

1.1 **Senator Carlson from the Committee on Elections, to which was referred**

1.2 **S.F. No. 1191:** A bill for an act relating to elections; making technical and policy changes
 1.3 to provisions related to elections administration; amending Minnesota Statutes 2022, sections
 1.4 5B.06; 201.061, subdivision 3; 201.071, subdivisions 1, 3, 8; 201.12, subdivision 2; 201.121,
 1.5 subdivision 1; 201.13, subdivision 3; 201.1611, subdivision 1; 201.225, subdivision 2;
 1.6 202A.16, subdivision 1; 202A.18, subdivision 2a; 203B.01, by adding a subdivision; 203B.02,
 1.7 by adding a subdivision; 203B.081, subdivisions 1, 2; 203B.11, subdivision 1; 203B.16,
 1.8 subdivision 2; 204B.06, subdivision 4a; 204B.09, subdivision 1; 204B.13, by adding a
 1.9 subdivision; 204B.16, subdivision 1; 204B.19, subdivision 6; 204B.21, subdivision 2;
 1.10 204B.45, subdivisions 1, 2; 204B.46; 204C.15, subdivision 1; 204C.24, subdivision 1;
 1.11 204C.33, subdivision 3; 204C.39, subdivision 1; 204D.08, subdivision 6; 204D.19,
 1.12 subdivision 2; 204D.22, subdivision 3; 204D.23, subdivision 2; 205.13, subdivision 5;
 1.13 205A.10, subdivision 5; 205A.12, subdivision 5; 207A.12; 209.021, subdivision 2; 211B.11,
 1.14 subdivision 1; 211B.15, subdivision 8; 367.03, subdivision 6; 447.32, subdivision 4.

1.15 Reports the same back with the recommendation that the bill be amended as follows:

1.16 Delete everything after the enacting clause and insert:

1.17 "Section 1. Minnesota Statutes 2022, section 5B.06, is amended to read:

1.18 **5B.06 VOTING BY PROGRAM PARTICIPANT; ABSENTEE BALLOT.**

1.19 A program participant who is otherwise eligible to vote may register with the secretary
 1.20 of state as a permanent absentee voter. Notwithstanding section 203B.04, subdivision 5,
 1.21 the secretary of state is not required to send an absentee ballot application prior to each
 1.22 election to a program participant registered as a permanent absentee voter under this section.
 1.23 As soon as practicable before each election, the secretary of state shall determine the precinct
 1.24 in which the residential address of ~~the~~ a program participant is located ~~and~~. Upon making
 1.25 a precinct determination, the secretary of state shall either (1) request from and receive from
 1.26 the county auditor or other election official the ballot for that precinct and shall forward
 1.27 mail the absentee ballot to the program participant with the other, or (2) using the Minnesota
 1.28 statewide voter registration system, prepare the program participant's ballot for that precinct
 1.29 and mail the absentee ballot to the program participant. The secretary of state shall include
 1.30 with each mailed absentee ballot all corresponding materials for absentee balloting as
 1.31 required by Minnesota law. The program participant shall complete the ballot and return it
 1.32 to the secretary of state, who shall review the ballot in the manner provided by section
 1.33 203B.121, subdivision 2. If the ballot and ballot materials comply with the requirements of
 1.34 that section, the ballot must be certified by the secretary of state as the ballot of a program
 1.35 participant, and must be forwarded to the appropriate electoral jurisdiction for tabulation
 1.36 along with all other ballots. The name and address of a program participant must not be
 1.37 listed in the statewide voter registration system.

2.1 Sec. 2. Minnesota Statutes 2022, section 201.061, subdivision 1, is amended to read:

2.2 Subdivision 1. **Prior to election day.** (a) At any time except during the 20 days
2.3 immediately preceding any regularly scheduled election, an eligible voter or any individual
2.4 who will be an eligible voter at the time of the next election may register to vote in the
2.5 precinct in which the voter maintains residence by completing a voter registration application
2.6 as described in section 201.071, subdivision 1. A completed application may be submitted:

2.7 (1) in person or by mail to the county auditor of that county or to the Secretary of State's
2.8 Office; or

2.9 (2) electronically through a secure website that shall be maintained by the secretary of
2.10 state for this purpose, if the applicant has an email address and provides the applicant's
2.11 verifiable Minnesota driver's license number, Minnesota state identification card number,
2.12 or the last four digits of the applicant's Social Security number.

2.13 (b) A registration that is received in person or by mail no later than 5:00 p.m. on the
2.14 21st day preceding any election, or a registration received electronically through the secretary
2.15 of state's secure website no later than 11:59 p.m. on the 21st day preceding any election,
2.16 shall be accepted. An improperly addressed or delivered registration application shall be
2.17 forwarded within two working days after receipt to the county auditor of the county where
2.18 the voter maintains residence. A state or local agency or an individual that accepts completed
2.19 voter registration applications from a voter must submit the completed applications to the
2.20 secretary of state or the appropriate county auditor within ten calendar days after the
2.21 applications are dated by the voter.

2.22 (b)(c) An application submitted electronically under paragraph (a), clause (2), may only
2.23 be transmitted to the county auditor for processing if the secretary of state has verified the
2.24 application information matches the information in a government database associated with
2.25 the applicant's driver's license number, state identification card number, or Social Security
2.26 number. The secretary of state must review all unverifiable voter registration applications
2.27 submitted electronically for evidence of suspicious activity and must forward any such
2.28 application to an appropriate law enforcement agency for investigation.

2.29 (d) An individual may not electronically submit a voter registration application on behalf
2.30 of any other individual, except that the secretary of state may provide features on the secure
2.31 website established under paragraph (a), clause (2), that allow third parties to connect
2.32 application programming interfaces that facilitate an individual's submission of voter
2.33 registration information while interacting with the third party.

3.1 ~~(e)~~ (e) For purposes of this section, mail registration is defined as a voter registration
3.2 application delivered to the secretary of state, county auditor, or municipal clerk by the
3.3 United States Postal Service or a commercial carrier.

3.4 Sec. 3. Minnesota Statutes 2022, section 201.061, subdivision 3, is amended to read:

3.5 Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register
3.6 on election day by appearing in person at the polling place for the precinct in which the
3.7 individual maintains residence, by completing a registration application, making an oath in
3.8 the form prescribed by the secretary of state and providing proof of residence. An individual
3.9 may prove residence for purposes of registering by:

3.10 (1) presenting a driver's license or Minnesota identification card issued pursuant to
3.11 section 171.07;

3.12 (2) presenting any document approved by the secretary of state as proper identification;

3.13 (3) presenting one of the following:

3.14 (i) a current valid student identification card from a postsecondary educational institution
3.15 in Minnesota, if a list of students from that institution has been prepared under section
3.16 135A.17 and certified to the county auditor in the manner provided in rules of the secretary
3.17 of state; or

3.18 (ii) a current student fee statement that contains the student's valid address in the precinct
3.19 together with a picture identification card; or

3.20 (4) having a voter who is registered to vote in the precinct, or an employee employed
3.21 by and working in a residential facility in the precinct and vouching for a resident in the
3.22 facility, sign an oath in the presence of the election judge vouching that the voter or employee
3.23 personally knows that the individual is a resident of the precinct. A voter who has been
3.24 vouched for on election day may not sign a proof of residence oath vouching for any other
3.25 individual on that election day. A voter who is registered to vote in the precinct may sign
3.26 up to eight proof-of-residence oaths on any election day. This limitation does not apply to
3.27 an employee of a residential facility described in this clause. The secretary of state shall
3.28 provide a form for election judges to use in recording the number of individuals for whom
3.29 a voter signs proof-of-residence oaths on election day. The form must include space for the
3.30 maximum number of individuals for whom a voter may sign proof-of-residence oaths. For
3.31 each proof-of-residence oath, the form must include a statement that the individual: (i) is
3.32 registered to vote in the precinct or is an employee of a residential facility in the precinct,
3.33 (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the

4.1 statement on oath. The form must include a space for the voter's printed name, signature,
4.2 telephone number, and address.

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

4.5 (b) The operator of a residential facility shall prepare a list of the names of its employees
4.6 currently working in the residential facility and the address of the residential facility. The
4.7 operator shall certify the list and provide it to the appropriate county auditor no less than
4.8 20 days before each election for use in election day registration.

4.9 (c) "Residential facility" means transitional housing as defined in section 256E.33,
4.10 subdivision 1; a supervised living facility licensed by the commissioner of health under
4.11 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision
4.12 5; ~~a residence registered with the commissioner of health as a housing with services~~
4.13 ~~establishment as defined in section 144D.01, subdivision 4~~ an assisted living facility licensed
4.14 by the commissioner of health under chapter 144G; a veterans home operated by the board
4.15 of directors of the Minnesota Veterans Homes under chapter 198; a residence licensed by
4.16 the commissioner of human services to provide a residential program as defined in section
4.17 245A.02, subdivision 14; a residential facility for persons with a developmental disability
4.18 licensed by the commissioner of human services under section 252.28; setting authorized
4.19 to provide housing support as defined in section 256I.03, subdivision 3; a shelter for battered
4.20 women as defined in section 611A.37, subdivision 4; ~~or~~ a supervised publicly or privately
4.21 operated shelter or dwelling designed to provide temporary living accommodations for the
4.22 homeless; a facility where a provider operates a residential treatment program as defined
4.23 in section 245.462, subdivision 23; or a facility where a provider operates an adult foster
4.24 care program as defined in section 245A.02, subdivision 6c.

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

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

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

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

5.3 Sec. 4. Minnesota Statutes 2022, section 201.071, subdivision 1, is amended to read:

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

5.18 "I certify that I:

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

5.20 (2) am a citizen of the United States;

5.21 (3) will have ~~resided~~ maintained residence in Minnesota for 20 days immediately
5.22 preceding election day;

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

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

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

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

5.29 (8) have read and understand the following statement: that giving false information is a
5.30 felony punishable by not more than five years imprisonment or a fine of not more than
5.31 \$10,000, or both."

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

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

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

6.3 And the instruction:

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

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

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

6.12 Sec. 5. Minnesota Statutes 2022, section 201.071, subdivision 8, is amended to read:

6.13 Subd. 8. **School district assistance.** School districts shall assist county auditors in
6.14 determining the school district in which a voter ~~resides~~ maintains residence.

6.15 Sec. 6. Minnesota Statutes 2022, section 201.091, subdivision 2, is amended to read:

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

6.21 Sec. 7. Minnesota Statutes 2022, section 201.091, subdivision 4a, is amended to read:

6.22 Subd. 4a. **Presidential primary political party list.** The secretary of state must maintain
6.23 a list of the voters who voted in a presidential nomination primary and the political party
6.24 each voter selected. Information maintained on the list is private data on individuals as
6.25 defined under section 13.02, subdivision 12, except that the secretary of state must provide
6.26 ~~the list~~ to the chair of each major political party the list of voters who selected that party.

6.27 Sec. 8. Minnesota Statutes 2022, section 201.12, subdivision 2, is amended to read:

6.28 Subd. 2. **Moved within state.** If any nonforwardable mailing from an election official
6.29 is returned as undeliverable but with a permanent forwarding address in this state, the county
6.30 auditor may change the voter's status to "inactive" in the statewide registration system and

7.1 shall transmit a copy of the mailing to the auditor of the county in which the new address
7.2 is located. If an election is scheduled to occur in the precinct in which the voter resides
7.3 maintains residence in the next 47 days, the county auditor shall promptly update the voter's
7.4 address in the statewide voter registration system. If there is not an election scheduled, the
7.5 auditor may wait to update the voter's address until after the next list of address changes is
7.6 received from the secretary of state. Once updated, the county auditor shall mail to the voter
7.7 a notice stating the voter's name, address, precinct, and polling place, except that if the
7.8 voter's record is challenged due to a felony conviction, noncitizenship, name change,
7.9 incompetence, or a court's revocation of voting rights of individuals under guardianship,
7.10 the auditor must not mail the notice. The notice must advise the voter that the voter's voting
7.11 address has been changed and that the voter must notify the county auditor within 21 days
7.12 if the new address is not the voter's address of residence. The notice must state that it must
7.13 be returned if it is not deliverable to the voter at the named address.

7.14 Sec. 9. Minnesota Statutes 2022, section 201.121, subdivision 1, is amended to read:

7.15 Subdivision 1. **Entry of registration information.** (a) At the time a voter registration
7.16 application is properly completed, submitted, and received in accordance with sections
7.17 201.061 and 201.071, the county auditor shall enter the information contained on it into the
7.18 statewide registration system. Voter registration applications completed before election day
7.19 must be entered into the statewide registration system within ten days after they have been
7.20 submitted to the county auditor. Voter registration applications completed on election day
7.21 must be entered into the statewide registration system within 42 days after the election,
7.22 unless the county auditor notifies the secretary of state before the deadline has expired that
7.23 the deadline will not be met. Upon receipt of a notification under this paragraph, the secretary
7.24 of state must extend the deadline for that county auditor by an additional 28 days. The
7.25 secretary of state may waive a county's obligations under this paragraph if, on good cause
7.26 shown, the county demonstrates its permanent inability to comply.

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

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

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

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

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

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

8.21 Sec. 10. Minnesota Statutes 2022, section 201.13, subdivision 3, is amended to read:

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

8.33 (b) If the address is changed to another address in this state, the secretary of state shall
8.34 locate the precinct in which the voter ~~resides~~ maintains residence, if possible. If the secretary

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

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

9.28 (d) If, in order to maintain voter registration records, the secretary of state enters an
9.29 agreement to share information or data with an organization governed exclusively by a
9.30 group of states, the secretary must first determine that the data security protocols are sufficient
9.31 to safeguard the information or data shared. If required by such an agreement, the secretary
9.32 of state may share the following data from the statewide voter registration system and data
9.33 released to the secretary of state under section 171.12, subdivision 7a:

9.34 (1) name;

9.35 (2) date of birth;

- 10.1 (3) address;
- 10.2 (4) driver's license or state identification card number;
- 10.3 (5) the last four digits of an individual's Social Security number; and
- 10.4 (6) the date that an individual's record was last updated.

10.5 If the secretary of state enters into such an agreement, the secretary and county auditors
10.6 must process changes to voter records based upon that data in accordance with this section.
10.7 Except as otherwise provided in this subdivision, when data is shared with the secretary of
10.8 state by another state, the secretary of state must maintain the same data classification that
10.9 the data had while it was in the possession of the state providing the data.

10.10 Sec. 11. Minnesota Statutes 2022, section 201.1611, subdivision 1, is amended to read:

10.11 Subdivision 1. **Forms.** All postsecondary institutions that enroll students accepting state
10.12 or federal financial aid shall provide voter registration forms to each student as early as
10.13 possible in the fall quarter. All school districts shall make available voter registration
10.14 applications each May and September to all students registered as students of the school
10.15 district who will be eligible to vote at the next election after those months. A school district
10.16 has no obligation to provide voter registration applications to students who participate in a
10.17 postsecondary education option program or who otherwise ~~reside~~ maintain residence in the
10.18 district but do not attend a school operated by the district. A school district fulfills its
10.19 obligation to a student under this section if it provides a voter registration application to the
10.20 student one time. The forms must contain spaces for the information required in section
10.21 201.071, subdivision 1, and applicable rules of the secretary of state. The institutions and
10.22 school districts may request these forms from the secretary of state. Institutions shall consult
10.23 with their campus student government in determining the most effective means of distributing
10.24 the forms and in seeking to facilitate election day registration of students under section
10.25 201.061, subdivision 3. School districts must advise students that completion of the voter
10.26 registration application is not a school district requirement.

10.27 Sec. 12. Minnesota Statutes 2022, section 201.195, is amended to read:

10.28 **201.195 CHALLENGES.**

10.29 Subdivision 1. **Petition; hearing timing.** (a) Upon petition filed with the county auditor,
10.30 any voter registered within a county may challenge the eligibility or residence of any other
10.31 voter registered within that county. A petition filed pursuant to this section must not include
10.32 the name of more than one person whose right to vote is challenged. The county auditor

11.1 must not accept a filing which challenges the eligibility of more than one voter. Petitions
11.2 must be filed at least 45 days before the election, unless the voter registered or updated the
11.3 voter's registration within 60 days before the election, in which case the petition must be
11.4 filed at least ten days before the election, or within ten days after the voter's new or updated
11.5 registration appeared on the public information list, whichever is later.

11.6 (b) The petition shall must state the grounds for challenge and, provide facts and
11.7 circumstances supporting the challenge, and may include supporting documents, affidavits,
11.8 or other evidence. The petition must be accompanied by an affidavit stating that the challenge
11.9 is based on the challenger's personal knowledge, and that the filer exercised due diligence
11.10 to personally verify the facts and circumstances establishing the basis for the challenge.
11.11 The filer has the burden to prove, by clear and convincing evidence, that the basis for
11.12 challenging the individual's eligibility to vote is valid.

11.13 (c) The following reasons, standing alone, do not constitute adequate grounds for a
11.14 challenge:

11.15 (1) a piece of mail sent to the voter by someone other than the county auditor that was
11.16 returned as undeliverable;

11.17 (2) enrollment in an educational institution; or

11.18 (3) registration to vote at an address that is housing provided for students by an
11.19 educational institution.

11.20 Subd. 1a. **Reasons for dismissal.** If the petition is incomplete, or if the basis for the
11.21 challenge does not meet the requirements of this section, the county auditor must dismiss
11.22 the petition and notify the filer in writing of the reasons for the dismissal.

11.23 Subd. 1b. **Notice to voter.** Within five days after receipt of the a petition that meets the
11.24 requirements of this section, the county auditor shall must set a date for a hearing on the
11.25 challenge and notify the challenger by mail. A copy of the petition and notice of the hearing
11.26 shall must be served on the challenged voter by the county auditor in the same manner as
11.27 in a civil action. The county auditor must inform the challenged individual that:

11.28 (1) a petition has been filed as to whether the individual is eligible to vote as well as the
11.29 basis of the challenge;

11.30 (2) if the individual votes by mail, the individual's ballot will not be counted unless the
11.31 challenge is resolved; and

11.32 (3) the individual may submit information prior to the hearing or present information at
11.33 the hearing. This information may include a sworn statement, supporting documents,

12.1 affidavits, witnesses, or other evidence supporting the challenged individual's eligibility to
12.2 vote in the election.

12.3 Subd. 1c. **Hearing.** The hearing shall must be held before the county auditor or the
12.4 auditor's designee who shall must then make findings and affirm or dismiss the challenge.
12.5 The hearing must be recorded by either video or audio recording. The recording must be
12.6 retained for 22 months.

12.7 Subd. 2. **Appeal.** If a challenge is affirmed, the voter whose registration has been
12.8 challenged may appeal the ruling to the secretary of state. The voter must immediately
12.9 notify the county auditor of the appeal, and upon receipt of this notice, the county auditor
12.10 must submit the entire record of the hearing, including all documents and a recording of
12.11 the hearing, to the secretary of state. The appeal shall must be heard within five days but in
12.12 any case before election day. Upon hearing the appeal the secretary of state shall must affirm
12.13 or reverse the ruling and shall must give appropriate instructions to the county auditor.

12.14 Subd. 3. **Hearing procedures.** A hearing before the secretary of state shall must be
12.15 conducted as a contested case and determined in accordance with chapter 14.

12.16 Sec. 13. Minnesota Statutes 2022, section 201.225, subdivision 2, is amended to read:

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

12.18 (1) be able to be loaded with a data file that includes voter registration data in a file
12.19 format prescribed by the secretary of state;

12.20 (2) allow for data to be exported in a file format prescribed by the secretary of state;

12.21 (3) allow for data to be entered manually or by scanning a Minnesota driver's license or
12.22 identification card to locate a voter record or populate a voter registration application that
12.23 would be printed and signed and dated by the voter. The printed registration application
12.24 can be either a printed form, labels printed with voter information to be affixed to a preprinted
12.25 form, or a combination of both;

12.26 (4) allow an election judge to update data that was populated from a scanned driver's
12.27 license or identification card;

12.28 (5) cue an election judge to ask for and input data that is not populated from a scanned
12.29 driver's license or identification card that is otherwise required to be collected from the voter
12.30 or an election judge;

12.31 (6) immediately alert the election judge if the voter has provided information that indicates
12.32 that the voter is not eligible to vote;

13.1 (7) immediately alert the election judge if the electronic roster indicates that a voter has
13.2 already voted in that precinct, the voter's registration status is challenged, or it appears the
13.3 voter ~~resides~~ maintains residence in a different precinct;

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

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

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

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

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

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

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

13.20 Electronic rosters used only for election day registration do not need to comply with clauses
13.21 (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need
13.22 to comply with clauses (4) and (5).

13.23 Sec. 14. Minnesota Statutes 2022, section 202A.16, subdivision 1, is amended to read:

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

13.28 Sec. 15. Minnesota Statutes 2022, section 202A.18, subdivision 2a, is amended to read:

13.29 Subd. 2a. **Preference ballot for governor.** In a year when the office of governor appears
13.30 on the state general election ballot, prior to the opening of nominations for the election of
13.31 permanent offices and delegates, a ballot must be distributed to permit caucus participants

14.1 to indicate their preference for the office of the governor. The results of preference voting
14.2 must be reported to the secretary of state immediately upon conclusion of the voting, in the
14.3 manner provided by the secretary of state. The secretary of state shall provide the appropriate
14.4 forms to the party for reporting the results.

14.5 Sec. 16. Minnesota Statutes 2022, section 203B.01, is amended by adding a subdivision
14.6 to read:

14.7 Subd. 5. **Utility worker.** "Utility worker" means an employee of a public utility as
14.8 defined by section 216B.02, subdivision 4.

14.9 Sec. 17. Minnesota Statutes 2022, section 203B.02, is amended by adding a subdivision
14.10 to read:

14.11 Subd. 4. **Emergency response providers.** Any trained or certified emergency response
14.12 provider or utility worker who is deployed during the time period authorized by law for
14.13 absentee voting, on election day, or during any state of emergency declared by the President
14.14 of the United States or any governor of any state within the United States may vote by
14.15 absentee ballot as provided by sections 203B.16 to 203B.27.

14.16 Sec. 18. Minnesota Statutes 2022, section 203B.08, subdivision 1, is amended to read:

14.17 Subdivision 1. **Marking and return by voter.** (a) An eligible voter who receives absentee
14.18 ballots as provided in this chapter shall mark them in the manner specified in the directions
14.19 for casting the absentee ballots. The return envelope containing marked ballots may be
14.20 mailed as provided in the directions for casting the absentee ballots, may be left with the
14.21 county auditor or municipal clerk who transmitted the absentee ballots to the voter, or may
14.22 be left in a drop box as provided in section 203B.082. If delivered in person, the return
14.23 envelope must be submitted to the county auditor or municipal clerk by ~~3:00~~ 8:00 p.m. on
14.24 election day.

14.25 (b) The voter may designate an agent to deliver in person the sealed absentee ballot
14.26 return envelope to the county auditor or municipal clerk or to deposit the return envelope
14.27 in the mail. An agent may deliver or mail the return envelopes of not more than three voters
14.28 in any election. Any person designated as an agent who tampers with either the return
14.29 envelope or the voted ballots or does not immediately mail or deliver the return envelope
14.30 to the county auditor or municipal clerk is guilty of a misdemeanor.

15.1 Sec. 19. Minnesota Statutes 2022, section 203B.08, subdivision 3, is amended to read:

15.2 Subd. 3. **Procedures on receipt of ballots.** When absentee ballots are returned to a
15.3 county auditor or municipal clerk, that official shall stamp or initial and date the return
15.4 envelope and place it in a locked ballot container or other secured and locked space with
15.5 other return envelopes received by that office. Within five days after receipt, the county
15.6 auditor or municipal clerk shall deliver to the ballot board all ballots received, except that
15.7 during the 14 days immediately preceding an election, the county auditor or municipal clerk
15.8 shall deliver all ballots received to the ballot board within three days. Ballots received on
15.9 election day either (1) after 3:00 p.m., if delivered in person; or (2) after 8:00 p.m., if
15.10 delivered by mail or a package delivery service, shall be marked as received late by the
15.11 county auditor or municipal clerk, and must not be delivered to the ballot board.

15.12 Sec. 20. Minnesota Statutes 2022, section 203B.081, subdivision 1, is amended to read:

15.13 Subdivision 1. **Location; timing.** An eligible voter may vote by absentee ballot in the
15.14 office of the county auditor and at any other polling place designated by the county auditor
15.15 during the 46 days before the election, except as provided in this section. The county auditor
15.16 shall make such polling place designations at least 14 weeks before the election. Voters
15.17 casting absentee ballots in person for a town election held in March may do so during the
15.18 30 days before the election.

15.19 Sec. 21. Minnesota Statutes 2022, section 203B.081, subdivision 2, is amended to read:

15.20 Subd. 2. ~~Town elections~~ **Voting booth; electronic ballot marker.** ~~Voters casting~~
15.21 ~~absentee ballots in person for a town election held in March may do so during the 30 days~~
15.22 ~~before the election. The county auditor shall make such designations at least 14 weeks before~~
15.23 ~~the election. For purposes of this section, the county auditor must make available in each~~
15.24 ~~polling place (1) at least one voting booth in each polling place must be made available by~~
15.25 ~~the county auditor for this purpose. The county auditor must also make available, and (2)~~
15.26 ~~at least one electronic ballot marker in each polling place that has implemented a voting~~
15.27 ~~system that is accessible for individuals with disabilities pursuant to section 206.57,~~
15.28 ~~subdivision 5.~~

15.29 Sec. 22. Minnesota Statutes 2022, section 203B.081, subdivision 3, is amended to read:

15.30 Subd. 3. **Alternative procedure.** (a) The county auditor may make available a ballot
15.31 counter and ballot box for use by the voters during the ~~seven~~ 14 days before the election.
15.32 If a ballot counter and ballot box is provided, a voter must be given the option either (1) to

16.1 vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the
16.2 manner provided in this subdivision.

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

16.9 (c) After signing the voter's certificate, the voter shall be issued a ballot and immediately
16.10 retire to a voting station or other designated location in the polling place to mark the ballot.
16.11 The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter
16.12 may return it to the election official in exchange for a new ballot. After completing the
16.13 ballot, the voter shall deposit the ballot into the ballot box.

16.14 (d) The election official must immediately record that the voter has voted in the manner
16.15 provided in section 203B.121, subdivision 3.

16.16 (e) The election duties required by this subdivision must be performed by the county
16.17 auditor, municipal clerk, or a deputy of the auditor or clerk.

16.18 Sec. 23. Minnesota Statutes 2022, section 203B.11, subdivision 1, is amended to read:

16.19 Subdivision 1. **Generally.** Each full-time municipal clerk or school district clerk who
16.20 has authority under section 203B.05 to administer absentee voting laws ~~shall~~ must designate
16.21 election judges to deliver absentee ballots in accordance with this section. The county auditor
16.22 must also designate election judges to perform the duties in this section. A ballot may be
16.23 delivered only to an eligible voter who is a temporary or permanent resident or patient in
16.24 one of the following facilities located in the municipality in which the voter maintains
16.25 residence: a health care facility or, hospital located in the municipality in which the voter
16.26 maintains residence, a facility providing assisted living services governed by chapter 144G,
16.27 veterans home operated by the board of directors of the Minnesota veterans homes under
16.28 chapter 198, or a shelter for battered women as defined in section 611A.37, subdivision 4.
16.29 The ballots ~~shall~~ must be delivered by two election judges, each of whom is affiliated with
16.30 a different major political party. When the election judges deliver or return ballots as provided
16.31 in this section, they ~~shall~~ must travel together in the same vehicle. Both election judges ~~shall~~
16.32 must be present when an applicant completes the certificate of eligibility and marks the
16.33 absentee ballots, and may assist an applicant as provided in section 204C.15. The election
16.34 judges ~~shall~~ must deposit the return envelopes containing the marked absentee ballots in a

17.1 sealed container and return them to the clerk on the same day that they are delivered and
17.2 marked.

17.3 Sec. 24. Minnesota Statutes 2022, section 203B.11, subdivision 2, is amended to read:

17.4 Subd. 2. ~~Twenty~~ **Forty-five days before an election.** During the ~~20~~ 45 days preceding
17.5 an election, the election judges shall must deliver absentee ballots only to an eligible voter
17.6 who has applied for absentee ballots to the county auditor or municipal clerk under section
17.7 203B.04, subdivision 1.

17.8 Sec. 25. Minnesota Statutes 2022, section 203B.11, subdivision 4, is amended to read:

17.9 Subd. 4. **Agent delivery of ballots.** During the seven days preceding an election and
17.10 until ~~2:00~~ 8:00 p.m. on election day, an eligible voter who would have difficulty getting to
17.11 the polls because of incapacitating health reasons, or who is disabled, or who is a patient
17.12 of a health care facility, a resident of a facility providing assisted living services governed
17.13 by chapter 144G, a participant in a residential program for adults licensed under section
17.14 245A.02, subdivision 14, or a resident of a shelter for battered women as defined in section
17.15 611A.37, subdivision 4, may designate an agent to deliver the ballots to the voter from the
17.16 county auditor or municipal clerk. An agent must have a preexisting relationship with the
17.17 voter. A candidate at the election may not be designated as an agent. The voted ballots must
17.18 be returned to the county auditor or municipal clerk no later than ~~3:00~~ 8:00 p.m. on election
17.19 day. The voter must complete an affidavit requesting the auditor or clerk to provide the
17.20 agent with the ballots in a sealed transmittal envelope. The affidavit must include a statement
17.21 from the voter stating that the ballots were delivered to the voter by the agent in the sealed
17.22 transmittal envelope. An agent may deliver ballots to no more than three persons in any
17.23 election. The secretary of state shall provide samples of the affidavit and transmission
17.24 envelope for use by the county auditors.

17.25 Sec. 26. Minnesota Statutes 2022, section 203B.12, subdivision 7, is amended to read:

17.26 Subd. 7. **Names of persons; rejected absentee ballots.** ~~(a)~~ The names of voters who
17.27 have submitted an absentee ballot to the county auditor or municipal clerk that has not been
17.28 accepted ~~may not be made available for public inspection until the close of voting on election~~
17.29 ~~day.~~

17.30 ~~(b) After the close of voting on election day, the lists~~ must be available to the public in
17.31 the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

18.1 Sec. 27. Minnesota Statutes 2022, section 203B.121, subdivision 2, is amended to read:

18.2 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board
18.3 shall take possession of all signature envelopes delivered to them in accordance with section
18.4 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk,
18.5 two or more members of the ballot board shall examine each signature envelope and shall
18.6 mark it accepted or rejected in the manner provided in this subdivision. Election judges
18.7 performing the duties in this section must be of different major political parties, unless they
18.8 are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10,
18.9 subdivision 2.

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

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

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

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

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

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

18.25 (6) the voter has not already voted at that election, either in person or, if it is after the
18.26 ~~close of business on the seventh~~ 14th day before the election, by absentee ballot.

18.27 The signature envelope from accepted ballots must be preserved and returned to the
18.28 county auditor.

18.29 (c)(1) If a majority of the members of the ballot board examining a signature envelope
18.30 find that an absentee voter has failed to meet one of the requirements provided in paragraph
18.31 (b), they shall mark the signature envelope "Rejected," initial or sign it below the word
18.32 "Rejected," list the reason for the rejection on the envelope, and return it to the county
18.33 auditor. There is no other reason for rejecting an absentee ballot beyond those permitted by

19.1 this section. Failure to place the ballot within the secrecy envelope before placing it in the
19.2 outer white envelope is not a reason to reject an absentee ballot.

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

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

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

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

19.18 (2) the reason for rejection; and

19.19 (3) the name of the appropriate election official to whom the voter may direct further
19.20 questions, along with appropriate contact information.

19.21 (e) An absentee ballot signature envelope marked "Rejected" may not be opened or
19.22 subject to further review except in an election contest filed pursuant to chapter 209.

19.23 Sec. 28. Minnesota Statutes 2022, section 203B.121, subdivision 3, is amended to read:

19.24 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk
19.25 must immediately record that a voter's absentee ballot has been accepted. After the close
19.26 of business on the ~~seventh~~ 14th day before the election, a voter whose record indicates that
19.27 an absentee ballot has been accepted must not be permitted to cast another ballot at that
19.28 election. In a state primary, general, or state special election for federal or state office, the
19.29 auditor or clerk must also record this information in the statewide voter registration system.

19.30 (b) The roster must be marked, and a supplemental report of absentee voters who
19.31 submitted a voter registration application with their ballot must be created, no later than the

20.1 start of voting on election day to indicate the voters that have already cast a ballot at the
20.2 election. The roster may be marked either:

20.3 (1) by the county auditor or municipal clerk before election day;

20.4 (2) by the ballot board before election day; or

20.5 (3) by the election judges at the polling place on election day.

20.6 The record of a voter whose absentee ballot was received after the ~~close of business on~~
20.7 ~~the seventh~~ 14th day before the election is not required to be marked on the roster or
20.8 contained in a supplemental report as required by this paragraph.

20.9 Sec. 29. Minnesota Statutes 2022, section 203B.121, subdivision 4, is amended to read:

20.10 Subd. 4. **Opening of envelopes.** After the ~~close of business on the seventh~~ 14th day
20.11 before the election, the ballots from secrecy envelopes within the signature envelopes marked
20.12 "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86,
20.13 subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate
20.14 ballot box. If more than one voted ballot is enclosed in the ballot envelope, the ballots must
20.15 be returned in the manner provided by section 204C.25 for return of spoiled ballots, and
20.16 may not be counted.

20.17 Sec. 30. Minnesota Statutes 2022, section 203B.16, subdivision 2, is amended to read:

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

20.27 Sec. 31. Minnesota Statutes 2022, section 204B.06, subdivision 1, is amended to read:

20.28 Subdivision 1. **Form of affidavit.** An affidavit of candidacy shall state the name of the
20.29 office sought and, except as provided in subdivision 4, shall state that the candidate:

20.30 (1) is an eligible voter;

21.1 (2) has no other affidavit on file as a candidate for any office at the same primary or
21.2 next ensuing general election, except ~~that a candidate for soil and water conservation district~~
21.3 ~~supervisor in a district not located in whole or in part in Anoka, Hennepin, Ramsey, or~~
21.4 ~~Washington County, may also have on file an affidavit of candidacy for mayor or council~~
21.5 ~~member of a statutory or home rule charter city of not more than 2,500 population contained~~
21.6 ~~in whole or in part in the soil and water conservation district or for town supervisor in a~~
21.7 ~~town of not more than 2,500 population contained in whole or in part in the soil and water~~
21.8 ~~conservation district~~ as authorized by subdivision 9; and

21.9 (3) is, or will be on assuming the office, 21 years of age or more, and will have maintained
21.10 residence in the district from which the candidate seeks election for 30 days before the
21.11 general election.

21.12 An affidavit of candidacy must include a statement that the candidate's name as written
21.13 on the affidavit for ballot designation is the candidate's true name or the name by which the
21.14 candidate is commonly and generally known in the community.

21.15 An affidavit of candidacy for partisan office shall also state the name of the candidate's
21.16 political party or political principle, stated in three words or less.

21.17 Sec. 32. Minnesota Statutes 2022, section 204B.06, subdivision 1b, is amended to read:

21.18 Subd. 1b. **Address, electronic mail address, and telephone number.** (a) An affidavit
21.19 of candidacy must state a telephone number where the candidate can be contacted. An
21.20 affidavit must also state the candidate's or campaign's nongovernment issued electronic
21.21 mail address or an attestation that the candidate and the candidate's campaign do not possess
21.22 an email address. An affidavit must also state the candidate's address of residence as
21.23 determined under section 200.031, or at the candidate's request in accordance with paragraph
21.24 (c), the candidate's campaign contact address. The form for the affidavit of candidacy must
21.25 allow the candidate to request, if eligible, that the candidate's address of residence be
21.26 classified as private data, and to provide the certification required under paragraph (c) for
21.27 classification of that address.

21.28 (b) For an office whose residency requirement must be satisfied by the close of the filing
21.29 period, a registered voter in this state may request in writing that the filing officer receiving
21.30 the affidavit of candidacy review the address as provided in this paragraph, at any time up
21.31 to one day after the last day for filing for office. If requested, the filing officer must determine
21.32 whether the address provided in the affidavit of candidacy is within the area represented by
21.33 the office the candidate is seeking. If the filing officer determines that the address is not
21.34 within the area represented by the office, the filing officer must immediately notify the

22.1 candidate and the candidate's name must be removed from the ballot for that office. A
22.2 determination made by a filing officer under this paragraph is subject to judicial review
22.3 under section 204B.44.

22.4 (c) If the candidate requests that the candidate's address of residence be classified as
22.5 private data, the candidate must list the candidate's address of residence on a separate form
22.6 to be attached to the affidavit. The candidate must also certify on the affidavit that a police
22.7 report has been submitted or an order for protection has been issued in regard to the safety
22.8 of the candidate or the candidate's family, or that the candidate's address is otherwise private
22.9 pursuant to Minnesota law. The address of residence provided by a candidate who makes
22.10 a request for classification on the candidate's affidavit of candidacy and provides the
22.11 certification required by this paragraph is classified as private data, as defined in section
22.12 13.02, subdivision 12, but may be reviewed by the filing officer as provided in this
22.13 subdivision.

22.14 (d) The requirements of this subdivision do not apply to affidavits of candidacy for a
22.15 candidate for: (1) judicial office; (2) the office of county attorney; or (3) county sheriff.

22.16 Sec. 33. Minnesota Statutes 2022, section 204B.06, subdivision 4a, is amended to read:

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

22.19 (1) for governor or lieutenant governor, that on the first Monday of the next January the
22.20 candidate will be 25 years of age or older and, on the day of the state general election, a
22.21 resident of Minnesota for not less than one year;

22.22 (2) for supreme court justice, court of appeals judge, or district court judge, that the
22.23 candidate is learned in the law and will not turn 70 years of age before the first Monday in
22.24 January of the following year;

22.25 (3) for county, municipal, school district, or special district office, that the candidate
22.26 meets any other qualifications for that office prescribed by law;

22.27 (4) for senator or representative in the legislature, that on the day of the general or special
22.28 election to fill the office the candidate will have ~~resided~~ maintained residence not less than
22.29 one year in the state and not less than six months in the legislative district from which the
22.30 candidate seeks election.

23.1 Sec. 34. Minnesota Statutes 2022, section 204B.06, is amended by adding a subdivision
23.2 to read:

23.3 Subd. 9. **Multiple affidavits of candidacy.** Notwithstanding subdivision 1, clause (2):

23.4 (1) a candidate for soil and water conservation district supervisor in a district not located
23.5 in whole or in part in Anoka, Hennepin, Ramsey, or Washington County may also have on
23.6 file an affidavit of candidacy for:

23.7 (i) mayor or council member of a statutory or home rule charter city of not more than
23.8 2,500 population contained in whole or in part in the soil and water conservation district;
23.9 or

23.10 (ii) town supervisor in a town of not more than 2,500 population contained in whole or
23.11 in part in the soil and water conservation district; and

23.12 (2) a candidate for school board member may also have on file an affidavit of candidacy
23.13 for town board supervisor, unless that town board is exercising the powers of a statutory
23.14 city under section 368.01 or an applicable special law.

23.15 Sec. 35. Minnesota Statutes 2022, section 204B.09, subdivision 1, is amended to read:

23.16 Subdivision 1. **Candidates in state and county general elections.** (a) Except as
23.17 otherwise provided by this subdivision, affidavits of candidacy and nominating petitions
23.18 for county, state, and federal offices filled at the state general election shall be filed not
23.19 more than 84 days nor less than 70 days before the state primary. The affidavit may be
23.20 prepared and signed at any time between 60 days before the filing period opens and the last
23.21 day of the filing period.

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

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

23.31 (d) Affidavits and petitions for county offices must be filed with the county auditor of
23.32 that county. Affidavits and petitions for federal offices must be filed with the secretary of

24.1 state. Affidavits and petitions for state offices must be filed with the secretary of state or
24.2 with the county auditor of the county in which the candidate ~~resides~~ maintains residence.

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

24.6 Sec. 36. Minnesota Statutes 2022, section 204B.09, subdivision 3, is amended to read:

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

24.13 (b) The governing body of a statutory or home rule charter city may adopt a resolution
24.14 governing the counting of write-in votes for local elective office. The resolution may:

24.15 (1) require the candidate to file a written request with the chief election official at least
24.16 14 days before the city election if the candidate wants to have the candidate's write-in votes
24.17 individually recorded; or

24.18 (2) require that write-in votes for an individual candidate only be individually recorded
24.19 if the total number of write-in votes for that office is equal to or greater than the fewest
24.20 number of non-write-in votes for a ballot candidate.

24.21 If the governing body of the statutory or home rule charter city adopts a resolution authorized
24.22 by this paragraph, the resolution must be adopted before the first day of filing for office. A
24.23 resolution adopted under this paragraph remains in effect until a subsequent resolution on
24.24 the same subject is adopted by the governing body of the statutory or home rule charter
24.25 city.

24.26 (c) The governing body of a township, school board, hospital district, park district, soil
24.27 and water district, or other ancillary elected district may adopt a resolution governing the
24.28 counting of write-in votes for local elective office. The resolution may require that write-in
24.29 votes for an individual candidate only be individually recorded if the total number of write-in
24.30 votes for that office is equal to or greater than the fewest number of non-write-in votes for
24.31 a ballot candidate.

24.32 ~~(b)~~ (d) A candidate for president of the United States who files a request under this
24.33 subdivision must ~~file jointly with another individual seeking nomination as a candidate for~~

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

25.7 (e) ~~(e)~~ A candidate for governor who files a request under this subdivision must file
25.8 jointly with another individual seeking nomination as a candidate for lieutenant governor.
25.9 A candidate for lieutenant governor who files a request under this subdivision must file
25.10 jointly with another individual seeking nomination as a candidate for governor.

25.11 Sec. 37. Minnesota Statutes 2022, section 204B.13, is amended by adding a subdivision
25.12 to read:

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

25.15 Sec. 38. Minnesota Statutes 2022, section 204B.14, subdivision 2, is amended to read:

25.16 Subd. 2. **Separate precincts; combined polling place.** (a) The following shall constitute
25.17 at least one election precinct:

25.18 (1) each city ward; and

25.19 (2) each town and each statutory city.

25.20 (b) A single, accessible, combined polling place may be established no later than
25.21 November 1 if a presidential nomination primary is scheduled to occur in the following
25.22 year or May 1 of any other year:

25.23 (1) for any city of the third or fourth class, any town, or any city having territory in more
25.24 than one county, in which all the voters of the city or town shall cast their ballots;

25.25 (2) for contiguous precincts in the same municipality;

25.26 (3) for up to four contiguous municipalities located entirely outside the metropolitan
25.27 area, as defined by section 200.02, subdivision 24, that are contained in the same county;

25.28 or

25.29 (4) for noncontiguous precincts located in one or more counties.

25.30 Subject to the requirements of paragraph (c), a single, accessible, combined polling place
25.31 may be established after May 1 of any year in the event of an emergency.

26.1 A copy of the ordinance or resolution establishing a combined polling place must be
26.2 filed with the county auditor within 30 days after approval by the governing body, and the
26.3 county auditor must provide notice within ten days to the secretary of state, in a manner
26.4 and including information prescribed by the secretary of state. A polling place combined
26.5 under clause (3) must be approved by the governing body of each participating municipality.
26.6 A polling place combined under clause (4) must be approved by the governing body of each
26.7 participating municipality and the secretary of state and may be located outside any of the
26.8 noncontiguous precincts. A municipality withdrawing from participation in a combined
26.9 polling place must do so by filing a resolution of withdrawal with the county auditor no
26.10 later than October 1 if a presidential nomination primary is scheduled to occur in the
26.11 following year or April 1 of any other year, and the county auditor must provide notice
26.12 within ten days to the secretary of state, in a manner and including information prescribed
26.13 by the secretary of state.

26.14 The secretary of state shall provide a separate polling place roster for each precinct
26.15 served by the combined polling place, except that in a precinct that uses electronic rosters
26.16 the secretary of state shall provide separate data files for each precinct. A single set of
26.17 election judges may be appointed to serve at a combined polling place. The number of
26.18 election judges required must be based on the total number of persons voting at the last
26.19 similar election in all precincts to be voting at the combined polling place. Separate ballot
26.20 boxes must be provided for the ballots from each precinct. The results of the election must
26.21 be reported separately for each precinct served by the combined polling place, except in a
26.22 polling place established under clause (2) where one of the precincts has fewer than ten
26.23 registered voters, in which case the results of that precinct must be reported in the manner
26.24 specified by the secretary of state.

26.25 (c) If a local elections official determines that an emergency situation preventing the
26.26 safe, secure, and full operation of a polling place on election day has occurred or is imminent,
26.27 the local elections official may combine two or more polling places for that election pursuant
26.28 to this subdivision. To the extent possible, the polling places must be combined and the
26.29 election conducted according to the requirements of paragraph (b), except that:

26.30 (1) polling places may be combined after May 1 and until the polls close on election
26.31 day;

26.32 (2) any city or town, regardless of size or location, may establish a combined polling
26.33 place under this paragraph;

27.1 (3) the governing body is not required to adopt an ordinance or resolution to establish
27.2 the combined polling place;

27.3 (4) a polling place combined under paragraph (b), clause (3) or (4), must be approved
27.4 by the local election official of each participating municipality;

27.5 (5) the local elections official must immediately notify the county auditor and the
27.6 secretary of state of the combination, including the reason for the emergency combination
27.7 and the location of the combined polling place. As soon as possible, the local elections
27.8 official must also post a notice stating the reason for the combination and the location of
27.9 the combined polling place. The notice must also be posted on the governing board's website,
27.10 if one exists. The local elections official must also notify the election judges and request
27.11 that local media outlets publicly announce the reason for the combination and the location
27.12 of the combined polling place; and

27.13 (6) on election day, the local elections official must post a notice in large print in a
27.14 conspicuous place at the polling place where the emergency occurred, if practical, stating
27.15 the location of the combined polling place. The local election official must also post the
27.16 notice, if practical, in a location visible by voters who vote from their motor vehicles as
27.17 provided in section 204C.15, subdivision 2. If polling place hours are extended pursuant to
27.18 section 204C.05, subdivision 2, paragraph (b), the posted notices required by this paragraph
27.19 must include a statement that the polling place hours at the combined polling place will be
27.20 extended until the specified time.

27.21 Sec. 39. Minnesota Statutes 2022, section 204B.16, subdivision 1, is amended to read:

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

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

27.29 ~~(1)~~ (2) pursuant to section 204B.175;

27.30 ~~(2)~~ (3) because a polling place has become unavailable;

27.31 ~~(3)~~ (4) because a township designates one location for all state, county, and federal
27.32 elections and one location for all township only elections; and

28.1 ~~(4)~~ (5) pursuant to section 204B.14, subdivision 3.

28.2 (b) Polling places must be designated and ballots must be distributed so that no one is
28.3 required to go to more than one polling place to vote in a school district and municipal
28.4 election held on the same day. The polling place for a precinct in a city or in a school district
28.5 located in whole or in part in the metropolitan area defined by section 200.02, subdivision
28.6 24, shall be located within the boundaries of the precinct or within one mile of one of those
28.7 boundaries unless a single polling place is designated for a city pursuant to section 204B.14,
28.8 subdivision 2, or a school district pursuant to section 205A.11. The polling place for a
28.9 precinct in unorganized territory may be located outside the precinct at a place which is
28.10 convenient to the voters of the precinct. If no suitable place is available within a town or
28.11 within a school district located outside the metropolitan area defined by section 200.02,
28.12 subdivision 24, then the polling place for a town or school district may be located outside
28.13 the town or school district within five miles of one of the boundaries of the town or school
28.14 district.

28.15 Sec. 40. Minnesota Statutes 2022, section 204B.19, subdivision 6, is amended to read:

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

29.1 Sec. 41. Minnesota Statutes 2020, section 204B.21, subdivision 2, is amended to read:

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

29.27 Sec. 42. Minnesota Statutes 2022, section 204B.45, subdivision 1, is amended to read:

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

30.1 precinct having fewer than 100 registered voters, subject to the approval of the county
30.2 auditor.

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

30.5 Sec. 43. Minnesota Statutes 2022, section 204B.45, subdivision 2, is amended to read:

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

30.30 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to
30.31 indicate that the voter has already cast a ballot in that election. ~~After the close of business~~
30.32 On the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked
30.33 "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86,
30.34 subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

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

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

31.6 The costs of the mailing shall be paid by the election jurisdiction in which the voter
31.7 ~~resides~~ maintains residence. Any ballot received by 8:00 p.m. on the day of the election
31.8 must be counted.

31.9 Sec. 44. Minnesota Statutes 2022, section 204B.46, is amended to read:

31.10 **204B.46 MAIL ELECTIONS; QUESTIONS.**

31.11 A county, municipality, or school district submitting questions to the voters at a special
31.12 election may conduct an election by mail with no polling place other than the office of the
31.13 auditor or clerk. No offices may be voted on at a mail election-, except in overlapping school
31.14 and municipality jurisdictions, where a mail election may include an office when one of the
31.15 jurisdictions also has a question on the ballot. Notice of the election must be given to the
31.16 county auditor at least 74 days prior to the election. This notice shall also fulfill the
31.17 requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must
31.18 be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days
31.19 prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all
31.20 voters registered in the county, municipality, or school district. No later than 14 days before
31.21 the election, the auditor or clerk must make a subsequent mailing of ballots to those voters
31.22 who register to vote after the initial mailing but before the 20th day before the election.
31.23 Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant
31.24 to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and
31.25 absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days
31.26 of receipt if there are 14 or fewer days before election day, or within five days of receipt if
31.27 there are more than 14 days before election day. The board may consist of deputy county
31.28 auditors, deputy municipal clerks, or deputy school district clerks who have received training
31.29 in the processing and counting of mail ballots, who need not be affiliated with a major
31.30 political party. Election judges performing the duties in this section must be of different
31.31 major political parties, unless they are exempt from that requirement under section 205.075,
31.32 subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before
31.33 the election, the ballots in the envelope must remain sealed and the auditor or clerk must
31.34 provide the voter with a replacement ballot and return envelope in place of the spoiled ballot.

32.1 If the ballot is rejected within five days of the election, the envelope must remain sealed
 32.2 and the official in charge of the ballot board must attempt to contact the voter by telephone
 32.3 or email to notify the voter that the voter's ballot has been rejected. The official must
 32.4 document the attempts made to contact the voter.

32.5 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to
 32.6 indicate that the voter has already cast a ballot in that election. ~~After the close of business~~
 32.7 On the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked
 32.8 "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86,
 32.9 subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

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

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

32.15 Sec. 45. Minnesota Statutes 2022, section 204C.07, subdivision 4, is amended to read:

32.16 Subd. 4. **Restrictions on conduct.** An election judge ~~may~~ must not be appointed as a
 32.17 challenger. The election judges ~~shall~~ must permit challengers appointed pursuant to this
 32.18 section to be present in the polling place during the hours of voting and to remain there until
 32.19 the votes are counted and the results declared. ~~No~~ A challenger ~~shall~~ must not handle or
 32.20 inspect registration cards, files, or lists. Challengers ~~shall~~ must not prepare in any manner
 32.21 any list of individuals who have or have not voted. They ~~shall~~ must not attempt to influence
 32.22 voting in any manner. ~~They shall~~ In accordance with section 204C.12, challengers must not
 32.23 ~~converse with a voter except to determine, in the presence of an election judge, whether the~~
 32.24 ~~voter is eligible to vote in the precinct.~~

32.25 Sec. 46. Minnesota Statutes 2022, section 204C.15, subdivision 1, is amended to read:

32.26 Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for
 32.27 assistance because of inability to read English or physical inability to mark a ballot may
 32.28 obtain the aid of two election judges who are members of different major political parties.
 32.29 The election judges shall mark the ballots as directed by the voter and in as secret a manner
 32.30 as circumstances permit. A voter in need of assistance may alternatively obtain the assistance
 32.31 of any individual the voter chooses. Only the following persons may not provide assistance
 32.32 to a voter: the voter's employer, an agent of the voter's employer, or an officer or agent of
 32.33 the voter's union, ~~or a candidate for election.~~ The person who assists the voter shall,

33.1 unaccompanied by an election judge, retire with that voter to a booth and mark the ballot
33.2 as directed by the voter. ~~No person who assists another voter as provided in the preceding~~
33.3 ~~sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots
33.4 are deposited, the voter may show them privately to an election judge to ascertain that they
33.5 are marked as the voter directed. An election judge or other individual assisting a voter shall
33.6 not in any manner request, persuade, induce, or attempt to persuade or induce the voter to
33.7 vote for any particular political party or candidate. The election judges or other individuals
33.8 who assist the voter shall not reveal to anyone the name of any candidate for whom the
33.9 voter has voted or anything that took place while assisting the voter.

33.10 Sec. 47. Minnesota Statutes 2022, section 204C.24, subdivision 1, is amended to read:

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

33.15 (1) the number of ballots delivered to the precinct as adjusted by the actual count made
33.16 by the election judges, the number of unofficial ballots made, and the number of absentee
33.17 ballots delivered to the precinct;

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

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

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

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

33.28 (6) the signatures of the election judges who counted the ballots certifying that all of the
33.29 ballots cast were properly piled, checked, and counted; and that the numbers entered by the
33.30 election judges on the summary statements correctly show the number of votes cast for each
33.31 candidate and for and against each question;

33.32 (7) the number of election judges that worked in that precinct on election day; and

34.1 (8) the number of voting booths in that precinct on election day.

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

34.4 Sec. 48. Minnesota Statutes 2022, section 204C.28, subdivision 1, is amended to read:

34.5 Subdivision 1. **County auditor.** (a) Every county auditor ~~shall~~ must remain at the
34.6 auditor's office to receive delivery of the returns, to permit public inspection of the summary
34.7 statements, and to tabulate the votes until all have been tabulated and the results made
34.8 known, or until 24 hours have elapsed since the end of the hours for voting, whichever
34.9 occurs first. Every county auditor ~~shall~~ must, in the presence of the municipal clerk or the
34.10 election judges who deliver the returns, make a record of all materials delivered, the time
34.11 of delivery, and the names of the municipal clerk or election judges who made delivery.
34.12 The record must include the number of ballots delivered to the precinct, as certified by
34.13 section 204B.28, and the total number of ballots returned, as certified by the election judges
34.14 under section 204C.24. A discrepancy between the number of ballots delivered to the precinct
34.15 and the number of total ballots returned by election judges that cannot be reconciled by
34.16 taking into account the adjustments made by the election judge counts and any unofficial
34.17 ballots must be noted, but does not necessarily require disqualification of the votes from
34.18 that precinct or invalidation of the election. The county auditor ~~shall~~ must file the record
34.19 and all envelopes containing ballots in a safe and secure place with envelope seals unbroken.
34.20 Access to the record and ballots ~~shall~~ must be strictly controlled. Accountability and a record
34.21 of access ~~shall~~ must be maintained by the county auditor during the period for contesting
34.22 elections or, if a contest is filed, until the contest has been finally determined. Thereafter,
34.23 the record ~~shall~~ must be retained in the auditor's office for the same period as the ballots as
34.24 provided in section 204B.40.

34.25 (b) The county auditor ~~shall~~ must file all envelopes containing ballots in a safe place
34.26 with seals unbroken. If the envelopes ~~were previously~~ are opened by proper authority for
34.27 examination or recount, as specifically authorized by a court or statute, the county auditor
34.28 ~~shall~~ must have the envelopes sealed again and signed by the individuals who made the
34.29 inspection or recount. The envelopes may be opened by the county ~~canvassing board~~ auditor
34.30 if necessary to procure election returns that the election judges inadvertently may have
34.31 sealed in the envelopes with the ballots. In that case, the envelopes ~~shall~~ must be sealed
34.32 again and signed in the same manner as otherwise provided in this subdivision.

35.1 Sec. 49. Minnesota Statutes 2022, section 204C.35, is amended by adding a subdivision
35.2 to read:

35.3 Subd. 5. **Challenged ballots.** Notwithstanding any law to the contrary, a canvassing
35.4 board may direct a recount official to make images of ballots challenged by a candidate in
35.5 a recount available to the public.

35.6 Sec. 50. Minnesota Statutes 2022, section 204C.39, subdivision 1, is amended to read:

35.7 Subdivision 1. **Manner of correction.** A county canvassing board may determine by
35.8 majority vote that the election judges have made an obvious error in counting or recording
35.9 the votes for an office. The county canvassing board shall then promptly notify all candidates
35.10 for that office of the determination, including a description of the error. ~~A candidate who~~
35.11 ~~receives notification pursuant to this subdivision or any candidate who believes that the~~
35.12 ~~election judges in a precinct have made an obvious error in the counting or recording of the~~
35.13 ~~votes for an office may~~ The county canvassing board must also instruct the county auditor
35.14 to apply without unreasonable delay to the district court of the county containing the precinct
35.15 in which the alleged error was made for an order determining whether or not an obvious
35.16 error has been made. The applicant auditor shall describe the alleged error in the application
35.17 and may submit additional evidence as directed by the court. The applicant auditor shall
35.18 notify the county canvassing board and all candidates for the affected office in the manner
35.19 directed by the court. If the court finds that the election judges made an obvious error it
35.20 shall issue an order specifying the error and directing the county canvassing board to inspect
35.21 the ballots and returns of the precinct in order to correct the error and to proceed further in
35.22 accordance with this section or otherwise as the court may direct.

35.23 Sec. 51. Minnesota Statutes 2022, section 204D.08, subdivision 6, is amended to read:

35.24 Subd. 6. **State and county nonpartisan primary ballot.** The state and county nonpartisan
35.25 primary ballot shall be headed "State and County Nonpartisan Primary Ballot." It shall be
35.26 printed in the manner provided in the rules of the secretary of state. The names of candidates
35.27 for nomination to the supreme court, court of appeals, district court, ~~and~~ all county offices,
35.28 all city offices, and all school district offices shall be placed on this ballot.

35.29 No candidate whose name is placed on the state and county nonpartisan primary ballot
35.30 shall be designated or identified as the candidate of any political party or in any other manner
35.31 except as expressly provided by law.

36.1 Sec. 52. Minnesota Statutes 2022, section 204D.19, subdivision 2, is amended to read:

36.2 Subd. 2. **Special election when legislature will be in session.** Except for vacancies in
36.3 the legislature which occur at any time between the last day of session in an odd-numbered
36.4 year and the ~~40th~~ 54th day prior to the opening day of session in the succeeding
36.5 even-numbered year, when a vacancy occurs and the legislature will be in session so that
36.6 the individual elected as provided by this section could take office and exercise the duties
36.7 of the office immediately upon election, the governor shall issue within five days after the
36.8 vacancy occurs a writ calling for a special election. The special election shall be held as
36.9 soon as possible, consistent with the notice requirements of section 204D.22, subdivision
36.10 3, but in no event more than ~~35~~ 49 days after the issuance of the writ. ~~A special election~~
36.11 ~~must not be held during the four days before or the four days after a holiday as defined in~~
36.12 ~~section 645.44, subdivision 5.~~

36.13 Sec. 53. Minnesota Statutes 2022, section 204D.22, subdivision 3, is amended to read:

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

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

36.24 Sec. 54. Minnesota Statutes 2022, section 204D.23, subdivision 2, is amended to read:

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

36.27 Sec. 55. Minnesota Statutes 2022, section 205.13, subdivision 5, is amended to read:

36.28 Subd. 5. **Nominating petition; cities of the first class.** A nominating petition filed on
36.29 behalf of a candidate for municipal office in a city of the first class shall be signed by eligible
36.30 voters who ~~reside~~ maintain residence in the election district from which the candidate is to
36.31 be elected. The number of signers shall be at least 500, or two percent of the total number

37.1 of individuals who voted in the municipality, ward, or other election district at the last
37.2 preceding municipal general election, whichever is greater.

37.3 Sec. 56. Minnesota Statutes 2022, section 205.175, subdivision 3, is amended to read:

37.4 Subd. 3. **Other municipalities.** The governing body of a municipality other than a
37.5 municipality described in subdivision 2, may by resolution adopted prior to giving notice
37.6 of the election, designate the time, in addition to the minimum voting hours provided in
37.7 subdivision 1, during which the polling places will remain open for voting at the next
37.8 succeeding and all subsequent municipal elections. The resolution shall remain in force
37.9 until it is revoked by the municipal governing body or changed because of request by voters
37.10 as provided in this subdivision. If a petition requesting longer voting hours, signed by a
37.11 number of voters equal to 20 percent of the votes cast at the last municipal election, is
37.12 presented to the municipal clerk no later than 30 days prior to the municipal election, then
37.13 the polling places for that election shall open at 10:00 a.m. and close at 8:00 p.m. The
37.14 municipal clerk shall give ten days' notice of the changed voting hours and notify the county
37.15 auditor and secretary of state of the change. Municipalities covered by this subdivision shall
37.16 certify their election hours to the county auditor in January of each year.

37.17 Sec. 57. Minnesota Statutes 2022, section 205A.09, subdivision 2, is amended to read:

37.18 Subd. 2. **Other school districts.** At a school district election in a school district other
37.19 than one described in subdivision 1, the school board, by resolution adopted before giving
37.20 notice of the election, may designate the time during which the polling places will remain
37.21 open for voting at the next succeeding and all later school district elections. All polling
37.22 places must be open between the hours of 5:00 p.m. and 8:00 p.m. The resolution must
37.23 remain in force until it is revoked by the school board or changed because of request by
37.24 voters as provided in this subdivision. If a petition requesting longer voting hours, signed
37.25 by a number of voters equal to 20 percent of the votes cast at the last school district election,
37.26 is presented to the school district clerk no later than 30 days before a school district election,
37.27 then the polling places for that election must open at 10:00 a.m. and close at 8:00 p.m. The
37.28 school district clerk must give ten days' published notice and posted notice of the changed
37.29 voting hours and notify appropriate county auditors and the secretary of state of the change.

37.30 Sec. 58. Minnesota Statutes 2022, section 205A.10, subdivision 5, is amended to read:

37.31 Subd. 5. **School district canvassing board.** For the purpose of a recount of a special
37.32 election conducted under section 126C.17, subdivision 9, or 475.59, the school district
37.33 canvassing board shall consist of one member of the school board other than the clerk,

38.1 selected by the board, the clerk of the school board, the county auditor of the county in
38.2 which the greatest number of school district residents ~~reside~~ maintain residence, the court
38.3 administrator of the district court of the judicial district in which the greatest number of
38.4 school district residents ~~reside~~ maintain residence, and the mayor or chair of the town board
38.5 of the school district's most populous municipality. Any member of the canvassing board
38.6 may appoint a designee to appear at the meeting of the board, except that no designee may
38.7 be a candidate for public office. If one of the individuals fails to appear at the meeting of
38.8 the canvassing board, the county auditor shall appoint an eligible voter of the school district,
38.9 who must not be a member of the school board, to fill the vacancy. Not more than two
38.10 school board members shall serve on the canvassing board at one time. Four members
38.11 constitute a quorum.

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

38.14 Sec. 59. Minnesota Statutes 2022, section 205A.12, subdivision 5, is amended to read:

38.15 Subd. 5. **Board elections.** If the proposal for the establishment of election districts is
38.16 approved by the voters, the board shall specify the election districts from which vacancies
38.17 shall be filled as they occur until such time as each board member represents an election
38.18 district. A candidate for school board in a subsequent election must file an affidavit of
38.19 candidacy to be elected as a school board member for the election district in which the
38.20 candidate ~~resides~~ maintains residence. If there are as many election districts as there are
38.21 members of the board, one and only one member of the board shall be elected from each
38.22 election district. In school districts where one or more board members are elected by election
38.23 districts, candidates must indicate on the affidavit of candidacy the number of the district
38.24 from which they seek election or, if appropriate, that they seek election from one of the
38.25 offices elected at large. If the election districts have two or three members each, the terms
38.26 of the members must be staggered. Each board member must be a resident of the election
38.27 district for which elected but the creation of an election district or a change in election
38.28 district boundaries shall not disqualify a board member from serving for the remainder of
38.29 a term.

38.30 Sec. 60. Minnesota Statutes 2022, section 206.58, subdivision 1, is amended to read:

38.31 Subdivision 1. **Municipalities.** (a) The governing body of a municipality, at a regular
38.32 meeting or at a special meeting called for the purpose, may provide for the use of an
38.33 electronic voting system in one or more precincts and at all elections in the precincts, subject

39.1 to approval by the county auditor. Once a municipality has adopted the use of an electronic
39.2 voting system for state elections in one or more precincts, the municipality must continue
39.3 to use an electronic voting system in those precincts. The governing body ~~shall~~ must
39.4 disseminate information to the public about the use of a new voting system at least 60 days
39.5 prior to the election and ~~shall~~ must provide for instruction of voters with a demonstration
39.6 voting system in a public place for the six weeks immediately prior to the first election at
39.7 which the new voting system will be used.

39.8 ~~No system may be adopted or used~~ (b) A municipality must not adopt or use a system
39.9 unless it has been approved by the secretary of state pursuant to section 206.57.

39.10 Sec. 61. Minnesota Statutes 2022, section 206.58, subdivision 3, is amended to read:

39.11 Subd. 3. **Counties.** (a) The governing body of a county may provide for the use of an
39.12 electronic voting system in one or more precincts of the county at all elections. Once a
39.13 county has adopted the use of an electronic voting system for state elections in one or more
39.14 precincts, the county must continue to use an electronic voting system in those precincts.
39.15 The governing body of the municipality ~~shall~~ must give approval before an electronic voting
39.16 system may be adopted or used in the municipality under the authority of this section.

39.17 ~~No system may be adopted or used~~ (b) A county must not adopt or use a system unless
39.18 it has been approved by the secretary of state pursuant to section 206.57.

39.19 Sec. 62. Minnesota Statutes 2022, section 206.845, is amended by adding a subdivision
39.20 to read:

39.21 Subd. 3. **Cast vote records.** After the municipal clerk or county auditor has received
39.22 data from automatic tabulating equipment, textual data from the file is public, with the
39.23 following exceptions, which are protected nonpublic data under section 13.02:

39.24 (1) data that indicate the date, time, or order in which a voter cast a ballot;

39.25 (2) data that indicate the method with which a voter cast a ballot;

39.26 (3) data files that do not include all ballots cast in a precinct;

39.27 (4) data files that provide data in the order it was generated; and

39.28 (5) data from precincts in which fewer than ten votes were cast.

39.29 Data stored as images are protected nonpublic data under section 13.02.

40.1 Sec. 63. Minnesota Statutes 2022, section 207A.12, is amended to read:

40.2 **207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.**

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

40.6 (b) An individual seeking to vote at the presidential nomination primary must be
40.7 registered to vote pursuant to section 201.054, subdivision 1. The voter must request the
40.8 ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section
40.9 204C.18, subdivision 1, the election judge must record in the polling place roster the name
40.10 of the political party whose ballot the voter requested. When posting voter history pursuant
40.11 to section 201.171, the county auditor must include the name of the political party whose
40.12 ballot the voter requested. The political party ballot selected by a voter is private data on
40.13 individuals as defined under section 13.02, subdivision 12, except as provided in section
40.14 201.091, subdivision 4a. A voter eligible to cast a ballot as provided in section 5B.06 must
40.15 be permitted to cast a ballot at the presidential nomination primary consistent with the
40.16 requirements of that section.

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

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

40.21 Sec. 64. Minnesota Statutes 2022, section 207A.13, subdivision 2, is amended to read:

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

40.28 (b) No later than the ~~seventh~~ 14th day before the presidential nomination primary, the
40.29 chair of each participating party must submit to the secretary of state the names of write-in
40.30 candidates, if any, to be counted for that party.

41.1 Sec. 65. Minnesota Statutes 2022, section 209.021, subdivision 2, is amended to read:

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

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

41.12 Sec. 66. Minnesota Statutes 2022, section 211B.15, subdivision 8, is amended to read:

41.13 Subd. 8. **Permitted activity; political party.** It is not a violation of this section for a
41.14 political party, as defined in section 200.02, subdivision 76, to form a nonprofit corporation
41.15 for the sole purpose of holding real property to be used exclusively as the party's
41.16 headquarters.

41.17 Sec. 67. Minnesota Statutes 2020, section 367.03, subdivision 6, is amended to read:

41.18 Subd. 6. **Vacancies.** (a) When a vacancy occurs in a town office, the town board shall
41.19 fill the vacancy by appointment. Except as provided in paragraph (b), the person appointed
41.20 shall hold office until the next annual town election, when a successor shall be elected for
41.21 the unexpired term.

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

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

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

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

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

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

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

42.7 (f) When, for any reason, the town board or the appointment committee fails to fill a
42.8 vacancy in the position of an elected town officer by appointment, a special election may
42.9 be called. To call a special election, the supervisors and town clerk, or any two of them
42.10 together with at least 12 other town freeholders, must file a statement in the town clerk's
42.11 office. The statement must tell why the election is called and that the interests of the town
42.12 require the election. When the town board or the appointment committee fails to fill a
42.13 vacancy by appointment, a special town election may also be called on petition of 20 percent
42.14 of the electors of the town. The percentage is of the number of voters at the last general
42.15 election. A special town election must be conducted in the manner required for the annual
42.16 town election.

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

42.18 Sec. 68. Minnesota Statutes 2022, section 447.32, subdivision 4, is amended to read:

42.19 Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a candidate
42.20 for the hospital board shall file an affidavit of candidacy for the election either as member
42.21 at large or as a member representing the city or town where the candidate ~~resides~~ maintains
42.22 residence. The affidavit of candidacy must be filed with the city or town clerk not more
42.23 than 98 days nor less than 84 days before the first Tuesday after the first Monday in
42.24 November of the year in which the general election is held. The city or town clerk must
42.25 forward the affidavits of candidacy to the clerk of the hospital district or, for the first election,
42.26 the clerk of the most populous city or town immediately after the last day of the filing period.
42.27 A candidate may withdraw from the election by filing an affidavit of withdrawal with the
42.28 clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of
42.29 candidacy.


42.30 Voting must be by secret ballot. The clerk shall prepare, at the expense of the district,
42.31 necessary ballots for the election of officers. Ballots must be prepared as provided in the
42.32 rules of the secretary of state. The ballots must be marked and initialed by at least two judges
42.33 as official ballots and used exclusively at the election. Any proposition to be voted on may
42.34 be printed on the ballot provided for the election of officers. The hospital board may also

43.1 authorize the use of voting systems subject to chapter 206. Enough election judges may be
 43.2 appointed to receive the votes at each polling place. The election judges shall act as clerks
 43.3 of election, count the ballots cast, and submit them to the board for canvass.

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

43.11 Amend the title accordingly

43.12 And when so amended the bill do pass and be re-referred to the Committee on Judiciary
 43.13 and Public Safety. Amendments adopted. Report adopted.

43.14 
 43.15
 (Committee Chair)

43.16 February 17, 2023.....
 43.17 (Date of Committee recommendation)