

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 905

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DATE
01/30/2023

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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; establishing a procedure for the chair of either of the state's
 1.3 two largest major political parties to request a forensic audit of a state primary or
 1.4 state general election; proposing coding for new law in Minnesota Statutes, chapter
 1.5 204C.

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

1.7 Section 1. **[204C.365] FORENSIC AUDITS.**

1.8 Subdivision 1. **Request for a forensic audit; scope.** No later than 5:00 p.m. on the
 1.9 second day after the canvass of a state primary or state general election, the chair of either
 1.10 of the state's two largest major political parties may file a request for a forensic audit of the
 1.11 conduct of the election. The chair may express a specific area of focus for the audit, or may
 1.12 request a general forensic audit. A general forensic audit must include, at a minimum, a
 1.13 review of voting machine accuracy, election cybersecurity measures, voter eligibility, and
 1.14 the maintenance of election records required by law. The audit must be conducted by an
 1.15 independent organization with experience conducting elections audits. The independent
 1.16 organization must be chosen by the secretary of state, in consultation with the requesting
 1.17 political party chair.

1.18 Subd. 2. **Expenses.** The cost of a forensic audit must be paid by the political party on
 1.19 whose behalf the audit is requested. The requesting party must file with the secretary of
 1.20 state a bond, cash, or surety in an amount set by the secretary for the payment of forensic
 1.21 audit expenses. The requesting party is responsible for the following expenses: the
 1.22 compensation of the secretary of state, or designees, and any election judge, municipal clerk,
 1.23 county auditor, administrator, or other personnel of a state or local government required to
 1.24 participate in the audit; necessary supplies and travel related to the audit; the compensation

- 2.1 and fees of the independent organization conducting the audit; and any reasonable attorney
- 2.2 fees related to the audit incurred by the governing body of a unit of government whose
- 2.3 practices are a subject of the audit.