

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 1546

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DATE
02/13/2023

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Introduction and first reading
Referred to Elections

OFFICIAL STATUS

1.1 A bill for an act

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

1.3 voting; requiring voting instructions, sample ballots, and election judges to be

1.4 multilingual in certain situations; regulating intimidation, deceptive practices, and

1.5 interference with voter registration and voting; campaign finance; establishing a

1.6 Democracy Dollar coupon program; repealing the political contribution refund

1.7 program; expanding the definition of express advocacy; providing penalties;

1.8 requiring reports; amending Minnesota Statutes 2022, sections 10A.01, subdivisions

1.9 11, 16a; 10A.02, subdivision 13; 10A.15, subdivision 1; 10A.20, subdivision 3;

1.10 10A.27, subdivision 11; 10A.34, subdivision 4; 13.607, by adding a subdivision;

1.11 201.014, by adding a subdivision; 201.054, subdivisions 1, 2; 201.061, by adding

1.12 a subdivision; 201.071, subdivision 1; 201.091, subdivision 4; 201.161; 201.162;

1.13 203B.04, subdivision 5; 203B.06, subdivisions 1, 3; 203B.121, subdivision 2;

1.14 204C.10; 211B.15, subdivisions 1, 7, 7b, by adding subdivisions; 211B.32,

1.15 subdivision 1; 289A.37, subdivision 2; 289A.50, subdivision 1; 290.01, subdivision

1.16 6; 609.165, subdivision 1; proposing coding for new law in Minnesota Statutes,

1.17 chapters 201; 204B; 211B; 243; proposing coding for new law as Minnesota

1.18 Statutes, chapter 10B; repealing Minnesota Statutes 2022, sections 13.4967,

1.19 subdivision 2; 290.06, subdivision 23.

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

1.21 **ARTICLE 1**

1.22 **STRENGTHEN THE FREEDOM TO VOTE**

1.23 Section 1. Minnesota Statutes 2022, section 13.607, is amended by adding a subdivision

1.24 to read:

1.25 Subd. 9. **Ineligible voter data.** Any data transferred to the secretary of state regarding

1.26 applicants who are determined ineligible to register to vote is governed by section 201.161.

2.1 Sec. 2. Minnesota Statutes 2022, section 201.014, is amended by adding a subdivision to
2.2 read:

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

2.8 Sec. 3. Minnesota Statutes 2022, section 201.054, subdivision 1, is amended to read:

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

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

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

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

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

2.18 Sec. 4. Minnesota Statutes 2022, section 201.054, subdivision 2, is amended to read:

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

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

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

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

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

2.26 A violation of this subdivision is a felony.

3.1 Sec. 5. Minnesota Statutes 2022, section 201.061, is amended by adding a subdivision to
3.2 read:

3.3 Subd. 1b. Preregistration. An individual who is under the age of 18, but who is at least
3.4 16 years of age and meets all requirements for eligibility in section 201.014, except for age,
3.5 may submit a voter registration application or be automatically registered under section
3.6 201.161 at the address in which the voter maintains residence pursuant to subdivision 1.
3.7 Nothing in this section shall be construed to entitle an individual to appear on a polling
3.8 place roster or cast a ballot at an election if the individual does not meet all eligibility
3.9 requirements for voting, including age.

3.10 Sec. 6. Minnesota Statutes 2022, section 201.071, subdivision 1, is amended to read:

3.11 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
3.12 contain the same information unless otherwise provided by law. A voter registration
3.13 application must contain spaces for the following required information: voter's first name,
3.14 middle name, and last name; voter's previous name, if any; voter's current address; voter's
3.15 previous address, if any; voter's date of birth; voter's municipality and county of residence;
3.16 voter's telephone number, if provided by the voter; date of registration; current and valid
3.17 Minnesota driver's license number or Minnesota state identification number, or if the voter
3.18 has no current and valid Minnesota driver's license or Minnesota state identification, the
3.19 last four digits of the voter's Social Security number; a box to indicate a voter's preference
3.20 to join the permanent absentee voter list; and voter's signature. The paper registration
3.21 application may include the voter's email address, if provided by the voter. The electronic
3.22 voter registration application must include the voter's email address. The registration
3.23 application may include the voter's interest in serving as an election judge, if indicated by
3.24 the voter. The application must also contain the following certification of voter eligibility:

3.25 "I certify that I:

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

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

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

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

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

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

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

4.5 (8) have read and understand the following statement: that giving false information is a
 4.6 felony punishable by not more than five years imprisonment or a fine of not more than
 4.7 \$10,000, or both."

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

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

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

4.13 And the instruction:

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

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

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

4.22 Sec. 7. Minnesota Statutes 2022, section 201.091, subdivision 4, is amended to read:

4.23 Subd. 4. **Public information lists.** The county auditor shall make available for inspection
 4.24 a public information list which must contain the name, address, year of birth, and voting
 4.25 history of each registered voter in the county. Data on applicants submitted pursuant to
 4.26 section 201.061, subdivision 1b, are not part of the public information list until the voter is
 4.27 registered or has voting history. The list must not include the party choice of any voter who
 4.28 voted in a presidential nomination primary. The telephone number must be included on the
 4.29 list if provided by the voter. The public information list may also include information on
 4.30 voting districts. The county auditor may adopt reasonable rules governing access to the list.
 4.31 No individual inspecting the public information list shall tamper with or alter it in any
 4.32 manner. No individual who inspects the public information list or who acquires a list of

5.1 registered voters prepared from the public information list may use any information contained
 5.2 in the list for purposes unrelated to elections, political activities, or law enforcement. The
 5.3 secretary of state may provide copies of the public information lists and other information
 5.4 from the statewide registration system for uses related to elections, political activities, or
 5.5 in response to a law enforcement inquiry from a public official concerning a failure to
 5.6 comply with any criminal statute or any state or local tax statute.

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

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

5.18 Sec. 8. Minnesota Statutes 2022, section 201.161, is amended to read:

5.19 **201.161 DRIVER'S LICENSE AND IDENTIFICATION CARD APPLICATIONS**
 5.20 **AUTOMATIC VOTER REGISTRATION.**

5.21 Subdivision 1. Automatic registration. (a) Except as otherwise provided in this section,
 5.22 an individual must be registered to vote if the individual is eligible to vote under section
 5.23 201.014 and properly completes and submits one of the following applications, if the
 5.24 application includes documentation or verification of United States citizenship or records
 5.25 reflect that the applicant provided proof of citizenship during a previous agency transaction:

5.26 (1) an application for a new or renewed Minnesota driver's license, instruction permit,
 5.27 or identification card;

5.28 (2) an initial or renewal application for medical assistance under chapter 256B or
 5.29 MinnesotaCare under chapter 256L; or

5.30 (3) an application for benefits or services to a state agency participating under subdivision
 5.31 5.

5.32 (b) If a registered voter supplies a different name or address as part of an application
 5.33 under this subdivision from the name and address in the voter registration record, the

6.1 registrant's voter registration record shall be updated to reflect the name or address
 6.2 information provided.

6.3 Subd. 2. **Option to decline.** (a) After an individual submits an application qualifying
 6.4 for registration under this section, the individual must be promptly provided, by mail, a
 6.5 notice that provides an opportunity to decline the registration. The secretary of state may
 6.6 prescribe the form and content of this notice. An individual must not be registered if the
 6.7 individual declines to be registered within 20 days of submitting the application. An otherwise
 6.8 eligible individual who declines to register must be offered a new registration opportunity
 6.9 with each qualifying application submitted under subdivision 1.

6.10 (b) After an individual submits an application qualifying for a registration update under
 6.11 subdivision 1, paragraph (b), the individual must be promptly provided, by mail, a notice
 6.12 that provides an opportunity to decline the change of registration information. The secretary
 6.13 of state may prescribe the form and content of this notice. If the registrant returns the notice
 6.14 within 20 days and declines the change of information, the appropriate county auditors,
 6.15 including the county auditor of the registrant's original county of residence, shall immediately
 6.16 correct the registrant's previously updated information and restore the registrant's previous
 6.17 registration information.

6.18 Subd. 3. **Department of Public Safety.** (a) The ~~Department~~ commissioner of public
 6.19 safety ~~shall~~, in consultation with the secretary of state, must change its the applications for
 6.20 an original, duplicate, or change of address driver's license, instruction permit, or
 6.21 identification card so that ~~the forms may also serve as voter registration applications.~~ The
 6.22 ~~forms must contain spaces for all information collected by voter registration applications~~
 6.23 ~~prescribed by the secretary of state. Applicants for driver's licenses or identification cards~~
 6.24 ~~must be asked if they want to register to vote at the same time and that information must~~
 6.25 ~~be transmitted at least weekly~~ any forms where applicants may provide documentation of
 6.26 United States citizenship contain spaces for all information required to register to vote, as
 6.27 prescribed by the secretary of state. Unless the applicant has provided an address other than
 6.28 the applicant's address of residence under section 171.12, subdivision 7, paragraph (d), the
 6.29 commissioner must transmit the information daily by electronic means to the secretary of
 6.30 state. Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the computerized
 6.31 driver's license record containing the voter's name, address, date of birth, citizenship, driver's
 6.32 license number or state identification number, county, ~~town~~, and city or town must be made
 6.33 available for access by the secretary of state and interaction with the statewide voter
 6.34 registration system. At least monthly, the commissioner must submit data to the secretary
 6.35 of state identifying the total number of individuals that completed qualifying transactions

7.1 under this section and the total number of individuals whose records were ultimately
7.2 transferred for registration. The secretary of state must publish a monthly report of this data.

7.3 (b) An applicant's information must not be transmitted to the secretary of state unless
7.4 the applicant provides documentation of United States citizenship or records maintained by
7.5 the Department of Public Safety indicate that the applicant provided documentation
7.6 demonstrating United States citizenship as part of a previous license or identification card
7.7 transaction. If the applicant does not provide or has not previously provided documentation
7.8 of United States citizenship, the commissioner must provide information during the
7.9 transaction regarding voter registration and eligibility criteria. If the applicant provides
7.10 documentation during the transaction indicating that the applicant is not a United States
7.11 citizen, no opportunity to register to vote shall be given.

7.12 (c) No applicant may be registered to vote under this subdivision until the commissioner
7.13 of public safety has certified that the department's systems have been tested and can
7.14 accurately provide the required data, and the secretary of state has certified that the system
7.15 for automatic registration of those applicants has been tested and is capable of properly
7.16 determining whether an applicant is eligible to vote. The department's systems must be
7.17 tested and accurately provide the necessary data no later than December 1, 2023.

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

7.21 Subd. 4. **Department of Human Services.** (a) Subject to compliance with all applicable
7.22 federal laws and regulations, the commissioner of human services, in consultation with the
7.23 secretary of state, must ensure the applications described in subdivision 1, paragraph (a),
7.24 clause (2), also serve as voter registration applications for any individual whose name
7.25 appears on the application and who has presented documentary proof of United States
7.26 citizenship. The applications must contain spaces for all information required to register to
7.27 vote, as prescribed by the secretary of state. The commissioner must transmit information
7.28 daily by electronic means to the secretary of state for an individual whose United States
7.29 citizenship has been verified. At least monthly, the commissioner must submit data to the
7.30 secretary of state identifying the total number of individuals who completed qualifying
7.31 transactions under this section and the total number of individuals whose records were
7.32 ultimately transferred for registration.

7.33 (b) No applicant may be registered to vote under this subdivision until (1) the
7.34 commissioner of human services has certified that the department's systems have been tested

8.1 and can accurately provide the required data and (2) the secretary of state has certified that
8.2 the system for automatic registration of those applicants has been tested and is capable of
8.3 properly determining whether an applicant is eligible to vote. The department's systems
8.4 must be tested and accurately provide the necessary data no later than December 1, 2023.

8.5 Subd. 5. **Other agencies and units of government.** (a) The governor shall make a
8.6 decision, in consultation with the secretary of state, as to whether any other state agency
8.7 must implement automatic voter registration. A state agency must be considered if the
8.8 agency collects, processes, or stores the following information as part of providing assistance
8.9 or services: name, residential address, date of birth, citizenship verification, and signature.
8.10 A qualifying agency must submit a report to the governor and secretary of state no later
8.11 than December 1, 2024, describing steps needed to implement automatic voter registration,
8.12 barriers to implementation and ways to mitigate them, and applicable federal and state
8.13 privacy protections for voter registration information. The final decision must be made by
8.14 June 1, 2025, and is at the governor's sole discretion.

8.15 (b) No applicant may be registered to vote under this subdivision until the agency's
8.16 commissioner, or the administrative head of the local or Tribal government, has certified
8.17 that the necessary systems have been tested and can accurately provide the required data,
8.18 and the secretary of state has certified that the system for automatic registration of those
8.19 applicants has been tested and is capable of properly determining whether an applicant is
8.20 eligible to vote.

8.21 Subd. 6. **Registration.** (a) The secretary of state must determine whether an applicant
8.22 whose information is submitted under this section is currently registered in the statewide
8.23 voter registration system. For each currently registered voter for whom the information
8.24 transmitted pursuant to subdivision 2 contains the same name and address as the information
8.25 contained in the statewide voter registration system, the secretary of state must update the
8.26 voter's registration date in the statewide voter registration system. For those whom the
8.27 information transmitted pursuant to subdivision 2 contains a name or address different from
8.28 the information contained in the statewide voter registration system, the secretary of state
8.29 must transmit the registration daily by electronic means to the county auditor of the county
8.30 where the voter resides and, if applicable, the county auditor of the county of the voter's
8.31 previous residence.

8.32 (b) If the applicant is not currently registered in the statewide voter registration system,
8.33 the secretary of state must determine whether the applicant is 18 years of age or older and
8.34 a citizen of the United States. The secretary of state must also compare the voter registration
8.35 information received under section 201.145 to determine whether the applicant is eligible

9.1 to vote. If an applicant is less than 18 years of age, the secretary of state must wait until the
9.2 applicant has turned 18 years of age to determine whether the applicant is eligible to vote.
9.3 For each applicant the secretary of state determines is an eligible voter, the secretary of state
9.4 must transmit the registration daily by electronic means to the county auditor of the county
9.5 where the voter resides.

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

9.8 (d) The county auditor must cancel the voter's record in the statewide voter registration
9.9 system upon receipt of a written request, signed by the voter, that the registration be removed.

9.10 Subd. 7. **Notice.** Upon receipt of the registration information, the county auditor must
9.11 provide to the voter the appropriate notice of registration or registration update required by
9.12 subdivision 2. A notice mailed under this subdivision must include information on declining
9.13 the registration or registration update within the period authorized by subdivision 2. The
9.14 secretary of state may adopt rules prescribing the notices required by this subdivision.

9.15 Subd. 8. **Prosecution of registration violations; voluntary action required.** For
9.16 purposes of section 201.054, subdivision 2, the transfer of an individual's record under this
9.17 section does not constitute an attempt to register to vote. An individual who is not entitled
9.18 to vote but becomes registered to vote pursuant to this section and votes or attempts to vote
9.19 in an election held after the effective date of the person's registration may assert the method
9.20 of the individual's registration as an affirmative defense. This subdivision does not apply
9.21 to an individual who knowingly and willfully makes a false statement to effectuate voter
9.22 registration or who intentionally takes voluntary action to register to vote or vote knowing
9.23 of the individual's ineligibility to vote.

9.24 Subd. 9. **Effective date of registration.** Unless the applicant declines registration, the
9.25 effective date of the registration is 20 days after the date of qualifying application under
9.26 subdivision 1. This subdivision does not limit the ability of a person to register to vote on
9.27 election day as provided in section 201.061, subdivision 3. Any person who submits a
9.28 qualifying application under subdivision 1 that is dated during the 20 days before an election
9.29 shall be provided, at the time of application, with a notice advising the applicant of the
9.30 procedures to register to vote on election day.

9.31 **EFFECTIVE DATE.** This section is effective July 1, 2023.

10.1 Sec. 9. Minnesota Statutes 2022, section 201.162, is amended to read:

10.2 **201.162 DUTIES OF STATE AGENCIES.**

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

10.13 **EFFECTIVE DATE.** This section is effective July 1, 2023.

10.14 Sec. 10. **[201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT**
 10.15 **VOTING RIGHTS.**

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

10.22 Sec. 11. Minnesota Statutes 2022, section 203B.04, subdivision 5, is amended to read:

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

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

11.1 (1) the voter's written request;

11.2 (2) the voter's death;

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

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

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

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

11.9 Sec. 12. Minnesota Statutes 2022, section 203B.06, subdivision 1, is amended to read:

11.10 Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal
11.11 clerk shall prepare and print a sufficient number of blank application forms for absentee
11.12 ballots. The county auditor or municipal clerk shall deliver a blank application form to any
11.13 voter who requests one pursuant to section 203B.04. ~~Blank application forms must be mailed~~
11.14 ~~to eligible voters who have requested an application pursuant to section 203B.04, subdivision~~
11.15 ~~5, at least 60 days before:~~

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

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

11.20 ~~(3) a special primary to fill a federal or county office vacancy or special election to fill~~
11.21 ~~a federal or county office vacancy, if a primary is not required to be held pursuant to section~~
11.22 ~~204D.03, subdivision 3, or 204D.07, subdivision 3; and~~

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

11.26 Sec. 13. Minnesota Statutes 2022, section 203B.06, subdivision 3, is amended to read:

11.27 Subd. 3. **Delivery of ballots.** (a) The county auditor or municipal clerk, or full-time
11.28 clerk of any city or town administering an election pursuant to section 203B.05, shall mail
11.29 absentee ballots to voters on the permanent absentee ballot list pursuant to section 203B.04,
11.30 subdivision 5, on the following timelines:

12.1 (1) at least 46 days before:

12.2 (i) each regularly scheduled primary or general election for federal, state, county, city,
12.3 or school board office; and

12.4 (ii) each special primary or special election to fill a federal, state, county, city, or school
12.5 board vacancy; and

12.6 (2) town clerks administering absentee ballots for a town general election held in March
12.7 shall deliver absentee ballots at least 30 days before the election.

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

12.16 ~~(b)~~ (c) If an application for absentee ballots is accepted at a time when absentee ballots
12.17 are not yet available for distribution, the county auditor, or municipal clerk accepting the
12.18 application shall file it and as soon as absentee ballots are available for distribution shall
12.19 mail them to the address specified in the application. If an application for absentee ballots
12.20 is accepted when absentee ballots are available for distribution, the county auditor or
12.21 municipal clerk accepting the application shall promptly:

12.22 (1) mail the ballots to the voter whose signature appears on the application if the
12.23 application is submitted by mail and does not request commercial shipping under clause
12.24 (2);

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

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

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

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

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

13.9 Sec. 14. Minnesota Statutes 2022, section 203B.121, subdivision 2, is amended to read:

13.10 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board
13.11 shall take possession of all signature envelopes delivered to them in accordance with section
13.12 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk,
13.13 two or more members of the ballot board shall examine each signature envelope and shall
13.14 mark it accepted or rejected in the manner provided in this subdivision. Election judges
13.15 performing the duties in this section must be of different major political parties, unless they
13.16 are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10,
13.17 subdivision 2.

13.18 (b) The members of the ballot board shall mark the signature envelope "Accepted" and
13.19 initial or sign the signature envelope below the word "Accepted" if a majority of the members
13.20 of the ballot board examining the envelope are satisfied that:

13.21 (1) the voter's name and address on the signature envelope are the same as the information
13.22 provided on the absentee ballot application or voter record;

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

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

13.29 (4) the voter is registered and eligible to vote in the precinct or has included a properly
13.30 completed voter registration application in the signature envelope;

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

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

14.3 The signature envelope from accepted ballots must be preserved and returned to the
14.4 county auditor.

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

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

14.15 (3) If an envelope is rejected within five days of the election, the envelope must remain
14.16 sealed and the official in charge of the ballot board must attempt to contact the voter by
14.17 telephone or email to notify the voter that the voter's ballot has been rejected. The official
14.18 must document the attempts made to contact the voter.

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

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

14.27 (2) the reason for rejection; and

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

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

15.1 Sec. 15. Minnesota Statutes 2022, section 204C.10, is amended to read:

15.2 **204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;**
 15.3 **VOTER RECEIPT.**

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

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

15.7 (2) a citizen of the United States;

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

15.9 (4) maintains residence at the address shown;

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

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

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

15.16 (8) is registered; and

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

15.18 The roster must also state: "I understand that deliberately providing false information
 15.19 is a felony punishable by not more than five years imprisonment and a fine of not more than
 15.20 \$10,000, or both."

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

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

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

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

16.4 **Sec. 16. [243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.**

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

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

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

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

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

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

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

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

17.1 Sec. 17. Minnesota Statutes 2022, section 609.165, subdivision 1, is amended to read:

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

17.6 Sec. 18. **TRANSITION TO NEW VOTER REGISTRATION APPLICATION**
 17.7 **FORMS.**

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

17.14 ARTICLE 2

17.15 PROTECT VOTERS AND OUR ELECTIONS SYSTEM

17.16 Section 1. **[204B.295] VOTING INSTRUCTIONS AND SAMPLE BALLOTS IN**
 17.17 **LANGUAGES OTHER THAN ENGLISH; MULTILINGUAL ELECTION JUDGES.**

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

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

17.28 Subd. 3. **Translation required; designated election judges.** (a) If the number of
 17.29 residents determined under subdivision 2 equals three percent or more of the voting-age
 17.30 residents of a district, or if interested citizens or organizations provide information that
 17.31 gives the secretary of state or county auditor sufficient reason to believe a need exists, at
 17.32 least two copies of the translated voting instructions and sample ballot must be provided to

18.1 each precinct in that district during any regular or special state or local election conducted
18.2 in that district.

18.3 (b) If the number of residents determined under subdivision 2 equals 20 percent or more
18.4 of the voting-age residents of a district, or if interested citizens or organizations provide
18.5 information that gives the secretary of state or county auditor sufficient reason to believe a
18.6 need exists, at least four copies of the translated voting instructions and sample ballot must
18.7 be provided to each precinct in that district during any regular or special state or local
18.8 election conducted in that district. In these precincts, at least one election judge appointed
18.9 under section 204B.22 must be certified by the American Translators Association to translate
18.10 in a specified language if ten or more registered voters in the precinct file a request for
18.11 interpretive services for that language with the secretary of state or county auditor at least
18.12 30 days prior to the date of the election. This election judge must wear a name tag or other
18.13 badge indicating the election judge's language certification.

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

18.20 Sec. 2. **[211B.075] INTIMIDATION AND INTERFERENCE WITH THE VOTING**
18.21 **PROCESS; PENALTIES.**

18.22 Subdivision 1. **Intimidation.** (a) A person may not directly or indirectly use or threaten
18.23 force, coercion, violence, restraint, damage, harm, or loss, including loss of employment
18.24 or economic reprisal against:

18.25 (1) an individual with the intent to compel an individual to register or abstain from
18.26 registering to vote, vote or abstain from voting, or vote for or against a candidate or ballot
18.27 question; or

18.28 (2) any person with the intent to impede that person's efforts to encourage another to
18.29 cast a ballot or assist another in registering to vote, traveling to a polling place, casting a
18.30 ballot, or participating in any other aspect of the election process.

18.31 (b) Notwithstanding paragraph (a), in a civil action brought to prevent and restrain
18.32 violations of this subdivision or to require the payment of civil penalties, the moving party
18.33 may show that the action or attempted action would cause a reasonable person to feel

19.1 intimidated. The moving party does not need to show that the actor intended to cause the
19.2 victim to feel intimidated.

19.3 Subd. 2. **Deceptive practices.** (a) No person may, within 60 days of an election, cause
19.4 information to be transmitted by any means that the person:

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

19.6 (2) knows to be materially false.

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

19.10 Subd. 3. **Interference with registration or voting.** No person may intentionally hinder,
19.11 interfere with, or prevent another person from voting, registering to vote, or aiding another
19.12 person in casting a ballot or registering to vote.

19.13 Subd. 4. **Vicarious liability; conspiracy.** A person may be held vicariously liable for
19.14 any damages resulting from the violation of this section and may be identified in an order
19.15 restraining violations of this section if that person:

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

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

19.22 Subd. 5. **Criminal penalties; civil remedies.** (a) A person who violates this section is
19.23 guilty of a gross misdemeanor.

19.24 (b) The attorney general or an election official may bring a civil action to prevent or
19.25 restrain a violation of this section if there is a reasonable basis to believe that an individual
19.26 or entity is committing or intends to commit a prohibited act.

19.27 (c) The attorney general, or an election official injured by an act prohibited by this
19.28 section, may bring a civil action pursuant to section 8.31 to recover damages, together with
19.29 costs of investigation and reasonable attorney fees, and receive other equitable relief as
19.30 determined by the court. An action brought by an election official under section 8.31,
19.31 subdivision 3a, is in the public interest. In addition to all other damages, the court may
19.32 impose a civil penalty of up to \$1,000 for each violation.

20.1 (d) Civil remedies allowable under this section are cumulative and do not restrict any
 20.2 other right or remedy otherwise available. An action for a penalty or remedy under this
 20.3 section must be brought within two years of the date the violation is alleged to have occurred.
 20.4 The complaint process provided in sections 211B.31 to 211B.36 does not apply to violations
 20.5 of this section.

20.6 Sec. 3. Minnesota Statutes 2022, section 211B.32, subdivision 1, is amended to read:

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

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

20.14 (c) Violations of section 211B.075 may be enforced as provided in that section.

20.15 **ARTICLE 3**

20.16 **MODERNIZE CAMPAIGN FINANCE SYSTEM TO EMPOWER VOTERS AND** 20.17 **INCREASE DISCLOSURE OF SECRET SPENDING**

20.18 Section 1. Minnesota Statutes 2022, section 10A.01, subdivision 11, is amended to read:

20.19 Subd. 11. **Contribution.** (a) "Contribution" means money, a negotiable instrument, a
 20.20 Democracy Dollar coupon redemption under chapter 10B, or a donation in kind that is given
 20.21 to a political committee, political fund, principal campaign committee, local candidate, or
 20.22 party unit. An allocation by an association of general treasury money to be used for activities
 20.23 that must be or are reported through the association's political fund is considered to be a
 20.24 contribution for the purposes of disclosure required by this chapter.

20.25 (b) "Contribution" includes a loan or advance of credit to a political committee, political
 20.26 fund, principal campaign committee, local candidate, or party unit, if the loan or advance
 20.27 of credit is: (1) forgiven; or (2) repaid by an individual or an association other than the
 20.28 political committee, political fund, principal campaign committee, local candidate, or party
 20.29 unit to which the loan or advance of credit was made. If an advance of credit or a loan is
 20.30 forgiven or repaid as provided in this paragraph, it is a contribution in the year in which the
 20.31 loan or advance of credit was made.

21.1 (c) "Contribution" does not include services provided without compensation by an
21.2 individual volunteering personal time on behalf of a candidate, local candidate, ballot
21.3 question, political committee, political fund, principal campaign committee, or party unit;
21.4 the publishing or broadcasting of news items or editorial comments by the news media; or
21.5 an individual's unreimbursed personal use of an automobile owned by the individual while
21.6 volunteering personal time.

21.7 Sec. 2. Minnesota Statutes 2022, section 10A.01, subdivision 16a, is amended to read:

21.8 Subd. 16a. **Expressly advocating.** "Expressly advocating" means that a communication:

21.9 (1) clearly identifies a candidate or a local candidate and uses words or phrases of express
21.10 advocacy; or

21.11 (2) when taken as a whole and with limited reference to external events, such as the
21.12 proximity to the election, could only be interpreted by a reasonable person as containing
21.13 advocacy of the election or defeat of one or more clearly identified candidates because:

21.14 (i) the electoral portion of the communication is unmistakable, unambiguous, and
21.15 suggestive of only one meaning; and

21.16 (ii) reasonable minds could not differ as to whether the communication encourages
21.17 actions to elect or defeat one or more clearly identified candidates or encourages some other
21.18 kind of action.

21.19 Sec. 3. Minnesota Statutes 2022, section 10A.02, subdivision 13, is amended to read:

21.20 Subd. 13. **Rules.** (a) Chapter 14 applies to the board. The board may adopt rules to carry
21.21 out the purposes of this chapter and chapter 10B.

21.22 (b) In addition to the notice required under chapter 14, the board shall notify the chairs
21.23 and ranking minority members of the committees or subcommittees in the senate and house
21.24 of representatives with primary jurisdiction over elections within seven calendar days of
21.25 taking the following actions:

21.26 (1) publication of a notice of intent to adopt rules or a notice of hearing;

21.27 (2) publication of proposed rules in the State Register;

21.28 (3) issuance of a statement of need and reasonableness; or

21.29 (4) adoption of final rules.

22.1 Sec. 4. Minnesota Statutes 2022, section 10A.15, subdivision 1, is amended to read:

22.2 Subdivision 1. **Anonymous contributions.** A political committee, political fund, principal
22.3 campaign committee, or party unit may not retain an anonymous contribution in excess of
22.4 \$20, but must forward it to the board for deposit in the general account of the state elections
22.5 campaign account. An anonymous contribution is not an eligible contribution for purposes
22.6 of qualifying for the Democracy Dollar coupon program established in chapter 10B.

22.7 Sec. 5. Minnesota Statutes 2022, section 10A.20, subdivision 3, is amended to read:

22.8 Subd. 3. **Contents of report.** (a) The report required by this section must include each
22.9 of the items listed in paragraphs (b) to ~~(q)~~ (r) that are applicable to the filer. The board shall
22.10 prescribe forms based on filer type indicating which of those items must be included on the
22.11 filer's report.

22.12 (b) The report must disclose the amount of liquid assets on hand at the beginning of the
22.13 reporting period.

22.14 (c) The report must disclose the name, address, employer, or occupation if self-employed,
22.15 and registration number if registered with the board, of each individual or association that
22.16 has made one or more contributions to the reporting entity, including the purchase of tickets
22.17 for a fundraising effort, that in aggregate within the year exceed \$200 for legislative or
22.18 statewide candidates or more than \$500 for ballot questions, together with the amount and
22.19 date of each contribution, and the aggregate amount of contributions within the year from
22.20 each source so disclosed. A donation in kind must be disclosed at its fair market value. An
22.21 approved expenditure must be listed as a donation in kind. A donation in kind is considered
22.22 consumed in the reporting period in which it is received. The names of contributors must
22.23 be listed in alphabetical order. Contributions from the same contributor must be listed under
22.24 the same name. When a contribution received from a contributor in a reporting period is
22.25 added to previously reported unitemized contributions from the same contributor and the
22.26 aggregate exceeds the disclosure threshold of this paragraph, the name, address, and
22.27 employer, or occupation if self-employed, of the contributor must then be listed on the
22.28 report.

22.29 (d) The report must disclose the aggregate number and value of all Democracy Dollar
22.30 coupons redeemed for a contribution under chapter 10B by the reporting entity during the
22.31 reporting period.

22.32 (e) The report must disclose the sum of contributions to the reporting entity during the
22.33 reporting period.

23.1 ~~(e)~~ (f) The report must disclose each loan made or received by the reporting entity within
23.2 the year in aggregate in excess of \$200, continuously reported until repaid or forgiven,
23.3 together with the name, address, occupation, principal place of business, if any, and
23.4 registration number if registered with the board of the lender and any endorser and the date
23.5 and amount of the loan. If a loan made to the principal campaign committee of a candidate
23.6 is forgiven or is repaid by an entity other than that principal campaign committee, it must
23.7 be reported as a contribution for the year in which the loan was made.

23.8 ~~(f)~~ (g) The report must disclose each receipt over \$200 during the reporting period not
23.9 otherwise listed under paragraphs (c) to ~~(e)~~ (f).

23.10 ~~(g)~~ (h) The report must disclose the sum of all receipts of the reporting entity during the
23.11 reporting period.

23.12 ~~(h)~~ (i) The report must disclose the name, address, and registration number if registered
23.13 with the board of each individual or association to whom aggregate expenditures, approved
23.14 expenditures, independent expenditures, and ballot question expenditures have been made
23.15 by or on behalf of the reporting entity within the year in excess of \$200, together with the
23.16 amount, date, and purpose of each expenditure, including an explanation of how the
23.17 expenditure was used, and the name and address of, and office sought by, each candidate
23.18 or local candidate on whose behalf the expenditure was made, identification of the ballot
23.19 question that the expenditure was intended to promote or defeat and an indication of whether
23.20 the expenditure was to promote or to defeat the ballot question, and in the case of independent
23.21 expenditures made in opposition to a candidate or local candidate, the candidate's or local
23.22 candidate's name, address, and office sought. A reporting entity making an expenditure on
23.23 behalf of more than one candidate or local candidate must allocate the expenditure among
23.24 the candidates and local candidates on a reasonable cost basis and report the allocation for
23.25 each candidate or local candidate. The report must list on separate schedules any independent
23.26 expenditures made on behalf of local candidates and any expenditures made for ballot
23.27 questions as defined in section 10A.01, subdivision 7, clause (2), (3), or (4).

23.28 ~~(i)~~ (j) The report must disclose the sum of all expenditures made by or on behalf of the
23.29 reporting entity during the reporting period.

23.30 ~~(j)~~ (k) The report must disclose the amount and nature of an advance of credit incurred
23.31 by the reporting entity, continuously reported until paid or forgiven. If an advance of credit
23.32 incurred by the principal campaign committee of a candidate is forgiven by the creditor or
23.33 paid by an entity other than that principal campaign committee, it must be reported as a
23.34 donation in kind for the year in which the advance of credit was made.

24.1 ~~(k)~~ (l) The report must disclose the name, address, and registration number if registered
24.2 with the board of each political committee, political fund, principal campaign committee,
24.3 local candidate, or party unit to which contributions have been made that aggregate in excess
24.4 of \$200 within the year and the amount and date of each contribution. The report must list
24.5 on separate schedules any contributions made to state candidates' principal campaign
24.6 committees and any contributions made to local candidates.

24.7 ~~(h)~~ (m) The report must disclose the sum of all contributions made by the reporting entity
24.8 during the reporting period and must separately disclose the sum of all contributions made
24.9 to local candidates by the reporting entity during the reporting period.

24.10 ~~(m)~~ (n) The report must disclose the name, address, and registration number if registered
24.11 with the board of each individual or association to whom noncampaign disbursements have
24.12 been made that aggregate in excess of \$200 within the year by or on behalf of the reporting
24.13 entity and the amount, date, and purpose of each noncampaign disbursement, including an
24.14 explanation of how the expenditure was used.

24.15 ~~(n)~~ (o) The report must disclose the sum of all noncampaign disbursements made within
24.16 the year by or on behalf of the reporting entity.

24.17 ~~(o)~~ (p) The report must disclose the name and address of a nonprofit corporation that
24.18 provides administrative assistance to a political committee or political fund as authorized
24.19 by section 211B.15, subdivision 17, the type of administrative assistance provided, and the
24.20 aggregate fair market value of each type of assistance provided to the political committee
24.21 or political fund during the reporting period.

24.22 ~~(p)~~ (q) Legislative, statewide, and judicial candidates, party units, and political committees
24.23 and funds must itemize contributions that in aggregate within the year exceed \$200 for
24.24 legislative or statewide candidates or more than \$500 for ballot questions on reports submitted
24.25 to the board. The itemization must include the date on which the contribution was received,
24.26 the individual or association that provided the contribution, and the address of the contributor.
24.27 Additionally, the itemization for a donation in kind must provide a description of the item
24.28 or service received. Contributions that are less than the itemization amount must be reported
24.29 as an aggregate total.

24.30 ~~(q)~~ (r) Legislative, statewide, and judicial candidates, party units, political committees
24.31 and funds, and committees to promote or defeat a ballot question must itemize expenditures
24.32 and noncampaign disbursements that in aggregate exceed \$200 in a calendar year on reports
24.33 submitted to the board. The itemization must include the date on which the committee made
24.34 or became obligated to make the expenditure or disbursement, the name and address of the

25.1 vendor that provided the service or item purchased, and a description of the service or item
25.2 purchased, including an explanation of how the expenditure was used. Expenditures and
25.3 noncampaign disbursements must be listed on the report alphabetically by vendor.

25.4 Sec. 6. Minnesota Statutes 2022, section 10A.27, subdivision 11, is amended to read:

25.5 Subd. 11. **Contributions from certain types of contributors.** (a) A candidate must not
25.6 permit the candidate's principal campaign committee to accept a contribution from a political
25.7 committee, political fund, lobbyist, or association not registered with the board if the
25.8 contribution will cause the aggregate contributions from those types of contributors during
25.9 an election cycle segment to exceed an amount equal to 20 percent of the election cycle
25.10 segment expenditure limits for the office sought by the candidate, provided that the 20
25.11 percent limit must be rounded to the nearest \$100.

25.12 (b) A candidate must not permit the candidate's principal campaign committee to accept
25.13 a contribution that is prohibited by section 211B.15.

25.14 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to contributions,
25.15 expenditures, and other applicable activities occurring on or after that date.

25.16 Sec. 7. Minnesota Statutes 2022, section 10A.34, subdivision 4, is amended to read:

25.17 Subd. 4. **Penalty for violations of chapter 10B or 211B under board's jurisdiction.** If
25.18 a civil penalty is not specified in chapter 10B, or a section of chapter 211B brought under
25.19 the board's jurisdiction by section 10A.022, subdivision 3, the board may impose a civil
25.20 penalty of up to \$3,000.

25.21 Sec. 8. **[10B.01] DEFINITIONS.**

25.22 Except where otherwise provided, the definitions in section 10A.01 apply to this chapter.

25.23 Sec. 9. **[10B.02] ISSUANCE OF DEMOCRACY DOLLAR COUPONS.**

25.24 **Subdivision 1. Issuance of coupons to eligible contributors.** (a) No later than March
25.25 1 of each year, the secretary of state must provide a set of two Democracy Dollar coupons
25.26 to every person with an active registration in the Statewide Voter Registration System as
25.27 of the previous December 31. Each coupon within the set must be redeemable by a qualifying
25.28 principal campaign committee or political party unit for a contribution of \$25 to that
25.29 committee or party unit, as directed by the individual to whom the coupon was issued. An
25.30 individual coupon may not be divided into smaller increments. The secretary of state must
25.31 provide an option for an individual to request to receive the coupon in an electronic format.

26.1 (b) A person may request that the coupon be delivered to a physical or electronic address
26.2 that is other than that indicated in the person's voter registration record, provided that the
26.3 alternate physical address is in Minnesota.

26.4 Subd. 2. **Opt-in.** An individual who is otherwise eligible to vote in Minnesota, but not
26.5 registered, may submit a written request to the secretary of state for issuance of a set of
26.6 coupons under subdivision 1. A request under this subdivision may be submitted to the
26.7 secretary of state between January 1 and July 1 of each year. The secretary of state must
26.8 prescribe a form for this purpose. Upon verification that the individual is eligible to receive
26.9 a set of coupons, the secretary of state must deliver the coupons to the eligible individual
26.10 no later than October 1 of that year.

26.11 **Sec. 10. [10B.03] FORM OF COUPON; RULEMAKING.**

26.12 (a) The Campaign Finance and Public Disclosure Board must adopt rules using the
26.13 expedited process in section 14.389 to establish the form of the Democracy Dollar coupon.

26.14 (b) At a minimum, the coupon must:

26.15 (1) require the holder to indicate the name of an eligible candidate or political party unit
26.16 to which the value of the coupon is to be assigned;

26.17 (2) provide space for the holder's name, address, original signature, and a statement by
26.18 the holder attesting to the holder's understanding of the laws and rules governing the
26.19 Democracy Dollar coupon program;

26.20 (3) include a clear indication that the coupon has no cash value, is not transferable, and
26.21 may be assigned only as provided in the laws and rules governing the coupon program; and

26.22 (4) be in a form that permits third parties to utilize a secure application programming
26.23 interface or other Internet-based system to facilitate the assignment and redemption of
26.24 coupons.

26.25 **Sec. 11. [10B.04] ASSIGNMENT, DELIVERY, AND RECEIPT OF COUPON.**

26.26 Subdivision 1. **Assignment.** (a) Democracy Dollar coupons are only assignable as
26.27 authorized by this section.

26.28 (b) A person lawfully holding a coupon may assign it to a qualified candidate or political
26.29 party unit by completing the information required under section 10B.03 and delivering the
26.30 coupon to the board, a qualified candidate, or a representative of a qualified candidate or
26.31 political party unit.

27.1 Subd. 2. **Delivery.** A properly assigned Democracy Dollar coupon may be delivered to
27.2 the qualified candidate or political party unit by mail, in person, electronically through the
27.3 board's website, or electronically using a secure application programming interface or other
27.4 Internet-based system that meets standards approved by the board. The holder of a coupon
27.5 may designate an agent to deliver an assigned coupon in person. The board must establish
27.6 a secure, user-friendly online system for electronic delivery of assigned coupons. A qualified
27.7 candidate or a representative of a qualified candidate or political party unit may assist a
27.8 holder in accessing the online system for delivery of an assigned coupon.

27.9 Subd. 3. **Deadline for assignment and redemption.** A Democracy Dollar coupon is
27.10 valid for a contribution redemption only if assigned to a qualified candidate or political
27.11 party unit no later than 30 days following the date of the next state general election occurring
27.12 after the coupon was issued and submitted for redemption by the qualified candidate or
27.13 political party unit by December 31 of that year.

27.14 Subd. 4. **Status of coupon if voter becomes ineligible to vote.** A coupon is invalid if
27.15 the holder to which it was issued becomes ineligible to vote in Minnesota before the coupon
27.16 is assigned.

27.17 Subd. 5. **Assignment is irrevocable.** The valid assignment and delivery of a coupon is
27.18 irrevocable, except that a coupon may be reassigned to another recipient if the board
27.19 determines that the assigned recipient is ineligible to redeem the coupon. In making an
27.20 assignment, the holder of the coupon assumes the risk that the coupon may not be redeemed
27.21 by the candidate or political party unit to which the coupon is assigned.

27.22 Subd. 6. **Chapter 325L applies.** Chapter 325L applies to Democracy Dollar coupons
27.23 assigned, delivered, or submitted for redemption under this chapter in an electronic format.

27.24 Sec. 12. **[10B.05] NO CASH VALUE.**

27.25 Democracy Dollar coupons have no cash value and are not assets, income, or the property
27.26 of the holder to which a coupon is issued.

27.27 Sec. 13. **[10B.06] PROHIBITIONS.**

27.28 Assignment or transfer of a Democracy Dollar coupon for cash or other consideration
27.29 is prohibited. A person may not offer to purchase, buy, or sell a coupon and may not transfer
27.30 the coupon as a gift to another person. A coupon may not be assigned by proxy, power of
27.31 attorney, or agent.

28.1 Sec. 14. **[10B.07] QUALIFICATION OF CANDIDATES AND POLITICAL**
28.2 **PARTIES.**

28.3 Subdivision 1. **Candidate qualification.** (a) To be qualified for assignment or redemption
28.4 of a Democracy Dollar coupon, a candidate must, as of the time the coupon is assigned and
28.5 redeemed:

28.6 (1) have designated a principal campaign committee that is currently registered under
28.7 chapter 10A;

28.8 (2) be seeking an office for which voluntary spending limits are specified in section
28.9 10A.25; and

28.10 (3) have signed and be currently bound by an agreement governed by section 10A.322.

28.11 (b) A candidate is no longer qualified to receive by assignment or redeem a coupon if
28.12 the candidate fails to advance to a general election following a primary election for the
28.13 office to which the candidate is seeking election or if the candidate is determined to be in
28.14 violation of the terms of the agreement to limit campaign expenditures provided in section
28.15 10A.322.

28.16 Subd. 2. **Political party unit qualification.** A Democracy Dollar coupon may be assigned
28.17 to and redeemed by a unit of a major political party unit as defined in section 200.02,
28.18 subdivision 7, or a minor political party unit qualifying for inclusion on the income tax or
28.19 property tax refund form under section 10A.31, subdivision 3a.

28.20 Sec. 15. **[10B.08] REDEMPTION OF COUPONS; DISTRIBUTION OF**
28.21 **CONTRIBUTIONS.**

28.22 Subdivision 1. **Redemption value cap.** (a) As used in this section, "redemption value
28.23 cap" means the maximum aggregate dollar value of coupons that may be redeemed by
28.24 qualified candidates and political parties in a calendar year.

28.25 (b) For calendar years 2023 and 2024, and each two-year period thereafter until an
28.26 increase is required under this paragraph, the redemption value cap for each year is an
28.27 amount equal to eight percent of the total dollar value of all coupons issued by the secretary
28.28 of state in that year. If, as of December 31 of an even-numbered year, the dollar value of
28.29 all coupons redeemed during that year and the immediately preceding odd-numbered year
28.30 exceeds 75 percent of the aggregated redemption value cap for those two years, the
28.31 redemption value cap must be increased by an additional two percent of the total value of
28.32 all coupons issued by the secretary of state each year, beginning in the next odd-numbered
28.33 year and for every year thereafter. The redemption value cap may be subsequently increased

29.1 in two percent increments according to the standards in this paragraph but may not exceed
29.2 16 percent of the total value of coupons issued unless otherwise expressly authorized by
29.3 law. No later than January 30 of each year, the board, in consultation with the commissioner
29.4 of management and budget, must certify the applicable redemption value cap that applies
29.5 during that year.

29.6 Subd. 2. **Redemption procedures.** A candidate or political party unit that has been
29.7 assigned a Democracy Dollar coupon may submit it to the board for redemption. Assigned
29.8 coupons submitted directly to the board by the holder to which the coupon was issued are
29.9 presumed submitted for redemption on behalf of the assigned candidate or party unit.

29.10 Subd. 3. **Verification.** (a) The board must verify the following before redeeming a
29.11 coupon:

29.12 (1) the qualification of the receiving candidate or political party unit;

29.13 (2) the eligibility of the person to whom the coupon was issued;

29.14 (3) whether redemption of the coupon would result in the candidate receiving a
29.15 contribution in excess of the amounts authorized by law; and

29.16 (4) whether redemption of the coupon would cause the total dollar value of redeemed
29.17 coupons to exceed the redemption value cap.

29.18 (b) The board may require the assigned candidate or political party unit to submit
29.19 documents or records necessary to complete the verifications required by this subdivision.
29.20 The eligibility of the person to whom a coupon is issued must be confirmed by the secretary
29.21 of state.

29.22 (c) The board must provide a notice to the original holder of a coupon and to the assigned
29.23 recipient if a coupon cannot be verified as eligible for redemption, the reason the coupon
29.24 could not be verified or redeemed, and, if applicable, instructions for reassigning the coupon
29.25 to another eligible recipient.

29.26 Subd. 4. **Distribution of contribution.** Upon determination that the coupon is valid for
29.27 redemption, the board must disburse the value of the coupon to the assigned candidate's
29.28 principal campaign committee or to the treasurer of the assigned political party unit. The
29.29 board may adopt procedures for disbursement of the contribution through an electronic
29.30 funds transfer to the committee or party unit. These procedures are exempt from chapter
29.31 14, and section 14.386 does not apply.

29.32 Subd. 5. **Effect of coupons on contribution reporting and limits.** The value of the
29.33 coupon, once redeemed, must be recorded as a contribution made in the name of the person

30.1 to whom the coupon is issued. Redeemed coupons must be included in the calculation of
30.2 that person's contributions for purposes of reporting under section 10A.20, subdivision 3,
30.3 and for purposes of the contribution limits established in section 10A.27.

30.4 Subd. 6. **Redemption and distribution schedule.** The board must promptly verify all
30.5 assigned coupons received by the board, regardless of the method of submission. The board
30.6 must redeem all properly verified coupons and distribute contributions on a regular schedule,
30.7 at least two times per month, at least one time per week beginning 60 days prior to the date
30.8 of a state primary or state general election, and, to the extent practical, at least one time per
30.9 week during the campaign period preceding a special primary or special general election
30.10 as determined by the board.

30.11 Subd. 7. **Appropriation.** Amounts necessary to redeem coupons and distribute the
30.12 resulting contributions required under this chapter are appropriated annually from the general
30.13 fund to the board. The amount appropriated to the board may not exceed the redemption
30.14 value cap for that year.

30.15 **Sec. 16. [10B.09] USE OF CONTRIBUTION.**

30.16 A contribution received by a principal campaign committee or political party unit under
30.17 this chapter may only be used for purposes authorized under chapter 10A or section 211B.12.

30.18 **Sec. 17. [10B.10] RETURN OF PROCEEDS; RULEMAKING.**

30.19 (a) A candidate who has redeemed a Democracy Dollar coupon and subsequently
30.20 withdraws as a candidate for office, dies, becomes ineligible, loses qualification, is defeated
30.21 in a primary or general election, or is elected at a general election must, within a reasonable
30.22 period, return any unspent coupon contribution proceeds to the board.

30.23 (b) The board must adopt rules using the expedited rulemaking process in section 14.389
30.24 to establish accounting standards and other requirements for compliance with this section.

30.25 **Sec. 18. [10B.11] VIOLATIONS; ENFORCEMENT.**

30.26 The board may make audits and investigations with respect to the requirements of this
30.27 chapter, consistent with the authority, procedures, and remedies provided in sections 10A.022
30.28 and 10A.34.

31.1 Sec. 19. Minnesota Statutes 2022, section 211B.15, subdivision 1, is amended to read:

31.2 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this
31.3 subdivision have the meanings given. Unless otherwise provided, the definitions in section
31.4 10A.01 also apply to this section.

31.5 (b) "Chief executive officer" means the highest-ranking officer or decision-making
31.6 individual with authority over a corporation's affairs.

31.7 (c) "Corporation" means:

31.8 (1) a corporation organized for profit that does business in this state;

31.9 (2) a nonprofit corporation that carries out activities in this state; or

31.10 (3) a limited liability company formed under chapter 322C, or under similar laws of
31.11 another state, that does business in this state.

31.12 (d) "Foreign-influenced corporation" means a corporation for which at least one of the
31.13 following conditions is met:

31.14 (1) a single foreign owner holds, owns, controls, or otherwise has direct or indirect
31.15 beneficial ownership of one percent or more of the total equity, outstanding voting shares,
31.16 membership units, or other applicable ownership interests of the corporation;

31.17 (2) two or more foreign owners in aggregate hold, own, control, or otherwise have direct
31.18 or indirect beneficial ownership of five percent or more of the total equity, outstanding
31.19 voting shares, membership units, or other applicable ownership interests of the corporation;
31.20 or

31.21 (3) a foreign owner participates directly or indirectly in the corporation's decision-making
31.22 process with respect to the corporation's political activities in the United States.

31.23 (e) "Foreign investor" means a person or entity that:

31.24 (1) holds, owns, controls, or otherwise has direct or indirect beneficial ownership of
31.25 equity, outstanding voting shares, membership units, or otherwise applicable ownership
31.26 interests of a corporation; and

31.27 (2) is a government of a foreign country; a political party organized in a foreign country;
31.28 a partnership, association, corporation, organization, or other combination of persons
31.29 organized under the laws of or having its principal place of business in a foreign country;
31.30 or an individual who is not a citizen or national of the United States and who is not lawfully
31.31 admitted for permanent residence in the United States.

32.1 (f) "Foreign owner" means:

32.2 (1) a foreign investor; or

32.3 (2) a corporation in which a foreign investor holds, owns, controls, or otherwise has
32.4 directly or indirectly acquired beneficial ownership of equity or voting shares in an amount
32.5 that is equal to or greater than 50 percent of the total equity or outstanding voting shares.

32.6 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to contributions,
32.7 expenditures, and other applicable activities occurring on or after that date.

32.8 Sec. 20. Minnesota Statutes 2022, section 211B.15, is amended by adding a subdivision
32.9 to read:

32.10 Subd. 4a. **Foreign-influenced corporations.** (a) Notwithstanding subdivisions 3 and
32.11 4, a foreign-influenced corporation must not:

32.12 (1) make an expenditure, or offer or agree to make an expenditure, to promote or defeat
32.13 the candidacy of an individual for nomination, election, or appointment to a public office;

32.14 (2) make contributions or expenditures to promote or defeat a ballot question, to qualify
32.15 a question for placement on the ballot, or to express the corporation's views on issues of
32.16 public concern;

32.17 (3) make a contribution to a candidate for nomination, election, or appointment to a
32.18 public office or to a candidate's principal campaign committee;

32.19 (4) make a contribution to a political committee, political fund, or political party unit;
32.20 or

32.21 (5) take any action to publicly endorse or oppose a candidate for nomination, election,
32.22 or appointment to a public office, or to endorse or oppose a ballot question or other issue
32.23 of public concern.

32.24 (b) Notwithstanding subdivisions 8 to 11, a foreign-influenced corporation is prohibited
32.25 from engaging in the activities otherwise authorized by those subdivisions.

32.26 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to contributions,
32.27 expenditures, and other applicable activities occurring on or after that date.

33.1 Sec. 21. Minnesota Statutes 2022, section 211B.15, is amended by adding a subdivision
33.2 to read:

33.3 Subd. 4b. **Certification of compliance with subdivision 4a.** A corporation that makes
33.4 a contribution or expenditure authorized by subdivision 3 or 4 must submit a certification
33.5 to the Campaign Finance and Public Disclosure Board that it was not a foreign-influenced
33.6 corporation as of the date the contribution or expenditure was made. The certification must
33.7 be submitted within seven business days after the contribution or expenditure is made and
33.8 must be signed by the corporation's chief executive officer after reasonable inquiry, under
33.9 penalty of perjury. If the activity requiring certification was a contribution to an independent
33.10 expenditure committee, the corporation must additionally provide a copy of the certification
33.11 to that committee.

33.12 Sec. 22. Minnesota Statutes 2022, section 211B.15, subdivision 7, is amended to read:

33.13 Subd. 7. **Penalty for corporations.** (a) A corporation that violates this section is subject
33.14 to a civil penalty of up to ten times the amount of the violation, but in no case more than
33.15 \$10,000, imposed by the Campaign Finance and Public Disclosure Board under chapter
33.16 10A or imposed by the Office of Administrative Hearings under this chapter.

33.17 (b) Knowingly violating this section is a crime. A corporation convicted of knowingly
33.18 violating this section is subject to a fine not greater than \$40,000. A convicted domestic
33.19 corporation may be dissolved as well as fined. If a foreign, foreign-influenced, or nonresident
33.20 corporation is convicted, in addition to being fined, its right to do business in this state may
33.21 be declared forfeited.

33.22 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to contributions,
33.23 expenditures, and other applicable activities occurring on or after that date.

33.24 Sec. 23. Minnesota Statutes 2022, section 211B.15, subdivision 7b, is amended to read:

33.25 Subd. 7b. **Knowing violations.** An individual or a corporation knowingly violates this
33.26 section if, at the time of a transaction, the individual or the corporation knew:

33.27 (1) that the transaction causing the violation constituted a contribution under chapter
33.28 10A, 211A, or 383B; and

33.29 (2) that the contributor was a corporation subject to the prohibitions of subdivision 2 or
33.30 4a.

33.31 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to contributions,
33.32 expenditures, and other applicable activities occurring on or after that date.

34.1 Sec. 24. Minnesota Statutes 2022, section 289A.37, subdivision 2, is amended to read:

34.2 Subd. 2. **Erroneous refunds.** (a) Except as provided in paragraph (b), an erroneous
34.3 refund occurs when the commissioner issues a payment to a person that exceeds the amount
34.4 the person is entitled to receive under law. An erroneous refund is considered an
34.5 underpayment of tax on the date issued.

34.6 (b) To the extent that the amount paid does not exceed the amount claimed by the
34.7 taxpayer, an erroneous refund does not include the following:

34.8 (1) any amount of a refund or credit paid pursuant to a claim for refund filed by a
34.9 taxpayer, including but not limited to refunds of claims made under section ~~290.06,~~
34.10 ~~subdivision 23;~~ 290.067; 290.0671; 290.0672; 290.0674; 290.0675; 290.0677; 290.068;
34.11 290.0681; or 290.0692; or chapter 290A; or

34.12 (2) any amount paid pursuant to a claim for refund of an overpayment of tax filed by a
34.13 taxpayer.

34.14 (c) The commissioner may make an assessment to recover an erroneous refund at any
34.15 time within two years from the issuance of the erroneous refund. If all or part of the erroneous
34.16 refund was induced by fraud or misrepresentation of a material fact, the assessment may
34.17 be made at any time.

34.18 (d) Assessments of amounts that are not erroneous refunds under paragraph (b) must be
34.19 conducted under sections 289A.38 to 289A.382.

34.20 Sec. 25. Minnesota Statutes 2022, section 289A.50, subdivision 1, is amended to read:

34.21 Subdivision 1. **General right to refund.** (a) Subject to the requirements of this section
34.22 and section 289A.40, a taxpayer who has paid a tax in excess of the taxes lawfully due and
34.23 who files a written claim for refund will be refunded or credited the overpayment of the tax
34.24 determined by the commissioner to be erroneously paid.

34.25 (b) The claim must specify the name of the taxpayer, the date when and the period for
34.26 which the tax was paid, the kind of tax paid, the amount of the tax that the taxpayer claims
34.27 was erroneously paid, the grounds on which a refund is claimed, and other information
34.28 relative to the payment and in the form required by the commissioner. An income tax, estate
34.29 tax, or corporate franchise tax return, or amended return claiming an overpayment constitutes
34.30 a claim for refund.

34.31 (c) When, in the course of an examination, and within the time for requesting a refund,
34.32 the commissioner determines that there has been an overpayment of tax, the commissioner

35.1 shall refund or credit the overpayment to the taxpayer and no demand is necessary. If the
 35.2 overpayment exceeds \$1, the amount of the overpayment must be refunded to the taxpayer.
 35.3 If the amount of the overpayment is less than \$1, the commissioner is not required to refund.
 35.4 In these situations, the commissioner does not have to make written findings or serve notice
 35.5 by mail to the taxpayer.

35.6 (d) If the amount allowable as a credit for withholding, estimated taxes, or dependent
 35.7 care exceeds the tax against which the credit is allowable, the amount of the excess is
 35.8 considered an overpayment. ~~The refund allowed by section 290.06, subdivision 23, is also~~
 35.9 ~~considered an overpayment.~~ The requirements of section 270C.33 do not apply to the
 35.10 refunding of such an overpayment shown on the original return filed by a taxpayer.

35.11 (e) If the entertainment tax withheld at the source exceeds by \$1 or more the taxes,
 35.12 penalties, and interest reported in the return of the entertainment entity or imposed by section
 35.13 290.9201, the excess must be refunded to the entertainment entity. If the excess is less than
 35.14 \$1, the commissioner need not refund that amount.

35.15 (f) If the surety deposit required for a construction contract exceeds the liability of the
 35.16 out-of-state contractor, the commissioner shall refund the difference to the contractor.

35.17 (g) An action of the commissioner in refunding the amount of the overpayment does not
 35.18 constitute a determination of the correctness of the return of the taxpayer.

35.19 (h) There is appropriated from the general fund to the commissioner of revenue the
 35.20 amount necessary to pay refunds allowed under this section.

35.21 Sec. 26. Minnesota Statutes 2022, section 290.01, subdivision 6, is amended to read:

35.22 Subd. 6. **Taxpayer.** The term "taxpayer" means any person or corporation subject to a
 35.23 tax imposed by this chapter. ~~For purposes of section 290.06, subdivision 23, the term~~
 35.24 ~~"taxpayer" means an individual eligible to vote in Minnesota under section 201.014.~~

35.25 Sec. 27. **POLITICAL CONTRIBUTIONS REFUND; CALENDAR YEAR 2022 AND**
 35.26 **2023 CONTRIBUTIONS AND RECEIPTS.**

35.27 Notwithstanding the repeal of the political contribution refund in section 28, the
 35.28 commissioner of revenue must continue to pay refunds for political contributions made in
 35.29 calendar year 2022 for claims filed by April 15, 2023, and calendar year 2023 for claims
 35.30 filed by April 15, 2024. A candidate or political party unit may not issue political contribution
 35.31 refund receipts after July 1, 2023.

35.32 **EFFECTIVE DATE.** This section is effective the day following final enactment.

36.1 Sec. 28. **REPEALER.**

36.2 Minnesota Statutes 2022, sections 13.4967, subdivision 2; and 290.06, subdivision 23,
36.3 are repealed.

36.4 Sec. 29. **EFFECTIVE DATE; RULEMAKING.**

36.5 Except where otherwise provided, this article is effective January 1, 2024, provided that
36.6 the Campaign Finance and Public Disclosure Board may proceed to propose and adopt
36.7 administrative rules required by this article beginning the day following final enactment.

13.4967 OTHER TAX DATA CODED ELSEWHERE.

Subd. 2. **Political contribution refund.** Certain political contribution refund data in the Revenue Department are classified under section 290.06, subdivision 23.

290.06 RATES OF TAX; CREDITS.

Subd. 23. **Refund of contributions to political parties and candidates.** (a) A taxpayer may claim a refund equal to the amount of the taxpayer's contributions made in the calendar year to candidates and to a political party. The maximum refund for an individual must not exceed \$50 and for a married couple, filing jointly, must not exceed \$100. A refund of a contribution is allowed only if the taxpayer files a form required by the commissioner and attaches to the form a copy of an official refund receipt form issued by the candidate or party and signed by the candidate, the treasurer of the candidate's principal campaign committee, or the chair or treasurer of the party unit, after the contribution was received. The receipt forms must be numbered, and the data on the receipt that are not public must be made available to the campaign finance and public disclosure board upon its request. A claim must be filed with the commissioner no sooner than January 1 of the calendar year in which the contribution was made and no later than April 15 of the calendar year following the calendar year in which the contribution was made. A taxpayer may file only one claim per calendar year. Amounts paid by the commissioner after June 15 of the calendar year following the calendar year in which the contribution was made must include interest at the rate specified in section 270C.405.

(b) No refund is allowed under this subdivision for a contribution to a candidate unless the candidate:

- (1) has signed an agreement to limit campaign expenditures as provided in section 10A.322;
- (2) is seeking an office for which voluntary spending limits are specified in section 10A.25; and
- (3) has designated a principal campaign committee.

This subdivision does not limit the campaign expenditures of a candidate who does not sign an agreement but accepts a contribution for which the contributor improperly claims a refund.

(c) For purposes of this subdivision, "political party" means a major political party as defined in section 200.02, subdivision 7, or a minor political party qualifying for inclusion on the income tax or property tax refund form under section 10A.31, subdivision 3a.

A "major party" or "minor party" includes the aggregate of that party's organization within each house of the legislature, the state party organization, and the party organization within congressional districts, counties, legislative districts, municipalities, and precincts.

"Candidate" means a candidate as defined in section 10A.01, subdivision 10, except a candidate for judicial office.

"Contribution" means a gift of money.

(d) The commissioner shall make copies of the form available to the public and candidates upon request.

(e) The following data collected or maintained by the commissioner under this subdivision are private: the identities of individuals claiming a refund, the identities of candidates to whom those individuals have made contributions, and the amount of each contribution.

(f) The commissioner shall report to the campaign finance and public disclosure board by each August 1 a summary showing the total number and aggregate amount of political contribution refunds made on behalf of each candidate and each political party. These data are public.

(g) The amount necessary to pay claims for the refund provided in this section is appropriated from the general fund to the commissioner of revenue.

(h) For a taxpayer who files a claim for refund via the Internet or other electronic means, the commissioner may accept the number on the official receipt as documentation that a contribution was made rather than the actual receipt as required by paragraph (a).