

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 1321

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DATE
02/18/2019

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Introduction and first reading
 Referred to State Government Finance and Policy and Elections

OFFICIAL STATUS

1.1 A bill for an act
 1.2 relating to elections; allowing local governments to require write-in candidates to
 1.3 request votes for the candidate to be counted; amending Minnesota Statutes 2018,
 1.4 section 204B.09, subdivision 3.

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

1.6 Section 1. Minnesota Statutes 2018, section 204B.09, subdivision 3, is amended to read:

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

1.13 (b) The governing body of a statutory or home rule charter city, town, school district,
 1.14 or other locally elected body may require by resolution that a candidate for local elective
 1.15 office file a written request with the chief election official at least seven days before an
 1.16 election that includes the office if the candidate wishes to have the candidate's write-in votes
 1.17 individually recorded; or a governing body of a statutory or home rule charter city, town,
 1.18 school district, or other locally elected body may require by resolution that write-in votes
 1.19 for an individual candidate only be individually recorded if the total number of write-in
 1.20 votes for that candidate is equal to or greater than the fewest number of non-write-in votes
 1.21 for a ballot candidate. The governing body of the statutory or home rule charter city, town,
 1.22 school district, or other locally elected body must adopt a resolution authorized by this
 1.23 paragraph before the first day of filing for office. A resolution adopted under this paragraph

2.1 remains in effect until a subsequent resolution on the same subject is adopted by the
2.2 governing body of the statutory or home rule charter city, town, school district, or other
2.3 locally elected body. For local elections where no candidates have filed a request to have
2.4 the candidate's write-in votes counted, the statutory or home rule charter city, town, school
2.5 district, or other locally elected body must individually record and count every write-in
2.6 vote.

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

2.12 ~~(e)~~ (d) A candidate for governor who files a request under this subdivision must include
2.13 the name of a candidate for lieutenant governor.