

**FILE NUMBER:** H.F. 90  
**Version:** As introduced

**DATE:** March 18, 2015

**Authors:** Quam

**Subject:** Provisional Balloting

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### Overview

This bill establishes a system of provisional balloting for voters whose eligibility to vote is challenged.

#### Section

- 1 Permanent registration; verification of registration.** Requires the election judges to confirm a voter's name, address, and date of birth before permitting the voter to sign the polling place roster and cast a ballot.  

This section also provides that a voter whose eligibility to vote is challenged—either by a pre-marked challenge notation in the polling place roster, or by a challenge made in the polling place—may not sign the roster, but instead is permitted to cast a provisional ballot following the new procedures established in section 3 of the bill.
- 2 Challenged voters; determination of residence.** Permits a voter whose eligibility to vote is challenged in the polling place to cast a provisional ballot, if the challenge is not withdrawn after the voter is questioned by an election judge regarding the voter's eligibility and residence.  

A challenged voter is not permitted to cast a ballot other than a provisional ballot, following new procedures established in section 3 of the bill.
- 3 Provisional ballots.** Establishes a new system of provisional balloting, to be used for voters whose eligibility to vote or residency is challenged either in the statewide voter registration system, or by another person in the polling place.  

*Casting of provisional ballots.* Voters casting a provisional ballot are required to complete a color-coded provisional ballot envelope, containing basic identifying information and an oath

## Section

indicating that the voter is eligible, has not voted previously in the same election, and meets the criteria for voting in the precinct. Provisional ballots are the same as “live” ballots cast in the polling place on election day, except that they must be sealed in a provisional ballot envelope and segregated in a separate ballot box.

*Counting of provisional ballots.* A provisional ballot must be counted if the voter who cast the ballot appears before the appropriate county auditor or municipal clerk within seven calendar days of the election and presents sufficient proof of residence and the voter’s record in the statewide registration system is not listed as challenged (if challenged, the voter must also present proof of eligibility to vote). The voter would provide proof-of-residence in the same manner as permitted for same day voter registrations.

If the provisional voter does not appear within this timeline, does not satisfy the documentation requirements, or the data presented by the voter do not match the data on the provisional ballot envelope, the provisional ballot must not be counted. The county auditor or municipal clerk is required to send written notice to provisional voters whose ballots were not counted because of their failure to comply with these requirements.

*Reconciliation.* This section also requires the county auditor to reconcile the number of signatures contained on the provisional ballot roster with the number of provisional ballots cast in the precinct prior to counting any provisional ballots from that precinct, including the random removal of excess ballots, if necessary.

- 4 **Violations; penalty.** Adds an intentional misrepresentation of an individual’s identity in requesting a provisional ballot, or requesting that a provisional ballot be counted, to the list of existing election-related felony crimes.
- 5 **Effective date.** Provides that the bill is effective June 1, 2015, and applies to elections held on or after that date.