

Subject State Government Finance and Elections Omnibus

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Date April 20, 2021

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Overview

This bill is the proposed State Government Finance and Elections and Veterans and Military Affairs omnibus budget bill. It includes appropriations to the various constitutional offices, agencies, boards, and commissions subject to the jurisdiction of the State Government Finance and Elections Committee, as well as the Department of Veterans Affairs and the Department of Military Affairs. A series of policy articles on topics impacting these jurisdictions is also included.

Article 1: State Government Appropriations

Section Description – Article 1: State Government Appropriations

- 1 State government appropriations.**
Establishes the fiscal years used for purposes of the appropriations provided in this bill.
- 2-36 Appropriations.**
Provides appropriations to the various constitutional offices, agencies, boards, and commissions subject to the jurisdiction of the State Government Finance and Elections Committee. Specific appropriation amounts are provided in the fiscal tracking spreadsheet.
- 37 Sensory accessibility accommodations grants; appropriation.**
Appropriates money to the Minnesota Council on Disability to provide grants for sensory accessibility accommodations. This grant program is established in article 2.
- 38 Mass Demonstration Response Review Commission.**
Appropriates money to the Legislative Auditor, for purposes of the Mass Demonstration Response Review Commission. The commission is established in article 2.
- 39 State parking account.**
Exempts the state parking account from making a required annual transfer to the general fund for fiscal years 2021 and 2022. The state parking account receives fees charged to users of state parking lots and meters on the State Capitol complex. Under existing law, a portion of the account must be transferred to the general fund each year to cover debt service payments on the senate parking garage.
- 40-42 Fiscal cancellations.**
Provides cancellations of unspent funds from a number of appropriations and accounts, as detailed in the fiscal spreadsheet.
- 43 Appropriation; administrative space consolidation and moving.**
Appropriates funds in fiscal year 2021 to the commissioner of administration for a comprehensive strategic plan for locating state agencies and for agency space consolidation, reconfiguration, and relocation costs. The strategic plan must consider the impact of COVID-19 and employee telecommuting polices on state building vacancies.
- 44 Appropriation; federal funds replacement.**
Requires the commissioner of management and budget to determine whether any expenditures supported by appropriations in this act are eligible uses of federal

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funding received under the Coronavirus State Fiscal Recovery Fund or the American Rescue Plan Act. If any expenditures are discovered to be eligible, the federal funds must be used for that expenditure and corresponding amounts appropriated by this act must be canceled to the general fund.

Article 2: State Government Policy

Section Description – Article 2: State Government Policy

1 State fire museum.

Names the Bill and Bonnie Daniels Firefighters Hall and Museum as the “official state fire museum” for Minnesota. The facility is located in Northeast Minneapolis. It serves as an event center as well as a museum showcasing a variety of historic fire service exhibitions and artifacts from around Minnesota.

Minnesota’s existing statutes recognize at least 17 items as “official state” symbols, based on various aspects of the state’s history, natural resources, and culture. Most recently, the Rusty Patched Bumble Bee was designated as the official state bee, in 2019.

2 Legislative funding appropriated.

Establishes statutory appropriations to fund the operations of the house of representatives, senate, and Legislative Coordinating Commission. Procedures for determining and requesting the amount the specific amounts to be appropriated for each fiscal year are provided.

3 State documents.

Provides that the Legislative Reference Library is entitled to receive a copy of all documents published by the state, at no cost to the legislature or library.

4 Purpose.

Authorizes the Legislative Coordinating Commission to coordinate the activities of not just the senate and house of representatives, but also the joint legislative commissions, committees, offices, and task forces.

5 Staff; compensation.

Provides a number of technical and administrative updates to the law governing the staffing structure of the Office of the Legislative Auditor (OLA), including replacement of obsolete terminology and references.

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- 6 Special reviews.**
Provides statutory authorization for the legislative auditor to conduct a “special review.” Current law permits the OLA to conduct investigations; to date, the OLA’s special review process has been supported by this authority. This section would more clearly detail the type of work that may be conducted during a special review.
- 7 Audits of state and semistate agencies.**
Updates language and terminology regarding the legislative auditor’s authority to conduct financial audits of the activities of executive branch and judicial branch agencies and offices.
- 8 Audits of Department of Human Services.**
Eliminates certain mandates related to audits of the Department of Human Services. The requirement that the OLA give high priority to audits of human services programs, services, and benefits remains in place. Rather than a statutory requirement, this section would instead give the OLA discretion, within available resources, to make determinations about the scope of these audits.
- 9 Inquiry and inspection power; duty to aid legislative auditor.**
Updates terminology related to the legislative auditor’s authority to request inspection of an audit subject’s records and to require cooperation with the auditor’s requests.
- 10 Audit data.**
Updates terminology in the section of law providing data classifications for certain work products and data maintained by the OLA.
- 11 Report.**
Eliminates a reference in law requiring the commissioner of administration to assist in the preparation of the Minnesota milestones report. The requirement that this report be prepared is repealed later in the bill.
- 12 State demographer.**
Provides clarification to certain deadlines in law that require the state demographer to provide certain population estimate reports to local governments and state agencies, in years following a decennial census. This section also clarifies that the process for challenging the census count must be submitted to the United States Census through its formal challenge process.
- 13 Display of business address on website.**
Provides a mechanism to omit a business’ address from the secretary of state’s public website if the business entity has a single shareholder, member, manager, or owner

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and the business address is that person’s residential address. These changes only omit the address from public display online; the classification of the information under the Government Data Practices Act is unchanged.

14 House, senate, court, elected office budgets; how treated.

Eliminates references to the house of representatives and the senate, in an existing law providing standards for how budgets of certain offices are considered at the legislature. This is a conforming change to reflect the enactment of a statutory appropriation for legislative operations earlier in this article.

15 Budgets; information.

Requires certain information about the budget of the Legislative Coordinating Commission to be public information. This is a conforming change to reflect the enactment of a statutory appropriation for the Legislative Coordinating Commission earlier in this article.

16 India Day.

Establishes August 15 of each year as India Day, to recognize the contributions of Minnesotans of Indian ancestry.

17 Government-to-government relationship with Tribal governments.

Establishes a new statute that recognizes the unique legal relationship between Tribal Nations and the state of Minnesota, including the 11 federally recognized Tribal Nations with elected or appointed governments that exist within the state’s geographic boundaries. It further recognizes the benefits of meaningful and timely consultation between the state and the Tribal Nations to maintaining a mutually respectful and beneficial relationship.

To facilitate the consultation process, this section directs certain state agencies to implement Tribal consultation policies to guide their work and interactions with Tribal Nations. Additional details and minimum requirements for the consultation process are provided. Each agency subject to a consultation requirement by this bill is required to designate a Tribal liaison to serve as the agency’s principal point of contact with Tribal Nations in Minnesota.

This section provides that it is not intended to establish any new substantive right to administrative or judicial review, or other mechanism of enforcement, and does not limit the authority of the state or its agencies from asserting rights or pursuing actions in the interest of the state that may be permitted by federal or state law.

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- This section codifies an existing executive order of the governor, Executive Order No. 19-24, so that it becomes a permanent law of the state. A version of the executive order has been issued or continued by each incumbent governor since at least 2002.
- 18 **Audit of state’s use of federal funds; annual appropriation.**
Directs the commissioner of management and budget to contract with a qualified auditor to conduct an annual audit of the state’s use of federal grant funds. A standing appropriation to pay the cost of the audit each year is established.

This audit is required by federal law, and has been managed by the Office of the Legislative Auditor since 1983.
- 19 **State revenue and expenditures.**
Under current law, the commissioner of management and budget’s annual November state budget forecast is due to the legislature and governor no later than the first week of December. This section specifies a date certain: the November forecast must be provided no later than December 6 each year.
- 20 **Additional revenues; priority.**
Eliminates a requirement directing a portion of any surplus funds at the end of a biennium to be transferred to the clean water fund, up to a total of \$22 million. That amount has now been transferred, and this requirement is obsolete.
- 21 **Virtual payments authorized.**
Authorizes the commissioner of management and budget to establish a virtual payments program. The program would make it possible for the state to make payments to vendors through the distribution of an electronic credit, akin to a credit card, rather than providing payment through a more traditional-style check. To the extent the state receives a rebate for administering the program, the rebate would be deposited in the general fund, with certain exceptions. Among the exceptions is an allowance for the commissioner to retain a portion of each rebate for administration of the virtual payment program.
- 22 **Operation and maintenance of buildings.**
Updates references to state buildings that are subject to the property management jurisdiction of the commissioner of administration.
- 23 **Electric vehicle charging.**
Requires the commissioner of administration to collect payment from users of electric vehicle charging stations on the State Capitol complex for the cost of the electricity consumed by the vehicle.

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24 Capitol flag program.

Establishes a program to provide a United States and Minnesota state flag that were flown over the State Capitol building to families of public safety officers killed in the line of duty and families of members of the military who died while in active service.

Subd. 1. Definitions. Defines terms used in this section.

Subd. 2. Establishment. Establishes a program to provide a United States and Minnesota state flag that was flown over the State Capitol building to families of public safety officers killed in the line of duty and families of members of the military who died while in active service.

Subd. 3. Submission of request; presentation. Authorizes flag requests to be made by legislators or state constitutional officers on behalf of eligible families. Flags shall be presented directly to a family by the official who submitted the request.

Subd. 4. Verification of eligibility. Requires officials and entities authorized to request flags to establish procedures for administering the program including verification of eligibility.

Subd. 5. Eligibility; fees. (a) For deaths that occur on or after August 1, 2021, there is no fee for the first of each type of flag requested. The commissioner may charge a reasonable fee for additional flags. The fee for additional flags may not exceed the commissioner's costs.

(b) For deaths that occur before August 1, 2021, the commissioner may charge a reasonable fee for flags unless there are sufficient funds donated to pay for the requested flags. The fee may not exceed the commissioner's costs.

Subd. 6. Police canine officers. Authorizes a flag to be flown over the Capitol in honor of a police canine officer that died in the line of duty. A request for flag to be flown under this subdivision may be made by a legislator or constitutional officer, at the request of the canine officer's handler or the chief of the agency that oversaw the canine officer. The commissioner must charge a reasonable fee, not to exceed the actual cost of flying the flag and preparing a memorial certificate, unless there are donated, nonstate funds designated for the purchase of flags flown under this subdivision.

25 Canine management.

Permits the commissioner of administration to transfer the state's ownership of a dog that is retired from service to the state to the handler that trained and worked

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with the dog while it was in service. All future expenses related to the retired dog would become the private responsibility of the handler.

26 Office of Collaboration and Dispute Resolution.

Requires the commissioner of administration to maintain the Office of Collaboration and Dispute Resolution as an office within the department. A number of duties of the office are provided, including the authority to make grants to private nonprofit community mediation entities certified by the state court administrator to assist in the resolution of disputes. The office is currently housed within the Bureau of Mediation Services. Corresponding statutes are repealed later in this bill.

27 Environmental sustainability government operations; office created.

Establishes the Office of Enterprise Sustainability as a statutory office of the Department of Administration. The office currently exists by executive order of the governor. Its mission is to assist state agencies in making measurable progress toward improving the sustainability of government operations by reducing their impact on the environment.

28 Purpose of funds.

Eliminates references to the materials handling services and the state recycling center from the list of authorized uses of the general services revolving fund. This fund is supported by receipts billed to other agencies for a variety of administrative services, including central mail delivery and building maintenance.

29 Motor pools.

Provides a definition of “passenger motor vehicle” in the law authorizing the commissioner of administration to manage a central fleet of vehicles for use by state agencies.

30 Vehicles.

Authorizes the commissioner of administration to permit the use of an unmarked state vehicle for the inmate community work crew program administered by the Department of Corrections.

31 Grants administration.

Authorizes state agencies to retain a portion of an appropriation made to provide grants to support the administrative costs associated with the grant program. For legislatively named grants (where the specific purpose or amount is directed by the legislature) and for formula-based grants (where the grant award is noncompetitive and based on a formula allocation), an agency is permitted to retain five percent of the appropriation for administrative costs. For competitively awarded grants, an agency is permitted to retain ten percent of the appropriation for administrative

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costs. Legislation creating a grant could specify a different amount, which would supersede the allowance provided by this section.

Under current law, an agency is not permitted to retain any amount of an appropriation for administrative costs unless expressly authorized by the enacting legislation.

This section would apply to new grant programs enacted after the bill's effective date.

32 Contracts with certain vendors prohibited.

Prohibits state agencies from entering a contract with a vendor that produces, manufactures, or procures goods from China's Zinjiang Uyghur Autonomous region that are made using convict labor, forced labor, indentured labor under penal sanctions, or involuntary servitude. An exemption is provided for contracts with a value of less than \$5,000.

33 Staff reductions.

Requires agencies to balance any necessary layoffs of state employees to ensure that economies of the state outside of the metropolitan area are not disproportionately affected.

34 General (health insurance benefit plans).

Shifts the commissioner of management and budget's duty to provide an option for a high-deductible health plan offered within the commissioner's plan or the managerial plan so that the commissioner has the option, rather than a mandate, to provide such a plan.

35 Procurement of a pharmacy benefit manager and a platform technology vendor.

Requires the commissioner of management and budget to contract for the services of a pharmacy benefit manager to administer the prescription drug benefit and pharmacy benefit management services for participants in the State Employee Group Insurance Program (SEGIP), effective January 1, 2023. A number of details regarding the method of awarding the contract, including the conduct of a reverse auction and the procurement of a technology platform vendor to assist with the bidding process, are required.

36-45 State historic preservation.

Updates a series of technical references related to state historic preservation. The legislature transferred the State Historic Preservation Office to the Minnesota Historical Society to the Department of Administration in 2017.

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46 Prohibition.

Adds a right of access for United States Census Bureau employees to multiunit dwellings (apartment buildings, dormitories, nursing homes, and the like) to conduct work required as part of the decennial census. The access right is similar to that provided to candidates running for elected office.

47 Background check; access to federal tax information.

Adds a subdivision to the section of law concerning independent contractors hired by the Department of Revenue. Provides that individuals performing services for contractors are subject to section 2 of the bill.

48 Taxpayer assistance grants.

Modifies eligibility requirements governing grants to organizations that provide voluntary income tax preparation services to certain communities. The modification aligns with a standard provided in federal law for eligible organizations.

49 Background check; access to federal tax information.

Subd. 1. Definitions. Defines the following terms for this section: “federal tax information”; “IRS publication 1075”; “national criminal history record information”; and “requesting agency.” A “requesting agency” means the state agencies listed in the definition.

Subd. 2. National criminal history record information check. Requires a requesting agency to get fingerprints from agency employees and others who will have access to federal tax information for purposes of a criminal background check.

Subd. 3. Fingerprint submission and written statement of understanding. Requires individuals subject to this section to provide fingerprints for purposes of a background check as well as a written statement of understanding regarding the background check.

Subd. 4. Bureau of Criminal Apprehension requirements. Requires the Bureau of Criminal Apprehension (BCA) to perform the background check and provide results to the requesting agency.

Subd. 5. Classification of data. Classifies as private all data related to background checks under this section. Prohibits requesting agencies from further disseminating the results of a background check.

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50 Membership.

Authorizes members of the Gambling Control Board to continue holding office until a successor is appointed, unless the member’s appointing authority notifies the board that a members’ appointment may not be extended.

51 Population estimates.

Provides clarification to certain deadlines in law that require the Metropolitan Council to provide certain population estimate reports to local governments, in years following a decennial census. This section also clarifies that the process for challenging the census count must be submitted to the United States Census through its formal challenge process.

52 Purpose.

States that the intent of the legislature is to comply with both section 6103 of the Internal Revenue Code (which deals with confidentiality and security of federal tax data) and IRS Publication 1075 (which provides tax security guidelines for state agencies).

53 Racial Equity Impact Assessment Working Group.

Establishes a working group to develop recommendations for a racial equity impact note for proposed legislation. An initial working group report is due by February 1, 2022, but, at the group’s discretion, it may continue to meet and submit follow up recommendations. The working group expires September 1, 2023.

A number of details describing the structure and membership of the working group are provided in the bill. The working group consists of 19 total members, including four each appointed by the speaker of the house and the majority leader of the senate. In making those appointments, the speaker and majority leader must consult with the People of Color and Indigenous Caucus within each respective legislative body.

54 Sensory accessibility accommodations grants.

Directs the Minnesota Council on Disability to award grants to state organizations, counties, cities, and private holders of public space to fund building modifications necessary to provide sensory accessibility, or accommodations to increase accessible community involvement and access for individuals with autism spectrum disorder, a related disability, or other nonvisible health issue with sensory impacts.

A number of detailed requirements related to use of the grants, including use of grant appropriations for administrative costs, are provided. A legislative report is due February 15, 2024.

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- 55 **Check or debit card for certain gambling purchases.**
Provides that, during a telephone conversation by a person seeking to purchase a raffle ticket, an organization can accept payment by check or debit card provided the debit card is checked against a nationally recognized database of bank identification numbers that confirms the card is a debit card. This section is effective the day following final enactment and expires July 1, 2022.
- 56 **Study of L’Orient Avenue property use.**
Requires the commissioner of administration to submit a report to the legislature detailing plans for use of the state property located at 1415 L’Orient Avenue in St. Paul. This property was purchased by the state in 2020 for potential space needs in the event of a large number of deaths due to the COVID-19 pandemic.
- 57-59 **Mass Demonstration Response Review Commission.**
Establishes a Mass Demonstration Response Review Commission to conduct public meetings and issue a report reviewing the state and local responses to the mass public demonstrations occurring in the state in 2020 and 2021. The commission consists of ten members, appointed by the chief justice of the Minnesota Supreme Court. A number of additional details are provided. A report must be completed no later than December 15, 2021.
- 60 **Revisor instruction.**
Requires the revisor of statutes to update terminology in the Minnesota Statutes to refer to the Department of Administration’s “enterprise fleet” of vehicles, rather than the “central motor pool.”
- 61 **Repealer.**
Repeals a series of sections of law, as follows:
- Subd. 1. Legislative auditor.** Repeals a number of sections related to the scope of the legislative auditor’s scope of investigatory authority.
 - Subd. 2. Employee gainsharing.** Repeals the section of statute that currently directs the commissioner of management and budget to administer an employee gainsharing program.
 - Subd. 3. Interagency agreements and transfers.** Repeals the section of statute that currently obligates agency heads to provide reports to the legislature for certain types of interagency agreements, and for appropriation transfers within or between agencies.
 - Subd. 4. Department of Administration.** Repeals a section of statute requiring the publication of the Minnesota milestones report. This report relates to a

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statewide system of economic, social, and environmental performance measures.

This subdivision also repeals existing laws governing the Office of Collaboration and Dispute Resolution. That office is transferred to the Department of Administration earlier in this article.

Subd. 5. Legislative carryforward. Repeals a section of law authorizing the legislature to carryforward certain unspent funds at the end of a biennium. This is a conforming change to reflect the enactment of a statutory appropriation for legislative operations earlier in this article.

Article 3: Elections Administration

Section Description – Article 3: Elections Administration

- 1 Appropriation (HAVA).**
Provides a permanent, statutory appropriation of money in the state’s Help America Vote Act (HAVA) account to the secretary of state, to be used for purposes authorized by federal law.

The HAVA account was established in 2003 to receive and hold funds provided by the federal government for certain election purposes. Most recently, funds were made available for election security upgrades, on the condition that the state match a portion of the amount.

Under current law, HAVA funds must be separately appropriated to the secretary of state by the legislature before they may be spent. Restrictions on how the funds may be used would remain unchanged.
- 2 Voting by program participant; absentee ballot.**
Provides that a ballot and related voting materials for a participant in the Safe at Home address confidentiality program may be prepared and delivered by the secretary of state, based either on precinct information provided by a county auditor, or using information contained in the statewide voter registration system.
- 3 Investigate offenses against provisions of certain designated sections; assist in enforcement.**
Expands the scope of the attorney general’s jurisdiction to include investigation and enforcement of a new section of statute enacted in this bill, regulating voter intimidation, interference, and deceptive practices in elections.

Section	Description – Article 3: Elections Administration
4	<p>Data derived from driver’s license applications.</p> <p>Provides a cross-reference in the Minnesota Government Data Practices Act related to the privacy of data contained on an application for a driver’s license, state identification card, or learner’s permit that is transferred to the secretary of state, when the secretary determines that the applicant is not eligible to vote. These data are classified as private, under a new classification established later in this bill.</p>
5	<p>Residential housing list.</p> <p>Requires postsecondary institutions that enroll students accepting state financial aid to prepare a current list of students enrolled in the institution and residing in the institution’s housing or within ten miles of the institution’s campus, with an exception for students participating in the Safe at Home address confidentiality program. This information may be used as proof of residence for student voters registering in a precinct on election day.</p>
6	<p>Felony conviction; restoration of civil right to vote.</p> <p>Restores the civil right to vote to individuals who have been convicted of a felony once the individual has completed any incarceration imposed and executed for the conviction. If no incarceration is imposed, the right to vote is restored upon sentencing. If the individual is later subject to incarceration for that offense, the individual loses the right to vote only during the period of incarceration.</p>
7	<p>Form.</p> <p>Requires updates to the voter registration application to reflect the change in the restoration of the civil right to vote provided by this bill.</p> <p>This section also provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
8-9	<p>Instructions (voter registration applications).</p> <p>Updates grammar related to the requirement that a voter provide a valid Minnesota driver’s license or identification card number, or the last four digits of their Social Security number, in order to register to vote. An exception applies only if the voter does not have one of these numbers. A registration application would not be considered deficient for lack of an identification number if the voter was not issued a number and the information can be verified using another database associated with the applicant’s name and date of birth.</p>

Section	Description – Article 3: Elections Administration
10	<p>School district assistance.</p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
11	<p>Corrected list.</p> <p>Provides a conforming update to a deadline for providing a corrected master list of registered voters for each precinct, to reflect the extension of the period during which absentee ballots can be counted before an election. That extension is established later in this bill.</p>
12	<p>Moved within state.</p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
13	<p>Postelection sampling.</p> <p>Establishes a deadline for county auditors to report information on undeliverable postal verification card data to the secretary of state. These data must be reported no later than February 15 of each odd-numbered year, and cover the previous state general election. A report by the secretary of state on these data is currently due to the legislature by March 1 of each odd-numbered year. The legislative reporting structure is unchanged.</p>
14	<p>Use of change of address system.</p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
15	<p>Automatic voter registration.</p> <p>Establishes a process that requires an eligible applicant for a new or renewed driver’s license, instruction permit, or identification card to be registered to vote, unless the applicant opts out of the registration. Other units of government would be authorized to provide a similar service.</p> <p>Subd. 1. Automatic registration. Requires eligible applicants to be registered to vote, unless the applicant declines to be registered, when submitting an application for one of the following:</p> <p>(1) a new or renewed driver’s license, instruction permit, or state identification card; or</p> <p>(2) an application for benefits or services to another participating agency.</p>

Section **Description – Article 3: Elections Administration**

Automatic registration must occur only if the application submitted otherwise requires documentation of the applicant's citizenship.

Subd. 2. Option to decline registration. Requires an individual who submits an application that qualifies for automatic registration to be provided a mailed notice informing the individual of the option and procedures necessary to decline to be registered to vote. Procedures for continuing to offer the individual an opportunity to be registered upon submission of certain future qualifying applications are also provided.

Subd. 3. Department of Public Safety. Requires the commissioner of public safety to format driver's license, instruction permit, and identification card applications to accommodate the new process required by this bill, if the application otherwise requires verification of the applicant's citizenship. Information on qualifying applications must be transmitted at least daily by electronic means to the secretary of state. Additional statistical reports and procedures are required, and a definition of "driver's license" to include a number of types of licenses and permits issued by the department is included.

Subd. 4. Other agencies and units of government. Permits the commissioner of any state agency, the administrative head of any local government, or the administrative head of a federally recognized Indian tribe within the state, to consult with the secretary of state and convert any form or application to also serve as a voter registration application, if the form or application already provides verification of an applicant's citizenship. An application or form may also be used to serve as an update to the address on a voter's existing registration record. Information on qualifying applications must be transmitted at least daily by electronic means to the secretary of state. Additional statistical reports and procedures are required.

Subd. 5. Registration. Establishes procedures for determining whether an applicant whose information is submitted under this section is currently registered to vote and/or eligible to vote, and for those applicants determined to be eligible, processing appropriate updates to the statewide voter registration system to reflect the updated or new registration.

Subd. 6. Notice. Requires the county auditor to provide voters registered under this section with a notice of registration, consistent with the postal verification requirements of current law. The notice must include information on declining to be registered to vote. Rulemaking is authorized.

Subd. 7. Prosecution of registration violations; voluntary action required. Provides standards for determining whether an individual who is not eligible to

Section **Description – Article 3: Elections Administration**

vote has submitted a voter registration application under this section in a manner that violates the law.

Subd. 8. Effective date. Establishes the effective date for new registrations processed under this section, and a required notice in the event a registration is processed during the 20 days immediately preceding an election.

16 **Forms.**

Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”

17 **Duties of state agencies.**

Provides that an existing requirement of state agencies, including nonprofit corporations that contract with a state agency to carry out certain obligations, to provide certain voter registration services includes providing information on automatic voter registration or information on voter eligibility and registration procedures as established in this bill.

18 **Technology requirements.**

Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”

19 **Duties of secretary of state; information about voting rights.**

Requires the secretary of state to prepare a publication that describes the voting rights of individuals who have been charged with or convicted of a crime. The publication must be electronically available to the state court administrator and the commissioner of corrections for further distribution.

20 **Right to use.**

Authorizes a party to file an “errors and omissions” petition to protect against the improper use of its name by a candidate on an election ballot.

21 **Eligible voters.**

Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”

22 **Military.**

Expands the definition of “military” for purposes of the state’s absentee voting laws (and participation in the UOCAVA military and oversees voting procedures) to include students at the nation’s official military academies.

Section	Description – Article 3: Elections Administration
23	<p>Utility worker.</p> <p>Defines the term “utility worker” for purposes of the state’s absentee voting laws. This definition is used in the following section, granting certain absentee voting rights to workers deployed during the voting period for an election.</p>
24	<p>Emergency response providers.</p> <p>Authorizes trained or certified emergency response providers and utility workers to vote by absentee ballot, if deployed during the absentee voting period or on election day.</p>
25	<p>Prohibited methods of compensation.</p> <p>Prohibits the payment of compensation to individuals for collecting absentee ballot applications, if the amount of payment is determined based on the number of applications solicited, collected, or accepted.</p>
26	<p>Application procedures.</p> <p>Conforms access to the list of persons applying for an absentee ballot to reflect the procedures for accessing the public voter registration list, including an authorization for a voter’s information to be withheld for safety reasons.</p>
27-29	<p>Location; timing (absentee ballot polling locations).</p> <p>Reorganizes language related to the designation of in-person absentee ballot polling places. The requirements for these designations remain unchanged.</p> <p>Section 28 further requires that the secretary of state prepare voting instructions in languages other than English for in-person absentee voters. At a minimum, translated instructions in the Spanish, Hmong, and Somali languages are required.</p>
30	<p>Generally.</p> <p>Permits local elections officials to engage in absentee voting activities in state veterans homes and in certain shelters for battered women, in the same manner as permitted in hospitals and other health care facilities.</p>
31	<p>Names of persons; rejected absentee ballots.</p> <p>Conforms access to the list of persons whose absentee ballot has not been accepted to reflect the procedures for accessing the public voter registration list, including an authorization for a voter’s information to be withheld for safety reasons.</p>

Section	Description – Article 3: Elections Administration
32	<p>Duties of ballot board; absentee ballots.</p> <p>Updates terminology in the law governing the work of absentee ballot boards, to refer to the inspection of “signature envelopes” rather than “return envelopes” to determine whether an absentee ballot should be accepted.</p>
33	<p>Record of voting.</p> <p>Provides a conforming update to a deadline for a voter to override their absentee ballot, to reflect the extension of the period during which absentee ballots can be counted before an election. That extension is established later in this bill.</p>
34	<p>Opening of envelopes.</p> <p>Updates terminology in the law governing the work of absentee ballot boards when opening accepted ballot envelopes, to distinguish between “secrecy envelopes” and “signature envelopes.”</p> <p>This section also authorizes accepted absentee ballots to be opened and counted beginning the 14th day before an election, rather than beginning on the 7th day before the election as provided in current law.</p>
35	<p>Indefinite residence outside United States.</p> <p>Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
36	<p>Check of voter eligibility; proper execution of certificate.</p> <p>For Uniformed and Overseas Citizens Absentee Voters (UOCAVA), requires that the voter’s address (in addition to their name) appears in substantially the same form on their ballot return envelope as it does in the application records provided by the voter to the county auditor.</p>
37	<p>Address and telephone number.</p> <p>When filing for office, current law permits a candidate to request that their address of residence be classified as private data due to concerns about the candidate’s personal safety, or the safety of the candidate’s family. This request is permitted only if the candidate certifies that the concerns have led to the filing of a police report or the issuance of an order for protection (OFP).</p> <p>This section broadens the authorization for these requests so that a candidate could shield their residential address based on a reasonable fear related to safety, regardless of whether a police report has been submitted or an OFP has actually been issued.</p> <p>In situations where a candidate’s address of residence is necessary to determine their eligibility to hold office, current law provides a process for the address to be</p>

Section Description – Article 3: Elections Administration

reviewed by the filing officer. A request for review may be made by any registered voter in the state. If the candidate is determined to be ineligible for the office based on their residence, the filing officer must notify the candidate and must remove the candidate's name from the ballot. These procedures remain unchanged by this section.

38 State and local offices.

Provides a terminology update, to refer to a place where a voter "maintains" or "maintained" residence rather than a place where the voter "resides" or "resided."

39 Candidates in state and county general elections.

Provides a terminology update, to refer to a place where a voter "maintains" or "maintained" residence rather than a place where the voter "resides" or "resided."

40 Write-in candidates.

Modifies standards for counting write-in candidates seeking election jointly with another candidate (governor and lieutenant governor, or president and vice president of the United States).

This section also includes a conforming reference to the deadline for a write-in candidate to request that the candidate's votes be counted, to reflect the extension of the period during which absentee ballots can be opened and counted.

41 Candidates for federal office.

Provides that the existing law establishing procedure for filling a vacancy in nomination for an office (for example, due to the death of a candidate prior to an election) do not apply to candidates for election to a federal office.

42 Authority; location.

Modifies standards for when a local government must adopt an ordinance or resolution designating a polling place for each precinct. Rather than requiring an ordinance or resolution every year, a local government would only be required to adopt an ordinance or resolution if a polling place has changed.

Additional conforming changes are included.

43 High school students.

Authorizes a school board to grant academic credit to students serving as trainee election judges.

Section Description – Article 3: Elections Administration

This section also provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”

44 Appointing authority; powers and duties.

Requires election judge appointing authorities to recruit bilingual high school students to serve as trainee election judges, where possible.

This section also provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”

45 Candidates and offices.

Requires the inclusion of a space for write-in votes on ballots for a special election.

46 Errors and omissions; remedy.

Provides standards to be used when a political party files an errors and omissions petition to prevent the improper use of its party name. In these cases, the court may order the candidate to appear and present sufficient evidence of the candidate’s right to use the name. Evidence of a party endorsement or engagement in the party’s governance structure establishes a rebuttable presumption that the candidate is entitled to use of the party name.

47 Authorization.

Authorizes the option of mail balloting for all towns, and all cities with fewer than 400 registered voters, regardless of their geographic location in the state. Under current law, these towns and cities are only eligible if they are located outside of a metropolitan area county.

48 Procedure.

Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”

This section also extends the period during which mail ballots may be opened and counted to 14 days prior to the election. This change conforms to a similar change made to the period during which absentee ballots may be opened and counted.

49 Mail elections; questions.

Authorizes a mail election ballot to include both a question and candidates for office, if there are overlapping municipal and school district jurisdictions and one of those jurisdictions has a question on the ballot. Current law prohibits offices from

Section Description – Article 3: Elections Administration

appearing on the ballot at a mail-only special election conducted for the purpose of submitting a ballot question to the voters.

This section also extends the period during which mail election ballots may be opened and counted to 14 days prior to the election. This change conforms to a similar change made to the period during which absentee ballots may be opened and counted.

50 Elections; organized town.

Requires the town clerk to notify the secretary of state if the town will open its polling places later than 7:00 a.m. for a state primary, special, or general election. The authority to open later under certain conditions is provided in existing law.

51 Elections; unorganized territory.

Requires registered voters in an unorganized territory to present a petition for shorter polling place hours to the secretary of state, in addition to the current requirement that the petition be presented to the county auditor.

52 Polling place roster; voter signature certificate; voter receipt.

Requires updates to the certification signed by voters in a polling place attesting to their eligibility to vote, to reflect the change in the restoration of the civil right to vote provided by this bill.

53 Physical assistance in marking ballots.

Eliminates the three-person limit on the number of voters a person can assist on election day. This limit was the subject of a consent decree and an order of the Minnesota Supreme Court in 2020.

54 Method.

Authorizes election judges to presume that unopened, prepackaged ballots contain the number of ballots indicated by the package. These counts are used to verify the number of blank ballots remaining in a precinct at the end of an election.

55 Delivery of returns to county auditors.

Reduces the number of precinct summary statements that must be delivered to the county auditor from each precinct after an election from two to one.

56 State canvass.

Provides an explicit requirement that the State Canvassing Board declare the election of candidates for state and county office after the canvass is complete.

Section	Description – Article 3: Elections Administration
57-58	<p>Constitutional amendment recount.</p> <p>Establishes standards for initiation of an automatic recount of a proposed constitutional amendment if the number of “yes” votes is within one-quarter percent of all other ballots at the election.</p>
59	<p>Publicly funded recounts.</p> <p>Modifies the time period during which a candidate may request a publicly funded recount. The request may not be filed before the canvass of the election results is complete.</p>
60	<p>State partisan primary ballot; party columns.</p> <p>Specifies the order in which offices must appear on the ballot in the event there is a special primary election held on the same day as the regular state primary election.</p>
61	<p>Order of offices.</p> <p>Specifies the order in which offices must appear on the ballot in the event there is a special election held on the same day as the regular state general election.</p>
62-65	<p>Special election timeline; legislative vacancies.</p> <p>Extends the period for conducting a special election to fill a vacant legislative seat by two weeks, in cases where an expedited process is required in order to allow the person elected to be seated quickly for a legislative session.</p> <p>A reorganization of language related to elections held immediately preceding or after a holiday, including an extension of these requirements to cover special primary elections, is also included.</p>
66	<p>Canvass; special primary; State Canvassing Board; contest.</p> <p>Provides a deadline for contesting a special primary election for a state legislative office.</p>
67	<p>Filing by candidates.</p> <p>Requires candidates filing for a special election to fill a vacant United States Senate seat to specify the term that the candidate seeks, if both of the state’s United States Senate seats will be on the same ballot at the election.</p>
68	<p>United States senator; candidates; designation of term.</p> <p>Provides ballot formatting requirements when both of the state’s United States Senate seats are on the same ballot at an election.</p>

Section	Description – Article 3: Elections Administration
69	Nominating petitions; cities of the first class. Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”
70	School district canvassing board. Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”
71	Board elections. Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”
72	Contracts required. Eliminates an obsolete cross-reference to a law that was repealed in 2010.
73-74	Standard of acceptable performance by voting system. Reduces the threshold for conducting additional postelection reviews of a voting system. Under current law, a voting system review is expected to show variation of no more than one-half of one percent compared to a manual count of the offices subject to review. This section would allow for no more than one-quarter of one percent variation before additional reviews would be required.
75	Ballots. Standardizes the ballot title used in elections when both municipal and school district candidates or questions appear on a ballot, regardless of whether the election is conducted in an odd- or even-numbered year.
76	Election security and administration grants. Establishes a grant program for distribution of grants to political subdivisions for purposes of election security and administration. Funds for the grants would come from those available in the state’s federal Help America Vote Act (HAVA) account. Specific authorized uses of the grant, an application process, and legislative reporting are required.
77	Conducting presidential nomination primary. Clarifies that voters voting under the Safe at Home address confidentiality program procedures must be permitted to cast a ballot using those procedures at the presidential nomination primary.

Section	Description – Article 3: Elections Administration
78	Form of ballots; candidates on ballot. Limits certain duties of political parties at a presidential nomination primary to only apply to those parties actually participating in the primary.
79	Notice of primary to public. Eliminates a reference to the public accessibility of a voter’s party choice at a presidential nomination primary, in a required notice related to the primary. Following other changes to the law, the data is no longer handled in the way described in the notice.
80	Notice filed with court. Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”
81	Voter intimidation, interference, and deceptive practices prohibited; civil enforcement. Establishes a series of prohibited acts related to intimidation, interference, and deceptive practices at an election. This section provides a civil remedy for enforcement. Subd. 1. Intimidation. Prohibits acts of intimidation directed at a voter, an elections official, or any person aiding with any aspect of the election process, including but not limited to assisting another person in registering to vote or encouraging another person to cast a ballot. Subd. 2. Deceptive practices. Prohibits the transmission of information within 60 days of an election that is intended to impede or prevent another person from exercising the right to vote, if the transmitting person knows it to be materially false. Subd. 3. Interference with registration or voting. Prohibits any person from intentionally hindering, interfering with, or preventing another person from voting, registering to vote, or aiding another person in casting a ballot or registering to vote. Subd. 4. 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. Subd. 5. Enforcement. Establishes civil remedies for violation of this section, including an authorization for enforcement by the attorney general.

Section	Description – Article 3: Elections Administration
82	<p data-bbox="342 264 1365 331">Voter intimidation, interference, and deceptive practices prohibited; criminal penalties.</p> <p data-bbox="342 348 1284 415">Establishes a series of gross misdemeanor crimes related to intimidation, interference, and deceptive practices at an election.</p> <p data-bbox="391 457 1414 562">Subd. 1. Intimidation. Designates certain acts of intimidation directed at a voter, an elections official, or any person aiding with any aspect of the election process, as a crime.</p> <p data-bbox="391 604 1406 751">Subd. 2. Deceptive practices. Designates the transmission of information within 60 days of an election that is intended to impede or prevent another person from exercising the right to vote, if the transmitting person knows it to be materially false, as a crime.</p> <p data-bbox="391 793 1419 940">Subd. 3. Interference with registration or voting. Designates the intentional hindering, interfering with, or preventing another person from voting, registering to vote, or aiding another person in casting a ballot or registering to vote as a crime.</p> <p data-bbox="391 982 1425 1087">Subd. 4. Enforcement. Exempts violations of this section from the administrative hearing process that otherwise would be required under the Fair Campaign Practices Act before a prosecution could begin.</p> <p data-bbox="391 1129 1263 1192">Subd. 5. Penalty. Provides that violations of this section are a gross misdemeanor.</p>
83	<p data-bbox="342 1245 727 1270">Soliciting near polling places.</p> <p data-bbox="342 1287 1365 1350">Narrows the prohibition on campaigning near a polling place on election day so that it only applies during voting hours.</p>
84	<p data-bbox="342 1402 818 1428">Administrative remedy; exhaustion.</p> <p data-bbox="342 1444 1406 1591">Exempts the new sections regulating voter intimidation, interference, and deceptive practices in elections from an existing law requiring an administrative complaint process to be completed before a fair campaign practices violation may be prosecuted by a county attorney.</p>
85	<p data-bbox="342 1644 834 1669">Notice of restoration of right to vote.</p> <p data-bbox="342 1686 1406 1831">Requires the chief executive officer of each state and local correctional facility to designate one official within the facility to provide a notice of restoration of rights and a voter registration application to individuals whose rights are restored following a release from incarceration.</p>

Section	Description – Article 3: Elections Administration
	<p>Subd. 1. Correctional facilities; designation of official. Requires designation of the official, and that the official maintain a sufficient supply of voter registration applications and informational materials.</p>
	<p>Subd. 2. Notice requirement. Establishes standards for when a notice of restored voting rights must be provided.</p>
	<p>Subd. 3. Form of notice. Sets the full text of the notice that must be provided when an individual is restored to voting rights following release from incarceration.</p>
	<p>Subd. 4. Failure to provide notice. Provides that the failure of a corrections official to provide the notice required by this section does not prevent the restoration of voting rights.</p>
86	<p>Vacancies. Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
87	<p>Requirement, fee. Extends an existing requirement that a person elected to a town office take the oath within ten days after receiving a certificate of election or appointment to include those elected at a special election.</p>
88	<p>Vacancy. Provides that the general laws governing the conduct of elections apply to special elections to fill a vacant city council seat, as far as practicable.</p>
89	<p>Candidates; ballots; certifying election. Provides a terminology update, to refer to a place where a voter “maintains” or “maintained” residence rather than a place where the voter “resides” or “resided.”</p>
90	<p>Restoration. Eliminates a reference to the right to vote in an existing section of law governing the restoration of civil rights, including the right to vote and hold office, following discharge after conviction of a crime. Restoration of the right to vote would be governed by the new law established earlier in this bill.</p>
91	<p>Help America Vote Act transfers and appropriations; secretary of state. Extends the availability of federal Help America Vote Act funds appropriated to the secretary of state in 2019. Under current law, these funds are required to be used</p>

Section	Description – Article 3: Elections Administration
	by March 23, 2023. This section would instead make the funds available until expended.
92	Availability of appropriations. Extends the availability of federal Help America Vote Act funds appropriated to the legislature in 2020. Under current law, these funds are required to be used by December 21, 2024. This section would instead make the funds available until expended.
93	Election day registration; use of medical bill to prove residence. Directs the secretary of state to adopt an administrative rule recognizing a medical bill as proof of residence for purposes of election day registration.

Article 4: Campaign Finance

Section	Description – Article 4: Campaign Finance
1	Approved expenditure. Adds references to local candidates to the definition of “approved expenditure,” to reflect the expansion of the Campaign Finance and Public Disclosure Board’s jurisdiction to include campaigns for certain offices within Hennepin County.
2	Ballot question. Adds references to reflect the addition of certain ballot questions in Hennepin County to the jurisdiction of the Campaign Finance and Public Disclosure Board.
3	Campaign expenditure. Adds references to local candidates to the definition of “campaign expenditure” to reflect the expansion of the Campaign Finance and Public Disclosure Board’s jurisdiction to include campaigns for certain offices within Hennepin County.
4	Local candidate. Adds a definition of “local candidate” to reflect the expansion of the Campaign Finance and Public Disclosure Board’s jurisdiction to include campaigns for certain offices within Hennepin County.

Section Description – Article 4: Campaign Finance

5 Contribution.

Adds references to local candidates to the definition of “contribution” to reflect the expansion of the Campaign Finance and Public Disclosure Board’s jurisdiction to include campaigns for certain offices within Hennepin County.

6 Expressly advocating.

Expands the definition of “expressly advocating” to include certain types of political communications, even if they do not use words or phrases of express advocacy (such as “vote for” or “vote against”). In Minnesota’s law, this term is used to identify certain types of independent expenditures that require disclosure and reporting to the Campaign Finance and Public Disclosure Board.

This section also adds references to local candidates to the definition, to reflect the expansion of the Campaign Finance and Public Disclosure Board’s jurisdiction to include certain campaigns for offices within Hennepin County.

7 General treasury money.

Adds references to local candidates to the definition of “general treasury money” to reflect the expansion of the Campaign Finance and Public Disclosure Board’s jurisdiction to include certain campaigns for offices within Hennepin County.

8 Independent expenditure.

Adds references to local candidates to the definition of “independent expenditure” to reflect the expansion of the Campaign Finance and Public Disclosure Board’s jurisdiction to include campaigns for certain offices within Hennepin County.

9 Loan.

Adds references to local candidates to the definition of “loan” to reflect the expansion of the Campaign Finance and Public Disclosure Board’s jurisdiction to include campaigns for certain offices within Hennepin County.

10 Noncampaign disbursement.

Authorizes costs paid by a candidate’s principal campaign committee for certain security-related expenses to be reported as “noncampaign disbursements” on the committee’s campaign finance reports. The payment that may be reported must be \$2,000 or less, and must be made for the security of the candidate or a member of the candidate’s immediate family living in the same household.

A “noncampaign disbursement” is an expenditure of campaign money that must be reported to the Campaign Finance and Public Disclosure Board, but does not count against the limits on a candidate’s spending.

Section Description – Article 4: Campaign Finance

- 11 Political committee.**
Adds references to local candidates to the definition of “political committee” to reflect the expansion of the Campaign Finance and Public Disclosure Board’s jurisdiction to include campaigns for certain offices within Hennepin County.
- 12 Political fund.**
Adds references to local candidates to the definition of “political fund” to reflect the expansion of the Campaign Finance and Public Disclosure Board’s jurisdiction to include certain campaigns for offices within Hennepin County.
- 13 Public official.**
Adds the chancellor and members of the Board of Trustees of the Minnesota State Colleges and Universities to the list of designated “public officials” for purposes of public disclosure laws. Among other things, public officials are required to file statements of economic interest with the Campaign Finance and Public Disclosure Board, and subjects them to the state’s conflict of interest and gift laws.
- 14 Time for filing.**
Provides a technical update to phrasing in the section of statute that provides a deadline for filing a statement of economic interest.
- 15 Notice to board.**
Eliminates a reference to local officials, in the section of statute governing a notice required to be given to the Campaign Finance and Public Disclosure Board when an official is required to file a statement of economic interest.
- 16 Form; general requirements.**
Along with a later section in the bill, reorganizes language related to the period of time required to be included on a statement of economic interest.
- 17 Original statement; reporting period.**
Along with the prior section, recodifies language related to the period of time required to be reported on a statement of economic interest.
- 18 Annual statement.**
Updates language related to the annual statement of economic interest, including an increase in the threshold for requiring a report on an honorarium from \$50 to \$250.
- 19 When required for contributions and approved expenditures.**
Adds references to local candidates into the law governing political fund organizational requirements, to reflect the expansion of the Campaign Finance and

Section Description – Article 4: Campaign Finance

- Public Disclosure Board’s jurisdiction to include campaigns for certain offices within Hennepin County.
- 20 **Commingling prohibited.**
Adds references to local candidates into the law governing political fund organizational requirements, to reflect the expansion of the Campaign Finance and Public Disclosure Board’s jurisdiction to include campaigns for certain offices within Hennepin County.
- 21 **Penalty.**
Adds references to local candidates into the law that provides penalties for independent expenditure political committees and funds in the event they violate the law, to reflect the expansion of the Campaign Finance and Public Disclosure Board’s jurisdiction to include campaigns for certain offices within Hennepin County.
- 22 **Accounts; penalty.**
Adds references to local candidates into the law governing the accounts that must be kept by political committees, political funds, principal campaign committees, and party units, to reflect the expansion of the Campaign Finance and Public Disclosure Board’s jurisdiction to include campaigns for certain offices within Hennepin County.
- 23 **Independent expenditures.**
Adds references to local candidates into the law governing disclosure of independent expenditures, to reflect the expansion of the Campaign Finance and Public Disclosure Board’s jurisdiction to include campaigns for certain offices within Hennepin County.
- 24 **Local election reports.**
Establishes a reporting schedule for campaign expenditures related to local candidates and local ballot questions (“local” is defined earlier in the bill to include only certain entities in Hennepin County).
- 25 **Contents of report.**
Adds references to local candidates into the law governing the content of required campaign finance reports, to reflect the expansion of the Campaign Finance and Public Disclosure Board’s jurisdiction to include campaigns for certain offices within Hennepin County.
- 26 **Statement of independence.**
Adds references to local candidates into the law governing the certification that an independent expenditure was made independently, to reflect the expansion of the

Section Description – Article 4: Campaign Finance

- Campaign Finance and Public Disclosure Board’s jurisdiction to include campaigns for certain offices within Hennepin County.
- 27 **Third-party reimbursement.**
Updates paragraph references to a section governing the itemization of certain reimbursements to third parties in a campaign finance report.
- 28 **Unregistered association limit; penalty.**
Provides an allowance for certain statements required when a political committee, political fund, principal campaign committee, or party unit accepts a contribution of more than \$200 from an association not registered with the Campaign Finance Board. Under current law, a written statement is required. This section recognizes that the statement may be written, or may appear on a government website where a disclosure report for the association may be already viewable.

This section also exempts certain in-kind contributions from a federal political party from the requirement that a statement be filed.
- 29 **Exceptions.**
Updates the types of electronic communications that are exempt from being reported against a candidate’s spending limit, when the expenditure is made on behalf of three or more candidates on the ballot. The updates reflect modern forms of communications technology: voice mails, text messages, multimedia messages, internet chat, and email.
- 30 **Affidavit of contributions.**
Updates a statutory cross-reference in the existing law governing the deadline for submitting an affidavit of contributions before a primary election.
- 31 **Independent expenditures.**
Requires the disclaimer on certain independent expenditures to list the top three contributors responsible for funding the expenditure. Standards for identifying the top three contributors are provided.
- 32 **Material that does not need a disclaimer.**
Eliminates a disclaimer exemption for certain online banner ads and electronic communications. These communications will require a disclaimer according to rules adopted by the Campaign Finance and Public Disclosure Board.
- 33 **Certain electronic communications and advertisements.**
Requires the Campaign Finance and Public Disclosure Board to adopt rules to specify the form and content of the required disclaimer for small electronic communications

Section Description – Article 4: Campaign Finance

on which a full disclaimer cannot be conveniently printed. The board may waive the disclaimer requirement for some types of communications on which the printing of a disclaimer is technologically impossible. The board is authorized to use the expedited rulemaking process in establishing these standards.

34 Campaign financing; disclosure of economic interests.

Amends existing statutes specific to Hennepin County which currently regulate campaign finance reporting by local candidates and entities within the county. The changes conform to the changes made earlier in this bill, and clarify which types of candidates are subject to oversight by the Campaign Finance and Public Disclosure Board, and which types of candidates must continue to file campaign reports and economic interest statements with a local filing officer.

35 Repealer.

Repeals sections of existing statute providing campaign finance reporting obligations when members of the Board of Directors of Enterprise Minnesota, Inc. or its personnel make contributions to a public official or other regulated entities under chapter 10A

This section also repeals a series of statutes specific to campaign oversight and reporting for local candidates within Hennepin County. The reporting obligations repealed in these sections are instead replaced by the system of reporting established in this bill.

36 Effective date.

Provides a January 1, 2022, effective date for the article, with application to reports and disclosures required to be filed on or after that date.

Article 5: Information Technology

Section Description – Article 5: Information Technology

1 Legislative Commission on Cybersecurity.

Establishes the Legislative Commission on Cybersecurity. The commission is required to provide oversight related to the state's cybersecurity measures, including review of the policies and practices of state agencies, and recommending changes to protect against cyber threats. The commission is also permitted to develop recommendations and draft legislation to support and strengthen the state's cybersecurity infrastructure.

Section Description – Article 5: Information Technology

This section provides specific details regarding the commission’s membership, duties, meeting requirements, and other details necessary for the commission to function. This section also provides that the commission expires December 31, 2028.

2 Departments of the state.

Lists the “Department of Information Technology Services” as among the cabinet level “departments” of state government, consistent with the official name change for MN.IT provided in this bill.

3 Minnesota Department of Information Technology Services.

Provides necessary statutory amendments to rename the “Office of MN.IT Services” to the “Department of Information Technology Services.” This section also reorganizes and narrows the scope of the department’s duties to focus primarily on providing services to executive branch state agencies. Among these changes is the elimination of a \$1 million threshold for requiring the involvement of MN.IT in a state agency’s IT project.

4 Responsibility for information technology services and equipment.

Provides conforming references to reflect the renaming and transition of MN.IT from an “office” to a “department.”

5 Minnesota Department of Information Technology Services; structure and personnel.

Provides conforming references to reflect the renaming and transition of MN.IT from an “office” to a “department.”

This section also eliminates an authorization for the chief information officer to appoint a webmaster responsible for supervision and development of state websites. State websites are generally managed by staff within individual executive branch agencies.

The section also requires the chief information officer to consult regularly with all executive branch agencies, rather than a select group of agencies, on various IT projects and services.

6 Definitions.

Eliminates a definition of “information and telecommunications technology project” from the state law. The discretion to define a “project” is given to the chief information officer in a change made earlier in the bill.

Section Description – Article 5: Information Technology

- 7 Chief information officer’s responsibility.**
Eliminates references to political subdivisions in the section of law directing the duties of the state’s chief information officer. MN.IT does not have jurisdiction over the IT systems within political subdivisions.
- 8 Evaluation and approval.**
Authorizes the chief information officer to appoint a delegate to approve a proposed technology project.

This section also eliminates language requiring the commissioner of management and budget to cancel certain unencumbered funds for a project that is not approved.
- 9 System development methods.**
Eliminates certain requirements related to the development of data processing systems and how those systems are defined.
- 10 Advisory council.**
Renames the existing “Technology Advisory Committee” as the “Technology Advisory Council” and adds nine new appointees to its membership, including representatives of the legislature and representatives with private or public sector IT experience, or experience in academia on IT issues.

The restructuring of this council aligns with a recommendation of the Governor’s Blue Ribbon Council on IT Services.
- 11 Risk assessment and mitigation.**
Eliminates a requirement that no more than ten percent of a proposed budget for a project may be spent until a risk assessment and risk mitigation plan are in place.
- 12 Required review and approval.**
Restructures language regarding the method of encumbering appropriations for certain large IT projects.
- 13 Duties.**
Provides conforming references to reflect the renaming and transition of MN.IT from an “office” to a “department.” This section also eliminates an existing statutory duty of MN.IT to coordinate certain statewide efforts by state and local governments to develop a system for access to government services.

Section Description – Article 5: Information Technology

- 14 **Private entity services; fee authority.**
Provides conforming references to reflect the renaming and transition of MN.IT from an “office” to a “department” and eliminates a reference to the obsolete E-Government Advisory Council.
- 15 **Charges.**
Provides conforming references to reflect the renaming and transition of MN.IT from an “office” to a “department.”

This section also recodifies existing language related to the authority of an agency to transfer certain unexpended operating balances to the information and telecommunications technology systems and services account for use toward specific IT projects.
- 16 **Compliance with federal law.**
Eliminates a cross-reference to a section that is repealed in this bill.
- 17 **First appointments and first meeting of Legislative Commission on Cybersecurity.**
Directs procedures for making initial appointments and convening the first meeting of the commission. The commission is required to meet at least twice in 2021.
- 18 **Revisor instruction.**
Directs the revisor of statutes to update MN.IT’s official name, wherever it appears in Minnesota Statutes.
- 19 **Repealer.**
Repeals a series of sections of statute that are obsolete, in conflict with changes made elsewhere in the bill, or no longer accurately reflect the operating structure of MN.IT.

Article 6: Local Government Policy

Section Description – Article 6: Local Government Policy

- 1-6 **Open meeting law technological updates.**
Updates various provisions of the open meeting law (OML) under chapter 13D to reflect modern technology used for remote meetings of public bodies. The defined term “interactive technology” replaces references to interactive television and other electronic means. Language permitting a public body to charge for costs incurred for remotely connecting to a meeting is removed throughout.

Section Description – Article 6: Local Government Policy

Sections 2 and 3 amend section 13D.01 to provide that the votes on an action taken in a public meeting may be recorded in the minutes, and such minutes are open to the public.

Section 6 amends section 13D.021 to provide that members of the public are permitted to comment from a remote location during a public comment period of a meeting of a public body subject to the OML if in-person attendance is not feasible due to a health pandemic or emergency.

7 Dedication fee; first class cities.

Authorizes cities of the first class to enact an ordinance requiring a reasonable portion of land to be dedicated to the public for public parks, playgrounds, recreational facilities, wetlands, trails, or open space, or to impose a dedication fee for such purposes in conjunction with a construction permit for new housing units and new commercial and industrial development in the city. Senior housing and affordable housing applicants may be exempt from the dedication of land or the dedication fee. The fee may be based on current land prices or be a flat fee rate per net new residential unit or other standard basis for commercial and industrial property.

8 Nonprofit corporation creation authority.

Authorizes the Seaway Port Authority of Duluth to create a nonprofit corporation under chapter 317A.

9-10 Inflow and infiltration prevention programs.

Authorizes towns or any political subdivision of the state with statutory sewer ownership or operational responsibilities to establish inflow and infiltration prevention programs and make loans or grants to property owners.

11 County competitive bidding.

Allows for county contracts up to \$750,000 to be made by sealed bids or direct negotiation with county certified small business enterprises or state certified small businesses that are majority-owned and operated by a veteran or a service-disabled veteran.

12 Municipal hotel licensing.

Permits a city or town to adopt an ordinance requiring hotels in the municipality to have a municipal hotel license which requires compliance with state and local laws. The municipality may refuse to issue a license or revoke an existing license if a hotel fails to comply with the license conditions. A license fee of up to \$100 may be charged.

Section Description – Article 6: Local Government Policy

- 13 **Employees, others, affirmative action; prevailing wage.**
Conforming change due to the repealer in section 23.
- 14-20 **Duluth Entertainment and Convention Center (DECC) updates**
Updates various provisions that authorized the Duluth Entertainment and Convention Center (DECC). Changes include amending language to be gender neutral, updating roles and titles, and increasing the threshold for required competitive bidding or required DECC authorizations of contracts to more than \$50,000.
- 21 **Dedication fee.**
Clarifies that the special law for dedication fees in the city of Minneapolis is unaffected by the new dedication fee language for first class cities in section 7.
- 22 **City of St. Paul; dedication fee.**
Clarifies that the special law for dedication fees in the city of St. Paul is unaffected by the new dedication fee language for first class cities in section 7.
- 23 **Repealer.**
Repeals the political subdivision compensation limit.

Article 7: Military and Veterans Policy

This article contains changes to statutes that relate to military and veterans affairs.

Section Description – Article 7: Military and Veterans Policy

- 1 **Veterans suicide prevention and awareness day.**
Renames Veterans Suicide Awareness Day as Veterans Suicide Prevention and Awareness Day. Directs the commissioner of veterans affairs to coordinate activities that raise awareness of, and promote the prevention of, veteran suicides. **[H.F. 478]**
- 2 **Publicity representatives.**
Authorizes the Department of Veterans Affairs to use funds to pay a publicity representative. **[H.F. 484]**
- 3 **Appointment; qualifications; rank; term; vacancy.**
Subd. 1. Qualifications. Dictates that the governor must appoint a replacement adjutant general (AG) within 120 days of the position becoming vacant. Removes the restriction that the AG come exclusively from the ranks of the Minnesota National Guard. Requires that the AG hold the rank of colonel or above.

Section Description – Article 7: Military and Veterans Policy

Subd. 2. Rank. Dictates that the AG hold the rank of major general and be promoted to that rank upon appointment.

Subd. 3. Term. Specifies that the AG shall serve a single term of seven years.

Subd. 4. Vacancy; acting or temporary adjutant general. Establishes protocols for appointing an acting AG and provides that the deputy AG shall temporarily fill a vacancy if the governor does not appoint an acting AG. **[H.F. 752]**

4 Veterans stable housing initiative; data.

Authorizes the commissioner of veterans affairs to establish a veterans stable housing initiative that would provide resources and support to assist veterans experiencing homelessness. The bill also authorizes the Minnesota Department of Veterans Affairs to share or disclose a veteran's data to coordinate homelessness prevention efforts with Minnesota Interagency Council on Homelessness members and Homeless Veterans Registry partners to respond quickly to a veteran experiencing homelessness or at risk of homelessness. **[H.F. 592]**

5 Eligibility.

Corrects ambiguities in, and clarifies eligibility for benefits under, the Minnesota GI Bill, which provides qualified veterans with reimbursement for college expenses, approved on-the-job training (OJT) and apprenticeship programs, and professional licensure and certification costs. **[H.F. 585]**

6 Educational assistance amount.

Corrects ambiguities in, and clarifies eligibility for benefits under, the Minnesota GI Bill. **[H.F. 585]**

7 Apprenticeship and on-the-job training.

Corrects ambiguities in, and clarifies eligibility for benefits under, the Minnesota GI Bill. **[H.F. 585]**

8 Additional professional or educational benefits.

Corrects ambiguities in, and clarifies eligibility for benefits under, the Minnesota GI Bill. **[H.F. 585]**

9 Supplemental programs.

Explicitly authorizes the commissioner of veterans affairs to operate adult day care programs for veterans. With express authority to operate adult care programs, the commissioner will be empowered to develop and adopt the necessary rules, policies, and procedures to operate and manage the programs.

Section Description – Article 7: Military and Veterans Policy

Authorizes the commissioner of veterans affairs to provide dental care services directly to residents of state veterans homes. **[H.F. 88 and H.F. 281]**

10 Cost of care.

Establishes requirements the commissioner of veterans affairs to calculate the personal needs allowance for domiciliary residents.

11 Military veteran offenders restorative justice sentence.

Subd. 1. Offenses as a result of military service; presentence supervision procedures. (a) Requires sentencing courts to determine if a defendant is a current or past service member and suffering from trauma or mental health issues if the defendant: (1) is charged with a severity level 7 or lower offense; and (2) claims the offense was committed due to a service connected sexual trauma, traumatic brain injury, PTSD, substance abuse or mental health condition.

(b) Requires defendants who request a restorative justice sentence to provide clear and convincing evidence of their service-connected trauma to the court and prosecutor.

(c) Requires a court to place an offender who meets the criteria established in paragraph (a) and who pleads guilty to the offense on probation while staying adjudication of the case. Provides guidance on veterans receiving a subsequent restorative justice sentence for a new offense.

(d) Permits the court to proceed with adjudication if the veteran violates the terms of the veteran's probation.

(e) Encourages the court to require the veteran to attend a treatment program.

(f) Makes a veteran eligible for sentence credits for time spent in residential treatment.

(g) Provides guidance to the court in selecting a treatment program for the veteran.

(h) Directs the court and treatment program to collaborate with veteran service officers and the U.S. Department of Veterans Affairs.

(i) Provides guidance on how veterans sentenced under this section should be treated in Veterans Court.

(j) Requires veterans sentenced under this section to forfeit their right to administrative review of DWI driver's license sanctions.

Section Description – Article 7: Military and Veterans Policy

Subd. 2. Restorative justice for military veterans; dismissal of charges.

Establishes guidelines for discharging a veteran sentenced under subdivision 1 and restoring the veteran to the “community of law abiding citizens.” The records of a case discharged under this subdivision are “not public” and may only be opened in a limited number of circumstances. Prohibits the dismissal of a case that requires predatory offender registration.

Subd. 3. Optional veterans treatment court program; procedures for eligible defendants. Authorizes veterans treatment court programs to supervise veterans placed on probation under this section. Defines “veterans treatment court program.”

Subd. 4. Authorization for creation of county and city diversion programs. Authorizes counties and cities to establish and operate veterans pretrial diversion programs for eligible veterans.

Subd. 5. Exception. Excludes veterans charged with offenses that trigger predatory offender registry from taking advantage of most of the provisions of this section.

Effective date. August 1, 2021. [H.F. 478]

12 **Revisor instruction.**

Contains a revisor instruction to implement changes in sections 5 to 8 of this article. [H.F. 585]

Article 8: Data Access

This article contains three data related policy changes. [H.F. 1442, Article 1]

Section Description – Article 8: Data Access

1 **Military personnel data.**

Declares that “military personnel data” is private data on individuals.

2 **National Guard.**

Clarifies that certain data regarding members of the National Guard is inherently federal data, and therefore subject to the Freedom of Information Act rather than the Minnesota Data Practices Act.

Section Description – Article 8: Data Access

- 3 Offenders; transfer to civil authorities; service member data.**
Requires that law enforcement data on National Guard members must be released to the adjutant general upon request of the Office of the Staff Judge Advocate.

Article 9: Practice of Military Law; Military Judge System

This section authorizes military attorneys who are not members of the Minnesota bar to practice law and serve as military judges in Minnesota under certain circumstances. [H.F. 1442, Article 2]

Section Description – Article 9: Practice of Military Law; Military Judge System

- 1 Practice of military law.**
Establishes the criteria for a military lawyer who is not a member of the Minnesota bar to practice in the state.
- 2 Establishment.**
Conforming change related to section 3.
- 3 Qualifications of military judge.**
Broadens the group of military attorneys who may serve as military judges in the state.
- 4 Qualifications of counsel.**
Broadens the group of military attorneys who may serve as trial and defense counsel in military actions.

Article 10: Military Code Jurisdictional Changes

This article broadens personal jurisdiction under the MCMJ and incorporates by reference the United States - Uniform Code of Military Justice (US-UCMJ). [H.F. 1442, Article 3]

Section Description – Article 10: Military Code Jurisdictional Changes

- 1 Military service in Minnesota.**
Expands the application of personal jurisdiction over military members for purpose of the MCMJ.

Section Description – Article 10: Military Code Jurisdictional Changes

2 Offenses subject to court-martial.

Specifies that the punitive articles of the United States Code of Military Justice may be prosecuted in courts-martial in this state.

Article 11: Military Trial Procedure

This article modifies policies related to courts-martial trial procedure. [H.F. 1442, Article 4]

Section Description – Article 6: Trial Procedure

1 Governor may prescribe rules.

Adds a cross-reference to the US-UCMJ.

2 Three-year limitation.

Amends the military statute of limitation for punitive matters.

Article 12: Military Sentences

This article contains a variety of changes related to sentencing under the MCMJ. [H.F. 1442, Article 5]

Section Description – Article 12: Military Sentences

1 Action on findings.

Directs the courts-martial convening authority to issue a final order at the end of a courts-martial and promptly serve the order on the accused.

2 Appeal forwarded.

Clarifies the appeal process in courts-martials.

3 Review by state appellate authority.

Subd. 1. Certiorari. Dictates that the Minnesota Supreme Court shall hear appeals under the MCMJ.

Subd. 2. Service of writ. Establishes the procedure for service of a writ of certiorari.

Section Description – Article 12: Military Sentences

- 4 **Certiorari; administrative decisions.**
Contains a conforming change to reflect that the supreme court will hear courts-martial appeals.

Article 13: Military Punitive Articles Updates

This article contains updates to the punitive articles of the MCMJ. [H.F. 1442, Article 6]

Section Description – Article 13: Military Punitive Articles Updated

- 1 **Purely military offenses.**
Details the Bureau of Criminal Apprehension (BCA) to investigate military offenses when the governor or adjutant general so requests. Adds new military specific offenses to the existing list of “purely military offenses.”
- 2 **Maximum limits.**
 Subd. 1. Punishment limits. Places limits on sentences for violation of the MCMJ.
 Subd. 2. Level of offense. Defines what constitutes a felony under the MCMJ. Specifies the level of offense that attaches to assimilated crimes.
- 3 **Under the influence of alcohol or controlled substance while on duty; sleeping on post; leaving post before relief.**
Authorizes a courts-martial for service members who are determined to be under the influence of a controlled substance while on duty.
- 4 **Search warrants.**
Empowers Minnesota licensed peace officers to enforce a military search warrant for offenses that occurred while a service member is in active service.
- 5 **Sections to be explained.**
Requires that enlisted members for the National Guard receive annual notice of the military’s courts-martial authority over service members.
- 6 **Prohibited activities with military recruit or trainee by person in position of special trust.**
 Subd. 1. Definitions. Defines terms used in this section.
 Subd. 2. Abuse of training leadership position. Adds the new offense of abuse of a training leadership position to the MCMJ.

Section Description – Article 13: Military Punitive Articles Updated

Subd. 3. Abuse of position as military recruiter. Adds the new offense of abuse of a military recruiting position to the MCMJ.

Subd. 4. Consent. Prohibits defendants from raising consent of the victim as a defense to charges under this section.

7 Nonconsensual distribution of intimate images.

Subd. 1. Definitions. Defines terms used in this section.

Subd. 2. Crime defined. Adds the new offense of nonconsensual distribution of intimate images to the MCMJ.

8 Fraudulent use of credit cards, debit cards, and other access devices.

Subd. 1. Crime defined. Adds the offense of fraudulent use of credit cards, debit cards, and other access devices to the MCMJ.

Subd. 2. Access device defined. Defines “access device” for purpose of this section.

9 Unauthorized use of government computer.

Subd. 1. Definitions. Defines terms used in this section.

Subd. 2. Crime defined. Adds the offense of unauthorized use of a government computer to the MCMJ.

10 Retaliation.

Subd. 1. Definitions. Defines terms used in this section.

Subd. 2. Crimes defined. Adds the offense of retaliating against a person for: (1) reporting, or planning to report, a criminal offense; or (2) making, or planning to make, a protected communication, to the MCMJ.

11 Repealer.

Repeals a personal jurisdiction statute that would be obsolete if the statutory changes proposed in this bill are enacted.



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