

CHAPTER 203B

ABSENTEE VOTING

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203B.02 GENERAL ELIGIBILITY REQUIREMENTS.

Subdivision 1. **Unable to go to polling place.** Any eligible voter who reasonably anticipates he will be unable to go to the polling place on election day in the precinct where the individual maintains residence because of absence from the precinct, illness, physical disability, religious discipline, observance of a religious holiday, or service as an election judge in another precinct may vote by absentee ballot as provided in sections 203B.04 to 203B.15.

[For text of subds 2 and 3, see M.S.1982]

History: 1983 c 303 s 2

203B.04 APPLICATION FOR BALLOTS.

Subdivision 1. **Application procedures.** Except as otherwise allowed by subdivision 2, an application for absentee ballots for any election may be submitted at any time not less than one day before the day of that election. An application submitted pursuant to this subdivision shall be in writing and shall be submitted to:

- (a) the county auditor of the county where the applicant maintains residence;
- or
- (b) the municipal clerk of the municipality where the applicant maintains residence.

An application shall be accepted if it is signed and dated by the applicant, contains the applicant's residence and mailing addresses, and states that the applicant is eligible to vote by absentee ballot for one of the reasons specified in section 203B.02.

[For text of subds 2 to 4, see M.S.1982]

History: 1983 c 303 s 3

203B.08 MARKING AND RETURN OF ABSENTEE BALLOTS.

[For text of subd 1, see M.S.1982]

Subd. 1a. **Electronic voting system authorized.** An electronic voting system approved and authorized for use under chapter 206 may be used for absentee voting when the voter applies in person to the municipal clerk for an absentee ballot and chooses to vote at the time of application. The municipal clerk designated under the provisions of section 203B.05 must give written notice to the county auditor prior to each state primary election that an electronic voting system will be used for absentee voting. Paper ballots must be used when applications for absentee ballots are submitted to the county auditor, when ballots are delivered to

temporary or permanent residents or patients in a health care facility as provided in section 203B.11, or when applications are submitted by mail.

[For text of subs 2 and 3, see M.S.1982]

Subd. 3a. **Procedures for safeguarding electronically marked ballots.** When the voter has completed marking the ballot as authorized under subdivision 1a, the voter shall remove the ballot card from the electronic voting device, insert it in a security envelope, and place the security envelope in an absentee ballot return envelope which is to be signed by the voter and witnessed as provided in section 203B.07, subdivision 2. The return envelope in which a ballot card is returned shall be dated and initialed by hand by the clerk and placed in a secure location with other absentee ballot cards marked under subdivision 1a.

[For text of subd 4, see M.S.1982]

History: 1983 c 253 s 2,3

203B.085 COUNTY AUDITOR'S OFFICE TO REMAIN OPEN DURING CERTAIN HOURS PRECEDING ELECTION.

The county auditor's office in each county must be open for acceptance of absentee ballot applications and casting of absentee ballots between the hours of 1:00 to 3:00 p.m. on Saturday and 5:00 to 7:00 p.m. on Monday immediately preceding a primary or general election.

History: 1983 c 303 s 4

203B.11 HOSPITAL PATIENTS AND RESIDENTS OF HEALTH CARE FACILITIES.

Subdivision 1. **Generally.** Each full-time municipal clerk who has authority under section 203B.05 to administer absentee voting laws shall designate election judges to deliver absentee ballots in accordance with this section. A ballot may be delivered only to an eligible voter who is a temporary or permanent resident or patient in a health care facility or hospital located in the municipality in which the voter maintains residence. The ballots shall be delivered by two election judges, each of whom is affiliated with a different major political party. When the election judges deliver or return ballots as provided in this section, they shall travel together in the same vehicle. Both election judges shall be present when an applicant completes the certificate of eligibility and marks the absentee ballots, and may assist an applicant as provided in section 204C.15. The election judges shall deposit the return envelopes containing the marked absentee ballots in a sealed container and return them to the clerk on the same day that they are delivered and marked.

Subd. 2. **Ten days before an election.** During the ten days preceding an election, the election judges shall deliver absentee ballots only to an eligible voter who has applied for absentee ballots to the county auditor or municipal clerk under section 203B.04, subdivision 1.

Subd. 3. **Election day.** On election day, the election judges shall deliver absentee ballots only to an eligible voter who on the day before the election became a resident or patient in a health care facility or hospital and who has applied for absentee ballots under section 203B.04, subdivision 2.

History: 1983 c 253 s 4

203B.12 ELECTION JUDGES TO RECEIVE AND COUNT BALLOTS.

[For text of subd 1, see M.S.1982]

Subd. 2. **Examination of return envelopes.** Two or more election judges shall examine each return envelope and shall mark it accepted or rejected in the manner provided in this subdivision. The election judges shall remove the ballot envelope from the return envelope, mark the ballot envelope "Accepted" and initial or sign the ballot envelope below the word "Accepted" if the election judges or a majority of them are satisfied that:

(a) The voter's signature on the return envelope is the genuine signature of the individual who made the application for ballots and the certificate has been completed as prescribed in the directions for casting an absentee ballot;

(b) In precincts with a permanent voter registration system, the voter is registered and eligible to vote in the precinct or has included a properly completed registration card in the return envelope or, in precincts with no permanent voter registration system, the address of the voter lies within the precinct; and

(c) The voter has not already voted at that election, either in person or by absentee ballot.

The return envelope from accepted ballots shall be preserved and returned to the county auditor with the voters' certificates.

If all or a majority of the election judges examining return envelopes find that an absent voter has failed to meet one of the requirements prescribed in clauses (a) to (c), they shall mark the return envelope "Rejected," initial or sign it below the word "Rejected," and return it to the county auditor with the unused ballots.

[For text of subds 3 and 4, see M.S.1982]

Subd. 5. **Electronic voting system precincts.** (a) Paper absentee ballots delivered to the election judges in precincts which use an electronic voting system shall be counted in the manner provided in this section. No duplicate ballot cards shall be prepared. The paper ballot vote totals for each candidate and on each question shall be added to the results obtained from the electronic tabulating equipment in each precinct.

(b) Absentee ballot cards marked using electronic voting machines as authorized under section 203B.08, subdivision 1a, shall be tabulated using the electronic tabulating equipment in each precinct.

[For text of subd 6, see M.S.1982]

History: 1983 c 253 s 5,6

203B.125 SECRETARY OF STATE TO MAKE RULES.

The secretary of state shall adopt rules establishing methods and procedures for issuing ballot cards and related absentee forms to be used as provided in section 203B.08, subdivision 1a, and for the reconciliation of voters and ballot cards before tabulation under section 203B.12.

History: 1983 c 253 s 7

203B.21 BALLOTS AND ENVELOPES.

[For text of subd 1, see M.S.1982]

Subd. 2. **Mailing of ballots; return.** Ballots and instructions for marking them, ballot envelopes, and return envelopes shall be sent by first class mail to addresses within the continental United States and by air mail to addresses outside the continental United States. The ballot envelope and return envelope shall be marked "Official Ballot," and shall contain sufficient postage to assure proper return delivery. The return envelope shall be addressed to comply with any method for return of absentee ballots as authorized under section 203B.08, subdivision 2.

[For text of subds 3 and 4, see M.S.1982]

History: 1983 c 303 s 5