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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1328

02/18/2019 Authored by Bahner and Bernardy
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; providing for automatic voter registration of applicants for a
1.3 driver's license, instruction permit, or identification card; appropriating money;
1.4 amending Minnesota Statutes 2018, sections 13.607, by adding a subdivision;
1.5 201.161.

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

1.7 Section 1. Minnesota Statutes 2018, section 13.607, is amended by adding a subdivision
1.8 to read:

1.9 Subd. 9. Data derived from driver's license applications. Data on an application for
1.10 a driver's license, a Minnesota identification card, or a learner's permit transferred to the
1.11 secretary of state that are provided by a person whom the secretary of state determines is
1.12 not eligible to vote are governed by section 201.161.

1.13 Sec. 2. Minnesota Statutes 2018, section 201.161, is amended to read:

1.14 201.161 AUTOMATIC REGISTRATION OF DRIVER'S LICENSE,
1.15 INSTRUCTION PERMIT, AND IDENTIFICATION CARD APPLICATIONS
1.16 APPLICANTS.

1.17 Subdivision 1. Automatic registration. Except as otherwise provided in this section,
1.18 an individual must be registered to vote as provided in subdivisions 2 to 5, if the individual:

1.19 (1) properly completes an application for a new or renewed Minnesota driver's license,
1.20 instruction permit, or identification card; and

1.21 (2) is eligible to vote under section 201.014.

2.1 Subd. 2. Applications. The ~~Department~~ commissioner of public safety ~~shall, in~~
 2.2 consultation with the secretary of state, must change its the applications for an original,
 2.3 duplicate, or change of address driver's license, instruction permit, or identification card so
 2.4 that the forms may also serve as voter registration applications. The forms must contain
 2.5 spaces for all information collected by voter registration applications prescribed by the
 2.6 secretary of state. ~~Applicants for driver's licenses or identification cards must be asked if~~
 2.7 ~~they want to register to vote at the same time and that~~ Unless the applicant has provided an
 2.8 address other than the applicant's address of residence under section 171.12, subdivision 7,
 2.9 paragraph (d), the commissioner must transmit the information ~~must be transmitted at least~~
 2.10 ~~weekly~~ daily by electronic means to the secretary of state. Pursuant to the Help America
 2.11 Vote Act of 2002, Public Law 107-252, the computerized driver's license record containing
 2.12 the voter's name, address, date of birth, citizenship, driver's license number or state
 2.13 identification number, county, ~~town,~~ and city or town must be made available for access by
 2.14 the secretary of state and interaction with the statewide voter registration system.

2.15 Subd. 3. Registration. (a) The secretary of state must determine whether the applicant
 2.16 is currently registered in the statewide voter registration system. For each currently registered
 2.17 voter whose registration is not changed, the secretary of state must update the voter's
 2.18 registration date in the statewide voter registration system. For each currently registered
 2.19 voter whose registration is changed, the secretary of state must transmit the registration
 2.20 daily by electronic means to the county auditor of the county where the voter resides.

2.21 (b) If the applicant is not currently registered in the statewide voter registration system,
 2.22 the secretary of state must determine whether the applicant is 18 years of age or older and
 2.23 a citizen of the United States. The secretary of state must also compare the voter registration
 2.24 information received from the commissioner of public safety with the information received
 2.25 under section 201.145 to determine whether the applicant is eligible to vote. If an applicant
 2.26 is less than 18 years of age, the secretary of state must wait until the applicant has turned
 2.27 18 years of age to determine whether the applicant is eligible to vote. For each applicant
 2.28 the secretary of state determines is an eligible voter, the secretary of state must transmit the
 2.29 registration daily by electronic means to the county auditor of the county where the voter
 2.30 resides.

2.31 (c) Any data on applicants who the secretary determines are not eligible to vote are
 2.32 private data on individuals, as defined in section 13.02, subdivision 12.

2.33 Subd. 4. Notice; option to decline registration. (a) Upon receipt of the registration,
 2.34 the county auditor must mail to the voter the notice of registration required by section

3.1 201.121, subdivision 2. A notice mailed under this subdivision must provide information
3.2 to the voter on declining the registration if the voter does not wish to be registered to vote.

3.3 (b) The county auditor must delete the voter's record from the statewide voter registration
3.4 system upon receipt of a written request, signed by the voter, that the registration be removed.

3.5 Subd. 5. **Effective date.** A registration application completed pursuant to this section
3.6 that is dated during the 20 days before an election is not effective until the day after the
3.7 election. This subdivision does not limit the ability of a person to register to vote on election
3.8 day as provided in section 201.061, subdivision 3.

3.9 Sec. 3. **APPROPRIATION.**

3.10 \$..... in fiscal year 2020 is appropriated from the general fund to the commissioner of
3.11 public safety to implement the requirements in section 2.

3.12 Sec. 4. **EFFECTIVE DATE.**

3.13 This act is effective July 1, 2019, and applies to applications for a new or renewed
3.14 Minnesota driver's license, instruction permit, or identification card submitted on or after
3.15 that date.