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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5095

03/21/2024 Authored by Franson

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; providing conditions under which a voter may vote by absentee

1.3 ballot; establishing state general election day as an official state holiday; repealing

1.4 provisions related to early voting; repealing provisions related to the use of absentee

1.5 ballot drop boxes; amending Minnesota Statutes 2022, section 203B.02, subdivision

1.6 1; Minnesota Statutes 2023 Supplement, sections 203B.04, subdivisions 1, 5;

1.7 645.44, subdivision 5; repealing Minnesota Statutes 2022, section 203B.082;

1.8 Minnesota Statutes 2023 Supplement, sections 203B.01, subdivision 5; 203B.081,

1.9 subdivisions 1a, 3, 4; 203B.12, subdivision 11; 203B.30; Laws 2023, chapter 62,

1.10 article 4, sections 11; 29; 32; 34; 41; 43; 56; 57; 60; 137.

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

1.12 Section 1. Minnesota Statutes 2022, section 203B.02, subdivision 1, is amended to read:

1.13 Subdivision 1. **Absentee voting; eligibility.** Any eligible voter who reasonably expects

1.14 to be unable to go to the polling place on election day in the precinct where the individual

1.15 maintains residence because of absence from the precinct; illness, including isolation or

1.16 quarantine under applicable federal or state law; disability; religious discipline; observance

1.17 of a religious holiday; or service as an election judge in another precinct may vote by

1.18 absentee ballot as provided in sections 203B.04 to 203B.15.

1.19 Sec. 2. Minnesota Statutes 2023 Supplement, section 203B.04, subdivision 1, is amended

1.20 to read:

1.21 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision

1.22 2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election

1.23 may be submitted at any time not less than one day before the day of that election. The

1.24 county auditor shall prepare absentee ballot application forms in the format provided by the

1.25 secretary of state and shall furnish them to any person on request. By January 1 of each

2.1 even-numbered year, the secretary of state shall make the forms to be used available to
2.2 auditors through electronic means. An application submitted pursuant to this subdivision
2.3 shall be in writing. An application may be submitted in person, by electronic facsimile
2.4 device, by electronic mail, or by mail to:

2.5 (1) the county auditor of the county where the applicant maintains residence; or

2.6 (2) the municipal clerk of the municipality, or school district if applicable, where the
2.7 applicant maintains residence.

2.8 For a federal, state, or county election, an absentee ballot application may alternatively be
2.9 submitted electronically through a secure website that shall be maintained by the secretary
2.10 of state for this purpose. Notwithstanding paragraph (b), the secretary of state must require
2.11 applicants using the website to submit the applicant's email address and verifiable Minnesota
2.12 driver's license number, Minnesota state identification card number, or the last four digits
2.13 of the applicant's Social Security number.

2.14 An application submitted electronically under this paragraph may only be transmitted to
2.15 the county auditor for processing if the secretary of state has verified the application
2.16 information matches the information in a government database associated with the applicant's
2.17 driver's license number, state identification card number, or Social Security number. The
2.18 secretary of state must review all unverifiable applications for evidence of suspicious activity
2.19 and must forward any such application to an appropriate law enforcement agency for
2.20 investigation.

2.21 (b) An application shall be approved if it is timely received, signed and dated by the
2.22 applicant, contains the applicant's name and residence and mailing addresses, date of birth,
2.23 and at least one of the following:

2.24 (1) the applicant's Minnesota driver's license number;

2.25 (2) Minnesota state identification card number;

2.26 (3) the last four digits of the applicant's Social Security number; or

2.27 (4) a statement that the applicant does not have any of these numbers.

2.28 (c) To be approved, the application must state that the applicant is eligible to vote by
2.29 absentee ballot for one of the reasons specified in section 203B.02 and must contain an oath
2.30 that the information contained on the form is accurate, that the applicant is applying on the
2.31 applicant's own behalf, and that the applicant is signing the form under penalty of perjury.

3.1 (d) An applicant's full date of birth, Minnesota driver's license or state identification
 3.2 number, and the last four digits of the applicant's Social Security number must not be made
 3.3 available for public inspection. An application may be submitted to the county auditor or
 3.4 municipal clerk by an electronic facsimile device. An application mailed or returned in
 3.5 person to the county auditor or municipal clerk on behalf of a voter by a person other than
 3.6 the voter must be deposited in the mail or returned in person to the county auditor or
 3.7 municipal clerk within ten days after it has been dated by the voter and no later than six
 3.8 days before the election.

3.9 (e) An application under this subdivision may contain an application under subdivision
 3.10 5 to automatically receive an absentee ballot.

3.11 Sec. 3. Minnesota Statutes 2023 Supplement, section 203B.04, subdivision 5, is amended
 3.12 to read:

3.13 **Subd. 5. Permanent absentee voter status.** (a) An eligible voter may apply to a county
 3.14 auditor or municipal clerk to automatically receive an absentee ballot before each election,
 3.15 other than an election by mail conducted under section 204B.45, and to have the status as
 3.16 a permanent absentee voter indicated on the voter's registration record, if the voter reasonably
 3.17 expects to be permanently unable to go to the polling place on election day due to a long
 3.18 term illness or disability. An eligible voter listed as an ongoing absentee voter as of July
 3.19 31, 2013, pursuant to laws in effect on that date, shall be treated as if the voter applied for
 3.20 status as a permanent absentee voter pursuant to this subdivision. An eligible voter listed
 3.21 as a permanent absentee voter as of July 31, 2024, pursuant to laws in effect on that date,
 3.22 must confirm that their status complies with the requirements of this paragraph.

3.23 (b) A voter who applies under paragraph (a) must automatically be provided an absentee
 3.24 ballot for each eligible election. A voter's permanent absentee status ends and automatic
 3.25 ballot delivery must be terminated on:

3.26 (1) the voter's written request;

3.27 (2) the voter's death;

3.28 (3) return of an absentee ballot as undeliverable; ~~or~~

3.29 (4) a change in the voter's status to "challenged" or "inactive" in the statewide voter
 3.30 registration system; or

3.31 (5) the voter's failure to meet the eligibility requirements of this subdivision.

3.32 (c) The secretary of state shall adopt rules governing procedures under this subdivision.

4.1 (d) This subdivision does not apply to a voter residing in a jurisdiction that conducts
4.2 elections entirely by mail under section 204B.45.

4.3 Sec. 4. Minnesota Statutes 2023 Supplement, section 645.44, subdivision 5, is amended
4.4 to read:

4.5 Subd. 5. **Holiday.** (a) "Holiday" includes New Year's Day, January 1; Martin Luther
4.6 King's Birthday, the third Monday in January; Washington's and Lincoln's Birthday, the
4.7 third Monday in February; Memorial Day, the last Monday in May; Juneteenth, June 19;
4.8 Independence Day, July 4; Labor Day, the first Monday in September; Indigenous Peoples
4.9 Day, the second Monday in October; State General Election Day, the first Tuesday after
4.10 the first Monday in November in an even-numbered year; Veterans Day, November 11;
4.11 Thanksgiving Day, the fourth Thursday in November; and Christmas Day, December 25;
4.12 provided, when New Year's Day, January 1; or Juneteenth, June 19; or Independence Day,
4.13 July 4; or Veterans Day, November 11; or Christmas Day, December 25; falls on Sunday,
4.14 the following day shall be a holiday and, provided, when New Year's Day, January 1; or
4.15 Juneteenth, June 19; or Independence Day, July 4; or Veterans Day, November 11; or
4.16 Christmas Day, December 25; falls on Saturday, the preceding day shall be a holiday. No
4.17 public business shall be transacted on any holiday, except in cases of necessity ~~and except,~~
4.18 in cases of public business transacted by the legislature, ~~nor shall any~~ or as necessary to
4.19 conduct an election on State General Election Day. No civil process may be served thereon
4.20 on any holiday. However, for the executive branch of the state of Minnesota, "holiday" also
4.21 includes the Friday after Thanksgiving but does not include Indigenous Peoples Day. Other
4.22 branches of state government and political subdivisions shall have the option of determining
4.23 whether Indigenous Peoples Day and the Friday after Thanksgiving shall be holidays. Where
4.24 it is determined that Indigenous Peoples Day or the Friday after Thanksgiving is not a
4.25 holiday, public business may be conducted thereon.

4.26 (b) Any agreement between a public employer and an employee organization citing
4.27 Veterans Day as the fourth Monday in October shall be amended to cite Veterans Day as
4.28 November 11.

4.29 (c) Any agreement between a public employer and an employee organization citing
4.30 "Christopher Columbus Day" or "Columbus Day" shall be amended to cite "Indigenous
4.31 Peoples Day."

4.32 Sec. 5. **REPEALER.**

4.33 (a) Minnesota Statutes 2022, section 203B.082, is repealed.

5.1 (b) Minnesota Statutes 2023 Supplement, sections 203B.01, subdivision 5; 203B.081,
5.2 subdivisions 1a, 3, and 4; 203B.12, subdivision 11; and 203B.30, are repealed.

5.3 (c) Laws 2023, chapter 62, article 4, sections 11; 29; 32; 34; 41; 43; 56; 57; 60; and 137,
5.4 are repealed.

5.5 **Sec. 6. EFFECTIVE DATE.**

5.6 This act is effective the day following final enactment.

203B.01 ABSENTEE BALLOTING; DEFINITIONS.

Subd. 5. **Early voting.** "Early voting" means voting in person before election day as provided in section 203B.30.

203B.081 LOCATIONS AND METHODS FOR ABSENTEE VOTING IN PERSON.

Subd. 1a. **Location; timing for early voting.** An eligible voter may vote using early voting during the 18 days before a federal, state, or county election, and during the 18 days before a municipal election if authorized under section 203B.05, in the office of the county auditor and at any other polling place designated by the county auditor. In elections in which early voting is provided, the alternative voting procedure authorized by subdivision 3 must not be provided.

Subd. 3. **Alternative procedure.** (a) In elections not eligible to use early voting under subdivision 1a, the county auditor may make available a ballot counter and ballot box for use by the voters during the 18 days before the election. If a ballot counter and ballot box is provided, a voter must be given the option either (1) to vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the manner provided in this subdivision.

(b) If a voter chooses to vote in the manner provided in this subdivision, the voter must state the voter's name, address, and date of birth to the county auditor or municipal clerk. The voter shall sign a voter's certificate, which must include the voter's name, identification number, and the certification required by section 201.071, subdivision 1. The signature of an individual on the voter's certificate and the issuance of a ballot to the individual is evidence of the intent of the individual to vote at that election.

(c) After signing the voter's certificate, the voter shall be issued a ballot and immediately retire to a voting station or other designated location in the polling place to mark the ballot. The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter may return it to the election official in exchange for a new ballot. After completing the ballot, the voter shall deposit the ballot into the ballot box.

(d) The election official must immediately record that the voter has voted in the manner provided in section 203B.121, subdivision 3.

(e) The election duties required by this subdivision must be performed by an election judge, the county auditor, municipal clerk, or a deputy of the auditor or clerk.

Subd. 4. **Temporary locations.** (a) A county auditor or municipal clerk authorized under section 203B.05 to administer voting before election day may designate additional polling places with days and hours that differ from those required by section 203B.085. A designation authorized by this subdivision must be made at least 47 days before the election. The county auditor or municipal clerk must provide notice to the secretary of state at the time that the designations are made.

(b) At the request of a federally recognized Indian Tribe with a reservation in the county, the county auditor must establish an additional polling place for at least one day on the Indian reservation on a site agreed upon by the Tribe and the county auditor that is accessible to the county auditor by a public road.

203B.082 ABSENTEE BALLOT DROP BOXES; SECURITY AND INTEGRITY.

Subdivision 1. **Definition.** As used in this section, "drop box" means a secure receptacle or container established to receive completed absentee ballots 24 hours per day. Drop box does not include a receptacle or container maintained by the United States Postal Service, or a location at which a voter or an agent may return a completed absentee ballot by providing it directly to an employee of the county auditor or municipal clerk.

Subd. 2. **Minimum security and integrity standards.** The county auditor or municipal clerk may provide locations at which a voter may deposit a completed absentee ballot enclosed in the completed signature envelope in a secure drop box, consistent with the following security and integrity standards:

- (1) each drop box must be continually recorded during the absentee voting period;
- (2) each drop box must be designed to prevent an unauthorized person from moving, removing, or tampering with the drop box;
- (3) each drop box placed in an outdoor location must be fastened to a building, bolted to a concrete pad, or otherwise attached to a similarly secure structure;

APPENDIX
Repealed Minnesota Statutes: 24-07826

(4) ballots deposited in a drop box must be secured against access by any unauthorized person, and in the case of a drop box located in an outdoor location, the drop box must be secured against damage due to weather or other natural conditions;

(5) each drop box must contain signage or markings that:

- (i) clearly identifies the drop box as an official absentee ballot return location; and
- (ii) include the location and hours where an agent may return an absentee ballot;

(6) deposited ballots must be collected at least once per business day during the absentee voting period by the county auditor, municipal clerk, or an elections official trained by the county auditor or municipal clerk in the proper maintenance and handling of absentee ballots and absentee ballot drop boxes, and in the security measures used to protect absentee ballots; and

(7) ballots collected from each drop box must be properly date-stamped and stored in a locked ballot container or other secured and locked space consistent with any applicable laws governing the collection and storage of absentee ballots.

Subd. 3. Publication of locations required. (a) The county auditor or municipal clerk must provide a list of designated absentee ballot drop box locations to the secretary of state no later than 40 days prior to the start of the absentee voting period at every regularly scheduled primary or general election. The list must be published on the website of the county or municipality and on the website of the secretary of state at least 35 days prior to the start of the absentee voting period.

(b) The county auditor or municipal clerk must provide an updated list of designated absentee ballot drop box locations to the secretary of state no later than 20 days prior to the start of the absentee voting period at every regularly scheduled primary or general election, if any locations have changed or been added since submission of the list under paragraph (a). The list must be published on the website of the county or municipality and on the website of the secretary of state at least 15 days prior to the start of the absentee voting period.

Subd. 4. Electioneering prohibited. Section 211B.11 applies to conduct within 100 feet of an absentee ballot drop box established under this section.

203B.12 ABSENTEE VOTER NAMES.

Subd. 11. Names of persons; early voting. The secretary of state must maintain a list of voters who cast a ballot using the early voting procedures established in section 203B.30 for all elections at which those procedures are used. The list must be available to the public in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

203B.30 PROCEDURES FOR EARLY VOTING.

Subdivision 1. Definition. For purposes of this section, "early voting official" means the county auditor, city clerk, a deputy of the auditor or clerk, or an election judge.

Subd. 2. Voting procedure. (a) When a voter appears in an early voting polling place, the voter must state the voter's name, address, and, if requested, the voter's date of birth to the early voting official. The early voting official must confirm that the voter's registration is current in the statewide voter registration system and that the voter has not already cast a ballot in the election. If the voter's status is challenged, the voter may resolve the challenge as provided in section 204C.12. An individual who is not registered to vote or whose name or address has changed must register in the manner provided in section 201.061, subdivision 3. A voter who has already cast a ballot in the election must not be provided with a ballot.

(b) Each voter must sign the certification provided in section 204C.10. The signature of an individual on the voter's certificate and the issuance of a ballot to the individual is evidence of the intent of the individual to vote at that election. After the voter signs the certification, two early voting officials must initial the ballot and issue it to the voter. The voter must immediately retire to a voting station or other designated location in the polling place to mark the ballot. The voter must not take a ballot from the polling place. If the voter spoils the ballot, the voter may return it to the early voting official in exchange for a new ballot. After completing the ballot, the voter must deposit the ballot into the ballot counter and ballot box. The early voting official must immediately record that the voter has voted in the manner provided in section 203B.121, subdivision 3.

Subd. 3. Processing of ballots. The early voting officials must remove and secure ballots cast during the early voting period following the procedures in section 203B.121, subdivision 5, paragraph

APPENDIX
Repealed Minnesota Statutes: 24-07826

(a). The absentee ballot board must count the ballots after the polls have closed on election day following the procedures in section 203B.121, subdivision 5, paragraph (b).

Laws 2023, chapter 62, article 4, section 11

Sec. 11. Minnesota Statutes 2022, section 201.022, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** The secretary of state shall maintain a statewide voter registration system to facilitate voter registration and to provide a central database containing voter registration information from around the state. The system must be accessible to the county auditor of each county in the state. The system must also:

- (1) provide for voters to submit their voter registration applications to any county auditor, the secretary of state, or the Department of Public Safety;
- (2) provide for the definition, establishment, and maintenance of a central database for all voter registration information;
- (3) provide for entering data into the statewide registration system;
- (4) provide for electronic transfer of completed voter registration applications from the Department of Public Safety to the secretary of state or the county auditor;
- (5) assign a unique identifier to each legally registered voter in the state;
- (6) provide for the acceptance of the Minnesota driver's license number, Minnesota state identification number, and last four digits of the Social Security number for each voter record;
- (7) coordinate with other agency databases within the state;
- (8) allow county auditors and the secretary of state to add or modify information in the system to provide for accurate and up-to-date records;
- (9) allow county auditors, municipal and school district clerks, and the secretary of state to have electronic access to the statewide registration system for review and search capabilities;
- (10) provide security and protection of all information in the statewide registration system and ensure that unauthorized access is not allowed;
- (11) provide access to municipal clerks to use the system;
- (12) provide a system for each county to identify the precinct to which a voter should be assigned for voting purposes;
- (13) provide daily reports accessible by county auditors on the driver's license numbers, state identification numbers, or last four digits of the Social Security numbers submitted on voter registration applications that have been verified as accurate by the secretary of state; ~~and~~
- (14) provide reports on the number of absentee ballots transmitted to and returned and cast by voters under section 203B.16; and
- (15) provide reports necessary for early voting.

The appropriate state or local official shall provide security measures to prevent unauthorized access to the computerized list established under section 201.021.

EFFECTIVE DATE. This section is effective upon the revisor of statutes' receipt of the early voting certification and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Laws 2023, chapter 62, article 4, section 137

Sec. 137. **EARLY VOTING CERTIFICATION.**

The secretary of state must certify to the revisor of statutes that the statewide voter registration system has been tested and shown to properly allow for tracking of the information required to conduct early voting and can handle the expected volume of use. As used in this article, "early voting certification" means the certification required by this section.

Laws 2023, chapter 62, article 4, section 29

APPENDIX
Repealed Minnesota Session Laws: 24-07826

Sec. 29. Minnesota Statutes 2022, section 203B.001, is amended to read:

203B.001 ELECTION LAW APPLICABILITY.

The Minnesota Election Law is applicable to voting by absentee ballot and early voting unless otherwise provided in this chapter.

EFFECTIVE DATE. This section is effective upon the revisor of statutes' receipt of the early voting certification and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.
Laws 2023, chapter 62, article 4, section 32

Sec. 32. Minnesota Statutes 2022, section 203B.03, subdivision 1, is amended to read:

Subdivision 1. **Violation.** (a) No individual shall intentionally:

- (1) make or sign any false certificate required by this chapter;
- (2) make any false or untrue statement in any application for absentee ballots;
- (3) apply for absentee ballots more than once in any election with the intent to cast an illegal ballot;
- (4) exhibit a ballot marked by that individual to any other individual;
- (5) do any act in violation of the provisions of this chapter for the purpose of casting an illegal vote in any precinct or for the purpose of aiding another to cast an illegal vote;
- (6) use information from absentee ballot or early voting materials or records for purposes unrelated to elections, political activities, or law enforcement;
- (7) provide assistance to an absentee or early voter except in the manner provided by section 204C.15, subdivision 1;
- (8) solicit the vote of an absentee voter while in the immediate presence of the voter during the time the individual knows the absentee voter is voting; or
- (9) alter an absentee ballot application after it has been signed by the voter, except by an election official for administrative purposes.

(b) Before inspecting information from absentee ballot or early voting materials or records, an individual shall provide identification to the public official having custody of the material or information.

EFFECTIVE DATE. This section is effective upon the revisor of statutes' receipt of the early voting certification and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.
Laws 2023, chapter 62, article 4, section 34

Sec. 34. Minnesota Statutes 2022, section 203B.05, subdivision 1, is amended to read:

Subdivision 1. **Generally.** The full-time clerk of any city or town shall administer the provisions of sections 203B.04 to 203B.15 and 203B.30 if:

- (1) the county auditor of that county has designated the clerk to administer them; or
- (2) the clerk has given the county auditor of that county notice of intention to administer them.

The designation or notice must specify whether the clerk will be responsible for the administration of a ballot board as provided in section 203B.121.

A clerk of a city that is located in more than one county may only administer the provisions of sections 203B.04 to 203B.15 and 203B.30 if the clerk has been designated by each of the county auditors or has provided notice to each of the county auditors that the city will administer absentee voting. A clerk may only administer the provisions of sections 203B.04 to 203B.15 and 203B.30 if the clerk has technical capacity to access the statewide voter registration system in the secure manner prescribed by the secretary of state. The secretary of state must identify hardware, software, security, or other technical prerequisites necessary to ensure the security, access controls, and performance of the statewide voter registration system. A clerk must receive training approved by the secretary of state on the use of the statewide voter registration system before administering this section. A clerk may not use the statewide voter registration system until the clerk has received the

APPENDIX
Repealed Minnesota Session Laws: 24-07826

required training. The county auditor must notify the secretary of state of any municipal clerk who will be administering the provisions of this section and the duties that the clerk will administer.

EFFECTIVE DATE. This section is effective upon the revisor of statutes' receipt of the early voting certification and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Laws 2023, chapter 62, article 4, section 41

Sec. 41. Minnesota Statutes 2022, section 203B.081, subdivision 1, is amended to read:

Subdivision 1. **Location; timing for absentee voting.** An eligible voter may vote by absentee ballot in the office of the county auditor and at any other polling place designated by the county auditor during the 46 days before the election, except as provided in this section.

EFFECTIVE DATE. This section is effective upon the revisor of statutes' receipt of the early voting certification and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Laws 2023, chapter 62, article 4, section 43

Sec. 43. Minnesota Statutes 2022, section 203B.081, subdivision 3, is amended to read:

Subd. 3. **Alternative procedure.** (a) In elections not eligible to use early voting under subdivision 1a, the county auditor may make available a ballot counter and ballot box for use by the voters during the ~~seven~~ 18 days before the election. If a ballot counter and ballot box is provided, a voter must be given the option either (1) to vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the manner provided in this subdivision.

(b) If a voter chooses to vote in the manner provided in this subdivision, the voter must state the voter's name, address, and date of birth to the county auditor or municipal clerk. The voter shall sign a voter's certificate, which must include the voter's name, identification number, and the certification required by section 201.071, subdivision 1. The signature of an individual on the voter's certificate and the issuance of a ballot to the individual is evidence of the intent of the individual to vote at that election.

(c) After signing the voter's certificate, the voter shall be issued a ballot and immediately retire to a voting station or other designated location in the polling place to mark the ballot. The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter may return it to the election official in exchange for a new ballot. After completing the ballot, the voter shall deposit the ballot into the ballot box.

(d) The election official must immediately record that the voter has voted in the manner provided in section 203B.121, subdivision 3.

(e) The election duties required by this subdivision must be performed by an election judge, the county auditor, municipal clerk, or a deputy of the auditor or clerk.

EFFECTIVE DATE. This section is effective upon the revisor of statutes' receipt of the early voting certification and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Laws 2023, chapter 62, article 4, section 56

Sec. 56. Minnesota Statutes 2022, section 203B.12, is amended by adding a subdivision to read:

Subd. 11. **Names of persons; early voting.** The secretary of state must maintain a list of voters who cast a ballot using the early voting procedures established in section 203B.30 for all elections at which those procedures are used. The list must be available to the public in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

EFFECTIVE DATE. This section is effective upon the revisor of statutes' receipt of the early voting certification and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Laws 2023, chapter 62, article 4, section 57

APPENDIX
Repealed Minnesota Session Laws: 24-07826

Sec. 57. Minnesota Statutes 2022, section 203B.121, subdivision 1, is amended to read:

Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county, municipality, and school district with responsibility to accept and reject absentee ballots or to administer early voting must, by ordinance or resolution, establish a ballot board. The board must consist of a sufficient number of election judges appointed as provided in sections 204B.19 to 204B.22. The board may include deputy county auditors or deputy city clerks who have received training in the processing and counting of absentee ballots. Each member of the ballot board must be provided adequate training on the processing and counting of absentee ballots, including but not limited to instruction on accepting and rejecting absentee ballots, storage of absentee ballots, timelines and deadlines, the role of the ballot board, procedures for opening absentee ballot envelopes, procedures for counting absentee ballots, and procedures for reporting absentee ballot totals.

(b) Each jurisdiction must pay a reasonable compensation to each member of that jurisdiction's ballot board for services rendered during an election.

(c) Except as otherwise provided by this section, all provisions of the Minnesota Election Law apply to a ballot board.

EFFECTIVE DATE. This section is effective upon the revisor of statutes' receipt of the early voting certification and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Laws 2023, chapter 62, article 4, section 60

Sec. 60. Minnesota Statutes 2022, section 203B.121, subdivision 3, is amended to read:

Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk must immediately record that a voter's absentee ballot has been accepted or that the voter has cast a ballot pursuant to the early voting procedures provided in this chapter. ~~After the close of business on the seventh 19th day before the election, a voter whose record indicates that an absentee ballot has been accepted or that the voter has cast an early ballot must not be permitted to cast another ballot at that election. In a state primary, general, or state special election for federal or state or county office, the auditor or clerk must also record this information in the statewide voter registration system.~~

(b) The roster must be marked, and a supplemental report of absentee and early voters who submitted a voter registration application with their ballot must be created, no later than the start of voting on election day to indicate the voters that have already cast a ballot at the election. The roster may be marked either:

- (1) by the county auditor or municipal clerk before election day;
- (2) by the ballot board before election day; or
- (3) by the election judges at the polling place on election day.

~~The record of a voter whose absentee ballot was received after the close of business on the seventh day before the election is not required to be marked on the roster or contained in a supplemental report as required by this paragraph.~~

EFFECTIVE DATE. This section is effective upon the revisor of statutes' receipt of the early voting certification and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.