

1.1 Senator moves to amend S.F. No. 3230 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2022, section 204B.06, subdivision 2, is amended to read:

1.4 Subd. 2. **Major party candidates.** (a) A candidate who seeks the nomination of a major
1.5 political party for a partisan office must submit with the candidate's affidavit of candidacy
1.6 a major party petition meeting the requirements of sections 204B.07 and 204B.08 or
1.7 certification by the chair of a major political party that the candidate is eligible to seek the
1.8 nomination of the major political party for the office sought as provided in subdivision 2a.

1.9 (b) A candidate who seeks the nomination of a major political party for a partisan office
1.10 shall state on the affidavit of candidacy that the candidate either participated in that party's
1.11 most recent precinct caucus or intends to vote for a majority of that party's candidates at
1.12 the next ensuing general election.

1.13 Sec. 2. Minnesota Statutes 2022, section 204B.06, is amended by adding a subdivision to
1.14 read:

1.15 Subd. 2b. **Major party certification.** (a) A chair of a major political party must only
1.16 provide certification to a candidate who has met the requirements of this subdivision. A
1.17 candidate is eligible to be certified by the chair of a major political party if the candidate:

1.18 (1) sought the endorsement of the major political party at a convention organized by the
1.19 major political party and received at least 30 percent of the vote on a ballot; or

1.20 (2) received the party's endorsement in accordance with the major party's constitution,
1.21 rules, and bylaws.

1.22 (b) The certification made by the chair of a major political party must include the name
1.23 of the candidate, the office for which the candidate is certified, whether the candidate is
1.24 eligible under paragraph (a), clause (1) or (2), and the signature of the chair of the major
1.25 political party. For candidates who are eligible under paragraph (a), clause (1), the
1.26 certification must also include the date, location, number of voting delegates at the convention
1.27 at which the candidate sought the major political party's endorsement, the highest percentage
1.28 of the vote that the candidate received on a ballot, and whether the candidate received the
1.29 major political party's endorsement.

2.1 Sec. 3. Minnesota Statutes 2022, section 204B.07, is amended to read:

2.2 **204B.07 NOMINATING AND MAJOR PARTY PETITIONS.**

2.3 Subdivision 1. **Form of nominating petition.** A nominating petition may consist of one
2.4 or more separate pages each of which shall state:

2.5 ~~(a)~~ (1) the office sought;

2.6 ~~(b)~~ (2) the candidate's name and residence address, including street and number if any;
2.7 and

2.8 ~~(c)~~ (3) the candidate's political party or political principle expressed in not more than
2.9 three words. No candidate who files for a partisan office by nominating petition shall use
2.10 the term "nonpartisan" as a statement of political principle or the name of the candidate's
2.11 political party. No part of the name of a major political party may be used to designate the
2.12 political party or principle of a candidate who files for a partisan office by nominating
2.13 petition, except that the word "independent" may be used to designate the party or principle.
2.14 A candidate who files an affidavit of candidacy to fill a vacancy in nomination for a
2.15 nonpartisan office pursuant to section 204B.13, shall not state any political principle or the
2.16 name of any political party on the petition.

2.17 **Subd. 1a. Form of major party petition.** A major party petition may consist of one or
2.18 more separate pages each of which must state:

2.19 (1) the office sought;

2.20 (2) the candidate's name and residence address, including street and number if any; and

2.21 (3) the major political party whose nomination the candidate is seeking.

2.22 Subd. 2. **Petitions for presidential electors and alternates.** This subdivision does not
2.23 apply to candidates for presidential elector or alternate nominated by major political parties.
2.24 Major party candidates for presidential elector or alternate are certified under section 208.03.
2.25 Other presidential electors or alternates are nominated by petition pursuant to this section.
2.26 On petitions nominating presidential electors or alternates, the names of the candidates for
2.27 president and vice-president shall be added to the political party or political principle stated
2.28 on the petition. One petition may be filed to nominate a slate of presidential electors equal
2.29 in number to the number of electors to which the state is entitled and an alternate for each
2.30 elector nominee.

2.31 Subd. 3. **Number of candidates nominated.** ~~No~~ A nominating or major party petition
2.32 shall must not contain the name of more than one candidate except a petition jointly

3.1 nominating individuals for governor and lieutenant governor or nominating a slate of
3.2 presidential electors.

3.3 Subd. 4. **Oath and address of signer.** (a) Following the information required by
3.4 subdivisions 1 and 2 and before the space for signing, each separate page that is part of the
3.5 nominating petition shall include an oath in the following form:

3.6 "I solemnly swear (or affirm) that I know the contents and purpose of this petition, that
3.7 I do not intend to vote at the primary election for the office for which this nominating petition
3.8 is made, and that I signed this petition of my own free will."

3.9 (b) Following the information required by subdivision 1a, and before the space for
3.10 signing, each separate page that is part of the major party petition shall include an oath in
3.11 the following form:

3.12 "I solemnly swear (or affirm) that I know the contents and purpose of this petition and
3.13 that I signed this petition of my own free will."

3.14 (c) Notarization or certification of the signatures on a nominating or major party petition
3.15 is not required. Immediately after the signature, the signer shall write on the petition the
3.16 signer's residence address including street and number, if any, and mailing address if different
3.17 from residence address.

3.18 Subd. 5. **Sample forms.** An official with whom petitions are filed shall make sample
3.19 forms for nominating and major party petitions available upon request.

3.20 Subd. 6. **Penalty.** An individual who, in signing a nominating or major party petition,
3.21 makes a false oath is guilty of perjury.

3.22 Sec. 4. Minnesota Statutes 2022, section 204B.071, is amended to read:

3.23 **204B.071 PETITIONS; RULES OF SECRETARY OF STATE.**

3.24 (a) The secretary of state shall adopt rules governing the manner in which petitions
3.25 required for any election in this state are circulated, signed, filed, and inspected. The secretary
3.26 of state shall provide samples of petition forms for use by election officials.

3.27 (b) A petition must be prepared on paper no larger than 8-1/2 inches wide and 14 inches
3.28 long. A petition must not be rejected solely because the petition is on paper that is smaller
3.29 than 8-1/2 inches wide and 14 inches long.

4.1 Sec. 5. Minnesota Statutes 2022, section 204B.08, is amended to read:

4.2 **204B.08 SIGNING PETITIONS.**

4.3 Subdivision 1. **Time for signing.** Nominating and major party petitions shall be signed
4.4 during the period when petitions may be filed as provided in section 204B.09.

4.5 Subd. 2. **Qualifications of signers.** A nominating or major party petition may be signed
4.6 only by individuals who are eligible to vote for the candidate who is nominated. No individual
4.7 may sign more than one nominating or major party petition for candidates for the same
4.8 office unless more than one candidate is to be elected to that office. If more than one
4.9 candidate is to be elected to the office, an individual may sign as many petitions as there
4.10 are candidates to be elected.

4.11 Subd. 3. **Number of signatures.** The number of signatures required on a nominating or
4.12 major party petition shall be as follows:

4.13 ~~(a)~~ (1) for a federal or state office voted on statewide, one percent of the total number
4.14 of individuals voting in the state at the last preceding state general election, or 2,000,
4.15 whichever is less;

4.16 ~~(b)~~ (2) for a congressional office, five percent of the total number of individuals voting
4.17 in the district at the last preceding state general election, or 1,000, whichever is less;

4.18 ~~(c)~~ (3) for a county or legislative office, ten percent of the total number of individuals
4.19 voting in the county or legislative district at the last preceding state or county general
4.20 election, or 500, whichever is less;

4.21 ~~(d)~~ (4) for a municipal office in a city of the first class, the number specified in section
4.22 205.121; and

4.23 ~~(e)~~ (5) for any other municipal or school district office, ten percent of the total number
4.24 of individuals voting in the municipality, ward, school district, or other election district at
4.25 the last preceding municipal, or school district if applicable, general election, or 500,
4.26 whichever is less.

4.27 Sec. 6. Minnesota Statutes 2022, section 204B.09, subdivision 1, is amended to read:

4.28 Subdivision 1. **Candidates in state and county general elections.** (a) Except as
4.29 otherwise provided by this subdivision, affidavits of candidacy and nominating or major
4.30 party petitions for county, state, and federal offices filled at the state general election shall
4.31 be filed not more than 84 days nor less than 70 days before the state primary. The affidavit

5.1 may be prepared and signed at any time between 60 days before the filing period opens and
5.2 the last day of the filing period.

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

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

5.12 (d) Affidavits and petitions for county offices must be filed with the county auditor of
5.13 that county. Affidavits and petitions for federal offices must be filed with the secretary of
5.14 state. Affidavits and petitions for state offices must be filed with the secretary of state or
5.15 with the county auditor of the county in which the candidate resides.

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

5.19 Sec. 7. Minnesota Statutes 2022, section 204B.10, is amended to read:

5.20 **204B.10 AFFIDAVITS OF CANDIDACY; NOMINATING AND MAJOR PARTY**
5.21 **PETITIONS; DUTIES.**

5.22 Subdivision 1. **Affidavits of candidacy; numbering.** (a) The official with whom
5.23 affidavits of candidacy are filed shall number them in the order received.

5.24 (b) An official with whom affidavits of candidacy for partisan office are filed must only
5.25 accept an affidavit of candidacy from a candidate for a partisan office for nomination with
5.26 a major political party if the candidate's affidavit of candidacy is accompanied by a major
5.27 party petition meeting the requirements of sections 204B.07 and 204B.08 or certification
5.28 by the chair of a major political party that the candidate is eligible to seek the nomination
5.29 of the major political party for the office sought as provided in section 204B.06, subdivision
5.30 2a. The official must retain a copy of the certification.

5.31 Subd. 2. **Nominating and major party petitions; acknowledgment; numbering.** On
5.32 the day a nominating or major party petition is filed, the election official shall deliver or
5.33 mail an acknowledgment of the petition to the individual who files it and to the candidate

6.1 who is to be nominated. The election official shall also number the petitions in the order
6.2 received. The petitions shall be retained as provided in section 204B.40, and shall be available
6.3 for public inspection during that period.

6.4 Subd. 3. **Inspection.** The official with whom nominating or major party petitions are
6.5 filed shall inspect the petitions ~~in the order filed~~ to verify that there are a sufficient number
6.6 of signatures of individuals whose residence address as shown on the petition is in the district
6.7 where the candidate is to be nominated. The official must inspect the petitions in the order
6.8 filed, but must prioritize any petitions from candidates whose name may appear on a state
6.9 primary ballot.

6.10 Subd. 4. **Certification.** The secretary of state shall certify to the county auditor of each
6.11 county the names of all candidates nominated by nominating petitions filed with the secretary
6.12 of state. Certification shall be made at the same time as the secretary of state certifies the
6.13 names of candidates who are nominated at the primary.

6.14 Subd. 5. **Improper name.** If the filing officer determines that use on the ballot of the
6.15 candidate's name as written on the affidavit of candidacy would violate section 204B.35,
6.16 subdivision 2, the filing officer shall immediately notify the candidate and shall certify for
6.17 the ballot the candidate's true name instead of the name as written on the affidavit.

6.18 Subd. 6. **Candidate's eligibility to hold office.** Upon receipt of a certified copy of a
6.19 final judgment or order of a court of competent jurisdiction that a person who has filed an
6.20 affidavit of candidacy or who has been nominated by petition:

6.21 (1) has been convicted of treason or a felony and the person's civil rights have not been
6.22 restored;

6.23 (2) is under guardianship in which the court order revokes the ward's right to vote; or

6.24 (3) has been found by a court of law to be legally incompetent;

6.25 the filing officer shall notify the person by certified mail at the address shown on the affidavit
6.26 or petition, and, for offices other than President of the United States, Vice President of the
6.27 United States, United States Senator, and United States Representative in Congress, shall
6.28 not certify the person's name to be placed on the ballot. The actions of a filing officer under
6.29 this subdivision are subject to judicial review under section 204B.44.

6.30 Sec. 8. Minnesota Statutes 2022, section 204B.13, subdivision 2, is amended to read:

6.31 Subd. 2. **Partisan office; nomination by party; special election.** (a) Except as provided
6.32 in subdivision 5, a major political party may fill a vacancy in nomination of that party's

7.1 candidate as defined in subdivision 1, paragraph (a), clause (1), (2), or (3), by filing one
7.2 nomination certificate with the same official who received the affidavits of candidacy for
7.3 that office.

7.4 A major political party may provide in its governing rules a procedure, including
7.5 designation of an appropriate committee, to fill a vacancy in nomination for any federal or
7.6 state partisan office. The nomination certificate shall be prepared under the direction of and
7.7 executed by the chair and secretary of the political party and filed within the timelines
7.8 established in this section. When filing the certificate the chair and secretary shall attach an
7.9 affidavit stating that the newly nominated candidate has been selected under the rules of
7.10 the party and that the individuals signing the certificate and making the affidavit are the
7.11 chair and secretary of the party.

7.12 (b) In the case of a vacancy in nomination for partisan office that occurs on or before
7.13 the 79th day before the general election, the major political party must file the nomination
7.14 certificate no later than 71 days before the general election. The name of the candidate
7.15 nominated by the party must appear on the general election ballot.

7.16 (c) Except as provided in subdivision 5, in the case of a vacancy in nomination for a
7.17 partisan office that occurs after the 79th day before the general election, the general election
7.18 ballot shall remain unchanged, but the county and state canvassing boards must not certify
7.19 the vote totals for that office from the general election, and the office must be filled at a
7.20 special election held in accordance with this section. Except for the vacancy in nomination,
7.21 all other candidates whose names appeared on the general election ballot for the office must
7.22 appear on the special election ballot for the office. New affidavits of candidacy ~~or~~ and
7.23 nominating and major party petitions may not be accepted, and there must not be a primary
7.24 to fill the vacancy in nomination. The major political party may file a nomination certificate
7.25 as provided in paragraph (a) no later than seven days after the general election. On the date
7.26 of the general election, the county auditor or municipal clerk shall post a notice in each
7.27 precinct affected by a vacancy in nomination under this paragraph, informing voters of the
7.28 reason for the vacancy in nomination and the procedures for filling the vacancy in nomination
7.29 and conducting a special election as required by this section. The secretary of state shall
7.30 prepare and electronically distribute the notice to county auditors in each county affected
7.31 by a vacancy in nomination.

8.1 Sec. 9. Minnesota Statutes 2022, section 204D.06, is amended to read:

8.2 **204D.06 CERTIFICATION OF NAMES BY SECRETARY OF STATE.**

8.3 Subdivision 1. Certification by major political parties. By 5:00 p.m. on the 67th day
8.4 before the state primary, the chair of each major political party must certify to the secretary
8.5 of state for each partisan office the order in which the names of candidates from that major
8.6 political party who filed affidavits of candidacy with a certification from the chair of a major
8.7 political party must appear on the state primary ballot. The chair of the major political party
8.8 must list candidates in descending order of the highest percentage of the vote that the
8.9 candidate received on a ballot at the party convention, with any candidate who received the
8.10 major political party's endorsement listed first. In the case of a tie in the percentage of the
8.11 vote that the candidates received at a party convention, the chair of the major political party
8.12 must determine the position of the applicable candidates by lot.

8.13 Subd. 2. Certification by secretary of state. (a) At least ~~42~~ 63 days before a state
8.14 primary, the secretary of state shall certify to the county auditors the names of all candidates
8.15 who have properly filed affidavits of candidacy with the secretary of state for federal or
8.16 state office and who will be voted for in their respective counties at that primary.

8.17 (b) The secretary of state must set the ballot order for major party candidates and must
8.18 provide the ballot order with the certification required by paragraph (a). The candidate ballot
8.19 order provided by the chair of a major political party as provided in subdivision 1 must
8.20 appear first. The major party candidates who filed major party petitions must be listed next
8.21 and must be listed chronologically in the order in which the candidates' affidavits of
8.22 candidacy were accepted by the filing officer. County auditors must place the candidates
8.23 on the ballot in the order provided by the secretary of state.

8.24 Sec. 10. Minnesota Statutes 2022, section 204D.08, subdivision 3, is amended to read:

8.25 Subd. 3. Rotation of names. (a) Except as provided in paragraph (b), on state primary
8.26 ballots the name of each candidate for nomination to a partisan or nonpartisan office shall
8.27 be rotated with the names of the other candidates for nomination to that office so that the
8.28 name of each candidate appears substantially an equal number of times at the top, at the
8.29 bottom, and at each intermediate place in that group of candidates. If the number of
8.30 candidates for an office is equal to or less than the number to be elected, no rotation of
8.31 candidate names is required and the official preparing the ballot shall determine the position
8.32 of the candidates by lot.

9.1 (b) If a specific ballot order has been certified for a major political party in accordance
9.2 with section 204D.06, candidates must not be rotated and must be placed on the ballot as
9.3 provided in that section.

9.4 Sec. 11. Minnesota Statutes 2022, section 204D.12, is amended to read:

9.5 **204D.12 NAMES PLACED ON GENERAL ELECTION BALLOTS.**

9.6 Without payment of an additional fee, the county auditor shall place on the appropriate
9.7 state general election ballot the name of every candidate:

9.8 (1) whose nomination at the state primary has been certified by the appropriate canvassing
9.9 board or whose nomination was declared upon the close of filing under section 204D.03,
9.10 subdivision 3;

9.11 (2) who has been nominated by petition, including candidates certified by the secretary
9.12 of state; and

9.13 (3) who was nominated and whose name was omitted from the state nonpartisan primary
9.14 ballot pursuant to section 204D.07, subdivision 3. Only the names of duly nominated
9.15 candidates may be placed on a ballot."

9.16 Amend the title accordingly