

204B.295 VOTING INSTRUCTIONS AND SAMPLE BALLOTS IN LANGUAGES OTHER THAN ENGLISH; MULTILINGUAL ELECTION JUDGES.

Subdivision 1. **Duty.** The secretary of state or county auditor must contract with a translator certified by the American Translators Association to develop voting instructions and sample ballots in languages other than English, to be made available in polling places during elections as required by this section. At a minimum, the secretary of state must prepare voting instructions and make the instructions available in polling places in the three most commonly spoken non-English languages in the state as determined by the state demographer for the previous calendar year. The secretary of state must prepare and provide example ballots to county auditors and post voting instructions in print, electronic, and audio-visual formats, on the secretary of state's website in at least the three most commonly spoken non-English languages in the state as determined by the state demographer for the previous calendar year.

Subd. 2. **Designation of language minority districts.** No later than 90 days before an election, the secretary of state or county auditor, in consultation with the state demographer, must determine the percentage of residents in each census tract who are members of a language minority and who lack sufficient skills in English to vote without assistance. Language minority districts will be designated if three percent or more of the population in a corresponding census tract speak English "less than very well" according to the most recent census data.

Subd. 3. **Translation required; interpreter required.** (a) If the number of residents determined under subdivision 2 equals three percent or more of a census tract, or if interested citizens or organizations provide information that gives the secretary of state or county auditor sufficient reason to believe a need exists, at least two copies of the translated voting instructions and sample ballots must be provided to each precinct in that district during any regular or special state election conducted in that district.

(b) If the number of residents determined under subdivision 2 equals 20 percent or more of the population of a census tract, or if interested citizens or organizations provide information that gives the secretary of state or county auditor sufficient reason to believe a need exists, at least four copies of the translated voting instructions and sample ballots must be provided to each precinct in that district during any regular or special state election conducted in that district. In these precincts, the county auditor or municipal clerk must appoint at least one interpreter to translate in a specified language if ten or more registered voters in the precinct file a request for interpretive services for that language with the secretary of state or county auditor at least 30 days prior to the date of the election. This interpreter must wear a name tag or other badge indicating the interpreter's language certification. For purposes of section 204C.06 and any other applicable law, an interpreter appointed under this section is considered an election official and may be present in a polling place for the purpose of conducting duties assigned by the county auditor or municipal clerk.

Subd. 4. **Use of materials; notice required.** The translated voting instructions and sample ballots required by this section must be made available for use by voters as a reference when completing and casting an official ballot. In addition to the number of copies required, at least one set of instructions in each applicable language, along with a notice written in that language indicating the availability of those materials, must be posted in a conspicuous location in each polling place.

History: 2023 c 34 art 2 s 1; 2023 c 62 art 4 s 135