

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

**S.F. No. 1878**

(SENATE AUTHORS: KIFFMEYER)

DATE  
03/08/2021

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OFFICIAL STATUS  
Introduction and first reading  
Referred to State Government Finance and Policy and Elections

1.1 A bill for an act

1.2 relating to elections; making technical and policy changes to provisions related to

1.3 elections administration including provisions related to voting, voter registration,

1.4 polling places, ballots, recounts, contests, candidates, absentee voting, mail

1.5 balloting, canvassing, the presidential nomination primary, and various other

1.6 election-related provisions; extending availability of certain appropriations;

1.7 amending Minnesota Statutes 2020, sections 5B.06; 201.061, subdivision 3;

1.8 201.071, subdivisions 1, 2, 3, 8; 201.091, subdivision 2; 201.12, subdivision 2;

1.9 201.121, subdivision 3; 201.13, subdivision 3; 201.1611, subdivision 1; 201.225,

1.10 subdivision 2; 202A.16, subdivision 1; 203B.01, subdivision 3, by adding a

1.11 subdivision; 203B.02, by adding a subdivision; 203B.04, subdivision 1; 203B.081,

1.12 subdivisions 1, 2, 3; 203B.11, subdivision 1; 203B.12, subdivision 7; 203B.121,

1.13 subdivisions 2, 3, 4; 203B.16, subdivision 2; 203B.24, subdivision 1; 204B.06,

1.14 subdivision 4a; 204B.09, subdivisions 1, 3; 204B.13, by adding a subdivision;

1.15 204B.16, subdivision 1; 204B.19, subdivision 6; 204B.21, subdivision 2; 204B.36,

1.16 subdivision 2; 204B.45, subdivisions 1, 2; 204B.46; 204C.05, subdivisions 1a, 1b;

1.17 204C.15, subdivision 1; 204C.21, subdivision 1; 204C.27; 204C.33, subdivision

1.18 3; 204C.35, subdivision 3, by adding a subdivision; 204C.36, subdivision 1;

1.19 204D.08, subdivision 4; 204D.13, subdivision 1; 204D.19, subdivision 2; 204D.195;

1.20 204D.22, subdivision 3; 204D.23, subdivision 2; 204D.27, subdivision 5; 204D.28,

1.21 subdivisions 9, 10; 205.13, subdivision 5; 205A.10, subdivision 5; 205A.12,

1.22 subdivision 5; 206.805, subdivision 1; 206.89, subdivisions 4, 5; 206.90, subdivision

1.23 6; 207A.12; 207A.13; 207A.14, subdivision 3; 209.021, subdivision 2; 211B.11,

1.24 subdivision 1; 367.03, subdivision 6; 367.25, subdivision 1; 412.02, subdivision

1.25 2a; 447.32, subdivision 4; Laws 2019, First Special Session chapter 10, article 1,

1.26 section 40; Laws 2020, chapter 77, section 3, subdivision 6.

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

1.28 Section 1. Minnesota Statutes 2020, section 5B.06, is amended to read:

1.29 **5B.06 VOTING BY PROGRAM PARTICIPANT; ABSENTEE BALLOT.**

1.30 A program participant who is otherwise eligible to vote may register with the secretary

1.31 of state as a permanent absentee voter. Notwithstanding section 203B.04, subdivision 5,

1.32 the secretary of state is not required to send an absentee ballot application prior to each

2.1 election to a program participant registered as a permanent absentee voter under this section.  
2.2 As soon as practicable before each election, the secretary of state shall determine the precinct  
2.3 in which the residential address of ~~the~~ a program participant is located ~~and~~. Upon making  
2.4 a precinct determination, the secretary of state shall either (1) request from and receive from  
2.5 the county auditor or other election official the ballot for that precinct and ~~shall forward~~  
2.6 mail the absentee ballot to the program participant ~~with the other~~, or (2) using the Minnesota  
2.7 statewide voter registration system, prepare the program participant's ballot for that precinct  
2.8 and mail the absentee ballot to the program participant. The secretary of state shall include  
2.9 with each mailed absentee ballot all corresponding materials for absentee balloting as  
2.10 required by Minnesota law. The program participant shall complete the ballot and return it  
2.11 to the secretary of state, who shall review the ballot in the manner provided by section  
2.12 203B.121, subdivision 2. If the ballot and ballot materials comply with the requirements of  
2.13 that section, the ballot must be certified by the secretary of state as the ballot of a program  
2.14 participant, and must be forwarded to the appropriate electoral jurisdiction for tabulation  
2.15 along with all other ballots. The name and address of a program participant must not be  
2.16 listed in the statewide voter registration system.

2.17 Sec. 2. Minnesota Statutes 2020, section 201.061, subdivision 3, is amended to read:

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

2.23 (1) presenting a driver's license or Minnesota identification card issued pursuant to  
2.24 section 171.07;

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

2.26 (3) presenting one of the following:

2.27 (i) a current valid student identification card from a postsecondary educational institution  
2.28 in Minnesota, if a list of students from that institution has been prepared under section  
2.29 135A.17 and certified to the county auditor in the manner provided in rules of the secretary  
2.30 of state; or

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

3.1 (4) having a voter who is registered to vote in the precinct, or an employee employed  
3.2 by and working in a residential facility in the precinct and vouching for a resident in the  
3.3 facility, sign an oath in the presence of the election judge vouching that the voter or employee  
3.4 personally knows that the individual is a resident of the precinct. A voter who has been  
3.5 vouched for on election day may not sign a proof of residence oath vouching for any other  
3.6 individual on that election day. A voter who is registered to vote in the precinct may sign  
3.7 up to eight proof-of-residence oaths on any election day. This limitation does not apply to  
3.8 an employee of a residential facility described in this clause. The secretary of state shall  
3.9 provide a form for election judges to use in recording the number of individuals for whom  
3.10 a voter signs proof-of-residence oaths on election day. The form must include space for the  
3.11 maximum number of individuals for whom a voter may sign proof-of-residence oaths. For  
3.12 each proof-of-residence oath, the form must include a statement that the individual: (i) is  
3.13 registered to vote in the precinct or is an employee of a residential facility in the precinct,  
3.14 (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the  
3.15 statement on oath. The form must include a space for the voter's printed name, signature,  
3.16 telephone number, and address.

3.17 The oath required by this subdivision and Minnesota Rules, part 8200.9939, must be  
3.18 attached to the voter registration application.

3.19 (b) The operator of a residential facility shall prepare a list of the names of its employees  
3.20 currently working in the residential facility and the address of the residential facility. The  
3.21 operator shall certify the list and provide it to the appropriate county auditor no less than  
3.22 20 days before each election for use in election day registration.

3.23 (c) "Residential facility" means transitional housing as defined in section 256E.33,  
3.24 subdivision 1; a supervised living facility licensed by the commissioner of health under  
3.25 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision  
3.26 5; a residence registered with the commissioner of health as a housing with services  
3.27 establishment as defined in section 144D.01, subdivision 4; a veterans home operated by  
3.28 the board of directors of the Minnesota Veterans Homes under chapter 198; a residence  
3.29 licensed by the commissioner of human services to provide a residential program as defined  
3.30 in section 245A.02, subdivision 14; a residential facility for persons with a developmental  
3.31 disability licensed by the commissioner of human services under section 252.28; setting  
3.32 authorized to provide housing support as defined in section 256I.03, subdivision 3; a shelter  
3.33 for battered women as defined in section 611A.37, subdivision 4; ~~or~~ a supervised publicly  
3.34 or privately operated shelter or dwelling designed to provide temporary living  
3.35 accommodations for the homeless; a facility where a provider operates a residential treatment

4.1 program as defined in section 245.462, subdivision 23; or a facility where a provider operates  
 4.2 an adult foster care program as defined in section 245A.02, subdivision 6c.

4.3 (d) For tribal band members, an individual may prove residence for purposes of  
 4.4 registering by:

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

4.8 (2) presenting an identification card issued by the tribal government of a tribe recognized  
 4.9 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the  
 4.10 name, signature, and picture of the individual and also presenting one of the documents  
 4.11 listed in Minnesota Rules, part 8200.5100, subpart 2, item B.

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

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

4.15 Subdivision 1. **Form.** Both paper and electronic voter registration applications must  
 4.16 contain the same information unless otherwise provided by law. A voter registration  
 4.17 application must contain spaces for the following required information: voter's first name,  
 4.18 middle name, and last name; voter's previous name, if any; voter's current address; voter's  
 4.19 previous address, if any; voter's date of birth; voter's municipality and county of residence;  
 4.20 voter's telephone number, if provided by the voter; date of registration; current and valid  
 4.21 Minnesota driver's license number or Minnesota state identification number, or if the voter  
 4.22 has no current and valid Minnesota driver's license or Minnesota state identification, the  
 4.23 last four digits of the voter's Social Security number; and voter's signature. The paper  
 4.24 registration application may include the voter's e-mail address, if provided by the voter. The  
 4.25 electronic voter registration application must include the voter's e-mail address. The  
 4.26 registration application may include the voter's interest in serving as an election judge, if  
 4.27 indicated by the voter. The application must also contain the following certification of voter  
 4.28 eligibility:

4.29 "I certify that I:

4.30 (1) will be at least 18 years old on election day;

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

5.1 (3) will have ~~resided~~ maintained residence in Minnesota for 20 days immediately  
5.2 preceding election day;

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

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

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

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

5.9 (8) have read and understand the following statement: that giving false information is a  
5.10 felony punishable by not more than five years imprisonment or a fine of not more than  
5.11 \$10,000, or both."

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

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

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

5.15 And the instruction:

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

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

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

5.24 Sec. 4. Minnesota Statutes 2020, section 201.071, subdivision 2, is amended to read:

5.25 Subd. 2. **Instructions.** (a) A registration application shall be accompanied by instructions  
5.26 specifying the manner and method of registration, the qualifications for voting, the penalties  
5.27 for false registration, and the availability of registration and voting assistance for elderly  
5.28 and disabled individuals and residents of health care facilities and hospitals.

5.29 (b) The instructions must indicate that ~~if the voter does not have~~ must provide a valid  
5.30 Minnesota driver's license or identification card number, or the last four digits of the voter's

6.1 Social Security number ~~must be provided, unless the voter does not have a Social Security~~  
 6.2 ~~number, unless the voter has not been issued one of those numbers.~~

6.3 (c) If, prior to election day, a person requests the instructions in Braille, audio format,  
 6.4 or in a version printed in 16-point bold type with 24-point leading, the county auditor shall  
 6.5 provide them in the form requested. The secretary of state shall prepare Braille and audio  
 6.6 copies and make them available.

6.7 Sec. 5. Minnesota Statutes 2020, section 201.071, subdivision 3, is amended to read:

6.8 Subd. 3. **Deficient registration.** ~~No~~ (a) A voter registration application is not deficient  
 6.9 if it contains the voter's:

6.10 (1) name, address, and date of birth;<sub>2</sub>

6.11 (2) current and valid Minnesota driver's license number ~~or~~, Minnesota state identification  
 6.12 number, or ~~if the voter has no current and valid Minnesota driver's license or Minnesota~~  
 6.13 ~~state identification number~~, the last four digits of the voter's Social Security number, ~~if the~~  
 6.14 ~~voter has been issued a Social Security number;~~<sub>2</sub>

6.15 (3) prior registration, if any;<sub>2</sub> and

6.16 (4) signature.

6.17 (b) A voter registration application is not deficient due to any of the following:

6.18 (1) the absence of a zip code number ~~does not cause the registration to be deficient;~~<sub>2</sub>

6.19 (2) failure to check a box on an application form that a voter has certified to be true ~~does~~  
 6.20 ~~not cause the registration to be deficient;~~ or

6.21 (3) the absence of a number listed under paragraph (a), clause (2), if the voter has not  
 6.22 been issued one of those numbers and the information can be verified in another government  
 6.23 database associated with the applicant's name and date of birth, or the application was  
 6.24 accepted before January 1, 2004.

6.25 ~~The election judges shall request an individual to correct a voter registration application~~  
 6.26 ~~if it is deficient or illegible. No eligible voter may be prevented from voting unless the~~  
 6.27 ~~voter's registration application is deficient or the voter is duly and successfully challenged~~  
 6.28 ~~in accordance with section 201.195 or 204C.12.~~

6.29 (c) A voter registration application:

6.30 (1) accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county  
 6.31 or municipality may attempt to obtain the date of birth for a voter registration application

7.1 accepted prior to August 1, 1983, by a request to the voter at any time except at the polling  
 7.2 place. Failure by the voter to comply with this request does not make the registration  
 7.3 deficient; and

7.4 ~~A voter registration application accepted before January 1, 2004, is not deficient for lack  
 7.5 of a valid Minnesota driver's license or state identification number or the last four digits of  
 7.6 a Social Security number.~~

7.7 ~~A voter registration application submitted by a voter who does not have a Minnesota  
 7.8 driver's license or state identification number, or a Social Security number, is not deficient  
 7.9 for lack of any of these numbers.~~

7.10 ~~A voter registration application (2) submitted electronically through the website of the  
 7.11 secretary of state prior to April 30, 2014, is not invalid as a result of its electronic submission.~~

7.12 (d) An election judge must request an individual to correct a voter registration application  
 7.13 if it is deficient or illegible. An eligible voter must not be prevented from voting unless the  
 7.14 voter's registration application is deficient or the voter's eligibility to vote is successfully  
 7.15 challenged under section 201.195 or 204C.12.

7.16 Sec. 6. Minnesota Statutes 2020, section 201.071, subdivision 8, is amended to read:

7.17 Subd. 8. **School district assistance.** School districts shall assist county auditors in  
 7.18 determining the school district in which a voter ~~resides~~ maintains residence.

7.19 Sec. 7. Minnesota Statutes 2020, section 201.091, subdivision 2, is amended to read:

7.20 Subd. 2. **Corrected list.** By February 15 of each year, the secretary of state shall prepare  
 7.21 the master list for each county auditor. The records in the statewide registration system must  
 7.22 be periodically corrected and updated by the county auditor. An updated master list for each  
 7.23 precinct must be available for absentee voting at least 46 days before each election. A final  
 7.24 corrected master list must be available ~~seven~~ 14 days before each election.

7.25 Sec. 8. Minnesota Statutes 2020, section 201.12, subdivision 2, is amended to read:

7.26 Subd. 2. **Moved within state.** If any nonforwardable mailing from an election official  
 7.27 is returned as undeliverable but with a permanent forwarding address in this state, the county  
 7.28 auditor may change the voter's status to "inactive" in the statewide registration system and  
 7.29 shall transmit a copy of the mailing to the auditor of the county in which the new address  
 7.30 is located. If an election is scheduled to occur in the precinct in which the voter ~~resides~~  
 7.31 maintains residence in the next 47 days, the county auditor shall promptly update the voter's

8.1 address in the statewide voter registration system. If there is not an election scheduled, the  
8.2 auditor may wait to update the voter's address until after the next list of address changes is  
8.3 received from the secretary of state. Once updated, the county auditor shall mail to the voter  
8.4 a notice stating the voter's name, address, precinct, and polling place, except that if the  
8.5 voter's record is challenged due to a felony conviction, noncitizenship, name change,  
8.6 incompetence, or a court's revocation of voting rights of individuals under guardianship,  
8.7 the auditor must not mail the notice. The notice must advise the voter that the voter's voting  
8.8 address has been changed and that the voter must notify the county auditor within 21 days  
8.9 if the new address is not the voter's address of residence. The notice must state that it must  
8.10 be returned if it is not deliverable to the voter at the named address.

8.11 Sec. 9. Minnesota Statutes 2020, section 201.121, subdivision 3, is amended to read:

8.12 Subd. 3. **Postelection sampling.** (a) Within ten days after an election, the county auditor  
8.13 shall send the notice required by subdivision 2 to a random sampling of the individuals  
8.14 registered on election day. The random sampling shall be determined in accordance with  
8.15 the rules of the secretary of state. As soon as practicable after the election, the county auditor  
8.16 shall mail the notice required by subdivision 2 to all other individuals registered on election  
8.17 day. If a notice is returned as not deliverable, the county auditor shall attempt to determine  
8.18 the reason for the return. A county auditor who does not receive or obtain satisfactory proof  
8.19 of an individual's eligibility to vote shall immediately notify the county attorney of all of  
8.20 the relevant information. ~~The~~ By February 15 of each odd-numbered year, the county auditor  
8.21 must notify the secretary of state of the following information for the previous state general  
8.22 election by each precinct:

8.23 (1) the total number of all notices that were returned as nondeliverable;

8.24 (2) the total number of nondeliverable notices that the county auditor was able to  
8.25 determine the reason for the return along with the reason for each return; and

8.26 (3) the total number of individuals for whom the county auditor does not receive or  
8.27 obtain satisfactory proof of an individual's eligibility to vote.

8.28 (b) By March 1 of every odd-numbered year, the secretary of state shall report to the  
8.29 chair and ranking minority members of the legislative committees with jurisdiction over  
8.30 elections the following information for the previous state general election by each precinct  
8.31 and each county:

8.32 (1) the total number of all notices that were returned as nondeliverable;



9.1 (2) the total number of nondeliverable notices that a county auditor was able to determine  
9.2 the reason for the return along with the reason for each return; and

9.3 (3) the total number of individuals for whom the county auditor does not receive or  
9.4 obtain satisfactory proof of an individual's eligibility to vote.

9.5 Sec. 10. Minnesota Statutes 2020, section 201.13, subdivision 3, is amended to read:

9.6 Subd. 3. **Use of change of address system.** (a) At least once each month the secretary  
9.7 of state shall obtain a list of individuals registered to vote in this state who have filed with  
9.8 the United States Postal Service a change of their permanent address. The secretary of state  
9.9 may also periodically obtain a list of individuals with driver's licenses or state identification  
9.10 cards to identify those who are registered to vote who have applied to the Department of  
9.11 Public Safety for a replacement driver's license or state identification card with a different  
9.12 address, and a list of individuals for whom the Department of Public Safety received  
9.13 notification of a driver's license or state identification card cancellation due to a change of  
9.14 residency out of state. However, the secretary of state shall not load data derived from these  
9.15 lists into the statewide voter registration system within the 47 days before the state primary  
9.16 or 47 days before a November general election.

9.17 (b) If the address is changed to another address in this state, the secretary of state shall  
9.18 locate the precinct in which the voter ~~resides~~ maintains residence, if possible. If the secretary  
9.19 of state is able to locate the precinct in which the voter ~~resides~~ maintains residence, the  
9.20 secretary must transmit the information about the changed address by electronic means to  
9.21 the county auditor of the county in which the new address is located. For addresses for  
9.22 which the secretary of state is unable to determine the precinct, the secretary may forward  
9.23 information to the appropriate county auditors for individual review. If the voter has not  
9.24 voted or submitted a voter registration application since the address change, upon receipt  
9.25 of the information, the county auditor shall update the voter's address in the statewide voter  
9.26 registration system. The county auditor shall mail to the voter a notice stating the voter's  
9.27 name, address, precinct, and polling place, unless the voter's record is challenged due to a  
9.28 felony conviction, noncitizenship, name change, incompetence, or a court's revocation of  
9.29 voting rights of individuals under guardianship, in which case the auditor must not mail the  
9.30 notice. The notice must advise the voter that the voter's voting address has been changed  
9.31 and that the voter must notify the county auditor within 21 days if the new address is not  
9.32 the voter's address of residence. The notice must state that it must be returned if it is not  
9.33 deliverable to the voter at the named address.

10.1 (c) If the change of permanent address is to an address outside this state, the secretary  
10.2 of state shall notify by electronic means the auditor of the county where the voter formerly  
10.3 ~~resided~~ maintained residence that the voter has moved to another state. If the voter has not  
10.4 voted or submitted a voter registration application since the address change, the county  
10.5 auditor shall promptly mail to the voter at the voter's new address a notice advising the voter  
10.6 that the voter's status in the statewide voter registration system will be changed to "inactive"  
10.7 unless the voter notifies the county auditor within 21 days that the voter is retaining the  
10.8 former address as the voter's address of residence, except that if the voter's record is  
10.9 challenged due to a felony conviction, noncitizenship, name change, incompetence, or a  
10.10 court's revocation of voting rights of individuals under guardianship, the auditor must not  
10.11 mail the notice. If the notice is not received by the deadline, the county auditor shall change  
10.12 the voter's status to "inactive" in the statewide voter registration system.

10.13 (d) If, in order to maintain voter registration records, the secretary of state enters an  
10.14 agreement to share information or data with an organization governed exclusively by a  
10.15 group of states, the secretary must first determine that the data security protocols are sufficient  
10.16 to safeguard the information or data shared. If required by such an agreement, the secretary  
10.17 of state may share the following data from the statewide voter registration system and data  
10.18 released to the secretary of state under section 171.12, subdivision 7a:

10.19 (1) name;

10.20 (2) date of birth;

10.21 (3) address;

10.22 (4) driver's license or state identification card number;

10.23 (5) the last four digits of an individual's Social Security number; and

10.24 (6) the date that an individual's record was last updated.

10.25 If the secretary of state enters into such an agreement, the secretary and county auditors  
10.26 must process changes to voter records based upon that data in accordance with this section.  
10.27 Except as otherwise provided in this subdivision, when data is shared with the secretary of  
10.28 state by another state, the secretary of state must maintain the same data classification that  
10.29 the data had while it was in the possession of the state providing the data.

10.30 Sec. 11. Minnesota Statutes 2020, section 201.1611, subdivision 1, is amended to read:

10.31 Subdivision 1. **Forms.** All postsecondary institutions that enroll students accepting state  
10.32 or federal financial aid shall provide voter registration forms to each student as early as

11.1 possible in the fall quarter. All school districts shall make available voter registration  
11.2 applications each May and September to all students registered as students of the school  
11.3 district who will be eligible to vote at the next election after those months. A school district  
11.4 has no obligation to provide voter registration applications to students who participate in a  
11.5 postsecondary education option program or who otherwise ~~reside~~ maintain residence in the  
11.6 district but do not attend a school operated by the district. A school district fulfills its  
11.7 obligation to a student under this section if it provides a voter registration application to the  
11.8 student one time. The forms must contain spaces for the information required in section  
11.9 201.071, subdivision 1, and applicable rules of the secretary of state. The institutions and  
11.10 school districts may request these forms from the secretary of state. Institutions shall consult  
11.11 with their campus student government in determining the most effective means of distributing  
11.12 the forms and in seeking to facilitate election day registration of students under section  
11.13 201.061, subdivision 3. School districts must advise students that completion of the voter  
11.14 registration application is not a school district requirement.

11.15 Sec. 12. Minnesota Statutes 2020, section 201.225, subdivision 2, is amended to read:

11.16 Subd. 2. **Technology requirements.** An electronic roster must:

11.17 (1) be able to be loaded with a data file that includes voter registration data in a file  
11.18 format prescribed by the secretary of state;

11.19 (2) allow for data to be exported in a file format prescribed by the secretary of state;

11.20 (3) allow for data to be entered manually or by scanning a Minnesota driver's license or  
11.21 identification card to locate a voter record or populate a voter registration application that  
11.22 would be printed and signed and dated by the voter. The printed registration application  
11.23 can be either a printed form, labels printed with voter information to be affixed to a preprinted  
11.24 form, or a combination of both;

11.25 (4) allow an election judge to update data that was populated from a scanned driver's  
11.26 license or identification card;

11.27 (5) cue an election judge to ask for and input data that is not populated from a scanned  
11.28 driver's license or identification card that is otherwise required to be collected from the voter  
11.29 or an election judge;

11.30 (6) immediately alert the election judge if the voter has provided information that indicates  
11.31 that the voter is not eligible to vote;

12.1 (7) immediately alert the election judge if the electronic roster indicates that a voter has  
 12.2 already voted in that precinct, the voter's registration status is challenged, or it appears the  
 12.3 voter ~~resides~~ maintains residence in a different precinct;

12.4 (8) provide immediate instructions on how to resolve a particular type of challenge when  
 12.5 a voter's record is challenged;

12.6 (9) provide for a printed voter signature certificate, containing the voter's name, address  
 12.7 of residence, date of birth, voter identification number, the oath required by section 204C.10,  
 12.8 and a space for the voter's original signature. The printed voter signature certificate can be  
 12.9 either a printed form or a label printed with the voter's information to be affixed to the oath;

12.10 (10) contain only preregistered voters within the precinct, and not contain preregistered  
 12.11 voter data on voters registered outside of the precinct;

12.12 (11) be only networked within the polling location on election day, except for the purpose  
 12.13 of updating absentee ballot records;

12.14 (12) meet minimum security, reliability, and networking standards established by the  
 12.15 Office of the Secretary of State in consultation with the Office of MN.IT Services;

12.16 (13) be capable of providing a voter's correct polling place; and

12.17 (14) perform any other functions necessary for the efficient and secure administration  
 12.18 of the participating election, as determined by the secretary of state.

12.19 Electronic rosters used only for election day registration do not need to comply with clauses  
 12.20 (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need  
 12.21 to comply with clauses (4) and (5).

12.22 Sec. 13. Minnesota Statutes 2020, section 202A.16, subdivision 1, is amended to read:

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

12.27 Sec. 14. Minnesota Statutes 2020, section 203B.01, subdivision 3, is amended to read:

12.28 Subd. 3. **Military.** "Military" means the Army, Navy, Air Force, Marine Corps, Coast  
 12.29 Guard or Merchant Marine of the United States, all other uniformed services as defined in  
 12.30 United States Code, title 52, section 20310, and military forces as defined by section 190.05,  
 12.31 subdivision 3, or any eligible citizen of Minnesota enrolled as a student at the United States

13.1 Naval Academy, the United States Coast Guard Academy, the United States Merchant  
13.2 Marine Academy, the United States Air Force Academy, or the United States Military  
13.3 Academy.

13.4 Sec. 15. Minnesota Statutes 2020, section 203B.01, is amended by adding a subdivision  
13.5 to read:

13.6 Subd. 5. **Utility worker.** "Utility worker" means an employee of a public utility as  
13.7 defined by section 216B.02, subdivision 4.

13.8 Sec. 16. Minnesota Statutes 2020, section 203B.02, is amended by adding a subdivision  
13.9 to read:

13.10 Subd. 4. **Emergency response providers.** Any trained or certified emergency response  
13.11 provider or utility worker who is deployed during the time period authorized by law for  
13.12 absentee voting, on election day, or during any state of emergency declared by the President  
13.13 of the United States or any governor of any state within the United States may vote by  
13.14 absentee ballot.

13.15 Sec. 17. Minnesota Statutes 2020, section 203B.04, subdivision 1, is amended to read:

13.16 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision  
13.17 2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election  
13.18 may be submitted at any time not less than one day before the day of that election. The  
13.19 county auditor shall prepare absentee ballot application forms in the format provided by the  
13.20 secretary of state and shall furnish them to any person on request. By January 1 of each  
13.21 even-numbered year, the secretary of state shall make the forms to be used available to  
13.22 auditors through electronic means. An application submitted pursuant to this subdivision  
13.23 shall be in writing. An application may be submitted in person, by electronic facsimile  
13.24 device, by electronic mail, or by mail to:

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

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

13.28 For a federal, state, or county election, an absentee ballot application may alternatively be  
13.29 submitted electronically through a secure website that shall be maintained by the secretary  
13.30 of state for this purpose. Notwithstanding paragraph (b), the secretary of state must require  
13.31 applicants using the website to submit the applicant's e-mail address and verifiable Minnesota

14.1 driver's license number, Minnesota state identification card number, or the last four digits  
14.2 of the applicant's Social Security number.

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

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

- 14.13 (1) the applicant's Minnesota driver's license number;  
14.14 (2) Minnesota state identification card number;  
14.15 (3) the last four digits of the applicant's Social Security number; or  
14.16 (4) a statement that the applicant does not have any of these numbers.

14.17 (c) To be approved, the application must contain an oath that the information contained  
14.18 on the form is accurate, that the applicant is applying on the applicant's own behalf, and  
14.19 that the applicant is signing the form under penalty of perjury.

14.20 (d) An applicant's full date of birth, Minnesota driver's license or state identification  
14.21 number, and the last four digits of the applicant's Social Security number must not be made  
14.22 available for public inspection. An application may be submitted to the county auditor or  
14.23 municipal clerk by an electronic facsimile device. An application mailed or returned in  
14.24 person to the county auditor or municipal clerk on behalf of a voter by a person other than  
14.25 the voter must be deposited in the mail or returned in person to the county auditor or  
14.26 municipal clerk within ten days after it has been dated by the voter and no later than six  
14.27 days before the election. The absentee ballot applications or a list of persons applying for  
14.28 an absentee ballot may not be made available for public inspection until the close of voting  
14.29 on election day, except as authorized in section 203B.12, and must be available to the public  
14.30 in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

14.31 (e) An application under this subdivision may contain an application under subdivision  
14.32 5 to automatically receive an absentee ballot application.

15.1 Sec. 18. Minnesota Statutes 2020, section 203B.081, subdivision 1, is amended to read:

15.2 Subdivision 1. **Location; timing.** An eligible voter may vote by absentee ballot in the  
 15.3 office of the county auditor and at any other polling place designated by the county auditor  
 15.4 during the 46 days before the election, except as provided in this section. The county auditor  
 15.5 shall make such polling place designations at least 14 weeks before the election. Voters  
 15.6 casting absentee ballots in person for a town election held in March may do so during the  
 15.7 30 days before the election.

15.8 Sec. 19. Minnesota Statutes 2020, section 203B.081, subdivision 2, is amended to read:

15.9 Subd. 2. ~~Town elections~~ Voting booth; electronic ballot marker. ~~Voters casting~~  
 15.10 ~~absentee ballots in person for a town election held in March may do so during the 30 days~~  
 15.11 ~~before the election. The county auditor shall make such designations at least 14 weeks before~~  
 15.12 ~~the election. For purposes of this section, the county auditor must make available in each~~  
 15.13 ~~polling place (1) at least one voting booth in each polling place must be made available by~~  
 15.14 ~~the county auditor for this purpose. The county auditor must also make available, and (2)~~  
 15.15 ~~at least one electronic ballot marker in each polling place that has implemented a voting~~  
 15.16 ~~system that is accessible for individuals with disabilities pursuant to section 206.57,~~  
 15.17 ~~subdivision 5.~~

15.18 Sec. 20. Minnesota Statutes 2020, section 203B.081, subdivision 3, is amended to read:

15.19 Subd. 3. **Alternative procedure.** (a) The county auditor may make available a ballot  
 15.20 counter and ballot box for use by the voters during the ~~seven~~ 14 days before the election.  
 15.21 If a ballot counter and ballot box is provided, a voter must be given the option either (1) to  
 15.22 vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the  
 15.23 manner provided in this subdivision.

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

15.30 (c) After signing the voter's certificate, the voter shall be issued a ballot and immediately  
 15.31 retire to a voting station or other designated location in the polling place to mark the ballot.  
 15.32 The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter

16.1 may return it to the election official in exchange for a new ballot. After completing the  
16.2 ballot, the voter shall deposit the ballot into the ballot box.

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

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

16.7 Sec. 21. Minnesota Statutes 2020, section 203B.11, subdivision 1, is amended to read:

16.8 Subdivision 1. **Generally.** (a) Each full-time municipal clerk or school district clerk  
16.9 who has authority under section 203B.05 to administer absentee voting laws shall designate  
16.10 election judges to deliver absentee ballots in accordance with this section. The county auditor  
16.11 must also designate election judges to perform the duties in this section. A ballot may be  
16.12 delivered only to an eligible voter who is a temporary or permanent resident or patient in a  
16.13 health care facility or hospital located in the municipality in which the voter maintains  
16.14 residence. The ballots shall be delivered by two election judges, each of whom is affiliated  
16.15 with a different major political party. When the election judges deliver or return ballots as  
16.16 provided in this section, they shall travel together in the same vehicle. Both election judges  
16.17 shall be present when an applicant completes the certificate of eligibility and marks the  
16.18 absentee ballots, and may assist an applicant as provided in section 204C.15. The election  
16.19 judges shall deposit the return envelopes containing the marked absentee ballots in a sealed  
16.20 container and return them to the clerk on the same day that they are delivered and marked.

16.21 (b) At the discretion of a full-time municipal clerk, school district clerk, or county auditor,  
16.22 absentee ballots may be delivered in the same manner as prescribed in paragraph (a) to a  
16.23 veterans home operated by the board of directors of the Minnesota veterans homes under  
16.24 chapter 198 or a shelter for battered women as defined in section 611A.37, subdivision 4.

16.25 Sec. 22. Minnesota Statutes 2020, section 203B.12, subdivision 7, is amended to read:

16.26 Subd. 7. **Names of persons; rejected absentee ballots.** The names of voters who have  
16.27 submitted an absentee ballot to the county auditor or municipal clerk that has not been  
16.28 accepted may not be made available for public inspection until the close of voting on election  
16.29 day.

16.30 After the close of voting on election day, the lists must be available to the public in the  
16.31 same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.



17.1 Sec. 23. Minnesota Statutes 2020, section 203B.121, subdivision 2, is amended to read:

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

17.10 (b) The members of the ballot board shall mark the ~~return~~ signature envelope "Accepted"  
17.11 and initial or sign the ~~return~~ signature envelope below the word "Accepted" if a majority  
17.12 of the members of the ballot board examining the envelope are satisfied that:

17.13 (1) the voter's name and address on the ~~return~~ signature envelope are the same as the  
17.14 information provided on the absentee ballot application;

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

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

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

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

17.25 (6) the voter has not already voted at that election, either in person or, if it is after the  
17.26 close of business on the ~~seventh~~ 14th day before the election, by absentee ballot.

17.27 The ~~return~~ signature envelope from accepted ballots must be preserved and returned to  
17.28 the county auditor.

17.29 (c)(1) If a majority of the members of the ballot board examining a ~~return~~ signature  
17.30 envelope find that an absentee voter has failed to meet one of the requirements provided in  
17.31 paragraph (b), they shall mark the ~~return~~ signature envelope "Rejected," initial or sign it  
17.32 below the word "Rejected," list the reason for the rejection on the envelope, and return it  
17.33 to the county auditor. There is no other reason for rejecting an absentee ballot beyond those

18.1 permitted by this section. Failure to place the ballot within the ~~security~~ secrecy envelope  
18.2 before placing it in the outer white envelope is not a reason to reject an absentee ballot.

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

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

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

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

18.18 (2) the reason for rejection; and

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

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

18.23 Sec. 24. Minnesota Statutes 2020, section 203B.121, subdivision 3, is amended to read:

18.24 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk  
18.25 must immediately record that a voter's absentee ballot has been accepted. After the close  
18.26 of business on the ~~seventh~~ 14th day before the election, a voter whose record indicates that  
18.27 an absentee ballot has been accepted must not be permitted to cast another ballot at that  
18.28 election. In a state primary, general, or state special election for federal or state office, the  
18.29 auditor or clerk must also record this information in the statewide voter registration system.

18.30 (b) The roster must be marked, and a supplemental report of absentee voters who  
18.31 submitted a voter registration application with their ballot must be created, no later than the

19.1 start of voting on election day to indicate the voters that have already cast a ballot at the  
19.2 election. The roster may be marked either:

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

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

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

19.6 The record of a voter whose absentee ballot was received after the close of business on  
19.7 the ~~seventh~~ 14th day before the election is not required to be marked on the roster or  
19.8 contained in a supplemental report as required by this paragraph.

19.9 Sec. 25. Minnesota Statutes 2020, section 203B.121, subdivision 4, is amended to read:

19.10 Subd. 4. **Opening of envelopes.** After the close of business on the ~~seventh~~ 14th day  
19.11 before the election, the ballots from ~~return~~ secrecy envelopes within the signature envelopes  
19.12 marked "Accepted" may be opened, duplicated as needed in the manner provided in section  
19.13 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the  
19.14 appropriate ballot box. If more than one voted ballot is enclosed in the ballot envelope, the  
19.15 ballots must be returned in the manner provided by section 204C.25 for return of spoiled  
19.16 ballots, and may not be counted.

19.17 Sec. 26. Minnesota Statutes 2020, section 203B.16, subdivision 2, is amended to read:

19.18 Subd. 2. **Indefinite residence outside United States.** Sections 203B.16 to 203B.27  
19.19 provide the exclusive voting procedure for United States citizens who are living indefinitely  
19.20 outside the territorial limits of the United States who meet all the qualifications of an eligible  
19.21 voter except residence in Minnesota, but who are authorized by federal law to vote in  
19.22 Minnesota because they or, if they have never ~~resided~~ maintained residence in the United  
19.23 States, a parent maintained residence in Minnesota for at least 20 days immediately prior  
19.24 to their departure from the United States. Individuals described in this subdivision shall be  
19.25 permitted to vote only for the offices of president, vice-president, senator in Congress, and  
19.26 representative in Congress.

19.27 Sec. 27. Minnesota Statutes 2020, section 203B.24, subdivision 1, is amended to read:

19.28 Subdivision 1. **Check of voter eligibility; proper execution of certificate.** Upon receipt  
19.29 of an absentee ballot returned as provided in sections 203B.16 to 203B.27, the election  
19.30 judges shall compare the voter's name with the names recorded under section 203B.19 in  
19.31 the statewide registration system to insure that the ballot is from a voter eligible to cast an

20.1 absentee ballot under sections 203B.16 to 203B.27. The election judges shall mark the return  
20.2 envelope "Accepted" and initial or sign the return envelope below the word "Accepted" if  
20.3 the election judges are satisfied that:

20.4 (1) the voter's name and address on the return envelope appears in substantially the same  
20.5 form as on the application records provided to the election judges by the county auditor;

20.6 (2) the voter has signed the federal oath prescribed pursuant to section 705(b)(2) of the  
20.7 Help America Vote Act, Public Law 107-252;

20.8 (3) the voter has set forth the same voter's passport number, or Minnesota driver's license  
20.9 or state identification card number, or the last four digits of the voter's Social Security  
20.10 number as submitted on the application, if the voter has one of these documents;

20.11 (4) the voter is not known to have died; and

20.12 (5) the voter has not already voted at that election, either in person or by absentee ballot.

20.13 If the identification number described in clause (3) does not match the number as  
20.14 submitted on the application, the election judges must make a reasonable effort to satisfy  
20.15 themselves through other information provided by the applicant, or by an individual  
20.16 authorized to apply on behalf of the voter, that the ballots were returned by the same person  
20.17 to whom the ballots were transmitted.

20.18 An absentee ballot cast pursuant to sections 203B.16 to 203B.27 may only be rejected  
20.19 for the lack of one of clauses (1) to (5). In particular, failure to place the ballot within the  
20.20 ~~security~~ secrecy envelope before placing it in the outer white envelope is not a reason to  
20.21 reject an absentee ballot.

20.22 Election judges must note the reason for rejection on the back of the envelope in the  
20.23 space provided for that purpose.

20.24 Failure to return unused ballots shall not invalidate a marked ballot, but a ballot shall  
20.25 not be counted if the certificate on the return envelope is not properly executed. In all other  
20.26 respects the provisions of the Minnesota Election Law governing deposit and counting of  
20.27 ballots shall apply. Notwithstanding other provisions of this section, the counting of the  
20.28 absentee ballot of a deceased voter does not invalidate the election.

20.29 Sec. 28. Minnesota Statutes 2020, section 204B.06, subdivision 4a, is amended to read:

20.30 Subd. 4a. **State and local offices.** Candidates who seek nomination for the following  
20.31 offices shall state the following additional information on the affidavit:

21.1 (1) for governor or lieutenant governor, that on the first Monday of the next January the  
21.2 candidate will be 25 years of age or older and, on the day of the state general election, a  
21.3 resident of Minnesota for not less than one year;

21.4 (2) for supreme court justice, court of appeals judge, or district court judge, that the  
21.5 candidate is learned in the law;

21.6 (3) for county, municipal, school district, or special district office, that the candidate  
21.7 meets any other qualifications for that office prescribed by law;

21.8 (4) for senator or representative in the legislature, that on the day of the general or special  
21.9 election to fill the office the candidate will have ~~resided~~ maintained residence not less than  
21.10 one year in the state and not less than six months in the legislative district from which the  
21.11 candidate seeks election.

21.12 Sec. 29. Minnesota Statutes 2020, section 204B.09, subdivision 1, is amended to read:

21.13 Subdivision 1. **Candidates in state and county general elections.** (a) Except as  
21.14 otherwise provided by this subdivision, affidavits of candidacy and nominating petitions  
21.15 for county, state, and federal offices filled at the state general election shall be filed not  
21.16 more than 84 days nor less than 70 days before the state primary. The affidavit may be  
21.17 prepared and signed at any time between 60 days before the filing period opens and the last  
21.18 day of the filing period.

21.19 (b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed  
21.20 in the presence of a notarial officer or an individual authorized to administer oaths under  
21.21 section 358.10.

21.22 (c) This provision does not apply to candidates for presidential elector nominated by  
21.23 major political parties. Major party candidates for presidential elector are certified under  
21.24 section 208.03. Other candidates for presidential electors may file petitions at least 77 days  
21.25 before the general election day pursuant to section 204B.07. Nominating petitions to fill  
21.26 vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or  
21.27 petition shall be accepted later than 5:00 p.m. on the last day for filing.

21.28 (d) Affidavits and petitions for county offices must be filed with the county auditor of  
21.29 that county. Affidavits and petitions for federal offices must be filed with the secretary of  
21.30 state. Affidavits and petitions for state offices must be filed with the secretary of state or  
21.31 with the county auditor of the county in which the candidate ~~resides~~ maintains residence.

22.1 (e) Affidavits other than those filed pursuant to subdivision 1a must be submitted by  
 22.2 mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and must  
 22.3 be received by 5:00 p.m. on the last day for filing.

22.4 Sec. 30. Minnesota Statutes 2020, section 204B.09, subdivision 3, is amended to read:

22.5 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who  
 22.6 wants write-in votes for the candidate to be counted must file a written request with the  
 22.7 filing office for the office sought not more than 84 days before the primary and no later  
 22.8 than the ~~seventh~~ 14th day before the general election. The filing officer shall provide copies  
 22.9 of the form to make the request. ~~No~~ The filing officer shall not accept a written request shall  
 22.10 ~~be accepted~~ later than 5:00 p.m. on the last day for filing a written request.

22.11 (b) A candidate for president of the United States who files a request under this  
 22.12 subdivision must ~~include the name of a candidate for vice president of the United States.~~  
 22.13 file jointly with another individual seeking nomination as a candidate for vice president of  
 22.14 the United States. A candidate for vice president of the United States who files a request  
 22.15 under this subdivision must file jointly with another individual seeking nomination as a  
 22.16 candidate for president of the United States. The request must also include the name of at  
 22.17 least one candidate for presidential elector. The total number of names of candidates for  
 22.18 presidential elector on the request may not exceed the total number of electoral votes to be  
 22.19 cast by Minnesota in the presidential election.

22.20 (c) A candidate for governor who files a request under this subdivision must ~~include the~~  
 22.21 ~~name of a candidate for lieutenant governor.~~ file jointly with another individual seeking  
 22.22 nomination as a candidate for lieutenant governor. A candidate for lieutenant governor who  
 22.23 files a request under this subdivision must file jointly with another individual seeking  
 22.24 nomination as a candidate for governor.

22.25 Sec. 31. Minnesota Statutes 2020, section 204B.13, is amended by adding a subdivision  
 22.26 to read:

22.27 Subd. 6a. **Candidates for federal office.** This section does not apply to a vacancy in  
 22.28 nomination for a federal office.

22.29 Sec. 32. Minnesota Statutes 2020, section 204B.16, subdivision 1, is amended to read:

22.30 Subdivision 1. **Authority; location.** (a) By December 31 of each year, the governing  
 22.31 body of each municipality and of each county with precincts in unorganized territory must  
 22.32 designate by ordinance or resolution a polling place for each election precinct. The polling

23.1 ~~places designated in the ordinance or resolution are the polling places for the following~~  
 23.2 ~~calendar year, unless a change is made: any changes to a polling place location. A polling~~  
 23.3 ~~place must be maintained for the following calendar year unless changed:~~

23.4 (1) by ordinance or resolution by December 31 of the previous year;

23.5 ~~(1)~~ (2) pursuant to section 204B.175;

23.6 ~~(2)~~ (3) because a polling place has become unavailable; or

23.7 ~~(3)~~ (4) because a township designates one location for all state, county, and federal  
 23.8 elections and one location for all township only elections.

23.9 (b) Polling places must be designated and ballots must be distributed so that no one is  
 23.10 required to go to more than one polling place to vote in a school district and municipal  
 23.11 election held on the same day. The polling place for a precinct in a city or in a school district  
 23.12 located in whole or in part in the metropolitan area defined by section 200.02, subdivision  
 23.13 24, shall be located within the boundaries of the precinct or within one mile of one of those  
 23.14 boundaries unless a single polling place is designated for a city pursuant to section 204B.14,  
 23.15 subdivision 2, or a school district pursuant to section 205A.11. The polling place for a  
 23.16 precinct in unorganized territory may be located outside the precinct at a place which is  
 23.17 convenient to the voters of the precinct. If no suitable place is available within a town or  
 23.18 within a school district located outside the metropolitan area defined by section 200.02,  
 23.19 subdivision 24, then the polling place for a town or school district may be located outside  
 23.20 the town or school district within five miles of one of the boundaries of the town or school  
 23.21 district.

23.22 Sec. 33. Minnesota Statutes 2020, section 204B.19, subdivision 6, is amended to read:

23.23 Subd. 6. **High school students.** Notwithstanding any other requirements of this section,  
 23.24 a student enrolled in a high school in Minnesota or who is in a home school in compliance  
 23.25 with sections 120A.22 and 120A.24, who has attained the age of 16 is eligible to be appointed  
 23.26 as a without party affiliation trainee election judge in the county in which the student ~~resides~~  
 23.27 maintains residence, or a county adjacent to the county in which the student ~~resides~~ maintains  
 23.28 residence. The student must meet qualifications for trainee election judges specified in rules  
 23.29 of the secretary of state. A student appointed as a trainee election judge may be excused  
 23.30 from school attendance during the hours that the student is serving as a trainee election  
 23.31 judge if the student submits a written request signed and approved by the student's parent  
 23.32 or guardian to be absent from school and a certificate from the appointing authority stating  
 23.33 the hours during which the student will serve as a trainee election judge to the principal of

24.1 the school at least ten days prior to the election. Students shall not serve as trainee election  
24.2 judges after 10:00 p.m. Notwithstanding section 177.24 to the contrary, trainee election  
24.3 judges may be paid not less than two-thirds of the minimum wage for a large employer.  
24.4 The principal of the school may approve a request to be absent from school conditioned on  
24.5 acceptable academic performance at the time of service as a trainee election judge.

24.6 Sec. 34. Minnesota Statutes 2020, section 204B.21, subdivision 2, is amended to read:

24.7 Subd. 2. **Appointing authority; powers and duties.** Election judges for precincts in a  
24.8 municipality shall be appointed by the governing body of the municipality. Election judges  
24.9 for precincts in unorganized territory and for performing election-related duties assigned  
24.10 by the county auditor shall be appointed by the county board. Election judges for a precinct  
24.11 composed of two or more municipalities must be appointed by the governing body of the  
24.12 municipality or municipalities responsible for appointing election judges as provided in the  
24.13 agreement to combine for election purposes. Except as otherwise provided in this section,  
24.14 appointments shall be made from the list of voters who ~~reside~~ maintain residence in each  
24.15 precinct, furnished pursuant to subdivision 1, subject to the eligibility requirements and  
24.16 other qualifications established or authorized under section 204B.19. At least two election  
24.17 judges in each precinct must be affiliated with different major political parties. If no lists  
24.18 have been furnished or if additional election judges are required after all listed names in  
24.19 that municipality have been exhausted, the appointing authority may appoint other individuals  
24.20 who meet the qualifications to serve as an election judge, including persons on the list  
24.21 furnished pursuant to subdivision 1 who indicated a willingness to travel to the municipality,  
24.22 and persons who are not affiliated with a major political party. An individual who is appointed  
24.23 from a source other than the list furnished pursuant to subdivision 1 must provide to the  
24.24 appointing authority the individual's major political party affiliation or a statement that the  
24.25 individual does not affiliate with any major political party. An individual who refuses to  
24.26 provide the individual's major political party affiliation or a statement that the individual  
24.27 does not affiliate with a major political party must not be appointed as an election judge.  
24.28 The appointments shall be made at least 25 days before the election at which the election  
24.29 judges will serve, except that the appointing authority may pass a resolution authorizing  
24.30 the appointment of additional election judges within the 25 days before the election if the  
24.31 appointing authority determines that additional election judges will be required.

24.32 Sec. 35. Minnesota Statutes 2020, section 204B.36, subdivision 2, is amended to read:

24.33 Subd. 2. **Candidates and offices.** The name of each candidate shall be printed at a right  
24.34 angle to the length of the ballot. At a general election the name of the political party or the



25.1 political principle of each candidate for partisan office shall be printed above or below the  
25.2 name of the candidate. The name of a political party or a political principle shall be printed  
25.3 in capital and lowercase letters of the same type, with the capital letters at least one-half the  
25.4 height of the capital letters used for names of the candidates. At a general or special election,  
25.5 blank lines containing the words "write-in, if any" shall be printed below the name of the  
25.6 last candidate for each office, or below the title of the office if no candidate has filed for  
25.7 that office, so that a voter may write in the names of individuals whose names are not on  
25.8 the ballot. One blank line shall be printed for each officer of that kind to be elected. At a  
25.9 primary election, no blank lines shall be provided for writing in the names of individuals  
25.10 whose names do not appear on the primary ballot.

25.11 On the left side of the ballot at the same level with the name of each candidate and each  
25.12 blank line shall be printed an oval or similar target shape in which the voter may designate  
25.13 a vote by filling in the oval or similar mark if a different target shape is used. Each oval or  
25.14 target shape shall be the same size. Above the first name on each ballot shall be instructions  
25.15 for voting. Directly underneath the official title of each office shall be printed the words  
25.16 "Vote for one" or "Vote for up to ..." (any greater number to be elected).

25.17 Sec. 36. Minnesota Statutes 2020, section 204B.45, subdivision 1, is amended to read:

25.18 Subdivision 1. **Authorization.** A town of any size ~~not located in a metropolitan county~~  
25.19 ~~as defined by section 473.121,~~ or a city having fewer than 400 registered voters on June 1  
25.20 of an election year ~~and not located in a metropolitan county as defined by section 473.121,~~  
25.21 may provide balloting by mail at any municipal, county, or state election with no polling  
25.22 place other than the office of the auditor or clerk or other locations designated by the auditor  
25.23 or clerk. The governing body may apply to the county auditor for permission to conduct  
25.24 balloting by mail. The county board may provide for balloting by mail in unorganized  
25.25 territory. The governing body of any municipality may designate for mail balloting any  
25.26 precinct having fewer than 100 registered voters, subject to the approval of the county  
25.27 auditor.

25.28 Voted ballots may be returned in person to any location designated by the county auditor  
25.29 or municipal clerk.

25.30 Sec. 37. Minnesota Statutes 2020, section 204B.45, subdivision 2, is amended to read:

25.31 Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given  
25.32 at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before  
25.33 a regularly scheduled election and not more than 30 days nor later than 14 days before any

26.1 other election, the auditor shall mail ballots by nonforwardable mail to all voters registered  
26.2 in the city, town, or unorganized territory. No later than 14 days before the election, the  
26.3 auditor must make a subsequent mailing of ballots to those voters who register to vote after  
26.4 the initial mailing but before the 20th day before the election. Eligible voters not registered  
26.5 at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot  
26.6 return envelopes, with return postage provided, must be preaddressed to the auditor or clerk  
26.7 and the voter may return the ballot by mail or in person to the office of the auditor or clerk.  
26.8 The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot  
26.9 return envelopes and mark them "accepted" or "rejected" within three days of receipt if  
26.10 there are 14 or fewer days before election day, or within five days of receipt if there are  
26.11 more than 14 days before election day. The board may consist of deputy county auditors or  
26.12 deputy municipal clerks who have received training in the processing and counting of mail  
26.13 ballots, who need not be affiliated with a major political party. Election judges performing  
26.14 the duties in this section must be of different major political parties, unless they are exempt  
26.15 from that requirement under section 205.075, subdivision 4, or section 205A.10. If an  
26.16 envelope has been rejected at least five days before the election, the ballots in the envelope  
26.17 must remain sealed and the auditor or clerk shall provide the voter with a replacement ballot  
26.18 and return envelope in place of the spoiled ballot. If the ballot is rejected within five days  
26.19 of the election, the envelope must remain sealed and the official in charge of the ballot board  
26.20 must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's  
26.21 ballot has been rejected. The official must document the attempts made to contact the voter.

26.22 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to  
26.23 indicate that the voter has already cast a ballot in that election. After the close of business  
26.24 on the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked  
26.25 "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86,  
26.26 subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

26.27 In all other respects, the provisions of the Minnesota Election Law governing deposit  
26.28 and counting of ballots apply.

26.29 The mail and absentee ballots for a precinct must be counted together and reported as  
26.30 one vote total. No vote totals from mail or absentee ballots may be made public before the  
26.31 close of voting on election day.

26.32 The costs of the mailing shall be paid by the election jurisdiction in which the voter  
26.33 ~~resides~~ maintains residence. Any ballot received by 8:00 p.m. on the day of the election  
26.34 must be counted.

27.1 Sec. 38. Minnesota Statutes 2020, section 204B.46, is amended to read:

27.2 **204B.46 MAIL ELECTIONS; QUESTIONS.**

27.3 A county, municipality, or school district submitting questions to the voters at a special  
27.4 election may conduct an election by mail with no polling place other than the office of the  
27.5 auditor or clerk. No offices may be voted on at a mail election-, except in overlapping school  
27.6 and municipality jurisdictions, where a mail election may include an office when one of the  
27.7 jurisdictions also has a question on the ballot. Notice of the election must be given to the  
27.8 county auditor at least 74 days prior to the election. This notice shall also fulfill the  
27.9 requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must  
27.10 be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days  
27.11 prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all  
27.12 voters registered in the county, municipality, or school district. No later than 14 days before  
27.13 the election, the auditor or clerk must make a subsequent mailing of ballots to those voters  
27.14 who register to vote after the initial mailing but before the 20th day before the election.  
27.15 Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant  
27.16 to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and  
27.17 absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days  
27.18 of receipt if there are 14 or fewer days before election day, or within five days of receipt if  
27.19 there are more than 14 days before election day. The board may consist of deputy county  
27.20 auditors, deputy municipal clerks, or deputy school district clerks who have received training  
27.21 in the processing and counting of mail ballots, who need not be affiliated with a major  
27.22 political party. Election judges performing the duties in this section must be of different  
27.23 major political parties, unless they are exempt from that requirement under section 205.075,  
27.24 subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before  
27.25 the election, the ballots in the envelope must remain sealed and the auditor or clerk must  
27.26 provide the voter with a replacement ballot and return envelope in place of the spoiled ballot.  
27.27 If the ballot is rejected within five days of the election, the envelope must remain sealed  
27.28 and the official in charge of the ballot board must attempt to contact the voter by telephone  
27.29 or e-mail to notify the voter that the voter's ballot has been rejected. The official must  
27.30 document the attempts made to contact the voter.

27.31 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to  
27.32 indicate that the voter has already cast a ballot in that election. After the close of business  
27.33 on the ~~seventh~~ 14th day before the election, the ballots from return envelopes marked  
27.34 "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86,  
27.35 subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

28.1 In all other respects, the provisions of the Minnesota Election Law governing deposit  
28.2 and counting of ballots apply.

28.3 The mail and absentee ballots for a precinct must be counted together and reported as  
28.4 one vote total. No vote totals from ballots may be made public before the close of voting  
28.5 on election day.

28.6 Sec. 39. Minnesota Statutes 2020, section 204C.05, subdivision 1a, is amended to read:

28.7 Subd. 1a. **Elections; organized town.** The governing body of a town with less than 500  
28.8 inhabitants according to the most recent federal decennial census, which is located outside  
28.9 the metropolitan area as defined in section 200.02, subdivision 24, may fix a later time for  
28.10 voting to begin at state primary, special, or general elections, if approved by a vote of the  
28.11 town electors at the annual town meeting. The question of shorter voting hours must be  
28.12 included in the notice of the annual town meeting before the question may be submitted to  
28.13 the electors at the meeting. The later time may not be later than 10:00 a.m. for special,  
28.14 primary, or general elections. The town clerk shall either post or publish notice of the  
28.15 changed hours and notify the county auditor and the secretary of state of the change 30 days  
28.16 before the election.

28.17 Sec. 40. Minnesota Statutes 2020, section 204C.05, subdivision 1b, is amended to read:

28.18 Subd. 1b. **Elections; unorganized territory.** An unorganized territory or unorganized  
28.19 territories which constitute a voting district may have shorter voting hours if at least 20  
28.20 percent of the registered voters residing in the voting district sign a petition for shorter hours  
28.21 and present it to the county auditor and secretary of state at least 30 days before the election.  
28.22 The later time may not be later than 10:00 a.m. for special, primary, or general elections.  
28.23 The county auditor shall either post or publish notice of the changed hours, within the voting  
28.24 district, 30 days before the election.

28.25 Sec. 41. Minnesota Statutes 2020, section 204C.15, subdivision 1, is amended to read:

28.26 Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for  
28.27 assistance because of inability to read English or physical inability to mark a ballot may  
28.28 obtain the aid of two election judges who are members of different major political parties.  
28.29 The election judges shall mark the ballots as directed by the voter and in as secret a manner  
28.30 as circumstances permit. A voter in need of assistance may alternatively obtain the assistance  
28.31 of any individual the voter chooses. Only the following persons may not provide assistance  
28.32 to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the

29.1 voter's union, or a candidate for election. The person who assists the voter shall,  
29.2 unaccompanied by an election judge, retire with that voter to a booth and mark the ballot  
29.3 as directed by the voter. ~~No person who assists another voter as provided in the preceding~~  
29.4 ~~sentence shall mark the ballots of more than three voters at one election.~~ Before the ballots  
29.5 are deposited, the voter may show them privately to an election judge to ascertain that they  
29.6 are marked as the voter directed. An election judge or other individual assisting a voter shall  
29.7 not in any manner request, persuade, induce, or attempt to persuade or induce the voter to  
29.8 vote for any particular political party or candidate. The election judges or other individuals  
29.9 who assist the voter shall not reveal to anyone the name of any candidate for whom the  
29.10 voter has voted or anything that took place while assisting the voter.

29.11 Sec. 42. Minnesota Statutes 2020, section 204C.21, subdivision 1, is amended to read:

29.12 Subdivision 1. **Method.** The election judges shall take all the ballots of the same kind  
29.13 and count the votes cast for each office or question, beginning with the first office or question  
29.14 on the ballot. They shall make one pile of the ballots for each candidate who received votes  
29.15 for that office, or one pile for the "Yes" votes and one pile for the "No" votes on a question.  
29.16 They shall make a pile of totally defective ballots and a pile of totally blank ballots. They  
29.17 shall make a pile of ballots that are not totally defective but are defective with respect to  
29.18 the office or question being counted and a pile of ballots that are not totally blank but are  
29.19 blank with respect to the office or question being counted. After the separation into piles,  
29.20 the election judges shall examine each pile and remove and place in the proper pile any  
29.21 ballots that are found in the wrong pile. The election judges shall count the totally blank  
29.22 and totally defective ballots and set them aside until the counting is over for that ballot. In  
29.23 conducting the count of blank ballots, election judges may presume that the total count  
29.24 provided for prepackaged ballots is correct. The election judges may pile ballots crosswise  
29.25 in groups of 25 in the same pile to facilitate counting. When their counts agree, the election  
29.26 judges shall announce the number of ballots in each pile, and shall write the number in the  
29.27 proper place on the summary statements.

29.28 The election judges shall then return all the counted ballots, and all the partially defective  
29.29 or partially blank ballots, to the original pile to be separated and counted in the same manner  
29.30 for the next office or question.

30.1 Sec. 43. Minnesota Statutes 2020, section 204C.27, is amended to read:

30.2 **204C.27 DELIVERY OF RETURNS TO COUNTY AUDITORS.**

30.3 One or more of the election judges in each precinct shall deliver ~~two sets~~ one set of  
30.4 summary statements; all spoiled ballots; and the envelopes containing the ballots either  
30.5 directly to the municipal clerk for transmittal to the county auditor's office or directly to the  
30.6 county auditor's office as soon as possible after the vote counting is completed but no later  
30.7 than 24 hours after the end of the hours for voting. One or more election judges shall deliver  
30.8 the remaining set of summary statements and returns, all unused and spoiled municipal and  
30.9 school district ballots, the envelopes containing municipal and school district ballots, and  
30.10 all other things furnished by the municipal or school district clerk, to the municipal or school  
30.11 district clerk's office within 24 hours after the end of the hours for voting. The municipal  
30.12 or school district clerk shall return all polling place rosters and completed voter registration  
30.13 cards to the county auditor within 48 hours after the end of the hours for voting.

30.14 Sec. 44. Minnesota Statutes 2020, section 204C.33, subdivision 3, is amended to read:

30.15 Subd. 3. **State canvass.** The State Canvassing Board shall meet at a public meeting  
30.16 space located in the Capitol complex area on the third Tuesday following the state general  
30.17 election to canvass the certified copies of the county canvassing board reports received from  
30.18 the county auditors and shall prepare a report that states:

30.19 (1) the number of individuals voting in the state and in each county;

30.20 (2) the number of votes received by each of the candidates, specifying the counties in  
30.21 which they were cast; and

30.22 (3) the number of votes counted for and against each constitutional amendment, specifying  
30.23 the counties in which they were cast.

30.24 Upon completion of the canvass, the State Canvassing Board shall declare the candidates  
30.25 duly elected who received the highest number of votes for each federal and state office. All  
30.26 members of the State Canvassing Board shall sign the report and certify its correctness. The  
30.27 State Canvassing Board shall declare the result within three days after completing the  
30.28 canvass.

30.29 Sec. 45. Minnesota Statutes 2020, section 204C.35, is amended by adding a subdivision  
30.30 to read:

30.31 Subd. 2a. **Constitutional amendment recount.** In a state general election when the  
30.32 difference between the number of "yes" votes cast on ratification of a proposed constitutional

31.1 amendment is within one-quarter percent of the number of all other ballots cast at the  
31.2 election, the canvassing board shall manually recount the votes on that question, including  
31.3 the number of "yes" or "no" votes on the question, and the number of ballots that did not  
31.4 cast a vote on the question. The results of the recount must be certified by the canvassing  
31.5 board as soon as possible.

31.6 Sec. 46. Minnesota Statutes 2020, section 204C.35, subdivision 3, is amended to read:

31.7 Subd. 3. **Scope of recount.** A recount conducted as provided in this section is limited  
31.8 in scope to the determination of the number of votes validly cast for the office or question  
31.9 to be recounted. Only the ballots cast in the election and the summary statements certified  
31.10 by the election judges may be considered in the recount process. Original ballots that have  
31.11 been duplicated under section 206.86, subdivision 5, are not within the scope of a recount  
31.12 and must not be examined except as provided by a court in an election contest under chapter  
31.13 209.

31.14 Sec. 47. Minnesota Statutes 2020, section 204C.36, subdivision 1, is amended to read:

31.15 Subdivision 1. **Publicly funded recounts.** (a) Except as provided in paragraphs (b) and  
31.16 (c), a losing candidate for nomination or election to a county, municipal, or school district  
31.17 office may request a recount of the votes cast for the nomination or election to that office  
31.18 if the difference between the vote cast for that candidate and for a winning candidate for  
31.19 nomination or election is less than one-quarter of one percent of the total votes counted for  
31.20 that office. In case of offices where two or more seats are being filled from among all the  
31.21 candidates for the office, the one-quarter of one percent difference is between the elected  
31.22 candidate with the fewest votes and the candidate with the most votes from among the  
31.23 candidates who were not elected.

31.24 (b) A losing candidate for nomination or election to a county, municipal, or school  
31.25 district office may request a recount of the votes cast for nomination or election to that  
31.26 office if the difference between the votes cast for that candidate and for a winning candidate  
31.27 for nomination or election is less than one-half of one percent, and the total number of votes  
31.28 cast for the nomination or election of all candidates is more than 400 but less than 50,000.  
31.29 In cases of offices where two or more seats are being filled from among all the candidates  
31.30 for the office, the one-half of one percent difference is between the elected candidate with  
31.31 the fewest votes and the candidate with the most votes from among the candidates who  
31.32 were not elected.

32.1 (c) A losing candidate for nomination or election to a county, municipal, or school district  
32.2 office may request a recount of the votes cast for nomination or election to that office if the  
32.3 difference between the vote cast for that candidate and for a winning candidate for nomination  
32.4 or election is ten votes or less, and the total number of votes cast for the nomination or  
32.5 election of all candidates is no more than 400. In cases of offices where two or more seats  
32.6 are being filled from among all the candidates for the office, the ten vote difference is  
32.7 between the elected candidate with the fewest votes and the candidate with the most votes  
32.8 from among the candidates who were not elected.

32.9 (d) Candidates for county offices shall file a written request for the recount with the  
32.10 county auditor. Candidates for municipal or school district offices shall file a written request  
32.11 with the municipal or school district clerk as appropriate. All requests under this paragraph  
32.12 shall be filed by between the close of the canvass of a primary or special primary and 5:00  
32.13 p.m. on the fifth day after the canvass of a primary or special primary or by between the  
32.14 close of the canvass of a special or general election and 5:00 p.m. on the seventh day of the  
32.15 canvass of a special or general election for which a recount is sought.

32.16 (e) Upon receipt of a request made pursuant to this section, the county auditor shall  
32.17 recount the votes for a county office at the expense of the county, the governing body of  
32.18 the municipality shall recount the votes for a municipal office at the expense of the  
32.19 municipality, and the school board of the school district shall recount the votes for a school  
32.20 district office at the expense of the school district.

32.21 Sec. 48. Minnesota Statutes 2020, section 204D.08, subdivision 4, is amended to read:

32.22 Subd. 4. **State partisan primary ballot; party columns.** The state partisan primary  
32.23 ballot shall be headed by the words "State Partisan Primary Ballot." The ballot shall be  
32.24 printed on white paper. There must be at least three vertical columns on the ballot and each  
32.25 major political party shall have a separate column headed by the words "..... Party,"  
32.26 giving the party name. Above the party names, the following statement shall be printed.

32.27 "Minnesota Election Law permits you to vote for the candidates of only one political  
32.28 party in a state partisan primary election."

32.29 If there are only two major political parties to be listed on the ballot, one party must  
32.30 occupy the left-hand column, the other party must occupy the right-hand column, and the  
32.31 center column must contain the following statement:

32.32 "Do not vote for candidates of more than one party."



33.1 The names of the candidates seeking the nomination of each major political party shall  
33.2 be listed in that party's column. If only one individual files an affidavit of candidacy seeking  
33.3 the nomination of a major political party for an office, the name of that individual shall be  
33.4 placed on the state partisan primary ballot at the appropriate location in that party's column.

33.5 In each column, the candidates for senator in Congress shall be listed first, candidates  
33.6 for representative in Congress second, candidates for state senator third, candidates for state  
33.7 representative fourth and then candidates for state office in the order specified by the secretary  
33.8 of state. Vacant offices being filled by special election must be listed with other offices of  
33.9 that type, but after any office of that type for which a candidate will be elected for a full  
33.10 term.

33.11 The party columns shall be substantially the same in width, type, and appearance. The  
33.12 columns shall be separated by a 12-point solid line.

33.13 Sec. 49. Minnesota Statutes 2020, section 204D.13, subdivision 1, is amended to read:

33.14 Subdivision 1. **Order of offices.** The candidates for partisan offices shall be placed on  
33.15 the state general election ballot in the following order: senator in Congress shall be first;  
33.16 representative in Congress, second; state senator, third; and state representative, fourth. The  
33.17 candidates for state offices shall follow in the order specified by the secretary of state.  
33.18 Candidates for governor and lieutenant governor shall appear so that a single vote may be  
33.19 cast for both offices. Vacant offices being filled by special election must be listed with other  
33.20 offices of that type, but after any office of that type for which a candidate will be elected  
33.21 for a full term.

33.22 Sec. 50. Minnesota Statutes 2020, section 204D.19, subdivision 2, is amended to read:

33.23 Subd. 2. **Special election when legislature will be in session.** Except for vacancies in  
33.24 the legislature which occur at any time between the last day of session in an odd-numbered  
33.25 year and the ~~40th~~ 54th day prior to the opening day of session in the succeeding  
33.26 even-numbered year, when a vacancy occurs and the legislature will be in session so that  
33.27 the individual elected as provided by this section could take office and exercise the duties  
33.28 of the office immediately upon election, the governor shall issue within five days after the  
33.29 vacancy occurs a writ calling for a special election. The special election shall be held as  
33.30 soon as possible, consistent with the notice requirements of section 204D.22, subdivision  
33.31 3, but in no event more than ~~35~~ 49 days after the issuance of the writ. ~~A special election~~  
33.32 ~~must not be held during the four days before or the four days after a holiday as defined in~~  
33.33 ~~section 645.44, subdivision 5.~~

34.1 Sec. 51. Minnesota Statutes 2020, section 204D.195, is amended to read:

34.2 **204D.195 DATE OF SPECIAL ELECTION; CERTAIN TIMES PROHIBITED.**

34.3 Notwithstanding any other provision of law, a special primary and special general election  
34.4 may not be held:

34.5 (1) for a period beginning the day following the date of the state primary election and  
34.6 ending the day prior to the date of the state general election; or

34.7 (2) on a holiday, or during the four days before or after a holiday, as defined in section  
34.8 645.44, subdivision 5.

34.9 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
34.10 applies to special elections occurring on or after that date.

34.11 Sec. 52. Minnesota Statutes 2020, section 204D.22, subdivision 3, is amended to read:

34.12 Subd. 3. **Notice of special election.** The county auditor of a county in which a special  
34.13 election is to be held shall direct the clerk of each municipality in which the election is to  
34.14 be held to post a notice of the special primary and special election at least ~~seven~~ 14 days  
34.15 before the special primary and at least ~~14~~ 21 days before the special election in the manner  
34.16 provided in sections 204B.33 and 204B.34. If the special primary is to be held ~~14~~ 21 days  
34.17 before the special election, a single notice of both elections may be posted seven days before  
34.18 the primary.

34.19 When the special primary or special election is to be held on the same day as any other  
34.20 election, notice of the special primary or special election may be included in the notice of  
34.21 the other election, if practicable.

34.22 Sec. 53. Minnesota Statutes 2020, section 204D.23, subdivision 2, is amended to read:

34.23 Subd. 2. **Time of filing.** Except as provided in subdivision 3, the affidavits and petitions  
34.24 shall be filed no later than ~~14~~ 21 days before the special primary.

34.25 Sec. 54. Minnesota Statutes 2020, section 204D.27, subdivision 5, is amended to read:

34.26 Subd. 5. **Canvass; special primary; state canvassing board; contest.** Not later than  
34.27 four days after the returns of the county canvassing boards are certified to the secretary of  
34.28 state, the State Canvassing Board shall complete its canvass of the special primary. The  
34.29 secretary of state shall then promptly certify to the county auditors the names of the  
34.30 nominated individuals, prepare notices of nomination, and notify each nominee of the  
34.31 nomination. In case of a contest of a special primary for state senator or state representative,

35.1 the notice of contest must be filed within two days, excluding Sundays and legal holidays,  
35.2 after the canvass is completed, and the contest shall otherwise proceed in the manner provided  
35.3 by law for contesting elections.

35.4 Sec. 55. Minnesota Statutes 2020, section 204D.28, subdivision 9, is amended to read:

35.5 Subd. 9. **Filing by candidates.** The time for filing of affidavits and nominating petitions  
35.6 for candidates to fill a vacancy at a special election shall open 12 weeks before the special  
35.7 primary or on the day the secretary of state issues notice of the special election, whichever  
35.8 occurs later. Filings shall close ten weeks before the special primary. A candidate filing for  
35.9 the office of United States senator to fill a vacancy at a special election when both offices  
35.10 of United States senator are required to be placed on the same ballot must specify on the  
35.11 affidavit of candidacy the expiration date of the term of the office that the candidate is  
35.12 seeking.

35.13 Sec. 56. Minnesota Statutes 2020, section 204D.28, subdivision 10, is amended to read:

35.14 Subd. 10. **United States senator; candidates; designation of term.** When the names  
35.15 of candidates for both offices of United States senator are required to be placed on the same  
35.16 ballot, the expiration date of the term of each office shall be printed on the ballot in the  
35.17 office heading opposite the name of each candidate for nomination or election to that office.

35.18 Sec. 57. Minnesota Statutes 2020, section 205.13, subdivision 5, is amended to read:

35.19 Subd. 5. **Nominating petition; cities of the first class.** A nominating petition filed on  
35.20 behalf of a candidate for municipal office in a city of the first class shall be signed by eligible  
35.21 voters who ~~reside~~ maintain residence in the election district from which the candidate is to  
35.22 be elected. The number of signers shall be at least 500, or two percent of the total number  
35.23 of individuals who voted in the municipality, ward, or other election district at the last  
35.24 preceding municipal general election, whichever is greater.

35.25 Sec. 58. Minnesota Statutes 2020, section 205A.10, subdivision 5, is amended to read:

35.26 Subd. 5. **School district canvassing board.** For the purpose of a recount of a special  
35.27 election conducted under section 126C.17, subdivision 9, or 475.59, the school district  
35.28 canvassing board shall consist of one member of the school board other than the clerk,  
35.29 selected by the board, the clerk of the school board, the county auditor of the county in  
35.30 which the greatest number of school district residents ~~reside~~ maintain residence, the court  
35.31 administrator of the district court of the judicial district in which the greatest number of

36.1 school district residents ~~reside~~ maintain residence, and the mayor or chair of the town board  
36.2 of the school district's most populous municipality. Any member of the canvassing board  
36.3 may appoint a designee to appear at the meeting of the board, except that no designee may  
36.4 be a candidate for public office. If one of the individuals fails to appear at the meeting of  
36.5 the canvassing board, the county auditor shall appoint an eligible voter of the school district,  
36.6 who must not be a member of the school board, to fill the vacancy. Not more than two  
36.7 school board members shall serve on the canvassing board at one time. Four members  
36.8 constitute a quorum.

36.9 The school board shall serve as the school district canvassing board for the election of  
36.10 school board members.

36.11 Sec. 59. Minnesota Statutes 2020, section 205A.12, subdivision 5, is amended to read:

36.12 Subd. 5. **Board elections.** If the proposal for the establishment of election districts is  
36.13 approved by the voters, the board shall specify the election districts from which vacancies  
36.14 shall be filled as they occur until such time as each board member represents an election  
36.15 district. A candidate for school board in a subsequent election must file an affidavit of  
36.16 candidacy to be elected as a school board member for the election district in which the  
36.17 candidate ~~resides~~ maintains residence. If there are as many election districts as there are  
36.18 members of the board, one and only one member of the board shall be elected from each  
36.19 election district. In school districts where one or more board members are elected by election  
36.20 districts, candidates must indicate on the affidavit of candidacy the number of the district  
36.21 from which they seek election or, if appropriate, that they seek election from one of the  
36.22 offices elected at large. If the election districts have two or three members each, the terms  
36.23 of the members must be staggered. Each board member must be a resident of the election  
36.24 district for which elected but the creation of an election district or a change in election  
36.25 district boundaries shall not disqualify a board member from serving for the remainder of  
36.26 a term.

36.27 Sec. 60. Minnesota Statutes 2020, section 206.805, subdivision 1, is amended to read:

36.28 Subdivision 1. **Contracts required.** (a) The secretary of state, with the assistance of the  
36.29 commissioner of administration, must establish one or more state voting systems contracts.  
36.30 The contracts should, if practical, include provisions for maintenance of the equipment  
36.31 purchased. The voting systems contracts must address precinct-based optical scan voting  
36.32 equipment, assistive voting technology, automatic tabulating equipment, and electronic  
36.33 roster equipment. The contracts must give the state a perpetual license to use and modify

37.1 the software. The contracts must include provisions to escrow the software source code, as  
 37.2 ~~provided in subdivision 2~~. Bids for voting systems and related election services must be  
 37.3 solicited from each vendor selling or leasing voting systems that have been certified for use  
 37.4 by the secretary of state. Bids for electronic roster equipment, software, and related services  
 37.5 must be solicited from each vendor selling or leasing electronic roster equipment that meets  
 37.6 the requirements of section 201.225, subdivision 2. The contracts must be renewed from  
 37.7 time to time.

37.8 (b) Counties and municipalities may purchase or lease voting systems and obtain related  
 37.9 election services from the state contracts. All counties and municipalities are members of  
 37.10 the cooperative purchasing venture of the Department of Administration for the purpose of  
 37.11 this section. For the purpose of township elections, counties must aggregate orders under  
 37.12 contracts negotiated under this section for products and services and may apportion the  
 37.13 costs of those products and services proportionally among the townships receiving the  
 37.14 products and services. The county is not liable for the timely or accurate delivery of those  
 37.15 products or services.

37.16 Sec. 61. Minnesota Statutes 2020, section 206.89, subdivision 4, is amended to read:

37.17 Subd. 4. **Standard of acceptable performance by voting system.** A comparison of the  
 37.18 results compiled by the voting system with the postelection review described in this section  
 37.19 must show that the results of the electronic voting system differed by no more than ~~one-half~~  
 37.20 one-quarter of one percent from the manual count of the offices reviewed. Valid votes that  
 37.21 have been marked by the voter outside the vote targets or using a manual marking device  
 37.22 that cannot be read by the voting system must not be included in making the determination  
 37.23 whether the voting system has met the standard of acceptable performance for any precinct.

37.24 Sec. 62. Minnesota Statutes 2020, section 206.89, subdivision 5, is amended to read:

37.25 Subd. 5. **Additional review.** (a) If the postelection review in one of the reviewed precincts  
 37.26 reveals a difference greater than ~~one-half~~ one-quarter of one percent, or greater than two  
 37.27 votes in a precinct where ~~400~~ 800 or fewer voters cast ballots, the postelection review official  
 37.28 must, within two days, conduct an additional review of the races indicated in subdivision  
 37.29 3 in at least three precincts in the same jurisdiction where the discrepancy was discovered.  
 37.30 If all precincts in that jurisdiction have been reviewed, the county auditor must immediately  
 37.31 publicly select by lot at least three additional precincts for review. The postelection review  
 37.32 official must complete the additional review within two days after the precincts are selected  
 37.33 and report the results immediately to the county auditor. If the second review in any of the

38.1 reviewed precincts also indicates a difference in the vote totals compiled by the voting  
38.2 system that is greater than ~~one-half~~ one-quarter of one percent from the result indicated by  
38.3 the postelection review, or greater than two votes in a precinct where ~~400~~ 800 or fewer  
38.4 voters cast ballots, the county auditor must conduct a review of the ballots from all the  
38.5 remaining precincts in the county for the races indicated in subdivision 3. This review must  
38.6 be completed and the results must be reported to the secretary of state within one week after  
38.7 the second review was completed.

38.8 (b) If the results from the countywide reviews from one or more counties comprising in  
38.9 the aggregate more than ten percent of the total number of persons voting in the election  
38.10 clearly indicate that an error in vote counting has occurred, the secretary of state must notify  
38.11 the postelection review official of each county in the district that they must conduct manual  
38.12 recounts of all the ballots in the district for the affected office using the procedure outlined  
38.13 in section 204C.35. The recount must be completed and the results reported to the appropriate  
38.14 canvassing board within two weeks after the postelection review official received notice  
38.15 from the secretary of state.

38.16 Sec. 63. Minnesota Statutes 2020, section 206.90, subdivision 6, is amended to read:

38.17 Subd. 6. **Ballots.** In precincts using optical scan voting systems, a single ballot card on  
38.18 which all ballot information is included must be printed in black ink on white colored  
38.19 material except that marks not to be read by the automatic tabulating equipment may be  
38.20 printed in another color ink. In state elections, a single ballot title must be used, as provided  
38.21 in sections 204D.08, subdivision 6, and 204D.11, subdivision 1. ~~In odd-numbered years~~  
38.22 When both municipal and school district offices or questions appear on the ballot, the single  
38.23 ballot title "City (or Town) and School District Ballot" must be used.

38.24 On the front of the ballot must be printed the words "Official Ballot" and the date of the  
38.25 election and lines for the initials of at least two election judges.

38.26 When optical scan ballots are used, the offices to be elected must appear in the following  
38.27 order: federal offices; state legislative offices; constitutional offices; proposed constitutional  
38.28 amendments; county offices and questions; municipal offices and questions; school district  
38.29 offices and questions; special district offices and questions; and judicial offices.

38.30 On optical scan ballots, the names of candidates and the words "yes" and "no" for ballot  
38.31 questions must be printed as close to their corresponding vote targets as possible.

38.32 The line on an optical scan ballot for write-in votes must contain the words "write-in,  
38.33 if any."

39.1 If a primary ballot contains both a partisan ballot and a nonpartisan ballot, the instructions  
39.2 to voters must include a statement that reads substantially as follows: "This ballot card  
39.3 contains a partisan ballot and a nonpartisan ballot. On the partisan ballot you are permitted  
39.4 to vote for candidates of one political party only." If a primary ballot contains political party  
39.5 columns on both sides of the ballot, the instructions to voters must include a statement that  
39.6 reads substantially as follows: "Additional political parties are printed on the other side of  
39.7 this ballot. Vote for one political party only." At the bottom of each political party column  
39.8 on the primary ballot, the ballot must contain a statement that reads substantially as follows:  
39.9 "Continue voting on the nonpartisan ballot." The instructions in section 204D.08, subdivision  
39.10 4, do not apply to optical scan partisan primary ballots. Electronic ballot displays and audio  
39.11 ballot readers must follow the order of offices and questions on the optical scan or paper  
39.12 ballot used in the same precinct, or the sample ballot posted for that precinct.

39.13 Sec. 64. Minnesota Statutes 2020, section 207A.12, is amended to read:

39.14 **207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.**

39.15 (a) Except as otherwise provided by law, the presidential nomination primary must be  
39.16 conducted, and the results canvassed and returned, in the manner provided by law for the  
39.17 state primary.

39.18 (b) An individual seeking to vote at the presidential nomination primary must be  
39.19 registered to vote pursuant to section 201.054, subdivision 1. The voter must request the  
39.20 ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section  
39.21 204C.18, subdivision 1, the election judge must record in the polling place roster the name  
39.22 of the political party whose ballot the voter requested. When posting voter history pursuant  
39.23 to section 201.171, the county auditor must include the name of the political party whose  
39.24 ballot the voter requested. The political party ballot selected by a voter is private data on  
39.25 individuals as defined under section 13.02, subdivision 12, except as provided in section  
39.26 201.091, subdivision 4a. A voter eligible to cast a ballot as provided in section 5B.06 must  
39.27 be permitted to cast a ballot at the presidential nomination primary consistent with the  
39.28 requirements of that section.

39.29 (c) Immediately after the state canvassing board declares the results of the presidential  
39.30 nomination primary, the secretary of state must notify the chair of each party of the results.

39.31 (d) The results of the presidential nomination primary must bind the election of delegates  
39.32 in each party.

40.1 Sec. 65. Minnesota Statutes 2020, section 207A.13, is amended to read:

40.2 **207A.13 FORM OF BALLOTS; CANDIDATES ON BALLOT.**

40.3 Subdivision 1. **Form.** (a) Except as provided by law, presidential nomination primary  
40.4 ballots shall be printed in the same manner as state primary ballots as far as practicable. A  
40.5 sufficient number of each ballot shall be printed for each precinct and ward in the state.

40.6 (b) There must be separate ballots for the names of the candidates of each participating  
40.7 political party. Each ballot must be headed by the words "Presidential Nomination Primary  
40.8 Ballot." The heading must also indicate the party that appears on the ballot.

40.9 (c) If requested by a party chair, the ballot for that participating party must contain a  
40.10 place for a voter to indicate a preference for having delegates to the party's national  
40.11 convention remain uncommitted. If requested by a party chair, the ballot for that participating  
40.12 party must contain a blank line printed below the other choices on the ballot so that a voter  
40.13 may write in the name of a person who is not listed on the ballot. A request under this  
40.14 paragraph must be submitted to the secretary of state no later than 63 days before the  
40.15 presidential nomination primary.

40.16 Subd. 2. **Candidates on the ballot.** (a) Each party participating in the presidential  
40.17 nomination party must determine which candidates are to be placed on the presidential  
40.18 nomination primary ballot for that party. The chair of each participating party must submit  
40.19 to the secretary of state the names of the candidates to appear on the ballot for that party no  
40.20 later than 63 days before the presidential nomination primary. Once submitted, changes  
40.21 must not be made to the candidates that will appear on the ballot.

40.22 (b) No later than the ~~seventh~~ 14th day before the presidential nomination primary, the  
40.23 chair of each participating party must submit to the secretary of state the names of write-in  
40.24 candidates, if any, to be counted for that party.

40.25 Sec. 66. Minnesota Statutes 2020, section 207A.14, subdivision 3, is amended to read:

40.26 Subd. 3. **Notice of primary to public.** At least 15 days before the date of the presidential  
40.27 nomination primary, each municipal clerk shall post a public notice stating the date of the  
40.28 presidential nomination primary, the location of each polling place in the municipality, the  
40.29 hours during which the polling places in the municipality will be open, and information  
40.30 about the requirements of section 207A.12, paragraph (b), ~~including a notice that the voter's~~  
40.31 ~~choice of a political party's ballot will be recorded and is public information.~~ The county  
40.32 auditor shall post a similar notice in the auditor's office with information for any polling  
40.33 places in unorganized territory in the county. The governing body of a municipality or



41.1 county may publish the notice in addition to posting it. Failure to give notice does not  
41.2 invalidate the election.

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

41.4 Sec. 67. Minnesota Statutes 2020, section 209.021, subdivision 2, is amended to read:

41.5 Subd. 2. **Notice filed with court.** If the contest relates to a nomination or election for  
41.6 statewide office, the contestant shall file the notice of contest with the court administrator  
41.7 of District Court in Ramsey County. For contests relating to any other office, the contestant  
41.8 shall file the notice of contest with the court administrator of district court in the county  
41.9 where the contestee ~~resides~~ maintains residence.

41.10 If the contest relates to a constitutional amendment, the contestant shall file the notice  
41.11 of contest with the court administrator of District Court in Ramsey County. If the contest  
41.12 relates to any other question, the contestant shall file the notice of contest with the court  
41.13 administrator of district court for the county or any one of the counties where the question  
41.14 appeared on the ballot.

41.15 Sec. 68. Minnesota Statutes 2020, section 211B.11, subdivision 1, is amended to read:

41.16 Subdivision 1. **Soliciting near polling places.** A person may not display campaign  
41.17 material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within  
41.18 a polling place or within 100 feet of the building in which a polling place is situated, or  
41.19 anywhere on the public property on which a polling place is situated, on primary or election  
41.20 day to vote for or refrain from voting for a candidate or ballot question. A person may not  
41.21 provide political badges, political buttons, or other political insignia to be worn at or about  
41.22 the polling place on the day of a primary or election. A political badge, political button, or  
41.23 other political insignia may not be worn at or about the polling place on primary or election  
41.24 day. This section applies only during voting hours and to areas established by the county  
41.25 auditor or municipal clerk for absentee voting as provided in chapter 203B.

41.26 Nothing in this subdivision prohibits the distribution of "I VOTED" stickers as provided  
41.27 in section 204B.49.

41.28 Sec. 69. Minnesota Statutes 2020, section 367.03, subdivision 6, is amended to read:

41.29 Subd. 6. **Vacancies.** (a) When a vacancy occurs in a town office, the town board shall  
41.30 fill the vacancy by appointment. Except as provided in paragraph (b), the person appointed  
41.31 shall hold office until the next annual town election, when a successor shall be elected for  
41.32 the unexpired term.

42.1 (b) When a vacancy occurs in a town office:

42.2 (1) with more than one year remaining in the term; and

42.3 (2) on or after the 14th day before the first day to file an affidavit of candidacy for the  
42.4 town election;

42.5 the vacancy must be filled by appointment. The person appointed serves until the next annual  
42.6 town election following the election for which affidavits of candidacy are to be filed, when  
42.7 a successor shall be elected for the unexpired term.

42.8 (c) A vacancy in the office of supervisor must be filled by an appointment committee  
42.9 comprised of the remaining supervisors and the town clerk.

42.10 (d) Any person appointed to fill the vacancy in the office of supervisor must, upon  
42.11 assuming the office, be an eligible voter, be 21 years of age, and have ~~resided~~ maintained  
42.12 residence in the town for at least 30 days.

42.13 (e) When, because of a vacancy, more than one supervisor is to be chosen at the same  
42.14 election, candidates for the offices of supervisor shall file for one of the specific terms being  
42.15 filled.

42.16 (f) When, for any reason, the town board or the appointment committee fails to fill a  
42.17 vacancy in the position of an elected town officer by appointment, a special election may  
42.18 be called. To call a special election, the supervisors and town clerk, or any two of them  
42.19 together with at least 12 other town freeholders, must file a statement in the town clerk's  
42.20 office. The statement must tell why the election is called and that the interests of the town  
42.21 require the election. When the town board or the appointment committee fails to fill a  
42.22 vacancy by appointment, a special town election may also be called on petition of 20 percent  
42.23 of the electors of the town. The percentage is of the number of voters at the last general  
42.24 election. A special town election must be conducted in the manner required for the annual  
42.25 town election.

42.26 (g) Law enforcement vacancies must be filled by appointment by the town board.

42.27 Sec. 70. Minnesota Statutes 2020, section 367.25, subdivision 1, is amended to read:

42.28 Subdivision 1. **Requirement, fee.** Every person elected at a March election, elected at  
42.29 a special election, or appointed to a town office, within ten days after receiving a certificate  
42.30 or notice of election or appointment, shall take and subscribe the oath required by law.  
42.31 Persons elected at a November election shall take their oath before assuming office. If taken  
42.32 before the town clerk, the oath shall be administered and certified without fee.

43.1 Sec. 71. Minnesota Statutes 2020, section 412.02, subdivision 2a, is amended to read:

43.2 Subd. 2a. **Vacancy.** Except as otherwise provided in subdivision 2b, a vacancy in an  
43.3 office shall be filled by council appointment until an election is held as provided in this  
43.4 subdivision. In case of a tie vote in the council, the mayor shall make the appointment. If  
43.5 the vacancy occurs before the first day to file affidavits of candidacy for the next regular  
43.6 city election and more than two years remain in the unexpired term, a special election shall  
43.7 be held at or before the next regular city election and the appointed person shall serve until  
43.8 the qualification of a successor elected at a special election to fill the unexpired portion of  
43.9 the term. If the vacancy occurs on or after the first day to file affidavits of candidacy for  
43.10 the regular city election or when less than two years remain in the unexpired term, there  
43.11 need not be a special election to fill the vacancy and the appointed person shall serve until  
43.12 the qualification of a successor. The council must specify by ordinance under what  
43.13 circumstances it will hold a special election to fill a vacancy other than a special election  
43.14 held at the same time as the regular city election.

43.15 All of the provisions of the Minnesota Election Law are applicable to special elections  
43.16 as far as practicable.

43.17 Sec. 72. Minnesota Statutes 2020, section 447.32, subdivision 4, is amended to read:

43.18 Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a candidate  
43.19 for the hospital board shall file an affidavit of candidacy for the election either as member  
43.20 at large or as a member representing the city or town where the candidate ~~resides~~ maintains  
43.21 residence. The affidavit of candidacy must be filed with the city or town clerk not more  
43.22 than 98 days nor less than 84 days before the first Tuesday after the first Monday in  
43.23 November of the year in which the general election is held. The city or town clerk must  
43.24 forward the affidavits of candidacy to the clerk of the hospital district or, for the first election,  
43.25 the clerk of the most populous city or town immediately after the last day of the filing period.  
43.26 A candidate may withdraw from the election by filing an affidavit of withdrawal with the  
43.27 clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of  
43.28 candidacy.

43.29 Voting must be by secret ballot. The clerk shall prepare, at the expense of the district,  
43.30 necessary ballots for the election of officers. Ballots must be prepared as provided in the  
43.31 rules of the secretary of state. The ballots must be marked and initialed by at least two judges  
43.32 as official ballots and used exclusively at the election. Any proposition to be voted on may  
43.33 be printed on the ballot provided for the election of officers. The hospital board may also  
43.34 authorize the use of voting systems subject to chapter 206. Enough election judges may be

44.1 appointed to receive the votes at each polling place. The election judges shall act as clerks  
44.2 of election, count the ballots cast, and submit them to the board for canvass.

44.3 After canvassing the election, the board shall issue a certificate of election to the candidate  
44.4 who received the largest number of votes cast for each office. The clerk shall deliver the  
44.5 certificate to the person entitled to it in person or by certified mail. Each person certified  
44.6 shall file an acceptance and oath of office in writing with the clerk within 30 days after the  
44.7 date of delivery or mailing of the certificate. The board may fill any office as provided in  
44.8 subdivision 1 if the person elected fails to qualify within 30 days, but qualification is effective  
44.9 if made before the board acts to fill the vacancy.

44.10 Sec. 73. Laws 2019, First Special Session chapter 10, article 1, section 40, is amended to  
44.11 read:

44.12 Sec. 40. **HELP AMERICA VOTE ACT TRANSFERS AND APPROPRIATIONS;**  
44.13 **SECRETARY OF STATE.**

44.14 (a) \$6,595,610 is appropriated in fiscal year 2019 from the HAVA account established  
44.15 in Minnesota Statutes, section 5.30, to the secretary of state for the purposes of improving  
44.16 the administration and security of elections as authorized by federal law. Use of the  
44.17 appropriation is limited to the following activities:

44.18 (1) modernizing, securing, and updating the statewide voter registration system and for  
44.19 cybersecurity upgrades as authorized by federal law;

44.20 (2) improving accessibility;

44.21 (3) preparing training materials and training local election officials; and

44.22 (4) implementing security improvements for election systems.

44.23 (b) Any amount earned in interest on the amount appropriated under paragraph (a) is  
44.24 appropriated from the HAVA account to the secretary of state for purposes of improving  
44.25 the administration and security of elections as authorized by federal law.

44.26 (c) The appropriations under paragraphs (a) and (b) are onetime and available until  
44.27 ~~March 23, 2023~~ expended.

44.28 (d) \$167,000 expended by the secretary of state in fiscal years 2018 and 2019 for  
44.29 increasing secure access to the statewide voter registration system is deemed:

45.1 (1) to be money used for carrying out the purposes authorized under the Omnibus  
45.2 Appropriations Act of 2018, Public Law 115-1410, and the Help America Vote Act of 2002,  
45.3 Public Law 107-252, section 101; and

45.4 (2) to be credited toward any match required by those laws.

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

45.6 Sec. 74. Laws 2020, chapter 77, section 3, subdivision 6, is amended to read:

45.7 Subd. 6. **Availability of appropriations.** The appropriations provided in this section  
45.8 are onetime and available until ~~December 21, 2024~~ expended.

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