

1.1 CONFERENCE COMMITTEE REPORT ON H. F. No. 1952

1.2 A bill for an act

1.3 relating to operation of state government; appropriating money for the legislature,  
1.4 office of the governor and lieutenant governor, state auditor, attorney general,  
1.5 secretary of state, certain state agencies, boards, commissions, councils, offices,  
1.6 Minnesota State Lottery, Minnesota Humanities Center, certain retirement accounts,  
1.7 and military and veterans affairs; cancelling certain 2021 appropriations;  
1.8 designating the state fire museum; changing provisions for the legislative auditor  
1.9 and Legislative Coordinating Commission; authorizing virtual payments; creating  
1.10 the capitol flag program; modifying provisions for Tribal governments, state budget  
1.11 and forecast, administrative operations, general services revolving fund, grants,  
1.12 motor pool, historic properties and historical societies, taxpayer assistance grants,  
1.13 background checks, lawful gambling, election administration, campaign finance,  
1.14 Office of MN.IT Services, open meeting law, municipal planning, port authority,  
1.15 municipalities, metropolitan government, Duluth entertainment and convention  
1.16 center complex, bids and letting of contracts, and dedication fees; auditing state  
1.17 use of federal funds; creating the Office of Enterprise Sustainability; requiring  
1.18 racial equity impact assessments; requiring sensory accessibility accommodations;  
1.19 establishing the Legislative Commission on Cybersecurity; designating India Day;  
1.20 requiring SEGIP to contract with a pharmacy benefit manager; requiring a strategic  
1.21 plan for state space consolidation and moving; certifying legislative funding needed;  
1.22 requiring a study of L'Orient Avenue property use; prohibiting contracts with  
1.23 certain vendors; requiring the secretary of state to display business addresses on  
1.24 its website; modifying staff reduction provision, electric vehicle charging, police  
1.25 canine officers, and federal funds replacement; making policy and technical changes  
1.26 to various military and veterans affairs provisions including provisions related to  
1.27 the adjutant general, housing, veterans benefits, and veterans services; allowing  
1.28 deferred prosecutions for former and current military members in certain  
1.29 circumstances; classifying data; making changes to the military code; modifying  
1.30 certain requirements and qualifications; making jurisdictional and appellate changes;  
1.31 providing punishable offenses under the military code; providing penalties;  
1.32 amending Minnesota Statutes 2020, sections 3.302, subdivision 3; 3.303,  
1.33 subdivision 1; 3.971, subdivision 2, by adding a subdivision; 3.972, subdivisions  
1.34 2, 2a; 3.978, subdivision 2; 3.979, subdivision 3; 4A.01, subdivision 3; 4A.02;  
1.35 5.30, subdivision 2; 5B.06; 8.31, subdivision 1; 10.44; 10.45; 10.578; 10A.01,  
1.36 subdivisions 4, 7, 9, 11, 16a, 17c, 18, 20, 26, 27, 28, 35, by adding a subdivision;  
1.37 10A.09, subdivisions 1, 2, 5, 6, by adding a subdivision; 10A.12, subdivisions 1,  
1.38 2; 10A.121, subdivision 2; 10A.13, subdivision 1; 10A.17, subdivision 4; 10A.20,  
1.39 subdivisions 3, 6a, 13, by adding a subdivision; 10A.27, subdivision 13; 10A.275,  
1.40 subdivision 1; 10A.323; 13.607, by adding a subdivision; 13D.01, subdivisions 4,  
1.41 5; 13D.015; 13D.02; 13D.021; 15.01; 15.057; 16A.06, by adding a subdivision;  
1.42 16A.103, subdivision 1; 16A.152, subdivision 2; 16B.24, subdivision 1, by adding  
1.43 a subdivision; 16B.2975, by adding a subdivision; 16B.48, subdivision 2; 16B.54,

2.1 subdivisions 1, 2; 16B.98, by adding a subdivision; 16E.01; 16E.016; 16E.02;  
 2.2 16E.03, subdivisions 1, 2, 3, 6; 16E.036; 16E.04, subdivision 3; 16E.0465,  
 2.3 subdivision 2; 16E.05, subdivision 1; 16E.07, subdivision 12; 16E.21, subdivision  
 2.4 2; 43A.046; 43A.23, subdivision 1; 97A.057, subdivision 1; 135A.17, subdivision  
 2.5 2; 138.081, subdivisions 1, 2, 3; 138.31, by adding a subdivision; 138.34; 138.40;  
 2.6 138.665, subdivision 2; 138.666; 138.667; 138.763, subdivision 1; 190.07; 192.67;  
 2.7 192A.02, subdivision 2; 192A.021; 192A.111; 192A.15, subdivisions 1, 2;  
 2.8 192A.155, subdivision 2; 192A.20; 192A.235, subdivision 3; 192A.343, subdivision  
 2.9 3; 192A.353, subdivision 2; 192A.371; 192A.384; 192A.56; 192A.612; 192A.62;  
 2.10 197.791, subdivisions 4, 5, 5a, 5b; 198.006; 198.03, subdivision 2; 201.014, by  
 2.11 adding a subdivision; 201.071, subdivisions 1, 2, 3, 8; 201.091, subdivision 2;  
 2.12 201.12, subdivision 2; 201.121, subdivision 3; 201.13, subdivision 3; 201.161;  
 2.13 201.1611, subdivision 1; 201.162; 201.225, subdivision 2; 202A.11, subdivision  
 2.14 2; 202A.16, subdivision 1; 203B.01, subdivision 3, by adding a subdivision;  
 2.15 203B.02, by adding a subdivision; 203B.03, by adding a subdivision; 203B.04,  
 2.16 subdivision 1; 203B.081, subdivisions 1, 2, 3; 203B.11, subdivision 1; 203B.12,  
 2.17 subdivision 7; 203B.121, subdivisions 2, 3, 4; 203B.16, subdivision 2; 203B.24,  
 2.18 subdivision 1; 204B.06, subdivisions 1b, 4a; 204B.09, subdivisions 1, 3; 204B.13,  
 2.19 by adding a subdivision; 204B.16, subdivision 1; 204B.19, subdivision 6; 204B.21,  
 2.20 subdivision 2; 204B.36, subdivision 2; 204B.44; 204B.45, subdivisions 1, 2;  
 2.21 204B.46; 204C.05, subdivisions 1a, 1b; 204C.10; 204C.15, subdivision 1; 204C.21,  
 2.22 subdivision 1; 204C.27; 204C.33, subdivision 3; 204C.35, subdivision 3, by adding  
 2.23 a subdivision; 204C.36, subdivision 1; 204D.08, subdivision 4; 204D.13,  
 2.24 subdivision 1; 204D.19, subdivision 2; 204D.195; 204D.22, subdivision 3; 204D.23,  
 2.25 subdivision 2; 204D.27, subdivision 5; 204D.28, subdivisions 9, 10; 205.13,  
 2.26 subdivision 5; 205A.10, subdivision 5; 205A.12, subdivision 5; 206.805,  
 2.27 subdivision 1; 206.89, subdivisions 4, 5; 206.90, subdivision 6; 207A.12; 207A.13;  
 2.28 207A.14, subdivision 3; 209.021, subdivision 2; 211B.04, subdivisions 2, 3, by  
 2.29 adding a subdivision; 211B.11, subdivision 1; 211B.20, subdivision 1; 211B.32,  
 2.30 subdivision 1; 270B.13, by adding a subdivision; 270C.21; 349.151, subdivision  
 2.31 2; 367.03, subdivision 6; 367.25, subdivision 1; 383B.041; 412.02, subdivision  
 2.32 2a; 447.32, subdivision 4; 462.358, by adding a subdivision; 469.074, by adding  
 2.33 a subdivision; 471.342, subdivisions 1, 4; 471.345, subdivision 20; 473.24; 473.606,  
 2.34 subdivision 5; 606.06; 609.165, subdivision 1; Laws 1963, chapter 305, sections  
 2.35 2, as amended; 3, as amended; 4, as amended; 5, as amended; 8, as amended; 9,  
 2.36 as amended; 10, as amended; Laws 2006, chapter 269, section 2, as amended;  
 2.37 Laws 2013, chapter 85, article 5, section 44; Laws 2019, First Special Session  
 2.38 chapter 10, article 1, section 40; Laws 2020, chapter 77, section 3, subdivision 6;  
 2.39 proposing coding for new law in Minnesota Statutes, chapters 1; 3; 5; 10; 13D;  
 2.40 16A; 16B; 16C; 43A; 192A; 196; 201; 206; 211B; 243; 299C; 471; 609; repealing  
 2.41 Minnesota Statutes 2020, sections 3.972, subdivisions 2c, 2d; 3.9741, subdivision  
 2.42 5; 4A.11; 10A.15, subdivision 6; 15.0395; 16A.90; 16E.0466, subdivision 1;  
 2.43 16E.05, subdivision 3; 16E.071; 16E.145; 43A.17, subdivision 9; 116O.03,  
 2.44 subdivision 9; 116O.04, subdivision 3; 179.90; 179.91; 192A.385; 299D.03,  
 2.45 subdivision 2a; 383B.042; 383B.043; 383B.044; 383B.045; 383B.046; 383B.047;  
 2.46 383B.048; 383B.049; 383B.05; 383B.051; 383B.052; 383B.053; 383B.054;  
 2.47 383B.055; 383B.056; 383B.057.

2.48 May 17, 2021

2.49 The Honorable Melissa Hortman  
 2.50 Speaker of the House of Representatives

2.51 The Honorable Jeremy R. Miller  
 2.52 President of the Senate

2.53 We, the undersigned conferees for H. F. No. 1952 report that we have agreed upon the  
 2.54 items in dispute and recommend as follows:

3.1 That the Senate recede from its amendments and that H. F. No. 1952 be further amended  
3.2 as follows:

3.3 Delete everything after the enacting clause and insert:

3.4 **"ARTICLE 1**  
3.5 **STATE GOVERNMENT POLICY**

3.6 Section 1. Minnesota Statutes 2020, section 3.302, subdivision 3, is amended to read:

3.7 Subd. 3. **State documents.** The library is a depository of all documents published by  
3.8 the state and shall receive them automatically without cost to the legislature or library. As  
3.9 used in this chapter, "document" includes any publication issued by the state, constitutional  
3.10 officers, departments, commissions, councils, bureaus, research centers, societies, task  
3.11 forces, including advisory task forces created under section 15.014 or 15.0593, or other  
3.12 agencies supported by state funds, or any publication prepared for the state by private  
3.13 individuals or organizations considered to be of interest or value to the library. Intraoffice  
3.14 or interoffice memos and forms and information concerning only the internal operation of  
3.15 an agency are not included.

3.16 Sec. 2. Minnesota Statutes 2020, section 3.303, subdivision 1, is amended to read:

3.17 Subdivision 1. **Purpose.** The Legislative Coordinating Commission is created to  
3.18 coordinate the legislative activities of the senate and house of representatives and the joint  
3.19 legislative commissions, committees, offices, and task forces.

3.20 Sec. 3. Minnesota Statutes 2020, section 3.971, subdivision 2, is amended to read:

3.21 Subd. 2. **Staff; compensation.** (a) The legislative auditor shall establish a Financial  
3.22 Audits Division and a Program Evaluation Division to fulfill the duties prescribed in this  
3.23 section.

3.24 (b) Each division may be supervised by a deputy auditor, appointed by the legislative  
3.25 auditor, with the approval of the commission, for a term coterminous with the legislative  
3.26 auditor's term. The deputy auditors may be removed before the expiration of their terms  
3.27 only for cause. The legislative auditor and deputy auditors may each appoint ~~a confidential~~  
3.28 ~~secretary~~ an administrative support specialist to serve at pleasure. The salaries and benefits  
3.29 of the legislative auditor, deputy auditors, and ~~confidential secretaries~~ administrative support  
3.30 specialists shall be determined by the compensation plan approved by the Legislative  
3.31 Coordinating Commission. The deputy auditors may perform and exercise the powers,

4.1 duties and responsibilities imposed by law on the legislative auditor when authorized by  
4.2 the legislative auditor.

4.3 ~~(e) The legislative auditor must appoint a fiscal oversight officer with duties that include~~  
4.4 ~~performing the review under section 3.972, subdivision 4.~~

4.5 ~~(d) (c) The legislative auditor, deputy auditors, and the confidential secretaries~~  
4.6 ~~administrative support specialists shall serve in the unclassified civil service, but the fiscal~~  
4.7 ~~oversight officer and all other employees of the legislative auditor are shall serve in the~~  
4.8 classified civil service. Compensation for employees of the legislative auditor in the classified  
4.9 service shall be governed by a plan prepared by the legislative auditor and approved by the  
4.10 Legislative Coordinating Commission and the legislature under section 3.855, subdivision  
4.11 3.

4.12 ~~(e) (d) While in office, a person appointed deputy for the Financial Audit Division must~~  
4.13 hold an active license as a certified public accountant.

4.14 ~~(e) Notwithstanding Minnesota Statutes, section 43A.32, subdivisions 2 and 3, or any~~  
4.15 ~~other law to the contrary, an employee of the legislative auditor is prohibited from being a~~  
4.16 ~~candidate for a partisan elected public office.~~

4.17 Sec. 4. Minnesota Statutes 2020, section 3.971, is amended by adding a subdivision to  
4.18 read:

4.19 Subd. 8a. **Special reviews.** The legislative auditor may conduct a special review to: (1)  
4.20 fulfill a legal requirement; (2) investigate allegations that an individual or organization  
4.21 subject to audit by the legislative auditor may not have complied with legal requirements  
4.22 related to the use of public money, other public resources, or government data classified as  
4.23 not public; (3) respond to a legislative request for a review of an organization or program  
4.24 subject to audit by the legislative auditor; or (4) investigate allegations that an individual  
4.25 may not have complied with section 43A.38 or 43A.39.

4.26 Sec. 5. Minnesota Statutes 2020, section 3.972, subdivision 2, is amended to read:

4.27 Subd. 2. **Audits of state and semistate agencies.** The legislative auditor shall ~~make a~~  
4.28 ~~constant,~~ as resources permit, audit ~~of all the financial affairs~~ activities of (1) all departments  
4.29 ~~and,~~ agencies ~~of,~~ offices, and other organizations in the state; executive branch; (2) courts,  
4.30 offices, and other organizations in the state judicial branch; and ~~of the financial records and~~  
4.31 ~~transactions of~~ (3) public boards, associations, ~~and~~ societies, and other public organizations  
4.32 created by state law or supported, wholly or in part, by state funds. ~~Once in each year, if~~

5.1 ~~funds and personnel permit, without previous notice,~~ The legislative auditor shall visit each  
5.2 ~~state department and agency, association or society and, so far as practicable,~~

5.3 ~~(1) inspect;~~

5.4 ~~(2) thoroughly examine its books and accounts, verifying the funds, securities, and other~~  
5.5 ~~assets;~~

5.6 ~~(3) check the items of receipts and disbursements with its voucher records;~~

5.7 ~~(4) ascertain the character of the official bonds for its officers and the financial ability~~  
5.8 ~~of the bonding institution;~~

5.9 ~~(5) inspect its sources of revenue and the use and disposition of state appropriations and~~  
5.10 ~~property;~~

5.11 ~~(6) investigate the methods of purchase and sale and the character of contracts on public~~  
5.12 ~~account;~~

5.13 ~~(7) ascertain proper custody and depository for its funds and securities;~~

5.14 ~~(8) verify the inventory of public property and other assets held in trust; and~~

5.15 ~~(9) ascertain that all financial transactions and operations involving the public funds and~~  
5.16 ~~property of the state comply with the spirit and purpose of the law, are sound by modern~~  
5.17 ~~standards of financial management, and are for the best protection of the public interest~~  
5.18 funds and other public resources.

5.19 Sec. 6. Minnesota Statutes 2020, section 3.972, subdivision 2a, is amended to read:

5.20 Subd. 2a. **Audits of Department of Human Services.** ~~(a) To ensure continuous effective~~  
5.21 ~~legislative oversight and accountability, the legislative auditor shall give high priority to~~  
5.22 ~~auditing the programs, services, and benefits administered by the Department of Human~~  
5.23 ~~Services. The audits shall determine whether~~ As resources permit, the legislative auditor  
5.24 shall track and assess expenditures throughout the human service delivery system, from the  
5.25 department offered to the point of service delivery, and determine whether human services  
5.26 programs and provided, services, and benefits are being provided cost-effectively and only  
5.27 to eligible persons individuals and organizations, and complied in compliance with applicable  
5.28 legal requirements.

5.29 ~~(b) The legislative auditor shall, based on an assessment of risk and using professional~~  
5.30 ~~standards to provide a statistically significant sample, no less than three times each year,~~  
5.31 ~~test a representative sample of persons enrolled in a medical assistance program or~~  
5.32 ~~MinnesotaCare to determine whether they are eligible to receive benefits under those~~

6.1 ~~programs. The legislative auditor shall report the results to the commissioner of human~~  
6.2 ~~services and recommend corrective actions. The commissioner shall provide a response to~~  
6.3 ~~the legislative auditor within 20 business days, including corrective actions to be taken to~~  
6.4 ~~address any problems identified by the legislative auditor and anticipated completion dates.~~  
6.5 ~~The legislative auditor shall monitor the commissioner's implementation of corrective actions~~  
6.6 ~~and periodically report the results to the Legislative Audit Commission and the chairs and~~  
6.7 ~~ranking minority members of the legislative committees with jurisdiction over health and~~  
6.8 ~~human services policy and finance. The legislative auditor's reports to the commission and~~  
6.9 ~~the chairs and ranking minority members must include recommendations for any legislative~~  
6.10 ~~actions needed to ensure that medical assistance and MinnesotaCare benefits are provided~~  
6.11 ~~only to eligible persons.~~

6.12 Sec. 7. Minnesota Statutes 2020, section 3.978, subdivision 2, is amended to read:

6.13 Subd. 2. **Inquiry and inspection power; duty to aid legislative auditor.** All public  
6.14 officials and their deputies and employees, and all corporations, firms, and individuals  
6.15 having business involving the receipt, disbursement, or custody of public funds shall at all  
6.16 times afford reasonable facilities for examinations by the legislative auditor, make returns  
6.17 and reports required by the legislative auditor, attend and answer under oath the legislative  
6.18 auditor's lawful inquiries, produce and exhibit all books, accounts, documents, data of any  
6.19 classification, and property that the legislative auditor ~~may need~~ requests to inspect, and in  
6.20 all things ~~aid~~ cooperate with the legislative auditor ~~in the performance of duties.~~

6.21 Sec. 8. Minnesota Statutes 2020, section 3.979, subdivision 3, is amended to read:

6.22 Subd. 3. **Audit data.** (a) "Audit" as used in this subdivision means a financial audit,  
6.23 ~~review,~~ program evaluation, ~~best practices~~ special review, or investigation. Data relating to  
6.24 an audit are not public or with respect to data on individuals are confidential until the final  
6.25 report of the audit has been released by the legislative auditor or the audit is no longer being  
6.26 actively pursued. Upon release of a final audit report by the legislative auditor, data relating  
6.27 to an audit are public except data otherwise classified as not public.

6.28 (b) Data related to an audit but not published in the audit report and that the legislative  
6.29 auditor reasonably believes will be used in litigation are not public and with respect to data  
6.30 on individuals are confidential until the litigation has been completed or is no longer being  
6.31 actively pursued.

6.32 (c) Data ~~on individuals~~ that could reasonably be used to determine the identity of an  
6.33 individual supplying data for an audit are private if the data supplied by the individual were

7.1 needed for an audit and the individual would not have provided the data to the legislative  
7.2 auditor without an assurance that the individual's identity would remain private, or the  
7.3 legislative auditor reasonably believes that the subject would not have provided the data.

7.4 (d) The definitions of terms provided in section 13.02 apply for purposes of this  
7.5 subdivision.

7.6 Sec. 9. Minnesota Statutes 2020, section 16A.152, subdivision 2, is amended to read:

7.7 Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund  
7.8 revenues and expenditures, the commissioner of management and budget determines that  
7.9 there will be a positive unrestricted budgetary general fund balance at the close of the  
7.10 biennium, the commissioner of management and budget must allocate money to the following  
7.11 accounts and purposes in priority order:

7.12 (1) the cash flow account established in subdivision 1 until that account reaches  
7.13 \$350,000,000;

7.14 (2) the budget reserve account established in subdivision 1a until that account reaches  
7.15 \$1,596,522,000;

7.16 (3) the amount necessary to increase the aid payment schedule for school district aids  
7.17 and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest  
7.18 tenth of a percent without exceeding the amount available and with any remaining funds  
7.19 deposited in the budget reserve;

7.20 (4) the amount necessary to restore all or a portion of the net aid reductions under section  
7.21 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75,  
7.22 subdivision 5, by the same amount; and

7.23 ~~(5) the clean water fund established in section 114D.50 until \$22,000,000 has been~~  
7.24 ~~transferred into the fund; and~~

7.25 ~~(6)~~ (5) the amount necessary to increase the Minnesota 21st century fund by not more  
7.26 than the difference between \$5,000,000 and the sum of the amounts credited and canceled  
7.27 to it in the previous 12 months under Laws 2020, chapter 71, article 1, section 11, until the  
7.28 sum of all transfers under this section and all amounts credited or canceled under Laws  
7.29 2020, chapter 71, article 1, section 11, equals \$20,000,000.

7.30 (b) The amounts necessary to meet the requirements of this section are appropriated  
7.31 from the general fund within two weeks after the forecast is released or, in the case of

8.1 transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations  
8.2 schedules otherwise established in statute.

8.3 (c) The commissioner of management and budget shall certify the total dollar amount  
8.4 of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education.  
8.5 The commissioner of education shall increase the aid payment percentage and reduce the  
8.6 property tax shift percentage by these amounts and apply those reductions to the current  
8.7 fiscal year and thereafter.

8.8 (d) ~~Paragraph (a), clause (5), expires after the entire amount of the transfer has been~~  
8.9 ~~made.~~

8.10 Sec. 10. Minnesota Statutes 2020, section 16B.24, subdivision 1, is amended to read:

8.11 Subdivision 1. **Operation and maintenance of buildings.** The commissioner is  
8.12 authorized to maintain and operate the State Capitol building and grounds, subject to whatever  
8.13 standards and policies are set for its appearance and cleanliness by the Capitol Area  
8.14 Architectural and Planning Board and the commissioner under section 15B.15, subdivision  
8.15 2, and all other buildings, cafeterias, and grounds in state-owned buildings in the Capitol  
8.16 Area under section 15B.02, the state Department of Public Safety, Bureau of Criminal  
8.17 Apprehension building in St. Paul, ~~the state Department of Health building in Minneapolis,~~  
8.18 ~~321 Grove Street buildings~~ 603 Pine Street building in St. Paul, Fleet and Surplus Services  
8.19 building in Arden Hills, Ely Revenue building, any other properties acquired by the  
8.20 Department of Administration, and, when the commissioner considers it advisable and  
8.21 practicable, any other building or premises owned or rented by the state for the use of a  
8.22 state agency. The commissioner shall assign and reassign office space in the Capitol and  
8.23 state buildings to make an equitable division of available space among agencies. The  
8.24 commissioner shall regularly update the long-range strategic plan for locating agencies and  
8.25 shall follow the plan in assigning and reassigning space to agencies. The plan must include  
8.26 locational and urban design criteria, a cost-analysis method to be used in weighing state  
8.27 ownership against leasing of space in specific instances, and a transportation management  
8.28 plan. If the commissioner determines that a deviation from the plan is necessary or desirable  
8.29 in a specific instance, the commissioner shall provide the legislature with a timely written  
8.30 explanation of the reasons for the deviation. The power granted in this subdivision does not  
8.31 apply to state hospitals or to educational, penal, correctional, or other institutions not  
8.32 enumerated in this subdivision the control of which is vested by law in some other agency.

9.1 Sec. 11. [16B.276] CAPITOL FLAG PROGRAM.

9.2 Subdivision 1. Definitions. (a) The terms used in this section have the meanings given  
9.3 them.

9.4 (b) "Active service" has the meaning given in section 190.05, subdivision 5.

9.5 (c) "Eligible family member" means a surviving spouse, parent or legal guardian, child,  
9.6 or sibling of (1) a public safety officer killed in the line of duty, or (2) a person who has  
9.7 died while serving honorably in active service in the United States armed forces. For purposes  
9.8 of this section, an eligibility relationship may be established by birth or adoption.

9.9 (d) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision  
9.10 3.

9.11 (e) "Public safety officer" has the meaning given in section 299A.41, subdivision 4.

9.12 Subd. 2. Establishment. A Capitol flag program is established. The purpose of the  
9.13 program is to make a Minnesota state flag and an American flag that were flown over the  
9.14 Minnesota State Capitol available to the family members of a public safety officer killed  
9.15 in the line of duty or a member of the United States armed forces who died while in active  
9.16 service. In addition to appropriations provided by law, the commissioner of management  
9.17 and budget may receive gifts to support the program as authorized in sections 16A.013 to  
9.18 16A.016. The program established by this section is required only to the extent that sufficient  
9.19 funds are available through appropriations or gifts to support its operations.

9.20 Subd. 3. Submission of request; presentation. (a) A flag request may only be made  
9.21 by a legislator or state constitutional officer on behalf of an eligible family member after  
9.22 verification of the family member's eligibility under the procedures adopted under subdivision  
9.23 4. The request must be made to the commissioner of administration, and must indicate the  
9.24 type of flag requested, a certification that the family member's eligibility has been verified,  
9.25 special requests for the date the flag is requested to be flown over the Capitol, and the  
9.26 method of presentment. The commissioner may adopt a form to be used for this purpose.  
9.27 With at least 30 days' notice, the commissioner must honor a request that a flag be flown  
9.28 on a specific commemorative date.

9.29 (b) Upon receipt of a request, the commissioner shall deliver the requested flags to the  
9.30 requesting legislator or constitutional officer for coordination of a later presentment  
9.31 ceremony. If relevant information is made available, the commissioner shall provide a  
9.32 certificate memorializing the details of the occasion and the date the flag was flown with  
9.33 each flag presented.

10.1 Subd. 4. **Verification of eligibility.** The house of representatives, the senate, and each  
10.2 constitutional officer must adopt procedures for the administration of flag requests received  
10.3 from eligible family members, including a procedure for verification of a family member's  
10.4 eligibility to receive a flag.

10.5 Subd. 5. **Eligibility; fees.** (a) For deaths that occur on or after August 1, 2021, the family  
10.6 of a public safety officer killed in the line of duty or service member of the United States  
10.7 armed forces who died in active service is entitled to receive one United States flag and one  
10.8 Minnesota state flag free of charge under this section. If multiple flags of the same type are  
10.9 requested to be flown in honor of the same decedent, the commissioner may charge a  
10.10 reasonable fee that does not exceed the actual cost of flying each flag and preparing a  
10.11 certificate memorializing the occasion.

10.12 (b) For deaths that occurred before August 1, 2021, the family of a public safety officer  
10.13 killed in the line of duty or service member of the United States armed forces who died in  
10.14 active service may receive a Minnesota state flag and a United States flag for a fee, unless  
10.15 there are donated, nonstate funds available to provide a flag without a fee. If payment of a  
10.16 fee is required under this paragraph, the commissioner may charge an eligible family an  
10.17 amount that does not exceed the actual cost of flying each flag and preparing a certificate  
10.18 memorializing the occasion.

10.19 **EFFECTIVE DATE.** This section is effective August 1, 2021.

10.20 Sec. 12. Minnesota Statutes 2020, section 16B.2975, is amended by adding a subdivision  
10.21 to read:

10.22 Subd. 8. **Canine management.** The commissioner may give and convey to a canine's  
10.23 handler the state's entirety of the right, title, interest, and estate in and to a canine who is  
10.24 retired from service, with whom the handler trained and worked while the canine was in  
10.25 service to the state. The handler is solely responsible for all future expenses related to the  
10.26 retired canine.

10.27 Sec. 13. Minnesota Statutes 2020, section 16B.48, subdivision 2, is amended to read:

10.28 Subd. 2. **Purpose of funds.** Money in the state treasury credited to the general services  
10.29 revolving fund and money that is deposited in the fund is appropriated annually to the  
10.30 commissioner for the following purposes:

10.31 (1) to operate the central mailing service, including purchasing postage and related items  
10.32 and refunding postage deposits;

11.1 (2) to operate a documents service as prescribed by section 16B.51;

11.2 (3) to provide services for the maintenance, operation, and upkeep of buildings and  
11.3 grounds managed by the commissioner of administration;

11.4 ~~(4) to operate a materials handling service, including interagency mail and product~~  
11.5 ~~delivery, solid waste removal, courier service, equipment rental, and vehicle and equipment~~  
11.6 ~~maintenance;~~

11.7 ~~(5)~~ (4) to provide analytical, statistical, and organizational development services to state  
11.8 agencies, local units of government, metropolitan and regional agencies, and school districts;  
11.9 and

11.10 ~~(6)~~ (5) to perform services for any other agency. Money may be expended for this purpose  
11.11 only when directed by the governor. The agency receiving the services shall reimburse the  
11.12 fund for their cost, and the commissioner shall make the appropriate transfers when requested.  
11.13 The term "services" as used in this clause means compensation paid officers and employees  
11.14 of the state government; supplies, materials, equipment, and other articles and things used  
11.15 by or furnished to an agency; and utility services and other services for the maintenance,  
11.16 operation, and upkeep of buildings and offices of the state government; ~~and.~~

11.17 ~~(7) to operate a state recycling center.~~

11.18 Sec. 14. Minnesota Statutes 2020, section 16B.54, subdivision 1, is amended to read:

11.19 Subdivision 1. **Motor pools.** The commissioner shall manage a central motor pool of  
11.20 passenger motor vehicles and trucks used by state agencies with principal offices in the city  
11.21 of St. Paul and may provide for branch central motor pools at other places within the state.  
11.22 For purposes of this section, (1) "agencies" includes the Minnesota State Colleges and  
11.23 Universities, ~~and~~ (2) "passenger motor vehicle" means on-road vehicle capable of transporting  
11.24 people, and (3) "truck" means a pickup or panel truck up to one ton carrying capacity.

11.25 Sec. 15. Minnesota Statutes 2020, section 16B.54, subdivision 2, is amended to read:

11.26 Subd. 2. **Vehicles.** (a) The commissioner may direct an agency to make a transfer of a  
11.27 passenger motor vehicle or truck currently assigned to it. The transfer must be made to the  
11.28 commissioner for use in the central motor pool. The commissioner shall reimburse an agency  
11.29 whose motor vehicles have been paid for with funds dedicated by the constitution for a  
11.30 special purpose and which are assigned to the central motor pool. The amount of  
11.31 reimbursement for a motor vehicle is its average wholesale price as determined from the  
11.32 midwest edition of the National Automobile Dealers Association official used car guide.

12.1 (b) To the extent that funds are available for the purpose, the commissioner may purchase  
12.2 or otherwise acquire additional passenger motor vehicles and trucks necessary for the central  
12.3 motor pool. The title to all motor vehicles assigned to or purchased or acquired for the  
12.4 central motor pool is in the name of the Department of Administration.

12.5 (c) On the request of an agency, the commissioner may transfer to the central motor  
12.6 pool any passenger motor vehicle or truck for the purpose of disposing of it. The department  
12.7 or agency transferring the vehicle or truck must be paid for it from the motor pool revolving  
12.8 account established by this section in an amount equal to two-thirds of the average wholesale  
12.9 price of the vehicle or truck as determined from the midwest edition of the National  
12.10 Automobile Dealers Association official used car guide.

12.11 (d) The commissioner shall provide for the uniform marking of all motor vehicles. Motor  
12.12 vehicle colors must be selected from the regular color chart provided by the manufacturer  
12.13 each year. The commissioner may further provide for the use of motor vehicles without  
12.14 marking by:

12.15 (1) the governor;

12.16 (2) the lieutenant governor;

12.17 (3) the Division of Criminal Apprehension, the Division of Alcohol and Gambling  
12.18 Enforcement, and arson investigators of the Division of Fire Marshal in the Department of  
12.19 Public Safety;

12.20 (4) the Financial Institutions Division and investigative staff of the Department of  
12.21 Commerce;

12.22 (5) the Division of Disease Prevention and Control of the Department of Health;

12.23 (6) the State Lottery;

12.24 (7) criminal investigators of the Department of Revenue;

12.25 (8) state-owned community service facilities in the Department of Human Services;

12.26 (9) the Office of the Attorney General; ~~and~~

12.27 (10) the investigative staff of the Gambling Control Board; and

12.28 (11) the Department of Corrections inmate community work crew program under section  
12.29 352.91, subdivision 3g.

13.1 Sec. 16. Minnesota Statutes 2020, section 138.081, subdivision 1, is amended to read:

13.2 Subdivision 1. **Department of Administration as agency to accept federal funds.** The  
13.3 Department of Administration is hereby designated the state agency with power to accept  
13.4 any and all money provided for or made available to this state by the United States of  
13.5 America or any department or agency thereof for surveys, restoration, construction,  
13.6 equipping, or other purposes relating to the State Historic ~~sites~~ Preservation Program in  
13.7 accordance with the provisions of federal law and any rules or regulations promulgated  
13.8 thereunder and are further authorized to do any and all things required of this state by such  
13.9 federal law and the rules and regulations promulgated thereunder in order to obtain such  
13.10 federal money.

13.11 Sec. 17. Minnesota Statutes 2020, section 138.081, subdivision 2, is amended to read:

13.12 Subd. 2. **Commissioner's responsibilities.** The commissioner as the state historic  
13.13 preservation officer shall be responsible for the preparation, implementation and  
13.14 administration of the State Historic Preservation Plan and shall administer the State Historic  
13.15 Preservation Program authorized by the National Historic Preservation Act (United States  
13.16 Code, title ~~16~~ 54, section ~~470~~ 300101 et seq. ~~as amended~~). The commissioner shall review  
13.17 and approve in writing all grants-in-aid for architectural, archaeological and historic  
13.18 preservation made by state agencies and funded by the state or a combination of state and  
13.19 federal funds in accordance with the State Historic Preservation Program.

13.20 Sec. 18. Minnesota Statutes 2020, section 138.31, is amended by adding a subdivision to  
13.21 read:

13.22 Subd. 13a. **State Historic Preservation Office.** "State Historic Preservation Office"  
13.23 means the State Historic Preservation Office at the Department of Administration.

13.24 Sec. 19. Minnesota Statutes 2020, section 138.34, is amended to read:

13.25 **138.34 ADMINISTRATION OF THE ACT.**

13.26 The state archaeologist shall act as the agent of the state to administer and enforce the  
13.27 provisions of sections 138.31 to 138.42. Some enforcement provisions are shared with the  
13.28 society and the State Historic Preservation Office.

14.1 Sec. 20. Minnesota Statutes 2020, section 138.40, is amended to read:

14.2 **138.40 COOPERATION OF STATE AGENCIES; DEVELOPMENT PLANS.**

14.3 Subdivision 1. **Cooperation.** The Department of Natural Resources, the Department of  
14.4 Transportation, and all other state agencies whose activities may be affected, shall cooperate  
14.5 with the historical society, the State Historic Preservation Office, and the state archaeologist  
14.6 to carry out the provisions of sections 138.31 to 138.42 and the rules issued thereunder, but  
14.7 sections 138.31 to 138.42 are not meant to burden persons who wish to use state property  
14.8 for recreational and other lawful purposes or to unnecessarily restrict the use of state property.

14.9 Subd. 2. **Compliance, enforcement, preservation.** State and other governmental agencies  
14.10 shall comply with and aid in the enforcement of provisions of sections 138.31 to 138.42.  
14.11 Conservation officers and other enforcement officers of the Department of Natural Resources  
14.12 shall enforce the provisions of sections 138.31 to 138.42 and report violations to the ~~director~~  
14.13 ~~of the society~~ state archeologist. When archaeological or historic sites are known or, based  
14.14 on scientific investigations are predicted to exist on public lands or waters, the agency or  
14.15 department controlling said lands or waters shall use the professional services of  
14.16 archaeologists from the University of Minnesota, Minnesota Historical Society, or other  
14.17 qualified professional archaeologists, to preserve these sites. In the event that archaeological  
14.18 excavation is required to protect or preserve these sites, state and other governmental agencies  
14.19 may use their funds for such activities.

14.20 Subd. 3. **Review of plans.** When significant archaeological or historic sites are known  
14.21 or, based on scientific investigations, are predicted to exist on public lands or waters, the  
14.22 agency or department controlling said lands or waters shall submit construction or  
14.23 development plans to the state archaeologist and the ~~director of the society~~ State Historic  
14.24 Preservation Office for review prior to the time bids are advertised. The state archaeologist  
14.25 and the ~~society~~ State Historic Preservation Office shall promptly review such plans and  
14.26 within 30 days of receiving the plans shall make recommendations for the preservation of  
14.27 archaeological or historic sites which may be endangered by construction or development  
14.28 activities. When archaeological or historic sites are related to Indian history or religion, the  
14.29 state archaeologist shall submit the plans to the Indian Affairs Council for the council's  
14.30 review and recommend action.

15.1 Sec. 21. Minnesota Statutes 2020, section 138.666, is amended to read:

15.2 **138.666 COOPERATION.**

15.3 The state, state departments and agencies, political subdivisions, and the Board of Regents  
15.4 of the University of Minnesota shall cooperate with the Minnesota Historical Society and  
15.5 the State Historic Preservation Office in safeguarding state historic sites and in the  
15.6 preservation of historic and archaeological properties.

15.7 Sec. 22. Minnesota Statutes 2020, section 138.667, is amended to read:

15.8 **138.667 HISTORIC PROPERTIES; CHANGES.**

15.9 Properties designated as historic properties by sections 138.661 to 138.664 may be  
15.10 changed from time to time, and the Minnesota Historical Society and the State Historic  
15.11 Preservation Office shall notify the legislature of the need for changes, and shall make  
15.12 recommendations to keep the state historic sites network and the state register of historic  
15.13 places current and complete. The significance of properties proposed for designation under  
15.14 section 138.663, subdivision 2, shall be documented under the documentation standards  
15.15 established by the ~~Minnesota Historical Society.~~ This State Historic Preservation Office.  
15.16 Documentation shall include the opinion of the Minnesota Historical Society for the historic  
15.17 sites network under section 138.661, subdivision 3, and the State Historic Preservation  
15.18 Office for the state register of historic places under section 138.663, subdivision 2, as to  
15.19 whether the property meets the selection criteria.

15.20 Sec. 23. Minnesota Statutes 2020, section 138.763, subdivision 1, is amended to read:

15.21 Subdivision 1. **Membership.** There is a St. Anthony Falls Heritage Board consisting of  
15.22 22 members with the director of the Minnesota Historical Society as chair. The members  
15.23 include the mayor; the chair of the Hennepin County Board of Commissioners or the chair's  
15.24 designee; the president of the Minneapolis Park and Recreation Board or the president's  
15.25 designee; the superintendent of the park board; two members each from the house of  
15.26 representatives appointed by the speaker, the senate appointed by the Rules Committee, the  
15.27 city council, the Hennepin County Board, and the park board; one member each from the  
15.28 preservation commission, the State Historic Preservation Office, Hennepin County Historical  
15.29 Society, and the society; one person appointed by the park board; and two persons appointed  
15.30 by the chair of the board.

16.1 Sec. 24. Minnesota Statutes 2020, section 349.151, subdivision 2, is amended to read:

16.2 Subd. 2. **Membership.** (a) The board consists of seven members, as follows: (1) five  
16.3 members appointed by the governor; (2) one member appointed by the commissioner of  
16.4 public safety; and (3) one member appointed by the attorney general.

16.5 (b) All appointments under this subdivision are with the advice and consent of the senate.

16.6 (c) ~~After expiration of the initial terms,~~ Appointments are for four years. A member may  
16.7 continue holding office until a successor is appointed unless, prior to the expiration of the  
16.8 member's term, the appointing authority notifies the board that a member's appointment  
16.9 may not be extended.

16.10 (d) The board shall select one of its members to serve as chair. No more than three  
16.11 members appointed by the governor under this subdivision may belong to the same political  
16.12 party.

16.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.

16.14 Sec. 25. **APPROPRIATION; VETERANS AFFAIRS.**

16.15 All federal funds received in fiscal years 2021 to 2023 to construct, equip, and furnish  
16.16 veterans homes in Preston, Montevideo, and Bemidji are appropriated to the commissioner  
16.17 of veterans affairs to be spent in accordance with the requirements of the federal award.

16.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.

16.19 Sec. 26. **REVISOR INSTRUCTION.**

16.20 The revisor of statutes shall change "central motor pool" to "enterprise fleet" wherever  
16.21 the term appears in Minnesota Statutes.

16.22 Sec. 27. **REPEALER.**

16.23 Minnesota Statutes 2020, section 3.972, subdivisions 2c and 2d, are repealed.

## 16.24 **ARTICLE 2**

### 16.25 **INFORMATION TECHNOLOGY**

16.26 Section 1. Minnesota Statutes 2020, section 15.01, is amended to read:

#### 16.27 **15.01 DEPARTMENTS OF THE STATE.**

16.28 The following agencies are designated as the departments of the state government: the  
16.29 Department of Administration; the Department of Agriculture; the Department of Commerce;

17.1 the Department of Corrections; the Department of Education; the Department of Employment  
17.2 and Economic Development; the Department of Health; the Department of Human Rights;  
17.3 the Department of Information Technology Services; the Department of Iron Range  
17.4 Resources and Rehabilitation; the Department of Labor and Industry; the Department of  
17.5 Management and Budget; the Department of Military Affairs; the Department of Natural  
17.6 Resources; the Department of Public Safety; the Department of Human Services; the  
17.7 Department of Revenue; the Department of Transportation; the Department of Veterans  
17.8 Affairs; and their successor departments.

17.9 Sec. 2. Minnesota Statutes 2020, section 16E.01, is amended to read:

17.10 **16E.01 ~~OFFICE OF MN.IT~~ DEPARTMENT OF INFORMATION TECHNOLOGY**  
17.11 **SERVICES.**

17.12 Subdivision 1. **Creation; chief information officer.** The ~~Office of MN.IT~~ Department  
17.13 of Information Technology Services, which may also be known as Minnesota Information  
17.14 Technology Services or Minnesota IT Services, referred to in this chapter as the "~~office,~~"  
17.15 "department," is an agency in the executive branch headed by a commissioner, who also is  
17.16 the ~~state~~ chief information officer. The appointment of the commissioner is subject to the  
17.17 advice and consent of the senate under section 15.066.

17.18 Subd. 1a. **Responsibilities.** The ~~office~~ department shall provide oversight, leadership,  
17.19 and direction for information and telecommunications technology policy and the  
17.20 management, delivery, accessibility, and security of executive branch information and  
17.21 telecommunications technology systems and services in Minnesota. The ~~office~~ department  
17.22 shall manage strategic investments in information and telecommunications technology  
17.23 systems and services ~~to encourage the development of a technically literate society,~~ to ensure  
17.24 sufficient access to and efficient delivery of accessible government services; and to maximize  
17.25 benefits for the state government as an enterprise.

17.26 Subd. 2. **Discretionary powers.** The ~~office~~ department may:

17.27 (1) enter into contracts for goods or services with public or private organizations and  
17.28 charge fees for services it provides;

17.29 (2) apply for, receive, and expend money from public agencies;

17.30 (3) apply for, accept, and disburse grants and other aids from the federal government  
17.31 and other public or private sources;

18.1 (4) enter into contracts with agencies of the federal government, local governmental  
18.2 units, the University of Minnesota and other educational institutions, and private persons  
18.3 and other nongovernmental organizations as necessary to perform its statutory duties;

18.4 (5) sponsor and conduct conferences and studies, collect and disseminate information,  
18.5 and issue reports relating to information and communications technology issues;

18.6 (6) review the technology infrastructure of regions of the state and cooperate with and  
18.7 make recommendations to the governor, legislature, state agencies, local governments, local  
18.8 technology development agencies, the federal government, private businesses, and individuals  
18.9 for the realization of information and communications technology infrastructure development  
18.10 potential;

18.11 (7) sponsor, support, and facilitate innovative and collaborative economic and community  
18.12 development and government services projects, including technology initiatives related to  
18.13 culture and the arts, with public and private organizations; and

18.14 (8) review and recommend alternative sourcing strategies for state information and  
18.15 communications systems.

18.16 Subd. 3. **Duties.** (a) The ~~office~~ department shall:

18.17 (1) manage the efficient and effective use of available federal, state, local, and  
18.18 public-private resources to develop statewide information and telecommunications technology  
18.19 systems and services and its infrastructure;

18.20 (2) approve state agency and intergovernmental information and telecommunications  
18.21 technology systems and services development efforts involving state or intergovernmental  
18.22 funding, including federal funding, provide information to the legislature regarding projects  
18.23 reviewed, and recommend projects for inclusion in the governor's budget under section  
18.24 16A.11;

18.25 (3) ~~ensure~~ promote cooperation and collaboration among state and local governments  
18.26 in developing intergovernmental information and telecommunications technology systems  
18.27 and services, ~~and define the structure and responsibilities of a representative governance~~  
18.28 ~~structure~~;

18.29 (4) cooperate and collaborate with the legislative and judicial branches in the development  
18.30 of information and communications systems in those branches, as requested;

18.31 (5) continue the development of North Star, the state's official comprehensive online  
18.32 service and information initiative;

19.1 ~~(6) promote and collaborate with the state's agencies in the state's transition to an~~  
19.2 ~~effectively competitive telecommunications market;~~

19.3 ~~(7) collaborate with entities carrying out education and lifelong learning initiatives to~~  
19.4 ~~assist Minnesotans in developing technical literacy and obtaining access to ongoing learning~~  
19.5 ~~resources;~~

19.6 ~~(8)~~ (6) promote and coordinate public information access and network initiatives,  
19.7 consistent with chapter 13, to connect Minnesota's citizens and communities to each other,  
19.8 to their governments, and to the world;

19.9 ~~(9) promote and coordinate electronic commerce initiatives to ensure that Minnesota~~  
19.10 ~~businesses and citizens can successfully compete in the global economy;~~

19.11 ~~(10)~~ (7) manage and promote the regular and periodic reinvestment in the information  
19.12 and telecommunications technology systems and services infrastructure so that state and  
19.13 local government agencies can effectively and efficiently serve their customers;

19.14 ~~(11)~~ (8) facilitate the cooperative development of and ensure compliance with standards  
19.15 and policies for information and telecommunications technology systems and services, and  
19.16 ~~electronic data practices and privacy, and electronic commerce among international, national,~~  
19.17 ~~state, and local public and private organizations~~ within the executive branch;

19.18 ~~(12)~~ (9) eliminate unnecessary duplication of existing information and  
19.19 telecommunications technology systems and services provided by state agencies;

19.20 ~~(13)~~ (10) identify, sponsor, develop, and execute shared information and  
19.21 telecommunications technology projects and ongoing operations;

19.22 ~~(14)~~ (11) ensure overall security of the state's information and technology systems and  
19.23 services; and

19.24 ~~(15)~~ (12) manage and direct compliance with accessibility standards for informational  
19.25 technology, including hardware, software, websites, online forms, and online surveys.

19.26 (b) The chief information officer, in consultation with the commissioner of management  
19.27 and budget, must determine when it is cost-effective for agencies to develop and use shared  
19.28 information and telecommunications technology systems and services for the delivery of  
19.29 electronic government services. The chief information officer may require agencies to use  
19.30 shared information and telecommunications technology systems and services. The chief  
19.31 information officer shall establish reimbursement rates in cooperation with the commissioner  
19.32 of management and budget to be billed to agencies and other governmental entities sufficient  
19.33 to cover the actual development, operating, maintenance, and administrative costs of the

20.1 shared systems. The methodology for billing may include the use of interagency agreements,  
20.2 or other means as allowed by law.

20.3 (c) A state agency that has an information and telecommunications technology project  
20.4 ~~with a total expected project cost of more than \$1,000,000~~, whether funded as part of the  
20.5 biennial budget or by any other means, shall register with the ~~office~~ department by submitting  
20.6 basic project startup documentation, as specified by the chief information officer in both  
20.7 format and content, ~~before any project funding is requested or committed and before the~~  
20.8 ~~project commences~~. State agency project leaders must demonstrate that the project will be  
20.9 properly managed, provide updates to the project documentation as changes are proposed,  
20.10 and regularly report on the current status of the project on a schedule agreed to with the  
20.11 chief information officer. The chief information officer has the authority to define a project  
20.12 for the purposes of this chapter.

20.13 (d) The chief information officer shall monitor progress on any active information and  
20.14 telecommunications technology project with a total expected project cost of more than  
20.15 \$5,000,000 and report on the performance of the project in comparison with the plans for  
20.16 the project in terms of time, scope, and budget. The chief information officer may conduct  
20.17 an independent project audit of the project. The audit analysis and evaluation of the projects  
20.18 subject to paragraph (c) must be presented to agency executive sponsors, the project  
20.19 governance bodies, and the chief information officer. All reports and responses must become  
20.20 part of the project record.

20.21 (e) For any active information and telecommunications technology project with a total  
20.22 expected project cost of more than \$10,000,000, the state agency must perform an annual  
20.23 independent audit that conforms to published project audit principles ~~promulgated~~ adopted  
20.24 by the ~~office~~ department.

20.25 (f) The chief information officer shall report by January 15 of each year to the chairs  
20.26 and ranking minority members of the legislative committees and divisions with jurisdiction  
20.27 over the ~~office~~ department regarding projects the ~~office~~ department has reviewed under  
20.28 paragraph (a), clause ~~(13)~~ (10). The report must include the reasons for the determinations  
20.29 made in the review of each project and a description of its current status.

21.1 Sec. 3. Minnesota Statutes 2020, section 16E.016, is amended to read:

21.2 **16E.016 RESPONSIBILITY FOR INFORMATION TECHNOLOGY SERVICES**  
21.3 **AND EQUIPMENT.**

21.4 (a) The chief information officer is responsible for providing or entering into managed  
21.5 services contracts for the provision, improvement, and development of the following  
21.6 information technology systems and services to state agencies:

21.7 (1) state data centers;

21.8 (2) mainframes including system software;

21.9 (3) servers including system software;

21.10 (4) desktops including system software;

21.11 (5) laptop computers including system software;

21.12 (6) a data network including system software;

21.13 (7) database, electronic mail, office systems, reporting, and other standard software  
21.14 tools;

21.15 (8) business application software and related technical support services;

21.16 (9) help desk for the components listed in clauses (1) to (8);

21.17 (10) maintenance, problem resolution, and break-fix for the components listed in clauses  
21.18 (1) to (8);

21.19 (11) regular upgrades and replacement for the components listed in clauses (1) to (8);

21.20 and

21.21 (12) network-connected output devices.

21.22 (b) All state agency employees whose work primarily involves functions specified in  
21.23 paragraph (a) are employees of the ~~Office of MN.IT Services~~ Department of Information  
21.24 Technology Services. This includes employees who directly perform the functions in  
21.25 paragraph (a), as well as employees whose work primarily involves managing, supervising,  
21.26 or providing administrative services or support services to employees who directly perform  
21.27 these functions. The chief information officer may assign employees of the ~~office~~ department  
21.28 to perform work exclusively for another state agency.

21.29 (c) Subject to sections 16C.08 and 16C.09, the chief information officer may allow a  
21.30 state agency to obtain services specified in paragraph (a) through a contract with an outside  
21.31 vendor when the chief information officer and the agency head agree that a contract would

22.1 provide best value, as defined in section 16C.02, under the service-level agreement. The  
22.2 chief information officer must require that agency contracts with outside vendors ensure  
22.3 that systems and services are compatible with standards established by the ~~Office of MN.IT~~  
22.4 Department of Information Technology Services.

22.5 (d) The Minnesota State Retirement System, the Public Employees Retirement  
22.6 Association, the Teachers Retirement Association, the State Board of Investment, the  
22.7 Campaign Finance and Public Disclosure Board, the State Lottery, and the Statewide Radio  
22.8 Board are not state agencies for purposes of this section.

22.9 Sec. 4. Minnesota Statutes 2020, section 16E.02, is amended to read:

22.10 **16E.02 OFFICE OF MN.IT DEPARTMENT OF INFORMATION TECHNOLOGY**  
22.11 **SERVICES; STRUCTURE AND PERSONNEL.**

22.12 Subdivision 1. **Office Department management and structure.** (a) The chief  
22.13 information officer is appointed by the governor. The chief information officer serves in  
22.14 the unclassified service at the pleasure of the governor. The chief information officer must  
22.15 have experience leading enterprise-level information technology organizations. The chief  
22.16 information officer is the state's chief information officer and information and  
22.17 telecommunications technology ~~advisor~~ adviser to the governor.

22.18 (b) The chief information officer may appoint other employees of the ~~office~~ department.  
22.19 ~~The Staff of the office~~ department must include individuals knowledgeable in information  
22.20 and telecommunications technology systems and services and individuals with specialized  
22.21 training in information security and accessibility.

22.22 ~~(e) The chief information officer may appoint a webmaster responsible for the supervision~~  
22.23 ~~and development of state websites under the control of the office. The webmaster, if~~  
22.24 ~~appointed, shall ensure that these websites are maintained in an easily accessible format~~  
22.25 ~~that is consistent throughout state government and are consistent with the accessibility~~  
22.26 ~~standards developed under section 16E.03, subdivision 9. The webmaster, if appointed,~~  
22.27 ~~shall provide assistance and guidance consistent with the requirements of this paragraph to~~  
22.28 ~~other state agencies for the maintenance of other websites not under the direct control of~~  
22.29 ~~the office.~~

22.30 Subd. 1a. **Accountability.** The chief information officer reports to the governor. The  
22.31 chief information officer must consult regularly with ~~the~~ executive branch agency  
22.32 ~~commissioners of administration, management and budget, human services, revenue, and~~

23.1 ~~other commissioners as designated by the governor~~, on technology projects, standards, and  
23.2 services as well as management of resources and staff utilization.

23.3 Sec. 5. Minnesota Statutes 2020, section 16E.03, subdivision 1, is amended to read:

23.4 Subdivision 1. **Definitions.** (a) For the purposes of this chapter, the following terms  
23.5 have the meanings given them.

23.6 (b) "Information and telecommunications technology systems and services" means all  
23.7 computing and telecommunications hardware and software, the activities undertaken to  
23.8 secure that hardware and software, and the activities undertaken to acquire, transport, process,  
23.9 analyze, store, and disseminate information electronically. "Information and  
23.10 telecommunications technology systems and services" includes all proposed expenditures  
23.11 for computing and telecommunications hardware and software, security for that hardware  
23.12 and software, and related consulting or other professional services.

23.13 ~~(e) "Information and telecommunications technology project" means an effort to acquire~~  
23.14 ~~or produce information and telecommunications technology systems and services.~~

23.15 ~~(d)~~ (c) "Telecommunications" means voice, video, and data electronic transmissions  
23.16 transported by wire, wireless, fiber-optic, radio, or other available transport technology.

23.17 ~~(e)~~ (d) "Cyber security" means the protection of data and systems in networks connected  
23.18 to the Internet.

23.19 ~~(f)~~ (e) "State agency" means an agency in the executive branch of state government and  
23.20 includes the Minnesota Office of Higher Education, but does not include the Minnesota  
23.21 State Colleges and Universities unless specifically provided elsewhere in this chapter.

23.22 ~~(g)~~ (f) "Total expected project cost" includes direct staff costs, all supplemental contract  
23.23 staff and vendor costs, and costs of hardware and software development or purchase.  
23.24 Breaking a project into several phases does not affect the cost threshold, which must be  
23.25 computed based on the full cost of all phases.

23.26 ~~(h)~~ (g) "Cloud computing" has the meaning described by the National Institute of  
23.27 Standards and Technology of the United States Department of Commerce in special  
23.28 publication 800-145, September 2011.

23.29 Sec. 6. Minnesota Statutes 2020, section 16E.03, subdivision 2, is amended to read:

23.30 Subd. 2. **Chief information officer's responsibility.** The chief information officer shall:

24.1 (1) design a master plan for information and telecommunications technology systems  
24.2 and services in the state ~~and its political subdivisions~~ and shall report on the plan to the  
24.3 governor and legislature at the beginning of each regular session;

24.4 (2) coordinate, review, and approve all information and telecommunications technology  
24.5 projects and oversee the state's information and telecommunications technology systems  
24.6 and services;

24.7 (3) establish and enforce compliance with standards for information and  
24.8 telecommunications technology systems and services that are cost-effective and support  
24.9 open systems environments and that are compatible with state, national, and international  
24.10 standards, including accessibility standards;

24.11 (4) maintain a library of systems and programs developed by the state ~~and its political~~  
24.12 ~~subdivisions~~ for use by agencies of government;

24.13 (5) direct and manage the shared operations of the state's information and  
24.14 telecommunications technology systems and services; and

24.15 (6) establish and enforce standards and ensure acquisition of hardware and software  
24.16 necessary to protect data and systems in state agency networks connected to the Internet.

24.17 Sec. 7. Minnesota Statutes 2020, section 16E.03, subdivision 3, is amended to read:

24.18 Subd. 3. **Evaluation and approval.** A state agency may not undertake an information  
24.19 and telecommunications technology project until it has been evaluated according to the  
24.20 procedures developed under subdivision 4. The chief information officer or delegate shall  
24.21 give written approval of the proposed project. ~~When notified by the chief information officer~~  
24.22 ~~that a project has not been approved, the commissioner of management and budget shall~~  
24.23 ~~cancel the unencumbered balance of any appropriation allotted for the project.~~

24.24 Sec. 8. Minnesota Statutes 2020, section 16E.03, subdivision 6, is amended to read:

24.25 Subd. 6. **System development methods.** The chief information officer shall establish  
24.26 and, as necessary, update and modify methods for developing information and  
24.27 communications systems appropriate to the specific needs of individual state agencies. The  
24.28 development methods shall be used to define the design, programming, and implementation  
24.29 of systems. ~~The development methods must also enable and require a data processing system~~  
24.30 ~~to be defined in terms of its computer programs, input requirements, output formats,~~  
24.31 ~~administrative procedures, and processing frequencies.~~

25.1 Sec. 9. Minnesota Statutes 2020, section 16E.036, is amended to read:

25.2 **16E.036 ADVISORY COMMITTEE COUNCIL.**

25.3 (a) The Technology Advisory ~~Committee~~ Council is created to advise the governor,  
25.4 executive branch, and the state chief information officer. The ~~committee consists of~~ council  
25.5 shall consist of 15 voting members. The governor shall appoint six members ~~appointed by~~  
25.6 ~~the governor~~ who are individuals actively involved in business planning for state executive  
25.7 branch agencies, one county member designated by the Association of Minnesota Counties,  
25.8 one member appointed by the governor as a representative of a union that represents state  
25.9 information technology employees, and one member appointed by the governor to represent  
25.10 private businesses. The governor shall also select six additional members with private-sector  
25.11 or public-sector IT experience or experience in academia pertaining to IT. The council shall  
25.12 have the following four ex-officio nonvoting members:

25.13 (1) a member of the house of representatives selected by the speaker of the house;

25.14 (2) a member of the house of representatives selected by the minority leader of the house  
25.15 of representatives;

25.16 (3) a member of the senate selected by the majority leader of the senate; and

25.17 (4) a member of the senate selected by the minority leader of the senate.

25.18 The governor shall designate one of the 15 voting members to serve as the council's chair.

25.19 (b) Membership terms, removal of members, and filling of vacancies are as provided in  
25.20 section 15.059. Members do not receive compensation or reimbursement for expenses.

25.21 (c) The ~~committee shall select a chair from its members.~~ The chief information officer  
25.22 shall provide administrative support to the ~~committee~~ council.

25.23 (d) The ~~committee~~ council shall advise the chief information officer on:

25.24 (1) development and implementation of the state information technology strategic plan;

25.25 (2) critical information technology initiatives for the state;

25.26 (3) standards for state information architecture;

25.27 (4) identification of business and technical needs of state agencies;

25.28 (5) strategic information technology portfolio management, project prioritization, and  
25.29 investment decisions;

25.30 (6) the ~~office's~~ department's performance measures and fees for service agreements with  
25.31 executive branch agencies;

26.1 (7) management of the state MN.IT services revolving fund; and

26.2 (8) the efficient and effective operation of the ~~office~~ department.

26.3 Sec. 10. Minnesota Statutes 2020, section 16E.04, subdivision 3, is amended to read:

26.4 Subd. 3. **Risk assessment and mitigation.** (a) A risk assessment and risk mitigation  
26.5 plan are required for all information systems development projects undertaken by a state  
26.6 agency in the executive or judicial branch or by a constitutional officer. The chief information  
26.7 officer must contract with an entity outside of state government to conduct the initial  
26.8 assessment and prepare the mitigation plan for a project estimated to cost more than  
26.9 \$5,000,000. The outside entity conducting the risk assessment and preparing the mitigation  
26.10 plan must not have any other direct or indirect financial interest in the project. The risk  
26.11 assessment and risk mitigation plan must provide for periodic monitoring by the  
26.12 commissioner until the project is completed.

26.13 (b) The risk assessment and risk mitigation plan must be paid for with money appropriated  
26.14 for the information and telecommunications technology project. ~~The chief information~~  
26.15 ~~officer must notify the commissioner of management and budget when work has begun on~~  
26.16 ~~a project and must identify the proposed budget for the project. The commissioner of~~  
26.17 ~~management and budget shall ensure that no more than ten percent of the proposed budget~~  
26.18 ~~be spent on the project, other than the money spent on the risk assessment and risk mitigation~~  
26.19 ~~plan, is spent until the risk assessment and mitigation plan are reported to the chief~~  
26.20 ~~information officer and the chief information officer has approved the risk mitigation plan.~~

26.21 Sec. 11. Minnesota Statutes 2020, section 16E.0465, subdivision 2, is amended to read:

26.22 Subd. 2. **Required review and approval.** (a) A state agency receiving an appropriation  
26.23 for an information and telecommunications technology project subject to this section must  
26.24 divide the project into phases.

26.25 (b) ~~The commissioner of management and budget may not authorize the~~ An encumbrance  
26.26 ~~or expenditure of an appropriation of state funds to a state agency~~ may not be made for any  
26.27 phase of a state agency information and telecommunications technology project, device, or  
26.28 ~~system~~ subject to this section unless the ~~Office of MN.IT~~ Department of Information  
26.29 Technology Services has reviewed each phase of the project, ~~device, or system,~~ and based  
26.30 on this review, the chief information officer has determined for each phase that:

26.31 (1) the project is compatible with the state information architecture and other policies  
26.32 and standards established by the chief information officer;

27.1 (2) the agency is able to accomplish the goals of the phase of the project with the funds  
27.2 appropriated; and

27.3 (3) the project supports the enterprise information technology strategy.

27.4 Sec. 12. Minnesota Statutes 2020, section 16E.05, subdivision 1, is amended to read:

27.5 Subdivision 1. **Duties.** The ~~office~~ department, in consultation with interested persons,  
27.6 shall:

27.7 ~~(1) coordinate statewide efforts by units of state and local government to plan for and~~  
27.8 ~~develop a system for providing access to government services; and~~

27.9 ~~(2)~~ explore ways and means to improve citizen and business access to public services,  
27.10 including implementation of technological improvements.

27.11 Sec. 13. Minnesota Statutes 2020, section 16E.07, subdivision 12, is amended to read:

27.12 Subd. 12. **Private entity services; fee authority.** (a) The ~~office~~ department may enter  
27.13 into a contract with a private entity to manage, maintain, support, and expand North Star  
27.14 and online government information services to citizens and businesses.

27.15 (b) A contract established under paragraph (a) may provide for compensation of the  
27.16 private entity through a fee established under paragraph (c).

27.17 (c) The ~~office~~ department, subject to the approval of the agency or ~~office~~ department  
27.18 responsible for the data or services involved in the transaction, may charge and may authorize  
27.19 a private entity that enters into a contract under paragraph (a) to charge a convenience fee  
27.20 for users of North Star and online government information services up to a total of \$2 per  
27.21 transaction, provided that no fee shall be charged for viewing or inspecting data. ~~The office~~  
27.22 ~~shall consider the recommendation of the E-Government Advisory Council under section~~  
27.23 ~~16E.071 in setting the convenience fee.~~ A fee established under this paragraph is in addition  
27.24 to any fees or surcharges authorized under other law.

27.25 (d) Receipts from the convenience fee shall be deposited in the North Star account  
27.26 established in subdivision 7. Notwithstanding section 16A.1285, subdivision 2, receipts  
27.27 credited to the account are appropriated to the ~~office~~ department for payment to the contracted  
27.28 private entity under paragraph (a). In lieu of depositing the receipts in the North Star account,  
27.29 the ~~office~~ department can directly transfer the receipts to the private entity or allow the  
27.30 private entity to retain the receipts pursuant to a contract established under this subdivision.

28.1 (e) The ~~office~~ department shall report to the chairs and ranking minority members of  
28.2 the house of representatives and senate committees with jurisdiction over state government  
28.3 finance by January 15 of each odd-numbered year regarding the convenience fee receipts  
28.4 and the status of North Star projects and online government information services developed  
28.5 and supported by convenience fee receipts.

28.6 Sec. 14. Minnesota Statutes 2020, section 16E.21, subdivision 2, is amended to read:

28.7 Subd. 2. **Charges.** (a) Upon agreement of the participating agency, the ~~Office of MN.IT~~  
28.8 Department of Information Technology Services may collect a charge or receive a fund  
28.9 transfer under section 16E.0466 for purchases of information and telecommunications  
28.10 technology systems and services by state agencies and other governmental entities through  
28.11 state contracts for purposes described in subdivision 1. Charges collected under this section  
28.12 must be credited to the information and telecommunications technology systems and services  
28.13 account.

28.14 (b) Notwithstanding section 16A.28, subdivision 3, any unexpended operating balance  
28.15 appropriated to a state agency may be transferred to the information and telecommunications  
28.16 technology systems and services account for the information technology cost of a specific  
28.17 project, subject to the review of the Legislative Advisory Commission under subdivision  
28.18 3.

28.19 Sec. 15. Minnesota Statutes 2020, section 97A.057, subdivision 1, is amended to read:

28.20 Subdivision 1. **Compliance with federal law.** The commissioner shall take any action  
28.21 necessary to comply with the Federal Aid in Wildlife Restoration Act, United States Code,  
28.22 title 16, sections 669 to 669i, and the Federal Aid in Fish Restoration Act, United States  
28.23 Code, title 16, sections 777 to 777k. ~~Notwithstanding section 16E.145 or any other law to~~  
28.24 ~~the contrary,~~ an appropriation for an information or telecommunications technology project  
28.25 from the game and fish fund, as established in section 97A.055, must be made to the  
28.26 commissioner. Any assets acquired with or expenditures made from the game and fish fund  
28.27 must remain under control of the commissioner.

28.28 Sec. 16. **REVISOR INSTRUCTION.**

28.29 The revisor of statutes shall change "Office of MN.IT Services" or similar terms to  
28.30 "Department of Information Technology Services" wherever it appears in Minnesota Statutes.

29.1 Sec. 17. **REPEALER.**

29.2 Minnesota Statutes 2020, sections 16E.0466, subdivision 1; 16E.05, subdivision 3;  
29.3 16E.071; and 16E.145, are repealed.

29.4 **ARTICLE 3**  
29.5 **ELECTIONS**

29.6 Section 1. Minnesota Statutes 2020, section 203B.01, subdivision 3, is amended to read:

29.7 Subd. 3. **Military.** "Military" means the Army, Navy, Air Force, Marine Corps, Coast  
29.8 Guard or Merchant Marine of the United States, all other uniformed services as defined in  
29.9 United States Code, title 52, section 20310, and military forces as defined by section 190.05,  
29.10 subdivision 3, or any eligible citizen of Minnesota enrolled as a student at the United States  
29.11 Naval Academy, the United States Coast Guard Academy, the United States Merchant  
29.12 Marine Academy, the United States Air Force Academy, or the United States Military  
29.13 Academy.

29.14 Sec. 2. Minnesota Statutes 2020, section 203B.04, subdivision 1, is amended to read:

29.15 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision  
29.16 2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election  
29.17 may be submitted at any time not less than one day before the day of that election. The  
29.18 county auditor shall prepare absentee ballot application forms in the format provided by the  
29.19 secretary of state and shall furnish them to any person on request. By January 1 of each  
29.20 even-numbered year, the secretary of state shall make the forms to be used available to  
29.21 auditors through electronic means. An application submitted pursuant to this subdivision  
29.22 shall be in writing. An application may be submitted in person, by electronic facsimile  
29.23 device, by electronic mail, or by mail to:

29.24 (1) the county auditor of the county where the applicant maintains residence; or

29.25 (2) the municipal clerk of the municipality, or school district if applicable, where the  
29.26 applicant maintains residence.

29.27 For a federal, state, or county election, an absentee ballot application may alternatively be  
29.28 submitted electronically through a secure website that shall be maintained by the secretary  
29.29 of state for this purpose. Notwithstanding paragraph (b), the secretary of state must require  
29.30 applicants using the website to submit the applicant's e-mail address and verifiable Minnesota  
29.31 driver's license number, Minnesota state identification card number, or the last four digits  
29.32 of the applicant's Social Security number.

30.1 An application submitted electronically under this paragraph may only be transmitted to  
30.2 the county auditor for processing if the secretary of state has verified the application  
30.3 information matches the information in a government database associated with the applicant's  
30.4 driver's license number, state identification card number, or Social Security number. The  
30.5 secretary of state must review all unverifiable applications for evidence of suspicious activity  
30.6 and must forward any such application to an appropriate law enforcement agency for  
30.7 investigation.

30.8 (b) An application shall be approved if it is timely received, signed and dated by the  
30.9 applicant, contains the applicant's name and residence and mailing addresses, date of birth,  
30.10 and at least one of the following:

30.11 (1) the applicant's Minnesota driver's license number;

30.12 (2) Minnesota state identification card number;

30.13 (3) the last four digits of the applicant's Social Security number; or

30.14 (4) a statement that the applicant does not have any of these numbers.

30.15 (c) To be approved, the application must contain an oath that the information contained  
30.16 on the form is accurate, that the applicant is applying on the applicant's own behalf, and  
30.17 that the applicant is signing the form under penalty of perjury.

30.18 (d) An applicant's full date of birth, Minnesota driver's license or state identification  
30.19 number, and the last four digits of the applicant's Social Security number must not be made  
30.20 available for public inspection. An application may be submitted to the county auditor or  
30.21 municipal clerk by an electronic facsimile device. An application mailed or returned in  
30.22 person to the county auditor or municipal clerk on behalf of a voter by a person other than  
30.23 the voter must be deposited in the mail or returned in person to the county auditor or  
30.24 municipal clerk within ten days after it has been dated by the voter and no later than six  
30.25 days before the election. The absentee ballot applications or a list of persons applying for  
30.26 an absentee ballot may not be made available for public inspection until the close of voting  
30.27 on election day, except as authorized in section 203B.12, and must be available to the public  
30.28 in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

30.29 (e) An application under this subdivision may contain an application under subdivision  
30.30 5 to automatically receive an absentee ballot application.

31.1 Sec. 3. Minnesota Statutes 2020, section 203B.12, subdivision 7, is amended to read:

31.2 Subd. 7. **Names of persons; rejected absentee ballots.** (a) The names of voters who  
31.3 have submitted an absentee ballot to the county auditor or municipal clerk that has not been  
31.4 accepted may not be made available for public inspection until the close of voting on election  
31.5 day.

31.6 (b) After the close of voting on election day, the lists must be available to the public in  
31.7 the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

31.8 Sec. 4. Minnesota Statutes 2020, section 203B.121, subdivision 2, is amended to read:

31.9 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board  
31.10 shall take possession of all ~~return~~ signature envelopes delivered to them in accordance with  
31.11 section 203B.08. Upon receipt from the county auditor, municipal clerk, or school district  
31.12 clerk, two or more members of the ballot board shall examine each ~~return~~ signature envelope  
31.13 and shall mark it accepted or rejected in the manner provided in this subdivision. Election  
31.14 judges performing the duties in this section must be of different major political parties,  
31.15 unless they are exempt from that requirement under section 205.075, subdivision 4, or  
31.16 section 205A.10, subdivision 2.

31.17 (b) The members of the ballot board shall mark the ~~return~~ signature envelope "Accepted"  
31.18 and initial or sign the ~~return~~ signature envelope below the word "Accepted" if a majority  
31.19 of the members of the ballot board examining the envelope are satisfied that:

31.20 (1) the voter's name and address on the ~~return~~ signature envelope are the same as the  
31.21 information provided on the absentee ballot application;

31.22 (2) the voter signed the certification on the envelope;

31.23 (3) the voter's Minnesota driver's license, state identification number, or the last four  
31.24 digits of the voter's Social Security number are the same as a number on the voter's absentee  
31.25 ballot application or voter record. If the number does not match, the election judges must  
31.26 compare the signature provided by the applicant to determine whether the ballots were  
31.27 returned by the same person to whom they were transmitted;

31.28 (4) the voter is registered and eligible to vote in the precinct or has included a properly  
31.29 completed voter registration application in the ~~return~~ signature envelope;

31.30 (5) the certificate has been completed as prescribed in the directions for casting an  
31.31 absentee ballot; and

32.1 (6) the voter has not already voted at that election, either in person or, if it is after the  
32.2 close of business on the seventh day before the election, by absentee ballot.

32.3 The ~~return~~ signature envelope from accepted ballots must be preserved and returned to  
32.4 the county auditor.

32.5 (c)(1) If a majority of the members of the ballot board examining a ~~return~~ signature  
32.6 envelope find that an absentee voter has failed to meet one of the requirements provided in  
32.7 paragraph (b), they shall mark the ~~return~~ signature envelope "Rejected," initial or sign it  
32.8 below the word "Rejected," list the reason for the rejection on the envelope, and return it  
32.9 to the county auditor. There is no other reason for rejecting an absentee ballot beyond those  
32.10 permitted by this section. Failure to place the ballot within the ~~security~~ secrecy envelope  
32.11 before placing it in the outer white envelope is not a reason to reject an absentee ballot.

32.12 (2) If an envelope has been rejected at least five days before the election, the envelope  
32.13 must remain sealed and the official in charge of the ballot board shall provide the voter with  
32.14 a replacement absentee ballot and ~~return~~ signature envelope in place of the rejected ballot.

32.15 (3) If an envelope is rejected within five days of the election, the envelope must remain  
32.16 sealed and the official in charge of the ballot board must attempt to contact the voter by  
32.17 telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official  
32.18 must document the attempts made to contact the voter.

32.19 (d) The official in charge of the absentee ballot board must mail the voter a written notice  
32.20 of absentee ballot rejection between six and ten weeks following the election. If the official  
32.21 determines that the voter has otherwise cast a ballot in the election, no notice is required.  
32.22 If an absentee ballot arrives after the deadline for submission provided by this chapter, the  
32.23 notice must be provided between six to ten weeks after receipt of the ballot. A notice of  
32.24 absentee ballot rejection must contain the following information:

32.25 (1) the date on which the absentee ballot was rejected or, if the ballot was received after  
32.26 the required deadline for submission, the date on which the ballot was received;

32.27 (2) the reason for rejection; and

32.28 (3) the name of the appropriate election official to whom the voter may direct further  
32.29 questions, along with appropriate contact information.

32.30 (e) An absentee ballot ~~return~~ signature envelope marked "Rejected" may not be opened  
32.31 or subject to further review except in an election contest filed pursuant to chapter 209.

33.1 Sec. 5. Minnesota Statutes 2020, section 203B.121, subdivision 4, is amended to read:

33.2 Subd. 4. **Opening of envelopes.** After the close of business on the seventh day before  
33.3 the election, the ballots from ~~return~~ secrecy envelopes within the signature envelopes marked  
33.4 "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86,  
33.5 subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate  
33.6 ballot box. If more than one voted ballot is enclosed in the ballot envelope, the ballots must  
33.7 be returned in the manner provided by section 204C.25 for return of spoiled ballots, and  
33.8 may not be counted.

33.9 Sec. 6. Minnesota Statutes 2020, section 203B.24, subdivision 1, is amended to read:

33.10 Subdivision 1. **Check of voter eligibility; proper execution of certificate.** Upon receipt  
33.11 of an absentee ballot returned as provided in sections 203B.16 to 203B.27, the election  
33.12 judges shall compare the voter's name with the names recorded under section 203B.19 in  
33.13 the statewide registration system to insure that the ballot is from a voter eligible to cast an  
33.14 absentee ballot under sections 203B.16 to 203B.27. The election judges shall mark the ~~return~~  
33.15 signature envelope "Accepted" and initial or sign the ~~return~~ signature envelope below the  
33.16 word "Accepted" if the election judges are satisfied that:

33.17 (1) the voter's name and address on the ~~return~~ signature envelope appears in substantially  
33.18 the same form as on the application records provided to the election judges by the county  
33.19 auditor;

33.20 (2) the voter has signed the federal oath prescribed pursuant to section 705(b)(2) of the  
33.21 Help America Vote Act, Public Law 107-252;

33.22 (3) the voter has set forth the same voter's passport number, or Minnesota driver's license  
33.23 or state identification card number, or the last four digits of the voter's Social Security  
33.24 number as submitted on the application, if the voter has one of these documents;

33.25 (4) the voter is not known to have died; and

33.26 (5) the voter has not already voted at that election, either in person or by absentee ballot.

33.27 If the identification number described in clause (3) does not match the number as  
33.28 submitted on the application, the election judges must make a reasonable effort to satisfy  
33.29 themselves through other information provided by the applicant, or by an individual  
33.30 authorized to apply on behalf of the voter, that the ballots were returned by the same person  
33.31 to whom the ballots were transmitted.

34.1 An absentee ballot cast pursuant to sections 203B.16 to 203B.27 may only be rejected  
34.2 for the lack of one of clauses (1) to (5). In particular, failure to place the ballot within the  
34.3 ~~security~~ secrecy envelope before placing it in the outer white envelope is not a reason to  
34.4 reject an absentee ballot.

34.5 Election judges must note the reason for rejection on the back of the envelope in the  
34.6 space provided for that purpose.

34.7 Failure to return unused ballots shall not invalidate a marked ballot, but a ballot shall  
34.8 not be counted if the certificate on the return envelope is not properly executed. In all other  
34.9 respects the provisions of the Minnesota Election Law governing deposit and counting of  
34.10 ballots shall apply. Notwithstanding other provisions of this section, the counting of the  
34.11 absentee ballot of a deceased voter does not invalidate the election.

34.12 Sec. 7. Minnesota Statutes 2020, section 204B.09, subdivision 3, is amended to read:

34.13 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who  
34.14 wants write-in votes for the candidate to be counted must file a written request with the  
34.15 filing office for the office sought not more than 84 days before the primary and no later  
34.16 than the seventh day before the general election. The filing officer shall provide copies of  
34.17 the form to make the request. ~~No~~ The filing officer shall not accept a written request shall  
34.18 ~~be accepted~~ later than 5:00 p.m. on the last day for filing a written request.

34.19 (b) A candidate for president of the United States who files a request under this  
34.20 subdivision must ~~include the name of a candidate for vice president of the United States.~~  
34.21 file jointly with another individual seeking nomination as a candidate for vice president of  
34.22 the United States. A candidate for vice president of the United States who files a request  
34.23 under this subdivision must file jointly with another individual seeking nomination as a  
34.24 candidate for president of the United States. The request must also include the name of at  
34.25 least one candidate for presidential elector. The total number of names of candidates for  
34.26 presidential elector on the request may not exceed the total number of electoral votes to be  
34.27 cast by Minnesota in the presidential election.

34.28 (c) A candidate for governor who files a request under this subdivision must ~~include the~~  
34.29 ~~name of a candidate for lieutenant governor.~~ file jointly with another individual seeking  
34.30 nomination as a candidate for lieutenant governor. A candidate for lieutenant governor who  
34.31 files a request under this subdivision must file jointly with another individual seeking  
34.32 nomination as a candidate for governor.

35.1 Sec. 8. Minnesota Statutes 2020, section 204B.36, subdivision 2, is amended to read:

35.2 Subd. 2. **Candidates and offices.** The name of each candidate shall be printed at a right  
35.3 angle to the length of the ballot. At a general election the name of the political party or the  
35.4 political principle of each candidate for partisan office shall be printed above or below the  
35.5 name of the candidate. The name of a political party or a political principle shall be printed  
35.6 in capital and lowercase letters of the same type, with the capital letters at least one-half the  
35.7 height of the capital letters used for names of the candidates. At a general or special election,  
35.8 blank lines containing the words "write-in, if any" shall be printed below the name of the  
35.9 last candidate for each office, or below the title of the office if no candidate has filed for  
35.10 that office, so that a voter may write in the names of individuals whose names are not on  
35.11 the ballot. One blank line shall be printed for each officer of that kind to be elected. At a  
35.12 primary election, no blank lines shall be provided for writing in the names of individuals  
35.13 whose names do not appear on the primary ballot.

35.14 On the left side of the ballot at the same level with the name of each candidate and each  
35.15 blank line shall be printed an oval or similar target shape in which the voter may designate  
35.16 a vote by filling in the oval or similar mark if a different target shape is used. Each oval or  
35.17 target shape shall be the same size. Above the first name on each ballot shall be instructions  
35.18 for voting. Directly underneath the official title of each office shall be printed the words  
35.19 "Vote for one" or "Vote for up to ..." (any greater number to be elected).

35.20 Sec. 9. Minnesota Statutes 2020, section 204C.05, subdivision 1a, is amended to read:

35.21 Subd. 1a. **Elections; organized town.** The governing body of a town with less than 500  
35.22 inhabitants according to the most recent federal decennial census, which is located outside  
35.23 the metropolitan area as defined in section 200.02, subdivision 24, may fix a later time for  
35.24 voting to begin at state primary, special, or general elections, if approved by a vote of the  
35.25 town electors at the annual town meeting. The question of shorter voting hours must be  
35.26 included in the notice of the annual town meeting before the question may be submitted to  
35.27 the electors at the meeting. The later time may not be later than 10:00 a.m. for special,  
35.28 primary, or general elections. The town clerk shall either post or publish notice of the  
35.29 changed hours and notify the county auditor and the secretary of state of the change 30 days  
35.30 before the election.

35.31 Sec. 10. Minnesota Statutes 2020, section 204C.05, subdivision 1b, is amended to read:

35.32 Subd. 1b. **Elections; unorganized territory.** An unorganized territory or unorganized  
35.33 territories which constitute a voting district may have shorter voting hours if at least 20

36.1 percent of the registered voters residing in the voting district sign a petition for shorter hours  
36.2 and present it to the county auditor and secretary of state at least 30 days before the election.  
36.3 The later time may not be later than 10:00 a.m. for special, primary, or general elections.  
36.4 The county auditor shall either post or publish notice of the changed hours, within the voting  
36.5 district, 30 days before the election.

36.6 Sec. 11. Minnesota Statutes 2020, section 204C.21, subdivision 1, is amended to read:

36.7 Subdivision 1. **Method.** The election judges shall take all the ballots of the same kind  
36.8 and count the votes cast for each office or question, beginning with the first office or question  
36.9 on the ballot. They shall make one pile of the ballots for each candidate who received votes  
36.10 for that office, or one pile for the "Yes" votes and one pile for the "No" votes on a question.  
36.11 They shall make a pile of totally defective ballots and a pile of totally blank ballots. They  
36.12 shall make a pile of ballots that are not totally defective but are defective with respect to  
36.13 the office or question being counted and a pile of ballots that are not totally blank but are  
36.14 blank with respect to the office or question being counted. After the separation into piles,  
36.15 the election judges shall examine each pile and remove and place in the proper pile any  
36.16 ballots that are found in the wrong pile. The election judges shall count the totally blank  
36.17 and totally defective ballots and set them aside until the counting is over for that ballot. In  
36.18 conducting the count of blank ballots, election judges may presume that the total count  
36.19 provided for sealed prepackaged ballots is correct. The election judges may pile ballots  
36.20 crosswise in groups of 25 in the same pile to facilitate counting. When their counts agree,  
36.21 the election judges shall announce the number of ballots in each pile, and shall write the  
36.22 number in the proper place on the summary statements.

36.23 The election judges shall then return all the counted ballots, and all the partially defective  
36.24 or partially blank ballots, to the original pile to be separated and counted in the same manner  
36.25 for the next office or question.

36.26 Sec. 12. Minnesota Statutes 2020, section 204C.27, is amended to read:

36.27 **204C.27 DELIVERY OF RETURNS TO COUNTY AUDITORS.**

36.28 One or more of the election judges in each precinct shall deliver ~~two sets~~ one set of  
36.29 summary statements; all spoiled ballots; and the envelopes containing the ballots either  
36.30 directly to the municipal clerk for transmittal to the county auditor's office or directly to the  
36.31 county auditor's office as soon as possible after the vote counting is completed but no later  
36.32 than 24 hours after the end of the hours for voting. One or more election judges shall deliver  
36.33 the remaining set of summary statements and returns, all unused and spoiled municipal and

37.1 school district ballots, the envelopes containing municipal and school district ballots, and  
37.2 all other things furnished by the municipal or school district clerk, to the municipal or school  
37.3 district clerk's office within 24 hours after the end of the hours for voting. The municipal  
37.4 or school district clerk shall return all polling place rosters and completed voter registration  
37.5 cards to the county auditor within 48 hours after the end of the hours for voting.

37.6 Sec. 13. Minnesota Statutes 2020, section 204C.36, subdivision 1, is amended to read:

37.7 Subdivision 1. **Publicly funded recounts.** (a) Except as provided in paragraphs (b) and  
37.8 (c), a losing candidate for nomination or election to a county, municipal, or school district  
37.9 office may request a recount of the votes cast for the nomination or election to that office  
37.10 if the difference between the vote cast for that candidate and for a winning candidate for  
37.11 nomination or election is less than one-quarter of one percent of the total votes counted for  
37.12 that office. In case of offices where two or more seats are being filled from among all the  
37.13 candidates for the office, the one-quarter of one percent difference is between the elected  
37.14 candidate with the fewest votes and the candidate with the most votes from among the  
37.15 candidates who were not elected.

37.16 (b) A losing candidate for nomination or election to a county, municipal, or school  
37.17 district office may request a recount of the votes cast for nomination or election to that  
37.18 office if the difference between the votes cast for that candidate and for a winning candidate  
37.19 for nomination or election is less than one-half of one percent, and the total number of votes  
37.20 cast for the nomination or election of all candidates is more than 400 but less than 50,000.  
37.21 In cases of offices where two or more seats are being filled from among all the candidates  
37.22 for the office, the one-half of one percent difference is between the elected candidate with  
37.23 the fewest votes and the candidate with the most votes from among the candidates who  
37.24 were not elected.

37.25 (c) A losing candidate for nomination or election to a county, municipal, or school district  
37.26 office may request a recount of the votes cast for nomination or election to that office if the  
37.27 difference between the vote cast for that candidate and for a winning candidate for nomination  
37.28 or election is ten votes or less, and the total number of votes cast for the nomination or  
37.29 election of all candidates is no more than 400. In cases of offices where two or more seats  
37.30 are being filled from among all the candidates for the office, the ten vote difference is  
37.31 between the elected candidate with the fewest votes and the candidate with the most votes  
37.32 from among the candidates who were not elected.

37.33 (d) Candidates for county offices shall file a written request for the recount with the  
37.34 county auditor. Candidates for municipal or school district offices shall file a written request

38.1 with the municipal or school district clerk as appropriate. All requests under this paragraph  
38.2 shall be filed ~~by~~ between the close of the canvass of a primary or special primary and 5:00  
38.3 p.m. on the fifth day after the canvass of a primary or special primary or ~~by~~ between the  
38.4 close of the canvass of a special or general election and 5:00 p.m. on the seventh day of the  
38.5 canvass of a special or general election for which a recount is sought.

38.6 (e) Upon receipt of a request made pursuant to this section, the county auditor shall  
38.7 recount the votes for a county office at the expense of the county, the governing body of  
38.8 the municipality shall recount the votes for a municipal office at the expense of the  
38.9 municipality, and the school board of the school district shall recount the votes for a school  
38.10 district office at the expense of the school district.

38.11 Sec. 14. Minnesota Statutes 2020, section 204D.08, subdivision 4, is amended to read:

38.12 Subd. 4. **State partisan primary ballot; party columns.** The state partisan primary  
38.13 ballot shall be headed by the words "State Partisan Primary Ballot." The ballot shall be  
38.14 printed on white paper. There must be at least three vertical columns on the ballot and each  
38.15 major political party shall have a separate column headed by the words "..... Party,"  
38.16 giving the party name. Above the party names, the following statement shall be printed.

38.17 "Minnesota Election Law permits you to vote for the candidates of only one political  
38.18 party in a state partisan primary election."

38.19 If there are only two major political parties to be listed on the ballot, one party must  
38.20 occupy the left-hand column, the other party must occupy the right-hand column, and the  
38.21 center column must contain the following statement:

38.22 "Do not vote for candidates of more than one party."

38.23 The names of the candidates seeking the nomination of each major political party shall  
38.24 be listed in that party's column. If only one individual files an affidavit of candidacy seeking  
38.25 the nomination of a major political party for an office, the name of that individual shall be  
38.26 placed on the state partisan primary ballot at the appropriate location in that party's column.

38.27 In each column, the candidates for senator in Congress shall be listed first, candidates  
38.28 for representative in Congress second, candidates for state senator third, candidates for state  
38.29 representative fourth and then candidates for state office in the order specified by the secretary  
38.30 of state. Vacant offices being filled by special election must be listed with other offices of  
38.31 that type, but after any office of that type for which a candidate will be elected for a full  
38.32 term.

39.1 The party columns shall be substantially the same in width, type, and appearance. The  
39.2 columns shall be separated by a 12-point solid line.

39.3 Sec. 15. Minnesota Statutes 2020, section 204D.13, subdivision 1, is amended to read:

39.4 Subdivision 1. **Order of offices.** The candidates for partisan offices shall be placed on  
39.5 the state general election ballot in the following order: senator in Congress shall be first;  
39.6 representative in Congress, second; state senator, third; and state representative, fourth. The  
39.7 candidates for state offices shall follow in the order specified by the secretary of state.  
39.8 Candidates for governor and lieutenant governor shall appear so that a single vote may be  
39.9 cast for both offices. Vacant offices being filled by special election must be listed with other  
39.10 offices of that type, but after any office of that type for which a candidate will be elected  
39.11 for a full term.

39.12 Sec. 16. Minnesota Statutes 2020, section 204D.195, is amended to read:

39.13 **204D.195 DATE OF SPECIAL ELECTION; CERTAIN TIMES PROHIBITED.**

39.14 Notwithstanding any other provision of law, a special primary and special general election  
39.15 may not be held:

39.16 (1) for a period beginning the day following the date of the state primary election and  
39.17 ending the day prior to the date of the state general election; or

39.18 (2) on a holiday, or during the four days before or after a holiday, as defined in section  
39.19 645.44, subdivision 5.

39.20 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
39.21 applies to special elections occurring on or after that date.

39.22 Sec. 17. Minnesota Statutes 2020, section 204D.27, subdivision 5, is amended to read:

39.23 Subd. 5. **Canvass; special primary; state canvassing board; contest.** Not later than  
39.24 four days after the returns of the county canvassing boards are certified to the secretary of  
39.25 state, the State Canvassing Board shall complete its canvass of the special primary. The  
39.26 secretary of state shall then promptly certify to the county auditors the names of the  
39.27 nominated individuals, prepare notices of nomination, and notify each nominee of the  
39.28 nomination. In case of a contest of a special primary for state senator or state representative,  
39.29 the notice of contest must be filed within two days, excluding Sundays and legal holidays,  
39.30 after the canvass is completed, and the contest shall otherwise proceed in the manner provided  
39.31 by law for contesting elections.

40.1 Sec. 18. Minnesota Statutes 2020, section 204D.28, subdivision 9, is amended to read:

40.2 Subd. 9. **Filing by candidates.** The time for filing of affidavits and nominating petitions  
40.3 for candidates to fill a vacancy at a special election shall open 12 weeks before the special  
40.4 primary or on the day the secretary of state issues notice of the special election, whichever  
40.5 occurs later. Filings shall close ten weeks before the special primary. A candidate filing for  
40.6 the office of United States senator to fill a vacancy at a special election when both offices  
40.7 of United States senator are required to be placed on the same ballot must specify on the  
40.8 affidavit of candidacy the expiration date of the term of the office that the candidate is  
40.9 seeking.

40.10 Sec. 19. Minnesota Statutes 2020, section 204D.28, subdivision 10, is amended to read:

40.11 Subd. 10. **United States senator; candidates; designation of term.** When the names  
40.12 of candidates for both offices of United States senator are required to be placed on the same  
40.13 ballot, the expiration date of the term of each office shall be printed on the ballot in the  
40.14 office heading opposite the name of each candidate for nomination or election to that office.

40.15 Sec. 20. Minnesota Statutes 2020, section 206.805, subdivision 1, is amended to read:

40.16 Subdivision 1. **Contracts required.** (a) The secretary of state, with the assistance of the  
40.17 commissioner of administration, must establish one or more state voting systems contracts.  
40.18 The contracts should, if practical, include provisions for maintenance of the equipment  
40.19 purchased. The voting systems contracts must address precinct-based optical scan voting  
40.20 equipment, assistive voting technology, automatic tabulating equipment, and electronic  
40.21 roster equipment. The contracts must give the state a perpetual license to use and modify  
40.22 the software. The contracts must include provisions to escrow the software source code, ~~as~~  
40.23 ~~provided in subdivision 2.~~ Bids for voting systems and related election services must be  
40.24 solicited from each vendor selling or leasing voting systems that have been certified for use  
40.25 by the secretary of state. Bids for electronic roster equipment, software, and related services  
40.26 must be solicited from each vendor selling or leasing electronic roster equipment that meets  
40.27 the requirements of section 201.225, subdivision 2. The contracts must be renewed from  
40.28 time to time.

40.29 (b) Counties and municipalities may purchase or lease voting systems and obtain related  
40.30 election services from the state contracts. All counties and municipalities are members of  
40.31 the cooperative purchasing venture of the Department of Administration for the purpose of  
40.32 this section. For the purpose of township elections, counties must aggregate orders under  
40.33 contracts negotiated under this section for products and services and may apportion the

41.1 costs of those products and services proportionally among the townships receiving the  
41.2 products and services. The county is not liable for the timely or accurate delivery of those  
41.3 products or services.

41.4 Sec. 21. Minnesota Statutes 2020, section 206.89, subdivision 4, is amended to read:

41.5 Subd. 4. **Standard of acceptable performance by voting system.** A comparison of the  
41.6 results compiled by the voting system with the postelection review described in this section  
41.7 must show that the results of the electronic voting system differed ~~by no more than one-half~~  
41.8 ~~of one percent~~ from the manual count of the offices reviewed by no more than two votes in  
41.9 a precinct where fewer than 1,200 voters cast ballots, three votes in a precinct where between  
41.10 1,200 and 1,599 voters cast ballots, four votes in a precinct where between 1,600 and 1,999  
41.11 voters cast ballots, or five votes in a precinct where 2,000 or more voters cast ballots. Valid  
41.12 votes that have been marked by the voter outside the vote targets or using a manual marking  
41.13 device that cannot be read by the voting system must not be included in making the  
41.14 determination whether the voting system has met the standard of acceptable performance  
41.15 for any precinct.

41.16 Sec. 22. Minnesota Statutes 2020, section 206.89, subdivision 5, is amended to read:

41.17 Subd. 5. **Additional review.** (a) If the postelection review in one of the reviewed precincts  
41.18 reveals a difference greater than ~~one-half of one percent, or greater than two votes in a~~  
41.19 ~~precinct where 400 or fewer voters cast ballots~~ the thresholds specified in subdivision 4,  
41.20 the postelection review official must, within two days, conduct an additional review of the  
41.21 races indicated in subdivision 3 in at least three precincts in the same jurisdiction where the  
41.22 discrepancy was discovered. If all precincts in that jurisdiction have been reviewed, the  
41.23 county auditor must immediately publicly select by lot at least three additional precincts  
41.24 for review. The postelection review official must complete the additional review within two  
41.25 days after the precincts are selected and report the results immediately to the county auditor.  
41.26 If the second review in any of the reviewed precincts also indicates a difference in the vote  
41.27 totals compiled by the voting system that is greater than ~~one-half of one percent from the~~  
41.28 ~~result indicated by the postelection review, or greater than two votes in a precinct where~~  
41.29 ~~400 or fewer voters cast ballots~~ the thresholds specified in subdivision 4, the county auditor  
41.30 must conduct a review of the ballots from all the remaining precincts in the county for the  
41.31 races indicated in subdivision 3. This review must be completed and the results must be  
41.32 reported to the secretary of state within one week after the second review was completed.

42.1 (b) If the results from the countywide reviews from one or more counties comprising in  
42.2 the aggregate more than ten percent of the total number of persons voting in the election  
42.3 clearly indicate that an error in vote counting has occurred, the secretary of state must notify  
42.4 the postelection review official of each county in the district that they must conduct manual  
42.5 recounts of all the ballots in the district for the affected office using the procedure outlined  
42.6 in section 204C.35. The recount must be completed and the results reported to the appropriate  
42.7 canvassing board within two weeks after the postelection review official received notice  
42.8 from the secretary of state.

42.9 Sec. 23. Minnesota Statutes 2020, section 206.90, subdivision 6, is amended to read:

42.10 Subd. 6. **Ballots.** In precincts using optical scan voting systems, a single ballot card on  
42.11 which all ballot information is included must be printed in black ink on white colored  
42.12 material except that marks not to be read by the automatic tabulating equipment may be  
42.13 printed in another color ink. In state elections, a single ballot title must be used, as provided  
42.14 in sections 204D.08, subdivision 6, and 204D.11, subdivision 1. ~~In odd-numbered years~~  
42.15 When both municipal and school district offices or questions appear on the ballot, the single  
42.16 ballot title "City (or Town) and School District Ballot" must be used.

42.17 On the front of the ballot must be printed the words "Official Ballot" and the date of the  
42.18 election and lines for the initials of at least two election judges.

42.19 When optical scan ballots are used, the offices to be elected must appear in the following  
42.20 order: federal offices; state legislative offices; constitutional offices; proposed constitutional  
42.21 amendments; county offices and questions; municipal offices and questions; school district  
42.22 offices and questions; special district offices and questions; and judicial offices.

42.23 On optical scan ballots, the names of candidates and the words "yes" and "no" for ballot  
42.24 questions must be printed as close to their corresponding vote targets as possible.

42.25 The line on an optical scan ballot for write-in votes must contain the words "write-in,  
42.26 if any."

42.27 If a primary ballot contains both a partisan ballot and a nonpartisan ballot, the instructions  
42.28 to voters must include a statement that reads substantially as follows: "This ballot card  
42.29 contains a partisan ballot and a nonpartisan ballot. On the partisan ballot you are permitted  
42.30 to vote for candidates of one political party only." If a primary ballot contains political party  
42.31 columns on both sides of the ballot, the instructions to voters must include a statement that  
42.32 reads substantially as follows: "Additional political parties are printed on the other side of  
42.33 this ballot. Vote for one political party only." At the bottom of each political party column

43.1 on the primary ballot, the ballot must contain a statement that reads substantially as follows:  
43.2 "Continue voting on the nonpartisan ballot." The instructions in section 204D.08, subdivision  
43.3 4, do not apply to optical scan partisan primary ballots. Electronic ballot displays and audio  
43.4 ballot readers must follow the order of offices and questions on the optical scan or paper  
43.5 ballot used in the same precinct, or the sample ballot posted for that precinct.

43.6 Sec. 24. Minnesota Statutes 2020, section 207A.13, is amended to read:

43.7 **207A.13 FORM OF BALLOTS; CANDIDATES ON BALLOT.**

43.8 Subdivision 1. **Form.** (a) Except as provided by law, presidential nomination primary  
43.9 ballots shall be printed in the same manner as state primary ballots as far as practicable. A  
43.10 sufficient number of each ballot shall be printed for each precinct and ward in the state.

43.11 (b) There must be separate ballots for the names of the candidates of each participating  
43.12 political party. Each ballot must be headed by the words "Presidential Nomination Primary  
43.13 Ballot." The heading must also indicate the party that appears on the ballot.

43.14 (c) If requested by a party chair, the ballot for that participating party must contain a  
43.15 place for a voter to indicate a preference for having delegates to the party's national  
43.16 convention remain uncommitted. If requested by a party chair, the ballot for that participating  
43.17 party must contain a blank line printed below the other choices on the ballot so that a voter  
43.18 may write in the name of a person who is not listed on the ballot. A request under this  
43.19 paragraph must be submitted to the secretary of state no later than 63 days before the  
43.20 presidential nomination primary.

43.21 Subd. 2. **Candidates on the ballot.** (a) Each party participating in the presidential  
43.22 nomination primary must determine which candidates are to be placed on the presidential  
43.23 nomination primary ballot for that party. The chair of each participating party must submit  
43.24 to the secretary of state the names of the candidates to appear on the ballot for that party no  
43.25 later than 63 days before the presidential nomination primary. Once submitted, changes  
43.26 must not be made to the candidates that will appear on the ballot.

43.27 (b) No later than the seventh day before the presidential nomination primary, the chair  
43.28 of each participating party must submit to the secretary of state the names of write-in  
43.29 candidates, if any, to be counted for that party.

43.30 Sec. 25. Minnesota Statutes 2020, section 207A.14, subdivision 3, is amended to read:

43.31 Subd. 3. **Notice of primary to public.** At least 15 days before the date of the presidential  
43.32 nomination primary, each municipal clerk shall post a public notice stating the date of the

44.1 presidential nomination primary, the location of each polling place in the municipality, the  
44.2 hours during which the polling places in the municipality will be open, and information  
44.3 about the requirements of section 207A.12, paragraph (b), ~~including a notice that the voter's~~  
44.4 ~~choice of a political party's ballot will be recorded and is public information.~~ The county  
44.5 auditor shall post a similar notice in the auditor's office with information for any polling  
44.6 places in unorganized territory in the county. The governing body of a municipality or  
44.7 county may publish the notice in addition to posting it. Failure to give notice does not  
44.8 invalidate the election.

44.9 **EFFECTIVE DATE.** This section is effective the day following final enactment.

44.10 Sec. 26. Minnesota Statutes 2020, section 367.25, subdivision 1, is amended to read:

44.11 Subdivision 1. **Requirement, fee.** Every person elected at a March election, elected at  
44.12 a special election, or appointed to a town office, within ten days after receiving a certificate  
44.13 or notice of election or appointment, shall take and subscribe the oath required by law.  
44.14 Persons elected at a November election shall take their oath before assuming office. If taken  
44.15 before the town clerk, the oath shall be administered and certified without fee.

44.16 Sec. 27. Minnesota Statutes 2020, section 412.02, subdivision 2a, is amended to read:

44.17 Subd. 2a. **Vacancy.** Except as otherwise provided in subdivision 2b, a vacancy in an  
44.18 office shall be filled by council appointment until an election is held as provided in this  
44.19 subdivision. In case of a tie vote in the council, the mayor shall make the appointment. If  
44.20 the vacancy occurs before the first day to file affidavits of candidacy for the next regular  
44.21 city election and more than two years remain in the unexpired term, a special election shall  
44.22 be held at or before the next regular city election and the appointed person shall serve until  
44.23 the qualification of a successor elected at a special election to fill the unexpired portion of  
44.24 the term. If the vacancy occurs on or after the first day to file affidavits of candidacy for  
44.25 the regular city election or when less than two years remain in the unexpired term, there  
44.26 need not be a special election to fill the vacancy and the appointed person shall serve until  
44.27 the qualification of a successor. The council must specify by ordinance under what  
44.28 circumstances it will hold a special election to fill a vacancy other than a special election  
44.29 held at the same time as the regular city election.

44.30 All of the provisions of the Minnesota Election Law are applicable to special elections  
44.31 as far as practicable.

45.1 **ARTICLE 4**

45.2 **CAMPAIGN FINANCE**

45.3 Section 1. Minnesota Statutes 2020, section 10A.01, subdivision 4, is amended to read:

45.4 Subd. 4. **Approved expenditure.** "Approved expenditure" means an expenditure made  
45.5 on behalf of a candidate or a local candidate by an entity other than the candidate's principal  
45.6 campaign committee ~~of the candidate~~ or the local candidate, if the expenditure is made with  
45.7 the authorization or expressed or implied consent of, or in cooperation or in concert with,  
45.8 or at the request or suggestion of the candidate or local candidate, the candidate's principal  
45.9 campaign committee, or the candidate's or local candidate's agent. An approved expenditure  
45.10 is a contribution to that candidate or local candidate.

45.11 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
45.12 and disclosures required to be filed on or after that date.

45.13 Sec. 2. Minnesota Statutes 2020, section 10A.01, subdivision 7, is amended to read:

45.14 Subd. 7. **Ballot question.** "Ballot question" means a question or proposition that is placed  
45.15 on the ballot and that may be voted on by:

45.16 (1) all voters of the state;

45.17 (2) all voters of Hennepin County;

45.18 (3) all voters of any home rule charter city or statutory city located wholly within  
45.19 Hennepin County and having a population of 75,000 or more; or

45.20 (4) all voters of Special School District No. 1.

45.21 "Promoting or defeating a ballot question" includes activities, other than lobbying  
45.22 activities, related to qualifying the question for placement on the ballot.

45.23 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
45.24 and disclosures required to be filed on or after that date.

45.25 Sec. 3. Minnesota Statutes 2020, section 10A.01, subdivision 9, is amended to read:

45.26 Subd. 9. **Campaign expenditure.** "Campaign expenditure" or "expenditure" means a  
45.27 purchase or payment of money or anything of value, or an advance of credit, made or  
45.28 incurred for the purpose of influencing the nomination or election of a candidate or a local  
45.29 candidate or for the purpose of promoting or defeating a ballot question.

46.1 An expenditure is considered to be made in the year in which the candidate made the  
46.2 purchase of goods or services or incurred an obligation to pay for goods or services.

46.3 An expenditure made for the purpose of defeating a candidate or a local candidate is  
46.4 considered made for the purpose of influencing the nomination or election of that candidate  
46.5 or local candidate or any opponent of that candidate or local candidate.

46.6 Except as provided in clause (1), "expenditure" includes the dollar value of a donation  
46.7 in kind.

46.8 "Expenditure" does not include:

46.9 (1) noncampaign disbursements as defined in subdivision 26;

46.10 (2) services provided without compensation by an individual volunteering personal time  
46.11 on behalf of a candidate or a local candidate, ballot question, political committee, political  
46.12 fund, principal campaign committee, or party unit;

46.13 (3) the publishing or broadcasting of news items or editorial comments by the news  
46.14 media; or

46.15 (4) an individual's unreimbursed personal use of an automobile owned by the individual  
46.16 and used by the individual while volunteering personal time.

46.17 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
46.18 and disclosures required to be filed on or after that date.

46.19 Sec. 4. Minnesota Statutes 2020, section 10A.01, is amended by adding a subdivision to  
46.20 read:

46.21 **Subd. 10d. Local candidate.** "Local candidate" means an individual who seeks  
46.22 nomination or election to:

46.23 (1) any county office in Hennepin County;

46.24 (2) any city office in any home rule charter city or statutory city located wholly within  
46.25 Hennepin County and having a population of 75,000 or more; or

46.26 (3) the school board in Special School District No. 1.

46.27 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
46.28 and disclosures required to be filed on or after that date.

47.1 Sec. 5. Minnesota Statutes 2020, section 10A.01, subdivision 11, is amended to read:

47.2 Subd. 11. **Contribution.** (a) "Contribution" means money, a negotiable instrument, or  
47.3 a donation in kind that is given to a political committee, political fund, principal campaign  
47.4 committee, local candidate, or party unit. An allocation by an association of general treasury  
47.5 money to be used for activities that must be or are reported through the association's political  
47.6 fund is considered to be a contribution for the purposes of disclosure required by this chapter.

47.7 (b) "Contribution" includes a loan or advance of credit to a political committee, political  
47.8 fund, principal campaign committee, local candidate, or party unit, if the loan or advance  
47.9 of credit is: (1) forgiven; or (2) repaid by an individual or an association other than the  
47.10 political committee, political fund, principal campaign committee, local candidate, or party  
47.11 unit to which the loan or advance of credit was made. If an advance of credit or a loan is  
47.12 forgiven or repaid as provided in this paragraph, it is a contribution in the year in which the  
47.13 loan or advance of credit was made.

47.14 (c) "Contribution" does not include services provided without compensation by an  
47.15 individual volunteering personal time on behalf of a candidate, local candidate, ballot  
47.16 question, political committee, political fund, principal campaign committee, or party unit;  
47.17 the publishing or broadcasting of news items or editorial comments by the news media; or  
47.18 an individual's unreimbursed personal use of an automobile owned by the individual while  
47.19 volunteering personal time.

47.20 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
47.21 and disclosures required to be filed on or after that date.

47.22 Sec. 6. Minnesota Statutes 2020, section 10A.01, subdivision 16a, is amended to read:

47.23 Subd. 16a. **Expressly advocating.** "Expressly advocating" means that a communication  
47.24 clearly identifies a candidate or a local candidate and uses words or phrases of express  
47.25 advocacy.

47.26 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
47.27 and disclosures required to be filed on or after that date.

47.28 Sec. 7. Minnesota Statutes 2020, section 10A.01, subdivision 17c, is amended to read:

47.29 Subd. 17c. **General treasury money.** "General treasury money" means money that an  
47.30 association other than a principal campaign committee, party unit, or political committee  
47.31 accumulates through membership dues and fees, donations to the association for its general  
47.32 purposes, and income from the operation of a business. General treasury money does not

48.1 include money collected to influence the nomination or election of candidates or local  
48.2 candidates or to promote or defeat a ballot question.

48.3 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
48.4 and disclosures required to be filed on or after that date.

48.5 Sec. 8. Minnesota Statutes 2020, section 10A.01, subdivision 18, is amended to read:

48.6 Subd. 18. **Independent expenditure.** "Independent expenditure" means an expenditure  
48.7 expressly advocating the election or defeat of a clearly identified candidate or local candidate,  
48.8 if the expenditure is made without the express or implied consent, authorization, or  
48.9 cooperation of, and not in concert with or at the request or suggestion of, any candidate or  
48.10 any candidate's principal campaign committee or agent or any local candidate or local  
48.11 candidate's agent. An independent expenditure is not a contribution to that candidate or  
48.12 local candidate. An independent expenditure does not include the act of announcing a formal  
48.13 public endorsement of a candidate or local candidate for public office, unless the act is  
48.14 simultaneously accompanied by an expenditure that would otherwise qualify as an  
48.15 independent expenditure under this subdivision.

48.16 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
48.17 and disclosures required to be filed on or after that date.

48.18 Sec. 9. Minnesota Statutes 2020, section 10A.01, subdivision 20, is amended to read:

48.19 Subd. 20. **Loan.** "Loan" means an advance of money or anything of value made to a  
48.20 political committee, political fund, principal campaign committee, local candidate, or party  
48.21 unit.

48.22 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
48.23 and disclosures required to be filed on or after that date.

48.24 Sec. 10. Minnesota Statutes 2020, section 10A.01, subdivision 26, is amended to read:

48.25 Subd. 26. **Noncampaign disbursement.** (a) "Noncampaign disbursement" means a  
48.26 purchase or payment of money or anything of value made, or an advance of credit incurred,  
48.27 or a donation in kind received, by a principal campaign committee for any of the following  
48.28 purposes:

48.29 (1) payment for accounting and legal services;

48.30 (2) return of a contribution to the source;

48.31 (3) repayment of a loan made to the principal campaign committee by that committee;

- 49.1 (4) return of a public subsidy;
- 49.2 (5) payment for food, beverages, and necessary utensils and supplies, entertainment,  
49.3 and facility rental for a fund-raising event;
- 49.4 (6) services for a constituent by a member of the legislature or a constitutional officer  
49.5 in the executive branch as provided in section 10A.173, subdivision 1;
- 49.6 (7) payment for food and beverages consumed by a candidate or volunteers while they  
49.7 are engaged in campaign activities;
- 49.8 (8) payment for food or a beverage consumed while attending a reception or meeting  
49.9 directly related to legislative duties;
- 49.10 (9) payment of expenses incurred by elected or appointed leaders of a legislative caucus  
49.11 in carrying out their leadership responsibilities;
- 49.12 (10) payment by a principal campaign committee of the candidate's expenses for serving  
49.13 in public office, other than for personal uses;
- 49.14 (11) costs of child care for the candidate's children when campaigning;
- 49.15 (12) fees paid to attend a campaign school;
- 49.16 (13) costs of a postelection party during the election year when a candidate's name will  
49.17 no longer appear on a ballot or the general election is concluded, whichever occurs first;
- 49.18 (14) interest on loans paid by a principal campaign committee on outstanding loans;
- 49.19 (15) filing fees;
- 49.20 (16) post-general election holiday or seasonal cards, thank-you notes, or advertisements  
49.21 in the news media mailed or published prior to the end of the election cycle;
- 49.22 (17) the cost of campaign material purchased to replace defective campaign material, if  
49.23 the defective material is destroyed without being used;
- 49.24 (18) contributions to a party unit;
- 49.25 (19) payments for funeral gifts or memorials;
- 49.26 (20) the cost of a magnet less than six inches in diameter containing legislator contact  
49.27 information and distributed to constituents;
- 49.28 (21) costs associated with a candidate attending a political party state or national  
49.29 convention in this state;

50.1 (22) other purchases or payments specified in board rules or advisory opinions as being  
50.2 for any purpose other than to influence the nomination or election of a candidate or to  
50.3 promote or defeat a ballot question;

50.4 (23) costs paid to a third party for processing contributions made by a credit card, debit  
50.5 card, or electronic check;

50.6 (24) a contribution to a fund established to support a candidate's participation in a recount  
50.7 of ballots affecting that candidate's election;

50.8 (25) costs paid by a candidate's principal campaign committee for a single reception  
50.9 given in honor of the candidate's retirement from public office after the filing period for  
50.10 affidavits of candidacy for that office has closed;

50.11 (26) a donation from a terminating principal campaign committee to the state general  
50.12 fund; ~~and~~

50.13 (27) a donation from a terminating principal campaign committee to a county obligated  
50.14 to incur special election expenses due to that candidate's resignation from state office; and

50.15 (28) during a period starting January 1 in the year following a general election and ending  
50.16 on December 31 of the year of general election, total payments of up to \$3,000 for security  
50.17 expenses for a candidate, including home security hardware, maintenance of home security  
50.18 hardware, identity theft monitoring services, and credit monitoring services.

50.19 (b) The board must determine whether an activity involves a noncampaign disbursement  
50.20 within the meaning of this subdivision.

50.21 (c) A noncampaign disbursement is considered to be made in the year in which the  
50.22 candidate made the purchase of goods or services or incurred an obligation to pay for goods  
50.23 or services.

50.24 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
50.25 applies to payments made on or after January 1, 2021.

50.26 Sec. 11. Minnesota Statutes 2020, section 10A.01, subdivision 27, is amended to read:

50.27 Subd. 27. **Political committee.** "Political committee" means an association whose major  
50.28 purpose is to influence the nomination or election of one or more candidates or local  
50.29 candidates or to promote or defeat a ballot question, other than a principal campaign  
50.30 committee, local candidate, or a political party unit.

50.31 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
50.32 and disclosures required to be filed on or after that date.

51.1 Sec. 12. Minnesota Statutes 2020, section 10A.01, subdivision 28, is amended to read:

51.2 Subd. 28. **Political fund.** "Political fund" means an accumulation of dues or voluntary  
51.3 contributions by an association other than a political committee, principal campaign  
51.4 committee, or party unit, if the accumulation is collected or expended to influence the  
51.5 nomination or election of one or more candidates or local candidates or to promote or defeat  
51.6 a ballot question. The term political fund as used in this chapter may also refer to the  
51.7 association acting through its political fund.

51.8 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
51.9 and disclosures required to be filed on or after that date.

51.10 Sec. 13. Minnesota Statutes 2020, section 10A.01, subdivision 35, is amended to read:

51.11 Subd. 35. **Public official.** "Public official" means any:

51.12 (1) member of the legislature;

51.13 (2) individual employed by the legislature as secretary of the senate, legislative auditor,  
51.14 director of the Legislative Budget Office, chief clerk of the house of representatives, revisor  
51.15 of statutes, or researcher, legislative analyst, fiscal analyst, or attorney in the Office of  
51.16 Senate Counsel, Research and Fiscal Analysis, House Research, or the House Fiscal Analysis  
51.17 Department;

51.18 (3) constitutional officer in the executive branch and the officer's chief administrative  
51.19 deputy;

51.20 (4) solicitor general or deputy, assistant, or special assistant attorney general;

51.21 (5) commissioner, deputy commissioner, or assistant commissioner of any state  
51.22 department or agency as listed in section 15.01 or 15.06, or the state chief information  
51.23 officer;

51.24 (6) member, chief administrative officer, or deputy chief administrative officer of a state  
51.25 board or commission that has either the power to adopt, amend, or repeal rules under chapter  
51.26 14, or the power to adjudicate contested cases or appeals under chapter 14;

51.27 (7) individual employed in the executive branch who is authorized to adopt, amend, or  
51.28 repeal rules under chapter 14 or adjudicate contested cases under chapter 14;

51.29 (8) executive director of the State Board of Investment;

51.30 (9) deputy of any official listed in clauses (7) and (8);

51.31 (10) judge of the Workers' Compensation Court of Appeals;

- 52.1 (11) administrative law judge or compensation judge in the State Office of Administrative  
52.2 Hearings or unemployment law judge in the Department of Employment and Economic  
52.3 Development;
- 52.4 (12) member, regional administrator, division director, general counsel, or operations  
52.5 manager of the Metropolitan Council;
- 52.6 (13) member or chief administrator of a metropolitan agency;
- 52.7 (14) director of the Division of Alcohol and Gambling Enforcement in the Department  
52.8 of Public Safety;
- 52.9 (15) member or executive director of the Higher Education Facilities Authority;
- 52.10 (16) member of the board of directors or president of Enterprise Minnesota, Inc.;
- 52.11 (17) member of the board of directors or executive director of the Minnesota State High  
52.12 School League;
- 52.13 (18) member of the Minnesota Ballpark Authority established in section 473.755;
- 52.14 (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;
- 52.15 (20) manager of a watershed district, or member of a watershed management organization  
52.16 as defined under section 103B.205, subdivision 13;
- 52.17 (21) supervisor of a soil and water conservation district;
- 52.18 (22) director of Explore Minnesota Tourism;
- 52.19 (23) citizen member of the Lessard-Sams Outdoor Heritage Council established in section  
52.20 97A.056;
- 52.21 (24) citizen member of the Clean Water Council established in section 114D.30;
- 52.22 (25) member or chief executive of the Minnesota Sports Facilities Authority established  
52.23 in section 473J.07;
- 52.24 (26) district court judge, appeals court judge, or supreme court justice;
- 52.25 (27) county commissioner;
- 52.26 (28) member of the Greater Minnesota Regional Parks and Trails Commission; ~~or~~
- 52.27 (29) member of the Destination Medical Center Corporation established in section 469.41  
52.28 ; or
- 52.29 (30) chancellor or member of the Board of Trustees of the Minnesota State Colleges  
52.30 and Universities.

53.1 Sec. 14. Minnesota Statutes 2020, section 10A.09, subdivision 1, is amended to read:

53.2 Subdivision 1. **Time for filing.** An individual must file a statement of economic interest  
53.3 ~~with the board:~~

53.4 (1) within 60 days of accepting employment as a public official or a local official in a  
53.5 metropolitan governmental unit;

53.6 (2) within 60 days of assuming office as a district court judge, appeals court judge,  
53.7 supreme court justice, or county commissioner;

53.8 (3) within 14 days after filing an affidavit of candidacy or petition to appear on the ballot  
53.9 for an elective state constitutional or legislative office or an elective local office in a  
53.10 metropolitan governmental unit other than county commissioner;

53.11 (4) in the case of a public official requiring the advice and consent of the senate, within  
53.12 14 days after undertaking the duties of office; or

53.13 (5) in the case of members of the Minnesota Racing Commission, the director of the  
53.14 Minnesota Racing Commission, chief of security, medical officer, inspector of pari-mutuels,  
53.15 and stewards employed or approved by the commission or persons who fulfill those duties  
53.16 under contract, within 60 days of accepting or assuming duties.

53.17 Sec. 15. Minnesota Statutes 2020, section 10A.09, subdivision 2, is amended to read:

53.18 Subd. 2. **Notice to board.** The secretary of state or the appropriate county auditor, upon  
53.19 receiving an affidavit of candidacy or petition to appear on the ballot from an individual  
53.20 required by this section to file a statement of economic interest, and any official who  
53.21 nominates or employs a public ~~or local~~ official required by this section to file a statement  
53.22 of economic interest, must notify the board of the name of the individual required to file a  
53.23 statement and the date of the affidavit, petition, or nomination.

53.24 Sec. 16. Minnesota Statutes 2020, section 10A.09, subdivision 5, is amended to read:

53.25 Subd. 5. **Form; general requirements.** (a) A statement of economic interest required  
53.26 by this section must be on a form prescribed by the board. The individual filing must provide  
53.27 the following information:

53.28 (1) name, address, occupation, and principal place of business;

53.29 (2) the name of each associated business and the nature of that association;

53.30 (3) a listing of all real property within the state, excluding homestead property, in which  
53.31 the individual holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or

54.1 seller, or an option to buy, whether direct or indirect, if the interest is valued in excess of  
54.2 \$2,500; or (ii) an option to buy, if the property has a fair market value of more than \$50,000;

54.3 (4) a listing of all real property within the state in which a partnership of which the  
54.4 individual is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as  
54.5 buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of  
54.6 the partnership interest is valued in excess of \$2,500; or (ii) an option to buy, if the property  
54.7 has a fair market value of more than \$50,000. A listing under this clause or clause (3) must  
54.8 indicate the street address and the municipality or the section, township, range and  
54.9 approximate acreage, whichever applies, and the county in which the property is located;

54.10 (5) a listing of any investments, ownership, or interests in property connected with  
54.11 pari-mutuel horse racing in the United States and Canada, including a racehorse, in which  
54.12 the individual directly or indirectly holds a partial or full interest or an immediate family  
54.13 member holds a partial or full interest;

54.14 (6) a listing of the principal business or professional activity category of each business  
54.15 from which the individual receives more than \$250 in any month during the reporting period  
54.16 as an employee, if the individual has an ownership interest of 25 percent or more in the  
54.17 business;

54.18 (7) a listing of each principal business or professional activity category from which the  
54.19 individual received compensation of more than \$2,500 in the past 12 months as an  
54.20 independent contractor; and

54.21 (8) a listing of the full name of each security with a value of more than \$10,000 owned  
54.22 in part or in full by the individual, at any time during the reporting period.

54.23 (b) The business or professional categories for purposes of paragraph (a), clauses (6)  
54.24 and (7), must be the general topic headings used by the federal Internal Revenue Service  
54.25 for purposes of reporting self-employment income on Schedule C. This paragraph does not  
54.26 require an individual to report any specific code number from that schedule. Any additional  
54.27 principal business or professional activity category may only be adopted if the category is  
54.28 enacted by law.

54.29 ~~(e) For the purpose of an original statement of economic interest, "compensation in any~~  
54.30 ~~month" includes only compensation received in the calendar month immediately preceding~~  
54.31 ~~the date of appointment as a public official or filing as a candidate.~~

54.32 ~~(d)~~ (c) For the purpose of calculating the amount of compensation received from any  
54.33 single source in a single month, the amount shall include the total amount received from

55.1 the source during the month, whether or not the amount covers compensation for more than  
55.2 one month.

55.3 ~~(e)~~ (d) For the purpose of determining the value of an individual's interest in real property,  
55.4 the value of the property is the market value shown on the property tax statement.

55.5 ~~(f) For the purpose of an original statement of economic interest, the individual shall~~  
55.6 ~~disclose only those real properties owned on the date of appointment as a public official or~~  
55.7 ~~filing as a candidate.~~

55.8 ~~(g)~~ (e) For the purpose of this section, "date of appointment" means the effective date  
55.9 of appointment to a position.

55.10 ~~(h)~~ (f) For the purpose of this section, "accepting employment as a public official" means  
55.11 the effective date of the appointment to the position, as stated in the appointing authority's  
55.12 notice to the board.

55.13 Sec. 17. Minnesota Statutes 2020, section 10A.09, is amended by adding a subdivision to  
55.14 read:

55.15 Subd. 5a. **Original statement; reporting period.** (a) An original statement of economic  
55.16 interest required under subdivision 1, clause (1), must cover the calendar month before the  
55.17 month in which the individual accepted employment as a public official or a local official  
55.18 in a metropolitan governmental unit.

55.19 (b) An original statement of economic interest required under subdivision 1, clauses (2),  
55.20 (4), and (5), must cover the calendar month before the month in which the individual assumed  
55.21 or undertook the duties of office.

55.22 (c) An original statement of economic interest required under subdivision 1, clause (3),  
55.23 must cover the calendar month before the month in which the candidate filed the affidavit  
55.24 of candidacy.

55.25 Sec. 18. Minnesota Statutes 2020, section 10A.09, subdivision 6, is amended to read:

55.26 Subd. 6. **Annual statement.** (a) Each individual who is required to file a statement of  
55.27 economic interest must also file an annual statement by the last Monday in January of each  
55.28 year that the individual remains in office. The annual statement must cover the period  
55.29 through December 31 of the year prior to the year when the statement is due. The annual  
55.30 statement must include the amount of each honorarium in excess of \$50 \$250 received since  
55.31 the previous statement and the name and address of the source of the honorarium. The board

56.1 must maintain each annual statement of economic interest submitted by an officeholder in  
56.2 the same file with the statement submitted as a candidate.

56.3 ~~(b) For the purpose of annual statements of economic interest to be filed, "compensation~~  
56.4 ~~in any month" includes compensation and honoraria received in any month between the~~  
56.5 ~~end of the period covered in the preceding statement of economic interest and the end of~~  
56.6 ~~the current period.~~

56.7 ~~(e)~~ (b) An individual must file the annual statement of economic interest required by  
56.8 this subdivision to cover the period for which the individual served as a public official even  
56.9 though at the time the statement was filed, the individual is no longer holding that office as  
56.10 a public official.

56.11 ~~(d) For the purpose of an annual statement of economic interest, the individual shall~~  
56.12 ~~disclose any real property owned at any time between the end of the period covered by the~~  
56.13 ~~preceding statement of economic interest and through the last day of the month preceding~~  
56.14 ~~the current filing or the last day of employment, if the individual is no longer a public~~  
56.15 ~~official.~~

56.16 Sec. 19. Minnesota Statutes 2020, section 10A.12, subdivision 1, is amended to read:

56.17 Subdivision 1. **When required for contributions and approved expenditures.** An  
56.18 association other than a political committee or party unit may not contribute more than \$750  
56.19 in aggregate in any calendar year to candidates, local candidates, political committees, or  
56.20 party units or make approved expenditures of more than \$750 in aggregate in any calendar  
56.21 year unless the contribution or expenditure is made through a political fund.

56.22 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
56.23 and disclosures required to be filed on or after that date.

56.24 Sec. 20. Minnesota Statutes 2020, section 10A.12, subdivision 2, is amended to read:

56.25 Subd. 2. **Commingling prohibited.** The contents of an association's political fund may  
56.26 not be commingled with other funds or with the personal funds of an officer or member of  
56.27 the association or the fund. It is not commingling for an association that uses only its own  
56.28 general treasury money to make expenditures and disbursements permitted under section  
56.29 10A.121, subdivision 1, directly from the depository used for its general treasury money.  
56.30 An association that accepts more than \$1,500 in aggregate in contributions to influence the  
56.31 nomination or election of candidates or local candidates or more than \$5,000 in contributions

57.1 to promote or defeat a ballot question must establish a separate depository for those  
57.2 contributions.

57.3 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
57.4 and disclosures required to be filed on or after that date.

57.5 Sec. 21. Minnesota Statutes 2020, section 10A.121, subdivision 2, is amended to read:

57.6 Subd. 2. **Penalty.** (a) An independent expenditure political committee or independent  
57.7 expenditure political fund is subject to a civil penalty of up to four times the amount of the  
57.8 contribution or approved expenditure if it does the following:

57.9 (1) makes a contribution to a candidate, local candidate, party unit, political committee,  
57.10 or political fund other than an independent expenditure political committee or an independent  
57.11 expenditure political fund; or

57.12 (2) makes an approved expenditure.

57.13 (b) No other penalty provided in law may be imposed for conduct that is subject to a  
57.14 civil penalty under this section.

57.15 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
57.16 and disclosures required to be filed on or after that date.

57.17 Sec. 22. Minnesota Statutes 2020, section 10A.13, subdivision 1, is amended to read:

57.18 Subdivision 1. **Accounts; penalty.** The treasurer of a political committee, political fund,  
57.19 principal campaign committee, or party unit must keep an account of:

57.20 (1) the sum of all contributions, except any donation in kind valued at \$20 or less, made  
57.21 to the committee, fund, or party unit;

57.22 (2) the name and address of each source of a contribution made to the committee, fund,  
57.23 or party unit in excess of \$20, together with the date and amount of each;

57.24 (3) each expenditure made by the committee, fund, or party unit, together with the date  
57.25 and amount;

57.26 (4) each approved expenditure made on behalf of the committee, fund, or party unit,  
57.27 together with the date and amount; and

57.28 (5) the name and address of each political committee, political fund, principal campaign  
57.29 committee, local candidate, or party unit to which contributions in excess of \$20 have been  
57.30 made, together with the date and amount.

58.1 Any individual who knowingly violates this subdivision is subject to a civil penalty  
58.2 imposed by the board of up to \$1,000.

58.3 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
58.4 and disclosures required to be filed on or after that date.

58.5 Sec. 23. Minnesota Statutes 2020, section 10A.14, is amended by adding a subdivision to  
58.6 read:

58.7 Subd. 2a. **Alternate contact information; form.** (a) A candidate; treasurer of a political  
58.8 committee, political fund, principal campaign committee, or party unit; or chair of a political  
58.9 committee, principal campaign committee, or party unit may file a form with the board that  
58.10 includes alternate contact information. If a form is filed, the form must include the following  
58.11 information for the filer:

58.12 (1) name;

58.13 (2) political committee, political fund, principal campaign committee, or party unit; and

58.14 (3) alternate contact information.

58.15 (b) The board must only use the alternate contact information to contact the filer for the  
58.16 purposes of administering chapter 10A. Information collected pursuant to this subdivision  
58.17 is private data on individuals.

58.18 (c) For purposes of this subdivision, "alternate contact information" means an address,  
58.19 phone number, or e-mail address that is different from the information provided on the form  
58.20 required by subdivision 2.

58.21 **EFFECTIVE DATE.** This section is effective August 1, 2021.

58.22 Sec. 24. Minnesota Statutes 2020, section 10A.17, subdivision 4, is amended to read:

58.23 **Subd. 4. Independent expenditures.** An individual, political committee, political fund,  
58.24 principal campaign committee, or party unit that independently solicits or accepts  
58.25 contributions or makes independent expenditures on behalf of a candidate or local candidate  
58.26 must publicly disclose that the expenditure is an independent expenditure. All written and  
58.27 broadcast communications with those from whom contributions are independently solicited  
58.28 or accepted or to whom independent expenditures are made on behalf of a candidate or local  
58.29 candidate must contain a statement in substantially the form provided in section 211B.04,  
58.30 subdivision 2. The statement must be on the front page of all written communications and  
58.31 at the end of all broadcast communications made by that individual, political committee,

59.1 political fund, principal campaign committee, or party unit on the candidate's or local  
59.2 candidate's behalf.

59.3 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
59.4 and disclosures required to be filed on or after that date.

59.5 Sec. 25. Minnesota Statutes 2020, section 10A.20, is amended by adding a subdivision to  
59.6 read:

59.7 Subd. 2a. **Local election reports.** (a) This subdivision applies to a political committee,  
59.8 political fund, or political party unit that during a non-general election year:

59.9 (1) spends in aggregate more than \$200 to influence the nomination or election of local  
59.10 candidates;

59.11 (2) spends in aggregate more than \$200 to make independent expenditures on behalf of  
59.12 local candidates; or

59.13 (3) spends in aggregate more than \$200 to promote or defeat ballot questions defined  
59.14 in section 10A.01, subdivision 7, clause (2), (3), or (4).

59.15 (b) In addition to the reports required by subdivision 2, the entities listed in paragraph  
59.16 (a) must file the following reports in each non-general election year:

59.17 (1) a first-quarter report covering the calendar year through March 31, which is due  
59.18 April 14;

59.19 (2) a report covering the calendar year through May 31, which is due June 14;

59.20 (3) a pre-primary-election report due 15 days before the local primary election date  
59.21 specified in section 205.065;

59.22 (4) a pre-general-election report due 42 days before the local general election; and

59.23 (5) a pre-general-election report due ten days before a local general election.

59.24 The reporting obligations in this paragraph begin with the first report due after the  
59.25 reporting period in which the entity reaches the spending threshold specified in paragraph  
59.26 (a).

59.27 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
59.28 and disclosures required to be filed on or after that date.

60.1 Sec. 26. Minnesota Statutes 2020, section 10A.20, subdivision 3, is amended to read:

60.2 Subd. 3. **Contents of report.** (a) The report required by this section must include each  
60.3 of the items listed in paragraphs (b) to (q) that are applicable to the filer. The board shall  
60.4 prescribe forms based on filer type indicating which of those items must be included on the  
60.5 filer's report.

60.6 (b) The report must disclose the amount of liquid assets on hand at the beginning of the  
60.7 reporting period.

60.8 (c) The report must disclose the name, address, employer, or occupation if self-employed,  
60.9 and registration number if registered with the board, of each individual or association that  
60.10 has made one or more contributions to the reporting entity, including the purchase of tickets  
60.11 for a fund-raising effort, that in aggregate within the year exceed \$200 for legislative or  
60.12 statewide candidates or more than \$500 for ballot questions, together with the amount and  
60.13 date of each contribution, and the aggregate amount of contributions within the year from  
60.14 each source so disclosed. A donation in kind must be disclosed at its fair market value. An  
60.15 approved expenditure must be listed as a donation in kind. A donation in kind is considered  
60.16 consumed in the reporting period in which it is received. The names of contributors must  
60.17 be listed in alphabetical order. Contributions from the same contributor must be listed under  
60.18 the same name. When a contribution received from a contributor in a reporting period is  
60.19 added to previously reported unitemized contributions from the same contributor and the  
60.20 aggregate exceeds the disclosure threshold of this paragraph, the name, address, and  
60.21 employer, or occupation if self-employed, of the contributor must then be listed on the  
60.22 report.

60.23 (d) The report must disclose the sum of contributions to the reporting entity during the  
60.24 reporting period.

60.25 (e) The report must disclose each loan made or received by the reporting entity within  
60.26 the year in aggregate in excess of \$200, continuously reported until repaid or forgiven,  
60.27 together with the name, address, occupation, principal place of business, if any, and  
60.28 registration number if registered with the board of the lender and any endorser and the date  
60.29 and amount of the loan. If a loan made to the principal campaign committee of a candidate  
60.30 is forgiven or is repaid by an entity other than that principal campaign committee, it must  
60.31 be reported as a contribution for the year in which the loan was made.

60.32 (f) The report must disclose each receipt over \$200 during the reporting period not  
60.33 otherwise listed under paragraphs (c) to (e).

61.1 (g) The report must disclose the sum of all receipts of the reporting entity during the  
61.2 reporting period.

61.3 (h) The report must disclose the name, address, and registration number if registered  
61.4 with the board of each individual or association to whom aggregate expenditures, approved  
61.5 expenditures, independent expenditures, and ballot question expenditures have been made  
61.6 by or on behalf of the reporting entity within the year in excess of \$200, together with the  
61.7 amount, date, and purpose of each expenditure, including an explanation of how the  
61.8 expenditure was used, and the name and address of, and office sought by, each candidate  
61.9 or local candidate on whose behalf the expenditure was made, identification of the ballot  
61.10 question that the expenditure was intended to promote or defeat and an indication of whether  
61.11 the expenditure was to promote or to defeat the ballot question, and in the case of independent  
61.12 expenditures made in opposition to a candidate or local candidate, the candidate's or local  
61.13 candidate's name, address, and office sought. A reporting entity making an expenditure on  
61.14 behalf of more than one candidate ~~for state or legislative office~~ or local candidate must  
61.15 allocate the expenditure among the candidates and local candidates on a reasonable cost  
61.16 basis and report the allocation for each candidate or local candidate. The report must list  
61.17 on separate schedules any independent expenditures made on behalf of local candidates and  
61.18 any expenditures made for ballot questions as defined in section 10A.01, subdivision 7,  
61.19 clause (2), (3), or (4).

61.20 (i) The report must disclose the sum of all expenditures made by or on behalf of the  
61.21 reporting entity during the reporting period.

61.22 (j) The report must disclose the amount and nature of an advance of credit incurred by  
61.23 the reporting entity, continuously reported until paid or forgiven. If an advance of credit  
61.24 incurred by the principal campaign committee of a candidate is forgiven by the creditor or  
61.25 paid by an entity other than that principal campaign committee, it must be reported as a  
61.26 donation in kind for the year in which the advance of credit was made.

61.27 (k) The report must disclose the name, address, and registration number if registered  
61.28 with the board of each political committee, political fund, principal campaign committee,  
61.29 local candidate, or party unit to which contributions have been made that aggregate in excess  
61.30 of \$200 within the year and the amount and date of each contribution. The report must list  
61.31 on separate schedules any contributions made to state candidates' principal campaign  
61.32 committees and any contributions made to local candidates.

62.1 (l) The report must disclose the sum of all contributions made by the reporting entity  
62.2 during the reporting period and must separately disclose the sum of all contributions made  
62.3 to local candidates by the reporting entity during the reporting period.

62.4 (m) The report must disclose the name, address, and registration number if registered  
62.5 with the board of each individual or association to whom noncampaign disbursements have  
62.6 been made that aggregate in excess of \$200 within the year by or on behalf of the reporting  
62.7 entity and the amount, date, and purpose of each noncampaign disbursement, including an  
62.8 explanation of how the expenditure was used.

62.9 (n) The report must disclose the sum of all noncampaign disbursements made within  
62.10 the year by or on behalf of the reporting entity.

62.11 (o) The report must disclose the name and address of a nonprofit corporation that provides  
62.12 administrative assistance to a political committee or political fund as authorized by section  
62.13 211B.15, subdivision 17, the type of administrative assistance provided, and the aggregate  
62.14 fair market value of each type of assistance provided to the political committee or political  
62.15 fund during the reporting period.

62.16 (p) Legislative, statewide, and judicial candidates, party units, and political committees  
62.17 and funds must itemize contributions that in aggregate within the year exceed \$200 for  
62.18 legislative or statewide candidates or more than \$500 for ballot questions on reports submitted  
62.19 to the board. The itemization must include the date on which the contribution was received,  
62.20 the individual or association that provided the contribution, and the address of the contributor.  
62.21 Additionally, the itemization for a donation in kind must provide a description of the item  
62.22 or service received. Contributions that are less than the itemization amount must be reported  
62.23 as an aggregate total.

62.24 (q) Legislative, statewide, and judicial candidates, party units, political committees and  
62.25 funds, and committees to promote or defeat a ballot question must itemize expenditures and  
62.26 noncampaign disbursements that in aggregate exceed \$200 in a calendar year on reports  
62.27 submitted to the board. The itemization must include the date on which the committee made  
62.28 or became obligated to make the expenditure or disbursement, the name and address of the  
62.29 vendor that provided the service or item purchased, and a description of the service or item  
62.30 purchased, including an explanation of how the expenditure was used. Expenditures and  
62.31 noncampaign disbursements must be listed on the report alphabetically by vendor.

62.32 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
62.33 and disclosures required to be filed on or after that date.

63.1 Sec. 27. Minnesota Statutes 2020, section 10A.20, subdivision 6a, is amended to read:

63.2 Subd. 6a. **Statement of independence.** An individual, political committee, political  
63.3 fund, or party unit filing a report or statement disclosing an independent expenditure under  
63.4 subdivision 3 or 6 must file with the report a sworn statement that the disclosed expenditures  
63.5 were not made with the authorization or expressed or implied consent of, or in cooperation  
63.6 or in concert with, or at the request or suggestion of any candidate; ~~or~~ any candidate's  
63.7 principal campaign committee or agent; any local candidate, or any local candidate's agent.

63.8 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
63.9 and disclosures required to be filed on or after that date.

63.10 Sec. 28. Minnesota Statutes 2020, section 10A.20, subdivision 13, is amended to read:

63.11 Subd. 13. **Third-party reimbursement.** An individual or association filing a report  
63.12 disclosing an expenditure or noncampaign disbursement that must be reported and itemized  
63.13 under subdivision 3, paragraph ~~(g)~~ (h) or ~~(l)~~ (m), that is a reimbursement to a third party  
63.14 must report the purpose of each expenditure or disbursement for which the third party is  
63.15 being reimbursed. In the alternative, the reporting individual or association may report  
63.16 individually each of the underlying expenditures being reimbursed. An expenditure or  
63.17 disbursement is a reimbursement to a third party if it is for goods or services that were not  
63.18 directly provided by the individual or association to whom the expenditure or disbursement  
63.19 is made. Third-party reimbursements include payments to credit card companies and  
63.20 reimbursement of individuals for expenses they have incurred.

63.21 Sec. 29. Minnesota Statutes 2020, section 10A.27, subdivision 13, is amended to read:

63.22 Subd. 13. **Unregistered association limit; statement; penalty.** (a) The treasurer of a  
63.23 political committee, political fund, principal campaign committee, or party unit must not  
63.24 accept a contribution of more than \$200 from an association not registered under this chapter  
63.25 unless the contribution is accompanied by a ~~written~~ statement that meets the disclosure and  
63.26 reporting period requirements imposed by section 10A.20. The statement may be a written  
63.27 statement or a government website where the disclosure report for the unregistered association  
63.28 may be viewed. This statement must be certified as true and correct by an officer of the  
63.29 contributing association. The committee, fund, or party unit that accepts the contribution  
63.30 must include a copy of the written statement or website with the report that discloses the  
63.31 contribution to the board.

63.32 (b) An unregistered association may provide the ~~written~~ statement required by this  
63.33 subdivision to no more than three committees, funds, or party units in a calendar year. Each

64.1 statement must cover at least the 30 days immediately preceding and including the date on  
64.2 which the contribution was made. An unregistered association or an officer of it is subject  
64.3 to a civil penalty imposed by the board of up to \$1,000, if the association or its officer:

64.4 (1) fails to provide a ~~written~~ statement as required by this subdivision; or

64.5 (2) fails to register after giving the ~~written~~ statement required by this subdivision to more  
64.6 than three committees, funds, or party units in a calendar year.

64.7 (c) The treasurer of a political committee, political fund, principal campaign committee,  
64.8 or party unit who accepts a contribution in excess of \$200 from an unregistered association  
64.9 without the required ~~written~~ disclosure statement is subject to a civil penalty up to four  
64.10 times the amount in excess of \$200.

64.11 (d) This subdivision does not apply:

64.12 (1) when a national political party contributes money to its state committee; ~~or~~

64.13 (2) when a federal committee of a major or minor political party registered with the  
64.14 board gives an in-kind contribution to the federal committee's state central committee or a  
64.15 party organization within a house of the state legislature; or

64.16 ~~(2)~~ (3) to purchases by candidates for federal office of tickets to events or space rental  
64.17 at events held by party units in this state (i) if the geographical area represented by the party  
64.18 unit includes any part of the geographical area of the office that the federal candidate is  
64.19 seeking and (ii) the purchase price is not more than that paid by other attendees or renters  
64.20 of similar spaces.

64.21 Sec. 30. Minnesota Statutes 2020, section 10A.275, subdivision 1, is amended to read:

64.22 Subdivision 1. **Exceptions.** Notwithstanding other provisions of this chapter, the  
64.23 following expenditures by a party unit, or two or more party units acting together, with at  
64.24 least one party unit being either: the state committee or the party organization within a  
64.25 congressional district, county, or legislative district, are not considered contributions to or  
64.26 expenditures on behalf of a candidate for the purposes of section 10A.25 or 10A.27 and  
64.27 must not be allocated to candidates under section 10A.20, subdivision 3, paragraph ~~(g)~~ (h):

64.28 (1) expenditures on behalf of candidates of that party generally without referring to any  
64.29 of them specifically in a published, posted, or broadcast advertisement;

64.30 (2) expenditures for the preparation, display, mailing, or other distribution of an official  
64.31 party sample ballot listing the names of three or more individuals whose names are to appear  
64.32 on the ballot;

65.1 (3) expenditures for a telephone ~~conversation including~~ call, voice mail, text message,  
65.2 multimedia message, internet chat message, or e-mail when the communication includes  
65.3 the names of three or more individuals whose names are to appear on the ballot;

65.4 (4) expenditures for a political party fund-raising effort on behalf of three or more  
65.5 candidates; or

65.6 (5) expenditures for party committee staff services that benefit three or more candidates.

65.7 Sec. 31. Minnesota Statutes 2020, section 10A.323, is amended to read:

65.8 **10A.323 AFFIDAVIT OF CONTRIBUTIONS.**

65.9 (a) In addition to the requirements of section 10A.322, to be eligible to receive a public  
65.10 subsidy under section 10A.31 a candidate or the candidate's treasurer must:

65.11 (1) between January 1 of the previous year and the cutoff date for transactions included  
65.12 in the report of receipts and expenditures due before the primary election, accumulate  
65.13 contributions from individuals eligible to vote in this state in at least the amount indicated  
65.14 for the office sought, counting only the first \$50 received from each contributor, excluding  
65.15 in-kind contributions:

65.16 (i) candidates for governor and lieutenant governor running together, \$35,000;

65.17 (ii) candidates for attorney general, \$15,000;

65.18 (iii) candidates for secretary of state and state auditor, separately, \$6,000;

65.19 (iv) candidates for the senate, \$3,000; and

65.20 (v) candidates for the house of representatives, \$1,500;

65.21 (2) file an affidavit with the board stating that the principal campaign committee has  
65.22 complied with this paragraph. The affidavit must state the total amount of contributions that  
65.23 have been received from individuals eligible to vote in this state, excluding:

65.24 (i) the portion of any contribution in excess of \$50;

65.25 (ii) any in-kind contribution; and

65.26 (iii) any contribution for which the name and address of the contributor is not known  
65.27 and recorded; and

65.28 (3) submit the affidavit required by this section to the board in writing by the deadline  
65.29 for reporting of receipts and expenditures before a primary under section 10A.20, subdivision  
65.30 4 2.

66.1 (b) A candidate for a vacancy to be filled at a special election for which the filing period  
66.2 does not coincide with the filing period for the general election must accumulate the  
66.3 contributions specified in paragraph (a) and must submit the affidavit required by this section  
66.4 to the board within five days after the close of the filing period for the special election for  
66.5 which the candidate filed.

66.6 (c) Notwithstanding paragraphs (a) and (b), a candidate for a vacancy to be filled at a  
66.7 special election called under section 204B.13, subdivision 2, paragraph (c), must accumulate  
66.8 the contributions specified in paragraph (a) and must submit the affidavit required by this  
66.9 section to the board within 12 calendar days after the general election.

66.10 (d) A candidate or the candidate's treasurer must be able to electronically file the affidavit  
66.11 required under this section in the same manner as other reports required by this chapter.  
66.12 The board must not require the candidate or candidate's treasurer to notarize the affidavit  
66.13 of contribution.

66.14 Sec. 32. Minnesota Statutes 2020, section 383B.041, is amended to read:

66.15 **383B.041 CAMPAIGN FINANCING, DISCLOSURE OF ECONOMIC**  
66.16 **INTERESTS.**

66.17 Subdivision 1. Hennepin County candidates. Sections 383B.041 to 383B.058 apply  
66.18 to the financing of campaigns for county elections in Hennepin County and for city elections  
66.19 in home rule charter cities and statutory cities located wholly within Hennepin County,  
66.20 having a population of 75,000 or more, and for school board elections in the Special School  
66.21 District No. 1, Minneapolis, and to disclosure of economic interests by candidates and  
66.22 elected public officials of those jurisdictions. The provisions of sections 211A.02 to 211A.07  
66.23 do not apply to the financing of campaigns for elections subject to the provisions of sections  
66.24 383B.041 to 383B.058. Candidates for county commissioner, county attorney, and sheriff  
66.25 of Hennepin County must file campaign disclosure forms with the filing officer for Hennepin  
66.26 County. These candidates are subject to the provisions of chapter 211A.

66.27 Subd. 2. Political subdivision candidates. Candidates for elected city, school board,  
66.28 park commissioner, and other political subdivision offices within Hennepin County shall  
66.29 file campaign disclosure forms with the filing officer for the political subdivision for which  
66.30 the candidate is seeking office. These candidates are subject to the provisions of chapter  
66.31 211A.

66.32 Subd. 3. Political committees, political funds, and independent expenditures. (a)  
66.33 The provisions of chapter 10A apply to political committees as defined in section 10A.01,

67.1 subdivision 27; political funds as defined in section 10A.01, subdivision 28; and independent  
67.2 expenditures as defined in section 10A.01, subdivision 18, related to:

67.3 (1) a campaign for the nomination or election of a candidate for:

67.4 (i) a county office in Hennepin County;

67.5 (ii) a city office in a home rule charter or statutory city located wholly within Hennepin  
67.6 County with a population of 75,000 or more; or

67.7 (iii) the school board in Special School District No. 1; and

67.8 (2) a ballot question or proposition that may be voted on by:

67.9 (i) all voters in Hennepin County;

67.10 (ii) all voters of a home rule charter or statutory city located wholly within Hennepin  
67.11 County and having a population of 75,000 or more; or

67.12 (iii) all voters in Special School District No. 1.

67.13 (b) The provisions of chapter 211A apply to a campaign for nomination or election for  
67.14 an office in the following political subdivisions:

67.15 (1) a home rule or statutory city located wholly within Hennepin County and having a  
67.16 population of less than 75,000; and

67.17 (2) a school district located wholly within Hennepin County other than Special School  
67.18 District No. 1.

67.19 (c) The provisions of chapter 211A apply to a ballot question or proposition that may  
67.20 be voted on by:

67.21 (1) all voters of a home rule or statutory city located wholly within Hennepin County  
67.22 and having a population of less than 75,000; and

67.23 (2) all voters of a school district located wholly within Hennepin County other than  
67.24 Special School District No. 1.

67.25 Subd. 4. **Local ordinances and charters superseded.** This section supersedes the  
67.26 provisions of any ordinance or resolution of a political subdivision within Hennepin County,  
67.27 or any existing special law or home rule charter provision of a political subdivision within  
67.28 Hennepin County requiring disclosure of information related to the financing of election  
67.29 campaigns.

67.30 Subd. 5. **Economic interest disclosure; Special School District No. 1.** Every candidate  
67.31 for school board in Special School District No. 1, Minneapolis, must file an original statement

68.1 of economic interest with the school district within 14 days of the filing of an affidavit or  
68.2 petition to appear on the ballot. An elected official in Special School District No. 1,  
68.3 Minneapolis, must file the annual statement required in section 10A.09, subdivision 6, with  
68.4 the school district for every year that the individual serves in office. An original and annual  
68.5 statement must contain the information listed in section 10A.09, subdivision 5. The provisions  
68.6 of section 10A.09, subdivisions 6a, 7, and 9, apply to statements required under this  
68.7 subdivision.

68.8 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports  
68.9 and disclosures required to be filed on or after that date.

68.10 Sec. 33. **REPEALER.**

68.11 Subdivision 1. **Enterprise Minnesota, Inc.** Minnesota Statutes 2020, sections 116O.03,  
68.12 subdivision 9; and 116O.04, subdivision 3, are repealed.

68.13 Subd. 2. **Hennepin County.** Minnesota Statutes 2020, sections 10A.15, subdivision 6;  
68.14 383B.042; 383B.043; 383B.044; 383B.045; 383B.046; 383B.047; 383B.048; 383B.049;  
68.15 383B.05; 383B.051; 383B.052; 383B.053; 383B.054; 383B.055; 383B.056; and 383B.057,  
68.16 are repealed.

68.17 **EFFECTIVE DATE.** Subdivision 2 is effective January 1, 2022, and applies to reports  
68.18 and disclosures required to be filed on or after that date."

68.19 Delete the title and insert:

68.20 "A bill for an act

68.21 relating to state government; making technical and policy changes to legislative  
68.22 coordinating commission, legislative auditor, state budget, operation and  
68.23 maintenance of state buildings, canine management, state central motor pool, and  
68.24 state historic preservation office; establishing the Capitol flag program; making  
68.25 information technology changes including changing the name of the Office of  
68.26 MN.IT Services; making technical and policy changes to various election and  
68.27 campaign finance provisions including provisions related to elections  
68.28 administration, voting, absentee voting, candidates, ballots, recounts, noncampaign  
68.29 disbursements, public officials, and economic interest statements; modifying  
68.30 provisions to the financing of campaigns for Hennepin County elections and for  
68.31 certain political subdivisions in Hennepin County; appropriating money for veterans  
68.32 homes in Preston, Montevideo, and Bemidji; amending Minnesota Statutes 2020,  
68.33 sections 3.302, subdivision 3; 3.303, subdivision 1; 3.971, subdivision 2, by adding  
68.34 a subdivision; 3.972, subdivisions 2, 2a; 3.978, subdivision 2; 3.979, subdivision  
68.35 3; 10A.01, subdivisions 4, 7, 9, 11, 16a, 17c, 18, 20, 26, 27, 28, 35, by adding a  
68.36 subdivision; 10A.09, subdivisions 1, 2, 5, 6, by adding a subdivision; 10A.12,  
68.37 subdivisions 1, 2; 10A.121, subdivision 2; 10A.13, subdivision 1; 10A.14, by  
68.38 adding a subdivision; 10A.17, subdivision 4; 10A.20, subdivisions 3, 6a, 13, by  
68.39 adding a subdivision; 10A.27, subdivision 13; 10A.275, subdivision 1; 10A.323;  
68.40 15.01; 16A.152, subdivision 2; 16B.24, subdivision 1; 16B.2975, by adding a  
68.41 subdivision; 16B.48, subdivision 2; 16B.54, subdivisions 1, 2; 16E.01; 16E.016;  
68.42 16E.02; 16E.03, subdivisions 1, 2, 3, 6; 16E.036; 16E.04, subdivision 3; 16E.0465,

69.1 subdivision 2; 16E.05, subdivision 1; 16E.07, subdivision 12; 16E.21, subdivision  
69.2 2; 97A.057, subdivision 1; 138.081, subdivisions 1, 2; 138.31, by adding a  
69.3 subdivision; 138.34; 138.40; 138.666; 138.667; 138.763, subdivision 1; 203B.01,  
69.4 subdivision 3; 203B.04, subdivision 1; 203B.12, subdivision 7; 203B.121,  
69.5 subdivisions 2, 4; 203B.24, subdivision 1; 204B.09, subdivision 3; 204B.36,  
69.6 subdivision 2; 204C.05, subdivisions 1a, 1b; 204C.21, subdivision 1; 204C.27;  
69.7 204C.36, subdivision 1; 204D.08, subdivision 4; 204D.13, subdivision 1; 204D.195;  
69.8 204D.27, subdivision 5; 204D.28, subdivisions 9, 10; 206.805, subdivision 1;  
69.9 206.89, subdivisions 4, 5; 206.90, subdivision 6; 207A.13; 207A.14, subdivision  
69.10 3; 349.151, subdivision 2; 367.25, subdivision 1; 383B.041; 412.02, subdivision  
69.11 2a; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing  
69.12 Minnesota Statutes 2020, sections 3.972, subdivisions 2c, 2d; 10A.15, subdivision  
69.13 6; 16E.0466, subdivision 1; 16E.05, subdivision 3; 16E.071; 16E.145; 116O.03,  
69.14 subdivision 9; 116O.04, subdivision 3; 383B.042; 383B.043; 383B.044; 383B.045;  
69.15 383B.046; 383B.047; 383B.048; 383B.049; 383B.05; 383B.051; 383B.052;  
69.16 383B.053; 383B.054; 383B.055; 383B.056; 383B.057."

70.1 We request the adoption of this report and repassage of the bill.

70.2 House Conferees:

70.3 .....  
70.4 Michael V. Nelson Tou Xiong

70.5 .....  
70.6 Sandra Masin Emma Greenman

70.7 .....  
70.8 Jim Nash

70.9 Senate Conferees:

70.10 .....  
70.11 Mary Kiffmeyer Andrew Lang

70.12 .....  
70.13 Mark Koran Jeff Howe

70.14 .....  
70.15 Jim Carlson