

1.1 Senator ..... moves to amend S.F. No. 1434 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2022, section 201.022, subdivision 1, is amended to read:

1.4 Subdivision 1. **Establishment.** The secretary of state shall maintain a statewide voter  
1.5 registration system to facilitate voter registration and to provide a central database containing  
1.6 voter registration information from around the state. The system must be accessible to the  
1.7 county auditor of each county in the state. The system must also:

1.8 (1) provide for voters to submit their voter registration applications to any county auditor,  
1.9 the secretary of state, or the Department of Public Safety;

1.10 (2) provide for the definition, establishment, and maintenance of a central database for  
1.11 all voter registration information;

1.12 (3) provide for entering data into the statewide registration system;

1.13 (4) provide for electronic transfer of completed voter registration applications from the  
1.14 Department of Public Safety to the secretary of state or the county auditor;

1.15 (5) assign a unique identifier to each legally registered voter in the state;

1.16 (6) provide for the acceptance of the Minnesota driver's license number, Minnesota state  
1.17 identification number, and last four digits of the Social Security number for each voter  
1.18 record;

1.19 (7) coordinate with other agency databases within the state;

1.20 (8) allow county auditors and the secretary of state to add or modify information in the  
1.21 system to provide for accurate and up-to-date records;

1.22 (9) allow county auditors, municipal and school district clerks, and the secretary of state  
1.23 to have electronic access to the statewide registration system for review and search  
1.24 capabilities;

1.25 (10) provide security and protection of all information in the statewide registration  
1.26 system and ensure that unauthorized access is not allowed;

1.27 (11) provide access to municipal clerks to use the system;

1.28 (12) provide a system for each county to identify the precinct to which a voter should  
1.29 be assigned for voting purposes;

2.1 (13) provide daily reports accessible by county auditors on the driver's license numbers,  
2.2 state identification numbers, or last four digits of the Social Security numbers submitted on  
2.3 voter registration applications that have been verified as accurate by the secretary of state;  
2.4 ~~and~~

2.5 (14) provide reports on the number of absentee ballots transmitted to and returned and  
2.6 cast by voters under section 203B.16; and

2.7 (15) provide reports necessary for early voting.

2.8 The appropriate state or local official shall provide security measures to prevent  
2.9 unauthorized access to the computerized list established under section 201.021.

2.10 Sec. 2. Minnesota Statutes 2022, section 203B.001, is amended to read:

2.11 **203B.001 ELECTION LAW APPLICABILITY.**

2.12 The Minnesota Election Law is applicable to voting by absentee ballot and early voting  
2.13 unless otherwise provided in this chapter.

2.14 Sec. 3. Minnesota Statutes 2022, section 203B.01, is amended by adding a subdivision to  
2.15 read:

2.16 Subd. 5. **Early voting.** "Early voting" means voting in person before election day as  
2.17 provided in sections 203B.30 to 203B.35.

2.18 Sec. 4. Minnesota Statutes 2022, section 203B.03, subdivision 1, is amended to read:

2.19 Subdivision 1. **Violation.** (a) No individual shall intentionally:

2.20 (1) make or sign any false certificate required by this chapter;

2.21 (2) make any false or untrue statement in any application for absentee ballots;

2.22 (3) apply for absentee ballots more than once in any election with the intent to cast an  
2.23 illegal ballot;

2.24 (4) exhibit a ballot marked by that individual to any other individual;

2.25 (5) do any act in violation of the provisions of this chapter for the purpose of casting an  
2.26 illegal vote in any precinct or for the purpose of aiding another to cast an illegal vote;

2.27 (6) use information from absentee ballot or early voting materials or records for purposes  
2.28 unrelated to elections, political activities, or law enforcement;

3.1 (7) provide assistance to an absentee or early voter except in the manner provided by  
3.2 section 204C.15, subdivision 1;

3.3 (8) solicit the vote of an absentee or early voter while in the immediate presence of the  
3.4 voter during the time the individual knows the absentee or early voter is voting; or

3.5 (9) alter an absentee ballot application after it has been signed by the voter, except by  
3.6 an election official for administrative purposes.

3.7 (b) Before inspecting information from absentee ballot or early voting materials or  
3.8 records, an individual shall provide identification to the public official having custody of  
3.9 the material or information.

3.10 Sec. 5. Minnesota Statutes 2022, section 203B.05, subdivision 1, is amended to read:

3.11 Subdivision 1. **Generally.** The full-time clerk of any city or town shall administer the  
3.12 provisions of sections 203B.04 to 203B.15 if:

3.13 (1) the county auditor of that county has designated the clerk to administer them; or

3.14 (2) the clerk has given the county auditor of that county notice of intention to administer  
3.15 them.

3.16 The designation or notice must specify whether the clerk will be responsible for the  
3.17 administration of a ballot board as provided in section 203B.121.

3.18 A clerk of a city that is located in more than one county may only administer the  
3.19 provisions of sections 203B.04 to 203B.15 and 203B.30 to 203B.35 if the clerk has been  
3.20 designated by each of the county auditors or has provided notice to each of the county  
3.21 auditors that the city will administer absentee voting. A clerk may only administer the  
3.22 provisions of sections 203B.04 to 203B.15 if the clerk has technical capacity to access the  
3.23 statewide voter registration system in the secure manner prescribed by the secretary of state.  
3.24 The secretary of state must identify hardware, software, security, or other technical  
3.25 prerequisites necessary to ensure the security, access controls, and performance of the  
3.26 statewide voter registration system. A clerk must receive training approved by the secretary  
3.27 of state on the use of the statewide voter registration system before administering this section.  
3.28 A clerk may not use the statewide voter registration system until the clerk has received the  
3.29 required training. The county auditor must notify the secretary of state of any municipal  
3.30 clerk who will be administering the provisions of this section and the duties that the clerk  
3.31 will administer.

4.1 Sec. 6. Minnesota Statutes 2022, section 203B.081, subdivision 2, is amended to read:

4.2 Subd. 2. **Town elections.** Voters casting absentee ballots in person for a town election  
4.3 held in March may do so during the 30 days before the election, except that an eligible voter  
4.4 may not vote by absentee ballot in person during the period designated for early voting, as  
4.5 provided in section 203B.31. The county auditor shall make such designations at least 14  
4.6 weeks before the election. At least one voting booth in each polling place must be made  
4.7 available by the county auditor for this purpose. The county auditor must also make available  
4.8 at least one electronic ballot marker in each polling place that has implemented a voting  
4.9 system that is accessible for individuals with disabilities pursuant to section 206.57,  
4.10 subdivision 5.

4.11 Sec. 7. Minnesota Statutes 2022, section 203B.085, is amended to read:

4.12 **203B.085 COUNTY AUDITOR'S AND MUNICIPAL CLERK'S OFFICES TO**  
4.13 **REMAIN OPEN DURING CERTAIN HOURS PRECEDING ELECTION.**

4.14 In elections in which early voting is not applicable pursuant to section 203B.30, the  
4.15 county auditor's office in each county and the clerk's office in each city or town authorized  
4.16 under section 203B.05 to administer absentee balloting must be open for acceptance of  
4.17 absentee ballot applications and casting of absentee ballots from 10:00 a.m. to 3:00 p.m.  
4.18 on Saturday and until 5:00 p.m. on the day immediately preceding a primary, special, or  
4.19 general election unless that day falls on a Saturday or Sunday. Town clerks' offices must  
4.20 be open for absentee voting from 10:00 a.m. to 12:00 noon on the Saturday before a town  
4.21 general election held in March. The school district clerk, when performing the county  
4.22 auditor's election duties, need not comply with this section.

4.23 Sec. 8. Minnesota Statutes 2022, section 203B.121, subdivision 1, is amended to read:

4.24 Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county,  
4.25 municipality, and school district with responsibility to accept and reject absentee ballots or  
4.26 to administer early voting must, by ordinance or resolution, establish a ballot board. The  
4.27 board must consist of a sufficient number of election judges appointed as provided in sections  
4.28 204B.19 to 204B.22. The board may include deputy county auditors or deputy city clerks  
4.29 who have received training in the processing and counting of absentee ballots. Each member  
4.30 of the ballot board must be provided adequate training on the processing and counting of  
4.31 absentee ballots, including but not limited to instruction on accepting and rejecting absentee  
4.32 ballots, storage of absentee ballots, timelines and deadlines, the role of the ballot board,

5.1 procedures for opening absentee ballot envelopes, procedures for counting absentee ballots,  
5.2 and procedures for reporting absentee ballot totals.

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

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

5.7 Sec. 9. Minnesota Statutes 2022, section 203B.121, subdivision 3, is amended to read:

5.8 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk  
5.9 must immediately record that a voter's absentee ballot has been accepted or that the voter  
5.10 has cast a ballot pursuant to the early voting procedures provided in this chapter. A voter  
5.11 whose record indicates that the voter has cast an early ballot must not be permitted to cast  
5.12 another ballot in that election. After the close of business on the ~~seventh day before the~~  
5.13 ~~election~~ day prior to the beginning of the early voting period as provided in section 203B.31,  
5.14 a voter whose record indicates that an absentee ballot has been accepted must not be permitted  
5.15 to cast another ballot at that election. In a state primary, general, or state special election  
5.16 for federal ~~or~~, state, or county office, the auditor or clerk must also record this information  
5.17 in the statewide voter registration system.

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

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

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

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

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

5.28 Sec. 10. Minnesota Statutes 2022, section 203B.121, subdivision 4, is amended to read:

5.29 Subd. 4. **Opening of envelopes.** After the close of business on the ~~seventh day before~~  
5.30 ~~the election~~ day prior to the beginning of the early voting period as provided in section  
5.31 203B.31, the ballots from secrecy envelopes within the signature envelopes marked

6.1 "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86,  
6.2 subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate  
6.3 ballot box. If more than one voted ballot is enclosed in the ballot envelope, the ballots must  
6.4 be returned in the manner provided by section 204C.25 for return of spoiled ballots, and  
6.5 may not be counted.

6.6 Sec. 11. **[203B.30] EARLY VOTING; APPLICABILITY.**

6.7 (a) Any eligible voter may vote in person in a federal, state, or county election prior to  
6.8 the date of the election, in the manner provided in sections 203B.31 to 203B.35.

6.9 (b)(1) Subject to clause (2), for city elections not held in conjunction with a federal,  
6.10 state, or county election, the city may authorize eligible voters to vote in the manner provided  
6.11 in sections 203B.31 to 203B.35 upon resolution of the governing body of the city, adopted  
6.12 prior to the first day for filing affidavits of candidacy for the election. In the case of a home  
6.13 rule charter city, authorization may alternatively be made by amendment to the city's charter  
6.14 for this purpose.

6.15 (2) A city may only authorize voting under sections 203B.31 to 203B.35 if the municipal  
6.16 clerk has the technical capacity to access the statewide voter registration system in the secure  
6.17 manner prescribed by the secretary of state. The secretary of state must identify hardware,  
6.18 software, security, or other technical prerequisites necessary to ensure the security, access  
6.19 controls, and performance of the statewide voter registration system. The clerk must receive  
6.20 training approved by the secretary of state on the use of the statewide voter registration  
6.21 system before administering voting authorized under this paragraph. The clerk may not use  
6.22 the statewide voter registration system until the clerk has received the required training.

6.23 Sec. 12. **[203B.31] EARLY VOTING; TIME PERIOD; HOURS.**

6.24 (a) Early voting must be available to any eligible voter as provided in section 203B.32  
6.25 for every primary, general, and special election subject to early voting under section 203B.30  
6.26 from 18 days before the election through 3:00 p.m. on the day before the election. All voters  
6.27 in line at 3:00 p.m. on the day before the election must be allowed to vote in the same manner  
6.28 as provided in section 204C.05, subdivision 2.

6.29 (b) Except as provided in section 203B.33, paragraph (c), early voting must be available  
6.30 in each early voting polling place between the hours of 8:00 a.m. and 4:30 p.m. on each  
6.31 weekday during the time period provided in paragraph (a), from 8:00 a.m. to 8:00 p.m. on  
6.32 the same weekday each week, and from 9:00 a.m. to 3:00 p.m. each Saturday and on the  
6.33 Sunday before the election.

7.1 Sec. 13. [203B.33] LOCATIONS FOR EARLY VOTING; NOTICE.

7.2 (a) Early voting must be made available at polling places in the county auditor's offices  
7.3 in county-owned or operated buildings, at the municipal clerk's office in every municipality  
7.4 that has been delegated the responsibility to administer absentee voting as provided in  
7.5 section 203B.05 or which is conducting an election that includes early voting, as authorized  
7.6 in section 203B.30, and at any other county or city-owned or operated buildings designated  
7.7 by the county auditor or municipal clerk.

7.8 (b) For each polling place, the county auditor or municipal clerk must make available  
7.9 an electronic ballot counter, a ballot marking device for disabled voters, and at least one  
7.10 voting station.

7.11 (c) A county auditor or municipal clerk administering early voting pursuant to section  
7.12 203B.30 may designate additional early voting polling places that may be open for all or  
7.13 some of the 18 days before the election. Additional polling locations must be designated at  
7.14 least 46 days before the election.

7.15 (d) The county auditor or municipal clerk must prepare a notice to the voters of the days,  
7.16 times, and locations for early voting. This notice must be posted on the secretary of state's  
7.17 website, the county's website, and the website for each municipality in the county where an  
7.18 early voting location is designated for the election at least 14 days before the first day for  
7.19 early voting. If a county or municipality does not have a website, the county auditor or  
7.20 municipal clerk must publish the notice at least once in the jurisdiction's official newspaper  
7.21 at least seven days and not more than 14 days before the first day for early voting. The  
7.22 county auditor must provide the notice to the office of the secretary of state at least 14 days  
7.23 prior to the start of the early voting period.

7.24 Sec. 14. [203B.35] PROCEDURES FOR EARLY VOTING.

7.25 Subdivision 1. **Definition.** For purposes of this section, "early voting official" means  
7.26 the county auditor, city clerk, or a deputy of the auditor or clerk.

7.27 Subd. 2. **Voting procedure.** (a) When a voter appears in an early voting polling place,  
7.28 the voter must state the voter's name, address, and, if requested, the voter's date of birth to  
7.29 the early voting official. The early voting official must confirm that the voter's registration  
7.30 is current in the statewide voter registration system and that the voter has not already cast  
7.31 a ballot in the election. If the voter's status is challenged, the voter may resolve the challenge  
7.32 as provided in section 204C.12. An individual who is not registered to vote or whose name

8.1 or address has changed must register in the manner provided in section 201.061, subdivision  
 8.2 3. A voter who has already cast a ballot in the election must not be provided with a ballot.

8.3 (b) Each voter must sign the certification provided in section 204C.10. The signature of  
 8.4 an individual on the voter's certificate and the issuance of a ballot to the individual is evidence  
 8.5 of the intent of the individual to vote at that election. After signing the voter certification,  
 8.6 two early voting officials must initial the ballot and issue it to the voter, and the voter must  
 8.7 immediately retire to a voting station or other designated location in the polling place to  
 8.8 mark the ballot. The voter must not take a ballot from the polling place. If the voter spoils  
 8.9 the ballot, the voter may return it to the early voting official in exchange for a new ballot.  
 8.10 After completing the ballot, the voter must deposit the ballot into the ballot counter and  
 8.11 ballot box. The early voting official must immediately record that the voter has voted in the  
 8.12 manner provided in section 203B.121, subdivision 3.

8.13 Subd. 3. **Processing of ballots.** The early voting official must remove and secure ballots  
 8.14 cast pursuant to sections 203B.30 to 203B.35 following the procedures in section 203B.121,  
 8.15 subdivision 5, paragraph (a). The absentee ballot board must count the ballots after the polls  
 8.16 have closed on election day following the procedures in section 203B.121, subdivision 5,  
 8.17 paragraph (b).

8.18 Sec. 15. Minnesota Statutes 2022, section 204B.28, subdivision 2, is amended to read:

8.19 **Subd. 2. Election supplies; duties of county auditors and clerks.** (a) Except as  
 8.20 otherwise provided for absentee ballots in this section and in section 204B.35, subdivision  
 8.21 4, the county auditor shall complete the preparation of the election materials for which the  
 8.22 auditor is responsible at least four days before every state primary and state general election.  
 8.23 At any time after all election materials are available from the county auditor but not later  
 8.24 than four days before the election each municipal clerk shall secure from the county auditor:

8.25 ~~(a)~~ (1) the forms that are required for the conduct of the election;

8.26 ~~(b)~~ (2) any printed voter instruction materials furnished by the secretary of state;

8.27 ~~(c)~~ (3) any other instructions for election officers; and

8.28 ~~(d)~~ (4) a sufficient quantity of the official ballots, registration files, envelopes for ballot  
 8.29 returns, and other supplies and materials required for each precinct in order to comply with  
 8.30 the provisions of the Minnesota Election Law. The county auditor may furnish the election  
 8.31 supplies to the municipal clerks in the same manner as the supplies are furnished to precincts  
 8.32 in unorganized territory pursuant to section 204B.29, subdivision 1.

9.1 (b) The county auditor must prepare and make available election materials for early  
9.2 voting to city clerks designated to administer early voting under section 203B.05 at least  
9.3 one day prior to the beginning of the early voting period as provided in section 203B.31.

9.4 Sec. 16. Minnesota Statutes 2022, section 206.82, subdivision 1, is amended to read:

9.5 Subdivision 1. **Program.** A program or programs for use in an election conducted by  
9.6 means of an electronic voting system or using an electronic ballot marker shall be prepared  
9.7 at the direction of the county auditor or municipal clerk who is responsible for the conduct  
9.8 of the election and shall be independently verified by a competent person designated by  
9.9 that official. The term "competent person" as used in this section means a person who can  
9.10 demonstrate knowledge as a computer programmer and who is other than and wholly  
9.11 independent of any person operating or employed by the counting center or the corporation  
9.12 or other preparer of the program. A test deck prepared by a competent person shall be used  
9.13 for independent verification of the program; it shall test the maximum digits used in totaling  
9.14 the returns and shall be usable by insertion during the tabulation process as well as prior to  
9.15 tabulation. A test deck must also be prepared using the electronic ballot marker program  
9.16 and must also be used to verify that all valid votes counted by the vote tabulator may be  
9.17 selected using the electronic ballot marker. The computer program for any election and an  
9.18 exact duplicate of the program for use as backup must be completed and delivered to the  
9.19 election jurisdiction or the county auditor in charge of a common central counting center  
9.20 at least 36 days prior to the election. The secretary of state shall adopt rules further specifying  
9.21 test procedures.

9.22 Sec. 17. Minnesota Statutes 2022, section 206.83, is amended to read:

9.23 **206.83 TESTING OF VOTING SYSTEMS.**

9.24 ~~Within 14~~ At least three days before election-day voting equipment is used, the official  
9.25 in charge of elections shall have the voting system tested to ascertain that the system will  
9.26 correctly mark ballots using all methods supported by the system, including through assistive  
9.27 technology, and count the votes cast for all candidates and on all questions. Public notice  
9.28 of the time and place of the test must be given at least two days in advance by publication  
9.29 once in official newspapers. The test must be observed by at least two election judges, who  
9.30 are not of the same major political party, and must be open to representatives of the political  
9.31 parties, candidates, the press, and the public. The test must be conducted by (1) processing  
9.32 a preaudited group of ballots punched or marked to record a predetermined number of valid  
9.33 votes for each candidate and on each question, and must include for each office one or more

10.1 ballot cards which have votes in excess of the number allowed by law in order to test the  
10.2 ability of the voting system tabulator and electronic ballot marker to reject those votes; and  
10.3 (2) processing an additional test deck of ballots marked using the electronic ballot marker  
10.4 for the precinct, including ballots marked using the electronic ballot display, audio ballot  
10.5 reader, and any assistive voting technology used with the electronic ballot marker. If any  
10.6 error is detected, the cause must be ascertained and corrected and an errorless count must  
10.7 be made before the voting system may be used in the election. After the completion of the  
10.8 test, the programs used and ballot cards must be sealed, retained, and disposed of as provided  
10.9 for paper ballots.

10.10 Sec. 18. **APPROPRIATION.**

10.11 \$137,000 in fiscal year 2024 and \$27,000 in fiscal year 2025 are appropriated from the  
10.12 general fund to the secretary of state to implement this act.

10.13 Sec. 19. **REPEALER.**

10.14 Minnesota Statutes 2022, section 203B.081, subdivision 3, is repealed.

10.15 Sec. 20. **CERTIFICATION; EFFECTIVE DATE.**

10.16 The secretary of state must certify to the revisor of statutes that the statewide voter  
10.17 registration system has been tested and shown to properly allow for tracking of the  
10.18 information required to conduct early voting and can handle the expected volume of use.  
10.19 This act is effective for elections held on or after January 1, 2024, or the 85th day after  
10.20 certification is made, whichever is later. "

10.21 Amend the title accordingly