

Subject 2020 Election Procedure; HAVA Appropriations

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Overview

This bill authorizes local governments to adopt special procedures for use at the 2020 state primary and state general elections to respond to the COVID-19 pandemic. It also requires local governments to begin processing absentee ballots starting 14 days before election day, and authorizes candidates to file certain election-related documents electronically.

The bill also appropriates federal money made available to Minnesota through the Help America Vote Act. Two allocations are included: one made available in Congress' December 2019 budget consolidation bill, and the other made available in Congress' March 2020 COVID-19 response bill. A 2018 allocation of HAVA money was appropriated in 2019 and is available for use by the secretary of state under current law.

Summary

Section	Description
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| 1 | <p>Safe and secure conduct of 2020 state primary and state general elections; special procedures.</p> <p>Establishes special procedures for the 2020 state primary and general elections, intended to minimize the risks of the COVID-19 pandemic on the conduct of the election.</p> <p>In subdivision 2, the special procedures include the option for local governments to adopt the following practices:</p> <ol style="list-style-type: none">1) designating new polling places, up until July 1, 2020;2) deputizing employees of health care facilities and hospitals to administer absentee voting to residents or patients of those facilities. Under current law, only trained election judges are able to perform this task; and |
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Section Description

- 3) extension of the period during which absentee ballots may be processed, to include up to three days following the election, to accommodate expected increases in absentee voting activity.

Powers provided in existing law authorizing local governments to respond to elections emergencies, including moving polling places if needed, are also available to respond to the pandemic.

Subdivision 3 requires local governments to begin processing absentee ballots starting 14 days before election day, and prohibits a voter from “clawing back” a ballot if it has been accepted starting on that date.

Subdivision 4 permits affidavits of candidacy, nominating and other types of petitions, and requests that write-in votes be counted to be submitted in an electronic format. Petitions may include electronic signatures.

2 Nomination of 2020 presidential electors and alternates.

Delays the current deadline for parties to submit the names of candidates to be nominated as presidential electors for the 2020 election. Under current law, these names must be submitted at least 71 days prior to the election. This section permits submission no later than 67 days prior to the election. The change better accommodates the schedule of the major party conventions planned for this fall.

3 Help America Vote Act appropriations and transfer; federal Consolidated Appropriations Act.

Appropriates Help America Vote Act (HAVA) money made available by Congress in December 2019. This money is intended for certain election security purposes. The 20 percent state match necessary to secure those funds, and any interest generated on these amounts, is also included. The money is appropriated to the secretary of state.

A specific list of authorized uses is in subdivision 4. These include a number of specific uses that have been authorized in previous HAVA allocations. An allowance for the money to be used for COVID-19 elections response consistent with authorized uses in section 4 of this bill is among the permissible uses here.

These amounts are available to the secretary of state until December 21, 2024, consistent with the requirements of the federal allocation.

4 Help America Vote Act appropriations and transfer; federal CARES Act.

Appropriates Help America Vote Act (HAVA) money made available by Congress in its March 2020 federal stimulus bill. This money is intended to support efforts to lessen the impact of the COVID-19 pandemic on the 2020 election cycle.

Section **Description**

The federal law currently requires a 20 percent state match. That amount is also appropriated in this section, effective July 1, 2020. A provision specifying that the state match is withdrawn if the federal government ultimately waives the match requirement is included.

A specific list of authorized uses is included in subdivision 4. Among them is a grant program for local governments. The grant procedures are described in subdivision 6. A local government would be eligible for a grant for up to 75 percent of the cost of purchasing a new electronic pollbook system, or up to 80 percent of the cost of other authorized uses.

A legislative report on use of these funds is required in January 2021. The appropriations in this section are available until March 27, 2022, consistent with the requirements of the federal allocation.



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