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State of Minnesota
HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 9

- 01/07/2021 Authored by Greenman; Nelson, M.; Winkler; Stephenson; Frazier and others
The bill was read for the first time and referred to the Committee on State Government Finance and Elections
- 02/04/2021 Adoption of Report: Amended and re-referred to the Committee on Judiciary Finance and Civil Law
- 02/18/2021 Adoption of Report: Amended and re-referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy
- 02/25/2021 Adoption of Report: Amended and re-referred to the Committee on Transportation Finance and Policy
- 03/04/2021 Adoption of Report: Amended and re-referred to the Committee on Higher Education Finance and Policy
- 03/11/2021 Adoption of Report: Amended and re-referred to the Committee on Taxes
- 04/13/2021 Adoption of Report: Amended and re-referred to the Committee on Ways and Means

1.1 A bill for an act

1.2 relating to elections; modifying provisions related to voter registration; absentee

1.3 voting; establishing a system of early voting; eliminating a restriction on the number

1.4 of voters an individual may assist on election day; requiring voting instructions,

1.5 sample ballots, and election judges to be multilingual in certain situations;

1.6 modifying standards governing access to Help America Vote Act funds; regulating

1.7 intimidation, deceptive practices, and interference with voter registration and

1.8 voting; providing campaign finance changes; providing penalties; requiring reports;

1.9 appropriating money; amending Minnesota Statutes 2020, sections 5.30, subdivision

1.10 2; 8.31, subdivision 1; 10A.01, subdivision 16a; 13.607, by adding a subdivision;

1.11 135A.17, subdivision 2; 201.014, by adding a subdivision; 201.022, subdivision

1.12 1; 201.054, subdivisions 1, 2; 201.061, subdivisions 1, 3, by adding subdivisions;

1.13 201.071, subdivision 1; 201.091, subdivision 4; 201.161; 201.162; 203B.001;

1.14 203B.01, by adding a subdivision; 203B.03, subdivision 1; 203B.04, subdivision

1.15 5; 203B.05, subdivision 1; 203B.06, subdivisions 1, 3; 203B.07, subdivision 3;

1.16 203B.08, subdivisions 1, 3; 203B.12, subdivision 7; 203B.121, subdivisions 1, 2,

1.17 3, 4, 5, by adding a subdivision; 204B.28, subdivision 2; 204C.10; 204C.15,

1.18 subdivision 1; 206.82, subdivision 1; 206.83; 211B.04, subdivisions 2, 3, by adding

1.19 a subdivision; 211B.32, subdivision 1; 609.165, subdivision 1; proposing coding

1.20 for new law in Minnesota Statutes, chapters 201; 203B; 204B; 211B; 243; repealing

1.21 Minnesota Statutes 2020, section 203B.081, subdivision 3.

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

1.23 **ARTICLE 1**
1.24 **STRENGTHENING VOTER REGISTRATION**

1.25 Section 1. Minnesota Statutes 2020, section 13.607, is amended by adding a subdivision

1.26 to read:

1.27 Subd. 9. Data derived from driver's license or Minnesota identification card

1.28 applications. Data on an application for a driver's license or a Minnesota identification card

1.29 transferred to the secretary of state that are provided by a person whom the secretary of

1.30 state determines is not eligible to vote are governed by section 201.161.

2.1 Sec. 2. Minnesota Statutes 2020, section 135A.17, subdivision 2, is amended to read:

2.2 Subd. 2. **Residential housing list.** All postsecondary institutions that enroll students
2.3 accepting ~~state or~~ federal financial aid may prepare a current list of students enrolled in the
2.4 institution and residing in the institution's housing or within ten miles of the institution's
2.5 campus. All postsecondary institutions that enroll students accepting state financial aid must
2.6 prepare a current list of students enrolled in the institution and residing in the institution's
2.7 housing or within ten miles of the institution's campus. The list shall include each student's
2.8 current address, unless the student is enrolled in the Safe at Home address confidentiality
2.9 program as provided in chapter 5B. The list shall be certified and sent to the appropriate
2.10 county auditor or auditors for use in election day registration as provided under section
2.11 201.061, subdivision 3. A residential housing list provided under this subdivision may not
2.12 be used or disseminated by a county auditor or the secretary of state for any other purpose.

2.13 Sec. 3. Minnesota Statutes 2020, section 201.054, subdivision 1, is amended to read:

2.14 Subdivision 1. **Registration.** (a) An individual may register to vote:

2.15 (1) at any time before the 20th day preceding any election as provided in section 201.061,
2.16 subdivision 1;

2.17 (2) on the day of an election as provided in section 201.061, subdivision 3; or

2.18 (3) when submitting an absentee ballot, by enclosing a completed registration application
2.19 as provided in section 203B.04, subdivision 4.

2.20 (b) An individual who is under the age of 18, but who is at least 16 years of age and
2.21 otherwise eligible, may submit a voter registration application as provided in section 201.061,
2.22 subdivisions 1 and 1b.

2.23 Sec. 4. Minnesota Statutes 2020, section 201.054, subdivision 2, is amended to read:

2.24 Subd. 2. **Prohibitions; penalty.** No individual shall intentionally:

2.25 (1) cause or attempt to cause the individual's name to be registered in any precinct if the
2.26 individual is not eligible to vote, except as permitted by section 201.061, subdivision 1b;

2.27 (2) cause or attempt to cause the individual's name to be registered for the purpose of
2.28 voting in more than one precinct;

2.29 (3) misrepresent the individual's identity when attempting to register to vote; or

2.30 (4) aid, abet, counsel, or procure any other individual to violate this subdivision.

3.1 A violation of this subdivision is a felony.

3.2 Sec. 5. Minnesota Statutes 2020, section 201.061, subdivision 1, is amended to read:

3.3 Subdivision 1. **Prior to election day.** (a) At any time except during the 20 days
3.4 immediately preceding any regularly scheduled election, an eligible voter or any individual
3.5 who will be an eligible voter at the time of the next election may register to vote in the
3.6 precinct in which the voter maintains residence by completing a voter registration application
3.7 as described in section 201.071, subdivision 1. A completed application may be submitted:

3.8 (1) in person or by mail to the county auditor of that county or to the Secretary of State's
3.9 Office; or

3.10 (2) electronically through a secure website that shall be maintained by the secretary of
3.11 state for this purpose, if the applicant has an e-mail address and provides the applicant's
3.12 verifiable Minnesota driver's license number, Minnesota state identification card number,
3.13 or the last four digits of the applicant's Social Security number.

3.14 (b) A registration that is received in person or by mail no later than 5:00 p.m. on the
3.15 21st day preceding any election, or a registration received electronically through the secretary
3.16 of state's secure website no later than 11:59 p.m. on the 21st day preceding any election,
3.17 shall be accepted. An improperly addressed or delivered registration application shall be
3.18 forwarded within two working days after receipt to the county auditor of the county where
3.19 the voter maintains residence. A state or local agency or an individual that accepts completed
3.20 voter registration applications from a voter must submit the completed applications to the
3.21 secretary of state or the appropriate county auditor within ten calendar days after the
3.22 applications are dated by the voter.

3.23 ~~(b)~~(c) An application submitted electronically under paragraph (a), clause (2), may only
3.24 be transmitted to the county auditor for processing if the secretary of state has verified the
3.25 application information matches the information in a government database associated with
3.26 the applicant's driver's license number, state identification card number, or Social Security
3.27 number. The secretary of state must review all unverifiable voter registration applications
3.28 submitted electronically for evidence of suspicious activity and must forward any such
3.29 application to an appropriate law enforcement agency for investigation.

3.30 (d) An individual may not electronically submit a voter registration application on behalf
3.31 of any other individual, except that the secretary of state may provide features on the secure
3.32 website established under paragraph (a), clause (2), that allow third parties to connect

4.1 application programming interfaces that facilitate an individual's submission of voter
4.2 registration information while interacting with the third party.

4.3 ~~(e)~~ (e) For purposes of this section, mail registration is defined as a voter registration
4.4 application delivered to the secretary of state, county auditor, or municipal clerk by the
4.5 United States Postal Service or a commercial carrier.

4.6 Sec. 6. Minnesota Statutes 2020, section 201.061, is amended by adding a subdivision to
4.7 read:

4.8 Subd. 1b. Preregistration. An individual who is under the age of 18, but who is at least
4.9 16 years of age and meets all requirements for eligibility in section 201.014, except for age,
4.10 may submit a voter registration application or be automatically registered under section
4.11 201.161 at the address in which the voter maintains residence pursuant to subdivision 1.
4.12 Nothing in this section shall be construed to entitle an individual to appear on a polling
4.13 place roster or cast a ballot at an election if the individual does not meet all eligibility
4.14 requirements for voting, including age.

4.15 Sec. 7. Minnesota Statutes 2020, section 201.061, subdivision 3, is amended to read:

4.16 Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register
4.17 on election day by appearing in person at the polling place for the precinct in which the
4.18 individual maintains residence, by completing a registration application, making an oath in
4.19 the form prescribed by the secretary of state and providing proof of residence. An individual
4.20 may prove residence for purposes of registering by:

4.21 (1) presenting a driver's license, learner's permit, or Minnesota identification card issued
4.22 pursuant to section 171.07, or a receipt for one of these documents that contains the voter's
4.23 valid address in the precinct;

4.24 (2) presenting any document approved by the secretary of state as proper identification;

4.25 (3) having a valid registration in the same precinct;

4.26 (4) presenting a notice of late registration mailed by the county auditor or municipal
4.27 clerk;

4.28 (5) presenting one of the following:

4.29 (i) a current valid student identification card from a postsecondary educational institution
4.30 in Minnesota, if a list of students from that institution has been prepared under section

5.1 135A.17 and certified to the county auditor in the manner provided in rules of the secretary
5.2 of state; or

5.3 (ii) a current student fee statement that contains the student's valid address in the precinct
5.4 together with a picture identification card; or

5.5 ~~(4)~~ (6) having a voter who is registered to vote in the precinct, or an employee employed
5.6 by and working in a residential facility in the precinct and vouching for a resident in the
5.7 facility, sign an oath in the presence of the election judge vouching that the voter or employee
5.8 personally knows that the individual is a resident of the precinct. A voter who has been
5.9 vouched for on election day may not sign a proof of residence oath vouching for any other
5.10 individual on that election day. A voter who is registered to vote in the precinct may sign
5.11 up to eight proof-of-residence oaths on any election day. This limitation does not apply to
5.12 an employee of a residential facility described in this clause. The secretary of state shall
5.13 provide a form for election judges to use in recording the number of individuals for whom
5.14 a voter signs proof-of-residence oaths on election day. The form must include space for the
5.15 maximum number of individuals for whom a voter may sign proof-of-residence oaths. For
5.16 each proof-of-residence oath, the form must include a statement that the individual: (i) is
5.17 registered to vote in the precinct or is an employee of a residential facility in the precinct,
5.18 (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the
5.19 statement on oath. The form must include a space for the voter's printed name, signature,
5.20 telephone number, and address.

5.21 (b) The oath required by this subdivision and Minnesota Rules, part 8200.9939, must
5.22 be attached to the voter registration application.

5.23 ~~(b)~~ (c) The operator of a residential facility shall prepare a list of the names of its
5.24 employees currently working in the residential facility and the address of the residential
5.25 facility. The operator shall certify the list and provide it to the appropriate county auditor
5.26 no less than 20 days before each election for use in election day registration.

5.27 ~~(e)~~ (d) "Residential facility" means transitional housing as defined in section 256E.33,
5.28 subdivision 1; a supervised living facility licensed by the commissioner of health under
5.29 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision
5.30 5; a residence registered with the commissioner of health as a housing with services
5.31 establishment as defined in section 144D.01, subdivision 4; a veterans home operated by
5.32 the board of directors of the Minnesota Veterans Homes under chapter 198; a residence
5.33 licensed by the commissioner of human services to provide a residential program as defined
5.34 in section 245A.02, subdivision 14; a residential facility for persons with a developmental

6.1 disability licensed by the commissioner of human services under section 252.28; setting
6.2 authorized to provide housing support as defined in section 256I.03, subdivision 3; a shelter
6.3 for battered women as defined in section 611A.37, subdivision 4; or a supervised publicly
6.4 or privately operated shelter or dwelling designed to provide temporary living
6.5 accommodations for the homeless.

6.6 ~~(d)~~ (e) For tribal band members, an individual may prove residence for purposes of
6.7 registering by:

6.8 (1) presenting an identification card issued by the tribal government of a tribe recognized
6.9 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the
6.10 name, address, signature, and picture of the individual; or

6.11 (2) presenting an identification card issued by the tribal government of a tribe recognized
6.12 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the
6.13 name, signature, and picture of the individual and also presenting one of the documents
6.14 listed in Minnesota Rules, part 8200.5100, subpart 2, item B subdivision 3a, paragraph (c).

6.15 (f) An eligible voter who resides on a reservation but does not have a residential address
6.16 recognized by the United States Postal Service may register to vote using, as the voter's
6.17 residential address, the address of the tribal council headquarters or any other address
6.18 approved by the secretary of the tribal council.

6.19 ~~(e)~~ (g) A county, school district, or municipality may require that an election judge
6.20 responsible for election day registration initial each completed registration application.

6.21 Sec. 8. Minnesota Statutes 2020, section 201.061, is amended by adding a subdivision to
6.22 read:

6.23 Subd. 3a. **Additional proofs of residence permitted with photo identification.** (a) An
6.24 eligible voter may prove residence under this subdivision by presenting one of the photo
6.25 identification cards listed in paragraph (b) and one of the additional proofs of residence
6.26 listed in paragraph (c).

6.27 (b) The following documents are acceptable photo identification cards under this
6.28 subdivision if the documents contain the voter's name and photograph:

6.29 (1) a driver's license, a learner's permit, or identification card, issued by the state of
6.30 Minnesota or any other state of the United States as defined in Minnesota Statutes, section
6.31 645.44, subdivision 11;

6.32 (2) a United States passport;

7.1 (3) a United States military or veteran identification card;

7.2 (4) a student identification card issued by a Minnesota secondary or postsecondary
7.3 educational institution; or

7.4 (5) a tribal identification card issued by the tribal government of a tribe recognized by
7.5 the Bureau of Indian Affairs, United States Department of the Interior, that contains the
7.6 individual's signature.

7.7 (c) The following documents are acceptable additional proofs of residence under this
7.8 subdivision if the documents show the voter's name and current address in the precinct:

7.9 (1) an original bill, including account statements and start-of-service notification, for
7.10 telephone, television, or Internet provider services, regardless of how those telephone,
7.11 television, or Internet provider services are delivered; gas, electric, solid waste, water, or
7.12 sewer services; credit card or banking services; or rent or mortgage payments. The due date
7.13 on the bill must be within 30 days before or after election day or, for bills without a due
7.14 date, dated within 30 days before election day. For bills delivered electronically, "original"
7.15 means a printed copy of the electronic bill or a display of the bill on the voter's portable
7.16 electronic device;

7.17 (2) a current student fee statement that contains the student's valid address in the precinct;
7.18 or

7.19 (3) a residential lease or residential rental agreement if the lease or rental agreement is
7.20 valid through election day.

7.21 Sec. 9. Minnesota Statutes 2020, section 201.061, is amended by adding a subdivision to
7.22 read:

7.23 Subd. 3b. **Additional proofs of residence permitted for students.** (a) An eligible voter
7.24 may prove residence by presenting a current valid photo identification issued by a
7.25 postsecondary educational institution in Minnesota if the voter's name; student identification
7.26 number, if available; and address within the precinct appear on a current residential housing
7.27 list under section 135A.17, certified to the county auditor by the postsecondary educational
7.28 institution.

7.29 (b) This additional proof of residence for students must not be allowed unless the
7.30 postsecondary educational institution submits to the county auditor no later than 60 days
7.31 prior to the election a written agreement that the postsecondary educational institution will
7.32 certify for use at the election accurate updated residential housing lists under section 135A.17.

8.1 A written agreement is effective for the election and all subsequent elections held in that
8.2 calendar year, including the November general election.

8.3 (c) The additional proof of residence for students must be allowed on an equal basis for
8.4 voters who reside in housing meeting the requirements of section 135A.17, if the residential
8.5 housing lists certified by the postsecondary educational institution meet the requirements
8.6 of this subdivision.

8.7 (d) An updated residential housing list must be certified to the county auditor no earlier
8.8 than 20 days prior to each election. The certification must be dated and signed by the chief
8.9 officer or designee of the postsecondary educational institution and must state that the list
8.10 is current and accurate and includes only the names of persons residing as of the date of the
8.11 certification.

8.12 (e) The county auditor shall instruct the election judges of the precinct in procedures for
8.13 use of the list in conjunction with photo identification. The auditor shall supply a list to the
8.14 election judges with the election supplies for the precinct.

8.15 (f) The county auditor shall notify all postsecondary educational institutions in the county
8.16 of the provisions of this subdivision.

8.17 Sec. 10. Minnesota Statutes 2020, section 201.071, subdivision 1, is amended to read:

8.18 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
8.19 contain the same information unless otherwise provided by law. A voter registration
8.20 application must contain spaces for the following required information: voter's first name,
8.21 middle name, and last name; voter's previous name, if any; voter's current address; voter's
8.22 previous address, if any; voter's date of birth; voter's municipality and county of residence;
8.23 voter's telephone number, if provided by the voter; date of registration; current and valid
8.24 Minnesota driver's license number or Minnesota state identification number, or if the voter
8.25 has no current and valid Minnesota driver's license or Minnesota state identification, the
8.26 last four digits of the voter's Social Security number; a box to indicate a voter's preference
8.27 to join the permanent absentee voter list; and voter's signature. The paper registration
8.28 application may include the voter's e-mail address, if provided by the voter. The electronic
8.29 voter registration application must include the voter's e-mail address. The registration
8.30 application may include the voter's interest in serving as an election judge, if indicated by
8.31 the voter. The application must also contain the following certification of voter eligibility:

8.32 "I certify that I:

9.1 (1) ~~will be at least 18 years old on election day~~ am at least 16 years old and understand
9.2 that I must be at least 18 years old to be eligible to vote;

9.3 (2) am a citizen of the United States;

9.4 (3) will have resided in Minnesota for 20 days immediately preceding election day;

9.5 (4) maintain residence at the address given on the registration form;

9.6 (5) am not under court-ordered guardianship in which the court order revokes my right
9.7 to vote;

9.8 (6) have not been found by a court to be legally incompetent to vote;

9.9 (7) have the right to vote because, if I have been convicted of a felony, my felony sentence
9.10 has expired (been completed) or I have been discharged from my sentence; and

9.11 (8) have read and understand the following statement: that giving false information is a
9.12 felony punishable by not more than five years imprisonment or a fine of not more than
9.13 \$10,000, or both."

9.14 The certification must include boxes for the voter to respond to the following questions:

9.15 "(1) Are you a citizen of the United States?" and

9.16 "(2) ~~Will you be 18 years old on or before election day~~ Are you at least 16 years old and
9.17 will you be at least 18 years old on or before the day of the election in which you intend to
9.18 vote?"

9.19 And the instruction:

9.20 "If you checked 'no' to either of these questions, do not complete this form."

9.21 The form of the voter registration application and the certification of voter eligibility
9.22 must be as provided in this subdivision and approved by the secretary of state. Voter
9.23 registration forms authorized by the National Voter Registration Act must also be accepted
9.24 as valid. The federal postcard application form must also be accepted as valid if it is not
9.25 deficient and the voter is eligible to register in Minnesota.

9.26 An individual may use a voter registration application to apply to register to vote in
9.27 Minnesota or to change information on an existing registration.

9.28 Sec. 11. Minnesota Statutes 2020, section 201.091, subdivision 4, is amended to read:

9.29 Subd. 4. **Public information lists.** The county auditor shall make available for inspection
9.30 a public information list which must contain the name, address, year of birth, and voting

10.1 history of each registered voter in the county. Data on applicants submitted pursuant to
10.2 section 201.061, subdivision 1b, are not part of the public information list until the voter is
10.3 registered or has voting history. The list must not include the party choice of any voter who
10.4 voted in a presidential nomination primary. The telephone number must be included on the
10.5 list if provided by the voter. The public information list may also include information on
10.6 voting districts. The county auditor may adopt reasonable rules governing access to the list.
10.7 No individual inspecting the public information list shall tamper with or alter it in any
10.8 manner. No individual who inspects the public information list or who acquires a list of
10.9 registered voters prepared from the public information list may use any information contained
10.10 in the list for purposes unrelated to elections, political activities, or law enforcement. The
10.11 secretary of state may provide copies of the public information lists and other information
10.12 from the statewide registration system for uses related to elections, political activities, or
10.13 in response to a law enforcement inquiry from a public official concerning a failure to
10.14 comply with any criminal statute or any state or local tax statute.

10.15 Before inspecting the public information list or obtaining a list of voters or other
10.16 information from the list, the individual shall provide identification to the public official
10.17 having custody of the public information list and shall state in writing that any information
10.18 obtained from the list will not be used for purposes unrelated to elections, political activities,
10.19 or law enforcement. Requests to examine or obtain information from the public information
10.20 lists or the statewide registration system must be made and processed in the manner provided
10.21 in the rules of the secretary of state.

10.22 Upon receipt of a statement signed by the voter that withholding the voter's name from
10.23 the public information list is required for the safety of the voter or the voter's family, the
10.24 secretary of state and county auditor must withhold from the public information list the
10.25 name of a registered voter.

10.26 Sec. 12. Minnesota Statutes 2020, section 201.161, is amended to read:

10.27 **201.161 DRIVER'S LICENSE AND IDENTIFICATION CARD APPLICATIONS**
10.28 **AUTOMATIC VOTER REGISTRATION.**

10.29 Subdivision 1. Automatic registration. Except as otherwise provided in this section,
10.30 an individual must be registered to vote if the individual is eligible to vote under section
10.31 201.014 and properly completes and submits one of the following applications, if the
10.32 application otherwise requires documentation of citizenship:

10.33 (1) an application for a new or renewed Minnesota driver's license or identification card;
10.34 or

11.1 (2) an application for benefits or services to a state agency participating under subdivision
11.2 4.

11.3 Subd. 2. **Option to decline registration.** After an individual submits an application
11.4 qualifying for registration under this section, a county auditor must provide, by mail, a
11.5 notice of the option and the procedures necessary to decline to be registered to vote pursuant
11.6 to subdivision 6 and section 201.12, subdivision 1. An individual must not be registered to
11.7 vote if the individual declines to be registered within 20 days of submitting the application.
11.8 The individual must continue to be offered an opportunity to be registered upon completion
11.9 or submission of a qualifying application unless the individual presents documentation
11.10 demonstrating a lack of citizenship or a failure to meet other eligibility criteria.

11.11 Subd. 3. **Department of Public Safety.** (a) The ~~Department~~ commissioner of public
11.12 safety ~~shall~~, in consultation with the secretary of state, must change ~~its~~ the applications for
11.13 an original, duplicate, or change of address driver's license or identification card so that the
11.14 forms may also serve as voter registration applications, if the application otherwise includes
11.15 verification of the applicant's citizenship. The forms must contain spaces for all information
11.16 ~~collected by voter registration applications~~ required to register to vote, as prescribed by the
11.17 secretary of state. ~~Applicants for driver's licenses or identification cards must be asked if~~
11.18 ~~they want to register to vote at the same time and that~~ Unless the applicant has provided an
11.19 address other than the applicant's address of residence under section 171.12, subdivision 7,
11.20 paragraph (d), the commissioner must transmit the information ~~must be transmitted at least~~
11.21 ~~weekly~~ daily by electronic means to the secretary of state. Pursuant to the Help America
11.22 Vote Act of 2002, Public Law 107-252, the computerized driver's license record containing
11.23 the voter's name, address, date of birth, citizenship, driver's license number or state
11.24 identification number, signature image, county, ~~town~~, and city or town must be made
11.25 available for access by the secretary of state and interaction with the statewide voter
11.26 registration system. At least monthly, the commissioner must submit data to the secretary
11.27 of state identifying the total number of people applying for services in a manner that qualifies
11.28 for voter registration under this section and the total number of individuals whose records
11.29 were actually transferred for registration.

11.30 (b) Information on an applicant for a form of an original, duplicate, or change of address
11.31 driver's license or identification card that does not include verification of citizenship must
11.32 not be transmitted to the secretary of state. The commissioner must provide these applicants
11.33 with information on the voting eligibility and the requirements for registering to vote at the
11.34 time of the transaction.

12.1 (c) An applicant must not be registered to vote under this subdivision until the
12.2 commissioner of public safety has certified that the department's systems have been tested
12.3 and can accurately provide the required data, and the secretary of state has certified that the
12.4 system for automatic registration of those applicants has been tested and is capable of
12.5 properly determining whether an applicant is eligible to vote. The department's systems
12.6 must be tested and accurately provide the necessary data no later than June 1, 2022.

12.7 (d) For purposes of this section, "driver's license" includes any instruction permit,
12.8 provisional license, limited license, restricted license, or operator's permit issuable by the
12.9 commissioner of public safety under chapter 171.

12.10 **Subd. 4. Other agencies and units of government.** (a) The commissioner of any state
12.11 agency, and the administrative head of any local government or the government of a federally
12.12 recognized Indian tribe within the state, in consultation with the secretary of state, may
12.13 cause any form or application within its jurisdiction to serve as a voter registration
12.14 application, if the form or application already provides verification of an applicant's United
12.15 States citizenship. The form or application must contain spaces for all information required
12.16 to register to vote, as prescribed by the secretary of state. The commissioner or administrative
12.17 head must transmit information daily by electronic means to the secretary of state on any
12.18 individual whose United States citizenship has been verified. At least monthly, the
12.19 commissioner must submit data to the secretary of state identifying the total number of
12.20 people applying for services in a manner that qualifies for voter registration under this
12.21 section, and the total number of individuals whose records were actually transferred for
12.22 registration.

12.23 (b) The commissioner or administrative head, in consultation with the secretary of state,
12.24 may cause any form or application within its jurisdiction to serve as an update to the address
12.25 on an applicant's existing voter registration record. The commissioner or administrative
12.26 head must transmit these information daily by electronic means to the secretary of state. At
12.27 least monthly, the commissioner or administrative head must submit data to the secretary
12.28 of state identifying the total number of people applying for services in a manner that qualifies
12.29 for a voter registration address update under this paragraph, and the total number of
12.30 individuals whose records were actually transferred for updates.

12.31 (c) An applicant must not be registered to vote under this subdivision until the agency's
12.32 commissioner, or the administrative head of the local or tribal government, has certified
12.33 that the necessary systems have been tested and can accurately provide the required data,
12.34 and the secretary of state has certified that the system for automatic registration of those

13.1 applicants has been tested and is capable of properly determining whether an applicant is
13.2 eligible to vote.

13.3 Subd. 5. **Registration.** (a) The secretary of state must determine whether an applicant
13.4 whose information is submitted under this section is currently registered in the statewide
13.5 voter registration system. For each currently registered voter whose registration is not
13.6 changed, the secretary of state must update the voter's registration date in the statewide
13.7 voter registration system. For each currently registered voter whose registration is changed,
13.8 the secretary of state must transmit the registration daily by electronic means to the county
13.9 auditor of the county where the voter resides.

13.10 (b) If the applicant is not currently registered in the statewide voter registration system,
13.11 the secretary of state must determine whether the applicant is 18 years of age or older and
13.12 a citizen of the United States. The secretary of state must also compare the voter registration
13.13 information received under section 201.145 to determine whether the applicant is eligible
13.14 to vote. If an applicant is less than 18 years of age, the secretary of state must wait until the
13.15 applicant has turned 18 years of age to determine whether the applicant is eligible to vote.
13.16 For each applicant the secretary of state determines is an eligible voter, the secretary of state
13.17 must transmit the registration daily by electronic means to the county auditor of the county
13.18 where the voter resides.

13.19 (c) Any data on applicants who the secretary determines are not eligible to vote are
13.20 private data on individuals, as defined in section 13.02, subdivision 12.

13.21 (d) The county auditor must inactivate the voter's record in the statewide voter registration
13.22 system upon receipt of a written request, signed by the voter, that the registration be
13.23 inactivated.

13.24 Subd. 6. **Notice.** Upon receipt of the registration information, the county auditor must
13.25 provide to the voter the notice of registration required by section 201.121, subdivision 2.
13.26 A notice mailed under this subdivision must include information on declining the registration
13.27 within the period authorized by subdivision 2, if the voter does not wish to be registered to
13.28 vote. The secretary of state may adopt rules prescribing the notice required by this subdivision
13.29 and subdivision 2.

13.30 Subd. 7. **Prosecution of registration violations; voluntary action required.** Unless
13.31 an individual knows of the individual's ineligibility to vote and intentionally takes voluntary
13.32 action to become registered, the transfer of the individual's record under this section does
13.33 not constitute completion or submission of a voter registration application by that individual.
13.34 If an application is processed and the individual is registered by the state under this section,

14.1 the application and registration is presumed to have been officially authorized by the state
14.2 and the individual is not subject to penalty under this section or other applicable law if the
14.3 individual is subsequently determined to be ineligible.

14.4 Subd. 8. **Effective date.** A registration application completed pursuant to this section
14.5 that is dated during the 20 days before an election is not effective until the day after the
14.6 election. This subdivision does not limit the ability of a person to register to vote on election
14.7 day as provided in section 201.061, subdivision 3. Any person who submits an application
14.8 under this section that is dated during the 20 days before an election shall be provided at
14.9 the time of application with a notice advising the applicant of the procedures to register to
14.10 vote on election day.

14.11 Sec. 13. Minnesota Statutes 2020, section 201.162, is amended to read:

14.12 **201.162 DUTIES OF STATE AGENCIES.**

14.13 The commissioner or chief administrative officer of each state agency or
14.14 community-based public agency or nonprofit corporation that contracts with the state agency
14.15 to carry out obligations of the state agency shall provide voter registration services for
14.16 employees and the public, including as applicable, automatic voter registration or information
14.17 on voter eligibility and registration procedures as required under section 201.161. A person
14.18 may complete a voter registration application or apply to change a voter registration name
14.19 or address if the person has the proper qualifications on the date of application. Nonpartisan
14.20 voter registration assistance, including routinely asking members of the public served by
14.21 the agency whether they would like to register to vote and, if necessary, assisting them in
14.22 preparing the registration forms must be part of the job of appropriate agency employees.

14.23 Sec. 14. **TRANSITION TO NEW VOTER REGISTRATION APPLICATION**
14.24 **FORMS.**

14.25 After the effective date of this act, an election official may use existing voter registration
14.26 forms that do not comply with this act's requirements for applicants who are 18 years of
14.27 age or older at the time of registration. Applicants who are 16 years of age at the time of
14.28 registration must use an application form that meets the requirements in this act. Beginning
14.29 on the effective date of this act, an election official must not print or copy voter registration
14.30 applications that do not meet the requirements of this act.

ARTICLE 2

PROMOTING VOTER ACCESS

15.1
15.2
15.3 Section 1. Minnesota Statutes 2020, section 201.014, is amended by adding a subdivision
15.4 to read:

15.5 Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual convicted
15.6 of a felony has the civil right to vote restored when the individual is no longer incarcerated
15.7 for the felony conviction, or upon sentencing if no incarceration is imposed. If the individual
15.8 is later incarcerated for the same offense, the individual's civil right to vote is lost only
15.9 during the period of incarceration.

15.10 Sec. 2. Minnesota Statutes 2020, section 201.022, subdivision 1, is amended to read:

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

15.15 (1) provide for voters to submit their voter registration applications to any county auditor,
15.16 the secretary of state, or the Department of Public Safety;

15.17 (2) provide for the definition, establishment, and maintenance of a central database for
15.18 all voter registration information;

15.19 (3) provide for entering data into the statewide registration system;

15.20 (4) provide for electronic transfer of completed voter registration applications from the
15.21 Department of Public Safety to the secretary of state or the county auditor;

15.22 (5) assign a unique identifier to each legally registered voter in the state;

15.23 (6) provide for the acceptance of the Minnesota driver's license number, Minnesota state
15.24 identification number, and last four digits of the Social Security number for each voter
15.25 record;

15.26 (7) coordinate with other agency databases within the state;

15.27 (8) allow county auditors and the secretary of state to add or modify information in the
15.28 system to provide for accurate and up-to-date records;

15.29 (9) allow county auditors, municipal and school district clerks, and the secretary of state
15.30 to have electronic access to the statewide registration system for review and search
15.31 capabilities;

- 16.1 (10) provide security and protection of all information in the statewide registration
16.2 system and ensure that unauthorized access is not allowed;
- 16.3 (11) provide access to municipal clerks to use the system;
- 16.4 (12) provide a system for each county to identify the precinct to which a voter should
16.5 be assigned for voting purposes;
- 16.6 (13) provide daily reports accessible by county auditors on the driver's license numbers,
16.7 state identification numbers, or last four digits of the Social Security numbers submitted on
16.8 voter registration applications that have been verified as accurate by the secretary of state;
16.9 ~~and~~
- 16.10 (14) provide reports on the number of absentee ballots transmitted to and returned and
16.11 cast by voters under section 203B.16.; and
- 16.12 (15) provide reports necessary for early voting.

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

16.15 Sec. 3. Minnesota Statutes 2020, section 201.071, subdivision 1, is amended to read:

16.16 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
16.17 contain the same information unless otherwise provided by law. A voter registration
16.18 application must contain spaces for the following required information: voter's first name,
16.19 middle name, and last name; voter's previous name, if any; voter's current address; voter's
16.20 previous address, if any; voter's date of birth; voter's municipality and county of residence;
16.21 voter's telephone number, if provided by the voter; date of registration; current and valid
16.22 Minnesota driver's license number or Minnesota state identification number, or if the voter
16.23 has no current and valid Minnesota driver's license or Minnesota state identification, the
16.24 last four digits of the voter's Social Security number; and voter's signature. The paper
16.25 registration application may include the voter's e-mail address, if provided by the voter. The
16.26 electronic voter registration application must include the voter's e-mail address. The
16.27 registration application may include the voter's interest in serving as an election judge, if
16.28 indicated by the voter. The application must also contain the following certification of voter
16.29 eligibility:

16.30 "I certify that I:

- 16.31 (1) will be at least 18 years old on election day;
- 16.32 (2) am a citizen of the United States;

17.1 (3) will have resided in Minnesota for 20 days immediately preceding election day;

17.2 (4) maintain residence at the address given on the registration form;

17.3 (5) am not under court-ordered guardianship in which the court order revokes my right
17.4 to vote;

17.5 (6) have not been found by a court to be legally incompetent to vote;

17.6 (7) ~~have the right to vote because, if I have been convicted of a felony, my felony sentence~~
17.7 ~~has expired (been completed) or I have been discharged from my sentence~~ am not currently
17.8 incarcerated for a conviction of a felony offense; and

17.9 (8) have read and understand the following statement: that giving false information is a
17.10 felony punishable by not more than five years imprisonment or a fine of not more than
17.11 \$10,000, or both."

17.12 The certification must include boxes for the voter to respond to the following questions:

17.13 "(1) Are you a citizen of the United States?" and

17.14 "(2) Will you be 18 years old on or before election day?"

17.15 And the instruction:

17.16 "If you checked 'no' to either of these questions, do not complete this form."

17.17 The form of the voter registration application and the certification of voter eligibility
17.18 must be as provided in this subdivision and approved by the secretary of state. Voter
17.19 registration forms authorized by the National Voter Registration Act must also be accepted
17.20 as valid. The federal postcard application form must also be accepted as valid if it is not
17.21 deficient and the voter is eligible to register in Minnesota.

17.22 An individual may use a voter registration application to apply to register to vote in
17.23 Minnesota or to change information on an existing registration.

17.24 Sec. 4. **[201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT**
17.25 **VOTING RIGHTS.**

17.26 The secretary of state shall develop accurate and complete information in a single
17.27 publication about the voting rights of people who have been charged with or convicted of
17.28 a crime. This publication must be made available electronically to the state court administrator
17.29 for distribution to judges, court personnel, probation officers, and the commissioner of
17.30 corrections for distribution to corrections officials, parole and supervised release agents,
17.31 and the public.

18.1 Sec. 5. Minnesota Statutes 2020, section 203B.001, is amended to read:

18.2 **203B.001 ELECTION LAW APPLICABILITY.**

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

18.5 Sec. 6. Minnesota Statutes 2020, section 203B.01, is amended by adding a subdivision to
18.6 read:

18.7 Subd. 5. **Early voting.** "Early voting" means voting in person before election day at the
18.8 office of the county auditor or designated municipal clerk, or at any other location designated
18.9 under section 203B.33, within the time period provided in section 203B.31.

18.10 Sec. 7. Minnesota Statutes 2020, section 203B.03, subdivision 1, is amended to read:

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

18.12 (1) make or sign any false certificate required by this chapter;

18.13 (2) make any false or untrue statement in any application for absentee ballots;

18.14 (3) apply for absentee ballots more than once in any election with the intent to cast an
18.15 illegal ballot;

18.16 (4) exhibit a ballot marked by that individual to any other individual;

18.17 (5) do any act in violation of the provisions of this chapter for the purpose of casting an
18.18 illegal vote in any precinct or for the purpose of aiding another to cast an illegal vote;

18.19 (6) use information from absentee ballot or early voting materials or records for purposes
18.20 unrelated to elections, political activities, or law enforcement;

18.21 (7) provide assistance to an absentee or early voter except in the manner provided by
18.22 section 204C.15, subdivision 1;

18.23 (8) solicit the vote of an absentee or early voter while in the immediate presence of the
18.24 voter during the time the individual knows the absentee or early voter is voting; or

18.25 (9) alter an absentee ballot application after it has been signed by the voter, except by
18.26 an election official for administrative purposes.

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

19.1 Sec. 8. Minnesota Statutes 2020, section 203B.04, subdivision 5, is amended to read:

19.2 Subd. 5. **Permanent absentee voter status.** (a) An eligible voter may apply to a county
19.3 auditor or municipal clerk to automatically receive an absentee ballot ~~application~~ before
19.4 each election, other than an election by mail conducted under section 204B.45, and to have
19.5 the status as a permanent absentee voter indicated on the voter's registration record. An
19.6 eligible voter listed as an ongoing absentee voter as of July 31, 2013, pursuant to laws in
19.7 effect on that date, shall be treated as if the voter applied for status as a permanent absentee
19.8 voter pursuant to this subdivision.

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

19.12 (1) the voter's written request;

19.13 (2) the voter's death;

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

19.15 (4) a change in the voter's status to "challenged" or "inactive" in the statewide voter
19.16 registration system.

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

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

19.20 Sec. 9. Minnesota Statutes 2020, section 203B.05, subdivision 1, is amended to read:

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

19.23 (1) the county auditor of that county has designated the clerk to administer them; or

19.24 (2) the clerk has given the county auditor of that county notice of intention to administer
19.25 them.

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

19.28 A clerk of a city that is located in more than one county may only administer the
19.29 provisions of sections 203B.04 to 203B.15 and 203B.30 to 203B.35 if the clerk has been
19.30 designated by each of the county auditors or has provided notice to each of the county
19.31 auditors that the city will administer absentee voting. A clerk may only administer the

20.1 provisions of sections 203B.04 to 203B.15 if the clerk has technical capacity to access the
20.2 statewide voter registration system in the secure manner prescribed by the secretary of state.
20.3 The secretary of state must identify hardware, software, security, or other technical
20.4 prerequisites necessary to ensure the security, access controls, and performance of the
20.5 statewide voter registration system. A clerk must receive training approved by the secretary
20.6 of state on the use of the statewide voter registration system before administering this section.
20.7 A clerk may not use the statewide voter registration system until the clerk has received the
20.8 required training. The county auditor must notify the secretary of state of any municipal
20.9 clerk who will be administering the provisions of this section and the duties that the clerk
20.10 will administer.

20.11 Sec. 10. Minnesota Statutes 2020, section 203B.06, subdivision 1, is amended to read:

20.12 Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal
20.13 clerk shall prepare and print a sufficient number of blank application forms for absentee
20.14 ballots. The county auditor or municipal clerk shall deliver a blank application form to any
20.15 voter who requests one pursuant to section 203B.04. ~~Blank application forms must be mailed~~
20.16 ~~to eligible voters who have requested an application pursuant to section 203B.04, subdivision~~
20.17 ~~5, at least 60 days before:~~

20.18 ~~(1) each regularly scheduled primary for federal, state, county, city, or school board~~
20.19 ~~office;~~

20.20 ~~(2) each regularly scheduled general election for city or school board office for which~~
20.21 ~~a primary is not held; and~~

20.22 ~~(3) a special primary to fill a federal or county office vacancy or special election to fill~~
20.23 ~~a federal or county office vacancy, if a primary is not required to be held pursuant to section~~
20.24 ~~204D.03, subdivision 3, or 204D.07, subdivision 3; and~~

20.25 ~~(4) any election held in conjunction with an election described in clauses (1) to (3);~~
20.26 ~~or at least 45 days before any other primary or other election for which a primary is not~~
20.27 ~~held.~~

20.28 Sec. 11. Minnesota Statutes 2020, section 203B.06, subdivision 3, is amended to read:

20.29 Subd. 3. **Delivery of ballots.** (a) The county auditor or municipal clerk, or full-time
20.30 clerk of any city or town administering an election pursuant to section 203B.05, shall mail
20.31 absentee ballots to voters on the permanent absentee ballot list pursuant to section 203B.04,
20.32 subdivision 5, at least 46 days before:

21.1 (1) each regularly scheduled primary or general election for federal, state, county, city,
21.2 or school board office;

21.3 (2) each special primary or special election to fill a federal, state, county, city, or school
21.4 board vacancy; except

21.5 (3) town clerks administering absentee ballots for a town general election held in March
21.6 shall deliver absentee ballots at least 30 days before the election.

21.7 (b) The commissioner of corrections must provide the secretary of state with a list of
21.8 the names and mailing addresses of state adult correctional facilities. An application for an
21.9 absentee ballot that provides an address included on the list provided by the commissioner
21.10 of corrections must not be accepted and an absentee ballot must not be provided to the
21.11 applicant. The county auditor or municipal clerk must promptly transmit a copy of the
21.12 application to the county attorney. The Department of Corrections must implement procedures
21.13 to ensure that absentee ballots issued under this chapter are not received or mailed by
21.14 offenders incarcerated at state adult correctional facilities.

21.15 ~~(b)~~ (c) If an application for absentee ballots is accepted at a time when absentee ballots
21.16 are not yet available for distribution, the county auditor, or municipal clerk accepting the
21.17 application shall file it and as soon as absentee ballots are available for distribution shall
21.18 mail them to the address specified in the application. If an application for absentee ballots
21.19 is accepted when absentee ballots are available for distribution, the county auditor or
21.20 municipal clerk accepting the application shall promptly:

21.21 (1) mail the ballots to the voter whose signature appears on the application if the
21.22 application is submitted by mail and does not request commercial shipping under clause
21.23 (2);

21.24 (2) ship the ballots to the voter using a commercial shipper requested by the voter at the
21.25 voter's expense;

21.26 (3) deliver the absentee ballots directly to the voter if the application is submitted in
21.27 person; or

21.28 (4) deliver the absentee ballots in a sealed transmittal envelope to an agent who has been
21.29 designated to bring the ballots, as provided in section 203B.11, subdivision 4, to a voter
21.30 who would have difficulty getting to the polls because of incapacitating health reasons, or
21.31 who is disabled, or who is a patient in a health care facility, a resident of a facility providing
21.32 assisted living services governed by chapter 144G, a participant in a residential program

22.1 for adults licensed under section 245A.02, subdivision 14, or a resident of a shelter for
 22.2 battered women as defined in section 611A.37, subdivision 4.

22.3 ~~(e)~~ (d) If an application does not indicate the election for which absentee ballots are
 22.4 sought, the county auditor or municipal clerk shall mail or deliver only the ballots for the
 22.5 next election occurring after receipt of the application. Only one set of ballots may be mailed,
 22.6 shipped, or delivered to an applicant for any election, except as provided in section 203B.121,
 22.7 subdivision 2, or when a replacement ballot has been requested by the voter for a ballot that
 22.8 has been spoiled or lost in transit.

22.9 Sec. 12. Minnesota Statutes 2020, section 203B.07, subdivision 3, is amended to read:

22.10 Subd. 3. **Eligibility certificate.** A certificate of eligibility to vote by absentee ballot
 22.11 shall be printed on the back of the return envelope. The certificate shall contain space for
 22.12 the voter's Minnesota driver's license number, state identification number, or the last four
 22.13 digits of the voter's Social Security number, or to indicate that the voter does not have one
 22.14 of these numbers. The space must be designed to ensure that the voter provides the same
 22.15 type of identification as provided on the voter's absentee ballot application for purposes of
 22.16 comparison. The certificate must also contain a statement to be signed and sworn by the
 22.17 voter indicating that the voter meets all of the requirements established by law for voting
 22.18 by absentee ballot and space for a statement signed by a person who is registered to vote in
 22.19 Minnesota or by a notary public or other individual authorized to administer oaths stating
 22.20 that:

22.21 ~~(1) the ballots were displayed to that individual unmarked;~~

22.22 ~~(2) the voter marked the ballots in that individual's presence without showing how they~~
 22.23 ~~were marked, or, if the voter was physically unable to mark them, that the voter directed~~
 22.24 ~~another individual to mark them; and~~

22.25 ~~(3) if the voter was not previously registered, the voter has provided proof of residence~~
 22.26 ~~as required by section 201.061, subdivision 3.~~

22.27 Sec. 13. Minnesota Statutes 2020, section 203B.08, subdivision 1, is amended to read:

22.28 Subdivision 1. **Marking and return by voter.** An eligible voter who receives absentee
 22.29 ballots as provided in this chapter shall mark them in the manner specified in the directions
 22.30 for casting the absentee ballots. The return envelope containing marked ballots may be
 22.31 mailed as provided in the directions for casting the absentee ballots or may be left with the
 22.32 county auditor or municipal clerk who transmitted the absentee ballots to the voter in person

23.1 or by deposit in an absentee ballot drop box designated under section 203B.082. If delivered
 23.2 in person, the return envelope must be submitted to the county auditor or municipal clerk
 23.3 by 3:00 p.m. on election day.

23.4 The voter may designate an agent to deliver in person the sealed absentee ballot return
 23.5 envelope to the county auditor or municipal clerk or to deposit the return envelope in the
 23.6 mail. An agent may deliver or mail the return envelopes of not more than three voters in
 23.7 any election. Any person designated as an agent who tampers with either the return envelope
 23.8 or the voted ballots or does not immediately mail or deliver the return envelope to the county
 23.9 auditor or municipal clerk is guilty of a misdemeanor.

23.10 Sec. 14. Minnesota Statutes 2020, section 203B.08, subdivision 3, is amended to read:

23.11 Subd. 3. **Procedures on receipt of ballots.** When absentee ballots are returned to a
 23.12 county auditor or municipal clerk, that official shall stamp or initial and date the return
 23.13 envelope and place it in a secure location with other return envelopes received by that office.
 23.14 Within five days after receipt, the county auditor or municipal clerk shall deliver to the
 23.15 ballot board all ballots received, except that during the 14 days immediately preceding an
 23.16 election, the county auditor or municipal clerk shall deliver all ballots received to the ballot
 23.17 board within three days. Ballots received on election day ~~either (1) after 3:00 p.m., if~~
 23.18 ~~delivered in person; or (2) after 8:00 p.m., if delivered in person; ballots postmarked after~~
 23.19 election day; and ballots postmarked on or before election day but delivered more than
 23.20 seven days after election day, if delivered by mail or a package delivery service, shall be
 23.21 marked as received late by the county auditor or municipal clerk, and must not be delivered
 23.22 to the ballot board. As used in this subdivision, "postmark" means any type of imprint
 23.23 applied by the United States Postal Service to indicate the location and date the United
 23.24 States Postal Service accepted custody of a piece of mail, including a bar code, circular
 23.25 stamp, or other tracking marks.

23.26 Sec. 15. **[203B.082] ABSENTEE BALLOT DROP BOXES.**

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

24.1 Subd. 2. **Minimum standards.** The county auditor or municipal clerk must provide
24.2 locations at which a voter may deposit a completed absentee ballot in a secure drop box,
24.3 consistent with the following:

24.4 (1) at least one location must be provided for every 20,000 registered voters in the
24.5 jurisdiction. If there are fewer than 20,000 registered voters in the jurisdiction, the county
24.6 auditor or municipal clerk must provide at least one location;

24.7 (2) if more than one location is required, locations must be distributed in a manner that
24.8 ensures equitable access to the drop boxes among all voters in the jurisdiction;

24.9 (3) locations must be continually monitored by county or municipal staff, including
24.10 through the use of video surveillance or other systems meeting standards prescribed by the
24.11 secretary of state;

24.12 (4) the drop box must contain signage or markings that clearly identifies it as an official
24.13 absentee ballot return location, consistent with standards prescribed by the secretary of state;
24.14 and

24.15 (5) deposited ballots must be retrieved by the county auditor or municipal clerk on a
24.16 regular basis and at least once per day during the absentee voting period.

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

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

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

24.32 Subd. 5. **Rules.** The secretary of state must adopt rules establishing the standards required
24.33 by subdivision 2 and any other procedures necessary to implement this section.

25.1 Sec. 16. **[203B.095] ABSENTEE VOTING INSTRUCTIONS IN LANGUAGES**
25.2 **OTHER THAN ENGLISH.**

25.3 The secretary of state must prepare voting instructions in languages other than English
25.4 for use by voters casting a ballot under this chapter. At a minimum, the instructions must
25.5 be prepared and made available in print, electronic, and audio-visual formats in the Spanish,
25.6 Hmong, and Somali languages.

25.7 Sec. 17. Minnesota Statutes 2020, section 203B.12, subdivision 7, is amended to read:

25.8 Subd. 7. **Names of persons requesting an absentee ballot; rejected absentee ballots.** (a)
25.9 The names of voters who have applied for an absentee ballot are public. The names of voters
25.10 who have submitted an absentee ballot to the county auditor or municipal clerk that has not
25.11 been accepted may not be made available for public inspection until the close of voting on
25.12 election day.

25.13 (b) The secretary of state must release a public report at least weekly during the absentee
25.14 voting period on the aggregate number of received absentee ballots that were rejected and
25.15 the reasons for the rejections.

25.16 Sec. 18. Minnesota Statutes 2020, section 203B.121, subdivision 1, is amended to read:

25.17 Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county,
25.18 municipality, and school district with responsibility to accept and reject absentee ballots or
25.19 to administer early voting must, by ordinance or resolution, establish a ballot board. The
25.20 board must consist of a sufficient number of election judges trained in the handling of
25.21 absentee ballots and appointed as provided in sections 204B.19 to 204B.22. The board may
25.22 include deputy county auditors or deputy city clerks who have received training in the
25.23 processing and counting of absentee ballots.

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

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

25.28 Sec. 19. Minnesota Statutes 2020, section 203B.121, subdivision 2, is amended to read:

25.29 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board
25.30 shall take possession of all return envelopes delivered to them in accordance with section
25.31 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk,

26.1 two or more members of the ballot board shall examine each return envelope and shall mark
26.2 it accepted or rejected in the manner provided in this subdivision. Election judges performing
26.3 the duties in this section must be of different major political parties, unless they are exempt
26.4 from that requirement under section 205.075, subdivision 4, or section 205A.10, subdivision
26.5 2.

26.6 (b) The members of the ballot board shall mark the return envelope "Accepted" and
26.7 initial or sign the return envelope below the word "Accepted" if a majority of the members
26.8 of the ballot board examining the envelope are satisfied that:

26.9 (1) the voter's name and address on the return envelope are the same as the information
26.10 provided on the absentee ballot application or voter record;

26.11 (2) the voter signed the certification on the envelope;

26.12 (3) the voter's Minnesota driver's license, state identification number, or the last four
26.13 digits of the voter's Social Security number are the same as a number on the voter's absentee
26.14 ballot application or voter record. If the number does not match, the election judges must
26.15 compare the signature provided by the applicant to determine whether the ballots were
26.16 returned by the same person to whom they were transmitted;

26.17 (4) the voter is registered and eligible to vote in the precinct or has included a properly
26.18 completed voter registration application in the return envelope;

26.19 (5) the certificate has been completed as prescribed in the directions for casting an
26.20 absentee ballot; and

26.21 (6) the voter has not already voted at that election, either in person or, if it is after the
26.22 close of business on the seventh day before the election, by absentee ballot.

26.23 The return envelope from accepted ballots must be preserved and returned to the county
26.24 auditor.

26.25 (c)(1) If a majority of the members of the ballot board examining a return envelope find
26.26 that an absentee voter has failed to meet one of the requirements provided in paragraph (b),
26.27 they shall mark the return envelope "Rejected," initial or sign it below the word "Rejected,"
26.28 list the reason for the rejection on the envelope, and return it to the county auditor. There
26.29 is no other reason for rejecting an absentee ballot beyond those permitted by this section.
26.30 Failure to place the ballot within the security envelope before placing it in the outer white
26.31 envelope is not a reason to reject an absentee ballot.

27.1 (2) If an envelope has been rejected at least five days before the election, the envelope
 27.2 must remain sealed and the official in charge of the ballot board shall provide the voter with
 27.3 a replacement absentee ballot and return envelope in place of the rejected ballot.

27.4 (3) If an envelope is rejected within five days of the election, the envelope must remain
 27.5 sealed and the official in charge of the ballot board must attempt to contact the voter by
 27.6 telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official
 27.7 must document the attempts made to contact the voter.

27.8 (d) The official in charge of the absentee ballot board must mail the voter a written notice
 27.9 of absentee ballot rejection between six and ten weeks following the election. If the official
 27.10 determines that the voter has otherwise cast a ballot in the election, no notice is required.
 27.11 If an absentee ballot arrives after the deadline for submission provided by this chapter, the
 27.12 notice must be provided between six to ten weeks after receipt of the ballot. A notice of
 27.13 absentee ballot rejection must contain the following information:

27.14 (1) the date on which the absentee ballot was rejected or, if the ballot was received after
 27.15 the required deadline for submission, the date on which the ballot was received;

27.16 (2) the reason for rejection; and

27.17 (3) the name of the appropriate election official to whom the voter may direct further
 27.18 questions, along with appropriate contact information.

27.19 (e) An absentee ballot return envelope marked "Rejected" may not be opened or subject
 27.20 to further review except in an election contest filed pursuant to chapter 209.

27.21 Sec. 20. Minnesota Statutes 2020, section 203B.121, is amended by adding a subdivision
 27.22 to read:

27.23 Subd. 2a. **Duties of ballot board; early voting.** The members of the ballot board shall
 27.24 administer the process of early voting as prescribed in section 203B.35 and shall make a
 27.25 record of voters who cast ballots early and count those ballots as provided in subdivisions
 27.26 4 and 5.

27.27 Sec. 21. Minnesota Statutes 2020, section 203B.121, subdivision 3, is amended to read:

27.28 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk
 27.29 must immediately record that a voter's absentee ballot has been accepted or that the voter
 27.30 has cast a ballot pursuant to the early voting procedures provided in this chapter. A voter
 27.31 whose record indicates that the voter has cast an early ballot must not be permitted to cast
 27.32 another ballot in that election. After the close of business on the ~~seventh day before the~~

28.1 ~~election~~ day prior to the beginning of the early voting period as provided in section 203B.31,
28.2 a voter whose record indicates that an absentee ballot has been accepted must not be permitted
28.3 to cast another ballot at that election. In a state primary, general, or state special election
28.4 for federal ~~or~~, state, or county office, the auditor or clerk must also record this information
28.5 in the statewide voter registration system.

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

28.10 (1) by the county auditor or municipal clerk before election day;

28.11 (2) by the ballot board before election day; or

28.12 (3) by the election judges at the polling place on election day.

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

28.16 Sec. 22. Minnesota Statutes 2020, section 203B.121, subdivision 4, is amended to read:

28.17 Subd. 4. **Opening of envelopes.** After the close of business on the ~~seventh day before~~
28.18 ~~the election~~ day prior to the beginning of the early voting period as provided in section
28.19 203B.31, the ballots from return envelopes marked "Accepted" may be opened, duplicated
28.20 as needed in the manner provided in section 206.86, subdivision 5, initialed by the members
28.21 of the ballot board, and deposited in the appropriate ballot box. If more than one voted ballot
28.22 is enclosed in the ballot envelope, the ballots must be returned in the manner provided by
28.23 section 204C.25 for return of spoiled ballots, and may not be counted.

28.24 Sec. 23. Minnesota Statutes 2020, section 203B.121, subdivision 5, is amended to read:

28.25 Subd. 5. **Storage and counting of absentee and early voting ballots.** (a) On a day on
28.26 which absentee or early voting ballots are inserted into a ballot box, two members of the
28.27 ballot board must:

28.28 (1) remove the ballots from the ballot box at the end of the day;

28.29 (2) without inspecting the ballots, ensure that the number of ballots removed from the
28.30 ballot box is equal to the number of voters who cast early votes and whose absentee ballots
28.31 were accepted that day; and

29.1 (3) seal and secure all voted and unvoted ballots present in that location at the end of
29.2 the day.

29.3 (b) After the polls have closed on election day, two members of the ballot board must
29.4 count the ballots, tabulating the vote in a manner that indicates each vote of the voter and
29.5 the total votes cast for each candidate or question. In state primary and state general elections,
29.6 the results must indicate the total votes cast for each candidate or question in each precinct
29.7 and report the vote totals tabulated for each precinct. The count must be recorded on a
29.8 summary statement in substantially the same format as provided in section 204C.26. The
29.9 ballot board shall submit at least one completed summary statement to the county auditor
29.10 or municipal clerk. The county auditor or municipal clerk may require the ballot board to
29.11 submit a sufficient number of completed summary statements to comply with the provisions
29.12 of section 204C.27, or the county auditor or municipal clerk may certify reports containing
29.13 the details of the ballot board summary statement to the recipients of the summary statements
29.14 designated in section 204C.27.

29.15 In state primary and state general elections, these vote totals shall be added to the vote
29.16 totals on the summary statements of the returns for the appropriate precinct. In other elections,
29.17 these vote totals may be added to the vote totals on the summary statement of returns for
29.18 the appropriate precinct or may be reported as a separate total.

29.19 The count shall be public. No vote totals from ballots may be made public before the
29.20 close of voting on election day.

29.21 (c) In addition to the requirements of paragraphs (a) and (b), if the task has not been
29.22 completed previously, the members of the ballot board must verify as soon as possible, but
29.23 no later than 24 hours after the end of the hours for voting, that voters whose absentee ballots
29.24 arrived after the rosters were marked or supplemental reports were generated and whose
29.25 ballots were accepted did not vote in person on election day. An absentee ballot submitted
29.26 by a voter who has voted in person on election day must be rejected. All other accepted
29.27 absentee ballots must be opened, duplicated if necessary, and counted by members of the
29.28 ballot board. The vote totals from these ballots must be incorporated into the totals with the
29.29 other absentee ballots and handled according to paragraph (b).

29.30 Sec. 24. **[203B.30] EARLY VOTING; APPLICABILITY.**

29.31 (a) Any eligible voter may vote in person in a federal, state, or county election prior to
29.32 the date of the election, in the manner provided in sections 203B.31 to 203B.35.

30.1 (b)(1) Subject to clause (2), for city elections not held in conjunction with a federal,
30.2 state, or county election, the city may authorize eligible voters to vote in the manner provided
30.3 in sections 203B.31 to 203B.35 upon resolution of the governing body of the city, adopted
30.4 prior to the first day for filing affidavits of candidacy for the election. In the case of a home
30.5 rule charter city, authorization may alternatively be made by amendment to the city's charter
30.6 for this purpose.

30.7 (2) A city may only authorize voting under sections 203B.31 to 203B.35 if the municipal
30.8 clerk has the technical capacity to access the statewide voter registration system in the secure
30.9 manner prescribed by the secretary of state. The secretary of state must identify hardware,
30.10 software, security, or other technical prerequisites necessary to ensure the security, access
30.11 controls, and performance of the statewide voter registration system. The clerk must receive
30.12 training approved by the secretary of state on the use of the statewide voter registration
30.13 system before administering voting authorized under this paragraph. The clerk may not use
30.14 the statewide voter registration system until the clerk has received the required training.
30.15 The secretary of state may adopt rules using the exempt rulemaking procedure in section
30.16 14.386 as necessary to implement these requirements.

30.17 **Sec. 25. [203B.31] TIME PERIOD FOR EARLY VOTING.**

30.18 Early voting must be available to any eligible voter as provided in section 203B.32 for
30.19 every primary, general, and special election subject to early voting under section 203B.30
30.20 from 30 days before the election through 5:00 p.m. on the day before the election. All voters
30.21 in line at 5:00 p.m. on the day before the election must be allowed to vote in the same manner
30.22 as provided in section 204C.05, subdivision 2.

30.23 **Sec. 26. [203B.32] HOURS FOR EARLY VOTING.**

30.24 Early voting must be available between the hours of 8:00 a.m. and 4:30 p.m. on each
30.25 weekday during the time period provided in section 203B.31, from 8:00 a.m. to 8:00 p.m.
30.26 on at least one weekday, and from 10:00 a.m. to 5:00 p.m. on the two Saturdays before the
30.27 election.

30.28 **Sec. 27. [203B.33] LOCATIONS FOR EARLY VOTING.**

30.29 (a) Early voting must be made available at polling places designated in the county
30.30 auditor's offices in county-owned or operated buildings, at the municipal clerk's office in
30.31 every municipality that has been delegated the responsibility to administer absentee voting
30.32 as provided in section 203B.05 or which is conducting an election that includes early voting

31.1 as authorized in section 203B.30, and at any other county or city-owned or operated buildings
31.2 designated by the county auditor or municipal clerk. The county auditor or municipal clerk
31.3 must designate a sufficient number of locations to ensure that one polling place exists for
31.4 every 50,000 people in the county and that locations are geographically distributed to ensure
31.5 a reasonable opportunity for all eligible voters in the county to vote early. If a sufficient
31.6 number of county or city-owned buildings are not suitable for use as early voting locations,
31.7 the county auditor or municipal clerk may contract for the use of other suitable locations
31.8 that meet the standards required by law for operation of a polling place. At least one voting
31.9 station and one ballot marking device for disabled voters must be made available in each
31.10 polling place.

31.11 (b) The county auditor or municipal clerk must make an electronic ballot counter available
31.12 in each polling place.

31.13 (c) This section does not prohibit the county auditor from establishing additional polling
31.14 places, other than those required by paragraph (a), that are open for fewer than 46 days. If
31.15 a polling place is open fewer than 46 days before the election, the county auditor or municipal
31.16 clerk must post the polling place location and hours of operation on the jurisdiction's website
31.17 and must inform the secretary of state of the polling place's location and hours.

31.18 **Sec. 28. [203B.34] NOTICE TO VOTERS.**

31.19 The county auditor or municipal clerk must prepare a notice to the voters of the days,
31.20 times, and locations for early voting. This notice must be posted on the county's website,
31.21 if applicable, and the website for each municipality in the county where an early voting
31.22 location is designated for the election at least 14 days before the first day for early voting.
31.23 If a county or municipality does not have a website, the county auditor or municipal clerk
31.24 must publish the notice at least once in the jurisdiction's official newspaper at least seven
31.25 days and not more than 14 days before the first day for early voting.

31.26 **Sec. 29. [203B.35] PROCEDURES FOR EARLY VOTING.**

31.27 Subdivision 1. **Voting procedure.** (a) Each voter shall sign the certification provided
31.28 in section 204C.10. An individual who is not registered to vote must register in the manner
31.29 provided in section 201.061, subdivision 3.

31.30 (b) After the voter has signed the certification, a member of the ballot board must provide
31.31 a ballot to the voter. Ballots must be prepared and distributed by members of the ballot
31.32 board in the manner provided in section 204C.09. The voter must mark the ballot and deposit

32.1 it in either a precinct voting system or a sealed ballot box. A voter may not leave the polling
 32.2 place with the ballot.

32.3 Subd. 2. **Processing of ballots.** Ballots cast pursuant to sections 203B.30 to 203B.35
 32.4 must be processed and counted by a ballot board.

32.5 Sec. 30. Minnesota Statutes 2020, section 204B.28, subdivision 2, is amended to read:

32.6 Subd. 2. **Election supplies; duties of county auditors and clerks.** (a) Except as
 32.7 otherwise provided for absentee ballots in this section and in section 204B.35, subdivision
 32.8 4, the county auditor shall complete the preparation of the election materials for which the
 32.9 auditor is responsible at least four days before every state primary and state general election.
 32.10 At any time after all election materials are available from the county auditor but not later
 32.11 than four days before the election each municipal clerk shall secure from the county auditor:

32.12 ~~(a)~~ (1) the forms that are required for the conduct of the election;

32.13 ~~(b)~~ (2) any printed voter instruction materials furnished by the secretary of state;

32.14 ~~(c)~~ (3) any other instructions for election officers; and

32.15 ~~(d)~~ (4) a sufficient quantity of the official ballots, registration files, envelopes for ballot
 32.16 returns, and other supplies and materials required for each precinct in order to comply with
 32.17 the provisions of the Minnesota Election Law. The county auditor may furnish the election
 32.18 supplies to the municipal clerks in the same manner as the supplies are furnished to precincts
 32.19 in unorganized territory pursuant to section 204B.29, subdivision 1.

32.20 (b) The county auditor must prepare and make available election materials for early
 32.21 voting to city clerks designated to administer early voting under section 203B.05 at least
 32.22 one day prior to the beginning of the early voting period as provided in section 203B.31.

32.23 Sec. 31. [204B.295] VOTING INSTRUCTIONS AND SAMPLE BALLOTS IN
 32.24 LANGUAGES OTHER THAN ENGLISH; MULTILINGUAL ELECTION JUDGES.

32.25 Subdivision 1. **Duty.** The secretary of state or county auditor must contract with a
 32.26 translator certified by the American Translators Association to develop voting instructions
 32.27 and sample ballots in languages other than English, to be made available in polling places
 32.28 during elections as required by this section. At a minimum, voting instructions and sample
 32.29 ballots must be prepared and made available in print, electronic, and audio-visual formats
 32.30 in the Spanish, Hmong, and Somali languages.

33.1 Subd. 2. Designation of language minority districts. No later than 90 days before an
33.2 election, the secretary of state or county auditor, in consultation with the state demographer,
33.3 must determine the number of residents of voting age in each school district who are members
33.4 of a language minority and who lack sufficient skills in English to vote without assistance.

33.5 Subd. 3. Translation required; designated election judges. (a) If the number of
33.6 residents determined under subdivision 2 equals three percent or more of the voting-age
33.7 residents of a district, or if interested citizens or organizations provide information that
33.8 gives the secretary of state or county auditor sufficient reason to believe a need exists, at
33.9 least two copies of the translated voting instructions and sample ballot must be provided to
33.10 each precinct in that district during any regular or special state or local election conducted
33.11 in that district.

33.12 (b) If the number of residents determined under subdivision 2 equals 20 percent or more
33.13 of the voting-age residents of a district, or if interested citizens or organizations provide
33.14 information that gives the secretary of state or county auditor sufficient reason to believe a
33.15 need exists, at least four copies of the translated voting instructions and sample ballot must
33.16 be provided to each precinct in that district during any regular or special state or local
33.17 election conducted in that district. In these precincts, at least one election judge appointed
33.18 under section 204B.22 must be certified by the American Translators Association to translate
33.19 in a specified language if ten or more registered voters in the precinct file a request for
33.20 interpretive services for that language with the secretary of state or county auditor at least
33.21 30 days prior to the date of the election. This election judge must wear a name tag or other
33.22 badge indicating the election judge's language certification.

33.23 Subd. 4. Use of materials; notice required. The translated voting instructions and
33.24 sample ballots required by this section must be made available for use by voters as a reference
33.25 when completing and casting an official ballot. In addition to the number of copies required,
33.26 at least one sample ballot and set of instructions in each applicable language, along with a
33.27 notice written in that language indicating the availability of those materials, must be posted
33.28 in a conspicuous location in each polling place.

33.29 Sec. 32. Minnesota Statutes 2020, section 204C.10, is amended to read:

33.30 **204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;**
33.31 **VOTER RECEIPT.**

33.32 (a) An individual seeking to vote shall sign a polling place roster or voter signature
33.33 certificate which states that the individual:

34.1 (1) is at least 18 years of age;

34.2 (2) a citizen of the United States;

34.3 (3) has resided in Minnesota for 20 days immediately preceding the election;

34.4 (4) maintains residence at the address shown;

34.5 (5) is not under a guardianship in which the court order revokes the individual's right to
34.6 vote;

34.7 (6) has not been found by a court of law to be legally incompetent to vote;

34.8 (7) has the right to vote because, if the individual was convicted of a felony, ~~the felony~~
34.9 ~~sentence has expired or been completed or the individual has been discharged from the~~
34.10 ~~sentence~~, completed the term of incarceration, if any, for the conviction;

34.11 (8) is registered; and

34.12 (9) has not already voted in the election.

34.13 The roster must also state: "I understand that deliberately providing false information
34.14 is a felony punishable by not more than five years imprisonment and a fine of not more than
34.15 \$10,000, or both."

34.16 (b) At the presidential nomination primary, the polling place roster must also state: "I
34.17 am in general agreement with the principles of the party for whose candidate I intend to
34.18 vote." This statement must appear separately from the statements required in paragraph (a).
34.19 The felony penalty provided for in paragraph (a) does not apply to this paragraph.

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

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

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

35.1 Sec. 33. Minnesota Statutes 2020, section 204C.15, subdivision 1, is amended to read:

35.2 Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for
35.3 assistance because of inability to read English or physical inability to mark a ballot may
35.4 obtain the aid of two election judges who are members of different major political parties.
35.5 The election judges shall mark the ballots as directed by the voter and in as secret a manner
35.6 as circumstances permit. A voter in need of assistance may alternatively obtain the assistance
35.7 of any individual the voter chooses. Only the following persons may not provide assistance
35.8 to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the
35.9 voter's union, or a candidate for election. The person who assists the voter shall,
35.10 unaccompanied by an election judge, retire with that voter to a booth and mark the ballot
35.11 as directed by the voter. ~~No person who assists another voter as provided in the preceding~~
35.12 ~~sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots
35.13 are deposited, the voter may show them privately to an election judge to ascertain that they
35.14 are marked as the voter directed. An election judge or other individual assisting a voter shall
35.15 not in any manner request, persuade, induce, or attempt to persuade or induce the voter to
35.16 vote for any particular political party or candidate. The election judges or other individuals
35.17 who assist the voter shall not reveal to anyone the name of any candidate for whom the
35.18 voter has voted or anything that took place while assisting the voter.

35.19 Sec. 34. Minnesota Statutes 2020, section 206.82, subdivision 1, is amended to read:

35.20 Subdivision 1. **Program.** A program or programs for use in an election conducted by
35.21 means of an electronic voting system or using an electronic ballot marker shall be prepared
35.22 at the direction of the county auditor or municipal clerk who is responsible for the conduct
35.23 of the election and shall be independently verified by a competent person designated by
35.24 that official. The term "competent person" as used in this section means a person who can
35.25 demonstrate knowledge as a computer programmer and who is other than and wholly
35.26 independent of any person operating or employed by the counting center or the corporation
35.27 or other preparer of the program. A test deck prepared by a competent person shall be used
35.28 for independent verification of the program; it shall test the maximum digits used in totaling
35.29 the returns and shall be usable by insertion during the tabulation process as well as prior to
35.30 tabulation. A test deck must also be prepared using the electronic ballot marker program
35.31 and must also be used to verify that all valid votes counted by the vote tabulator may be
35.32 selected using the electronic ballot marker. The computer program for any election and an
35.33 exact duplicate of the program for use as backup must be completed and delivered to the
35.34 election jurisdiction or the county auditor in charge of a common central counting center

36.1 at least 40 days prior to the election. The secretary of state shall adopt rules further specifying
36.2 test procedures.

36.3 Sec. 35. Minnesota Statutes 2020, section 206.83, is amended to read:

36.4 **206.83 TESTING OF VOTING SYSTEMS.**

36.5 ~~Within 14~~ At least 37 days before election day, the official in charge of elections shall
36.6 have the voting system tested to ascertain that the system will correctly mark ballots using
36.7 all methods supported by the system, including through assistive technology, and count the
36.8 votes cast for all candidates and on all questions. Public notice of the time and place of the
36.9 test must be given at least two days in advance by publication once in official newspapers.
36.10 The test must be observed by at least two election judges, who are not of the same major
36.11 political party, and must be open to representatives of the political parties, candidates, the
36.12 press, and the public. The test must be conducted by (1) processing a preaudited group of
36.13 ballots punched or marked to record a predetermined number of valid votes for each candidate
36.14 and on each question, and must include for each office one or more ballot cards which have
36.15 votes in excess of the number allowed by law in order to test the ability of the voting system
36.16 tabulator and electronic ballot marker to reject those votes; and (2) processing an additional
36.17 test deck of ballots marked using the electronic ballot marker for the precinct, including
36.18 ballots marked using the electronic ballot display, audio ballot reader, and any assistive
36.19 voting technology used with the electronic ballot marker. If any error is detected, the cause
36.20 must be ascertained and corrected and an errorless count must be made before the voting
36.21 system may be used in the election. After the completion of the test, the programs used and
36.22 ballot cards must be sealed, retained, and disposed of as provided for paper ballots.

36.23 Sec. 36. **[243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.**

36.24 Subdivision 1. **Correctional facilities; designation of official.** The chief executive
36.25 officer of each state and local correctional facility shall designate an official within the
36.26 facility to provide the notice and application required under this section to a person to whom
36.27 the civil right to vote is restored by reason of the person's release from actual incarceration.
36.28 The official shall maintain an adequate supply of voter registration applications and
36.29 informational materials for this purpose.

36.30 Subd. 2. **Notice requirement.** A notice of restoration of the civil right to vote and a
36.31 voter registration application must be provided as follows:

37.1 (1) the chief executive officer of each state and local correctional facility shall provide
37.2 the notice and application to a person being released from the facility following incarceration
37.3 for a felony-level offense; and

37.4 (2) a probation officer or supervised release agent shall provide the notice and application
37.5 to all individuals under correctional supervision for a felony-level offense.

37.6 Subd. 3. **Form of notice.** The notice required by subdivision 2 must appear substantially
37.7 as follows:

37.8 **"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.**

37.9 Your receipt of this notice today means that your right to vote in Minnesota has been
37.10 restored. Before you can vote on election day, you still need to register to vote. To register,
37.11 you may complete a voter registration application and return it to the Office of the Minnesota
37.12 Secretary of State. You may also register to vote in your polling place on election day. You
37.13 will not be permitted to cast a ballot until you register to vote. The first time you appear at
37.14 your polling place to cast a ballot, you may be required to provide proof of your current
37.15 residence."

37.16 Subd. 4. **Failure to provide notice.** A failure to provide proper notice as required by
37.17 this section does not prevent the restoration of the person's civil right to vote.

37.18 Sec. 37. Minnesota Statutes 2020, section 609.165, subdivision 1, is amended to read:

37.19 Subdivision 1. **Restoration.** When a person has been deprived of civil rights by reason
37.20 of conviction of a crime and is thereafter discharged, such discharge shall restore the person
37.21 to all civil rights and to full citizenship, ~~with full right to vote and hold office,~~ the same as
37.22 if such conviction had not taken place, and the order of discharge shall so provide.

37.23 Sec. 38. **REPEALER.**

37.24 Minnesota Statutes 2020, section 203B.081, subdivision 3, is repealed.

37.25 Sec. 39. **EFFECTIVE DATE; APPLICABILITY.**

37.26 Except where otherwise provided, this article is effective and applies to elections held
37.27 on or after August 1, 2021. The provisions of this act related to early voting are effective
37.28 when the secretary of state has certified that:

37.29 (1) the statewide voter registration system has been tested and shown to properly allow
37.30 for the tracking of the information required to conduct early voting and can handle the
37.31 expected volume of use; and

38.1 (2) precinct voting equipment that can tabulate at least 30 different ballot styles has been
 38.2 certified for use in this state. Upon certification pursuant to this section, the provisions of
 38.3 this act related to early voting apply to all federal, state, and county elections held on August
 38.4 1, 2021, and thereafter. A jurisdiction may implement the requirements of this act prior to
 38.5 the date provided in this section if the secretary of state has made the required certifications
 38.6 at least 90 days prior to the date of the election at which early voting will be used.

38.7 ARTICLE 3

38.8 PROHIBITING VOTER INTIMIDATION AND SAFEGUARDING ELECTIONS 38.9 SYSTEM

38.10 Section 1. Minnesota Statutes 2020, section 5.30, subdivision 2, is amended to read:

38.11 Subd. 2. **Appropriation.** ~~Notwithstanding section 4.07, Money in the Help America~~
 38.12 ~~Vote Act account may be spent only pursuant to direct appropriations enacted from time to~~
 38.13 ~~time by law. Money in the account must be spent~~ is appropriated to the secretary of state
 38.14 to improve the administration of elections in accordance with the Help America Vote Act,
 38.15 the state plan certified by the governor under the act, and for reporting and administrative
 38.16 requirements under the act and plan. To the extent required by federal law, money in the
 38.17 account must be used in a manner that is consistent with the maintenance of effort
 38.18 requirements of section 254(a)(7) of the Help America Vote Act, Public Law 107-252,
 38.19 based on the level of state expenditures for the fiscal year ending June 30, 2000.

38.20 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 38.21 applies to any balances of money in the Help America Vote Act account existing on or after
 38.22 that date.

38.23 Sec. 2. Minnesota Statutes 2020, section 8.31, subdivision 1, is amended to read:

38.24 Subdivision 1. **Investigate offenses against provisions of certain designated sections;**
 38.25 **assist in enforcement.** The attorney general shall investigate violations of and assist in the
 38.26 enforcement of the following laws as in this section provided:

38.27 (1) the law of this state respecting unfair, discriminatory, and other unlawful practices
 38.28 in business, commerce, or trade, and specifically, but not exclusively, the Nonprofit
 38.29 Corporation Act (sections 317A.001 to 317A.909), the Act Against Unfair Discrimination
 38.30 and Competition (sections 325D.01 to 325D.07), the Unlawful Trade Practices Act (sections
 38.31 325D.09 to 325D.16), the Antitrust Act (sections 325D.49 to 325D.66), section 325F.67
 38.32 and other laws against false or fraudulent advertising, the antidiscrimination acts contained
 38.33 in section 325D.67, the act against monopolization of food products (section 325D.68), the

39.1 act regulating telephone advertising services (section 325E.39), the Prevention of Consumer
 39.2 Fraud Act (sections 325F.68 to 325F.70), and chapter 53A regulating currency exchanges
 39.3 ~~and assist in the enforcement of those laws as in this section provided;~~ and

39.4 (2) section 211B.075 regulating voter intimidation, interference, and deceptive practices
 39.5 in elections.

39.6 Sec. 3. **[211B.075] VOTER INTIMIDATION, INTERFERENCE, AND DECEPTIVE**
 39.7 **PRACTICES PROHIBITED; CIVIL ENFORCEMENT.**

39.8 Subdivision 1. Intimidation. (a) A person, whether acting under color of law or
 39.9 otherwise, may not directly or indirectly use or threaten force, coercion, violence, restraint,
 39.10 damage, harm, or loss, including loss of employment or economic reprisal against:

39.11 (1) an individual with respect to registering or abstaining from registering to vote, voting
 39.12 or abstaining from voting, or voting for or against a candidate or ballot question;

39.13 (2) an elections official with respect to the performance of duties related to election
 39.14 administration; or

39.15 (3) any person with respect to that person's efforts to encourage another to cast a ballot
 39.16 or assist another in registering to vote, traveling to a polling place, casting a ballot, or
 39.17 participating in any other aspect of the election process.

39.18 (b) In an action brought to prevent and restrain violations of this section or to require
 39.19 the payment of civil penalties, the moving party may show that the action or attempted
 39.20 action would cause a reasonable person to feel intimidated. The moving party does not need
 39.21 to show that the actor intended to cause the victim to feel intimidated.

39.22 Subd. 2. Deceptive practices. (a) No person, whether acting under color of law or
 39.23 otherwise, shall within 60 days of an election cause, by any means, information to be
 39.24 transmitted that the person:

39.25 (1) intends to impede or prevent another person from exercising the right to vote; and

39.26 (2) knows to be materially false.

39.27 (b) The prohibition in this subdivision includes but is not limited to information regarding
 39.28 the time, place, or manner of holding an election; the qualifications for or restrictions on
 39.29 voter eligibility at an election; and threats to physical safety associated with casting a ballot.

39.30 Subd. 3. Interference with registration or voting. No person, whether acting under
 39.31 color of law or otherwise, shall intentionally hinder, interfere with, or prevent another person

40.1 from voting, registering to vote, or aiding another person in casting a ballot or registering
40.2 to vote.

40.3 Subd. 4. **Vicarious liability; conspiracy.** A person, whether acting under color of law
40.4 or otherwise, may be held vicariously liable for any damages resulting from the violation
40.5 of this section and may be identified in an order restraining violations of this section if that
40.6 person:

40.7 (1) intentionally aids, advises, hires, counsels, abets, incites, compels, or coerces a person
40.8 to violate any provision of this section or attempts to aid, advise, hire, counsel, abet, incite,
40.9 compel, or coerce a person to violate any provision of this section; or

40.10 (2) conspires, combines, agrees, or arranges with another to either commit a violation
40.11 of this section or aid, advise, hire, counsel, abet, incite, compel, or coerce a third person to
40.12 violate any provision of this section.

40.13 Subd. 5. **Enforcement.** (a) The attorney general or any injured person may enforce this
40.14 section consistent with the authority provided in section 8.31. An action filed by an injured
40.15 person under section 8.31, subdivision 3a, is in the public interest.

40.16 (b) Remedies allowable under this section are cumulative and do not restrict any other
40.17 right or remedy otherwise available to an injured person. An action for a penalty or remedy
40.18 under this section must be brought within two years of the date the violation is alleged to
40.19 have occurred. The complaint process provided in sections 211B.31 to 211B.36 does not
40.20 apply to violations of this section.

40.21 Sec. 4. **[211B.076] VOTER INTIMIDATION, INTERFERENCE, AND DECEPTIVE**
40.22 **PRACTICES PROHIBITED; CRIMINAL PENALTIES.**

40.23 Subdivision 1. **Intimidation.** A person is guilty of a crime if the person, whether acting
40.24 under color of law or otherwise, directly or indirectly uses or threatens force, coercion,
40.25 violence, restraint, damage, harm, or loss, including loss of employment or economic reprisal
40.26 against another with the intent to:

40.27 (1) compel an individual to register or abstain from registering to vote, vote or abstain
40.28 from voting, or vote for or against a candidate or ballot question;

40.29 (2) influence an elections official in the performance of duties related to election
40.30 administration; or

41.1 (3) interfere with any person's efforts to encourage another to cast a ballot or assist
41.2 another person in registering to vote, traveling to a polling place, casting a ballot, or
41.3 participating in any other aspect of the election process.

41.4 Subd. 2. **Deceptive practices.** (a) A person is guilty of a crime if the person, whether
41.5 acting under color of law or otherwise, within 60 days of an election causes, by any means,
41.6 information to be transmitted that the person:

41.7 (1) intends to impede or prevent another person from exercising the right to vote; and

41.8 (2) knows to be materially false.

41.9 (b) The prohibition in this subdivision includes but is not limited to information regarding
41.10 the time, place, or manner of holding an election; the qualifications for or restrictions on
41.11 voter eligibility at an election; and threats to physical safety associated with casting a ballot.

41.12 Subd. 3. **Interference with registration or voting.** A person is guilty of a crime if the
41.13 person, whether acting under color of law or otherwise, intentionally hinders, interferes
41.14 with, or prevents another person from voting, registering to vote, or aiding another person
41.15 in casting a ballot or registering to vote.

41.16 Subd. 4. **Enforcement.** The complaint process provided in sections 211B.31 to 211B.36
41.17 does not apply to violations of this section.

41.18 Subd. 5. **Penalty.** A person who violates this section is guilty of a gross misdemeanor.

41.19 **EFFECTIVE DATE.** This section is effective August 1, 2021, and applies to crimes
41.20 committed on or after that date.

41.21 Sec. 5. Minnesota Statutes 2020, section 211B.32, subdivision 1, is amended to read:

41.22 Subdivision 1. **Administrative remedy; exhaustion.** (a) Except as provided in ~~paragraph~~
41.23 paragraphs (b) and (c), a complaint alleging a violation of chapter 211A or 211B must be
41.24 filed with the office. The complaint must be finally disposed of by the office before the
41.25 alleged violation may be prosecuted by a county attorney.

41.26 (b) Complaints arising under those sections and related to those individuals and
41.27 associations specified in section 10A.022, subdivision 3, must be filed with the Campaign
41.28 Finance and Public Disclosure Board.

41.29 (c) Violations of sections 211B.075 and 211B.076 may be enforced as provided in those
41.30 sections.

ARTICLE 5

INCREASING TRANSPARENCY AND DISCLOSURE OF SECRET SPENDING

Section 1. Minnesota Statutes 2020, section 10A.01, subdivision 16a, is amended to read:

Subd. 16a. **Expressly advocating.** "Expressly advocating" means:

(1) that a communication clearly identifies a candidate and uses words or phrases of express advocacy;

(2) that a communication when taken as a whole and with limited reference to external events, such as the proximity to the election, is susceptible of no reasonable interpretation other than as an appeal advocating the election or defeat of one or more clearly identified candidates; or

(3) that a communication promotes, supports, criticizes, or opposes a candidate, regardless of whether the communication expressly advocates the election or defeat of a candidate.

Sec. 2. Minnesota Statutes 2020, section 211B.04, subdivision 2, is amended to read:

Subd. 2. **Independent expenditures.** (a) The required form of the disclaimer on a written independent expenditure is: "This is an independent expenditure prepared and paid for by (name of entity participating in the expenditure), (address). It is not coordinated with or approved by any candidate nor is any candidate responsible for it. The top three contributors funding this expenditure are (1)....., (2)....., and (3)....." The address must be either the entity's mailing address or the entity's website, if the website includes the entity's mailing address. When a written independent expenditure is produced and disseminated without cost, the words "and paid for" may be omitted from the disclaimer.

(b) The required form of the disclaimer on a broadcast independent expenditure is: "This independent expenditure is paid for by (name of entity participating in the expenditure). It is not coordinated with or approved by any candidate nor is any candidate responsible for it. The top three contributors funding this expenditure are (1)....., (2)....., and (3)....." When a broadcast independent expenditure is produced and disseminated without cost, the following disclaimer may be used: "..... (name of entity participating in the expenditure) is responsible for the contents of this independent expenditure. It is not coordinated with or approved by any candidate nor is any candidate responsible for it."

(c) The listing of the top three contributors required to be included in a disclaimer under this subdivision must identify by name the three individuals or entities making the largest contribution required to be reported under chapter 10A to the expending entity during the

43.1 12-month period preceding the first date at which the expenditure was published or presented
43.2 to the public. Contributions to the expending entity that are segregated, tracked, and used
43.3 for purposes other than the expenditure requiring the disclaimer should not be included in
43.4 calculating the top three contributors required to be identified under this subdivision.

43.5 Sec. 3. Minnesota Statutes 2020, section 211B.04, subdivision 3, is amended to read:

43.6 Subd. 3. **Material that does not need a disclaimer.** (a) This section does not apply to
43.7 fund-raising tickets, business cards, personal letters, or similar items that are clearly being
43.8 distributed by the candidate.

43.9 (b) This section does not apply to an individual or association that is not required to
43.10 register or report under chapter 10A or 211A.

43.11 (c) This section does not apply to the following:

43.12 (1) bumper stickers, pins, buttons, pens, or similar small items on which the disclaimer
43.13 cannot be conveniently printed; and

43.14 (2) skywriting, wearing apparel, or other means of displaying an advertisement of such
43.15 a nature that the inclusion of a disclaimer would be impracticable; ~~and.~~

43.16 ~~(3) online banner ads and similar electronic communications that link directly to an~~
43.17 ~~online page that includes the disclaimer.~~

43.18 (d) This section does not modify or repeal section 211B.06.

43.19 Sec. 4. Minnesota Statutes 2020, section 211B.04, is amended by adding a subdivision to
43.20 read:

43.21 Subd. 3a. **Certain electronic communications and advertisements.** Notwithstanding
43.22 subdivisions 1 and 2, the Campaign Finance and Public Disclosure Board must adopt rules
43.23 using the expedited process in section 14.389 to specify the form and content of the disclaimer
43.24 required by those subdivisions for small electronic communications on which the full
43.25 disclaimer cannot be conveniently printed including but not limited to online banner ads,
43.26 text messages, social media communications, and small advertisements appearing on a
43.27 mobile telephone or other handheld electronic device. In its rules, the board may waive the
43.28 disclaimer requirement for categories of communications where inclusion would be
43.29 technologically impossible.

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

Subd. 3. **Alternative procedure.** (a) The county auditor may make available a ballot counter and ballot box for use by the voters during the seven 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 the county auditor, municipal clerk, or a deputy of the auditor or clerk.