

1.1 moves to amend H.F. No. 1942 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2022, section 201.225, subdivision 2, is amended to read:

1.4 Subd. 2. **Technology requirements.** An electronic roster must:

1.5 (1) be able to be loaded with a data file that includes voter registration data in a file
1.6 format prescribed by the secretary of state;

1.7 (2) allow for data to be exported in a file format prescribed by the secretary of state;

1.8 (3) allow for data to be entered manually or by scanning a Minnesota driver's license or
1.9 identification card to locate a voter record or populate a voter registration application that
1.10 would be printed and signed and dated by the voter. The printed registration application
1.11 can be either a printed form, labels printed with voter information to be affixed to a preprinted
1.12 form, or a combination of both;

1.13 (4) allow an election judge to update data that was populated from a scanned driver's
1.14 license or identification card;

1.15 (5) cue an election judge to ask for and input data that is not populated from a scanned
1.16 driver's license or identification card that is otherwise required to be collected from the voter
1.17 or an election judge;

1.18 (6) immediately alert the election judge if the voter has provided information that indicates
1.19 that the voter is not eligible to vote;

1.20 (7) immediately alert the election judge if the electronic roster indicates that a voter has
1.21 already voted in that precinct, the voter's registration status is challenged, or it appears the
1.22 voter resides in a different precinct;

2.1 (8) provide immediate instructions on how to resolve a particular type of challenge when
2.2 a voter's record is challenged;

2.3 (9) provide for a printed voter signature certificate, containing the voter's name, address
2.4 of residence, date of birth, voter identification number, the oath required by section 204C.10,
2.5 and a space for the voter's original signature. The printed voter signature certificate can be
2.6 either a printed form or a label printed with the voter's information to be affixed to the oath;

2.7 (10) contain only preregistered voters within the precinct, and not contain preregistered
2.8 voter data on voters registered outside of the precinct, unless being utilized for absentee
2.9 voting under chapter 203B or for mail balloting on election day pursuant to section 204B.45,
2.10 subdivision 2a;

2.11 (11) be only networked within the polling location on election day, except for the purpose
2.12 of updating absentee ballot records;

2.13 (12) meet minimum security, reliability, and networking standards established by the
2.14 Office of the Secretary of State in consultation with the Department of Information
2.15 Technology Services;

2.16 (13) be capable of providing a voter's correct polling place; and

2.17 (14) perform any other functions necessary for the efficient and secure administration
2.18 of the participating election, as determined by the secretary of state.

2.19 Electronic rosters used only for election day registration do not need to comply with clauses
2.20 (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need
2.21 to comply with clauses (4) and (5).

2.22 **Sec. 2. [203B.29] TRANSMISSION OF BALLOTS UNDER CERTAIN**
2.23 **CIRCUMSTANCES.**

2.24 Subdivision 1. **Emergency response providers.** Any eligible Minnesota voter who is
2.25 a trained or certified emergency response provider or utility worker who is deployed during
2.26 the time period authorized by law for absentee voting, on election day, or during any state
2.27 of emergency declared by the President of the United States or any governor of any state
2.28 within the United States may request that ballots, instructions, and a certificate of voter
2.29 eligibility be transmitted to the voter electronically. Upon receipt of a properly completed
2.30 application requesting electronic transmission, the county auditor shall electronically transmit
2.31 the requested materials to the voter. The county auditor is not required to provide return
2.32 postage to voters to whom ballots are transmitted electronically.

3.1 Subd. 2. Reasonable accommodation for voter with disability. Any eligible Minnesota
3.2 voter with a print disability, including any voter with disabilities that interfere with the
3.3 effective reading, writing, or use of printed materials, may request that ballots, instructions,
3.4 and a certificate of voter eligibility be transmitted to the voter electronically in an accessible
3.5 format that meets Election Assistance Commission minimum accessibility requirements.
3.6 Upon receipt of a properly completed application requesting electronic transmission, the
3.7 county auditor shall electronically transmit the requested materials to the voter. The county
3.8 auditor must also mail the voter materials required under section 203B.07.

3.9 Subd. 3. Returning voted ballots. A voter receiving a ballot electronically under
3.10 subdivision 1 or 2 must print and return the voter's voted ballot and the certificate of voter
3.11 eligibility to the county auditor in a sealed envelope. A voter must not return the ballot or
3.12 certificate of voter eligibility electronically. A ballot that is returned electronically will not
3.13 be accepted and will not be counted.

3.14 Sec. 3. Minnesota Statutes 2022, section 204B.35, is amended by adding a subdivision to
3.15 read:

3.16 Subd. 6. Electronic voting systems. Notwithstanding sections 204B.35 to 204B.44 and
3.17 chapter 204D, a jurisdiction may prepare blank paper ballots, if the jurisdiction employs an
3.18 electronic voting system and the required information is instead displayed on a touch screen
3.19 or other electronic device in a format that substantially meets the requirements of law.

3.20 Sec. 4. Minnesota Statutes 2022, section 204B.45, subdivision 2, is amended to read:

3.21 Subd. 2. Procedure; voting prior to election day. Notice of the election and the special
3.22 mail procedure must be given at least ten weeks prior to the election. Not more than 46 days
3.23 nor later than 14 days before a regularly scheduled election and not more than 30 days nor
3.24 later than 14 days before any other election, the auditor shall mail ballots by nonforwardable
3.25 mail to all voters registered in the city, town, or unorganized territory. No later than 14 days
3.26 before the election, the auditor must make a subsequent mailing of ballots to those voters
3.27 who register to vote after the initial mailing but before the 20th day before the election.
3.28 Eligible voters not registered at the time the ballots are mailed may apply for ballots as
3.29 provided in chapter 203B. Ballot return envelopes, with return postage provided, must be
3.30 preaddressed to the auditor or clerk and the voter may return the ballot by mail or in person
3.31 to the office of the auditor or clerk. The auditor or clerk must appoint a ballot board to
3.32 examine the mail and absentee ballot return envelopes and mark them "accepted" or "rejected"
3.33 within three days of receipt if there are 14 or fewer days before election day, or within five

4.1 days of receipt if there are more than 14 days before election day. The board may consist
4.2 of deputy county auditors or deputy municipal clerks who have received training in the
4.3 processing and counting of mail ballots, who need not be affiliated with a major political
4.4 party. Election judges performing the duties in this section must be of different major
4.5 political parties, unless they are exempt from that requirement under section 205.075,
4.6 subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before
4.7 the election, the ballots in the envelope must remain sealed and the auditor or clerk shall
4.8 provide the voter with a replacement ballot and return envelope in place of the spoiled ballot.
4.9 If the ballot is rejected within five days of the election, the envelope must remain sealed
4.10 and the official in charge of the ballot board must attempt to contact the voter by telephone
4.11 or email to notify the voter that the voter's ballot has been rejected. The official must
4.12 document the attempts made to contact the voter.

4.13 If the ballot is accepted, the county auditor or municipal clerk must mark the roster to
4.14 indicate that the voter has already cast a ballot in that election. After the close of business
4.15 on the seventh day before the election, the ballots from return envelopes marked "Accepted"
4.16 may be opened, duplicated as needed in the manner provided by section 206.86, subdivision
4.17 5, initialed by the members of the ballot board, and deposited in the ballot box.

4.18 In all other respects, the provisions of the Minnesota Election Law governing deposit
4.19 and counting of ballots apply.

4.20 The mail and absentee ballots for a precinct must be counted together and reported as
4.21 one vote total. No vote totals from mail or absentee ballots may be made public before the
4.22 close of voting on election day.

4.23 The costs of the mailing shall be paid by the election jurisdiction in which the voter
4.24 resides. Any ballot received by 8:00 p.m. on the day of the election must be counted.

4.25 Sec. 5. Minnesota Statutes 2022, section 204B.45, is amended by adding a subdivision to
4.26 read:

4.27 Subd. 2a. Procedure; voting on election day. (a) The county auditor may make available
4.28 a ballot counter and ballot box for use during voting hours on election day by the voters
4.29 voting under this section. If a ballot counter and ballot box is provided on election day, a
4.30 voter must be given the option to either:

4.31 (1) vote using the procedures provided in subdivision 2; or

4.32 (2) vote in the manner provided in this subdivision.

5.1 (b) When a voter appears in the designated polling place, the voter must state the voter's
5.2 name, address, and, if requested, the voter's date of birth to the mail ballot voting official.
5.3 The mail ballot voting official must confirm that the voter's registration is current in the
5.4 statewide voter registration system and that the voter has not already cast a ballot in the
5.5 election. If the voter's status is challenged, the voter may resolve the challenge as provided
5.6 in section 204C.12. An individual who is not registered to vote or whose name or address
5.7 has changed must register in the manner provided in section 201.061, subdivision 3. A voter
5.8 who has already cast a ballot in the election must not be provided with a ballot.

5.9 (c) Each voter must sign the certification provided in section 204C.10. The signature of
5.10 an individual on the voter's certificate and the issuance of a ballot to the individual is evidence
5.11 of the intent of the individual to vote at that election. After signing the voter certification,
5.12 two mail ballot voting officials must initial the ballot and issue it to the voter, and the voter
5.13 must immediately retire to a voting station or other designated location in the polling place
5.14 to mark the ballot. The voter must not take the ballot from the polling place. If the voter
5.15 spoils the ballot, the voter may return it to the mail ballot voting official in exchange for a
5.16 new ballot. After completing the ballot, the voter must deposit the ballot into the ballot
5.17 counter and ballot box. The mail ballot voting official must immediately record that the
5.18 voter has voted in the manner provided in section 203B.121, subdivision 3.

5.19 (d) The mail ballot voting official must remove and secure the ballots following the
5.20 procedures in section 203B.121, subdivision 5, paragraph (a). The absentee ballot board
5.21 must count the ballots after the polls have closed on election day following the procedures
5.22 in section 203B.121, subdivision 5, paragraph (b).

5.23 (e) For purposes of this subdivision, "mail ballot voting official" means the county
5.24 auditor, city clerk, a deputy of the auditor or clerk, or a properly trained election judge
5.25 assigned by the auditor or clerk.

5.26 Sec. 6. Minnesota Statutes 2022, section 204C.24, subdivision 1, is amended to read:

5.27 Subdivision 1. **Information requirements.** Precinct summary statements shall be
5.28 submitted by the election judges in every precinct. For all elections, the election judges
5.29 shall complete three or more copies of the summary statements, and each copy shall contain
5.30 the following information for each kind of ballot:

5.31 (1) the number of ballots delivered to the precinct as adjusted by the actual count made
5.32 by the election judges, the number of unofficial ballots made, and the number of absentee
5.33 ballots delivered to the precinct;

6.1 (2) the number of votes each candidate received or the number of yes and no votes on
6.2 each question, the number of undervotes, the number of overvotes, and the number of
6.3 defective ballots with respect to each office or question;

6.4 (3) the number of spoiled ballots, the number of duplicate ballots made, the number of
6.5 absentee ballots rejected, and the number of unused ballots, presuming that the total count
6.6 provided on each package of unopened prepackaged ballots is correct;

6.7 (4) the number of voted ballots indicating only a voter's choices as provided by section
6.8 206.80, paragraph (b), clause (2);

6.9 (5) the number of individuals who voted at the election in the precinct which must equal
6.10 the total number of ballots cast in the precinct, as required by sections 204C.20 and 206.86,
6.11 subdivision 1;

6.12 ~~(5)~~ (6) the number of voters registering on election day in that precinct; and

6.13 ~~(6)~~ (7) the signatures of the election judges who counted the ballots certifying that all
6.14 of the ballots cast were properly piled, checked, and counted; and that the numbers entered
6.15 by the election judges on the summary statements correctly show the number of votes cast
6.16 for each candidate and for and against each question.

6.17 At least two copies of the summary statement must be prepared for elections not held
6.18 on the same day as the state elections.

6.19 Sec. 7. Minnesota Statutes 2022, section 206.61, subdivision 1, is amended to read:

6.20 Subdivision 1. **Official responsible for providing ballots.** (a) The official charged with
6.21 providing paper ballots when they are used shall provide all ballot cards, sample ballots,
6.22 precinct summary statements, and other necessary supplies needed for electronic voting
6.23 systems, except as otherwise provided by this section.

6.24 (b) At general elections and primaries the county auditor of each county in which an
6.25 electronic voting system is used shall provide all ballot cards and other necessary printed
6.26 forms and supplies needed for the electronic voting system, including all forms needed for
6.27 voting on candidates and questions, the ballots for which are required by the election laws
6.28 to be provided by the state when paper ballots are used.

6.29 (c) In precincts using a ballot format as provided by section 206.80, paragraph (b), clause
6.30 (2), voters must be provided the option of voting with a regularly printed optical scan ballot.

7.1 Sec. 8. Minnesota Statutes 2022, section 206.80, is amended to read:

7.2 **206.80 ELECTRONIC VOTING SYSTEMS.**

7.3 (a) An electronic voting system may not be employed unless it:

7.4 (1) permits every voter to vote in secret;

7.5 (2) permits every voter to vote for all candidates and questions for whom or upon which
7.6 the voter is legally entitled to vote;

7.7 (3) provides for write-in voting when authorized;

7.8 (4) automatically rejects, except as provided in section 206.84 with respect to write-in
7.9 votes, all votes for an office or question when the number of votes cast on it exceeds the
7.10 number which the voter is entitled to cast;

7.11 (5) permits a voter at a primary election to select secretly the party for which the voter
7.12 wishes to vote;

7.13 (6) automatically rejects all votes cast in a primary election by a voter when the voter
7.14 votes for candidates of more than one party; and

7.15 (7) provides every voter an opportunity to verify votes recorded on the permanent paper
7.16 ballot, either visually or using assistive voting technology, and to change votes or correct
7.17 any error before the voter's ballot is cast and counted, produces an individual, discrete,
7.18 permanent, paper ballot cast by the voter, and preserves the paper ballot as an official record
7.19 available for use in any recount.

7.20 (b) An electronic voting system purchased on or after June 4, 2005, may not be employed
7.21 unless it:

7.22 (1) accepts and tabulates, in the polling place or at a counting center, a marked optical
7.23 scan ballot; or

7.24 (2) creates a ~~marked optical scan~~ ballot that can be tabulated in the polling place or at a
7.25 counting center by automatic tabulating equipment certified for use in this state and the
7.26 ballot is:

7.27 (i) a marked optical scan ballot; or

7.28 (ii) a marked paper ballot indicating, at a minimum, the date of the election; the name
7.29 of the precinct; an electronically readable precinct identifier or ballot style indicator; and
7.30 the voter's votes for each office or question, generated from the voter's use of a touch screen

8.1 or other electronic device on which a complete ballot meeting the information requirements
8.2 of any applicable law was displayed electronically.

8.3 (c) The use of multiple ballot formats of electronic voting systems in a jurisdiction is
8.4 not a violation of a voter's right to vote in secret, provided that a record of the ballot formats
8.5 of electronic voting system used by a voter is not recorded by the election judges or any
8.6 other elections official in any form.

8.7 Sec. 9. Minnesota Statutes 2022, section 206.86, is amended by adding a subdivision to
8.8 read:

8.9 Subd. 5a. **Ballots in precincts with multiple styles of voting system.** In the event the
8.10 results of a precinct are subject to a recount under section 204C.35 or 204C.36, or are subject
8.11 to a postelection review under section 206.89, and a ballot format as provided in section
8.12 206.80, paragraph (b), clause (2), was used by ten or fewer voters in the precinct, the election
8.13 judges from that precinct are not eligible to participate in conducting a recount or postelection
8.14 review in that precinct.

8.15 Sec. 10. Minnesota Statutes 2022, section 206.90, subdivision 10, is amended to read:

8.16 Subd. 10. **Counting write-in votes.** Notwithstanding section 204C.22, subdivision 4,
8.17 in precincts using optical scan voting systems, the ballot must be marked in the oval or other
8.18 target shape opposite the blank when a voter writes an individual's name on the line provided
8.19 for write-in votes in order to be counted. The judges shall count the write-in votes and enter
8.20 the number of those votes on forms provided for the purpose. When the write-in votes are
8.21 recorded on a medium that cannot be examined for write-in votes by the automatic tabulating
8.22 equipment or the automatic tabulating equipment does not reject, with respect to write-in
8.23 votes, all votes for an office or question when the number of votes cast on it exceeds the
8.24 number which the voter is entitled to count, all ballot envelopes or other medium on which
8.25 write-in votes have been recorded must be serially numbered, starting with the number one
8.26 and the same number must be placed on the ballot card of the voter. The judges shall compare
8.27 the write-in votes with the votes cast on the ballot card. If the total number of votes for any
8.28 office exceeds the number allowed by law, a notation to that effect must be entered on the
8.29 back of the ballot card and the card must be returned to the counting center in an envelope
8.30 marked "defective ballots"; however, valid votes on ballot cards containing invalid votes
8.31 must be counted as provided in section 206.86, subdivision 5.

8.32 When the write-in votes are recorded on ballot cards that can be examined for write-in
8.33 votes by the automatic tabulating equipment and the automatic tabulating equipment rejects

- 9.1 all votes for an office or question when the number of votes cast on it exceeds the number
- 9.2 which the voter is entitled to cast, the judges shall examine the ballot cards with write-in
- 9.3 votes and count the valid write-in votes."
- 9.4 Amend the title accordingly