

**SENATE**  
**STATE OF MINNESOTA**  
**NINETIETH SESSION**

**S.F. No. 514**

(SENATE AUTHORS: KIFFMEYER)

DATE	D-PG	OFFICIAL STATUS
02/02/2017	482	Introduction and first reading Referred to State Government Finance and Policy and Elections
03/01/2017	822a	Comm report: To pass as amended and re-refer to Judiciary and Public Safety Finance and Policy
03/06/2017	1001a	Comm report: To pass as amended and re-refer to Local Government
	1002	Rule 12.10: report of votes in committee
03/08/2017	1153a	Comm report: To pass as amended and re-refer to Transportation Finance and Policy
03/09/2017	1244	Comm report: To pass and re-referred to Finance
04/27/2017	3320a	Comm report: To pass as amended
	3329	Second reading
05/15/2017	5272a	Special Order: Amended
	5274	Third reading Passed
05/21/2017		Returned from House with amendment Senate concurred and repassed bill Third reading

1.1 A bill for an act

1.2 relating to elections; making policy, technical, and conforming changes to various

1.3 provisions related to elections and elections administration including provisions

1.4 related to special elections, registration, voting, voters, election judges, voting

1.5 systems, data, and elected officials; providing uniform election dates; authorizing

1.6 the appointment of certain county offices; requiring reports; amending Minnesota

1.7 Statutes 2016, sections 3.088, subdivisions 1, 2, 3; 13.15, subdivision 4; 13.6905,

1.8 subdivision 33; 13.841, subdivision 3; 13.851, subdivision 10; 103B.545,

1.9 subdivision 2; 123A.46, subdivision 12; 123A.48, subdivision 14; 123B.09,

1.10 subdivision 5b; 123B.63, subdivision 3; 126C.17, subdivision 11; 128D.05,

1.11 subdivision 2; 200.02, subdivision 4, by adding a subdivision; 201.121, subdivisions

1.12 1, 3; 204B.09, subdivision 3; 204B.16, subdivisions 1, 1a; 204B.21; 204B.31,

1.13 subdivision 2; 204C.10; 204C.12, subdivision 1; 204C.32, subdivision 2; 204C.33,

1.14 subdivision 3; 205.065, subdivision 5; 205.07, subdivisions 1, 3; 205.10, subdivision

1.15 4, by adding a subdivision; 205A.05, subdivisions 1, 2, by adding a subdivision;

1.16 205A.11, subdivision 2; 206.805, subdivision 1; 208.04, subdivision 1; 211B.11,

1.17 subdivision 1; 216B.46; 241.065, subdivision 2; 365A.06, subdivision 2; 367.33,

1.18 subdivision 1; 375.101, subdivision 1; 375B.07, subdivision 2; 375B.10; 383B.031,

1.19 subdivision 1; 383E.24, subdivision 7; 410.10, subdivision 1; 447.32, subdivision

1.20 2; 475.59; proposing coding for new law in Minnesota Statutes, chapters 201;

1.21 204B; repealing Minnesota Statutes 2016, sections 201.15; 201.155; 201.157;

1.22 201.158; 205.10, subdivision 3.

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

1.24 **ARTICLE 1**

1.25 **ELECTION ADMINISTRATION**

1.26 Section 1. Minnesota Statutes 2016, section 3.088, subdivision 1, is amended to read:

1.27 Subdivision 1. **Leave of absence without pay.** Subject to this section, any appointed

1.28 officer or employee of a political subdivision, municipal corporation, or school district of

1.29 the state or an institution of learning maintained by the state who serves as a legislator or

1.30 is elected to a full-time city or county office or to an Indian tribal council in Minnesota is

2.1 entitled to a leave of absence from the public office or to employment without pay when  
 2.2 on the business of the office, with right of reinstatement as provided in this section.

2.3 Sec. 2. Minnesota Statutes 2016, section 3.088, subdivision 2, is amended to read:

2.4 Subd. 2. **Reinstatement.** Except as provided in this section, upon the completion of the  
 2.5 last legislative day in each calendar year, or, in the case of an elected city or county, or  
 2.6 tribal council official, on the completion of the final day of the term to which the official  
 2.7 was elected, the officer or employee shall be reinstated in the public position held at the  
 2.8 time of entry into the legislature or taking city or county, or tribal council office, or be  
 2.9 placed in a public position of like seniority, status, and pay if it is available at the same  
 2.10 salary which would have been received if the leave had not been taken, upon the following  
 2.11 conditions:

2.12 (1) that the position has not been abolished or that its term, if limited, has not expired;

2.13 (2) that the legislator makes a written application for reinstatement to the appointing  
 2.14 authority within 30 days after the last legislative day in a calendar year or, in the case of an  
 2.15 elected city or county, or tribal council official, within 30 days after the expiration of the  
 2.16 elected term; and

2.17 (3) that the request for reinstatement is made not later than ten years after the granting  
 2.18 of the leave.

2.19 Upon reinstatement, the officer or employee shall have the same rights with respect to  
 2.20 accrued and future seniority status, efficiency rating, vacation, insurance benefits, sick leave,  
 2.21 and other benefits as if actually employed during the time of the leave. No public employer  
 2.22 is required to compensate a reinstated employee or officer for time spent by that employee  
 2.23 or officer away from work for the employer and on the business of the state legislature  
 2.24 during the period between the first and last legislative day in each calendar year or on the  
 2.25 business of an elected city or county, or tribal council office. No officer or employee  
 2.26 reinstated shall be removed or discharged within one year after reinstatement except for  
 2.27 cause and after notice and hearing, but this does not extend a term of service limited by law.

2.28 Sec. 3. Minnesota Statutes 2016, section 3.088, subdivision 3, is amended to read:

2.29 Subd. 3. **Pension and retirement rights.** A public officer or employee who receives  
 2.30 leave of absence under this section or is elected as a state constitutional officer and has  
 2.31 rights in a state, municipal, or other public pension, retirement, or relief system shall retain  
 2.32 all the rights accrued up to the time of taking leave. Time spent by the employee as a member

3.1 of the legislature or as an elected city ~~or~~ county, or tribal council official or state  
 3.2 constitutional officer shall be calculated in the same manner as if the employee had spent  
 3.3 that time in the service of the public employer for the purpose of determining vesting of the  
 3.4 employee's rights in the employer's pension, retirement, or relief system. Under no  
 3.5 circumstances shall two governmental units pay the employee's share of pension contributions  
 3.6 when the employee is on leave of absence to serve in the legislature or as an elected city  
 3.7 ~~or~~ county, or tribal council official.

3.8 Sec. 4. Minnesota Statutes 2016, section 13.15, subdivision 4, is amended to read:

3.9 Subd. 4. **Use of electronic access data.** Electronic access data may be disseminated:

3.10 (1) to the commissioner for the purpose of evaluating electronic government services;

3.11 (2) to another government entity or a federal law enforcement agency to prevent or report  
 3.12 unlawful intrusions into government electronic systems; or

3.13 (3) as otherwise provided by law.

3.14 Sec. 5. Minnesota Statutes 2016, section 13.6905, subdivision 33, is amended to read:

3.15 Subd. 33. **Citizenship data; voter registration.** The use of citizenship data reported to  
 3.16 the secretary of state is governed by section ~~201.158~~ 201.145.

3.17 Sec. 6. Minnesota Statutes 2016, section 13.841, subdivision 3, is amended to read:

3.18 Subd. 3. **Felony conviction data; voter registration.** Felony conviction data reported  
 3.19 to the secretary of state is governed by section ~~201.155~~ 201.145.

3.20 Sec. 7. Minnesota Statutes 2016, section 13.851, subdivision 10, is amended to read:

3.21 Subd. 10. **Felony offender data; voter registration.** The use of felony offender data  
 3.22 made available to the secretary of state is governed by section ~~201.157~~ 201.145.

3.23 Sec. 8. Minnesota Statutes 2016, section 123B.09, subdivision 5b, is amended to read:

3.24 Subd. 5b. **Appointments to fill vacancies; special elections.** (a) Any vacancy on the  
 3.25 board, other than a vacancy described in subdivision 4, must be filled by board appointment  
 3.26 at a regular or special meeting. The appointment shall be evidenced by a resolution entered  
 3.27 in the minutes and shall be effective 30 days following adoption of the resolution, subject  
 3.28 to paragraph (b). If the appointment becomes effective, it shall continue until an election is  
 3.29 held under this subdivision. All elections to fill vacancies shall be for the unexpired term.

4.1 A special election to fill the vacancy must be held no later than the first Tuesday after the  
 4.2 first Monday in November following the vacancy. If the vacancy occurs less than 90 days  
 4.3 prior to the first Tuesday after the first Monday in November in the year in which the vacancy  
 4.4 occurs, the special election must be held no later than the first Tuesday after the first Monday  
 4.5 in November of the following calendar year. If the vacancy occurs less than 90 days prior  
 4.6 to the first Tuesday after the first Monday in November in the third year of the term, no  
 4.7 special election is required. If the vacancy is filled by a special election, the person elected  
 4.8 at that election for the ensuing term shall take office immediately after receiving the  
 4.9 certificate of election, filing the bond, and taking the oath of office.

4.10 (b) An appointment made under paragraph (a) shall not be effective if a petition to reject  
 4.11 the appointee is filed with the school district clerk. To be valid, a petition to reject an  
 4.12 appointee must be signed by a number of eligible voters residing in the district equal to at  
 4.13 least five percent of the total number of voters voting in the district at the most recent state  
 4.14 general election, and must be filed within 30 days of the board's adoption of the resolution  
 4.15 making the appointment. If a valid petition is filed according to the requirements of this  
 4.16 paragraph, the appointment by the school board is ineffective and the board must name a  
 4.17 new appointee as provided in paragraph (a).

4.18 Sec. 9. Minnesota Statutes 2016, section 200.02, is amended by adding a subdivision to  
 4.19 read:

4.20 Subd. 29. **Original signature.** "Original signature" does not include an electronic  
 4.21 signature.

4.22 Sec. 10. Minnesota Statutes 2016, section 201.121, subdivision 1, is amended to read:

4.23 Subdivision 1. **Entry of registration information.** (a) At the time a voter registration  
 4.24 application is properly completed, submitted, and received in accordance with sections  
 4.25 201.061 and 201.071, the county auditor shall enter the information contained on it into the  
 4.26 statewide registration system. Voter registration applications completed before election day  
 4.27 must be entered into the statewide registration system within ten days after they have been  
 4.28 submitted to the county auditor. Voter registration applications completed on election day  
 4.29 must be entered into the statewide registration system within 42 days after the election,  
 4.30 unless the county auditor notifies the secretary of state before the ~~42-day~~ deadline has  
 4.31 expired that the deadline will not be met. Upon receipt of a notification under this paragraph,  
 4.32 the secretary of state must extend the deadline for that county auditor by an additional 28

5.1 days. The secretary of state may waive a county's obligations under this paragraph if, on  
5.2 good cause shown, the county demonstrates its permanent inability to comply.

5.3 The secretary of state must post data on each county's compliance with this paragraph on  
5.4 the secretary of state's Web site including, as applicable, the date each county fully complied  
5.5 or the deadline by which a county's compliance must be complete.

5.6 (b) Upon receiving a completed voter registration application, the secretary of state may  
5.7 electronically transmit the information on the application to the appropriate county auditor  
5.8 as soon as possible for review by the county auditor before final entry into the statewide  
5.9 registration system. The secretary of state may mail the voter registration application to the  
5.10 county auditor.

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

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

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

5.26 (f) The county auditor shall send a notice of incomplete registration to any voter whose  
5.27 name appears on the list and change the voter's status to "incomplete." A voter who receives  
5.28 a notice of incomplete registration from the county auditor may either provide the information  
5.29 required to complete the registration at least 21 days before the next election or at the polling  
5.30 place on election day.

5.31 Sec. 11. Minnesota Statutes 2016, section 201.121, subdivision 3, is amended to read:

5.32 Subd. 3. **Postelection sampling.** (a) Within ten days after an election, the county auditor  
5.33 shall send the notice required by subdivision 2 to a random sampling of the individuals

6.1 registered on election day. The random sampling shall be determined in accordance with  
 6.2 the rules of the secretary of state. As soon as practicable after the election, the county auditor  
 6.3 shall mail the notice required by subdivision 2 to all other individuals registered on election  
 6.4 day. If a notice is returned as not deliverable, the county auditor shall attempt to determine  
 6.5 the reason for the return. A county auditor who does not receive or obtain satisfactory proof  
 6.6 of an individual's eligibility to vote shall immediately notify the county attorney of all of  
 6.7 the relevant information ~~and the secretary of state of the numbers by precinct.~~ The county  
 6.8 auditor must notify the secretary of state of the following information by each precinct:

6.9 (1) the total number of all notices that were returned as nondeliverable;

6.10 (2) the total number of nondeliverable notices that the county auditor was able to  
 6.11 determine the reason for the return along with the reason for each return; and

6.12 (3) the total number of individuals for whom the county auditor does not receive or  
 6.13 obtain satisfactory proof of an individual's eligibility to vote.

6.14 (b) By March 1 of every odd-numbered year, the secretary of state shall report to the  
 6.15 chair and ranking minority members of the legislative committees with jurisdiction over  
 6.16 elections the number of notices reported under this subdivision to the secretary of state for  
 6.17 the previous state general election by county and precinct. following information by each  
 6.18 precinct and each county:

6.19 (1) the total number of all notices that were returned as nondeliverable;

6.20 (2) the total number of nondeliverable notices that a county auditor was able to determine  
 6.21 the reason for the return along with the reason for each return; and

6.22 (3) the total number of individuals for whom the county auditor does not receive or  
 6.23 obtain satisfactory proof of an individual's eligibility to vote.

6.24 **Sec. 12. [201.145] REPORTS ON GUARDIANSHIPS, LEGAL INCOMPETENCE,**  
 6.25 **FELONY CONVICTIONS, AND CITIZENSHIP; STATUS CHANGES.**

6.26 Subdivision 1. Report requirements. Reports required by this section must be submitted  
 6.27 to the secretary of state as provided in this section. Reports from the state court administrator  
 6.28 that are required under this section must be made on a daily basis, excluding weekends and  
 6.29 holidays. Reports from the commissioner of corrections and the commissioner of public  
 6.30 safety that are required under this section must be made to the secretary of state at least  
 6.31 monthly. Reports must be submitted by electronic means. Reports from the commissioner  
 6.32 of corrections and the commissioner of public safety must include a complete list of each

7.1 individual under the reporting entity's jurisdiction and must not provide only the changes  
7.2 since the last report.

7.3 Subd. 2. **State court administrator report.** (a) The state court administrator must report  
7.4 on individuals 17 years of age or older who are under a guardianship in which a court order  
7.5 revokes the ward's right to vote or where the court has found the individual to be legally  
7.6 incompetent to vote.

7.7 (b) The state court administrator must report on individuals transferred to the jurisdiction  
7.8 of the court who meet a condition specified in paragraph (a).

7.9 (c) Each report required under this subdivision must include the following information  
7.10 for each individual in the report: name, address, date of birth, and, if available, last four  
7.11 digits of the Social Security number and driver's license or state identification card number.

7.12 (d) No later than seven calendar days after receiving a report under this subdivision, the  
7.13 secretary of state must determine if a person identified under paragraphs (a) and (b) is  
7.14 registered to vote and must prepare a list of those registrants for the county auditor. No later  
7.15 than seven calendar days after receiving the list from the secretary of state, the county auditor  
7.16 must challenge the status on the record in the statewide voter registration system of each  
7.17 individual named in the list.

7.18 Subd. 3. **Commissioner of corrections report; state court administrator report.** (a)  
7.19 The state court administrator must report on individuals 17 years of age or older who have  
7.20 been convicted of a felony.

7.21 (b) The commissioner of corrections must report on individuals 17 years of age or older  
7.22 who are currently:

7.23 (1) serving felony sentences under the commissioner's jurisdiction; or

7.24 (2) on probation for felony offenses that resulted in the loss of civil rights, as indicated  
7.25 by the statewide supervision system established under section 241.065.

7.26 (c) Each report under this subdivision must include the following information for each  
7.27 individual: name, address or last known residential address that is not a correctional facility,  
7.28 and date of birth. If available, each report must also include the individual's: corrections'  
7.29 state identification number, last four digits of the Social Security number, driver's license  
7.30 or state identification card number, date of sentence, effective date of the sentence, county  
7.31 in which the conviction occurred, and date of discharge.

7.32 (d) No later than seven calendar days after receiving a report under this subdivision, the  
7.33 secretary of state must determine if a person identified under paragraph (a) is registered to

8.1 vote and must prepare a list of those registrants for the county auditor. No later than seven  
8.2 calendar days after receiving a report under this subdivision, the secretary of state must  
8.3 determine if any data newly indicates that a person identified under paragraph (b) is registered  
8.4 to vote and must prepare a list of those registrants for the county auditor. No later than seven  
8.5 calendar days after receiving the list from the secretary of state, the county auditor must  
8.6 challenge the status on the record in the statewide voter registration system of each individual  
8.7 named in the list.

8.8 (e) The county auditor must identify an individual who registered to vote or voted while  
8.9 serving a felony sentence under the commissioner's jurisdiction or while on probation for  
8.10 a felony offense that resulted in the loss of civil rights during a period when the individual's  
8.11 civil rights were revoked. The county auditor must immediately send notice to the county  
8.12 attorney. The notice must include the name of the individual and any other identifying  
8.13 information as well as the evidence that shows the individual registered to vote or voted  
8.14 during the period when the individual's civil rights were revoked.

8.15 Subd. 4. **Reports; restoration of right to vote.** (a) The state court administrator must  
8.16 report on each individual whose guardianship was modified to restore the ward's right to  
8.17 vote or whose guardianship was terminated by order of the court under section 524.5-317  
8.18 after being ineligible to vote for any of the reasons specified in subdivision 2, paragraph  
8.19 (a).

8.20 (b) The state court administrator must report on individuals previously convicted of a  
8.21 felony whose civil rights have been restored.

8.22 (c) The commissioner of corrections must report on individuals who were serving a  
8.23 felony sentence under the commissioner's jurisdiction or who were on probation for a felony  
8.24 offense under the commissioner's jurisdiction that resulted in the loss of civil rights but who  
8.25 have been discharged from the sentence.

8.26 (d) Each report under this subdivision must include the following information for each  
8.27 individual: name, address, date of birth, and, if available, the last four digits of the Social  
8.28 Security number. For reports required by paragraphs (b) and (c), each report must also  
8.29 include the individual's, if available: corrections' state identification number, driver's license  
8.30 or state identification card number, date of sentence, effective date of the sentence, county  
8.31 in which the conviction occurred, and date of discharge.

8.32 (e) No later than seven calendar days after receiving a report under this subdivision, the  
8.33 secretary of state must determine if a person identified under paragraph (a) or (b) is registered  
8.34 to vote and must prepare a list of those registrants for the county auditor. No later than seven



9.1 calendar days after receiving a report under this subdivision, the secretary of state must  
 9.2 determine if any data newly indicates that a person identified under paragraph (c) is registered  
 9.3 to vote and must prepare a list of those registrants for the county auditor. No later than seven  
 9.4 calendar days after receiving the list from the secretary of state, the county auditor must  
 9.5 remove the challenge status on the record in the statewide voter registration system of each  
 9.6 individual named in the list.

9.7 Subd. 5. **Commissioner of public safety report.** (a) The commissioner of public safety  
 9.8 must report on individuals identified by department data as having temporary lawful status  
 9.9 in the United States.

9.10 (b) The report under this section must include the following information for each  
 9.11 individual: name, address, date of birth, driver's license or state identification card number,  
 9.12 and, if available, last four digits of the Social Security number.

9.13 (c) No later than seven calendar days after receiving a report under this subdivision, the  
 9.14 secretary of state must determine if any data newly indicates that a person identified under  
 9.15 paragraph (a) is registered to vote and prepare a list of those voters for the county auditor.  
 9.16 Within seven calendar days of receiving the list from the secretary of state, the county  
 9.17 auditor must challenge the status on the record in the statewide voter registration system of  
 9.18 each individual named in the list.

9.19 (d) The county auditor must also immediately send notice to the county attorney of each  
 9.20 individual identified in paragraph (c). The notice must include the name of the individual  
 9.21 and any other identifying information as well as the evidence that shows the individual  
 9.22 registered to vote or voted and is not a citizen.

9.23 **EFFECTIVE DATE.** This section is effective July 1, 2017, and applies to reports  
 9.24 received by the secretary of state on or after that date.

9.25 Sec. 13. Minnesota Statutes 2016, section 204B.09, subdivision 3, is amended to read:

9.26 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who  
 9.27 wants write-in votes for the candidate to be counted must file a written request with the  
 9.28 filing office for the office sought not more than 84 days before the primary and no later  
 9.29 than the seventh day before the general election. The filing officer shall provide copies of  
 9.30 the form to make the request. No written request shall be accepted later than 5:00 p.m. on  
 9.31 the last day for filing a written request.

9.32 (b) A candidate for president of the United States who files a request under this  
 9.33 subdivision must include the name of a candidate for vice-president of the United States.

10.1 The request must also include the name of at least one candidate for presidential elector.  
 10.2 The total number of names of candidates for presidential elector on the request may not  
 10.3 exceed the total number of electoral votes to be cast by Minnesota in the presidential election.

10.4 (c) A candidate for governor who files a request under this subdivision must include the  
 10.5 name of a candidate for lieutenant governor.

10.6 Sec. 14. Minnesota Statutes 2016, section 204B.16, subdivision 1a, is amended to read:

10.7 Subd. 1a. **Notice to voters.** If the location of a polling place has been changed, the  
 10.8 governing body establishing the polling place shall send to every affected household with  
 10.9 at least one registered voter in the precinct a nonforwardable mailed notice stating the  
 10.10 location of the new polling place at least 25 days before the next election. The secretary of  
 10.11 state shall prepare a sample of this notice. A notice that is returned as undeliverable must  
 10.12 be forwarded immediately to the county auditor. This subdivision does not apply to a polling  
 10.13 place location that is changed on election day under section ~~204B.17~~ 204B.175.

10.14 Sec. 15. Minnesota Statutes 2016, section 204B.21, is amended to read:

10.15 **204B.21 APPOINTMENT OF ELECTION JUDGES.**

10.16 Subdivision 1. **Appointment lists; duties of political parties and secretary of state.**  
 10.17 On May 1 in a year in which there is an election for a partisan political office, each major  
 10.18 political party shall prepare a list of eligible voters to act as election judges in each election  
 10.19 precinct. The list provided by the party must indicate which eligible voters are willing to  
 10.20 travel to a precinct outside of their home jurisdiction to act as an election judge, and the  
 10.21 jurisdictions to which each eligible voter is willing to travel for that purpose. The political  
 10.22 parties shall furnish the lists electronically to the secretary of state, in a format specified by  
 10.23 the secretary of state. The secretary of state must combine the data received from each  
 10.24 political party under this subdivision and must process the data to locate the precinct in  
 10.25 which the address provided for each potential election judge is located. If the data submitted  
 10.26 by a political party is insufficient for the secretary of state to locate the proper precinct, the  
 10.27 associated name must not appear in any list forwarded to an appointing authority under this  
 10.28 subdivision. The secretary of state shall notify political parties of any proposed election  
 10.29 judges with addresses that could not be located in a precinct.

10.30 By May 15, the secretary of state shall furnish electronically to the county auditor a list  
 10.31 of the appropriate names for each election precinct in the jurisdiction of the appointing  
 10.32 authority, and a list of the names of individuals residing outside of the jurisdiction who  
 10.33 indicated a willingness to travel to that jurisdiction to act as an election judge, noting the

11.1 political party affiliation of each individual on the list. The county auditor must promptly  
 11.2 forward the appropriate names to the appropriate municipal clerk.

11.3 Subd. 2. **Appointing authority; powers and duties.** Election judges for precincts in a  
 11.4 municipality shall be appointed by the governing body of the municipality. Election judges  
 11.5 for precincts in unorganized territory and for performing election-related duties assigned  
 11.6 by the county auditor shall be appointed by the county board. Election judges for a precinct  
 11.7 composed of two or more municipalities must be appointed by the governing body of the  
 11.8 municipality or municipalities responsible for appointing election judges as provided in the  
 11.9 agreement to combine for election purposes. Except as otherwise provided in this section,  
 11.10 appointments shall be made from ~~lists~~ the list of voters who reside in each precinct, furnished  
 11.11 pursuant to subdivision 1<sub>2</sub> subject to the eligibility requirements and other qualifications  
 11.12 established or authorized under section 204B.19. At least two election judges in each precinct  
 11.13 must be affiliated with different major political parties. If no lists have been furnished or if  
 11.14 additional election judges are required after all listed names in that municipality have been  
 11.15 exhausted, the appointing authority may appoint other individuals who meet the qualifications  
 11.16 to serve as an election judge, including persons on the list furnished pursuant to subdivision  
 11.17 1 who indicated a willingness to travel to the municipality, and persons who are not affiliated  
 11.18 with a major political party. An individual who is appointed from a source other than the  
 11.19 list furnished pursuant to subdivision 1 must provide to the appointing authority the  
 11.20 individual's major political party affiliation or a statement that the individual does not affiliate  
 11.21 with any major political party. An individual who refuses to provide the individual's major  
 11.22 political party affiliation or a statement that the individual does not affiliate with a major  
 11.23 political party must not be appointed as an election judge. The appointments shall be made  
 11.24 at least 25 days before the election at which the election judges will serve, except that the  
 11.25 appointing authority may pass a resolution authorizing the appointment of additional election  
 11.26 judges within the 25 days before the election if the appointing authority determines that  
 11.27 additional election judges will be required.

11.28 Subd. 3. **Access to election judge party affiliation.** Notwithstanding section 13.43,  
 11.29 the major political party affiliation of an election judge or a statement that the judge does  
 11.30 not affiliate with a major political party may be shared with other election judges assigned  
 11.31 to the precinct at the same election, to verify compliance with party balance requirements.  
 11.32 This data may not be disclosed or used by the election judges for any other purpose.

12.1 Sec. 16. Minnesota Statutes 2016, section 204B.31, subdivision 2, is amended to read:

12.2 Subd. 2. **Volunteer service; election judge travel.** (a) Any person appointed to serve  
 12.3 as an election judge may elect to serve without payment by submitting a written statement  
 12.4 to the appropriate governing body no later than ten days before the election.

12.5 (b) Subdivision 1 does not require the payment of mileage or other travel expenses to  
 12.6 an election judge residing in another jurisdiction, if the election judge's name was included  
 12.7 on the list of individuals who indicated a willingness to travel to another jurisdiction provided  
 12.8 under section 204B.21, subdivision 1.

12.9 Sec. 17. **[204B.49] "I VOTED" STICKERS.**

12.10 The secretary of state, county auditor, municipal clerk, school district clerk, or an election  
 12.11 judge may provide a sticker containing the words "I VOTED," and nothing more, to an  
 12.12 individual who:

12.13 (1) has successfully deposited a ballot into a ballot box, under section 203B.081,  
 12.14 subdivision 3, or 204C.13, subdivision 5;

12.15 (2) is provided an absentee ballot under section 203B.07, subdivision 1, or 203B.21,  
 12.16 subdivision 2; or

12.17 (3) is provided a ballot by mail under section 204B.45 or 204B.46.

12.18 Sec. 18. Minnesota Statutes 2016, section 204C.10, is amended to read:

12.19 **204C.10 PERMANENT REGISTRATION; VERIFICATION OF REGISTRATION.**

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

12.30 (b) At the presidential nomination primary, the polling place roster must also state: "I  
 12.31 am in general agreement with the principles of the party for whose candidate I intend to

13.1 vote, and I understand that my choice of a party's ballot will be public information." This  
 13.2 statement must appear separately from the statements required in paragraph (a). The felony  
 13.3 penalty provided for in paragraph (a) does not apply to this paragraph.

13.4 (c) A judge may, before the applicant signs the roster or voter signature certificate,  
 13.5 confirm the applicant's name, address, and date of birth.

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

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

13.14 Sec. 19. Minnesota Statutes 2016, section 204C.12, subdivision 1, is amended to read:

13.15 Subdivision 1. **Manner of challenging.** An election judge shall, and an authorized  
 13.16 challenger or other voter may, challenge an individual ~~whom the person knows or reasonably~~  
 13.17 ~~believes~~ based on personal knowledge that the individual is not an eligible voter.

13.18 Sec. 20. Minnesota Statutes 2016, section 204C.32, subdivision 2, is amended to read:

13.19 Subd. 2. **State canvass.** The State Canvassing Board shall meet ~~at the secretary of state's~~  
 13.20 ~~office~~ at a public meeting space located in the Capitol complex area seven days after the  
 13.21 state primary to canvass the certified copies of the county canvassing board reports received  
 13.22 from the county auditors. Immediately after the canvassing board declares the results, the  
 13.23 secretary of state shall certify the names of the nominees to the county auditors. The secretary  
 13.24 of state shall mail to each nominee a notice of nomination.

13.25 Sec. 21. Minnesota Statutes 2016, section 204C.33, subdivision 3, is amended to read:

13.26 Subd. 3. **State canvass.** The State Canvassing Board shall meet ~~at the secretary of state's~~  
 13.27 ~~office~~ at a public meeting space located in the Capitol complex area on the third Tuesday  
 13.28 following the state general election to canvass the certified copies of the county canvassing  
 13.29 board reports received from the county auditors and shall prepare a report that states:

13.30 ~~(a)~~ (1) the number of individuals voting in the state and in each county;

14.1 ~~(b)~~ (2) the number of votes received by each of the candidates, specifying the counties  
 14.2 in which they were cast; and

14.3 ~~(e)~~ (3) the number of votes counted for and against each constitutional amendment,  
 14.4 specifying the counties in which they were cast.

14.5 All members of the State Canvassing Board shall sign the report and certify its  
 14.6 correctness. The State Canvassing Board shall declare the result within three days after  
 14.7 completing the canvass.

14.8 Sec. 22. Minnesota Statutes 2016, section 205.065, subdivision 5, is amended to read:

14.9 Subd. 5. **Results.** ~~(a)~~ The municipal primary shall be conducted and the returns made  
 14.10 in the manner provided for the state primary so far as practicable. ~~If the primary is conducted:~~

14.11 ~~(1) only within that municipality, a~~ The canvass may be conducted on either the second  
 14.12 or third day after the primary; ~~or~~

14.13 ~~(2) in conjunction with the state primary, the canvass must be conducted on the third~~  
 14.14 ~~day after the primary, except as otherwise provided in paragraph (b).~~

14.15 The governing body of the municipality shall canvass the returns, and the two candidates  
 14.16 for each office who receive the highest number of votes, or a number of candidates equal  
 14.17 to twice the number of individuals to be elected to the office, who receive the highest number  
 14.18 of votes, shall be the nominees for the office named. Their names shall be certified to the  
 14.19 municipal clerk who shall place them on the municipal general election ballot without  
 14.20 partisan designation and without payment of an additional fee.

14.21 ~~(b) Following a municipal primary as described in paragraph (a), clause (2), a canvass~~  
 14.22 ~~may be conducted on the second day after the primary if the county auditor of each county~~  
 14.23 ~~in which the municipality is located agrees to administratively review the municipality's~~  
 14.24 ~~primary voting statistics for accuracy and completeness within a time that permits the canvass~~  
 14.25 ~~to be conducted on that day.~~

14.26 Sec. 23. Minnesota Statutes 2016, section 205.07, subdivision 1, is amended to read:

14.27 Subdivision 1. **Date of election.** The municipal general election in each city shall be  
 14.28 held on the first Tuesday after the first Monday in November in every even-numbered year.  
 14.29 Notwithstanding any provision of law to the contrary and subject to the provisions of this  
 14.30 section, the governing body of a city may, by ordinance passed at a regular meeting held  
 14.31 ~~before June 1 of any year, elect to~~ at least 180 calendar days before the first day to file for  
 14.32 candidacy in the next municipal election, decide to hold the election on the first Tuesday

15.1 after the first Monday in November in ~~each~~ either an even- or odd-numbered year. A city  
 15.2 may hold elections in either the even-numbered year or the odd-numbered year, but not  
 15.3 both. When a city changes its elections from one year to another, and does not provide for  
 15.4 the expiration of terms by ordinance, the term of an incumbent expiring at a time when no  
 15.5 municipal election is held in the months immediately prior to expiration is extended until  
 15.6 the date for taking office following the next scheduled municipal election. If the change  
 15.7 results in having three council members to be elected at a succeeding election, the two  
 15.8 individuals receiving the highest vote shall serve for terms of four years and the individual  
 15.9 receiving the third highest number of votes shall serve for a term of two years. To provide  
 15.10 an orderly transition to the odd or even year election plan, the governing body of the city  
 15.11 may adopt supplementary ordinances regulating initial elections and officers to be chosen  
 15.12 at the elections and shortening or lengthening the terms of incumbents and those elected at  
 15.13 the initial election. The term of office for the mayor may be either two or four years. The  
 15.14 term of office of council members is four years. Whenever the time of the municipal election  
 15.15 is changed, the city clerk immediately shall notify in writing the county auditor and secretary  
 15.16 of state of the change of date. Thereafter the municipal general election shall be held on the  
 15.17 first Tuesday after the first Monday in November in each odd-numbered or even-numbered  
 15.18 year until the ordinance is revoked and notification of the change is made. A municipal  
 15.19 general election scheduled to be held in an odd-numbered year may be postponed for  
 15.20 inclement weather as provided in section 205.105.

15.21 Sec. 24. Minnesota Statutes 2016, section 205A.05, subdivision 2, is amended to read:

15.22 Subd. 2. **Vacancies in school district offices.** Special elections to fill vacancies in  
 15.23 elective school district offices shall be held in school districts pursuant to section ~~123B.095~~  
 15.24 123B.09, subdivision 5b. When more than one vacancy exists in an office elected at-large,  
 15.25 voters must be instructed to vote for up to the number of vacancies to be filled.

15.26 Sec. 25. Minnesota Statutes 2016, section 206.805, subdivision 1, is amended to read:

15.27 Subdivision 1. **Contracts required.** (a) The secretary of state, with the assistance of the  
 15.28 commissioner of administration, ~~shall~~ must establish one or more state voting systems  
 15.29 contracts. The contracts should, if practical, include provisions for maintenance of the  
 15.30 equipment purchased. The voting systems contracts must address precinct-based optical  
 15.31 scan voting equipment, ~~and ballot marking equipment for persons with disabilities and other~~  
 15.32 ~~voters~~ assistive voting technology, automatic tabulating equipment, and electronic roster  
 15.33 equipment. The contracts must give the state a perpetual license to use and modify the  
 15.34 software. The contracts must include provisions to escrow the software source code, as

16.1 provided in subdivision 2. Bids for voting systems and related election services must be  
 16.2 solicited from each vendor selling or leasing voting systems that have been certified for use  
 16.3 by the secretary of state. Bids for electronic roster equipment, software, and related services  
 16.4 must be solicited from each vendor selling or leasing electronic roster equipment that meets  
 16.5 the requirements of section 201.225, subdivision 2. The contracts must be renewed from  
 16.6 time to time.

16.7 (b) Counties and municipalities may purchase or lease voting systems and obtain related  
 16.8 election services from the state contracts. All counties and municipalities are members of  
 16.9 the cooperative purchasing venture of the Department of Administration for the purpose of  
 16.10 this section. For the purpose of township elections, counties must aggregate orders under  
 16.11 contracts negotiated under this section for products and services and may apportion the  
 16.12 costs of those products and services proportionally among the townships receiving the  
 16.13 products and services. The county is not liable for the timely or accurate delivery of those  
 16.14 products or services.

16.15 Sec. 26. Minnesota Statutes 2016, section 208.04, subdivision 1, is amended to read:

16.16 Subdivision 1. **Form of presidential ballots.** When presidential electors and alternates  
 16.17 are to be voted for, a vote cast for the party candidates for president and vice president shall  
 16.18 be deemed a vote for that party's electors and alternates as filed with the secretary of state.  
 16.19 The secretary of state shall certify the names of all duly nominated presidential and vice  
 16.20 presidential candidates to the county auditors of the counties of the state. Each county  
 16.21 auditor, subject to the rules of the secretary of state, shall cause the names of the candidates  
 16.22 of each major political party and the candidates nominated by petition to be ~~printed in capital~~  
 16.23 ~~letters,~~ set in type of the same size and style as for candidates on the state general election  
 16.24 ballot, before the party designation. To the left of, and on the same line with the names of  
 16.25 the candidates for president and vice president, near the margin, shall be placed ~~a square or~~  
 16.26 ~~box~~ an oval or similar target shape, in which the voters may indicate their choice ~~by marking~~  
 16.27 ~~an "X."~~.

16.28 The form for the presidential ballot and the relative position of the several candidates  
 16.29 shall be determined by the rules applicable to other state officers. The state ballot, with the  
 16.30 required heading, shall be printed on the same piece of paper and shall be below the  
 16.31 presidential ballot with a blank space between one inch in width.



17.1 Sec. 27. Minnesota Statutes 2016, section 211B.11, subdivision 1, is amended to read:

17.2 Subdivision 1. **Soliciting near polling places.** A person may not display campaign  
 17.3 material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within  
 17.4 a polling place or within 100 feet of the building in which a polling place is situated, or  
 17.5 anywhere on the public property on which a polling place is situated, on primary or election  
 17.6 day to vote for or refrain from voting for a candidate or ballot question. A person may not  
 17.7 provide political badges, political buttons, or other political insignia to be worn at or about  
 17.8 the polling place on the day of a primary or election. A political badge, political button, or  
 17.9 other political insignia may not be worn at or about the polling place on primary or election  
 17.10 day. This section applies to areas established by the county auditor or municipal clerk for  
 17.11 absentee voting as provided in chapter 203B.

17.12 ~~The secretary of state, county auditor, municipal clerk, or school district clerk may~~  
 17.13 ~~provide stickers which contain the words "I VOTED" and nothing more. Election judges~~  
 17.14 ~~may offer a sticker of this type to each voter who has signed the polling place roster or voter~~  
 17.15 ~~signature certificate~~ Nothing in this subdivision prohibits the distribution of "I VOTED"  
 17.16 stickers as provided in section 204B.49.

17.17 Sec. 28. Minnesota Statutes 2016, section 241.065, subdivision 2, is amended to read:

17.18 Subd. 2. **Establishment.** The Department of Corrections shall administer and maintain  
 17.19 a computerized data system for the purpose of assisting criminal justice agencies in  
 17.20 monitoring and enforcing the conditions of conditional release imposed on criminal offenders  
 17.21 by a sentencing court or the commissioner of corrections. The adult data and juvenile data  
 17.22 as defined in section 260B.171 in the statewide supervision system are private data as defined  
 17.23 in section 13.02, subdivision 12, but are accessible to criminal justice agencies as defined  
 17.24 in section 13.02, subdivision 3a, to the Minnesota sex offender program as provided in  
 17.25 section 246B.04, subdivision 3, to public defenders as provided in section 611.272, to all  
 17.26 trial courts and appellate courts, and to criminal justice agencies in other states in the conduct  
 17.27 of their official duties. Adult data in the statewide supervision system are accessible to the  
 17.28 secretary of state for the purposes described in section ~~201.157~~ 201.145.

17.29 Sec. 29. **REPEALER.**

17.30 Minnesota Statutes 2016, sections 201.15; 201.155; 201.157; and 201.158, are repealed.

17.31 Sec. 30. **EFFECTIVE DATE.**

17.32 This article is effective July 1, 2017.

18.1 **ARTICLE 2**18.2 **UNIFORM ELECTION DATES**

18.3 Section 1. Minnesota Statutes 2016, section 103B.545, subdivision 2, is amended to read:

18.4 Subd. 2. **Election.** The county board or joint county authority shall conduct a special  
18.5 election ~~in July or August after receiving the referendum petition~~ on a date authorized in  
18.6 section 205.10, subdivision 3a. The special election must be held within the proposed lake  
18.7 improvement district. The county auditor shall administer the special election.

18.8 Sec. 2. Minnesota Statutes 2016, section 123A.46, subdivision 12, is amended to read:

18.9 Subd. 12. **Election date.** If an election is required under subdivision 11, then before the  
18.10 expiration of a 45 day period after the date of the order for dissolution and attachment, the  
18.11 auditor shall set a date and call the election by filing a written order for the election and  
18.12 serving a copy of the order personally or by mail on the clerk of the district in which the  
18.13 election is to be held. ~~The date shall be not less than 15 nor more than 30 days after the date~~  
18.14 ~~of the order, upon which date~~ a special election shall be held in the district proposed for  
18.15 dissolution and must be held on a date authorized in section 205A.05, subdivision 1a. The  
18.16 auditor shall post and publish notice of the election according to law. Upon receipt of the  
18.17 notice, the board shall conduct the election.

18.18 Sec. 3. Minnesota Statutes 2016, section 123A.48, subdivision 14, is amended to read:

18.19 Subd. 14. **Election.** The board shall determine the date of the election as authorized by  
18.20 section 205A.05, subdivision 1a, the number of boundaries of voting precincts, and the  
18.21 location of the polling places where voting shall be conducted, and the hours the polls will  
18.22 be open. The board shall also provide official ballots which must be used exclusively and  
18.23 shall be in the following form: "Shall the (name of school district) and the (name of school  
18.24 district) be consolidated as proposed? Yes .... No ...."

18.25 The board must appoint election judges who shall act as clerks of election. The ballots  
18.26 and results must be certified to the board who shall canvass and tabulate the total vote cast  
18.27 for and against the proposal.

18.28 Sec. 4. Minnesota Statutes 2016, section 123B.63, subdivision 3, is amended to read:

18.29 Subd. 3. **Capital project levy referendum.** (a) A district may levy the local tax rate  
18.30 approved by a majority of the electors voting on the question to provide funds for an approved  
18.31 project. The election must take place no more than five years before the estimated date of

19.1 commencement of the project. The referendum must be held on a date ~~set by the board~~  
 19.2 authorized by section 205A.05, subdivision 1a. A district must meet the requirements of  
 19.3 section 123B.71 for projects funded under this section. If a review and comment is required  
 19.4 under section 123B.71, subdivision 8, a referendum for a project not receiving a positive  
 19.5 review and comment by the commissioner must be approved by at least 60 percent of the  
 19.6 voters at the election.

19.7 (b) The referendum may be called by the school board and may be held:

19.8 (1) separately, before an election for the issuance of obligations for the project under  
 19.9 chapter 475; or

19.10 (2) in conjunction with an election for the issuance of obligations for the project under  
 19.11 chapter 475; or

19.12 (3) notwithstanding section 475.59, as a conjunctive question authorizing both the capital  
 19.13 project levy and the issuance of obligations for the project under chapter 475. Any obligations  
 19.14 authorized for a project may be issued within five years of the date of the election.

19.15 (c) The ballot must provide a general description of the proposed project, state the  
 19.16 estimated total cost of the project, state whether the project has received a positive or negative  
 19.17 review and comment from the commissioner, state the maximum amount of the capital  
 19.18 project levy as a percentage of net tax capacity, state the amount that will be raised by that  
 19.19 local tax rate in the first year it is to be levied, and state the maximum number of years that  
 19.20 the levy authorization will apply.

19.21 The ballot must contain a textual portion with the information required in this section  
 19.22 and a question stating substantially the following:

19.23 "Shall the capital project levy proposed by the board of ..... School District No. ....  
 19.24 be approved?"

19.25 If approved, the amount provided by the approved local tax rate applied to the net tax  
 19.26 capacity for the year preceding the year the levy is certified may be certified for the number  
 19.27 of years, not to exceed ten, approved.

19.28 (d) If the district proposes a new capital project to begin at the time the existing capital  
 19.29 project expires and at the same maximum tax rate, the general description on the ballot may  
 19.30 state that the capital project levy is being renewed and that the tax rate is not being increased  
 19.31 from the previous year's rate. An election to renew authority under this paragraph may be  
 19.32 called at any time that is otherwise authorized by this subdivision. The ballot notice required  
 19.33 under section 275.60 may be modified to read:

20.1 "BY VOTING YES ON THIS BALLOT QUESTION, YOU ARE VOTING TO RENEW  
 20.2 AN EXISTING CAPITAL PROJECTS REFERENDUM THAT IS SCHEDULED TO  
 20.3 EXPIRE."

20.4 (e) In the event a conjunctive question proposes to authorize both the capital project  
 20.5 levy and the issuance of obligations for the project, appropriate language authorizing the  
 20.6 issuance of obligations must also be included in the question.

20.7 (f) The district must notify the commissioner of the results of the referendum.

20.8 Sec. 5. Minnesota Statutes 2016, section 126C.17, subdivision 11, is amended to read:

20.9 Subd. 11. **Referendum date.** (a) Except for a referendum held under paragraph (b), any  
 20.10 referendum under this section held on a day other than the first Tuesday after the first  
 20.11 Monday in November must be conducted by mail in accordance with section 204B.46.  
 20.12 Notwithstanding subdivision 9, paragraph (b), to the contrary, in the case of a referendum  
 20.13 conducted by mail under this paragraph, the notice required by subdivision 9, paragraph  
 20.14 (b), must be prepared and delivered by first-class mail at least 20 days before the referendum.

20.15 (b) In addition to the referenda allowed in subdivision 9, ~~clause~~ paragraph (a), the  
 20.16 commissioner may grant authority to a district to hold a referendum on a different day if  
 20.17 the district is in statutory operating debt and has an approved plan or has received an  
 20.18 extension from the department to file a plan to eliminate the statutory operating debt.

20.19 (c) The commissioner must approve, deny, or modify each district's request for a  
 20.20 referendum levy on a different day within 60 days of receiving the request from a district.

20.21 Sec. 6. Minnesota Statutes 2016, section 128D.05, subdivision 2, is amended to read:

20.22 Subd. 2. **Time of change.** A proposed change in election years adopted under subdivision  
 20.23 1 is effective 240 days after passage and publication or at a later date fixed in the proposal.  
 20.24 Within 180 days after passage and publication of the proposal, a petition requesting a  
 20.25 referendum on the proposal may be filed with the school district clerk. The petition must  
 20.26 be signed by eligible voters equal in number to five percent of the total number of votes  
 20.27 cast in the city of Minneapolis at the most recent state general election. If the requisite  
 20.28 petition is filed within the prescribed period, the proposal does not become effective until  
 20.29 it is approved by a majority of the voters voting on the question at a general or special  
 20.30 election held ~~at least 60 days after submission of the petition~~ on a date authorized by section  
 20.31 205A.05, subdivision 1a. If the petition is filed, the governing body may reconsider its  
 20.32 action in adopting the proposal.

21.1 Sec. 7. Minnesota Statutes 2016, section 200.02, subdivision 4, is amended to read:

21.2 Subd. 4. **Special election.** "Special election" means:

21.3 ~~(a)~~ (1) an election held at any time to fill vacancies in ~~public~~ state or federal offices; or

21.4 ~~(b)~~ (2) an election ~~held by a subdivision of the state~~ for a special purpose held by a  
21.5 subdivision of the state on a date authorized by section 205.10, subdivision 3a, or 205A.05,  
21.6 subdivision 1a.

21.7 Sec. 8. Minnesota Statutes 2016, section 204B.16, subdivision 1, is amended to read:

21.8 Subdivision 1. **Authority; location.** By December 31 of each year, the governing body  
21.9 of each municipality and of each county with precincts in unorganized territory ~~shall~~ must  
21.10 designate by ordinance or resolution a polling place for each election precinct. The polling  
21.11 places designated in the ordinance or resolution are the polling places for the following  
21.12 calendar year, unless a change is made:

21.13 (1) pursuant to section 204B.175;

21.14 (2) because a polling place has become unavailable; or

21.15 (3) because a township designates one location for all state and federal elections and  
21.16 one location for all township only elections.

21.17 Polling places must be designated and ballots must be distributed so that no one is required  
21.18 to go to more than one polling place to vote in a school district and municipal election held  
21.19 on the same day. The polling place for a precinct in a city or in a school district located in  
21.20 whole or in part in the metropolitan area defined by section 200.02, subdivision 24, shall  
21.21 be located within the boundaries of the precinct or within one mile of one of those boundaries  
21.22 unless a single polling place is designated for a city pursuant to section 204B.14, subdivision  
21.23 2, or a school district pursuant to section 205A.11. The polling place for a precinct in  
21.24 unorganized territory may be located outside the precinct at a place which is convenient to  
21.25 the voters of the precinct. If no suitable place is available within a town or within a school  
21.26 district located outside the metropolitan area defined by section 200.02, subdivision 24,  
21.27 then the polling place for a town or school district may be located outside the town or school  
21.28 district within five miles of one of the boundaries of the town or school district.

21.29 Sec. 9. Minnesota Statutes 2016, section 205.07, subdivision 3, is amended to read:

21.30 Subd. 3. **Effect of ordinance; referendum.** An ordinance changing the year of the  
21.31 municipal election is effective 240 days after passage and publication or at a later date fixed

22.1 in the ordinance. Within 180 days after passage and publication of the ordinance, a petition  
 22.2 requesting a referendum on the ordinance may be filed with the city clerk. The petition shall  
 22.3 be signed by eligible voters equal in number to ten percent of the total number of votes cast  
 22.4 in the city at the last municipal general election. If the requisite petition is filed within the  
 22.5 prescribed period, the ordinance shall not become effective until it is approved by a majority  
 22.6 of the voters voting on the question at a general or special election held ~~at least 60 days~~  
 22.7 ~~after submission of the petition~~ on a date authorized by section 205.10, subdivision 3a. If  
 22.8 the petition is filed, the governing body may reconsider its action in adopting the ordinance.

22.9 Sec. 10. Minnesota Statutes 2016, section 205.10, is amended by adding a subdivision to  
 22.10 read:

22.11 Subd. 3a. **Uniform election dates.** (a) Except as allowed in paragraph (b) and subdivision  
 22.12 4, a special election held in a city or town must be held on one of the following dates: the  
 22.13 second Tuesday in February, the second Tuesday in April, the second Tuesday in May, the  
 22.14 second Tuesday in August, or the first Tuesday after the first Monday in November. A home  
 22.15 rule charter city must not designate additional dates in its charter.

22.16 (b) A special election may be held on a date other than those designated in paragraph  
 22.17 (a) if the special election is held in response to an emergency or disaster. "Emergency"  
 22.18 means an unforeseen combination of circumstances that calls for immediate action to prevent  
 22.19 a disaster from developing or occurring. "Disaster" means a situation that creates an actual  
 22.20 or imminent serious threat to the health and safety of persons or a situation that has resulted  
 22.21 or is likely to result in catastrophic loss to property or the environment.

22.22 Sec. 11. Minnesota Statutes 2016, section 205.10, subdivision 4, is amended to read:

22.23 Subd. 4. **Vacancies in town offices.** Special elections ~~must be held with the town general~~  
 22.24 ~~election~~ to fill vacancies in town offices as provided in section 367.03, subdivision 6, must  
 22.25 be held with the town general election or on a date authorized by subdivision 3a.

22.26 Sec. 12. Minnesota Statutes 2016, section 205A.05, subdivision 1, is amended to read:

22.27 Subdivision 1. **Questions.** (a) Special elections must be held for a school district on a  
 22.28 question on which the voters are authorized by law to pass judgment. The school board may  
 22.29 on its own motion call a special election to vote on any matter requiring approval of the  
 22.30 voters of a district. Upon petition filed with the school board of 50 or more voters of the  
 22.31 school district or five percent of the number of voters voting at the preceding school district  
 22.32 general election, whichever is greater, the school board shall by resolution call a special

23.1 election to vote on any matter requiring approval of the voters of a district. A question is  
 23.2 carried only with the majority in its favor required by law. The election officials for a special  
 23.3 election are the same as for the most recent school district general election unless changed  
 23.4 according to law. Otherwise, special elections must be conducted and the returns made in  
 23.5 the manner provided for the school district general election.

23.6 ~~(b) A special election may not be held:~~

23.7 ~~(1) during the 56 days before and the 56 days after a regularly scheduled primary or~~  
 23.8 ~~general election conducted wholly or partially within the school district;~~

23.9 ~~(2) on the date of a regularly scheduled town election or annual meeting in March~~  
 23.10 ~~conducted wholly or partially within the school district; or~~

23.11 ~~(3) during the 30 days before or the 30 days after a regularly scheduled town election~~  
 23.12 ~~in March conducted wholly or partially within the school district.~~

23.13 ~~(e) Notwithstanding any other law to the contrary, the time period in which a special~~  
 23.14 ~~election must be conducted under any other law may be extended by the school board to~~  
 23.15 ~~conform with the requirements of this subdivision.~~

23.16 Sec. 13. Minnesota Statutes 2016, section 205A.05, is amended by adding a subdivision  
 23.17 to read:

23.18 Subd. 1a. **Uniform election dates.** (a) Except as allowed in paragraph (b), a special  
 23.19 election held in a school district must be held on one of the following dates: the second  
 23.20 Tuesday in February, the second Tuesday in April, the second Tuesday in May, the second  
 23.21 Tuesday in August, or the first Tuesday after the first Monday in November.

23.22 (b) A special election may be held on a date other than those designated in paragraph  
 23.23 (a) if the special election is held in response to an emergency or disaster. "Emergency"  
 23.24 means an unforeseen combination of circumstances that calls for immediate action to prevent  
 23.25 a disaster from developing or occurring. "Disaster" means a situation that creates an actual  
 23.26 or imminent serious threat to the health and safety of persons or a situation that has resulted  
 23.27 or is likely to result in catastrophic loss to property or the environment.

23.28 Sec. 14. Minnesota Statutes 2016, section 205A.11, subdivision 2, is amended to read:

23.29 Subd. 2. **Combined polling place.** (a) When no other election is being held in two or  
 23.30 more precincts on the day of a school district election, the school board may designate one  
 23.31 or more combined polling places at which the voters in those precincts may vote in the  
 23.32 school district election.

24.1 (b) By December 31 of each year, the school board must designate, by resolution,  
 24.2 combined polling places. The combined polling places designated in the resolution are the  
 24.3 polling places for the following calendar year, unless a change is made:

24.4 (1) pursuant to section 204B.175; or

24.5 (2) because a polling place has become unavailable.

24.6 (c) If the school board designates combined polling places pursuant to this subdivision,  
 24.7 polling places must be designated throughout the district, taking into account both  
 24.8 geographical distribution and population distribution. A combined polling place must be at  
 24.9 a location designated for use as a polling place by a county or municipality.

24.10 (d) In school districts that have organized into separate board member election districts  
 24.11 under section 205A.12, a combined polling place for a school general election must be  
 24.12 arranged so that it does not include more than one board member election district.

24.13 Sec. 15. Minnesota Statutes 2016, section 216B.46, is amended to read:

24.14 **216B.46 MUNICIPAL ACQUISITION PROCEDURES; NOTICE; ELECTION.**

24.15 Any municipality which desires to acquire the property of a public utility as authorized  
 24.16 under the provisions of section 216B.45 may determine to do so by resolution of the  
 24.17 governing body of the municipality taken after a public hearing of which at least 30 days'  
 24.18 published notice shall be given as determined by the governing body. The determination  
 24.19 shall become effective when ratified by a majority of the qualified electors voting on the  
 24.20 question at a special election to be held ~~for that purpose, not less than 60 nor more than 120~~  
 24.21 ~~days after the resolution of the governing body of the municipality~~ on a date authorized by  
 24.22 section 205.10, subdivision 3a.

24.23 Sec. 16. Minnesota Statutes 2016, section 365A.06, subdivision 2, is amended to read:

24.24 Subd. 2. **Election.** The town board shall hold a special election within the boundaries  
 24.25 of the proposed district ~~not less than 30 nor more than 90 days after receipt of the petition~~  
 24.26 on a date authorized by section 205.10, subdivision 3a. The question submitted and voted  
 24.27 upon by the property owners within the territory of the proposed district must be phrased  
 24.28 substantially as follows:

24.29 "Shall a subordinate service district be established to provide (service or services to be  
 24.30 provided) financed by (revenue sources)?"



25.1 If a majority of those voting on the question favor creation of the district, the district  
 25.2 shall begin upon certification of the vote by the town clerk. The town clerk shall administer  
 25.3 the election.

25.4 Sec. 17. Minnesota Statutes 2016, section 367.33, subdivision 1, is amended to read:

25.5 Subdivision 1. **Election at annual election or special election.** Following the adoption  
 25.6 of option A in a town, except a town exercising the powers of a statutory city, the town  
 25.7 board may call a special town election to be held ~~not less than 30 nor more than 60 days~~  
 25.8 ~~after the annual town election at which the option is adopted~~ on a date authorized by section  
 25.9 205.10, subdivision 3a, to elect two additional members to the board of supervisors. In lieu  
 25.10 of a special election, the town board may determine to elect the additional members at the  
 25.11 next annual town election.

25.12 If the town is exercising the powers of a statutory city under section 368.01 or a special  
 25.13 law granting substantially similar powers, the town board shall call a special election to be  
 25.14 held ~~not less than 30 nor more than 60 days after the annual election~~ on a date authorized  
 25.15 by section 205.10, subdivision 3a, at which option A is adopted to elect the two additional  
 25.16 supervisors.

25.17 Sec. 18. Minnesota Statutes 2016, section 375.101, subdivision 1, is amended to read:

25.18 Subdivision 1. **Option for filling vacancies; special election.** (a) Except as provided  
 25.19 in subdivision 3, a vacancy in the office of county commissioner may be filled as provided  
 25.20 in this subdivision and subdivision 2, or as provided in subdivision 4. If the vacancy is to  
 25.21 be filled under this subdivision and subdivision 2, it must be filled at a special election. The  
 25.22 county board may by resolution call for a special election to be held ~~according to the earliest~~  
 25.23 ~~of the following time schedules:~~

25.24 ~~(1) not less than 120 days following the date the vacancy is declared, but no later than~~  
 25.25 ~~12 weeks prior to the date of the next regularly scheduled primary election;~~

25.26 ~~(2) concurrently with the next regularly scheduled primary election and general election;~~  
 25.27 ~~or~~

25.28 ~~(3) no sooner than 120 days following the next regularly scheduled general election~~ on  
 25.29 a date authorized by section 205.10, subdivision 3a.

25.30 (b) The person elected at the special election shall take office immediately after receipt  
 25.31 of the certificate of election and upon filing the bond and taking the oath of office and shall  
 25.32 serve the remainder of the unexpired term. If the county has been reapportioned since the

26.1 commencement of the term of the vacant office, the election shall be based on the district  
26.2 as reapportioned.

26.3 Sec. 19. Minnesota Statutes 2016, section 375B.07, subdivision 2, is amended to read:

26.4 Subd. 2. **Election.** The county board shall make arrangements for the holding of a special  
26.5 election ~~not less than 30 nor more than 90 days after receipt of the petition~~ on a date  
26.6 authorized by section 205.10, subdivision 3a, within the boundaries of the proposed district.  
26.7 The question to be submitted and voted upon by the qualified voters within the territory of  
26.8 the proposed district shall be phrased substantially as follows:

26.9 "Shall a subordinate service district be established in order to provide (service or services  
26.10 to be provided) financed by (revenue sources)?"

26.11 If a majority of those voting on the question favor creation of the proposed district, the  
26.12 district shall be deemed created upon certification of the vote by the county auditor. The  
26.13 county auditor shall administer the election.

26.14 Sec. 20. Minnesota Statutes 2016, section 375B.10, is amended to read:

26.15 **375B.10 WITHDRAWAL; ELECTION.**

26.16 Upon receipt of a petition signed by ten percent of the qualified voters within the territory  
26.17 of the subordinate service district requesting the removal of the district, or pursuant to its  
26.18 own resolution, the county board shall make arrangements for the holding of a special  
26.19 election within the boundaries of the service district ~~not less than 30 nor more than 90 days~~  
26.20 ~~after the resolution or receipt of the petition~~ on a date authorized by section 205.10,  
26.21 subdivision 3a. The question to be submitted and voted upon by the qualified voters within  
26.22 the territory of the district shall be phrased substantially as follows:

26.23 "Shall the subordinate service district presently established be removed and the service  
26.24 or services of the county as provided for the service district be discontinued?"

26.25 If a majority of those voting on the question favor the removal and discontinuance of  
26.26 the services, the service district shall be removed and the services shall be discontinued  
26.27 upon certification of the vote by the county auditor. The county auditor shall administer the  
26.28 election.

26.29 Sec. 21. Minnesota Statutes 2016, section 383B.031, subdivision 1, is amended to read:

26.30 Subdivision 1. **More than six months; special election.** Notwithstanding the provisions  
26.31 of section 375.101, if a vacancy occurs in a seat on the Board of County Commissioners of

27.1 Hennepin County more than six months before the general election in which a commissioner  
 27.2 will next be selected to occupy such seat the county auditor shall, within seven days after  
 27.3 the vacancy occurs, call a special election within the affected district to fill such vacancy.  
 27.4 The auditor shall specify a date for the election ~~which shall be between 56 and 77 days after~~  
 27.5 ~~the vacancy occurred~~ to be held on a date authorized by section 205.10, subdivision 3a.  
 27.6 Candidates shall file with the county auditor prior to the 35th day before the election. The  
 27.7 primary election shall be held 14 days before the election. If no more than two candidates  
 27.8 file for the office, the primary election shall be canceled and the date of the general election  
 27.9 advanced 14 days.

27.10 Sec. 22. Minnesota Statutes 2016, section 383E.24, subdivision 7, is amended to read:

27.11 Subd. 7. **Referendum.** (a) Upon receipt of a petition signed by five percent of the  
 27.12 qualified voters within the territory of the proposed service district prior to the effective  
 27.13 date of its creation as specified in subdivision 6, the creation shall be held in abeyance  
 27.14 pending a referendum vote of all qualified electors residing within the boundaries of the  
 27.15 proposed service district.

27.16 (b) The county board shall make arrangements for the holding of a special election ~~not~~  
 27.17 ~~less than 30 or more than 90 days after receipt of such petition~~ on a date authorized by  
 27.18 section 205.10, subdivision 3a, and within the boundaries of the proposed taxing district.  
 27.19 The question to be submitted and voted upon by the qualified voters within the territory of  
 27.20 the proposed service district shall be phrased substantially as follows:

27.21 "Shall a subordinate service district be established in order to provide (service or services  
 27.22 to be provided) financed by (revenue sources)?"

27.23 (c) If a majority of those voting on the question favor creation of the proposed subordinate  
 27.24 service district, the district shall be deemed created upon certification of the vote by the  
 27.25 county auditor. The county auditor shall administer the election.

27.26 Sec. 23. Minnesota Statutes 2016, section 410.10, subdivision 1, is amended to read:

27.27 Subdivision 1. **Timing; procedure; recall.** Upon delivery of such draft, the council or  
 27.28 other governing body of the city shall cause the proposed charter to be submitted at the next  
 27.29 general election thereafter occurring in the city within six months after the delivery of such  
 27.30 draft, and if there is no general city election occurring in the city within six months after  
 27.31 the delivery of such draft, then the council or other governing body of the city shall cause  
 27.32 the proposed charter to be submitted at a special election to be held ~~within 90 days after the~~  
 27.33 ~~delivery of such draft~~ on a date authorized by section 205.10, subdivision 3a. The council

28.1 or other governing body may call a special election for that purpose only at any time. If the  
 28.2 election is held at the same time with the general election, the voting places and election  
 28.3 officers shall be the same for both elections. At any time before the council has fixed the  
 28.4 date of the election upon the proposed charter, the charter commission may recall it for  
 28.5 further action; and the council may authorize recall of the charter by the commission at any  
 28.6 later date prior to the first publication of the proposed charter.

28.7 Sec. 24. Minnesota Statutes 2016, section 447.32, subdivision 2, is amended to read:

28.8 Subd. 2. **Elections.** Except as provided in this chapter, the Minnesota Election Law  
 28.9 applies to hospital district elections, as far as practicable. Regular elections must be held in  
 28.10 each hospital district at the same time, in the same election precincts, and at the same polling  
 28.11 places as general elections of state and county officers. It may establish the whole district  
 28.12 as a single election precinct or establish two or more different election precincts and polling  
 28.13 places for the elections. If there is more than one precinct, the boundaries of the election  
 28.14 precincts and the locations of the polling places must be defined in the notice of election,  
 28.15 either in full or by reference to a description or map on file in the office of the clerk.

28.16 Special elections may be called by the hospital board to vote on any matter required by  
 28.17 law to be submitted to the voters. A special election ~~may not be conducted either during the~~  
 28.18 ~~56 days before or the 56 days after a regularly scheduled primary or general election,~~  
 28.19 ~~conducted wholly or partially within the hospital district~~ must be held on a date authorized  
 28.20 by section 205.10, subdivision 3a. Special elections must be held within the election precinct  
 28.21 or precincts and at the polling place or places designated by the board. In the case of the  
 28.22 first election of officers of a new district, precincts and polling places must be set by the  
 28.23 governing body of the most populous city or town included in the district.

28.24 Advisory ballots may be submitted by the hospital board on any question it wishes,  
 28.25 concerning the affairs of the district, but only at a regular election or at a special election  
 28.26 required for another purpose.

28.27 Sec. 25. Minnesota Statutes 2016, section 475.59, is amended to read:

28.28 **475.59 MANNER OF SUBMISSION; NOTICE.**

28.29 Subdivision 1. Generally; notice. When the governing body of a municipality resolves  
 28.30 to issue bonds for any purpose requiring the approval of the electors, it shall provide for  
 28.31 submission of the proposition of their issuance at a general or special election or town or  
 28.32 school district meeting. Notice of such election or meeting shall be given in the manner  
 28.33 required by law and shall state the maximum amount and the purpose of the proposed issue.

29.1 In any school district, the school board or board of education may, according to its judgment  
 29.2 and discretion, submit as a single ballot question or as two or more separate questions in  
 29.3 the notice of election and ballots the proposition of their issuance for any one or more of  
 29.4 the following, stated conjunctively or in the alternative: acquisition or enlargement of sites,  
 29.5 acquisition, betterment, erection, furnishing, equipping of one or more new schoolhouses,  
 29.6 remodeling, repairing, improving, adding to, betterment, furnishing, equipping of one or  
 29.7 more existing schoolhouses. In any city, town, or county, the governing body may, according  
 29.8 to its judgment and discretion, submit as a single ballot question or as two or more separate  
 29.9 questions in the notice of election and ballots the proposition of their issuance, stated  
 29.10 conjunctively or in the alternative, for the acquisition, construction, or improvement of any  
 29.11 facilities at one or more locations.

29.12 Subd. 2. **Election date.** An election to approve issuance of bonds under this section held  
 29.13 by a municipality or school district must be held on a date authorized in section 205.10,  
 29.14 subdivision 3a, or 205A.05, subdivision 1a.

29.15 Sec. 26. **REPEALER.**

29.16 Minnesota Statutes 2016, section 205.10, subdivision 3, is repealed.

29.17 Sec. 27. **EFFECTIVE DATE.**

29.18 This article is effective January 1, 2018, and applies to any special election held on or  
 29.19 after that date.

## 29.20 **ARTICLE 3**

### 29.21 **COUNTY OFFICES**

29.22 Section 1. **MORRISON COUNTY RECORDER MAY BE APPOINTED.**

29.23 Subdivision 1. **Authorization to make office appointive.** Notwithstanding Minnesota  
 29.24 Statutes, section 382.01, upon adoption of a resolution by the Morrison County Board of  
 29.25 Commissioners, the office of county recorder is not elective but must be filled by appointment  
 29.26 by the county board as provided in the resolution.

29.27 Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of a  
 29.28 resolution by the county board of commissioners, and subject to subdivisions 3 and 4, the  
 29.29 duties of an elected official required by statute whose office is made appointive as authorized  
 29.30 by this section must be discharged by the county board of commissioners acting through a  
 29.31 department head appointed by the board for that purpose. Reorganization, reallocation,

30.1 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid  
30.2 the discharge of duties required by statute.

30.3 Subd. 3. **Incumbents to complete term.** The person elected at the last general election  
30.4 to an office made appointive under this section must serve in that capacity and perform the  
30.5 duties, functions, and responsibilities required by statute until the completion of the term  
30.6 of office to which the person was elected or until a vacancy occurs in the office, whichever  
30.7 occurs earlier.

30.8 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption of a  
30.9 resolution to provide for the appointment of the county recorder, the county board must  
30.10 publish a proposed resolution notifying the public of its intent to consider the issue once  
30.11 each week for two consecutive weeks in the official publication of the county and in the  
30.12 official publication of each city located wholly or partly in the county. Following publication  
30.13 and prior to formally adopting the resolution, the county board shall provide an opportunity  
30.14 at two separate meetings for public comment relating to the issue. One meeting must be  
30.15 held between the hours of 8:00 a.m. and 5:00 p.m. and the other meeting must be held  
30.16 between the hours of 5:00 p.m. and 9:00 p.m. The meetings may be regular or special  
30.17 meetings. After the public comment opportunity at the second meeting, at the same meeting  
30.18 or a subsequent meeting, the county board of commissioners may adopt a resolution that  
30.19 provides for the appointment of the county recorder as permitted in this section. The  
30.20 resolution must be approved by at least 80 percent of the members of the county board. The  
30.21 resolution may take effect 60 days after it is adopted, or at a later date stated in the resolution,  
30.22 unless a petition is filed as provided in paragraph (b).

30.23 (b) Within 60 days after the county board adopts the resolution, a petition requesting a  
30.24 referendum may be filed with the county auditor-treasurer. The petition must be signed by  
30.25 at least ten percent of the registered voters of the county. The petition must meet the  
30.26 requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071,  
30.27 and any rules adopted to implement that section. If the petition is sufficient, the question  
30.28 of appointing the county recorder must be placed on the ballot at a regular or special election.  
30.29 If a majority of the voters of the county voting on the question vote in favor of appointment,  
30.30 the resolution may be implemented.

30.31 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution to  
30.32 provide for the election of an office made an appointed position under this section, but not  
30.33 until at least three years after the office was made an appointed position. The county board  
30.34 must publish a proposed resolution notifying the public of its intent to consider the issue  
30.35 once each week for two consecutive weeks in the official publication of the county. Following

31.1 publication and before formally adopting the resolution, the county board must provide an  
 31.2 opportunity at its next regular meeting for public comment relating to the issue. After the  
 31.3 public comment hearing, the county board may adopt the resolution. The resolution must  
 31.4 be approved by at least 60 percent of the members of the county board and is effective  
 31.5 August 1 following adoption of the resolution.

31.6 (b) The question of whether an office made an appointed position under this section  
 31.7 must be made an elected office must be placed on the ballot at the next general election if:

31.8 (1) the position has been an appointed position for at least three years;

31.9 (2) a petition signed by at least five percent of the registered voters of the county is filed  
 31.10 with the office of the county auditor-treasurer by August 1 of the year in which the general  
 31.11 election is held; and

31.12 (3) the petition meets the requirements of the secretary of state, as provided in Minnesota  
 31.13 Statutes, section 204B.071, and any rules adopted to implement that section. If a majority  
 31.14 of the voters of the county voting on the question vote in favor of making the office an  
 31.15 elected position, the election for the office must be held at the next regular or special election.

31.16 **EFFECTIVE DATE.** This section is effective the day after the Morrison County Board  
 31.17 of Commissioners and its chief clerical officer timely complete their compliance with  
 31.18 Minnesota Statutes, section 645.021, subdivisions 2 and 3.

31.19 **Sec. 2. BENTON COUNTY RECORDER MAY BE APPOINTED.**

31.20 Subdivision 1. **Authorization to make office appointive.** Notwithstanding Minnesota  
 31.21 Statutes, section 382.01, upon adoption of a resolution by the Benton County Board of  
 31.22 Commissioners, the office of county recorder is not elective but must be filled by appointment  
 31.23 by the county board as provided in the resolution.

31.24 Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of a  
 31.25 resolution by the county board of commissioners, and subject to subdivisions 3 and 4, the  
 31.26 duties of an elected official required by statute whose office is made appointive as authorized  
 31.27 by this section must be discharged by the county board of commissioners acting through a  
 31.28 department head appointed by the board for that purpose. Reorganization, reallocation,  
 31.29 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid  
 31.30 the discharge of duties required by statute.

31.31 Subd. 3. **Incumbents to complete term.** The person elected at the last general election  
 31.32 to an office made appointive under this section must serve in that capacity and perform the  
 31.33 duties, functions, and responsibilities required by statute until the completion of the term

32.1 of office to which the person was elected or until a vacancy occurs in the office, whichever  
32.2 occurs earlier.

32.3 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption of a  
32.4 resolution to provide for the appointment of the county recorder, the county board must  
32.5 publish a proposed resolution notifying the public of its intent to consider the issue once  
32.6 each week for two consecutive weeks in the official publication of the county and in the  
32.7 official publication of each city located wholly or partly in the county. Following publication  
32.8 and prior to formally adopting the resolution, the county board shall provide an opportunity  
32.9 at two separate meetings for public comment relating to the issue. One meeting must be  
32.10 held between the hours of 8:00 a.m. and 5:00 p.m. and the other meeting must be held  
32.11 between the hours of 5:00 p.m. and 9:00 p.m. The meetings may be regular or special  
32.12 meetings. After the public comment opportunity at the second meeting, at the same meeting  
32.13 or a subsequent meeting, the county board of commissioners may adopt a resolution that  
32.14 provides for the appointment of the county recorder as permitted in this section. The  
32.15 resolution must be approved by at least 80 percent of the members of the county board. The  
32.16 resolution may take effect 60 days after it is adopted, or at a later date stated in the resolution,  
32.17 unless a petition is filed as provided in paragraph (b).

32.18 (b) Within 60 days after the county board adopts the resolution, a petition requesting a  
32.19 referendum may be filed with the county auditor-treasurer. The petition must be signed by  
32.20 at least ten percent of the registered voters of the county. The petition must meet the  
32.21 requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071,  
32.22 and any rules adopted to implement that section. If the petition is sufficient, the question  
32.23 of appointing the county recorder must be placed on the ballot at a regular or special election.  
32.24 If a majority of the voters of the county voting on the question vote in favor of appointment,  
32.25 the resolution may be implemented.

32.26 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution to  
32.27 provide for the election of an office made an appointed position under this section, but not  
32.28 until at least three years after the office was made an appointed position. The county board  
32.29 must publish a proposed resolution notifying the public of its intent to consider the issue  
32.30 once each week for two consecutive weeks in the official publication of the county. Following  
32.31 publication and before formally adopting the resolution, the county board must provide an  
32.32 opportunity at its next regular meeting for public comment relating to the issue. After the  
32.33 public comment hearing, the county board may adopt the resolution. The resolution must  
32.34 be approved by at least 60 percent of the members of the county board and is effective  
32.35 August 1 following adoption of the resolution.



33.1 (b) The question of whether an office made an appointed position under this section  
 33.2 must be made an elected office must be placed on the ballot at the next general election if:

33.3 (1) the position has been an appointed position for at least three years;

33.4 (2) a petition signed by at least five percent of the registered voters of the county is filed  
 33.5 with the office of the county auditor-treasurer by August 1 of the year in which the general  
 33.6 election is held; and

33.7 (3) the petition meets the requirements of the secretary of state, as provided in Minnesota  
 33.8 Statutes, section 204B.071, and any rules adopted to implement that section. If a majority  
 33.9 of the voters of the county voting on the question vote in favor of making the office an  
 33.10 elected position, the election for the office must be held at the next regular or special election.

33.11 **EFFECTIVE DATE.** This section is effective the day after the Benton County Board  
 33.12 of Commissioners and its chief clerical officer timely complete their compliance with  
 33.13 Minnesota Statutes, section 645.021, subdivisions 2 and 3.

33.14 Sec. 3. **PINE COUNTY AUDITOR-TREASURER MAY BE APPOINTED.**

33.15 Subdivision 1. **Authorization to make office appointive.** Notwithstanding Minnesota  
 33.16 Statutes, section 382.01, upon adoption of a resolution by the Pine County Board of  
 33.17 Commissioners, the office of county auditor-treasurer is not elective but must be filled by  
 33.18 appointment by the county board as provided in the resolution.

33.19 Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of a  
 33.20 resolution by the county board of commissioners and subject to subdivisions 3 and 4, the  
 33.21 duties of an elected official required by statute whose office is made appointive as authorized  
 33.22 by this section must be discharged by the county board of commissioners acting through a  
 33.23 department head appointed by the board for that purpose. Reorganization, reallocation,  
 33.24 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid  
 33.25 the discharge of duties required by statute.

33.26 Subd. 3. **Incumbent to complete term.** The person elected at the last general election  
 33.27 to an office made appointive under this section must serve in that capacity and perform the  
 33.28 duties, functions, and responsibilities required by statute until the completion of the term  
 33.29 of office to which the person was elected or until a vacancy occurs in the office, whichever  
 33.30 occurs earlier.

33.31 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption of a  
 33.32 resolution to provide for the appointment of the county auditor-treasurer, the county board  
 33.33 must publish a proposed resolution notifying the public of its intent to consider the issue

34.1 once each week for two consecutive weeks in the official publication of the county and in  
34.2 the official publication of each city located wholly or partly in the county. Following  
34.3 publication and prior to formally adopting the resolution, the county board shall provide an  
34.4 opportunity at two separate meetings for public comment relating to the issue. One meeting  
34.5 must be held between the hours of 8:00 a.m. and 5:00 p.m. and the other meeting must be  
34.6 held between the hours of 5:00 p.m. and 9:00 p.m. The meetings may be regular or special  
34.7 meetings. After the public comment opportunity at the second meeting, at the same meeting  
34.8 or a subsequent meeting, the county board of commissioners may adopt a resolution that  
34.9 provides for the appointment of the county auditor-treasurer as permitted in this section.  
34.10 The resolution must be approved by at least 80 percent of the members of the county board.  
34.11 The resolution may take effect 60 days after it is adopted, or at a later date stated in the  
34.12 resolution, unless a petition is filed as provided in paragraph (b).

34.13 (b) Within 60 days after the county board adopts the resolution, a petition requesting a  
34.14 referendum may be filed with the county auditor-treasurer. The petition must be signed by  
34.15 at least ten percent of the registered voters of the county. The petition must meet the  
34.16 requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071,  
34.17 and any rules adopted to implement that section. If the petition is sufficient, the question  
34.18 of appointing the county auditor-treasurer must be placed on the ballot at a regular or special  
34.19 election. If a majority of the voters of the county voting on the question vote in favor of  
34.20 appointment, the resolution may be implemented.

34.21 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution to  
34.22 provide for the election of an office made an appointed position under this section, but not  
34.23 until at least three years after the office was made an appointed position. The county board  
34.24 must publish a proposed resolution notifying the public of its intent to consider the issue  
34.25 once each week for two consecutive weeks in the official publication of the county. Following  
34.26 publication and before formally adopting the resolution, the county board must provide an  
34.27 opportunity at its next regular meeting for public comment relating to the issue. After the  
34.28 public comment hearing, the county board may adopt the resolution. The resolution must  
34.29 be approved by at least 60 percent of the members of the county board and is effective  
34.30 August 1 following adoption of the resolution.

34.31 (b) The question of whether an office made an appointed position under this section  
34.32 must be made an elected office must be placed on the ballot at the next general election if:

34.33 (1) the position has been an appointed position for at least three years;

35.1 (2) a petition signed by at least five percent of the registered voters of the county is filed  
 35.2 with the office of the county auditor-treasurer by August 1 of the year in which the general  
 35.3 election is held; and

35.4 (3) the petition meets the requirements of the secretary of state, as provided in Minnesota  
 35.5 Statutes, section 204B.071, and any rules adopted to implement that section. If a majority  
 35.6 of the voters of the county voting on the question vote in favor of making the office an  
 35.7 elected position, the election for the office must be held at the next regular or special election.

35.8 **EFFECTIVE DATE.** This section is effective the day after the Pine County Board of  
 35.9 Commissioners and its chief clerical officer timely complete their compliance with Minnesota  
 35.10 Statutes, section 645.021, subdivisions 2 and 3.

35.11 Sec. 4. **STEARNS COUNTY RECORDER MAY BE APPOINTED.**

35.12 **Subdivision 1. Authorization to make office appointive.** Notwithstanding Minnesota  
 35.13 Statutes, section 382.01, upon adoption of a resolution by the Stearns County Board of  
 35.14 Commissioners, the office of county recorder is not elective but must be filled by appointment  
 35.15 by the county board as provided in the resolution.

35.16 **Subd. 2. Board controls; may change as long as duties done.** Upon adoption of a  
 35.17 resolution by the county board of commissioners, and subject to subdivisions 3 and 4, the  
 35.18 duties of an elected official required by statute whose office is made appointive as authorized  
 35.19 by this section must be discharged by the county board of commissioners acting through a  
 35.20 department head appointed by the board for that purpose. Reorganization, reallocation,  
 35.21 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid  
 35.22 the discharge of duties required by statute.

35.23 **Subd. 3. Incumbents to complete term.** The person elected at the last general election  
 35.24 to an office made appointive under this section must serve in that capacity and perform the  
 35.25 duties, functions, and responsibilities required by statute until the completion of the term  
 35.26 of office to which the person was elected or until a vacancy occurs in the office, whichever  
 35.27 occurs earlier.

35.28 **Subd. 4. Publishing resolution; petition; referendum.** (a) Before the adoption of a  
 35.29 resolution to provide for the appointment of the county recorder, the county board must  
 35.30 publish a proposed resolution notifying the public of its intent to consider the issue once  
 35.31 each week for two consecutive weeks in the official publication of the county and in the  
 35.32 official publication of each city located wholly or partly in the county. Following publication  
 35.33 and prior to formally adopting the resolution, the county board shall provide an opportunity

36.1 at two separate meetings for public comment relating to the issue. One meeting must be  
 36.2 held between the hours of 8:00 a.m. and 5:00 p.m. and the other meeting must be held  
 36.3 between the hours of 5:00 p.m. and 9:00 p.m. The meetings may be regular or special  
 36.4 meetings. After the public comment opportunity at the second meeting, at the same meeting  
 36.5 or a subsequent meeting, the county board of commissioners may adopt a resolution that  
 36.6 provides for the appointment of the county recorder as permitted in this section. The  
 36.7 resolution must be approved by at least 80 percent of the members of the county board. The  
 36.8 resolution may take effect 60 days after it is adopted, or at a later date stated in the resolution,  
 36.9 unless a petition is filed as provided in paragraph (b).

36.10 (b) Within 60 days after the county board adopts the resolution, a petition requesting a  
 36.11 referendum may be filed with the county auditor-treasurer. The petition must be signed by  
 36.12 at least ten percent of the registered voters of the county. The petition must meet the  
 36.13 requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071,  
 36.14 and any rules adopted to implement that section. If the petition is sufficient, the question  
 36.15 of appointing the county recorder must be placed on the ballot at a regular or special election.  
 36.16 If a majority of the voters of the county voting on the question vote in favor of appointment,  
 36.17 the resolution may be implemented.

36.18 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution to  
 36.19 provide for the election of an office made an appointed position under this section, but not  
 36.20 until at least three years after the office was made an appointed position. The county board  
 36.21 must publish a proposed resolution notifying the public of its intent to consider the issue  
 36.22 once each week for two consecutive weeks in the official publication of the county. Following  
 36.23 publication and before formally adopting the resolution, the county board must provide an  
 36.24 opportunity at its next regular meeting for public comment relating to the issue. After the  
 36.25 public comment hearing, the county board may adopt the resolution. The resolution must  
 36.26 be approved by at least 60 percent of the members of the county board and is effective  
 36.27 August 1 following adoption of the resolution.

36.28 (b) The question of whether an office made an appointed position under this section  
 36.29 must be made an elected office must be placed on the ballot at the next general election if:

36.30 (1) the position has been an appointed position for at least three years;

36.31 (2) a petition signed by at least five percent of the registered voters of the county is filed  
 36.32 with the office of the county auditor-treasurer by August 1 of the year in which the general  
 36.33 election is held; and

37.1 (3) the petition meets the requirements of the secretary of state, as provided in Minnesota  
37.2 Statutes, section 204B.071, and any rules adopted to implement that section. If a majority  
37.3 of the voters of the county voting on the question vote in favor of making the office an  
37.4 elected position, the election for the office must be held at the next regular or special election.

37.5 **EFFECTIVE DATE.** This section is effective the day after the Stearns County Board  
37.6 of Commissioners and its chief clerical officer timely complete their compliance with  
37.7 Minnesota Statutes, section 645.021, subdivisions 2 and 3.

37.8 **Sec. 5. MARSHALL COUNTY RECORDER MAY BE APPOINTED.**

37.9 Subdivision 1. **Authorization to make office appointive.** Notwithstanding Minnesota  
37.10 Statutes, section 382.01, upon adoption of a resolution by the Marshall County Board of  
37.11 Commissioners, the office of county recorder is not elective but must be filled by appointment  
37.12 by the county board as provided in the resolution.

37.13 Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of a  
37.14 resolution by the county board of commissioners, and subject to subdivisions 3 and 4, the  
37.15 duties of an elected official required by statute whose office is made appointive as authorized  
37.16 by this section must be discharged by the county board of commissioners acting through a  
37.17 department head appointed by the board for that purpose. Reorganization, reallocation,  
37.18 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid  
37.19 the discharge of duties required by statute.

37.20 Subd. 3. **Incumbents to complete term.** The person elected at the last general election  
37.21 to an office made appointive under this section must serve in that capacity and perform the  
37.22 duties, functions, and responsibilities required by statute until the completion of the term  
37.23 of office to which the person was elected or until a vacancy occurs in the office, whichever  
37.24 occurs earlier.

37.25 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption of a  
37.26 resolution to provide for the appointment of the county recorder, the county board must  
37.27 publish a proposed resolution notifying the public of its intent to consider the issue once  
37.28 each week for two consecutive weeks in the official publication of the county and in the  
37.29 official publication of each city located wholly or partly in the county. Following publication  
37.30 and prior to formally adopting the resolution, the county board shall provide an opportunity  
37.31 at two separate meetings for public comment relating to the issue. One meeting must be  
37.32 held between the hours of 8:00 a.m. and 5:00 p.m. and the other meeting must be held  
37.33 between the hours of 5:00 p.m. and 9:00 p.m. The meetings may be regular or special  
37.34 meetings. After the public comment opportunity at the second meeting, at the same meeting

38.1 or a subsequent meeting, the county board of commissioners may adopt a resolution that  
38.2 provides for the appointment of the county recorder as permitted in this section. The  
38.3 resolution must be approved by at least 80 percent of the members of the county board. The  
38.4 resolution may take effect 60 days after it is adopted, or at a later date stated in the resolution,  
38.5 unless a petition is filed as provided in paragraph (b).

38.6 (b) Within 60 days after the county board adopts the resolution, a petition requesting a  
38.7 referendum may be filed with the county auditor-treasurer. The petition must be signed by  
38.8 at least ten percent of the registered voters of the county. The petition must meet the  
38.9 requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071,  
38.10 and any rules adopted to implement that section. If the petition is sufficient, the question  
38.11 of appointing the county recorder must be placed on the ballot at a regular or special election.  
38.12 If a majority of the voters of the county voting on the question vote in favor of appointment,  
38.13 the resolution may be implemented.

38.14 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution to  
38.15 provide for the election of an office made an appointed position under this section, but not  
38.16 until at least three years after the office was made an appointed position. The county board  
38.17 must publish a proposed resolution notifying the public of its intent to consider the issue  
38.18 once each week for two consecutive weeks in the official publication of the county. Following  
38.19 publication and before formally adopting the resolution, the county board must provide an  
38.20 opportunity at its next regular meeting for public comment relating to the issue. After the  
38.21 public comment hearing, the county board may adopt the resolution. The resolution must  
38.22 be approved by at least 60 percent of the members of the county board and is effective  
38.23 August 1 following adoption of the resolution.

38.24 (b) The question of whether an office made an appointed position under this section  
38.25 must be made an elected office must be placed on the ballot at the next general election if:

38.26 (1) the position has been an appointed position for at least three years;

38.27 (2) a petition signed by at least five percent of the registered voters of the county is filed  
38.28 with the office of the county auditor-treasurer by August 1 of the year in which the general  
38.29 election is held; and

38.30 (3) the petition meets the requirements of the secretary of state, as provided in Minnesota  
38.31 Statutes, section 204B.071, and any rules adopted to implement that section. If a majority  
38.32 of the voters of the county voting on the question vote in favor of making the office an  
38.33 elected position, the election for the office must be held at the next regular or special election.

39.1 **EFFECTIVE DATE.** This section is effective the day after the Marshall County Board  
 39.2 of Commissioners and its chief clerical officer timely complete their compliance with  
 39.3 Minnesota Statutes, section 645.021, subdivisions 2 and 3.

39.4 Sec. 6. **RICE COUNTY AUDITOR-TREASURER AND RECORDER MAY BE**  
 39.5 **APPOINTED.**

39.6 Subdivision 1. **Authorization to make office appointive.** Notwithstanding Minnesota  
 39.7 Statutes, section 382.01, upon adoption of a resolution by the Rice County Board of  
 39.8 Commissioners, the offices of county auditor-treasurer and county recorder are not elective  
 39.9 but must be filled by appointment by the county board as provided in the resolution.

39.10 Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of a  
 39.11 resolution by the county board of commissioners, and subject to subdivisions 3 and 4, the  
 39.12 duties of an elected official required by statute whose office is made appointive as authorized  
 39.13 by this section must be discharged by the county board of commissioners acting through a  
 39.14 department head appointed by the board for that purpose. Reorganization, reallocation,  
 39.15 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid  
 39.16 the discharge of duties required by statute.

39.17 Subd. 3. **Incumbents to complete term.** The person elected at the last general election  
 39.18 to an office made appointive under this section must serve in that elected capacity and  
 39.19 perform the duties, functions, and responsibilities required by statute until the completion  
 39.20 of the term of office to which the person was elected or until a vacancy occurs in the office,  
 39.21 whichever occurs earlier.

39.22 Subd. 4. **Publishing resolution; petition; referendum.** (a) Before the adoption of a  
 39.23 resolution to provide for the appointment of the county auditor-treasurer and county recorder,  
 39.24 the county board must publish a proposed resolution notifying the public of its intent to  
 39.25 consider the issue once each week for two consecutive weeks in the official publication of  
 39.26 the county and in the official publication of each city located wholly or partly in the county.  
 39.27 Following publication and prior to formally adopting the resolution, the county board shall  
 39.28 provide an opportunity at two separate meetings for public comment relating to the issue.  
 39.29 One meeting must be held between the hours of 8:00 a.m. and 5:00 p.m. and the other  
 39.30 meeting must be held between the hours of 5:00 p.m. and 9:00 p.m. The meetings may be  
 39.31 regular or special meetings. After the public comment opportunity at the second meeting,  
 39.32 at the same meeting or a subsequent meeting, the county board of commissioners may adopt  
 39.33 a resolution that provides for the appointment of the county auditor-treasurer and county  
 39.34 recorder as permitted in this section. The resolution must be approved by at least 80 percent

40.1 of the members of the county board. The resolution may take effect 60 days after it is  
40.2 adopted, or at a later date stated in the resolution, unless a petition is filed as provided in  
40.3 paragraph (b).

40.4 (b) Within 60 days after the county board adopts the resolution, a petition requesting a  
40.5 referendum may be filed with the county auditor-treasurer. The petition must be signed by  
40.6 at least ten percent of the registered voters of the county. The petition must meet the  
40.7 requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071,  
40.8 and any rules adopted to implement that section. If the petition is sufficient, the question  
40.9 of appointing the county auditor-treasurer and county recorder must be placed on the ballot  
40.10 at a regular or special election. If a majority of the voters of the county voting on the question  
40.11 vote in favor of appointment, the resolution may be implemented.

40.12 Subd. 5. **Reverting to elected offices.** (a) The county board may adopt a resolution to  
40.13 provide for the election of an office made an appointed position under this section, but not  
40.14 until at least three years after the office was made an appointed position. The county board  
40.15 must publish a proposed resolution notifying the public of its intent to consider the issue  
40.16 once each week or two consecutive weeks in the official publication of the county. Following  
40.17 publication and before formally adopting the resolution, the county board must provide an  
40.18 opportunity at its next regular meeting for public comment relating to the issue. After the  
40.19 public comment hearing, the county board may adopt the resolution. The resolution must  
40.20 be approved by at least 60 percent of the members of the county board and is effective  
40.21 August 1 following adoption of the resolution.

40.22 (b) The question of whether an office made an appointed position under this section  
40.23 must be made an elected office must be placed on the ballot at the next general election if:

40.24 (1) the position has been an appointed position for at least three years;

40.25 (2) a petition signed by at least five percent of the registered voters of the county is filed  
40.26 with the office of the county auditor-treasurer by August 1 of the year in which the general  
40.27 election is held; and

40.28 (3) the petition meets the requirements of the secretary of state, as provided in Minnesota  
40.29 Statutes, section 204B.071, and any rules adopted to implement that section. If a majority  
40.30 of the voters of the county voting on the question vote in favor of making the office an  
40.31 elected position, the election for the office must be held at the next regular or special election.

40.32 **EFFECTIVE DATE.** This section is effective the day after the Rice County Board of  
40.33 Commissioners and its chief clerical officer timely complete their compliance with Minnesota  
40.34 Statutes, section 645.021, subdivisions 2 and 3.



APPENDIX  
Article locations in S0514-6

ARTICLE 1	ELECTION ADMINISTRATION .....	Page.Ln 1.24
ARTICLE 2	UNIFORM ELECTION DATES .....	Page.Ln 18.1
ARTICLE 3	COUNTY OFFICES .....	Page.Ln 29.20

**201.15 DISTRICT JUDGE, REPORT GUARDIANSHIPS AND COMMITMENTS.**

Subdivision 1. **Guardianships and incompetents.** Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the state court administrator shall report regularly by electronic means to the secretary of state the name, address, date of birth, and, if available, driver's license or state identification card number of each individual 18 years of age or over, who since the last report:

(1) was placed under a guardianship in which the court order revokes the ward's right to vote; or

(2) was adjudged legally incompetent.

The court administrator shall also report the same information for each individual transferred to the jurisdiction of the court who meets a condition specified in clause (1) or (2). The secretary of state shall determine if any of the persons in the report is registered to vote and shall prepare a list of those registrants for the county auditor. The county auditor shall change the status on the record in the statewide registration system of any individual named in the report to indicate that the individual is not eligible to reregister or vote.

Subd. 2. **Guardianship termination or modification.** Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the state court administrator shall report regularly by electronic means to the secretary of state the name, address, date of birth, and, if available, driver's license or state identification card number of each individual whose guardianship was modified to restore the ward's right to vote or whose guardianship was terminated by order of the court under section 524.5-317 after being ineligible to vote for any of the reasons specified in subdivision 1. The secretary of state shall determine if any of the persons in the report is registered to vote and shall prepare a list of those registrants for the county auditor. The county auditor shall change the status on the voter's record in the statewide registration system to "active."

**201.155 REPORT ON FELONY CONVICTIONS.**

Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the state court administrator shall report regularly by electronic means to the secretary of state the name, address, date of birth, and, if available, driver's license or state identification card number, date of sentence, effective date of the sentence, and county in which the conviction occurred of each person who has been convicted of a felony. The state court administrator shall also report the name, address, and date of birth of each person previously convicted of a felony whose civil rights have been restored. The secretary of state shall determine if any of the persons in the report is registered to vote and shall prepare a list of those registrants for each county auditor. The county auditor shall change the status of those registrants in the appropriate manner in the statewide registration system.

**201.157 USE OF DEPARTMENT OF CORRECTIONS DATA.**

(a) The commissioner of corrections shall make electronic data available to the secretary of state on individuals 18 years of age or older who are currently:

(1) serving felony sentences under the commissioner's jurisdiction; or

(2) on probation for felony offenses that would result in the loss of civil rights, as indicated by the statewide supervision system established under section 241.065.

The data must include the name, date of birth, last known residential address that is not a correctional facility, and, if available, corrections' state identification number, and the driver's license or state identification card number, and, if an individual has completed the sentence, the date of discharge.

(b) The secretary of state must determine if any data newly indicates that:

(1) an individual with an active voter registration in the statewide voter registration system is currently serving a felony sentence under the commissioner's jurisdiction or is on probation for a felony offense that would result in the loss of civil rights and the individual's voter record does not already have a challenged status due to a felony conviction;

(2) an individual with an active voter registration in the statewide voter registration system who is currently serving a felony sentence under the commissioner's jurisdiction or who is on probation for a felony offense that would result in the loss of civil rights appears to have registered to vote or to have voted during a period when the individual's civil rights were revoked; and

(3) an individual with a voter record that has a challenged status due to a felony conviction who was serving a felony sentence under the commissioner's jurisdiction or who has been on probation for a felony offense that would result in the loss of civil rights has been discharged from a sentence.

## APPENDIX

### Repealed Minnesota Statutes: S0514-6

The secretary of state shall prepare a list of the registrants included under clause (1), (2), or (3) for each county auditor. For individuals under clause (1), the county auditor shall challenge the individual's record in the statewide voter registration system. The county auditor must provide information to the county attorney about individuals under clause (2) for the county attorney's investigation. For individuals under clause (3), the county auditor must determine if the challenge status should be removed from the voter record for the individual, and if so, must remove the challenge.

The secretary of state must make the required determinations and provide the required lists to the county auditors at least monthly.

For each state general election that occurs prior to the statewide voter registration system being programmed to generate lists as required by this section, the secretary of state must make the determination and provide lists to the county auditors between 30 and 60 days before the election and again between six and ten weeks after the election. In the year following that state election, the secretary of state must make this determination and provide lists to the county auditors again as part of the annual list maintenance.

#### **201.158 USE OF DEPARTMENT OF PUBLIC SAFETY DATA.**

As required by the Help America Vote Act of 2002, Public Law 107-252, the commissioner of public safety shall make electronic data on citizenship available to the secretary of state. The secretary of state must determine whether the data newly indicates that any individuals who have active records in the statewide voter registration system are not citizens. The secretary of state shall prepare a list of those voters for each county auditor at least monthly. The county auditor shall change the status of those registrants in the statewide voter registration system to reflect that they are challenged based upon their citizenship and must notify the county attorney.

#### **205.10 MUNICIPAL SPECIAL ELECTIONS.**

Subd. 3. **Prohibition.** No special election authorized under subdivision 1 may be held within 56 days after the state general election.