

1.1 moves to amend H.F. No. 193 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2012, section 203B.02, subdivision 1, is amended to
1.4 read:

1.5 Subdivision 1. ~~Unable to go to polling place~~ **Absentee voting; eligibility.** (a) Any
1.6 eligible voter who reasonably expects to be unable to go to the polling place on election
1.7 day in the precinct where the individual maintains residence because of absence from the
1.8 precinct; illness, including isolation or quarantine under sections 144.419 to 144.4196
1.9 or United States Code, title 42, sections 264 to 272; disability; religious discipline;
1.10 observance of a religious holiday; or service as an election judge in another precinct may
1.11 vote by absentee ballot as provided in sections 203B.04 to 203B.15.

1.12 (b) ~~If the governor has declared an emergency and filed the declaration with the~~
1.13 ~~secretary of state under section 12.31, and the declaration states that the emergency has~~
1.14 ~~made it difficult for voters to go to the polling place on election day, any voter in a~~
1.15 ~~precinct covered by the declaration may vote by absentee ballot as provided in sections~~
1.16 ~~203B.04 to 203B.15.~~

1.17 Sec. 2. Minnesota Statutes 2012, section 203B.04, subdivision 1, is amended to read:

1.18 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by
1.19 subdivision 2 or by section 203B.11, subdivision 4, an application for absentee ballots for
1.20 any election may be submitted at any time not less than one day before the day of that
1.21 election. The county auditor shall prepare absentee ballot application forms in the format
1.22 provided by the secretary of state and shall furnish them to any person on request. By
1.23 January 1 of each even-numbered year, the secretary of state shall make the forms to be
1.24 used available to auditors through electronic means. An application submitted pursuant to
1.25 this subdivision shall be in writing and shall be submitted to:

1.26 (1) the county auditor of the county where the applicant maintains residence; or

2.1 (2) the municipal clerk of the municipality, or school district if applicable, where
2.2 the applicant maintains residence.

2.3 (b) An application shall be approved if it is timely received, signed and dated by
2.4 the applicant, contains the applicant's name and residence and mailing addresses, date
2.5 of birth, and at least one of the following:

2.6 (1) the applicant's Minnesota driver's license number;

2.7 (2) Minnesota state identification card number;

2.8 (3) the last four digits of the applicant's Social Security number; or

2.9 (4) a statement that the applicant does not have any of these numbers.

2.10 (c) To be approved, the application ~~must state that the applicant is eligible to vote by~~
2.11 ~~absentee ballot for one of the reasons specified in section 203B.02,~~ and must contain an oath
2.12 that the information contained on the form is accurate, that the applicant is applying on the
2.13 applicant's own behalf, and that the applicant is signing the form under penalty of perjury.

2.14 (d) An applicant's full date of birth, Minnesota driver's license or state identification
2.15 number, and the last four digits of the applicant's Social Security number must not be
2.16 made available for public inspection. An application may be submitted to the county
2.17 auditor or municipal clerk by an electronic facsimile device. An application mailed or
2.18 returned in person to the county auditor or municipal clerk on behalf of a voter by a
2.19 person other than the voter must be deposited in the mail or returned in person to the
2.20 county auditor or municipal clerk within ten days after it has been dated by the voter and
2.21 no later than six days before the election. The absentee ballot applications or a list of
2.22 persons applying for an absentee ballot may not be made available for public inspection
2.23 until the close of voting on election day.

2.24 (e) An application under this subdivision may contain an application under
2.25 subdivision 5 to automatically receive an absentee ballot ~~application~~.

2.26 Sec. 3. Minnesota Statutes 2012, section 203B.04, subdivision 5, is amended to read:

2.27 Subd. 5. **Permanent illness or disability absentee voter status.** (a) An eligible
2.28 voter ~~who reasonably expects to be permanently unable to go to the polling place on~~
2.29 ~~election day because of illness or disability~~ may apply to a county auditor or municipal
2.30 clerk ~~under this section~~ to automatically receive an absentee ballot ~~application~~ before each
2.31 election, other than an election by mail conducted under section 204B.45, and to have the
2.32 status as a permanent absentee voter indicated on the voter's registration record.

2.33 (b) A voter who applies under paragraph (a) must automatically be provided an
2.34 absentee ballot for each eligible election. Ballots sent in accordance with this section must

3.1 be sent by nonforwardable mail. A voter's permanent absentee status ends and automatic
 3.2 ballot delivery must be terminated on:

3.3 (1) the voter's written request;

3.4 (2) the voter's death;

3.5 (3) return of a permanent absentee ballot as undeliverable; or

3.6 (4) a change in the voter's status to "challenged" or "inactive" in the statewide voter
 3.7 registration system.

3.8 ~~(b)~~ (c) The secretary of state shall adopt rules governing procedures under this
 3.9 subdivision.

3.10 Sec. 4. Minnesota Statutes 2012, section 203B.04, subdivision 6, is amended to read:

3.11 Subd. 6. **Ongoing absentee status; termination.** (a) An eligible voter may apply to
 3.12 a county auditor or municipal clerk for status as an ongoing absentee voter ~~who reasonably~~
 3.13 ~~expects to meet the requirements of section 203B.02, subdivision 1.~~ Each applicant must
 3.14 automatically be provided with an absentee ballot ~~application~~ for each ensuing election
 3.15 other than an election by mail conducted under section 204B.45, and must have the status
 3.16 of ongoing absentee voter indicated on the voter's registration record. Ballots sent in
 3.17 accordance with this section must be sent by nonforwardable mail.

3.18 (b) Ongoing absentee voter status ends on:

3.19 (1) the voter's written request;

3.20 (2) the voter's death;

3.21 (3) return of an ongoing absentee ballot as undeliverable;

3.22 (4) a change in the voter's status so that the voter is not eligible to vote under section
 3.23 201.15 or 201.155; or

3.24 (5) placement of the voter's registration on inactive status under section 201.171.

3.25 Sec. 5. Minnesota Statutes 2012, section 203B.06, subdivision 1, is amended to read:

3.26 Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal
 3.27 clerk shall prepare and print a sufficient number of blank application forms for absentee
 3.28 ballots. The county auditor or municipal clerk shall deliver a blank application form to
 3.29 any voter who requests one pursuant to section 203B.04. ~~Blank application forms must be~~
 3.30 ~~mailed to eligible voters who have requested an application pursuant to section 203B.04,~~
 3.31 ~~subdivision 5 or 6, at least 60 days before:~~

3.32 ~~(1) each regularly scheduled primary for federal, state, county, city, or school board~~
 3.33 ~~office;~~

4.1 ~~(2) each regularly scheduled general election for city or school board office for~~
4.2 ~~which a primary is not held; and~~

4.3 ~~(3) a special primary to fill a federal or county office vacancy or special election to~~
4.4 ~~fill a federal or county office vacancy, if a primary is not required to be held pursuant to~~
4.5 ~~section 204D.03, subdivision 3, or 204D.07, subdivision 3; and~~

4.6 ~~(4) any election held in conjunction with an election described in clauses (1) to (3);~~
4.7 ~~or at least 45 days before any other primary or other election for which a primary is not held.~~

4.8 Sec. 6. Minnesota Statutes 2012, section 203B.121, subdivision 2, is amended to read:

4.9 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot
4.10 board shall take possession of all return envelopes delivered to them in accordance with
4.11 section 203B.08. Upon receipt from the county auditor, municipal clerk, or school district
4.12 clerk, two or more members of the ballot board shall examine each return envelope and
4.13 shall mark it accepted or rejected in the manner provided in this subdivision. Election
4.14 judges performing the duties in this section must be of different major political parties,
4.15 unless they are exempt from that requirement under section 205.075, subdivision 4, or
4.16 section 205A.10, subdivision 2.

4.17 (b) The members of the ballot board shall mark the return envelope "Accepted" and
4.18 initial or sign the return envelope below the word "Accepted" if a majority of the members
4.19 of the ballot board examining the envelope are satisfied that:

4.20 (1) the voter's name and address on the return envelope are the same as the
4.21 information provided on the absentee ballot application;

4.22 (2) the voter signed the certification on the envelope;

4.23 (3) the voter's Minnesota driver's license, state identification number, or the last four
4.24 digits of the voter's Social Security number are the same as the number provided on the
4.25 voter's application for ballots. If the number does not match the number as submitted on
4.26 the application, or if a number was not submitted on the application, the election judges
4.27 must compare the signature, if provided, by the applicant to determine whether the ballots
4.28 were returned by the same person to whom they were transmitted;

4.29 (4) the voter is registered and eligible to vote in the precinct or has included a
4.30 properly completed voter registration application in the return envelope;

4.31 (5) the certificate has been completed as prescribed in the directions for casting an
4.32 absentee ballot; and

4.33 (6) the voter has not already voted at that election, either in person or, if it is after the
4.34 close of business on the ~~fourth~~ seventh day before the election, by absentee ballot.

5.1 The return envelope from accepted ballots must be preserved and returned to the
5.2 county auditor.

5.3 (c)(1) If a majority of the members of the ballot board examining a return envelope
5.4 find that an absentee voter has failed to meet one of the requirements provided in
5.5 paragraph (b), they shall mark the return envelope "Rejected," initial or sign it below the
5.6 word "Rejected," list the reason for the rejection on the envelope, and return it to the
5.7 county auditor. There is no other reason for rejecting an absentee ballot beyond those
5.8 permitted by this section. Failure to place the ballot within the security envelope before
5.9 placing it in the outer white envelope is not a reason to reject an absentee ballot.

5.10 (2) If an envelope has been rejected at least five days before the election, the
5.11 envelope must remain sealed and the official in charge of the ballot board shall provide the
5.12 voter with a replacement absentee ballot and return envelope in place of the rejected ballot.

5.13 (3) If an envelope is rejected within five days of the election, the envelope must
5.14 remain sealed and the official in charge of the ballot board must attempt to contact the
5.15 voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected.
5.16 The official must document the attempts made to contact the voter.

5.17 (d) The official in charge of the absentee ballot board must mail the voter a written
5.18 notice of absentee ballot rejection between six and ten weeks following the election. If the
5.19 official determines that the voter has otherwise cast a ballot in the election, no notice is
5.20 required. If an absentee ballot arrives after the deadline for submission provided by this
5.21 chapter, the notice must be provided between six to ten weeks after receipt of the ballot. A
5.22 notice of absentee ballot rejection must contain the following information:

5.23 (1) the date on which the absentee ballot was rejected or, if the ballot was received
5.24 after the required deadline for submission, the date on which the ballot was received;

5.25 (2) the reason for rejection; and

5.26 (3) the name of the appropriate election official to whom the voter may direct further
5.27 questions, along with appropriate contact information.

5.28 (e) An absentee ballot return envelope marked "Rejected" may not be opened or
5.29 subject to further review except in an election contest filed pursuant to chapter 209.

5.30 Sec. 7. Minnesota Statutes 2012, section 203B.121, subdivision 3, is amended to read:

5.31 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal
5.32 clerk must immediately record that a voter's absentee ballot has been accepted. After the
5.33 close of business on the ~~fourth~~ seventh day before the election, a voter whose record
5.34 indicates that an absentee ballot has been accepted must not be permitted to cast another
5.35 ballot at that election. In a state primary, general, or state special election for federal or

6.1 state office, the auditor or clerk must also record this information in the statewide voter
6.2 registration system.

6.3 (b) The roster must be marked, and a supplemental report of absentee voters who
6.4 submitted a voter registration application with their ballot must be created, no later than
6.5 the start of voting on election day to indicate the voters that have already cast a ballot at
6.6 the election. The roster may be marked either:

6.7 (1) by the county auditor or municipal clerk before election day;

6.8 (2) by the ballot board before election day; or

6.9 (3) by the election judges at the polling place on election day.

6.10 The record of a voter whose absentee ballot was received after the close of business
6.11 on the ~~fourth~~ seventh day before the election is not required to be marked on the roster or
6.12 contained in a supplemental report as required by this paragraph.

6.13 Sec. 8. Minnesota Statutes 2012, section 203B.121, subdivision 4, is amended to read:

6.14 Subd. 4. **Opening of envelopes.** After the close of business on the ~~fourth~~ seventh
6.15 day before the election, the ballots from return envelopes marked "Accepted" may be
6.16 opened, duplicated as needed in the manner provided in section 206.86, subdivision 5,
6.17 initialed by the members of the ballot board, and deposited in the appropriate ballot box. If
6.18 more than one ballot is enclosed in the ballot envelope, the ballots must be returned in the
6.19 manner provided by section 204C.25 for return of spoiled ballots, and may not be counted.

6.20 Sec. 9. **EXPLANATION OF ABSENTEE BALLOT CHANGES; COUNTY**
6.21 **AUDITOR DUTIES.**

6.22 No later than 60 days prior to the date of the state primary in 2014, each county
6.23 auditor shall mail an explanation of the changes to the ongoing absentee balloting process
6.24 and an updated ongoing absentee voter application to every voter with ongoing absentee
6.25 ballot status in the county auditor's county. Each county auditor shall also mail this
6.26 explanation to every voter in the county auditor's county with permanent absentee ballot
6.27 status on the voter's voter record as of the effective date of this act. A voter must return the
6.28 application to maintain the voter's status as an ongoing absentee voter.

6.29 Upon receipt of a completed application, the county auditor shall scan and retain an
6.30 image of the application until the ongoing absentee voter's status ends.

6.31 Sec. 10. **REPEALER.**

6.32 Minnesota Statutes 2012, section 203B.04, subdivision 6, is repealed.

7.1 Sec. 11. **EFFECTIVE DATE; APPLICABILITY.**

7.2 This act is effective January 1, 2014, and applies to voting at elections conducted
7.3 on the date of the state primary in 2014 and thereafter."

7.4 Amend the title accordingly