

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-FOURTH SESSION**

**S.F. No. 2232**

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DATE  
03/06/2025

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Introduction and first reading  
Referred to Elections

OFFICIAL STATUS

- 1.1 A bill for an act
- 1.2 relating to elections; modifying various laws related to election administration;
- 1.3 modifying absentee voting requirements and procedures; modifying timelines;
- 1.4 requiring a notice to be sent with absentee ballot applications and sample ballots
- 1.5 sent by nongovernment entities; modifying the filing period for certain local offices;
- 1.6 amending Minnesota Statutes 2024, sections 201.225, subdivision 2; 203B.04,
- 1.7 subdivision 1; 203B.11, subdivision 1; 203B.121, subdivision 1; 203B.23,
- 1.8 subdivision 2; 203B.29, subdivisions 1, 2; 204B.06, subdivision 1; 204B.09,
- 1.9 subdivisions 2, 3; 204B.14, subdivision 2; 204B.28, subdivision 2; 204B.45,
- 1.10 subdivision 2; 205.13, subdivisions 1, 1a; 205A.06, subdivisions 1, 1a; 447.32,
- 1.11 subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 211B.
- 1.12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.13 Section 1. Minnesota Statutes 2024, section 201.225, subdivision 2, is amended to read:
- 1.14 Subd. 2. **Technology requirements.** An electronic roster must:
- 1.15 (1) be able to be loaded with a data file that includes voter registration data in a file
- 1.16 format prescribed by the secretary of state;
- 1.17 (2) allow for data to be exported in a file format prescribed by the secretary of state;
- 1.18 (3) allow for data to be entered manually or by scanning a Minnesota driver's license or
- 1.19 identification card to locate a voter record or populate a voter registration application that
- 1.20 would be printed and signed and dated by the voter. The printed registration application
- 1.21 can be a printed form, a label printed with voter information to be affixed to a preprinted
- 1.22 form, a combination of a form and label, or an electronic record that the voter signs
- 1.23 electronically and is printed following its completion at the polling place;
- 1.24 (4) allow an election judge to update data that was populated from a scanned driver's
- 1.25 license or identification card;

(5) cue an election judge to ask for and input data that is not populated from a scanned driver's license or identification card that is otherwise required to be collected from the voter or an election judge;

(6) immediately alert the election judge if the voter has provided information that indicates that the voter is not eligible to vote;

(7) immediately alert the election judge if the electronic roster indicates that a voter has already voted in that precinct, the voter's registration status is challenged, or it appears the voter maintains residence in a different precinct;

(8) provide immediate instructions on how to resolve a particular type of challenge when a voter's record is challenged;

(9) provide for a printed voter signature certificate, containing the voter's name, address of residence, date of birth, voter identification number, the oath required by section 204C.10, and a space for the voter's original signature. The printed voter signature certificate can be a printed form, a label printed with the voter's information to be affixed to the oath, or an electronic record that the voter signs electronically and is printed following its completion at the polling place;

(10) contain only preregistered voters within the precinct, and not contain preregistered voter data on voters registered outside of the precinct, unless being utilized for a combined polling place pursuant to section 204B.14, subdivision 2, absentee or early voting under chapter 203B or for mail balloting on election day pursuant to section 204B.45, subdivision 2a;

(11) be only networked within the polling location on election day, except for the purpose of updating absentee ballot records;

(12) meet minimum security, reliability, and networking standards established by the Office of the Secretary of State in consultation with the Department of Information Technology Services;

(13) be capable of providing a voter's correct polling place; and

(14) perform any other functions necessary for the efficient and secure administration of the participating election, as determined by the secretary of state.

Electronic rosters used only for election day registration do not need to comply with clauses (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need to comply with clauses (4) and (5).

Sec. 2. Minnesota Statutes 2024, section 203B.04, subdivision 1, is amended to read:

Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision 2 or by section 203B.11, subdivision 4, or 203B.29, an application for absentee ballots for any election:

(1) may be submitted in person at any time not later than the day before the election; or

(2) if not submitted in-person as provided in clause (1), must be received at any time not less than ~~one day~~ seven days before the day of that election.

The county auditor shall prepare absentee ballot application forms in the format provided by the secretary of state and shall furnish them to any person on request. By January 1 of each even-numbered year, the secretary of state shall make the forms to be used available to auditors through electronic means. An application submitted pursuant to this subdivision shall be in writing. An application may be submitted in person, by electronic facsimile device, by electronic mail, or by mail to:

(1) the county auditor of the county where the applicant maintains residence; or

(2) the municipal clerk of the municipality, or school district if applicable, where the applicant maintains residence.

(b) An absentee ballot application may alternatively be submitted electronically through a secure website that shall be maintained by the secretary of state for this purpose. After 5:00 p.m. seven days prior to an election, the secretary of state must replace the electronic application with information detailing the available options to vote before and on the upcoming election day. Notwithstanding paragraph (d), the secretary of state must require applicants using the website to submit the applicant's email address and the applicant's:

(1) verifiable Minnesota driver's license number; or Minnesota state identification card number; or; and

(2) the last four digits of the applicant's Social Security number.

If an applicant does not possess both types of documents, the applicant must include the number for one type of document and must affirmatively certify that the applicant does not possess the other type of documentation. This paragraph does not apply to a town election held in March.

(c) An application submitted electronically under ~~this~~ paragraph (b) may only be transmitted to the county auditor for processing if the secretary of state has verified the application information matches the information in a government database associated with

the applicant's driver's license number, state identification card number, or Social Security number. The secretary of state must review all unverifiable applications for evidence of suspicious activity and must forward any such application to an appropriate law enforcement agency for investigation.

(d) An application shall be approved if it is timely received, signed and dated by the applicant, contains the applicant's name and residence and mailing addresses, date of birth, and at least one of the following:

(1) the applicant's Minnesota driver's license number;

(2) Minnesota state identification card number;

(3) the last four digits of the applicant's Social Security number; or

(4) a statement that the applicant does not have any of these numbers.

All applications must be retained by the county auditor or the municipal clerk or school district clerk, if applicable. If an application is received after 5:00 p.m. seven days prior to the election, the official in charge of the ballot board must, within one day of receipt of the application, attempt to contact the applicant by telephone or email to notify the applicant of opportunities to vote in the election. The official must document the attempts made to contact the applicant.

(e) To be approved, the application must contain an oath that the information contained on the form is accurate, that the applicant is applying on the applicant's own behalf, and that the applicant is signing the form under penalty of perjury.

(f) An applicant's full date of birth, Minnesota driver's license or state identification number, and the last four digits of the applicant's Social Security number must not be made available for public inspection. An application may be submitted to the county auditor or municipal clerk by an electronic facsimile device. An application mailed or returned in person to the county auditor or municipal clerk on behalf of a voter by a person other than the voter must be deposited in the mail or returned in person to the county auditor or municipal clerk within ~~ten~~ seven days after it has been dated by the voter and no later than ~~six~~ seven days before the election.

(g) An application under this subdivision may contain an application under subdivision 5 to automatically receive an absentee ballot.

5.1 Sec. 3. Minnesota Statutes 2024, section 203B.11, subdivision 1, is amended to read:

5.2 Subdivision 1. **Generally.** (a) Each full-time municipal clerk or school district clerk  
5.3 who has authority under section 203B.05 to administer absentee voting laws must designate  
5.4 election judges to deliver absentee ballots in accordance with this section. The county auditor  
5.5 must also designate election judges to perform the duties in this section. A ballot may be  
5.6 delivered only to an eligible voter who is a temporary or permanent resident or patient in  
5.7 one of the following facilities located in the municipality in which the voter maintains  
5.8 residence: a health care facility, hospital, or veterans home operated by the board of directors  
5.9 of the Minnesota veterans homes under chapter 198. The ballots must be delivered by two  
5.10 election judges, each of whom is affiliated with a different major political party. When the  
5.11 election judges deliver or return ballots as provided in this section, they must travel together  
5.12 in the same vehicle. Both election judges must be present when an applicant completes the  
5.13 certificate of eligibility and marks the absentee ballots, and may assist an applicant as  
5.14 provided in section 204C.15. The election judges must deposit the return envelopes containing  
5.15 the marked absentee ballots in a sealed container and return them to the clerk on the same  
5.16 day that they are delivered and marked.

5.17 (b) If a health care professional at the facility or hospital determines it is necessary to  
5.18 ensure the health and safety of election judges, the voter, or others at the facility or hospital,  
5.19 two employees of the facility or hospital may receive a ballot from the election judges and  
5.20 deliver the ballot to an individual voter in place of election judges, notwithstanding other  
5.21 requirements of this section. The employees must not in any manner request, persuade,  
5.22 induce, or attempt to persuade or induce the voter to vote for any particular political party  
5.23 or candidate. Both employees must be present when an applicant completes the certificate  
5.24 of eligibility and marks the absentee ballots, and may assist an applicant as provided in  
5.25 section 204C.15. The employees must return the ballot to the election judges immediately  
5.26 after the voter has finished voting.

5.27 ~~(b)~~ (c) At the discretion of a full-time municipal clerk, school district clerk, or county  
5.28 auditor, absentee ballots may be delivered in the same manner as prescribed in paragraph  
5.29 (a) to a shelter for battered women as defined in section 611A.37, subdivision 4, or to an  
5.30 assisted living facility licensed under chapter 144G.

5.31 Sec. 4. Minnesota Statutes 2024, section 203B.121, subdivision 1, is amended to read:

5.32 Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county,  
5.33 municipality, and school district with responsibility to accept and reject absentee ballots or  
5.34 to administer early voting must, by ordinance or resolution, establish a ballot board. The

board must consist of a sufficient number of election judges appointed as provided in sections 204B.19 to 204B.22, except the provisions of section 204B.19, subdivision 5, relating to party balance in the appointment of judges and to duties to be performed by judges of different major political parties do not apply to a county election not held in conjunction with a state election. The board may include deputy county auditors or deputy city clerks who have received training in the processing and counting of absentee ballots. Each member of the ballot board must be provided adequate training on the processing and counting of absentee ballots, including but not limited to instruction on accepting and rejecting absentee ballots, storage of absentee ballots, timelines and deadlines, the role of the ballot board, procedures for opening absentee ballot envelopes, procedures for counting absentee ballots, and procedures for reporting absentee ballot totals.

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

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

Sec. 5. Minnesota Statutes 2024, section 203B.23, subdivision 2, is amended to read:

Subd. 2. **Duties.** (a) The absentee ballot board must examine all returned absentee ballot envelopes for ballots issued under sections 203B.16 to 203B.27 and accept or reject the absentee ballots in the manner provided in section 203B.24. If the certificate of voter eligibility is not printed on the signature envelope, the certificate must be attached to the ballot envelope.

(b) The absentee ballot board must immediately examine the signature envelopes or certificates of voter eligibility that are attached to the ballot envelopes and mark them "accepted" or "rejected" during the 45 days before the election. If an envelope has been rejected at least five days before the election, the ballots in the envelope must be considered spoiled ballots and the official in charge of the absentee ballot board must provide the voter with a replacement absentee ballot and envelopes in place of the spoiled ballot.

(c) If a county has delegated the responsibility for administering absentee balloting to a municipality under section 203B.05, accepted absentee ballots must be delivered to the appropriate municipality's absentee ballot board, except as otherwise provided in this paragraph. If a municipality and county agree that the county's ballot board retains responsibility for ballots issued pursuant to sections 203B.16 to 203B.27, absentee ballots issued pursuant to these sections that are accepted must be opened, counted, and retained by the county's absentee ballot board. The absentee ballot board with the authority to open

7.1 and count the ballots must do so in accordance with section 203B.121, subdivisions 4 and  
7.2 5.

7.3 Sec. 6. Minnesota Statutes 2024, section 203B.29, subdivision 1, is amended to read:

7.4 Subdivision 1. **Emergency response providers.** Any eligible Minnesota voter who is  
7.5 a trained or certified emergency response provider or utility worker who is deployed in  
7.6 response to any state of emergency declared by the President of the United States or any  
7.7 governor of any state within the United States during the time period authorized by law for  
7.8 absentee voting or on election day may request that ballots, instructions, and a certificate  
7.9 of voter eligibility be transmitted to the voter electronically. Upon receipt of a properly  
7.10 completed application requesting electronic transmission, the county auditor must  
7.11 electronically transmit the requested materials to the voter. The absentee ballot application  
7.12 deadlines in section 203B.04, subdivision 1, do not apply to this subdivision. The county  
7.13 auditor is not required to provide return postage to voters to whom ballots are transmitted  
7.14 electronically.

7.15 Sec. 7. Minnesota Statutes 2024, section 203B.29, subdivision 2, is amended to read:

7.16 Subd. 2. **Reasonable accommodation for voter with disability.** Any eligible Minnesota  
7.17 voter with a print disability, including any voter with disabilities that interfere with the  
7.18 effective reading, writing, or use of printed materials, may request that ballots, instructions,  
7.19 and a certificate of voter eligibility be transmitted to the voter electronically in an accessible  
7.20 format that meets Election Assistance Commission minimum accessibility requirements.  
7.21 Upon receipt of a properly completed application requesting electronic transmission, the  
7.22 county auditor shall electronically transmit the requested materials to the voter. The absentee  
7.23 ballot application deadlines in section 203B.04, subdivision 1, do not apply to this  
7.24 subdivision. The county auditor must also mail the voter materials required under section  
7.25 203B.07.

7.26 Sec. 8. Minnesota Statutes 2024, section 204B.06, subdivision 1, is amended to read:

7.27 Subdivision 1. **Form of affidavit.** (a) An affidavit of candidacy shall state the name of  
7.28 the office sought and, except as provided in subdivision 4, shall state that the candidate:

7.29 (1) is an eligible voter;

7.30 (2) has no other affidavit on file as a candidate for any office at the same primary or  
7.31 next ensuing general election, except as authorized by subdivision 9; and

(3) is, or will be on assuming the office, 21 years of age or more, and will have maintained residence in the district from which the candidate seeks election for 30 days before the general election.

(b) An affidavit of candidacy must include a statement that the candidate's name as written on the affidavit for ballot designation is the candidate's true name or the name by which the candidate is commonly and generally known in the community; and:

(1) the phonetic spelling or an explanation for the pronunciation of the full name designated for the ballot; or

(2) a certification that the candidate is directing the official responsible for programming materials for the election to use the applicable technology's default pronunciation of the candidate's name.

(c) An affidavit of candidacy for partisan office shall also state the name of the candidate's political party or political principle, stated in three words or less.

Sec. 9. Minnesota Statutes 2024, section 204B.09, subdivision 2, is amended to read:

Subd. 2. **Other elections.** (a) Affidavits of candidacy and nominating petitions for city, town or other elective offices shall be filed during the time and with the official specified in chapter 205 or other applicable law or charter, except as provided for a special district candidate under subdivision 1a. Affidavits of candidacy and applications filed on behalf of eligible voters for school board office shall be filed during the time and with the official specified in chapter 205A or other applicable law. Affidavits of candidacy and nominating petitions filed under this subdivision must be submitted by mail or by hand, notwithstanding chapter 325L, or any other law to the contrary, and must be received by the appropriate official within the specified time for the filing of affidavits and petitions for the office.

(b) The official receiving the filing shall notify the official responsible for preparing the ballot of the names of the candidates placed on the ballot, any changes to candidates, or other information necessary to prepare the ballot. The notification must be made within one business day of receiving the filing or change or immediately following the close of the filing period, whichever is sooner, unless the clerk and official agree to an alternative notification timeline.

Sec. 10. Minnesota Statutes 2024, section 204B.09, subdivision 3, is amended to read:

Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who wants write-in votes for the candidate to be counted must file a written request with the



filing office for the office sought not more than 84 days before the primary and no later than the ~~seventh~~ 19th day before the general election. The filing officer shall provide copies of the form to make the request. The filing officer shall not accept a written request later than 5:00 p.m. on the last day for filing a written request.

(b) The governing body of a statutory or home rule charter city may adopt a resolution governing the counting of write-in votes for local elective office. The resolution may:

(1) require the candidate to file a written request with the chief election official no later than the ~~seventh~~ 19th day before the city election if the candidate wants to have the candidate's write-in votes individually recorded; or

(2) require that write-in votes for an individual candidate only be individually recorded if the total number of write-in votes for that office is equal to or greater than the fewest number of non-write-in votes for a ballot candidate.

If the governing body of the statutory or home rule charter city adopts a resolution authorized by this paragraph, the resolution must be adopted and the city clerk must notify the county auditor before the first day of filing for office. A resolution adopted under this paragraph remains in effect until a subsequent resolution on the same subject is adopted by the governing body of the statutory or home rule charter city.

(c) The governing body of a township, school district, hospital district, park district, soil and water district, or other ancillary elected district may adopt a resolution governing the counting of write-in votes for local elective office. The resolution may require that write-in votes for an individual candidate only be individually recorded if the total number of write-in votes for that office is equal to or greater than the fewest number of non-write-in votes for a ballot candidate. If a governing body adopts a resolution authorized by this paragraph, the resolution must be adopted and the clerk must notify the county auditor before the first day of filing for office. A resolution adopted under this paragraph remains in effect until a subsequent resolution on the same subject is adopted by the governing body.

(d) A candidate for president of the United States who files a request under this subdivision must include the name of a candidate for vice president of the United States. The request must also include the name of at least one candidate for presidential elector. The total number of names of candidates for presidential elector on the request may not exceed the total number of electoral votes to be cast by Minnesota in the presidential election.

(e) A candidate for governor who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for lieutenant governor. A

10.1 candidate for lieutenant governor who files a request under this subdivision must file jointly  
10.2 with another individual seeking nomination as a candidate for governor.

10.3 Sec. 11. Minnesota Statutes 2024, section 204B.14, subdivision 2, is amended to read:

10.4 Subd. 2. **Separate precincts; combined polling place.** (a) The following shall constitute  
10.5 at least one election precinct:

10.6 (1) each city ward; and

10.7 (2) each town and each statutory city.

10.8 (b) A single, accessible, combined polling place may be established no later than  
10.9 November 1 if a presidential nomination primary is scheduled to occur in the following  
10.10 year or May 1 of any other year:

10.11 (1) for any city of the third or fourth class, any town, or any city having territory in more  
10.12 than one county, in which all the voters of the city or town shall cast their ballots;

10.13 (2) for contiguous precincts in the same municipality;

10.14 (3) for up to four contiguous municipalities located entirely outside the metropolitan  
10.15 area, as defined by section 200.02, subdivision 24, that are contained in the same county;  
10.16 or

10.17 (4) for noncontiguous precincts located in one or more counties.

10.18 Subject to the requirements of paragraph (c), a single, accessible, combined polling place  
10.19 may be established after May 1 of any year in the event of an emergency.

10.20 A copy of the ordinance or resolution establishing a combined polling place must be  
10.21 filed with the county auditor within 30 days after approval by the governing body, and the  
10.22 county auditor must provide notice within ten days to the secretary of state, in a manner  
10.23 and including information prescribed by the secretary of state. A polling place combined  
10.24 under clause (3) must be approved by the governing body of each participating municipality.  
10.25 A polling place combined under clause (4) must be approved by the governing body of each  
10.26 participating municipality and the secretary of state and may be located outside any of the  
10.27 noncontiguous precincts. A municipality withdrawing from participation in a combined  
10.28 polling place must do so by filing a resolution of withdrawal with the county auditor no  
10.29 later than October 1 if a presidential nomination primary is scheduled to occur in the  
10.30 following year or April 1 of any other year, and the county auditor must provide notice  
10.31 within ten days to the secretary of state, in a manner and including information prescribed  
10.32 by the secretary of state.

11.1 The secretary of state shall provide a separate polling place roster for each precinct  
11.2 served by the combined polling place, ~~except that~~. In a precinct that uses electronic rosters,  
11.3 the secretary of state shall provide separate data files for each precinct and the election  
11.4 official responsible for the electronic rosters may combine the files as necessary to be loaded  
11.5 onto one or more electronic rosters provided that the requirements under section 201.225,  
11.6 subdivision 2, are met. A single set of election judges may be appointed to serve at a  
11.7 combined polling place. The number of election judges required must be based on the total  
11.8 number of persons voting at the last similar election in all precincts to be voting at the  
11.9 combined polling place. Separate ballot boxes must be provided for the ballots from each  
11.10 precinct. The results of the election must be reported separately for each precinct served by  
11.11 the combined polling place, except in a polling place established under clause (2) where  
11.12 one of the precincts has fewer than ten registered voters, in which case the results of that  
11.13 precinct must be reported in the manner specified by the secretary of state.

11.14 (c) If a local elections official determines that an emergency situation preventing the  
11.15 safe, secure, and full operation of a polling place on election day has occurred or is imminent,  
11.16 the local elections official may combine two or more polling places for that election pursuant  
11.17 to this subdivision. To the extent possible, the polling places must be combined and the  
11.18 election conducted according to the requirements of paragraph (b), except that:

11.19 (1) polling places may be combined after May 1 and until the polls close on election  
11.20 day;

11.21 (2) any city or town, regardless of size or location, may establish a combined polling  
11.22 place under this paragraph;

11.23 (3) the governing body is not required to adopt an ordinance or resolution to establish  
11.24 the combined polling place;

11.25 (4) a polling place combined under paragraph (b), clause (3) or (4), must be approved  
11.26 by the local election official of each participating municipality;

11.27 (5) the local elections official must immediately notify the county auditor and the  
11.28 secretary of state of the combination, including the reason for the emergency combination  
11.29 and the location of the combined polling place. As soon as possible, the local elections  
11.30 official must also post a notice stating the reason for the combination and the location of  
11.31 the combined polling place. The notice must also be posted on the governing board's website,  
11.32 if one exists. The local elections official must also notify the election judges and request  
11.33 that local media outlets publicly announce the reason for the combination and the location  
11.34 of the combined polling place; and

(6) on election day, the local elections official must post a notice in large print in a conspicuous place at the polling place where the emergency occurred, if practical, stating the location of the combined polling place. The local election official must also post the notice, if practical, in a location visible by voters who vote from their motor vehicles as provided in section 204C.15, subdivision 2. If polling place hours are extended pursuant to section 204C.05, subdivision 2, paragraph (b), the posted notices required by this paragraph must include a statement that the polling place hours at the combined polling place will be extended until the specified time.

Sec. 12. Minnesota Statutes 2024, section 204B.28, subdivision 2, is amended to read:

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

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

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

(3) any other instructions for election officers; and

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

(b) The county auditor must prepare and make available election materials for early voting to municipal clerks designated to administer early voting under section 203B.05 on or before the 19th day before the election.

Sec. 13. Minnesota Statutes 2024, section 204B.45, subdivision 2, is amended to read:

Subd. 2. **Procedure; voting prior to election day.** Notice of the election and the special mail procedure must be given at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before a regularly scheduled election and not more than 30 days nor later than 14 days before any other election, the auditor shall mail ballots by nonforwardable

mail to all voters registered in the city, town, or unorganized territory. No later than 14 days before the election, the auditor must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot return envelopes, with return postage provided, must be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in person to the office of the auditor or clerk. The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "accepted" or "rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors or deputy municipal clerks who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or ~~section 205A.10~~, or they are performing duties for a county election not held in conjunction with a state election. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk shall provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or email to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the 19th day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from mail or absentee ballots may be made public before the close of voting on election day.

The costs of the mailing shall be paid by the election jurisdiction in which the voter maintains residence. Any ballot received by 8:00 p.m. on the day of the election must be counted.

14.1 Sec. 14. Minnesota Statutes 2024, section 205.13, subdivision 1, is amended to read:

14.2 Subdivision 1. **Affidavit of candidacy.** (a) An individual who is eligible and desires to  
14.3 become a candidate for an office to be voted for at the municipal general election shall file  
14.4 an affidavit of candidacy with the municipal clerk. Candidates for a special election to fill  
14.5 a vacancy held as provided in section 412.02, subdivision 2a, must file an affidavit of  
14.6 candidacy for the specific office to fill the unexpired portion of the term. Subject to the  
14.7 approval of the county auditor, the town clerk may authorize candidates for township offices  
14.8 to file affidavits of candidacy with the county auditor. The affidavit shall be in the same  
14.9 form as that in section 204B.06. The municipal clerk shall also accept an application signed  
14.10 by not less than five voters and filed on behalf of an eligible voter in the municipality whom  
14.11 they desire to be a candidate, if service of a copy of the application has been made on the  
14.12 candidate and proof of service is endorsed on the application being filed. Upon receipt of  
14.13 the proper filing fee, the clerk shall place the name of the candidate on the official ballot  
14.14 without partisan designation.

14.15 (b) The municipal clerk shall notify the official responsible for preparing the ballot of  
14.16 the names of the candidates placed on the ballot, any changes to candidates, and other  
14.17 information necessary to prepare the ballot. The notification must be made within one  
14.18 business day of receiving the filing or change or immediately following the close of the  
14.19 filing period, whichever is sooner, unless the clerk and official agree to an alternative  
14.20 notification timeline.

14.21 Sec. 15. Minnesota Statutes 2024, section 205.13, subdivision 1a, is amended to read:

14.22 Subd. 1a. **Filing period.** In a city nominating candidates at a primary, an affidavit of  
14.23 candidacy for a city office voted on in November must be filed no more than 84 days nor  
14.24 less than 70 days before the city primary. In municipalities that do not hold a primary, an  
14.25 affidavit of candidacy must be filed no more than 70 days and not less than 56 days before  
14.26 the municipal general election held in March in any year, or a special election not held in  
14.27 conjunction with another election, and no more than ~~98~~ 112 days nor less than ~~84~~ 98 days  
14.28 before the municipal general election held in November of any year. The municipal clerk's  
14.29 office must be open for filing from 1:00 p.m. to 5:00 p.m. on the last day of the filing period.

14.30 **EFFECTIVE DATE.** This section is effective January 1, 2026.

14.31 Sec. 16. Minnesota Statutes 2024, section 205A.06, subdivision 1, is amended to read:

14.32 Subdivision 1. **Affidavit of candidacy.** (a) An individual who is eligible and desires to  
14.33 become a candidate for an office to be voted on at the election must file an affidavit of

candidacy with the school district clerk. The affidavit must be in the form prescribed by section 204B.06. The school district clerk shall also accept an application signed by at least five voters and filed on behalf of an eligible voter in the school district whom they desire to be a candidate, if service of a copy of the application has been made on the candidate and proof of service is endorsed on the application being filed. No individual shall be nominated by nominating petition for a school district elective office. Upon receipt of the proper filing fee, the clerk shall place the name of the candidate on the official ballot without partisan designation.

(b) The school district clerk shall notify the official responsible for preparing the ballot of the names of the candidates placed on the ballot, any changes to candidates, and other information necessary to prepare the ballot. The notification must be made within one business day of receiving the filing or change or immediately following the close of the filing period, whichever is sooner, unless the clerk and official agree to an alternative notification timeline.

Sec. 17. Minnesota Statutes 2024, section 205A.06, subdivision 1a, is amended to read:

Subd. 1a. **Filing period.** In school districts that have adopted a resolution to choose nominees for school board by a primary election, affidavits of candidacy must be filed with the school district clerk no earlier than the 84th day and no later than the 70th day before the second Tuesday in August in the year when the school district general election is held. In all other school districts, affidavits of candidacy must be filed no earlier than the ~~98th~~ 112th day and no later than the ~~84th~~ 98th day before the school district general election.

**EFFECTIVE DATE.** This section is effective January 1, 2026.

Sec. 18. **[211B.065] DISTRIBUTION OF ABSENTEE BALLOT APPLICATIONS AND SAMPLE BALLOTS.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Person or entity" means any individual, committee, or association as defined in section 10A.01, subdivision 6.

(c) "Sample ballot" means a document that is formatted and printed in a manner that so closely resembles an official ballot that it could lead a reasonable person to believe the document is an official ballot. A document that contains the names of particular candidates or ballot questions alongside illustrations of a generic ballot or common ballot markings is

16.1 not a sample ballot as long as the document does not closely resemble an official ballot and  
16.2 would not lead a reasonable person to believe the document is an official ballot.

16.3 Subd. 2. **Requirements.** (a) Except as otherwise provided in this paragraph, any person  
16.4 or entity that mails an absentee ballot application or sample ballot to anyone in the state  
16.5 must comply with this section. This section does not apply to a unit of government or  
16.6 employee of that unit of government when discharging official election duties.

16.7 (b) The person or entity mailing the absentee ballot application or sample ballot must  
16.8 also include a statement that:

16.9 (1) the mailing is not an official election communication from a unit of government;

16.10 (2) the application or ballot has not been included at the request of a government official;  
16.11 and

16.12 (3) if a sample ballot is enclosed, the sample ballot is not an official ballot and the voter  
16.13 must not cast the enclosed sample ballot.

16.14 (c) The statement required in paragraph (b) must be printed in a typeface and format  
16.15 designed to be clearly visible at the time the mailing is opened. The mailing envelope must  
16.16 include markings to clearly distinguish it from official election mail sent by a unit of  
16.17 government.

16.18 (d) If an absentee ballot application is included, the application fields must be blank and  
16.19 must not include the voter's name, address, or any other required information.

16.20 Sec. 19. Minnesota Statutes 2024, section 447.32, subdivision 4, is amended to read:

16.21 Subd. 4. **Candidates; ballots; certifying election.** (a) A person who wants to be a  
16.22 candidate for the hospital board shall file an affidavit of candidacy for the election either  
16.23 as member at large or as a member representing the city or town where the candidate  
16.24 maintains residence. The affidavit of candidacy must be filed with the city or town clerk  
16.25 not more than ~~98~~ 112 days nor less than ~~84~~ 98 days before the first Tuesday after the first  
16.26 Monday in November of the year in which the general election is held. The city or town  
16.27 clerk must forward the affidavits of candidacy to the clerk of the hospital district or, for the  
16.28 first election, the clerk of the most populous city or town immediately after the last day of  
16.29 the filing period. A candidate may withdraw from the election by filing an affidavit of  
16.30 withdrawal with the clerk of the district no later than 5:00 p.m. two days after the last day  
16.31 to file affidavits of candidacy.



17.1        (b) Voting must be by secret ballot. The clerk shall prepare, at the expense of the district,  
17.2 necessary ballots for the election of officers. Ballots must be prepared as provided in the  
17.3 rules of the secretary of state. The ballots must be marked and initialed by at least two judges  
17.4 as official ballots and used exclusively at the election. Any proposition to be voted on may  
17.5 be printed on the ballot provided for the election of officers. The hospital board may also  
17.6 authorize the use of voting systems subject to chapter 206. Enough election judges may be  
17.7 appointed to receive the votes at each polling place. The election judges shall act as clerks  
17.8 of election, count the ballots cast, and submit them to the board for canvass.

17.9        (c) After canvassing the election, the board shall issue a certificate of election to the  
17.10 candidate who received the largest number of votes cast for each office. The clerk shall  
17.11 deliver the certificate to the person entitled to it in person or by certified mail. Each person  
17.12 certified shall file an acceptance and oath of office in writing with the clerk within 30 days  
17.13 after the date of delivery or mailing of the certificate. The board may fill any office as  
17.14 provided in subdivision 1 if the person elected fails to qualify within 30 days, but qualification  
17.15 is effective if made before the board acts to fill the vacancy.

17.16        **EFFECTIVE DATE.** This section is effective January 1, 2026.