

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

S.F. No. 5530

(SENATE AUTHORS: BAHR)

DATE
05/17/2024

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Introduction and first reading
Referred to Elections

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to elections; authorizing municipalities to designate additional precincts
1.3 for postelection review; amending Minnesota Statutes 2022, section 206.89,
1.4 subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2022, section 206.89, subdivision 2, is amended to read:

1.7 Subd. 2. **Selection for review; notice.** (a) At the canvass of the state primary, the county
1.8 canvassing board in each county must set the date, time, and place for the postelection
1.9 review of the state general election to be held under this section. The postelection review
1.10 must not begin before the 11th day after the state general election and must be complete no
1.11 later than the 18th day after the state general election.

1.12 (b) At the canvass of the state general election, the county canvassing boards must select
1.13 the precincts to be reviewed by lot. The ballots to be reviewed for a precinct include both
1.14 the ballots counted at the polling place for that precinct and the absentee ballots counted
1.15 centrally by a ballot board for that precinct. The county canvassing board of a county with
1.16 fewer than 50,000 registered voters must conduct a postelection review of a total of at least
1.17 two precincts. The county canvassing board of a county with between 50,000 and 100,000
1.18 registered voters must conduct a review of a total of at least three precincts. The county
1.19 canvassing board of a county with over 100,000 registered voters must conduct a review
1.20 of a total of at least four precincts, or three percent of the total number of precincts in the
1.21 county, whichever is greater. At least one precinct selected in each county must have had
1.22 more than 150 votes cast at the general election.

2.1 (c) At the request of the governing board of a municipality in the county, the county
2.2 canvassing board must conduct a postelection review of up to twice as many precincts as
2.3 required by paragraph (b). The governing body of the municipality may designate the
2.4 additional precincts. If the municipality does not designate the precincts to be reviewed, the
2.5 precincts must be selected by lot as provided in paragraph (b). The municipality must make
2.6 the request for additional precinct reviews in writing prior to the canvas of the election. The
2.7 municipality making the request must reimburse the county for the cost of postelection
2.8 review attributable to the additional precincts reviewed under this paragraph.

2.9 (d) The county auditor must notify the secretary of state of the precincts that have been
2.10 chosen for review and the time and place the postelection review for that county will be
2.11 conducted, as soon as the decisions are made. If the selection of precincts has not resulted
2.12 in the selection of at least four precincts in each congressional district, the secretary of state
2.13 may require counties to select by lot additional precincts to meet the congressional district
2.14 requirement. The secretary of state must post this information on the office website.