

1.1 **Senator Carlson from the Committee on Elections, to which was referred**

1.2 **S.F. No. 2384:** A bill for an act relating to elections; making various changes related to
1.3 election administration; modifying provisions related to voter registration; modifying
1.4 provisions related to absentee voting; modifying requirements relating to appointing election
1.5 judges; clarifying terminology; modifying timelines; modifying annexation laws in relation
1.6 to election timelines; repealing the voting equipment grant account; transferring money;
1.7 amending Minnesota Statutes 2024, sections 201.061, subdivisions 3, 3a; 201.071,
1.8 subdivision 1; 203B.04, subdivision 1; 203B.05, subdivision 1; 203B.08, subdivisions 1,
1.9 3; 203B.081, subdivision 4; 203B.121, subdivisions 4, 5; 203B.30, subdivision 3; 204B.06,
1.10 subdivision 1b; 204B.09, subdivisions 1a, 2; 204B.14, subdivision 4a; 204B.21, subdivisions
1.11 1, 2; 204B.24; 204B.25, subdivision 3; 204B.44; 204B.45, subdivision 2; 204C.08,
1.12 subdivision 1d; 204C.09, subdivision 1; 204C.10; 205.185, subdivision 3; 205A.10,
1.13 subdivision 3; 205A.11, subdivision 2; 368.47; 375.20; 414.09, subdivision 3; 447.32,
1.14 subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 204B; repealing
1.15 Minnesota Statutes 2024, sections 206.95; 209.06.

1.16 Reports the same back with the recommendation that the bill be amended as follows:

1.17 Page 8, line 6, delete "whichever is later"

1.18 Page 9, delete section 9 and insert:

1.19 "Sec. 9. Minnesota Statutes 2024, section 203B.121, subdivision 4, is amended to read:

1.20 Subd. 4. **Opening of envelopes.** (a) After the close of business on the 19th day before
1.21 the election, the ballots from ~~secrecy~~ ballot envelopes within the signature envelopes marked
1.22 "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86,
1.23 subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate
1.24 ballot box. If more than one voted ballot is enclosed in the ballot envelope, the ballots must
1.25 be returned in the manner provided by section 204C.25 for return of spoiled ballots, and
1.26 may not be counted.

1.27 (b) Accepted signature envelopes must be segregated by precinct and processed in
1.28 accordance with this subdivision on a precinct-by-precinct basis. Precincts within a
1.29 combination polling place established in section 205A.11, subdivision 2, may be processed
1.30 together. At each step, members of the ballot board must notify the official responsible for
1.31 the ballot board if there is a discrepancy in any count required by paragraphs (c) to (e) and
1.32 note it in the ballot board incident log.

1.33 (c) Before opening accepted signature envelopes, two members of the ballot board must
1.34 count and record the number of envelopes and ensure that the count matches either the
1.35 number of accepted signature envelopes provided by the official responsible for the ballot
1.36 board or the number of signature envelopes accepted by the ballot board that day.

2.1 (d) Two members of the ballot board must remove the ballots from the ballot envelopes.
2.2 The governing body responsible for the ballot board must retain all ballot envelopes through
2.3 the contest period of that election.

2.4 (e) After ballots have been removed from the ballot envelopes, two members of the
2.5 ballot board must count and record the number of ballots to ensure the count matches the
2.6 number of accepted signature envelopes, accounting for any empty envelopes or spoiled
2.7 ballots, which must be noted on the ballot board incident log."

2.8 Page 11, after line 29, insert:

2.9 "Sec. 11. Minnesota Statutes 2024, section 203B.17, subdivision 3, is amended to read:

2.10 Subd. 3. **Website security.** (a) The secretary of state shall maintain a log of each Internet
2.11 Protocol address used to submit an absentee ballot application electronically under this
2.12 section, and must monitor the log, volume of website use, and other appropriate indicators
2.13 for suspicious activity. Evidence of suspicious activity that cannot be resolved by the
2.14 secretary of state must be forwarded to an appropriate law enforcement agency for
2.15 investigation.

2.16 (b) The electronic absentee ballot application system must be secure. The website shall
2.17 maintain the confidentiality of all users and preserve the integrity of the data submitted.
2.18 The secretary of state shall employ security measures to ensure the accuracy and integrity
2.19 of absentee ballot applications submitted electronically pursuant to this section. All data
2.20 sent and received through the website must be encrypted.

2.21 (c) The secretary of state must provide ongoing testing and monitoring to ensure continued
2.22 security. The secretary of state must work with the chief information officer as defined in
2.23 section 16E.01, subdivision 1, or another security expert to annually assess the security of
2.24 the system. The security assessment must include a certification signed by the secretary of
2.25 state that states that adequate security measures are in place. The certification must also be
2.26 signed by the chief information officer or another security expert affirming that the
2.27 assessment is accurate. The secretary of state must submit the security assessment to the
2.28 legislative auditor and to the chairs and ranking minority members of the committees in the
2.29 senate and house of representatives with primary jurisdiction over elections by January 1
2.30 of each year, ~~except that the first annual security assessment must be submitted by September~~
2.31 ~~30, 2014, and no report is required for January 1, 2015.~~

3.1 (d) In developing the electronic absentee ballot application system, the secretary of state
3.2 must consult with the chief information officer or the chief's designee to ensure the site is
3.3 secure."

3.4 Page 11, line 31, delete "At the end of"

3.5 Page 12, line 2, delete "that day"

3.6 Page 12, line 13, delete ", whichever is later"

3.7 Page 12, line 26, strike ", item (ii)"

3.8 Page 13, after line 26, insert:

3.9 "Sec. 14. Minnesota Statutes 2024, section 204B.07, subdivision 2, is amended to read:

3.10 Subd. 2. **Petitions for presidential electors and alternates.** (a) This subdivision section
3.11 does not apply to candidates for presidential elector or alternate nominated by major political
3.12 parties. Major party candidates for presidential elector or alternate are certified under section
3.13 208.03. Other presidential electors or alternates are nominated by petition pursuant to this
3.14 section.

3.15 (b) On petitions nominating presidential electors or alternates, the names of the candidates
3.16 for president and vice-president shall be added to the political party or political principle
3.17 stated on the petition. One petition may be filed to nominate a slate of presidential electors
3.18 equal in number to the number of electors to which the state is entitled and an alternate for
3.19 each elector nominee.

3.20 (c) In addition to the petition, each nominated candidate must submit a signed, notarized
3.21 affidavit of candidacy for president or vice president, that includes the following information:

3.22 (1) the candidate's name in the form as it should appear on the ballot;

3.23 (2) the candidate's campaign address, website, phone number, and email address;

3.24 (3) the name of the political party or political principle stated on the petition;

3.25 (4) the office sought by the candidate; and

3.26 (5) a declaration that the candidate is aware of and will follow all applicable election
3.27 laws and campaign finance laws. "

3.28 Page 15, line 16, delete "may" and insert "must utilize either the county chain of custody
3.29 plan or"

3.30 Page 15, delete section 17 and insert:

"Sec. 19. Minnesota Statutes 2024, section 204B.21, subdivision 1, is amended to read:

Subdivision 1. **Appointment lists; duties of political parties and secretary of state.** (a)

On ~~May~~ March 1 in a year in which there is an election for a partisan political office, each major political party ~~shall~~ must prepare a list of eligible voters who have indicated within the last 24 months they are willing to act as election judges in each election precinct. The list provided by the party must indicate:

(1) which eligible voters are willing to travel to a precinct outside of their home jurisdiction to act as an election judge, and the jurisdictions to which each eligible voter is willing to travel for that purpose;

(2) which eligible voters are willing to serve on a ballot board; and

(3) each eligible voter's residential address, telephone number, and email address, along with the date the eligible voter indicated their willingness to act as an election judge.

(b) The political parties ~~shall~~ must furnish the lists electronically to the secretary of state, in a format specified by the secretary of state. The secretary of state must combine the data received from each political party under this subdivision and must process the data to locate the precinct in which the address provided for each potential election judge is located. If the data submitted by a political party is insufficient for the secretary of state to locate the proper precinct or does not include the eligible voter's telephone number, email address, and date the eligible voter indicated their willingness to act as an election judge, the associated name must not appear in any list forwarded to an appointing authority under this subdivision. The secretary of state ~~shall~~ must notify political parties of any proposed election judges with addresses that could not be located in a precinct.

(c) By May 15, the secretary of state ~~shall~~ must furnish electronically to the county auditor a list of the appropriate names for each election precinct and ballot board in the jurisdiction of the appointing authority, and a list of the names of individuals residing outside of the jurisdiction who indicated a willingness to travel to that jurisdiction to act as an election judge, noting the political party affiliation of each individual on the list. The county auditor must promptly forward the appropriate names to the appropriate municipal clerk within seven days of receipt."

Page 16, delete section 18 and insert:

"Sec. 20. Minnesota Statutes 2024, section 204B.21, subdivision 2, is amended to read:

Subd. 2. **Appointing authority; powers and duties.** (a) Election judges for precincts in a municipality ~~shall~~ and for a municipality's ballot board must be appointed by the

governing body of the municipality. Election judges for a county ballot board, for precincts in unorganized territory and for performing other election-related duties assigned by the county auditor ~~shall~~ must be appointed by the county board. Election judges for a precinct composed of two or more municipalities must be appointed by the governing body of the municipality or municipalities responsible for appointing election judges as provided in the agreement to combine for election purposes. ~~Except as otherwise provided in this section, appointments shall be made from the list of voters who maintain residence in each precinct, furnished pursuant to subdivision 1, subject to the eligibility requirements and other qualifications established or authorized under section 204B.19. At least two election judges in each precinct must be affiliated with different major political parties. If no lists have been furnished or if additional election judges are required after all listed names in that municipality have been exhausted, the appointing authority may appoint other individuals who meet the qualifications to serve as an election judge, including persons on the list furnished pursuant to subdivision 1 who indicated a willingness to travel to the municipality, and persons who are not affiliated with a major political party.~~ Election judges must meet all eligibility requirements and other qualifications established or authorized under section 204B.19. At least two election judges in each precinct and serving on the ballot board must be affiliated with different major political parties.

(b) Within 30 days of receipt of the list furnished pursuant to this section, the appointing authority must contact each voter who maintains residence in the jurisdiction about their interest in serving as an election judge in the next 24 months. The communication must:

(1) identify the opportunities available for the person to serve as an election judge;

(2) include the qualifications necessary to serve as an election judge, information about the required training, and the dates and times at which the person must be available to perform those duties; and

(3) explain how the person may apply for appointment as an election judge.

Any person on the list furnished pursuant to subdivision 1 who does not respond to the appointing authority within 14 days or does not apply to become an election judge and complete election judge training before the next state general election is deemed to have waived their interest in appointment to any election judge position.

(c) Prior to each election, when appointing election judges, an appointing authority must first exhaust the list of individuals who responded to the communication in paragraph (b) who maintain residence in each precinct or, for appointment to a ballot board, who maintain residence in a jurisdiction covered by the ballot board. An appointing authority may exhaust

the list furnished pursuant to subdivision 1 by contacting each person once who appears on the list. This communication must include the specific dates, times, and locations at which the person must be available to perform the various duties. Any individual from the list who does not respond within seven days to express an availability to serve is deemed to have waived interest in serving for that election. For legislative special elections, this period is shortened to three days.

(d) If no lists have been furnished, or when lists have been furnished, after the processes in paragraphs (b) and (c) are complete, then an appointing authority may appoint other individuals who meet the qualifications to serve as an election judge.

(e) An individual who is appointed from a source other than the list furnished pursuant to subdivision 1 must provide to the appointing authority the individual's major political party affiliation or a statement that the individual does not affiliate with any major political party. An individual who refuses to provide the individual's major political party affiliation or a statement that the individual does not affiliate with a major political party must not be appointed as an election judge. The appointments ~~shall~~ must be made at least 25 days before the election at which the election judges will serve, except that the appointing authority may pass a resolution authorizing the appointment of additional election judges within the 25 days before the election if the appointing authority determines that additional election judges will be required."

Page 18, after line 23, insert:

"Sec. 23. **[204B.275] ELECTION REPORTING SYSTEM.**

Subdivision 1. **Definition.** "Election reporting system" is the computerized central statewide database for offices, candidates, ballot questions, and unofficial results developed and maintained by the secretary of state. The system facilitates the collection, aggregation, reporting, and secure sharing of unofficial election results to the public.

Subd. 2. **Authority.** The secretary of state must maintain an election reporting system as provided in this section.

Subd. 3. **Entry of names.** (a) For federal and state elections, the county auditor must enter in the election reporting system the names of all candidates that have filed for office with the county auditor no later than one day after the filing is received. Within one day of receiving notification and no later than one day after the withdrawal period closes, the county auditor must enter in the election reporting system the names of candidates for city, town, school district, or other elective office for which the county auditor has been notified.

For any candidate that files by nominating petition or a petition in place of filing fee, the county auditor must enter in the election reporting system the name of the candidate within one day after the petition has been reviewed and determined to meet all legal requirements.

(b) The secretary of state must enter in the election reporting system the names of all candidates that have filed for office with the secretary of state no later than one day after the filing is received. For any candidate that files by nominating petition or a petition in place of filing fee, the secretary of state must enter in the election reporting system the name of the candidate within one day after the petition has been reviewed and determined to meet all legal requirements.

Subd. 4. **Results reporting testing.** At least seven days prior to any federal or state primary, general, or special election, the county auditor must test the results reporting functions in the election reporting system maintained by the secretary of state. The test must include the entry of vote totals for all candidates or ballot question responses within each contest or ballot question, and the county auditor must verify that the predetermined test results are displayed. The county auditor must report to the secretary of state that the test has been conducted, and no errors are apparent. If errors occur during the test, the county auditor must work with the secretary of state to resolve all issues and retest until resolved.

Subd. 5. **Reporting results.** For federal and state elections, as soon as practicable after delivery of the returns, the county auditor must report all unofficial election results in the elections reporting system.

Subd. 6. **Unofficial results.** Results reported to the election reporting system are unofficial results. Election results are not official until after the canvassing board certifies the result of the election."

Page 19, line 27, delete "the candidate" and insert "all candidates"

Page 23, line 2, strike "all"

Page 24, lines 9 and 27, reinstate the stricken "third" and delete "eighth"

Page 28, line 18, delete "eighth" and insert "third"

Page 29, delete section 34 and insert:

"Sec. 37. **REPEALER.**

Minnesota Statutes 2024, sections 206.57, subdivision 5b; 206.95; and 209.06, are repealed."

Renumber the sections in sequence

8.1

Amend the title as follows:

8.2

Page 1, line 4, after the second semicolon, insert "formalizing the election reporting

8.3

system;"

8.4

Amend the title numbers accordingly


8.5

And when so amended the bill do pass and be re-referred to the Committee on Judiciary

8.6

and Public Safety. Amendments adopted. Report adopted.

8.7



8.8

(Committee Chair)

8.9

March 13, 2025.....

8.10

(Date of Committee recommendation)