

1.1 Senator moves to amend S.F. No. 3818 as follows:

1.2 Page 4, line 11, strike "earlier" and insert "later"

1.3 Page 4, line 14, after "residing" insert "in the institution's housing and, for students who
1.4 do not live in the institution's housing, that it reflects the institution's records"

1.5 Page 6, after line 31, insert:

1.6 "Sec. 5. Minnesota Statutes 2023 Supplement, section 201.091, subdivision 4, is amended
1.7 to read:

1.8 Subd. 4. **Public information lists.** (a) The county auditor shall make available for
1.9 inspection a public information list which must contain the name, address, year of birth,
1.10 and voting history of each registered voter in the county. Data on applicants submitted
1.11 pursuant to section 201.061, subdivision 1b, are not part of the public information list until
1.12 the voter is registered or has voting history. The list must not include the party choice of
1.13 any voter who voted in a presidential nomination primary. The telephone number must be
1.14 included on the list if provided by the voter. The public information list may also include
1.15 information on voting districts. The county auditor may adopt reasonable rules governing
1.16 access to the list.

1.17 (b) No individual inspecting the public information list shall tamper with or alter it in
1.18 any manner. No individual who inspects the public information list or who acquires a list
1.19 of registered voters prepared from the public information list may use any information
1.20 contained in the list for purposes unrelated to elections, political activities, or law
1.21 enforcement. The secretary of state may provide copies of the public information lists and
1.22 other information from the statewide registration system for uses related to elections, political
1.23 activities, or in response to a law enforcement inquiry from a public official concerning a
1.24 failure to comply with any criminal statute or any state or local tax statute.

1.25 (c) Before inspecting the public information list or obtaining a list of voters or other
1.26 information from the list, the individual shall provide identification to the public official
1.27 having custody of the public information list and shall state in writing that any information
1.28 obtained from the list will not be used for purposes unrelated to elections, political activities,
1.29 or law enforcement. Requests to examine or obtain information from the public information
1.30 lists or the statewide registration system must be made and processed in the manner provided
1.31 in the rules of the secretary of state.

1.32 (d) Upon receipt of a statement signed by the voter that withholding the voter's name
1.33 from the public information list is required for the safety of the voter or the voter's family,

the secretary of state and county auditor must withhold from the public information list the name of a registered voter.

(e) Notwithstanding paragraphs (b) and (c) and regardless of the purpose of the publication, a recipient of a public information list must not:

(1) publish any of the information from the list on the Internet on any list, database, or other similar searchable format; or

(2) sell, loan, provide access to, or otherwise surrender any information obtained from the list to any person or entity,

except that an individual who obtains the public information list on behalf of an organization, entity, or political subdivision may distribute the information to the organization's, entity's, or political subdivision's volunteers or employees for purposes related to elections, political activities, or law enforcement in the case where the information is provided in response to a law enforcement inquiry from a public official concerning a failure to comply with any criminal statute or any state or local tax statute. Nothing in this section prohibits the preparation, use, or transfer, for purposes related to elections or political activities, of a database that includes data obtained from the public information list which is aggregated with data obtained from other sources provided that such database is used exclusively for purposes related to elections or political activities and no information from the list is published on the Internet. The prohibitions of this paragraph do not apply if the subject of the information provides express written permission to use the subject's data in a manner otherwise prohibited by this paragraph. For purposes of this paragraph, "publish" means information is made available to the public or to individuals outside of the information recipient's organization, entity, or political subdivision.

EFFECTIVE DATE. This section is effective the day following final enactment."

Page 8, delete section 6

Page 9, delete section 7

Page 11, line 9, after the period, insert "The secretary of state must maintain the list of designated language minority districts on its website."

Page 11, line 22, delete "percent" and after "three" insert "percent"

Page 12, after line 6, insert:

"(c) The county auditor must maintain a list of the designated language minority districts on its website, including the precinct name, languages that materials will be provided in,

and, if applicable, where interpreters will be provided and the language they speak. This list must be posted no later than 90 days after receiving language minority district designations under subdivision 2 and must be updated as it is determined that materials or interpreters will be provided for additional districts."

Page 12, line 18, strike the comma and strike "to"

Page 13, after line 30, insert:

"Sec. 15. Minnesota Statutes 2022, section 204C.33, subdivision 1, is amended to read:

Subdivision 1. **County canvass.** The county canvassing board shall meet at the county auditor's office between the third and ~~tenth~~ eighth days following the state general election. After taking the oath of office, the board shall promptly and publicly canvass the general election returns delivered to the county auditor. Upon completion of the canvass, the board shall promptly prepare and file with the county auditor a report which states:

(a) the number of individuals voting at the election in the county and in each precinct;

(b) the number of individuals registering to vote on election day and the number of individuals registered before election day in each precinct;

(c) the names of the candidates for each office and the number of votes received by each candidate in the county and in each precinct;

(d) the number of votes counted for and against a proposed change of county lines or county seat; and

(e) the number of votes counted for and against a constitutional amendment or other question in the county and in each precinct.

The result of write-in votes cast on the general election ballots must be compiled by the county auditor before the county canvass, except that write-in votes for a candidate for federal, state, or county office must not be counted unless the candidate has timely filed a request under section 204B.09, subdivision 3. The county auditor shall arrange for each municipality to provide an adequate number of election judges to perform this duty or the county auditor may appoint additional election judges for this purpose. The county auditor may open the envelopes or containers in which the voted ballots have been sealed in order to count and record the write-in votes and must reseal the voted ballots at the conclusion of this process. The county auditor must prepare a separate report of votes received by precinct for write-in candidates for federal, state, and county offices who have requested under section 204B.09 that votes for those candidates be tallied.

Upon completion of the canvass, the county canvassing board shall declare the candidate duly elected who received the highest number of votes for each county and state office voted for only within the county. The county auditor shall transmit a certified copy of the county canvassing board report for state and federal offices to the secretary of state by messenger, express mail, or similar service immediately upon conclusion of the county canvass.

Sec. 16. Minnesota Statutes 2023 Supplement, section 204C.33, subdivision 3, is amended to read:

Subd. 3. **State canvass.** The State Canvassing Board shall meet at a public meeting space located in the Capitol complex area on the ~~third Tuesday~~ 16th day following the state general election to canvass the certified copies of the county canvassing board reports received from the county auditors and shall prepare a report that states:

(1) the number of individuals voting in the state and in each county;

(2) the number of votes received by each of the candidates, specifying the counties in which they were cast; and

(3) the number of votes counted for and against each constitutional amendment, specifying the counties in which they were cast.

If the 16th day falls on a state holiday, the canvassing board shall meet on the next business day.

All members of the State Canvassing Board shall sign the report and certify its correctness. Within three days after completing the canvass, the State Canvassing Board shall declare the result and declare the candidates duly elected who received the highest number of votes for each federal office and for each state office voted on in more than one county.

Sec. 17. Minnesota Statutes 2022, section 204C.35, subdivision 1, is amended to read:

Subdivision 1. **Publicly funded recounts.** (a) In a state primary when the difference between the votes cast for the candidates for nomination to:

(1) a state legislative office is less than one-half of one percent of the total number of votes counted for that nomination or is ten votes or less and the total number of votes cast for the nomination is 400 votes or less; or

(2) a statewide federal office, state constitutional office, statewide judicial office, congressional office, or district judicial office is less than one-quarter of one percent of the

total number of votes counted for that nomination or is ten votes or less and the total number of votes cast for the nomination is 400 votes or less;

and the difference determines the nomination, the canvassing board with responsibility for declaring the results for that office shall manually recount the vote upon receiving a written request from the candidate whose nomination is in question.

Immediately following the meeting of the board that has responsibility for canvassing the results of the nomination, the filing officer must notify the candidate that the candidate has the option to request a recount of the votes at no cost to the candidate. This written request must be received by the filing officer no later than 5:00 p.m. on the second day after the canvass of the primary for which the recount is being sought.

(b) In a state general election when the difference between the votes of a candidate who would otherwise be declared elected to:

(1) a state legislative office is less than one-half of one percent of the total number of votes counted for that office or is ten votes or less and the total number of votes cast for the office is 400 votes or less; or

(2) a statewide federal office, state constitutional office, statewide judicial office, congressional office, or district judicial office and the votes of any other candidate for that office is less than one-quarter of one percent of the total number of votes counted for that office or is ten votes or less if the total number of votes cast for the office is 400 votes or less,

the canvassing board shall manually recount the votes upon receiving a written request from the candidate whose election is in question.

Immediately following the meeting of the board that has responsibility for canvassing the results of the general election, the filing officer must notify the candidate that the candidate has the option to request a recount of the votes at no cost to the candidate. ~~This~~ Except as provided in subdivision 2b, the written request must be received by the filing officer no later than 5:00 p.m. on the second day after the canvass of the election for which the recount is being sought.

(c) A recount must not delay any other part of the canvass. The results of the recount must be certified by the canvassing board as soon as possible.

(d) Time for notice of a contest for an office which is recounted pursuant to this section shall begin to run upon certification of the results of the recount by the canvassing board."

Page 14, after line 32, insert:

6.1 "Sec. 19. Minnesota Statutes 2022, section 204C.35, is amended by adding a subdivision
6.2 to read:

6.3 Subd. 2b. **Recount for presidential electors.** Any request for recount for the election
6.4 of presidential electors, whether publicly funded or discretionary, must be made by 5 p.m.
6.5 on the day after the canvass is completed. Any recount of votes under this section for the
6.6 election of presidential electors must be completed and certified by the canvassing board
6.7 no later than six days after the recount is requested."

6.8 Page 16, delete sections 19 and 20

6.9 Page 17, delete section 21

6.10 Page 19, after line 25, insert:

6.11 "Sec. 29. Minnesota Statutes 2022, section 206.89, subdivision 2, is amended to read:

6.12 Subd. 2. **Selection for review; notice.** At the canvass of the state primary, the county
6.13 canvassing board in each county must set the date, time, and place for the postelection
6.14 review of the state general election to be held under this section. The postelection review
6.15 must not begin before the ~~14th~~ eighth day after the state general election and must be
6.16 complete no later than the ~~18th~~ 12th day after the state general election.

6.17 At the canvass of the state general election, the county canvassing boards must select
6.18 the precincts to be reviewed by lot. The ballots to be reviewed for a precinct include both
6.19 the ballots counted at the polling place for that precinct and the absentee ballots counted
6.20 centrally by a ballot board for that precinct. The county canvassing board of a county with
6.21 fewer than 50,000 registered voters must conduct a postelection review of a total of at least
6.22 two precincts. The county canvassing board of a county with between 50,000 and 100,000
6.23 registered voters must conduct a review of a total of at least three precincts. The county
6.24 canvassing board of a county with over 100,000 registered voters must conduct a review
6.25 of a total of at least four precincts, or three percent of the total number of precincts in the
6.26 county, whichever is greater. At least one precinct selected in each county must have had
6.27 more than 150 votes cast at the general election.

6.28 The county auditor must notify the secretary of state of the precincts that have been
6.29 chosen for review and the time and place the postelection review for that county will be
6.30 conducted, as soon as the decisions are made. If the selection of precincts has not resulted
6.31 in the selection of at least four precincts in each congressional district, the secretary of state
6.32 may require counties to select by lot additional precincts to meet the congressional district
6.33 requirement. The secretary of state must post this information on the office website.

7.1 Sec. 30. Minnesota Statutes 2022, section 206.89, subdivision 3, is amended to read:

7.2 Subd. 3. **Scope and conduct of review.** The county canvassing board shall appoint the
7.3 postelection review official as defined in subdivision 1. The postelection review must be
7.4 conducted of the votes cast for president or governor; United States senator; and United
7.5 States representative. The postelection review official may conduct postelection review of
7.6 the votes cast for additional offices.

7.7 The postelection review must be conducted in public at the location where the voted
7.8 ballots have been securely stored after the state general election or at another location chosen
7.9 by the county canvassing board. The postelection review official for each precinct selected
7.10 must conduct the postelection review and may be assisted by election judges designated by
7.11 the postelection review official for this purpose. The party balance requirement of section
7.12 204B.19 applies to election judges designated for the review. The postelection review must
7.13 consist of a manual count of the ballots used in the precincts selected and must be performed
7.14 in the manner provided by section 204C.21. The postelection review must be conducted in
7.15 the manner provided for recounts under section 204C.361 to the extent practicable. The
7.16 review must be completed no later than ~~two days~~ one day before the meeting of the state
7.17 canvassing board to certify the results of the state general election.

7.18 Sec. 31. Minnesota Statutes 2022, section 206.89, subdivision 5, is amended to read:

7.19 Subd. 5. **Additional review.** (a) If the postelection review in one of the reviewed precincts
7.20 reveals a difference greater than the thresholds specified in subdivision 4, the postelection
7.21 review official must, within ~~two days~~ one day, conduct an additional review of the races
7.22 indicated in subdivision 3 in at least three precincts in the same jurisdiction where the
7.23 discrepancy was discovered. If all precincts in that jurisdiction have been reviewed, the
7.24 county auditor must immediately publicly select by lot at least three additional precincts
7.25 for review. The postelection review official must complete the additional review within ~~two~~
7.26 ~~days~~ one day after the precincts are selected and report the results immediately to the county
7.27 auditor. If the second review in any of the reviewed precincts also indicates a difference in
7.28 the vote totals compiled by the voting system that is greater than the thresholds specified
7.29 in subdivision 4, the county auditor must conduct a review of the ballots from all the
7.30 remaining precincts in the county for the races indicated in subdivision 3. This review must
7.31 be completed and the results must be reported to the secretary of state within ~~one week~~ six
7.32 days after the second review was completed.

7.33 (b) If the results from the countywide reviews from one or more counties comprising in
7.34 the aggregate more than ten percent of the total number of persons voting in the election

clearly indicate that an error in vote counting has occurred, the secretary of state must notify the postelection review official of each county in the district that they must conduct manual recounts of all the ballots in the district for the affected office using the procedure outlined in section 204C.35. The recount must be completed and the results reported to the appropriate canvassing board within ~~two weeks~~ one week after the postelection review official received notice from the secretary of state.

Sec. 32. Minnesota Statutes 2022, section 206.89, subdivision 6, is amended to read:

Subd. 6. **Report of results.** Upon completion of the postelection review, the postelection review official must immediately report the results to the county auditor. The county auditor must then immediately submit the results of the postelection review electronically or in writing to the secretary of state not later than ~~two days~~ one day before the State Canvassing Board meets to canvass the state general election. The secretary of state shall report the results of the postelection review at the meeting of the State Canvassing Board to canvass the state general election.

Sec. 33. Minnesota Statutes 2022, section 208.06, is amended to read:

208.06 ELECTORS AND ALTERNATES TO MEET AT STATE CAPITOL.

The presidential electors and alternate presidential electors, before 12:00 M. on the day before that fixed by Congress for the electors to vote for president and vice president of the United States, shall notify the governor that they are at the State Capitol and ready at the proper time to fulfill their duties as electors. The governor or the governor's designee shall deliver to the electors present a certificate of the names of all the electors. The electors shall meet at 12:00 p.m. in the ~~executive chamber of the~~ State Capitol and unless the governor determines that location to be impracticable and directs the electors to meet at a different location. The electors shall perform all the duties imposed upon them as electors by the Constitution and laws of the United States and this state in the manner provided in section 208.46.

Sec. 34. Minnesota Statutes 2022, section 208.44, is amended to read:

208.44 CERTIFICATION OF ELECTORS.

In submitting this state's certificate of ascertainment as required by United States Code, title 3, section ~~6~~ 5, the governor shall certify this state's electors and state in the certificate that:

(1) the electors will serve as electors unless a vacancy occurs in the office of elector before the end of the meeting at which elector votes are cast, in which case a substitute elector will fill the vacancy; and

(2) if a substitute elector is appointed to fill a vacancy, the governor will submit an amended certificate of ascertainment stating the names on the final list of this state's electors.

Sec. 35. Minnesota Statutes 2022, section 208.47, is amended to read:

208.47 ELECTOR REPLACEMENT; ASSOCIATED CERTIFICATES.

(a) After the vote of this state's electors is completed, if the final list of electors differs from any list that the governor previously included on a certificate of ascertainment prepared and transmitted under United States Code, title 3, section ~~6~~ 5, the secretary of state immediately shall prepare an amended certificate of ascertainment and transmit it to the governor for the governor's signature.

(b) The governor immediately shall deliver the signed amended certificate of ascertainment to the secretary of state and a signed duplicate original of the amended certificate of ascertainment to all individuals entitled to receive this state's certificate of ascertainment, indicating that the amended certificate of ascertainment is to be substituted for the certificate of ascertainment previously submitted.

(c) The secretary of state shall prepare a certificate of vote. The electors on the final list shall sign the certificate. The secretary of state shall process and transmit the signed certificate with the amended certificate of ascertainment under United States Code, title 3, sections 9, 10, and 11.

Sec. 36. Minnesota Statutes 2022, section 209.01, subdivision 2, is amended to read:

Subd. 2. **Statewide office.** For purposes of this chapter, "statewide office" means the office of governor, lieutenant governor, attorney general, state auditor, secretary of state, chief justice or associate justice of the supreme court, judge of the court of appeals, or United States senator, ~~or presidential elector or alternate.~~

Sec. 37. **[209A.01] DEFINITIONS.**

The definitions in chapter 200 apply to this chapter.

10.1 Sec. 38. **[209A.02] CONTESTANT; GROUNDS.**

10.2 Any eligible voter, including a candidate, wishing to contest the election of the
10.3 presidential elector or alternate in the courts of this state whether over an irregularity in the
10.4 conduct of an election or canvass of votes, the question of who received the largest number
10.5 of votes legally cast, on the grounds of deliberate, serious, and material violations of
10.6 Minnesota election law, or any other ground must do so according to this chapter.

10.7 Sec. 39. **[209A.03] NOTICE OF CONTEST.**

10.8 Subdivision 1. **Manner; time; contents.** Service of a notice of contest must be made
10.9 in the same manner as the service of summons in civil actions. The notice of contest must
10.10 specify the grounds on which the contest will be made. The contestant shall serve notice of
10.11 the contest on the parties enumerated in this section. Notice must be served and filed on or
10.12 before 5:00 p.m. one day after the canvass is completed, except that if the election is being
10.13 recounted pursuant to section 204C.35, the time for notice of a contest shall begin to run
10.14 upon certification of the results of the recount by the canvassing board.

10.15 Subd. 2. **Notice filed with court.** The contestant shall file the notice of contest under
10.16 this section with the supreme court.

10.17 Subd. 3. **Notice served on parties.** The notice of contest must be served on all candidates
10.18 for the office and on any other party as required by the court. A copy must also be furnished
10.19 to the governor and secretary of state. If personal or substituted service on any party cannot
10.20 be made, an affidavit of the attempt by the person attempting to make service and the
10.21 affidavit of the person who sent a copy of the notice to the contestee by certified mail is
10.22 sufficient to confer jurisdiction upon the court to decide the contest.

10.23 Sec. 40. **[209A.04] CONTESTEE'S ANSWER.**

10.24 Subdivision 1. **Contest of vote count.** If a notice of contest questions only which of the
10.25 parties to the contest received the highest number of votes legally cast at the election, the
10.26 contestee need not file an answer, unless the contestee desires to raise issues not specified
10.27 in the notice of contest.

10.28 Subd. 2. **Other contests.** For all other election contests the contestee's answer to the
10.29 notice of contest must be filed and served on all candidates for the office and on any other
10.30 party as required by the court. A copy must also be furnished to the governor and secretary
10.31 of state. The answer must so far as practicable conform to the rules for pleading in civil
10.32 actions. Service and filing of the answer must be made two days after service of the notice

11.1 of contest. The contestee's answer must be served in the same manner as the answer in a
11.2 civil action or in the manner the court may order. Any other notices must be served in the
11.3 manner and within the times the court may order.

11.4 Sec. 41. **[209A.05] VENUE.**

11.5 The court for the election contest of presidential electors shall be the supreme court.

11.6 Sec. 42. **[209A.06] GUARDING AND INSPECTING THE BALLOTS.**

11.7 The provisions of sections 209.05 and 209.06 apply to election contests filed under this
11.8 section. The chief justice of the supreme court shall appoint any inspectors required under
11.9 this section.

11.10 Sec. 43. **[209A.07] PLEADINGS; PROCEDURE.**

11.11 The notice of contest and any answer are the pleadings in the case and may be amended
11.12 in the discretion of the supreme court. The contest proceedings must be brought as soon as
11.13 practicable. The court shall proceed in the manner provided for the trial of civil actions so
11.14 far as practicable, but must issue its decision at least one day before the deadline to submit
11.15 the certificate of ascertainment as required under the laws of the United States.

11.16 Sec. 44. **[209A.08] RESULTS OF CONTEST.**

11.17 Subdivision 1. **Generally.** When the court decides an election contest under this chapter,
11.18 the court may invalidate and revoke any election certificate which has been issued to a
11.19 presidential elector. If the contest involved an error in the counting of ballots, the official
11.20 authorized to issue the certificate of election shall issue the certificate to the person entitled
11.21 to it, but if a contestant succeeds in a contest where there is no question as to which of the
11.22 candidates received the highest number of votes cast at the election, the contestant is not,
11.23 by reason of the disqualification of the contestee, entitled to the certificate of election.

11.24 Subd. 2. **Defective ballots.** In a contested election, if the court decides that a serious
11.25 and material defect in the ballots used changed the outcome of the election, the election
11.26 must be declared invalid.

11.27 Subd. 3. **Costs of contest.** If the contestee succeeds, costs of the contest must be paid
11.28 by the contestant. If the contestant succeeds, costs of the contest must be paid by the
11.29 contestee, except that if the contestee loses because of an error in the counting of ballots or
11.30 canvass of the returns or because of any other irregularity in the election procedure, costs

12.1 must be paid, in the discretion of the judge, by the election jurisdictions responsible for
12.2 errors which resulted in the reversal of the prior results of the election.

12.3 Sec. 45. Minnesota Statutes 2023 Supplement, section 243.205, is amended by adding a
12.4 subdivision to read:

12.5 Subd. 3a. **Form of notice.** The notice required by subdivision 2 must include the all of
12.6 the following information:

12.7 (1) the statement "Your right to vote has been restored.";

12.8 (2) a statement that says the person is eligible to vote if the person meets the eligibility
12.9 requirements;

12.10 (3) a list of the eligibility requirements to vote;

12.11 (4) a statement that a voter registration application is attached to the notice and
12.12 information on all the ways to register to vote;

12.13 (5) information on where to find a list of documents to be used to provide current proof
12.14 of residence;

12.15 (6) the statement "If you violate the conditions of release, the commissioner may revoke
12.16 your release after due process and reimprison you. If that occurs, your right to vote is lost
12.17 again, while you are in prison."; and

12.18 (7) information on where the person may find more information about voting rights."

12.19 Page 20, after line 21, insert:

12.20 "Sec. 48. **REVISOR INSTRUCTION.**

12.21 The revisor of statutes must title Minnesota Statutes, chapter 209A, "Election Contests
12.22 - Presidential Elections."

12.23 Sec. 49. **REPEALER.**

12.24 Minnesota Statutes 2023 Supplement, section 243.205, subdivision 3, is repealed."

12.25 Renumber the sections in sequence and correct the internal references

12.26 Amend the title accordingly