



STATE OF MINNESOTA
Office of Minnesota Secretary of State
Steve Simon

August 22, 2025

VIA EMAIL

Legislative Reference Library
sonars@lrl.leg.mn

In the Matter of the Proposed Permanent Rules Relating to Elections Administration; Revisor's ID Number R-4824; OAH Docket No. 8-9019-39440

Dear Legislative Reference Library:

The Office of the Secretary of State intends to adopt rules relating to election administration. We plan to publish a Dual Notice in the August 25, 2025 *State Register*.

We have prepared a Statement of Need and Reasonableness. As required under Minnesota Statutes, sections 14.131 and 14.23, we are sending the library an electronic copy of the Statement of Need and Reasonableness at the same time that we are sending our Notice of Intent to Adopt Rules.

If you have any questions or concerns, please contact me at justin.erickson@state.mn.us or 651-201-6895

Sincerely,

Justin R. Erickson
General Counsel

Enclosure: Statement of Need and Reasonableness



STATE OF MINNESOTA
Office of Minnesota Secretary of State
Steve Simon

STATEMENT OF NEED AND REASONABLENESS

Proposed Permanent Rules Relating to Election
Administration, Minnesota Rules, 8200-8250; Revisor's ID
Number R-04824

Office of the Minnesota Secretary of State
Elections Division

August 2025

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Acronyms

APA	Administrative Procedures Act
ALJ	Administrative Law Judge
CFR	Code of Federal Regulations
MAT	MN Association of Townships
Minn. R. pt	Minnesota Rules part
Minn. Stat.	Minnesota Statutes
MMB	Minnesota Management and Budget
MN	Minnesota
MORS	MN Office of the Revisor of Statutes
CAH	Court of Administrative Hearings
Office	Office of the Minnesota Secretary of State
SONAR	Statement of Need and Reasonableness

Introduction and Overview

Introduction

The Office of the Secretary of State (Office) is the state's chief election office. In 2023, 2024, and 2025 the Minnesota Legislature passed several changes to legislation related to elections and the administration of elections. As a result of these changes, there were many places that Minnesota Statutes and Minnesota Rules conflicted. As a result, the Office began a rulemaking process to amend the current rules governing elections and election administration. In addition to the proposed changes in direct response to legislative action, since the last election-related rulemaking, the Office has received comments from election officials and citizens requesting changes to forms, instructions, and other items reflected in the rules. The Office has been collecting these comments and suggestions, and has considered them in the proposed rule revisions.

A Request for Comments was published in the State Register on August 21, 2023, and a number of responses were received. The Request for Comments was also sent to a broad spectrum of interested parties pursuant to a Notice Plan described in this Statement of Need and Reasonableness (SONAR). The Office used the comments received in response to the Request for Comments as well as comments and suggestions received prior to the rulemaking to draft the proposed rules.

Availability and Alternative Formats

Availability: The State Register notice, this Statement of Need and Reasonableness (SONAR), and the proposed rule will be available during the public comment period on the Office's Rulemaking & Data Practices page: <https://www.sos.state.mn.us/about-the-office/rulemaking-data-practice/>

Agency contact for information, documents, or alternative formats: Upon request, this Statement of Need and Reasonableness can be made available in an alternative format, such as large print, braille, or audio. To make a request, contact Justin R. Erickson, General Counsel, Office of the Minnesota Secretary of State, 20 W. 12th Street, St. Paul, MN 55155; telephone 651-201-6895; email justin.erickson@state.mn.us; or use your preferred telecommunications relay service.

Scope of Proposed Amendments

The following chapters of Minnesota rules are affected by the proposed changes:

- PART 8200.3000 – Registration in Wrong County
- PART 8200.3550 – Notice of Challenge Removal
- PART 8200.5100 – Registration at Precinct Only
- PART 8200.9115 – Form of Polling Place Rosters

- PART 8200.9300 – Maintaining Certain Voter Registration Records; Security
- PART 8210.9310 - Treatment of Voter Registration Applications
- PART 8200.9320 – Interaction with Department of Public Safety
- PART 8200.9940 - Precinct List of Persons Vouching for Voter Residence on Election Day and Number of Persons Vouched For
- PART 8200.9950 – Challenges to Voter Registration, specified by Part 8200.7100
- PART 8210.0100 – Presidential Absentee Ballots
- PART 8210.0200 – Permanent Absentee Ballot Application
- PART 8210.0225 – Applications from Challenged Voters
- PART 8210.0500 – Instructions to Absent Voter
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- PART 8210.0710 - Format and Instructions for Absentee Ballot Return Envelopes
- PART 8210.2200 – Duties of County Auditor or Municipal Clerk upon receipt of Absentee Ballot Return Envelope
- PART 8210.2400 – Safeguarding Procedures
- PART 8210.2450 – Duties of Ballot Board members When Examining Return Envelopes under Minnesota Statutes section 203B.121.
- PART 8210.2500 – Mail Pickup
- PART 8210.2700 – Receipt of Federal Write-In Absentee Ballots
- PART 8210.3000 – Mail Balloting
- PART 8215.0200 – Ballots
- PART 8215.0300 – Polling Place Voting
- PART 8215.0400 – Absentee Voting

- PART 8215.0500 – Mail Balloting
- PART 8220.1150 – Test Ballots
- PART 8220.1550 – Public Accuracy Test
- PART 8230.2040 – Recording Valid Write-In Votes
- PART 8230.2250 - Delivery of Transfer Case
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- PART 8240.2800 – School District Clerk Training Requirement
- PART 8240.2900 – County Auditor Election Administration Certification
- PART 8250.1810 – Format of Ballots for Optical Scan Systems

Statutory Authority

The Office’s statutory authority to adopt rules related to elections is set forth as follows:

Minnesota Statutes, section 201.121, subd. 3, which provides, in relevant part:

Within ten days after an election, the county auditor shall send the notice required by subdivision 2 to a random sampling of the individuals registered on election day. The random sampling shall be determined in accordance with the rules of the secretary of state.

Minnesota Statutes, section 201.022, subd. 2, which provides:

The secretary of state shall make permanent rules necessary to administer the system required in subdivision 1.

Minnesota Statutes, section 201.061, subd. 3, which provides, in relevant part:

An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration application, making an oath in the form prescribed by the secretary of state and providing proof of residence.

Minnesota Statutes, section 201.071, subd. 4, which provides, in relevant part:

A county auditor who receives a registration application indicating that an individual was previously registered in a different county in Minnesota shall update the voter's record electronically through the statewide registration system in the manner prescribed by the secretary of state.

Minnesota Statutes, section 201.091, subd. 4, which provides, in relevant part:

Requests to examine or obtain information from the public information lists or the statewide registration system must be made and processed in the manner provided in the rules of the secretary of state.

Minnesota Statutes, section 201.221, subd. 1, which provides:

To implement the provisions of this chapter, the secretary of state shall adopt rules consistent with federal and state election laws.

Minnesota Statutes, section 201.221, subd. 2, which provides:

The secretary of state shall assist local election officers by devising uniform forms and procedures. The secretary of state shall provide uniform rules for maintaining voter registration records on the statewide registration system. The secretary of state shall supervise the development and use of the statewide registration system to ensure that it conforms to applicable federal and state laws and rules.

Minnesota Statutes, section 201.221, subd. 3, which provides, in relevant part:

The secretary of state shall prescribe the form of paper polling place rosters that include the voter's name, address, date of birth, school district number, and space for the voter's signature... The secretary of state may prescribe additional election-related information to be placed on the polling place rosters on an experimental basis for one state primary and general election cycle... The secretary of state shall prescribe procedures for transporting the polling place rosters to the election judges for use on election day. The secretary of state shall prescribe the form for a county or municipality to request the date of birth from currently registered voters.

Minnesota Statutes, section 203B.04, subd. 5(c), which provides:

The secretary of state shall adopt rules governing procedures under this subsection [relating to permanent absentee voter status].

Minnesota Statutes, section 203B.08, subd. 4, which provides:

The secretary of state shall adopt rules establishing procedures to be followed by county auditors and municipal clerks to assure accurate and timely return of absentee ballots. The rules of the secretary of state may authorize procedures and methods of return in addition to those specified in this section.

Minnesota Statutes, section 203B.09, which provides:

The secretary of state shall adopt rules establishing the form, content, and type size and style for the printing of blank applications for absentee ballots, absentee voter lists, return envelopes, certificates of eligibility to vote by absentee ballot, ballot envelopes and directions for casting an absentee ballot. Any official charged with the duty of printing any of these materials shall do so in accordance with these rules.

Minnesota Statutes, section 203B.125, which provides:

The secretary of state shall adopt rules establishing methods and procedures for issuing ballot cards and related absentee forms to be used as provided in section 203B.08, subdivision 1a, and for the reconciliation of voters and ballot cards before tabulation under section 204C.20, subd. 1.

Minnesota Statutes, section 204B.071(a) which provides:

The secretary of state shall adopt rules governing the manner in which petitions required for any election in this state are circulated, signed, filed, and inspected. The secretary of state shall provide samples of petition forms for use by election officials.

Minnesota Statutes, section 204B.14, subdivision 4, which provides, in relevant part:

Any change in the boundary of an election precinct must be adopted at least ten weeks before the date of the next election and, for the state primary and general election or presidential nomination primary, no later than December 1 in the year prior to the year of the state general election...

Alternate dates for adopting changes in precinct boundaries, posting notices of boundary changes, and notifying voters affected by boundary changes pursuant to this subdivision, and procedures for coordinating precinct boundary changes with reestablishing local government election district boundaries may be established in the manner provided in the rules of the secretary of state.

Minnesota Statutes, section 204B.25, subd. 2, which provides:

The secretary of state shall adopt rules establishing programs for the training of county auditors, local election officials, and election judges by county auditors as required by this section.

Minnesota Statutes, section 204B.45, subd. 3, which provides:

The Minnesota Election Law is applicable to mail balloting except as provided by this section or by rules adopted by the secretary of state, but only paper ballots may be used. The secretary of state shall adopt rules for the conduct of mail balloting, including instructions to voters, procedures for challenge of voters, public observation of the counting of ballots, and procedures for proper handling and safeguarding of ballots to ensure the integrity of the election.

Minnesota Statutes, section 204D.08, subd. 1, which provides, in relevant part:

The secretary of state shall adopt rules for the format and preparation of the state primary ballot.

Minnesota Statutes, section 204D.11, subd. 1, which provides, in relevant part:

[The state general election ballot] shall be prepared by the county auditor subject to the rules of the secretary of state. The secretary of state shall adopt rules for preparation and time of delivery of the state general election ballot.

Minnesota Statutes, section 205.17, subd. 6, which provides:

The ballots for municipal elections must be prepared by the municipal clerk in the manner provided in the rules of the secretary of state.

Minnesota Statutes, section 205A.08, subd. 5, which provides:

The ballots for school district elections must be prepared by the school district clerk in the manner provided in the rules of the secretary of state.

Minnesota Statutes, section 206.57, subd. 1, which provides, in relevant part:

The secretary of state may adopt permanent rules consistent with sections 206.55 to 206.90 relating to the examination and use of electronic voting systems.

Minnesota Statutes, section 206.61, subd. 5, which provides, in relevant part:

The rules adopted by the secretary of state for the rotation of candidate names must use the number of registered voters in each precinct as of 8:00 a.m. on May 1 of the year when the rotation will be made as the basis for determining the rotation of names.

Minnesota Statutes, section 206.81, which provides, in relevant part:

The secretary of state may adopt rules consistent with sections 206.55 to 206.90 relating to experimental use [of electronic voting systems]. The extent of experimental use must be determined by the secretary of state.

Minnesota Statutes, section 206.82, subd. 1, which provides, in relevant part:

The secretary of state shall adopt rules further specifying test procedures [for testing of electronic voting systems].

Minnesota Statute, section 206.84, subd. 3, which provides, in relevant part:

The secretary of state shall provide by rule for standard ballot formats for electronic voting systems.

Minnesota Statutes, section 207A.11(c), which provides:

The secretary of state must adopt rules to implement the provisions of this chapter. The secretary of state shall consult with the party chairs throughout the rulemaking process, including seeking advice about possible rules before issuing a notice of intent to adopt rules, consultation before the notice of comment is published, consultation on the statement of need and reasonableness, consultation in drafting and revising the rules, and consultation regarding any modifications to the rule being considered.

Under these statutes, the Office has the necessary statutory authority to adopt the proposed rules.

Public Participation and Stakeholder Involvement

Consistent with the Administrative Procedures Act (APA), the Office published a Request for Comments in the Minnesota State Register on August 21, 2023. To increase accessibility and opportunity for feedback, the Office posted information about the comment period on its website. This information was available online from the time the Request for Comments was published, and continues to be available.

Additionally, pursuant to its Additional Notice Plan approved by CAH on August 10, 2023, the Office solicited initial feedback on the proposed rules from a variety of organizations that are most likely to be affected by the rule revisions, including:

- Various members and committees of the State Legislature;
- The Governor’s Office;
- Former Secretaries of States;
- Chairs of Minnesota’s major and minor political parties;
- Various election law attorneys;
- Representatives of voting equipment and service vendors;
- Representatives of local government associations; and
- Representatives of various public-interest and advocacy groups.

The Additional Notice Plan is described further starting on page 34 of this document.

Reasonableness of the Amendments

Statement of General Need

Minn. Stat. §§ 14.14, subd. 2, and 14.23, require the Office to establish the need for the proposed rules by an affirmative presentation of facts. The proposed amendments to the rules are intended to update and clarify the rules, implement procedural changes necessitated by statutory amendments and staff experience, and ensure that current processes are clearly explained. They are necessary to address changes in practice as well as new circumstances that have arisen since the rules were last amended.

The Additional Notice Plan is described further starting on page 32 of this SONAR.

Statement of General Reasonableness

Minn. Stat. §§ 14.14, subd. 2, 14.23, and Minn. R. 1400.2070, subp. 1, require the Office to establish that the proposed rules are a reasonable solution to the problems they are intended to address, that the

Office relied on evidence in choosing the approach adopted in the rules, and that the evidence relied on is rationally related to the approach the Office chose to adopt.

First, the process used to develop the rules facilitated informed decision-making and was the most efficient method for establishing reasonable rules. The Office notified all persons and organizations that could be identified as potentially interested in or affected by the rules and invited them to comment. Staff considered the public comments, the experience and expertise of program staff, and knowledge of other states' election laws, when drafting the rules.

Second, the rules' approach to implementing policy goals is reasonable. The Office has determined that the proposed rule amendments are the most reasonable way to update the rules to increase clarity, reduce duplication of statutory language, clarify program procedures, and modify procedural requirements. The reasonableness of each specific provision is addressed below.

Rule-by-Rule Analysis

The Secretary is proposing relatively few changes to the rules other than those required by or in response to the statutory amendments adopted by the Minnesota Legislature in 2023. In this section, the Office will describe each proposed rule change and explain the need, reasonableness, and other approaches that were considered in developing the language, when applicable.

The full text of the rule is attached as Appendix A.

PART 8200.3000 – Registration in Wrong County

The amendment to this part clarifies that county auditors are required to accept all voter registration applications, even if the address listed on the application is not located within the county. Under the current process, county auditors are required to forward voter registration applications from persons who do not live in the county to the proper county only if the auditor accepts the application. However, some county auditors do not accept applications from persons who do not live in the county. Although county auditors attempt to notify individuals when their application is rejected, this does not always occur. The result is that if a person inadvertently submits a voter registration application in the wrong county, it may be rejected without their knowledge and they may not know they need to reapply in the correct county. Consequently, the person may believe they are registered when they are not, leading to confusion and delays on election day or when requesting an absentee ballot. In some cases, it may lead to a person not being able to vote on election day if they do not have time to gather the correct documentation to register at their polling place.

This change clarifies that county auditors must accept all voter registration applications, regardless of address and forward them to the correct county if the county can be ascertained. It is reasonable to make this change to clarify the responsibility of county auditors and ensure individuals are able to register to vote.

PART 8200.3550 – Notice of Challenge Removal

The amendment to this part is to conform this rule language with a 2023 amendment to Minnesota Statutes section 201.014, subdivision 2a. This statutory amendment restored the civil right to vote to individuals who were previously ineligible to do so because of a felony conviction and who were no longer incarcerated for that offense. Consequently, the rule change is needed and reasonable so that county auditors notify those individuals that the challenge to their voting record has been removed once they are no longer incarcerated.

PART 8200.5100 – Registration at Precinct Only

The Office proposes to modify the definition of “Residential Facility” in subpart 1, item E, because it is simply a duplicate of the definition contained in Minnesota Statutes section 201.061, subdivision 3(c). This change is needed and reasonable to streamline the rules, reduce unnecessary duplication of language, and eliminate the possibility of a definition being changed in statutes but not rules, or vice versa, which would cause confusion.

The Office proposes to repeal subpart 3 because the requirements related to proof of residence for students were codified at Minnesota Statutes 201.061, subpart 3a, in 2023. This change is needed and reasonable to streamline the rules and reduce unnecessary duplication of language.

Finally, the Office proposes to add a subpart 5 governing how a person already registered to vote may update the information on record on election day. This change is needed in light of 2025 amendments to Minnesota election law, which clarified that already-registered voters could update their applications without re-registering. This change is reasonable because it clarifies the process for updating a voter application at a precinct is substantially the same as registering at the precinct.

PART 8200.9115 – Form of Polling Place Rosters

The amendments to subpart 1 are to conform this rule language with a 2023 amendment to Minnesota Statutes section 204C.10(a)(7) and a 2025 amendment to Minnesota Statutes section 204C.10(a)(4). The 2023 statutory amendment is a change to the voter certificate that reflects the fact that the civil right to vote had been restored to individuals who were previously ineligible to do so because of a felony conviction and who were no longer incarcerated for that offense. The 2025 amendment is a change to the same certificate reflecting the fact that the voter must certify they maintain residence at the address “or location” shown. Consequently, the rule change is needed and reasonable so that polling place certificates accurately reflects current eligibility requirements under Minnesota law. In addition, the addition of the third paragraph is necessary to clarify that polling places using electronic rosters must use the same certification for their voter signature certificates. This change is reasonable because it clarifies that paper and electronic rosters must have the same certification.

PART 8200.9300 – Maintaining Certain Voter Registration Records; Security

The amendment to subpart 10 clarifies that the number of ballots to be counted in a polling place should be determined by comparing the number of ballots with the number of voter receipts or the number of names signed on the polling place roster. The current rule also requires that the number of return envelopes from absentee ballots be added to this total. Because absentee ballots are now reviewed and accepted by absentee ballot boards pursuant to Minnesota Statutes section 203B.121, absentee return envelopes are no longer included in polling places and should not be included in the count. This change is necessary and reasonable to clarify the appropriate method to calculate the number of ballots to be counted in polling places and accurately reflect the manner in which absentee ballots are now accepted under Minnesota law.

In addition, the Office proposes eliminating the reference to subdivision 2 of Minnesota Statutes section 204C.10 because there is no subdivision 2 in that section. It appears that subdivision 2 was removed in 1990 but the reference in rules was not updated. It is necessary and reasonable to amend this reference for accuracy.

PART 8200.9310 - Treatment of Voter Registration Applications

The amendment to the first sentence of subpart 5 clarifies that any voter registration application that a person submits to update their registration must meet all the requirements of Minnesota Statutes section 201.071, subdivision 1. The previous rule stated that the application only needed to meet the requirements of a new voter registration application without identifying what those requirements were. This change is reasonable and necessary to define specifically what information must be provided in order to update a person's registration.

In addition, the Office proposes adding a second sentence to subpart 5 to clarify that any update to a person's voter registration under this subpart must be processed the same way as a new voter registration application. Previously, there was no such requirement. This change is reasonable and necessary to ensure that updates to a person's voter registration are processed consistent with new voter registrations, which, among other things, ensure the person is given notice and an opportunity to correct any deficient or incomplete application as well as notify the person whether the update was submitted too late to be effective for an upcoming election.

PART 8200.9320 – Interaction with Department of Public Safety

The Office proposes to repeal this part because automatic voter registration was codified at Minnesota Statutes section 201.161 in 2023. The current rule language requires that the Department of Public Safety provide a single unified application to permit eligible voters to simultaneously register to vote and apply for a driver's license and state identification card. However, section 201.161 establishes a process by which individuals applying for a driver's license or state identification card with the Department of Public Safety are automatically registered to vote, making it unnecessary for the Department of Public Safety to provide a unified application anymore. This change is needed and reasonable to streamline the

rules and eliminate the possibility of confusion regarding the method by which a person can register to vote when applying for a driver's license or state identification card.

8200.9940 - Precinct List of Persons Vouching for Voter Residence on Election Day and Number of Persons Vouched For

The Office proposes to add a subpart one clarifying that vouching information must be tracked and collected using the form and instructions already contained in the rule. The current rule contains the language and form but was not clear as to whether collection of this information according to this process is mandatory. The new subpart makes clear the process that must be followed to collect vouching information. Subpart 1 further authorizes counties, municipalities, and school districts using electronic rosters to collect this information electronically. Local election officials who use electronic rosters have requested this change, indicating that it will be more efficient to collect this information electronically if they are already using electronic rosters.

The addition of subpart 2 and its title are clarifications in light of the addition of subpart 1 to the rule.

PART 8200.9950 – Challenges to Voter Registration, specified by Part 8200.7100

The amendments to this part are necessary to conform this rule language with 2023 amendments to Minnesota Statutes section 201.195. The statutory amendment established new processes by which a registered voter could challenge the eligibility of another voter registered within that county, established new requirements for what information needs to be provided for a challenge, and identified categories of reasons that could not constitute adequate grounds for a challenge.

This rule part provides the form that registered voters must use to make a challenge to another voter's eligibility. The proposed amendment updates the form to reflect the new statutory requirements for challenges. Consequently, the rule change is needed and reasonable so that the voter registration challenge form accurately reflects the new standards and processes in statute.

PART 8210.0100 – Presidential Absentee Ballots

The amendment to subpart 2 is to conform this rule language with a 2023 amendment to Minnesota Statutes section 201.014, subdivision 2a. This statutory amendment restored the civil right to vote to individuals who were previously ineligible to do so because of a felony conviction and who were no longer incarcerated for that offense. Consequently, the rule change is needed and reasonable so that the certificate of eligibility reflects the new requirements to be eligible to vote.

PART 8210.0200 – Permanent Absentee Ballot Application

The amendment to the title of this part and to subpart 4 is to conform this rule language with a 2023 amendment to Minnesota Statutes section 203B.04, subdivision 5, which created a permanent absentee voter program in place of the permanent absentee application program. The current rule language references the previous process, where a person could apply to have an absentee ballot application sent to them before each election. Following the 2023 statute amendment, the new process is that a person

submits a single application and can then have the absentee ballot itself sent to them for each election (rather than needing to apply for the absentee ballot each time). Consequently, the rule change is needed and reasonable to accurately reflect the program being administered under Minnesota law.

PART 8210.0225 – Applications from Challenged Voters

The Office proposes to eliminate the language “and to each voter whose voter registration application is incomplete under Minnesota Statutes section 201.161, subdivision 1a or 201.121,” from this rule because the purpose of the rule is to govern the mailing of absentee ballots to challenged voters. Individuals who submit an incomplete voter registration application are not challenged under Minnesota law and the process by which they are notified of their incomplete application is already governed by Minnesota Statutes sections 201.061 and 201.121. Consequently, the rule change is needed and reasonable to accurately reflect the purpose of this rule and avoid confusion as to the status of voters who submit an incomplete application.

PART 8210.0500 – Instructions to Absent Voter

The Office proposes to strike the language “sent or delivered to the absent voter” in subpart 1 because it is duplicative and unnecessary; it is already clear in the sentence which materials are being referenced. The Office further proposes to insert language in subpart 1 allowing jurisdictions to provide supplemental instructions to their voters. This proposed change is reasonable and necessary because the Office has received feedback from local election administrators that they would benefit from being able to include jurisdiction-specific instructions with their materials, such as more specific guidance on where to return a ballot if it is being delivered in person.

The Office proposes modifying certain instructions in subparts 2, 3, 4, 5, and 6. These are instructions for registered voters (subpart 2), unregistered voters (subpart 3), and military and overseas voters (subpart 4) to fill out an absentee or mail ballot. Subparts 5 and 6 contain instructions for military and overseas voters to submit ballots electronically.

First, in 2023, Minnesota Statutes section 203B.08, which was amended to change the time by which an absentee ballot must be returned from 3:00 p.m. to 8:00 p.m. on election day. In 2025, the deadline for in-person delivery was amended from 8:00 p.m. to 5:00 p.m. Consequently, the Office proposes to amend subparts 2 and 3 to reflect the updated time. This change is needed and reasonable to ensure that voters have accurate information on when their ballot must be returned in order for it to be counted.

The addition of an instruction in subparts 2, 3, and 4 stating that voters should “[c]arefully refold the ballot the way it was delivered to you” is reasonable and necessary because if a ballot is refolded in a different way, it is possible the ballot will not easily fit into the ballot envelope or that a crease could pass through a target, which could make it more difficult for the ballot to be tabulated and possibly require duplication. This change is reasonable and necessary to more clearly direct voters returning their ballot, and to lessen the burden on local election administrators by reducing the number of ballots that come back improperly folded.

The modification of “unregistered” to “nonregistered” in subpart 3 is reasonable and necessary to make the language consistent with the remainder of the instructions, which use the phrase nonregistered.

The Office proposes amending the instructions regarding witnesses in subparts 2 and 3 to reflect 2024 amendments made to Minnesota Statutes section 203B.07, subdivision 3. Under previous law, and in the current rules, only a registered voter could serve as a witness for an absentee ballot. However, in 2024, the statute was amended so that any U.S. citizen at least 18 years or older can be an eligible witness. These changes are reasonable and necessary to ensure the instructions that accompany an absentee ballot accurately reflect Minnesota law.

The Office further proposes amending the instruction “Sign the return envelope yourself” in subparts 2, 3, and 4 to “Sign the signature envelope yourself.” This change is necessary because under Minnesota law, voters are not required to sign the return envelope, they are required to sign the signature envelope. This change is reasonable because it clarifies what actually needs to be signed under existing law.

The amendment to the instructions following the heading “If you have a disability” in subparts 2, 3, 4, and 6 is necessary to conform this rule language with the 2023 enactment of Minnesota Statutes section 203B.29, subdivision 2, which requires ballots, instructions, and certificates of voter eligibility be transmitted electronically in an accessible format to voters with a print disability. This amendment is necessary and reasonable to ensure the instructions inform voters of this option so they may take advantage of it as appropriate.

The addition of the instruction “You may provide both numbers if you are unsure what you provide on your absentee ballot application” in subparts 2, 3, 4, and 6 is reasonable and necessary to inform voters that it is acceptable to provide both numbers if they cannot remember which one they provided when they registered to vote.

The removal of the color of receipt in subpart 3 is necessary and reasonable because receipts issued by the Department of Public Safety for driver’s licenses and state identification cards are no longer yellow. This change is needed and reasonable to avoid confusion among voters and ensure that the rules do not conflict with current Department of Public Safety practice.

The change of the terms “group homes” to “assisted living facilities” and “battered women’s” to “domestic abuse victim” in subpart 3 is necessary and reasonable to more precisely address the particular residential facilities where vouching may occur.

The Office proposes adding an instruction to subpart 5 providing a website where military and overseas voters can go for additional information regarding their ballot. This is the website for the Federal Voting Assistance Program, an official source of information from the US Department of Defense for military and overseas voters. This change is reasonable and necessary to provide those voters additional resources to help them cast their ballot.

Finally, the Office proposes changing <http://www.mnvotes.org> to <http://www.mnvotes.gov> throughout the instructions contained in this rule. This is the Office's web page on elections and voting, and it provides various information on how voters can register, vote, search candidate filings, view election results, and find other useful election-related information. This change is reasonable and necessary because the Office has changed the domain of this page from .org to .gov.

PART 8210.0600 – Statement of Absentee Voter

This part contains the form to be used for the statement of the absentee voter. This form must be completed by a person submitting an absentee ballot and contains the voter's personal information and attestation that they are eligible to vote.

In subparts 1a and 1b, the Office proposes to remove the field for the witness' street address and clarify that the witness' title is only required if the witness is an authorized official or notary. Under previous law, and in the current rules, only a registered voter could serve as a witness for an absentee ballot and the witness address was needed to in order to verify the witness was a registered Minnesota voter. However, in 2024, Minnesota Statutes section 203B.07, subdivision 3 was amended so that any U.S. citizen at least 18 years or older can be an eligible witness. Consequently, a witness no longer needs to provide their address to establish they are a Minnesota registered voter. These changes are reasonable and necessary to ensure the instructions that accompany an absentee ballot accurately reflect Minnesota law and to streamline the statement process.

The modification of "unregistered" to "nonregistered" in subpart 1b is reasonable and necessary to make the language consistent with the remainder of the instructions and state election law, which use the phrase nonregistered.

The Office proposes amending the certification regarding witnesses in subparts 1a and 1b. Under previous law, and in the current rules, a witness had to certify they were a notary or authorized to give oaths or a registered Minnesota voter to serve as a witness. However, in 2024, Minnesota Statutes section 203B.07, subdivision 3 was amended so that any U.S. citizen at least 18 years or older can be an eligible witness, in addition to notaries or persons authorized to give oaths. These changes are reasonable and necessary to ensure the witness certification accurately reflects the requirements of Minnesota law.

The OSS further proposes amending the certification in subparts 1a and 1b to change references from "ballots" to "ballot." While it has never been the case that a voter could fill out more than one ballot, the OSS has received feedback from local election officials that they receive questions from constituents who are concerned this suggests multiple ballots are contained in one envelope. This change is reasonable and necessary to eliminate confusion and provide clarity.

The Office proposes to strike the last sentence of subpart 3. This language previously authorized county auditors and municipal clerks to use the existing stock of absentee ballot return envelopes for in-person absentee voting even if the instructions on the envelopes no longer reflected current law. However, because the requirements for those envelopes has now been modified by statute, this change is

necessary and reasonable to ensure old materials that do not accurately reflect election law are not used. Additionally, this language applied only to existing stock that was on hand as of January 1, 2014; although it is possible that some envelopes printed before 2014 are still available, it is unlikely and therefore the Office believes that this change will not impact election officials. Furthermore, it is necessary and reasonable to ensure that absentee ballot return envelopes that are more than a decade out of date cannot be used.

The Office further proposes amending the instruction “Sign the return signature envelope yourself” in subpart 3 to “Sign the signature envelope yourself.” This change is necessary because under Minnesota law, voters are not required to sign the return envelope, they are required to sign the signature envelope. This change is reasonable because it clarifies what actually needs to be signed under existing law.

PART 8210.0710 – Format and Instructions for Absentee Ballot Return Envelopes

The modification of “un-registered” to “non-registered” throughout this part is reasonable and necessary to make the language consistent with other parts of the rules, which use the phrase nonregistered.

PART 8210.2200 – Duties of County Auditor or Municipal Clerk upon receipt of Absentee Ballot Return Envelope

The Office proposes modifying the deadline for delivery of absentee ballots in subpart 1. In 2023, Minnesota Statutes section 203B.08 was amended to change the time by which an absentee ballot must be returned from 3:00 p.m. to 8:00 p.m. on election day. In 2025, the same statute was modified to change time by which an absent voter would need to deliver their ballot in person from 8:00 p.m. to 5:00 p.m. Consequently, the Office proposes to amend subpart 1 to reflect the updated time while clarifying the deadline for elections conducted pursuant to Minnesota Statutes section 203B.11, subdivision 4 remains 8:00 p.m. This change is needed and reasonable to ensure that county auditors and municipal clerks receive ballots in accordance with Minnesota law.

PART 8210.2400 – Safeguarding Procedures

The Office proposes modifying subpart D. In 2025, Minnesota Statutes section 203B.121, subdivision 4 was amended to provide new procedures for processing absentee ballots. Consequently, the procedures in this rule are outdated. The rule change is necessary and reasonable to conform the rule with the statutory change and ensure that ballot board members process the ballots in accordance with state law.

PART 8210.2450 – Duties of Ballot Board members When Examining Return Envelopes under Minnesota Statutes section 203B.121.

The Office proposes amending the instructions regarding review of witness eligibility in subpart 5. Under previous law, and in the current rules, only a registered Minnesota voter could serve as a witness for an absentee ballot and the witness address was needed to in order to verify the witness was a registered Minnesota voter. However, in 2024, Minnesota Statutes section 203B.07, subdivision 3 was amended so

that any U.S. citizen at least 18 years or older can be an eligible witness. Consequently, an absentee ballot can no longer be rejected because a witness failed to provide a Minnesota address. In addition, witnesses no longer will be required to provide their address, as discussed elsewhere with the changes to these rules. These changes are reasonable and necessary to ensure ballots not rejected for improper reasons under Minnesota law.

The amendment to subpart 6 is necessary to conform this rule language with 2023 amendments to Minnesota Statutes sections 203B.121, which moved the deadline from which absentee ballots could be opened from secrecy envelopes, duplicated if needed, and deposited in the appropriate ballot box from seven days before the election to 19 days before the election. The rule change is necessary and reasonable to conform the rule with the statutory change and ensure that ballot board members either reject or spoil ballots as appropriate given the new absentee deadlines.

PART 8210.2500 – Mail Pickup

The amendment to this part is to clarify that municipal clerks must take all reasonable steps to deliver return envelopes to ballot boards before the closing of polls (rather than before 4 p.m. on election day, as is reflected in the current language). Historically, the last delivery from the United States Postal Service arrived no later than 4:00 p.m. Since COVID-19 pandemic, however, municipal clerks have indicated that they often receive deliveries later than 4:00 p.m. In addition, the USPS has in recent elections instituted extraordinary measures at its facilities to ensure all possible ballots are delivered before polls close. This change is needed and reasonable to ensure municipal clerks will take all appropriate steps to deliver all ballots received on election day before polls close, including those received after 4:00 p.m.

PART 8210.2700 – Receipt of Federal Write-In Absentee Ballots

Subpart 1 references two statutes that have been repealed; this amendment replaces those references with the current correct citation. This change is reasonable and necessary to cite to the appropriate statute and ensure that the rule accurately reflects the current operation of the law.

PART 8210.3000 – Mail Balloting

The Office proposes amending subpart 4 to reflect 2025 amendments made to Minnesota Statutes section 204B.45, subdivision 2. Under previous law, mail ballot jurisdictions needed to mail ballots to each registered voter no later than 14 days prior to the election. However, in 2025, the statute was amended to require ballots be mailed no later than 28 days prior to the election. This change is reasonable and necessary to ensure the deadlines to mail ballots accurately reflect Minnesota law.

The Office proposes amending the instructions regarding witnesses in subpart 4a and the certificate regarding witnesses in subpart 4b to reflect 2024 amendments made to Minnesota Statutes section 203B.07, subdivision 3. Under previous law, and in the current rules, only a registered voter could serve as a witness for an absentee ballot. However, in 2024, the statute was amended so that any U.S. citizen at least 18 years or older can be an eligible witness. These changes are reasonable and necessary to ensure the instructions and certificate that accompany a mail ballot accurately reflect Minnesota law.

The Office further proposes amending the instruction “Sign the return envelope yourself” in subpart 4a to “Sign the signature envelope yourself.” This change is necessary because under Minnesota law, voters are not required to sign the return envelope, they are required to sign the signature envelope. This change is reasonable because it clarifies what actually needs to be signed under existing law.

The Office further proposes the addition of an instruction in subpart 4a stating that voters should “[c]arefully refold the ballot the way it was delivered to you.” This addition is reasonable and necessary because if a ballot is refolded in a different way, it is possible the ballot will not easily fit into the ballot envelope or that a crease could pass through a target, which could make it more difficult for the ballot to be tabulated and possibly require duplication. This change is reasonable and necessary to more clearly direct voters returning their ballot, and to lessen the burden on local election administrators by reducing the number of ballots that come back improperly folded.

The OSS further proposes amending the certification in subpart 4b to change references from “ballots” to “ballot.” While it has never been the case that a voter could fill out more than one ballot, the OSS has received feedback from local election officials that they receive questions from constituents who are concerned this suggests multiple ballots are contained in one envelope. This change is reasonable and necessary to eliminate confusion and provide clarity.

The amendment to the instructions following the subheading “If you have a disability:” in subpart 4a is necessary to conform this rule language with the 2023 enactment of Minnesota Statutes section 203B.29, subdivision 2, which requires ballots, instructions, and certificates of voter eligibility be transmitted electronically in an accessible format to voters with a print disability. This amendment is necessary and reasonable to ensure the mail ballot instructions inform voters of this option so they may take advantage of it as appropriate.

PART 8215.0200 – Ballots

The amendments to subpart 5 are necessary to conform this rule language with Minnesota Statutes section 207A.13, which requires, if requested by the political party, that a ballot for a participating party in the presidential nominating primary contain a blank line below the other choices on the ballot so that a voter may write in the name of a person not listed on the ballot. The amendments are reasonable and necessary to ensure that ballots in the presidential nominating primary are formatted in a manner that is consistent with state law.

PART 8215.0300 – Polling Place Voting

The amendments to subpart 1 are necessary to conform this rule language with 2023 amendments to Minnesota Statutes sections 201.091, subdivision 4a and 207A.12, which makes the political party ballot selected by a voter private data that may only be shared with the chair of the major political party whose ballot the voter selected. The current rule reflects previous state law, which made the political party ballot the voter selected public data. The amendment is reasonable and necessary to ensure that data is treated with the appropriate classification under state law.

PART 8215.0400 – Absentee Voting

The amendment to subpart 2 is necessary to conform this rule language with 2023 amendments to Minnesota Statutes sections 201.091, subdivision 4a, and 207A.12, which makes the political party ballot selected by a voter private data that may only be shared with the chair of the major political party whose ballot the voter selected. The current rule reflects previous state law, which made the political party ballot the voter selected public data. The amendment is reasonable and necessary to ensure that data is treated with the appropriate classification under state law.

The amendment to subpart 7 is necessary to conform this rule language with 2023 amendments to Minnesota Statutes sections 203B.121. Previously, absentee ballots could be opened from secrecy envelopes, duplicated if needed, and deposited in the appropriate ballot box from seven days before the election. In 2023, this was changed to 19 days before the election. Additionally, the alternative procedure in Minnesota Statutes section 203B.081 is now an alternate procedure for both early and absentee voting; the Office proposes to amend subpart 7 to simply remove the word “absentee” and the reference to subdivision 3 so that this subpart now refers more generally to the entire statute. The rule changes in this part are necessary and reasonable to ensure the rule accurately reflects the new deadlines under state law and for what purposes the alternative procedure is available.

PART 8215.0500 – Mail Balloting

The Office proposes amending the instructions regarding witnesses in subpart 3 and the certificate regarding witnesses in subpart 5 to reflect 2024 amendments made to Minnesota Statutes section 203B.07, subdivision 3. Under previous law, and in the current rules, only a registered voter could serve as a witness for an absentee ballot. However, in 2024, the statute was amended so that any U.S. citizen at least 18 years or older can be an eligible witness. These changes are reasonable and necessary to ensure the instructions and certificate that accompany an absentee ballot accurately reflect Minnesota law.

The addition of an instruction in subpart 3 stating that voters should “[c]arefully refold the ballot the way it was delivered to you” is reasonable and necessary because if a ballot is refolded in a different way, it is possible the ballot will not easily fit into the ballot envelope or that a crease could pass through a target, which could make it more difficult for the ballot to be tabulated and possibly require duplication. This change is reasonable and necessary to more clearly direct voters returning their ballot, and to lessen the burden on local election administrators by reducing the number of ballots that come back improperly folded.

The Office further proposes amending the instruction “Sign the return signature envelope yourself” in subpart 3 to “Sign the signature envelope yourself.” This change is necessary because under Minnesota law, voters are not required to sign the return envelope, they are required to sign the signature envelope. This change is reasonable because it clarifies what actually needs to be signed under existing law.

The Office also proposes amending the instructions following the heading “If you have a disability” in subpart 3 to provide additional information about how you may obtain ballots, instructions, and a certificate of voter eligibility in an accessible format if you have a print disability. This change is necessary to conform this rule language with the 2023 enactment of Minnesota Statutes section 203B.29, subdivision 2, which requires ballots, instructions, and certificates of voter eligibility be transmitted electronically in an accessible format to voters with a print disability. This amendment is necessary and reasonable to ensure the instructions inform voters of this option so they may take advantage of it as appropriate.

The amendment to subpart 5 is necessary to conform this rule language with 2023 amendments to Minnesota Statutes sections 201.091, subdivision 4a and 207A.12, which makes the political party ballot selected by a voter private data that may only be shared with the chair of the major political party whose ballot the voter selected. Previously, this was classified as public information.

The amendment to subpart 7 is necessary to conform this rule language with the 2023 amendments to Minnesota Statutes sections 204B.45, which moved the deadline from which absentee ballots could be opened from secrecy envelopes, duplicated if needed, and deposited in the appropriate ballot box from seven days before the election to 19 days before the election. The rule change is necessary and reasonable to conform the rule with the statutory change and ensure that ballots are either rejected or spoil ballots as appropriate given the new absentee deadlines.

PART 8220.1150 – Test Ballots

The Office proposes modifying the label on test ballots from “TEST” to any manner that indicates the ballot is a test ballot. Vendors that create pre-marked test decks use a variety of means to identify test ballots and this change is reasonable and necessary to provide that flexibility, while still maintaining a standard that it be apparent the ballot is a test ballot.

The Office proposes adding requirements that at least one test ballot that is folded as if mailed and one ballot that is marked by different pens must be included when ballots are being tested before an election. These requirements are reasonable and necessary because, in consultation with local election officials, these are scenarios that often occur with actual ballots and so it is appropriate to test for them in preparing for elections.

PART 8220.1550 – Public Accuracy Test

The amendment to the first sentence of the first paragraph is reasonable and necessary to conform this rule language with the 2023 amendments to Minnesota Statutes section 206.83, which changes the deadline for when a public accuracy test must be conducted from 14 days before the voting equipment is used to three days. The previous rule reflected the standard in the previous statute.

The amendment to the first sentence of the second paragraph is reasonable and necessary to confirm this rule language with the 2025 amendments to Minnesota Statutes section 206.83, which changes the deadline for public notice of the public accuracy test from 48 hours to five days. The previous rule reflected the standard in the previous statute.

The amendment to the fourth paragraph clarifies that an election jurisdiction must publicly test each unique model of voting equipment used by the jurisdiction. Every ballot counter used in an election must complete preliminary testing according to 8220.1350. However, the previous language in 8220.1550 was ambiguous and could be interpreted not to require public accuracy testing of all unique models. It is necessary and reasonable to clarify this requirement to ensure that each voting jurisdiction publicly tests all models of voting equipment before an election, reducing the risk of issues during voting that can undermine public confidence in the election system and create logistical difficulties in accurately tallying votes.

The addition of the last sentence makes clear that ballot marking devices for absentee voting need only be tested according to the standard established in 8220.1350. Ballot marking devices are used for absentee voting, which begins 46 days before election day, whereas the remaining equipment subject to a public accuracy test is not used until 19 days before the election (at the earliest). This addition is reasonable and necessary because it clarifies that ballot marking devices must still be tested before use but does not require local election officials to hold a separate public accuracy test for just those devices.

PART 8230.2040 – Recording Valid Write-In Votes

In 2023, Minnesota Statutes sections 204B.09 and 206.90 were amended to require that the ballot be marked in the oval opposite the blank line for a write-in vote. Previously, a voter could write in a name without marking the corresponding oval. In addition, the 2023 amendments to section 204B.09 provide local jurisdictions the option to pass a resolution to determine how write-in votes are counted. To conform with these statutory changes, the proposed amendments to this part explain the counting of write-in votes and state that write in votes are “able” to be counted. These amendments are necessary and reasonable to ensure that the rule language on write-in ballots conforms with the current statutory requirements, reducing the risk of confusion among election administrators and the public.

PART 8230.2250 – Delivery of Transfer Case

The Office proposes to amend subpart 2 to clarify that the transfer case, which carries, among other things, valid voter ballots, envelopes containing spoiled and defective ballots, and the summary statement be delivered “directly” by election judges from the precinct to the official conducting the election. While most election judges already deliver the transfer case directly to the appropriate official, the rule was ambiguous as to whether this was a requirement. The amendment eliminates this ambiguity. The amendment is reasonable because direct delivery of the transfer case ensures the items remain secure and there is no delay in delivery to the appropriate official.

PART 8230.3850 – Duplication of Ballots

In 2023, Minnesota Statutes section 206.80 was amended to establish new requirements for the paper ballots produced by electronic voting systems. Previously, neither the statute nor the rule addressed this situation. This amendment is necessary to establish how these ballots should be duplicated if necessary, since this is a situation not previously contemplated in the rule. The proposed language states that, if this type of ballot needs to be duplicated, the same process must be followed as for other ballots needing duplication. This is a reasonable approach because it treats these ballots the same as all other ballots

requiring duplication. Having the same process is simpler and more efficient for local election administrators.

PART 8230.4355 – Ballot Boxes for Precinct Counting Centers

The Office proposes deleting the language “The ballot box may contain a compartment that receives ballots on which all votes have been counted except those for offices for which the write-in target has been completed” from this part. This language applies only to voting equipment that contains a compartment that receives only ballots that do not contain write-in votes, and this type of equipment is no longer used in Minnesota. The change is reasonable and necessary to avoid confusion and eliminate unnecessary language.

PART 8230.4365 – Precinct Count Voting System Equipment and Procedures

The Office proposes deleting the language “If the ballot box contains a compartment for write-in ballots, the judges shall put the ballots taken from the ballot box's write-in compartment into containers separate from the other ballots and seal them.” This language applies only to voting equipment that contains a compartment that receives only ballots that do not contain write-in votes, and this type of equipment is no longer used in Minnesota. The change is reasonable and necessary to avoid confusion and eliminated unnecessary language.

PART 8235.0300 – Notice

In 2024, Minnesota Statutes section 204C.35 was amended to require that recounts for the election of presidential electors be completed within six days of the recount being requested. The Office proposes amending this rule part to require that notice to candidates be provided within 24 hours of any request for such a recount. Previously, there was no specific timeline for a recount for the election of presidential electors. This proposed rule change is necessary because notice must be provided as soon as possible in order to meet the new six-day timeline requirement. It is reasonable because election officials will already have the necessary contact information for candidates, so a 24-hour timeline for providing notice should not be burdensome.

PART 8235.0700 – General Procedures

The Office proposes amending this part to include language that mirrors 2023 amendments to Minnesota Statutes section 206.80, specifying the procedures to be used in a recount when certain ballot formats were included and they were used by 10 or fewer voters in a precinct. This change is reasonable and necessary to ensure the rule conforms with new statutory requirements.

PART 8240.1600 – Election Judge Basic Training Course

The Office proposes amending subpart 4 to add additional topics that must be covered in election judge basic training. These additions are reasonable to reflect changes in election processes that have occurred since the rules were last modified. These additions are necessary because they are specific topics on which local election administrators have shared that their election judges could benefit from additional training. It is important to add these topics to the rules to ensure that election judges across the state

benefit from training on all essential topics and elections across the state are run consistently, accurately, and effectively.

PART 8240.1655 – Qualifications for Trainee Election Judges

The Office proposes amending this part to include language that mirrors 2023 amendments to Minnesota Statutes section 204B.19, which clarified that a student could serve as a trainee election judge until after the student graduates and reaches the age of 18. This change is reasonable and necessary to ensure the rule conforms with new statutory requirements.

PART 8240.1750 – Head Election Judge Training

The Office proposes amending subpart 2 to add Security and Emergency Plans to the head election judge training program. County election officials are required to develop emergency plans under Minnesota Statutes section 204B.181 and it is necessary and reasonable to include training on these plans for head election judges so that they know how to address incidents appropriately.

PART 8240.2700 – Municipal Clerk Training Requirement

The Office proposes amending subpart 5 to add additional topics that must be covered in municipal clerk training. These additions are reasonable to reflect changes in election processes that have occurred since the rules were last modified. These additions are necessary because they are specific topics on which local election administrators have shared that their staff could benefit from additional training. It is important to add these topics to the rules to ensure that municipal clerks across the state benefit from training on all essential topics and elections across the state are run consistently, accurately, and effectively.

PART 8240.2800 – School District Clerk Training Requirement

The Office proposes amending subpart 5 to add additional topics that must be covered in school district clerk training. These additions are reasonable to reflect changes in election processes that have occurred since the rules were last modified. These additions are necessary because they are specific topics on which local election administrators have shared that their staff could benefit from additional training. It is important to add these topics to the rules to ensure that school district clerks across the state benefit from training on all essential topics and elections across the state are run consistently, accurately, and effectively.

PART 8240.2900 – County Auditor Election Administration Certification

The Office proposes amending subpart 4 to add additional topics that must be covered in county auditor training. These additions are reasonable to reflect changes in election processes that have occurred since the rules were last modified. These additions are necessary because they are specific topics on which local election administrators have shared that their staff could benefit from additional training. It is important to add these topics to the rules to ensure that county auditors across the state benefit from training on all essential topics and elections across the state are run consistently, accurately, and effectively.

PART 8250.1810 – Format of Ballots for Optical Scan Systems

The Office proposes amending subpart 9. The previous law and current rules establish a process by which the order of candidates is determined for all partisan offices appearing on the ballot. In 2024, Minnesota Statutes section 204D.13, subdivision 2 was amended to provide a specific process by which the order of candidates for president and vice president appear on the ballot and subdivision 2a was added to provide a new process by which the order of candidates for other partisan offices is determined. These changes are reasonable and necessary to ensure the order of candidates is determined in a manner consistent with state law.

The Office proposes amending subpart 18 to require the Office to prepare and provide translated copies of the example ballots to county auditors. This change is reasonable and necessary to reflect the 2023 amendments to Minnesota Statutes section 204B.295, which impose this duty on the Office.

The Office proposes amending subpart 19 to identify how alternative ballots authorized under Minnesota Statutes section 206.80 must be prepared. These ballots did not previously exist when the current rule was passed and the 2023 amendments to section 206.80 establish what information the ballot must contain. This change is reasonable and necessary to reflect the 2023 amendments to Minnesota Statutes section 206.80, which authorized the creation of these ballots.

Regulatory Analysis

Minnesota Statutes section 14.131 sets out eight factors for a regulatory analysis that must be included in the SONAR. The sections below quote these factors and then give the Secretary of State's response.

Classes Affected

Eligible voters will benefit from the proposed rule amendments because the rules clarify election procedures and ensure that election officials are informed of updated procedures and trained to carry out accurate, consistent, and efficient elections. These changes include changes to the absentee, mail, and military and overseas ballot instructions. These changes will provide voters more information about how to successfully cast their ballots, including providing them up-to-date information on how those with print disabilities can obtain assistance; what resources are available to those voting from overseas; and what qualifications a witness must have for any person not voting in person.

Election officials and local governments will benefit from the proposed rule amendments because they ensure that the rules conform with recent statutory amendments, reducing the potential for confusion and allowing local elections officials to better rely upon the rules as a guide. The amendments also eliminate obsolete provisions regarding election processes and equipment no longer in use in Minnesota, again reducing the potential for confusion. Finally, the proposed rules are updated to reflect additional topics that must be covered in election official training, ensuring election officials receive up-to-date education on the changing election environment.

The **Office of the Secretary of State** will benefit from the proposed rules because they clarify the rules, modify the rules so that they comply with current law, make changes requested by local election officials, and remove obsolete rules. The more that voters and election officials understand the rules, the fewer resources the Office of the Secretary of State must expend to answer questions.

Classes of Persons Bearing the Costs of the Proposed Rules

The **Office of the Secretary of State** will bear some of the costs of the proposed rules. The Office will incur staff costs, for example, to prepare new sample instructions and materials that comply with the changes made in the proposed rules. These costs should be minimal, however, because the Office's staff simply will make the changes to the current electronic versions of the forms and print these new samples. The Office makes some changes to forms on a somewhat regular basis so this is within the scope of the Office's ongoing election administration work.

Election officials and the local governments for whom they work will bear some costs related to printing new instructions, forms and materials, but these costs should be minimal as many of these materials are printed separately for each election and counties, cities, and towns do not keep a large supply of pre-printed materials on hand. In addition, some of the changes are designed specifically to permit cost savings by election officials – in the printing of voter registration materials, for example.

In both cases, the majority of proposed rule amendments are to conform with statutory amendments, so any cost to the Office or local governments would not be above the cost to conform with the underlying statute.

Department/Agency Costs

The probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues.

The Secretary of State will be required to provide training on these rule changes, but the Secretary of State is already required to conduct training for election officials. The provisions of the new rules will be incorporated into the current training session. As discussed above, the Secretary's office already provides samples of the material discussed in the rules to local governments and does not expect to incur any additional costs due to the proposed rules.

To the best of the knowledge and belief of the Office of the Secretary of State, there will be no impact on state or local revenues, nor will the proposed rules cause any other state agency to incur costs. As previously mentioned, the majority of proposed rule amendments are to conform with statutory amendments, so any minor cost to the Office or local governments would not be above the cost to conform with the underlying statute.

Less Costly or Intrusive Methods

A determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule.

Where applicable, this factor is discussed in the rule-by-rule section of the analysis. However, the overwhelming majority of the proposed rule amendments are to conform with statutory amendments, so the rule amendments are the only available method to achieve the purpose.

Alternative Methods

A description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule.

Where applicable, this factor is discussed in the rule-by-rule section of the analysis. In addition to the discussion in the rule-by-rule section of the analysis, the Office looked to other states and solicited feedback from election administrators to determine alternative means for achieving the purpose of the proposed rules. Because of the unique nature of many of Minnesota's election laws, many alternative methods employed by other states were not applicable in Minnesota.

In addition, the Office also considered making no changes to the rules. The Office determined that this was not an option because the majority of the proposed rule amendments are to conform with statutory amendments, no alternative method is available other than updating the rules.

Costs to Comply

The probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals.

There will be some very limited one-time cost increases to county, city, township, and school district election officials due to the need to re-print forms and instructions (for those that have leftover stock remaining to be used). However, this should be minimal because many jurisdictions print new materials for each election and have no leftover stock. Further, most of the proposed changes to forms and instructions are already effective as they were required by the legislative changes adopted in 2023, 2024, and 2025 and not independently imposed by the proposed rules.

Costs of Non-Adoption

The probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals.

The majority of the proposed rule changes are a result of legislative changes in 2023, 2024, and 2025. Without these proposed rule changes, the Administrative Rules would conflict with statute. Further, there would be non-financial costs with respect to voter confusion, reduction in election integrity, and additional burdens carried by election administrators.

With regards to the few proposed rule changes that are not the result of statutory amendments, if these changes are not made, voters, election officials, local governments, and the Office will not benefit from the improved clarity and more efficient procedures proposed in the rules.

Differences from Federal Regulations

An assessment of any differences between the proposed rule and existing federal regulations and a specific analysis of the need for and reasonableness of each difference.

Nothing in the proposed rule is in conflict with federal regulations. Various federal laws and regulations govern election administration, but the proposed changes govern state-specific election administration and do not conflict with nor modify any federal regulation or law.

Cumulative Effect

An assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.

The primary purpose of the proposed rule amendments are to bring the rules in line with current Minnesota law and increase clarity and accessibility for voters. Because the proposed rule amendments do not cover areas addressed by federal law, and because proposed rule amendments relating to state law are designed to bring the rules in line with state statute, this consideration is not applicable. To the extent that a proposed rule amendment is designed to bring the rules in line with state statute, that is noted in the rule-by-rule section of the analysis.

Notice Plan

Minnesota Statutes, section 14.131, requires that an agency include in its SONAR a description of its efforts to provide additional notification to persons or classes of persons who may be affected by the proposed rule or must explain why these efforts were not made.

Details on the previous measures taken to ensure stakeholders received both required and additional notice of this rulemaking during the Request for Comments and rule development period can be found on pages 12 of this SONAR.

Required Notice

The Office is required under Minnesota Statutes, chapter 14 to identify and send notice to several groups. The steps the Office will take to meet those statutory requirements are laid out in detail below.

Consistent with Minnesota Statutes, section 14.14, subd. 1a, on the day the Dual Notice is published in the *State Register*, the Office will send via email or U.S. mail a copy of the Dual Notice and the proposed rule to the contacts on the Office's list of all persons who have registered with the Office for the purpose of receiving notice of rule proceedings. There are roughly 7,500 on the Office's list of persons who have requested notice of all rule proceedings via email. No persons have requested notice of rule proceedings via postal mail. The Dual Notice will be sent at least 33 days before the end of the comment period.

Consistent with Minnesota Statutes, section 14.116(b), the Office will send a copy of the Dual Notice, a copy of the proposed rules, and a copy of the SONAR to the chairs and ranking minority party members of the House State Government Finance and Policy Committee, House Elections Finance and Policy Committee, the House Judiciary Finance and Civil Law Committee, the Senate Elections Committee, the Senate Judiciary and Public Safety Committee, the Senate State and Local Government Committee, and the Legislative Coordinating Commission. These documents will be sent at least 33 days before the end of the comment period.

Consistent with Minnesota Statutes, section 14.131, the Office will send a copy of the SONAR to the Legislative Reference Library when the Dual Notice is sent.

There are several notices required under Minnesota Statutes, chapter 14 in certain situations that do not apply for this rulemaking. These notices are laid out in detail below.

Minnesota Statutes, section 14.116(c) requires that the Office "make reasonable efforts to send a copy of the notice and the statement to all sitting legislators who were chief house of representatives and senate authors of the bill granting the rulemaking authority" if it is within two years of the effective date of the law granting rulemaking authority. This requirement does not apply because no bill within the past two years granted the Office additional authority for this rulemaking.

Minnesota Statutes, section 14.111 requires the Office to provide the commissioner of agriculture with a copy of the proposed rule change if the agency plans to adopt or repeal a rule that affects farming operations. This requirement does not apply because the proposed amendments will not have any effect on farming operations in Minnesota.

Additional Notice

In addition to the required notice referenced above, the Office will make the Dual Notice, SONAR, and proposed rule available on the webpage created for this rulemaking.

The Office also intends to send an electronic notice with a hyperlink to electronic copies of the Dual Notice, SONAR, and proposed rule to:

All members of the following legislative committees with policy oversight in this area of law:

- House State Government Finance and Policy Committee
- House Elections Finance and Government Operations
- Senate Elections Committee
- Senate State and Local Government Committee

Chairs and Ranking Minority Members of the following legislative committees with fiscal oversight in this area:

- House State Government Finance and Policy Committee
- House Elections Finance and Policy Committee
- House Ways and Means Committee
- Senate Elections Committee
- Senate State and Local Government Committee
- Senate Finance Committee

House and Senate Leadership from the Majority and Minority Caucuses

Governor Tim Walz

Former Secretaries of State:

- Mark Ritchie
- Mary Kiffmeyer
- Joan Anderson Growe

Chairs of Minnesota's major political parties:

- Democratic-Farmer-Labor Party
- Republican Party of Minnesota

Chairs of Minnesota's minor political parties:

- Grassroots-Legalize Cannabis Party
- Forward Independence Party of Minnesota (Previously Independence-Alliance)

Libertarian Party of Minnesota
Legal Marijuana Now Party

The following election attorneys:

David Asp
Daniel Cragg
James Dickey
Matthew Haapoja
Jeffrey Holth
Erick Kaardal
Rachel Kitze
Fritz Knaak
John Knapp
Reid LeBeau
Eric Magnuson
William Mohrman
Richard Morgan
Michael Murphy
Charles Nauen
Jared Reams
Steven Reitenour
Vince Reuter
Brian Rice
Douglas Seaton
Virginia Stark
Tony Trimble
Peter Wattson
David Zoll

Representatives of voting equipment and service vendors:

Clear Ballot Group, Inc.
Democracy Live
Dominion Voting System Corp.
Election Systems & Software, Inc.
Election Administrators
Hart Intercivic, Inc.
Knowink
Modus Elections Software
Scytl
Taylor
Votem

Representatives of local government associations:

- Association of Minnesota Counties
- League of Minnesota Cities
- Minnesota Association of County Officers, and all Minnesota County Auditors
- Minnesota Association of Townships
- Minnesota School Boards Association
- Minnesota County Attorney Association

Representatives of public-interest groups:

- AARP
- ACLU of Minnesota
- Catholic Charities
- Minnesota Election Integrity Solutions
- Center of the American Experiment
- Common Cause Minnesota
- Education Minnesota
- FairVote Minnesota
- League of Women Voters of Minnesota
- Minnesota Advocates for Human Rights
- Minnesota Board on Aging
- Minnesota Citizens Concerned for Life
- Minnesota Council of Nonprofits
- Minnesota Department of Veteran's Affairs
- Minnesota Majority
- Minnesota Taxpayers League
- Minnesota Voters Alliance
- Minnesota Public Interest Research Group
- Minnesota School Employees Association
- TakeAction Minnesota
- We Choose Us

Representatives of the following agencies and organizations of people with disabilities:

- Arc Minnesota
- Minnesota Commission of Deaf, Deaf-Blind and Hard of Hearing People
- Minnesota Disability Law Center
- Minnesota State Council on Disability
- National Alliance for the Mentally Ill - Minnesota
- National Federation of the Blind

Representatives of the following groups representing communities of color in Minnesota:

Asian Americans Advancing Justice
Council on American-Islamic Relations Minnesota
Council on Asian-Pacific Minnesotans
Council for Minnesotans of African Heritage
Council on Latino Affairs
Hmong American Partnership
Immigrant Law Center
International Institute of Minnesota
Karen Organization of Minnesota
Minnesota Indian Affairs Council
Urban League – Twin Cities
NAACP – Minneapolis
NAACP – St. Paul
Native Vote Alliance of Minnesota
Somali Action Alliance

On August 10, 2023, the Office received confirmation from CAH that these steps meet the notice requirements for persons or classes of persons who may be affected by the proposed amendments to these rules under Minn. Stat. § 14.14, subd. 1a.

Performance-Based Rules

Minnesota Statutes, section 14.002, requires state agencies, whenever feasible, to develop rules that are not overly prescriptive and inflexible, and rules that emphasize achievement of the agency's regulatory objectives while allowing maximum flexibility to regulated parties and to the agency in meeting those objectives.

These proposed rules increase flexibility in application procedures and participant voting procedures, allowing multiple methods of complying with the rules depending on the situation. This will reduce barriers for applicants and participants.

In drafting these rules, the Office has incorporated feedback from stakeholders who have identified areas for improvement.

Consultation with MMB on Local Government Impact

As required by Minnesota Statutes, section 14.131, the Office will consult with Minnesota Management and Budget (MMB). We will do this by sending MMB copies of the proposed rules and SONAR before the Office publishes the Dual Notice. The Office will submit a copy of the cover correspondence and any

response received from Minnesota Management and Budget to CAH at the hearing or with the documents it submits for ALJ review.

As discussed above, county and municipal election officials will need to engage with the Office to ensure they understand the rule changes. As detailed above and based on the experience of program staff, the costs of rulemaking to counties, cities, townships and school districts should be minimal. In fact, the burden on counties is likely to be little because many of these changes were already required by legislation adopted in 2023.

Impact on Local Government Ordinance and Rules

As required by Minn. Stat. § 14.128, subd. 1, the Office has considered whether these proposed rules will require a local government to adopt or amend any ordinance or other regulation in order to comply with these rules. The Office has determined that they do not because elections in Minnesota are governed by federal and state laws. Thus, no local ordinance or local regulatory changes are required.

Costs of Complying for Small Business or City

Agency Determination of Cost

As required by Minn. Stat. § 14.127, the Office has considered whether the cost of complying with the proposed rules in the first year after the rules take effect will exceed \$25,000 for any small city or small business and the Office has determined that it will not. The Office has made this determination based on the minimal printing costs needed to comply with the proposed rule, as described in the Regulatory Analysis section of this SONAR and the rule-by-rule analysis.

Authors, Witnesses, and Exhibits

Authors

The primary authors of this SONAR are Justin R. Erickson, General Counsel, Office of the Minnesota Secretary of State and Nicole Freeman, Government Relations Director, Office of the Minnesota Secretary of State.

Witnesses

If these rules go to a public hearing, the Office anticipates having the following witnesses testify in support of the need for and reasonableness of the rules:

- Paul Linnell, Office of the Minnesota Secretary of State, Elections Director
- Emily Hunt, Office of the Minnesota Secretary of State, Deputy Elections Director

- Nicole Freeman, Office of the Minnesota Secretary of State, Government Relations Director

Conclusion

In this SONAR, the Office has established the need for and the reasonableness of each of the proposed amendments to Minnesota Rules, Chapters 8200-8250. The Office has provided the necessary notice and documented its compliance with all applicable administrative rulemaking requirements of Minnesota statute and rules.

Based on the foregoing, the proposed amendments are both needed and reasonable.

A handwritten signature in black ink that reads "Steve Pimm". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Secretary of State

August 22, 2025

Date

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received

Office of the Minnesota Secretary of State

Proposed Permanent Rules Relating to Elections Administration; Revisor's ID Number R-4824; CAH Docket No. 8-9019-39440; Minnesota Rules Chapter 8200-8250

Introduction. The Office of the Minnesota Secretary of State intends to adopt rules without a public hearing following the procedures in the rules of the Court of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments and/or a written request that a hearing be held on the proposed rules until **4:30 p.m. on Friday, September 26, 2025**.

Hearing. If 25 or more persons submit a written request for a hearing on the rules **4:30 p.m. on Friday, September 26, 2025**, the agency will hold a virtual public hearing on **Friday, October 10, 2025 at 12:00 pm**. You can participate in the virtual hearing, which will be conducted by an Administrative Law Judge from the Court of Administrative Hearings, via WebEx by using this link along with the associated access code and password:

For a video and audio connection, join the hearing through an internet connection:

- Web link:
<https://minnesota.webex.com/minnesota/j.php?MTID=m1f44e2d53f502afc3324060419e48916>
- Meeting Number (access code): 2497 428 6333
- Password: i7nWuZXmc55

For audio-only connection, join the virtual hearing by telephone:

- Call: 1-415-655-0003 (this is not a toll-free number)
- Access code: 2497 428 6333
- Password: i7nWuZXmc55

To find out whether the agency will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person or check the agency website at

<https://www.sos.mn.gov/about-the-office/rulemaking-data-practice/rulemaking/> **after September 26, 2025 and before October 10, 2025.**

Subject of Rules. The proposed rules are related to election administration. In particular, the proposed rules modify language related to voter registration; ballot formatting and instructions; absentee ballot administration; ballot safeguard procedures; mail balloting procedures; testing of voting systems; and election official training. The majority of the proposed changes are technical or clarifying in nature or are to conform to the rules with Minnesota Statutes. The Office also proposes to eliminate rules that are duplicative of, or inconsistent with, changes made to Minnesota Statutes.

Statutory Authority. The statutory authority to adopt these rules is Minnesota Statutes sections 201.121, subd. 3, 201.022, subd. 2, 201.061, subd. 3, 201.071, subd. 4, 201.091, subd. 4, 201.221, subd. 1, 201.221, subd. 2, 201.221, subd. 3, 203B.04, subd. 5(c), 203B.08, subd. 4, 203B.09, 203B.125, 204B.071(a), 204B.14, subdivision 4, 204B.25, subd. 2, 204B.45, subd. 3, 204D.08, subd. 1, 204D.11, subd. 1, 205.17, subd. 6, 205A.08, subd. 5, 206.57, subd. 1, 206.61, subd. 5, 206.81, 206.82, subd. 1, 206.84, subd. 3, and 207A.11(c).

Publication of proposed rules. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. The proposed rules may be viewed at: <https://www.sos.mn.gov/about-the-office/rulemaking-data-practice/elections-rulemaking-2023-24/>

Statement of Need and Reasonableness. The statement of need and reasonableness (SONAR) contains a summary of the justification for the proposed rules, a description of who will be affected by the proposed rules, and an estimate of the probable cost of the proposed rules. You may review or obtain copies for the cost of reproduction by contacting the agency contact person. The SONAR may also be viewed at: <https://www.sos.mn.gov/about-the-office/rulemaking-data-practice/elections-rulemaking-2023-24/>

Agency Contact Person. The agency contact person is Justin R. Erickson at the Office of the Minnesota Secretary of State, 20 W 12th Street, Saint Paul, MN 55155, 651-201-6895, justin.erickson@state.mn.us. You may contact the agency contact person with questions about the rules.

Public Comment. You have until **4:30 p.m. on Friday, September 26, 2025**, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules.

Your comment must be in writing and received by the due date. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change you propose. Any comments that you have about the legality of the proposed rules must be made during this comment period. All evidence that you present should relate to the proposed rules. If the proposed rules affect you in any way, the agency encourages you to participate. All comments or responses received are public data and will be available for review.

Submit written comments via the [Court of Administrative Hearings Rulemaking eComments website \(https://mn.gov/oah/forms-and-filing/ecomments/\)](https://mn.gov/oah/forms-and-filing/ecomments/), by U.S. Mail delivered to the Court of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, or by fax 651-539-0310.

All comments or responses received are public data and will be available for review on the eComments website.

Request for a Hearing. In addition to submitting comments, you may also request that the agency hold a public hearing on the rules. You must make your request for a public hearing in writing by **4:30 p.m. on Friday, September 26, 2025**. You must include your name and address in your written request for hearing. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, the agency will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to bring about the withdrawal, and ask for written comments on this action. If the agency is required to hold a public hearing, it will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Cancellation of Hearing. The agency will cancel the hearing scheduled for October 10, 2025, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at 651-201-6895 after September 26, 2025, to find out whether the hearing will be held. On the scheduled day, you may check for whether the hearing will be held by going online at <https://www.sos.mn.gov/about-the-office/rulemaking-data-practice/elections-rulemaking-2023-24/>

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the agency will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The agency will hold the hearing on the date and at the time and place listed above. The hearing will continue until 4:00 pm or until all interested persons have been heard, whichever occurs first. Administrative Law Judge Eric L. Lipman is assigned to conduct the hearing. Judge Lipman can be reached by contacting William Moore, Rules Coordinator, Court of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone 651-361-7893, and william.t.moore@state.mn.us.

Hearing Procedure. If the agency holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules.

You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing, the Administrative Law Judge may order this five-day comment period extended for a longer period but for no more than 20 calendar days.

After the comment period, there is a five-working-day rebuttal period when the agency and any interested person may respond in writing to any new information submitted. No one may submit new evidence during the five-day rebuttal period.

The Court of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge via the [Court of Administrative Hearings Rulemaking eComments website \(https://mn.gov/oah/forms-and-filing/ecomments/\)](https://mn.gov/oah/forms-and-filing/ecomments/) no later than 4:30 p.m. on the due date. If using the eComments website is not possible, you may submit post-hearing comments in person or via United States mail addressed to Judge Lipman at the address listed above. All comments or responses received are public data and will be available for review on the eComments website.

This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge, through William Moore, the CAH Rules Coordinator listed above.

Modifications. The agency may modify the proposed rules either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted during the public comment and rule hearing process. The adopted rules may not be substantially different than these proposed rules unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the final rules are identical to the rules originally

published in the *State Register*, the agency will publish a notice of adoption in the *State Register*. If the final rules are different from the rules originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*.

Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The agency will submit the rules and supporting documents to the Court of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure after a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date that the Administrative Law Judge's report will become available and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date that the agency adopts the rules and the rules are filed with the Secretary of State, or register with the agency to receive notice of future rule proceedings by requesting this at the hearing or by writing to the agency contact person stated above.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions about this requirement to the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

Alternative Format/Accommodation. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

August 22, 2025

A handwritten signature in black ink that reads "Steve Simon". The signature is fluid and cursive, with the first letters of "Steve" and "Simon" being capitalized and prominent.

Steve Simon
Secretary of State

Office of the Revisor of Statutes

Administrative Rules



TITLE: Proposed Permanent Rules Relating to Election Administration

AGENCY: Secretary of State

REVISOR ID: R-4824

MINNESOTA RULES: Chapters 8200, 8210, 8215, 8220, 8230, 8235, 8240, and 8250

The attached rules are approved for
publication in the State Register

A handwritten signature in blue ink, appearing to read "Jason F. Kuenle", is written over a horizontal line.

Jason F. Kuenle
Assistant Deputy Revisor

1.1 **Secretary of State**

1.2 **Proposed Permanent Rules Relating to Election Administration**

1.3 **8200.3000 REGISTRATION IN WRONG COUNTY.**

1.4 A county auditor must accept a voter registration application delivered to the county
1.5 auditor, even if the voter registration application includes a residential address outside of
1.6 the county. When a county auditor receives a voter registration application ~~from a person~~
1.7 ~~whose~~ with a residential address is in another county, the auditor shall within two working
1.8 days forward the application to the auditor of the proper county if the county can be
1.9 ascertained.

1.10 **8200.3550 NOTICE OF CHALLENGE REMOVAL.**

1.11 The county auditor shall mail a notice indicating the person's name, address, precinct,
1.12 and polling place to any registered voter whose ~~civil rights have~~ right to vote has been
1.13 restored after ~~a felony conviction~~ the person is no longer incarcerated; who has been removed
1.14 from under a guardianship of the person under which the person did not retain the right to
1.15 vote; or who has been restored to capacity by the court after being ineligible to vote. The
1.16 notice must require that it be returned if not deliverable.

1.17 **8200.5100 REGISTRATION AT PRECINCT ONLY.**

1.18 Subpart 1. **Procedure; proof.** Any person otherwise qualified but not registered to
1.19 vote in the precinct in which the person resides may register to vote on election day at the
1.20 polling place of the precinct in which the person resides. To register on election day, a
1.21 person must complete and sign the registration application and provide proof of residence.
1.22 A person may prove residence on election day only:

1.23 [For text of items A to D, see Minnesota Rules]

1.24 E. by having an employee employed by and working in a residential facility located
1.25 in the precinct, who knows that the applicant is a resident of that residential facility, vouch

for that facility resident, and sign the oath in part 8200.9939, in the presence of the election judge.

~~"Residential facility" means transitional housing as defined in Minnesota Statutes, section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner of health under Minnesota Statutes, section 144.50, subdivision 6; a nursing home as defined in Minnesota Statutes, section 144A.01, subdivision 5; a residence registered with the commissioner of health as a housing with services establishment as defined in Minnesota Statutes, section 144D.01, subdivision 4; a veterans home operated by the board of directors of the Minnesota Veterans Homes under Minnesota Statutes, chapter 198; a residence licensed by the commissioner of human services to provide a residential program as defined in Minnesota Statutes, section 245A.02, subdivision 14; a residential facility for persons with a developmental disability licensed by the commissioner of human services under Minnesota Statutes, section 252.28; housing support as defined in Minnesota Statutes, section 256I.03, subdivision 3; a shelter for battered women as defined in Minnesota Statutes, section 611A.37, subdivision 4; or a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless is defined in Minnesota Statutes, section 201.061.~~

To be eligible to sign the oath, the employee must show proof of employment at the residential facility, which may be accomplished by methods including:

[For text of subitems (1) to (3), see Minnesota Rules]

[For text of subpart 2, see Minnesota Rules]

Subp. 3. [See repealer.]

Subp. 4. [Repealed, 38 SR 1368]

Subp. 5. **Update.** A registered voter may change the information on record on election day at the polling place of the precinct in which the voter now resides. To do so, the voter

3.1 must submit a voter registration application meeting all the requirements of Minnesota
3.2 Statutes, section 201.071, and provide proof of residence as described in subparts 1 or 2.
3.3 Subparts 1 and 2 and parts 8200.5200 to 8200.5500 apply to any update of a registration
3.4 under this subpart.

3.5 **8200.9115 FORM OF POLLING PLACE ROSTERS.**

3.6 Subpart 1. **General form of roster.** The polling place rosters must contain the
3.7 following items from the statewide registration system: voter's name, voter's address, voter's
3.8 date of birth, voter's school district number, and a line on which the voter's signature can
3.9 be written. When a voter's registration has been challenged pursuant to Minnesota Statutes,
3.10 section 201.121, subdivision 2, an indicator noting the voter's challenged status must be
3.11 printed on the line or included in the field provided for the voter's signature. A similar
3.12 indicator must be printed on the line or included in the field provided for the voter's signature
3.13 to note a voter's guardianship or ~~felony~~ incarceration status, if any.

3.14 The following certification must be included at the top of each page of the polling place
3.15 roster: "I swear or affirm that I am at least 18 years of age and a citizen of the United States;
3.16 ~~that I reside at the address shown and have resided~~ have maintained residence in Minnesota
3.17 ~~for 20 days immediately preceding this~~ the election and maintain residence at the address
3.18 or location shown; that I am not under guardianship of the person in which the court order
3.19 revokes my right to vote, have not been found by a court to be legally incompetent to vote,
3.20 and that I have the right to vote because, if convicted of a felony, ~~my felony sentence has~~
3.21 ~~expired (been completed) or I have been discharged from my sentence~~ I am not currently
3.22 incarcerated for that conviction; and that I am registered and will be voting only in this
3.23 precinct. I understand that giving false information is a felony punishable by not more than
3.24 five years imprisonment and a fine of not more than \$10,000, or both."

4.1 For polling places using electronic rosters, the same certification must be included as
4.2 part of the voter signature certificate pursuant to Minnesota Statutes, section 201.225,
4.3 subdivision 2, clause (9).

4.4 One or more pages in a printed polling place roster must be provided for use by voters
4.5 who register to vote in the polling place on election day. An election day registrant shall
4.6 fill in the registrant's name, address, and date of birth and shall sign the roster on the line
4.7 provided.

4.8 The polling place roster must also contain the name of the precinct and, for paper
4.9 rosters, must include a page number. In addition, each line provided for a voter's signature
4.10 must be consecutively numbered on each page.

4.11 The roster may also include additional material as permitted under Minnesota Statutes,
4.12 section 201.221, subdivision 3.

4.13 *[For text of subparts 2 and 3, see Minnesota Rules]*

4.14 **8200.9300 MAINTAINING CERTAIN VOTER REGISTRATION RECORDS;**
4.15 **SECURITY.**

4.16 *[For text of subparts 1 to 9, see Minnesota Rules]*

4.17 Subp. 10. **Voter's receipt.** The election judges shall determine the number of ballots
4.18 to be counted by ~~adding the number of return envelopes from accepted absentee ballots to~~
4.19 comparing the number of ballots with the number of voter's receipts issued pursuant to
4.20 Minnesota Statutes, section 204C.10, subdivision 2, ~~or to the number of names signed on~~
4.21 ~~the polling place roster.~~ The election jurisdiction may require that the election judges number
4.22 or initial each voter's receipt as it is issued.

4.23 *[For text of subpart 11, see Minnesota Rules]*

5.1 **8200.9310 TREATMENT OF VOTER REGISTRATION APPLICATIONS.**

5.2 *[For text of subparts 1 to 3, see Minnesota Rules]*

5.3 Subp. 4. [Repealed, 31 SR 350]

5.4 Subp. 5. **Updates.**

5.5 A. A voter with an active voter registration may change the information on record
5.6 by submitting a voter registration application meeting all the requirements ~~for a new voter~~
5.7 ~~registration application~~ of Minnesota Statutes, section 201.071, subdivision 1. Parts
5.8 8200.2600 to 8200.4000 shall apply to the processing of any update submitted through this
5.9 subpart.

5.10 *[For text of item B, see Minnesota Rules]*

5.11 **8200.9940 PRECINCT LIST OF PERSONS VOUCHING FOR VOTER RESIDENCE**
5.12 **ON ELECTION DAY AND NUMBER OF PERSONS VOUCHER FOR.**

5.13 Subpart 1. Required information. Information regarding persons vouching for voter
5.14 residence on election day must be tracked according to the form and instructions in subpart
5.15 2. Counties, municipalities, or school districts authorized to use electronic rosters pursuant
5.16 to Minnesota Statutes, section 201.225, may instead collect this information electronically.

5.17 Subp. 2. Instructions and form.

5.18 Instructions and Form:

5.19 Precinct List of Persons Vouching

5.20 City/Town _____ Ward _____ Precinct _____

- 5.21 • To be completed by election judges.
- 5.22 • Use to track the number of people vouched for by each voucher.
- 5.23 • Cross out the next number each time that person vouches for a registrant.
- 5.24 • Employees of residential facilities may vouch for an unlimited number of facility
- 5.25 residents who are registering to vote at the facility's address. Otherwise, vouchers
- 5.26 may only vouch for a maximum of eight registrants.

6.1	Voucher's Name	Voucher's Voter	Number Vouched for
6.2		ID No.	on Election Day
6.3	Example: John Doe	1234567	1 2 3 4 5 6 7 8
6.4	1		1 2 3 4 5 6 7 8
6.5	2		1 2 3 4 5 6 7 8
6.6	3		1 2 3 4 5 6 7 8
6.7	4		1 2 3 4 5 6 7 8
6.8	5		1 2 3 4 5 6 7 8
6.9	6		1 2 3 4 5 6 7 8
6.10	7		1 2 3 4 5 6 7 8
6.11	8		1 2 3 4 5 6 7 8
6.12	9		1 2 3 4 5 6 7 8
6.13	10		1 2 3 4 5 6 7 8
6.14	11		1 2 3 4 5 6 7 8
6.15	12		1 2 3 4 5 6 7 8
6.16	13		1 2 3 4 5 6 7 8
6.17	14		1 2 3 4 5 6 7 8
6.18	15		1 2 3 4 5 6 7 8
6.19	16		1 2 3 4 5 6 7 8
6.20	17		1 2 3 4 5 6 7 8
6.21	18		1 2 3 4 5 6 7 8
6.22	19		1 2 3 4 5 6 7 8
6.23	20		1 2 3 4 5 6 7 8
6.24	21		1 2 3 4 5 6 7 8
6.25	22		1 2 3 4 5 6 7 8
6.26	23		1 2 3 4 5 6 7 8
6.27	24		1 2 3 4 5 6 7 8
6.28	25		1 2 3 4 5 6 7 8
6.29	26		1 2 3 4 5 6 7 8

7.1 27 1 2 3 4 5 6 7 8
 7.2 28 1 2 3 4 5 6 7 8
 7.3 29 1 2 3 4 5 6 7 8
 7.4 30 1 2 3 4 5 6 7 8

7.5 Certified by the Head Election Judge of the Precinct:

7.6 _____

7.7 Printed Name Signature Date

7.8 **8200.9950 CHALLENGES TO VOTER REGISTRATION, SPECIFIED BY PART**
 7.9 **8200.7100.**

7.10 To the Auditor of _____ County

7.11 County Courthouse

7.12 _____ (County Seat), Minnesota

7.13 I, _____ (Name of person making challenge), am a registered

7.14 voter in _____ County, Minnesota. I reside at

7.15 _____ (Street or Route No.) _____ (City or

7.16 Township).

7.17 I challenge the registration of _____ (Name of challenged voter)

7.18 whose registration lists his or her residence as _____ (Street or

7.19 Route No.) _____ (City or Township).

7.20 The grounds for my challenge are based on the following facts and circumstances: ____

7.21 _____

7.22 _____

7.23 (attach additional sheets of signed statement, including supporting documents, affidavits,

7.24 or other evidence, if necessary).

8.1 This challenge is based on my personal knowledge, and I have exercised due diligence
8.2 to personally verify the facts and circumstances establishing the basis for the challenge.

8.3 ____/____/____

8.4 (Date)

(Signature of Challenger)

8.5 **8210.0100 PRESIDENTIAL ABSENTEE BALLOTS.**

8.6 *[For text of subpart 1, see Minnesota Rules]*

8.7 Subp. 2. **Form of certificate of eligibility.**

8.8 Signature Envelope

8.9 **Voter must complete this section**

please print clearly

8.10 **Voter name** _____

8.11 **Voter former address in MN** _____

8.12 _____ MN

8.13 **ID number**

8.14 (MN driver's license #,

8.15 MN ID card #,

8.16 or last four digits of SSN) _____

8.17 ○ I do not have a MN-issued driver's license, MN-issued ID card,
8.18 or Social Security number.

8.19 Current phone number (optional):

8.20 _____

8.21 Current email address (optional):

8.22 _____

8.23 I certify that I

8.24 • will be at least 18 years old on election day;

8.25 • am a citizen of the United States;

- 9.1 • am not under guardianship of the person in which the court order revokes my right
- 9.2 to vote;
- 9.3 • have not been found by a court to be legally incompetent to vote;
- 9.4 • ~~have the right to vote because, if convicted of a felony, my felony sentence has~~
- 9.5 ~~expired (been completed) or I have been discharged from my sentence;~~
- 9.6 • am not currently incarcerated for a conviction of a felony offense;
- 9.7 • previously lived in Minnesota at the address printed above;
- 9.8 • moved from Minnesota to another state within 30 days of the election; and
- 9.9 • am not eligible to vote in the state in which I now live.

9.10 **Voter Signature X** _____

9.11 **8210.0200 PERMANENT ABSENTEE BALLOT APPLICATION VOTER.**

9.12 *[For text of subparts 1 to 3, see Minnesota Rules]*

9.13 Subp. 4. **Permanent ~~application~~ absentee voter.** An eligible voter under Minnesota
9.14 Statutes, section 203B.04, subdivision 5, may apply to the county auditor or municipal clerk
9.15 using a form provided by the secretary of state to automatically receive an absentee ballot
9.16 ~~application~~ for each election in which the voter is eligible to vote. ~~The county auditor shall~~
9.17 ~~make available the form provided by the secretary of state for this purpose. The voter shall~~
9.18 ~~complete the form and return it to the county auditor or municipal clerk. A municipal clerk~~
9.19 ~~who receives a completed application shall forward it to the county auditor immediately.~~
9.20 The voter's permanent ~~application~~ absentee voter status must be indicated and permanently
9.21 maintained on the voter's registration record on the statewide voter registration system.

9.22 The county auditor shall maintain a list of voters who have applied to automatically
9.23 receive an absentee ballot ~~application~~. ~~At least 60 days before each election, the county~~
9.24 ~~auditor or municipal clerk shall send an absentee ballot application to each person on the~~
9.25 ~~list who is eligible to vote in the election.~~

9.26 *[For text of subparts 4a to 6, see Minnesota Rules]*

8210.0225 APPLICATIONS FROM CHALLENGED VOTERS.

A voter registration application must be sent with the ballot to any challenged voter ~~and to each voter whose voter registration application is incomplete under Minnesota Statutes, section 201.061, subdivision 1a, or 201.121,~~ who applies for an absentee ballot. The absentee ballot process must be administered as if the voter was not registered to vote.

8210.0500 INSTRUCTIONS TO ABSENT VOTER.

Subpart 1. **Required instructions.** Instructions to the absent voter shall be transmitted with the absentee ballot materials ~~sent or delivered to the absent voter.~~ The instructions shall be in the form in subparts 2, 3, or 4 or 5 and 6. The instruction headings with numbers must be in no smaller than 12-point type and the rest of the text must be in no smaller than 10-point type, except for the confidentiality notice, which may be in 7-point type. The instructions must explain how to correctly mark the ballot. The instructions must inform the voter of the effect of casting multiple votes for an office and, in the case of a partisan primary, the effect of voting for candidates of more than one party. The instructions must include information on how to correct a ballot before it is cast and counted, including instructions on how to request a replacement ballot if the voter is unable to change the ballot or correct an error. The instructions must include a graphic depiction of the absentee ballot materials and how they are to be completed and assembled by the voter. The instructions must also include a privacy notice that complies with Minnesota Statutes, section 13.04. The secretary of state must provide each county auditor with sample instructions with graphic depictions. Jurisdictions may provide additional instructions to voters, provided the instructions comply with the typeface requirements of this part.

Subp. 2. Instructions for registered voters.**Instructions****How to vote by absentee ballot**

11.1 **for registered voters**

11.2 **You will need:**

- 11.3 • Ballot*
- 11.4 • Tan ballot envelope*
- 11.5 • White signature envelope*
- 11.6 • Larger white return envelope*
- 11.7 • Pen with black ink
- 11.8 • Your ID number
- 11.9 Minnesota driver's license number, Minnesota ID card number, or the last four digits
- 11.10 of your Social Security number.

11.11 *See below if you do not have any of these numbers.*

- 11.12 • Witness

11.13 ~~Anyone registered to vote in Minnesota~~ Any person who is at least 18 years of age

11.14 on or before the day of the election and who is a citizen of the United States,

11.15 *including your spouse or relative,*

11.16 *or a notary public,*

11.17 *or a person with the authority to administer oaths*

11.18 * If any of these items are missing, please contact your local election official.

11.19 **1 Vote!**

- 11.20 • Show your witness your blank ballot, then mark your votes in private.
- 11.21 • Follow the instructions on the ballot.
- 11.22 • Do not write your name or ID number anywhere on the ballot.
- 11.23 • Do not vote for more candidates than allowed. *If you do, your votes for that office*
- 11.24 *will not count.*

11.25 ***See the other side if you make a mistake on your ballot.***

11.26 **2 Seal your ballot in the tan ballot envelope**

12.1 • Carefully refold the ballot the way it was delivered to you.

12.2 • Do not write on this envelope.

12.3 **3 Put the tan ballot envelope into the white signature envelope**

12.4 **4 Fill out the white signature envelope completely**

12.5 • If there is no label, print your name and Minnesota address.

12.6 • Print your Minnesota driver's license number, Minnesota ID card number, or the
12.7 last four digits of your Social Security number.

12.8 **Be sure to use one of the same numbers that you provided on your absentee**
12.9 **ballot application. You may provide both numbers if you are unsure what you**
12.10 **provided on your absentee ballot application.**

12.11 *If you do not have any of these numbers, check the box.*

12.12 • Read and sign the oath.

12.13 • Ask your witness to print their name ~~and Minnesota street address, including city~~
12.14 ~~(not a P. O. Box),~~ in the box at the top of the witness section and sign their name in
12.15 the box at the bottom of the witness section.

12.16 *If your witness is an official or notary, they must print their title ~~instead of an~~*
12.17 *address.*

12.18 *Notaries must also affix their stamp.*

12.19 • Seal the envelope.

12.20 **5 Put the signature envelope into the larger white return envelope to protect your**
12.21 **private information from view**

12.22 • Seal the envelope.

12.23 **6 Return your ballot by Election Day to the address on the return envelope**

12.24 **Ballots may not be delivered to your polling place**

12.25 You have three options:

12.26 • Send it so it arrives by Election Day, using U.S. mail or a package delivery service,

12.27 • Deliver it in person before election day or by ~~3:00~~ 5:00 p.m. on Election Day, or

- 13.1 • Ask someone to deliver it by ~~3:00~~ 5:00 p.m. on Election Day.

13.2 *This person cannot deliver more than 3 ballots.*

13.3 **See the other side for special instructions if you have a disability.**

13.4 **To check the status of your absentee ballot, visit ~~www.mnvotes.org~~ mnvotes.gov.**

13.5 **Correcting a mistake**

- 13.6 • If time allows, ask for a new ballot from your election office. Contact your election
13.7 office at [email] or [phone number], or

- 13.8 • Completely cross out the name of the candidate you accidentally marked and then
13.9 mark your ballot for the candidate you prefer (do not initial your corrections).

13.10 **If you have a disability:**

13.11 If you have a disability or cannot mark your ballot, your witness may assist you by marking
13.12 your ballot at your direction, assembling the materials, and filling out the forms for you.

13.13 When signing the envelope, Minnesota law says you may:

- 13.14 • Sign the ~~return~~ signature envelope yourself, or
13.15 • Make your mark, or
13.16 • Ask your witness to sign for you in your presence. (Have the witness sign their own
13.17 name as well.)
13.18 • If you have adopted the use of a signature stamp for all purposes of signature, you
13.19 may use your signature stamp or ask your witness to use your signature stamp in
13.20 your presence.

13.21 Minnesota Statutes, section 645.44, subdivision 14

- 13.22 • If you have a print disability, you may request that ballots, instructions, and a
13.23 certificate of voter eligibility be transmitted electronically in an accessible format
13.24 by contacting your county auditor. If you request a ballot be transmitted electronically
13.25 in an accessible format, you may then complete your ballot electronically but must
13.26 print your voted ballot and return this ballot and completed certificate of voter
13.27 eligibility to your local election office.

14.1 Please note: Voting is not covered by power of attorney. A person with power of attorney
14.2 may only sign for you in your presence, as outlined above.

14.3 Subp. 3. **Instructions for ~~unregistered~~ nonregistered voters.**

14.4 **Instructions**

14.5 **How to vote by absentee ballot**

14.6 **You will need:**

- 14.7 • Ballot*
- 14.8 • Tan ballot envelope*
- 14.9 • Voter registration application*
- 14.10 • White signature envelope*
- 14.11 • Larger white return envelope*
- 14.12 • Pen with black ink
- 14.13 • Minnesota driver's license with your address
- 14.14 *or other authorized proof of where you live.*
- 14.15 *See other side for a list of options*
- 14.16 • Your ID number
- 14.17 Minnesota driver's license number, Minnesota ID card number, or the last four digits
- 14.18 of your Social Security number.
- 14.19 *See below if you do not have any of these numbers.*
- 14.20 • Witness
- 14.21 ~~Anyone registered to vote in Minnesota~~ Any person who is at least 18 years of age
- 14.22 on or before the day of the election and who is a citizen of the United States,
- 14.23 *including your spouse or relative,*
- 14.24 *or a notary public,*
- 14.25 *or a person with the authority to administer oaths*
- 14.26 * If any of these items are missing, please contact your local election official.

15.1 **Important: You must submit the voter registration application with your ballot (in**
15.2 **the white signature envelope) for your vote to be counted.**

15.3 **1 Fill out the voter registration application and sign it**

- 15.4 • Show your witness your driver's license or other authorized proof of where you live.
- 15.5 *See the other side for a list of options.*

15.6 **2 Vote!**

- 15.7 • Show your witness your blank ballot, then mark your votes in private.
- 15.8 • Follow the instructions on the ballot.
- 15.9 • Do not write your name or ID number anywhere on the ballot.
- 15.10 • Do not vote for more candidates than allowed. *If you do, your votes for that office*
15.11 *will not count.*
- 15.12 *See the other side if you make a mistake on your ballot.*

15.13 **3 Seal your ballot in the tan ballot envelope**

- 15.14 • Carefully refold the ballot the same way it was delivered to you.
- 15.15 • Do not write on this envelope.

15.16 **4 Put the tan ballot envelope and the voter registration application in the white**
15.17 **signature envelope**

15.18 **5 Fill out the white signature envelope completely**

- 15.19 • If there is no label, print your name and Minnesota address.
- 15.20 • Print your Minnesota driver's license number, Minnesota ID card number, or the
15.21 last four digits of your Social Security number.
- 15.22 **Be sure to use one of the same numbers that you provided on your absentee**
15.23 **ballot application. You may provide both numbers if you are unsure what you**
15.24 **provided on your absentee ballot application.**
- 15.25 *If you do not have any of these numbers, check the box.*
- 15.26 • Read and sign the oath.

- 16.1 • Ask your witness to print their name ~~and Minnesota street address, including city~~
16.2 ~~(not a P. O. Box)~~, in the box at the top of the witness section, indicate which proof
16.3 you showed them, and sign their name in the box at the bottom of the witness section.

16.4 *If your witness is an official or notary, they must print their title ~~instead of an~~*
16.5 *address.*

16.6 *Notaries must also affix their stamp.*

- 16.7 • Seal the envelope.

16.8 **6 Put the signature envelope into the larger white return envelope to protect your**
16.9 **private information from view**

- 16.10 • Seal the envelope.

16.11 **7 Return your ballot by Election Day to the address on the return envelope**

16.12 **Ballots may not be delivered to your polling place**

16.13 You have three options:

- 16.14 • Send it so it arrives by Election Day, using U.S. mail or a package delivery service,
16.15 • Deliver it in person before election day or by ~~3:00~~ 5:00 p.m. on Election Day, or
16.16 • Ask someone to deliver it by ~~3:00~~ 5:00 p.m. on Election Day.

16.17 *This person cannot deliver more than 3 ballots.*

16.18 **To check the status of your absentee ballot, visit ~~www.mnvotes.org~~ mnvotes.gov.**

16.19 **Options for proof of where you live**

16.20 A valid Minnesota driver's license, Minnesota ID card, or permit with your current
16.21 address

16.22 *or*

16.23 A photo ID that does not have your current address along with a document that has
16.24 your current address

- 16.25 • **Eligible photo IDs:** Minnesota or another state's driver's license, learner's permit,
16.26 or ID card; U.S. passport; U.S. military or veteran ID card; Minnesota high

17.1 school/college/university ID card; or tribal ID card with your signature, from a tribe
17.2 recognized by the Bureau of Indian Affairs (BIA).

17.3 • **Eligible documents with your current address:** an original bill, including account
17.4 statements and start-of-service notifications, dated within 30 days before or with a
17.5 due date 30 days before or after the election; a current student fee statement; or a
17.6 residential lease if valid through election day. Eligible bills are: gas, electric, solid
17.7 waste, water, sewer, phone, cell phone, television, Internet provider, credit card, or
17.8 banking services; or bills for rent or mortgage payments.

17.9 *or one of the following:*

17.10 • A ~~yellow~~ receipt for a valid Minnesota driver's license, Minnesota ID card, or permit
17.11 with your current address

17.12 • Vouching: the signature of a registered voter who lives in your precinct and
17.13 personally knows that you live in the precinct. If your witness is registered to vote
17.14 in this precinct, your witness may vouch for you. *This person must complete and*
17.15 *sign the voucher form on the back of the voter registration application.*

17.16 • A tribal ID card with your name, address, signature, and picture, from a tribe
17.17 recognized by the BIA

17.18 • A "Notice of Late Registration" if you received one from the county auditor or city
17.19 clerk

17.20 • If you have moved within your precinct or changed your name, a current registration
17.21 in the precinct

17.22 • Vouching for residents of certain residential facilities: the signature of an employee
17.23 of your residential facility, including nursing homes, ~~group homes~~ assisted living
17.24 facilities, ~~battered women's~~ domestic abuse victim shelters, homeless shelters, etc.
17.25 If you are not sure if the residential facility where you live is eligible, call your local
17.26 election official. *The employee must complete and sign the voucher form on the*
17.27 *back of the voter registration application.*

17.28 **Correcting a mistake**

17.29 • If time allows, ask for a new ballot from your election office. Contact your election
17.30 office at [email] or [phone number], or

17.31 • Completely cross out the name of the candidate you accidentally marked and then
17.32 mark your ballot for the candidate you prefer (do not initial your corrections).

17.33 **If you have a disability:**

18.1 If you have a disability or cannot mark your ballot, your witness may assist you by marking
18.2 your ballot at your direction, assembling the materials, and filling out the forms for you.

18.3 When signing the envelope, Minnesota law says you may:

- 18.4 • Sign the ~~return~~ signature envelope yourself, or
- 18.5 • Make your mark, or
- 18.6 • Ask your witness to sign for you in your presence. (Have the witness sign their own
18.7 name as well.)
- 18.8 • If you have adopted the use of a signature stamp for all purposes of signature, you
18.9 may use your signature stamp or ask your witness to use your signature stamp in
18.10 your presence.

18.11 Minnesota Statutes, section 645.44, subdivision 14

- 18.12 • If you have a print disability, you may request that ballots, instructions, and a
18.13 certificate of voter eligibility be transmitted electronically in an accessible format
18.14 by contacting your county auditor. If you request a ballot be transmitted electronically
18.15 in an accessible format, you may then complete your ballot electronically but must
18.16 print your voted ballot and return this ballot and completed certificate of voter
18.17 eligibility to your local election office.

18.18 Please note: Voting is not covered by power of attorney. A person with power of attorney
18.19 may only sign for you in your presence, as outlined above.

18.20 Subp. 4. **Instructions for military and overseas voters transmitted ballots by mail.**

18.21 **Instructions**

18.22 **How to vote by absentee ballot for military and overseas voters**

18.23 **You will need:**

- 18.24 • Ballot*
- 18.25 • Tan ballot envelope*
- 18.26 • White signature envelope*
- 18.27 • Larger white return envelope*
- 18.28 • Pen with black ink

- 19.1 • Your ID number
- 19.2 Minnesota driver's license number, Minnesota ID card number, U.S. passport number,
- 19.3 or the last four digits of your Social Security number.
- 19.4 *See below if you do not have any of these numbers.*
- 19.5 * If any of these items are missing, please contact your local election official.

19.6 **1 Vote!**

- 19.7 • Mark your votes in private.
- 19.8 • Follow the instructions on the ballot.
- 19.9 • Do not write your name or ID number anywhere on the ballot.
- 19.10 • Do not vote for more candidates than allowed. *If you do, your votes for that office*
- 19.11 *will not count.*
- 19.12 *See the other side if you make a mistake on your ballot.*

19.13 **2 Seal your ballot in the tan ballot envelope**

- 19.14 • Carefully refold the ballot the way it was delivered to you.
- 19.15 • Do not write on this envelope.

19.16 **3 Put the tan ballot envelope into the white signature envelope**

19.17 **4 Fill out the white signature envelope completely**

- 19.18 • If there is no label, print your name and Minnesota address (present or last).
- 19.19 • Print your email address and phone number (optional).
- 19.20 • Print your Minnesota driver's license number, Minnesota ID card number, passport
- 19.21 number, or the last four digits of your Social Security number.
- 19.22 **Be sure to use one of the same numbers that you provided on your absentee**
- 19.23 **ballot application. You may provide both numbers if you are unsure what you**
- 19.24 **provided on your absentee ballot application.**
- 19.25 *If you do not have access to any of these documents, leave this space blank.*
- 19.26 • Read and sign the oath.
- 19.27 • Seal the envelope.

19.28 **5 Put the signature envelope into the larger white return envelope to protect your**

19.29 **private information from view**

- 20.1 • Seal the envelope.

20.2 **6 Return your ballot by Election Day to the address on the return envelope**

- 20.3 • Send it so it arrives by Election Day, using mail, a package delivery service, or the
20.4 diplomatic pouch at a U.S. embassy or consulate.

- 20.5 • Postage is not required if the postal permit is on the envelope and it is sent using
20.6 U.S. mail, U.S. military mail, or the diplomatic pouch. Postage may be required if
20.7 you use a foreign mail service or a package delivery service.

20.8 **See the other side for special instructions if you have a disability.**

20.9 **To check the status of your absentee ballot, visit <http://www.mnvotes.org> mnvotes.gov.**

20.10 If you have any questions, contact your county elections office at [insert email address] or
20.11 [insert telephone number].

20.12 **Correcting a mistake**

- 20.13 • If time allows, ask for a new ballot from your election office. Contact your election
20.14 office at [email] or [phone number], or

- 20.15 • Completely cross out the name of the candidate you accidentally marked and then
20.16 mark your ballot for the candidate you prefer (do not initial your corrections).

20.17 **If you have a disability:**

20.18 If you have a disability or cannot mark your ballot, another person may assist you by marking
20.19 your ballot at your direction, assembling the materials, and filling in the forms for you.

20.20 When signing the envelope, Minnesota law says you may:

- 20.21 • Sign the ~~return~~ signature envelope yourself, or
20.22 • Make your mark, or
20.23 • Ask another person to sign for you in your presence. (Have this person sign their
20.24 own name as well.)
20.25 • If you have adopted the use of a signature stamp for all purposes of signature, you
20.26 may use your signature stamp or ask another person to use your signature stamp in
20.27 your presence.

Minnesota Statutes, section 645.44, subdivision 14

- If you have a print disability, you may request that ballots, instructions, and a certificate of voter eligibility be transmitted electronically in an accessible format by contacting your county auditor. If you request a ballot be transmitted electronically in an accessible format, you may then complete your ballot electronically but must print your voted ballot and return this ballot and completed certificate of voter eligibility to your local election office.

Please note: Voting is not covered by power of attorney. A person with power of attorney may only sign for you in your presence as outlined above.

Subp. 5. Cover letter for military and overseas voters transmitted ballots electronically. Dear Military/Overseas Absentee Voter:

Your absentee ballot and supporting materials for the election on [month day, year] are attached. Your absentee ballot is being sent to you electronically because you requested this delivery method on your application. Please print, fill out, and return these materials so they are received by your county by Election Day, [day of the week], [month day, year].

A paper ballot must be returned to Minnesota and received by Election Day to be counted.

You may use the domestic mail service of the country you are located in, an international package delivery service, or the military or state department's mail services. Be sure to vote and return this ballot as soon as possible to ensure timely return. Your ballot must be received by your county elections office by Election Day to be counted.

This communication contains:

- A ballot
- Voting instructions
- Ballot envelope template
- Certificate of Eligibility
- Mailing envelope template

22.1 Carefully follow the instructions to ensure proper return of your voted ballot.

22.2 ☐ Print the materials

22.3 ☐ Fill out your ballot

22.4 ☐ Fold and seal your ballot and place it in your ballot envelope

22.5 ☐ Fill out the Certificate of Eligibility

22.6 ☐ Put the completed materials in your mailing envelope

22.7 ☐ Send your ballot by mail or package delivery service so that it is received by Election
22.8 Day

22.9 **To check the status of your absentee ballot, visit ~~http://www.mnvotes.org~~**
22.10 **mnvotes.gov.**

22.11 Contact your county elections office at [email] or [phone number] if you have any
22.12 questions. Voting assistance for military and overseas citizens is also available at
22.13 https://www.fvap.gov/.

22.14 **Please note:** Each voter must submit an application and receive their own ballot. **Do**
22.15 **not forward this ballot to other voters.** A ballot received from a voter who did not submit
22.16 an application will not be counted. Refer other military or overseas voters who need to apply
22.17 for a ballot to ~~http://www.mnvotes.org~~ mnvotes.gov.

22.18 Thank you.

22.19 Subp. 6. **Instructions for military and overseas voters transmitted ballots**
22.20 **electronically.**

22.21 **Instructions**

22.22 **How to vote by absentee ballot for military and overseas voters sent ballots**
22.23 **electronically**

22.24 **Note: Your ballot must be printed out and physically returned. It cannot be returned**
22.25 **electronically.**

23.1 **You will need:**

- 23.2 • A printer
- 23.3 • A pen with black ink
- 23.4 • Two envelopes (you have 3 options):
 - 23.5 • Address your own blank envelopes by hand
 - 23.6 • Print the envelope templates directly onto envelopes (print the mailing envelope
 - 23.7 onto an envelope approximately 4 1/8 inches x 9 1/2 inches so that everything is
 - 23.8 positioned according to postal regulations)
 - 23.9 • If you do not have access to any envelopes, create the envelopes by folding and
 - 23.10 taping or gluing the attachments.
- 23.11 • Your ID number
 - 23.12 Minnesota driver's license number, Minnesota ID card number, U.S. passport number,
 - 23.13 or the last four digits of your Social Security number.
 - 23.14 *See below if you do not have access to any of these numbers.*

23.15 **1 Print the materials**

- 23.16 • Print your ballot, the Certificate of Eligibility, and the envelope templates if you
- 23.17 are using them.
- 23.18 • Please note that the ballot may take multiple pages.
- 23.19 • Your printer should automatically scale the document to fit on the printable area of
- 23.20 the page. Just be sure that none of the words or ovals are cut off.

23.21 **2 Vote!**

- 23.22 • Mark your votes in private.
- 23.23 • Follow the instructions on the ballot.
- 23.24 • Do not write your name or ID number anywhere on the ballot.
- 23.25 • Do not vote for more candidates than allowed. *If you do, your votes for that office*
- 23.26 *will not count.*
- 23.27 *See below if you make a mistake on your ballot.*

23.28 **3 Use one of the envelopes as the ballot envelope**

- 24.1 • Put your ballot in this envelope to keep your votes private.
- 24.2 • Seal the envelope.
- 24.3 • Do not write on this envelope.

24.4 **4 Fill out the Certificate of Eligibility completely**

- 24.5 • Print your name and your Minnesota street address, including city (present or last).
- 24.6 • Print your email address and phone number (optional).
- 24.7 • Print your Minnesota driver's license number, Minnesota ID card number, passport
- 24.8 number, or the last four digits of your Social Security number.

24.9 **Be sure to use one of the same numbers that you provided on your absentee**
24.10 **ballot application. You may provide both numbers if you are unsure what**
24.11 **you provided on your absentee ballot application.**

24.12 *If you do not have access to any of these documents, leave this space blank.*

- 24.13 • Read and sign the oath.

24.14 **5 Put it all together**

- 24.15 • Attach the Certificate of Eligibility to the ballot envelope.
- 24.16 • Your second envelope is the return (mailing) envelope.
- 24.17 • Put the ballot envelope and the Certificate of Eligibility into the return envelope.
- 24.18 • Seal the return envelope.
- 24.19 • Address the return envelope to:

24.20 Official Absentee Balloting Material

24.21 County

24.22 [Street address]

24.23 [City], MN [Zip Code]

24.24 USA

24.25 **6 Return your ballot by Election Day to the address above**

25.1 • Send it so it arrives by Election Day, using mail, a package delivery service, or the
25.2 diplomatic pouch at a U.S. embassy or consulate.

25.3 • Postage is not required if the postal permit is on the envelope and it is sent using
25.4 U.S. mail, U.S. military mail, or the diplomatic pouch. Postage may be required if
25.5 you use a foreign mail service or a package delivery service.

25.6 **To check the status of your absentee ballot, visit <http://www.mnvotes.org> mnvotes.gov.**

25.7 If you need any help while voting, please contact your county elections office at [insert
25.8 email address] or [insert telephone number].

25.9 **Correcting a mistake**

25.10 • Print out a new ballot, or

25.11 • Ask for a new ballot from your election office, or

25.12 • Completely cross out the name of the candidate you accidentally marked and then
25.13 mark your ballot for the candidate you prefer (do not initial your corrections).

25.14 **If you have a disability:**

25.15 If you have a disability or cannot mark your ballot, another person may assist you by marking
25.16 your ballot at your direction, assembling the materials, and filling out the forms for you.

25.17 When signing the Certificate of Eligibility, Minnesota law says you may:

25.18 • Sign the Certificate yourself, or

25.19 • Make your mark, or

25.20 • Ask another person to sign for you in your presence. (Have this person sign their
25.21 own name as well.)

25.22 • If you have adopted the use of a signature stamp for all purposes of signature, you
25.23 may use your signature stamp or ask another person to use your signature stamp in
25.24 your presence.

25.25 Minnesota Statutes, section 645.44, subdivision 14

25.26 • If you have a print disability, you may request that ballots, instructions, and a
25.27 certificate of voter eligibility be transmitted electronically in an accessible format
25.28 by contacting your county auditor. If you request a ballot be transmitted electronically

26.1 in an accessible format, you may then complete your ballot electronically but must
26.2 print your voted ballot and return this ballot and completed certificate of voter
26.3 eligibility to your local election office.

26.4 Please note: Voting is not covered by power of attorney. A person with power of attorney
26.5 may only sign for you in your presence as outlined above.

26.6 [For text of subpart 7, see Minnesota Rules]

26.7 **8210.0600 STATEMENT OF ABSENTEE VOTER.**

26.8 [For text of subpart 1, see Minnesota Rules]

26.9 Subp. 1a. **Statement of registered absentee voter form.**

26.10 Signature Envelope

26.11 **Voter must complete this section** please print clearly

26.12 **Voter name** _____

26.13 **Voter MN address** _____

26.14 _____ MN

26.15 **ID number**

26.16 (MN driver's license #,

26.17 MN ID card #,

26.18 or last four digits of SSN) _____

26.19 ○ I do not have a MN-issued driver's license, MN-issued ID card,
26.20 or a Social Security Number.

26.21 I certify that on Election Day I will meet all the legal requirements to vote.

26.22 **Voter Signature X** _____

26.23 **Witness must complete this section**

26.24 **Witness name** _____

26.25 ~~MN street address~~

26.26 ~~(or title, if an~~

27.1 ~~official or notary)~~

27.2 _____

27.3 ~~Street Address~~

27.4 _____ MN

27.5 ~~City~~

27.6 Title - only required for authorized officials or notaries

27.7 _____

27.8 I certify that:

- 27.9 • the voter showed me the blank ~~ballots~~ ballot before voting;
- 27.10 • the voter marked the ~~ballots~~ ballot in private or, if physically unable to mark the
- 27.11 ~~ballots~~ ballot, the ~~ballots were~~ ballot was marked as directed by the voter;
- 27.12 • the voter enclosed and sealed the ~~ballots~~ ballot in the ballot envelope; and
- 27.13 • I am ~~or have been registered to vote in Minnesota~~ at least 18 years of age on or before
- 27.14 the day of the election and a citizen of the United States, or am a notary, or am
- 27.15 authorized to give oaths.

27.16 **Witness Signature X** _____

27.17 If notary, must affix stamp

27.18 Subp. 1b. **Statement of ~~unregistered~~ nonregistered absentee voter form.**

27.19 Signature Envelope

27.20 **Voter must complete this section** please print clearly

27.21 **Voter name** _____

27.22 **Voter MN address** _____

27.23 _____ MN

27.24 **ID number**

27.25 (MN driver's license #,

27.26 MN ID card #,

28.1 or last four digits of SSN) _____

28.2 ○ I do not have a MN-issued driver's license, MN-issued ID
28.3 card, or a Social Security Number.

28.4 I certify that on Election Day I will meet all the legal requirements to vote.

28.5 **Voter Signature X** _____

28.6 **Witness must complete this section**

28.7 **Witness name** _____

28.8 ~~MN street address~~

28.9 (or title, if an

28.10 official or notary)

28.11 _____

28.12 ~~Street Address~~

28.13 _____ ~~MN~~

28.14 ~~City~~

28.15 **Title - only required for authorized officials or notaries**

28.16 _____

28.17 Witness MUST CHECK ONE indicating proof of residence provided by voter: (See
28.18 instructions)

28.19 ○ MN driver's license, ID card, permit, or receipt

28.20 ○ Bill, student fee statement, or residential lease plus photo ID

28.21 ○ Registered voter in the precinct who vouched for voter's residence in the precinct
28.22 (must complete the voucher form on the back of the Voter Registration Application)

28.23 ○ Tribal ID card

28.24 ○ Notice of late registration

28.25 ○ Previous registration in the same precinct

28.26 ○ An employee of a residential facility in the precinct who vouched for voter's
28.27 residence at the facility (must complete the voucher form on the back of the Voter
28.28 Registration Application)

29.1 I certify that:

- 29.2 • the voter showed me the blank ~~ballots~~ ballot before voting;
- 29.3 • the voter marked the ~~ballots~~ ballot in private or, if physically unable to mark the
- 29.4 ~~ballots~~ ballot, the ~~ballots were~~ ballot was marked as directed by the voter;
- 29.5 • the voter enclosed and sealed the ~~ballots~~ ballot in the ballot envelope;
- 29.6 • the voter registered to vote by filling out and enclosing a voter registration application
- 29.7 in this envelope;
- 29.8 • the voter provided proof of residence as indicated above; and
- 29.9 • I am ~~or have been registered to vote in Minnesota~~ at least 18 years of age on or before
- 29.10 the day of the election and a citizen of the United States, or am a notary, or am
- 29.11 authorized to give oaths.

29.12 **Witness Signature X**_____

29.13 If notary, must affix stamp

29.14 *[For text of subpart 2, see Minnesota Rules]*

29.15 Subp. 3. **Printing specifications.** The statement shall be printed on the back of the

29.16 absentee ballot ~~return~~ signature envelope. The words "Voter must complete this section"

29.17 and "Witness must complete this section" shall be printed in no smaller than 12-point bold

29.18 type. The "X" on the signature lines must be in at least 20-point type. The remainder of the

29.19 statement shall be printed in no smaller than 10-point medium type. The area for the voter's

29.20 name and address must be no smaller than 1-1/4 inches by 3-1/4 inches. The voter's certificate

29.21 must be at least 4-1/8 inches wide. ~~County auditors and municipal clerks may use the existing~~

29.22 ~~stock of absentee ballot return envelopes on hand as of January 1, 2014, for absentee voting~~

29.23 ~~conducted in person.~~

29.24 *[For text of subparts 4 and 4a, see Minnesota Rules]*

29.25 **8210.0710 FORMAT AND INSTRUCTIONS FOR ABSENTEE BALLOT RETURN**

29.26 **ENVELOPES.**

29.27 *[For text of subparts 1 and 2, see Minnesota Rules]*

Subp. 3. **Envelope labeling.** The envelopes with the form printed according to part 8210.0600, subpart 1a, must have the words "Signature Envelope - Registered" printed in no smaller than 8-point type. The envelopes with the form printed according to part 8210.0600, subpart 1b, must have the words "Signature Envelope - ~~Unregistered~~ Nonregistered" printed in no smaller than 8-point type. The envelopes printed with the form printed according to part 8210.0800 must have the words "Signature Envelope - UOCAVA" printed in no smaller than 8-point type.

[For text of subpart 4, see Minnesota Rules]

Subp. 5. **Additional instructions for ~~unregistered~~ nonregistered voters.** The following words must be printed above the voter's certificate for envelopes with the form prepared under part 8210.0600, subpart 1b:

"Put the Ballot Envelope and the
Voter Registration Application
in here, then seal flap"

The words may appear on the reverse side of the envelope.

[For text of subpart 6, see Minnesota Rules]

Subp. 7. **Checklist for ~~unregistered~~ nonregistered voters.** Envelopes with the form printed according to part 8210.0600, subpart 1b, must have the following words printed on the exterior of the return envelope:

"Have you . . .

- ☐ Sealed your ballot in the tan ballot envelope?
- ☐ Put the ballot envelope and your voter registration application in the white signature envelope?
- ☐ Filled out the white signature envelope completely and signed it?

- 31.1 ☐ Asked your witness to complete their section and
31.2 sign their name?
- 31.3 ☐ Put the white signature envelope into this
31.4 envelope?

31.5 **Return your ballot so it is received by Election Day."**

31.6 [For text of subpart 8, see Minnesota Rules]

31.7 **8210.2200 DUTIES OF COUNTY AUDITOR OR MUNICIPAL CLERK UPON**
31.8 **RECEIPT OF ABSENTEE BALLOT RETURN ENVELOPE.**

31.9 Subpart 1. **Personal delivery.** Absentee ballot return envelopes that are delivered in
31.10 person by an absent voter or an agent must be received by the county auditor or municipal
31.11 clerk by ~~3:00~~ 5:00 p.m. on election day. Ballots delivered by agent under Minnesota Statutes,
31.12 section 203B.11, subdivision 4, must be delivered to the county auditor or municipal clerk
31.13 no later than 8:00 p.m. on election day. Ballots received by personal delivery after ~~3:00~~
31.14 5:00 p.m. ~~of~~ on election day or after 8:00 p.m. on election day if delivered under Minnesota
31.15 Statutes, section 203B.11, subdivision 4, shall be marked as received late by the county
31.16 auditor or municipal clerk, and must not be delivered to the ballot board.

31.17 [For text of subparts 2 and 3, see Minnesota Rules]

31.18 **8210.2400 SAFEGUARDING PROCEDURES.**

31.19 The county auditor or municipal clerk shall establish measures for safeguarding absentee
31.20 ballot return envelopes received prior to election day.

31.21 [For text of items A to C, see Minnesota Rules]

31.22 D. When the ballot board opens accepted return envelopes pursuant to Minnesota
31.23 Statutes, section 203B.121, subdivision 4, ~~all absentee ballot return envelopes retained by~~
31.24 ~~the county auditor or municipal clerk shall be removed from the place of safekeeping and~~
31.25 ~~compared with the record required by this rule to ensure that all envelopes are accounted~~

32.1 ~~for. Any discrepancy shall be reported to the secretary of state promptly~~ they must comply
32.2 with the provisions of that subdivision and report any discrepancy to the secretary of state
32.3 promptly.

32.4 **8210.2450 DUTIES OF BALLOT BOARD MEMBERS WHEN EXAMINING**
32.5 **RETURN ENVELOPES UNDER MINNESOTA STATUTES, SECTION 203B.121.**

32.6 *[For text of subparts 1 to 4, see Minnesota Rules]*

32.7 Subp. 5. **Witness eligibility.** An absentee ballot may not be rejected for lack of an
32.8 eligible witness, if a witness has signed the statement required from a witness by part
32.9 8210.0600, subpart 1a or 1b, and, if appropriate:

32.10 ~~A. has provided a Minnesota address as part of the witness's certification on the~~
32.11 ~~return envelope;~~

32.12 ~~B. A.~~ A. has provided the title indicating that they are eligible to administer oaths;
32.13 or

32.14 ~~C. B.~~ B. has affixed a notarial stamp.

32.15 Subp. 6. **Ballot already cast.** Ballot board members must use the statewide voter
32.16 registration system or available polling place rosters to determine whether another ballot
32.17 from the voter has been accepted. If a ballot is received before the close of business on the
32.18 ~~seventh~~ 19th day before the election, any ballot that has been previously received from that
32.19 voter and has not been rejected is deemed spoiled and must not be counted. If a ballot is
32.20 received after the close of business on the ~~seventh~~ 19th day before the election and another
32.21 absentee ballot has been accepted for that voter, the return envelope must be marked
32.22 "rejected."

32.23 **8210.2500 MAIL PICKUP.**

32.24 Each municipal clerk shall communicate with the United States postal service facility
32.25 serving the municipality with regard to the handling of absentee ballot return envelopes

received by the post office on election day. The municipal clerk shall take all reasonable steps to ensure that all return envelopes received by the post office ~~before 4 p.m.~~ on election day are delivered before the closing of the polls to the ballot board. Absentee ballots returned by mail delivery and received after election day shall be marked as received late by the county auditor or municipal clerk, and must not be delivered to the ballot board.

8210.2700 RECEIPT OF FEDERAL WRITE-IN ABSENTEE BALLOTS.

Subpart 1. **If Federal Post Card Application was received.** If a voter submits a Federal Write-in Absentee Ballot for which a Federal Post Card Application was received, the county auditor must accept or reject the ballot in accordance with Minnesota Statutes, section ~~203B.24 and 203B.25~~ 203B.23.

[For text of subpart 2, see Minnesota Rules]

8210.3000 MAIL BALLOTING.

[For text of subparts 1 to 3, see Minnesota Rules]

Subp. 4. **Mailing ballots.** The county auditor, municipal clerk, or school district clerk shall mail ballots to the voters registered in the municipality or unorganized territory. A ballot mailing must be sent to each registered voter no earlier than 46 or later than ~~14~~ 28 days prior to the election if mail balloting in the voter's precinct is proceeding pursuant to Minnesota Statutes, section 204B.45. 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.

A ballot mailing must be sent no earlier than 46 or later than 14 days prior to the election if a mail election is being conducted in the jurisdiction pursuant to Minnesota Statutes, section 204B.46. No later than 14 days before the election, the auditor or clerk 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.

34.1 No ballot may be mailed to a challenged voter. A notice must be transmitted to
34.2 challenged voters with an explanation of the challenge and with instructions on how they
34.3 may apply for an absentee ballot if they believe their registration was challenged in error.

34.4 The mail balloting process for voters whose registrations are incomplete under
34.5 Minnesota Statutes, section 201.061, subdivision 1a, or 201.121, must be administered as
34.6 if the voter were not registered to vote. A notice must be transmitted to voters with incomplete
34.7 registrations with instructions on how they may apply for an absentee ballot.

34.8 Ballots must be sent by nonforwardable mail. Ballots for eligible voters who reside in
34.9 health care facilities may be delivered as provided in Minnesota Statutes, section 203B.11.
34.10 The ballot mailing must be addressed to the voter at the voter's residence address as shown
34.11 on the registration file unless the voter completes an absentee ballot request as provided in
34.12 Minnesota Statutes, section 203B.04 or 203B.16.

34.13 A return envelope, a ballot secrecy envelope, and instructions for marking and returning
34.14 mail ballots must be included with the ballots. The instructions must include a telephone
34.15 number or electronic mail address which voters can call or write for help in mail voting.
34.16 The instructions must also include a privacy notice that complies with Minnesota Statutes,
34.17 section 13.04. At the request of the secretary of state, a survey card that the voter can return
34.18 to the secretary of state must also be included. The ballot return envelope must be printed
34.19 with the mail voter's certificate. The ballot return envelope must be addressed for return to
34.20 the county auditor, municipal clerk, or school district clerk that is conducting the election.
34.21 First class postage must be affixed to the return envelope.

34.22 Subp. 4a. **Form of instructions to mail voters.**

34.23 **Instructions**

34.24 **How to vote by mail ballot**

34.25 **You will need:**

- 35.1 • Ballot*
- 35.2 • Tan ballot envelope*
- 35.3 • White signature envelope*
- 35.4 • Pen with black ink
- 35.5 • Witness
- 35.6 ~~Anyone registered to vote in Minnesota~~ Any person who is at least 18 years of age
- 35.7 on or before the day of the election and who is a citizen of the United States,
- 35.8 *including your spouse or relative,*
- 35.9 *or a notary public,*
- 35.10 *or a person with the authority to administer oaths*
- 35.11 * If any of these items are missing, please contact your local election official.

35.12 1 Vote!

- 35.13 • Show your witness your blank ballot, then mark your votes in private.
- 35.14 • Follow the instructions on the ballot.
- 35.15 • Do not write your name or ID number anywhere on the ballot.
- 35.16 • Do not vote for more candidates than allowed. *If you do, your votes for that office*
- 35.17 *will not count.*
- 35.18 ***See the other side if you make a mistake on your ballot.***

35.19 2 Seal your ballot in the tan ballot envelope

- 35.20 • Carefully refold the ballot the way it was delivered to you.
- 35.21 • Do not write on this envelope.

35.22 3 Put the tan ballot envelope into the white signature envelope**35.23 4 Fill out the white signature envelope completely**

- 35.24 • If there is no label, print your name and Minnesota address.
- 35.25 • Read and sign the oath.

- 36.1 • Ask your witness to print their name and ~~Minnesota street address, including city~~
36.2 ~~(not a P. O. Box)~~, in the box at the top of the witness section and sign their name in
36.3 the box at the bottom of the witness section.

36.4 *If your witness is an official or notary, they must print their title instead of an*
36.5 *address.*

36.6 *Notaries must also affix their stamp.*

- 36.7 • Seal the envelope.

36.8 **5 Return your ballot by Election Day to the address on the signature envelope**

36.9 You have three options:

- 36.10 • Send it so it arrives by Election Day, using U.S. mail or a package delivery service,
36.11 • Deliver it in person by 8:00 p.m. on Election Day, or
36.12 • Ask someone to deliver it by 8:00 p.m. on Election Day.

36.13 *This person cannot deliver more than 3 ballots.*

36.14 If you have questions, please call (...) ...-.... .

36.15 **See other side for special instructions if you have a disability**

36.16 **Correcting a mistake**

- 36.17 • If time allows, ask for a new ballot from your election office. Contact your election
36.18 office at [email] or [phone number], or
- 36.19 • Completely cross out the name of the candidate you accidentally marked and then
36.20 mark your ballot for the candidate you prefer (do not initial your corrections).

36.21 **If you have a disability:**

36.22 If you have a disability or cannot mark your ballot, your witness may assist you by marking
36.23 your ballot at your direction, assembling the materials, and filling out the forms for you.

36.24 When signing the envelope, Minnesota law says you may:

- 37.1 • Sign the ~~return~~ signature envelope yourself, or
- 37.2 • Make your mark, or
- 37.3 • Ask your witness to sign for you in your presence. (Have your witness sign their
- 37.4 own name as well.)
- 37.5 • If you have adopted the use of a signature stamp for all purposes of signature, you
- 37.6 may use your signature stamp or ask your witness to use your signature stamp in
- 37.7 your presence.

37.8 Minnesota Statutes, section 645.44, subdivision 14

- 37.9 • If you have a print disability, you may request that ballots, instructions, and a
- 37.10 certificate of voter eligibility be transmitted electronically in an accessible format
- 37.11 by contacting your county auditor. If you request a ballot be transmitted electronically
- 37.12 in an accessible format, you may then complete your ballot electronically but must
- 37.13 print your voted ballot and return this ballot and completed certificate of voter
- 37.14 eligibility to your local election office.

37.15 Please note: Voting is not covered by power of attorney. A person with power of attorney

37.16 may only sign for you in your presence as outlined above.

37.17 Subp. 4b. **Form of mail voter's certificate.**

37.18 Signature Envelope

37.19 **Voter must complete this section** please print clearly

37.20 **Voter name** _____

37.21 **Voter MN Address** _____

37.22 _____ MN

37.23 I certify that on Election Day I will meet all the legal requirements to vote.

37.24 **Voter Signature X** _____

37.25 **Witness must complete this section**

37.26 **Witness name** _____

37.27 ~~MN street address~~

37.28 (or title, if an

37.29 official or notary)

38.1 _____
 38.2 ~~Street Address~~
 38.3 _____~~MN~~
 38.4 ~~City~~
 38.5 Title - only required for authorized officials or notaries
 38.6 _____

38.7 I certify that:

- 38.8 • the voter showed me the blank ~~ballots~~ ballot before voting;
- 38.9 • the voter marked the ~~ballots~~ ballot in secrecy or, if physically unable to mark the
- 38.10 ~~ballots~~ ballot, the ~~ballots were~~ ballot was marked as directed by the voter;
- 38.11 • the voter enclosed and sealed the ~~ballots~~ ballot in the ballot envelope; and
- 38.12 • I am ~~or have been registered to vote in Minnesota~~ at least 18 years of age on or before
- 38.13 the day of the election and a citizen of the United States, or am a notary, or am
- 38.14 authorized to give oaths.

38.15 **Witness Signature X** _____

38.16 If notary, must affix stamp

38.17 *[For text of subparts 4c to 13, see Minnesota Rules]*

38.18 **8215.0200 BALLOTS.**

38.19 *[For text of subparts 1 to 4, see Minnesota Rules]*

38.20 **Subp. 5. Order and form of write-in candidate lines.** If a party chair has requested
 38.21 that its party ballot contain a place for write-in candidates, below the name of the last
 38.22 candidate for each office shall be placed a blank line, and on the blank line the voter may
 38.23 write the name of persons not printed on the ballot for whom the voter desires to vote. Above
 38.24 or below the write-in line, the words "write-in, if any" must appear in as large as practicable
 38.25 but no smaller than 6-point type and must be aligned next to the vote target.

8215.0300 POLLING PLACE VOTING.

Subpart 1. **Form of roster.** At the presidential nomination primary, the polling place roster must also state: "I am in general agreement with the principles of the party for whose candidate I intend to vote, and I understand that my choice of a party's ballot will be ~~public information~~ shared with the chair of my selected major political party." This statement must appear separately from the statement certification included in part 8200.9115, subpart 1.

[For text of subparts 2 to 4, see Minnesota Rules]

8215.0400 ABSENTEE VOTING.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. Application form.

[For text of item A, see Minnesota Rules]

B. The absentee ballot oath must also contain the following statement: "I am in general agreement with the principles of the party for whose candidate I intend to vote, and I understand that my choice of a party's ballot will be ~~public information~~ shared with the chair of my selected major political party."

[For text of subparts 3 to 6, see Minnesota Rules]

Subp. 7. **Change of major party choice.** Until the close of business on the ~~seventh~~ 19th day before the election, a voter may change the voter's choice of which major political party ballot the voter wishes to receive by spoiling the voter's ballot and submitting an application indicating the major political party ballot the voter is requesting. ~~An absentee~~ A ballot cast under the alternative procedures provided in Minnesota Statutes, section 203B.081, ~~subdivision 3,~~ cannot be spoiled after it has been deposited in the ballot box.

[For text of subparts 8 and 9, see Minnesota Rules]

40.1 **8215.0500 MAIL BALLOTING.**40.2 *[For text of subparts 1 and 2, see Minnesota Rules]*

40.3 Subp. 3. **Form of instructions to mail voters.** Notwithstanding part 8210.3000,
40.4 subpart 4a, the form of instructions to mail voters to be used in a presidential nomination
40.5 primary must substitute the following instructions:

40.6 **How to vote by mail ballot**40.7 **You will need:**

- 40.8 • Ballot*
- 40.9 • Tan ballot envelope*
- 40.10 • White signature envelope*
- 40.11 • Pen with black ink
- 40.12 • Witness

40.13 ~~Anyone registered to vote in Minnesota~~ Any person who is at least 18 years of age
40.14 on or before the day of the election and who is a citizen of the United States,

40.15 *including your spouse or relative,*40.16 *or a notary public,*40.17 *or a person with the authority to administer oaths*

40.18 *If any of these items are missing, please contact your local election official.

40.19 **1 Vote!**

- 40.20 • Choose the ballot of the party that you are in general agreement with the principles
40.21 of.
- 40.22 • Show your witness that party's blank ballot, then mark your votes in private.
- 40.23 • Follow the instructions on the ballot.
- 40.24 • Do not write your name or ID number anywhere on your ballot.
- 40.25 • Do not vote for more than one candidate. If you do, your vote will not count.
- 40.26 • Do not vote the ballot of more than one party. Only return one ballot.

- 41.1 • Destroy and discard the extra blank ballot. You can destroy the ballot by shredding
41.2 or tearing the extra ballot in half. Do not return the extra ballot.

41.3 *See the other side if you make a mistake on your ballot.*

41.4 **2 Seal only one voted ballot in the tan ballot envelope**

- 41.5 • Carefully refold the ballot the way it was delivered to you.

- 41.6 • Do not write on this envelope.

41.7 **3 Put the tan ballot envelope into the white signature envelope**

41.8 **4 Fill out the white signature envelope completely**

- 41.9 • If there is no label, print your name and Minnesota address.
- 41.10 • In the oath, print the name of the political party ballot that you chose. If you do not
41.11 print a party name, your vote will not count. If you return a different ballot than you
41.12 indicate in the oath, your vote will not count.
- 41.13 • Read and sign the oath.
- 41.14 • Ask your witness to print their name ~~and Minnesota street address, including city~~
41.15 ~~(not a PO Box),~~ in the box at the top of the witness section and sign their name in
41.16 the box at the bottom of the witness section.

41.17 *If your witness is an official or notary, they must print their title instead of an*
41.18 *address.*

41.19 *Notaries must also affix their stamp.*

- 41.20 • Seal the envelope.

41.21 **5 Return your ballot by Election Day to the address on the signature envelope**

41.22 You have three options:

- 41.23 • Send it so it arrives by Election Day, using United States mail or a package delivery
41.24 service,
- 41.25 • Deliver it in person by 8:00 p.m. on Election Day, or
- 41.26 • Ask someone to deliver it by 8:00 p.m. on Election Day.

41.27 *This person cannot deliver more than 3 ballots.*

41.28 If you have questions, please call (...) ...-.... .

42.1 **See other side for special instructions if you have a disability**

42.2 **Correcting a mistake**

- 42.3 • If time allows, ask for a new ballot from your election office. Contact your election
- 42.4 office at [email] or [phone number], or
- 42.5 • Completely cross out the name of the candidate you accidentally marked and then
- 42.6 mark your ballot for the candidate you prefer (do not initial your corrections).

42.7 **If you have a disability:**

42.8 If you have a disability or cannot mark your ballot, your witness may assist you by

42.9 marking your ballot at your direction, assembling the materials, and filling out the forms

42.10 for you.

42.11 When signing the envelope, Minnesota law says you may:

- 42.12 • Sign the ~~return~~ signature envelope yourself, or
- 42.13 • Make your mark, or
- 42.14 • Ask your witness to sign for you in your presence. (Have your witness sign their
- 42.15 own name as well.)
- 42.16 • If you have adopted the use of a signature stamp for all purposes of signature, you
- 42.17 may use your signature stamp or ask your witness to use your signature stamp in
- 42.18 your presence.

42.19 Minnesota Statutes, section 645.44, subdivision 14

- 42.20 • If you have a print disability, you may request that ballots, instructions, and a
- 42.21 certificate of voter eligibility be transmitted electronically in an accessible format
- 42.22 by contacting your county auditor. If you request a ballot be transmitted electronically
- 42.23 in an accessible format, you may then complete your ballot electronically but must
- 42.24 print your voted ballot and return this ballot and completed certificate of voter
- 42.25 eligibility to your local election office.

42.26 Please note: Voting is not covered by power of attorney. A person with power of

42.27 attorney may only sign for you in your presence as outlined above.

42.28 *[For text of subpart 4, see Minnesota Rules]*

Subp. 5. **Form of mail voter's certificate.** Notwithstanding part 8210.3000, subpart 4b, the form of the mail voter's signature certificate to be used in a presidential nomination primary must be as follows:

Signature Envelope

Voter must complete this section

please print clearly

Voter name _____

Voter MN Address _____

_____ MN

I certify that on Election Day I will meet all the legal requirements to vote. I am in general agreement with the principles of the _____ Party, and I understand that my choice of a party's ballot will be ~~public information~~ shared with the chair of my selected major political party.

Voter Signature X _____

Witness must complete this section

Witness name _____

~~MN street address~~

~~(or title, if an official or notary)~~

~~Street Address~~

_____ ~~MN~~

~~City~~

Title - only required for authorized officials or notaries

I certify that:

- the voter showed me the blank ballot before voting;
- the voter marked the ballot in secrecy or, if physically unable to mark the ballot, the ballot was marked as directed by the voter;

- the voter enclosed and sealed the ballot in the ballot envelope; and
- I am ~~or have been registered to vote in Minnesota~~ at least 18 years of age on or before the day of the election and a citizen of the United States, or I am a notary, or I am authorized to give oaths.

Witness Signature X _____

If notary, must affix stamp

[For text of subpart 6, see Minnesota Rules]

Subp. 7. **Change of major party choice.** Until the close of business on the ~~seventh~~ 19th day before the election, a voter may change the voter's choice of which major political party ballot the voter requested by spoiling the voter's ballot and requesting that the county transmit to the voter replacement ballots.

[For text of subpart 8, see Minnesota Rules]

8220.1150 TEST BALLOTS.

All test ballots must be marked "~~TEST.~~" in a manner to indicate they are test ballots.

Ballots must be prepared having votes in excess of the number allowed by law for each office and proposal appearing on the ballot.

For district offices in which the number of candidates appearing on the ballot for that office varies by district, test ballots must be prepared with the number of votes allowed by law for that office in that district.

In partisan primary elections test ballots must be prepared to check the program for splitting tickets. Test ballots must be prepared with votes appearing in the same ballot for candidates of opposite political parties, nonpartisan candidates, and proposals. At least one ballot must be prepared with votes for one party and including votes for a nonpartisan office in excess of the number permitted by law.

In preparing the test deck, a number of the ballots must be voted to include valid votes in the partisan, nonpartisan, and proposal sections of the ballot. The test deck must include ballots involving no overvotes or marks in unassigned locations, valid votes for each candidate and ballot question, overvotes, undervotes, and invalid votes in many different combinations.

At least one test ballot must be prepared in which marks appear in the precinct identifier or ballot style indicator.

At least one test ballot must be included that is folded, as if it were mailed.

At least one test ballot marked by a different pen must be included.

Blank ballots in which no positions have been voted must be included in the test deck.

When required to be used in an election pursuant to Minnesota Statutes, section 206.57, subdivision 5, the test deck must include a number of ballots marked by an electronic ballot marker sufficient to have marked all vote targets on the ballot in every precinct.

8220.1550 PUBLIC ACCURACY TEST.

~~The election jurisdiction must hold a public accuracy test within 14 days prior to the election for the purpose of demonstrating the accuracy of the computer programs and voting systems to be used at the election.~~ In order to demonstrate the accuracy of the computer programs and voting systems to be used at an election, the election jurisdiction must hold a public accuracy test at least three days prior to the voting equipment being used. A ballot-marking device used for absentee voting must be tested according to part 8220.1350.

The public accuracy test must be conducted according to Minnesota Statutes, section 206.83.

The time and place of the public accuracy test must be designated by the election jurisdiction providing the computer program, which must give at least ~~48 hours'~~ five days' public notice of the time and place of the test by publication in official newspapers and by

46.1 posting a notice in the office of the county auditor and each local election official conducting
46.2 the test.

46.3 The test must be open to the public. At least two election judges of different political
46.4 parties must witness the test. The chief election official of the election jurisdiction shall
46.5 explain the methods and test procedures used to determine the accuracy of the computer
46.6 programs. This will include submitting as public record the certificate prepared in accordance
46.7 with part 8220.1450 that all precincts have been tested using the test deck prepared under
46.8 the direction of the election jurisdiction.

46.9 The sealed container containing the computer programs, test deck, and predetermined
46.10 results must be opened and the computer programs tested to determine their accuracy on
46.11 the voting systems on which they are to be used on election day. The testing of the voting
46.12 systems and programs must be with the test deck prepared under the direction of the election
46.13 jurisdiction. In election jurisdictions with three or fewer precincts, all the precincts must be
46.14 tested. In election jurisdictions with more than three precincts, a minimum of three precincts
46.15 must be tested. The precincts must be tested on at least one of each unique model of voting
46.16 equipment used by the election jurisdiction. One precinct from each congressional district,
46.17 legislative district, county commissioner district, ward, and school district on the ballot
46.18 must be tested. The official conducting the election shall select the precincts to be tested.

46.19 If an error is detected in any part of the testing, the cause must be ascertained, the error
46.20 corrected, and an errorless count must be made on all precincts. At the discretion of the
46.21 election jurisdiction, the meeting may be adjourned to a time and date certain.

46.22 This rule does not apply to ballot marking devices used for absentee voting. Those
46.23 devices must be tested under part 8220.1350.

8230.2040 RECORDING VALID WRITE-IN VOTES.

A write-in vote is only valid and able to be counted if the ballot is marked in the oval or other target shape opposite the blank when a voter writes an individual's name on the line provided for write-in votes. If a valid write-in vote exists, the election judges shall determine whether the write-in vote has caused an overvote. If the write-in vote has caused an overvote, the ballot is defective for that office only.

If the write-in vote does not cause an overvote for that office, the election judges shall enter the candidate's name and the office on the write-in vote tally sheet. The ballot must be placed with the other valid ballots for tabulation.

If the write-in vote causes an overvote for that office and the target next to the write-in vote is not completed, the election judges shall place the ballot in the envelope marked "ballots for which duplicates were or are to be made." The manner of duplication is prescribed in part 8230.3850.

At the discretion of the county auditor, the processing of write-in ballots may be done at the central counting center or at the office of the local election official or county auditor rather than at the precinct polling place.

8230.2250 DELIVERY OF TRANSFER CASE.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. **Delivery by two election judges.** The transfer case containing the required items as identified in part 8230.2050 must be delivered directly to the official conducting the election, central counting center, or collection point for transportation to the official conducting the election or central counting center by two election judges, not of the same political party.

8230.3850 DUPLICATION OF BALLOTS.

Any ballots requiring duplication at the polling place or central counting center must be duplicated in the following manner:

[For text of items A to E, see Minnesota Rules]

F. When a ballot created pursuant to Minnesota Statutes, section 206.80, paragraph (b), clause (2), item (ii), requires duplication, it shall be duplicated onto a blank ballot and the same process shall be used as that for other ballots needing duplication under this part.

8230.4355 BALLOT BOXES FOR PRECINCT COUNTING CENTERS.

Ballot boxes used with precinct count voting systems may be separate or part of the ballot counting equipment provided that the ballot is fed directly into a locked or sealed ballot box. ~~The ballot box may contain a compartment that receives ballots on which all votes have been counted except those for offices for which the write-in target has been completed.~~ An auxiliary ballot box, that may be separate or an additional compartment, must be supplied to be used if the voting system fails to function or for ballots that cannot be read by the ballot counter.

8230.4365 PRECINCT COUNT VOTING SYSTEM EQUIPMENT AND PROCEDURES.

[For text of subparts 1 to 4, see Minnesota Rules]

Subp. 5. **Opening ballot box during voting hours.** Two election judges of different political parties may open the ballot boxes on election day to straighten or remove the voted ballots but they shall not count or inspect the ballots. If removing ballots, the election judges shall put the ballots taken from the ballot box's main compartment into containers and seal them. ~~If the ballot box contains a compartment for write-in ballots, the judges shall put the ballots taken from the ballot box's write-in compartment into containers separate from the other ballots and seal them.~~ The judges shall label the ballot containers and store them in a

secure location. The judges shall note on the incident report the fact that the ballot box was opened, the time the box was opened, and, if applicable, the numbers of any seals used to seal the ballot containers.

[For text of subpart 6, see Minnesota Rules]

8235.0300 NOTICE.

Within 24 hours of receipt of any request for a recount for the election of presidential electors or after determining that a publicly funded recount is authorized and requested for any other office, or within 48 hours of receipt of a written request for a discretionary recount and filing of a security deposit if one is required, the official in charge of the recount shall send notice to the candidates for the office to be recounted and the county auditor of each county wholly or partially within the election district. The notice must include the date, starting time, and location of the recount, the office to be recounted, and the name of the official performing the recount. The notice must state that the recount is open to the public.

8235.0700 GENERAL PROCEDURES.

At the opening of a recount the recount official or legal adviser shall present the procedures contained in this rule for the recount. The custodian of the ballots shall make available to the recount official the precinct summary statements, the precinct boxes or the sealed containers of voted ballots, and any other election materials requested by the recount official. If the recount official needs to leave the room for any reason, the recount official must designate a deputy recount official to preside during the recount official's absence. A recount official must be in the room at all times. If the recount includes ballot format as provided in Minnesota Statutes, section 206.80, paragraph (b), clause (2), item (ii), and the ballots were used by ten or fewer voters in the precinct, the election judges from that precinct are not eligible to participate in conducting a recount or postelection review in that precinct. The containers of voted ballots must be unsealed and resealed within public view. No ballots or election materials may be handled by candidates, their representatives, or members of

the public. There must be an area of the room from which the public may observe the recount. Cell phones and video cameras may be used in this public viewing area, as long as their use is not disruptive. The recount official shall arrange the counting of the ballots so that the candidates and their representatives may observe the ballots as they are recounted. Candidates may each have one representative observe the sorting of each precinct. One additional representative per candidate may observe the ballots when they have been sorted and are being counted pursuant to part 8235.0800, subpart 2. Candidates may have additional representatives in the public viewing area of the room. If other election materials are handled or examined by the recount officials, the candidates and their representatives may observe them. The recount official shall ensure that public observation does not interfere with the counting of the ballots. The recount official shall prepare a summary of the recount vote by precinct.

8240.1600 ELECTION JUDGE BASIC TRAINING COURSE.

[For text of subparts 1 to 3, see Minnesota Rules]

Subp. 4. **Course content.** A basic training course must include necessary information and skill development in the following areas:

[For text of items A and B, see Minnesota Rules]

C. judges' duties during voting hours:

(1) election day voter registration;

(2) electronic pollbook training (if used in the jurisdiction);

~~(2)~~ (3) persons allowed in polling place;

~~(3)~~ (4) challenge process;

~~(4)~~ (5) voting process;

~~(5)~~ (6) spoiled ballots;

51.1 (7) assistance to voters in languages other than English;

51.2 ~~(6)~~ (8) assistance to disabled voters; and

51.3 ~~(7)~~ (9) absentee ballots voter information privacy;

51.4 [For text of items D and E, see Minnesota Rules]

51.5 F. major problems at prior elections; ~~and~~

51.6 G. how to follow instructions from the head election judge; and

51.7 H. if election judges will be working with absentee or early voting, their training
51.8 must also include:

51.9 (1) absentee ballot board procedures; and

51.10 (2) in-person absentee and early voting procedures.

51.11 **8240.1655 QUALIFICATIONS FOR TRAINEE ELECTION JUDGES.**

51.12 [For text of subparts 1 and 2, see Minnesota Rules]

51.13 Subp. 3. **Qualifications.** A trainee election judge must be a United States citizen,
51.14 must be at least 16 years of age, and must meet any residency requirement specified in
51.15 Minnesota Statutes, section 204B.19, subdivision 6. Until graduation, trainee election judges
51.16 must provide certification from their school that they are enrolled in a Minnesota high
51.17 school, and are performing at an academic level acceptable to the principal of the trainee's
51.18 high school. Until graduation, a trainee election judge who is home-schooled must provide
51.19 certification from the trainee's parent that the trainee is performing at an academic level
51.20 acceptable to serve as a trainee election judge.

51.21 [For text of subparts 4 to 6, see Minnesota Rules]

51.22 **8240.1750 HEAD ELECTION JUDGE TRAINING.**

51.23 [For text of subpart 1, see Minnesota Rules]

52.1 Subp. 2. **Course content.** The head election judge training course must include
52.2 information on the following topics:

52.3 *[For text of items A to F, see Minnesota Rules]*

52.4 G. security and emergency plans;

52.5 ~~G.~~ H. head election judges' duties at the polling place after the polls close; and

52.6 ~~H.~~ I. how to return election materials to the local election official after the ballots
52.7 have been counted.

52.8 **8240.2700 MUNICIPAL CLERK TRAINING REQUIREMENT.**

52.9 *[For text of subparts 1 to 4, see Minnesota Rules]*

52.10 Subp. 5. **Training content.** An election administration training course for municipal
52.11 clerks must include training on:

52.12 *[For text of items A to H, see Minnesota Rules]*

52.13 I. electronic pollbook training (if used in the jurisdiction);

52.14 ~~I.~~ J. mail ballot precincts and mail elections;

52.15 ~~J.~~ K. voting before election day (absentee and early voting);

52.16 ~~K.~~ L. security practices and emergency plans; and

52.17 ~~L.~~ M. post-election duties.

52.18 *[For text of subparts 6 to 10, see Minnesota Rules]*

52.19 **8240.2800 SCHOOL DISTRICT CLERK TRAINING REQUIREMENT.**

52.20 *[For text of subparts 1 to 4, see Minnesota Rules]*

52.21 Subp. 5. **Training content.** An election administration training course for school
52.22 district clerks must include training on:

53.1 [For text of items A to H, see Minnesota Rules]

53.2 I. electronic pollbooks, if used in the school district;

53.3 ~~I.~~ J. mail elections;

53.4 ~~J.~~ K. absentee voting;

53.5 ~~K.~~ L. security practices and emergency plans; and

53.6 ~~L.~~ M. post-election duties.

53.7 [For text of subparts 6 to 10, see Minnesota Rules]

53.8 **8240.2900 COUNTY AUDITOR ELECTION ADMINISTRATION**
53.9 **CERTIFICATION.**

53.10 [For text of subparts 1 to 3, see Minnesota Rules]

53.11 Subp. 4. **Training content.** An election administration training course for county
53.12 auditors must include training on:

53.13 [For text of items A to E, see Minnesota Rules]

53.14 F. ballot and equipment preparation;

53.15 [For text of item G, see Minnesota Rules]

53.16 H. mail ballot precincts and mail elections;

53.17 I. voting before election day (early and absentee voting);

53.18 [For text of item J, see Minnesota Rules]

53.19 K. security practices and emergency plans;

53.20 L. post-election duties; ~~and~~

53.21 M. records retention and data practice requests; and

54.1 ~~M. N.~~ the duties performed by municipal and school district clerks.

54.2 *[For text of subparts 5 to 9, see Minnesota Rules]*

54.3 **8250.1810 FORMAT OF BALLOTS FOR OPTICAL SCAN SYSTEMS.**

54.4 *[For text of subparts 1 to 8, see Minnesota Rules]*

54.5 Subp. 9. **Order of candidates for ~~partisan office~~ president and vice president in**
54.6 **general election.** ~~At the same time that the secretary of state certifies the names of nominees~~
54.7 ~~under Minnesota Statutes, section 204C.32, subdivision 2, the secretary of state shall certify~~
54.8 ~~to the county auditors the order in which the names of the candidates representing the~~
54.9 ~~political parties as defined in Minnesota Statutes, section 200.02, subdivision 7, must appear~~
54.10 ~~for every partisan office on the ballot. Candidates nominated by petition must appear on~~
54.11 ~~the ballot beneath the names of the candidates of the political parties as defined in Minnesota~~
54.12 ~~Statutes, section 200.02, subdivision 7, and in the order determined by lot by the secretary~~
54.13 ~~of state. At least 11 weeks before the state general election, the secretary of state shall draw~~
54.14 ~~lots once by political party or principle~~ for the candidates for president and vice president
54.15 nominated by petition. To draw the lot, a candidate who has used the word "independent"
54.16 to designate the candidate's party or principle must be identified by the word "independent"
54.17 followed by the candidate's surname. If more than one candidate is nominated by petition
54.18 for the same office within the same political party or principle, the secretary of state shall
54.19 draw a supplementary lot within that party or principle by candidate surname to determine
54.20 the order of those candidates. ~~The order of political parties or principles determined by the~~
54.21 ~~drawing of lots applies to all partisan offices on the ballot.~~

54.22 *[For text of subparts 10 to 17, see Minnesota Rules]*

54.23 Subp. 18. **Example ballot.** The secretary of state shall supply each auditor with a
54.24 copy of an example ballot by May 1 of each year. Translated copies of the example ballots
54.25 shall be provided according to Minnesota Statutes, section 204B.295, subdivision 1. The

example ballot must illustrate the format required for the ballots used in the primary and general elections that year. The county auditor shall distribute copies of the example ballot to municipal and school district clerks in municipalities and school districts holding elections that year. The official ballots must conform in all respects to the example ballot.

Subp. 19. **Alternative ballot.** The requirements in this part do not apply to the printed and marked paper ballots that use the alternative ballot format permitted by Minnesota Statutes, section 206.80, paragraph (b), clause (2), item (ii). For precincts using alternative ballots, the marked paper ballot must indicate, at a minimum, the date of the election; the name of the precinct; an electronically readable precinct identifier or ballot style indicator; and the voter's votes for each office or question, generated from the voter's use of a touch screen or other electronic device on which a complete ballot meeting the information requirements of all applicable laws was displayed electronically. The ballot must also include lines for initials of at least two election judges.

REPEALER. Minnesota Rules, parts 8200.5100, subpart 3; and 8200.9320, are repealed.