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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **3766**

02/24/2020 Authored by Robbins, Baker and Gunther
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to elections; modifying standards related to presidential nomination primary
1.3 voter data; amending Minnesota Statutes 2019 Supplement, section 201.091,
1.4 subdivision 4a.

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

1.6 Section 1. Minnesota Statutes 2019 Supplement, section 201.091, subdivision 4a, is
1.7 amended to read:

1.8 Subd. 4a. **Presidential primary political party list.** (a) The secretary of state must
1.9 maintain a list of the voters who voted in a presidential nomination primary and the political
1.10 party each voter selected, sorted by party. Information maintained on the list is private data
1.11 on individuals as defined under section 13.02, subdivision 12, except that the secretary of
1.12 state must provide the portion of the list that identifies the voters who cast ballots for a party
1.13 to the corresponding chair of each major political that party. To receive a list under this
1.14 paragraph, a party chair must submit a written request to the secretary of state that includes
1.15 an acknowledgment of the requirements, remedies, and penalties provided in this subdivision.
1.16 The secretary must charge a party chair costs and fees at the same rate as required for copies
1.17 of other voter lists provided under this section. When providing a list to a party chair, the
1.18 secretary must request that the party chair provide a confirmation of receipt.

1.19 (b) Except as provided by this subdivision, data contained on a list prepared under
1.20 paragraph (a) may not be retained, used, shared, or disseminated by the secretary for any
1.21 purpose. The secretary and county auditor must destroy all data used to create a list within
1.22 ten days after the party chair provides a confirmation of receipt.

2.1 (c) A political party chair who receives a list under this subdivision may share the list
2.2 with organizational units within the party. Prior to sharing a list, the party chair must require
2.3 a party unit chair to submit a written acknowledgment of the requirements, remedies, and
2.4 penalties provided in this subdivision. The political party must maintain a log that identifies
2.5 each party unit provided a copy of the list, along with a copy of the party unit's written
2.6 acknowledgment, for a period of five years after the list is shared. The data sharing log and
2.7 written acknowledgments must be available for public inspection.

2.8 (d) The list may only be used by a party chair or party unit for elections and political
2.9 activities. The list may not otherwise be sold, distributed, or used for any purpose, including
2.10 for any commercial purpose.

2.11 (e) Upon receipt of a statement signed by a voter that the voter wishes to be removed
2.12 from any list provided under paragraph (a), the secretary of state and county auditor must
2.13 remove all data on that voter from the list. The secretary of state must provide a form that
2.14 may be used by voters for this purpose on the secretary's website. Statements received by
2.15 the secretary of state or county auditor under this paragraph are private data on individuals,
2.16 as defined in section 13.02, subdivision 12.

2.17 (f) A violation of this subdivision is subject to the remedies and penalties provided in
2.18 sections 13.08 and 13.09.

2.19 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2020.