

**CHAPTER 112--H.F.No. 4772**

*An act relating to state government; providing for funding and policy and technical changes to elections and campaign finance provisions, including elections administration, campaign finance and lobbying, and census and redistricting; establishing the Minnesota Voting Rights Act; modifying the crime of using deep fakes to influence elections; modifying certain notary provisions; requiring reports; modifying transfers and appropriations; appropriating money; amending Minnesota Statutes 2022, sections 10A.01, subdivisions 7, 10d, 33, by adding a subdivision; 10A.27, subdivisions 8, 17; 123B.09, subdivision 5b; 201.071, subdivision 3; 201.13, subdivision 1a; 204B.175; 204C.06, subdivision 1, by adding a subdivision; 204C.19, subdivision 3; 204C.20, subdivision 1, by adding a subdivision; 204C.33, subdivision 1; 204C.35, subdivisions 1, 2, by adding a subdivision; 204C.36, subdivisions 2, 3; 205.10, subdivision 6; 205.16, subdivisions 4, 5; 205A.05, subdivision 3; 205A.07, subdivisions 3, 3b; 205A.11, subdivision 2; 206.89, subdivisions 2, 3, 5, 6; 208.06; 208.44; 208.47; 209.01, subdivision 2; 211A.01, subdivisions 3, 7, 8, by adding a subdivision; 211A.02, subdivision 2; 211A.05, subdivision 1; 211A.06; 211A.07; 211A.12; 211A.14; 211B.17, subdivision 1; 211B.18; 358.645, subdivision 2; 358.71; 359.01, subdivision 5; 359.03, subdivision 3; 375.08; 412.02, subdivision 6, by adding a subdivision; 447.32, subdivision 3; 609.5151, subdivisions 1, 2; Minnesota Statutes 2023 Supplement, sections 2.92, subdivision 4; 5.305, subdivision 5; 10A.01, subdivision 21; 10A.04, subdivision 6; 10A.20, subdivisions 2a, 12; 10A.201, subdivisions 3, 4, 6, 9; 10A.202, subdivision 1; 200.02, subdivision 7; 201.061, subdivisions 3, 3a; 201.071, subdivision 1; 201.091, subdivision 4; 201.1611, subdivision 1; 203B.04, subdivision 1; 203B.07, subdivision 3; 203B.081, subdivision 4; 203B.121, subdivision 2; 204B.06, subdivision 1b; 204B.09, subdivision 3; 204B.16, subdivision 1; 204B.295, subdivisions 1, 2, 3, by adding a subdivision; 204B.46; 204C.24, subdivision 1; 204C.33, subdivision 3; 205.16, subdivision 2; 206.61, subdivision 1; 211A.02, subdivision 1; 211B.076, subdivision 4; 243.205, by adding a subdivision; 609.771, subdivisions 2, 3, 4; Laws 2021, First Special Session chapter 12, article 1, section 6; Laws 2023, chapter 62, article 1, sections 6; 43; proposing coding for new law in Minnesota Statutes, chapters 2; 200; 203B; 241; 375; 471; proposing coding for new law as Minnesota Statutes, chapter 209A; repealing Minnesota Statutes 2022, sections 211A.01, subdivisions 2, 4; 211A.02, subdivision 4; 383B.031; Minnesota Statutes 2023 Supplement, sections 10A.201, subdivision 11; 243.205, subdivision 3.*

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

**ARTICLE 1****APPROPRIATIONS**

Section 1. Laws 2021, First Special Session chapter 12, article 1, section 6, is amended to read:

Sec. 6. SECRETARY OF STATE	\$	9,684,000	\$	9,152,000
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\$750,000 each year is for transfer to the voting equipment grant account under Minnesota Statutes, section 206.95. These are onetime transfers.

\$1,000,000 each year is for grants to local units of government to implement the provisions of Minnesota Statutes, section 203B.082. These are onetime appropriations.

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

Sec. 2. Laws 2023, chapter 62, article 1, section 6, is amended to read:

Sec. 6. <b>SECRETARY OF STATE</b>	\$	<del>13,470,000</del>	\$	<del>11,069,000</del>
		<u>14,720,000</u>		<u>12,405,000</u>

The base for this appropriation is ~~\$11,255,000~~ \$12,505,000 in fiscal year 2026 and ~~\$11,069,000~~ \$12,319,000 in fiscal year 2027.

\$500,000 the first year is for the secretary of state to make grants to counties and municipalities to improve access to polling places for individuals with disabilities and to provide the same opportunity for access and participation in the electoral process, including privacy and independence, to voters with disabilities as that which exists for voters with no disabilities. Funds may be used to purchase equipment or to make capital improvements to government-owned facilities. This is a onetime appropriation and is available until June 30, 2027.

\$200,000 the first year is to develop and implement an educational campaign relating to the restoration of the right to vote to formerly incarcerated individuals, including voter education materials and outreach to affected individuals.

\$2,250,000 the first year and \$3,086,000 the second year are for transfer to the voting operations, technology, and election resources account established under Minnesota Statutes, section 5.305. The base for this transfer in fiscal years 2026 and 2027 is \$3,000,000.

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

Sec. 3. Laws 2023, chapter 62, article 1, section 43, is amended to read:

Sec. 43. **TRANSFER; VOTING OPERATIONS, TECHNOLOGY, AND ELECTION RESOURCES ACCOUNT.**

~~\$1,250,000 each year~~ \$750,000 in fiscal year 2024 is transferred from the ~~general fund~~ voting equipment grant account under Minnesota Statutes, section 206.95, to the voting operations, technology, and election

resources account established under Minnesota Statutes, section 5.305. ~~The base for this transfer is \$1,250,000 in fiscal year 2026 and each fiscal year thereafter.~~ This is a onetime transfer.

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

**Sec. 4. SECRETARY OF STATE; APPROPRIATION; TRANSFER.**

(a) \$200,000 in fiscal year 2025 is appropriated from the general fund to the secretary of state to make reimbursements for polling locations to counties and cities that conduct absentee voting that locate a temporary polling location on a campus of a postsecondary institution that provides on-campus student housing to 100 or more students and that complies with the provisions of Minnesota Statutes, section 203B.0815. The base for this appropriation in fiscal year 2026 and each even-numbered fiscal year thereafter is \$40,000. The base for this appropriation in fiscal year 2027 and each odd-numbered fiscal year thereafter is \$110,000.

(b) \$144,000 in fiscal year 2025 is transferred from the general fund to the Voting Rights Act cost sharing account in the special revenue fund. The base for this transfer is \$25,000 in fiscal year 2026 and each fiscal year thereafter.

**Sec. 5. CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD; APPROPRIATIONS.**

(a) \$20,000 in fiscal year 2025 is appropriated from the general fund to the Campaign Finance and Public Disclosure Board for costs related to implementing article 4. This is a onetime appropriation.

(b) \$50,000 in fiscal year 2025 is appropriated from the general fund to the Campaign Finance and Public Disclosure Board to develop online training capabilities for campaign treasurers. This is a onetime appropriation.

## ARTICLE 2

### ELECTIONS ADMINISTRATION

Section 1. Minnesota Statutes 2023 Supplement, section 5.305, subdivision 5, is amended to read:

Subd. 5. **Use of funds.** A local unit of government may use the funds allocated pursuant to this section for the following purposes, provided the expenditures are directly related to election administration:

- (1) equipment;
- (2) hardware or software;
- (3) cybersecurity;
- (4) security-related infrastructure;
- (5) capital improvements to government-owned property to improve access to polling places for individuals with disabilities;
- (6) staff costs for election administrators, election judges, and other election officials;
- (7) printing and publication;
- (8) postage;

- (9) programming;
- (10) transitioning to a .gov domain;
- (11) local match for state or federal funds; and
- ~~(H)~~ (12) any other purpose directly related to election administration.

Sec. 2. Minnesota Statutes 2022, section 123B.09, subdivision 5b, is amended to read:

Subd. 5b. **Appointments to fill vacancies; special elections.** (a) Any vacancy on the board, other than a vacancy described in subdivision 4, must be filled by board appointment at a regular or special meeting. The appointment shall be evidenced by a resolution entered in the minutes and shall be effective 30 days following adoption of the resolution, subject to paragraph ~~(b)~~ (d). If the appointment becomes effective, it shall continue for the remainder of the unexpired term or until an election is held under this subdivision, as applicable. All elections to fill vacancies shall be for the unexpired term. A special election to fill the vacancy must be held no later than the first Tuesday after the first Monday in November following the vacancy. If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the year in which the vacancy occurs, the special election must be held no later than the first Tuesday after the first Monday in November of the following calendar year. ~~If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the third year of the term, no special election is required. If the vacancy is filled by a special election, the person elected at that election for the ensuing term shall take office immediately after receiving the certificate of election, filing the bond, and taking the oath of office.~~

(b) Notwithstanding paragraph (a), if the vacancy occurs less than two years prior to the expiration of the term, no special election is required and the appointee of the board shall serve for the remainder of the unexpired term, subject to paragraph (d).

(c) Notwithstanding paragraph (a), if the vacancy occurs less than 90 days prior to the expiration of the term, the board may, but is not required to, fill the vacancy by board appointment at a regular or special meeting.

(d) Notwithstanding paragraphs (a) and (b), if the vacancy occurs because a school board member was removed pursuant to section 123B.09, subdivision 9, a special election must be held to fill the vacancy as soon as possible on a uniform election date. This paragraph does not apply if the vacancy occurs after candidate filing begins under section 205A.06 in the year preceding the end of the term.

~~(b)~~ (e) An appointment made under paragraph (a) shall not be effective if a petition to reject the appointee is filed with the school district clerk. To be valid, a petition to reject an appointee must be signed by a number of eligible voters residing in the district equal to at least five percent of the total number of voters voting in the district at the most recent state general election, and must be filed within 30 days of the board's adoption of the resolution making the appointment. If a valid petition is filed according to the requirements of this paragraph, the appointment by the school board is ineffective and the board must name a new appointee as provided in paragraph (a).

**EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to vacancies occurring on or after that date.

Sec. 3. Minnesota Statutes 2023 Supplement, section 200.02, subdivision 7, is amended to read:

Subd. 7. **Major political party.** (a) "Major political party" means a political party that maintains a party organization in the state; has complied with the party's constitution and rules; is in compliance with the requirements of sections 202A.12 and 202A.13; files with the secretary of state no later than December 1 of each odd-numbered year a certification that the party has met the foregoing requirements, including a list of the dates and locations of each convention held; and meets all other qualification requirements of this subdivision.

(b) A political party qualifies as a major political party by:

(1) presenting at least one candidate for election to the office of:

(i) governor and lieutenant governor, secretary of state, state auditor, or attorney general at the last preceding state general election for those offices; or

(ii) presidential elector or U.S. senator at the last preceding state general election for presidential electors; and

whose candidate received votes in each county in that election and received votes from ~~not less than five percent of the total number of individuals who voted in that election, if the state general election was held on or before November 8, 2022, or not less than eight percent of the total number of individuals who voted in that election, at a state general election held on or after November 7, 2024;~~

(2) presenting at least 45 candidates for election to the office of state representative, 23 candidates for election to the office of state senator, four candidates for election to the office of representative in Congress, and one candidate for election to each of the following offices: governor and lieutenant governor, attorney general, secretary of state, and state auditor, at the last preceding state general election for those offices; or

(3) presenting to the secretary of state at any time before the close of filing for the state partisan primary ballot a petition for a place on the state partisan primary ballot, which petition contains valid signatures of a number of the party members equal to at least five percent of the total number of individuals who voted in the preceding state general election. A signature is valid only if signed no more than one year prior to the date the petition was filed.

(c) A political party whose candidate receives a sufficient number of votes at a state general election described in paragraph (b), clause (1), or a political party that presents candidates at an election as required by paragraph (b), clause (2), becomes a major political party as of January 1 following that election. A political party that complies with paragraph (a) retains its major party status for at least two state general elections even if the party fails to present a candidate who receives the number and percentage of votes required under paragraph (b), clause (1), or fails to present candidates as required by paragraph (b), clause (2), at subsequent state general elections.

(d) A major political party whose candidates fail to receive the number and percentage of votes required under paragraph (b), clause (1), and that fails to present candidates as required by paragraph (b), clause (2), at each of two consecutive state general elections described by paragraph (b), clause (1) or (2), respectively, loses major party status as of December 31 following the later of the two consecutive state general elections.

(e) A major political party that does not submit the certification required by this subdivision loses major party status on December 31 of the year in which the party did not file the certification.

(f) The secretary of state must notify the chair of the major political party, the commissioner of revenue, and the Campaign Finance and Public Disclosure Board if the political party's status is changed pursuant to this section.

**EFFECTIVE DATE.** This section is effective August 1, 2024.

Sec. 4. Minnesota Statutes 2023 Supplement, section 201.061, subdivision 3, is amended to read:

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

- (1) presenting a driver's license or Minnesota identification card issued pursuant to section 171.07;
- (2) presenting any document approved by the secretary of state as proper identification;
- (3) presenting ~~one of the following:~~

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

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

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

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

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

(c) "Residential facility" means transitional housing as defined in section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner of health under section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision 5; an assisted living facility licensed by the commissioner of health under chapter 144G; a veterans home operated by the board of directors of the

Minnesota Veterans Homes under chapter 198; a residence licensed by the commissioner of human services to provide a residential program as defined in section 245A.02, subdivision 14; a residential facility for persons with a developmental disability licensed by the commissioner of human services under section 252.28; setting authorized to provide housing support as defined in section 256I.03, subdivision 10a; a shelter for battered women as defined in section 611A.37, subdivision 4; a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless; a facility where a provider operates a residential treatment program as defined in section 245.462, subdivision 23; or a facility where a provider operates an adult foster care program as defined in section 245A.02, subdivision 6c.

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

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

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

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

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

Sec. 5. Minnesota Statutes 2023 Supplement, section 201.061, subdivision 3a, is amended to read:

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

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

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

(d) An updated residential housing list must be certified to the county auditor no ~~earlier~~ later than 20 days prior to each election. The certification must be dated and signed by the chief officer or designee of the postsecondary educational institution and must state that the list is current and accurate and includes

only the names of persons residing in the institution's housing and, for students who do not live in the institution's housing, that it reflects the institution's records as of the date of the certification.

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

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

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

Sec. 6. Minnesota Statutes 2023 Supplement, section 201.071, subdivision 1, is amended to read:

Subdivision 1. **Form.** Both paper and electronic voter registration applications must contain the same information unless otherwise provided by law. A voter registration application must contain spaces for the following required information: voter's first name, middle name, and last name; voter's previous name, if any; voter's current address; voter's previous address, if any; voter's date of birth; voter's municipality and county of residence; voter's telephone number, if provided by the voter; date of registration; current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification, the last four digits of the voter's Social Security number; a box to indicate a voter's preference to join the permanent absentee voter list; and voter's signature. The paper registration application must provide a space for a voter to provide a physical description of the location of their residence, if the voter resides in an area lacking a specific physical address. The description must be sufficient for the county auditor to identify the correct precinct for the voter. The description may include the closest cross street or the nearest address to the described location that is identified on a precinct map, and directions from that cross street or address to the described location, including but not limited to the cardinal direction and approximate distance to the location. The paper registration application may include the voter's email address, if provided by the voter. The electronic voter registration application must include the voter's email address. The registration application may include the voter's interest in serving as an election judge, if indicated by the voter. The application must also contain the following certification of voter eligibility:

"I certify that I:

- (1) am at least 16 years old and understand that I must be at least 18 years old to be eligible to vote;
- (2) am a citizen of the United States;
- (3) will have maintained residence in Minnesota for 20 days immediately preceding election day;
- (4) maintain residence at the address or location given on the registration form;
- (5) am not under court-ordered guardianship in which the court order revokes my right to vote;
- (6) have not been found by a court to be legally incompetent to vote;
- (7) am not currently incarcerated for a conviction of a felony offense; and
- (8) have read and understand the following statement: that giving false information is a felony punishable by not more than five years imprisonment or a fine of not more than \$10,000, or both."

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



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

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

And the instruction:

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

The form of the voter registration application and the certification of voter eligibility must be as provided in this subdivision and approved by the secretary of state. Voter registration forms authorized by the National Voter Registration Act must also be accepted as valid. The federal postcard application form must also be accepted as valid if it is not deficient and the voter is eligible to register in Minnesota.

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

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

Sec. 7. Minnesota Statutes 2022, section 201.071, subdivision 3, is amended to read:

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

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

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

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

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

Sec. 8. Minnesota Statutes 2023 Supplement, section 201.091, subdivision 4, is amended to read:

Subd. 4. **Public information lists.** (a) The county auditor shall make available for inspection a public information list which must contain the name, address, year of birth, and voting history of each registered voter in the county. Data on applicants submitted pursuant to section 201.061, subdivision 1b, are not part

of the public information list until the voter is registered or has voting history. The list must not include the party choice of any voter who voted in a presidential nomination primary. The telephone number must be included on the list if provided by the voter. The public information list may also include information on voting districts. The county auditor may adopt reasonable rules governing access to the list.

(b) No individual inspecting the public information list shall tamper with or alter it in any manner. No individual who inspects the public information list or who acquires a list of registered voters prepared from the public information list may use any information contained in the list for purposes unrelated to elections, political activities, or law enforcement. The secretary of state may provide copies of the public information lists and other information from the statewide registration system for uses related to elections, political activities, or in response to a law enforcement inquiry from a public official concerning a failure to comply with any criminal statute or any state or local tax statute.

(c) Before inspecting the public information list or obtaining a list of voters or other information from the list, the individual shall provide identification to the public official having custody of the public information list and shall state in writing that any information obtained from the list will not be used for purposes unrelated to elections, political activities, or law enforcement. Requests to examine or obtain information from the public information lists or the statewide registration system must be made and processed in the manner provided in the rules of the secretary of state.

(d) Upon receipt of a statement signed by the voter that withholding the voter's name from the public information list is required for the safety of the voter or the voter's family, the secretary of state and county auditor must withhold from the public information list the name of a registered voter.

(e) Notwithstanding paragraphs (b) and (c) and regardless of the purpose of the publication, a recipient of a public information list must not:

(1) publish any of the information from the list on the Internet on any list, database, or other similar searchable format; or

(2) sell, loan, provide access to, or otherwise surrender any information obtained from the list to any person or entity, except that an individual who obtains the public information list on behalf of an organization, entity, or political subdivision may distribute the information to the organization's, entity's, or political subdivision's volunteers or employees for purposes related to elections, political activities, or law enforcement in the case where the information is provided in response to a law enforcement inquiry from a public official concerning a failure to comply with any criminal statute or any state or local tax statute. Nothing in this section prohibits the preparation, use, or transfer, for purposes related to elections or political activities, of a database that includes data obtained from the public information list which is aggregated with data obtained from other sources provided that such database is used exclusively for purposes related to elections or political activities and no information from the list is published on the Internet. The prohibitions of this paragraph do not apply if the subject of the information provides express written permission to use the subject's data in a manner otherwise prohibited by this paragraph. For purposes of this paragraph, "publish" means information is made available to the general public.

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

Sec. 9. Minnesota Statutes 2022, section 201.13, subdivision 1a, is amended to read:

Subd. 1a. **Social Security Administration; other reports of deceased residents.** The secretary of state ~~may~~ must determine if any of the persons listed on the Social Security Death Index or reported as deceased by the vital records department of another state are registered to vote and prepare a list of those

registrants for each county auditor. The county auditor shall change the status of those registrants to "deceased" in the statewide voter registration system.

Sec. 10. Minnesota Statutes 2023 Supplement, section 201.1611, subdivision 1, is amended to read:

Subdivision 1. **Forms.** (a) All postsecondary institutions that enroll students accepting state or federal financial aid must provide voter registration forms to each student during the fall and spring of each year. In state election years, it must be provided 15 days in advance of the deadline for registering to vote for the state general election. If the voter registration forms are provided electronically, the electronic message must be devoted exclusively to voter registration.

(b) All school districts must make available paper or electronic voter registration applications each May and September to all students registered as students of the school district who ~~will be~~ are eligible to register or preregister to vote at the next election after those months. A school district has no obligation to provide voter registration applications to students who participate in a postsecondary education option program or who otherwise maintain residence in the district but do not attend a school operated by the district. A school district fulfills its obligation to a student under this section if it provides a voter registration application to the student one time.

(c) The voter registration forms must contain spaces for the information required in section 201.071, subdivision 1, and applicable rules of the secretary of state. The institutions and school districts may request these forms from the secretary of state. Institutions must consult with their campus student government in determining the most effective means of distributing the forms and in seeking to facilitate election day registration of students under section 201.061, subdivision 3. School districts must advise students that completion of the voter registration application is not a school district requirement.

(d) The institutions must report to the secretary of state by November 30 of each year on their implementation of this section. At a minimum, the report must include how and when the forms were distributed and the voter engagement plan under subdivision 3, paragraph (b), clause (2). Institutions may include information about methods that were effective in increasing student registrations.

(e) By February 1 of each year, the secretary of state must report to the chairs and ranking minority members of the legislative committees with jurisdiction over elections on the information under paragraph (d). The secretary must highlight best practices and innovative methods that were most effective in registering students to vote.

Sec. 11. Minnesota Statutes 2023 Supplement, section 203B.04, subdivision 1, is amended to read:

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

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

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

~~For a federal, state, or county election,~~ (b) An absentee ballot application may alternatively be submitted electronically through a secure website that shall be maintained by the secretary of state for this purpose. Notwithstanding paragraph ~~(b)~~ (d), the secretary of state must require applicants using the website to submit the applicant's email address and verifiable Minnesota driver's license number, Minnesota state identification card number, or the last four digits of the applicant's Social Security number. This paragraph does not apply to a town election held in March.

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

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

- (1) the applicant's Minnesota driver's license number;
- (2) Minnesota state identification card number;
- (3) the last four digits of the applicant's Social Security number; or
- (4) a statement that the applicant does not have any of these numbers.

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

~~(d)~~ (f) An applicant's full date of birth, Minnesota driver's license or state identification number, and the last four digits of the applicant's Social Security number must not be made available for public inspection. An application may be submitted to the county auditor or municipal clerk by an electronic facsimile device. An application mailed or returned in person to the county auditor or municipal clerk on behalf of a voter by a person other than the voter must be deposited in the mail or returned in person to the county auditor or municipal clerk within ten days after it has been dated by the voter and no later than six days before the election.

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

**EFFECTIVE DATE.** This section is effective September 1, 2025, and applies to elections occurring on or after November 4, 2025.

Sec. 12. Minnesota Statutes 2023 Supplement, section 203B.07, subdivision 3, is amended to read:

Subd. 3. **Eligibility certificate.** A certificate of eligibility to vote by absentee ballot shall be printed on the back of the signature envelope. The certificate shall contain space for the voter's Minnesota driver's license number, state identification number, or the last four digits of the voter's Social Security number, or to indicate that the voter does not have one of these numbers. The space must be designed to ensure that the voter provides the same type of identification as provided on the voter's absentee ballot application for purposes of comparison. The certificate must also contain a statement to be signed and sworn by the voter

indicating that the voter meets all of the requirements established by law for voting by absentee ballot and space for a statement signed by a person who is ~~registered to vote in Minnesota~~ at least 18 years of age on or before the day of the election and a citizen of the United States or by a notary public or other individual authorized to administer oaths stating that:

(1) the ballots were displayed to that individual unmarked;

(2) the voter marked the ballots in that individual's presence without showing how they were marked, or, if the voter was physically unable to mark them, that the voter directed another individual to mark them; and

(3) if the voter was not previously registered, the voter has provided proof of residence as required by section 201.061, subdivision 3.

**EFFECTIVE DATE.** This section is effective for elections for which the absentee ballot period begins on or after January 1, 2025.

Sec. 13. Minnesota Statutes 2023 Supplement, section 203B.081, subdivision 4, is amended to read:

Subd. 4. **Temporary locations.** (a) A county auditor or municipal clerk authorized under section 203B.05 to administer voting before election day may designate additional polling places with days and hours that differ from those required by section 203B.085. A designation authorized by this subdivision must be made at least 47 days before the election. The county auditor or municipal clerk must provide notice to the secretary of state at the time that the designations are made.

(b) At the request of a federally recognized Indian Tribe with a reservation in the county, the county auditor must establish an additional polling place for at least one day on the Indian reservation on a site agreed upon by the Tribe and the county auditor that is accessible to the county auditor by a public road.

(c) At the request of a postsecondary institution or the student government organization of a postsecondary institution in the county or municipality, the county auditor or a municipal clerk authorized to administer absentee voting under section 203B.05 must establish an additional temporary polling place for the state general election or the odd-year city general election for at least one day at a location agreed upon by the institution and the county auditor or municipal clerk that:

(1) is accessible to the public;

(2) satisfies the requirements of state and federal law; and

(3) is on the institution's campus or is within one-half mile of the institution's campus and is reasonably accessible to the institution's students.

A request must be made no later than May 31 before an election and the request is valid only for that election. This paragraph only applies to a postsecondary institution that provides on-campus student housing to 100 or more students. Nothing in this paragraph prevents the county auditor or municipal clerk from engaging in a dialogue with the entity that made the request regarding potential alternative locations for a temporary polling place that does not meet the requirements of clause (3). An entity that made a request for a temporary polling place may withdraw its request by notifying the county auditor or municipal clerk.

**EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to elections held on or after that date.

**Sec. 14. [203B.0815] TEMPORARY LOCATIONS REIMBURSEMENTS; POSTSECONDARY INSTITUTIONS.**

(a) The secretary of state must reimburse counties and cities that administer absentee voting for the actual costs of operating temporary polling locations on postsecondary institution campuses that provide on-campus student housing to 100 or more students. The reimbursement amount for an individual city or county must not exceed:

(1) \$5,000 for one polling location the first year it applies for a reimbursement under this section;

(2) \$3,000 for each additional polling location the first year it applies for a reimbursement under this section; and

(3) \$3,000 for each polling location in subsequent years.

If appropriations available to make reimbursements under this section are insufficient to fully make all reimbursements, the secretary must reduce all reimbursements proportionally. The unspent balance of an appropriation to make reimbursements under this section in the first fiscal year of a biennium may be carried forward into the second year of the biennium.

(b) Expenses eligible for reimbursement under paragraph (a) include:

(1) voting equipment purchasing and programming;

(2) secure storage for voting equipment and supplies;

(3) staff costs for election administrators, election judges, or other election officials;

(4) ballot and voting materials printing;

(5) set-up costs including transportation, parking, and office supplies;

(6) voting booths; and

(7) technology necessary to conduct voting at the polling location.

(c) The secretary of state may make a reimbursement to a county or city only after receiving a completed application. The application must be submitted to the secretary of state on or before December 15 in the year in which the election was held. At a minimum, the application must contain the following information:

(1) the name and title of the individual preparing the application;

(2) the date the application is submitted;

(3) the name of the county or city;

(4) the following information about each temporary location:

(i) the name of the postsecondary institution;

(ii) the temporary location on campus;

(iii) the date the polling location was open;

(iv) the number of voters that cast ballots at the temporary location; and

(v) whether the polling location was requested by the postsecondary institution or the student government organization or established by the county or city;

(5) the total costs and itemized costs of establishing each temporary location; and

(6) the total amount of the reimbursement requested.

(d) By February 1 in the year following the election, the secretary of state must determine the amount of reimbursement to be made to each eligible county or city. The reimbursements must be distributed no later than February 15.

(e) By February 1 each year, the secretary of state must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over elections policy on the reimbursements awarded under this section. The report must detail each reimbursement awarded, including the information in paragraph (c), clauses (2) to (6).

(f) By June 30 in the second fiscal year of each biennium and after making all eligible reimbursements under paragraph (d), the secretary of state must transfer any remaining balance of appropriations for that purpose to the voting operations, technology, and election resources account established under section 5.305.

Sec. 15. Minnesota Statutes 2023 Supplement, section 203B.121, subdivision 2, is amended to read:

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

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

(1) the voter's name and address on the signature envelope are the same as the information provided on the absentee ballot application or voter record;

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

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

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

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

(6) the voter has not already voted at that election, either in person or, if it is after the close of business on the 19th day before the election, as provided by section 203B.081.

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

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

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

(3) If an envelope is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter to notify the voter that the voter's ballot has been rejected. ~~The ballot board must contact the voter~~ by the method or methods of communication provided by the voter on the voter's application for an absentee ballot or voter registration. The official must document the attempts made to contact the voter.

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

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

(2) the reason for rejection; and

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

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

Sec. 16. Minnesota Statutes 2023 Supplement, section 204B.06, subdivision 1b, is amended to read:

Subd. 1b. **Address, electronic mail address, and telephone number.** (a) An affidavit of candidacy must state a telephone number where the candidate can be contacted. An affidavit must also state the candidate's or campaign's nongovernment issued electronic mail address or an attestation that the candidate and the candidate's campaign do not possess an electronic mail address. An affidavit must also state the candidate's current address of residence as determined under section 200.031, or at the candidate's request in accordance with paragraph (c), the candidate's campaign contact address. When filing the affidavit, the candidate must present the filing officer with the candidate's valid driver's license or state identification card that contains the candidate's current address of residence, or documentation of proof of residence authorized for election day registration in section 201.061, subdivision 3, paragraph (a), clause (2); clause (3), item (ii); or paragraph (d). If the address on the affidavit and the documentation do not match, the filing officer must not accept the affidavit. The form for the affidavit of candidacy must allow the candidate to request, if eligible, that the candidate's address of residence be classified as private data, and to provide the certification required under paragraph (c) for classification of that address.



(b) If an affidavit for an office where a residency requirement must be satisfied by the close of the filing period is filed as provided by paragraph (c), the filing officer must, within one business day of receiving the filing, determine whether the address provided in the affidavit of candidacy is within the area represented by the office the candidate is seeking. For all other candidates who filed for an office whose residency requirement must be satisfied by the close of the filing period, a registered voter in this state may request in writing that the filing officer receiving the affidavit of candidacy review the address as provided in this paragraph, at any time up to one day after the last day for filing for office. If requested, the filing officer must determine whether the address provided in the affidavit of candidacy is within the area represented by the office the candidate is seeking. If the filing officer determines that the address is not within the area represented by the office, the filing officer must immediately notify the candidate and the candidate's name must be removed from the ballot for that office. A determination made by a filing officer under this paragraph is subject to judicial review under section 204B.44.

(c) If the candidate requests that the candidate's address of residence be classified as private data, the candidate must list the candidate's address of residence on a separate form to be attached to the affidavit. The candidate must also certify on the affidavit that either: (1) a police report has been submitted, an order for protection has been issued, or the candidate has a reasonable fear in regard to the safety of the candidate or the candidate's family; or (2) the candidate's address is otherwise private pursuant to Minnesota law. The address of residence provided by a candidate who makes a request for classification on the candidate's affidavit of candidacy and provides the certification required by this paragraph is classified as private data, as defined in section 13.02, subdivision 12, but may be reviewed by the filing officer as provided in this subdivision.

(d) The requirements of this subdivision do not apply to affidavits of candidacy for a candidate for: (1) judicial office; (2) the office of county attorney; or (3) county sheriff.

**EFFECTIVE DATE.** This section is effective January 1, 2025.

Sec. 17. Minnesota Statutes 2023 Supplement, section 204B.09, subdivision 3, is amended to read:

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

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

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

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

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

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

(d) A candidate for president of the United States who files a request under this subdivision must include the name of a candidate for vice president of the United States. The request must also include the name of at least one candidate for presidential elector. The total number of names of candidates for presidential elector on the request may not exceed the total number of electoral votes to be cast by Minnesota in the presidential election.

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

Sec. 18. Minnesota Statutes 2023 Supplement, section 204B.16, subdivision 1, is amended to read:

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

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

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

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

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

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

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

Sec. 19. Minnesota Statutes 2023 Supplement, section 204B.295, subdivision 1, is amended to read:

Subdivision 1. **Duty.** The secretary of state or county auditor must use the Office of Enterprise Translation established in section 16B.373 or must contract with a translator certified by the American Translators Association to develop voting instructions and sample ballots in languages other than English, to be made available in polling places during elections as required by this section. At a minimum, the secretary of state must prepare voting instructions and make the instructions available in polling places in the three most commonly spoken non-English languages in the state as determined by the state demographer for the previous calendar year. For state elections, the secretary of state must prepare and provide example ballots to county auditors and post voting instructions in print, electronic, and audio-visual formats, on the secretary of state's website in at least the three most commonly spoken non-English languages in the state as determined by the state demographer for the previous calendar year.

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

Sec. 20. Minnesota Statutes 2023 Supplement, section 204B.295, subdivision 2, is amended to read:

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

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

Sec. 21. Minnesota Statutes 2023 Supplement, section 204B.295, subdivision 3, is amended to read:

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

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

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

(c) The county auditor must maintain a list of the designated language minority districts on its website, including the precinct name, languages that materials will be provided in, and, if applicable, where interpreters will be provided and the language they speak. This list must be posted no later than 90 days after receiving language minority district designations under subdivision 2 and must be updated as it is determined that materials or interpreters will be provided for additional districts.

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

Sec. 22. Minnesota Statutes 2023 Supplement, section 204B.295, is amended by adding a subdivision to read:

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

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

Sec. 23. Minnesota Statutes 2023 Supplement, section 204B.46, is amended to read:

#### **204B.46 MAIL ELECTIONS; QUESTIONS.**

A county, municipality, or school district submitting questions to the voters at a special election may conduct an election by mail with no polling place other than the office of the auditor or clerk. No offices may be voted on at a mail election, except in overlapping school and municipal jurisdictions, where a mail election may include an office when one of the jurisdictions also has a question on the ballot. Notice of the election must be given to the county auditor at least ~~74~~ 84 days prior to the election. This notice shall also fulfill the requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all voters registered in the county, municipality, or school district. No later than 14 days before the election, the auditor or clerk must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors, deputy municipal clerks, or deputy school district clerks who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk must provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter

by telephone or email to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the 19th day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from ballots may be made public before the close of voting on election day.

Sec. 24. Minnesota Statutes 2022, section 204C.06, subdivision 1, is amended to read:

Subdivision 1. **Persons allowed near polling place.** An individual shall be allowed to go to and from the polling place for the purpose of voting without unlawful interference. No one except an election official or an individual who is waiting to register or to vote or an individual who is conducting exit polling shall stand within 100 feet of the building in which a polling place is located. ~~"Exit polling" is defined as approaching voters in a predetermined pattern as they leave the polling place after they have voted and asking voters to fill out an anonymous, written questionnaire.~~

Sec. 25. Minnesota Statutes 2022, section 204C.06, is amended by adding a subdivision to read:

Subd. 1a. **Exit polling.** (a) "Exit polling" is defined as approaching voters in a predetermined pattern as they leave the polling place after they have voted and asking voters to fill out an anonymous, written questionnaire.

(b) An individual conducting exit polling must present photo identification to the head judge upon arrival at the polling place, along with a letter or credential from the news media.

(c) A person must not conduct exit polling in a manner that unlawfully interferes with a person going to or from the polling place or allows any person to view another person's responses to the poll.

Sec. 26. Minnesota Statutes 2022, section 204C.19, subdivision 3, is amended to read:

Subd. 3. **Premature disclosure of count results.** No count results from any precinct shall be disclosed by any election judge or other individual until all count results from that precinct are available, nor shall the public media disclose any count results from any precinct before the time when voting is scheduled to end in the state. Count results from absentee ballots received by the county after 3:00 p.m. on election day may be added to the total count results after the initial results reporting of the precinct. If the precinct results do not include all absentee ballots, the county must report to the secretary of state and on the county's website the number of absentee ballots remaining to be processed. After processing the remaining ballots, the county must post on the county's website how many of the remaining ballots were accepted and added to the totals and how many were rejected and therefore not counted.

Sec. 27. Minnesota Statutes 2022, section 204C.20, subdivision 1, is amended to read:

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

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

Sec. 28. Minnesota Statutes 2022, section 204C.20, is amended by adding a subdivision to read:

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

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

Sec. 29. Minnesota Statutes 2023 Supplement, section 204C.24, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

Sec. 30. Minnesota Statutes 2022, section 204C.33, subdivision 1, is amended to read:

Subdivision 1. **County canvass.** The county canvassing board shall meet at the county auditor's office between the third and ~~tenth~~ eight days following the state general election. After taking the oath of office, the board shall promptly and publicly canvass the general election returns delivered to the county auditor. Upon completion of the canvass, the board shall promptly prepare and file with the county auditor a report which states:

- (a) the number of individuals voting at the election in the county and in each precinct;
- (b) the number of individuals registering to vote on election day and the number of individuals registered before election day in each precinct;
- (c) the names of the candidates for each office and the number of votes received by each candidate in the county and in each precinct;
- (d) the number of votes counted for and against a proposed change of county lines or county seat; and
- (e) the number of votes counted for and against a constitutional amendment or other question in the county and in each precinct.

The result of write-in votes cast on the general election ballots must be compiled by the county auditor before the county canvass, except that write-in votes for a candidate for federal, state, or county office must not be counted unless the candidate has timely filed a request under section 204B.09, subdivision 3. The county auditor shall arrange for each municipality to provide an adequate number of election judges to perform this duty or the county auditor may appoint additional election judges for this purpose. The county auditor may open the envelopes or containers in which the voted ballots have been sealed in order to count and record the write-in votes and must reseal the voted ballots at the conclusion of this process. The county auditor must prepare a separate report of votes received by precinct for write-in candidates for federal, state, and county offices who have requested under section 204B.09 that votes for those candidates be tallied.

Upon completion of the canvass, the county canvassing board shall declare the candidate duly elected who received the highest number of votes for each county and state office voted for only within the county. The county auditor shall transmit a certified copy of the county canvassing board report for state and federal offices to the secretary of state by messenger, express mail, or similar service immediately upon conclusion of the county canvass.

Sec. 31. Minnesota Statutes 2023 Supplement, section 204C.33, subdivision 3, is amended to read:

Subd. 3. **State canvass.** The State Canvassing Board shall meet at a public meeting space located in the Capitol complex area on the ~~third Tuesday~~ 16th day following the state general election to canvass the certified copies of the county canvassing board reports received from the county auditors and shall prepare a report that states:

- (1) the number of individuals voting in the state and in each county;
- (2) the number of votes received by each of the candidates, specifying the counties in which they were cast; and

(3) the number of votes counted for and against each constitutional amendment, specifying the counties in which they were cast.

If the 16th day falls on a state holiday, the canvassing board shall meet on the next business day.

All members of the State Canvassing Board shall sign the report and certify its correctness. Within three days after completing the canvass, the State Canvassing Board shall declare the result and declare the candidates duly elected who received the highest number of votes for each federal office and for each state office voted on in more than one county.

Sec. 32. Minnesota Statutes 2022, section 204C.35, subdivision 1, is amended to read:

Subdivision 1. **Publicly funded recounts.** (a) In a state primary when the difference between the votes cast for the candidates for nomination to:

(1) a state legislative office is less than one-half of one percent of the total number of votes counted for that nomination or is ten votes or less and the total number of votes cast for the nomination is 400 votes or less; or

(2) a statewide federal office, state constitutional office, statewide judicial office, congressional office, or district judicial office is less than one-quarter of one percent of the total number of votes counted for that nomination or is ten votes or less and the total number of votes cast for the nomination is 400 votes or less;

and the difference determines the nomination, the canvassing board with responsibility for declaring the results for that office shall manually recount the vote upon receiving a written request from the candidate whose nomination is in question.

Immediately following the meeting of the board that has responsibility for canvassing the results of the nomination, the filing officer must notify the candidate that the candidate has the option to request a recount of the votes at no cost to the candidate. This written request must be received by the filing officer no later than 5:00 p.m. on the second day after the canvass of the primary for which the recount is being sought.

(b) In a state general election when the difference between the votes of a candidate who would otherwise be declared elected to:

(1) a state legislative office is less than one-half of one percent of the total number of votes counted for that office or is ten votes or less and the total number of votes cast for the office is 400 votes or less; or

(2) a statewide federal office, state constitutional office, statewide judicial office, congressional office, or district judicial office and the votes of any other candidate for that office is less than one-quarter of one percent of the total number of votes counted for that office or is ten votes or less if the total number of votes cast for the office is 400 votes or less,

the canvassing board shall manually recount the votes upon receiving a written request from the candidate whose election is in question.

Immediately following the meeting of the board that has responsibility for canvassing the results of the general election, the filing officer must notify the candidate that the candidate has the option to request a recount of the votes at no cost to the candidate. ~~This~~ Except as provided in subdivision 2b, the written request must be received by the filing officer no later than 5:00 p.m. on the second day after the canvass of the election for which the recount is being sought.



(c) A recount must not delay any other part of the canvass. The results of the recount must be certified by the canvassing board as soon as possible.

(d) Time for notice of a contest for an office which is recounted pursuant to this section shall begin to run upon certification of the results of the recount by the canvassing board.

Sec. 33. Minnesota Statutes 2022, section 204C.35, subdivision 2, is amended to read:

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

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

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

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

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

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

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

Sec. 34. Minnesota Statutes 2022, section 204C.35, is amended by adding a subdivision to read:

**Subd. 2b. Recount for presidential electors.** Any request for recount for the election of presidential electors, whether publicly funded or discretionary, must be made by 5 p.m. on the day after the canvass is completed. Any recount of votes under this section for the election of presidential electors must be completed and certified by the canvassing board no later than six days after the recount is requested.

Sec. 35. Minnesota Statutes 2022, section 204C.36, subdivision 2, is amended to read:

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

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

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

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

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

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

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

Subd. 3. **Discretionary ballot question recounts.** ~~A recount may be conducted for a ballot question when the difference between the votes for and the votes against the question is less than or equal to the difference provided in subdivision 1.~~ A recount for a ballot question may be requested by any person eligible to vote on the ballot question. A written request for a recount must be filed with the filing officer of the county, municipality, or school district placing the question on the ballot and must be accompanied by a petition containing the signatures of 25 voters eligible to vote on the question. Upon receipt of a written request when the difference between the votes for ~~and the votes against~~ the question and the number required for passage is less than or equal to the difference provided in subdivision 1, the county auditor shall recount the votes for a county question at the expense of the county, the governing body of the municipality shall recount the votes for a municipal question at the expense of the municipality, and the school board of the school district shall recount the votes for a school district question at the expense of the school district. If the difference between the votes for ~~and the votes against~~ the question and the number required for passage is greater than the difference provided in subdivision 1, the person requesting the recount shall also file with the filing officer of the county, municipality, or school district a bond, cash, or surety in an amount set by the appropriate governing body for the payment of recount expenses. The written request, petition, and any bond, cash, or surety required must be filed during the time for notice of contest for the election for which the recount is requested.

Sec. 37. Minnesota Statutes 2022, section 205.10, subdivision 6, is amended to read:

Subd. 6. **Cancellation.** A special election ordered by the governing body of the municipality on its own motion under subdivision 1 may be canceled by motion of the governing body, but not less than 74 84 days before the election.

Sec. 38. Minnesota Statutes 2023 Supplement, section 205.16, subdivision 2, is amended to read:

Subd. 2. **Sample ballot, publication.** For every municipal election not held in conjunction with a statewide election, the municipal clerk must, at least two weeks before the election, publish a notice to voters pursuant to section 204D.16 in the official newspaper of the municipality, except that the governing body of a fourth class city or a town not located within a metropolitan county as defined in section 473.121 may dispense with publication.

Sec. 39. Minnesota Statutes 2022, section 205.16, subdivision 4, is amended to read:

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

Sec. 40. Minnesota Statutes 2022, section 205.16, subdivision 5, is amended to read:

Subd. 5. **Notice to secretary of state.** At least 74 84 days before every municipal election for which a notice is provided to the county auditor under subdivision 4, the county auditor shall provide a notice of the election to the secretary of state, in a manner and including information prescribed by the secretary of state.

Sec. 41. Minnesota Statutes 2022, section 205A.05, subdivision 3, is amended to read:

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

Sec. 42. Minnesota Statutes 2022, section 205A.07, subdivision 3, is amended to read:

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

Sec. 43. Minnesota Statutes 2022, section 205A.07, subdivision 3b, is amended to read:

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

Sec. 44. Minnesota Statutes 2022, section 205A.11, subdivision 2, is amended to read:

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

(b) By December 31 of each year, the school board must designate, by resolution, any changes to combined polling places. The combined polling places designated in the resolution are the polling places ~~for the following calendar year~~, unless a change is made in accordance with this paragraph or:

- (1) pursuant to section 204B.175; or
- (2) because a polling place has become unavailable.

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

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

Sec. 45. Minnesota Statutes 2023 Supplement, section 206.61, subdivision 1, is amended to read:

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

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

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

Sec. 46. Minnesota Statutes 2022, section 206.89, subdivision 2, is amended to read:

Subd. 2. **Selection for review; notice.** At the canvass of the state primary, the county canvassing board in each county must set the date, time, and place for the postelection review of the state general election to be held under this section. The postelection review must not begin before the ~~11th~~ ninth day after the state general election and must be complete no later than the ~~18th~~ 14th day after the state general election.

At the canvass of the state general election, the county canvassing boards must select the precincts to be reviewed by lot. The ballots to be reviewed for a precinct include both the ballots counted at the polling place for that precinct and the absentee ballots counted centrally by a ballot board for that precinct. The county canvassing board of a county with fewer than 50,000 registered voters must conduct a postelection review of a total of at least two precincts. The county canvassing board of a county with between 50,000 and 100,000 registered voters must conduct a review of a total of at least three precincts. The county canvassing board of a county with over 100,000 registered voters must conduct a review of a total of at least four precincts, or three percent of the total number of precincts in the county, whichever is greater. At least one precinct selected in each county must have had more than 150 votes cast at the general election.

The county auditor must notify the secretary of state of the precincts that have been chosen for review and the time and place the postelection review for that county will be conducted, as soon as the decisions are made. If the selection of precincts has not resulted in the selection of at least four precincts in each congressional district, the secretary of state may require counties to select by lot additional precincts to meet the congressional district requirement. The secretary of state must post this information on the office website.

Sec. 47. Minnesota Statutes 2022, section 206.89, subdivision 3, is amended to read:

Subd. 3. **Scope and conduct of review.** The county canvassing board shall appoint the postelection review official as defined in subdivision 1. The postelection review must be conducted of the votes cast for president or governor; United States senator; and United States representative. The postelection review official may conduct postelection review of the votes cast for additional offices.

The postelection review must be conducted in public at the location where the voted ballots have been securely stored after the state general election or at another location chosen by the county canvassing board. The postelection review official for each precinct selected must conduct the postelection review and may be assisted by election judges designated by the postelection review official for this purpose. The party balance requirement of section 204B.19 applies to election judges designated for the review. The postelection review must consist of a manual count of the ballots used in the precincts selected and must be performed in the manner provided by section 204C.21. The postelection review must be conducted in the manner provided for recounts under section 204C.361 to the extent practicable. The review must be completed no later than ~~two days~~ one day before the meeting of the state canvassing board to certify the results of the state general election.

Sec. 48. Minnesota Statutes 2022, section 206.89, subdivision 5, is amended to read:

Subd. 5. **Additional review.** (a) If the postelection review in one of the reviewed precincts reveals a difference greater than the thresholds specified in subdivision 4, the postelection review official must, within ~~two days~~ one day, conduct an additional review of the races indicated in subdivision 3 in at least three precincts in the same jurisdiction where the discrepancy was discovered. If all precincts in that jurisdiction have been reviewed, the county auditor must immediately publicly select by lot at least three additional precincts for review. The postelection review official must complete the additional review within ~~two days~~ one day after the precincts are selected and report the results immediately to the county auditor. If the second review in any of the reviewed precincts also indicates a difference in the vote totals compiled by the voting system that is greater than the thresholds specified in subdivision 4, the county auditor must conduct a review of the ballots from all the remaining precincts in the county for the races indicated in subdivision 3. This review must be completed and the results must be reported to the secretary of state within ~~one week~~ six days after the second review was completed.

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

Sec. 49. Minnesota Statutes 2022, section 206.89, subdivision 6, is amended to read:

Subd. 6. **Report of results.** Upon completion of the postelection review, the postelection review official must immediately report the results to the county auditor. The county auditor must then immediately submit the results of the postelection review electronically or in writing to the secretary of state not later than ~~two days~~ one day before the State Canvassing Board meets to canvass the state general election. The secretary of state shall report the results of the postelection review at the meeting of the State Canvassing Board to canvass the state general election.

Sec. 50. Minnesota Statutes 2022, section 208.06, is amended to read:

**208.06 ELECTORS AND ALTERNATES TO MEET AT STATE CAPITOL.**

The presidential electors and alternate presidential electors, before 12:00 M. on the day before that fixed by Congress for the electors to vote for president and vice president of the United States, shall notify the governor that they are at the State Capitol and ready at the proper time to fulfill their duties as electors. The governor or the governor's designee shall deliver to the electors present a certificate of the names of all the electors. The electors shall meet at 12:00 p.m. in the ~~executive chamber of the State Capitol~~ and unless the governor determines that location to be impracticable and directs the electors to meet at a different location. The governor must alert members of the Capitol Press Corps of the location where the electors will meet. The electors shall perform all the duties imposed upon them as electors by the Constitution and laws of the United States and this state in the manner provided in section 208.46.

Sec. 51. Minnesota Statutes 2022, section 208.44, is amended to read:

**208.44 CERTIFICATION OF ELECTORS.**

In submitting this state's certificate of ascertainment as required by United States Code, title 3, section ~~6~~ 5, the governor shall certify this state's electors and state in the certificate that:

- (1) the electors will serve as electors unless a vacancy occurs in the office of elector before the end of the meeting at which elector votes are cast, in which case a substitute elector will fill the vacancy; and
- (2) if a substitute elector is appointed to fill a vacancy, the governor will submit an amended certificate of ascertainment stating the names on the final list of this state's electors.

Sec. 52. Minnesota Statutes 2022, section 208.47, is amended to read:

**208.47 ELECTOR REPLACEMENT; ASSOCIATED CERTIFICATES.**

(a) After the vote of this state's electors is completed, if the final list of electors differs from any list that the governor previously included on a certificate of ascertainment prepared and transmitted under United

States Code, title 3, section 6 5, the secretary of state immediately shall prepare an amended certificate of ascertainment and transmit it to the governor for the governor's signature.

(b) The governor immediately shall deliver the signed amended certificate of ascertainment to the secretary of state and a signed duplicate original of the amended certificate of ascertainment to all individuals entitled to receive this state's certificate of ascertainment, indicating that the amended certificate of ascertainment is to be substituted for the certificate of ascertainment previously submitted.

(c) The secretary of state shall prepare a certificate of vote. The electors on the final list shall sign the certificate. The secretary of state shall process and transmit the signed certificate with the amended certificate of ascertainment under United States Code, title 3, sections 9, 10, and 11.

Sec. 53. Minnesota Statutes 2022, section 209.01, subdivision 2, is amended to read:

Subd. 2. **Statewide office.** For purposes of this chapter, "statewide office" means the office of governor, lieutenant governor, attorney general, state auditor, secretary of state, chief justice or associate justice of the supreme court, judge of the court of appeals, or United States senator, ~~or presidential elector or alternate.~~

Sec. 54. **[209A.01] DEFINITIONS.**

The definitions in chapter 200 apply to this chapter.

Sec. 55. **[209A.02] CONTESTANT; GROUNDS.**

Any eligible voter, including a candidate, wishing to contest the election of the presidential elector or alternate in the courts of this state whether over an irregularity in the conduct of an election or canvass of votes, over the question of who received the largest number of votes legally cast, on the grounds of deliberate, serious, and material violations of Minnesota election law, or on any other ground must do so according to this chapter.

Sec. 56. **[209A.03] NOTICE OF CONTEST.**

Subdivision 1. **Manner; time; contents.** Service of a notice of contest must be made in the same manner as the service of summons in civil actions. The notice of contest must specify the grounds on which the contest will be made. The contestant shall serve notice of the contest on the parties enumerated in this section. Notice must be served and filed on or before 5:00 p.m. one day after the canvass is completed, except that if the election is being recounted pursuant to section 204C.35, the time for notice of a contest shall begin to run upon certification of the results of the recount by the canvassing board.

Subd. 2. **Notice filed with court.** The contestant shall file the notice of contest under this section with the supreme court.

Subd. 3. **Notice served on parties.** The notice of contest must be served on all candidates for the office and on any other party as required by the court. A copy must also be furnished to the governor and secretary of state. If personal or substituted service on any party cannot be made, an affidavit of the attempt by the person attempting to make service and the affidavit of the person who sent a copy of the notice to the contestee by certified mail are sufficient to confer jurisdiction upon the court to decide the contest.

Sec. 57. **[209A.04] CONTESTEE'S ANSWER.**

Subdivision 1. **Contest of vote count.** If a notice of contest questions only which of the parties to the contest received the highest number of votes legally cast at the election, the contestee need not file an answer, unless the contestee desires to raise issues not specified in the notice of contest.

Subd. 2. **Other contests.** For all other election contests the contestee's answer to the notice of contest must be filed and served on all candidates for the office and on any other party as required by the court. A copy must also be furnished to the governor and secretary of state. The answer must so far as practicable conform to the rules for pleading in civil actions. Service and filing of the answer must be made two days after service of the notice of contest. The contestee's answer must be served in the same manner as the answer in a civil action or in the manner the court may order. Any other notices must be served in the manner and within the times the court may order.

Sec. 58. **[209A.05] VENUE.**

The court for the election contest of presidential electors shall be the supreme court.

Sec. 59. **[209A.06] GUARDING AND INSPECTING THE BALLOTS.**

The provisions of sections 209.05 and 209.06 apply to election contests filed under this section. The chief justice of the supreme court shall appoint any inspectors required under this section.

Sec. 60. **[209A.07] PLEADINGS; PROCEDURE.**

The notice of contest and any answer are the pleadings in the case and may be amended in the discretion of the supreme court. The contest proceedings must be brought as soon as practicable. The court shall proceed in the manner provided for the trial of civil actions so far as practicable, but must issue its decision at least one day before the deadline to submit the certificate of ascertainment as required under the laws of the United States.

Sec. 61. **[209A.08] RESULTS OF CONTEST.**

Subdivision 1. **Generally.** When the court decides an election contest under this chapter, the court may invalidate and revoke any election certificate which has been issued to a presidential elector. If the contest involved an error in the counting of ballots, the official authorized to issue the certificate of election shall issue the certificate to the person entitled to it, but if a contestant succeeds in a contest where there is no question as to which of the candidates received the highest number of votes cast at the election, the contestant is not, by reason of the disqualification of the contestee, entitled to the certificate of election.

Subd. 2. **Defective ballots.** In a contested election, if the court decides that a serious and material defect in the ballots used changed the outcome of the election, the election must be declared invalid.

Subd. 3. **Costs of contest.** If the contestee succeeds, costs of the contest must be paid by the contestant. If the contestant succeeds, costs of the contest must be paid by the contestee, except that if the contestee loses because of an error in the counting of ballots or canvass of the returns or because of any other irregularity in the election procedure, costs must be paid, in the discretion of the judge, by the election jurisdictions responsible for errors which resulted in the reversal of the prior results of the election.



Sec. 62. Minnesota Statutes 2023 Supplement, section 211B.076, subdivision 4, is amended to read:

Subd. 4. **Dissemination of personal information about an election official.** (a) A person may not knowingly and without consent make publicly available, including but not limited to through the Internet, personal information about an election official or an election official's family or household member if:

(1) the ~~dissemination~~ public availability of information poses an imminent and serious threat to the official's safety or the safety of an official's family or household member; and

(2) the person making the information publicly available knows or reasonably should know of any imminent and serious threat.

(b) As used in this subdivision, "personal information" means ~~the~~ a home telephone number, personal cell number, personal email address, name of the official's minor child, photographs of the official's minor child, home address of the election official or a member of an election official's family, directions to that a home, or photographs of that a home.

**EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to crimes committed on or after that date.

Sec. 63. Minnesota Statutes 2022, section 211B.17, subdivision 1, is amended to read:

Subdivision 1. **Forfeiture of nomination or office.** Except as provided in subdivision 2, if a candidate is found guilty of violating this chapter or section 609.771 or an offense was committed by another individual with the knowledge, consent, or connivance of the candidate, the court, after entering the adjudication of guilty, shall enter a supplemental judgment declaring that the candidate has forfeited the nomination or office. If the court enters the supplemental judgment, it shall transmit to the filing officer a transcript of the supplemental judgment, the nomination or office becomes vacant, and the vacancy must be filled as provided by law.

**EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to crimes committed on or after that date.

Sec. 64. Minnesota Statutes 2022, section 211B.18, is amended to read:

#### **211B.18 DISQUALIFIED CANDIDATE NOT TO HOLD VARIOUS POSITIONS.**

A candidate whose election to office has been set aside for a violation of this chapter or section 609.771 may not be appointed, during the period fixed by law as the term of the office, to fill a vacancy in that office. A candidate or other individual who is convicted of a violation of this chapter or section 609.771 may not be appointed, during the period fixed by law as the term of the office with respect to which the election was held and the offense was committed, to fill a vacancy that may occur in the office. An appointment to an office made contrary to the provisions of this section is void.

A candidate or other individual who is convicted of a violation of this chapter or section 609.771 is not qualified, during the period fixed by law as the term of the office with respect to which the election was held and the offense was committed, to fill a vacancy in an office for which the legislature may establish qualifications under article XII, section 3, of the Minnesota Constitution.

**EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to crimes committed on or after that date.

Sec. 65. Minnesota Statutes 2023 Supplement, section 243.205, is amended by adding a subdivision to read:

Subd. 3a. **Form of notice.** The notice required by subdivision 2 must include all of the following information:

(1) the statement "Your right to vote has been restored.";

(2) a statement that says the person is eligible to vote if the person meets the eligibility requirements;

(3) a list of the eligibility requirements to vote;

(4) a statement that a voter registration application is attached to the notice and information on all the ways to register to vote;

(5) information on where to find a list of documents to be used to provide current proof of residence;

(6) the statement "If you violate the conditions of release, the commissioner may revoke your release after due process and reimprison you. If that occurs, your right to vote is lost again while you are in prison.";  
and

(7) information on where the person may find more information about voting rights.

Sec. 66. Minnesota Statutes 2022, section 358.645, subdivision 2, is amended to read:

**Subd. 2. Qualifications; registration required.** (a) A remote online notary public:

(1) is a notary public for purposes of chapter 359 and is subject to and must be appointed and commissioned under that chapter;

(2) may perform notarial acts as provided by this chapter and chapter 359 in addition to performing remote online notarizations; and

(3) may perform remote online notarizations authorized under this section.

(b) A notary public commissioned in this state may apply for remote online notarization registration according to this section. Before a notary performs a remote online notarization, the notary must register the capability to perform notarial acts pursuant to section 358.645 with the secretary of state ~~according to section 359.01, subdivision 5~~, and must certify that the notary intends to use communication technology that conforms to this section.

(c) Unless terminated under this section, the term of registration to perform remote online notarial acts begins on the registration starting date set by the secretary of state and continues as long as the notary public's current commission to perform notarial acts remains valid.

(d) Upon the applicant's fulfillment of the requirements for remote online notarization registration under this section, the secretary of state shall record the registration under the applicant's notary public commission number.

(e) The secretary of state may reject a registration application if the applicant fails to comply with paragraphs (a) to (d). The commissioner of commerce may revoke a registration if the applicant fails to comply with subdivisions 2 to 6.

Sec. 67. Minnesota Statutes 2022, section 358.71, is amended to read:

**358.71 DATABASE OF NOTARIES PUBLIC.**

The secretary of state shall maintain an electronic database of notaries public:

~~(1)~~ through which a person may verify the authority of a notary public to perform notarial acts, including notarial acts pursuant to section 358.645<sup>2</sup>; and to perform notarial acts on electronic records.

~~(2) which indicates whether a notary public has applied to the commissioning officer or agency to perform notarial acts on electronic records or to perform notarial acts pursuant to section 358.645.~~

Sec. 68. Minnesota Statutes 2022, section 359.01, subdivision 5, is amended to read:

Subd. 5. **Registration to perform electronic notarizations.** Before performing electronic notarial acts, a notary public shall register the capability to notarize electronically with the secretary of state. ~~Before performing electronic notarial acts after recommissioning, a notary public shall reregister with the secretary of state.~~ Unless terminated for any reason, the term of registration to perform electronic notarial acts begins on the registration starting date set by the secretary of state and continues as long as the notary public has a valid commission to perform notarial acts. The requirements of this chapter relating to electronic notarial acts do not apply to notarial acts performed under sections 358.15, paragraph (a), clause (4), and 358.60, subdivision 1, clause (2).

Sec. 69. Minnesota Statutes 2022, section 359.03, subdivision 3, is amended to read:

Subd. 3. **Specifications.** (a) The official notarial stamp consists of the seal of the state of Minnesota, the name of the notary as it appears on the commission or the name of the ex officio notary, the words "Notary Public," or "Notarial Officer" in the case of an ex officio notary, and the words "My commission expires ..... (or where applicable) My term is indeterminate," with the expiration date shown on it and must be able to be reproduced in any legibly reproducible manner. The official notarial stamp shall be a rectangular form of not more than three-fourths of an inch vertically by 2-1/2 inches horizontally, with a serrated or milled edge border, and shall contain the information required by this subdivision.

(b) A notarial stamp that complied with these requirements at the time of issuance may continue to be used during the remainder of the current term of the notary even if changes to any of these requirements subsequently become effective.

**EFFECTIVE DATE.** This section is effective retroactively from January 1, 2024.

Sec. 70. Minnesota Statutes 2022, section 375.08, is amended to read:

**375.08 BOARD TO FILL VACANCIES IN COUNTY OFFICES.**

(a) Except as provided in paragraph (b) or section 375.081, when a vacancy occurs in the office of an elected county auditor, county treasurer, county recorder, sheriff, county attorney, county surveyor, or coroner, the county board shall must fill it by appointment at a regular or special meeting. For that purpose it shall meet at the usual place of meeting, upon one day's notice from the chair or clerk, which shall be served personally upon each member in the same manner as a district court summons. The A person appointed shall to a vacancy pursuant to this paragraph must give the bond and take the oath required by law, and serve the remainder of the term, and until a successor qualifies.

(b) When a vacancy occurs in the office of sheriff or county attorney less than 84 days before the state primary in the year preceding the end of the term, the county board may fill the vacancy by appointment at a regular or special meeting. A person appointed to fill a vacancy pursuant to this paragraph serves only until the successor is elected. The person elected at the general election to the office for the ensuing term must take office immediately after receiving the certificate of election, filing the bond, and taking the oath of office.

(c) When a vacancy occurs in an office that has a chief deputy or first assistant, the chief deputy or first assistant may perform all the duties and functions of the office until it is filled by appointment by the county board.

**Sec. 71. [375.081] VACANCY IN OFFICE OF SHERIFF OR COUNTY ATTORNEY; OPTIONAL SPECIAL ELECTION.**

As an alternative to the appointment procedure provided in section 375.08, a vacancy in the office of sheriff or county attorney may be filled at a special election as provided in this section. The county board may, by resolution, call for a special election to be held on a date authorized by section 205.10, subdivision 3a. The person elected at the special election must take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and must serve the remainder of the unexpired term. This section does not apply to a vacancy that occurs less than 84 days before the state primary in the year preceding the end of the term.

Sec. 72. Minnesota Statutes 2022, section 447.32, subdivision 3, is amended to read:

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

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

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

**Sec. 73. [471.3422] WEBSITE DOMAIN REQUIREMENT FOR CERTAIN COUNTIES, CITIES, AND TOWNS.**

(a) By June 1, 2026, every county and each municipality that administers absentee voting must use a .gov domain for the website address used by the county or municipality.

(b) If a municipality subject to this section has applied for a .gov domain but has not fully transitioned to using a .gov domain by June 1, 2026, the municipality is not in violation of this section. Such a municipality is in violation of this section if the municipality has not fully transitioned to using a .gov domain by June 1, 2028.

Sec. 74. Minnesota Statutes 2022, section 609.5151, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** As used in this section:

- (1) "family or household member" has the meaning given in section 518B.01, subdivision 2;
- (2) "law enforcement official" means both peace officers as defined in section 626.84, subdivision 1, and persons employed by a law enforcement agency; and
- (3) "personal information" means a home telephone number, personal cell number, personal email address, name of the official's minor child, photographs of the official's minor child, home address, directions to a home, or photographs of a home.

**EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to crimes committed on or after that date.

Sec. 75. Minnesota Statutes 2022, section 609.5151, subdivision 2, is amended to read:

Subd. 2. **Crime described.** (a) It is a misdemeanor for a person to knowingly and without consent make publicly available, including but not limited to through the Internet, personal information about a law enforcement official or an official's family or household member, if:

- (1) the ~~dissemination~~ public availability of information poses an imminent and serious threat to the official's safety or the safety of an official's family or household member; and
- (2) the person making the information publicly available knows or reasonably should know of the imminent and serious threat.

(b) A person is guilty of a gross misdemeanor if the person violates paragraph (a) and a law enforcement official or an official's family or household member suffers great bodily harm or death as a result of the violation.

(c) A person who is convicted of a second or subsequent violation of this section is guilty of a gross misdemeanor.

**EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to crimes committed on or after that date.

Sec. 76. Minnesota Statutes 2023 Supplement, section 609.771, subdivision 2, is amended to read:

Subd. 2. **Use of deep fake to influence an election; violation.** (a) A person who disseminates a deep fake or enters into a contract or other agreement to disseminate a deep fake is guilty of a crime and may be sentenced as provided in subdivision 3 if the person knows or ~~reasonably should know that~~ acts with reckless disregard about whether the item being disseminated is a deep fake and dissemination:

- ~~(1) takes place within 90 days before an election;~~
- ~~(2)~~ (1) is made without the consent of the depicted individual; ~~and~~

~~(2)~~ (2) is made with the intent to injure a candidate or influence the result of an election; and

(3) takes place either:

(i) within 90 days before a political party nominating convention; or

(ii) after the start of the absentee voting period prior to a presidential nomination primary, or a regular or special state or local primary or general election.

(b) This subdivision does not apply to a broadcaster or cable television system that disseminates a deep fake produced by a candidate if the broadcaster's or cable television system's dissemination is required by federal law.

Sec. 77. Minnesota Statutes 2023 Supplement, section 609.771, subdivision 3, is amended to read:

Subd. 3. **Use of deep fake to influence an election; penalty.** (a) A person convicted of violating subdivision 2 may be sentenced as follows:

(1) if the person commits the violation within five years of one or more prior convictions under this section, to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both;

(2) if the person commits the violation with the intent to cause violence or bodily harm, to imprisonment for not more than 364 days or to payment of a fine of not more than \$3,000, or both; or

(3) in other cases, to imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000, or both.

(b) In the case of a candidate for state or local office convicted of violating subdivision 2, the court must enter a supplemental judgment declaring that the candidate has forfeited the nomination or office in accordance with section 211B.17.

(c) A candidate for state or local office or other individual convicted of violating subdivision 2 is disqualified from being appointed to that office or any other office for which the legislature may establish qualifications under the Minnesota Constitution, article XII, section 3, in accordance with section 211B.18.

**EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to crimes committed on or after that date.

Sec. 78. Minnesota Statutes 2023 Supplement, section 609.771, subdivision 4, is amended to read:

Subd. 4. **Injunctive relief.** A cause of action for injunctive or equitable relief may be maintained against any person who is reasonably believed to be about to violate or who is in the course of violating this section by:

(1) the attorney general;

(2) a county attorney or city attorney;

(3) the depicted individual; or

(4) a candidate for nomination or election to a public office who is injured or likely to be injured by dissemination.

**EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to acts committed on or after that date.

Sec. 79. **TRANSITION TO NEW VOTER REGISTRATION APPLICATIONS.**

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

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

Sec. 80. **REVISOR INSTRUCTION.**

The revisor of statutes must title Minnesota Statutes, chapter 209A, "Election Contests - Presidential Elections."

Sec. 81. **REPEALER.**

(a) Minnesota Statutes 2022, section 383B.031, is repealed.

(b) Minnesota Statutes 2023 Supplement, section 243.205, subdivision 3, is repealed.

### ARTICLE 3

### VOTING RIGHTS ACT

Section 1. **[200.50] MINNESOTA VOTING RIGHTS ACT.**

Sections 200.50 to 200.59 may be cited as the "Minnesota Voting Rights Act."

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

Sec. 2. **[200.52] DEFINITIONS.**

Subdivision 1. **Application.** As used in sections 200.50 to 200.59, the terms as defined in this section have the meanings given.

Subd. 2. **Government official.** "Government official" means any individual who is elected or appointed to an office in this state or a political subdivision or who is authorized to act in an official capacity on behalf of the state or a political subdivision.

Subd. 3. **Language minority group.** "Language minority group" means a language minority group as that term is defined in the federal Voting Rights Act of 1965, as amended, as of the effective date of this act.

Subd. 4. **Method of election.** (a) "Method of election" means the method by which candidates are elected to the legislative body of a political subdivision, and includes at-large method of election, district-based method of election, or any alternative method of election. Method of election also includes the districting or redistricting plan used to elect candidates to the legislative body of a political subdivision.

(b) "At-large method of election" means a method of electing candidates to the legislative body of a political subdivision in which candidates are voted on by all voters of the political subdivision or that combines at-large with district-based methods of elections. At-large method of election does not include any alternative method of election.

(c) "District-based method of election" means a method of electing candidates to the legislative body of a political subdivision in which, for political subdivisions divided into districts, a candidate for any district is required to reside in the district and candidates representing or seeking to represent the district are voted on by only the voters who reside in the district. District-based method of election does not include any alternative method of election.

(d) "Alternative method of election" means a method of electing candidates to the legislative body of a political subdivision other than an at-large method of election or a district-based method of election and includes but is not limited to cumulative voting, limited voting, and proportional ranked choice voting.

Subd. 5. **Political subdivision.** "Political subdivision" means a county, city, town, or school district.

Subd. 6. **Politically cohesive.** "Politically cohesive" means that members of a group tend to prefer the same candidates, electoral choices, or policies.

Subd. 7. **Protected class.** "Protected class" means a class of citizens who are members of a racial, color, or language minority group, or who are members of a federally recognized Indian Tribe, including a class of two or more such groups.

Subd. 8. **Polarized voting.** "Polarized voting" means voting in which the candidate or electoral choice preferred by a protected class diverges from the candidate or electoral choice preferred by other voters.

Subd. 9. **Vote; voting.** "Vote" or "voting" includes any action necessary to cast a ballot and make that ballot count in any election, including but not limited to: registering to vote; applying for an absentee ballot; and any other action required by law as a prerequisite to casting a ballot and having that ballot counted, canvassed, certified, and included in the appropriate totals of votes cast with respect to an election.

Subd. 10. **Voting eligible population.** "Voting eligible population" means those individuals who are eligible to register and vote, regardless of whether the individuals are registered to vote.

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

### Sec. 3. **[200.53] CONSTRUCTION AND USE OF AUTHORITY.**

A law, rule, local law, charter provision, local ordinance, or local code relating to the right to vote, or which grants authority to prescribe or maintain voting or elections policies and practices, must be construed or applied liberally in favor of a voter's exercise of the right of suffrage. To the extent a court is afforded discretion on an issue, including but not limited to discovery, procedure, admissibility of evidence, or remedies, the court must exercise that discretion and weigh other equitable discretion in favor of this right.

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

### Sec. 4. **[200.54] VOTER SUPPRESSION AND VOTE DILUTION PROHIBITED.**

Subdivision 1. **Voter suppression.** (a) A political subdivision or any other government official or entity responsible for election administration must not adopt or apply a qualification for eligibility to vote or other prerequisite to voting; adopt or apply any law, ordinance, rule, standard, practice, procedure, or



policy regarding the administration of elections; or take any other action or fail to take any action that results in, is likely to result in, or is intended to result in a denial or abridgement of the right to vote by a member of a protected class.

(b) A violation of this subdivision may be established if it is shown that the challenged qualification, law, ordinance, rule, standard, practice, procedure, policy, or action results in a disparate burden on members of a protected class and the burden is, under the totality of the circumstances, related to social and historical conditions affecting members of the protected class.

Subd. 2. **Vote dilution.** (a) A political subdivision or any other government official or entity responsible for election administration must not adopt or enforce any method of election, or cause an annexation, incorporation, dissolution, consolidation, or division of a political subdivision, that has the effect of impairing the equal opportunity or ability of members of a protected class to nominate or elect candidates of their choice as a result of diluting the vote of members of that protected class.

(b) A violation of paragraph (a) exists when it is shown that:

(1) either:

(i) elections in a political subdivision exhibit polarized voting resulting in an impairment of the equal opportunity or ability of protected class members to nominate or elect candidates of their choice; or

(ii) based on the totality of the circumstances, the equal opportunity or ability of protected class members to nominate or elect candidates of their choice is impaired; and

(2) one or more new methods of election or changes to the existing method of election exist that the court could order pursuant to section 200.58 would likely mitigate the impairment.

(c) To the extent that a new method of election or change to the existing method of election that is presented under paragraph (b), clause (2), is a proposed district-based plan that provides protected class members with one or more reasonably configured districts in which the protected class members would have an equal opportunity or ability to nominate or elect candidates of the protected class members' choice, it is not necessary to show that members of a protected class comprise a majority of the total population, voting age population, voting eligible population, or registered voter population in any such district or districts.

(d) The fact that members of a protected class are not geographically compact does not preclude a finding of a violation of this subdivision but may be a factor in determining whether an appropriate remedy exists that would likely mitigate the impairment.

(e) For claims brought on behalf of a protected class, including one consisting of two or more racial, color, Tribal, or language minority groups that are politically cohesive in the political subdivision, the court shall consider only the combined electoral preferences of those racial, color, Tribal, or language minority groups in determining whether voting by the protected class is polarized from other voters. It is not necessary to demonstrate that voting by members of each racial, color, Tribal, or language minority group within a protected class, or by any subgroup within a racial, color, or language minority group, is separately polarized from other voters.

(f) Evidence concerning the causes of, or the reasons for, the occurrence of polarized voting is not relevant to the determination of whether polarized voting occurs, or whether candidates or electoral choices preferred by a protected class would usually be defeated. Evidence concerning alternate explanations for polarized voting patterns or election outcomes, including but not limited to partisan explanations, must not be considered.

(g) Evidence concerning projected changes in population or demographics may only be considered when determining whether an appropriate remedy exists that would likely mitigate the impairment.

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

Sec. 5. **[200.55] RELEVANT FACTORS FOR DETERMINING VIOLATION.**

Subdivision 1. **Factors established.** In determining whether, under the totality of the circumstances, a violation of section 200.54 has occurred with respect to a protected class, a court may consider any of the following factors:

(1) the history of discrimination affecting members of the protected class;

(2) the extent to which members of the protected class are disadvantaged, or otherwise bear the effects of past public or private discrimination, in any areas that may hinder their ability to participate effectively in the political process, including education, employment, health, criminal justice, housing, transportation, land use, or environmental protection;

(3) whether members of the protected class vote at a lower rate than other voters;

(4) the use of overt or subtle racial appeals in political campaigns or by government officials;

(5) the extent to which members of the protected class have been elected to office;

(6) the extent to which candidates who are members of the protected class have faced barriers with respect to accessing the ballot, receiving financial support, or receiving any other support for their candidacies for elective office;

(7) the extent to which candidates who are members of a protected class face hostility or barriers while campaigning due to the protected class membership;

(8) the extent of polarized voting;

(9) the use of any standard, practice, procedure, or policy that may enhance the dilutive effects of a challenged method of election;

(10) the lack of responsiveness by elected officials to the particularized needs of protected class members or a community of protected class members;

(11) whether the challenged method of election, ordinance, resolution, rule, policy, standard, regulation, procedure, or law was designed to advance, and does materially advance, a compelling state interest that is substantiated and supported by evidence; and

(12) other factors the court may deem relevant.

Subd. 2. **Necessity of factors.** No one factor in subdivision 1 is dispositive or necessary to establish the existence of a violation of section 200.54, nor shall any specified number or combination of factors be required in establishing that such a violation has occurred. The court shall consider a particular factor only if and to the extent evidence pertaining to that factor is introduced. The absence of evidence as to any particular factor does not preclude a finding of a violation of section 200.54.

Subd. 3. **Claims involving a political subdivision.** To the extent a claim concerns a political subdivision, evidence of the factors in subdivision 1 is most probative if the evidence relates to the political subdivision

in which the alleged violation occurred, but still holds probative value if the evidence relates to the geographic region in which that political subdivision is located or to this state.

Subd. 4. **Evidence of intent.** Evidence concerning the intent of voters, elected officials, or the political subdivision to discriminate against members of a protected class is not required to find a violation of section 200.54.

Subd. 5. **Factors that must be excluded.** In determining whether a violation of section 200.54 has occurred, a court shall not consider any of the following:

(1) the number of protected class members not burdened by the challenged qualification, prerequisite, standard, practice, or procedure;

(2) the degree to which the challenged qualification, prerequisite, standard, practice, or procedure has a long pedigree or was in widespread use at some earlier date;

(3) the use of an identical or similar qualification, prerequisite, standard, practice, or procedure in other states or jurisdictions;

(4) the availability of other forms of voting unimpacted by the challenged qualification, prerequisite, standard, practice, or procedure to all members of the electorate, including members of the protected class;

(5) an impact on potential criminal activity by individual voters, if those crimes have not occurred in the political subdivision in substantial numbers, or if the connection between the challenged policy and any claimed prophylactic effect is not supported by substantial evidence; or

(6) mere invocation of interests in voter confidence or prevention of fraud.

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

#### Sec. 6. [200.56] PRESUIT NOTICE.

Subdivision 1. **Notice required.** (a) Except as provided in this section, before filing an action a prospective plaintiff shall send a notice letter to the political subdivision identifying the potential violation, the affected protected class, and the type of remedy the potential plaintiff believes may address the potential violation. The party may not file an action related to the violations described in the notice letter until its receipt of a written denial by the political subdivision or within 60 days after sending the letter, whichever is earlier.

(b) A notice letter required by paragraph (a) must identify a potential violation of section 200.54 with specificity, including whether the prospective plaintiff believes the potential violation constitutes voter suppression under section 200.54, subdivision 1, vote dilution under section 200.54, subdivision 2, or both. The letter must include the relevant facts and evidence that the prospective plaintiff relied upon when evaluating whether a potential violation of section 200.54 exists.

Subd. 2. **When presuit notice is not required.** Notwithstanding subdivision 1, a notice letter is not required if:

(1) the party is seeking preliminary relief with respect to an upcoming election in accordance with section 200.57;

(2) the party is seeking to intervene in or join an existing action; or

(3) following the party's submission of a notice letter, the political subdivision enacted a remedy that would not remedy the violation identified in the letter.

Subd. 3. **Responsibility of parties.** The political subdivision shall respond in writing to a notice letter submitted under subdivision 1 within 60 days. If the political subdivision does not deny the potential violation, it must work in good faith with the party that submitted the letter to explore and implement any mutually agreed upon remedies to cure the potential violation. If the political subdivision adopts a resolution within 60 days of the filing of the letter identifying a remedy, affirming its intent to enact and implement a remedy, and establishing a timeline and specific steps it will take to do so, the political subdivision shall have 150 days from the submission of the letter to enact and implement a remedy, during which time the party who sent the letter may not file an action related to those violations against that political subdivision. A statement, action, or decision of a political subdivision under this subdivision does not constitute an admission by the political subdivision of its liability or establish the existence of a violation of section 200.54.

Subd. 4. **Approval of remedies.** If the political subdivision lacks authority to enact or implement an identified remedy, the political subdivision may nonetheless enact and implement the remedy upon approval by the district court. To seek approval, the political subdivision must file a petition in district court that identifies with specificity the law or other authority that prevents the remedy from being enacted or implemented. The venue for a petition under this subdivision is in the district court of the county where the challenged act or practice occurred, or in the District Court of Ramsey County. The district court may authorize the political subdivision to implement or enact the identified remedy notwithstanding the applicable law or authority to the contrary, if the court determines that the prospective plaintiff is likely to succeed in a lawsuit on the merits of the alleged violation; that the proposed remedy would address the alleged violation; and that the proposed remedy is narrowly tailored to that purpose.

Subd. 5. **Cost sharing.** (a) If a political subdivision enacts or implements a remedy in response to a notice letter submitted under subdivision 1, the political subdivision and the party who sent the notice letter must mutually agree on a reimbursement amount to be paid by the political subdivision to that party. The reimbursement amount must reflect the reasonable costs associated with producing and sending the letter and any accompanying evidence, subject to the limitations of this subdivision.

(b) To be eligible for a reimbursement, the party who submitted the notice letter must submit a request to the political subdivision in writing. The request must:

(1) be received by the political subdivision within 30 days of its enactment or adoption of the remedy;  
and

(2) be substantiated with financial documentation including, as applicable, detailed invoices for expert analysis and reasonable attorney fees.

(c) The cumulative amount of reimbursements to all parties must not exceed \$30,000. Reimbursement amounts for attorney fees are limited to amounts calculated using a lodestar methodology.

(d) To the extent a party requests reimbursement for a purported notice letter that fails to comply with the requirements in subdivision 1, or the request fails to comply with this subdivision, the political subdivision may dismiss the request. If the request is dismissed, the political subdivision must notify the party in writing of the reasons for the dismissal.

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

**Sec. 7. [200.57] RIGHT OF ACTION; VENUE; PRELIMINARY RELIEF.**

**Subdivision 1. Right of action.** (a) The attorney general, a county attorney, any individual aggrieved by a violation of this act, any entity whose membership includes individuals aggrieved by a violation of this act, any entity whose mission would be frustrated by a violation of this act, or any entity that would expend resources in order to fulfill its mission as a result of a violation of this act, may file an action in the district court for the county where the challenged act or practice has occurred, or in the district court of Ramsey County. Actions brought under this act are subject to expedited pretrial and trial proceedings and must receive an automatic calendar preference. The state is a necessary party in any action in which an alleged violation is based on a political subdivision's implementation of a state law, if the state law does not afford discretion to the political subdivision in its implementation of the law.

(b) In an action related to a districting or redistricting plan, any individual with standing to challenge any single district shall be deemed to have standing to challenge the districting or redistricting plan as a whole.

**Subd. 2. Preliminary relief prior to election.** In any action seeking a temporary injunction or other preliminary relief under this act before an election, the court shall grant relief if warranted based on the factors considered in seeking a temporary injunction or preliminary relief under Minnesota law, except that if the court determines that it is possible to implement appropriate relief that would address an alleged violation before an election, such relief shall not be denied on the basis that the election is close in time or that the relief could result in voter confusion.

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

**Sec. 8. [200.58] REMEDIES.**

Notwithstanding any other law, if the court finds a violation of any provision of section 200.54, the court has authority to order remedies that are tailored to best mitigate the violation. Any remedy ordered by the court must be constructed liberally in favor of a voter's exercise of the right of suffrage. The court may consider, among others, any remedy that has been ordered by a federal court or the court of another state jurisdiction, including through a court-approved consent decree or settlement adopted in the context of similar facts or to remedy a similar violation. The court shall consider remedies proposed by any party and may consider remedies proposed by interested nonparties. The court may not provide deference or priority to a proposed remedy offered by a defendant or political subdivision simply because the remedy has been proposed by the defendant or political subdivision.

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

**Sec. 9. [200.59] FEES AND COSTS.**

In any action brought under this act, the court, in its discretion, may allow the prevailing party costs and reasonable attorney fees. If a party prevails on only a portion of their action, the court may award costs and attorney fees attributable to that portion of the action. If the party against whom the action was filed prevails in the action, the court shall not award that party any costs or attorney fees unless the court finds the action is frivolous.

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

Sec. 10. **[200.60] VOTING RIGHTS ACT COST SHARING ACCOUNT.**

Subdivision 1. **Special revenue fund account established.** A Voting Rights Act cost sharing account is established in the special revenue fund. Money in the account is appropriated to the secretary of state for the purpose of reimbursing political subdivisions for presuit notice cost sharing expenses agreed to under section 200.56, subdivision 4, as authorized by this section. The secretary of state may retain up to five percent of the total cost of a reimbursement for administrative costs associated with processing the reimbursement.

Subd. 2. **Eligibility for reimbursement; application and approval.** (a) A political subdivision that implements a remedy in response to a presuit notice letter submitted under section 200.56 and pays a cost sharing amount under that section may apply to the secretary of state for reimbursement of the paid amount.

(b) The secretary of state must establish a form to be used by a political subdivision when applying for the reimbursement. The secretary of state must approve a submitted application, so long as the information provided by the political subdivision demonstrates that the expenses paid are eligible under section 200.56 and that sufficient funds are available in the Voting Rights Act cost sharing account to make the reimbursement payment. The secretary of state must review, approve, and distribute a reimbursement to an eligible political subdivision within 45 days of receiving its application.

Sec. 11. Minnesota Statutes 2022, section 204B.175, is amended to read:

**204B.175 CHANGE OF POLLING PLACE IN AN EMERGENCY.**

Subdivision 1. **Application.** When an emergency occurs after the deadline to designate a polling place for the purpose of absentee or early voting pursuant to section 203B.081, or after the deadline to designate a polling place pursuant to section 204B.16 but before the polls close on election day, a new polling place may be designated for that election pursuant to this section. For purposes of this section, an emergency is any situation that prevents the safe, secure, and full operation of a polling place, or when required to remedy a potential violation of section 200.54.

Subd. 2. **Changing polling place.** If a local election official determines that an emergency has occurred or is imminent, the local election official must procure a polling place that is as near the designated polling place as possible and that complies with the requirements of section 204B.16, subdivisions 4 and 5. If it is not possible to locate a new polling place in the precinct, the polling place may be located outside of the precinct without regard to the distance limitations in section 204B.16, subdivision 1. If a polling place location is changed to remedy a potential violation of section 200.54, the location of the polling place must be selected to remedy the violation. The local election official must certify to the appropriate governing body the expenses incurred because of the change. These expenses shall be paid as part of the expenses of the election.

Subd. 2a. **Designation of additional polling places.** A local election official may designate additional polling places, notwithstanding the deadlines in section 203B.081, if additional designations are required to remedy a potential violation of section 200.54. The local election official must certify to the appropriate governing body the expenses incurred because of the change. These expenses shall be paid as part of the expenses of the election.

Subd. 3. **Notice.** (a) Upon making the determination to relocate a polling place, the local election official must immediately notify the county auditor and the secretary of state. The notice must include the reason for the relocation and the reason for the location of the new polling place. As soon as possible, the local election official must also post a notice stating the reason for the relocation and the location of the new

polling place. The notice must also be posted on the website of the public body, if there is one. The local election official must also notify the election judges and request that local media outlets publicly announce the reason for the relocation and the location of the polling place. If the relocation occurs more than 14 days prior to the election, the local election official must mail a notice to the impacted voters of the reason for the relocation and the location of the polling place.

(b) On election day, the local election official must post a notice in large print in a conspicuous place at the polling place where the emergency occurred, if practical, stating the location of the new polling place. The local election official must also post the notice, if practical, in a location visible by voters who vote from their motor vehicles as provided in section 204C.15, subdivision 2. If polling place hours are extended pursuant to section 204C.05, subdivision 2, paragraph (b), the posted notices required by this paragraph must include a statement that the polling place hours at the new polling place will be extended until the specified time.

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

Sec. 12. Minnesota Statutes 2022, section 412.02, subdivision 6, is amended to read:

Subd. 6. **Council increased or reduced.** The council may by ordinance adopted at least 60 days before the next regular city election submit to the voters of the city the question of whether the city council should be increased or reduced to seven or five members. The ordinance shall include a schedule of elections and terms and ward boundary changes, if applicable, to accomplish the change. The proposal shall be voted on at the next city general election and, if approved by a majority of those voting on the question, go into effect in accordance with the schedule and ward boundaries, if applicable.

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

Sec. 13. Minnesota Statutes 2022, section 412.02, is amended by adding a subdivision to read:

Subd. 7. **Wards.** (a) A city may adopt an ordinance to elect its city council members by ward in the following circumstances:

(1) if the ordinance is submitted to the voters of the city for approval at a regular or special election, and the ordinance is adopted at least 180 days before that election; or

(2) when approved or ordered to do so by a court of competent jurisdiction acting in response to a challenge to the city's method of conducting elections.

(b) If the city is petitioned by at least 15 percent of the electors voting at the last previous city election asking that the question of city council member election by ward be put to the voters of the city, the city must adopt an ordinance for that purpose and submit the ordinance to the voters of the city for approval at a regular or special election.

(c) An ordinance must designate the boundaries of the wards. The ordinance must also state whether the city will otherwise operate as a statutory standard plan city or statutory optional plan city, subject to voter approval as may be required under this chapter. If submitted to the voters by ballot question, the ordinance shall go into effect at the next regular city election if it is approved by a majority of those voting on the question. Except as provided by this subdivision, section 205.10 applies to a ballot question submitted to the voters at a special election under this subdivision.

(d) A city that elects its council members by ward is subject to the requirements of sections 204B.135 and 205.84.

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

Sec. 14. **LEGISLATIVE FINDINGS.**

(a) The legislature finds that election practices, procedures, and methods that deny or impair the equal opportunity of racial, color, or language minority groups and Tribal communities to participate in the political process or elect candidates of their choice are inconsistent with the fundamental right to vote, and the rights and privileges guaranteed by the Minnesota Constitution as well as protections found in the Fourteenth and Fifteenth Amendments to the United States Constitution.

(b) The legislature finds that there is a history in Minnesota, as in the United States overall, of discrimination based on race, color, language-minority status, and Tribal membership, including in access to the political process. For example, that:

(1) the state constitution of 1857 limited the right to vote to white residents and Native American voters "who have adopted the customs and habits of civilization," and invoked a cultural purity test for Native American residents, requiring only Native American applicants to appear before a district court to determine whether each individual was "capable of enjoying the rights of citizenship within the State";

(2) Minnesota voters twice rejected expanding suffrage to Black residents, voting down proposed constitutional amendments to do so in 1865 and again in 1867, and only granted nonwhite men the right to vote in 1868, three years after the end of the Civil War;

(3) civil rights plaintiffs and the federal government have filed litigation and taken other action against political subdivisions in Minnesota under the Federal Voting Rights Act of 1965, as amended, alleging violations of section 2 of that act;

(4) individuals who are members of racial, color, or language minority groups have faced voter intimidation and disinformation in Minnesota, and that, for example, voters of color in 2020 in the cities of Minneapolis and St. Paul were targeted by a plan to hire and deploy armed paramilitia to polling locations, an attempt that was enjoined by a federal district court judge; and

(5) the history of discrimination in Minnesota further includes but is not limited to discrimination in housing, including the use of redlining, racially restrictive covenants on housing deeds, and predatory lending practices; education; employment; health; criminal justice; public works; transportation; land use; environmental protection; and other areas of life.

(c) As a result of this history and persistent discrimination and socioeconomic inequities that bear on the right to vote, members of racial, color, or language minority groups and Tribal communities continue to face unequal barriers in exercising the franchise and participating effectively in the political process.

(d) In light of these conditions, it is the legislature's intent by this act to encourage participation in the elective franchise by all eligible voters and to provide voters in this state with a means to secure their constitutional right to vote free from discrimination.

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



**ARTICLE 4**  
**CAMPAIGN FINANCE**

Section 1. Minnesota Statutes 2022, section 10A.01, subdivision 7, is amended to read:

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

- (1) all voters of the state; or
- (2) all voters of ~~Hennepin County~~;
- (3) ~~all voters of any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or~~
- (4) all voters of Special School District No. 1 a county, city, school district, township, or special district.

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

**EFFECTIVE DATE.** This section is effective January 1, 2025.

Sec. 2. Minnesota Statutes 2022, section 10A.01, subdivision 10d, is amended to read:

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

- (1) ~~any county office in Hennepin County;~~
- (2) ~~any city office in any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or~~
- (3) the school board in Special School District No. 1 a county, city, school district, township, or special district office.

**EFFECTIVE DATE.** This section is effective January 1, 2025.

Sec. 3. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read:

Subd. 16b. **Employee of a political subdivision.** "Employee of a political subdivision" includes an individual hired or appointed by the political subdivision. An individual is also an employee of a political subdivision if the individual is:

- (1) hired to provide the political subdivision services as a consultant or independent contractor; or
- (2) employed by a business that has contracted with the political subdivision to provide legal counsel, professional services, or policy recommendations to the political subdivision.

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

Sec. 4. Minnesota Statutes 2023 Supplement, section 10A.01, subdivision 21, is amended to read:

Subd. 21. **Lobbyist.** (a) "Lobbyist" means an individual:

(1) engaged for pay or other consideration of more than \$3,000 from all sources in any year:

(i) for the purpose of attempting to influence legislative or administrative action, or the official action of a political subdivision, by communicating ~~or urging others to communicate~~ with public or local officials; or

(ii) from a business whose primary source of revenue is derived from facilitating government relations or government affairs services if the individual's job duties include offering direct or indirect consulting or advice that helps the business provide those services to clients; or

(2) who spends more than \$3,000 of the individual's personal funds, not including the individual's own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action, or the official action of a political subdivision, by communicating ~~or urging others to communicate~~ with public or local officials.

(b) "Lobbyist" does not include:

(1) a public official;

(2) an employee of the state, including an employee of any of the public higher education systems;

(3) an elected local official;

(4) a nonelected local official or an employee of a political subdivision acting in an official capacity, unless the nonelected official or employee of a political subdivision spends more than 50 hours in any month attempting to influence legislative or administrative action, or the official action of a political subdivision other than the political subdivision employing the official or employee, by communicating or urging others to communicate with public or local officials, including time spent monitoring legislative or administrative action, or the official action of a political subdivision, and related research, analysis, and compilation and dissemination of information relating to legislative or administrative policy in this state, or to the policies of political subdivisions;

(5) a party or the party's representative appearing in a proceeding before a state board, commission, or agency of the executive branch unless the board, commission, or agency is taking administrative action;

(6) an individual while engaged in selling goods or services to be paid for by public funds;

(7) a news medium or its employees or agents while engaged in the publishing or broadcasting of news items, editorial comments, or paid advertisements which directly or indirectly urge official action;

(8) a paid expert witness whose testimony is requested by the body before which the witness is appearing, but only to the extent of preparing or delivering testimony; ~~or~~

(9) a party or the party's representative appearing to present a claim to the legislature and communicating to legislators only by the filing of a claim form and supporting documents and by appearing at public hearings on the claim; or

(10) an individual providing information or advice to members of a collective bargaining unit when the unit is actively engaged in the collective bargaining process with a state agency or a political subdivision.

(c) An individual who volunteers personal time to work without pay or other consideration on a lobbying campaign, and who does not spend more than the limit in paragraph (a), clause (2), need not register as a lobbyist.

(d) An individual who provides administrative support to a lobbyist and whose salary and administrative expenses attributable to lobbying activities are reported as lobbying expenses by the lobbyist, but who does not communicate or urge others to communicate with public or local officials, need not register as a lobbyist.

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

Sec. 5. Minnesota Statutes 2022, section 10A.01, subdivision 33, is amended to read:

Subd. 33. **Principal.** "Principal" means an individual or association that:

(1) spends more than ~~\$500~~ \$3,000 in the aggregate in any calendar year to engage a lobbyist, compensate a lobbyist, or authorize the expenditure of money by a lobbyist; or

(2) ~~is not included in clause (1) and~~ spends a total of at least \$50,000 in any calendar year ~~on efforts to influence legislative action, administrative action, or the official action of metropolitan governmental units~~ political subdivisions, as described in section 10A.04, subdivision 6.

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

Sec. 6. Minnesota Statutes 2023 Supplement, section 10A.04, subdivision 6, is amended to read:

Subd. 6. **Principal reports.** (a) A principal must report to the board as required in this subdivision by March 15 for the preceding calendar year.

(b) The principal must report the total amount, rounded to the nearest ~~\$9,000~~ \$5,000, spent by the principal during the preceding calendar year on each type of lobbying listed below:

(1) lobbying to influence legislative action;

(2) lobbying to influence administrative action, other than lobbying described in clause (3);

(3) lobbying to influence administrative action in cases of rate setting, power plant and powerline siting, and granting of certificates of need under section 216B.243; and

(4) lobbying to influence official action of a political subdivision.

(c) For each type of lobbying listed in paragraph (b), the principal must report a total amount that includes:

(1) the portion of all direct payments for compensation and benefits paid by the principal to lobbyists in this state for that type of lobbying;

(2) the portion of all expenditures for advertising, mailing, research, consulting, surveys, expert testimony, studies, reports, analysis, compilation and dissemination of information, communications and staff costs used for the purpose of urging members of the public to contact public or local officials to influence official actions, social media and public relations campaigns, and legal counsel used to support that type of lobbying in this state; and

(3) a reasonable good faith estimate of the portion of all salaries and administrative overhead expenses attributable to activities of the principal for that type of lobbying in this state.

(d) The principal must report disbursements made and obligations incurred that exceed \$2,000 for paid advertising used for the purpose of urging members of the public to contact public or local officials to influence official actions during the reporting period. Paid advertising includes the cost to boost the distribution of an advertisement on social media. The report must provide the date that the advertising was purchased, the name and address of the vendor, a description of the advertising purchased, and any specific subjects of interest addressed by the advertisement.

Sec. 7. Minnesota Statutes 2023 Supplement, section 10A.20, subdivision 2a, is amended to read:

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

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

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

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

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

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

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

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

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

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

The reporting obligations in this paragraph begin with the first report due after the reporting period in which the entity reaches the spending threshold specified in paragraph (a). The ~~pre-primary~~ July report required under clause (3) is required for all entities required to report under paragraph (a), regardless of whether the candidate or issue is on the primary ballot or a primary is not conducted.

**EFFECTIVE DATE.** This section is effective January 1, 2025.

Sec. 8. Minnesota Statutes 2023 Supplement, section 10A.20, subdivision 12, is amended to read:

Subd. 12. **Failure to file; late fees; penalty.** (a) If an individual or association fails to file a report required by this section or section 10A.202, the board may impose a late filing fee and a civil penalty as provided in this subdivision.

(b) If ~~an individual or association~~ a candidate, political committee, political fund, principal campaign committee, or party unit fails to file a report required by this section that is due January 31, the board may impose a late filing fee of \$25 per day, not to exceed \$1,000, commencing the day after the report was due.

(c) Except for reports governed by paragraph (b), if an individual, political committee, political fund, principal campaign committee, party unit, or association fails to file a report required by subdivision 2, 2a, or 5, or by section 10A.202, the board may impose a late filing fee of \$50 per day, not to exceed \$1,000, commencing on the day after the date the statement was due, provided that. If the total receipts received expenditures or disbursements that occurred during the reporting period or total expenditure reportable under section 10A.202 exceeds \$25,000, then the board may also impose a late filing fee of up to two percent of the amount expenditures or disbursements that should have been reported, per day, commencing on the day after the report was due, not to exceed 100 percent of the amount that should have been reported.

(d) If an individual, political committee, political fund, principal campaign committee, party unit, or association has been assessed a late filing fee or civil penalty under this subdivision during the prior four years, the board may impose a late filing fee, a civil penalty, or both of up to twice the amount otherwise authorized by this subdivision. If an individual, political committee, political fund, principal campaign committee, party unit, or association has been assessed a late filing fee under this subdivision more than two times during the prior four years, the board may impose a late filing fee of up to three times the amount otherwise authorized by this subdivision.

(e) Within ten business days after the report was due or receipt by the board of information disclosing the potential failure to file a report required by this section, the board must send notice by certified mail that the individual or association may be subject to a civil penalty for failure to file the report. An individual who fails to file the report within seven days after the certified mail notice was sent by the board is subject to a civil penalty imposed by the board of up to \$1,000 \$2,000 in addition to the late filing fees imposed by this subdivision.

**EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to penalties assessed on or after that date.

Sec. 9. Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 3, is amended to read:

Subd. 3. ~~Can be received by 10,000 or more individuals~~ **Targeted to the relevant electorate.** (a) "Can be received by 10,000 or more individuals" "Targeted to the relevant electorate" means that a communication can be received in the district the candidate seeks to represent, in the case of a candidate for representative, senator, or other office represented by district; or in the entire state, if the candidate seeks a statewide office, as follows:

(1) in the case of a communication transmitted by an FM radio broadcast station or network, where the district lies entirely within the station's or network's protected or primary service contour, that the population of the district is 10,000 or more;

(2) in the case of a communication transmitted by an FM radio broadcast station or network, where a portion of the district lies outside of the protected or primary service contour, that the population of the part of the district lying within the station's or network's protected or primary service contour is 10,000 or more;

(3) in the case of a communication transmitted by an AM radio broadcast station or network, where the district lies entirely within the station's or network's most outward service area, that the population of the district is 10,000 or more;

(4) in the case of a communication transmitted by an AM radio broadcast station or network, where a portion of the district lies outside of the station's or network's most outward service area, that the population of the part of the district lying within the station's or network's most outward service area is 10,000 or more;

(5) in the case of a communication appearing on a television broadcast station or network, where the district lies entirely within the station's or network's Grade B broadcast contour, that the population of the district is 10,000 or more;

(6) in the case of a communication appearing on a television broadcast station or network, where a portion of the district lies outside of the Grade B broadcast contour:

(i) that the population of the part of the district lying within the station's or network's Grade B broadcast contour is 10,000 or more; or

(ii) that the population of the part of the district lying within the station's or network's broadcast contour, when combined with the viewership of that television station or network by cable and satellite subscribers within the district lying outside the broadcast contour, is 10,000 or more;

(7) in the case of a communication appearing exclusively on a cable or satellite television system, but not on a broadcast station or network, that the viewership of the cable system or satellite system lying within a district is 10,000 or more; ~~or~~

(8) in the case of a communication appearing on a cable television network, that the total cable and satellite viewership within a district is 10,000 or more; or

(9) in the case of a communication disseminated by telephone, in a digital format online, or by other electronic means that:

(i) the communication is capable of generating 2,500 or more contacts within a district at any time during the electioneering communication period identified in subdivision 6, paragraph (a), clause (2), in which it is disseminated; or

(ii) if multiple communications are disseminated by the same person, the communications:

(A) refer to the same candidate; and

(B) are capable of generating 2,500 or more contacts within a district, in aggregate, at any time during the electioneering communication period identified in subdivision 6, paragraph (a), clause (2), in which they are disseminated.

(b) Cable or satellite television viewership is determined by multiplying the number of subscribers within a district, or a part thereof, as appropriate, by the current average household size for Minnesota, as determined by the Bureau of the Census.

(c) ~~A determination that a communication can be received by 10,000 or more individuals~~ is targeted to the relevant electorate based on the application of the formula in this section shall create a rebuttable presumption that may be overcome by demonstrating that:

(1) one or more cable or satellite systems did not carry the network on which the communication was publicly distributed at the time the communication was publicly distributed; and

(2) applying the formula to the remaining cable and satellite systems results in a determination that the cable network or systems upon which the communication was publicly distributed could not be received by 10,000 individuals or more.

**EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to communications disseminated on or after that date.

Sec. 10. Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 4, is amended to read:

Subd. 4. **Direct costs of producing or airing electioneering communications.** "Direct costs of producing or airing electioneering communications" means:

(1) costs charged by a vendor, including studio rental time, staff salaries, costs of ~~video or audio recording media~~ visual or audio media creation or recording, and talent; ~~and~~

(2) the cost of airtime on broadcast, cable, or satellite radio and television stations, studio time, material costs, and the charges for a broker to purchase the airtime; ~~and~~

(3) the cost to disseminate messages, to access any platform used to disseminate messages, or to promote messages on any platform used to disseminate messages by telephone, in a digital format online, or by other electronic means.

**EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to communications disseminated on or after that date.

Sec. 11. Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 6, is amended to read:

Subd. 6. **Electioneering communication.** (a) "Electioneering communication" means any broadcast, cable, ~~or satellite,~~ telephone, or digital communication that:

(1) refers to a clearly identified candidate for state office;

(2) is publicly distributed within 60 days before a general election for the office sought by the candidate; ~~or, within 30 days before a primary election for the office sought by the candidate, or within 30 days before a convention or caucus of a political party unit that has authority to nominate~~ endorse a candidate, for the office sought by the candidate, and the candidate referenced is seeking the nomination of that political party; and

(3) is targeted to the relevant electorate.

(b) A communication is not an electioneering communication if it:

(1) is publicly disseminated through a means of communication other than a broadcast, cable, ~~or satellite~~ television, or radio station, by telephone, in a digital format online, or by other electronic means;

(2) appears in a news story, commentary, or editorial distributed through the facilities of any broadcast, cable, or satellite television or radio station, unless such facilities are owned or controlled by any political party, political committee, or candidate, provided that a news story distributed through a broadcast, cable, or satellite television or radio station owned or controlled by any political party, political committee, or candidate is not an electioneering communication if the news story meets the requirements described in Code of Federal Regulations, title 11, section 100.132 (a) and (b);

(3) constitutes an expenditure or independent expenditure, provided that the expenditure or independent expenditure is required to be reported under this chapter;

(4) constitutes a candidate debate or forum, or that solely promotes such a debate or forum and is made by or on behalf of the person sponsoring the debate or forum; ~~or~~

(5) is paid for by a candidate;

(6) is a noncommercial solicitation for the purposes of opinion research, including but not limited to opinion research designed for understanding the impact of exposure to political messages and content, provided that the solicitation is not designed to influence respondents' views by presenting biased or manipulative content under the guise of it being an opinion poll, survey, or other form of scientific data collection; or

(7) is a communication disseminated by telephone, in a digital format online, or by other electronic means that the recipient has affirmatively and voluntarily consented to receive from the sender.

**EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to communications disseminated on or after that date.

Sec. 12. Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 9, is amended to read:

Subd. 9. **Publicly distributed.** "Publicly distributed" means aired, broadcast, cablecast, or otherwise disseminated through the facilities of a television station, radio station, cable television system, or satellite system, or disseminated to a recipient by telephone, in a digital format online, or by other electronic means.

**EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to communications disseminated on or after that date.

Sec. 13. Minnesota Statutes 2023 Supplement, section 10A.202, subdivision 1, is amended to read:

Subdivision 1. **Reports required.** Any person who has made an electioneering communication, as defined in section 10A.201, aggregating in excess of \$10,000 during any calendar year shall file a statement with the board no later than 11:59 p.m. on the day following the disclosure date. The statement shall be filed under penalty of perjury, and must contain the information set forth in subdivision 2. Political committees, political funds, and political party units that make a communication described in section 10A.201 must report the communication as a campaign expenditure or independent expenditure as otherwise provided by this chapter and are not required to file a report under this section.

**EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to penalties assessed on or after that date.

Sec. 14. Minnesota Statutes 2022, section 10A.27, subdivision 8, is amended to read:

Subd. 8. **Excess loans prohibited; limitation on interest.** (a) A candidate must not permit the candidate's principal campaign committee to accept a loan from other than a financial institution for an amount in excess of the contribution limits imposed by this section. A candidate must not permit the candidate's principal campaign committee to accept a loan from a financial institution for which the financial institution may hold an endorser of the loan liable to pay an amount in excess of the amount that the endorser may contribute to that candidate.

(b) A candidate's principal campaign committee must not accept a loan from the candidate if the terms of the loan require the candidate's principal campaign committee to pay interest to the candidate.

**EFFECTIVE DATE.** This section is effective January 1, 2025.



Sec. 15. Minnesota Statutes 2022, section 10A.27, subdivision 17, is amended to read:

Subd. 17. **Penalty.** (a) An association that makes a contribution under subdivision 15 and fails to provide the required statement within the time specified is subject to a late filing fee of \$100 a day not to exceed \$1,000, commencing the day after the statement was due. The board must send notice by certified mail that the individual or association may be subject to a civil penalty for failure to file the statement. An association that fails to provide the required statement within seven days after the certified mail notice was sent by the board is subject to a civil penalty of up to four times the amount of the contribution, but not to exceed \$25,000, except when the violation was intentional.

(b) An independent expenditure political committee or an independent expenditure political fund that files a report without including the statement required under subdivision 15 is subject to a late filing fee of \$100 a day not to exceed \$1,000, commencing the day after the report was due. The board must send notice by certified mail that the independent expenditure political committee or independent expenditure fund may be subject to a civil penalty for failure to file the statement. An association that fails to provide the required statement within seven days after the certified mail notice was sent by the board is subject to a civil penalty of up to four times the amount of the contribution for which disclosure was not filed, but not to exceed \$25,000, except when the violation was intentional.

(c) If an independent expenditure political committee or an independent expenditure political fund has been assessed a late filing fee under this subdivision during the prior four years, the board may impose a late filing fee of up to twice the amount otherwise authorized by this subdivision. If an independent expenditure political committee or an independent expenditure political fund has been assessed a late filing fee under this subdivision more than two times during the prior four years, the board may impose a late filing fee of up to three times the amount otherwise authorized by this subdivision.

~~(e)~~ (d) No other penalty provided in law may be imposed for conduct that is subject to a civil penalty under this section.

**EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to penalties assessed on or after that date.

Sec. 16. Minnesota Statutes 2022, section 211A.01, subdivision 3, is amended to read:

Subd. 3. **Candidate.** "Candidate" means an individual who seeks nomination or election to a county, municipal, school district, or other political subdivision office. This definition does not include an individual seeking a judicial office. ~~For purposes of sections 211A.01 to 211A.05 and 211A.07, "candidate" also includes a candidate for the United States Senate or House of Representatives.~~

**EFFECTIVE DATE.** This section is effective January 1, 2025.

Sec. 17. Minnesota Statutes 2022, section 211A.01, is amended by adding a subdivision to read:

Subd. 4a. **Committee.** "Committee" means a group established by a candidate of two or more persons working together to support the election of the candidate to a political subdivision office. A committee may accept contributions and make disbursements on behalf of the candidate.

**EFFECTIVE DATE.** This section is effective January 1, 2025.

Sec. 18. Minnesota Statutes 2022, section 211A.01, subdivision 7, is amended to read:

Subd. 7. **Filing officer.** "Filing officer" means the officer authorized by law to accept affidavits of candidacy or nominating petitions for an office ~~or the officer authorized by law to place a ballot question on the ballot.~~

**EFFECTIVE DATE.** This section is effective January 1, 2025.

Sec. 19. Minnesota Statutes 2022, section 211A.01, subdivision 8, is amended to read:

Subd. 8. **Political purposes.** An act is done for "political purposes" if it is of a nature, done with the intent, or done in a way to influence or tend to influence, directly or indirectly, voting for a candidate at a primary or an election or if it is done because a person is about to vote, has voted, or has refrained from voting for a candidate at a primary or an election.

**EFFECTIVE DATE.** This section is effective January 1, 2025.

Sec. 20. Minnesota Statutes 2023 Supplement, section 211A.02, subdivision 1, is amended to read:

Subdivision 1. **When and where filed by committees or candidates.** (a) A committee or a candidate who receives contributions or makes disbursements of more than \$750 in a calendar year shall submit an initial report to the filing officer within 14 days after the candidate or committee receives or makes disbursements of more than \$750 and shall must continue to make the reports listed in paragraph (b) required by this subdivision until a final report is filed.

(b) ~~The committee or~~ In a year in which a candidate must file a report by January 31 of each year following the year when the initial report was filed and in a year when receives contributions or makes disbursements of more than \$750 or the candidate's name or a ballot question appears on the ballot, the candidate or committee shall must file a report:

(1) ten days before the primary or special primary. This report is required if a primary is held in the jurisdiction, regardless of whether the candidate or issue is on the primary ballot or. If a primary is not conducted, the report is due ten days before the primary date specified in section 205.065;

(2) ten days before the general election or special election; and

(3) 30 days after a general or special election.

The reporting obligations in this paragraph begin with the first report due after the reporting period in which the candidate reaches the spending threshold specified in paragraph (a). A candidate who did not file for office is not required to file reports required by this paragraph that are due after the end of the filing period. A candidate whose name will not be on the general election ballot is not required to file the reports required by clauses (2) and (3).

(c) Until a final report is filed, a candidate must file a report by January 31 of each year. Notwithstanding subdivision 2, clause (4), the report required by this subdivision must only include the information from the previous calendar year.

**EFFECTIVE DATE.** This section is effective January 1, 2025.

Sec. 21. Minnesota Statutes 2022, section 211A.02, subdivision 2, is amended to read:

Subd. 2. **Information required.** The report to be filed by a candidate or committee must include:

- (1) the name of the candidate ~~or ballot question~~ and office sought;
- (2) the printed name, address, telephone number, signature, and email address, if available, of the person responsible for filing the report;
- (3) the total cash on hand designated to be used for political purposes;
- (4) the total amount of contributions received and the total amount of disbursements for the period from the last previous report to five days before the current report is due;
- (5) ~~the amount, date, and purpose for each disbursement~~ if disbursements made to the same vendor exceed \$100 in the aggregate during the period covered by the report, the name and address for the vendor and the amount, date, and purpose for each disbursement; and
- (6) the name, address, and employer, or occupation if self-employed, of any individual or ~~committee~~ entity that during the ~~year~~ period covered by the report has made one or more contributions that in the aggregate exceed \$100, and the amount and date of each contribution. The filing officer must restrict public access to the address of any individual who has made a contribution that exceeds \$100 and who has filed with the filing officer a written statement signed by the individual that withholding the individual's address from the financial report is required for the safety of the individual or the individual's family.

**EFFECTIVE DATE.** This section is effective January 1, 2025.

Sec. 22. Minnesota Statutes 2022, section 211A.05, subdivision 1, is amended to read:

Subdivision 1. **Penalty.** A candidate who intentionally fails to file a report required by section 211A.02 or a certification required by this section is guilty of a misdemeanor. The treasurer of a committee ~~formed to promote or defeat a ballot question~~ who intentionally fails to file a report required by section 211A.02 or a certification required by this section is guilty of a misdemeanor. Each candidate or treasurer of a committee ~~formed to promote or defeat a ballot question shall~~ must certify to the filing officer that all reports required by section 211A.02 have been submitted to the filing officer or that the candidate or committee has not received contributions or made disbursements exceeding \$750 in the calendar year. The certification ~~shall~~ must be submitted to the filing officer no later than seven days after the general or special election. The secretary of state ~~shall~~ must prepare blanks for this certification. An officer who issues a certificate of election to a candidate who has not certified that all reports required by section 211A.02 have been filed is guilty of a misdemeanor.

**EFFECTIVE DATE.** This section is effective January 1, 2025.

Sec. 23. Minnesota Statutes 2022, section 211A.06, is amended to read:

**211A.06 FAILURE TO KEEP ACCOUNT; PENALTY.**

A candidate, treasurer, or other individual who receives money for a committee is guilty of a misdemeanor if the individual:

- (1) fails to keep a correct account as required by law;
- (2) mutilates, defaces, or destroys an account record; or

(3) in the case of a committee, refuses upon request to provide financial information to a candidate; and

(4) does any of these things with the intent to conceal receipts or disbursements, the purpose of receipts or disbursements, or the existence or amount of an unpaid debt or the identity of the person to whom it is owed.

**EFFECTIVE DATE.** This section is effective January 1, 2025.

Sec. 24. Minnesota Statutes 2022, section 211A.07, is amended to read:

**211A.07 BILLS WHEN RENDERED AND PAID.**

A person who has a bill, charge, or claim against a ~~candidate's~~ candidate or a committee ~~shall~~ must render it in writing to the candidate or committee within 60 days after the material or service is provided. A bill, charge, or claim that is not presented within 60 days after the material or service is provided must not be paid.

**EFFECTIVE DATE.** This section is effective January 1, 2025.

Sec. 25. Minnesota Statutes 2022, section 211A.12, is amended to read:

**211A.12 CONTRIBUTION LIMITS.**

(a) A candidate or a ~~candidate's~~ committee may not accept aggregate contributions made or delivered by an individual or an association, a political committee, political fund, or political party unit in excess of \$600 in an election year for the office sought and \$250 in other years; except that a candidate or a candidate's committee for an office whose territory has a population over 100,000 may not accept aggregate contributions made or delivered by an individual or an association, a political committee, political fund, or political party unit in excess of \$1,000 in an election year for the office sought and \$250 in other years.

(b) The following deliveries are not subject to the bundling limitation in this section:

(1) delivery of contributions collected by a member of the candidate's committee, such as a block worker or a volunteer who hosts a fundraising event, to the committee's treasurer; and

(2) a delivery made by an individual on behalf of the individual's spouse.

(c) Notwithstanding sections 211A.02, subdivision 3, and 410.21, this section supersedes any home rule charter.

(d) For purposes of this section, the terms "political committee," "political fund," and "political party unit" have the meanings given in section 10A.01.

**EFFECTIVE DATE.** This section is effective January 1, 2025.

Sec. 26. Minnesota Statutes 2022, section 211A.14, is amended to read:

**211A.14 CONTRIBUTIONS AND SOLICITATIONS DURING LEGISLATIVE SESSION.**

A legislator or state constitutional officer who is a candidate ~~for a county, city, or town office, under this chapter, and~~ the candidate's principal campaign committee, and any other political committee with the candidate's name or title may not solicit or accept a contribution from a political committee, political fund, or ~~registered~~ lobbyist during a regular session of the legislature. For purposes of this section, the terms "political committee," "political fund," and "lobbyist" have the meanings given in section 10A.01.

**EFFECTIVE DATE.** This section is effective January 1, 2025.

**Sec. 27. STATE AND LOCAL LOBBYING ACTIVITY; STUDY REQUIRED; REGISTRATION REQUIREMENTS STAYED.**

(a) The Campaign Finance and Public Disclosure Board must study and make recommendations to the legislature on the definitions of "lobbyist," "local official," "public official," and "official action of a political subdivision" for purposes of Minnesota Statutes, chapter 10A. The study and recommendations must focus on whether the law does or should distinguish between activities that constitute lobbying of a public official and activities that constitute lobbying of a local official. If the study determines that a distinction between these activities is appropriate and is not adequately articulated within current law, then the board must recommend options for the legislature to consider in adopting that distinction by law. The board must submit a report describing the study, its results, and any associated recommendations from the board to the chairs and ranking minority members of the legislative committees with jurisdiction over campaign finance and lobbyist registration policy no later than January 15, 2025.

(b) Registration requirements under Minnesota Statutes, section 10A.03, for an individual attempting to influence the official action of a political subdivision that is not a metropolitan governmental unit are stayed until June 1, 2025. An individual who attempts to influence the official action of a "metropolitan governmental unit," as defined in Minnesota Statutes, chapter 10A, must comply with the registration and reporting requirements in Minnesota Statutes, sections 10A.03 and 10A.04. A lobbyist principal that is represented by a lobbyist who attempts to influence the official action of a metropolitan governmental unit must comply with the reporting requirement in Minnesota Statutes, section 10A.04.

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

**Sec. 28. REPEALER.**

(a) Minnesota Statutes 2022, sections 211A.01, subdivisions 2 and 4; and 211A.02, subdivision 4, are repealed.

(b) Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 11, is repealed.

**EFFECTIVE DATE.** Paragraph (a) is effective January 1, 2025. Paragraph (b) is effective for communications disseminated on or after January 1, 2025.

## ARTICLE 5

### CENSUS AND REDISTRICTING

Section 1. Minnesota Statutes 2023 Supplement, section 2.92, subdivision 4, is amended to read:

Subd. 4. **Applicability.** This section applies ~~from January 1 to July 1 in any year during which a~~ to all decennial census ~~is~~ activities conducted under the authority of the United States Constitution, article 1, section 2.

**Sec. 2. [2.93] INCARCERATED PERSONS IN DISTRICT PLANS.**

Subdivision 1. Definitions. (a) For the purposes of this section, the definitions have the meanings given.

(b) "Commissioner" means the commissioner of corrections.

(c) "Director" means the director of the Legislative Coordinating Commission.

(d) "Legislative Coordinating Commission" means the Legislative Coordinating Commission established in section 3.303.

Subd. 2. **Reallocation and exclusion of incarcerated persons.** (a) For purposes of drawing congressional, legislative, and all other election districts, the legislature and local governments must use the population from the federal decennial census as modified by reallocating and excluding persons who are incarcerated.

(b) A person who was incarcerated in a state or federal correctional facility, as determined by the decennial census, and who has a last known address in Minnesota must be reallocated to the census block of the last known address.

(c) A person who was incarcerated in a state or federal correctional facility, as determined by the decennial census, and who has a last known address outside of Minnesota or does not have a last known address must:

(1) be excluded from the population count for purposes of drawing congressional, legislative, or political subdivision districts; and

(2) be counted as part of the statewide population total.

Subd. 3. **Department of Corrections duties.** (a) On or before June 1 in a year ending in zero, the commissioner must provide to the director of the Legislative Coordinating Commission the following information, in electronic form, for each person incarcerated in a state correctional facility on April 1 in the year of the decennial census:

(1) a unique identifier that does not include the person's name, Department of Corrections identification number, or other identifying information;

(2) the street address of the correctional facility in which the person was incarcerated at the time of the report;

(3) the residential address of the person immediately prior to incarceration, if known, or if the person resided in an area lacking a specific physical address immediately prior to incarceration, a description of the physical location where the person regularly stayed immediately prior to being incarcerated;

(4) the following demographic information, if known: the racial and ethnic information collected by the census and whether the person is over the age of 18; and

(5) any additional information the director of the Legislative Coordinating Commission deems necessary.

(b) Notwithstanding any law to the contrary, the commissioner must provide the director with access to the best available data necessary to conduct the reallocations and exclusions required by this section.

Subd. 4. **Federal correctional facilities.** By April 15 in a year ending in zero, the director must request each agency that operates a federal facility in Minnesota that incarcerates persons convicted of a criminal offense to provide the director with a report, including the information listed in subdivision 3. The information must reflect the persons incarcerated in the federal facility on April 1 of that year. If information is provided pursuant to this subdivision, the information must be provided by June 1 of the year ending in zero. If

information is not provided pursuant to this subdivision, persons incarcerated at federal facilities must be treated as having no known last address and must be excluded as provided in subdivision 2, paragraph (c).

Subd. 5. **Legislative Coordinating Commission duties.** (a) The director must reallocate and exclude people who are incarcerated in state or federal correctional facilities as provided in this subdivision and subdivision 2. Within 30 calendar days of receiving the Public Law 94-171 data from the United States Census Bureau, the director must post the population counts that reflect all required reallocations and exclusions on the Legislative Coordinating Commission's website.

(b) The director must, in consultation with the commissioner, develop a standardized format and technical guidelines to be used in collecting addresses from incarcerated persons. The commissioner must use this format and follow the guidelines in collecting addresses. The commissioner and the director may enter a memorandum of understanding detailing the additional details regarding the methodology to be used and the format and manner in which the data will be provided. Notwithstanding any law to the contrary, the commissioner must provide the director with access to the best available data necessary to conduct the reallocations and exclusions required by this section.

(c) Prior to reallocating and excluding incarcerated persons, the director must geocode addresses received from the commissioner. When geocoding addresses, the director must accept an address that is an exact match or is approximated to the street level and reject any address that is approximated to the center of a zip code, city, county, or state. The director must only reallocate those addresses that are accepted pursuant to this paragraph. The director must not reallocate any person at an address that was rejected but must instead count that person as part of the statewide population total.

(d) The director must not disseminate data received pursuant to this section in any manner, except as explicitly required by state or federal law.

**EFFECTIVE DATE.** This section is effective January 1, 2030, and applies to population counts used for redistricting conducted on or after that date.

### Sec. 3. **[241.062] COLLECTION OF INCARCERATED PERSON'S ADDRESS.**

(a) As part of an incarcerated person's intake process, the commissioner of corrections must make all reasonable efforts to ensure that the information listed in section 2.93, subdivision 3, clauses (1) to (5), is collected and recorded. The information must be collected in compliance with the format and guidelines developed pursuant to section 2.93, subdivision 5. An incarcerated person who was participating in the Safe at Home program established in chapter 5B, who has safety concerns about providing a last residential address, or who has safety concerns for people residing at that address may decline to provide an address.

(b) The incarcerated person's last residential address and the information listed in section 2.93, subdivision 3, clauses (1) to (5), collected on intake and maintained by the commissioner are private data on individuals as defined in section 13.02, subdivision 12.

(c) Beginning in 2030, the commissioner must provide the information described in this section electronically to the director of the Legislative Coordinating Commission as required in section 2.93.

### Sec. 4. **COLLECTION OF CURRENT INCARCERATED PERSON'S ADDRESS.**

Prior to April 1, 2030, the commissioner of corrections must make reasonable efforts to collect from or confirm with each incarcerated person the following information:

(1) the residential address of the person immediately prior to incarceration or, if the person resided in an area lacking a specific physical address immediately prior to incarceration, a description of the physical location where the person regularly stayed immediately prior to being incarcerated; and

(2) the following demographic information: the racial and ethnic information collected by the census and whether the person is over the age of 18.

This section only applies to an incarcerated person who was incarcerated prior to the date the commissioner started routinely collecting the information in clauses (1) and (2) as part of the intake process.

Presented to the governor May 17, 2024

Signed by the governor May 17, 2024, 4:50 p.m.