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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1275

02/18/2019 Authored by Garofalo
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to elections; modifying procedures for placing candidates on the ballot at
1.3 a presidential nomination primary; amending Minnesota Statutes 2018, section
1.4 207A.13, subdivision 1; proposing coding for new law in Minnesota Statutes,
1.5 chapter 207A; repealing Minnesota Statutes 2018, section 207A.13, subdivision
1.6 2.

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

1.8 Section 1. Minnesota Statutes 2018, section 207A.13, subdivision 1, is amended to read:

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

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

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

1.21 Sec. 2. 207A.135 CANDIDATES ON BALLOT.

1.22 Subdivision 1. Required listing. The following individuals must be listed as candidates
1.23 on the appropriate presidential nomination primary ballot for each major political party:

2.1 (1) any individual who files an affidavit of candidacy pursuant to section 204B.06 and
2.2 submits the appropriate filing fee or petition in place of the filing fee pursuant to section
2.3 204B.11; and

2.4 (2) any individual nominated as a candidate for the presidential nomination of a political
2.5 party by a petition containing the signatures of eligible voters representing at least one
2.6 percent of the total number of individuals voting in the state at the last preceding state
2.7 general election, or 2,000 eligible voters, whichever is less.

2.8 In addition, each major political party's ballot must contain a place for a voter to indicate a
2.9 preference for having delegates to the party's national convention remain uncommitted, and
2.10 a blank line printed below the other choices on the ballot so that a voter may write in the
2.11 name of a person who is not listed on the ballot. To be counted, a candidate seeking
2.12 nomination as a write-in candidate must submit a request to the secretary of state that the
2.13 candidate's votes be counted. The request must be submitted no later than 46 days before
2.14 the presidential nomination primary.

2.15 Subd. 2. **Affidavits of candidacy; filing fee.** The period for filing an affidavit of
2.16 candidacy begins 84 days before the presidential nomination primary and ends 70 days
2.17 before the presidential nomination primary. The filing fee is \$5,000.

2.18 Subd. 3. **Nominating petitions.** (a) The period for signing nominating petitions begins
2.19 60 days before the filing period opens and ends 56 days before the presidential nomination
2.20 primary.

2.21 (b) Not later than three days after the last day for filing a nominating petition, the secretary
2.22 of state shall notify each individual whose name is to be listed on the ballot that the
2.23 individual's name will be listed unless the individual submits an affidavit stating that the
2.24 individual is not a candidate for the presidential nomination, does not intend to become a
2.25 candidate, and would not accept the nomination. The affidavit must be submitted to and
2.26 received by the secretary of state no later than 46 days before the presidential nomination
2.27 primary.

2.28 **Sec. 3. REPEALER.**

2.29 Minnesota Statutes 2018, section 207A.13, subdivision 2, is repealed.

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

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

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