

HOUSE RESEARCH

Bill Summary

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Overview

This bill specifies that recounts must be conducted manually, establishes procedures for partial recounts at the request of a losing candidate, and modifies the number of precincts that must be reviewed in large counties.

Section

- 1 Automatic Recount.** Specifies that an automatic recount of votes must be conducted by hand.
- 2 Discretionary Candidate Recount.** Specifies that a recount performed at the request of a losing candidate for federal, state, or judicial office must be conducted by hand.
- 3 Discretionary Partial Recount; State and Judicial Races.** Establishes procedures for a losing candidate to request a partial recount of the votes. To request a partial recount, the difference in the votes must be between 0.5% and 5%. (When the difference is less than 0.5%, an automatic recount is required.) The partial recount is conducted at the expense of the requesting candidate and must be requested in writing within the time permitted for filing a notice of contest of the election. The requesting candidate may identify up to three specific precincts in which the partial recount is to be conducted.

If the results of the recount are different from the results reported on election day by a difference greater than the standard acceptable under law, the entire election is subject to a review. If the partial recount overturns the result of the election, the requesting candidate must be refunded the expense by the political subdivision.

Section

Candidates for federal office may not request a discretionary recount.

- 4 Discretionary Candidate Recount.** Specifies that a recount performed at the request of a losing candidate for local office must be conducted by hand.
- 5 Discretionary Partial Recount; Local Races.** Adopts the same discretionary partial recount procedures as provided in section 3 of the bill for local elections (county, municipal, or school district office).
- 6 Voting Equipment; Disabled Voters.** Establishes a cross reference for a new exemption provided in section 7 of the bill related to the requirement that townships implement a voting system accessible for individuals with disabilities.
- 7 Township Exemption.** Provides that a township with fewer than 500 registered voters is not required to use accessible voting equipment in a township-only election, unless the voters at the preceding town meeting decide otherwise.
- 8 Township Elections Advisory Group.** Requires the secretary of state to convene an advisory group, at least once every other year beginning in 2009, to review technical and other developments that would facilitate township compliance with the accessible-voting requirement. This section expires in 2016.
- 9 Postelection Review; Notice.** Adds to the existing law specifying the number of precincts that must be reviewed initially in a postelection review. A county with more than 100,000 registered voters must review the greater of four precincts or five percent of the total number of precincts in the county.

This section also provides a losing candidate the right to select up to three of the precincts to be reviewed. Remaining precincts are to be chosen by lot.