

**Subject** Election officials; intimidation and interference

**Authors** Greenman and others

**Analyst** Matt Gehring

**Date** February 27, 2023

## Overview

This bill prohibits a number of activities that interfere with an election official's ability to conduct an election as required by law, or would seek to intimidate an election official with an intent to influence the official's performance of duties. Criminal and civil remedies are provided.

## Summary

Section	Description
---------	-------------

- |   |   |
|---|---|
| 1 | <p><b>Election judges; violations; penalties.</b></p> <p>Permits the county auditor or municipal clerk to remove any precinct election official at any time if the official engages in neglect of duty, malfeasance, misconduct in office, or for other cause.</p>  |
| 2 | <p><b>Prohibited connections.</b></p> <p>Prohibits the county auditor or municipal clerk from creating or disclosing, or permitting any other person to create or disclose, an electronic image of the hard drive of an electronic voting system, including a vote recording or tabulating system unless authorized in writing by the secretary of state or otherwise for the purpose of conducting official duties.</p>  |
| 3 | <p><b>Intimidation and interference related to the performance of duties by an election official; penalties.</b></p> <p>Establishes a series of prohibited acts related to intimidation, interference, and deceptive practices at an election. This section provides a civil remedy and criminal penalties for enforcement.</p> <p><b>Subd. 1. Definition.</b> Defines the term "election official" for purposes of this section.</p> <p><b>Subd. 2. Intimidation.</b> Prohibits acts of intimidation directed at an election official in the performance of a duty of election administration.</p> |

**Section** **Description**

---

**Subd. 3. Interfering with or hindering the administration of an election.**

Prohibits any person from intentionally hindering, interfering with, or preventing an election official's performance of a duty related to election administration.

**Subd. 4. Dissemination of personal information about an election official.**

Prohibits any person from distributing personal information about an election official or an election official's family or household members knowingly and without consent, if doing so poses an imminent and serious threat to the official's safety or the safety of an official's family or household member.

**Subd. 5. Obstructing access.** Prohibits any person from intentionally and physically obstructing an election official's access to any place where the official performs a duty related to election administration.

**Subd. 6. Tampering with voting equipment.** Prohibits any person from accessing or tampering with an electronic voting system or other voting or vote reporting equipment without authorization to do so.

This subdivision also prohibits any person from knowingly publishing or causing to be published passwords or other confidential information related to an electronic voting system. Access rights must be revoked for any person found to be in violation of this prohibition.

**Subd. 7. Tampering with ballot box.** Prohibits any person from willfully tampering with or opening a ballot box, including a ballot drop box, unless for the purpose of conducting official duties as expressly authorized by law.

**Subd. 8. Tampering with statewide voter registration system, registration list, or polling place roster.** Prohibits any person from modifying names, figure, or words on a voter registration list or polling place roster, removing or destroying a list or roster, or other related activities specified in the bill, with the intent to destroy the list or roster, to procure or prevent the election of any person, or to prevent any voter from voting.

**Subd. 9. Unauthorized access to statewide voter registration system.** Prohibits any person from knowingly accessing, or attempting to access, the statewide voter registration except for the purpose of conducting official duties as expressly authorized by law.

**Subd. 10. Vicarious liability; conspiracy.** Provides for vicarious (extended) liability for any person who aids or conspires with another person to take an action in violation of this section.

**Section** | **Description**

---

**Subd. 11. Criminal penalties; civil remedies.** Establishes criminal penalties and civil remedies for violation of this section, including an authorization for enforcement by the attorney general.

**4** | **Administrative remedy; exhaustion.**

Exempts the new section regulating intimidation and interference related to the performance of duties by an election official from requiring an administrative complaint process to be completed before a fair campaign practices violation may be prosecuted by a county attorney.

**5** | **Appropriation.**

Provides an appropriation to the attorney general for costs associated with enforcement of this act.



**MN HOUSE  
RESEARCH**

*Minnesota House Research Department provides nonpartisan legislative, legal, and information services to the Minnesota House of Representatives. This document can be made available in alternative formats.*

[www.house.mn/hrd](http://www.house.mn/hrd) | 651-296-6753 | 155 State Office Building | St. Paul, MN 55155