



**STATE OF MINNESOTA**  
Office of Minnesota Secretary of State  
Steve Simon

February 15, 2022

State Government Finance and Policy and Elections Committee  
95 University Avenue West  
St. Paul, MN 55155

Dear Members:

I am writing today to express my concerns with Senate File 3077.

Senate File 3077 requires that if committees and private organizations mail absentee applications or sample ballots they must include certain verbiage in those mailings to make clear that they are not being sent by or at the request of a government entity. The bill also prohibits committees and private organizations from pre-printing any voter information on an absentee application.

In 2020, there were several committees and private organizations that mailed absentee ballot applications to voters. Our office, as well as many other government entities, heard from voters who mistakenly (but understandably) believed the envelopes containing absentee ballot applications contained actual ballots. Some voters were also confused as to who mailed them the application. While I support the general policy of requiring notification to voters that what they are receiving is not an absentee ballot but a sample ballot or application, this bill goes well beyond that goal - and needs further refinement to achieve the goal of alleviating voter confusion as to future mailings.

As for the notice requirement, the bill language lacks clarity as to where this notice should be printed, especially to comply with USPS standards, and what the notice specifically must say.

The second provision prohibiting committees and private organizations from pre-printing a voter's name or address on an application raises administrative concerns. If a county, or city authorized to administer absentee voting, receives a pre-printed application that otherwise meets statutory requirements, are they to reject the application? How is a local election official to know if the voter typed their application and printed it off at home or if they received this application from a committee or private organization? More broadly, there are many good and legitimate policy reasons why an organization may want to help voters by pre-populating the publicly available information.

I respectfully urge members to vote no Senate File 3077 in its current form as specificity needs to be added to the requirements of committees and private organizations. The bill needs additional detail and clarifying language in order to be an effective guide for voters and administrators – and to avoid inadvertently imposing hidden burdens on eligible voters.

Sincerely,

A handwritten signature in black ink that reads "Steve Simon".

Steve Simon  
Minnesota Secretary of State