

**CHAPTER 8210  
SECRETARY OF STATE  
ABSENTEE BALLOTS**

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**8210.0200 ABSENTEE BALLOT APPLICATION.**

Subpart 1. **Application form.** An absentee ballot application prepared by the county auditor or municipal clerk pursuant to Minnesota Statutes, section 203B.06, subdivision 1, shall be in the form in part 8210.9910.

Subp. 2. **Absentee ballot instruction.** The following instructions shall be printed on the absentee ballot application:

**INSTRUCTIONS**

1. In order to vote by absentee ballot you must be an eligible voter, you must be a resident of the election precinct indicated by your legal residence address on this application, and you must not intend to abandon this residence prior to election day. Please note that Minnesota law provides that it is a felony to make a false or untrue statement in an application for an absentee ballot, to apply for an absentee ballot more than once in an election with the intent to cast an illegal ballot, to exhibit a ballot marked by a person to another person, or to violate an absentee ballot provision for the purpose of casting an illegal vote in a precinct or to assist anyone to cast an illegal vote.

2. Be sure to check the appropriate box indicating why you are unable to go to your polling place on election day; these are the only reasons that entitle you to vote by absentee ballot.

3. Be sure to give your correct legal residence address as completely as possible, since this is used to verify your precinct number.

4. Be sure to sign the application.

5. Return the completed application as soon as possible to the county auditor or municipal clerk from whom you received it.

Remember:

1. This application form will obtain ballots for only the NEXT election.

2. Do not submit more than one application for each election.

3. Your absentee ballots will be mailed or delivered to you as soon as they are available.

**Subp. 3. Postcard application.** The absentee ballot application may be printed as a postcard application or in any other manner deemed appropriate by the auditor or municipal clerk. If the application is printed as a postcard application, it shall be printed in the following manner.

The postcard shall be white with black ink. The postcard shall weigh not more than one ounce. The size shall be no smaller than 3-1/2 inches by five inches and no larger than 6-1/8 inches by 11-1/2 inches. The postcard shall be at least .007 inches thick.

**Statutory Authority:** *MS s 201.221; 203B.09; 204C.361; 204D.11; 206.57*

**History:** *10 SR 1690*

#### **8210.0300 BALLOT ENVELOPE.**

The ballot envelope shall be printed in the following manner.

The envelope shall be buff in color with black ink. The envelope shall be of a size to fit inside the absentee ballot return envelope. The words "Ballot Envelope" shall be printed on the front of the envelope.

**Statutory Authority:** *MS s 203B.08; 203B.09*

**History:** *8 SR 1348*

#### **8210.0500 INSTRUCTIONS TO ABSENT VOTER.**

Instructions to absent voter shall be enclosed with the absentee ballot materials mailed or delivered to the absent voter. The instructions shall be in the form in part 8210.9920.

**Statutory Authority:** *MS s 203B.08; 203B.09*

#### **8210.0600 ABSENT VOTER'S CERTIFICATE.**

**Subpart 1. Form.** Except as provided in subpart 4, the absent voter's certificate for persons voting under Minnesota Statutes, sections 203B.04 to 203B.15 must be printed in the form shown in part 8210.9930.

**Subp. 2. First two lines.** The county auditor or municipal clerk may complete the first two lines of an absent voter's certificate before mailing it to the absent voter by printing the name and address of the absent voter.

**Subp. 3. Printing specifications.** The certificate shall be printed on the right-hand three-fourths of the back of the absentee ballot return envelope. The words "ABSENT VOTER'S CERTIFICATE OF" shall be printed in 12-point bold type in capital letters. The remainder of the certificate shall be printed in 11-point medium type.

**Subp. 4. Alternative certificate.** As an alternative, a county auditor may print two different versions of the absent voter's certificate. One certificate must be provided to absentee voters not previously registered to vote and must be printed as prescribed in subpart 1. An alternate certificate may be printed in the form shown in part 8210.9935 and must be provided only to absentee voters who are registered to vote at the time of application. The certificate must be printed to the specifications of subpart 3.

**Statutory Authority:** *MS s 201.221; 203B.08; 203B.09; 204C.35; 204C.361; 204D.11 subd 1; 206.57 subd 1*

**History:** *8 SR 1348*

#### **8210.0700 ABSENTEE BALLOT RETURN ENVELOPE AS PROVIDED BY MINNESOTA STATUTES, SECTIONS 203B.04 TO 203B.15.**

**Subpart 1. Form.** The absentee ballot return envelope must be printed in the form shown in part 8210.9940.

**Subp. 2. Printing specifications.** The absentee ballot return envelope must be printed according to the following specifications:

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- A. The envelope must be 10-3/8 inches by 4-1/2 inches.
- B. A solid rule line 1-1/2 picas wide must be placed 1-1/2 inches from the top of the envelope and another placed two inches from the bottom of the envelope.
- C. The words and numbers printed on the left-hand end of the envelope must be in 12-point bold type.
- D. The words "ABSENTEE BALLOT RETURN ENVELOPE" printed across the face of the envelope must be in 18-point bold type in capital letters.
- E. The envelope must be white in color with black ink.
- F. The flap on the right end of the back side of the envelope may be printed as follows:

\_\_\_\_\_ accepted      \_\_\_\_\_ rejected

\_\_\_\_\_  
\_\_\_\_\_  
Election Judges

**Subp. 3. Mailing address.** County auditors and municipal clerks shall cause a mailing address to be printed on each return envelope which they mail or deliver to an absent voter. The address block shall be located in the lower right one-quarter of the envelope. Each county auditor or municipal clerk shall determine which of the address forms in subparts 4 to 6 shall be used on each return envelope in his county as the facts require.

**Subp. 4. Addressed to county auditor.** A return envelope may be addressed to the county auditor who mailed or delivered the absentee ballots to the absent voter.

Example: To: Anoka County Auditor  
Courthouse  
Anoka, MN 55303

**Subp. 5. Addressed to municipal clerk.** A return envelope may be addressed to the municipal clerk of the city or town in which the absent voter is eligible to vote.

Example: To: Edina City Clerk  
City Hall  
4801 W. 50th St.  
Edina, MN 55424

**Subp. 6. Addressed to election judge.** A return envelope may be addressed to the election judges of the precinct in which the absent voter is eligible to vote provided that the polling place of the precinct is located on a regular mail delivery route. On each return envelope addressed to the election judges, the county auditor or municipal clerk shall cause to be clearly printed or typed the address of the polling place in a manner to expedite handling by the United States postal service. The name and street address, rural route or township address, if applicable, of the polling place shall be on the address block. The city or town, state, and zip code shall appear in that order on the bottom line of the address block.

Example: To: Election Judges  
c/o Webster School  
500 Holly St.  
St. Paul, MN 55102

When an auditor has the duty to address envelopes for a municipality and the envelopes are to be addressed to the election judges, the clerk shall notify the auditor of the proper mailing address of each polling place in the municipality. The clerk shall immediately notify the auditor of every change in the initial notification.

**Subp. 7. Ward and precinct number.** The official mailing or delivering absen-

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tee ballots to an absent voter shall, before doing so, fill in the absent voter's ward and precinct number and the date of the election in the spaces provided on the left-hand end of the return envelope.

**Subp. 8. Return address.** County auditor or municipal clerk may affix his return address to the upper left-hand corner of the return envelope.

**Statutory Authority:** *MS s 201.221; 203B.08; 203B.09; 204C.35; 204C.361; 204D.11 subd 1; 206.57 subd 1*

**History:** 8 SR 1348

### **8210.0800 ABSENTEE BALLOT RETURN ENVELOPE AS PROVIDED BY MINNESOTA STATUTES, SECTIONS 203B.16 AND 203B.17.**

**Subpart 1. Form.** The absentee ballot return envelope for military and overseas voters must be printed in the form shown in part 8210.9950.

**Subp. 2. Specifications.** The specifications in items A to I apply to envelopes prepared pursuant to subpart 1.

A. The envelope may not be more than 11-1/2 inches in length nor less than five inches in length.

B. The envelope may not be more than 6-1/8 inches in width nor less than 3-1/2 inches in width.

C. In the upper right-hand corner in a space two inches by one-half inch, a postage symbol and box shall be imprinted:

U.S. Postage Paid  
42 USC 1973 dd

D. The words PAR AVION must be printed in 12-point bold type in capital letters one-half inch below the postage box.

E. A solid rule line 1-1/2 picas wide must be placed 1-1/2 inches from the top of the envelope. A second solid rule line 1-1/2 picas wide must be placed one-half inch from the bottom of the first line.

F. In the one-half inch space between the two solid rule lines must be printed the words "OFFICIAL ELECTION BALLOTING MATERIAL-VIA AIR MAIL" in 18-point bold type in capital letters.

G. The envelope must be white in color with Pantone 193 U red ink used for all printing.

H. County auditors or municipal clerks must address the return envelope as provided in part 8210.0700, subpart 3.

I. Facing identification marks (FIM) must be positioned as specified in United States postal service instructions for facing identification marks.

**Subp. 3. Affidavit of eligibility.** On the back of the absentee return envelope provided for in Minnesota Statutes, section 203B.21, an affidavit of eligibility must be printed on the right-hand three-fourths of the envelope in the form shown in part 8210.9955.

**Statutory Authority:** *MS s 201.221; 203B.09; 204C.35; 204C.361; 204D.11 subd 1; 206.57 subd 1*

**History:** 8 SR 1348

### **8210.1000 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; 203B.08; 203B.09; 204C.35; 204C.361; 204D.11 subd 1; 206.57 subd 1*

**History:** 8 SR 1348

## PROCEDURES

**8210.2100 MAILING OR DELIVERING ABSENTEE BALLOT RETURN ENVELOPES.**

Except as provided in Minnesota Statutes, section 203B.11, an absent voter who receives his absentee ballots by mail or in person may cause his absentee ballot return envelope to be returned by any of the following methods:

- A. causing the envelope to be mailed to the address on it;
- B. delivering the envelope in person to the county auditor or municipal clerk from whom the ballots were received; or
- C. designating an agent who shall deliver in person the sealed envelope to the county auditor or municipal clerk from whom the ballots were received. An agent shall be at least 18 years old. No individual may be designated as the agent of more than three absent voters in any one election.

**Statutory Authority:** *MS s 203B.08; 203B.09*

**8210.2200 DUTIES OF COUNTY AUDITOR OR MUNICIPAL CLERK UPON RECEIPT OF ABSENTEE BALLOT RETURN ENVELOPE.**

Subpart 1. **Personal delivery.** Absentee ballot return envelopes that are delivered in person by an absent voter or an agent must be received by the county auditor or municipal clerk by 7:00 p.m. on the day before election day.

Subp. 2. **Inspecting for seal.** Before accepting an absentee ballot return envelope that is hand delivered by an absent voter or an agent, the county auditor or municipal clerk shall inspect the envelope to verify that it is sealed and that the absent voter's certificate is properly completed.

When an absent voter hand delivers an envelope which is unsealed or has an improperly completed absent voter's certificate, the absent voter shall be allowed to seal the envelope, correct, or complete the certificate.

When an agent hand delivers a sealed envelope with an improperly completed absent voter's certificate the agent may return the envelope to the absent voter for correction or completion.

When an agent hand delivers an envelope that is not sealed or which the auditor or clerk has reason to believe has been tampered with, the envelope shall not be accepted. The auditor or clerk shall write "rejected" across the absentee ballot return envelope and shall write the reason for rejection on the envelope. The absentee ballot return envelope shall be retained by the auditor or clerk in his office. A notice of nonacceptance shall be mailed to the absent voter promptly, stating the date of nonacceptance, the name and address of the agent, and the reason for nonacceptance. The absent voter may apply for replacement absentee ballots.

Subp. 3. **Recording name and address.** When an absentee ballot return envelope is hand delivered to the county auditor or municipal clerk by an agent, the agent shall, on a record maintained by the auditor or clerk, print his name and address, the name and address of the absent voter whose ballot he is delivering, and sign his name. The agent shall show to the auditor or clerk identification which contains the agent's name and signature.

**Statutory Authority:** *MS s 201.221; 203B.08; 203B.09; 204C.35; 204C.361; 204D.11 subd 1; 206.57 subd 1*

**History:** 8 SR 1348

**8210.2300 RETAINING BALLOTS.**

A county auditor or municipal clerk who receives an absentee ballot return envelope in person from an absent voter or an agent may deposit the envelope in the mail or retain it in his office as provided in part 8210.2400. However, if an auditor or clerk receives the return envelope on the day before election day,

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he shall retain the return envelope in his office as provided in part 8210.2400 and deliver the return envelope to the polling place on election day.

**Statutory Authority:** *MS s 203B.08; 203B.09*

## **8210.2400 SAFEGUARDING PROCEDURES.**

The county auditor or municipal clerk shall establish measures for safeguarding absentee ballot return envelopes received by him prior to election day.

A. If an auditor or clerk intends to deposit return envelopes in the mail, he shall do so promptly upon receipt of the return envelope from the absent voter or agent.

B. The auditor or clerk shall establish a record of absentee ballot return envelopes which are retained in his office. The record shall state the absent voter's name, address, and precinct number; the agent's name, if any; and the date the ballot was received by the auditor or clerk.

C. All retained envelopes shall be placed in a locked, secure location after being dated, stamped, and recorded. The envelopes shall not be removed from this location or handled until election day, except as necessary in an emergency.

D. A part-time municipal clerk who receives return envelopes shall notify the auditor prior to each election of the safeguarding procedures which the clerk plans to follow, and the procedures shall be subject to the auditor's approval.

E. On election day all absentee ballot return envelopes retained by the county auditor or municipal clerk shall be removed from the place of safekeeping and compared with the record required by this rule to ensure that all envelopes are accounted for. Any discrepancy shall be reported to the secretary of state promptly. Each return envelope shall then be delivered to the polling place in the precinct where the absent voter resides.

**Statutory Authority:** *MS s 203B.08; 203B.09*

## **8210.2500 MAIL PICKUP.**

Each municipal clerk shall communicate with the United States postal service facility serving his municipality with regard to the handling of absentee ballot return envelopes received by the post office on election day after the last regular mail delivery has commenced. The municipal clerk shall take all reasonable steps to ensure that all return envelopes received by the post office before 4 p.m. on election day are delivered before the closing of the polls to the election judges in the precinct where the absent voter resides.

**Statutory Authority:** *MS s 203B.08; 203B.09*



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## 8210.9920 INSTRUCTIONS TO ABSENT VOTER, SPECIFIED BY PART 8210.0500.

### INSTRUCTIONS TO ABSENT VOTER

Follow these instructions carefully. AN IMPROPERLY COMPLETED BALLOT OR ABSENT VOTER'S CERTIFICATE WILL INVALIDATE YOUR BALLOT.

(1) Locate any one of the following people to serve as your witness:

- a. an eligible voter of the same county in which you are registered or registering to vote;
- b. a notary public;
- c. a United States postmaster, assistant postmaster, postal supervisor or clerk of a postal contract station;
- d. any officer having authority to administer an oath.

(2) If no voter registration card is enclosed with your ballot, you are properly registered and may proceed to (4).

(3) If a registration card is enclosed with your ballot, you are not registered and must complete the registration card in order to have your ballot counted. After completing the voter registration card you must furnish proof of residence to your witness by one of the following means:

- a. valid Minnesota Driver's License or Learner's Permit or a receipt for either that contains your valid address in the precinct in which you are registering;
- b. valid Minnesota Identification Card issued by the Minnesota Department of Public Safety or a receipt thereof that contains your valid address in the precinct in which you are registering;
- c. a current student identification card, a current student fee statement, or copy of a current student registration card that contains your valid address in the precinct in which you are registering;
- d. valid registration in the same precinct under a different address;
- e. "ineffective registration notice" mailed by the county auditor or municipal clerk;
- f. a person who is registered to vote in the precinct and knows you are a resident of the precinct swearing to your residence.

Show these instructions to your witness. Your witness must indicate in the proper box on the Absent Voter's Certificate on the white Absentee Ballot Return Envelope which method of proving residence you used. INSERT THE COMPLETED VOTER REGISTRATION CARD IN THE WHITE ABSENTEE BALLOT RETURN ENVELOPE. DO NOT PUT THE VOTER REGISTRATION CARD IN THE BUFF-COLORED BALLOT ENVELOPE.

(4) Exhibit the unmarked ballots to your witness.

(5) In the presence of your witness mark the ballots in such a manner that your vote is not visible to your witness. If you are physically unable to mark your ballot or cannot read English, you may ask your witness to mark your ballot for you.

(6) Fold each ballot separately so that your cross marks cannot be seen without unfolding the ballot and so that the blank lines for the election judges' initials on the back of the ballot can be seen without unfolding the ballot. DO NOT PUT YOUR NAME, INITIALS, OR ANY OTHER IDENTIFYING MARK ON THE BALLOTS.

(7) Enclose all the ballots in the buff-colored Ballot Envelope and seal the envelope. Do not write on the Ballot Envelope.

(8) Print your name and address and sign your name on the Absent Voter's



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Certificate on the back of the white Absentee Ballot Return Envelope. Your witness must complete the rest of the certificate with the date, the witness's printed or typed name, signature, and title if the witness is an official or address if the witness is an eligible voter.

(9) Insert the buff-colored Ballot Envelope in the white Absentee Ballot Return Envelope. If you received a voter registration card, be sure it is completed and enclosed in the white Absentee Ballot Return Envelope. Seal the white Absentee Ballot Return Envelope. An unsealed envelope will not be accepted.

(10) You may deposit the Absentee Ballot Return Envelope in the mail or hand deliver it to the county auditor or municipal clerk from whom you received it.

(11) You may designate an agent to mail the Absentee Ballot Return Envelope or to deliver it in person to the county auditor or municipal clerk from whom you received it. An agent must be at least 18 years old. No individual may serve as the agent for more than three voters in one election. Be sure to SEAL your Absentee Ballot Return Envelope before giving it to your agent.

(12) You may mark and mail or deliver your ballots at any time after you receive them. However, if mailing your ballots, allow sufficient time so that they can be delivered by the United States postal service on election day. If you or your agent deliver in person your Absentee Ballot Return Envelope, the auditor or clerk must receive it before 4:30 p.m. on the day before election day.

**Statutory Authority:** *MS s 203B.08; 203B.09*

## 8210.9930 ABSENT VOTER'S CERTIFICATE, SPECIFIED BY PART 8210.0600, SUBPART 1.

### ABSENT VOTER'S CERTIFICATE

OF

---

(legal name of absent voter)

(print or type)

---

(legal address of absent voter)

(print or type)

I swear that on election day I will meet the requirements provided by law to vote by absentee ballot.

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(legal signature of voter)

I hereby certify that the above named voter exhibited the enclosed ballots to me unmarked; that in my presence and in a manner that I could not see, the voter marked the ballots, or if the voter was physically unable to mark the ballots they were marked by another individual under the personal direction of the voter, and enclosed and sealed them in the ballot envelope; that if the above-named voter registered to vote by enclosing a voter registration card in the Absentee Ballot Return Envelope, then proof of residence was provided as indicated below.

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(date)

---

(legal signature of witness)

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(print or type name of witness)

(official title if witness is an official)

(legal address if witness is an eligible voter)

FOR REGISTRATION ONLY - Indicate method used by voter to prove residence.

Method used by voter to prove residence:

Driver's License \_\_\_\_\_  
or Permit or (number)  
Receipt  
Minn. ID Card or \_\_\_\_\_  
Receipt (number)  
same precinct \_\_\_\_\_

Notice of Ineffective  
Registration \_\_\_\_\_

Student ID \_\_\_\_\_  
(number)

(legal signature of registered  
voter in the precinct who  
attested to residence in  
the precinct)

(legal address of registered  
voter in the precinct who  
attested to residence in  
the precinct)

Statutory Authority: MS s 201.221; 203B.09; 204C.361; 204D.11; 206.57

History: 8 SR 1348; 10 SR 1690

8210.9935 ALTERNATIVE ABSENT VOTER'S CERTIFICATE, SPECIFIED BY PART 8210.0600, SUBPART 4.

ABSENTEE VOTER'S CERTIFICATE

OF

(print or type legal name of voter)

(print or type legal address of voter)

I swear that on election day I will meet the requirements provided by law to vote by absentee ballot.

(legal signature of voter)

I hereby certify that the above named voter exhibited the enclosed ballots to me unmarked; that in my presence and in a manner that I could not see, marked the ballots and enclosed and sealed them in the ballot envelope.

(date)

(legal signature of witness)

(print or type name of witness)

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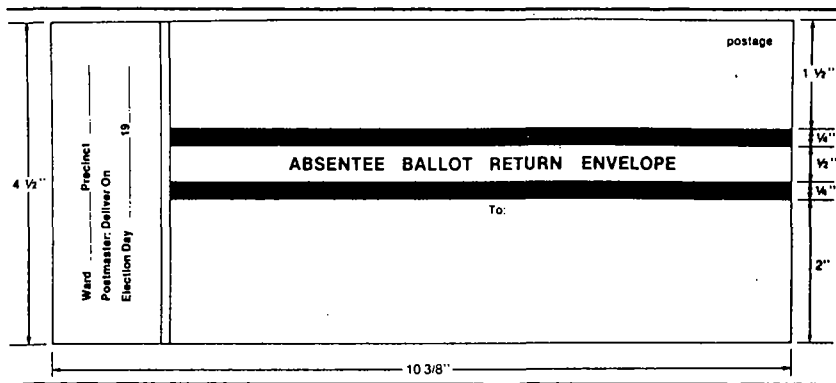
(official title if witness is an official)

(legal address if witness is an eligible voter.)

**Statutory Authority:** *MS s 201.221; 203B.08; 203B.09; 204C.35; 204C.361; 204D.11 subd 1*

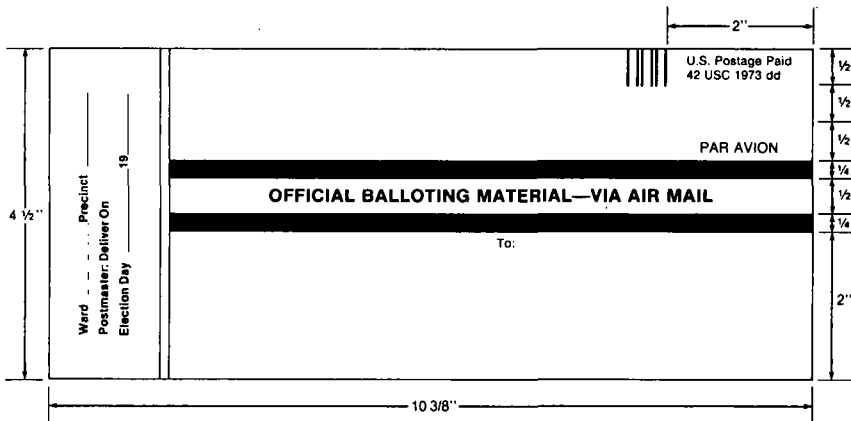
**History:** 8 SR 1348

## 8210.9940 ABSENTEE BALLOT RETURN ENVELOPE, SPECIFIED BY PART 8210.0700.



**Statutory Authority:** *MS ss 203B.08; 203B.09*

## 8210.9950 ABSENTEE BALLOT RETURN ENVELOPE, SPECIFIED BY PART 8210.0800, SUBPART 1.



**Statutory Authority:** *MS s 201.221; 203B.09; 204C.35; 204C.361; 204D.11 subd 1; 206.57 subd 1*

**History:** 8 SR 1348

## 8210.9955 BACK OF ABSENTEE RETURN ENVELOPE, SPECIFIED IN PART 8210.0800, SUBPART 3.

### ABSENT VOTER'S CERTIFICATE

I, \_\_\_\_\_ (please print or type), do solemnly swear that my

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present address (or last address) in the State of Minnesota is at \_\_\_\_\_ (please print or type) in the City or Town of \_\_\_\_\_ (please print or type), County of \_\_\_\_\_ (print or type).

I am qualified to vote the enclosed ballot(s) as (check category that applies) \_\_\_a member of the Armed Forces; \_\_\_a spouse or dependent of a member of the Armed Forces; \_\_\_a citizen of the United States temporarily residing outside the territorial limits of the United States; \_\_\_a citizen of the United States permanently residing outside the territorial limits of the United States. I have not cast and will not cast any other ballot in this election. I personally marked the enclosed ballot(s) without exhibiting it to any other person, or which, in case of my physical disability, was marked for me under my personal direction.

Military identification  
passport number \_\_\_\_\_

\_\_\_\_\_  
(Legal signature of Voter)

Subscribed and sworn to me this \_\_\_ day of \_\_\_\_\_, 19\_\_\_

\_\_\_\_\_  
(Signature of Witness)

\_\_\_\_\_  
(Give title or office of witness  
authorized to administer oaths.  
If an officer of the Armed Forces,  
a commissioned or noncommissioned  
officer not below the rank of  
sergeant or its equivalent.)

Note: No witness is required if you provide your military or passport number to match the military or passport number on your application.

**Statutory Authority:** *MS s 201.221; 203B.09; 204C.361; 204D.11; 206.57*

**History:** *8 SR 1348; 10 SR 1690*