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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-SIXTH  
SESSION

**HOUSE FILE No. 655**

February 9, 2009

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The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections

1.1 A bill for an act  
1.2 relating to elections; requiring an affidavit of candidacy to state the candidate's  
1.3 residence address and telephone number; prohibiting placement of a candidate  
1.4 on the ballot if residency requirements are not met; amending Minnesota Statutes  
1.5 2008, section 204B.06, subdivision 1.

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

1.7 Section 1. Minnesota Statutes 2008, section 204B.06, subdivision 1, is amended to read:

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

1.10 (1) is an eligible voter;

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

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

1.22 (b) An affidavit of candidacy must include a statement that the candidate's name as  
1.23 written on the affidavit for ballot designation is the candidate's true name or the name by  
1.24 which the candidate is commonly and generally known in the community.

2.1           (c) An affidavit of candidacy must state the candidate's residence address and a  
2.2 telephone number where the candidate can be contacted. For an office whose residency  
2.3 requirement must be satisfied by the close of the filing period, if the filing officer  
2.4 determines that the address is not located in the district from which the candidate seeks  
2.5 election, the filing officer must immediately notify the candidate. The filing officer must  
2.6 not certify the candidate's name to be placed on the ballot unless the candidate files an  
2.7 affidavit seeking election from a district where the candidate resides. The actions of a  
2.8 filing officer under this paragraph are subject to judicial review under section 204B.44.

2.9           (d) For an office whose residency requirement may be satisfied as of a date after  
2.10 filings close, a candidate who does not reside in the district at the time of filing must  
2.11 submit a separate affidavit. The affidavit must be submitted to the filing officer by the  
2.12 deadline for meeting the residency requirement.

2.13           (e) An affidavit of candidacy for partisan office shall also state the name of the  
2.14 candidate's political party or political principle, stated in three words or less.