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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2857

01/31/2022 Authored by Nash; Nelson, M.; Munson; Davids and Haley
The bill was read for the first time and referred to the Committee on State Government Finance and Elections
03/21/2022 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act
1.2 relating to elections; providing requirements related to certain mailings containing
1.3 an absentee ballot application or sample ballot sent by or on behalf of a committee
1.4 or other private organization; proposing coding for new law in Minnesota Statutes,
1.5 chapter 211B.

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

1.7 Section 1. [211B.075] ABSENTEE BALLOT APPLICATIONS DISTRIBUTED BY
1.8 COMMITTEES AND PRIVATE ORGANIZATIONS.

1.9 (a) Any mailing sent by or on behalf of a committee or other private organization that
1.10 includes an absentee ballot application or a sample ballot designed to encourage voting at
1.11 an election must include the applicable set of statements, printed in capital letters on the
1.12 outside of the mailing so that the statements are clearly visible at the time of opening, as
1.13 follows:

1.14 (1) if an absentee ballot application is enclosed:

1.15 (i) "THIS IS AN ABSENTEE BALLOT APPLICATION, NOT AN OFFICIAL
1.16 BALLOT"; and

1.17 (ii) "THIS IS NOT AN OFFICIAL COMMUNICATION FROM A UNIT OF
1.18 GOVERNMENT"; and

1.19 (2) if a sample ballot is enclosed:

1.20 (i) "THIS IS A SAMPLE BALLOT, NOT AN OFFICIAL BALLOT"; and

1.21 (ii) "THIS IS NOT AN OFFICIAL COMMUNICATION FROM A UNIT OF
1.22 GOVERNMENT.

2.1 (b) As used in this subdivision, "sample ballot" means a document enclosed in the mailing
2.2 that is formatted and printed in a manner that would lead a reasonable person to believe the
2.3 document is an official ballot. A document that contains the names of particular candidates
2.4 or ballot questions alongside illustrations of a generic ballot or common ballot markings is
2.5 not a sample ballot for purposes of this subdivision, so long as the format and style of the
2.6 document would not lead a reasonable person to mistake it for an official ballot.