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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **1140**

02/01/2023 Authored by Freiberg and Greenman

The bill was read for the first time and referred to the Committee on Elections Finance and Policy

03/13/2023 Adoption of Report: Amended and re-referred to the Committee on Judiciary Finance and Civil Law

1.1 A bill for an act

1.2 relating to elections; making technical and policy changes to provisions related to

1.3 elections administration; amending Minnesota Statutes 2022, sections 5B.06;

1.4 201.061, subdivisions 1, 3; 201.071, subdivisions 1, as amended, 8; 201.091,

1.5 subdivisions 2, 4a; 201.12, subdivision 2; 201.121, subdivision 1; 201.13,

1.6 subdivision 3; 201.1611, subdivision 1; 201.195; 201.225, subdivision 2; 202A.16,

1.7 subdivision 1; 202A.18, subdivision 2a; 203B.01, by adding a subdivision; 203B.02,

1.8 by adding a subdivision; 203B.08, subdivisions 1, 3; 203B.081, subdivisions 1, 2,

1.9 3; 203B.11, subdivisions 1, 2, 4; 203B.12, subdivision 7; 203B.121, subdivisions

1.10 2, 3, 4; 203B.16, subdivision 2; 204B.06, subdivisions 1, 1b, 4a, by adding a

1.11 subdivision; 204B.09, subdivisions 1, 3; 204B.13, by adding a subdivision;

1.12 204B.14, subdivision 2; 204B.16, subdivision 1; 204B.19, subdivision 6; 204B.21,

1.13 subdivision 2; 204B.32, subdivision 2; 204B.45, subdivisions 1, 2; 204B.46;

1.14 204C.07, subdivision 4; 204C.15, subdivision 1; 204C.24, subdivision 1; 204C.28,

1.15 subdivision 1; 204C.35, by adding a subdivision; 204C.39, subdivision 1; 204D.08,

1.16 subdivision 6; 204D.09, subdivision 2; 204D.16; 204D.19, subdivision 2; 204D.22,

1.17 subdivision 3; 204D.23, subdivision 2; 204D.25, subdivision 1; 205.13, subdivision

1.18 5; 205.16, subdivision 2; 205.175, subdivision 3; 205A.09, subdivision 2; 205A.10,

1.19 subdivision 5; 205A.12, subdivision 5; 206.58, subdivisions 1, 3; 206.845, by

1.20 adding a subdivision; 207A.12; 207A.13, subdivision 2; 207A.15, subdivision 2;

1.21 209.021, subdivision 2; 211B.15, subdivision 8; 367.03, subdivision 6; 447.32,

1.22 subdivision 4.

1.23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.24 Section 1. Minnesota Statutes 2022, section 5B.06, is amended to read:

1.25 **5B.06 VOTING BY PROGRAM PARTICIPANT; ABSENTEE BALLOT.**

1.26 A program participant who is otherwise eligible to vote may register with the secretary

1.27 of state as a permanent absentee voter. Notwithstanding section 203B.04, subdivision 5,

1.28 the secretary of state is not required to send an absentee ballot application prior to each

1.29 election to a program participant registered as a permanent absentee voter under this section.

1.30 As soon as practicable before each election, the secretary of state shall determine the precinct

2.1 in which the residential address of ~~the~~ a program participant is located ~~and~~. Upon making  
2.2 a precinct determination, the secretary of state shall either (1) request from and receive from  
2.3 the county auditor or other election official the ballot for that precinct and ~~shall forward~~  
2.4 mail the absentee ballot to the program participant ~~with the other~~, or (2) using the Minnesota  
2.5 statewide voter registration system, prepare the program participant's ballot for that precinct  
2.6 and mail the absentee ballot to the program participant. The secretary of state shall include  
2.7 with each mailed absentee ballot all corresponding materials for absentee balloting as  
2.8 required by Minnesota law. The program participant shall complete the ballot and return it  
2.9 to the secretary of state, who shall review the ballot in the manner provided by section  
2.10 203B.121, subdivision 2. If the ballot and ballot materials comply with the requirements of  
2.11 that section, the ballot must be certified by the secretary of state as the ballot of a program  
2.12 participant, and must be forwarded to the appropriate electoral jurisdiction for tabulation  
2.13 along with all other ballots. The name and address of a program participant must not be  
2.14 listed in the statewide voter registration system.

2.15 Sec. 2. Minnesota Statutes 2022, section 201.061, subdivision 1, is amended to read:

2.16 Subdivision 1. **Prior to election day.** (a) At any time except during the 20 days  
2.17 immediately preceding any regularly scheduled election, an eligible voter or any individual  
2.18 who will be an eligible voter at the time of the next election may register to vote in the  
2.19 precinct in which the voter maintains residence by completing a voter registration application  
2.20 as described in section 201.071, subdivision 1. A completed application may be submitted:

2.21 (1) in person or by mail to the county auditor of that county or to the Secretary of State's  
2.22 Office; or

2.23 (2) electronically through a secure website that shall be maintained by the secretary of  
2.24 state for this purpose, if the applicant has an email address and provides the applicant's  
2.25 verifiable Minnesota driver's license number, Minnesota state identification card number,  
2.26 or the last four digits of the applicant's Social Security number.

2.27 (b) A registration that is received in person or by mail no later than 5:00 p.m. on the  
2.28 21st day preceding any election, or a registration received electronically through the secretary  
2.29 of state's secure website no later than 11:59 p.m. on the 21st day preceding any election,  
2.30 shall be accepted. An improperly addressed or delivered registration application shall be  
2.31 forwarded within two working days after receipt to the county auditor of the county where  
2.32 the voter maintains residence. A state or local agency or an individual that accepts completed  
2.33 voter registration applications from a voter must submit the completed applications to the

3.1 secretary of state or the appropriate county auditor within ten calendar days after the  
3.2 applications are dated by the voter.

3.3 ~~(b)~~ (c) An application submitted electronically under paragraph (a), clause (2), may only  
3.4 be transmitted to the county auditor for processing if the secretary of state has verified the  
3.5 application information matches the information in a government database associated with  
3.6 the applicant's driver's license number, state identification card number, or Social Security  
3.7 number. The secretary of state must review all unverifiable voter registration applications  
3.8 submitted electronically for evidence of suspicious activity and must forward any such  
3.9 application to an appropriate law enforcement agency for investigation.

3.10 (d) An individual may not electronically submit a voter registration application on behalf  
3.11 of any other individual, except that the secretary of state may provide features on the secure  
3.12 website established under paragraph (a), clause (2), that allow third parties to connect  
3.13 application programming interfaces that facilitate an individual's submission of voter  
3.14 registration information while interacting with the third party.

3.15 ~~(e)~~ (e) For purposes of this section, mail registration is defined as a voter registration  
3.16 application delivered to the secretary of state, county auditor, or municipal clerk by the  
3.17 United States Postal Service or a commercial carrier.

3.18 Sec. 3. Minnesota Statutes 2022, section 201.061, subdivision 3, is amended to read:

3.19 Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register  
3.20 on election day by appearing in person at the polling place for the precinct in which the  
3.21 individual maintains residence, by completing a registration application, making an oath in  
3.22 the form prescribed by the secretary of state and providing proof of residence. An individual  
3.23 may prove residence for purposes of registering by:

3.24 (1) presenting a driver's license or Minnesota identification card issued pursuant to  
3.25 section 171.07;

3.26 (2) presenting any document approved by the secretary of state as proper identification;

3.27 (3) presenting one of the following:

3.28 (i) a current valid student identification card from a postsecondary educational institution  
3.29 in Minnesota, if a list of students from that institution has been prepared under section  
3.30 135A.17 and certified to the county auditor in the manner provided in rules of the secretary  
3.31 of state; or

4.1 (ii) a current student fee statement that contains the student's valid address in the precinct  
4.2 together with a picture identification card; or

4.3 (4) having a voter who is registered to vote in the precinct, or an employee employed  
4.4 by and working in a residential facility in the precinct and vouching for a resident in the  
4.5 facility, sign an oath in the presence of the election judge vouching that the voter or employee  
4.6 personally knows that the individual is a resident of the precinct. A voter who has been  
4.7 vouched for on election day may not sign a proof of residence oath vouching for any other  
4.8 individual on that election day. A voter who is registered to vote in the precinct may sign  
4.9 up to eight proof-of-residence oaths on any election day. This limitation does not apply to  
4.10 an employee of a residential facility described in this clause. The secretary of state shall  
4.11 provide a form for election judges to use in recording the number of individuals for whom  
4.12 a voter signs proof-of-residence oaths on election day. The form must include space for the  
4.13 maximum number of individuals for whom a voter may sign proof-of-residence oaths. For  
4.14 each proof-of-residence oath, the form must include a statement that the individual: (i) is  
4.15 registered to vote in the precinct or is an employee of a residential facility in the precinct,  
4.16 (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the  
4.17 statement on oath. The form must include a space for the voter's printed name, signature,  
4.18 telephone number, and address.

4.19 The oath required by this subdivision and Minnesota Rules, part 8200.9939, must be  
4.20 attached to the voter registration application.

4.21 (b) The operator of a residential facility shall prepare a list of the names of its employees  
4.22 currently working in the residential facility and the address of the residential facility. The  
4.23 operator shall certify the list and provide it to the appropriate county auditor no less than  
4.24 20 days before each election for use in election day registration.

4.25 (c) "Residential facility" means transitional housing as defined in section 256E.33,  
4.26 subdivision 1; a supervised living facility licensed by the commissioner of health under  
4.27 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision  
4.28 5; ~~a residence registered with the commissioner of health as a housing with services~~  
4.29 ~~establishment as defined in section 144D.01, subdivision 4~~ an assisted living facility licensed  
4.30 by the commissioner of health under chapter 144G; a veterans home operated by the board  
4.31 of directors of the Minnesota Veterans Homes under chapter 198; a residence licensed by  
4.32 the commissioner of human services to provide a residential program as defined in section  
4.33 245A.02, subdivision 14; a residential facility for persons with a developmental disability  
4.34 licensed by the commissioner of human services under section 252.28; setting authorized  
4.35 to provide housing support as defined in section 256I.03, subdivision 3; a shelter for battered

5.1 women as defined in section 611A.37, subdivision 4; ~~or~~ a supervised publicly or privately  
5.2 operated shelter or dwelling designed to provide temporary living accommodations for the  
5.3 homeless; a facility where a provider operates a residential treatment program as defined  
5.4 in section 245.462, subdivision 23; or a facility where a provider operates an adult foster  
5.5 care program as defined in section 245A.02, subdivision 6c.

5.6 (d) For tribal band members, an individual may prove residence for purposes of  
5.7 registering by:

5.8 (1) presenting an identification card issued by the tribal government of a tribe recognized  
5.9 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the  
5.10 name, address, signature, and picture of the individual; or

5.11 (2) presenting an identification card issued by the tribal government of a tribe recognized  
5.12 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the  
5.13 name, signature, and picture of the individual and also presenting one of the documents  
5.14 listed in Minnesota Rules, part 8200.5100, subpart 2, item B.

5.15 (e) A county, school district, or municipality may require that an election judge  
5.16 responsible for election day registration initial each completed registration application.

5.17 Sec. 4. Minnesota Statutes 2022, section 201.071, subdivision 1, as amended by Laws  
5.18 2023, chapter 12, section 2, is amended to read:

5.19 Subdivision 1. **Form.** Both paper and electronic voter registration applications must  
5.20 contain the same information unless otherwise provided by law. A voter registration  
5.21 application must contain spaces for the following required information: voter's first name,  
5.22 middle name, and last name; voter's previous name, if any; voter's current address; voter's  
5.23 previous address, if any; voter's date of birth; voter's municipality and county of residence;  
5.24 voter's telephone number, if provided by the voter; date of registration; current and valid  
5.25 Minnesota driver's license number or Minnesota state identification number, or if the voter  
5.26 has no current and valid Minnesota driver's license or Minnesota state identification, the  
5.27 last four digits of the voter's Social Security number; and voter's signature. The paper  
5.28 registration application may include the voter's email address, if provided by the voter. The  
5.29 electronic voter registration application must include the voter's email address. The  
5.30 registration application may include the voter's interest in serving as an election judge, if  
5.31 indicated by the voter. The application must also contain the following certification of voter  
5.32 eligibility:

5.33 "I certify that I:

- 6.1 (1) will be at least 18 years old on election day;
- 6.2 (2) am a citizen of the United States;
- 6.3 (3) will have ~~resided~~ maintained residence in Minnesota for 20 days immediately
- 6.4 preceding election day;
- 6.5 (4) maintain residence at the address given on the registration form;
- 6.6 (5) am not under court-ordered guardianship in which the court order revokes my right
- 6.7 to vote;
- 6.8 (6) have not been found by a court to be legally incompetent to vote;
- 6.9 (7) am not currently incarcerated for a conviction of a felony offense; and
- 6.10 (8) have read and understand the following statement: that giving false information is a
- 6.11 felony punishable by not more than five years imprisonment or a fine of not more than
- 6.12 \$10,000, or both."

6.13 The certification must include boxes for the voter to respond to the following questions:

6.14 "(1) Are you a citizen of the United States?" and

6.15 "(2) Will you be 18 years old on or before election day?"

6.16 And the instruction:

6.17 "If you checked 'no' to either of these questions, do not complete this form."

6.18 The form of the voter registration application and the certification of voter eligibility

6.19 must be as provided in this subdivision and approved by the secretary of state. Voter

6.20 registration forms authorized by the National Voter Registration Act must also be accepted

6.21 as valid. The federal postcard application form must also be accepted as valid if it is not

6.22 deficient and the voter is eligible to register in Minnesota.

6.23 An individual may use a voter registration application to apply to register to vote in

6.24 Minnesota or to change information on an existing registration.

6.25 Sec. 5. Minnesota Statutes 2022, section 201.071, subdivision 8, is amended to read:

6.26 Subd. 8. **School district assistance.** School districts shall assist county auditors in

6.27 determining the school district in which a voter ~~resides~~ maintains residence.

7.1 Sec. 6. Minnesota Statutes 2022, section 201.091, subdivision 2, is amended to read:

7.2 Subd. 2. **Corrected list.** By February 15 of each year, the secretary of state shall prepare  
7.3 the master list for each county auditor. The records in the statewide registration system must  
7.4 be periodically corrected and updated by the county auditor. An updated master list for each  
7.5 precinct must be available for absentee voting at least 46 days before each election. A final  
7.6 corrected master list must be available ~~seven~~ 14 days before each election.

7.7 Sec. 7. Minnesota Statutes 2022, section 201.091, subdivision 4a, is amended to read:

7.8 Subd. 4a. **Presidential primary political party list.** The secretary of state must maintain  
7.9 a list of the voters who voted in a presidential nomination primary and the political party  
7.10 each voter selected. Information maintained on the list is private data on individuals as  
7.11 defined under section 13.02, subdivision 12, except that the secretary of state must provide  
7.12 ~~the list~~ to the chair of each major political party the list of voters who selected that party.

7.13 Sec. 8. Minnesota Statutes 2022, section 201.12, subdivision 2, is amended to read:

7.14 Subd. 2. **Moved within state.** If any nonforwardable mailing from an election official  
7.15 is returned as undeliverable but with a permanent forwarding address in this state, the county  
7.16 auditor may change the voter's status to "inactive" in the statewide registration system and  
7.17 shall transmit a copy of the mailing to the auditor of the county in which the new address  
7.18 is located. If an election is scheduled to occur in the precinct in which the voter ~~resides~~  
7.19 maintains residence in the next 47 days, the county auditor shall promptly update the voter's  
7.20 address in the statewide voter registration system. If there is not an election scheduled, the  
7.21 auditor may wait to update the voter's address until after the next list of address changes is  
7.22 received from the secretary of state. Once updated, the county auditor shall mail to the voter  
7.23 a notice stating the voter's name, address, precinct, and polling place, except that if the  
7.24 voter's record is challenged due to a felony conviction, noncitizenship, name change,  
7.25 incompetence, or a court's revocation of voting rights of individuals under guardianship,  
7.26 the auditor must not mail the notice. The notice must advise the voter that the voter's voting  
7.27 address has been changed and that the voter must notify the county auditor within 21 days  
7.28 if the new address is not the voter's address of residence. The notice must state that it must  
7.29 be returned if it is not deliverable to the voter at the named address.

7.30 Sec. 9. Minnesota Statutes 2022, section 201.121, subdivision 1, is amended to read:

7.31 Subdivision 1. **Entry of registration information.** (a) At the time a voter registration  
7.32 application is properly completed, submitted, and received in accordance with sections

8.1 201.061 and 201.071, the county auditor shall enter the information contained on it into the  
8.2 statewide registration system. Voter registration applications completed before election day  
8.3 must be entered into the statewide registration system within ten days after they have been  
8.4 submitted to the county auditor. Voter registration applications completed on election day  
8.5 must be entered into the statewide registration system within 42 days after the election,  
8.6 unless the county auditor notifies the secretary of state before the deadline has expired that  
8.7 the deadline will not be met. Upon receipt of a notification under this paragraph, the secretary  
8.8 of state must extend the deadline for that county auditor by an additional 28 days. The  
8.9 secretary of state may waive a county's obligations under this paragraph if, on good cause  
8.10 shown, the county demonstrates its permanent inability to comply.

8.11 The secretary of state must post data on each county's compliance with this paragraph on  
8.12 the secretary of state's website including, as applicable, the date each county fully complied  
8.13 or the deadline by which a county's compliance must be complete.

8.14 (b) Upon receiving a completed voter registration application, the secretary of state may  
8.15 electronically transmit the information on the application to the appropriate county auditor  
8.16 as soon as possible for review by the county auditor before final entry into the statewide  
8.17 registration system. The secretary of state may mail the voter registration application to the  
8.18 county auditor.

8.19 (c) Within ten days after the county auditor has entered information from a voter  
8.20 registration application into the statewide registration system, the secretary of state shall  
8.21 compare the voter's name, date of birth, and driver's license number, state identification  
8.22 number, or the last four digits of the Social Security number with the same information  
8.23 contained in the Department of Public Safety database.

8.24 (d) The secretary of state shall provide a report to the county auditor on a weekly basis  
8.25 that includes a list of voters whose name, date of birth, or identification number have been  
8.26 compared with the same information in the Department of Public Safety database and cannot  
8.27 be verified as provided in this subdivision. The report must list separately those voters who  
8.28 have submitted a voter registration application by mail and have not voted in a federal  
8.29 election in this state.

8.30 (e) The county auditor shall compile a list of voters for whom the county auditor and  
8.31 the secretary of state are unable to conclude that information on the voter registration  
8.32 application and the corresponding information in the Department of Public Safety database  
8.33 relate to the same person.



9.1 (f) The county auditor shall send a notice of incomplete registration to any voter whose  
9.2 name appears on the list and change the voter's status to "~~incomplete.~~" "challenged." A voter  
9.3 who receives a notice of incomplete registration from the county auditor may either provide  
9.4 the information required to ~~complete the registration~~ clear the challenge at least 21 days  
9.5 before the next election or at the polling place on election day.

9.6 Sec. 10. Minnesota Statutes 2022, section 201.13, subdivision 3, is amended to read:

9.7 Subd. 3. **Use of change of address system.** (a) At least once each month the secretary  
9.8 of state shall obtain a list of individuals registered to vote in this state who have filed with  
9.9 the United States Postal Service a change of their permanent address. The secretary of state  
9.10 may also periodically obtain a list of individuals with driver's licenses or state identification  
9.11 cards to identify those who are registered to vote who have applied to the Department of  
9.12 Public Safety for a replacement driver's license or state identification card with a different  
9.13 address, and a list of individuals for whom the Department of Public Safety received  
9.14 notification of a driver's license or state identification card cancellation due to a change of  
9.15 residency out of state. However, the secretary of state shall not load data derived from these  
9.16 lists into the statewide voter registration system within the 47 days before the state primary  
9.17 or 47 days before a November general election.

9.18 (b) If the address is changed to another address in this state, the secretary of state shall  
9.19 locate the precinct in which the voter ~~resides~~ maintains residence, if possible. If the secretary  
9.20 of state is able to locate the precinct in which the voter ~~resides~~ maintains residence, the  
9.21 secretary must transmit the information about the changed address by electronic means to  
9.22 the county auditor of the county in which the new address is located. For addresses for  
9.23 which the secretary of state is unable to determine the precinct, the secretary may forward  
9.24 information to the appropriate county auditors for individual review. If the voter has not  
9.25 voted or submitted a voter registration application since the address change, upon receipt  
9.26 of the information, the county auditor shall update the voter's address in the statewide voter  
9.27 registration system. The county auditor shall mail to the voter a notice stating the voter's  
9.28 name, address, precinct, and polling place, unless the voter's record is challenged due to a  
9.29 felony conviction, noncitizenship, name change, incompetence, or a court's revocation of  
9.30 voting rights of individuals under guardianship, in which case the auditor must not mail the  
9.31 notice. The notice must advise the voter that the voter's voting address has been changed  
9.32 and that the voter must notify the county auditor within 21 days if the new address is not  
9.33 the voter's address of residence. The notice must state that it must be returned if it is not  
9.34 deliverable to the voter at the named address.

10.1 (c) If the change of permanent address is to an address outside this state, the secretary  
10.2 of state shall notify by electronic means the auditor of the county where the voter formerly  
10.3 ~~resided~~ maintained residence that the voter has moved to another state. If the voter has not  
10.4 voted or submitted a voter registration application since the address change, the county  
10.5 auditor shall promptly mail to the voter at the voter's new address a notice advising the voter  
10.6 that the voter's status in the statewide voter registration system will be changed to "inactive"  
10.7 unless the voter notifies the county auditor within 21 days that the voter is retaining the  
10.8 former address as the voter's address of residence, except that if the voter's record is  
10.9 challenged due to a felony conviction, noncitizenship, name change, incompetence, or a  
10.10 court's revocation of voting rights of individuals under guardianship, the auditor must not  
10.11 mail the notice. If the notice is not received by the deadline, the county auditor shall change  
10.12 the voter's status to "inactive" in the statewide voter registration system.

10.13 (d) If, in order to maintain voter registration records, the secretary of state enters an  
10.14 agreement to share information or data with an organization governed exclusively by a  
10.15 group of states, the secretary must first determine that the data security protocols are sufficient  
10.16 to safeguard the information or data shared. If required by such an agreement, the secretary  
10.17 of state may share the following data from the statewide voter registration system and data  
10.18 released to the secretary of state under section 171.12, subdivision 7a:

10.19 (1) name;

10.20 (2) date of birth;

10.21 (3) address;

10.22 (4) driver's license or state identification card number;

10.23 (5) the last four digits of an individual's Social Security number; and

10.24 (6) the date that an individual's record was last updated.

10.25 If the secretary of state enters into such an agreement, the secretary and county auditors  
10.26 must process changes to voter records based upon that data in accordance with this section.  
10.27 Except as otherwise provided in this subdivision, when data is shared with the secretary of  
10.28 state by another state, the secretary of state must maintain the same data classification that  
10.29 the data had while it was in the possession of the state providing the data.

10.30 Sec. 11. Minnesota Statutes 2022, section 201.1611, subdivision 1, is amended to read:

10.31 Subdivision 1. **Forms.** All postsecondary institutions that enroll students accepting state  
10.32 or federal financial aid shall provide voter registration forms to each student as early as

11.1 possible in the fall quarter. All school districts shall make available voter registration  
 11.2 applications each May and September to all students registered as students of the school  
 11.3 district who will be eligible to vote at the next election after those months. A school district  
 11.4 has no obligation to provide voter registration applications to students who participate in a  
 11.5 postsecondary education option program or who otherwise ~~reside~~ maintain residence in the  
 11.6 district but do not attend a school operated by the district. A school district fulfills its  
 11.7 obligation to a student under this section if it provides a voter registration application to the  
 11.8 student one time. The forms must contain spaces for the information required in section  
 11.9 201.071, subdivision 1, and applicable rules of the secretary of state. The institutions and  
 11.10 school districts may request these forms from the secretary of state. Institutions shall consult  
 11.11 with their campus student government in determining the most effective means of distributing  
 11.12 the forms and in seeking to facilitate election day registration of students under section  
 11.13 201.061, subdivision 3. School districts must advise students that completion of the voter  
 11.14 registration application is not a school district requirement.

11.15 Sec. 12. Minnesota Statutes 2022, section 201.195, is amended to read:

11.16 **201.195 CHALLENGES.**

11.17 Subdivision 1. **Petition; hearing timing.** (a) Upon petition filed with the county auditor,  
 11.18 any voter registered within a county may challenge the eligibility or residence of any other  
 11.19 voter registered within that county. A petition filed pursuant to this section must not include  
 11.20 the name of more than one person whose right to vote is challenged. The county auditor  
 11.21 must not accept a filing which challenges the eligibility of more than one voter. Petitions  
 11.22 must be filed at least 45 days before the election, unless the voter registered or updated the  
 11.23 voter's registration within 60 days before the election, in which case the petition must be  
 11.24 filed at least ten days before the election, or within ten days after the voter's new or updated  
 11.25 registration appeared on the public information list, whichever is later.

11.26 (b) The petition ~~shall~~ must state the grounds for challenge ~~and~~, provide facts and  
 11.27 circumstances supporting the challenge, and may include supporting documents, affidavits,  
 11.28 or other evidence. The petition must be accompanied by an affidavit stating that the challenge  
 11.29 is based on the challenger's personal knowledge, and that the filer exercised due diligence  
 11.30 to personally verify the facts and circumstances establishing the basis for the challenge.  
 11.31 The filer has the burden to prove, by clear and convincing evidence, that the basis for  
 11.32 challenging the individual's eligibility to vote is valid.

11.33 (c) The following reasons, standing alone, do not constitute adequate grounds for a  
 11.34 challenge:

12.1 (1) a piece of mail sent to the voter by someone other than the county auditor that was  
12.2 returned as undeliverable;

12.3 (2) enrollment in an educational institution; or

12.4 (3) registration to vote at an address that is housing provided for students by an  
12.5 educational institution.

12.6 Subd. 1a. **Reasons for dismissal.** If the petition is incomplete, or if the basis for the  
12.7 challenge does not meet the requirements of this section, the county auditor must dismiss  
12.8 the petition and notify the filer in writing of the reasons for the dismissal.

12.9 Subd. 1b. **Notice to voter.** Within five days after receipt of ~~the~~ a petition that meets the  
12.10 requirements of this section, the county auditor shall must set a date for a hearing on the  
12.11 challenge and notify the challenger by mail. A copy of the petition and notice of the hearing  
12.12 shall must be served on the challenged voter by the county auditor in the same manner as  
12.13 in a civil action. The county auditor must inform the challenged individual that:

12.14 (1) a petition has been filed as to whether the individual is eligible to vote as well as the  
12.15 basis of the challenge;

12.16 (2) if the individual votes by mail, the individual's ballot will not be counted unless the  
12.17 challenge is resolved; and

12.18 (3) the individual may submit information prior to the hearing or present information at  
12.19 the hearing. This information may include a sworn statement, supporting documents,  
12.20 affidavits, witnesses, or other evidence supporting the challenged individual's eligibility to  
12.21 vote in the election.

12.22 Subd. 1c. **Hearing.** The hearing shall must be held before the county auditor or the  
12.23 auditor's designee who shall must then make findings and affirm or dismiss the challenge.  
12.24 The hearing must be recorded by either video or audio recording. The recording must be  
12.25 retained for 22 months.

12.26 Subd. 2. **Appeal.** If a challenge is affirmed, the voter whose registration has been  
12.27 challenged may appeal the ruling to the secretary of state. The voter must immediately  
12.28 notify the county auditor of the appeal, and upon receipt of this notice, the county auditor  
12.29 must submit the entire record of the hearing, including all documents and a recording of  
12.30 the hearing, to the secretary of state. The appeal shall must be heard within five days but in  
12.31 any case before election day. Upon hearing the appeal the secretary of state shall must affirm  
12.32 or reverse the ruling and shall must give appropriate instructions to the county auditor.

13.1 Subd. 3. **Hearing procedures.** A hearing before the secretary of state ~~shall~~ must be  
13.2 conducted as a contested case and determined in accordance with chapter 14.

13.3 Sec. 13. Minnesota Statutes 2022, section 201.225, subdivision 2, is amended to read:

13.4 Subd. 2. **Technology requirements.** An electronic roster must:

13.5 (1) be able to be loaded with a data file that includes voter registration data in a file  
13.6 format prescribed by the secretary of state;

13.7 (2) allow for data to be exported in a file format prescribed by the secretary of state;

13.8 (3) allow for data to be entered manually or by scanning a Minnesota driver's license or  
13.9 identification card to locate a voter record or populate a voter registration application that  
13.10 would be printed and signed and dated by the voter. The printed registration application  
13.11 can be either a printed form, labels printed with voter information to be affixed to a preprinted  
13.12 form, or a combination of both;

13.13 (4) allow an election judge to update data that was populated from a scanned driver's  
13.14 license or identification card;

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

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

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

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

13.25 (9) provide for a printed voter signature certificate, containing the voter's name, address  
13.26 of residence, date of birth, voter identification number, the oath required by section 204C.10,  
13.27 and a space for the voter's original signature. The printed voter signature certificate can be  
13.28 either a printed form or a label printed with the voter's information to be affixed to the oath;

13.29 (10) contain only preregistered voters within the precinct, and not contain preregistered  
13.30 voter data on voters registered outside of the precinct;

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

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

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

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

14.9 Electronic rosters used only for election day registration do not need to comply with clauses  
14.10 (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need  
14.11 to comply with clauses (4) and (5).

14.12 Sec. 14. Minnesota Statutes 2022, section 202A.16, subdivision 1, is amended to read:

14.13 Subdivision 1. **Eligible voters.** Only those individuals who are or will be eligible to vote  
14.14 at the time of the next state general election, may vote or be elected a delegate or officer at  
14.15 the precinct caucus. An eligible voter may vote or be elected a delegate or officer only in  
14.16 the precinct where the voter ~~resides~~ maintains residence at the time of the caucus.

14.17 Sec. 15. Minnesota Statutes 2022, section 202A.18, subdivision 2a, is amended to read:

14.18 Subd. 2a. **Preference ballot for governor.** In a year when the office of governor appears  
14.19 on the state general election ballot, prior to the opening of nominations for the election of  
14.20 permanent offices and delegates, a ballot must be distributed to permit caucus participants  
14.21 to indicate their preference for the office of the governor. The results of preference voting  
14.22 must be reported to the secretary of state immediately upon conclusion of the voting, in the  
14.23 manner provided by the secretary of state. The secretary of state shall provide the appropriate  
14.24 forms to the party for reporting the results.

14.25 Sec. 16. Minnesota Statutes 2022, section 203B.01, is amended by adding a subdivision  
14.26 to read:

14.27 Subd. 5. **Utility worker.** "Utility worker" means an employee of a public utility as  
14.28 defined by section 216B.02, subdivision 4.

15.1 Sec. 17. Minnesota Statutes 2022, section 203B.02, is amended by adding a subdivision  
15.2 to read:

15.3 Subd. 4. **Emergency response providers.** Any trained or certified emergency response  
15.4 provider or utility worker who is deployed during the time period authorized by law for  
15.5 absentee voting, on election day, or during any state of emergency declared by the President  
15.6 of the United States or any governor of any state within the United States may vote by  
15.7 absentee ballot either as provided by sections 203B.16 to 203B.27.

15.8 Sec. 18. Minnesota Statutes 2022, section 203B.08, subdivision 1, is amended to read:

15.9 Subdivision 1. **Marking and return by voter.** (a) An eligible voter who receives absentee  
15.10 ballots as provided in this chapter shall mark them in the manner specified in the directions  
15.11 for casting the absentee ballots. The return envelope containing marked ballots may be  
15.12 mailed as provided in the directions for casting the absentee ballots, may be left with the  
15.13 county auditor or municipal clerk who transmitted the absentee ballots to the voter, or may  
15.14 be left in a drop box as provided in section 203B.082. If delivered in person, the return  
15.15 envelope must be submitted to the county auditor or municipal clerk by ~~3:00~~ 8:00 p.m. on  
15.16 election day.

15.17 (b) The voter may designate an agent to deliver in person the sealed absentee ballot  
15.18 return envelope to the county auditor or municipal clerk or to deposit the return envelope  
15.19 in the mail. An agent may deliver or mail the return envelopes of not more than three voters  
15.20 in any election. Any person designated as an agent who tampers with either the return  
15.21 envelope or the voted ballots or does not immediately mail or deliver the return envelope  
15.22 to the county auditor or municipal clerk is guilty of a misdemeanor.

15.23 Sec. 19. Minnesota Statutes 2022, section 203B.08, subdivision 3, is amended to read:

15.24 Subd. 3. **Procedures on receipt of ballots.** When absentee ballots are returned to a  
15.25 county auditor or municipal clerk, that official shall stamp or initial and date the return  
15.26 envelope and place it in a locked ballot container or other secured and locked space with  
15.27 other return envelopes received by that office. Within five days after receipt, the county  
15.28 auditor or municipal clerk shall deliver to the ballot board all ballots received, except that  
15.29 during the 14 days immediately preceding an election, the county auditor or municipal clerk  
15.30 shall deliver all ballots received to the ballot board within three days. Ballots received on  
15.31 election day ~~either (1) after 3:00 p.m., if delivered in person; or (2) after 8:00 p.m., if~~  
15.32 ~~delivered by mail or a package delivery service,~~ shall be marked as received late by the  
15.33 county auditor or municipal clerk, and must not be delivered to the ballot board.

16.1 Sec. 20. Minnesota Statutes 2022, section 203B.081, subdivision 1, is amended to read:

16.2 Subdivision 1. **Location; timing.** An eligible voter may vote by absentee ballot in the  
16.3 office of the county auditor and at any other polling place designated by the county auditor  
16.4 during the 46 days before the election, except as provided in this section. The county auditor  
16.5 shall make such polling place designations at least 14 weeks before the election. Voters  
16.6 casting absentee ballots in person for a town election held in March may do so during the  
16.7 30 days before the election.

16.8 Sec. 21. Minnesota Statutes 2022, section 203B.081, subdivision 2, is amended to read:

16.9 Subd. 2. ~~Town elections~~ Voting booth; electronic ballot marker. ~~Voters casting~~  
16.10 ~~absentee ballots in person for a town election held in March may do so during the 30 days~~  
16.11 ~~before the election. The county auditor shall make such designations at least 14 weeks before~~  
16.12 ~~the election. For purposes of this section, the county auditor must make available in each~~  
16.13 ~~polling place (1) at least one voting booth in each polling place must be made available by~~  
16.14 ~~the county auditor for this purpose. The county auditor must also make available, and (2)~~  
16.15 ~~at least one electronic ballot marker in each polling place that has implemented a voting~~  
16.16 ~~system that is accessible for individuals with disabilities pursuant to section 206.57,~~  
16.17 ~~subdivision 5.~~

16.18 Sec. 22. Minnesota Statutes 2022, section 203B.081, subdivision 3, is amended to read:

16.19 Subd. 3. **Alternative procedure.** (a) The county auditor may make available a ballot  
16.20 counter and ballot box for use by the voters during the ~~seven~~ 14 days before the election.  
16.21 If a ballot counter and ballot box is provided, a voter must be given the option either (1) to  
16.22 vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the  
16.23 manner provided in this subdivision.

16.24 (b) If a voter chooses to vote in the manner provided in this subdivision, the voter must  
16.25 state the voter's name, address, and date of birth to the county auditor or municipal clerk.  
16.26 The voter shall sign a voter's certificate, which must include the voter's name, identification  
16.27 number, and the certification required by section 201.071, subdivision 1. The signature of  
16.28 an individual on the voter's certificate and the issuance of a ballot to the individual is evidence  
16.29 of the intent of the individual to vote at that election.

16.30 (c) After signing the voter's certificate, the voter shall be issued a ballot and immediately  
16.31 retire to a voting station or other designated location in the polling place to mark the ballot.  
16.32 The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter



17.1 may return it to the election official in exchange for a new ballot. After completing the  
17.2 ballot, the voter shall deposit the ballot into the ballot box.

17.3 (d) The election official must immediately record that the voter has voted in the manner  
17.4 provided in section 203B.121, subdivision 3.

17.5 (e) The election duties required by this subdivision must be performed by the county  
17.6 auditor, municipal clerk, or a deputy of the auditor or clerk.

17.7 Sec. 23. Minnesota Statutes 2022, section 203B.11, subdivision 1, is amended to read:

17.8 Subdivision 1. **Generally.** (a) Each full-time municipal clerk or school district clerk  
17.9 who has authority under section 203B.05 to administer absentee voting laws ~~shall~~ must  
17.10 designate election judges to deliver absentee ballots in accordance with this section. The  
17.11 county auditor must also designate election judges to perform the duties in this section. A  
17.12 ballot may be delivered only to an eligible voter who is a temporary or permanent resident  
17.13 or patient in a health care facility or hospital located in the municipality in which the voter  
17.14 maintains residence. The ballots ~~shall~~ must be delivered by two election judges, each of  
17.15 whom is affiliated with a different major political party. When the election judges deliver  
17.16 or return ballots as provided in this section, they ~~shall~~ must travel together in the same  
17.17 vehicle. Both election judges ~~shall~~ must be present when an applicant completes the certificate  
17.18 of eligibility and marks the absentee ballots, and may assist an applicant as provided in  
17.19 section 204C.15. The election judges ~~shall~~ must deposit the return envelopes containing the  
17.20 marked absentee ballots in a sealed container and return them to the clerk on the same day  
17.21 that they are delivered and marked.

17.22 (b) At the discretion of a full-time municipal clerk, school district clerk, or county auditor,  
17.23 absentee ballots may be delivered in the same manner as prescribed in paragraph (a) to a  
17.24 facility providing assisted living services governed by chapter 144G, a veterans home  
17.25 operated by the board of directors of the Minnesota veterans homes under chapter 198 or a  
17.26 shelter for battered women as defined in section 611A.37, subdivision 4.

17.27 Sec. 24. Minnesota Statutes 2022, section 203B.11, subdivision 2, is amended to read:

17.28 Subd. 2. ~~Twenty~~ **Forty-five days before an election.** During the ~~20~~ 45 days preceding  
17.29 an election, the election judges ~~shall~~ must deliver absentee ballots only to an eligible voter  
17.30 who has applied for absentee ballots to the county auditor or municipal clerk under section  
17.31 203B.04, subdivision 1.

18.1 Sec. 25. Minnesota Statutes 2022, section 203B.11, subdivision 4, is amended to read:

18.2 Subd. 4. **Agent delivery of ballots.** During the seven days preceding an election and  
18.3 until ~~2:00~~ 8:00 p.m. on election day, an eligible voter who would have difficulty getting to  
18.4 the polls because of incapacitating health reasons, or who is disabled, or who is a patient  
18.5 of a health care facility, a resident of a facility providing assisted living services governed  
18.6 by chapter 144G, a participant in a residential program for adults licensed under section  
18.7 245A.02, subdivision 14, or a resident of a shelter for battered women as defined in section  
18.8 611A.37, subdivision 4, may designate an agent to deliver the ballots to the voter from the  
18.9 county auditor or municipal clerk. An agent must have a preexisting relationship with the  
18.10 voter. A candidate at the election may not be designated as an agent. The voted ballots must  
18.11 be returned to the county auditor or municipal clerk no later than ~~3:00~~ 8:00 p.m. on election  
18.12 day. The voter must complete an affidavit requesting the auditor or clerk to provide the  
18.13 agent with the ballots in a sealed transmittal envelope. The affidavit must include a statement  
18.14 from the voter stating that the ballots were delivered to the voter by the agent in the sealed  
18.15 transmittal envelope. An agent may deliver ballots to no more than three persons in any  
18.16 election. The secretary of state shall provide samples of the affidavit and transmission  
18.17 envelope for use by the county auditors.

18.18 Sec. 26. Minnesota Statutes 2022, section 203B.12, subdivision 7, is amended to read:

18.19 Subd. 7. **Names of persons; rejected absentee ballots.** ~~(a)~~ The names of voters who  
18.20 have submitted an absentee ballot to the county auditor or municipal clerk that has not been  
18.21 accepted ~~may not be made available for public inspection until the close of voting on election~~  
18.22 ~~day.~~

18.23 ~~(b) After the close of voting on election day, the lists~~ must be available to the public in  
18.24 the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

18.25 Sec. 27. Minnesota Statutes 2022, section 203B.121, subdivision 2, is amended to read:

18.26 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board  
18.27 shall take possession of all signature envelopes delivered to them in accordance with section  
18.28 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk,  
18.29 two or more members of the ballot board shall examine each signature envelope and shall  
18.30 mark it accepted or rejected in the manner provided in this subdivision. Election judges  
18.31 performing the duties in this section must be of different major political parties, unless they  
18.32 are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10,  
18.33 subdivision 2.

19.1 (b) The members of the ballot board shall mark the signature envelope "Accepted" and  
19.2 initial or sign the signature envelope below the word "Accepted" if a majority of the members  
19.3 of the ballot board examining the envelope are satisfied that:

19.4 (1) the voter's name and address on the signature envelope are the same as the information  
19.5 provided on the absentee ballot application;

19.6 (2) the voter signed the certification on the envelope;

19.7 (3) the voter's Minnesota driver's license, state identification number, or the last four  
19.8 digits of the voter's Social Security number are the same as a number on the voter's absentee  
19.9 ballot application or voter record. If the number does not match, the election judges must  
19.10 compare the signature provided by the applicant to determine whether the ballots were  
19.11 returned by the same person to whom they were transmitted;

19.12 (4) the voter is registered and eligible to vote in the precinct or has included a properly  
19.13 completed voter registration application in the signature envelope;

19.14 (5) the certificate has been completed as prescribed in the directions for casting an  
19.15 absentee ballot; and

19.16 (6) the voter has not already voted at that election, either in person or, if it is after the  
19.17 ~~close of business on the seventh~~ 14th day before the election, by absentee ballot.

19.18 The signature envelope from accepted ballots must be preserved and returned to the  
19.19 county auditor.

19.20 (c)(1) If a majority of the members of the ballot board examining a signature envelope  
19.21 find that an absentee voter has failed to meet one of the requirements provided in paragraph  
19.22 (b), they shall mark the signature envelope "Rejected," initial or sign it below the word  
19.23 "Rejected," list the reason for the rejection on the envelope, and return it to the county  
19.24 auditor. There is no other reason for rejecting an absentee ballot beyond those permitted by  
19.25 this section. Failure to place the ballot within the secrecy envelope before placing it in the  
19.26 outer white envelope is not a reason to reject an absentee ballot.

19.27 (2) If an envelope has been rejected at least five days before the election, the envelope  
19.28 must remain sealed and the official in charge of the ballot board shall provide the voter with  
19.29 a replacement absentee ballot and signature envelope in place of the rejected ballot.

19.30 (3) If an envelope is rejected within five days of the election, the envelope must remain  
19.31 sealed and the official in charge of the ballot board must attempt to contact the voter by  
19.32 telephone or email to notify the voter that the voter's ballot has been rejected. The official  
19.33 must document the attempts made to contact the voter.

20.1 (d) The official in charge of the absentee ballot board must mail the voter a written notice  
20.2 of absentee ballot rejection between six and ten weeks following the election. If the official  
20.3 determines that the voter has otherwise cast a ballot in the election, no notice is required.  
20.4 If an absentee ballot arrives after the deadline for submission provided by this chapter, the  
20.5 notice must be provided between six to ten weeks after receipt of the ballot. A notice of  
20.6 absentee ballot rejection must contain the following information:

20.7 (1) the date on which the absentee ballot was rejected or, if the ballot was received after  
20.8 the required deadline for submission, the date on which the ballot was received;

20.9 (2) the reason for rejection; and

20.10 (3) the name of the appropriate election official to whom the voter may direct further  
20.11 questions, along with appropriate contact information.

20.12 (e) An absentee ballot signature envelope marked "Rejected" may not be opened or  
20.13 subject to further review except in an election contest filed pursuant to chapter 209.

20.14 Sec. 28. Minnesota Statutes 2022, section 203B.121, subdivision 3, is amended to read:

20.15 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk  
20.16 must immediately record that a voter's absentee ballot has been accepted. After the close  
20.17 of business on the ~~seventh~~ 14th day before the election, a voter whose record indicates that  
20.18 an absentee ballot has been accepted must not be permitted to cast another ballot at that  
20.19 election. In a state primary, general, or state special election for federal or state office, the  
20.20 auditor or clerk must also record this information in the statewide voter registration system.

20.21 (b) The roster must be marked, and a supplemental report of absentee voters who  
20.22 submitted a voter registration application with their ballot must be created, no later than the  
20.23 start of voting on election day to indicate the voters that have already cast a ballot at the  
20.24 election. The roster may be marked either:

20.25 (1) by the county auditor or municipal clerk before election day;

20.26 (2) by the ballot board before election day; or

20.27 (3) by the election judges at the polling place on election day.

20.28 The record of a voter whose absentee ballot was received after the ~~close of business on~~  
20.29 ~~the seventh~~ 14th day before the election is not required to be marked on the roster or  
20.30 contained in a supplemental report as required by this paragraph.

21.1 Sec. 29. Minnesota Statutes 2022, section 203B.121, subdivision 4, is amended to read:

21.2 Subd. 4. **Opening of envelopes.** After the ~~close of business on the seventh~~ 14th day  
21.3 before the election, the ballots from secrecy envelopes within the signature envelopes marked  
21.4 "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86,  
21.5 subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate  
21.6 ballot box. If more than one voted ballot is enclosed in the ballot envelope, the ballots must  
21.7 be returned in the manner provided by section 204C.25 for return of spoiled ballots, and  
21.8 may not be counted.

21.9 Sec. 30. Minnesota Statutes 2022, section 203B.16, subdivision 2, is amended to read:

21.10 Subd. 2. **Indefinite residence outside United States.** Sections 203B.16 to 203B.27  
21.11 provide the exclusive voting procedure for United States citizens who are living indefinitely  
21.12 outside the territorial limits of the United States who meet all the qualifications of an eligible  
21.13 voter except residence in Minnesota, but who are authorized by federal law to vote in  
21.14 Minnesota because they or, if they have never ~~resided~~ maintained residence in the United  
21.15 States, a parent maintained residence in Minnesota for at least 20 days immediately prior  
21.16 to their departure from the United States. Individuals described in this subdivision shall be  
21.17 permitted to vote only for the offices of president, vice-president, senator in Congress, and  
21.18 representative in Congress.

21.19 Sec. 31. Minnesota Statutes 2022, section 204B.06, subdivision 1, is amended to read:

21.20 Subdivision 1. **Form of affidavit.** An affidavit of candidacy shall state the name of the  
21.21 office sought and, except as provided in subdivision 4, shall state that the candidate:

21.22 (1) is an eligible voter;

21.23 (2) has no other affidavit on file as a candidate for any office at the same primary or  
21.24 next ensuing general election, ~~except that a candidate for soil and water conservation district~~  
21.25 ~~supervisor in a district not located in whole or in part in Anoka, Hennepin, Ramsey, or~~  
21.26 ~~Washington County, may also have on file an affidavit of candidacy for mayor or council~~  
21.27 ~~member of a statutory or home rule charter city of not more than 2,500 population contained~~  
21.28 ~~in whole or in part in the soil and water conservation district or for town supervisor in a~~  
21.29 ~~town of not more than 2,500 population contained in whole or in part in the soil and water~~  
21.30 ~~conservation district~~ as authorized by subdivision 9; and

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

22.4 An affidavit of candidacy must include a statement that the candidate's name as written  
22.5 on the affidavit for ballot designation is the candidate's true name or the name by which the  
22.6 candidate is commonly and generally known in the community.

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

22.9 Sec. 32. Minnesota Statutes 2022, section 204B.06, subdivision 1b, is amended to read:

22.10 Subd. 1b. **Address, electronic mail address, and telephone number.** (a) An affidavit  
22.11 of candidacy must state a telephone number where the candidate can be contacted. An  
22.12 affidavit must also state the candidate's or campaign's nongovernment issued electronic  
22.13 mail address or an attestation that the candidate and the candidate's campaign do not possess  
22.14 an email address. An affidavit must also state the candidate's address of residence as  
22.15 determined under section 200.031, or at the candidate's request in accordance with paragraph  
22.16 (c), the candidate's campaign contact address. The form for the affidavit of candidacy must  
22.17 allow the candidate to request, if eligible, that the candidate's address of residence be  
22.18 classified as private data, and to provide the certification required under paragraph (c) for  
22.19 classification of that address.

22.20 (b) For an office whose residency requirement must be satisfied by the close of the filing  
22.21 period, a registered voter in this state may request in writing that the filing officer receiving  
22.22 the affidavit of candidacy review the address as provided in this paragraph, at any time up  
22.23 to one day after the last day for filing for office. If requested, the filing officer must determine  
22.24 whether the address provided in the affidavit of candidacy is within the area represented by  
22.25 the office the candidate is seeking. If the filing officer determines that the address is not  
22.26 within the area represented by the office, the filing officer must immediately notify the  
22.27 candidate and the candidate's name must be removed from the ballot for that office. A  
22.28 determination made by a filing officer under this paragraph is subject to judicial review  
22.29 under section 204B.44.

22.30 (c) If the candidate requests that the candidate's address of residence be classified as  
22.31 private data, the candidate must list the candidate's address of residence on a separate form  
22.32 to be attached to the affidavit. The candidate must also certify on the affidavit that a police  
22.33 report has been submitted or an order for protection has been issued in regard to the safety  
22.34 of the candidate or the candidate's family, or that the candidate's address is otherwise private

23.1 pursuant to Minnesota law. The address of residence provided by a candidate who makes  
23.2 a request for classification on the candidate's affidavit of candidacy and provides the  
23.3 certification required by this paragraph is classified as private data, as defined in section  
23.4 13.02, subdivision 12, but may be reviewed by the filing officer as provided in this  
23.5 subdivision.

23.6 (d) The requirements of this subdivision do not apply to affidavits of candidacy for a  
23.7 candidate for: (1) judicial office; (2) the office of county attorney; or (3) county sheriff.

23.8 Sec. 33. Minnesota Statutes 2022, section 204B.06, subdivision 4a, is amended to read:

23.9 Subd. 4a. **State and local offices.** Candidates who seek nomination for the following  
23.10 offices shall state the following additional information on the affidavit:

23.11 (1) for governor or lieutenant governor, that on the first Monday of the next January the  
23.12 candidate will be 25 years of age or older and, on the day of the state general election, a  
23.13 resident of Minnesota for not less than one year;

23.14 (2) for supreme court justice, court of appeals judge, or district court judge, that the  
23.15 candidate is learned in the law and will not turn 70 years of age before the first Monday in  
23.16 January of the following year;

23.17 (3) for county, municipal, school district, or special district office, that the candidate  
23.18 meets any other qualifications for that office prescribed by law;

23.19 (4) for senator or representative in the legislature, that on the day of the general or special  
23.20 election to fill the office the candidate will have ~~resided~~ maintained residence not less than  
23.21 one year in the state and not less than six months in the legislative district from which the  
23.22 candidate seeks election.

23.23 Sec. 34. Minnesota Statutes 2022, section 204B.06, is amended by adding a subdivision  
23.24 to read:

23.25 Subd. 9. **Multiple affidavits of candidacy.** Notwithstanding subdivision 1, clause (2):

23.26 (1) a candidate for soil and water conservation district supervisor in a district not located  
23.27 in whole or in part in Anoka, Hennepin, Ramsey, or Washington County may also have on  
23.28 file an affidavit of candidacy for:

23.29 (i) mayor or council member of a statutory or home rule charter city of not more than  
23.30 2,500 population contained in whole or in part in the soil and water conservation district;  
23.31 or

24.1 (ii) town supervisor in a town of not more than 2,500 population contained in whole or  
24.2 in part in the soil and water conservation district; and

24.3 (2) a candidate for school board member may also have on file an affidavit of candidacy  
24.4 for town board supervisor, unless that town board is exercising the powers of a statutory  
24.5 city under section 368.01 or an applicable special law.

24.6 Sec. 35. Minnesota Statutes 2022, section 204B.09, subdivision 1, is amended to read:

24.7 Subdivision 1. **Candidates in state and county general elections.** (a) Except as  
24.8 otherwise provided by this subdivision, affidavits of candidacy and nominating petitions  
24.9 for county, state, and federal offices filled at the state general election shall be filed not  
24.10 more than 84 days nor less than 70 days before the state primary. The affidavit may be  
24.11 prepared and signed at any time between 60 days before the filing period opens and the last  
24.12 day of the filing period.

24.13 (b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed  
24.14 in the presence of a notarial officer or an individual authorized to administer oaths under  
24.15 section 358.10.

24.16 (c) This provision does not apply to candidates for presidential elector nominated by  
24.17 major political parties. Major party candidates for presidential elector are certified under  
24.18 section 208.03. Other candidates for presidential electors may file petitions at least 77 days  
24.19 before the general election day pursuant to section 204B.07. Nominating petitions to fill  
24.20 vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or  
24.21 petition shall be accepted later than 5:00 p.m. on the last day for filing.

24.22 (d) Affidavits and petitions for county offices must be filed with the county auditor of  
24.23 that county. Affidavits and petitions for federal offices must be filed with the secretary of  
24.24 state. Affidavits and petitions for state offices must be filed with the secretary of state or  
24.25 with the county auditor of the county in which the candidate ~~resides~~ maintains residence.

24.26 (e) Affidavits other than those filed pursuant to subdivision 1a must be submitted by  
24.27 mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and must  
24.28 be received by 5:00 p.m. on the last day for filing.

24.29 Sec. 36. Minnesota Statutes 2022, section 204B.09, subdivision 3, is amended to read:

24.30 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who  
24.31 wants write-in votes for the candidate to be counted must file a written request with the  
24.32 filing office for the office sought not more than 84 days before the primary and no later



25.1 than the ~~seventh~~ 14th day before the general election. The filing officer shall provide copies  
25.2 of the form to make the request. The filing officer shall not accept a written request later  
25.3 than 5:00 p.m. on the last day for filing a written request.

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

25.6 (1) require the candidate to file a written request with the chief election official at least  
25.7 14 days before the city election if the candidate wants to have the candidate's write-in votes  
25.8 individually recorded; or

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

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

25.17 (c) The governing body of a township, school board, hospital district, park district, soil  
25.18 and water district, or other ancillary elected district may adopt a resolution governing the  
25.19 counting of write-in votes for local elective office. The resolution may require that write-in  
25.20 votes for an individual candidate only be individually recorded if the total number of write-in  
25.21 votes for that office is equal to or greater than the fewest number of non-write-in votes for  
25.22 a ballot candidate.

25.23 ~~(b)~~ (d) A candidate for president of the United States who files a request under this  
25.24 subdivision must ~~file jointly with another individual seeking nomination as a candidate for~~  
25.25 ~~vice president of the United States. A candidate for vice president of the United States who~~  
25.26 ~~files a request under this subdivision must file jointly with another individual seeking~~  
25.27 ~~nomination as~~ include the name of a candidate for vice president of the United States. The  
25.28 request must also include the name of at least one candidate for presidential elector. The  
25.29 total number of names of candidates for presidential elector on the request may not exceed  
25.30 the total number of electoral votes to be cast by Minnesota in the presidential election.

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

26.1 Sec. 37. Minnesota Statutes 2022, section 204B.13, is amended by adding a subdivision  
26.2 to read:

26.3 Subd. 6a. **Candidates for federal office.** This section does not apply to a vacancy in  
26.4 nomination for a federal office.

26.5 Sec. 38. Minnesota Statutes 2022, section 204B.14, subdivision 2, is amended to read:

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

26.8 (1) each city ward; and

26.9 (2) each town and each statutory city.

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

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

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

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

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

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

26.22 A copy of the ordinance or resolution establishing a combined polling place must be  
26.23 filed with the county auditor within 30 days after approval by the governing body, and the  
26.24 county auditor must provide notice within ten days to the secretary of state, in a manner  
26.25 and including information prescribed by the secretary of state. A polling place combined  
26.26 under clause (3) must be approved by the governing body of each participating municipality.  
26.27 A polling place combined under clause (4) must be approved by the governing body of each  
26.28 participating municipality and the secretary of state and may be located outside any of the  
26.29 noncontiguous precincts. A municipality withdrawing from participation in a combined  
26.30 polling place must do so by filing a resolution of withdrawal with the county auditor no  
26.31 later than October 1 if a presidential nomination primary is scheduled to occur in the  
26.32 following year or April 1 of any other year, and the county auditor must provide notice

27.1 within ten days to the secretary of state, in a manner and including information prescribed  
27.2 by the secretary of state.

27.3 The secretary of state shall provide a separate polling place roster for each precinct  
27.4 served by the combined polling place, except that in a precinct that uses electronic rosters  
27.5 the secretary of state shall provide separate data files for each precinct. A single set of  
27.6 election judges may be appointed to serve at a combined polling place. The number of  
27.7 election judges required must be based on the total number of persons voting at the last  
27.8 similar election in all precincts to be voting at the combined polling place. Separate ballot  
27.9 boxes must be provided for the ballots from each precinct. The results of the election must  
27.10 be reported separately for each precinct served by the combined polling place, except in a  
27.11 polling place established under clause (2) where one of the precincts has fewer than ten  
27.12 registered voters, in which case the results of that precinct must be reported in the manner  
27.13 specified by the secretary of state.

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

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

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

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

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

27.27 (5) the local elections official must immediately notify the county auditor and the  
27.28 secretary of state of the combination, including the reason for the emergency combination  
27.29 and the location of the combined polling place. As soon as possible, the local elections  
27.30 official must also post a notice stating the reason for the combination and the location of  
27.31 the combined polling place. The notice must also be posted on the governing board's website,  
27.32 if one exists. The local elections official must also notify the election judges and request  
27.33 that local media outlets publicly announce the reason for the combination and the location  
27.34 of the combined polling place; and

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

28.9 Sec. 39. Minnesota Statutes 2022, section 204B.16, subdivision 1, is amended to read:

28.10 Subdivision 1. **Authority; location.** (a) By December 31 of each year, the governing  
28.11 body of each municipality and of each county with precincts in unorganized territory must  
28.12 designate by ordinance or resolution ~~a polling place for each election precinct. The polling~~  
28.13 ~~places designated in the ordinance or resolution are the polling places for the following~~  
28.14 ~~calendar year, unless a change is made:~~ any changes to a polling place location. A polling  
28.15 place must be maintained for the following calendar year unless changed:

28.16 (1) by ordinance or resolution by December 31 of the previous year;

28.17 ~~(1)~~ (2) pursuant to section 204B.175;

28.18 ~~(2)~~ (3) because a polling place has become unavailable;

28.19 ~~(3)~~ (4) because a township designates one location for all state, county, and federal  
28.20 elections and one location for all township only elections; and

28.21 ~~(4)~~ (5) pursuant to section 204B.14, subdivision 3.

28.22 (b) Polling places must be designated and ballots must be distributed so that no one is  
28.23 required to go to more than one polling place to vote in a school district and municipal  
28.24 election held on the same day. The polling place for a precinct in a city or in a school district  
28.25 located in whole or in part in the metropolitan area defined by section 200.02, subdivision  
28.26 24, shall be located within the boundaries of the precinct or within one mile of one of those  
28.27 boundaries unless a single polling place is designated for a city pursuant to section 204B.14,  
28.28 subdivision 2, or a school district pursuant to section 205A.11. The polling place for a  
28.29 precinct in unorganized territory may be located outside the precinct at a place which is  
28.30 convenient to the voters of the precinct. If no suitable place is available within a town or  
28.31 within a school district located outside the metropolitan area defined by section 200.02,  
28.32 subdivision 24, then the polling place for a town or school district may be located outside

29.1 the town or school district within five miles of one of the boundaries of the town or school  
29.2 district.

29.3 Sec. 40. Minnesota Statutes 2022, section 204B.19, subdivision 6, is amended to read:

29.4 Subd. 6. **High school students.** Notwithstanding any other requirements of this section,  
29.5 a student enrolled in a high school in Minnesota or who is in a home school in compliance  
29.6 with sections 120A.22 and 120A.24, who has attained the age of 16 is eligible to be appointed  
29.7 as a without party affiliation trainee election judge in the county in which the student ~~resides~~  
29.8 maintains residence, or a county adjacent to the county in which the student ~~resides~~ maintains  
29.9 residence. The student must meet qualifications for trainee election judges specified in rules  
29.10 of the secretary of state. A student appointed as a trainee election judge may be excused  
29.11 from school attendance during the hours that the student is serving as a trainee election  
29.12 judge if the student submits a written request signed and approved by the student's parent  
29.13 or guardian to be absent from school and a certificate from the appointing authority stating  
29.14 the hours during which the student will serve as a trainee election judge to the principal of  
29.15 the school at least ten days prior to the election. Students shall not serve as trainee election  
29.16 judges after 10:00 p.m. Notwithstanding section 177.24 to the contrary, trainee election  
29.17 judges may be paid not less than two-thirds of the minimum wage for a large employer.  
29.18 The principal of the school may approve a request to be absent from school conditioned on  
29.19 acceptable academic performance at the time of service as a trainee election judge.

29.20 Sec. 41. Minnesota Statutes 2022, section 204B.21, subdivision 2, is amended to read:

29.21 Subd. 2. **Appointing authority; powers and duties.** Election judges for precincts in a  
29.22 municipality shall be appointed by the governing body of the municipality. Election judges  
29.23 for precincts in unorganized territory and for performing election-related duties assigned  
29.24 by the county auditor shall be appointed by the county board. Election judges for a precinct  
29.25 composed of two or more municipalities must be appointed by the governing body of the  
29.26 municipality or municipalities responsible for appointing election judges as provided in the  
29.27 agreement to combine for election purposes. Except as otherwise provided in this section,  
29.28 appointments shall be made from the list of voters who ~~reside~~ maintain residence in each  
29.29 precinct, furnished pursuant to subdivision 1, subject to the eligibility requirements and  
29.30 other qualifications established or authorized under section 204B.19. At least two election  
29.31 judges in each precinct must be affiliated with different major political parties. If no lists  
29.32 have been furnished or if additional election judges are required after all listed names in  
29.33 that municipality have been exhausted, the appointing authority may appoint other individuals  
29.34 who meet the qualifications to serve as an election judge, including persons on the list

30.1 furnished pursuant to subdivision 1 who indicated a willingness to travel to the municipality,  
30.2 and persons who are not affiliated with a major political party. An individual who is appointed  
30.3 from a source other than the list furnished pursuant to subdivision 1 must provide to the  
30.4 appointing authority the individual's major political party affiliation or a statement that the  
30.5 individual does not affiliate with any major political party. An individual who refuses to  
30.6 provide the individual's major political party affiliation or a statement that the individual  
30.7 does not affiliate with a major political party must not be appointed as an election judge.  
30.8 The appointments shall be made at least 25 days before the election at which the election  
30.9 judges will serve, except that the appointing authority may pass a resolution authorizing  
30.10 the appointment of additional election judges within the 25 days before the election if the  
30.11 appointing authority determines that additional election judges will be required.

30.12 Sec. 42. Minnesota Statutes 2022, section 204B.32, subdivision 2, is amended to read:

30.13 Subd. 2. **Allocation of election expenses.** The secretary of state shall develop procedures  
30.14 for the allocation of election expenses among counties, municipalities, and school districts  
30.15 for elections that are held concurrently. The following expenses must be included in the  
30.16 procedures: salaries of election judges; postage for absentee ballots and applications;  
30.17 preparation of polling places; preparation and testing of electronic voting systems; ballot  
30.18 preparation; publication of election notices ~~and sample ballots~~, including the notice required  
30.19 by section 204D.16; transportation of ballots and election supplies; and compensation for  
30.20 administrative expenses of the county auditor, municipal clerk, or school district clerk.

30.21 **EFFECTIVE DATE.** This section is effective April 1, 2023, or upon the secretary of  
30.22 state's approval of the notice required by section 204D.16, paragraph (b), whichever is  
30.23 earlier. The secretary of state must notify the revisor of statutes of the approval date.

30.24 Sec. 43. Minnesota Statutes 2022, section 204B.45, subdivision 1, is amended to read:

30.25 Subdivision 1. **Authorization.** A town of any size ~~not located in a metropolitan county~~  
30.26 ~~as defined by section 473.121~~, or a city having fewer than 400 registered voters on June 1  
30.27 of an election year ~~and not located in a metropolitan county as defined by section 473.121~~,  
30.28 may provide balloting by mail at any municipal, county, or state election with no polling  
30.29 place other than the office of the auditor or clerk or other locations designated by the auditor  
30.30 or clerk. The governing body may apply to the county auditor for permission to conduct  
30.31 balloting by mail. The county board may provide for balloting by mail in unorganized  
30.32 territory. The governing body of any municipality may designate for mail balloting any

31.1 precinct having fewer than 100 registered voters, subject to the approval of the county  
31.2 auditor.

31.3 Voted ballots may be returned in person to any location designated by the county auditor  
31.4 or municipal clerk.

31.5 Sec. 44. Minnesota Statutes 2022, section 204B.45, subdivision 2, is amended to read:

31.6 Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given  
31.7 at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before  
31.8 a regularly scheduled election and not more than 30 days nor later than 14 days before any  
31.9 other election, the auditor shall mail ballots by nonforwardable mail to all voters registered  
31.10 in the city, town, or unorganized territory. No later than 14 days before the election, the  
31.11 auditor must make a subsequent mailing of ballots to those voters who register to vote after  
31.12 the initial mailing but before the 20th day before the election. Eligible voters not registered  
31.13 at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot  
31.14 return envelopes, with return postage provided, must be preaddressed to the auditor or clerk  
31.15 and the voter may return the ballot by mail or in person to the office of the auditor or clerk.  
31.16 The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot  
31.17 return envelopes and mark them "accepted" or "rejected" within three days of receipt if  
31.18 there are 14 or fewer days before election day, or within five days of receipt if there are  
31.19 more than 14 days before election day. The board may consist of deputy county auditors or  
31.20 deputy municipal clerks who have received training in the processing and counting of mail  
31.21 ballots, who need not be affiliated with a major political party. Election judges performing  
31.22 the duties in this section must be of different major political parties, unless they are exempt  
31.23 from that requirement under section 205.075, subdivision 4, or section 205A.10. If an  
31.24 envelope has been rejected at least five days before the election, the ballots in the envelope  
31.25 must remain sealed and the auditor or clerk shall provide the voter with a replacement ballot  
31.26 and return envelope in place of the spoiled ballot. If the ballot is rejected within five days  
31.27 of the election, the envelope must remain sealed and the official in charge of the ballot board  
31.28 must attempt to contact the voter by telephone or email to notify the voter that the voter's  
31.29 ballot has been rejected. The official must document the attempts made to contact the voter.

31.30 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to  
31.31 indicate that the voter has already cast a ballot in that election. ~~After the close of business~~  
31.32 On the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked  
31.33 "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86,  
31.34 subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

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

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

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

32.9 Sec. 45. Minnesota Statutes 2022, section 204B.46, is amended to read:

32.10 **204B.46 MAIL ELECTIONS; QUESTIONS.**

32.11 A county, municipality, or school district submitting questions to the voters at a special  
32.12 election may conduct an election by mail with no polling place other than the office of the  
32.13 auditor or clerk. No offices may be voted on at a mail election-, except in overlapping school  
32.14 and municipality jurisdictions, where a mail election may include an office when one of the  
32.15 jurisdictions also has a question on the ballot. Notice of the election must be given to the  
32.16 county auditor at least 74 days prior to the election. This notice shall also fulfill the  
32.17 requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must  
32.18 be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days  
32.19 prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all  
32.20 voters registered in the county, municipality, or school district. No later than 14 days before  
32.21 the election, the auditor or clerk must make a subsequent mailing of ballots to those voters  
32.22 who register to vote after the initial mailing but before the 20th day before the election.  
32.23 Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant  
32.24 to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and  
32.25 absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days  
32.26 of receipt if there are 14 or fewer days before election day, or within five days of receipt if  
32.27 there are more than 14 days before election day. The board may consist of deputy county  
32.28 auditors, deputy municipal clerks, or deputy school district clerks who have received training  
32.29 in the processing and counting of mail ballots, who need not be affiliated with a major  
32.30 political party. Election judges performing the duties in this section must be of different  
32.31 major political parties, unless they are exempt from that requirement under section 205.075,  
32.32 subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before  
32.33 the election, the ballots in the envelope must remain sealed and the auditor or clerk must  
32.34 provide the voter with a replacement ballot and return envelope in place of the spoiled ballot.



33.1 If the ballot is rejected within five days of the election, the envelope must remain sealed  
 33.2 and the official in charge of the ballot board must attempt to contact the voter by telephone  
 33.3 or email to notify the voter that the voter's ballot has been rejected. The official must  
 33.4 document the attempts made to contact the voter.

33.5 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to  
 33.6 indicate that the voter has already cast a ballot in that election. ~~After the close of business~~  
 33.7 On the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked  
 33.8 "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86,  
 33.9 subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

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

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

33.15 Sec. 46. Minnesota Statutes 2022, section 204C.07, subdivision 4, is amended to read:

33.16 Subd. 4. **Restrictions on conduct.** An election judge ~~may~~ must not be appointed as a  
 33.17 challenger. The election judges ~~shall~~ must permit challengers appointed pursuant to this  
 33.18 section to be present in the polling place during the hours of voting and to remain there until  
 33.19 the votes are counted and the results declared. ~~No~~ A challenger ~~shall~~ must not handle or  
 33.20 inspect registration cards, files, or lists. Challengers ~~shall~~ must not prepare in any manner  
 33.21 any list of individuals who have or have not voted. They ~~shall~~ must not attempt to influence  
 33.22 voting in any manner. ~~They shall~~ In accordance with section 204C.12, challengers must not  
 33.23 converse with a voter ~~except to determine, in the presence of an election judge, whether the~~  
 33.24 ~~voter is eligible to vote in the precinct.~~

33.25 Sec. 47. Minnesota Statutes 2022, section 204C.15, subdivision 1, is amended to read:

33.26 Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for  
 33.27 assistance because of inability to read English or physical inability to mark a ballot may  
 33.28 obtain the aid of two election judges who are members of different major political parties.  
 33.29 The election judges shall mark the ballots as directed by the voter and in as secret a manner  
 33.30 as circumstances permit. A voter in need of assistance may alternatively obtain the assistance  
 33.31 of any individual the voter chooses. Only the following persons may not provide assistance  
 33.32 to a voter: the voter's employer, an agent of the voter's employer, or an officer or agent of  
 33.33 the voter's union, ~~or a candidate for election.~~ The person who assists the voter shall,

34.1 unaccompanied by an election judge, retire with that voter to a booth and mark the ballot  
34.2 as directed by the voter. ~~No person who assists another voter as provided in the preceding~~  
34.3 ~~sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots  
34.4 are deposited, the voter may show them privately to an election judge to ascertain that they  
34.5 are marked as the voter directed. An election judge or other individual assisting a voter shall  
34.6 not in any manner request, persuade, induce, or attempt to persuade or induce the voter to  
34.7 vote for any particular political party or candidate. The election judges or other individuals  
34.8 who assist the voter shall not reveal to anyone the name of any candidate for whom the  
34.9 voter has voted or anything that took place while assisting the voter.

34.10 Sec. 48. Minnesota Statutes 2022, section 204C.24, subdivision 1, is amended to read:

34.11 Subdivision 1. **Information requirements.** Precinct summary statements shall be  
34.12 submitted by the election judges in every precinct. For all elections, the election judges  
34.13 shall complete three or more copies of the summary statements, and each copy shall contain  
34.14 the following information for each kind of ballot:

34.15 (1) the number of ballots delivered to the precinct as adjusted by the actual count made  
34.16 by the election judges, the number of unofficial ballots made, and the number of absentee  
34.17 ballots delivered to the precinct;

34.18 (2) the number of votes each candidate received or the number of yes and no votes on  
34.19 each question, the number of undervotes, the number of overvotes, and the number of  
34.20 defective ballots with respect to each office or question;

34.21 (3) the number of spoiled ballots, the number of duplicate ballots made, the number of  
34.22 absentee ballots rejected, and the number of unused ballots, presuming that the total count  
34.23 provided on each package of unopened prepackaged ballots is correct;

34.24 (4) the number of individuals who voted at the election in the precinct which must equal  
34.25 the total number of ballots cast in the precinct, as required by sections 204C.20 and 206.86,  
34.26 subdivision 1;

34.27 (5) the number of voters registering on election day in that precinct; ~~and~~

34.28 (6) the signatures of the election judges who counted the ballots certifying that all of the  
34.29 ballots cast were properly piled, checked, and counted; and that the numbers entered by the  
34.30 election judges on the summary statements correctly show the number of votes cast for each  
34.31 candidate and for and against each question;

34.32 (7) the number of election judges that worked in that precinct on election day; and

35.1 (8) the number of voting booths used in that precinct on election day.

35.2 At least two copies of the summary statement must be prepared for elections not held  
35.3 on the same day as the state elections.

35.4 Sec. 49. Minnesota Statutes 2022, section 204C.28, subdivision 1, is amended to read:

35.5 Subdivision 1. **County auditor.** (a) Every county auditor ~~shall~~ must remain at the  
35.6 auditor's office to receive delivery of the returns, to permit public inspection of the summary  
35.7 statements, and to tabulate the votes until all have been tabulated and the results made  
35.8 known, or until 24 hours have elapsed since the end of the hours for voting, whichever  
35.9 occurs first. Every county auditor ~~shall~~ must, in the presence of the municipal clerk or the  
35.10 election judges who deliver the returns, make a record of all materials delivered, the time  
35.11 of delivery, and the names of the municipal clerk or election judges who made delivery.  
35.12 The record must include the number of ballots delivered to the precinct, as certified by  
35.13 section 204B.28, and the total number of ballots returned, as certified by the election judges  
35.14 under section 204C.24. A discrepancy between the number of ballots delivered to the precinct  
35.15 and the number of total ballots returned by election judges that cannot be reconciled by  
35.16 taking into account the adjustments made by the election judge counts and any unofficial  
35.17 ballots must be noted, but does not necessarily require disqualification of the votes from  
35.18 that precinct or invalidation of the election. The county auditor ~~shall~~ must file the record  
35.19 and all envelopes containing ballots in a safe and secure place with envelope seals unbroken.  
35.20 Access to the record and ballots ~~shall~~ must be strictly controlled. Accountability and a record  
35.21 of access ~~shall~~ must be maintained by the county auditor during the period for contesting  
35.22 elections or, if a contest is filed, until the contest has been finally determined. Thereafter,  
35.23 the record ~~shall~~ must be retained in the auditor's office for the same period as the ballots as  
35.24 provided in section 204B.40.

35.25 (b) The county auditor ~~shall~~ must file all envelopes containing ballots in a safe place  
35.26 with seals unbroken. If the envelopes ~~were previously~~ are opened by proper authority for  
35.27 examination or recount as specifically authorized by a court or statute, the county auditor  
35.28 ~~shall~~ must have the envelopes sealed again and signed by the individuals who made the  
35.29 inspection or recount. The envelopes may be opened by the county ~~canvassing board~~ auditor  
35.30 if necessary to procure election returns that the election judges inadvertently may have  
35.31 sealed in the envelopes with the ballots. In that case, the envelopes ~~shall~~ must be sealed  
35.32 again and signed in the same manner as otherwise provided in this subdivision.

36.1 Sec. 50. Minnesota Statutes 2022, section 204C.35, is amended by adding a subdivision  
36.2 to read:

36.3 Subd. 5. **Challenged ballots.** Notwithstanding any law to the contrary, a canvassing  
36.4 board may direct a recount official to make images of ballots challenged by a candidate in  
36.5 a recount available to the public.

36.6 Sec. 51. Minnesota Statutes 2022, section 204C.39, subdivision 1, is amended to read:

36.7 Subdivision 1. **Manner of correction.** A county canvassing board may determine by  
36.8 majority vote that the election judges have made an obvious error in counting or recording  
36.9 the votes for an office. The county canvassing board shall then promptly notify all candidates  
36.10 for that office of the determination, including a description of the error. ~~A candidate who~~  
36.11 ~~receives notification pursuant to this subdivision or any candidate who believes that the~~  
36.12 ~~election judges in a precinct have made an obvious error in the counting or recording of the~~  
36.13 ~~votes for an office may~~ The county canvassing board must also instruct the county auditor  
36.14 to apply without unreasonable delay to the district court of the county containing the precinct  
36.15 in which the alleged error was made for an order determining whether or not an obvious  
36.16 error has been made. The applicant auditor shall describe the alleged error in the application  
36.17 and may submit additional evidence as directed by the court. The applicant auditor shall  
36.18 notify the county canvassing board and all candidates for the affected office in the manner  
36.19 directed by the court. If the court finds that the election judges made an obvious error it  
36.20 shall issue an order specifying the error and directing the county canvassing board to inspect  
36.21 the ballots and returns of the precinct in order to correct the error and to proceed further in  
36.22 accordance with this section or otherwise as the court may direct.

36.23 Sec. 52. Minnesota Statutes 2022, section 204D.08, subdivision 6, is amended to read:

36.24 Subd. 6. **State and county nonpartisan primary ballot.** The state and county nonpartisan  
36.25 primary ballot shall be headed "State and County Nonpartisan Primary Ballot." It shall be  
36.26 printed in the manner provided in the rules of the secretary of state. The names of candidates  
36.27 for nomination to the supreme court, court of appeals, district court, ~~and~~ all county offices,  
36.28 all city offices, and all school district offices shall be placed on this ballot.

36.29 No candidate whose name is placed on the state and county nonpartisan primary ballot  
36.30 shall be designated or identified as the candidate of any political party or in any other manner  
36.31 except as expressly provided by law.

37.1 Sec. 53. Minnesota Statutes 2022, section 204D.09, subdivision 2, is amended to read:

37.2 Subd. 2. **Sample ballot.** At least 46 days before the state primary the county auditor  
37.3 ~~shall~~ must prepare a sample ballot for each precinct for public inspection and transmit an  
37.4 electronic copy of these sample ballots to the secretary of state. The names of the candidates  
37.5 to be voted for in the county ~~shall~~ must be placed on the sample ballots, with the names of  
37.6 the candidates for each office arranged in the base rotation as determined by section 206.61,  
37.7 subdivision 5. The county auditor ~~shall~~ must post the sample ballots in a conspicuous place  
37.8 in the auditor's office ~~and shall cause them to be published.~~ At least one week before the  
37.9 state primary, the county auditor must publish a notice to voters pursuant to section 204D.16  
37.10 in at least one newspaper of general circulation in the county.

37.11 **EFFECTIVE DATE.** This section is effective April 1, 2023, or upon the secretary of  
37.12 state's approval of the notice required by section 204D.16, paragraph (b), whichever is  
37.13 earlier. The secretary of state must notify the revisor of statutes of the approval date.

37.14 Sec. 54. Minnesota Statutes 2022, section 204D.16, is amended to read:

37.15 **204D.16 SAMPLE GENERAL ELECTION BALLOTS; POSTING;**  
37.16 **PUBLICATION.**

37.17 (a) At least 46 days before the state general election, the county auditor shall must post  
37.18 sample ballots for each precinct in the auditor's office for public inspection and transmit an  
37.19 electronic copy of these sample ballots to the secretary of state.

37.20 (b) No earlier than ~~15~~ 20 days and no later than ~~two~~ ten days before the state general  
37.21 election the county auditor shall must cause a ~~sample state general election ballot~~ notice to  
37.22 voters to be published in at least one newspaper of general circulation in the county. The  
37.23 secretary of state, in collaboration with stakeholders, must design the notice to be published,  
37.24 including the format and content to be used. The secretary of state, in collaboration with  
37.25 stakeholders, may modify the content or format of the notice to be used by metropolitan  
37.26 counties, as defined in section 473.121, subdivision 4. When published, the notice must be  
37.27 sized so that it comprises a minimum of one full newspaper page.

37.28 (c) The notice required by paragraph (b) must, at minimum, include the following:

37.29 (1) a statement that the voter's official ballot will have the names of all candidates for  
37.30 the voter's precinct;

37.31 (2) the web address where a voter may view the voter's sample ballot based on the voter's  
37.32 address;

38.1 (3) the county's website where a list of sample ballots for each county precinct may be  
 38.2 viewed;

38.3 (4) how a voter may obtain a free copy of a sample ballot specific to the voter's address;  
 38.4 and

38.5 (5) contact information for the appropriate local election official, including a phone  
 38.6 number and email address.

38.7 The notice may include information about contests on the ballot; names, offices, and party  
 38.8 affiliation, if any, of candidates; polling place locations; poll hours; and absentee voting  
 38.9 information.

38.10 (d) For purposes of this section, "stakeholder" means local government election officials  
 38.11 and representatives of the Minnesota Newspaper Association.

38.12 **EFFECTIVE DATE.** This section is effective April 1, 2023, or upon the secretary of  
 38.13 state's approval of the notice required by section 204D.16, paragraph (b), whichever is  
 38.14 earlier. The secretary of state must notify the revisor of statutes of the approval date.

38.15 Sec. 55. Minnesota Statutes 2022, section 204D.19, subdivision 2, is amended to read:

38.16 Subd. 2. **Special election when legislature will be in session.** Except for vacancies in  
 38.17 the legislature which occur at any time between the last day of session in an odd-numbered  
 38.18 year and the ~~40<sup>th</sup>~~ 54<sup>th</sup> day prior to the opening day of session in the succeeding  
 38.19 even-numbered year, when a vacancy occurs and the legislature will be in session so that  
 38.20 the individual elected as provided by this section could take office and exercise the duties  
 38.21 of the office immediately upon election, the governor shall issue within five days after the  
 38.22 vacancy occurs a writ calling for a special election. The special election shall be held as  
 38.23 soon as possible, consistent with the notice requirements of section 204D.22, subdivision  
 38.24 3, but in no event more than ~~35~~ 49 days after the issuance of the writ. ~~A special election~~  
 38.25 ~~must not be held during the four days before or the four days after a holiday as defined in~~  
 38.26 ~~section 645.44, subdivision 5.~~

38.27 Sec. 56. Minnesota Statutes 2022, section 204D.22, subdivision 3, is amended to read:

38.28 Subd. 3. **Notice of special election.** The county auditor of a county in which a special  
 38.29 election is to be held shall direct the clerk of each municipality in which the election is to  
 38.30 be held to post a notice of the special primary and special election at least ~~seven~~ 14 days  
 38.31 before the special primary and at least ~~14~~ 21 days before the special election in the manner  
 38.32 provided in sections 204B.33 and 204B.34. If the special primary is to be held ~~14~~ 21 days

39.1 before the special election, a single notice of both elections may be posted seven days before  
39.2 the primary.

39.3 When the special primary or special election is to be held on the same day as any other  
39.4 election, notice of the special primary or special election may be included in the notice of  
39.5 the other election, if practicable.

39.6 Sec. 57. Minnesota Statutes 2022, section 204D.23, subdivision 2, is amended to read:

39.7 Subd. 2. **Time of filing.** Except as provided in subdivision 3, the affidavits and petitions  
39.8 shall be filed no later than ~~14~~ 21 days before the special primary.

39.9 Sec. 58. Minnesota Statutes 2022, section 204D.25, subdivision 1, is amended to read:

39.10 Subdivision 1. **Form.** Except as provided in subdivision 2, the county auditor ~~shall~~ must  
39.11 prepare separate ballots for a special primary and special election as required by sections  
39.12 204D.17 to 204D.27. The ballots ~~shall~~ must be headed "Special Primary Ballot" or "Special  
39.13 Election Ballot" as the case may be, followed by the date of the special primary or special  
39.14 election. Immediately below the title of each office to be filled ~~shall~~ must be printed the  
39.15 words "To fill vacancy in term expiring ....., " with the date of expiration of the term and  
39.16 any other information that is necessary to distinguish the office from any other office to be  
39.17 voted upon at the same election. For a special primary or special election, the instructions  
39.18 to voters may use the singular form of the word when referring to candidates and offices  
39.19 when only one office is to be filled at the special election. Otherwise the form of the ballots  
39.20 ~~shall~~ must comply as far as practicable with the laws relating to ballots for state primaries  
39.21 and state general elections. The county auditor ~~shall~~ must post a sample of each ballot in  
39.22 the auditor's office as soon as prepared and not later than four days before the special primary  
39.23 or special election. Publication of ~~the sample ballot~~ notice to voters pursuant to section  
39.24 204D.16 for a special primary or special election is not required.

39.25 **EFFECTIVE DATE.** This section is effective April 1, 2023, or upon the secretary of  
39.26 state's approval of the notice required by section 204D.16, paragraph (b), whichever is  
39.27 earlier. The secretary of state must notify the revisor of statutes of the approval date.

39.28 Sec. 59. Minnesota Statutes 2022, section 205.13, subdivision 5, is amended to read:

39.29 Subd. 5. **Nominating petition; cities of the first class.** A nominating petition filed on  
39.30 behalf of a candidate for municipal office in a city of the first class shall be signed by eligible  
39.31 voters who ~~reside~~ maintain residence in the election district from which the candidate is to  
39.32 be elected. The number of signers shall be at least 500, or two percent of the total number

40.1 of individuals who voted in the municipality, ward, or other election district at the last  
40.2 preceding municipal general election, whichever is greater.

40.3 Sec. 60. Minnesota Statutes 2022, section 205.16, subdivision 2, is amended to read:

40.4 Subd. 2. **Sample ballot, publication.** For every municipal election, the municipal clerk  
40.5 ~~shall~~ must, at least two weeks before the election, publish a ~~sample ballot~~ notice to voters  
40.6 pursuant to section 204D.16 in the official newspaper of the municipality, except that the  
40.7 governing body of a fourth class city or a town not located within a metropolitan county as  
40.8 defined in section 473.121 may dispense with publication.

40.9 **EFFECTIVE DATE.** This section is effective April 1, 2023, or upon the secretary of  
40.10 state's approval of the notice required by section 204D.16, paragraph (b), whichever is  
40.11 earlier. The secretary of state must notify the revisor of statutes of the approval date.

40.12 Sec. 61. Minnesota Statutes 2022, section 205.175, subdivision 3, is amended to read:

40.13 Subd. 3. **Other municipalities.** The governing body of a municipality other than a  
40.14 municipality described in subdivision 2, may by resolution adopted prior to giving notice  
40.15 of the election, designate the time, in addition to the minimum voting hours provided in  
40.16 subdivision 1, during which the polling places will remain open for voting at the next  
40.17 succeeding and all subsequent municipal elections. The resolution shall remain in force  
40.18 until it is revoked by the municipal governing body or changed because of request by voters  
40.19 as provided in this subdivision. If a petition requesting longer voting hours, signed by a  
40.20 number of voters equal to 20 percent of the votes cast at the last municipal election, is  
40.21 presented to the municipal clerk no later than 30 days prior to the municipal election, then  
40.22 the polling places for that election shall open at 10:00 a.m. and close at 8:00 p.m. The  
40.23 municipal clerk shall give ten days' notice of the changed voting hours and notify the county  
40.24 auditor and secretary of state of the change. Municipalities covered by this subdivision shall  
40.25 certify their election hours to the county auditor in January of each year.

40.26 Sec. 62. Minnesota Statutes 2022, section 205A.09, subdivision 2, is amended to read:

40.27 Subd. 2. **Other school districts.** At a school district election in a school district other  
40.28 than one described in subdivision 1, the school board, by resolution adopted before giving  
40.29 notice of the election, may designate the time during which the polling places will remain  
40.30 open for voting at the next succeeding and all later school district elections. All polling  
40.31 places must be open between the hours of 5:00 p.m. and 8:00 p.m. The resolution must  
40.32 remain in force until it is revoked by the school board or changed because of request by



41.1 voters as provided in this subdivision. If a petition requesting longer voting hours, signed  
41.2 by a number of voters equal to 20 percent of the votes cast at the last school district election,  
41.3 is presented to the school district clerk no later than 30 days before a school district election,  
41.4 then the polling places for that election must open at 10:00 a.m. and close at 8:00 p.m. The  
41.5 school district clerk must give ten days' published notice and posted notice of the changed  
41.6 voting hours and notify appropriate county auditors and the secretary of state of the change.

41.7 Sec. 63. Minnesota Statutes 2022, section 205A.10, subdivision 5, is amended to read:

41.8 Subd. 5. **School district canvassing board.** For the purpose of a recount of a special  
41.9 election conducted under section 126C.17, subdivision 9, or 475.59, the school district  
41.10 canvassing board shall consist of one member of the school board other than the clerk,  
41.11 selected by the board, the clerk of the school board, the county auditor of the county in  
41.12 which the greatest number of school district residents ~~reside~~ maintain residence, the court  
41.13 administrator of the district court of the judicial district in which the greatest number of  
41.14 school district residents ~~reside~~ maintain residence, and the mayor or chair of the town board  
41.15 of the school district's most populous municipality. Any member of the canvassing board  
41.16 may appoint a designee to appear at the meeting of the board, except that no designee may  
41.17 be a candidate for public office. If one of the individuals fails to appear at the meeting of  
41.18 the canvassing board, the county auditor shall appoint an eligible voter of the school district,  
41.19 who must not be a member of the school board, to fill the vacancy. Not more than two  
41.20 school board members shall serve on the canvassing board at one time. Four members  
41.21 constitute a quorum.

41.22 The school board shall serve as the school district canvassing board for the election of  
41.23 school board members.

41.24 Sec. 64. Minnesota Statutes 2022, section 205A.12, subdivision 5, is amended to read:

41.25 Subd. 5. **Board elections.** If the proposal for the establishment of election districts is  
41.26 approved by the voters, the board shall specify the election districts from which vacancies  
41.27 shall be filled as they occur until such time as each board member represents an election  
41.28 district. A candidate for school board in a subsequent election must file an affidavit of  
41.29 candidacy to be elected as a school board member for the election district in which the  
41.30 candidate ~~resides~~ maintains residence. If there are as many election districts as there are  
41.31 members of the board, one and only one member of the board shall be elected from each  
41.32 election district. In school districts where one or more board members are elected by election  
41.33 districts, candidates must indicate on the affidavit of candidacy the number of the district

42.1 from which they seek election or, if appropriate, that they seek election from one of the  
42.2 offices elected at large. If the election districts have two or three members each, the terms  
42.3 of the members must be staggered. Each board member must be a resident of the election  
42.4 district for which elected but the creation of an election district or a change in election  
42.5 district boundaries shall not disqualify a board member from serving for the remainder of  
42.6 a term.

42.7 Sec. 65. Minnesota Statutes 2022, section 206.58, subdivision 1, is amended to read:

42.8 Subdivision 1. **Municipalities.** (a) The governing body of a municipality, at a regular  
42.9 meeting or at a special meeting called for the purpose, may provide for the use of an  
42.10 electronic voting system in one or more precincts and at all elections in the precincts, subject  
42.11 to approval by the county auditor. Once a municipality has adopted the use of an electronic  
42.12 voting system in one or more precincts, the municipality must continue to use an electronic  
42.13 voting system for state elections in those precincts. The governing body ~~shall~~ must  
42.14 disseminate information to the public about the use of a new voting system at least 60 days  
42.15 prior to the election and ~~shall~~ must provide for instruction of voters with a demonstration  
42.16 voting system in a public place for the six weeks immediately prior to the first election at  
42.17 which the new voting system will be used.

42.18 ~~No system may be adopted or used~~ (b) A municipality must not adopt or use a system  
42.19 unless it has been approved by the secretary of state pursuant to section 206.57.

42.20 Sec. 66. Minnesota Statutes 2022, section 206.58, subdivision 3, is amended to read:

42.21 Subd. 3. **Counties.** (a) The governing body of a county may provide for the use of an  
42.22 electronic voting system in one or more precincts of the county at all elections. Once a  
42.23 county has adopted the use of an electronic voting system in one or more precincts, the  
42.24 county must continue to use an electronic voting system for state elections in those precincts.  
42.25 The governing body of the municipality ~~shall~~ must give approval before an electronic voting  
42.26 system may be adopted or used in the municipality under the authority of this section.

42.27 ~~No system may be adopted or used~~ (b) A county must not adopt or use a system unless  
42.28 it has been approved by the secretary of state pursuant to section 206.57.

43.1 Sec. 67. Minnesota Statutes 2022, section 206.845, is amended by adding a subdivision  
43.2 to read:

43.3 Subd. 3. **Cast vote records.** After the municipal clerk or county auditor has received  
43.4 data from automatic tabulating equipment, textual data from the file is public, with the  
43.5 following exceptions, which are protected nonpublic data under section 13.02:

43.6 (1) data that indicate the date, time, or order in which a voter cast a ballot;

43.7 (2) data that indicate the method with which a voter cast a ballot;

43.8 (3) data files that do not include all ballots cast in a precinct;

43.9 (4) data files that provide data in the order it was generated; and

43.10 (5) data from precincts in which fewer than ten votes were cast.

43.11 Data stored as images are protected nonpublic data under section 13.02.

43.12 Sec. 68. Minnesota Statutes 2022, section 207A.12, is amended to read:

43.13 **207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.**

43.14 (a) Except as otherwise provided by law, the presidential nomination primary must be  
43.15 conducted, and the results canvassed and returned, in the manner provided by law for the  
43.16 state primary.

43.17 (b) An individual seeking to vote at the presidential nomination primary must be  
43.18 registered to vote pursuant to section 201.054, subdivision 1. The voter must request the  
43.19 ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section  
43.20 204C.18, subdivision 1, the election judge must record in the polling place roster the name  
43.21 of the political party whose ballot the voter requested. When posting voter history pursuant  
43.22 to section 201.171, the county auditor must include the name of the political party whose  
43.23 ballot the voter requested. The political party ballot selected by a voter is private data on  
43.24 individuals as defined under section 13.02, subdivision 12, except as provided in section  
43.25 201.091, subdivision 4a. A voter eligible to cast a ballot as provided in section 5B.06 must  
43.26 be permitted to cast a ballot at the presidential nomination primary consistent with the  
43.27 requirements of that section.

43.28 (c) Immediately after the state canvassing board declares the results of the presidential  
43.29 nomination primary, the secretary of state must notify the chair of each party of the results.

43.30 (d) The results of the presidential nomination primary must bind the election of delegates  
43.31 in each party.

44.1 Sec. 69. Minnesota Statutes 2022, section 207A.13, subdivision 2, is amended to read:

44.2 Subd. 2. **Candidates on the ballot.** (a) Each party participating in the presidential  
44.3 nomination primary must determine which candidates are to be placed on the presidential  
44.4 nomination primary ballot for that party. The chair of each participating party must submit  
44.5 to the secretary of state the names of the candidates to appear on the ballot for that party no  
44.6 later than 63 days before the presidential nomination primary. Once submitted, changes  
44.7 must not be made to the candidates that will appear on the ballot.

44.8 (b) No later than the ~~seventh~~ 14th day before the presidential nomination primary, the  
44.9 chair of each participating party must submit to the secretary of state the names of write-in  
44.10 candidates, if any, to be counted for that party.

44.11 Sec. 70. Minnesota Statutes 2022, section 207A.15, subdivision 2, is amended to read:

44.12 Subd. 2. **Reimbursable local expenses.** (a) The secretary of state ~~shall~~ must reimburse  
44.13 the counties and municipalities for expenses incurred in the administration of the presidential  
44.14 nomination primary from money contained in the presidential nomination primary elections  
44.15 account. The following expenses are eligible for reimbursement: preparation and printing  
44.16 of ballots; postage for absentee ballots; publication of ~~the sample ballot~~ notice to voters  
44.17 pursuant to section 204D.16; preparation of polling places in an amount not to exceed \$150  
44.18 per polling place; preparation of electronic voting systems in an amount not to exceed \$100  
44.19 per precinct; compensation for temporary staff or overtime payments; salaries of election  
44.20 judges; compensation of county canvassing board members; and other expenses as approved  
44.21 by the secretary of state.

44.22 (b) Within 60 days after the results of a presidential nomination primary are certified  
44.23 by the State Canvassing Board, the county auditor must submit a request for payment of  
44.24 the costs incurred by the county for conducting the presidential nomination primary, and  
44.25 the municipal clerk must submit a request for payment of the costs incurred by the  
44.26 municipality for conducting the presidential nomination primary. The request for payment  
44.27 must be submitted to the secretary of state, and must be accompanied by an itemized  
44.28 description of actual county or municipal expenditures, including copies of invoices. In  
44.29 addition, the county auditor or municipal clerk must certify that the request for reimbursement  
44.30 is based on actual costs incurred by the county or municipality in the presidential nomination  
44.31 primary.

44.32 (c) The secretary of state ~~shall~~ must provide each county and municipality with the  
44.33 appropriate forms for requesting payment and certifying expenses under this subdivision.  
44.34 The secretary of state must not reimburse expenses unless the request for payment and

45.1 certification of costs has been submitted as provided in this subdivision. The secretary of  
45.2 state must complete the issuance of reimbursements to the counties and municipalities no  
45.3 later than 90 days after the results of the presidential nomination primary have been certified  
45.4 by the State Canvassing Board.

45.5 **EFFECTIVE DATE.** This section is effective April 1, 2023, or upon the secretary of  
45.6 state's approval of the notice required by section 204D.16, paragraph (b), whichever is  
45.7 earlier. The secretary of state must notify the revisor of statutes of the approval date.

45.8 Sec. 71. Minnesota Statutes 2022, section 209.021, subdivision 2, is amended to read:

45.9 Subd. 2. **Notice filed with court.** If the contest relates to a nomination or election for  
45.10 statewide office, the contestant shall file the notice of contest with the court administrator  
45.11 of District Court in Ramsey County. For contests relating to any other office, the contestant  
45.12 shall file the notice of contest with the court administrator of district court in the county  
45.13 where the contestee ~~resides~~ maintains residence.

45.14 If the contest relates to a constitutional amendment, the contestant shall file the notice  
45.15 of contest with the court administrator of District Court in Ramsey County. If the contest  
45.16 relates to any other question, the contestant shall file the notice of contest with the court  
45.17 administrator of district court for the county or any one of the counties where the question  
45.18 appeared on the ballot.

45.19 Sec. 72. Minnesota Statutes 2022, section 211B.15, subdivision 8, is amended to read:

45.20 Subd. 8. **Permitted activity; political party.** It is not a violation of this section for a  
45.21 political party, as defined in section 200.02, subdivision ~~7~~ 6, to form a nonprofit corporation  
45.22 for the sole purpose of holding real property to be used exclusively as the party's  
45.23 headquarters.

45.24 Sec. 73. Minnesota Statutes 2022, section 367.03, subdivision 6, is amended to read:

45.25 Subd. 6. **Vacancies.** (a) When a vacancy occurs in a town office, the town board shall  
45.26 fill the vacancy by appointment. Except as provided in paragraph (b), the person appointed  
45.27 shall hold office until the next annual town election, when a successor shall be elected for  
45.28 the unexpired term.

45.29 (b) When a vacancy occurs in a town office:

45.30 (1) with more than one year remaining in the term; and

46.1 (2) on or after the 14th day before the first day to file an affidavit of candidacy for the  
46.2 town election;

46.3 the vacancy must be filled by appointment. The person appointed serves until the next annual  
46.4 town election following the election for which affidavits of candidacy are to be filed, when  
46.5 a successor shall be elected for the unexpired term.

46.6 (c) A vacancy in the office of supervisor must be filled by an appointment committee  
46.7 comprised of the remaining supervisors and the town clerk.

46.8 (d) Any person appointed to fill the vacancy in the office of supervisor must, upon  
46.9 assuming the office, be an eligible voter, be 21 years of age, and have ~~resided~~ maintained  
46.10 residence in the town for at least 30 days.

46.11 (e) When, because of a vacancy, more than one supervisor is to be chosen at the same  
46.12 election, candidates for the offices of supervisor shall file for one of the specific terms being  
46.13 filled.

46.14 (f) When, for any reason, the town board or the appointment committee fails to fill a  
46.15 vacancy in the position of an elected town officer by appointment, a special election may  
46.16 be called. To call a special election, the supervisors and town clerk, or any two of them  
46.17 together with at least 12 other town freeholders, must file a statement in the town clerk's  
46.18 office. The statement must tell why the election is called and that the interests of the town  
46.19 require the election. When the town board or the appointment committee fails to fill a  
46.20 vacancy by appointment, a special town election may also be called on petition of 20 percent  
46.21 of the electors of the town. The percentage is of the number of voters at the last general  
46.22 election. A special town election must be conducted in the manner required for the annual  
46.23 town election.

46.24 (g) Law enforcement vacancies must be filled by appointment by the town board.

46.25 Sec. 74. Minnesota Statutes 2022, section 447.32, subdivision 4, is amended to read:

46.26 Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a candidate  
46.27 for the hospital board shall file an affidavit of candidacy for the election either as member  
46.28 at large or as a member representing the city or town where the candidate ~~resides~~ maintains  
46.29 residence. The affidavit of candidacy must be filed with the city or town clerk not more  
46.30 than 98 days nor less than 84 days before the first Tuesday after the first Monday in  
46.31 November of the year in which the general election is held. The city or town clerk must  
46.32 forward the affidavits of candidacy to the clerk of the hospital district or, for the first election,  
46.33 the clerk of the most populous city or town immediately after the last day of the filing period.

47.1 A candidate may withdraw from the election by filing an affidavit of withdrawal with the  
47.2 clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of  
47.3 candidacy.

47.4 Voting must be by secret ballot. The clerk shall prepare, at the expense of the district,  
47.5 necessary ballots for the election of officers. Ballots must be prepared as provided in the  
47.6 rules of the secretary of state. The ballots must be marked and initialed by at least two judges  
47.7 as official ballots and used exclusively at the election. Any proposition to be voted on may  
47.8 be printed on the ballot provided for the election of officers. The hospital board may also  
47.9 authorize the use of voting systems subject to chapter 206. Enough election judges may be  
47.10 appointed to receive the votes at each polling place. The election judges shall act as clerks  
47.11 of election, count the ballots cast, and submit them to the board for canvass.

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