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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2608

05/10/2021 Authored by Munson, Mortensen, Miller, Bahr and Drazkowski
The bill was read for the first time and referred to the Committee on State Government Finance and Elections

1.1 A bill for an act
1.2 relating to elections; modifying nomination and election of presidential electors;
1.3 amending Minnesota Statutes 2020, sections 208.03; 208.05.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2020, section 208.03, is amended to read:

1.6 208.03 NOMINATION OF PRESIDENTIAL ELECTORS AND ALTERNATES.

1.7 Presidential electors and alternates for the major political parties of this state shall be
1.8 nominated by delegate conventions called and held under the supervision of the respective
1.9 state central committees of the parties of this state. Each major political party shall nominate
1.10 one presidential elector from each congressional district and two presidential electors from
1.11 the state at-large. At least 71 days before the general election day the chair of the major
1.12 political party shall certify to the secretary of state the names of the persons nominated as
1.13 presidential electors, the names of persons nominated as alternate presidential electors, and
1.14 the names of the party candidates for president and vice president. For each person nominated
1.15 as an elector or alternate elector, the chair shall indicate whether the person is nominated
1.16 as an at-large elector or is nominated to represent a congressional district. In the case of a
1.17 nominee to represent a congressional district, the district number must be noted by the chair.
1.18 The chair shall also certify that the party candidates for president and vice president have
1.19 no affidavit on file as a candidate for any office in this state at the ensuing general election.

2.1 Sec. 2. Minnesota Statutes 2020, section 208.05, is amended to read:

2.2 **208.05 STATE CANVASSING BOARD.**

2.3 (a) The State Canvassing Board at its meeting on the date provided in section 204C.33
2.4 shall open and canvass the returns made to the secretary of state for presidential electors
2.5 and alternates, prepare a statement of the number of votes cast for the persons receiving
2.6 votes for these offices statewide and within each congressional district, and declare the
2.7 person or persons receiving the highest number of votes for each office duly elected, as
2.8 follows:

2.9 (1) the statewide vote totals must be used to determine the person or persons elected to
2.10 serve as electors under the at-large designation; and

2.11 (2) the vote totals within each congressional district must be used to determine the person
2.12 elected to serve as an elector representing that district.

2.13 (b) When it appears that more than the number of persons to be elected as presidential
2.14 electors or alternates have the highest and an equal number of votes, the secretary of state,
2.15 in the presence of the board shall decide by lot which of the persons shall be declared elected.
2.16 The governor shall transmit to each person declared elected a certificate of election, signed
2.17 by the governor, sealed with the state seal, and countersigned by the secretary of state.