CHAPTER 8220
SECRETARY OF STATE
VOTING MACHINES

8220.0050 CONDUCT OF ELECTIONS.

Except as provided in Minnesota Statutes or in parts 8220.0050 to 8230.4350, elections shall be conducted in the manner prescribed for precincts using paper ballots in the Minnesota election law.

Statutory Authority: *MS s 204D.11*

History: *20 SR 2787*

8220.0150 MINIMUM STANDARDS.

Parts 8220.0050 to 8230.4350 set minimum standards for procedures in the use of electronic voting systems. An election jurisdiction may by resolution require additional procedures.

Statutory Authority: *MS s 206.57*

History: *20 SR 2787*

8220.0250 DEFINITIONS.

Subpart 1. **Scope.** As used in parts 8220.0150 to 8230.4350, terms defined in Minnesota Statutes, section 206.56, have the meanings given them in that section, and the following terms defined in this part have the meanings given them.

[For text of subps 2 to 38, see M.R]

Statutory Authority: *MS s 206.57*

History: *20 SR 2787*

8220.0850 SCHEDULE FOR COMPLETING PROGRAMS.

No later than five days after candidates' names are certified by the secretary of state, the election jurisdiction responsible for requesting the computer program must supply any information such as candidates' names and rotation to the individuals designated to prepare the computer program.

The computer program for any election and an exact duplicate of the program for use as backup must be completed and delivered to the election jurisdiction or the county auditor in charge of a common counting center at least 14 days prior to the election.

Statutory Authority: *MS s 206.82*

History: *20 SR 2787*

8220.1450 DUTIES UPON COMPLETION.

When an errorless count has been made on all precincts, the election jurisdiction providing the computer program must:

A. secure all computer programs, including the object code, all support software used except the operating system, test decks, and predetermined results of the test decks, in a secure container sealed with a numbered seal and stored in a secured area that is subject to normal computer temperature humidity restraints;

B. prepare a certificate that all precincts have been tested using the test deck prepared under the direction of the election jurisdiction and that the results agree with the predetermined results of the test deck, which certificate must contain the seal number that was used to seal the container and be attached to the computer results of the test; and

C. deliver the sealed container and the certificate to the county auditor.

Statutory Authority: *MS s 206.82*

History: *20 SR 2787*

8220.1550 PUBLIC ACCURACY TEST.

A public accuracy test must be held within 14 days prior to the election for the purpose of demonstrating the accuracy of the computer programs and computers to be used at the election. The public accuracy test must be conducted according to Minnesota Statutes, section 206.73.

The time and place of the public accuracy test must be designated by the election jurisdiction providing the computer program, which must give at least 48 hours' public notice of the time and place of the test by publication in official newspapers, by posting a notice, and by notification to the county or legislative district chair of each major political party.

The test must be open to the public. The chief election official of the election jurisdiction shall explain the methods and test procedures used to determine the accuracy of the computer programs. This will include submitting as public record the certificate prepared in accordance with part 8220.1450 that all precincts have been tested using the test deck or ballot image prepared under the direction of the election jurisdiction

The sealed container containing the computer programs, test deck, predetermined results, and header cards must be opened and the computer programs and computers tested to determine their accuracy on the computer on which they are to be used on election night. The initial testing of the computers and programs must be with the test deck or ballot image prepared under the direction of the election jurisdiction. The number of precincts to be tested is at the discretion of the election jurisdiction.

The backup computer program prepared and delivered according to part 8220.0850 must be tested on the computer on which it would be used on election night. The test decks used in these procedures must be the ones prepared in accordance with parts 8220.0750 to 8220.1850. Any test cards made under parts 8220.0750 to 8220.1850 must be marked "TEST."

If an error is detected in any part of the testing, the cause must be ascertained, the error corrected, and an errorless count must be made on all precincts. At the discretion of the election jurisdiction, the meeting may be adjourned to a time and date certain

Statutory Authority: *MS s 206.82*

History: *20 SR 2787*

8220.1950 [Repealed, 20 SR 2787]

8220.2750 [Repealed, 20 SR 2787]