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State of Minnesota

HOUSE OF REPRESENTATIVES

SIXTH SPECIAL SESSION

H. F. No. 21

11/12/2020 Authored by Drazkowski, Bahr, Miller and Munson
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to elections; requiring voters to provide picture identification before
1.3 receiving a ballot; providing for the issuance of voter identification cards at no
1.4 charge; requiring certain notice; establishing a procedure for provisional balloting;
1.5 amending Minnesota Statutes 2020, sections 171.07, subdivisions 4, 9, by adding
1.6 a subdivision; 201.061, subdivision 3; 201.12, subdivision 1; 201.221, subdivision
1.7 3; 204C.10; 204C.12, subdivision 3; proposing coding for new law in Minnesota
1.8 Statutes, chapters 200; 201; 204C.

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

1.10 Section 1. Minnesota Statutes 2020, section 171.07, is amended by adding a subdivision
1.11 to read:

1.12 Subd. 3b. Voter identification cards. (a) The Department of Public Safety shall provide
1.13 a Minnesota voter identification card to any applicant who is eligible to vote in Minnesota
1.14 and who does not possess a valid Minnesota driver's license or state identification card. The
1.15 department may not require the applicant to pay a fee for issuance of a card. A
1.16 state-subsidized voter identification card may only be applied for at a driver's licensing
1.17 facility operated by the Division of Driver and Vehicle Services. Upon application for a
1.18 state-subsidized voter identification card, including upon application for a renewal, duplicate
1.19 card, or when a new card is required as a result of a change of address, an applicant must
1.20 present verification that the applicant is at least 18 years of age, is a citizen of the United
1.21 States, and will have maintained residence in Minnesota for at least 20 days immediately
1.22 preceding the next election.

1.23 (b) A voter identification card must bear a distinguishing number assigned to the
1.24 applicant, a color photograph or an electronically produced image of the applicant, the
1.25 applicant's full name and date of birth, the applicant's address of residence, a description of

2.1 the applicant in the manner the commissioner deems necessary, and the usual signature of  
2.2 the applicant.

2.3 (c) A voter identification card shall not be valid identification for purposes unrelated to  
2.4 voting in Minnesota.

2.5 (d) A voter identification card must be of a different color scheme than a Minnesota  
2.6 driver's license or state identification card, but must incorporate the same information and  
2.7 security features as provided in subdivision 9.

2.8 (e) Each voter identification card must be plainly marked: "Voter Identification – Not  
2.9 a drivers license. Valid Identification Only for Voting."

2.10 Sec. 2. Minnesota Statutes 2020, section 171.07, subdivision 4, is amended to read:

2.11 Subd. 4. **Identification card expiration.** (a) Except as otherwise provided in this  
2.12 subdivision, the expiration date of a Minnesota identification card and voter identification  
2.13 card is the birthday of the applicant in the fourth year following the date of issuance of the  
2.14 card.

2.15 (b) For an applicant age 65 or older:

2.16 (1) the expiration date of a Minnesota identification card and voter identification card  
2.17 is the birthday of the applicant in the eighth year following the date of issuance of the card;  
2.18 or

2.19 (2) a noncompliant identification card is valid for the lifetime of the applicant.

2.20 (c) For the purposes of paragraph (b), "Minnesota identification card" does not include  
2.21 an enhanced identification card issued to an applicant age 65 or older.

2.22 (d) The expiration date for an Under-21 identification card is the cardholder's 21st  
2.23 birthday. The commissioner shall issue an identification card to a holder of an Under-21  
2.24 identification card who applies for the card, pays the required fee, and presents proof of  
2.25 identity and age, unless the commissioner determines that the applicant is not qualified for  
2.26 the identification card.

2.27 (e) Notwithstanding paragraphs (a) to (d), the expiration date for an identification card  
2.28 issued to a person with temporary lawful status is the last day of the person's legal stay in  
2.29 the United States, or one year after issuance if the last day of the person's legal stay is not  
2.30 identified.

3.1 Sec. 3. Minnesota Statutes 2020, section 171.07, subdivision 9, is amended to read:

3.2 Subd. 9. **Improved security.** ~~The commissioner shall develop new Drivers' licenses~~  
 3.3 ~~and, identification cards, to be issued beginning January 1, 1994, that~~ and voter identification  
 3.4 cards must be as impervious to alteration as is reasonably practicable in their design and  
 3.5 quality of material and technology. The driver's license security laminate shall be made  
 3.6 from materials not readily available to the general public. The design and technology  
 3.7 employed must enable the driver's license and identification card to be subject to two or  
 3.8 more methods of visual verification capable of clearly indicating the presence of tampering  
 3.9 or counterfeiting. The driver's license and identification card must not be susceptible to  
 3.10 reproduction by photocopying or simulation and must be highly resistant to data or  
 3.11 photograph substitution and other tampering.

3.12 Sec. 4. [200.035] DOCUMENTATION OF IDENTITY AND RESIDENCE.

3.13 The following are sufficient proof of identity and residence for purposes of election day  
 3.14 voter registration under section 201.061, subdivision 3, and for determining whether to  
 3.15 count a provisional ballot under section 204C.135, subdivision 2:

3.16 (1) a current, valid driver's license, state identification card, or voter identification card  
 3.17 issued to the voter by the Department of Public Safety that contains the voter's current  
 3.18 address of residence in the precinct;

3.19 (2) an identification card issued to the voter by the tribal government of a tribe recognized  
 3.20 by the Bureau of Indian Affairs that contains a photograph of the voter, the voter's current  
 3.21 address of residence in the precinct, and any other items of data required to be contained  
 3.22 on a Minnesota identification card, as provided in section 171.07, subdivision 3, paragraphs  
 3.23 (a) and (b);

3.24 (3) an original receipt for a new, renewed, or updated driver's license, state identification  
 3.25 card, or voter identification card issued to the voter under section 171.07 that contains the  
 3.26 voter's current address of residence in the precinct along with one of the following documents,  
 3.27 provided that it contains a photograph of the voter:

3.28 (i) a driver's license or identification card that is expired, invalidated, or does not contain  
 3.29 the voter's current address of residence, issued to the voter by the state of Minnesota or any  
 3.30 other state or territory of the United States;

3.31 (ii) a United States passport issued to the voter;

3.32 (iii) an identification card issued by a branch, department, agency, entity, or subdivision  
 3.33 of Minnesota or the federal government;

4.1 (iv) an identification card issued by an accredited postsecondary institution with a campus  
 4.2 located within Minnesota, if a list of students from that institution has been prepared under  
 4.3 section 135A.17 and certified to the county auditor in the manner provided in rules of the  
 4.4 secretary of state; or

4.5 (v) an identification card issued to the voter by the tribal government of a tribe recognized  
 4.6 by the Bureau of Indian Affairs;

4.7 (4) if the voter resides in a shelter facility designated for battered women, as defined in  
 4.8 section 611A.37, subdivision 4, a driver's license or identification card issued to the voter  
 4.9 by the Department of Public Safety that contains the voter's photograph and address of  
 4.10 residence prior to seeking the services of the shelter facility, along with a certification of  
 4.11 residence in the facility, signed by the facility's administrator on a form prescribed by the  
 4.12 secretary of state; or

4.13 (5) a driver's license or identification card issued by Minnesota or any other state or  
 4.14 territory of the United States that does not contain the voter's current address of residence,  
 4.15 if the voter is a student and either:

4.16 (i) the voter's name and address of residence is included on a residential housing list  
 4.17 certified to the county auditor for use in that precinct under section 135A.17, subdivision  
 4.18 2; or

4.19 (ii) the voter presents a current student fee statement, issued to the voter, that contains  
 4.20 the voter's valid address of residence in the precinct.

4.21 **Sec. 5. [201.017] STATE-SUBSIDIZED VOTER IDENTIFICATION CARD**  
 4.22 **ACCOUNT.**

4.23 A state-subsidized voter identification card account is established in the special revenue  
 4.24 fund. Money in the account is appropriated to the Department of Public Safety for purposes  
 4.25 of reimbursing the department for administrative costs providing state-subsidized voter  
 4.26 identification cards to individuals qualifying under section 171.07, subdivision 3b, provided  
 4.27 that the department may not be reimbursed more than \$9.85 for each card issued. The  
 4.28 commissioner of public safety must report to the legislature at least monthly by county on  
 4.29 expenditure of funds from this account. A report of the total expenditures by county must  
 4.30 be submitted to the majority and minority members of the house of representatives and  
 4.31 senate committees with oversight in elections by January 31 of each year.

5.1 Sec. 6. Minnesota Statutes 2020, section 201.061, subdivision 3, is amended to read:

5.2 Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register  
5.3 on election day by appearing in person at the polling place for the precinct in which the  
5.4 individual maintains residence, by completing a registration application, making an oath in  
5.5 the form prescribed by the secretary of state and providing proof of identity and residence.  
5.6 An individual may prove identity and residence for purposes of registering by: presenting  
5.7 documentation as permitted by section 200.035.

5.8 ~~(1) presenting a driver's license or Minnesota identification card issued pursuant to~~  
5.9 ~~section 171.07;~~

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

5.11 ~~(3) presenting one of the following:~~

5.12 ~~(i) a current valid student identification card from a postsecondary educational institution~~  
5.13 ~~in Minnesota, if a list of students from that institution has been prepared under section~~  
5.14 ~~135A.17 and certified to the county auditor in the manner provided in rules of the secretary~~  
5.15 ~~of state; or~~

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

5.18 ~~(4) having a voter who is registered to vote in the precinct, or an employee employed~~  
5.19 ~~by and working in a residential facility in the precinct and vouching for a resident in the~~  
5.20 ~~facility, sign an oath in the presence of the election judge vouching that the voter or employee~~  
5.21 ~~personally knows that the individual is a resident of the precinct. A voter who has been~~  
5.22 ~~vouched for on election day may not sign a proof of residence oath vouching for any other~~  
5.23 ~~individual on that election day. A voter who is registered to vote in the precinct may sign~~  
5.24 ~~up to eight proof of residence oaths on any election day. This limitation does not apply to~~  
5.25 ~~an employee of a residential facility described in this clause. The secretary of state shall~~  
5.26 ~~provide a form for election judges to use in recording the number of individuals for whom~~  
5.27 ~~a voter signs proof of residence oaths on election day. The form must include space for the~~  
5.28 ~~maximum number of individuals for whom a voter may sign proof of residence oaths. For~~  
5.29 ~~each proof of residence oath, the form must include a statement that the individual: (i) is~~  
5.30 ~~registered to vote in the precinct or is an employee of a residential facility in the precinct,~~  
5.31 ~~(ii) personally knows that the voter is a resident of the precinct, and (iii) is making the~~  
5.32 ~~statement on oath. The form must include a space for the voter's printed name, signature,~~  
5.33 ~~telephone number, and address.~~

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

6.3 ~~(b) The operator of a residential facility shall prepare a list of the names of its employees~~  
 6.4 ~~currently working in the residential facility and the address of the residential facility. The~~  
 6.5 ~~operator shall certify the list and provide it to the appropriate county auditor no less than~~  
 6.6 ~~20 days before each election for use in election day registration.~~

6.7 ~~(c) "Residential facility" means transitional housing as defined in section 256E.33,~~  
 6.8 ~~subdivision 1; a supervised living facility licensed by the commissioner of health under~~  
 6.9 ~~section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision~~  
 6.10 ~~5; a residence registered with the commissioner of health as a housing with services~~  
 6.11 ~~establishment as defined in section 144D.01, subdivision 4; a veterans home operated by~~  
 6.12 ~~the board of directors of the Minnesota Veterans Homes under chapter 198; a residence~~  
 6.13 ~~licensed by the commissioner of human services to provide a residential program as defined~~  
 6.14 ~~in section 245A.02, subdivision 14; a residential facility for persons with a developmental~~  
 6.15 ~~disability licensed by the commissioner of human services under section 252.28; setting~~  
 6.16 ~~authorized to provide housing support as defined in section 256I.03, subdivision 3; a shelter~~  
 6.17 ~~for battered women as defined in section 611A.37, subdivision 4; or a supervised publicly~~  
 6.18 ~~or privately operated shelter or dwelling designed to provide temporary living~~  
 6.19 ~~accommodations for the homeless.~~

6.20 ~~(d) For tribal band members, an individual may prove residence for purposes of~~  
 6.21 ~~registering by:~~

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

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

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

6.31 Sec. 7. Minnesota Statutes 2020, section 201.12, subdivision 1, is amended to read:

6.32 Subdivision 1. **Notice of registration.** (a) To prevent fraudulent voting and to eliminate  
 6.33 excess names, the county auditor may, except where required by paragraph (b), mail to any

7.1 registered voter a notice stating the voter's name and address as they appear in the registration  
7.2 files. The notice shall request the voter to notify the county auditor if there is any mistake  
7.3 in the information.

7.4 (b) The notice provided in paragraph (a) must be sent upon acceptance of a registration  
7.5 application from any voter who has not been previously registered to vote in Minnesota. In  
7.6 addition to the requirements of paragraph (a), the notice sent to a voter under this paragraph  
7.7 must inform the voter of the requirements for voting in the polling place, including the photo  
7.8 identification requirements contained in section 204C.10, and provide information to assist  
7.9 the voter in acquiring a voter identification card, if necessary, under section 201.017.

7.10 Sec. 8. Minnesota Statutes 2020, section 201.221, subdivision 3, is amended to read:

7.11 Subd. 3. **Procedures for polling place rosters.** The secretary of state shall prescribe  
7.12 the form of paper polling place rosters that include the voter's name, address, date of birth,  
7.13 school district number, and space for the voter's signature. The address listed on the polling  
7.14 place roster must be the voter's address of residence, unless the voter has requested that the  
7.15 address printed on the roster be the voter's mailing address because the voter is a judge, law  
7.16 enforcement officer, or corrections officer. An electronic roster and the voter signature  
7.17 certificate together must include the same information as a paper polling place roster. The  
7.18 secretary of state may prescribe additional election-related information to be placed on the  
7.19 polling place rosters on an experimental basis for one state primary and general election  
7.20 cycle; the same information may not be placed on the polling place roster for a second state  
7.21 primary and general election cycle unless specified in this subdivision. The polling place  
7.22 roster must be used to indicate whether the voter has voted in a given election. The secretary  
7.23 of state shall prescribe procedures for transporting the polling place rosters to the election  
7.24 judges for use on election day. The secretary of state shall prescribe the form for a county  
7.25 or municipality to request the date of birth from currently registered voters. The county or  
7.26 municipality shall not request the date of birth from currently registered voters by any  
7.27 communication other than the prescribed form and the form must clearly indicate that a  
7.28 currently registered voter does not lose registration status by failing to provide the date of  
7.29 birth. In accordance with section 204B.40, the county auditor shall retain the prescribed  
7.30 polling place rosters used on the date of election for 22 months following the election.

8.1 Sec. 9. Minnesota Statutes 2020, section 204C.10, is amended to read:

8.2 **204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;**  
8.3 **VOTER RECEIPT.**

8.4 Subdivision 1. Polling place roster. (a) An individual seeking to vote shall sign a polling  
8.5 place roster or voter signature certificate which states that the individual is at least 18 years  
8.6 of age, a citizen of the United States, has resided in Minnesota for 20 days immediately  
8.7 preceding the election, maintains residence at the address shown, is not under a guardianship  
8.8 in which the court order revokes the individual's right to vote, has not been found by a court  
8.9 of law to be legally incompetent to vote or has the right to vote because, if the individual  
8.10 was convicted of a felony, the felony sentence has expired or been completed or the individual  
8.11 has been discharged from the sentence, is registered and has not already voted in the election.  
8.12 The roster must also state: "I understand that deliberately providing false information is a  
8.13 felony punishable by not more than five years imprisonment and a fine of not more than  
8.14 \$10,000, or both."

8.15 (b) At the presidential nomination primary, the polling place roster must also state: "I  
8.16 am in general agreement with the principles of the party for whose candidate I intend to  
8.17 vote." This statement must appear separately from the statements required in paragraph (a).  
8.18 The felony penalty provided for in paragraph (a) does not apply to this paragraph.

8.19 (c) ~~A judge may,~~ Before the applicant signs the roster or voter signature certificate, a  
8.20 judge must: (1) require the voter to present a photo identification document, as described  
8.21 in subdivision 2; and (2) confirm the applicant's name, address, and date of birth. A voter  
8.22 who cannot produce sufficient identification as required by subdivision 2 may not sign the  
8.23 polling place roster, but may cast a provisional ballot as provided in section 204C.135.

8.24 (d) After the applicant signs the roster or voter signature certificate, the judge shall give  
8.25 the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in  
8.26 charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to  
8.27 the voter the ballot. The voters' receipts must be maintained during the time for notice of  
8.28 filing an election contest.

8.29 (e) Whenever a challenged status appears on the polling place roster, an election judge  
8.30 must ensure that the challenge is concealed or hidden from the view of any voter other than  
8.31 the voter whose status is challenged.

8.32 Subd. 2. Photo identification. (a) To satisfy the photo identification requirement in  
8.33 subdivision 1, a voter must present a valid form of one of the following documents or sets  
8.34 of documents issued to the voter:



9.1 (1) a Minnesota driver's license, state identification card, or voter identification card  
9.2 issued under section 171.07 that contains the voter's current address of residence in the  
9.3 precinct;

9.4 (2)(i) an original receipt for a new, renewed, or updated driver's license, state  
9.5 identification card, or voter identification card issued to the voter under section 171.07 that  
9.6 contains the voter's current address of residence in the precinct; and

9.7 (ii) a driver's license or identification card that is expired, invalidated, or does not contain  
9.8 the voter's current address of residence in the precinct, issued to the voter by the state of  
9.9 Minnesota or any other state or territory of the United States;

9.10 (3) an identification card issued by the tribal government of a tribe recognized by the  
9.11 Bureau of Indian Affairs that contains a photograph of the voter, the voter's current address  
9.12 of residence in the precinct, and any other items of data required to be contained on a  
9.13 Minnesota identification card, as provided in section 171.07, subdivision 3, paragraphs (a)  
9.14 and (b);

9.15 (4) if the voter resides in a shelter facility designated for battered women, as defined in  
9.16 section 611A.37, subdivision 4, a driver's license or identification card issued to the voter  
9.17 by the Department of Public Safety that contains the voter's photograph and address of  
9.18 residence prior to seeking the services of the shelter facility, along with a certification of  
9.19 residence in the facility, signed by the facility's administrator on a form prescribed by the  
9.20 secretary of state; or

9.21 (5) a driver's license or identification card issued by Minnesota or any other state or  
9.22 territory of the United States that does not contain the voter's current address of residence,  
9.23 if the voter is a student and either:

9.24 (i) the voter's name and address of residence is included on a residential housing list  
9.25 certified to the county auditor for use in that precinct under section 135A.17, subdivision  
9.26 2; or

9.27 (ii) the voter presents a current student fee statement, issued to the voter, that contains  
9.28 the voter's valid address of residence in the precinct.

9.29 (b) An identification card presented under this section is not deficient for a lack of the  
9.30 voter's current address of residence in the precinct if the identification card contains the  
9.31 mailing address of the voter that matches the address listed on the polling place roster.

10.1 Sec. 10. Minnesota Statutes 2020, section 204C.12, subdivision 3, is amended to read:

10.2 Subd. 3. **Determination of residence.** In determining the legal residence of a challenged  
 10.3 individual, the election judges shall be governed by the principles contained in section  
 10.4 200.031. If the challenged individual's answers to the questions show ineligibility to vote  
 10.5 in that precinct, the individual shall not be allowed to vote. If the individual has marked  
 10.6 ballots but not yet deposited them in the ballot boxes before the election judges determine  
 10.7 ineligibility to vote in that precinct, the marked ballots shall be placed ~~unopened~~ with the  
 10.8 spoiled ballots. If the answers to the questions fail to show that the individual is not eligible  
 10.9 to vote in that precinct and the challenge is not withdrawn, the election judges shall ~~verbally~~  
 10.10 ~~administer the oath on the voter certificate to the individual. After taking the oath and~~  
 10.11 ~~completing and signing the voter certificate, the challenged individual shall be allowed to~~  
 10.12 ~~vote~~ permit the voter to cast a provisional ballot in the manner provided in section 204C.135.

10.13 Sec. 11. [204C.135] PROVISIONAL BALLOTS.

10.14 Subdivision 1. Casting of provisional ballots. (a) The following voters seeking to vote  
 10.15 are entitled to cast a provisional ballot in the manner provided by this section:

10.16 (1) a voter who is unable to provide proper photo identification as required by section  
 10.17 204C.10;

10.18 (2) a voter whose registration status is listed as "challenged" on the polling place roster;  
 10.19 and

10.20 (3) a voter whose eligibility to vote is challenged as permitted by section 204C.12.

10.21 (b) A voter seeking to vote a provisional ballot must sign a provisional ballot roster and  
 10.22 complete a provisional ballot envelope. The envelope must contain a space for the voter to  
 10.23 list the voter's name, address of residence, date of birth, voter identification number, and  
 10.24 any other information prescribed by the secretary of state. The voter must also swear or  
 10.25 affirm, in writing, that the voter is eligible to vote, has not voted previously in the same  
 10.26 election, and meets the criteria for registering to vote in the precinct in which the voter  
 10.27 appears.

10.28 Once the voter has completed the provisional ballot envelope, the voter must be allowed  
 10.29 to cast a provisional ballot. The provisional ballot must be in the same form as the official  
 10.30 ballot available in the precinct on election day. A completed provisional ballot shall be  
 10.31 sealed in a secrecy envelope. The secrecy envelope shall be sealed inside the voter's  
 10.32 provisional ballot envelope and deposited by the voter in a secure, sealed provisional ballot

11.1 box. Completed provisional ballots may not be combined with other voted ballots in the  
11.2 polling place.

11.3 (c) The form of the secrecy and provisional ballot envelopes shall be prescribed by the  
11.4 secretary of state. The provisional ballot envelope must be a color other than that provided  
11.5 for absentee ballot envelopes and must be prominently labeled "Provisional Ballot Envelope."

11.6 (d) Provisional ballots and related documentation shall be delivered to and securely  
11.7 maintained by the county auditor or municipal clerk in the same manner as required for  
11.8 other election materials under sections 204C.27 and 204C.28.

11.9 Subd. 2. **Counting provisional ballots.** (a) A voter who casts a provisional ballot in the  
11.10 polling place may personally appear before the county auditor or municipal clerk no later  
11.11 than seven calendar days following the election to prove that the voter's provisional ballot  
11.12 should be counted. The county auditor or municipal clerk must count a provisional ballot  
11.13 in the final certified results from the precinct if:

11.14 (1) the statewide voter registration system indicates that the voter is eligible to vote or,  
11.15 if challenged, the voter presents evidence of the voter's eligibility to vote; and

11.16 (2) the voter presents proof of identity and residence in the precinct in the manner  
11.17 permitted by section 200.035.

11.18 (b) If a voter does not appear before the county auditor or municipal clerk within seven  
11.19 calendar days following the election or otherwise does not satisfy the requirements of  
11.20 paragraph (a), or if the data listed on the items of identification presented by the voter does  
11.21 not match the data submitted by the voter on the provisional ballot envelope, the voter's  
11.22 provisional ballot must not be counted.

11.23 (c) The county auditor or municipal clerk must notify, in writing, any provisional voter  
11.24 who does not appear within seven calendar days of the election that the voter's provisional  
11.25 ballot was not counted because of the voter's failure to appear before the county auditor or  
11.26 municipal clerk within the time permitted by law to determine whether the provisional ballot  
11.27 should be counted.

11.28 Subd. 3. **Provisional ballots; reconciliation.** Prior to counting any provisional ballots  
11.29 in the final vote totals from a precinct, the county auditor must verify that the number of  
11.30 signatures appearing on the provisional ballot roster from that precinct is equal to or greater  
11.31 than the number of accepted provisional ballots submitted by voters in the precinct on  
11.32 election day. Any discrepancy must be resolved before the provisional ballots from the  
11.33 precinct may be counted. Excess provisional ballots to be counted must be randomly

- 12.1 withdrawn in the manner required by section 204C.20, subdivision 2, after the period for a  
12.2 voter to appear to prove residence and identity has expired and the ballots to be counted  
12.3 have been separated from the provisional ballot envelopes.

12.4 Sec. 12. **EFFECTIVE DATE.**

- 12.5 Sections 1 to 11 are effective July 1, 2021, and apply to elections held on or after that  
12.6 date.