

Subject Automatic Voter Registration

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## Overview

This bill establishes an “opt-out” voter registration process for applicants for a Minnesota driver’s license, state identification card, or learner’s permit. This process is commonly referred to as “automatic voter registration.”

Under current law, these applicants are provided an opportunity to “opt-in” to voter registration when applying for their license, permit, or ID card. This bill would reverse that presumption: instead of requiring applicants to affirmatively state their desire to be registered to vote, applicants would instead be given an opportunity to decline if they do not wish to be registered.

All applicants not declining would be registered to vote following a review by the secretary of state to determine the applicant’s eligibility to vote. Applicants who are already registered to vote would have their registrations updated.

## Summary

Section	Description
1	<p><b>Data derived from driver’s license applications.</b></p> <p>Provides a cross reference in the Minnesota Government Data Practices Act related to the privacy of data contained on an application for a driver’s license, state identification card, or learner’s permit that is transferred to the secretary of state, when the secretary determines that the applicant is not eligible to vote. These data are classified as private, under a new classification established later in this bill.</p>
2	<p><b>Automatic registration of driver’s license, instruction permit, and identification card applicants.</b></p> <p>Establishes a process that requires an eligible applicant for a new or renewed driver’s license, instruction permit, or identification card to be registered to vote, unless the applicant opts-out of the registration.</p> <p><b>Subd. 1. Automatic registration.</b> Requires eligible applicants to be registered to vote, unless the applicant declines to be registered.</p> <p><b>Subd. 2. Applications.</b> Requires the commissioner of public safety to format driver’s license, instruction permit, and identification card applications to accommodate the new process required by this bill: the application must give the applicant an opportunity to “opt-out,” rather than “opt-in” to voter registration.</p>

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	<p>The form is required to clearly state that it is a felony for a person who is not eligible to register to vote or cast a ballot.</p> <p>The commissioner is required to transmit relevant data to the secretary of state on a daily basis (under current law, data on applicants who opt-in to registration is only required to be transmitted at least weekly). The data transmittal would newly require data on an applicant's citizenship status.</p> <p><b>Subd. 3. Registration.</b> Establishes a process for review of applicant data by the secretary of state, to determine an applicant's voter registration status.</p> <p>Paragraph (a) governs applications for individuals who are already registered to vote. For these applicants, the secretary of state must update the applicant's registration status and transmit any registration changes to the appropriate county auditor for processing.</p> <p>Paragraph (b) governs applications for individuals who are not already registered. For these applicants, the secretary is required to use available data to determine whether the applicant is eligible to vote. If so, the applicant's data must be transmitted to the appropriate county auditor for processing. If the applicant is less than 18 years old, the secretary can wait until the applicant has turned 18 to complete the eligibility determination.</p> <p>Paragraph (c) provides a data classification for applicants who the secretary determines are not eligible to vote. Data on these applicants is private.</p> <p><b>Subd. 4. Notice.</b> Requires the county auditor to mail each newly registered voter with the standard postcard registration notice provided to all other new registrants under current law.</p> <p><b>Subd. 5. Registering 20 days before election.</b> Provides that an application dated during the 20 days prior to an election may be used to register the applicant, but the registration is not effective until the day after the election.</p> <p><b>Subd. 6. System certification.</b> Requires the commissioner of public safety and secretary of state to certify that the technology systems used to transmit the necessary data have been tested and are able to perform their necessary functions before any applicant is registered to vote using the new process established in this bill.</p>
3	<p><b>Implementation costs.</b></p> <p>Requires the secretary of state and commissioner of public safety to absorb any implementation costs associated with enactment of this bill within their existing budgets.</p>



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