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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **3039**

03/22/2023 Authored by Torkelson, Davis, Bliss, Altendorf, Daudt and others  
The bill was read for the first time and referred to the Committee on Elections Finance and Policy

1.1 A bill for an act

1.2 relating to elections; changing the date of the state primary from August to March;

1.3 changing the date of primary elections conducted by a political subdivision in

1.4 certain circumstances; repealing laws governing political party precinct caucuses;

1.5 amending Minnesota Statutes 2022, sections 204B.14, subdivision 2; 204B.21,

1.6 subdivision 1; 204D.03, subdivision 1; 204D.09, subdivision 1; 204D.28,

1.7 subdivision 5; 205.065, subdivisions 1, 2; 205A.03, subdivisions 1, 2; 205A.06,

1.8 subdivision 1a; 205A.11, subdivision 2a; 206.61, subdivision 5; 206.82, subdivision

1.9 2; repealing Minnesota Statutes 2022, sections 202A.01; 202A.11; 202A.12;

1.10 202A.13; 202A.135; 202A.14; 202A.15; 202A.155; 202A.156; 202A.16; 202A.18;

1.11 202A.19; 202A.192; 202A.20.

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

1.13 Section 1. Minnesota Statutes 2022, section 204B.14, subdivision 2, is amended to read:

1.14 Subd. 2. **Separate precincts; combined polling place.** (a) The following shall constitute

1.15 at least one election precinct:

1.16 (1) each city ward; and

1.17 (2) each town and each statutory city.

1.18 (b) A single, accessible, combined polling place may be established no later than

1.19 November 1 if a presidential nomination primary or state general election is scheduled to

1.20 occur in the following year ~~or May 1 of any other year~~:

1.21 (1) for any city of the third or fourth class, any town, or any city having territory in more

1.22 than one county, in which all the voters of the city or town shall cast their ballots;

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

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

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

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

2.7 A copy of the ordinance or resolution establishing a combined polling place must be  
2.8 filed with the county auditor within 30 days after approval by the governing body. A polling  
2.9 place combined under clause (3) must be approved by the governing body of each  
2.10 participating municipality. A polling place combined under clause (4) must be approved by  
2.11 the governing body of each participating municipality and the secretary of state and may  
2.12 be located outside any of the noncontiguous precincts. A municipality withdrawing from  
2.13 participation in a combined polling place must do so by filing a resolution of withdrawal  
2.14 with the county auditor no later than October 1 if a presidential nomination primary or state  
2.15 general election is scheduled to occur in the following year ~~or April 1 of any other year.~~

2.16 The secretary of state shall provide a separate polling place roster for each precinct  
2.17 served by the combined polling place, except that in a precinct that uses electronic rosters  
2.18 the secretary of state shall provide separate data files for each precinct. A single set of  
2.19 election judges may be appointed to serve at a combined polling place. The number of  
2.20 election judges required must be based on the total number of persons voting at the last  
2.21 similar election in all precincts to be voting at the combined polling place. Separate ballot  
2.22 boxes must be provided for the ballots from each precinct. The results of the election must  
2.23 be reported separately for each precinct served by the combined polling place, except in a  
2.24 polling place established under clause (2) where one of the precincts has fewer than ten  
2.25 registered voters, in which case the results of that precinct must be reported in the manner  
2.26 specified by the secretary of state.

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

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

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

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

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

3.7 (5) the local elections official must immediately notify the county auditor and the  
3.8 secretary of state of the combination, including the reason for the emergency combination  
3.9 and the location of the combined polling place. As soon as possible, the local elections  
3.10 official must also post a notice stating the reason for the combination and the location of  
3.11 the combined polling place. The notice must also be posted on the governing board's website,  
3.12 if one exists. The local elections official must also notify the election judges and request  
3.13 that local media outlets publicly announce the reason for the combination and the location  
3.14 of the combined polling place; and

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

3.23 Sec. 2. Minnesota Statutes 2022, section 204B.21, subdivision 1, is amended to read:

3.24 Subdivision 1. **Appointment lists; duties of political parties and secretary of state.** On  
3.25 ~~May~~ December 1 in a year prior to a year in which there is an election for a partisan political  
3.26 office, each major political party shall prepare a list of eligible voters to act as election  
3.27 judges in each election precinct. The list provided by the party must indicate which eligible  
3.28 voters are willing to travel to a precinct outside of their home jurisdiction to act as an election  
3.29 judge, and the jurisdictions to which each eligible voter is willing to travel for that purpose.  
3.30 The political parties shall furnish the lists electronically to the secretary of state, in a format  
3.31 specified by the secretary of state. The secretary of state must combine the data received  
3.32 from each political party under this subdivision and must process the data to locate the  
3.33 precinct in which the address provided for each potential election judge is located. If the  
3.34 data submitted by a political party is insufficient for the secretary of state to locate the proper

4.1 precinct, the associated name must not appear in any list forwarded to an appointing authority  
 4.2 under this subdivision. The secretary of state shall notify political parties of any proposed  
 4.3 election judges with addresses that could not be located in a precinct.

4.4 By ~~May~~ December 15, the secretary of state shall furnish electronically to the county  
 4.5 auditor a list of the appropriate names for each election precinct in the jurisdiction of the  
 4.6 appointing authority, and a list of the names of individuals residing outside of the jurisdiction  
 4.7 who indicated a willingness to travel to that jurisdiction to act as an election judge, noting  
 4.8 the political party affiliation of each individual on the list. The county auditor must promptly  
 4.9 forward the appropriate names to the appropriate municipal clerk.

4.10 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to elections  
 4.11 conducted on or after January 1, 2024.

4.12 Sec. 3. Minnesota Statutes 2022, section 204D.03, subdivision 1, is amended to read:

4.13 Subdivision 1. **State primary.** The state primary shall be held on the second Tuesday  
 4.14 in ~~August~~ March in each even-numbered year to select the nominees of the major political  
 4.15 parties for partisan offices and the nominees for nonpartisan offices to be filled at the state  
 4.16 general election, other than presidential electors.

4.17 Sec. 4. Minnesota Statutes 2022, section 204D.09, subdivision 1, is amended to read:

4.18 Subdivision 1. **Example ballot.** No later than ~~May~~ December 1 of ~~each~~ a year prior to  
 4.19 a year in which there is a state general election, the secretary of state shall supply each  
 4.20 auditor with a copy of an example ballot to be used at the state primary and state general  
 4.21 election. The example ballot must illustrate the format required for the ballots used in the  
 4.22 primary and general elections that year. The county auditor shall distribute copies of the  
 4.23 example ballot to municipal and school district clerks in municipalities and school districts  
 4.24 holding elections that year. The official ballot must conform in all respects to the example  
 4.25 ballot.

4.26 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to elections  
 4.27 conducted on or after January 1, 2024.

4.28 Sec. 5. Minnesota Statutes 2022, section 204D.28, subdivision 5, is amended to read:

4.29 Subd. 5. **Regular state primary.** "Regular state primary" means:

4.30 (a) the state primary at which candidates are nominated for offices elected at the state  
 4.31 general election; or

5.1 (b) a primary held on the second Tuesday in ~~August~~ March of odd-numbered years.

5.2 Sec. 6. Minnesota Statutes 2022, section 205.065, subdivision 1, is amended to read:

5.3 Subdivision 1. **Establishing primary.** A municipal primary for the purpose of nominating  
 5.4 elective officers may be held in any city on the second Tuesday in ~~August~~ March of any  
 5.5 year in which a municipal general election is to be held for the purpose of electing officers.  
 5.6 The date of a municipal primary held in an odd-numbered year may be postponed for  
 5.7 inclement weather as provided in section 205.105.

5.8 Sec. 7. Minnesota Statutes 2022, section 205.065, subdivision 2, is amended to read:

5.9 Subd. 2. **Resolution or ordinance.** The governing body of a city may, by ordinance or  
 5.10 resolution adopted by ~~April~~ November 15 in the year prior to a year when a municipal  
 5.11 general election is held, elect to choose nominees for municipal offices by a primary as  
 5.12 provided in this section. The resolution or ordinance, when adopted, is effective for all  
 5.13 ensuing municipal elections until it is revoked. The municipal clerk shall notify the secretary  
 5.14 of state and the county auditor within 30 days after the adoption of the resolution or  
 5.15 ordinance.

5.16 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to elections  
 5.17 conducted on or after January 1, 2024.

5.18 Sec. 8. Minnesota Statutes 2022, section 205A.03, subdivision 1, is amended to read:

5.19 Subdivision 1. **Resolution requiring primary in certain circumstances.** The school  
 5.20 board of a school district may, by resolution adopted by ~~April~~ November 15 of any year,  
 5.21 decide to choose nominees for school board by a primary as provided in this section. The  
 5.22 resolution, when adopted, is effective for all ensuing elections of board members in that  
 5.23 school district until it is revoked. If the board decides to choose nominees by primary and  
 5.24 if there are more than two candidates for a specified school board position or more than  
 5.25 twice as many school board candidates as there are at-large school board positions available,  
 5.26 the school district must hold a primary.

5.27 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to elections  
 5.28 conducted on or after January 1, 2024.

5.29 Sec. 9. Minnesota Statutes 2022, section 205A.03, subdivision 2, is amended to read:

5.30 Subd. 2. **Date.** The school district primary must be held on the second Tuesday in ~~August~~  
 5.31 March in the year when the school district general election is held. The clerk shall give

6.1 notice of the primary in the manner provided in section 205A.07. The date of a school  
6.2 district primary held in an odd-numbered year may be postponed for inclement weather as  
6.3 provided in section 205A.055.

6.4 Sec. 10. Minnesota Statutes 2022, section 205A.06, subdivision 1a, is amended to read:

6.5 Subd. 1a. **Filing period.** In school districts that have adopted a resolution to choose  
6.6 nominees for school board by a primary election, affidavits of candidacy must be filed with  
6.7 the school district clerk no earlier than the 84th day and no later than the 70th day before  
6.8 the second Tuesday in ~~August~~ March in the year when the school district general election  
6.9 is held. In all other school districts, affidavits of candidacy must be filed no earlier than the  
6.10 98th day and no later than the 84th day before the school district general election.

6.11 Sec. 11. Minnesota Statutes 2022, section 205A.11, subdivision 2a, is amended to read:

6.12 Subd. 2a. **Notice of special elections.** The school district clerk shall prepare a notice to  
6.13 the voters who will be voting in a combined polling place for a school district special election.  
6.14 The notice must include the following information: the date of the election, the hours of  
6.15 voting, and the location of the voter's polling place. The notice must be sent by  
6.16 nonforwardable mail to every affected household in the school district with at least one  
6.17 registered voter. The notice must be mailed no later than 14 days before the election. The  
6.18 mailed notice is not required for a school district special election that is held on the second  
6.19 Tuesday in ~~August~~ March, the Tuesday following the first Monday in November, or for a  
6.20 special election conducted entirely by mail. A notice that is returned as undeliverable must  
6.21 be forwarded immediately to the county auditor.

6.22 Sec. 12. Minnesota Statutes 2022, section 206.61, subdivision 5, is amended to read:

6.23 Subd. 5. **Alternation.** The provisions of the election laws requiring the alternation of  
6.24 names of candidates must be observed as far as practicable by changing the order of the  
6.25 names on an electronic voting system in the various precincts so that each name appears on  
6.26 the machines or marking devices used in a municipality substantially an equal number of  
6.27 times in the first, last, and in each intermediate place in the list or group in which they  
6.28 belong. However, the arrangement of candidates' names must be the same on all voting  
6.29 systems used in the same precinct. If the number of names to be alternated exceeds the  
6.30 number of precincts, the election official responsible for providing the ballots, in accordance  
6.31 with subdivision 1, shall determine by lot the alternation of names.

7.1 If an electronic ballot marker is used with a paper ballot that is not an optical scan ballot  
 7.2 card, the manner of alternation of candidate names on the paper ballot must be as prescribed  
 7.3 for optical scan ballots in this subdivision.

7.4 The rules adopted by the secretary of state for the rotation of candidate names must use  
 7.5 the number of registered voters in each precinct as of 8:00 a.m. on ~~May~~ December 1 of the  
 7.6 year ~~when~~ prior to a year in which the rotation will be made as the basis for determining  
 7.7 the rotation of names.

7.8 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to elections  
 7.9 conducted on or after January 1, 2024.

7.10 Sec. 13. Minnesota Statutes 2022, section 206.82, subdivision 2, is amended to read:

7.11 Subd. 2. **Plan.** The municipal clerk in a municipality where an electronic voting system  
 7.12 is used and the county auditor of a county in which an electronic voting system is used in  
 7.13 more than one municipality and the county auditor of a county in which a counting center  
 7.14 serving more than one municipality is located shall prepare a plan which indicates acquisition  
 7.15 of sufficient facilities, computer time, and professional services and which describes the  
 7.16 proposed manner of complying with section 206.80. The plan must be signed, notarized,  
 7.17 and submitted to the secretary of state more than 60 days before the first election at which  
 7.18 the municipality uses an electronic voting system. Before ~~May~~ December 1 ~~of~~ prior to each  
 7.19 subsequent general election year, the clerk or auditor shall submit to the secretary of state  
 7.20 notification of any changes to the plan on file with the secretary of state. The secretary of  
 7.21 state shall review each plan for its sufficiency and may request technical assistance from  
 7.22 the Department of Information Technology Services or other agency which may be operating  
 7.23 as the central computer authority. The secretary of state shall notify each reporting authority  
 7.24 of the sufficiency or insufficiency of its plan within 20 days of receipt of the plan. The  
 7.25 attorney general, upon request of the secretary of state, may seek a district court order  
 7.26 requiring an election official to fulfill duties imposed by this subdivision or by rules  
 7.27 promulgated pursuant to this section.

7.28 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to elections  
 7.29 conducted on or after January 1, 2024.

7.30 Sec. 14. **REPEALER.**

7.31 Minnesota Statutes 2022, sections 202A.01; 202A.11; 202A.12; 202A.13; 202A.135;  
 7.32 202A.14; 202A.15; 202A.155; 202A.156; 202A.16; 202A.18; 202A.19; 202A.192; and  
 7.33 202A.20, are repealed.

8.1      **Sec. 15. EFFECTIVE DATE.**

8.2            Unless otherwise specified, this act is effective January 1, 2024, and applies to elections  
8.3 conducted on or after that date.



### **202A.01 DEFINITIONS.**

The words used in this chapter have the meanings prescribed to them in chapter 200.

### **202A.11 PARTY NAME.**

Subdivision 1. **Change.** Any major political party may change its name by complying with the following conditions:

The state central committee of the party may call a convention, and shall state in its call that a convention is called for a certain time and place, for the purpose of changing the name of the party to some specific name given in the call. The convention shall be held not less than 70 days before the state primary, and the change shall be agreed upon by resolution of a majority of the convention. A copy of the resolution determining the change of the name, certified by the chair and secretary of the convention, shall be filed with the secretary of state within five days after the holding of the convention. Thereafter the political party shall be known by the new name called for by the resolution, and the party under its new name shall have all the rights that it had under its former name.

Subd. 2. **Right to use.** A major political party which has adopted a party name is entitled to the exclusive use of that name for the designation of its candidates on all ballots, and no candidate of any other political party is entitled to have printed on a ballot as a party designation any part of that name.

### **202A.12 STATE CONVENTION, AUTHORITY OF.**

Subdivision 1. **Time of convention.** The final authority over the affairs of each major political party is vested in the party's state convention to be held at least once every state general election year at the call of the state central committee.

Subd. 2. **State central committee.** Subject to the control of the state convention the general management of the affairs of the state party is vested in the party's state central committee.

Subd. 3. **State executive committee.** The state executive committee of the party shall have charge of the administration of the party's affairs, subject to the direction and control of the state convention and the state central committee.

Subd. 4. **Constitution, filing.** The chair of the state central committee of each party shall file with the secretary of state a copy of the party's constitution and all amendments to the constitution as they are enacted.

### **202A.13 COMMITTEES, CONVENTIONS.**

The rules of each major political party shall provide that for each congressional district and each county or legislative district a convention shall be held at least once every state general election year. Each major political party shall also provide for each congressional district and each county or legislative district an executive committee consisting of a chair and such other officers as may be necessary. The party rules may provide for only one executive committee and one convention where any county and congressional district have the same territorial limits.

A delegate or alternate who is deaf, deafblind, or hard-of-hearing who needs interpreter services at a county, legislative district, congressional district, or state convention shall so notify the executive committee of the major political party unit whose convention the delegate or alternate plans to attend. Written notice must be given by certified mail or electronic mail to the executive committee at least 30 days before the convention date. The major political party, not later than 14 days before the convention date, shall secure the services of one or more interpreters if available and shall assume responsibility for the cost of the services. The state central committee of the major political party shall determine the process for reimbursing interpreters.

A visually impaired delegate or alternate to a county, legislative district, congressional district, or state convention may notify the executive committee of the major political party unit that the delegate or alternate requires convention materials in audio tape, Braille, or large print format. Upon receiving the request, the executive committee shall provide all official written convention materials as soon as they are available, so that the visually impaired individual may have them converted to audio tape, Braille, or large print format, prior to the convention.

**202A.135 LEAVE TIME FROM EMPLOYMENT; PARTY OFFICERS; DELEGATES TO PARTY CONVENTIONS.**

If an employee gives at least ten days' written notice to the employer, the employee may be absent from work to attend any meeting of the state central committee or executive committee of a major political party if the employee is a member of the committee, or may attend any convention of major political party delegates including meetings of official convention committees if the employee is a delegate or alternate delegate to that convention. An employee who gives proper notice as provided in this section shall suffer no penalty or deduction from salary or wages on account of absence other than a deduction in salary or wages for the actual time of absence from employment. A violation of this section by an employer is a misdemeanor.

**202A.14 PRECINCT CAUCUS.**

Subdivision 1. **Time and manner of holding; postponement.** (a) In every state general election year, beginning at 7:00 p.m. on the date established pursuant to paragraph (b), there shall be held for every election precinct a party caucus in the manner provided in sections 202A.14 to 202A.19.

(b)(1) The chairs of the two largest major political parties shall jointly submit to the secretary of state, no later than March 1 of each odd-numbered year, the single date on which the two parties have agreed to conduct their precinct caucuses in the next even-numbered year. For a year when a presidential nomination primary is scheduled, the date submitted must not be the date of the presidential nomination primary, or the town general election date provided in section 205.075, subdivision 1.

(2) Within two business days after the parties have agreed on a single date on which to conduct their precinct caucuses, the secretary of state shall publicly announce the official state precinct caucus date for the following general election year.

(3) If the chairs of the two largest major political parties do not jointly submit a single date for conducting their precinct caucuses as provided in this paragraph, then for purposes of the next general election year, one of the following dates shall be considered the day of a major political party precinct caucus and sections 202A.19 and 202A.192 shall only apply on that date:

(i) the first Tuesday in February in a year when no presidential nomination primary is required; or

(ii) the Tuesday immediately prior to the presidential nomination primary in a year when a presidential nomination primary is required.

(4) For purposes of this paragraph, the two largest major political parties shall be the parties whose candidates for governor received the greatest and second greatest number of votes at the most recent gubernatorial election.

(c) In the event of severe weather a major political party may request the secretary of state to postpone caucuses. If a major political party makes a request, or upon the secretary of state's own initiative, after consultation with all major political parties and on the advice of the federal Weather Bureau and the Department of Transportation, the secretary of state may declare precinct caucuses to be postponed for a week in counties where weather makes travel especially dangerous. The secretary of state shall submit a notice of the postponement to news media covering the affected counties by 6:00 p.m. on the scheduled day of the caucus. A postponed caucus may also be postponed pursuant to this subdivision.

Subd. 2. **Caucus call.** The chair of the county or legislative district executive committee, whichever is provided for by party rules, shall issue the call for the precinct caucus at least 20 days before the time set for holding the caucus, and the call shall contain the following:

- (a) name of party;
- (b) precinct number;
- (c) date caucus is to be held;
- (d) place caucus is to be held;
- (e) hours during which caucus shall be held;
- (f) statutory rules governing the caucus;

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(g) a statement of business to be conducted including the election of a chair and such other officers as may be provided by party rules, and the election of delegates to county or district conventions;

(h) number of delegates to be elected;

(i) name of the county or legislative district chair issuing the call;

(j) name of the present precinct chair or other person who will be the convener of the caucus;

(k) a space for entering the names of the officers and delegates elected by the caucus.

Subd. 3. **Notice.** The county or legislative district chair shall give at least six days' published notice of the holding of the precinct caucus, stating the place, date, and time for holding the caucus, and shall deliver the same information to the municipal clerk and county auditor at least 20 days before the precinct caucus. The county auditor shall make this information available at least ten days before the date of the caucuses to persons who request it.

**202A.15 TIME AND PLACE OF CAUCUS.**

Subdivision 1. **Time.** Precinct caucuses within a county shall be held on the day established pursuant to section 202A.14, subdivision 1, and the caucuses shall remain open for at least one hour.

Subd. 2. **Place.** The precinct caucuses shall be held at the regular polling places for each precinct or other suitable places designated in the call, and no caucus may be adjourned to any other place or time.

In the event that there is only one suitable meeting place in the precinct polling place and the major political parties cannot agree as to its use, the county auditor shall decide by lot prior to January 15, 1970, the party which is to receive the use of the meeting place in years evenly divisible by four and which party shall receive the use of the meeting place in other years in which a state general election is held. The report of such selections by lot in the county shall be filed by the auditor with the county board which shall publish the same as a part of the minutes of the board meeting at which the report is filed.

A precinct caucus must be held at a place that meets the accessibility standards for precinct polling places specified in section 204B.16, subdivision 5. In addition, the place where a precinct caucus is held must contain restrooms that conform to the standards in the State Building Code for accessibility by disabled persons. If a precinct caucus is held on a floor of a building that is either above or below the entrance level for the building, an elevator must be available. Any elevators used for access to the room where the precinct caucus is held must conform to the standards in the State Building Code for accessibility by disabled persons.

If there are not enough places within a precinct that are or can be made accessible as provided by this subdivision and section 204B.16, subdivision 5, for each major party to hold its precinct caucus, a major party may hold its caucus at a place outside one of the boundaries of the precinct in order to comply with accessibility requirements.

If only one place satisfies the accessibility and location requirements of this subdivision, the major parties shall alternate use of the place. Prior to January 1, 1990, the county auditor shall decide by lot which party is to use the accessible place in years evenly divisible by four and which party is to use the place in other years when a state general election is held.

**202A.155 INTERPRETER SERVICES; CAUCUS MATERIALS.**

An individual who is deaf, deafblind, or hard-of-hearing who needs interpreter services at a precinct caucus shall so notify the major political party whose caucus the individual plans to attend. Notice must be given by letter or electronic mail to the state office of the major political party before the precinct caucus date. The major political party shall promptly attempt to secure the services of one or more interpreters if available and shall assume responsibility for the cost of the services if provided. The state central committee of the major political party shall determine the process for reimbursing interpreters.

A visually impaired individual may notify the county or legislative district committee of the major political party whose precinct caucus the individual plans to attend, that the individual requires caucus materials in audio tape, Braille, or large type format. Upon receiving the request, the county or legislative district committee shall provide all official written caucus materials as soon as they

are available, so that the visually impaired individual may have them converted to audio tape, Braille, or large print format prior to the precinct caucus.

**202A.156 INTERPRETER SERVICES AND ACCESSIBLE PRECINCT CAUCUS EXEMPTIONS.**

A major political party is not required to:

(1) provide an interpreter for a convention or precinct caucus if it has made documented good faith efforts to locate and assign an interpreter, including contacting an interpreter referral center or regional service center for people who are deaf, deafblind, and hard-of-hearing, and no interpreters are available; or

(2) hold a precinct caucus at a place that meets the accessibility standards for precinct polling places specified in section 204B.16, subdivision 5, if it has made documented good faith efforts to locate and secure an available accessible site within a reasonable distance of the precinct, and no accessible site is available.

**202A.16 CAUCUS, WHO MAY PARTICIPATE AND VOTE.**

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

Subd. 2. **Agreement with party principles.** Only those persons who are in agreement with the principles of the party as stated in the party's constitution, and who either voted or affiliated with the party at the last state general election or intend to vote or affiliate with the party at the next state general election, may vote at the precinct caucus.

Subd. 3. **Decision by caucus vote.** In case the right of a person to participate at the caucus is challenged, the question of the right to participate shall be decided by a vote of the whole caucus. A person so challenged may not vote on the question of the person's right to participate.

Subd. 4. **One caucus per year.** No person may vote or participate at more than one party's caucuses in any one year.

**202A.18 CAUCUS, PROCEDURE.**

Subdivision 1. **Temporary chair.** The convener shall be the temporary chair of the caucus.

Subd. 2. **Nominations; time of election of officers and delegates.** Nominations for the election of permanent officers and delegates shall remain open for at least the first quarter hour of the caucus. Election of delegates and alternates must begin within one hour of convening a caucus. Election of delegates and alternates may begin one-half hour after the convening of the caucus.

Subd. 2a. **Preference ballot.** Prior to the opening of nominations for the election of permanent offices and delegates, a ballot must be distributed to permit caucus participants to indicate their preference for the office of the governor. The results of preference voting must be reported to the secretary of state immediately upon conclusion of the voting, in the manner provided by the secretary of state. The secretary of state shall provide the appropriate forms to the party for reporting the results.

Subd. 3. **Secret ballot.** All voting shall be by secret ballot.

Subd. 4. **Announcement and certification of election results.** Upon completion of the counting of votes the chair shall announce the names of persons who are elected, and shall certify the names to the chair of the county or legislative district executive committee and to the chair of the state central committee.

Subd. 5. **Rules of order.** All questions concerning the manner in which a caucus is conducted or called that are not covered by statute shall be determined by Robert's Rules of Order (revised) unless otherwise specified by party rules.

**202A.19 CAUCUS, SCHOOL SCHEDULE PREEMPTION, EXCUSAL FROM EMPLOYMENT TO ATTEND.**

Subdivision 1. **Limits on local government meetings.** No special taxing district governing body, school board, county board of commissioners, township board, or city council may conduct a meeting after 6:00 p.m. on the day of a major political party precinct caucus. As used in this subdivision, "special taxing district" has the meaning given in section 275.066.

Subd. 2. **Absence from work.** Every employee who is entitled to attend a major political party precinct caucus is entitled, after giving the employer at least ten days' written notice, to be absent from work for the purpose of attending the caucus during the time for which the caucus is scheduled without penalty or deduction from salary or wages on account of the absence other than a deduction in salary for the time of absence from employment.

Subd. 3. **Limits on college or university meetings.** The University of Minnesota may not schedule an event which will take place after 6:00 p.m. on the day of a major political party precinct caucus unless permission to do so has been received from the Board of Regents. No Minnesota state college or university may schedule an event which will take place after 6:00 p.m. on the day of a major political party precinct caucus unless permission to do so has been received from the Board of Trustees of the Minnesota State Colleges and Universities.

Subd. 4. **Use of public school buildings.** No school official may deny the use of a public school building for the holding of a major political party precinct caucus if the school office has received a written request for the use of the school building 30 days or more prior to the date of the caucus.

Subd. 5. **Limits on public school events.** No public elementary or secondary school may hold a school sponsored event after 6:00 p.m. on the day of a major political party precinct caucus.

Subd. 6. **Limits on state public meetings.** No state agency, board, commission, department, or committee shall conduct a public meeting after 6:00 p.m. on the day of a major political party precinct caucus.

#### **202A.192 USE OF PUBLIC FACILITIES.**

Every statutory city, home rule charter city, county, town, school district, and other public agency, including the University of Minnesota and other public colleges and universities, shall make their facilities available for the holding of precinct caucuses and legislative district or county conventions required by this chapter. A charge for the use of the facilities may be imposed in an amount that does not exceed the lowest amount charged to any public or private group.

#### **202A.20 CAUCUS INFORMATION; RESULTS.**

Subdivision 1. **Information.** The secretary of state may sponsor or participate in activities designed to provide public information related to the precinct caucuses and to promote participation in the caucus process.

Subd. 2. **Reporting caucus results.** The secretary of state shall promptly report to the public the results of preference balloting at the precinct caucuses.