

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 389

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DATE	D-PG	OFFICIAL STATUS
01/19/2023		
	Introduction and first reading	
	Referred to Elections	

1.1 A bill for an act

1.2 relating to elections; permitting individuals who are at least 16 years of age to

1.3 preregister to vote; amending Minnesota Statutes 2022, sections 201.054,

1.4 subdivisions 1, 2; 201.061, by adding a subdivision; 201.071, subdivision 1;

1.5 201.091, subdivision 4.

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

1.7 Section 1. Minnesota Statutes 2022, section 201.054, subdivision 1, is amended to read:

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

1.9 (1) at any time before the 20th day preceding any election as provided in section 201.061,

1.10 subdivision 1;

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

1.12 (3) when submitting an absentee ballot, by enclosing a completed registration application

1.13 as provided in section 203B.04, subdivision 4.

1.14 (b) An individual who is under the age of 18, but who is at least 16 years of age and

1.15 otherwise eligible, may submit a voter registration application as provided in section 201.061,

1.16 subdivisions 1 and 1b.

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

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

1.19 (1) cause or attempt to cause the individual's name to be registered in any precinct if the

1.20 individual is not eligible to vote, except as permitted by section 201.061, subdivision 1b;

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

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

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

2.5 A violation of this subdivision is a felony.

2.6 Sec. 3. Minnesota Statutes 2022, section 201.061, is amended by adding a subdivision to
 2.7 read:

2.8 Subd. 1b. **Preregistration.** An individual who is under the age of 18, but who is at least
 2.9 16 years of age and meets all requirements for eligibility in section 201.014, except for age,
 2.10 may submit a voter registration application at the address in which the voter maintains
 2.11 residence pursuant to subdivision 1. Nothing in this section shall be construed to entitle an
 2.12 individual to appear on a polling place roster or cast a ballot at an election if the individual
 2.13 does not meet all eligibility requirements for voting, including age.

2.14 Sec. 4. Minnesota Statutes 2022, section 201.071, subdivision 1, is amended to read:

2.15 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
 2.16 contain the same information unless otherwise provided by law. A voter registration
 2.17 application must contain spaces for the following required information: voter's first name,
 2.18 middle name, and last name; voter's previous name, if any; voter's current address; voter's
 2.19 previous address, if any; voter's date of birth; voter's municipality and county of residence;
 2.20 voter's telephone number, if provided by the voter; date of registration; current and valid
 2.21 Minnesota driver's license number or Minnesota state identification number, or if the voter
 2.22 has no current and valid Minnesota driver's license or Minnesota state identification, the
 2.23 last four digits of the voter's Social Security number; and voter's signature. The paper
 2.24 registration application may include the voter's email address, if provided by the voter. The
 2.25 electronic voter registration application must include the voter's email address. The
 2.26 registration application may include the voter's interest in serving as an election judge, if
 2.27 indicated by the voter. The application must also contain the following certification of voter
 2.28 eligibility:

2.29 "I certify that I:

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

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

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

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

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

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

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

3.8 (8) have read and understand the following statement: that giving false information is a
3.9 felony punishable by not more than five years imprisonment or a fine of not more than
3.10 \$10,000, or both."

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

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

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

3.16 And the instruction:

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

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

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

3.25 Sec. 5. Minnesota Statutes 2022, section 201.091, subdivision 4, is amended to read:

3.26 Subd. 4. **Public information lists.** The county auditor shall make available for inspection
3.27 a public information list which must contain the name, address, year of birth, and voting
3.28 history of each registered voter in the county. Data on applicants submitted pursuant to
3.29 section 201.061, subdivision 1b, are not part of the public information list until the voter is
3.30 registered or has voting history. The list must not include the party choice of any voter who
3.31 voted in a presidential nomination primary. The telephone number must be included on the

4.1 list if provided by the voter. The public information list may also include information on
4.2 voting districts. The county auditor may adopt reasonable rules governing access to the list.
4.3 No individual inspecting the public information list shall tamper with or alter it in any
4.4 manner. No individual who inspects the public information list or who acquires a list of
4.5 registered voters prepared from the public information list may use any information contained
4.6 in the list for purposes unrelated to elections, political activities, or law enforcement. The
4.7 secretary of state may provide copies of the public information lists and other information
4.8 from the statewide registration system for uses related to elections, political activities, or
4.9 in response to a law enforcement inquiry from a public official concerning a failure to
4.10 comply with any criminal statute or any state or local tax statute.

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

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

4.22 **Sec. 6. TRANSITION TO NEW APPLICATION FORMS.**

4.23 After the effective date of this act, an election official may use existing voter registration
4.24 forms that do not comply with the requirements in section 4 for applicants who are 18 years
4.25 of age or older at the time of registration. Applicants who are 16 years of age at the time of
4.26 registration must use an application form that meets the requirements in section 4. Beginning
4.27 on the effective date of this act, an election official must not print or copy voter registration
4.28 applications that do not meet the requirements of section 4.