

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 3818

(SENATE AUTHORS: WESTLIN, Carlson, Boldon and Mitchell)

DATE	D-PG	OFFICIAL STATUS
02/19/2024	11629	Introduction and first reading Referred to Elections
03/04/2024		Comm report: To pass as amended and re-refer to Judiciary and Public Safety

1.1 A bill for an act

1.2 relating to elections; modifying various provisions related to election administration;

1.3 modifying voter registration requirements; amending requirements related to voting

1.4 instructions and sample ballots; amending requirements relating to tabulating votes

1.5 and tabulation equipment; amending the timeline for notification provided to

1.6 counties of certain elections; amending recount threshold requirements; amending

1.7 the vacancy in nomination process; amending Minnesota Statutes 2022, sections

1.8 201.071, subdivision 3; 204B.13, subdivision 2; 204C.20, subdivision 1, by adding

1.9 a subdivision; 204C.35, subdivision 2; 204C.36, subdivisions 2, 3; 204D.29,

1.10 subdivisions 1, 2, by adding a subdivision; 205.16, subdivisions 4, 5; 205A.05,

1.11 subdivision 3; 205A.07, subdivisions 3, 3b; 205A.11, subdivision 2; 447.32,

1.12 subdivision 3; Minnesota Statutes 2023 Supplement, sections 201.061, subdivisions

1.13 3, 3a; 201.071, subdivision 1; 204B.09, subdivision 3; 204B.13, subdivision 6a;

1.14 204B.16, subdivision 1; 204B.295, subdivisions 1, 2, 3, by adding a subdivision;

1.15 204C.24, subdivision 1; 206.61, subdivision 1.

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

1.17 Section 1. Minnesota Statutes 2023 Supplement, section 201.061, subdivision 3, is amended
1.18 to read:

1.19 Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register
1.20 on election day by appearing in person at the polling place for the precinct in which the
1.21 individual maintains residence, by completing a registration application, making an oath in
1.22 the form prescribed by the secretary of state and providing proof of residence. An individual
1.23 may prove residence for purposes of registering by:

1.24 (1) presenting a driver's license or Minnesota identification card issued pursuant to
1.25 section 171.07;

1.26 (2) presenting any document approved by the secretary of state as proper identification;

1.27 (3) presenting ~~one of the following:~~

2.1 ~~(i) a current valid student identification card from a postsecondary educational institution~~
2.2 ~~in Minnesota, if a list of students from that institution has been prepared under section~~
2.3 ~~135A.17 and certified to the county auditor in the manner provided in rules of the secretary~~
2.4 ~~of state; or~~

2.5 ~~(ii) a current student fee statement that contains the student's valid address in the precinct~~
2.6 ~~together with a picture identification card; or~~

2.7 (4) having a voter who is registered to vote in the precinct, or an employee employed
2.8 by and working in a residential facility in the precinct and vouching for a resident in the
2.9 facility, sign an oath in the presence of the election judge vouching that the voter or employee
2.10 personally knows that the individual is a resident of the precinct. A voter who has been
2.11 vouched for on election day may not sign a proof of residence oath vouching for any other
2.12 individual on that election day. A voter who is registered to vote in the precinct may sign
2.13 up to eight proof-of-residence oaths on any election day. This limitation does not apply to
2.14 an employee of a residential facility described in this clause. The secretary of state shall
2.15 provide a form for election judges to use in recording the number of individuals for whom
2.16 a voter signs proof-of-residence oaths on election day. The form must include space for the
2.17 maximum number of individuals for whom a voter may sign proof-of-residence oaths. For
2.18 each proof-of-residence oath, the form must include a statement that the individual: (i) is
2.19 registered to vote in the precinct or is an employee of a residential facility in the precinct,
2.20 (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the
2.21 statement on oath. The form must include a space for the voter's printed name, signature,
2.22 telephone number, and address.

2.23 The oath required by this subdivision and Minnesota Rules, part 8200.9939, must be
2.24 attached to the voter registration application.

2.25 (b) The operator of a residential facility shall prepare a list of the names of its employees
2.26 currently working in the residential facility and the address of the residential facility. The
2.27 operator shall certify the list and provide it to the appropriate county auditor no less than
2.28 20 days before each election for use in election day registration.

2.29 (c) "Residential facility" means transitional housing as defined in section 256E.33,
2.30 subdivision 1; a supervised living facility licensed by the commissioner of health under
2.31 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision
2.32 5; an assisted living facility licensed by the commissioner of health under chapter 144G; a
2.33 veterans home operated by the board of directors of the Minnesota Veterans Homes under
2.34 chapter 198; a residence licensed by the commissioner of human services to provide a

3.1 residential program as defined in section 245A.02, subdivision 14; a residential facility for
 3.2 persons with a developmental disability licensed by the commissioner of human services
 3.3 under section 252.28; setting authorized to provide housing support as defined in section
 3.4 256I.03, subdivision 10a; a shelter for battered women as defined in section 611A.37,
 3.5 subdivision 4; a supervised publicly or privately operated shelter or dwelling designed to
 3.6 provide temporary living accommodations for the homeless; a facility where a provider
 3.7 operates a residential treatment program as defined in section 245.462, subdivision 23; or
 3.8 a facility where a provider operates an adult foster care program as defined in section
 3.9 245A.02, subdivision 6c.

3.10 (d) For tribal band members, an individual may prove residence for purposes of
 3.11 registering by:

3.12 (1) presenting an identification card issued by the tribal government of a tribe recognized
 3.13 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the
 3.14 name, address, signature, and picture of the individual; or

3.15 (2) presenting an identification card issued by the tribal government of a tribe recognized
 3.16 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the
 3.17 name, signature, and picture of the individual and also presenting one of the documents
 3.18 listed in Minnesota Rules, part 8200.5100, subpart 2, item B.

3.19 (e) A county, school district, or municipality may require that an election judge
 3.20 responsible for election day registration initial each completed registration application.

3.21 **EFFECTIVE DATE.** This section is effective June 1, 2024.

3.22 Sec. 2. Minnesota Statutes 2023 Supplement, section 201.061, subdivision 3a, is amended
 3.23 to read:

3.24 Subd. 3a. **Additional proofs of residence permitted for students.** (a) ~~An eligible~~ If an
 3.25 eligible voter's name; student identification number, if available; and address within the
 3.26 precinct appear on a current residential housing list under section 135A.17 certified to the
 3.27 county auditor by the postsecondary educational institution, the voter may prove residence
 3.28 by presenting a current valid photo identification issued by a postsecondary educational
 3.29 institution in Minnesota ~~if the voter's name; student identification number, if available; and~~
 3.30 ~~address within the precinct appear on a current residential housing list under section 135A.17,~~
 3.31 ~~certified to the county auditor by the postsecondary educational institution; identification~~
 3.32 authorized in subdivision 3, paragraph (a), clause (1) or (2); or identification authorized in
 3.33 subdivision 3, paragraph (d), clause (1) or (2).

4.1 (b) This additional proof of residence for students must not be allowed unless the
4.2 postsecondary educational institution submits to the county auditor no later than 60 days
4.3 prior to the election a written agreement that the postsecondary educational institution will
4.4 certify for use at the election accurate updated residential housing lists under section 135A.17.
4.5 A written agreement is effective for the election and all subsequent elections held in that
4.6 calendar year, including the November general election.

4.7 (c) The additional proof of residence for students must be allowed on an equal basis for
4.8 voters who reside in housing meeting the requirements of section 135A.17, if the residential
4.9 housing lists certified by the postsecondary educational institution meet the requirements
4.10 of this subdivision.

4.11 (d) An updated residential housing list must be certified to the county auditor no earlier
4.12 than 20 days prior to each election. The certification must be dated and signed by the chief
4.13 officer or designee of the postsecondary educational institution and must state that the list
4.14 is current and accurate and includes only the names of persons residing as of the date of the
4.15 certification.

4.16 (e) The county auditor shall instruct the election judges of the precinct in procedures for
4.17 use of the list in conjunction with photo identification. The auditor shall supply a list to the
4.18 election judges with the election supplies for the precinct.

4.19 (f) The county auditor shall notify all postsecondary educational institutions in the county
4.20 of the provisions of this subdivision.

4.21 **EFFECTIVE DATE.** This section is effective June 1, 2024.

4.22 Sec. 3. Minnesota Statutes 2023 Supplement, section 201.071, subdivision 1, is amended
4.23 to read:

4.24 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
4.25 contain the same information unless otherwise provided by law. A voter registration
4.26 application must contain spaces for the following required information: voter's first name,
4.27 middle name, and last name; voter's previous name, if any; voter's current address; voter's
4.28 previous address, if any; voter's date of birth; voter's municipality and county of residence;
4.29 voter's telephone number, if provided by the voter; date of registration; current and valid
4.30 Minnesota driver's license number or Minnesota state identification number, or if the voter
4.31 has no current and valid Minnesota driver's license or Minnesota state identification, the
4.32 last four digits of the voter's Social Security number; a box to indicate a voter's preference
4.33 to join the permanent absentee voter list; and voter's signature. The paper registration

5.1 application must provide a space for a voter to provide a physical description of the location
5.2 of their residence, if the voter resides in an area lacking a specific physical address. The
5.3 paper registration application may include the voter's email address, if provided by the voter.
5.4 The electronic voter registration application must include the voter's email address. The
5.5 registration application may include the voter's interest in serving as an election judge, if
5.6 indicated by the voter. The application must also contain the following certification of voter
5.7 eligibility:

5.8 "I certify that I:

5.9 (1) am at least 16 years old and understand that I must be at least 18 years old to be
5.10 eligible to vote;

5.11 (2) am a citizen of the United States;

5.12 (3) will have maintained residence in Minnesota for 20 days immediately preceding
5.13 election day;

5.14 (4) maintain residence at the address or location given on the registration form;

5.15 (5) am not under court-ordered guardianship in which the court order revokes my right
5.16 to vote;

5.17 (6) have not been found by a court to be legally incompetent to vote;

5.18 (7) am not currently incarcerated for a conviction of a felony offense; and

5.19 (8) have read and understand the following statement: that giving false information is a
5.20 felony punishable by not more than five years imprisonment or a fine of not more than
5.21 \$10,000, or both."

5.22 The certification must include boxes for the voter to respond to the following questions:

5.23 "(1) Are you a citizen of the United States?" and

5.24 "(2) Are you at least 16 years old and will you be at least 18 years old on or before the
5.25 day of the election in which you intend to vote?"

5.26 And the instruction:

5.27 "If you checked 'no' to either of these questions, do not complete this form."

5.28 The form of the voter registration application and the certification of voter eligibility
5.29 must be as provided in this subdivision and approved by the secretary of state. Voter
5.30 registration forms authorized by the National Voter Registration Act must also be accepted

6.1 as valid. The federal postcard application form must also be accepted as valid if it is not
6.2 deficient and the voter is eligible to register in Minnesota.

6.3 An individual may use a voter registration application to apply to register to vote in
6.4 Minnesota or to change information on an existing registration.

6.5 **EFFECTIVE DATE.** This section is effective June 1, 2024.

6.6 Sec. 4. Minnesota Statutes 2022, section 201.071, subdivision 3, is amended to read:

6.7 Subd. 3. **Deficient registration.** No voter registration application is deficient if it contains
6.8 the voter's name, address or location of residence, date of birth, current and valid Minnesota
6.9 driver's license number or Minnesota state identification number, or if the voter has no
6.10 current and valid Minnesota driver's license or Minnesota state identification number, the
6.11 last four digits of the voter's Social Security number, if the voter has been issued a Social
6.12 Security number, prior registration, if any, and signature. The absence of a zip code number
6.13 does not cause the registration to be deficient. Failure to check a box on an application form
6.14 that a voter has certified to be true does not cause the registration to be deficient. The election
6.15 judges shall request an individual to correct a voter registration application if it is deficient
6.16 or illegible. No eligible voter may be prevented from voting unless the voter's registration
6.17 application is deficient or the voter is duly and successfully challenged in accordance with
6.18 section 201.195 or 204C.12.

6.19 A voter registration application accepted prior to August 1, 1983, is not deficient for
6.20 lack of date of birth. The county or municipality may attempt to obtain the date of birth for
6.21 a voter registration application accepted prior to August 1, 1983, by a request to the voter
6.22 at any time except at the polling place. Failure by the voter to comply with this request does
6.23 not make the registration deficient.

6.24 A voter registration application accepted before January 1, 2004, is not deficient for lack
6.25 of a valid Minnesota driver's license or state identification number or the last four digits of
6.26 a Social Security number. A voter registration application submitted by a voter who does
6.27 not have a Minnesota driver's license or state identification number, or a Social Security
6.28 number, is not deficient for lack of any of these numbers.

6.29 A voter registration application submitted electronically through the website of the
6.30 secretary of state prior to April 30, 2014, is not invalid as a result of its electronic submission.

6.31 **EFFECTIVE DATE.** This section is effective June 1, 2024.

7.1 Sec. 5. Minnesota Statutes 2023 Supplement, section 204B.09, subdivision 3, is amended
7.2 to read:

7.3 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who
7.4 wants write-in votes for the candidate to be counted must file a written request with the
7.5 filing office for the office sought not more than 84 days before the primary and no later
7.6 than the seventh day before the general election. The filing officer shall provide copies of
7.7 the form to make the request. The filing officer shall not accept a written request later than
7.8 5:00 p.m. on the last day for filing a written request.

7.9 (b) The governing body of a statutory or home rule charter city may adopt a resolution
7.10 governing the counting of write-in votes for local elective office. The resolution may:

7.11 (1) require the candidate to file a written request with the chief election official no later
7.12 than the seventh day before the city election if the candidate wants to have the candidate's
7.13 write-in votes individually recorded; or

7.14 (2) require that write-in votes for an individual candidate only be individually recorded
7.15 if the total number of write-in votes for that office is equal to or greater than the fewest
7.16 number of non-write-in votes for a ballot candidate.

7.17 If the governing body of the statutory or home rule charter city adopts a resolution authorized
7.18 by this paragraph, the resolution must be adopted and the city clerk must notify the county
7.19 auditor before the first day of filing for office. A resolution adopted under this paragraph
7.20 remains in effect until a subsequent resolution on the same subject is adopted by the
7.21 governing body of the statutory or home rule charter city.

7.22 (c) The governing body of a township, school board, hospital district, park district, soil
7.23 and water district, or other ancillary elected district may adopt a resolution governing the
7.24 counting of write-in votes for local elective office. The resolution may require that write-in
7.25 votes for an individual candidate only be individually recorded if the total number of write-in
7.26 votes for that office is equal to or greater than the fewest number of non-write-in votes for
7.27 a ballot candidate. If a governing body adopts a resolution authorized by this paragraph,
7.28 the resolution must be adopted and the clerk must notify the county auditor before the first
7.29 day of filing for office. A resolution adopted under this paragraph remains in effect until a
7.30 subsequent resolution on the same subject is adopted by the governing body.

7.31 (d) A candidate for president of the United States who files a request under this
7.32 subdivision must include the name of a candidate for vice president of the United States.
7.33 The request must also include the name of at least one candidate for presidential elector.

8.1 The total number of names of candidates for presidential elector on the request may not
8.2 exceed the total number of electoral votes to be cast by Minnesota in the presidential election.

8.3 (e) A candidate for governor who files a request under this subdivision must file jointly
8.4 with another individual seeking nomination as a candidate for lieutenant governor. A
8.5 candidate for lieutenant governor who files a request under this subdivision must file jointly
8.6 with another individual seeking nomination as a candidate for governor.

8.7 Sec. 6. Minnesota Statutes 2022, section 204B.13, subdivision 2, is amended to read:

8.8 Subd. 2. **Partisan office; nomination by party; special election.** (a) Except as provided
8.9 in ~~subdivision~~ subdivisions 5 and 6a, a major political party may fill a vacancy in nomination
8.10 of that party's candidate as defined in subdivision 1, paragraph (a), clause (1), (2), or (3),
8.11 by filing one nomination certificate with the same official who received the affidavits of
8.12 candidacy for that office.

8.13 A major political party may provide in its governing rules a procedure, including
8.14 designation of an appropriate committee, to fill a vacancy in nomination for any federal or
8.15 state partisan office. The nomination certificate shall be prepared under the direction of and
8.16 executed by the chair and secretary of the political party and filed within the timelines
8.17 established in this section. When filing the certificate the chair and secretary shall attach an
8.18 affidavit stating that the newly nominated candidate has been selected under the rules of
8.19 the party and that the individuals signing the certificate and making the affidavit are the
8.20 chair and secretary of the party.

8.21 (b) In the case of a vacancy in nomination for partisan office that occurs on or before
8.22 the 79th day before the general election, the major political party must file the nomination
8.23 certificate no later than 71 days before the general election. The name of the candidate
8.24 nominated by the party must appear on the general election ballot.

8.25 (c) Except as provided in subdivision 5, in the case of a vacancy in nomination for a
8.26 partisan office that occurs after the 79th day before the general election, the general election
8.27 ballot shall remain unchanged, but the county and state canvassing boards must not certify
8.28 the vote totals for that office from the general election, and the office must be filled at a
8.29 special election held in accordance with this section. Except for the vacancy in nomination,
8.30 all other candidates whose names appeared on the general election ballot for the office must
8.31 appear on the special election ballot for the office. New affidavits of candidacy or nominating
8.32 petitions may not be accepted, and there must not be a primary to fill the vacancy in
8.33 nomination. The major political party may file a nomination certificate as provided in
8.34 paragraph (a) no later than seven days after the general election. On the date of the general

9.1 election, the county auditor or municipal clerk shall post a notice in each precinct affected
 9.2 by a vacancy in nomination under this paragraph, informing voters of the reason for the
 9.3 vacancy in nomination and the procedures for filling the vacancy in nomination and
 9.4 conducting a special election as required by this section. The secretary of state shall prepare
 9.5 and electronically distribute the notice to county auditors in each county affected by a
 9.6 vacancy in nomination.

9.7 **EFFECTIVE DATE.** This section is effective June 1, 2024.

9.8 Sec. 7. Minnesota Statutes 2023 Supplement, section 204B.13, subdivision 6a, is amended
 9.9 to read:

9.10 Subd. 6a. **Candidates for federal office** United States senator and representative in
 9.11 Congress. This section does not apply to a vacancy in nomination for a federal office
 9.12 subdivision applies when, after the 79th day before the general election, any candidate for
 9.13 the office of United States senator or United States representative in Congress: (1) dies; (2)
 9.14 withdraws by filing an affidavit of withdrawal as provided for in section 204B.13, subdivision
 9.15 1(b); or (3) is determined to be ineligible to hold the office the candidate is seeking, pursuant
 9.16 to a court order issued under section 204B.44. In those cases, the general election ballot
 9.17 must remain unchanged, and the county and state canvassing boards must certify the vote
 9.18 totals for that office from the general election. If the candidate who died, withdrew, or was
 9.19 declared ineligible would have been declared elected, then there is a vacancy in that office
 9.20 to be filled as provided by section 204D.28 as to the office of United States senator and
 9.21 section 204D.29, subdivision 1a, as to the office of representative in Congress.

9.22 **EFFECTIVE DATE.** This section is effective June 1, 2024.

9.23 Sec. 8. Minnesota Statutes 2023 Supplement, section 204B.16, subdivision 1, is amended
 9.24 to read:

9.25 Subdivision 1. **Authority; location.** (a) By December 31 of each year, the governing
 9.26 body of each municipality and of each county with precincts in unorganized territory must
 9.27 designate by ordinance or resolution any changes to a polling place location. A polling place
 9.28 must be maintained for the following calendar year unless changed in accordance with this
 9.29 paragraph, or:

9.30 (1) ~~by ordinance or resolution by December 31 of the previous year;~~

9.31 ~~(2)~~ pursuant to section 204B.175;

9.32 ~~(3)~~ (2) because a polling place has become unavailable;

10.1 ~~(4)~~ (3) because a township designates one location for all state, county, and federal
10.2 elections and one location for all township only elections; and

10.3 ~~(5)~~ (4) pursuant to section 204B.14, subdivision 3.

10.4 (b) Polling places must be designated and ballots must be distributed so that no one is
10.5 required to go to more than one polling place to vote in a school district and municipal
10.6 election held on the same day. The polling place for a precinct in a city or in a school district
10.7 located in whole or in part in the metropolitan area defined by section 200.02, subdivision
10.8 24, shall be located within the boundaries of the precinct or within one mile of one of those
10.9 boundaries unless a single polling place is designated for a city pursuant to section 204B.14,
10.10 subdivision 2, or a school district pursuant to section 205A.11. The polling place for a
10.11 precinct in unorganized territory may be located outside the precinct at a place which is
10.12 convenient to the voters of the precinct. If no suitable place is available within a town or
10.13 within a school district located outside the metropolitan area defined by section 200.02,
10.14 subdivision 24, then the polling place for a town or school district may be located outside
10.15 the town or school district within five miles of one of the boundaries of the town or school
10.16 district.

10.17 Sec. 9. Minnesota Statutes 2023 Supplement, section 204B.295, subdivision 1, is amended
10.18 to read:

10.19 Subdivision 1. **Duty.** The secretary of state or county auditor must contract with a
10.20 translator certified by the American Translators Association to develop voting instructions
10.21 and sample ballots in languages other than English, to be made available in polling places
10.22 during elections as required by this section. At a minimum, the secretary of state must
10.23 prepare voting instructions and make the instructions available in polling places in the three
10.24 most commonly spoken non-English languages in the state as determined by the state
10.25 demographer for the previous calendar year. For state elections, the secretary of state must
10.26 prepare and provide example ballots to county auditors and post voting instructions in print,
10.27 electronic, and audio-visual formats, on the secretary of state's website in at least the three
10.28 most commonly spoken non-English languages in the state as determined by the state
10.29 demographer for the previous calendar year.

10.30 **EFFECTIVE DATE.** This section is effective June 1, 2024.

11.1 Sec. 10. Minnesota Statutes 2023 Supplement, section 204B.295, subdivision 2, is amended
11.2 to read:

11.3 Subd. 2. **Designation of language minority districts.** ~~No later than 90 days before an~~
11.4 ~~election~~ By January 1 of each year, the secretary of state or county auditor, in consultation
11.5 with the state demographer, must determine the percentage of residents in each census tract
11.6 who are members of a language minority and who lack sufficient skills in English to vote
11.7 without assistance. Language minority districts will be designated if three percent or more
11.8 of the population in a corresponding census tract speak English "less than very well"
11.9 according to the most recent census data. The state demographer must consider the identified
11.10 margin of error in the census data when identifying census tracts. Designations made in
11.11 January apply to elections for which absentee balloting begins on or after January 1 of each
11.12 year and continue through the end of the calendar year.

11.13 **EFFECTIVE DATE.** This section is effective June 1, 2024.

11.14 Sec. 11. Minnesota Statutes 2023 Supplement, section 204B.295, subdivision 3, is amended
11.15 to read:

11.16 Subd. 3. **Translation required; interpreter required.** (a) If the number of residents
11.17 determined under subdivision 2 equals three percent or more of a census tract, or if interested
11.18 citizens or organizations provide information that gives the secretary of state or county
11.19 auditor sufficient reason to believe a need exists, at least two copies of the translated voting
11.20 instructions and sample ballots must be provided to each precinct in that district during any
11.21 regular or special state election conducted in that district. If more than one language is
11.22 represented in three or more percent of residents as determined in subdivision 2, translated
11.23 materials must be provided in, at minimum, the highest determined language and any
11.24 language representing three percent or more of a census tract.

11.25 (b) If the number of residents determined under subdivision 2 equals 20 percent or more
11.26 of the population of a census tract, or if interested citizens or organizations provide
11.27 information that gives the secretary of state or county auditor sufficient reason to believe a
11.28 need exists, at least four copies of the translated voting instructions and sample ballots must
11.29 be provided to each precinct in that district during any regular or special state election
11.30 conducted in that district. If more than one language is represented in the 20 or more percent
11.31 of residents as determined in subdivision 2, translated materials must be provided in, at
11.32 minimum, the highest determined language and any language representing three percent or
11.33 more of a census tract. In these precincts, the county auditor or municipal clerk must appoint
11.34 at least one interpreter to translate in a specified language if ten or more registered voters

12.1 in the precinct file a request for interpretive services for that language with the secretary of
 12.2 state or county auditor at least 30 days prior to the date of the election. This interpreter must
 12.3 wear a name tag or other badge indicating the interpreter's language certification. For
 12.4 purposes of section 204C.06 and any other applicable law, an interpreter appointed under
 12.5 this section is considered an election official and may be present in a polling place for the
 12.6 purpose of conducting duties assigned by the county auditor or municipal clerk.

12.7 **EFFECTIVE DATE.** This section is effective June 1, 2024.

12.8 Sec. 12. Minnesota Statutes 2023 Supplement, section 204B.295, is amended by adding
 12.9 a subdivision to read:

12.10 Subd. 5. **Sample ballot format requirements.** For the purposes of this section, sample
 12.11 ballots must accurately reflect the offices, candidates, and rotation sequence on the ballots
 12.12 used in that polling place. Sample ballots may deviate from other ballot formatting
 12.13 requirements to the extent required to accommodate the translated content.

12.14 **EFFECTIVE DATE.** This section is effective June 1, 2024.

12.15 Sec. 13. Minnesota Statutes 2022, section 204C.20, subdivision 1, is amended to read:

12.16 Subdivision 1. **Determination of proper number.** The election judges shall determine
 12.17 the number of ballots to be counted by ~~adding the number of return envelopes from accepted~~
 12.18 ~~absentee ballots to~~ tallying the number of signed voter's certificates, or to the number of
 12.19 names entered in the election register. The election judges shall then remove all the ballots
 12.20 from the box. Without considering how the ballots are marked, the election judges shall
 12.21 ascertain that each ballot is separate and shall count them to determine whether the number
 12.22 of ballots in the box corresponds with the number of ballots to be counted.

12.23 **EFFECTIVE DATE.** This section is effective June 1, 2024.

12.24 Sec. 14. Minnesota Statutes 2022, section 204C.20, is amended by adding a subdivision
 12.25 to read:

12.26 Subd. 5. **Precincts with ballot tabulators.** In precincts using ballot tabulators, once the
 12.27 final count of ballots agrees with the number of ballots to be counted, election judges must
 12.28 immediately prepare the summary statement in accordance with section 204C.24 and seal
 12.29 the ballots in accordance with section 204C.25 for return to the county auditor.

12.30 **EFFECTIVE DATE.** This section is effective June 1, 2024.

13.1 Sec. 15. Minnesota Statutes 2023 Supplement, section 204C.24, subdivision 1, is amended
13.2 to read:

13.3 Subdivision 1. **Information requirements.** Precinct summary statements shall be
13.4 submitted by the election judges in every precinct. For all elections, the election judges
13.5 shall complete three or more copies of the summary statements, and each copy shall contain
13.6 the following information for each kind of ballot:

13.7 (1) the number of ballots delivered to the precinct as adjusted by the actual count made
13.8 by the election judges, the number of unofficial ballots made, and the number of absentee
13.9 ballots delivered to the precinct;

13.10 (2) the number of votes each candidate received or the number of yes and no votes on
13.11 each question, the number of undervotes, the number of overvotes, and the number of
13.12 defective ballots with respect to each office or question;

13.13 (3) the number of spoiled ballots, the number of duplicate ballots made, the number of
13.14 absentee ballots rejected, and the number of unused ballots, presuming that the total count
13.15 provided on each package of unopened prepackaged ballots is correct;

13.16 (4) the number of voted ballots indicating only a voter's choices as provided by section
13.17 206.80, paragraph (b), clause (2), item (ii), in precincts that use an assistive voting device
13.18 that produces this type of ballot;

13.19 (5) the number of individuals who voted at the election in the precinct which must equal
13.20 the total number of ballots cast in the precinct, as required by sections 204C.20 and 206.86,
13.21 subdivision 1;

13.22 (6) the number of voters registering on election day in that precinct;

13.23 (7) the signatures of the election judges who counted the ballots certifying that all of the
13.24 ballots cast were properly piled, checked, and counted; and that the numbers entered by the
13.25 election judges on the summary statements correctly show the number of votes cast for each
13.26 candidate and for and against each question;

13.27 (8) the number of election judges that worked in that precinct on election day; and

13.28 (9) the number of voting booths used in that precinct on election day.

13.29 At least two copies of the summary statement must be prepared for elections not held
13.30 on the same day as the state elections.

14.1 Sec. 16. Minnesota Statutes 2022, section 204C.35, subdivision 2, is amended to read:

14.2 Subd. 2. **Discretionary candidate recounts.** (a) A losing candidate whose name was
14.3 on the ballot for nomination or election to a statewide federal office, state constitutional
14.4 office, statewide judicial office, congressional office, state legislative office, or district
14.5 judicial office may request a recount in a manner provided in this section at the candidate's
14.6 own expense when the vote difference is greater than the difference required by this section.
14.7 The votes shall be manually recounted as provided in this section if the candidate files a
14.8 request during the time for filing notice of contest of the primary or election for which a
14.9 recount is sought.

14.10 (b) The requesting candidate shall file with the filing officer a bond, cash, or surety in
14.11 an amount set by the filing officer for the payment of the recount expenses. The requesting
14.12 candidate is responsible for the following expenses: the compensation of the secretary of
14.13 state, or designees, and any election judge, municipal clerk, county auditor, administrator,
14.14 or other personnel who participate in the recount; necessary supplies and travel related to
14.15 the recount; the compensation of the appropriate canvassing board and costs of preparing
14.16 for the canvass of recount results; and any attorney fees incurred in connection with the
14.17 recount by the governing body responsible for the recount.

14.18 (c) A discretionary recount of a primary must not delay delivery of the notice of
14.19 nomination to the winning candidate under section 204C.32.

14.20 (d) The requesting candidate may provide the filing officer with a list of up to three
14.21 precincts that are to be recounted first and may waive the balance of the recount after these
14.22 precincts have been counted. If the candidate provides a list, the recount official must
14.23 determine the expenses for those precincts in the manner provided by paragraph (b).

14.24 (e) The results of the recount must be certified by the canvassing board as soon as
14.25 possible.

14.26 (f) If the winner of the race is changed by the optional recount, the cost of the recount
14.27 must be paid by the jurisdiction conducting the recount.

14.28 (g) If a result of the vote counting in the manual recount is different from the result of
14.29 the vote counting reported on election day by a margin greater than ~~the standard for~~
14.30 ~~acceptable performance of voting systems provided in section 206.89, subdivision 4, two~~
14.31 votes and greater than one-quarter of one percent of the number of ballots counted, the cost
14.32 of the recount must be paid by the jurisdiction conducting the recount.

15.1 Sec. 17. Minnesota Statutes 2022, section 204C.36, subdivision 2, is amended to read:

15.2 Subd. 2. **Discretionary candidate recounts.** (a) A losing candidate for nomination or
15.3 election to a county, municipal, or school district office may request a recount in the manner
15.4 provided in this section at the candidate's own expense when the vote difference is greater
15.5 than the difference required by subdivision 1, paragraphs (a) to (e). The votes shall be
15.6 manually recounted as provided in this section if the requesting candidate files with the
15.7 county auditor, municipal clerk, or school district clerk a bond, cash, or surety in an amount
15.8 set by the governing body of the jurisdiction or the school board of the school district for
15.9 the payment of the recount expenses.

15.10 (b) The requesting candidate may provide the filing officer with a list of up to three
15.11 precincts that are to be recounted first and may waive the balance of the recount after these
15.12 precincts have been counted. If the candidate provides a list, the recount official must
15.13 determine the expenses for those precincts in the manner provided by paragraph (b).

15.14 (c) A discretionary recount of a primary must not delay delivery of the notice of
15.15 nomination to the winning candidate under section 204C.32.

15.16 (d) The results of the recount must be certified by the canvassing board as soon as
15.17 possible.

15.18 (e) If the winner of the race is changed by the optional recount, the cost of the recount
15.19 must be paid by the jurisdiction conducting the recount.

15.20 (f) If a result of the vote counting in the manual recount is different from the result of
15.21 the vote counting reported on election day by a margin greater than ~~the standard for~~
15.22 ~~acceptable performance of voting systems provided in section 206.89, subdivision 4~~ two
15.23 votes and greater than one-quarter of one percent of the number of ballots recounted, the
15.24 cost of the recount must be paid by the jurisdiction conducting the recount.

15.25 Sec. 18. Minnesota Statutes 2022, section 204C.36, subdivision 3, is amended to read:

15.26 Subd. 3. **Discretionary ballot question recounts.** ~~A recount may be conducted for a~~
15.27 ~~ballot question when the difference between the votes for and the votes against the question~~
15.28 ~~is less than or equal to the difference provided in subdivision 1.~~ A recount for a ballot
15.29 question may be requested by any person eligible to vote on the ballot question. A written
15.30 request for a recount must be filed with the filing officer of the county, municipality, or
15.31 school district placing the question on the ballot and must be accompanied by a petition
15.32 containing the signatures of 25 voters eligible to vote on the question. Upon receipt of a
15.33 written request when the difference between the votes for ~~and the votes against~~ the question

16.1 and the number required for passage is less than or equal to the difference provided in
16.2 subdivision 1, the county auditor shall recount the votes for a county question at the expense
16.3 of the county, the governing body of the municipality shall recount the votes for a municipal
16.4 question at the expense of the municipality, and the school board of the school district shall
16.5 recount the votes for a school district question at the expense of the school district. If the
16.6 difference between the votes for ~~and the votes against~~ the question and the number required
16.7 for passage is greater than the difference provided in subdivision 1, the person requesting
16.8 the recount shall also file with the filing officer of the county, municipality, or school district
16.9 a bond, cash, or surety in an amount set by the appropriate governing body for the payment
16.10 of recount expenses. The written request, petition, and any bond, cash, or surety required
16.11 must be filed during the time for notice of contest for the election for which the recount is
16.12 requested.

16.13 Sec. 19. Minnesota Statutes 2022, section 204D.29, subdivision 1, is amended to read:

16.14 Subdivision 1. **Scope; definition.** (a) A vacancy in the office of representative in Congress
16.15 must be filled as specified in this section.

16.16 (b) "Vacancy," as used in this section, means a vacancy in the office of representative
16.17 in Congress.

16.18 (c) "Vacating candidate," as used in this section, means a candidate who, after the 79th
16.19 day before the general election: (1) died; (2) withdrew by filing an affidavit of withdrawal
16.20 as described under section 204B.13, subdivision 1, paragraph (b); or (3) was determined to
16.21 be ineligible to hold the office the candidate is seeking, pursuant to a court order issued
16.22 under section 204B.44.

16.23 Sec. 20. Minnesota Statutes 2022, section 204D.29, is amended by adding a subdivision
16.24 to read:

16.25 Subd. 1a. **Vacancy resulting from the election of a vacating candidate at the previous**
16.26 **state general election.** (a) If a vacancy results from the election of a vacating candidate as
16.27 provided for under section 204B.13, subdivision 6a, at the preceding state general election,
16.28 the governor shall issue a writ calling for a special election to be conducted on the second
16.29 Tuesday in February of the year following the most recent state general election. Except
16.30 for the vacating candidate, all other candidates whose names appeared on the preceding
16.31 general election ballot for the office must appear on the special election ballot for the office.
16.32 New affidavits of candidacy or nominating petitions must not be accepted, and there must
16.33 not be a primary to fill the vacancy in nomination. If the vacating candidate was the nominee

17.1 of a political party, that political party may file a nomination certificate as provided in
 17.2 subdivision 2, paragraph (a), no later than seven days after the state canvassing board certifies
 17.3 the vote totals from the preceding state general election.

17.4 (b) At least 46 days, but no more than 50 days, before a special election conducted under
 17.5 this subdivision, the county auditor shall transmit an absentee ballot for the special election
 17.6 to each applicant for an absentee ballot whose application for an absentee ballot for the
 17.7 preceding general election was recorded under section 203B.04 or 203B.17. New applicants
 17.8 for an absentee ballot may be provided a ballot in the manner specified in chapter 203B.

17.9 Sec. 21. Minnesota Statutes 2022, section 204D.29, subdivision 2, is amended to read:

17.10 Subd. 2. **Vacancy 27 weeks or more before state primary.** (a) If a vacancy occurs 27
 17.11 weeks or more before the state primary and is not a vacancy resulting from the election of
 17.12 a vacating candidate at the preceding state general election, the governor must issue a writ
 17.13 within three days of the vacancy for a special election for that office to be held between 20
 17.14 and 24 weeks of the vacancy, but not fewer than 47 days before a state primary. A special
 17.15 primary must be held 11 weeks before the special election or on the second Tuesday in
 17.16 August if the general election is held on the first Tuesday after the first Monday in November
 17.17 if any major party has more than one candidate after the time for withdrawal has expired.

17.18 (b) The filing period for a special election under this subdivision must end on or before
 17.19 the 131st day before the special election. Minor party and independent candidates must
 17.20 submit their petitions by the last day for filing and signatures on the petitions must be dated
 17.21 from the date of the vacancy through the last day for filing. There must be a one-day period
 17.22 for withdrawal of candidates after the last day for filing.

17.23 Sec. 22. Minnesota Statutes 2022, section 205.16, subdivision 4, is amended to read:

17.24 Subd. 4. **Notice to auditor.** At least ~~74~~ 84 days before every municipal election, the
 17.25 municipal clerk shall provide a written notice to the county auditor, including the date of
 17.26 the election, the offices to be voted on at the election, and the title and language for each
 17.27 ballot question to be voted on at the election. At least ~~74~~ 84 days before every municipal
 17.28 election, the municipal clerk must provide written notice to the county auditor of any special
 17.29 election canceled under section 205.10, subdivision 6.

17.30 Sec. 23. Minnesota Statutes 2022, section 205.16, subdivision 5, is amended to read:

17.31 Subd. 5. **Notice to secretary of state.** At least ~~74~~ 84 days before every municipal election
 17.32 for which a notice is provided to the county auditor under subdivision 4, the county auditor

18.1 shall provide a notice of the election to the secretary of state, in a manner and including
18.2 information prescribed by the secretary of state.

18.3 Sec. 24. Minnesota Statutes 2022, section 205A.05, subdivision 3, is amended to read:

18.4 Subd. 3. **Cancellation.** A special election ordered by the school board on its own motion
18.5 under subdivision 1 may be canceled by motion of the school board, but not less than ~~74~~
18.6 84 days before ~~an any election held in conjunction with a regularly scheduled election for~~
18.7 ~~federal, state, county, city, or school board office or a special election for federal office, or~~
18.8 ~~46 days before any other election.~~

18.9 Sec. 25. Minnesota Statutes 2022, section 205A.07, subdivision 3, is amended to read:

18.10 Subd. 3. **Notice to auditor.** At least ~~74~~ 84 days before every school district election, the
18.11 school district clerk shall provide a written notice to the county auditor of each county in
18.12 which the school district is located. The notice must include the date of the election, the
18.13 offices to be voted on at the election, and the title and language for each ballot question to
18.14 be voted on at the election. For the purposes of meeting the timelines of this section, in a
18.15 bond election, a notice, including a proposed question, may be provided to the county auditor
18.16 before receipt of a review and comment from the commissioner of education and before
18.17 actual initiation of the election. At least ~~74~~ 84 days before every school district election,
18.18 the school district clerk must provide written notice to the county auditor of any special
18.19 election canceled under section 205A.05, subdivision 3.

18.20 Sec. 26. Minnesota Statutes 2022, section 205A.07, subdivision 3b, is amended to read:

18.21 Subd. 3b. **Notice to secretary of state.** At least ~~74~~ 84 days before every school district
18.22 election for which a notice is provided to the county auditor under subdivision 3, the county
18.23 auditor shall provide a notice of the election to the secretary of state, in a manner and
18.24 including information prescribed by the secretary of state.

18.25 Sec. 27. Minnesota Statutes 2022, section 205A.11, subdivision 2, is amended to read:

18.26 Subd. 2. **Combined polling place.** (a) When no other election is being held in a school
18.27 district, the school board may designate combined polling places at which the voters in
18.28 those precincts may vote in the school district election.

18.29 (b) By December 31 of each year, the school board must designate, by resolution, any
18.30 changes to combined polling places. The combined polling places designated in the resolution

19.1 are the polling places ~~for the following calendar year~~, unless a change is made in accordance
19.2 with this paragraph or:

19.3 (1) pursuant to section 204B.175; or

19.4 (2) because a polling place has become unavailable.

19.5 (c) If the school board designates combined polling places pursuant to this subdivision,
19.6 polling places must be designated throughout the district, taking into account both
19.7 geographical distribution and population distribution. A combined polling place must be at
19.8 a location designated for use as a polling place by a county or municipality.

19.9 (d) In school districts that have organized into separate board member election districts
19.10 under section 205A.12, a combined polling place for a school general election must be
19.11 arranged so that it does not include more than one board member election district.

19.12 Sec. 28. Minnesota Statutes 2023 Supplement, section 206.61, subdivision 1, is amended
19.13 to read:

19.14 Subdivision 1. **Official responsible for providing ballots.** (a) The official charged with
19.15 providing paper ballots when they are used shall provide all ballot cards, sample ballots,
19.16 precinct summary statements, and other necessary supplies needed for electronic voting
19.17 systems, except as otherwise provided by this section.

19.18 (b) At general elections and primaries the county auditor of each county in which an
19.19 electronic voting system is used shall provide all ballot cards and other necessary printed
19.20 forms and supplies needed for the electronic voting system, including all forms needed for
19.21 voting on candidates and questions, the ballots for which are required by the election laws
19.22 to be provided by the state when paper ballots are used.

19.23 (c) In precincts using a ballot format as provided by section 206.80, paragraph (b), clause
19.24 (2), item (ii), voters must be provided the option of voting with a regularly printed optical
19.25 scan ballot or paper ballot in precincts that hand count ballots.

19.26 Sec. 29. Minnesota Statutes 2022, section 447.32, subdivision 3, is amended to read:

19.27 Subd. 3. **Election notices.** At least two weeks before the first day to file affidavits of
19.28 candidacy, the clerk of the district shall publish a notice stating the first and last day on
19.29 which affidavits of candidacy may be filed, the places for filing the affidavits and the closing
19.30 time of the last day for filing. The clerk shall post a similar notice in at least one conspicuous
19.31 place in each city and town in the district at least ten days before the first day to file affidavits
19.32 of candidacy.

20.1 At least ~~74~~ 84 days prior to every hospital district election, the hospital district clerk
20.2 shall provide a written notice to the county auditor of each county in which the hospital
20.3 district is located. The notice must include the date of the election, the offices to be voted
20.4 on at the election, and the title and language for each ballot question to be voted on at the
20.5 election. The county auditor shall immediately provide a notice to the secretary of state in
20.6 a manner and including information prescribed by the secretary of state.

20.7 The notice of each election must be posted in at least one public and conspicuous place
20.8 within each city and town included in the district at least two weeks before the election. It
20.9 must be published in the official newspaper of the district or, if a paper has not been
20.10 designated, in a legal newspaper having general circulation within the district, at least two
20.11 weeks before the election. Failure to give notice does not invalidate the election of an officer
20.12 of the district. A voter may contest a hospital district election in accordance with chapter
20.13 209. Chapter 209 applies to hospital district elections.

20.14 **Sec. 30. TRANSITION TO NEW VOTER REGISTRATION APPLICATIONS.**

20.15 Notwithstanding the requirements of this act, a completed voter registration application
20.16 submitted by a voter is not deficient for purposes of registering that voter if the application
20.17 form was printed or provided to the voter prior to the effective date of any modification
20.18 required by this act. Beginning on the effective date of a modification required by this act,
20.19 an election official must not print or copy a blank voter registration application that does
20.20 not include the required modification.

20.21 **EFFECTIVE DATE.** This section is effective June 1, 2024.