

1.1 A bill for an act

1.2 relating to information practices; classifying certain data maintained by the
1.3 University of Minnesota; expanding requirements for postsecondary institutions
1.4 to report resident student information to the secretary of state for voter
1.5 registration purposes; amending Minnesota Statutes 2008, sections 201.061,
1.6 subdivision 1; 201.071, subdivision 1; 201.091, by adding a subdivision;
1.7 203B.05, subdivision 1.

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

1.9 Section 1. Minnesota Statutes 2008, section 201.061, subdivision 1, is amended to read:

1.10 Subdivision 1. **Prior to election day.** At any time except during the 20 days
1.11 immediately preceding any regularly scheduled election, an eligible voter or any
1.12 individual who will be an eligible voter at the time of the next election may register to vote
1.13 in the precinct in which the voter maintains residence by completing a voter registration
1.14 application as described in section 201.071, subdivision 1, and submitting it in person or
1.15 by mail to the county auditor of that county or to the Secretary of State's Office. If the Web
1.16 site maintained by the secretary of state provides a process for it, an individual who has
1.17 a Minnesota driver's license, identification card, or learner's permit may register online.

1.18 A registration that is received no later than 5:00 p.m. on the 21st day preceding any
1.19 election shall be accepted. An improperly addressed or delivered registration application
1.20 shall be forwarded within two working days after receipt to the county auditor of the
1.21 county where the voter maintains residence. A state or local agency or an individual that
1.22 accepts completed voter registration applications from a voter must submit the completed
1.23 applications to the secretary of state or the appropriate county auditor within ten days
1.24 after the applications are dated by the voter.

2.1 For purposes of this section, mail registration is defined as a voter registration
2.2 application delivered to the secretary of state, county auditor, or municipal clerk by the
2.3 United States Postal Service or a commercial carrier.

2.4 Sec. 2. Minnesota Statutes 2008, section 201.071, subdivision 1, is amended to read:

2.5 Subdivision 1. **Form.** A voter registration application must ~~be of suitable size and~~
2.6 ~~weight for mailing and~~ contain spaces for the following required information: voter's first
2.7 name, middle name, and last name; voter's previous name, if any; voter's current address;
2.8 voter's previous address, if any; voter's date of birth; voter's municipality and county of
2.9 residence; voter's telephone number, if provided by the voter; date of registration; current
2.10 and valid Minnesota driver's license number or Minnesota state identification number,
2.11 or if the voter has no current and valid Minnesota driver's license or Minnesota state
2.12 identification, and the last four digits of the voter's Social Security number, ~~and voter's~~
2.13 ~~signature~~. The registration application may include the voter's e-mail address, if provided
2.14 by the voter, and the voter's interest in serving as an election judge, if indicated by the
2.15 voter. The application must also contain the following certification of voter eligibility:

2.16 "I certify that I:

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

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

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

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

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

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

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

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

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

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

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

2.33 And the instruction:

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

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

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

3.8 A paper voter registration application must include space for the voter's signature.
3.9 Paper voter registration applications, other than those used for election day registration,
3.10 must be of suitable size and weight for mailing.

3.11 Sec. 3. Minnesota Statutes 2008, section 201.091, is amended by adding a subdivision
3.12 to read:

3.13 Subd. 5a. **Registration confirmation to registered voter.** The secretary of state
3.14 must ensure that the secretary of state's Web site is capable of providing voter registration
3.15 confirmation to a registered voter. An individual requesting registration confirmation must
3.16 provide the individual's name, address, and date of birth. If the information provided by
3.17 the individual completely matches an active voter record in the statewide voter registration
3.18 system, the Web site must inform the individual that the individual is a registered voter and
3.19 must provide the individual with the individual's polling place location. If the information
3.20 provided by the individual does not completely match an active voter record in the
3.21 statewide voter registration system, the Web site must inform the individual that a voter
3.22 record with that name and date of birth at the address provided cannot be confirmed and the
3.23 Web site must advise the individual to contact the county auditor for further information.

3.24 **EFFECTIVE DATE.** This section is not effective until the secretary of state has
3.25 certified that the Web site has been tested, shown to properly retrieve information from the
3.26 correct voter's record, and can handle the expected volume of use.

3.27 Sec. 4. Minnesota Statutes 2008, section 203B.05, subdivision 1, is amended to read:

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

- 3.30 (a) the county auditor of that county has designated the clerk to administer them; or
3.31 (b) the clerk has given the county auditor of that county notice of intention to
3.32 administer them.

3.33 To be designated under this subdivision, the office of the clerk must have the
3.34 technical capacity to access the absentee module of the statewide voter registration system

S.F. No. 661, 3rd Engrossment - 86th Legislative Session (2009-2010) [s0661-3]

4.1 in the secure manner prescribed by the secretary of state. The secretary of state must
4.2 identify hardware, software, security, or other technical prerequisites necessary to ensure
4.3 the security, access controls, and performance of the statewide voter registration system.
4.4 A clerk designated under this subdivision may not use the statewide voter registration
4.5 system until the clerk has received the required training approved by the secretary of state
4.6 on the use of the statewide voter registration system.