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S.F. No. 3818 – Election Administration Modifications

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Section 1 [§201.061, subd. 3; Election day registration] strikes student IDs coupled with the student residential housing list from the list of ways a person may prove residency for purposes of same day registration. See section 2 where student IDs are included in a different section related to proofs of residence for student voters. This section is effective June 1, 2024.

Section 2 [§201.061, subd. 3a; Additional proofs of residence permitted for students] allows students in postsecondary educational institutions to use the following photo IDs coupled with the student residential housing list for purposes of same day voter registration: a student ID (allowed under current law); a driver's license; a document approved by the secretary of state as proper ID; or a tribal ID card. Reorganizes the order of paragraph (a). This section is effective June 1, 2024.

Section 3 [§201.071, subd. 1; Form] requires the paper voter registration application to provide a space for a voter to provide a physical description of the location of their residence if the voter resides in an area without a specific physical address. This section is effective June 1, 2024.

Section 4 [§201.071, subd. 3; Deficient registration] adds a reference to the location of reference in the statute about deficient voter registration applications. This is a conforming change to section 3. This section is effective June 1, 2024.

Section 5 [§204B.09, subd. 3; Write-in candidate] requires the city clerk to notify the county auditor that the city has adopted a resolution requiring write-in candidates to request votes for them to be counted. The notice must be given before the first day of filing for office. A resolution governing the counting of write-in candidate votes remains in effect until a subsequent resolution is adopted.

Section 6 [§204B.13, subd. 2; Partisan office; nomination by party; special election] adds a cross reference to the new subdivision established in section 7. This section is effective June 1, 2024.

Section 7 [§204B.13, subd. 6a; Candidates for United States senator and representative in Congress] provides a process for a vacancy in nomination in the office of U.S. senator or representative in Congress when the vacancy occurs after the 79th day before the general election because the candidate dies, withdraws because of catastrophic illness, or is determined to be ineligible to hold the office. The general election ballot is unchanged and the canvassing board must certify the vote totals for that office from the general election. If the candidate who died, withdrew, or was ineligible would have been declared elected, there is a vacancy in the office to be filled by special election. This section is effective June 1, 2024.

Section 8 [§204B.16, subd. 1; Authority; location] deletes redundant language.

Section 9 [§204B.295, subd. 1; Duty] specifies that the secretary of state must prepare and provide example ballots for state elections. This section is effective June 1, 2024.

Section 10 [§204B.295, subd. 2; Designation of language minority district] requires that the secretary of state or county auditor determine the percentage of residents in each census tract who are members of a language minority by January 1 of each year (instead of 90 days before an election). Requires the state demographer to consider the margin of error in the census data when identifying census tracts. This section is effective June 1, 2024.

Section 11 [§204B.295, subd. 3; Translation required; interpreter required] amends the section that requires translation or interpreter services in specified areas. If more than one language is represented in three or more percent of residents, translated materials must be provided in the highest determined language and any language representing three percent or more of a census tract. If more than one language is represented in 20 or more percent of residents, translated materials must be provided in the highest determined language and any language representing three percent or more of a census tract. This section is effective June 1, 2024.

Section 12 [§204B.295, subd. 5; Sample ballot format requirements] requires sample ballots to accurately reflect the offices, candidates, and rotation sequences of the ballots used in the polling place. Sample ballots may deviate from other formatting requirements to the extent required to accommodate the translated content. This section is effective June 1, 2024.

Section 13 [§204C.20, subd. 1; Determination of proper number] strikes the requirement for election judges to add the number of accepted absentee ballots to the number of signed voter certificates or names on the election register. This is because absentee ballots are not processed at the polling place on election day. This section is effective June 1, 2024.

Section 14 [§204C.20, subd. 5; Precincts with ballot tabulators] requires that in precincts using ballot tabulators, once the final count of ballots agrees with the number of ballots to be counted, election judges must immediately prepare the summary statement and seal the ballots for return to the county auditor.

Section 15 [§204C.24, subd. 1; Information requirements] provides that the number of ballots marked with an assistive voting device that produces alternative ballot styles only needs to be included in the precinct summary statement if a precinct uses that type of ballot.

Section 16 [§204C.35, subd. 2; Discretionary candidate recounts] provides that if the result of the vote counting in the manual discretionary recount of a federal, state, or judicial race is different

from the result of the vote counting reported on election day by a margin of greater than two votes and greater than one-quarter of one percent of the number of ballots counted, the cost of the recount must be paid by the jurisdiction conducting the recount. (Current law cross-references the thresholds for standard of acceptable performance by a voting system and is based on the number of votes cast instead of a straight percentage.)

Section 17 [§204C.36, subd. 2; Discretionary candidate recounts] provides that if the result of the vote counting in the manual discretionary recount of a local race is different from the result of the vote counting reported on election day by a margin of greater than two votes and greater than one-quarter of one percent of the number of ballots counted, the cost of the recount must be paid by the jurisdiction conducting the recount. (Current law cross-references the thresholds for standard of acceptable performance by a voting system and is based on the number of votes cast instead of a straight percentage.)

Section 18 [§204C.16, subd. 3; Discretionary ballot question recounts] strikes a reference to the threshold for ballot question recounts. Refers to the threshold for requesting a recount as the difference between the votes for the question and the number required for passage (instead between the votes for and against).

Section 19 [§204D.29, subd. 1; Scope; definition] defines “vacating candidate” for purposes of sections 20 and 21. This is the first of three sections relating to vacancies resulting from the election of a vacating candidate. This applies to a vacancy in the office of a representative in Congress.

Section 20 [§204D.29, subd. 1a; Vacancy resulting from the election of a vacating candidate at the previous state general election] provides that if a vacancy results from the election of a vacating candidate, the governor must issue for a writ calling for a special election to be conducted on the second Tuesday in February following the state general election. Except for the vacating candidate, all other candidates from the previous general election must appear on the special election ballot.

Section 21 [§204D.29, subd. 2; Vacancy 27 weeks or more before state primary] specifies that the section on vacancies that occur 27 weeks or more before the state primary does apply to vacancies resulting from the election of a vacating candidate.

Section 22 [§205.16, subd. 4; Notice to auditor] requires the municipal clerk to provide notice to the county auditor of the date of an election at least 84 days (instead of 74 days) before an election. The municipal clerk must provide notice of a canceled special election to the county auditor at least 84 days (instead of 74 days) before an election.

Section 23 [§205.16, subd. 5; Notice to secretary of state] requires the county auditor to notify the secretary of state a notice of election at least 84 days (instead of 74 days) before a municipal election.

Section 24 [§205A.05; Cancellation] allows a school board to cancel a special election not less than 84 days (instead of 74 days) before any election. Strikes a separate timeline for standalone elections.

Section 25 [§205A.07, subd. 3; Notice to auditor] requires the school district clerk to provide notice to the county auditor at least 84 days (instead of 74 days) before an election. The school

district clerk must provide notice of a canceled special election to the county auditor at least 84 days (instead of 74 days) before an election.

Section 26 [§205A.07, subd. 3b; Notice to secretary of state] requires the county auditor to notify the secretary of state of a notice of election at least 84 days (instead of 74 days) before a school district election.

Section 27 [§205A.11, subd. 2; Combined polling place] amends the section related to school districts combining polling places. Specifies that the section applies to any changes to combined polling places.

Section 28 [§206.61, subd. 1; Official responsible for providing ballots] requires precincts that use alternative ballot formats to provide paper ballots in precincts that hand count ballots.

Section 29 [§447.32, subd. 3; Election notices] requires the hospital district clerk to provide notice to the county auditor of the date of an election at least 84 days (instead of 74 days) before an election.

Section 30 [Transition to new voter registration applications] provides that a completed voter registration application submitted by a voter is not deficient if the form was printed or provided to the voter before June 1. After June 1, 2024, an election official must not print or copy a voter registration application that does not include the modifications required by sections 3 and 4 (requiring paper voter registration applications to provide a space for a voter to provide a physical description of the location of their residence). This section is effective June 1, 2024.