

Subject Permanent Absentee Voter List; Early Voting

Authors Boldon and others

Analyst Matt Gehring

Date February 10, 2022

Overview

This bill establishes an option for voters to join a permanent absentee voter list, which would automatically provide an absentee ballot prior to each election, and establishes a system of early voting.

Summary

Section	Description
1	Election law applicability. Provides that the Minnesota Election Law (a term defined in law to mean Chapters 201-211C of Minnesota Statutes) applies to early voting.
2	Early voting. Establishes a definition of the term “early voting.”
3	Violation. Adds references to early voting in an existing section of statute specifying criminal penalties for certain prohibited activities related to voting.
4	Permanent absentee voter status. Modifies the existing process that allows a voter to request than an absentee ballot application be sent automatically prior to each election. Instead of the application, this section would allow a voter to request that the absentee ballot itself be sent automatically prior to each election, without the need for an additional application. This authorization would not apply to voters residing in a jurisdiction that conducts elections entirely by mail.
5	Generally. Adds a cross-reference to the new early voting provisions established by the bill to an existing requirement in law related to a municipal clerk’s access to the statewide voter registration system. A municipal clerk would only be permitted to administer

Section	Description
	early voting if the clerk has the technical capacity to access the statewide voter registration system and has undergone training approved by the secretary of state.
6	Printing and delivery of forms. Eliminates existing language setting a timeline for the delivery of absentee ballot applications prior to an election to those voters who request automatic delivery. These changes conform to the changes made earlier in this bill providing for the automatic delivery of an absentee ballot, rather than an application, prior to each election.
7	Delivery of ballots. Establishes timelines for the delivery of absentee ballots to voters who request automatic delivery. The ballots must be mailed at least 45 days prior to a federal, state, county, city, or school board election. For town elections held in March, ballots must be mailed at least 30 days prior to the election.
8	Establishment; applicable laws. Adds a reference to administration of early voting in the section of law related to establishment of ballot boards.
9	Duties of ballot board; absentee ballots. Provides a conforming reference in the law governing absentee ballot board procedures to reflect the permanent absentee ballot authorization established by this bill.
10	Duties of ballot board; early voting. Establishes duties of a ballot board related to early voting. In addition to procedures established later in the bill, the ballot board must make a record of voters who cast ballots early and count the ballots using procedures that apply to the ballot board in existing law, and as provided in this bill.
11	Record of voting. Provides that a voter who casts an early voting ballot may not be permitted to cast another ballot at the election. This section also provides a conforming reference to the time after which a voter whose absentee ballot has been accepted is no longer permitted to cast a ballot at the election.
12	Opening of envelopes. Requires the return of absentee ballot materials to a voter if more than one “voted” ballot is included in a ballot envelope. This change relates to the presidential

Section	Description
	nomination primary, in which absentee voters will be provided a separate ballot for each party participating in the primary, but are only permitted to vote one of the ballots.
13	Storage and counting of absentee and early voting ballots. Adds references to early voting in the existing law related to the storage and counting of ballots by a ballot board.
14	Early voting; applicability. Permits any eligible voter to vote in person prior to election day using the procedures established in this bill. Early voting must be available at federal, state, and county elections. Cities are permitted to authorize early voting for city elections following procedures established in the bill.
15	Time period for early voting. Requires early voting to be available for every primary, general, or special election subject to early voting beginning 30 days prior to election day, through 5:00 p.m. on the third day prior to the election. Voters in line at 5:00 p.m. on the third day prior to the election must be permitted to vote.
16	Hours for early voting. Requires early voting to be open from 8:00 a.m. to 4:30 p.m. weekdays, but from 8:00 a.m. to 8:00 p.m. on at least one of those weekdays, and from 10:00 a.m. to 5:00 p.m. on the two Saturdays prior to the election.
17	Locations for early voting. Requires early voting to be available in polling places designated in the county auditor's office, and at the municipal clerk's office, if the clerk has been delegated the responsibility to administer absentee voting, and at other county or city-owned buildings designated by the county auditor or municipal clerk. A minimum of one location for every 50,000 people in the county, as well as a geographic distribution of locations, is required. The polling place for early voting must include equipment accessible for voters' disabilities.
18	Notice to voters. Requires the county auditor or municipal clerk to prepare a notice of the days, times, and locations for early voting. The notice must be posted at least 14 days prior to the start of early voting on the websites of the county and any municipality where an early voting location is designated. Procedures for publication of the notice in an official newspaper are provided if the jurisdiction does not have a website.

Section	Description
19	<p>Procedures for early voting.</p> <p>Establishes procedures for casting a ballot using early voting, including a requirement that the voter sign the certification required of all voters voting on election day, and that a voter be permitted to register on-site if necessary. Ballots cast using early voting must be processed and counted by a ballot board.</p>
20	<p>Election supplies; duties of county auditors and clerks.</p> <p>Requires city clerks designated to administer early voting to be provided the appropriate election materials at least one day prior to the beginning of the early voting period. These materials are prepared by the county auditor.</p>
21	<p>Program.</p> <p>Establishes a timeline for completion and delivery of the computer program used to conduct an election.</p>
22	<p>Testing of voting systems.</p> <p>Requires testing of the voting system to be used at an election within 37 days before election day. Current law requires the testing to occur within 14 days before election day.</p>
23	<p>Effective date; early voting.</p> <p>Provides an effective date for the bill, conditional on certification by the secretary of state that the statewide voter registration system has been tested and can properly track early voting information, and certification of precinct voting equipment capable of tabulating at least 30 ballot styles for use in the state.</p> <p>A jurisdiction may implement the requirements of the bill prior to the effective date if the secretary of state has made the required certifications at least 90 days prior to the election at which early voting will be used.</p>