

CHAPTER 201

REGISTRATION OF VOTERS

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201.01 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.01 DEFINITIONS.

The words used in sections 201.01 to 201.27 have the meanings prescribed to them in chapter 200.

History: 1959 c 675 art 2 s 1

201.013 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.02 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.02 MS 1971 [Repealed, 1973 c 676 s 33]

201.021 PERMANENT REGISTRATION SYSTEM.

A permanent system of voter registration by county is established. Any county containing no city with a population of 10,000 or more may by resolution of the county board be exempted from the provisions of sections 201.021 to 201.221. The county auditor shall be chief registrar of voters and the chief custodian of the official registration records in each county.

History: 1973 c 676 s 3; 1975 c 204 s 94

201.03 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.03 MS 1971 [Repealed, 1973 c 676 s 33]

201.04 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.04 MS 1971 [Repealed, 1973 c 676 s 33]

201.05 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.05 MS 1971 [Repealed, 1973 c 676 s 33]

201.06 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.06 MS 1971 [Repealed, 1973 c 676 s 33]

201.061 REGISTRATION.

Subdivision 1. An eligible voter or any person who upon registration will have the qualifications of an eligible voter at the next election may register as a voter in the precinct in which he resides, at any time prior to the 20th day preceding any election by completing a registration card and submitting it to the county auditor of the county where he resides. Registration cards may be submitted to the county auditor in person or by U.S. mail addressed and postage paid. A registration card that is postmarked no later than 11:59 p.m. on the 20th day preceding any election or received on the next working day shall be deemed timely. Improperly addressed or delivered registration cards shall be forwarded

within two working days from receipt by an official receiving one to the auditor of the county where the voter resides if the county can be determined.

Subd. 2. The provisions of subdivision 1 shall not apply to any political subdivision which does not on July 1, 1973 have a permanent system of voter registration provided that the governing body of any political subdivision may by ordinance or resolution elect to come under the provisions of subdivision 1. Once having so elected, the action may not be rescinded.

Subd. 3. An individual who on election day presents himself at the polling place for the precinct in which he resides and who is not registered but is otherwise eligible to vote may nevertheless vote upon registering. An individual may register at this time by completing a registration card, making an oath in the form prescribed by the secretary of state and providing proof of his residence. An individual may prove his residence by:

(1) Showing his drivers license or Minnesota identification card issued pursuant to section 171.07;

(2) Providing any document approved by the secretary of state as proper identification; or

(3) Having an individual who is registered to vote in the precinct sign an oath in the presence of the election judge that he personally knows that the applicant is a resident of the precinct. No individual who registers to vote on election day by proving residence as provided in clause (3) shall provide proof of residence for any other individual on that election day.

The election judge responsible for election day registration shall attempt to keep a record of and forward to the county auditor the number of individuals who attempt to register on election day but who cannot provide proof of residence as required by this section.

Forms for the card and oaths shall be available at each polling place. When an individual signs an oath that he personally knows that an applicant is a resident of the precinct the oath shall be attached to the applicant's registration card until the address of the applicant is verified by the county auditor. Forms used pursuant to this section shall be forwarded to the auditor who shall, unless the information forwarded is substantially deficient, add the name of the voter to the registration system. If the auditor finds a registration pursuant to this subdivision substantially deficient he shall give written notice to the person whose registration is found deficient. A registration deficient only because the individual who provided proof of residence was ineligible to do so shall not be considered deficient, and the name of the voter shall be added to the registration system.

Subd. 4. Registration at the polls on election day shall be conducted by the election judges. The election judge who registers a person at the polls on election day shall not be the same judge who shall have charge of and hand to and receive from the voter his ballots.

Subd. 5. In case a voter is unable to write his name, he shall be required to make a cross, which shall be certified by signing the name of the applicant by the registration clerk taking the application. If the registration card is submitted by mail the cross shall be certified by having a voter registered in the precinct of the applicant sign the name of the applicant and sign his own name and give his own address.

Subd. 6. Each eligible voter is entitled to vote only in the one precinct in which he resides. The judges of election in any election precinct may not receive the vote at any election of any person whose name is not registered in accordance with the provisions of Laws 1973, Chapter 676. The auditor shall supply the judges in each precinct with an accurate map or precinct finder of the precinct to assist them in determining whether a newly registering voter is registering in the proper precinct.

Subd. 7. Voters registered under Minnesota Statutes 1971 shall not be required to reregister under Laws 1973, Chapter 676.

Subd. 8. Any political subdivision which did not on July 1, 1973 have a permanent system of voter registration shall provide prior to the date of the 1974 primary election for the transfer of names of persons who voted at the general election in 1972 and who are not permanently registered to permanent registration cards, together with such other information available from the election records as is required by section 201.071, subdivision 1. Such registration cards shall be alphabetized by precinct and the cards for each precinct shall be kept at the polling place on the 1974 primary and general election days. Persons whose registration cards have been so prepared and who have not changed residence shall be deemed registered by proving identity and signing the registration card.

Subd. 9. For the general election in 1974 only, each political subdivision which did not on July 1, 1973 have a permanent system of voter registration shall provide one additional election judge in each precinct for every 400 persons voted at the general election in 1972.

History: 1973 c 676 s 4; 1974 c 583 s 1,2; 1977 c 395 s 1,2; 1978 c 714 s 1,30

201.07 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.07 MS 1971 [Repealed, 1973 c 676 s 33]

201.071 REGISTRATION CARDS.

Subdivision 1. Registration cards shall be manila or cardboard cards of size and weight suitable for mailing, and shall be substantially in the following form:

VOTERS REGISTRATION CARD
(Please print or type)

Date:.....

1. Name:
 Last First Middle Initial

2. Address:
 Street or Route No.

 City (or Township) County Zip

3. Telephone Number:

4. Date of birth (optional):

5. Last registration if any
 Street or Route Number

 City (or Township) Zip

6. I certify that I will be at least 18 years old on election day and that the above facts are correct. I understand that giving false information to procure a registration is a felony punishable by not more than five years imprisonment and a fine of not more than \$5,000, or both.

.....
Signature of Voter

Subd. 2. When made available for potential registrants the registration card shall be accompanied by instructions specifying the manner and method of registration and stating the qualifications for an eligible voter and specifying penalties for false registration.

Subd. 3. No registration is faulty or defective if the registration card contains the voter's name, address, prior registration if any and signature, as in

items 1, 2, 5 and 6 of the registration card above. The absence of a zip code number does not cause the registration to be faulty or defective. The judges of election may request a voter to complete a registration card that is incomplete or illegible. No voter may be prevented from voting unless his registration is faulty or defective or he is duly and successfully challenged in accordance with provisions of this chapter.

Subd. 4. Any county auditor who receives a registration card indicating that a voter was previously registered in a different county in Minnesota shall notify the auditor of that county on a form prescribed by the secretary of state. A county auditor receiving a registration card indicating that a voter was previously registered in a different precinct in the same county or a notification form from the auditor of another county, as provided in this subdivision, shall delete that voter's name from the registration lists and remove the original and duplicate voter registration cards from the files. Any auditor who receives a registration card or notification requiring a change of registration records under this subdivision shall also check the duplicate registration card from the precinct of prior residence to determine whether the voter voted in that precinct in the most recent election.

History: 1973 c 676 s 5; 1974 c 583 s 3,4; 1977 c 395 s 3; 1978 c 714 s 2,30

201.08 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.08 MS 1971 [Repealed, 1973 c 676 s 33]

201.081 REGISTRATION FILES.

Subdivision 1. Within 90 days after the effective date of regulations of the secretary of state implementing Laws 1973, Chapter 676, the municipal official for each municipality who has custody of the original record of voters pursuant to Minnesota Statutes 1971, Chapter 201, shall deliver to the county auditor of the county where the municipality is located:

(1) The original registration file of voters registered under any law prior to Laws 1973, Chapter 676; and

(2) The duplicate registration file of the voters.

Subd. 2. The original registration file and the duplicate registration file shall be the record of voters. The original and duplicate registration files shall be kept in the office of the county auditor or in the office of a person to whom the county auditor has delegated the responsibility of keeping either file and shall not be removed except that the duplicate file shall be delivered to the duly authorized judges of election for use on election day.

Subd. 3. [Repealed, 1976 c 223 s 5]

History: 1973 c 676 s 6; 1976 c 223 s 4; 1978 c 714 s 30

201.09 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.09 MS 1971 [Repealed, 1973 c 676 s 33]

201.091 REGISTERED VOTER LISTS; ACCOUNTS; REGISTRATION PLACES.

Subdivision 1. Each county auditor shall prepare and maintain a current list of the duplicate registration file. This list shall be known as the precinct list and shall show the names and residence address of all voters registered within the precinct. The telephone number shall be included on the list when provided by the person registering.

Subd. 2. Within 90 days after each general election, the county auditor shall have available current registered voter lists by precinct for the county. The list shall be periodically corrected and updated by the auditor, and a final cor-

rected list shall be available 15 days before each primary election. A corrected list may be either in the form of a complete corrected list or as a separate list of additions and deletions to the preceding list.

Subd. 2a. If the responsibility for maintaining the duplicate registration file has been delegated by the county auditor in accordance with section 201.081, subdivision 2, the official maintaining the duplicate registration file shall deliver the original voter registration cards to the county auditor within 30 days after the primary election and within 60 days after a general election. Within 60 days after he receives the original voter registration cards after a general election the county auditor shall send back the corrected list of registered voters to the official maintaining the duplicate registration file.

Subd. 2b. Subject to reasonable rules and regulations, the duplicate registration file shall be open to public inspection, but no public inspection shall be permitted or allowed that will disarrange the registration files. No person to whom a file of registered electors is made available under this subdivision and no person who acquires a list of registered electors prepared from the file may use any information contained therein for purposes which are not related to elections, political activities, or law enforcement.

Subd. 3. Paper copies of the latest registered voter lists as specified in subdivision 2 shall be available within ten days of a request to any voter registered within the county, upon written request therefor to the county auditor accompanied by payment of the cost of reproduction and a paper copy of the list shall be available for examination without cost. No person to whom a registered voter list is made available under this subdivision and no person who acquires a registered voter list may use any information contained therein for the purposes which are not related to elections, political activities, or law enforcement.

Subd. 4. Each person to whom the county auditor has delegated responsibility for the administration of the provisions of this chapter shall maintain records and accounts for his office and submit annually to the county auditor a report on the conduct and costs of registration and voting borne by his office.

Subd. 5. Each county auditor shall maintain records and accounts for his office and submit annually a report on the conduct and costs of registration and voting in the county to the secretary of state.

Subd. 6. Each county auditor shall determine a number of public buildings located within the county, and not less than one location per 30,000 residents, where eligible voters may register by completing a registration card and leaving it with an official within the building whose duty it shall be to transmit the card to the appropriate county auditor. An adequate supply of registration cards shall be maintained at the designated locations.

History: 1973 c 676 s 7; 1974 c 55 s 1; 1976 c 223 s 1-3; 1977 c 96 s 1; 1977 c 395 s 4-6; 1978 c 714 s 30

201.10 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.10 MS 1971 [Repealed, 1973 c 676 s 33]

201.11 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.11 PRECINCT BOUNDARIES CHANGED, CHANGE OF FILES.

When the boundaries of an election precinct in any such municipality shall be changed, the county auditor shall immediately change the registration files to correctly show the names of the voters who are residents therein.

History: 1959 c 675 art 2 s 11; 1973 c 676 s 8

201.12 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.12 PROPER REGISTRATION, VERIFICATION BY MAIL, CHALLENGES.

For the purpose of preventing fraudulent voting and eliminating excess names, the county auditor, at any time he deems it necessary, may send by mail to any voter whose name appears in the original registration file a notice that his name and address appear therein as indicated; and, if there is any mistake in the name or the address, the voter shall so notify the office of the county auditor and have the same corrected. Failure to do so or the return of the notice by the post-office to the county auditor shall be sufficient evidence to justify a challenge of his vote at an election, which challenge shall be signed by the county auditor. Upon the return by the post-office of any such notice, the county auditor shall direct a deputy or clerk in his office to personally ascertain the name and address of any such voter; and, if such voter is found to have removed from the address recorded in the original registration file, the county auditor shall cause to be affixed to the duplicate registration file card of the voter the word "challenged." No person so challenged shall be permitted to vote except by complying with all provisions of law applicable to the proving of challenges.

History: 1959 c 675 art 2 s 12; 1973 c 676 s 9

201.121 ENTRY OF NAMES; MAILED NOTICE.

Subdivision 1. Upon receiving a registration card properly completed and submitted in accordance with sections 201.061 and 201.071, the county auditor shall enter the registration card or the information contained on the card in the appropriate registration files.

Subd. 2. The county auditor shall mail to each registrant a notice indicating the voter's name, address, precinct and polling place. The notice shall require that it be returned if not deliverable to the voter at the named address. For any notice that is returned the county auditor shall cause to be affixed to the duplicate registration card of the voter the word "challenged". No individual so challenged shall be permitted to vote except by complying with all provisions of law applicable to the proving of challenges.

Subd. 3. In the case of election day registrations, the county auditor shall within ten days of the election send the notice prescribed in subdivision 2 to a random sampling of the election day registrants. The random sampling shall be determined in accordance with the rules of the secretary of state. The county auditor shall send the notice prescribed in subdivision 2 to all other election day registrants as soon as practicable after the election. If any notice is returned as not deliverable, the county auditor shall attempt to determine the reason for the return. If, upon inquiry, the county auditor does not receive or obtain satisfactory proof of the registrant's eligibility to vote, he shall immediately notify the county attorney and the secretary of state of the irregularity.

History: 1973 c 676 s 10; 1978 c 714 s 3,30

201.13 MS 1957 [Repealed, 1959 c 675 art 13 s 1]**201.13 LOCAL REGISTRAR OF VITAL STATISTICS, REPORT DEATHS TO COUNTY AUDITOR.**

The local registrar of vital statistics in each county or municipality, as the case may be, shall report monthly to the county auditor the name and address of each person 18 years of age or older who has died while a resident in the registration jurisdiction since the last previous report. Upon receipt of such report, the auditor shall examine the original and duplicate registration files and remove therefrom and destroy the registration cards of registered persons so reported by the local registrar as deceased.

History: 1959 c 675 art 2 s 13; 1973 c 676 s 11

201.14 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.14 CLERK OF DISTRICT COURT, REPORT CHANGES OF NAMES.

The clerk of district court in each county in the state shall report monthly to the county auditor the name and address of each person, 18 years of age or over, residing in that county whose name shall have been changed during the month preceding the date of the report, by marriage, divorce or any order or decree of such court. Upon receipt of such report, the auditor shall notify such voter by mail that it is necessary for him to re-register under such changed name in order to vote at an election.

History: 1959 c 675 art 2 s 14; 1973 c 676 s 12; 1973 c 725 s 38; 1977 c 395 s 7

201.15 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.15 PROBATE JUDGE, REPORT GUARDIANSHIPS AND COMMITMENTS.

The judge of probate in each county in the state shall report monthly to the county auditor the name, age and address of each individual 18 years of age or over residing in the county who, during the month preceding the date of the report, was placed under a guardianship of the person or adjudged legally incompetent by reason of mental illness, mental deficiency, or inebriation, or as a psychopathic personality, and each such individual transferred to the jurisdiction of or restored to capacity by the court, or transferred from guardianship to conservatorship. Upon receipt of the report, the auditor shall examine the original and duplicate registration files to determine if any individual named in the report is registered to vote. The auditor shall attach a notice to the original and duplicate registration cards of any individual so named informing the election judges that the individual is not eligible to reregister or vote. The notice shall contain the reason for ineligibility, the date of the determination, and the dated signature of the county auditor. Upon notice from the judge of probate of a restoration to capacity, or of a transfer from guardianship to conservatorship, the county auditor shall remove the notice from the individual's registration cards and thereafter process the cards in the same manner as if no guardianship or adjudication had occurred.

History: 1959 c 675 art 2 s 15; 1961 c 697 s 1; 1967 c 839 s 2; 1973 c 676 s 13; 1973 c 725 s 39; 1978 c 714 s 4; 1979 c 43 s 1

201.16 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.16 MS 1971 [Repealed, 1973 c 676 s 33]

201.161 DRIVER'S LICENSE CHANGES.

When a person notifies the department of public safety of a change of domicile or name and applies for a corrected duplicate driver's license pursuant to section 171.11, the department shall transmit to the applicant a voters registration card together with instructions for completing the card and returning it by mail to the appropriate county auditor. Voters registration cards shall also be available from clerks and agents who receive applications pursuant to sections 171.06 and 171.07. Voters registration cards required to carry out the provisions of this section shall be provided to the department of public safety at no cost by the secretary of state.

History: 1977 c 395 s 8

201.17 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.17 MS 1971 [Repealed, 1973 c 676 s 33]

201.171 FAILURE TO VOTE; REGISTRATION REMOVED.

After the close of each calendar year, the county auditor shall examine the original and duplicate registration files and shall delete therefrom the name of any voter who has not voted in any election where voter registration cards specified in this chapter are used including a school election during the four preceding calendar years. Although not counted in any race, a late absentee ballot shall be considered a vote for the purpose of continuing registration.

History: 1973 c 676 s 14

201.18 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.18 ARMED FORCES MEMBERS, REGISTRATION SAVED.

In the event that the applicant was registered but is not entitled to vote because he has failed to vote at an election at least once in any four successive calendar years wherein elections are held, if the applicant, or someone in his behalf, shall file an affidavit with the county auditor, stating that on the date of any one election during such four-year period the applicant was a member of the armed forces of the United States, such affidavit shall operate as a re-registration, and entitle the applicant to vote.

History: 1959 c 675 art 2 s 18; 1973 c 676 s 15

201.19 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.19 MS 1971 [Repealed, 1973 c 676 s 33]

201.191 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.20 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.20 MS 1971 [Repealed, 1973 c 676 s 33]

201.21 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.21 MS 1971 [Repealed, 1973 c 676 s 33]

201.211 COSTS.

The costs of administering this chapter shall be borne by the office required by Laws 1973, Chapter 676 to perform the functions and duties herein required but if delegated to another office they shall be borne by that office.

History: 1973 c 676 s 16

201.22 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.22 MS 1971 [Repealed, 1973 c 676 s 33]

201.221 RULES AND REGULATIONS.

Subdivision 1. The secretary of state shall adopt rules and regulations to implement the provisions of this chapter by October 1, 1973.

Subd. 2. He shall make rules consistent with the federal and state election laws to facilitate the execution of their provisions in an orderly manner and to that end shall assist local election officers by devising uniform forms and procedures. He shall provide uniform regulations governing the maintenance of voter registration records on electronic or automatic data processing systems so that the records of counties using the systems are compatible with a uniform system of electronic data maintenance. He shall supervise the development and use of the system to insure that it conforms to applicable provisions of law and regulations.

Subd. 3. He shall prescribe the method and manner of transporting and delivering the original and duplicate registration files from the office where now located to the locations required by Laws 1973, Chapter 676.

Subd. 4. He shall prescribe the form of the duplicate registration file so that a duplicate card will contain the voter's name, address, and telephone number, space to indicate whether the voter has voted in a given election and the voter's signature. He shall prescribe procedures for transporting the duplicate registration files to the election judges for use on election day so the signatures of voters may be compared with the signatures on the duplicate registration file.

Subd. 5. The county auditor may adopt rules and regulations which provide for the delegation of duties assigned to him by Laws 1973, Chapter 676 to municipal officials. Provided however the county auditor may not delegate the responsibility to maintain custody of the original registration file of voters and the preparation and distribution of precinct lists. Provided further that the county auditor may delegate the power and responsibility to accept registrations but a delegation of this power does not relieve him of the power and duty to accept these registrations. When any municipality shall have delegated to it responsibilities given to the county auditor by Laws 1973, Chapter 676, the council shall immediately provide the necessary funds, equipment and facilities and shall proceed to establish a place of registration and put the registration plan into operation without delay.

History: 1973 c 676 s 17; 1978 c 714 s 30

201.23 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.23 MS 1971 [Repealed, 1973 c 676 s 33]

201.231 CHALLENGES.

Subdivision 1. Any voter registered within a county may upon petition filed with the county auditor challenge the eligibility or residence of any voter registered within the county. The petition shall state the grounds for challenge and be accompanied by an affidavit of the challenger on personal knowledge. A copy of the petition shall be served as in a civil action on the challenged voter. Upon receipt of a challenging petition, the county auditor shall set a date within five days for hearing on the challenge. The hearing shall be held on the day set before the county auditor or his delegate who shall then make findings and affirm or set aside the challenge.

Subd. 2. Any voter whose registration has been denied or challenged as above may appeal the challenge or denial to the secretary of state. The appeal shall be heard within five days and before election day. Upon hearing the secretary of state shall affirm or reverse the challenge or denial and shall give appropriate instructions to the county auditor.

Subd. 3. Hearings before the commissioner shall be considered a contested case and determined in accordance with the administrative procedure act.

History: 1973 c 676 s 18; 1978 c 714 s 30

201.24 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.24 MS 1971 [Repealed, 1973 c 676 s 33]

201.25 MS 1957 [Renumbered 201.28]

201.25 MS 1971 [Repealed, 1973 c 676 s 33]

201.26 MS 1957 [Renumbered 201.29]

201.26 RESIDENCE, DETERMINATION.

The following rules, so far as may be applicable, shall govern the determination of residency:

(a) The residence of any person shall be held to be in that place in which his habitation is fixed, without any present intention of removing therefrom, and to which, whenever he is absent, he intends to return;

(b) A person shall not be considered to have lost his residence who leaves his home to go into another state, or county in this state, for temporary purposes only;

(c) A person shall not be considered to have gained a residence in any county into which he has come for temporary purposes only, without the intention of making such county his home;

(d) If a person goes into another state or other county with the intention of making it his residence or files an affidavit of residence there, he shall be considered to have lost his residence in this state or county;

(e) If a person removes to another state with the intention of remaining there for an indefinite time as a place of residence, he shall be considered to have lost his residence in this state, notwithstanding he intends to return at some future time;

(f) The place where a person's family resides shall be considered his residence, but if it is a temporary establishment for his family, or for transient purposes, it shall not be so considered;

(g) If a person has his family living in one place and he does business in another, the former shall be considered his residence, but when a person has taken up his abode at any place with the intention of remaining there, and his family refuses to reside with him, then such place shall be considered his residence;

(h) The residence of a single person shall be considered to be where he usually sleeps;

(i) The mere intention to acquire a new residence, without the fact of removal, shall avail nothing, neither shall the fact of removal without the intention;

(j) No person employed temporarily for the purpose of cutting timber, or in the construction or repair of any railroad, canal, municipal, or other work of public nature, shall acquire a residence in any precinct into which he came for such purpose, but this provision shall not be held to extend to station agents or sectionmen who permanently reside in such precinct, and in determining the right of any person employed by railroad company or upon any public work to register, the secretary of state shall be satisfied that he is a bona fide resident of the precinct and not there for temporary purposes only, and his unsupported affidavit shall not be held conclusive as to any fact necessary to entitle him to register;

(k) Any permanent inmate of a soldiers' home shall be considered a resident of the precinct in which the same is located.

History: 1959 c 675 art 2 s 26; 1961 c 564 s 1; 1973 c 676 s 19; 1978 c 714 s 30

201.261 [Repealed, 1973 c 676 s 33]

201.27 MS 1957 [Renumbered 201.30]

201.27 VIOLATIONS, PENALTIES.

Subdivision 1. Any officer, deputy, clerk, or other employee who wilfully fails to perform or enforce any of the provisions of this chapter except the provisions of subdivision 2, or who unlawfully or fraudulently removes any registration card or record from its proper compartment in the registration files, or who wilfully destroys any record provided by this chapter to be kept, or any person who wilfully or fraudulently registers more than once, or registers under any but his true name, or attempts to vote by impersonating another who is registered, or who wilfully registers in any precinct where he is not a resident at any time of registering, or who adds a name or names to the registration files, records or cards, or who violates any of the provisions of this chapter is guilty of a felony.

Subd. 2. Any deputy, clerk, employee or other subordinate of a county auditor or municipal clerk who has knowledge or reason to believe that a violation of this chapter has occurred, shall immediately transmit a report of his knowledge or belief to the county auditor or municipal clerk, together with any evidence of the violation coming into his possession. Any county auditor or municipal clerk who has knowledge or reason to believe that a violation of this chapter has occurred shall immediately transmit a report of his knowledge or belief to the county attorney of the county wherein the violation is thought to have occurred, together with any evidence of the violation coming into his possession. The county auditor or municipal clerk shall also immediately send a copy of the report to the secretary of state. A violation of this subdivision is a misdemeanor.

History: 1959 c 675 art 2 s 27; 1973 c 676 s 20; 1978 c 714 s 5,30

201.275 INVESTIGATIONS; PROSECUTIONS.

Any county attorney receiving any report of a possible violation of this chapter shall immediately and diligently inquire into the facts of the possible violation. If there are reasonable grounds for instituting a prosecution, the county attorney shall present the charge, together with all the evidence that he can procure, to the grand jury of the county. If any county attorney fails or refuses to faithfully perform any duty imposed on him by this chapter, he is guilty of a misdemeanor and on conviction thereof shall forfeit his office.

History: 1978 c 714 s 6

- 201.28 MS 1957 [Renumbered 201.31]
- 201.28 MS 1971 [Repealed, 1973 c 676 s 33]
- 201.29 MS 1957 [Renumbered 201.32]
- 201.29 MS 1971 [Repealed, 1973 c 676 s 33]
- 201.30 MS 1957 [Repealed, 1959 c 675 art 13 s 1]
- 201.30 MS 1971 [Repealed, 1973 c 676 s 33]
- 201.31 MS 1957 [Repealed, 1959 c 675 art 13 s 1]
- 201.31 MS 1971 [Repealed, 1973 c 676 s 33]
- 201.32 MS 1957 [Repealed, 1959 c 675 art 13 s 1]
- 201.32 MS 1971 [Repealed, 1973 c 676 s 33]
- 201.33 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

201.33 USE IN SCHOOL ELECTIONS.

Upon the request of the board of education of any independent or special school district the county auditor shall make the registration system covering any precincts all or a portion of which are a part of the school district available for use in school district elections whenever its use by the school district will not prevent the use of the system in other elections. The county auditor may impose reasonable requirements to preserve the security and integrity of the system. The county auditor and the school district shall provide by agreement for the details of the use of the system by the school district. The school district may designate a member of its board or a subordinate employee as registration officer. The provisions of Laws 1973, Chapter 676 shall apply to school district elections for which the board of education has requested the use of the registration system.

History: 1969 c 636 s 2; 1971 c 68 s 1; 1973 c 676 s 21

- 201.34 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

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201.34 MS 1974 [Repealed, 1975 c 204 s 106]