

## Elections

## CHAPTER 200

## GENERAL PROVISIONS; DEFINITIONS

200.01 Citation, Minnesota election law.  
200.015 School district elections excluded.

200.02 Definitions.  
200.031 Determination of residence.

**200.01** MS 1957 [Repealed, 1959 c 675 art 13 s 1]

**200.01 CITATION, MINNESOTA ELECTION LAW.**

Chapters 200, 201, 202A, 203B, 204B, 204C, 204D, 205, 206, 208, 209 and 210A shall be known as the Minnesota election law.

**History:** 1959 c 675 art 1 s 1; 1981 c 29 art 1 s 1

**200.015 SCHOOL DISTRICT ELECTIONS EXCLUDED.**

Chapters 200, 201, 202A, 203B, 204B, 204C, 204D, 205, 206, 208, 209 and 210A do not apply to school district elections unless otherwise specifically provided by law.

**History:** 1981 c 29 art 1 s 2

**200.02** MS 1957 [Repealed, 1959 c 675 art 13 s 1]

**200.02 DEFINITIONS.**

Subdivision 1. **Application.** The terms defined in this section apply to the Minnesota election law.

Subd. 2. **General election.** "General election" means an election held at regular intervals on a day determined by law or charter at which the voters of the state or any of its subdivisions choose by ballot public officials or presidential electors.

Subd. 3. **Primary.** "Primary" means an election at which the voters of the state or any of its subdivisions choose by ballot the nominees for the offices to be filled at a general election.

Subd. 4. **Special election.** "Special election" means:

- (a) An election held at any time to fill vacancies in public offices; or
- (b) An election held by a subdivision of the state for a special purpose.

Subd. 5. **Special primary.** "Special primary" means an election held to choose the nominees for vacant public offices to be filled at a special election.

Subd. 6. **Political party.** "Political party" means an association of individuals under whose name a candidate files for partisan office.

Subd. 7. **Major political party.** "Major political party" means a political party that maintains a party organization in the state, political division or precinct in question and:

- (a) Which has presented at least one candidate for election to a partisan office at the last preceding state general election, which candidate received votes in each county in that election and received votes from not less than five percent of the total number of individuals who voted in that election; or
- (b) Whose members present to the county auditor a petition for a place on the state partisan primary ballot, which petition contains signatures of a number of the

party members equal to at least five percent of the total number of individuals who voted in the preceding state general election in the county where the application is submitted.

Subd. 8. **City.** "City" means a home rule charter or statutory city.

Subd. 9. [Repealed, 1973 c 123 art 3 s 7]

Subd. 9. **Municipality.** "Municipality" means any city or town.

Subd. 10. **Governing body.** "Governing body" means the board of commissioners of a county, the elected council of a city, or the board of supervisors of a town.

Subd. 11. **Precinct.** "Precinct" means a geographical area the boundaries of which are established for election purposes in accordance with section 204B.14.

Subd. 12. **Polling place.** "Polling place" means the place of voting.

Subd. 13. **Convention.** "Convention" means an organized body of delegates assembled for the purpose of transacting the business of a major political party.

Subd. 14. **Election board.** "Election board" means the election judges serving in a precinct.

Subd. 15. **Eligible voter.** "Eligible voter" means an individual who is eligible to vote under section 201.014.

Subd. 16. **County auditor.** "County auditor" means the county auditor or, in counties where that office does not exist, the principal county officer charged with duties relating to elections.

Subd. 17. **Member of a major political party.** "Member of a major political party" means an individual who:

(a) Supports the general principles of that party's constitution;

(b) Voted for a majority of that party's candidates in the last general election;  
or

(c) Intends to vote for a majority of that party's candidates in the next general election.

Subd. 18. **Oath, swear, sworn.** "Oath" means an oath or affirmation, as the conscience of the individual dictates. If an affirmation is given instead of an oath, "swear" means to affirm and "sworn" means affirmed.

**History:** 1959 c 675 art 1 s 2; Ex1961 c 10 s 1; 1973 c 123 art 3 s 1; 1973 c 123 art 5 s 7; 1973 c 576 s 1; 1973 c 676 s 1,2; 1973 c 725 s 37; 1978 c 725 s 2; 1981 c 29 art 1 s 3

## 200.031 DETERMINATION OF RESIDENCE.

Residence shall be determined in accordance with the following principles, so far as they may be applicable to the facts of the case:

(a) The residence of an individual is in the precinct where the individual's home is located, from which the individual has no present intention of moving, and to which, whenever the individual is absent, he intends to return;

(b) An individual does not lose residence if he leaves his home to live temporarily in another state or precinct;

(c) An individual does not acquire a residence in any precinct of this state if he is living there only temporarily, without the intention of making that precinct his home;

(d) If an individual goes into another state or precinct with the intention of making it his home or files an affidavit of residence there for election purposes, he loses his residence in his former precinct;

# MINNESOTA STATUTES 1982

4159

GENERAL PROVISIONS; DEFINITIONS 200.031

(e) If an individual moves to another state with the intention of living there for an indefinite period, he loses his residence in this state, notwithstanding any intention to return at some indefinite future time;

(f) Except as otherwise provided in this section, an individual's residence is located in the precinct where his family lives, unless his family is living in that precinct only temporarily;

(g) If an individual's family lives in one precinct and the individual lives or does business in another, the individual's residence is located in the precinct where his family lives, unless he establishes a home in the other precinct and intends to remain there, with or without his family;

(h) The residence of a single individual is in the precinct where he lives and usually sleeps;

(i) The mere intention to acquire a new residence, is not sufficient to acquire a new residence, unless the individual moves to that location; moving to a new location is not sufficient to acquire a new residence unless the individual intends to remain there;

(j) The residence of an individual who is working temporarily in any precinct of this state is in the precinct where his permanent home is located;

(k) The residence of an individual who is living permanently in a soldiers' home or nursing home is in the precinct where the home is located.

**History:** 1981 c 29 art 1 s 4

**200.03-200.38** MS 1957 [Repealed, 1959 c 675 art 13 s 1]