ballot at that
election. In a state primary, general, or state special election for federal or state office, the
auditor or clerk must also record this information in the statewide voter registration system.

Subd. 3. Record of voting.
(a) When applicable, the county auditor or municipal clerk
must immediately record that a voter's absentee ballot has been accepted. After the close
of business on the seventeenth day before the election, a voter whose record indicates that
an absentee ballot has been accepted must not be permitted to cast another ballot at that
election. In a state primary, general, or state special election for federal or state office, the
auditor or clerk must also record this information in the statewide voter registration system.

(b) The roster must be marked, and a supplemental report of absentee voters who
submitted a voter registration application with their ballot must be created, no later than the
start of voting on election day to indicate the voters that have already cast a ballot at the
election. The roster may be marked either:

(1) by the county auditor or municipal clerk before election day;
(2) by the ballot board before election day; or
(3) by the election judges at the polling place on election day.

The record of a voter whose absentee ballot was received after the close of business on
the seventeenth day before the election is not required to be marked on the roster or
contained in a supplemental report as required by this paragraph.

Sec. 27. Minnesota Statutes 2021 Supplement, section 203B.121, subdivision 4, is amended
to read:

Subd. 4. Opening of envelopes. After the close of business on the seventeenth day
before the election, the ballots from secrecy envelopes within the signature envelopes marked
"Accepted" may be opened, duplicated as needed in the manner provided in section 206.86,
subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate
ballot box. If more than one voted ballot is enclosed in the ballot secrecy envelope, the
ballots must be returned in the manner provided by section 204C.25 for return of spoiled
ballots, and may not be counted.

EFFECTIVE DATE. This section is effective September 1, 2022, and applies to
elections conducted on or after that date.
87.18  (1) remove the ballots from the ballot box at the end of the day;
87.19  (2) without inspecting the ballots, ensure that the number of ballots removed from the ballot box is equal to the number of voters whose absentee ballots were accepted that day; and
87.20  (3) seal and secure all voted and unvoted ballots present in that location at the end of the day.
87.21  (b) After the polls have closed on election day, two members of the ballot board must count the ballots, tabulating the vote in a manner that indicates each vote of the voter and the total votes cast for each candidate or question. In state primary and state general elections, the results must indicate the total votes cast for each candidate or question in each precinct and report the vote totals tabulated for each precinct. The count must be recorded on a summary statement in substantially the same format as provided in section 204C.26. The ballot board shall submit at least one completed summary statement to the county auditor or municipal clerk. The county auditor or municipal clerk may require the ballot board to submit a sufficient number of completed summary statements to comply with the provisions of section 204C.27, or the county auditor or municipal clerk may certify reports containing the details of the ballot board summary statement to the recipients of the summary statements designated in section 204C.27.
87.22  In state primary and state general elections, these vote totals shall be added to the vote totals on the summary statements of the returns for the appropriate precinct. In other elections, these vote totals may be added to the vote totals on the summary statement of returns for the appropriate precinct or may be reported as a separate total.
87.23  The counting of ballots must be public. No vote totals from ballots may be made public before the close of voting on election day. Vote totals must only be disclosed in accordance with section 204C.19.
87.24  (c) In addition to the requirements of paragraphs (a) and (b), if the task has not been completed previously, the members of the ballot board must verify as soon as possible, but no later than 24 hours after the end of the hours for voting, that voters whose absentee ballots arrived after the rosters were marked or supplemental reports were generated and whose ballots were accepted did not vote in person on election day. An absentee ballot submitted by a voter who has voted in person on election day must be rejected. All other accepted absentee ballots must be opened, duplicated if necessary, and counted by members of the ballot board. The vote totals from these ballots must be incorporated into the totals with the other absentee ballots and handled according to paragraph (b).
88.19  EFFECTIVE DATE. This section is effective the day following final enactment and applies to elections on or after that date.
Sec. 23. Minnesota Statutes 2020, section 203B.121, is amended by adding a subdivision to read:

Subd. 6. Ballot board observers. (a) For an election where a partisan office appears on the ballot, a major or minor political party may appoint a person to serve as an absentee ballot board observer. For an election where only nonpartisan offices are on the ballot, a candidate appearing on the ballot may appoint a person to serve as an absentee ballot board observer. All appointments must be made at least 30 days prior to the start of the absentee voting period, except that if an observer is unable to perform the required duties the observer may be replaced by the appointing political party or candidate. The political party or candidate must notify the county auditor, city clerk, or school district clerk if a ballot board observer is appointed and provide the observer’s name, address, phone number, and e-mail address. A ballot board observer must complete election judge training as described in section 204B.25, including training on the processing and handling of absentee ballots. The following individuals are not eligible to serve as absentee ballot board observers: members of the ballot board, candidates on the ballot, and immediate family members of candidates on the ballot.

(b) A ballot board observer must be allowed to observe the following activities of the ballot board that take place during the absentee voting period, on election day, or after election day:

(1) examining envelopes and accepting or rejecting envelopes as required by subdivision 2;

(2) opening envelopes and duplicating ballots, if necessary, as required by subdivision 4;

(3) depositing absentee ballots into a ballot box as required by subdivision 5, paragraph (a); and

(4) counting and tabulating the ballots as required by subdivision 5, paragraph (b).

c) A ballot board observer must be allowed to be within four feet of the ballots or envelopes being handled. A ballot board observer must not handle any absentee ballots, envelopes, or other election documents. A ballot board observer must not prepare in any manner any lists of individuals who have or have not voted. A ballot board observer must not interfere with the conduct of the ballot board. The ballot board may have a ballot board observer removed if the observer is disrupting the activities of the ballot board.

d) The county auditor, municipal clerk, or school district clerk must notify each ballot board observer of the date, time, and location any time the activities in paragraph (b) will take place. The notice must be in writing and mailed to the ballot board observer at least seven days before the activity is to take place.
EFFECTIVE DATE. This section is effective May 15, 2022, and applies to absentee voting periods beginning on or after June 24, 2022.

Sec. 24. Minnesota Statutes 2020, section 203B.121, is amended by adding a subdivision to read:

Subd. 7. *Livestreaming.* (a) The county auditor, municipal clerk, or school district clerk must ensure that all ballot board activity is livestreamed as provided by this subdivision and section 203B.155. This requirement applies during the absentee voting period, on election day, and on the day following the election day if absentee ballots are being processed. At a minimum, the following activities must be recorded:

1. (1) examining envelopes and accepting or rejecting envelopes as required by subdivision 2;
2. (2) opening envelopes and duplicating ballots, if necessary, as required by subdivision 4;
3. (3) depositing absentee ballots into a ballot box as required by subdivision 5, paragraph (a); and
4. (4) counting and tabulating the ballots as required by subdivision 5, paragraph (b).

(b) The county auditor, municipal clerk, or school district clerk must position one or more cameras so as to record the following:

1. (1) the ballot board members performing the activities described in paragraph (a);
2. (2) all ballots in the room where the activities in paragraph (a) are taking place; and
3. (3) all doors in the room where the activities in paragraph (a) are taking place.

To the extent possible while complying with clauses 1 to 3, the cameras must be positioned so as to avoid recording private data included on absentee ballot envelopes or other documents.

EFFECTIVE DATE. This section is effective September 1, 2022, and applies to elections conducted on or after that date.

Sec. 25. [203B.155] LIVESTREAMING REQUIREMENTS.

Subdivision 1. Definitions. (a) The following terms have the meanings given for purposes of this section:

(b) "Commissioner" means the commissioner of information technology services.
(c) "Department" means the Department of Information Technology Services.

Subd. 2. Livestreaming. (a) Where livestreaming is required by sections 203B.082, subdivision 2, clause (1) and 203B.121, the commissioner must ensure the livestream is available on the department’s website in a manner that allows members of the public to...
easily access and view the livestream. The commissioner must record all livestreamed video
and retain the recording for at least 22 months after the date of the recording. Notwithstanding
chapter 13 or any other law to the contrary, the county auditor, city clerk, or school board
clerk is not required to maintain any livestreamed or recorded data or provide access to the
data. The commissioner must not charge any fee to the public or to the county, municipality,
or school district for providing this service.

(b) The secretary of state must include information on the office's website on how to
find and access videos on the department's website. Each county auditor, municipal clerk,
and school district clerk must post the same information on their respective local
government's website, if there is one.

Subd. 3. Data. The commissioner must retain video recordings of livestreamed activities
required by sections 203B.082, subdivision 2, clause (1), and 203B.121, as provided by this
section. The recordings are public data, except that the commissioner may obscure private
data on individuals that is visible on a recording.

Subd. 4. Livestream disruptions. If a livestream is disrupted or disabled, the
commissioner, county auditor, municipal clerk, or school district clerk is not liable if the
disruption is due to a cause outside of the control of the commissioner, county auditor,
municipal clerk, or school district clerk. If there is a disruption, the commissioner must
work with the county auditor, municipal clerk, or school district clerk to reinstate video
coverage as soon as possible. If appointed ballot board observers are present and there is a
disruption in livestreaming, the activities of the ballot board may continue. If appointed
ballot board observers are not present and there is a disruption in livestreaming, the ballot
board must stop all activities until one of the following occurs:

1. the livestream is reinstated;
2. ballot board observers are present; or
3. the county auditor, municipal clerk, or school district clerk arranges the activities to
be recorded in a manner that substantially complies with the requirements of this section
and section 203B.121, subdivision 7.

Within 24 hours of the livestream being reinstated, the county auditor, municipal clerk, or
school district clerk must transmit any recordings made pursuant to clause (3) to the
commissioner to be posted on the department's website.

EFFECTIVE DATE. This section is effective September 1, 2022, and applies to
elections conducted on or after that date.

Sec. 28. Minnesota Statutes 2020, section 203B.16, subdivision 2, is amended to read:

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

Sec. 29. Minnesota Statutes 2020, section 203B.21, subdivision 1, is amended to read:

Subdivision 1. Form. Absentee ballots under sections 203B.16 to 203B.27 shall conform
to the requirements of the Minnesota Election Law, except that modifications in the size or
form of ballots or envelopes may be made if necessary to satisfy the requirements of the
United States postal service. The return envelope must be designed in one of the following
ways:

(1) it must be of sufficient size to contain an additional a signature envelope that when
and when the return envelope is sealed, it conceals the signature, identification, and other
information; or

(2) it must be the signature envelope and provide an additional flap that when sealed,
conceals the signature, identification, and other information.

The flap or the additional return envelope must be perforated to permit election officials to
inspect the returned certificate for completeness or to ascertain other information at any
time after receiving the returned ballot without opening the signature envelope.

Sec. 30. Minnesota Statutes 2020, section 203B.21, subdivision 3, is amended to read:

Subd. 3. Back of signature envelope. On the back of the return signature envelope
a certificate shall appear with space for:

(1) the voter's address of present or former residence in Minnesota;
(2) the voter's current e-mail address, if the voter has one;
(3) a statement indicating the category described in section 203B.16 to which the voter
belongs;
(4) a statement that the voter has not cast and will not cast another absentee ballot in the
same election or elections;
(5) a statement that the voter personally marked the ballots without showing them to
anyone, or if physically unable to mark them, that the voter directed another individual to
mark them; and
(6) the same voter's passport number, Minnesota driver's license or state identification
number, or the last four digits of the voter's Social Security number as provided on the
absentee ballot application; if the voter does not have access to any of these documents, the
voter may attest to the truthfulness of the contents of the certificate under penalty of perjury.

Sec. 26. Minnesota Statutes 2020, section 203B.21, subdivision 1, is amended to read:

Subdivision 1. Form. Absentee ballots under sections 203B.16 to 203B.27 shall conform
to the requirements of the Minnesota Election Law, except that modifications in the size or
form of ballots or envelopes may be made if necessary to satisfy the requirements of the
United States postal service. The return envelope must be designed in one of the following
ways:

(1) it must be of sufficient size to contain an additional a signature envelope that when
and when the return envelope is sealed, it conceals the signature, identification, and other
information; or

(2) it must be the signature envelope and provide an additional flap that when sealed,
conceals the signature, identification, and other information.

The flap or the additional return envelope must be perforated to permit election officials to
inspect the returned certificate for completeness or to ascertain other information at any
time after receiving the returned ballot without opening the signature envelope.

Sec. 27. Minnesota Statutes 2020, section 203B.21, subdivision 3, is amended to read:

Subd. 3. Back of signature envelope. On the back of the return signature envelope
a certificate shall appear with space for:

(1) the voter's address of present or former residence in Minnesota;
(2) the voter's current e-mail address, if the voter has one;
(3) a statement indicating the category described in section 203B.16 to which the voter
belongs;
(4) a statement that the voter has not cast and will not cast another absentee ballot in the
same election or elections;
(5) a statement that the voter personally marked the ballots without showing them to
anyone, or if physically unable to mark them, that the voter directed another individual to
mark them; and
(6) the same voter's passport number, Minnesota driver's license or state identification
number, or the last four digits of the voter's Social Security number as provided on the
absentee ballot application; if the voter does not have access to any of these documents, the
voter may attest to the truthfulness of the contents of the certificate under penalty of perjury.
The certificate shall also contain a signed oath in the form required by section 705 of the Help America Vote Act, Public Law 107-252, which must read:

"I swear or affirm, under penalty of perjury, that:

(a) I am a member of the uniformed services or merchant marine on active duty or an eligible spouse or dependent of such a member; a United States citizen temporarily residing outside the United States; or other United States citizen residing outside the United States; and I am a United States citizen, at least 18 years of age (or will be by the date of the election), and I am eligible to vote in the requested jurisdiction; I have not been convicted of a felony, or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting rights have been reinstated; and I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States except the jurisdiction cited in this voting form. In voting, I have marked and sealed my ballot in private and have not allowed any person to observe the marking of the ballot, except for those authorized to assist voters under state or federal law. I have not been influenced.

(b) I am a member of the uniformed services or merchant marine on active duty or an eligible spouse or dependent of such a member; a United States citizen temporarily residing outside the United States; or other United States citizen residing outside the United States; and I am a United States citizen, at least 18 years of age (or will be by the date of the election), and I am eligible to vote in the requested jurisdiction; I have not been convicted of a felony, or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting rights have been reinstated; and I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States except the jurisdiction cited in this voting form. In voting, I have marked and sealed my ballot in private and have not allowed any person to observe the marking of the ballot, except for those authorized to assist voters under state or federal law. I have not been influenced.

(c) I am a United States citizen, at least 18 years of age (or will be by the date of the election), and I am eligible to vote in the requested jurisdiction; I have not been convicted of a felony, or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting rights have been reinstated; and I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States except the jurisdiction cited in this voting form. In voting, I have marked and sealed my ballot in private and have not allowed any person to observe the marking of the ballot, except for those authorized to assist voters under state or federal law. I have not been influenced.

The information on this form is true, accurate, and complete to the best of my knowledge.

I understand that a material misstatement of fact in completion of this document may constitute grounds for a conviction for perjury."

The certificate shall also contain a signed oath in the form required by section 705 of the Help America Vote Act, Public Law 107-252, which must read:

"I swear or affirm, under penalty of perjury, that:

(a) I am a member of the uniformed services or merchant marine on active duty or an eligible spouse or dependent of such a member; a United States citizen temporarily residing outside the United States; or other United States citizen residing outside the United States; and I am a United States citizen, at least 18 years of age (or will be by the date of the election), and I am eligible to vote in the requested jurisdiction; I have not been convicted of a felony, or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting rights have been reinstated; and I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States except the jurisdiction cited in this voting form. In voting, I have marked and sealed my ballot in private and have not allowed any person to observe the marking of the ballot, except for those authorized to assist voters under state or federal law. I have not been influenced.

(b) I am a member of the uniformed services or merchant marine on active duty or an eligible spouse or dependent of such a member; a United States citizen temporarily residing outside the United States; or other United States citizen residing outside the United States; and I am a United States citizen, at least 18 years of age (or will be by the date of the election), and I am eligible to vote in the requested jurisdiction; I have not been convicted of a felony, or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting rights have been reinstated; and I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States except the jurisdiction cited in this voting form. In voting, I have marked and sealed my ballot in private and have not allowed any person to observe the marking of the ballot, except for those authorized to assist voters under state or federal law. I have not been influenced.

The information on this form is true, accurate, and complete to the best of my knowledge.

I understand that a material misstatement of fact in completion of this document may constitute grounds for a conviction for perjury."
Subdivision 1. Check of voter eligibility; proper execution of certificate. Upon receipt of an absentee ballot returned as provided in sections 203B.16 to 203B.27, the election judges shall compare the voter's name with the names recorded under section 203B.19 in the statewide registration system to insure that the ballot is from a voter eligible to cast an absentee ballot under sections 203B.16 to 203B.27. The election judges shall mark the signature envelope "Accepted" and initial or sign the signature envelope below the word "Accepted" if the election judges are satisfied that:

1. the voter's name and address on the signature envelope appears in substantially the same form as on the application records provided to the election judges by the county auditor;
2. the voter has signed the federal oath prescribed pursuant to section 705(b)(2) of the Help America Vote Act, Public Law 107-252;
3. the voter has set forth the same voter's passport number, or Minnesota driver's license or state identification card number, or the last four digits of the voter's Social Security number as submitted on the application, if the voter has one of these documents;
4. the voter is not known to have died; and
5. the voter has not already voted at that election, either in person or by absentee ballot.

If the identification number described in clause (3) does not match the number as submitted on the application, the election judges must make a reasonable effort to satisfy themselves through other information provided by the applicant, or by an individual authorized to apply on behalf of the voter, that the ballots were returned by the same person to whom the ballots were transmitted.

An absentee ballot cast pursuant to sections 203B.16 to 203B.27 may only be rejected for the lack of one of clauses (1) to (5). In particular, failure to place the ballot within the secrecy envelope before placing it in the signature envelope is not a reason to reject an absentee ballot. Election judges must note the reason for rejection on the back of the envelope in the space provided for that purpose.

Failure to return unused ballots shall not invalidate a marked ballot, but a ballot shall not be counted if the certificate on the envelope is not properly executed.

In all other respects the provisions of the Minnesota Election Law governing deposit and counting of ballots shall apply. Notwithstanding other provisions of this section, the counting of the absentee ballot of a deceased voter does not invalidate the election.
Sec. 33. Minnesota Statutes 2020, section 203B.28, is amended to read:

203B.28 POSTELECTION REPORT TO LEGISLATURE.

By January 15 of every odd-numbered year, the secretary of state shall provide to the chair and ranking minority members of the legislative committees with jurisdiction over elections a statistical report related to absentee voting in the most recent general election cycle. The statistics must be organized by county, and include:

1. the number of absentee ballots transmitted to voters;
2. the number of absentee ballots returned by voters;
3. the number of absentee ballots that were rejected, categorized by the reason for rejection;
4. the number of absentee ballots submitted pursuant to sections 203B.16 to 203B.27, along with the number of returned ballots that were accepted, rejected, and the reason for any rejections; and
5. the number of absentee ballots that were not counted because the ballot return envelope was received after the deadlines provided in this chapter; and
6. the number of absentee ballots by method of return, including drop box, mail, in-person, and direct balloting.

Sec. 34. Minnesota Statutes 2020, section 204B.06, subdivision 4a, is amended to read:

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

1. for governor or lieutenant governor, that on the first Monday of the next January the candidate will be 25 years of age or older and, on the day of the state general election, a resident of Minnesota for not less than one year;
2. for supreme court justice, court of appeals judge, or district court judge, that the candidate is learned in the law;
3. for county, municipal, school district, or special district office, that the candidate meets any other qualifications for that office prescribed by law;
4. for senator or representative in the legislature, that on the day of the general or special election to fill the office the candidate will have maintained residence not less than one year in the state and not less than six months in the legislative district from which the candidate seeks election.

Sec. 35. Minnesota Statutes 2020, section 204B.09, subdivision 1, is amended to read:

Subdivision 1. Candidates in state and county general elections. (a) Except as otherwise provided by this subdivision, affidavits of candidacy and nominating petitions

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for county, state, and federal offices filled at the state general election shall be filed not
more than 84 days nor less than 70 days before the state primary. The affidavit may be
prepared and signed at any time between 60 days before the filing period opens and the last
day of the filing period.

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

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

d) Affidavits and petitions for county offices must be filed with the county auditor of
that county. Affidavits and petitions for federal offices must be filed with the secretary of
state. Affidavits and petitions for state offices must be filed with the secretary of state or
with the county auditor of the county in which the candidate resides.

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

Subd. 3. Write-in candidates. (a) A candidate for county, state, or federal office who
wants write-in votes for the candidate to be counted must file a written request with the
filing office for the office sought not more than 84 days before the primary and no later
than the 14th day before the general election. The filing officer shall provide copies
of the form to make the request. The filing officer shall not accept a written request later
than 5:00 p.m. on the last day for filing.

(b) A candidate for president of the United States who files a request under this
subdivision must file jointly with another individual seeking nomination as a candidate for
vice president of the United States. A candidate for vice president of the United States who
files a request under this subdivision must file jointly with another individual seeking
nomination as a candidate for president of the United States. The request must also include
the name of at least one candidate for presidential elector. The total number of names of
candidates for presidential elector on the request may not exceed the total number of electoral
votes to be cast by Minnesota in the presidential election.

c) A candidate for governor who files a request under this subdivision must file jointly
with another individual seeking nomination as a candidate for lieutenant governor. A
candidate for lieutenant governor who files a request under this subdivision must file jointly
with another individual seeking nomination as a candidate for governor.

Sec. 37. Minnesota Statutes 2020, section 204B.13, is amended by adding a subdivision
to read:

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

Sec. 38. Minnesota Statutes 2021 Supplement, section 204B.16, subdivision 1, is amended
to read:

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

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

(2) pursuant to section 204B.175;

(3) because a polling place has become unavailable;

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

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

(b) Polling places must be designated and ballots must be distributed so that no one is
required to go to more than one polling place to vote in a school district and municipal
election held on the same day. The polling place for a precinct in a city or in a school district
located in whole or in part in the metropolitan area defined by section 200.02, subdivision
24, shall be located within the boundaries of the precinct or within one mile of one of those
boundaries unless a single polling place is designated for a city pursuant to section 204B.14,
subdivision 2, or a school district pursuant to section 205A.11. The polling place for a
precinct in unorganized territory may be located outside the precinct at a place which is
convenient to the voters of the precinct. If no suitable place is available within a town or
within a school district located outside the metropolitan area defined by section 200.02,
subdivision 24, then the polling place for a town or school district may be located outside
the town or school district within five miles of one of the boundaries of the town or school
district.
Sec. 30. Minnesota Statutes 2020, section 204B.19, is amended by adding a subdivision to read:

Subd. 4a. Vaccine requirements prohibited. No appointing authority may adopt or enforce a law, rule, policy, order, resolution, ordinance, charter provision, or other regulation requiring an individual appointed as an election judge or a member of a ballot board to be vaccinated against a communicable disease or to show proof of vaccination against a communicable disease. For the purposes of this subdivision, "communicable disease" has the meaning given in section 144.419, subdivision 1, clause (2).

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

Sec. 39. Minnesota Statutes 2020, section 204B.19, subdivision 6, is amended to read:

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

Sec. 40. Minnesota Statutes 2020, section 204B.21, subdivision 2, is amended to read:

Subd. 2. Appointing authority; powers and duties. Election judges for precincts in a municipality shall be appointed by the governing body of the municipality. Election judges for precincts in unorganized territory and for performing election-related duties assigned by the county auditor shall be appointed by the county board. Election judges for a precinct composed of two or more municipalities must be appointed by the governing body of the municipality or municipalities responsible for appointing election judges as provided in the agreement to combine for election purposes. Except as otherwise provided in this section, appointments shall be made from the list of voters who reside maintain residence in each precinct, furnished pursuant to subdivision 1, subject to the eligibility requirements and other qualifications established or authorized under section 204B.19. At least two election judges in each precinct must be affiliated with different major political parties. If no lists have been furnished or if additional election judges are required after all listed names in that municipality have been exhausted, the appointing authority may appoint other individuals.
who meet the qualifications to serve as an election judge, including persons on the list furnished pursuant to subdivision 1 who indicated a willingness to travel to the municipality, and persons who are not affiliated with a major political party. An individual who is appointed from a source other than the list furnished pursuant to subdivision 1 must provide to the appointing authority the individual’s major political party affiliation or a statement that the individual does not affiliate with any major political party. An individual who refuses to provide the individual’s major political party affiliation or a statement that the individual does not affiliate with a major political party must not be appointed as an election judge. The appointments shall be made at least 25 days before the election at which the election judges will serve, except that the appointing authority may pass a resolution authorizing the appointment of additional election judges within the 25 days before the election if the appointing authority determines that additional election judges will be required.

Sec. 31. Minnesota Statutes 2020, section 204B.32, is amended by adding a subdivision to read:

Subd. 3. Contributions for election expenses prohibited. Notwithstanding any home rule charter or local ordinance to the contrary, a county, municipality, or school district may not accept a contribution, in any form, from a for-profit business or a nonprofit organization made for the purpose of paying expenses associated with conducting a federal, state, or local election.

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

Sec. 32. Minnesota Statutes 2020, section 204B.36, subdivision 1, is amended to read:

Subdivision 1. Type. (a) All ballots shall be printed with black ink on paper of sufficient thickness to prevent the printing from being discernible from the back. All ballots shall be printed in easily readable type with suitable lines dividing candidates, offices, instructions and other matter printed on ballots. The same type shall be used for the names of all candidates on the same ballot. (b) Except for ballots prepared and distributed under sections 203B.16 to 203B.27, all ballots must be printed on paper that contains a security marking designed to allow verification of the ballot’s authenticity. The security marking must be designed so that it does not interfere with a tabulator’s ability to accurately read the ballot. At a federal or state election, the form of the security marking must be prescribed by the secretary of state. At a local election, the form of the security marking must be prescribed by the county auditor or municipal clerk. For purposes of this paragraph, a security marking is a watermark, ultraviolet light marking, or other substantially equivalent marking.

EFFECTIVE DATE. This section is effective September 1, 2022, and applies to elections conducted on or after that date.
Sec. 41. Minnesota Statutes 2020, section 204B.45, subdivision 1, is amended to read:

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

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

Sec. 42. Minnesota Statutes 2020, section 204B.45, subdivision 2, is amended to read:

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

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

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from mail or absentee ballots may be made public before the close of voting on election day. The costs of the mailing shall be paid by the election jurisdiction in which the voter resides. Any ballot received by 8:00 p.m. on the day of the election must be counted.

Sec. 43. Minnesota Statutes 2020, section 204B.46, is amended to read:

204B.46 MAIL ELECTIONS; QUESTIONS.

A county, municipality, or school district submitting questions to the voters at a special election may conduct an election by mail with no polling place other than the office of the auditor or clerk. No offices may be voted on at a mail election, except in overlapping school and municipality jurisdictions, where a mail election may include an office when one of the jurisdictions also has a question on the ballot. Notice of the election must be given to the county auditor at least 74 days prior to the election. This notice shall also fulfill the requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all voters registered in the county, municipality, or school district. No later than 14 days before the election, the auditor or clerk must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors, deputy municipal clerks, or deputy school district clerks who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk must provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.
If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the seventh day before the election, the ballots from return envelopes marked “Accepted” may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box. In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

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

Sec. 44. Minnesota Statutes 2020, section 204C.15, subdivision 1, is amended to read:

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

Sec. 33. Minnesota Statutes 2020, section 204C.19, subdivision 3, is amended to read:

Subd. 3. Premature disclosure of count results. The county auditor, municipal clerk, school district clerk, election judge, or any other person must not disclose count results from any precinct until all count results from that precinct are available, nor shall they have been counted and totaled, including absentee votes received and processed by 8 p.m. on election day. Absentee ballots may continue to be processed and counted after 8 p.m. on election day as provided in section 203B.121, subdivision 5, paragraph (c). The public media must not disclose any count results from any precinct before the time when voting is scheduled to end in the state.
96.12 **EFFECTIVE DATE.** This section is effective the day following final enactment and applies to elections on or after that date.

96.19 Sec. 45. Minnesota Statutes 2020, section 204C.33, subdivision 3, is amended to read:

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

96.24 (1) the number of individuals voting in the state and in each county;
96.25 (2) the number of votes received by each of the candidates, specifying the counties in
96.26 which they were cast; and
96.27 (3) the number of votes counted for and against each constitutional amendment, specifying
96.28 the counties in which they were cast.

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

96.34 Sec. 34. Minnesota Statutes 2020, section 204D.16, is amended to read:

96.35 204D.16 SAMPLE GENERAL ELECTION BALLOTS; POSTING;
96.36 PUBLICATION.

96.37 (a) At least 46 days before the state general election, the county auditor shall post
96.38 sample ballots for each precinct in the auditor's office for public inspection and transmit an
96.39 electronic copy of these sample ballots to the secretary of state.
96.40 (b) No earlier than 15 days and no later than two days before the state general election
96.41 the county auditor shall cause a sample generic state general election ballot to be
96.42 published in at least one newspaper of general circulation in the county. The generic ballot
96.43 must include only the races and candidates that will appear on the ballot for every precinct
96.44 in the county. The secretary of state, in collaboration with local government election officials
96.45 and the Minnesota Newspaper Association, must design the generic ballot to be used by
96.46 local election officials. When printed in the newspaper, the generic ballot must be sized so
96.47 that it comprises a minimum of 75 percent of one page. The generic ballot must include the
96.48 following statement:
96.49 "This ballot only includes the races and candidates that will appear on the ballot for
96.50 every precinct in the county. Your ballot will have the names of all candidates for whom
96.51 you can vote in your precinct. To view a sample ballot reflecting your specific address,

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please enter your address information on this website: [link to appropriate page on the secretary of state's website]. You may also view a list of sample ballots for each county precinct on [link to appropriate page on the county's website]. If you would like a copy of a sample ballot specific to your address sent to you, please contact [insert the name of the appropriate election official, phone number, and e-mail address] and the county will mail you a sample at no charge."

Sec. 46. Minnesota Statutes 2020, section 204D.19, subdivision 2, is amended to read:

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

Sec. 47. Minnesota Statutes 2020, section 204D.22, subdivision 3, is amended to read:

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

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

Sec. 48. Minnesota Statutes 2020, section 204D.23, subdivision 2, is amended to read:

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

Sec. 49. Minnesota Statutes 2020, section 205.13, subdivision 5, is amended to read:

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

Sec. 50. Minnesota Statutes 2020, section 205A.10, subdivision 5, is amended to read:
Subd. 5. School district canvassing board. For the purpose of a recount of a special
election conducted under section 126C.17, subdivision 9, or 475.59, the school district
canvassing board shall consist of one member of the school board other than the clerk,
selected by the board, the clerk of the school board, the county auditor of the county in
which the greatest number of school district residents maintain residence, the court
administrator of the district court of the judicial district in which the greatest number of
school district residents maintain residence, and the mayor or chair of the town board
of the school district's most populous municipality. Any member of the canvassing board
canvassing board, the county auditor shall appoint an eligible voter of the school district,
who must not be a member of the school board, to fill the vacancy. Not more than two
school board members shall serve on the canvassing board at one time. Four members
constitute a quorum.

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

Sec. 51. Minnesota Statutes 2020, section 205A.12, subdivision 5, is amended to read:
Subd. 5. Board elections. If the proposal for the establishment of election districts is
approved by the voters, the board shall specify the election districts from which vacancies
shall be filled as they occur until such time as each board member represents an election
district. A candidate for school board in a subsequent election must file an affidavit of
candidacy to be elected as a school board member for the election district in which the
candidate maintains residence. If there are as many election districts as there are
members of the board, one and only one member of the board shall be elected from each
election district. In school districts where one or more board members are elected by election
districts, candidates must indicate on the affidavit of candidacy the number of the district
from which they seek election or, if appropriate, that they seek election from one of the
offices elected at large. If the election districts have two or three members each, the terms
of the members must be staggered. Each board member must be a resident of the election
district for which elected but the creation of an election district or a change in election
district boundaries shall not disqualify a board member from serving for the remainder of
term.
Sec. 35. Minnesota Statutes 2021 Supplement, section 206.805, subdivision 1, is amended to read:

Subdivision 1. Contracts required. (a) The secretary of state, with the assistance of the commissioner of administration, must establish one or more state voting systems contracts. The contracts should, if practical, include provisions for maintenance of the equipment purchased. The voting systems contracts must address precinct-based optical scan voting equipment, assistive voting technology, automatic tabulating equipment, and electronic roster equipment. The contracts must give the state a perpetual license to use and modify the software. The contracts must include provisions to escrow the software source code. Bids for voting systems and related election services must be solicited from each vendor selling or leasing voting systems that have been certified for use by the secretary of state. Bids for electronic roster equipment, software, and related services must be solicited from each vendor selling or leasing electronic roster equipment that meets the requirements of section 201.225, subdivision 2. The contracts must be renewed from time to time.

(b) The secretary of state, with the assistance of the commissioner of administration, must establish one or more contracts for ballot paper bearing a security marking as described in section 204B.36, subdivision 1. The contracts must be renewed from time to time.

(c) Counties and municipalities may purchase or lease voting systems and obtain related election services from the state contracts. All counties and municipalities are members of the cooperative purchasing venture of the Department of Administration for the purpose of this section. For the purpose of township elections, counties must aggregate orders under contracts negotiated under this section for products and services and may apportion the costs of those products and services proportionally among the townships receiving the products and services. The county is not liable for the timely or accurate delivery of those products or services.

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

Sec. 36. Minnesota Statutes 2020, section 206.83, is amended to read:

206.83 TESTING OF VOTING SYSTEMS.

(a) Within 14 days before election day, the official in charge of elections shall have the voting system tested to ascertain that the system will correctly mark ballots using all methods supported by the system, including through assistive technology, and count the votes cast for all candidates and on all questions. Public notice of the time and place of the test must be given at least two days in advance by publication once in official newspapers. The test must be observed by at least two election judges, who are not of the same major political party, and must be open to representatives of the political parties, candidates, the press, and the public. The test must be conducted by (1) processing a preaudited group of ballots punched or marked to record a predetermined number of valid votes for each candidate and on each question, and must include for each office one or more ballot cards which have votes in excess of the number allowed by law in order to test the ability of the voting system
(b) At least 14 days before conducting the testing required by paragraph (a), the official in charge of elections must give notice of the date, time, and location of the testing in the following manner:

1. by publishing the notice once in the official newspaper;
2. by prominently posting the notice on the applicable county, municipal, or school district website, if there is one; and
3. by sending the notice to the secretary of state. The secretary of state must prominently publish the notices on the secretary's website. The secretary of state must notify the chairs of each major and minor political party when notices are posted and where to find them.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to elections on or after that date.
(d) The results of the presidential nomination primary must bind the election of delegates in each party.

Sec. 53. Minnesota Statutes 2021 Supplement, section 207A.13, subdivision 2, is amended to read:

Subd. 2. Candidates on the ballot. (a) Each party participating in the presidential nomination primary must determine which candidates are to be placed on the presidential nomination primary ballot for that party. The chair of each participating party must submit to the secretary of state the names of the candidates to appear on the ballot for that party no later than 63 days before the presidential nomination primary. Once submitted, changes must not be made to the candidates that will appear on the ballot.

(b) No later than the seventeenth day before the presidential nomination primary, the chair of each participating party must submit to the secretary of state the names of write-in candidates, if any, to be counted for that party.

Sec. 54. Minnesota Statutes 2020, section 209.021, subdivision 2, is amended to read:

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

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

Sec. 55. Minnesota Statutes 2020, section 211B.04, subdivision 2, is amended to read:

Subd. 2. Independent expenditures. (a) The required form of the disclaimer on a written independent expenditure is: "This is an independent expenditure prepared and paid for by ....... (name of entity participating in the expenditure), ..... (address). It is not coordinated with or approved by any candidate nor is any candidate responsible for it. The top three contributors funding this expenditure are (1)....... (2)....... and (3)......." The address must be either the entity's mailing address or the entity's website, if the website includes the entity's mailing address. When a written independent expenditure is produced and disseminated without cost, the words "and paid for" may be omitted from the disclaimer.

(b) The required form of the disclaimer on a broadcast independent expenditure is: "This independent expenditure is paid for by ....... (name of entity participating in the expenditure). It is not coordinated with or approved by any candidate nor is any candidate responsible for it. The top three contributors funding this expenditure are (1)....... (2)....... and (3)......." When a broadcast independent expenditure is produced and disseminated without cost, the
following disclaimer may be used: "...... (name of entity participating in the expenditure)

is responsible for the contents of this independent expenditure. It is not coordinated with

or approved by any candidate nor is any candidate responsible for it."

(c) The listing of the top three contributors required to be included in a disclaimer under

this subdivision must identify by name the three individuals or entities making the largest

aggregate contribution or contributions required to be reported under chapter 10A to the

expending entity during the 12-month period preceding the first date at which the expenditure

was published or presented to the public. Contributions to the expending entity that are

segregated, tracked, and used for purposes other than expenditures requiring the disclaimer

should not be included in calculating the top three contributors required to be identified

under this subdivision.

Sec. 56. Minnesota Statutes 2020, section 211B.04, subdivision 3, is amended to read:

(a) This section does not apply to

campaign finance and public disclosure board. Notwithstanding

fund-raising tickets, business cards, personal letters, or similar items that are clearly being

distributed by the candidate.

(b) This section does not apply to an individual or association that is not required to

register or report under chapter 10A or 211A.

c) This section does not apply to the following:

(1) bumper stickers, pins, buttons, pens, or similar small items on which the disclaimer

cannot be conveniently printed; and

(2) skywriting, wearing apparel, or other means of displaying an advertisement of such

a nature that the inclusion of a disclaimer would be impracticable; and.

(3) online banner ads and similar electronic communications that link directly to an

online page that includes the disclaimer.

(d) This section does not modify or repeal section 211B.06.

Sec. 57. Minnesota Statutes 2020, section 211B.04, is amended by adding a subdivision

to read:

Subd. 3a. Certain electronic communications and advertisements. Notwithstanding

subdivisions 1 and 2, the Campaign Finance and Public Disclosure Board must adopt rules

using the expedited process in section 14.389 to specify the form and content of the disclaimer

required by those subdivisions for small electronic communications for which it is

technologically impossible to clearly and conspicuously print the full disclaimer, including

but not limited to online banner ads, text messages, social media communications, and small

advertisements appearing on a mobile telephone or other handheld electronic device.
Sec. 37. [211B.075] DISTRIBUTION OF ABSENTEE BALLOT APPLICATIONS AND SAMPLE BALLOTS.

Subdivision 1. Definitions. (a) The following terms have the meanings given for the purpose of this section.

(b) "Person or entity" means any individual, committee, or association as defined by section 10A.01, subdivision 6.

(c) "Sample ballot" means a document that is formatted and printed in a manner that so closely resembles an official ballot that it could lead a reasonable person to believe the document is an official ballot. A document that contains the names of particular candidates or ballot questions alongside illustrations of a generic ballot or common ballot markings is not a sample ballot for purposes of this subdivision, so long as the format and style of the document would not lead a reasonable person to mistake it for an official ballot.

Subd. 2. Requirements. (a) A person or entity that mails an absentee ballot application or sample ballot to anyone in the state must comply with this section.

(1) if an absentee ballot application is enclosed, "THIS IS AN ABSENTEE BALLOT APPLICATION, NOT AN OFFICIAL BALLOT";

(2) if a sample ballot is enclosed, "THIS IS A SAMPLE BALLOT, NOT AN OFFICIAL BALLOT."

(b) In addition to the absentee ballot application or sample ballot, the person or entity must include a statement that says:

(1) the mailing is not an official election communication from a unit of government;

(2) the application or ballot has not been included at the request of a government official; and

(3) if a sample ballot is enclosed, that the sample ballot is not an official ballot and the voter must not cast the ballot.

(d) If an absentee ballot application is included, the application must be blank and must not include the voter's name, address, or any other required information.

(e) This section does not apply to a unit of government or employee of that unit of government when discharging official election duties.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 59. [211B.076] INTIMIDATION AND INTERFERENCE RELATED TO THE PERFORMANCE OF DUTIES BY AN ELECTION OFFICIAL; PENALTIES.

Subdivision 1. Definition. For the purposes of this section, "election official" means a member of a canvassing board, the county auditor or municipal clerk charged with duties relating to elections, a member of an absentee ballot board, an election judge, an election judge trainee, or any other individual assigned by a state entity or municipal government to perform official duties related to elections.

Subd. 2. Intimidation. (a) A person may not directly or indirectly use or threaten force, coercion, violence, restraint, damage, harm, or loss, including loss of employment or economic reprisal, against another with the intent to influence an election official in the performance of a duty of election administration.

(b) In a civil action brought to prevent and restrain violations of this subdivision or to require the payment of civil penalties, the moving party may show that the action or attempted action would cause a reasonable person to feel intimidated. The moving party does not need to show that the actor intended to cause the victim to feel intimidated.

Subd. 3. Interfering with or hindering the administration of an election. A person may not intentionally hinder, interfere with, or prevent an election official's performance of a duty related to election administration.

Subd. 4. Dissemination of personal information about an election official. (a) A person may not knowingly and without consent, make publicly available, including but not limited to through the Internet, personal information about an election official or an election official's family or household member if:

(1) the dissemination poses an imminent and serious threat to the official's safety or the safety of an official's family or household member; and

(2) the person making the information publicly available knows or reasonably should know of any imminent and serious threat.

(b) As used in this subdivision, "personal information" means the home address of the election official or a member of an election official's family, directions to that home, or photographs of that home.

Subd. 5. Obstructing access. A person may not intentionally and physically obstruct an election official's access to or egress from a polling place, meeting of a canvassing board, place where ballots and elections equipment are located or stored, or any other place where the election official performs a duty related to election administration.

Subd. 6. Vicarious liability; conspiracy. A person may be held vicariously liable for any damages resulting from the violation of this section and may be identified in an order restraining violations of this section if that person:
(1) intentionally aids, advises, hires, counsels, abets, incites, compels, or coerces a person
to violate any provision of this section or attempts to aid, advise, hire, counsel, abet, incite,
compel, or coerce a person to violate any provision of this section; or

(2) conspires, combines, agrees, or arranges with another to either commit a violation
of this section or aid, advise, hire, counsel, abet, incite, compel, or coerce a third person to
violate any provision of this section.

Subd. 7. Criminal penalty. A person who violates this section is guilty of a gross
misdemeanor.

Subd. 8. Attorney general; civil enforcement. When the attorney general has
information providing a reasonable ground to believe that any person has violated or is
about to violate this section, the attorney general shall have the power to investigate those
violations, or suspected violations, in the same manner as provided for by section 8.31,
subdivisions 2 and 2a. The attorney general shall be entitled, on behalf of the state, to sue
for and recover the same relief and remedies for violations of this section, or violations that
are about to occur, as provided in section 8.31, subdivisions 3 and 3a.

Subd. 9. Election official; civil remedies. In addition to any remedies otherwise provided
by law, an election official injured or threatened to be injured by a violation of this section
may bring a civil action and obtain the following remedies:

(1) injunctive relief in any court of competent jurisdiction against any such violation or
threatened violation without abridging the penalties provided by law; and

(2) damages, together with costs and disbursements, including costs of investigation and
reasonable attorney fees, and other equitable relief as determined by the court.

Subd. 10. Cumulative remedies. Civil remedies allowable under this section are
cumulative and do not restrict any other right or remedy otherwise available. Any civil
action brought under this section must be commenced within two years after the cause of
action accrues. Sections 211B.31 to 211B.37 do not apply to violations of this section.

EFFECTIVE DATE. This section is effective July 1, 2022, and applies to violations
committed on or after that date.

Sec. 60. Minnesota Statutes 2020, section 211B.11, subdivision 1, is amended to read:

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

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

Sec. 61. Minnesota Statutes 2020, section 211B.32, subdivision 1, is amended to read: Subdivision 1. Administrative remedy; exhaustion. (a) Except as provided in paragraphs (b) and (c), a complaint alleging a violation of chapter 211A or 211B must be filed with the office. The complaint must be finally disposed of by the office before the alleged violation may be prosecuted by a county attorney.

(b) Complaints arising under those sections and related to those individuals and associations specified in section 10A.022, subdivision 3, must be filed with the Campaign Finance and Public Disclosure Board.

(c) Violations of section 211B.076 may be enforced as provided in section 211B.076.

Sec. 62. Minnesota Statutes 2020, section 367.03, subdivision 6, is amended to read: Subd. 6. Vacancies. (a) When a vacancy occurs in a town office, the town board shall fill the vacancy by appointment. Except as provided in paragraph (b), the person appointed shall hold office until the next annual town election, when a successor shall be elected for the unexpired term.

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

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

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

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

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

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

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

(f) When, for any reason, the town board or the appointment committee fails to fill a vacancy in the position of an elected town officer by appointment, a special election may
be called. To call a special election, the supervisors and town clerk, or any two of them

together with at least 12 other town freeholders, must file a statement in the town clerk's

office. The statement must tell why the election is called and that the interests of the town

require the election. When the town board or the appointment committee fails to fill a

vacancy by appointment, a special town election may also be called on petition of 20 percent

of the electors of the town. The percentage is of the number of voters at the last general

election. A special town election must be conducted in the manner required for the annual

town election.

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

Sec. 63. Minnesota Statutes 2020, section 447.32, subdivision 4, is amended to read:

Subd. 4. Candidates; ballots; certifying election. A person who wants to be a candidate

for the hospital board shall file an affidavit of candidacy for the election either as member

at large or as a member representing the city or town where the candidate resides. The affidavit of candidacy must be filed with the city or town clerk not more than 98 days nor less than 84 days before the first Tuesday after the first Monday in November of the year in which the general election is held. The city or town clerk must forward the affidavits of candidacy to the clerk of the hospital district or, for the first election, the clerk of the most populous city or town immediately after the last day of the filing period. A candidate may withdraw from the election by filing an affidavit of withdrawal with the clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of candidacy.

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

After canvassing the election, the board shall issue a certificate of election to the candidate who received the largest number of votes cast for each office. The clerk shall deliver the certificate to the person entitled to it in person or by certified mail. Each person certified shall file an acceptance and oath of office in writing with the clerk within 30 days after the date of delivery or mailing of the certificate. The board may fill any office as provided in subdivision 1 if the person elected fails to qualify within 30 days, but qualification is effective if made before the board acts to fill the vacancy.
Sec. 38. **SECRETARY OF STATE; REPORTS.**

(a) No later than January 15, 2024, the secretary of state must submit a report to the chairs and ranking minority members of the legislative committees having jurisdiction over elections on grants awarded under Laws 2021, First Special Session chapter 12, article 1, section 6, for ballot dropbox security and integrity. The report must detail each grant awarded including the jurisdiction, the amount of the grant, and what the grant money is intended to purchase.

(b) No later than January 15, 2024, the secretary of state must submit a report to the chairs and ranking minority members of the legislative committees having jurisdiction over elections on grants awarded under article 1, section 2 for temporary staffing, livestreaming of election-related activity, and purchasing ballot paper with security markings. The report must detail each grant awarded including the jurisdiction, the amount of the grant, and what the grant money is intended to purchase.

Sec. 39. **REPEALER.**

Minnesota Statutes 2020, sections 13.607, subdivision 6; and 201.091, subdivision 9, are repealed.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to requests for data made on or after that date.

Sec. 40. **EFFECTIVE DATE.**

Except as otherwise provided, this article is effective July 1, 2022, and applies to elections conducted on or after that date.