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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 679

02/09/2015 Authored by Johnson, B.,
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy

1.1 A bill for an act
1.2 relating to elections; requiring certain candidates to file affidavits of residency;
1.3 amending Minnesota Statutes 2014, sections 204B.06, subdivision 1; 204B.11,
1.4 subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2014, section 204B.06, subdivision 1, is amended to read:

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

1.9 (1) is an eligible voter;

1.10 (2) has no other affidavit on file as a candidate for any office at the same primary
1.11 or next ensuing general election, except that a candidate for soil and water conservation
1.12 district supervisor in a district not located in whole or in part in Anoka, Hennepin,
1.13 Ramsey, or Washington County, may also have on file an affidavit of candidacy for
1.14 mayor or council member of a statutory or home rule charter city of not more than 2,500
1.15 population contained in whole or in part in the soil and water conservation district or for
1.16 town supervisor in a town of not more than 2,500 population contained in whole or in part
1.17 in the soil and water conservation district; ~~and~~

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

1.21 (4) will, at the same time as filing an affidavit of candidacy, submit a residency
1.22 petition as provided in section 204B.11, subdivision 2, if one is required.

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

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

2.6 Sec. 2. Minnesota Statutes 2014, section 204B.11, subdivision 2, is amended to read:

2.7 Subd. 2. **Petition in place of filing fee; residency petition.** (a) At the time of filing
 2.8 an affidavit of candidacy, a candidate may present a petition in place of the filing fee.

2.9 (b) A candidate must present a residency petition if the candidate:

2.10 (1) will have resided in the state for less than one year on the date of the election;

2.11 (2) will have resided in the district from which the candidate seeks to be elected for
 2.12 fewer than six months on the date of the election; or

2.13 (3) will have resided in the district from which the candidate seeks to be elected for
 2.14 less than 30 days prior to the start of the candidate filing period.

2.15 ~~The (c) A petition submitted under this subdivision may be signed by any individual~~
 2.16 ~~eligible to vote for the candidate. A nominating petition filed pursuant to section 204B.07 is~~
 2.17 ~~effective as a petition in place of a filing fee if the nominating petition includes a prominent~~
 2.18 ~~statement informing the signers of the petition that it will be used for that purpose.~~

2.19 ~~The number of signatures on a petition in place of a filing fee submitted under this~~
 2.20 ~~subdivision shall be as follows:~~

2.21 ~~(a) (1) for a state office voted on statewide, or for president of the United States,~~
 2.22 ~~or United States senator, 2,000;~~

2.23 ~~(b) (2) for a congressional office, 1,000;~~

2.24 ~~(c) (3) for a county or legislative office, or for the office of district judge, 500; and~~

2.25 ~~(d) (4) for any other office which requires a filing fee as prescribed by law, municipal~~
 2.26 ~~charter, or ordinance, the lesser of 500 signatures or five percent of the total number of~~
 2.27 ~~votes cast in the municipality, ward, or other election district at the preceding general~~
 2.28 ~~election at which that office was on the ballot.~~

2.29 An official with whom petitions are filed shall make sample forms for petitions in
 2.30 place of filing fees available upon request.

2.31 (d) A petition submitted under this subdivision may be used as both a petition in
 2.32 place of a filing fee and a residency petition. A petition submitted under this subdivision
 2.33 must include a prominent statement that the petition is a petition in place of a filing fee, a
 2.34 residency petition, or both. A nominating petition filed as provided in section 204B.07
 2.35 may be used as a petition in place of a filing fee, a residency petition, or both, if the

- 3.1 nominating petition includes a prominent statement informing the signers of the petition it
- 3.2 will be used for the stated purpose or purposes.