

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 749

(SENATE AUTHORS: WESTLIN and Carlson)

| DATE | D-PG | OFFICIAL STATUS |
|------------|------|---|
| 01/25/2023 | 381 | Introduction and first reading Referred to Elections |
| 02/27/2023 | | Comm report: To pass as amended Second reading |

1.1 A bill for an act

1.2 relating to elections; modifying requirements related to the ordering of candidates

1.3 for partisan offices on the state general election ballot; amending Minnesota Statutes

1.4 2022, section 204D.13, subdivisions 2, 3, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2022, section 204D.13, subdivision 2, is amended to read:

1.7 Subd. 2. **Order of ~~political parties~~ candidates for president and vice president.** The

1.8 first name printed for ~~each partisan office~~ president and vice president of the United States

1.9 on the state general election ballot shall be that of the candidate of the major political party

1.10 that received the smallest average number of votes at the last state general election. The

1.11 succeeding names shall be those of the candidates of the other major political parties that

1.12 received a succeeding higher average number of votes respectively. For the purposes of

1.13 this subdivision, the average number of votes of a major political party shall be computed

1.14 by dividing the total number of votes counted for all of the party's candidates for statewide

1.15 office at the state general election by the number of those candidates at the election. The

1.16 names of candidates nominated by petition for president and vice president shall be placed

1.17 on the state general election ballot after the names of the candidates for that office who were

1.18 nominated by major political parties. No later than 11 weeks before the state general election,

1.19 the secretary of state shall determine by lot the order of candidates nominated by petition.

1.20 The drawing of lots must be by political party or principle.

2.1 Sec. 2. Minnesota Statutes 2022, section 204D.13, is amended by adding a subdivision to
2.2 read:

2.3 Subd. 2a. **Rotation of names; other partisan offices.** Except as provided in subdivision
2.4 2, the names of candidates for partisan offices on the state general election ballot shall be
2.5 rotated in the manner provided for rotation of names on state partisan primary ballots by
2.6 section 204D.08, subdivision 3.

2.7 Sec. 3. Minnesota Statutes 2022, section 204D.13, subdivision 3, is amended to read:

2.8 ~~Subd. 3. **Nominees by petition; placement on ballot political party or principle.** The~~
2.9 ~~names of candidates nominated by petition for a partisan office voted on at the state general~~
2.10 ~~election shall be placed on the state general election ballot after the names of the candidates~~
2.11 ~~for that office who were nominated at the state primary. No later than 11 weeks before the~~
2.12 ~~state general election, the secretary of state shall determine by lot the order of candidates~~
2.13 ~~nominated by petition. The drawing of lots must be by political party or principle. For~~
2.14 ~~candidates nominated by petition for partisan office, the political party or political principle~~
2.15 ~~of the a candidate as stated on the petition shall be placed after the name of a candidate~~
2.16 ~~nominated by petition. The word "nonpartisan" shall not be used to designate any partisan~~
2.17 ~~candidate whose name is placed on the state general election ballot by nominating petition.~~