

SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION

S.F. No. 749

(SENATE AUTHORS: WESTLIN and Carlson)

DATE  
01/25/2023

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381 Introduction and first reading  
Referred to Elections

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to elections; modifying requirements related to the ordering of candidates  
1.3 for partisan offices on the state general election ballot; amending Minnesota Statutes  
1.4 2022, sections 204D.08, subdivision 5; 204D.14, subdivision 1; repealing Minnesota  
1.5 Statutes 2022, section 204D.13, subdivision 2.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2022, section 204D.08, subdivision 5, is amended to read:

1.8 Subd. 5. **Party columns; arrangement.** The names of candidates for nomination of the  
1.9 major political party that received the smallest average vote at the last state general election  
1.10 must be placed in the first column on the left side of the ballot. The names of candidates  
1.11 for nomination of the major political party that received the next smallest average vote at  
1.12 the last state general election must be placed in the second column, and so on. The average  
1.13 vote shall be computed in the manner provided in section 204D.13, subdivision 2 by dividing  
1.14 the total number of votes counted for all of the party's candidates for statewide office at the  
1.15 state general election by the number of those candidates at the election.

1.16 Sec. 2. Minnesota Statutes 2022, section 204D.14, subdivision 1, is amended to read:

1.17 Subdivision 1. **Rotation of names.** The names of candidates for partisan and nonpartisan  
1.18 offices on the state general election ballot and the judicial nonpartisan general election ballot  
1.19 shall be rotated in the manner provided for rotation of names on state partisan primary  
1.20 ballots by section 204D.08, subdivision 3.

1.21 Sec. 3. **REPEALER.**

1.22 Minnesota Statutes 2022, section 204D.13, subdivision 2, is repealed.

**204D.13 BALLOT; PARTISAN OFFICES.**

Subd. 2. **Order of political parties.** The first name printed for each partisan office on the state general election ballot shall be that of the candidate of the major political party that received the smallest average number of votes at the last state general election. The succeeding names shall be those of the candidates of the other major political parties that received a succeeding higher average number of votes respectively. For the purposes of this subdivision, the average number of votes of a major political party shall be computed by dividing the total number of votes counted for all of the party's candidates for statewide office at the state general election by the number of those candidates at the election.