

CHAPTER 8200

SECRETARY OF STATE

VOTER REGISTRATION

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COUNTY AUDITOR'S DUTIES

8200.0300 DELEGATION OF DUTIES.

The county auditor may delegate to municipal officials all duties assigned to the county auditor by chapter 8200 and by Minnesota Statutes, chapter 201, except the preparation and distribution of lists of registered voters. The auditor may delegate the responsibility to accept voter registration applications, but a delegation of this responsibility does not relieve the auditor of the duty to accept voter registration applications.

Statutory Authority: *MS s 14.388; 201.022; 201.221; 204B.25*

History: *12 SR 2215; 25 SR 616; 29 SR 155*

8200.0400 [Repealed, 20 SR 2787]

8200.0700 [Repealed, 20 SR 2787]

REGISTRATION RECORDS

8200.0800 DELIVERY OF VOTER REGISTRATION RECORDS FOR ELECTIONS.

The county auditor shall provide for the transportation of the necessary voter registration records to the precinct polling place on election day. The auditor shall prescribe procedures to ensure the safety of the voter registration records and their timely delivery at the precinct polling place on election day. The auditor shall maintain the dignity and integrity of the voting system.

Statutory Authority: *MS s 201.022; 201.221*

History: *12 SR 2215*

VOTER REGISTRATION APPLICATIONS

8200.1100 PRINTING SPECIFICATIONS.

Voter registration applications printed for the purpose of distribution and mailing must be printed pursuant to this part.

A. The size must be at least six inches by 8-9/16 inches, including a 9/16-inch stub.

B. The paper must be at least 100-pound white offset.

C. The bottom stub must have an adhesive applied to it so that the card can be sealed when it is folded together for mailing.

D. Voter registration applications to be attached to or included in tax booklets and forms used by state agencies and other alternate forms deemed appropriate by the secretary of state must include spaces for the information required in Minnesota Statutes, section 201.071, and must be approved by the secretary of state.

Statutory Authority: *MS s 14.388; 201.022; 201.071; 201.221*

History: *8 SR 1348; 12 SR 2215; 20 SR 2787; 25 SR 616; 29 SR 155*

8200.1200 REGISTRATION APPLICATION; FORMAT.

Subpart 1. **Form.** Any voter registration application must:

A. meet the requirements of Minnesota Statutes, section 201.071;

B. be consistent in layout with the data entry screens used by the statewide voter registration system;

C. take into consideration readability and ease of understanding;

D. provide room for including a mailing address for returning the completed registration;

E. have printed on or with the application a set of instructions for each element of the application; and

F. have printed on or with the application a statement that assistance for registration and voting is available for elderly and disabled persons and residents of health care facilities.

Subp. 1a. **Voter registration application approval.**

A. The secretary of state must approve the design of any voter registration application to be used in this state before any election official is permitted to accept or process that application or cause the application to be printed or distributed.

B. Only the secretary of state has the authority to approve a voter registration application for use in this state.

Subp. 1b. **Design specifications.** The secretary of state shall provide design specifications of each approved voter registration application to all county auditors, from which all voter registration applications for distribution and use shall be printed.

Subp. 2. **Box for office use only.** Voter registration applications must contain a box marked for "election day official use only" which contains "W __", "P __", and "SD." These abbreviations stand for "ward," "precinct," and "school district." Other informa-

tion may also be included. Judges of election shall record the type of election day voter registration proof and its number, if any, in the "election day official use only" box.

Subp. 3. **Identifying mark.** Voter registration applications may include a mark identifying where the applicant obtained the application or how the application was delivered to the county auditor or secretary of state.

Statutory Authority: *MS s 14.388; 201.022; 201.071; 201.221*

History: *8 SR 1348; 12 SR 2215; 20 SR 2787; 23 SR 459; 25 SR 616; 29 SR 155*

8200.1300 [Repealed, 12 SR 2215]

8200.1400 [Repealed, 20 SR 2787]

8200.1500 [Repealed, 20 SR 2787]

8200.1600 [Repealed, 12 SR 2215]

8200.1700 PRINTING AND DISTRIBUTING VOTER REGISTRATION APPLICATIONS.

Each county auditor shall have printed and shall maintain an adequate number of voter registration applications in compliance with chapter 8200 and Minnesota Statutes, chapter 201. An election official who causes voter registration applications to be printed shall print the applications in a form meeting the requirements of this chapter and Minnesota Statutes, chapter 201, and meeting the design approved by the secretary of state pursuant to part 8200.1200. The auditor shall provide voter registration applications to any person or group who requests a reasonable number of applications for the purpose of distribution.

Statutory Authority: *MS s 14.388; 201.022; 201.071; 201.221*

History: *12 SR 2215; 20 SR 2787; 29 SR 155*

8200.1800 EXPERIMENTAL FORMS.

The secretary of state may provide for the experimental use of alternate forms on a trial basis.

Statutory Authority: *MS s 201.221*

History: *8 SR 1348*

PLACES TO REGISTER

8200.2100 DUTIES OF AUDITOR.

Each county auditor shall designate a number of public buildings within the county where persons may obtain, complete, and deposit registration applications. The county auditor or a designee shall be on duty in the designated building and the person on duty shall transmit completed registration applications to the county auditor within two working days after receipt.

Statutory Authority: *MS s 14.388; 201.022; 201.221*

History: *12 SR 2215; 20 SR 2787; 29 SR 155*

8200.2200 BUILDINGS FOR REGISTRATION.

Each political subdivision shall have at least one building where voter registration applications may be obtained and deposited, for every 30,000 residents of the political subdivision.

Statutory Authority: *MS s 14.388; 201.022; 201.221*

History: *12 SR 2215; 20 SR 2787; 29 SR 155*

8200.2300 [Repealed, 10 SR 1690]

ACCEPTED OR PROCESSED APPLICATIONS**8200.2500 DEFINITION OF ACCEPTED OR PROCESSED.**

For purposes of section 303(a)(5)(A)(i) of the Help America Vote Act of 2002, Public Law 107-552, "accepted or processed" means that the determination has been made that the voter registration application is not deficient and the registration status of the voter is "active" or "challenged."

Statutory Authority: *MS s 14.388*

History: *29 SR 155*

AUDITORS' DUTIES; NOTIFICATIONS**8200.2600 REGISTRATIONS AND NAME AND ADDRESS CHANGES TO REGISTRATIONS.**

If a county auditor determines that a registration application or a name or address change to registration has been completed, the auditor shall file the application or name or address change to registration and enter the registration or name or address change to registration on the state registration system. The county auditor shall file and maintain each voter registration application in an orderly manner. The county auditor shall have a notice mailed to each newly registered voter and to each voter who changed name or address information indicating the voter's name, address, precinct, and polling place. The notice must require that it be returned if not deliverable as addressed.

Statutory Authority: *MS s 14.388; 201.022; 201.221*

History: *12 SR 2215; 25 SR 616; 29 SR 155*

8200.2700 AUDITOR'S RANDOM NOTIFICATION.

Following each election in which voters register on election day, the county auditor shall send a mailed notice of registration to a random sample of three percent of the election day registrants within ten days of the election. This rule shall not relieve the county auditor of the responsibility to send a mailed notice to all registrants.

Statutory Authority: *MS s 201.221*

8200.2800 [Repealed, 29 SR 155]**8200.2900 DEFICIENT REGISTRATIONS; NOTICE OF DEFICIENT REGISTRATIONS.**

When a person attempts to register prior to election day and the county auditor determines that the registration is deficient, the auditor shall notify the person attempting to register that the registration was not correctly completed. The auditor shall attempt to obtain from the applicant any needed information by mail or, if a telephone number or an e-mail address was provided by the applicant, by telephone or e-mail.

If the needed information consists of the applicant's Minnesota driver's license, Minnesota state identification card, or Social Security number, or confirmation that the applicant has not been issued a Minnesota driver's license, Minnesota state identification card, or Social Security number, the auditor shall also attempt to obtain that information through the process provided in part 8200.9310, subpart 2.

If the auditor cannot obtain the needed information, the voter registration application is deficient and shall be maintained separately for 22 months.

A new applicant whose voter registration application is deficient shall not be classified as "active" or "challenged."

If an applicant submits a voter registration application that is deficient, the county auditor shall send a notice of deficient registration to the person seeking to register.

If the auditor notifies an applicant of a deficient voter registration application, the auditor shall also notify the applicant of the dates on which a preelection registration is not permitted by Minnesota Statutes, section 201.061, subdivision 1, and of the procedures for election day registration.

In the notice to the applicant, the auditor shall explain that a registration received by the auditor during the period when preelection registration is not permitted by Minnesota Statutes, section 201.061, subdivision 1, will make the applicant registered to vote on the day after the upcoming election.

If an applicant submits a deficient voter registration application during the period when preelection registration is not permitted by Minnesota Statutes, section 201.061, subdivision 1, the auditor shall notify the applicant that the applicant must register at the polling place of the precinct in which she or he resides on election day to vote at the election.

The secretary of state shall provide a sample notice of deficient registration.

Statutory Authority: *MS s 14.388; 201.221*

History: *17 SR 1279; 23 SR 459; 25 SR 616; 29 SR 155*

8200.2950 ADDRESSES ON VOTER REGISTRATION APPLICATIONS.

A person having a residence with a street address who completes a voter registration application must provide the street address assigned to the person's residence in the residence space on the voter registration application. Only when the United States Postal Service will not deliver mail to the registrant's residence address, the registrant must also enter an alternate mailing address on the voter registration application.

Statutory Authority: *MS s 14.388; 201.071; 201.221*

History: *23 SR 459; 25 SR 616; 29 SR 155*

8200.3000 REGISTRATION IN WRONG COUNTY.

When a county auditor receives a voter registration application from a person whose address is in another county, the auditor shall within two working days forward the application to the auditor of the proper county if the county can be ascertained.

Statutory Authority: *MS s 14.388; 201.221*

History: *25 SR 616; 29 SR 155*

8200.3100 NOTICE OF INCOMPLETE REGISTRATION; COMPLETION OF INCOMPLETE REGISTRATIONS.

Subpart 1. Conditions requiring.

A. If an applicant submits a voter registration application that is incomplete as defined in Minnesota Statutes, section 201.061, subdivision 1a, the auditor shall send a notice of incomplete registration. The notice sent to the applicant must:

- (1) inform the applicant that the registration is incomplete;
- (2) inform the applicant that to complete the registration, the applicant must present documents or take actions prior to voting;
- (3) explain the applicant's options for completing the registration prior to 20 days before the election or at the polls on election day as set forth in Minnesota Statutes, section 201.061, subdivision 1a;
- (4) provide the list of documents that may be presented to complete the registration; and
- (5) explain the methods by which the applicant can register to vote on election day if the applicant is unable to complete the registration by any of the options described in subitem (3).

B. If an applicant submits a voter registration application that is incomplete as defined in Minnesota Statutes, section 201.121, subdivision 1, paragraph (f), the auditor

shall record in the voter registration system that the registration is incomplete under that section and send the applicant a notice of incomplete registration advising the voter that the voter needs to:

(1) provide information that completes the registration to the registration office or contact that office prior to 20 days before the election; or

(2) provide the information to the election judges on election day for entry on the roster.

The secretary of state shall provide a sample notice of incomplete registration. The applicant must be allowed to vote only after completing the registration or after registering or updating their registration using current information for the applicant.

After an election, the auditor shall compile a list of voters who voted who were not verified by election day. The auditor shall verify the records in the manner described in part 8200.5500 for registrations received on election day.

If a voter provides the necessary information and votes without updating their registration or registering on election day to correct information listed on the roster, the county auditor shall send that person a postal verification card as if the voter had registered on election day.

If that postal verification card is returned to the county auditor, the auditor shall challenge the status on the voter record and may refer the registration to the county attorney.

Subp. 2. [Repealed, 23 SR 459]

Statutory Authority: *MS s 14.388; 201.061; 201.221*

History: *23 SR 403; 23 SR 459; 25 SR 616; 29 SR 155*

8200.3110 NOTICE OF LATE REGISTRATION.

A. If an applicant submits a voter registration application that is not deficient but that is filed during the period when preelection registration is not permitted by Minnesota Statutes, section 201.061, subdivision 1, the auditor shall send a notice of late registration to the person seeking to register. The notice of late registration must require that it be returned if not deliverable and must explain that if the applicant chooses not to register and vote at the upcoming election, the applicant's registration will become effective on the day after the election.

B. The secretary of state shall provide a sample notice of late registration.

Statutory Authority: *MS s 14.388*

History: *29 SR 155*

8200.3200 [Repealed, 20 SR 2787]

8200.3200 CERTAIN APPLICANTS EXEMPT FROM IDENTIFICATION REQUIREMENTS.

Pursuant to section 303(b)(3)(C) of the Help America Vote Act of 2002, Public Law 107-252, persons who are voting by absentee ballot or otherwise than in person pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, the Voting Accessibility for the Elderly and Handicapped Act, or any other federal law are exempt from Minnesota Statutes, section 201.061, subdivision 1a.

Persons exempt under the Voting Accessibility for the Elderly and Handicapped Act are those who are 65 years of age or older or have a temporary or permanent physical disability, and include all those persons permitted to vote pursuant to Minnesota Statutes, sections 203B.04, subdivisions 2 and 5, and 203B.11.

Statutory Authority: *MS s 14.388*

History: *29 SR 155*

8200.3300 [Repealed, 20 SR 2787]

8200.3400 [Repealed, 20 SR 2787]

8200.3500 ACKNOWLEDGMENT OF INELIGIBLE APPLICATIONS.

Ineligible applicants shall be notified of the reasons for their ineligibility and their cards maintained separately by the auditor for 22 months.

Statutory Authority: *MS s 201.221*

History: *25 SR 616*

8200.3550 NOTICE OF CHALLENGE REMOVAL.

The county auditor shall mail a notice indicating the person's name, address, precinct, and polling place to any registered voter whose civil rights have been restored after a felony conviction; who has been removed from under a guardianship of the person under which the person did not retain the right to vote; or who has been restored to capacity by the court after being ineligible to vote. The notice must require that it be returned if not deliverable.

Statutory Authority: *MS s 14.388; 201.221*

History: *23 SR 459; 29 SR 155*

8200.3600 CHANGE OF RESIDENCE.

A person who has previously registered to vote in Minnesota who changes residence must be permitted to vote only after updating the registration by completing a voter registration application using the person's new residence address.

Statutory Authority: *MS s 14.388; 201.221*

History: *17 SR 1279; 29 SR 155*

8200.3700 CHANGE OF STATUS OF VOTER REGISTRATION APPLICATIONS.

If a voter registration application has its status changed to inactive, except that of a deceased person or that of a person who has updated his or her registration pursuant to part 8200.3600 or who has registered in another state, the county auditor must notify the person whose status is to be changed of the change and the reason for the change in writing. The applications whose status is changed must be maintained in separate files for 22 months.

Statutory Authority: *MS s 14.388; 201.022; 201.221*

History: *12 SR 2215; 25 SR 616; 29 SR 155*

8200.3800 EMERGENCY VOTING.

Subpart 1. **When required.** If a voter who has registered prior to an election day is challenged because the voter's name does not appear on the polling place roster of the precinct in which the voter desires to vote, the voter may register on that election day by following the election day registration procedures in parts 8200.1100 to 8200.9300 and 8220.0300 to 8220.4800. Or, if it appears upon examination that the voter's name was erroneously omitted from the roster, the voter must be permitted to vote in the precinct after completing the required name and address information and signing the oath on the polling place roster. The judges shall note on the list that the voter was permitted to vote pursuant to instructions from the county auditor and two judges shall initial the entry.

Subp. 2. [Repealed, 12 SR 2215]

Statutory Authority: *MS s 201.022; 201.221*

History: *12 SR 2215; 20 SR 2787*

8200.3900 PROCESSING OF NATIONAL VOTER REGISTRATION ACT APPLICATIONS.

All county auditors shall accept voter registration applications on forms prescribed by the Federal Election Commission as provided by the National Voter Registration

Act if the application is from a person eligible to vote in Minnesota, and includes whether the person is a United States citizen and will be 18 years old on or before election day, the applicant's name, address in Minnesota, previous address (if any), date of birth, current and valid Minnesota driver's license or Minnesota state identification card number, or, if the applicant has no current and valid Minnesota driver's license or Minnesota state identification card, the last four digits of the applicant's Social Security number if the applicant has been issued a Social Security number, the applicant's signature, and the date of registration. The application must be treated by the county auditor in the same manner as a Minnesota voter registration application.

Statutory Authority: *MS s 14.388; 201.022; 201.221*

History: *19 SR 593; 29 SR 155*

ELECTION DAY REGISTRATION

8200.5100 REGISTRATION AT PRECINCT ONLY.

Subpart 1. **Procedure; proof.** Any person otherwise qualified but not registered to vote in the precinct in which the person resides may register to vote on election day at the polling place of the precinct in which the person resides. To register on election day, a person must complete and sign the registration card and provide proof of residence. A person may prove residence on election day only:

A. by presenting:

(1) a valid Minnesota driver's license, learner's permit, or a receipt for either that contains the voter's valid address in the precinct;

(2) a valid Minnesota identification card issued by the Minnesota Department of Public Safety or a receipt for the identification card that contains the voter's valid address in the precinct; or

(3) a current student identification card that contains the student's valid address in the precinct, a current student fee statement that contains the student's valid address in the precinct, or a copy of a current student registration card that contains the student's valid address in the precinct;

B. by having a valid registration in the same precinct under a different address;

C. by presenting a notice of late registration mailed by the county auditor or municipal clerk; or

D. by having a person who is registered to vote in the precinct and knows the applicant is a resident of the precinct sign the oath in part 8200.9939.

The oath in item D must be attached to the voter registration card until the address of the applicant is verified by the county auditor. The county auditor shall file the oaths and maintain them for one year.

Subp. 2. **Additional proof of residence allowed.** An eligible voter may prove residence under this subpart by presenting one of the photo identification cards listed in item A and one of the additional proofs of residence listed in item B.

A. The following documents are acceptable photo identification cards under this subpart if they contain the voter's name and photograph:

(1) a Minnesota driver's license or identification card;

(2) a United States passport;

(3) a United States military identification card; or

(4) a student identification card issued by a Minnesota postsecondary educational institution.

B. An original bill for gas, electric, telephone, cable television, solid waste, water, or sewer services is acceptable as an additional proof of residence under this subpart if:

and (1) the bill shows the voter's name and current address in the precinct;

(2) the due date on the bill is within 30 days before or after election day.

If the photo identification presented by the voter establishes the voter's identity and the additional proof of residence presented by the voter establishes the voter's current address in the precinct, the voter shall have proven residence under this subpart.

C. The secretary of state shall provide samples of utility bills acceptable as additional proof of residence under item B to local election officials for use in election judge training and in the polling place on election day.

Subp. 3. Additional proof of residence allowed for students. An eligible 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 list of persons residing in the institution's housing certified to the county auditor by the educational institution.

This additional proof of residence for students must not be allowed unless the educational institution submits to the county auditor no later than 60 days prior to the election a written agreement that the educational institution will certify for use at the election accurate updated lists of persons residing in housing owned, operated, leased, or otherwise controlled by the institution. A written agreement is effective for the election and all subsequent elections held in that calendar year.

The additional proof of residence for students must be allowed on an equal basis for voters resident in housing of any postsecondary education institution within the county, if lists certified by the institution meet the requirements of this part.

An updated list must be certified to the county auditor no earlier than 20 days prior to each election. The certification must be dated and signed by the chief officer or designee of the institution and must state that the list is current and accurate and includes only the names of persons residing as of the date of the certification in housing controlled by the institution.

The 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.

The auditor shall notify all postsecondary educational institutions in the county of the provisions of this subpart.

Statutory Authority: *MS s 201.022; 201.061; 201.221*

History: *11 SR 218; 12 SR 2215; 20 SR 2787; 23 SR 403; 23 SR 459; 25 SR 616*

8200.5200 SWEARING TO RESIDENCE.

No person in a polling place as a challenger, pursuant to Minnesota Statutes, section 204C.07, shall be permitted to swear to the residence of any persons attempting to register on election day. A voter registered in the same precinct, including an election judge, may swear to the residence of any person who the voter knows to be a resident of the precinct. An election judge must swear to a person's residence before another election judge.

Statutory Authority: *MS s 201.221*

History: *17 SR 1279*

8200.5300 ELECTION JUDGE DUTIES.

One judge may both distribute ballots and register voters during the course of an election day, but one judge shall not perform both functions for the same voter. Persons wishing to register to vote on election day may determine whether they wish to fill out the voter registration application themselves or request the assistance of an

election judge. The judges shall confine their questions to information necessary to complete the voter registration application.

Statutory Authority: *MS s 14.388; 201.221*

History: *29 SR 155*

8200.5400 NOTATION OF IDENTIFICATION ON REGISTRATION APPLICATION.

When a voter uses a Minnesota driver's license, learner's permit, Minnesota identification card, United States passport, United States military identification card, or Minnesota postsecondary student identification card to prove residence or identity when registering on election day, the election judge who is registering voters shall record the number on the voter registration application in the "election day official use only" area of the application. When a voter uses one of the documents listed in part 8200.5100, subpart 2, item B, to prove residence for election day registration, the election judge who is registering voters shall record the type of document on the card in the "office use only" area of the application.

Statutory Authority: *MS s 14.388; 201.022; 201.061; 201.221*

History: *12 SR 2215; 23 SR 403; 23 SR 459; 25 SR 616; 29 SR 155*

8200.5500 REGISTRATIONS RECEIVED ON ELECTION DAY.

Subpart 1. **Sufficiency of driver's license, Minnesota state identification card, or four-digit Social Security number information.** Minnesota driver's license, Minnesota state identification card, or Social Security number information provided as part of an election day registration voter registration application pursuant to Minnesota Statutes, section 201.061, subdivision 3, is sufficient as defined in section 303(a)(5)(A)(iii) of the Help America Vote Act of 2002, Public Law 107-252, to permit the applicant to vote at the election or an applicant can register as otherwise provided by Minnesota law.

Subp. 2. **Verification; correction; enforcement.** All new voter registration applications and updates of existing voter registrations submitted on election day pursuant to Minnesota Statutes, section 201.061, subdivision 3, must be verified pursuant to part 8200.9310 and Minnesota Statutes, section 201.121.

If, after matching the information in the statewide voter registration system with the information contained in the Department of Public Safety database or, in the case of an applicant who does not have a Minnesota driver's license or Minnesota identification card, in the database of the Social Security Administration, the accuracy of the information on the voter registration application cannot be verified, the county auditor must investigate and attempt to resolve the discrepancy.

The county auditor must send notices to election day registrants whose information cannot be verified and request that the voters contact the registration office.

If the voter does not provide information that resolves the discrepancy so that the voter registration application can be verified, the county auditor must challenge the voter in the statewide voter registration system and may refer the matter to the county attorney. If during the verification process the Department of Public Safety provides information that indicates that the voter is ineligible to vote, the county auditor must challenge the vote in the statewide voter registration system and refer the matter to the county attorney.

Statutory Authority: *MS s 14.388; 201.221*

History: *25 SR 616; 29 SR 155*

8200.5600 TRAINING ELECTION JUDGES.

Election judges who will be registering voters on election day shall receive training on election day voter registration procedures from the county auditor or designated municipal clerk at the same time training is provided pursuant to Minnesota Statutes, section 204B.25. Note: See chapter 8240.

Statutory Authority: *MS s 204B.25*

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VOTER REGISTRATION 8200.7200

8200.5700 [Repealed, 29 SR 155]

POSTERS

8200.5800 POSTERS.

The county auditor shall supply each polling place with posters furnished to the county by the secretary of state. The election judges shall post the posters in an appropriate location in the polling place prior to opening the polls.

Statutory Authority: *MS s 201.221*

COPIES OF PUBLIC INFORMATION LISTS

8200.6100 COPIES OF PUBLIC INFORMATION LISTS.

Persons requesting copies of public information lists shall provide the secretary of state or county auditor with a written request stating the information required by Minnesota Statutes, section 201.091, subdivision 4. The secretary of state may provide forms for these requests.

Statutory Authority: *MS s 201.022; 201.221*

History: *20 SR 2787*

8200.6200 PUBLIC INFORMATION LIST AVAILABLE FOR INSPECTION.

A copy of the public information list must be available for public inspection for authorized purposes at all times in the county auditor's office. The secretary of state may make available for purchase public information lists in electronic or other media.

Statutory Authority: *MS s 14.388; 201.022; 201.221*

History: *20 SR 2787; 29 SR 155*

8200.6300 [Repealed, 25 SR 616]

8200.6400 FORM OF PUBLIC INFORMATION LIST PROVIDED BY SECRETARY OF STATE.

The public information list provided by the secretary of state must contain the information required by Minnesota Statutes, section 201.091, subdivision 4, and must not contain the information in Minnesota Statutes, section 201.091, subdivision 9. The public information list may also include the precinct, ward, congressional district, legislative district, county commissioner district, judicial district, school district, or other identifiers for each election district in which the voter resides. The public information list may be requested in electronic or other media.

Statutory Authority: *MS s 14.388; 201.091; 201.221*

History: *15 SR 2308; 25 SR 616; 29 SR 155*

CHALLENGES AND VIOLATIONS

8200.7100 CHALLENGES TO VOTER REGISTRATION.

Persons wishing to challenge a voter's registration pursuant to Minnesota Statutes, section 201.195 may do so in the form in part 8200.9950.

The petition shall be accompanied by an affidavit of the challenger stating the basis for the challenge on personal knowledge.

Statutory Authority: *MS s 201.221*

8200.7200 COUNTY ATTORNEY REPORT.

County attorneys shall report the outcome of any investigation of alleged violations of voter registration laws to the secretary of state within ten days of the determination.

Statutory Authority: *MS s 201.221*

8200.8100 [Repealed, 8 SR 1348]

8200.8200 [Repealed, 8 SR 1348]

8200.8300 [Repealed, 8 SR 1348]

8200.9100 [Repealed, 20 SR 2787]

MAINTAINING RECORDS ON DATA PROCESSING SYSTEMS

8200.9115 FORM OF POLLING PLACE ROSTERS.

Subpart 1. **General form of roster.** The polling place rosters must contain the following items from the statewide registration system: voter's name, voter's address, voter's date of birth, voter's school district number, and a line on which the voter's signature can be written. When a voter's registration has been challenged pursuant to Minnesota Statutes, section 201.121, subdivision 2, an indicator noting the voter's challenged status must be printed on the line provided for the voter's signature. A similar indicator must be printed on the line provided for the voter's signature to note a voter's guardianship or felony status, if any.

The following certification must be printed at the top of each page of the polling place roster: "I certify that I am at least 18 years of age and a citizen of the United States; that I reside at the address shown and have resided in Minnesota for 20 days immediately preceding this election; that I am not under guardianship of the person where I have not retained the right to vote, have not been found by a court to be legally incompetent to vote, and have not been convicted of a felony without having my civil rights restored; and that I am registered and will be voting only in this precinct. I understand that giving false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

One or more pages in the polling place roster must be provided for use by voters who register to vote in the polling place on election day. An election day registrant shall fill in the registrant's name, address, and date of birth and shall sign the roster on the line provided.

Each page in the polling place roster must also contain the name of the precinct and a page number. In addition, each line provided for a voter's signature must be consecutively numbered on each page.

The roster may also include additional material as permitted under Minnesota Statutes, section 201.221, subdivision 3.

Subp. 2. [Repealed, 25 SR 616]

Subp. 3. **Production of rosters.** The Secretary of State shall identify and develop methods of producing polling place rosters. The Secretary of State shall provide polling place rosters for each election in the state. The roster may be provided to the county auditor on paper or computer tape or other electronic medium.

Statutory Authority: *MS s 14.388; 201.022; 201.091; 201.221*

History: *15 SR 2308; 19 SR 593; 25 SR 616; 29 SR 155*

8200.9120 INSPECTION OF POLLING PLACE ROSTERS.

An individual who asks to inspect a polling place roster used on election day must provide the county auditor with identification and a written request stating the information required by Minnesota Statutes, section 201.091, subdivision 4. Before fulfilling the request for inspection, the auditor must conceal the month and day of birth of each person on the roster.

Statutory Authority: *MS s 201.091; 201.221*

History: *25 SR 616*

8200.9200 [Repealed, 20 SR 2787]

8200.9300 MAINTAINING DUPLICATE VOTER REGISTRATION RECORDS.

Subpart 1. [Repealed, 20 SR 2787]

Subp. 2. [Repealed, 20 SR 2787]

Subp. 3. [Repealed, 20 SR 2787]

Subp. 4. [Repealed, 20 SR 2787]

Subp. 5. [Repealed, 20 SR 2787]

Subp. 6. [Repealed, 20 SR 2787]

Subp. 7. **Challenges and other notices.** A record of any challenge to a voter registration shall be made part of the registration file and shall remain until removed according to law. The word “challenged” shall appear on the same line as or directly above the name of a challenged voter on the polling place roster. A record of any notice affixed to a voter registration application pursuant to Minnesota Statutes, section 201.15, shall remain part of the file until removed according to law. The word “guardianship” shall appear on the same line as or directly above the name of the voter on the polling place roster. If any other special notice or information is affixed to a voter registration application, an indication of the notice shall be printed on the polling place roster.

Subp. 8. **Absentee voting.** When an absentee return envelope is marked “Accepted” pursuant to Minnesota Statutes, section 203B.12, subdivision 3, the election judge shall place the letters “A.B.” in the space for the voter’s signature on the precinct election list followed by the judge’s initials.

When a return envelope is accepted from a voter who registers on election day by including a voter registration application with the absentee ballot, the election judge shall print the voter’s name, address, and month, day, and year of birth and the letters “A.B.” in the appropriate places on the precinct election list.

Subp. 9. **Security.** The auditor or clerk is responsible for maintaining the integrity of the polling place roster and for restricting access to the statewide registration system to properly authorized persons. The auditor or clerk shall provide for the transport and security of the polling place roster according to part 8200.0800.

Subp. 10. **Voter’s receipt.** The election judges shall determine the number of ballots to be counted by adding the number of return envelopes from accepted absentee ballots to the number of voter’s receipts issued pursuant to Minnesota Statutes, section 204C.10, subdivision 2, or to the number of names signed on the polling place roster. The election jurisdiction may require that the election judges number or initial each voter’s receipt as it is issued.

Subp. 11. **Voter registration applications.** Voter registration applications must conform to the specifications of part 8200.1100.

Statutory Authority: *MS s 14.388; 201.022; 201.221*

History: *8 SR 1348; 20 SR 2787; 29 SR 155*

STATEWIDE REGISTRATION SYSTEM**8200.9305 ADMINISTRATION OF STATEWIDE REGISTRATION SYSTEM.**

The secretary of state shall develop and operate a centralized database of all registered voters in the state of Minnesota. The database must be available to each county in the state through a statewide registration system provided by the secretary of state. The registration system must allow the secretary of state and the county auditors to add or modify information from the system in order to maintain an accurate database of registrants. The system must provide all county auditors and the secretary of state and, within a reasonable time after the system is initially implemented, municipal and school district clerks, with a method to view and search registration information.

A county auditor must use the statewide registration system to execute the duties of chief registrar of voters and chief custodian of registration records in the auditor's county.

Statutory Authority: *MS s 14.388; 201.022; 201.221*

History: *19 SR 593; 29 SR 155*

8200.9310 TREATMENT OF VOTER REGISTRATION APPLICATIONS.

Subpart 1. **Transmission of voter registration applications.** A completed voter registration application may be submitted to any state agency or county auditor. The secretary of state shall provide training to state agencies on the proper forwarding of voter registration applications. Voter registration applications submitted to the secretary of state must be forwarded to the appropriate county auditor for entry into the statewide registration system. With the approval of the appropriate county auditor, the secretary of state shall enter the registration applications into the statewide registration system for that county.

The secretary of state may electronically transmit the information on the voter registration applications to the appropriate county auditor. The county auditor shall promptly enter the information into the statewide registration system. The original applications submitted to the secretary of state must be maintained either by the secretary of state or by the appropriate county auditor. Voter registration applications must be stored in either paper, microfilm, or electronic format.

The secretary of state shall have full access to all functions of the statewide registration system.

Subp. 2. **Verification; defined; notification.**

A. Verification means:

(1) that the information provided by the applicant on the voter registration application for all of the following categories matches the information in the same categories of the database maintained by the Department of Public Safety or in the database of the Social Security Administration if the applicant has no driver's license or identification card:

(a) name;

(b) date of birth;

(c) Minnesota driver's license or Minnesota state identification card number; or

(d) last four digits of Social Security number, if the applicant has not been issued a Minnesota driver's license or Minnesota state identification card.

If a voter has not been issued a Minnesota driver's license, a Minnesota state identification card, or a Social Security number, and the voter has so indicated on the voter's voter registration application, units (c) and (d) are inapplicable and the registration is verified; or

(2) that if after matching the information listed in subitem (1), even though the information may not be an exact match, the county auditor can still reasonably conclude that the information in the database of the Department of Public Safety, or in the database of the Social Security Administration if the applicant has no driver's license or identification card, and the information provided by the applicant on the voter registration application, relate to the same person, in which case the county auditor shall note in the statewide registration system the basis for the conclusion.

B. The secretary of state must attempt to verify information entered into the voter registration system as a result of new voter registration applications by comparing the information stored by the voter registration system with information contained in the database maintained by the Department of Public Safety. The secretary of state must provide reports on attempted verifications that show the information of record in each database and that list:

(1) voter registration applications that match the information in the Department of Public Safety database or, in the case of an applicant who does not have a Minnesota driver's license or Minnesota identification card in the database of the Social Security Administration, and that are therefore verified;

(2) voter registration applications that cannot be verified with certainty against the information in the Department of Public Safety database or, in the case of an applicant who does not have a Minnesota driver's license or Minnesota identification card, in the database of the Social Security Administration. The report must match and contrast the information contained in the several databases; and

(3) voter registration applications with Minnesota drivers' license numbers, Minnesota identification card numbers, or if the applicant has no driver's license or identification card, the last four digits of the applicant's Social Security number that do not match the numbers of record in the Department of Public Safety database or, in the case of an applicant who does not have a Minnesota driver's license or Minnesota identification card, in the database of the Social Security Administration.

The reports prepared by the secretary of state must include a separate list of potential matches for incomplete mail-in registrations described in Minnesota Statutes, section 201.061, subdivision 1a.

C. The county auditor must review the reports provided by the secretary of state of records that have not been verified with certainty within ten days after the reports become available in the statewide voter registration system. The auditor must attempt to match the information on the voter registration application with the information in the database maintained by the Department of Public Safety or, in the case of an applicant who does not have a Minnesota driver's license or Minnesota identification card, in the database of the Social Security Administration, to permit the auditor to verify the information supplied on the voter registration application. The auditor shall attempt to obtain from the applicant any needed information by mail or, if a telephone number or an e-mail address was provided by the applicant, by telephone or e-mail. The auditor must record on the voter record in the statewide voter registration system each registration verified in this manner.

If the auditor cannot verify information for a registration, the auditor must record that the information supplied on the voter registration application could not be verified and is incomplete pursuant to Minnesota Statutes, section 201.121, subdivision 1.

Subp. 3. Correction. If a Minnesota driver's license number or Minnesota state identification card number supplied by the applicant cannot be verified because it does not exist in the Department of Public Safety database, the secretary of state or the county auditor shall correct the voter record to indicate that the number must not be used as the verification number on the voter record. In the case of an applicant who does not have a Minnesota driver's license number, Minnesota identification card number, or Social Security number that can be verified by comparison with the Department of Public Safety database, or in the database of the Social Security Administration, if the applicant has no Minnesota driver's license or Minnesota identification card, the unique voter record number generated by the statewide voter registration system must be used as the verification number for the record.

Subp. 4. Omission of required information. If the applicant did not supply a Minnesota driver's license, Minnesota identification card, or Social Security number, and the auditor concludes that a number exists for that applicant after comparing the voter registration application with the information in the Department of Public Safety database or, in the case of an applicant who does not have a Minnesota driver's license or Minnesota identification card, in the database of the Social Security Administration, the auditor must attempt to contact the applicant and request that the applicant provide the number. If the applicant does not provide the number, the county auditor must notify the applicant that the application is deficient and cannot be accepted and processed and that the applicant must provide the appropriate number to the county auditor 20 days prior to the election or register on election day.

Subp. 5. Updates.

A. A voter with an active voter registration may change the information on record by submitting a voter registration application meeting all the requirements for a new voter registration application.

B. If, after matching the updated information with the information contained in the Department of Public Safety database or, in the case of an applicant who does not have a Minnesota driver's license or Minnesota identification card, in the database of the Social Security Administration, the accuracy of the updated information cannot be verified, the county auditor must send a notice to the voter whose information cannot be verified and request that the voter provide the information or contact the registration office.

If the discrepancy cannot be resolved, the county auditor must challenge the voter in the statewide voter registration system and may refer the matter to the county attorney. If during the verification process the Department of Public Safety provides information that indicates that the voter is ineligible to vote, the county auditor must challenge the voter in the statewide voter registration system and refer the matter to the county attorney.

Statutory Authority: *MS s 14.388; 201.022; 201.221*

History: *19 SR 593; 29 SR 155*

8200.9315 PROCEDURE FOR ENTERING DATA INTO STATEWIDE VOTER REGISTRATION SYSTEM.

When entering information from a voter registration application into the statewide registration system, the secretary of state or county auditor shall:

A. conduct a statewide search of the registration database to determine if the applicant has previously registered in Minnesota;

B. assign the applicant to the proper voting precinct for the address provided on the application;

C. determine all election districts in which the applicant will be eligible to vote;

D. notify the appropriate county auditor if the applicant has moved from another county in the state in which the registrant was previously registered;

E. assign the registration record a unique identification number, and date the record as to when the registration was entered into the registration database;

F. maintain a record of voting history of the registrant for at least the previous six calendar years and a record of previous registrations and changes to voter status in the state for at least two years; and

G. provide information on prior registrations in other states. At periodic intervals, the Secretary of State shall notify the chief election officials of other states of persons who have registered to vote in Minnesota and who indicated a prior registration in their state.

The secretary of state shall establish a precinct finder that must be maintained by each county auditor. The precinct finder must identify the voting precinct that will be assigned to the applicant. For the purposes of redistricting, the secretary of state shall include geographical data from the United States Census Bureau in the precinct finder.

Statutory Authority: *MS s 14.388; 201.022; 201.221*

History: *19 SR 593; 29 SR 155*

8200.9320 INTERACTION WITH DEPARTMENT OF PUBLIC SAFETY.

The Secretary of State, in cooperation with the commissioner of public safety, shall develop a single unified application for use by the Department of Public Safety to permit eligible voters who have indicated they wish to register to vote to simultaneously register to vote and apply for a driver's license or state identification card. The Secretary of State and the commissioner of public safety may access a common database of information entered from this application.

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The information from the unified application for voter registration and a driver's license or state identification card must be transferred electronically from the commissioner of public safety to the Secretary of State. The Secretary of State shall make available to each county auditor the data necessary to add or update a voter record on the statewide registration system. The county auditor shall process the data in the manner provided in part 8200.9315.

Statutory Authority: *MS s 201.022; 201.221*

History: *19 SR 593*

8200.9325 SECURITY FOR STATEWIDE REGISTRATION SYSTEM.

All authorized users of the statewide registration system must be identified uniquely in the manner provided by the Secretary of State. No access to the statewide registration system will be allowed to any person not identified as an authorized user of the system.

To ensure that information obtained from the statewide registration system is being used in the manner provided by law, the Secretary of State shall insert verification records into the statewide registration system. The verification records must not be included on any master list or polling place roster. If the Secretary of State has reason to believe that information obtained from the statewide registration system was used in a manner inconsistent with Minnesota Statutes, section 201.091, a report must be immediately transmitted to the appropriate county attorney.

Statutory Authority: *MS s 201.022; 201.221*

History: *19 SR 593*

8200.9910 [Repealed, 20 SR 2787]

8200.9916 [Repealed, 12 SR 2215]

8200.9919 [Repealed, 20 SR 2787]

8200.9922 [Repealed, 12 SR 2215]

8200.9925 [Repealed, 12 SR 2215]

FORMS

8200.9939 FORM OF OATH, SPECIFIED BY PART 8200.5100.

I, _____ swear or affirm that I am a registered voter in _____ (County) _____ (City or Township) _____ (Ward) _____ (Precinct) and that I personally know that _____ (Name of person registering) is a resident of this precinct.

Signature of Registered Voter

Subscribed and sworn to before me

Signature of Election Judge

____/____/____
Date

The above oath shall be attached to the voter registration card until the address of the applicant is verified by the county auditor.

Statutory Authority: *MS s 201.022; 201.221*

History: *20 SR 2787*

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8200.9950 CHALLENGES TO VOTER REGISTRATION, SPECIFIED BY PART 8200.7100.

To the Auditor of _____ County
County Courthouse
_____(County Seat), Minnesota

I, _____ (Name of person making challenge), am a registered voter in _____ County, Minnesota. I reside at _____ (Street or Route No.) _____ (City or Township).

I challenge the registration of _____ (Name of challenged voter) whose registration lists his or her residence as _____ (Street or Route No.) _____ (City or Township).

The grounds for my challenge are: _____

_____ (attach additional sheets of signed statement if necessary).

____/____/____
(Date)

(Signature of Challenger)

Statutory Authority: *MS s 201.221*

History: *17 SR 1279*

8200.9953 [Repealed, 20 SR 2787]