



## **S.F. No. 2384 – Secretary of State Election Administration Bill (1st Engrossment)**

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Section 1 [Minn. Stat. 201.061, subd. 3; Election day registration] strikes the requirement for the operator of a residential facility to prepare a list of employee names to be certified to the county auditor to be used for vouching for residential facility residents. Instead requires employees to provide proof that they are employed by and working in the residential facility before vouching for a resident.

Section 2 [Minn. Stat. 201.061, subd. 3a; Additional proofs of residence permitted for students] specifies that additional proof of residence for students must be allowed during the 18 days before an election and on election day.

Section 3 [Minn. Stat. 201.071, subd. 1; Form] strikes a requirement that the voter registration application include a box to indicate a voter's preference to join the permanent absentee voter list. This is replaced by new language in section 4.

Section 4 [Minn Stat. 203B.04, subd. 1; Application procedures] requires the absentee ballot application to include a space to apply to automatically receive an absentee ballot.

Section 5 [Minn. Stat. 203B.05, subd. 1; Generally] requires the designation or notice that a municipality will administer absentee voting to specify whether the municipality's office will be designated as an absentee voting location or only an early voting location. This section is effective upon the revisor of statutes receipt of the early voting certification and applies to elections held on or after the 85<sup>th</sup> day after receipt.

Section 6 [Minn. Stat. 203B.08, subd. 1; Marking and return by voter] updates terminology regarding absentee voting envelopes to refer to the proper type of envelope.

Section 7 [Minn. Stat. 203B.08, subd. 3; Procedures on receipt of ballots] updates terminology regarding absentee voting envelopes to refer to the proper type of envelope.

Section 8 [Minn. Stat. 203B.081, subd. 4; Temporary locations] allows a federally recognized Indian Tribe with off-reservation Tribal lands to request an additional polling place to be on that land.

Section 9 [Minn. Stat. 203B.121, subd. 4; Opening of envelopes] amends the handling of absentee ballot signature envelopes. This requires counting, cross-checking, and accounting for empty signature and ballot envelopes at various steps in the process. Discrepancies in the count must be noted in the ballot board incident log and reported to the official responsible for the ballot board. All envelopes must be retained for the duration of the contest period.

Section 10 [Minn. Stat. 203B.121, subd. 5; Storage and counting of absentee ballots] requires two members of the ballot board to make sure that the number of absentee ballots removed from the ballot box is equal to the number of absentee ballots from the tally of absentee ballots from the tally of ballots that were inserted into the ballot box that day. Requires absentee vote totals to be added to the vote totals on summary statements for the appropriate precinct in all elections. Makes technical and conforming changes.

Section 11 [Minn. Stat. 203B.17, subd. 3; Website security] strikes a reference to report due dates that have already passed. This section is in the author's amendment.

Section 12 [Minn. Stat. 203B.30, subd. 3; Processing of ballots] requires the early voting official to take certain actions to remove, secure, and document ballots each day during the early voting period. This section is effective upon the revisor of statute's receipt of the early voting certification and applies to elections held on or after the 85<sup>th</sup> day after receipt.

Section 13 [Minn. Stat. 204B.06, subd. 1b; Address, electronic mail address, and telephone number] specifies that candidates for judicial office, county attorney, and county sheriff are not required to include the candidate's address of residence on the affidavit of candidacy. Candidates for these offices must include a phone number and email address. If a bill is used as proof of residence for office, the bill must be recent.

Section 14 [Minn. Stat. 204B.07, subd. 2; Petitions for presidential electors and alternates] specifies that the section, as opposed to the subdivision, does not apply to candidates for presidential elector nominated by major political parties. Requires each nominated candidate to submit a petition and a signed, notarize affidavit of candidacy for president or vice president that includes information about the candidate and a declaration that the candidate will follow applicable election and campaign finance laws.

Section 15 [Minn. Stat. 204B.09, subd. 1a; Absent candidates] requires a candidate who is absent during the filing period to include proof of residence with the affidavit of candidacy. The copy of the proof of residence is private data.

Section 16 [Minn. Stat. 204B.09, subd. 2; Other elections] requires proof of residence filed with affidavits of candidacy be filed during the filing period. Copies of proof of residence submitted by mail are private data.

Section 17 [204B.14, subd. 4a; Municipal boundary adjustment procedure] changes the deadline for when a municipal boundary adjustment will take effect for an election from 21 days before an election to 46 days before an election. This prevents the change from taking place in the middle of the absentee voting period.

Section 18 [Minn. Stat. 204B.182; Chain of custody plans] requires the county auditor to develop a county elections chain of custody plan for elections in the county. The auditor must file the plan

with the secretary of state. The plan must account for both physical and cyber security of elections-related materials. A municipal clerk, school district clerk, or special district clerk must either use the county plan or create a local chain of custody plan for use in local elections not held in conjunction with federal, state, or county elections. Plans must be reviewed prior to each state primary election. This section is effective the day following final enactment and county auditors must file a plan with the secretary of state by September 1, 2025.

Section 19 [Minn. Stat. 204B.21; subd. 1; Appointment lists; duties of political parties and secretary of state] amends the process for political parties providing lists of individuals willing to serve as election judges. The lists must include voters who have indicated within the last two years that they are willing to act as an election judge. The list must include contact information for the individuals. If the required information is not included on the list submitted by a political party to the secretary of state, the name must not be forwarded to an appointing authority. The deadlines are moved up by one month.

Section 20 [Minn. Stat. 204B.21, subd. 2; Appointing authority; powers and duties] requires appointing authorities to first exhaust the list of voters provided by the political parties before appointing other individuals to serve as election judges.

Section 21 [Minn. Stat. 204B.24; Election judges; oath] adds a statement to the election judge oath that the judge will not share information about voting that the judge knows to be materially false and that the judge will not intentionally hinder, interfere with, or prevent a person from voting, registering to vote, or aiding another person in voting.

Section 22 [Minn. Stat. 204B.25, subd. 3; Trained election judges; number required] removes an exception that allows untrained election judges to serve in precincts where less than 100 individuals voted in the last state general election.

Section 23 [Minn. Stat. 204B.275; Election reporting system] requires the secretary of state to maintain an election reporting system to facilitate the collection, aggregation, reporting, and sharing of unofficial election results to the public. Assigns responsibilities and timelines for entering candidate names into the system. Requires testing prior to elections. Requires county auditor to report unofficial election results in the system for federal and state elections. Specifies that the results in the system are unofficial and election results are not official until after the canvassing board certifies the result of the election.

Section 24 [Minn. Stat. 204B.44; Errors and omissions; remedy] provides that service on a candidate may be accomplished by an email sent to the address the candidate provided on the affidavit of candidacy. Provides a process for all parties to agree on a remedy to correct an error, omission, or wrongful act without a court order. Provides for a candidate who does not prevail in a court proceeding to pay the costs and disbursements for the prevailing party in certain circumstances. An official may correct an official ballot without a court order if the ballot is not in compliance with laws and rules on ballot format.

Section 25 [Minn. Stat. 204B.45, subd. 2; Procedure; voting prior to election day] requires jurisdictions that conduct elections by mail to send ballots no later than 28 days before any election, rather than the current 14 days.

Section 26 [Minn. Stat. 204C.08, subd. 1d; Voter's bill of rights] strikes a reference a prohibition on a candidate from assisting voters. This is consistent with a consent decree entered into in *Dai Thao et al. v. Minnesota Secretary of State*, No. 62-CV-20-1044 (Minn. Dist. Ct. 2020).

Section 27 [Minn. Stat. 204C.09, subd. 1; Counting and initialing] strikes the requirement that election judges initial the backs of ballots and allows judges to initial the ballot on either side.

Section 28 [Minn. Stat. 204C.10; Polling place roster; voter signature certificate; voter receipt] adds a reference to the location of residence in the polling place roster statement.

Section 29 [Minn. Stat. 205.185, subd. 3; Canvass of returns, certificate of election, ballots, disposition] extends the deadline for a city canvassing board to complete the canvass to the 14<sup>th</sup> day after the after an election (instead of the 10<sup>th</sup> day after the election). Requires the city or town canvassing board to declare the candidate duly elected who received the highest number of votes for municipal office.

Section 30 [Minn. Stat. 205A.10, subd. 3; Canvass of returns, certificate of election, ballots, disposition] extends the deadline for a school district canvassing board to complete the canvass to the 14<sup>th</sup> day after an election (instead of the 10<sup>th</sup> day after the election). Requires the school board to canvass the returns and to declare the candidate duly elected who received the highest number of votes for school district office.

Section 31 [Minn. Stat. 205A.11, subd. 2; Combined polling place] provides that if a municipality conducts elections by mail, the school board may designate a polling place not used by the municipality.

Section 32 [Minn. Stat. 368.47; Towns may be dissolved] strikes obsolete references to separate ballots and separate ballot boxes.

Section 33 [Minn. Stat. 375.20; Ballot questions] changes the timeline for calling a special county election. The election may be held within 84 days after a resolution is adopted, instead of within 74 days under current law.

Section 34 [Minn. Stat. 414.09, subd. 3; Elections of municipal officers] requires the election of municipal officers held after incorporation or consolidation to be held on a uniform election date. Requires ballots to follow the ballot formatting laws. Requires candidates to file affidavits of candidacy in the same manner as other municipal candidates.

Section 35 [Minn. Stat. 447.32, subd. 4; Candidates; ballots; certifying election] provides that a hospital district board must act as a canvassing board and between the 3<sup>rd</sup> and 14<sup>th</sup> day after an election, canvass the returns and declare the candidate duly elected who received the highest number of votes for hospital district office and the results of any ballot questions.

Section 36 [Voting equipment grant account; transfer] transfers any remaining balance in the voting equipment grant account to the voting operations, technology, and elections resources (VOTER) account. This section is effective the day following final enactment.

Section 37 [Repealer] repeals Minn. Stats. 206.57, subd. 5b (township voting equipment study); 206.95 (the voting equipment grant account); and 209.06 (inspection of ballots).



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