

Subject Elections Administration

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## Overview

This bill includes a number of miscellaneous changes and updates to the laws governing election administration.

## Summary

Section	Description
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| 1 | <p><b>Voting by program participant; absentee ballot.</b></p> <p>Provides that a ballot and related voting materials for a participant in the Safe at Home address confidentiality program may be prepared and delivered by the secretary of state, based either on precinct information provided by a county auditor, or using information contained in the statewide voter registration system.</p>   |
| 2 | <p><b>Prior to election day.</b></p> <p>Authorizes the secretary of state to provide features on the secretary's online voter registration website that allow third parties to connect to the website in a manner that facilitates an individual's submission of voter registration information while that individual is interacting with the third party (for example, by connecting to register via a third party's app on a cell phone).</p> |
| 3 | <p><b>Election day registration.</b></p> <p>Expands the types of residential facilities that must participate in providing information on residents to the county auditor to facilitate election day registration activities. The new types of facilities added to the law include residential treatment programs and adult foster care programs.</p>   |
| 4 | <p><b>Form.</b></p> <p>Provides a terminology update, to refer to a place where a voter "maintains" or "maintained" residence rather than a place where the voter "resides" or "resided."</p>   |

<b>Section</b>	<b>Description</b>
5	<p><b>School district assistance.</b></p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
6	<p><b>Corrected list.</b></p> <p>Shifts the deadline for the county auditor to prepare a final corrected master voter registration list for each precinct so that it is complete by 14 days prior to each election, rather than seven days prior.</p>
7	<p><b>Presidential primary political party list.</b></p> <p>After a presidential nomination primary, requires the secretary of state to provide to the chair of each major political party a list of the voters who selected that party at the primary. Under current law, the chair of each major political party is provided a list of all voters, and the party each voter selected.</p>
8	<p><b>Moved within state.</b></p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
9	<p><b>Entry of registration information.</b></p> <p>Updates terminology related to a notice provided to voters whose driver’s license number or other applicable registration information could not be verified based on information contained in a database maintained by the Department of Public Safety.</p>
10	<p><b>Use of change of address system.</b></p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
11	<p><b>Forms.</b></p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
12	<p><b>Challenges.</b></p> <p>Expands and updates the existing law governing the process by which a voter registered within a county may challenge the eligibility or residence of any other registered voter within the county. A number of details and procedures are provided in the bill. Among them are a requirement that a petition only relate to one voter; additional standards related to the burden of proof and grounds required to state a challenge; an expanded notice requirement to the voter whose registration is challenged; and additional standards related the right of a voter to a hearing and an appeal if the challenge is affirmed.</p>

<b>Section</b>	<b>Description</b>
13	<p><b>Technology requirements.</b></p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
14	<p><b>Eligible voters.</b></p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
15	<p><b>Preference ballot for governor.</b></p> <p>Clarifies that a preference ballot for governor is only required to be distributed during a political party caucus in a year in which the governor will appear on the state general election ballot.</p>
16	<p><b>Utility worker.</b></p> <p>Defines the term “utility worker” for purposes of the state’s absentee voting laws. This definition is used in the following section, granting certain absentee voting rights to workers deployed during the voting period for an election.</p>
17	<p><b>Emergency response providers.</b></p> <p>Authorizes trained or certified emergency response providers and utility workers to vote by absentee ballot, if deployed during the absentee voting period or on election day.</p>
18	<p><b>Location; timing.</b></p> <p>Reorganizes language related to the designation of in-person absentee ballot polling places. The requirements for these designations remain unchanged.</p>
19	<p><b>Voting booth; electronic ballot marker.</b></p> <p>Reorganizes language related to the designation of in-person absentee ballot polling places. The requirements for these designations remain unchanged.</p>
20	<p><b>Alternative procedure.</b></p> <p>Authorizes county auditors to make a ballot counter and ballot box available for use by voters to cast an in-person absentee ballot during the 14 days prior to an election, rather than seven days prior.</p>
21	<p><b>Generally.</b></p> <p>Permits local elections officials to engage in absentee voting activities in assisted living facilities, state veterans homes, and in certain shelters for battered women, in the same manner as permitted in hospitals and other health care facilities.</p>

<b>Section</b>	<b>Description</b>
22	<p><b>Forty-five days before an election.</b></p> <p>Expands the period of time during which absentee ballots must be delivered to residents of hospitals and other health care facilities. This section requires these deliveries to occur during the 45 days prior to an election; current law authorizes these deliveries during the 20 days prior to an election.</p>
23	<p><b>Agent delivery of ballots.</b></p> <p>Extends the deadline for delivery of an absentee ballot by an agent to 8:00 p.m. on election day. Current law requires agent-delivered absentee ballots to be delivered by 3:00 p.m. on election day.</p>
24	<p><b>Duties of ballot board; absentee ballots.</b></p> <p>Conforms absentee ballot board procedures to reflect the newly authorized possibility that a voter may have cast an in-person absentee ballot during the 14 days prior to an election, rather than during the seven days prior.</p>
25	<p><b>Record of voting.</b></p> <p>Updates the deadline by which a voter who has an absentee ballot accepted may no longer cast another ballot at the election to 14 days before the election, to conform to the absentee voting procedures authorized in this bill.</p>
26	<p><b>Opening of envelopes.</b></p> <p>Extends the period during which accepted absentee ballots may be opened and counted to include the 14 days prior to an election. Current law permits accepted absentee ballots to be opened and counted beginning seven days prior to an election.</p> <p>This section also updates terminology to more accurately reflect the types of envelopes used in the absentee voting process.</p>
27	<p><b>Indefinite residence outside United States.</b></p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
28	<p><b>Form of affidavit.</b></p> <p>Reorganizes language related to the ability of a candidate to file for more than one office at the same election. The language that is eliminated in this section is recodified in a section that appears later in the bill.</p>

<b>Section</b>	<b>Description</b>
29	<p><b>Address, electronic mail address, and telephone number.</b></p> <p>Requires a candidate filing an affidavit of candidacy to include an email address, or an attestation that the candidate does not possess an email address. The email address provided must not be a government-issued address.</p>
30	<p><b>State and local offices.</b></p> <p>Requires candidates filing for judicial office to state that the candidate will not turn 70 years of age before the term of office would begin. This requirement aligns with existing laws providing a mandatory retirement age for judges.</p> <p>This section also provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
31	<p><b>Multiple affidavits of candidacy.</b></p> <p>Recodifies language related to the circumstances under which a candidate may file for more than one office at the same election, and adds a new allowance for multiple affidavits for school board member and town board supervisor, unless the town board is exercising the powers of a statutory city.</p>
32	<p><b>Candidates in state and county general elections.</b></p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
33	<p><b>Write-in candidates.</b></p> <p>Conforms the deadline for a write-in candidate who wishes to have the candidate’s write-in votes counted to reflect the changes elsewhere in this bill; the request must be submitted no later than 14 days prior to the general election, rather than seven days prior.</p> <p>This section also provides standards allowing a local unit of government to adopt a resolution governing the counting of write-in votes for elected offices within that local government, and clarifies the process for submitting a request related to the offices of President and Vice President of the United States.</p>
34	<p><b>Candidates for federal office.</b></p> <p>Provides that the existing law establishing procedure for filling a vacancy in nomination for an office (for example, due to the death of a candidate prior to an election) do not apply to candidates for election to a federal office.</p>

<b>Section</b>	<b>Description</b>
35	<p><b>Separate precincts; combined polling place.</b></p> <p>Requires notice to the secretary of state when a combined polling place is established, or when a municipality withdraws from participation in a combined polling place.</p>
36	<p><b>Authority; location.</b></p> <p>Modifies standards for when a local government must adopt an ordinance or resolution designating a polling place for each precinct. Rather than requiring an ordinance or resolution every year, a local government would only be required to adopt an ordinance or resolution if a polling place has changed.</p> <p>Additional conforming changes are included.</p>
37	<p><b>High school students.</b></p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
38	<p><b>Appointing authority; powers and duties.</b></p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
39	<p><b>Allocation of election expenses.</b></p> <p>Updates references in the law governing the procedures for allocation of election expenses, to reflect the change provided later in the bill regarding the publication of a sample ballot.</p>
40	<p><b>Authorization.</b></p> <p>Authorizes the option of mail balloting for all towns, and all cities with fewer than 400 registered voters, regardless of their geographic location in the state. Under current law, these towns and cities are only eligible if they are located outside of a metropolitan area county.</p>
41	<p><b>Procedure.</b></p> <p>Extends the period during which accepted ballots cast in a jurisdiction that conducts an election entirely by mail can be opened and counted, to include the 14 days prior to an election. Current law permits these ballots to be opened and counted beginning seven days prior to an election.</p> <p>This section also provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>

<b>Section</b>	<b>Description</b>
42	<p><b>Mail elections; questions.</b></p> <p>Extends the period during which accepted ballots cast in a jurisdiction that conducts a special election entirely by mail can be opened and counted, to include the 14 days prior to an election. Current law permits these ballots to be opened and counted beginning seven days prior to an election.</p> <p>This section also authorizes a mail election ballot to include both a question and candidates for office, if there are overlapping municipal and school district jurisdictions and one of those jurisdictions has a question on the ballot. Current law prohibits offices from appearing on the ballot at a mail-only special election conducted for the purpose of submitting a ballot question to the voters.</p>
43	<p><b>Restrictions on conduct.</b></p> <p>Provides grammatical updates and cross-reference updates to the law governing challenger conduct in a polling place, including a cross-reference to the standards provided earlier in the bill governing challenges to voter eligibility.</p>
44	<p><b>Physical assistance in marking ballots.</b></p> <p>Eliminates the three-person limit on the number of voters a person can assist on election day. This limit was the subject of a consent decree and an order of the Minnesota Supreme Court in 2020.</p> <p>This section also eliminates an existing prohibition on a candidate assisting a voter in completing the voter's ballot.</p>
45	<p><b>Information requirements.</b></p> <p>Expands the information required to be included on a precinct summary statement to include information on the number of election judges that worked in the precinct, and the number of voting booths used.</p>
46	<p><b>County auditor.</b></p> <p>Provides grammatical updates to the law governing the duties of the county auditor in receiving election materials and tabulating votes after the close of voting on election day.</p>
47	<p><b>Challenged ballots.</b></p> <p>Authorizes a canvassing board to direct a recount official to make images of ballots challenged by a candidate in a recount available to the public.</p>
48	<p><b>Manner of correction.</b></p> <p>Eliminates an authority for a candidate to apply directly to a district court if it appears that an obvious error has been made in the counting or recording of votes.</p>

<b>Section</b>	<b>Description</b>
	Instead, these petitions may be filed at the direction of the county canvassing board, by the county auditor.
<b>49</b>	<b>State and county nonpartisan primary ballot.</b> Clarifies that city and school district offices must be included on the nonpartisan ballot at a primary election.
<b>50</b>	<b>Sample ballot.</b> Eliminates a requirement that the county auditor publish a sample ballot in at least one newspaper of general circulation in the county. Instead, the auditor is required to publish a notice to voters as provided later in the bill.
<b>51</b>	<b>Sample general election ballots; posting; publication.</b> Eliminates a requirement that the county auditor publish a sample ballot, and instead sets standards for a required notice to voters. The secretary of state, in collaboration with stakeholders, must design the notice's format and content. Minimum content requirements are included in the bill.
<b>52</b>	<b>Special election when legislature will be in session.</b> Extends the period for conducting a special election to fill a vacant legislative seat by two weeks, in cases where an expedited process is required in order to allow the person elected to be seated quickly for a legislative session.
<b>53</b>	<b>Notice of special election.</b> Conforming changes related to the extension of the period for conducting a special election to fill a vacant legislative seat by two weeks, in cases where an expedited process is required in order to allow the person elected to be seated quickly for a legislative session.
<b>54</b>	<b>Time of filing.</b> Conforming changes related to the extension of the period for conducting a special election to fill a vacant legislative seat by two weeks, in cases where an expedited process is required in order to allow the person elected to be seated quickly for a legislative session.
<b>55</b>	<b>Form.</b> Provides grammatical updates and conforming changes related to elimination of a requirement that a sample ballot be published in a newspaper of general circulation within a county, in the law governing publication prior to a special primary or special election.

<b>Section</b>	<b>Description</b>
56	<p><b>Nominating petitions; cities of the first class.</b></p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
57	<p><b>Sample ballot; publication.</b></p> <p>Eliminates a requirement that a municipality publish a sample ballot prior to a municipal election, and instead requires that a notice to voters be published, consistent with requirements established earlier in the bill.</p>
58	<p><b>Other municipalities.</b></p> <p>Requires a municipal clerk to give notice to the secretary of state of changed voting hours in a precinct, under circumstances authorized in current law related to when voting hours may be changed.</p>
59	<p><b>Other school districts.</b></p> <p>Requires a school district clerk to give notice to the secretary of state of changed voting hours in a precinct, under circumstances authorized in current law related to when voting hours may be changed.</p>
60	<p><b>School district canvassing board.</b></p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
61	<p><b>Board elections.</b></p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
62	<p><b>Municipalities.</b></p> <p>Requires that, once a municipality has adopted the use of an electronic voting system in one or more precincts, the municipality must continue to use an electronic system for state elections in those precincts.</p> <p>Other conforming and grammatical changes are provided.</p>
63	<p><b>Counties.</b></p> <p>Requires that, once a county has adopted the use of an electronic voting system in one or more precincts, the county must continue to use an electronic system for state elections in those precincts.</p> <p>Other conforming and grammatical changes are provided.</p>

Section	Description
64	<p><b>Cast vote records.</b></p> <p>Provides data classifications for certain types of data received from the use of automatic tabulation equipment. Textual data from the file is public; certain types of detailed data are classified under the data practices act as “protected nonpublic” data.</p>
65	<p><b>Conducting presidential nomination primary.</b></p> <p>Permits voters enrolled in the Safe at Home address confidentiality program to vote in a presidential nomination primary consistent with the rights and requirements that apply to voters enrolled in that program.</p>
66	<p><b>Candidates on the ballot.</b></p> <p>Conforms the deadline for the chair of a major political party to request that votes be counted for a write-in candidate at the presidential nomination primary, to reflect the changes elsewhere in this bill; the request must be submitted no later than 14 days prior to the general election, rather than seven days prior.</p>
67	<p><b>Reimbursable local expenses.</b></p> <p>Provides conforming updates to the law governing reimbursement of expenses related to the presidential nomination primary, to reflect the elimination of a requirement that each county publish a sample ballot in a local newspaper and the new requirement that a notice to voters be published in its place.</p>
68	<p><b>Notice filed with court.</b></p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
69	<p><b>Permitted activity; political party.</b></p> <p>Updates a cross-reference to the term “political party” in a law authorizing a political party to form a nonprofit for the sole purpose of holding real property to be used as the party’s headquarters.</p>
70	<p><b>Vacancies.</b></p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>



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