

HOUSE RESEARCH

Bill Summary

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Overview

This bill reduces the vote difference threshold for recounts conducted at government expense for certain offices.

Section

- 1 Publicly-funded recounts.** Reduces the threshold at which a full recount of an election may be conducted at state expense for a federal, state constitutional or judicial office, and requires that the apparent losing candidate request the recount.

Current law requires an automatic full recount when the vote difference is less than 0.5 percent. This section reduces that number to a vote difference of 0.25 percent, and requires that the apparent losing candidate file a written request with the canvassing board within 48 hours of the canvass of the election result. The appropriate filing officer must notify a candidate within the threshold of the option to request a recount at no expense to the candidate.

The threshold for a publicly-funded recount of a state legislative office remains unchanged—recounts for those offices would be provided when the vote difference is less than 0.5 percent.

- 2 Filing officer.** Clarifies that the secretary of state is the filing officer for federal offices and state offices voted upon in more than one county, and that the county auditor is the filing officer for state offices voted upon in only one county. The filing officer is required to provide notice of the opportunity to request a recount to a candidate meeting the threshold provided in section 1.

Section

3 **Recounts; local office.** Modifies the vote difference thresholds permitting a candidate for county, municipal, or school district office to request a recount at the expense of the local unit of government:

If the number of votes cast is 50,000 or more, a recount may be requested at the expense of the local unit of government only if the difference in the vote totals between the apparent winning and losing candidates is less than 0.25 percent.

If the number of votes cast is more than 400, but less than 50,000, a recount may be requested if the difference between the apparent winning candidate and losing candidates is less than 0.5 percent.

If 400 or fewer votes were cast, a recount may be requested if the difference between the apparent winning and losing candidates is 10 votes or less. (This is current law, and is unaffected by the bill.)

A losing candidate whose vote totals fall outside these thresholds may still request a recount, but the recount must be conducted at the candidate's expense.