

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4772

03/11/2024

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03/25/2024

The bill was read for the first time and referred to the Committee on Elections Finance and Policy

04/08/2024

Adoption of Report: Placed on the General Register as Amended

04/08/2024

Read for the Second Time

04/08/2024

Calendar for the Day, Amended

04/08/2024

Read Third Time as Amended

04/18/2024

Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

04/18/2024

Passed by the Senate as Amended and returned to the House

04/18/2024

Refused to concur and a Conference Committee was appointed

1.1A bill for an act

1.2relating to elections; providing for policy and technical changes to elections and

1.3campaign finance provisions, including elections administration, campaign finance

1.4and lobbying, and census and redistricting; establishing the Minnesota Voting

1.5Rights Act; modifying the crime of using deep fakes to influence elections;

1.6requiring reports; amending Minnesota Statutes 2022, sections 10A.01, subdivision

1.733, by adding a subdivision; 123B.09, subdivision 5b; 201.071, subdivision 3;

1.8204B.175; 204C.06, subdivision 1, by adding a subdivision; 204C.19, subdivision

1.93; 204C.20, subdivision 1, by adding a subdivision; 204C.33, subdivision 1;

1.10204C.35, subdivisions 1, 2, by adding a subdivision; 204C.36, subdivisions 2, 3;

1.11205.16, subdivisions 4, 5; 205A.05, subdivision 3; 205A.07, subdivisions 3, 3b;

1.12205A.11, subdivision 2; 206.89, subdivisions 2, 3, 5, 6; 208.06; 208.44; 208.47;

1.13211B.17, subdivision 1; 211B.18; 375.08; 412.02, subdivision 6, by adding a

1.14subdivision; 447.32, subdivision 3; Minnesota Statutes 2023 Supplement, sections

1.152.92, subdivision 4; 10A.01, subdivision 21; 10A.201, subdivisions 3, 4, 6, 9;

1.1610A.202, subdivision 1; 200.02, subdivision 7; 201.061, subdivisions 3, 3a;

1.17201.071, subdivision 1; 201.1611, subdivision 1; 203B.04, subdivision 1; 203B.07,

1.18subdivision 3; 203B.081, subdivision 4; 204B.09, subdivision 3; 204B.16,

1.19subdivision 1; 204B.295, subdivisions 1, 2, 3, by adding a subdivision; 204C.24,

1.20subdivision 1; 204C.33, subdivision 3; 205.16, subdivision 2; 206.61, subdivision

1.211; 609.771, subdivisions 2, 3, 4, by adding a subdivision; proposing coding for

1.22new law in Minnesota Statutes, chapters 2; 200; 241; 375; repealing Minnesota

1.23Statutes 2022, section 383B.031; Minnesota Statutes 2023 Supplement, section

1.2410A.201, subdivision 11.

1.25BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.26ARTICLE 1

1.27ELECTIONS ADMINISTRATION

1.28Section 1. Minnesota Statutes 2022, section 123B.09, subdivision 5b, is amended to read:

1.29Subd. 5b. **Appointments to fill vacancies; special elections.** (a) Any vacancy on the

1.30board, other than a vacancy described in subdivision 4, must be filled by board appointment

1.31at a regular or special meeting. The appointment shall be evidenced by a resolution entered

2.1 in the minutes and shall be effective 30 days following adoption of the resolution, subject  
2.2 to paragraph ~~(b)~~ (d). If the appointment becomes effective, it shall continue for the remainder  
2.3 of the unexpired term or until an election is held under this subdivision, as applicable. All  
2.4 elections to fill vacancies shall be for the unexpired term. A special election to fill the  
2.5 vacancy must be held no later than the first Tuesday after the first Monday in November  
2.6 following the vacancy. If the vacancy occurs less than 90 days prior to the first Tuesday  
2.7 after the first Monday in November in the year in which the vacancy occurs, the special  
2.8 election must be held no later than the first Tuesday after the first Monday in November of  
2.9 the following calendar year. ~~If the vacancy occurs less than 90 days prior to the first Tuesday~~  
2.10 ~~after the first Monday in November in the third year of the term, no special election is~~  
2.11 ~~required. If the vacancy is filled by a special election, the person elected at that election for~~  
2.12 ~~the ensuing term shall take office immediately after receiving the certificate of election,~~  
2.13 ~~filing the bond, and taking the oath of office.~~

2.14 (b) Notwithstanding paragraph (a), if the vacancy occurs less than two years prior to the  
2.15 expiration of the term, no special election is required and the appointee of the board shall  
2.16 serve for the remainder of the unexpired term, subject to paragraph (d).

2.17 (c) Notwithstanding paragraph (a), if the vacancy occurs less than 90 days prior to the  
2.18 expiration of the term, the board may, but is not required to, fill the vacancy by board  
2.19 appointment at a regular or special meeting.

2.20 (d) Notwithstanding paragraphs (a) and (b), if the vacancy occurs because a school board  
2.21 member was removed pursuant to section 123B.09, subdivision 9, a special election must  
2.22 be held to fill the vacancy as soon as possible on a uniform election date.

2.23 ~~(b)~~ (e) An appointment made under paragraph (a) shall not be effective if a petition to  
2.24 reject the appointee is filed with the school district clerk. To be valid, a petition to reject an  
2.25 appointee must be signed by a number of eligible voters residing in the district equal to at  
2.26 least five percent of the total number of voters voting in the district at the most recent state  
2.27 general election, and must be filed within 30 days of the board's adoption of the resolution  
2.28 making the appointment. If a valid petition is filed according to the requirements of this  
2.29 paragraph, the appointment by the school board is ineffective and the board must name a  
2.30 new appointee as provided in paragraph (a).

2.31 **EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to vacancies  
2.32 occurring on or after that date.

3.1 Sec. 2. Minnesota Statutes 2023 Supplement, section 200.02, subdivision 7, is amended  
3.2 to read:

3.3 Subd. 7. **Major political party.** (a) "Major political party" means a political party that  
3.4 maintains a party organization in the state; has complied with the party's constitution and  
3.5 rules; is in compliance with the requirements of sections 202A.12 and 202A.13; files with  
3.6 the secretary of state no later than December 1 of each odd-numbered year a certification  
3.7 that the party has met the foregoing requirements, including a list of the dates and locations  
3.8 of each convention held; and meets all other qualification requirements of this subdivision.

3.9 (b) A political party qualifies as a major political party by:

3.10 (1) presenting at least one candidate for election to the office of:

3.11 (i) governor and lieutenant governor, secretary of state, state auditor, or attorney general  
3.12 at the last preceding state general election for those offices; or

3.13 (ii) presidential elector or U.S. senator at the last preceding state general election for  
3.14 presidential electors; and

3.15 whose candidate received votes in each county in that election and received votes from not  
3.16 less than five percent of the total number of individuals who voted in that election, if the  
3.17 state general election was held on or before November 8, 2022, or not less than eight percent  
3.18 of the total number of individuals who voted in that election, at a state general election held  
3.19 on or after November 7, 2024;

3.20 (2) presenting at least 45 candidates for election to the office of state representative, 23  
3.21 candidates for election to the office of state senator, four candidates for election to the office  
3.22 of representative in Congress, and one candidate for election to each of the following offices:  
3.23 governor and lieutenant governor, attorney general, secretary of state, and state auditor, at  
3.24 the last preceding state general election for those offices; or

3.25 (3) presenting to the secretary of state at any time before the close of filing for the state  
3.26 partisan primary ballot a petition for a place on the state partisan primary ballot, which  
3.27 petition contains valid signatures of a number of the party members equal to at least five  
3.28 percent of the total number of individuals who voted in the preceding state general election.  
3.29 A signature is valid only if signed no more than one year prior to the date the petition was  
3.30 filed.

3.31 (c) A political party whose candidate receives a sufficient number of votes at a state  
3.32 general election described in paragraph (b), clause (1), or a political party that presents  
3.33 candidates at an election as required by paragraph (b), clause (2), becomes a major political

party as of January 1 following that election. A political party that complies with paragraph (a) retains its major party status for at least two state general elections even if the party fails to present a candidate who receives the number and percentage of votes required under paragraph (b), clause (1), or fails to present candidates as required by paragraph (b), clause (2), at subsequent state general elections.

(d) A major political party whose candidates fail to receive the number and percentage of votes required under paragraph (b), clause (1), and that fails to present candidates as required by paragraph (b), clause (2), at each of two consecutive state general elections described by paragraph (b), clause (1) or (2), respectively, loses major party status as of December 31 following the later of the two consecutive state general elections.

(e) A major political party that does not submit the certification required by this subdivision loses major party status on December 31 of the year in which the party did not file the certification.

(f) The secretary of state must notify the chair of the major political party, the commissioner of revenue, and the Campaign Finance and Public Disclosure Board if the political party's status is changed pursuant to this section.

**EFFECTIVE DATE.** This section is effective August 1, 2024.

Sec. 3. **[200.50] MINNESOTA VOTING RIGHTS ACT.**

Sections 200.50 to 200.59 may be cited as the "Minnesota Voting Rights Act."

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 4. **[200.52] DEFINITIONS.**

Subdivision 1. **Application.** As used in sections 200.50 to 200.59, the terms as defined in this section have the meanings given.

Subd. 2. **Government official.** "Government official" means any individual who is elected or appointed to an office in this state or a political subdivision or who is authorized to act in an official capacity on behalf of the state or a political subdivision.

Subd. 3. **Language minority group.** "Language minority group" means a language minority group as that term is defined in the federal Voting Rights Act of 1965, as amended, as of the effective date of this act.

Subd. 4. **Method of election.** (a) "Method of election" means the method by which candidates are elected to the legislative body of a political subdivision, and includes at-large

5.1 method of election, district-based method of election, or any alternative method of election.  
5.2 Method of election also includes the districting or redistricting plan used to elect candidates  
5.3 to the legislative body of a political subdivision.

5.4 (b) "At-large method of election" means a method of electing candidates to the legislative  
5.5 body of a political subdivision in which candidates are voted on by all voters of the political  
5.6 subdivision or that combines at-large with district-based methods of elections. At-large  
5.7 method of election does not include any alternative method of election.

5.8 (c) "District-based method of election" means a method of electing candidates to the  
5.9 legislative body of a political subdivision in which, for political subdivisions divided into  
5.10 districts, a candidate for any district is required to reside in the district and candidates  
5.11 representing or seeking to represent the district are voted on by only the voters who reside  
5.12 in the district. District-based method of election does not include any alternative method of  
5.13 election.

5.14 (d) "Alternative method of election" means a method of electing candidates to the  
5.15 legislative body of a political subdivision other than an at-large method of election or a  
5.16 district-based method of election and includes but is not limited to cumulative voting, limited  
5.17 voting, and proportional ranked choice voting.

5.18 Subd. 5. **Political subdivision.** "Political subdivision" means a county, city, town, or  
5.19 school district.

5.20 Subd. 6. **Politically cohesive.** "Politically cohesive" means that members of a group  
5.21 tend to prefer the same candidates, electoral choices, or policies.

5.22 Subd. 7. **Protected class.** "Protected class" means a class of citizens who are members  
5.23 of a racial, color, or language minority group, or who are members of a federally recognized  
5.24 Indian Tribe, including a class of two or more such groups.

5.25 Subd. 8. **Polarized voting.** "Polarized voting" means voting in which the candidate or  
5.26 electoral choice preferred by a protected class diverges from the candidate or electoral choice  
5.27 preferred by other voters.

5.28 Subd. 9. **Vote; voting.** "Vote" or "voting" includes any action necessary to cast a ballot  
5.29 and make that ballot count in any election, including but not limited to: registering to vote;  
5.30 applying for an absentee ballot; and any other action required by law as a prerequisite to  
5.31 casting a ballot and having that ballot counted, canvassed, certified, and included in the  
5.32 appropriate totals of votes cast with respect to an election.

6.1 Subd. 10. **Voting eligible population.** "Voting eligible population" means those  
6.2 individuals who are eligible to register and vote, regardless of whether the individuals are  
6.3 registered to vote.

6.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.

6.5 Sec. 5. **[200.53] CONSTRUCTION AND USE OF AUTHORITY.**

6.6 A law, rule, local law, charter provision, local ordinance, or local code relating to the  
6.7 right to vote, or which grants authority to prescribe or maintain voting or elections policies  
6.8 and practices, must be construed or applied liberally in favor of a voter's exercise of the  
6.9 right of suffrage. To the extent a court is afforded discretion on an issue, including but not  
6.10 limited to discovery, procedure, admissibility of evidence, or remedies, the court must  
6.11 exercise that discretion and weigh other equitable discretion in favor of this right.

6.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

6.13 Sec. 6. **[200.54] VOTER SUPPRESSION AND VOTE DILUTION PROHIBITED.**

6.14 Subdivision 1. **Voter suppression.** A political subdivision or any other government  
6.15 official or entity responsible for election administration must not adopt or apply a  
6.16 qualification for eligibility to vote or other prerequisite to voting; adopt or apply any law,  
6.17 ordinance, rule, standard, practice, procedure, or policy regarding the administration of  
6.18 elections; or take any other action or fail to take any action that results in, is likely to result  
6.19 in, or is intended to result in a denial or abridgement of the right to vote by a member of a  
6.20 protected class. A violation of this subdivision may be established if it is shown that, based  
6.21 on the totality of the circumstances, members of the protected class have less opportunity  
6.22 than the rest of the electorate to participate in the political process or elect candidates of  
6.23 their choice.

6.24 Subd. 2. **Vote dilution.** (a) A political subdivision or any other government official or  
6.25 entity responsible for election administration must not adopt or enforce any method of  
6.26 election, or cause an annexation, incorporation, dissolution, consolidation, or division of a  
6.27 political subdivision, that has the effect of impairing the equal opportunity or ability of  
6.28 members of a protected class to nominate or elect candidates of their choice as a result of  
6.29 diluting the vote of members of that protected class.

6.30 (b) A violation of paragraph (a) exists when it is shown that:

6.31 (1) either:

(i) elections in a political subdivision exhibit polarized voting resulting in an impairment of the equal opportunity or ability of protected class members to nominate or elect candidates of their choice; or

(ii) based on the totality of the circumstances, the equal opportunity or ability of protected class members to nominate or elect candidates of their choice is impaired; and

(2) one or more new methods of election or changes to the existing method of election exist that the court could order pursuant to section 200.58 would likely mitigate the impairment.

(c) To the extent that a new method of election or change to the existing method of election that is presented under paragraph (b), clause (2), is a proposed district-based plan that provides protected class members with one or more reasonably configured districts in which the protected class members would have an equal opportunity or ability to nominate or elect candidates of the protected class members' choice, it is not necessary to show that members of a protected class comprise a majority of the total population, voting age population, voting eligible population, or registered voter population in any such district or districts.

(d) The fact that members of a protected class are not geographically compact does not preclude a finding of a violation of this subdivision but may be a factor in determining whether an appropriate remedy exists that would likely mitigate the impairment.

(e) For claims brought on behalf of a protected class, including one consisting of two or more racial, color, Tribal, or language minority groups that are politically cohesive in the political subdivision, the court shall consider only the combined electoral preferences of those racial, color, Tribal, or language minority groups in determining whether voting by the protected class is polarized from other voters. It is not necessary to demonstrate that voting by members of each racial, color, Tribal, or language minority group within a protected class, or by any subgroup within a racial, color, or language minority group, is separately polarized from other voters.

(f) Evidence concerning the causes of, or the reasons for, the occurrence of polarized voting is not relevant to the determination of whether polarized voting occurs, or whether candidates or electoral choices preferred by a protected class would usually be defeated. Evidence concerning alternate explanations for polarized voting patterns or election outcomes, including but not limited to partisan explanations, must not be considered.

(g) Evidence concerning projected changes in population or demographics may only be considered when determining whether an appropriate remedy exists that would likely mitigate the impairment.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 7. **[200.55] RELEVANT FACTORS FOR DETERMINING VIOLATION.**

Subdivision 1. **Factors established.** In determining whether, under the totality of the circumstances, a violation of section 200.54 has occurred with respect to a protected class, a court may consider any of the following factors:

(1) the history of discrimination affecting members of the protected class;

(2) the extent to which members of the protected class are disadvantaged, or otherwise bear the effects of past public or private discrimination, in any areas that may hinder their ability to participate effectively in the political process, including education, employment, health, criminal justice, housing, transportation, land use, or environmental protection;

(3) whether members of the protected class vote at a lower rate than other voters;

(4) the use of overt or subtle racial appeals in political campaigns or by government officials;

(5) the extent to which members of the protected class have been elected to office;

(6) the extent to which candidates who are members of the protected class have faced barriers with respect to accessing the ballot, receiving financial support, or receiving any other support for their candidacies for elective office;

(7) the extent to which candidates who are members of a protected class face hostility or barriers while campaigning due to the protected class membership;

(8) the extent of polarized voting;

(9) the use of any standard, practice, procedure, or policy that may enhance the dilutive effects of a challenged method of election;

(10) the lack of responsiveness by elected officials to the particularized needs of protected class members or a community of protected class members;

(11) whether the challenged method of election, ordinance, resolution, rule, policy, standard, regulation, procedure, or law was designed to advance, and does materially advance, a compelling state interest that is substantiated and supported by evidence; and

(12) other factors the court may deem relevant.



9.1 Subd. 2. **Necessity of factors.** No one factor in subdivision 1 is dispositive or necessary  
9.2 to establish the existence of a violation of section 200.54, nor shall any specified number  
9.3 or combination of factors be required in establishing that such a violation has occurred. The  
9.4 court shall consider a particular factor only if and to the extent evidence pertaining to that  
9.5 factor is introduced. The absence of evidence as to any factor does not preclude a finding  
9.6 of a violation.

9.7 Subd. 3. **Claims involving a political subdivision.** To the extent a claim concerns a  
9.8 political subdivision, evidence of the factors in subdivision 1 is most probative if the evidence  
9.9 relates to the political subdivision in which the alleged violation occurred, but still holds  
9.10 probative value if the evidence relates to the geographic region in which that political  
9.11 subdivision is located or to this state.

9.12 Subd. 4. **Evidence of intent.** Evidence concerning the intent of voters, elected officials,  
9.13 or the political subdivision to discriminate against members of a protected class is not  
9.14 required to find a violation of section 200.54.

9.15 Subd. 5. **Factors that must be excluded.** In determining whether a violation of section  
9.16 200.54 has occurred, a court shall not consider any of the following:

9.17 (1) the number of protected class members not burdened by the challenged qualification,  
9.18 prerequisite, standard, practice, or procedure;

9.19 (2) the degree to which the challenged qualification, prerequisite, standard, practice, or  
9.20 procedure has a long pedigree or was in widespread use at some earlier date;

9.21 (3) the use of an identical or similar qualification, prerequisite, standard, practice, or  
9.22 procedure in other states or jurisdictions;

9.23 (4) the availability of other forms of voting unimpacted by the challenged qualification,  
9.24 prerequisite, standard, practice, or procedure to all members of the electorate, including  
9.25 members of the protected class;

9.26 (5) an impact on potential criminal activity by individual voters, if those crimes have  
9.27 not occurred in the political subdivision in substantial numbers, or if the connection between  
9.28 the challenged policy and any claimed prophylactic effect is not supported by substantial  
9.29 evidence; or

9.30 (6) mere invocation of interests in voter confidence or prevention of fraud.

9.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.

10.1      Sec. 8. **[200.56] PRESUIT NOTICE.**

10.2           Subdivision 1. Notice required. (a) Except as provided in this section, before filing an  
10.3 action a prospective plaintiff shall send a notice letter to the political subdivision identifying  
10.4 the potential violation, the affected protected class, and the type of remedy the potential  
10.5 plaintiff believes may address the potential violation. The party may not file an action related  
10.6 to the violations described in the notice within 60 days after sending the notice letter.

10.7           (b) A notice letter under this subdivision is not required if:

10.8           (1) the party is seeking preliminary relief with respect to an upcoming election in  
10.9 accordance with section 200.57;

10.10          (2) the party is seeking to intervene in or join an existing action;

10.11          (3) following the party's submission of a notice letter, the political subdivision enacted  
10.12 a remedy that would not remedy the violation identified in the party's notice letter; or

10.13          (4) the prospect of obtaining relief would be futile, consistent with Minnesota's doctrine  
10.14 of exhaustion of administrative remedies.

10.15          Subd. 2. Responsibility of parties. The political subdivision shall work in good faith  
10.16 with the party that provided a notice letter to explore and consider implementing any mutually  
10.17 agreed upon remedies to cure the potential violation. If the political subdivision adopts a  
10.18 resolution identifying a remedy, affirming its intent to enact and implement a remedy, and  
10.19 establishing a timeline and specific steps it will take to do so, the political subdivision shall  
10.20 have 90 days after passing the resolution to enact and implement a remedy, during which  
10.21 time the party who sent a notice letter under this section may not file an action related to  
10.22 those violations against that political subdivision.

10.23          Subd. 3. Approval of remedies. If the political subdivision lacks authority to enact or  
10.24 implement an identified remedy, the political subdivision may nonetheless enact and  
10.25 implement the remedy upon approval by the district court. To seek approval, the political  
10.26 subdivision must file a petition in district court that identifies with specificity the law or  
10.27 other authority that prevents the remedy from being enacted or implemented. The venue  
10.28 for a petition under this paragraph is in the district court of the county where the challenged  
10.29 act or practice occurred, or in the District Court of Ramsey County. The district court may  
10.30 authorize the political subdivision to implement or enact the identified remedy  
10.31 notwithstanding the applicable law or authority to the contrary, if the court determines that  
10.32 the prospective plaintiff is likely to succeed in a lawsuit on the merits of the alleged violation;

11.1 that the proposed remedy would address the alleged violation; and that the proposed remedy  
11.2 is narrowly tailored to that purpose.

11.3 Subd. 4. **Cost sharing.** (a) If a political subdivision enacts or implements a remedy in  
11.4 response to a notice letter submitted under subdivision 1, the political subdivision and the  
11.5 party who sent the notice letter must mutually agree on a reimbursement amount to be paid  
11.6 by the political subdivision to that party. The reimbursement amount must reflect the  
11.7 reasonable costs associated with producing and sending the letter and any accompanying  
11.8 evidence, subject to the limitations of this subdivision.

11.9 (b) To be eligible for a reimbursement, the party who submitted the notice letter must  
11.10 submit a request to the political subdivision in writing. The request must:

11.11 (1) be received by the political subdivision within 30 days of its enactment or adoption  
11.12 of the remedy; and

11.13 (2) be substantiated with financial documentation including, as applicable, detailed  
11.14 invoices for expert analysis and reasonable attorney fees.

11.15 (c) The cumulative amount of reimbursements to all parties must not exceed \$30,000.  
11.16 Reimbursement amounts for attorney fees are limited to amounts calculated using a lodestar  
11.17 methodology.

11.18 (d) To the extent a party requests reimbursement for a purported notice letter that fails  
11.19 to comply with the requirements in subdivision 1, or the request fails to comply with this  
11.20 subdivision, the political subdivision may dismiss the request. If the request is dismissed,  
11.21 the political subdivision must notify the party in writing of the reasons for the dismissal.

11.22 **EFFECTIVE DATE.** This section is effective the day following final enactment.

11.23 Sec. 9. **[200.57] RIGHT OF ACTION; VENUE; PRELIMINARY RELIEF.**

11.24 Subdivision 1. **Right of action.** (a) The attorney general, a county attorney, any individual  
11.25 aggrieved by a violation of this act, any entity whose membership includes individuals  
11.26 aggrieved by a violation of this act, any entity whose mission would be frustrated by a  
11.27 violation of this act, or any entity that would expend resources in order to fulfill its mission  
11.28 as a result of a violation of this act, may file an action in the district court for the county  
11.29 where the challenged act or practice has occurred, or in the district court of Ramsey County.  
11.30 Actions brought under this act are subject to expedited pretrial and trial proceedings and  
11.31 must receive an automatic calendar preference. The state is a necessary party in any action  
11.32 in which an alleged violation is based on a political subdivision's implementation of a state

12.1 law, if the state law does not afford discretion to the political subdivision in its  
12.2 implementation of the law.

12.3 (b) In an action related to a districting or redistricting plan, any individual with standing  
12.4 to challenge any single district shall be deemed to have standing to challenge the districting  
12.5 or redistricting plan as a whole.

12.6 Subd. 2. **Preliminary relief prior to election.** In any action alleging a violation of this  
12.7 act in which a plaintiff seeks preliminary relief with respect to an upcoming election, the  
12.8 court shall grant relief if the court determines that:

12.9 (1) the plaintiffs are more likely than not to succeed on the merits; and

12.10 (2) it is possible to implement appropriate preliminary relief that would address the  
12.11 alleged violation before the election.

12.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

12.13 Sec. 10. **[200.58] REMEDIES.**

12.14 Notwithstanding any other law, if the court finds a violation of any provision of section  
12.15 200.54, the court has authority to order remedies that are tailored to best mitigate the  
12.16 violation. Any remedy ordered by the court must be constructed liberally in favor of a voter's  
12.17 exercise of the right of suffrage. The court may consider, among others, any remedy that  
12.18 has been ordered by a federal court or the court of another state jurisdiction, including  
12.19 through a court-approved consent decree or settlement adopted in the context of similar  
12.20 facts or to remedy a similar violation. The court shall consider remedies proposed by any  
12.21 party and may consider remedies proposed by interested nonparties. The court may not  
12.22 provide deference or priority to a proposed remedy offered by a defendant or political  
12.23 subdivision simply because the remedy has been proposed by the defendant or political  
12.24 subdivision.

12.25 **EFFECTIVE DATE.** This section is effective the day following final enactment.

12.26 Sec. 11. **[200.59] FEES AND COSTS.**

12.27 In any action brought under this act, the court shall award reasonable attorney fees and  
12.28 litigation costs, including expert witness fees and expenses, to the party, other than a state  
12.29 or a political subdivision, that filed the action and prevailed in the action. The party that  
12.30 filed the action is considered to have prevailed if, as a result of the action, the party against  
12.31 whom the action was filed has yielded or was ordered to yield some or all of the relief sought  
12.32 in the action. In determining a reasonable fee award, the court must consider the extent of

13.1 the prevailing party's success and may exclude hours spent on unsuccessful claims that are  
13.2 unrelated to the claims on which the party prevailed. If the party against whom the action  
13.3 was filed prevails in the action, the court shall not award that party any costs unless the  
13.4 court finds the action is frivolous.

13.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

13.6 Sec. 12. Minnesota Statutes 2023 Supplement, section 201.061, subdivision 3, is amended  
13.7 to read:

13.8 Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register  
13.9 on election day by appearing in person at the polling place for the precinct in which the  
13.10 individual maintains residence, by completing a registration application, making an oath in  
13.11 the form prescribed by the secretary of state and providing proof of residence. An individual  
13.12 may prove residence for purposes of registering by:

13.13 (1) presenting a driver's license or Minnesota identification card issued pursuant to  
13.14 section 171.07;

13.15 (2) presenting any document approved by the secretary of state as proper identification;

13.16 (3) presenting ~~one of the following:~~

13.17 ~~(i) a current valid student identification card from a postsecondary educational institution~~  
13.18 ~~in Minnesota, if a list of students from that institution has been prepared under section~~  
13.19 ~~135A.17 and certified to the county auditor in the manner provided in rules of the secretary~~  
13.20 ~~of state; or~~

13.21 ~~(ii) a current student fee statement that contains the student's valid address in the precinct~~  
13.22 ~~together with a picture identification card; or~~

13.23 (4) having a voter who is registered to vote in the precinct, or an employee employed  
13.24 by and working in a residential facility in the precinct and vouching for a resident in the  
13.25 facility, sign an oath in the presence of the election judge vouching that the voter or employee  
13.26 personally knows that the individual is a resident of the precinct. A voter who has been  
13.27 vouched for on election day may not sign a proof of residence oath vouching for any other  
13.28 individual on that election day. A voter who is registered to vote in the precinct may sign  
13.29 up to eight proof-of-residence oaths on any election day. This limitation does not apply to  
13.30 an employee of a residential facility described in this clause. The secretary of state shall  
13.31 provide a form for election judges to use in recording the number of individuals for whom  
13.32 a voter signs proof-of-residence oaths on election day. The form must include space for the  
13.33 maximum number of individuals for whom a voter may sign proof-of-residence oaths. For

14.1 each proof-of-residence oath, the form must include a statement that the individual: (i) is  
14.2 registered to vote in the precinct or is an employee of a residential facility in the precinct,  
14.3 (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the  
14.4 statement on oath. The form must include a space for the voter's printed name, signature,  
14.5 telephone number, and address.

14.6 The oath required by this subdivision and Minnesota Rules, part 8200.9939, must be  
14.7 attached to the voter registration application.

14.8 (b) The operator of a residential facility shall prepare a list of the names of its employees  
14.9 currently working in the residential facility and the address of the residential facility. The  
14.10 operator shall certify the list and provide it to the appropriate county auditor no less than  
14.11 20 days before each election for use in election day registration.

14.12 (c) "Residential facility" means transitional housing as defined in section 256E.33,  
14.13 subdivision 1; a supervised living facility licensed by the commissioner of health under  
14.14 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision  
14.15 5; an assisted living facility licensed by the commissioner of health under chapter 144G; a  
14.16 veterans home operated by the board of directors of the Minnesota Veterans Homes under  
14.17 chapter 198; a residence licensed by the commissioner of human services to provide a  
14.18 residential program as defined in section 245A.02, subdivision 14; a residential facility for  
14.19 persons with a developmental disability licensed by the commissioner of human services  
14.20 under section 252.28; setting authorized to provide housing support as defined in section  
14.21 256I.03, subdivision 10a; a shelter for battered women as defined in section 611A.37,  
14.22 subdivision 4; a supervised publicly or privately operated shelter or dwelling designed to  
14.23 provide temporary living accommodations for the homeless; a facility where a provider  
14.24 operates a residential treatment program as defined in section 245.462, subdivision 23; or  
14.25 a facility where a provider operates an adult foster care program as defined in section  
14.26 245A.02, subdivision 6c.

14.27 (d) For tribal band members, an individual may prove residence for purposes of  
14.28 registering by:

14.29 (1) presenting an identification card issued by the tribal government of a tribe recognized  
14.30 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the  
14.31 name, address, signature, and picture of the individual; or

14.32 (2) presenting an identification card issued by the tribal government of a tribe recognized  
14.33 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the

15.1 name, signature, and picture of the individual and also presenting one of the documents  
15.2 listed in Minnesota Rules, part 8200.5100, subpart 2, item B.

15.3 (e) A county, school district, or municipality may require that an election judge  
15.4 responsible for election day registration initial each completed registration application.

15.5 **EFFECTIVE DATE.** This section is effective June 1, 2024.

15.6 Sec. 13. Minnesota Statutes 2023 Supplement, section 201.061, subdivision 3a, is amended  
15.7 to read:

15.8 Subd. 3a. **Additional proofs of residence permitted for students.** (a) ~~An eligible~~ If an  
15.9 eligible voter's name; student identification number, if available; and address within the  
15.10 precinct appear on a current residential housing list under section 135A.17 certified to the  
15.11 county auditor by the postsecondary educational institution, the voter may prove residence  
15.12 by presenting a current valid photo identification issued by a postsecondary educational  
15.13 institution in Minnesota ~~if the voter's name; student identification number, if available; and~~  
15.14 ~~address within the precinct appear on a current residential housing list under section 135A.17,~~  
15.15 ~~certified to the county auditor by the postsecondary educational institution; identification~~  
15.16 authorized in subdivision 3, paragraph (a), clause (1) or (2); or identification authorized in  
15.17 subdivision 3, paragraph (d), clause (1) or (2).

15.18 (b) This additional proof of residence for students must not be allowed unless the  
15.19 postsecondary educational institution submits to the county auditor no later than 60 days  
15.20 prior to the election a written agreement that the postsecondary educational institution will  
15.21 certify for use at the election accurate updated residential housing lists under section 135A.17.  
15.22 A written agreement is effective for the election and all subsequent elections held in that  
15.23 calendar year, including the November general election.

15.24 (c) The additional proof of residence for students must be allowed on an equal basis for  
15.25 voters who reside in housing meeting the requirements of section 135A.17, if the residential  
15.26 housing lists certified by the postsecondary educational institution meet the requirements  
15.27 of this subdivision.

15.28 (d) An updated residential housing list must be certified to the county auditor no ~~earlier~~  
15.29 later than 20 days prior to each election. The certification must be dated and signed by the  
15.30 chief officer or designee of the postsecondary educational institution and must state that the  
15.31 list is current and accurate and includes only the names of persons residing in the institution's  
15.32 housing and, for students who do not live in the institution's housing, that it reflects the  
15.33 institution's records as of the date of the certification.

(e) The county auditor shall instruct the election judges of the precinct in procedures for use of the list in conjunction with photo identification. The auditor shall supply a list to the election judges with the election supplies for the precinct.

(f) The county auditor shall notify all postsecondary educational institutions in the county of the provisions of this subdivision.

**EFFECTIVE DATE.** This section is effective June 1, 2024.

Sec. 14. Minnesota Statutes 2023 Supplement, section 201.071, subdivision 1, is amended to read:

Subdivision 1. **Form.** Both paper and electronic voter registration applications must contain the same information unless otherwise provided by law. A voter registration application must contain spaces for the following required information: voter's first name, middle name, and last name; voter's previous name, if any; voter's current address; voter's previous address, if any; voter's date of birth; voter's municipality and county of residence; voter's telephone number, if provided by the voter; date of registration; current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification, the last four digits of the voter's Social Security number; a box to indicate a voter's preference to join the permanent absentee voter list; and voter's signature. The paper registration application must provide a space for a voter to provide a physical description of the location of their residence, if the voter resides in an area lacking a specific physical address. The description must be sufficient to identify the correct precinct for the voter. The description may include the closest cross street or the nearest address to the described location that is identified on a precinct map, and directions from that cross street or address to the described location, including but not limited to the cardinal direction and approximate distance to the location. The paper registration application may include the voter's email address, if provided by the voter. The electronic voter registration application must include the voter's email address. The registration application may include the voter's interest in serving as an election judge, if indicated by the voter. The application must also contain the following certification of voter eligibility:

"I certify that I:

(1) am at least 16 years old and understand that I must be at least 18 years old to be eligible to vote;

(2) am a citizen of the United States;



17.1 (3) will have maintained residence in Minnesota for 20 days immediately preceding  
17.2 election day;

17.3 (4) maintain residence at the address or location given on the registration form;

17.4 (5) am not under court-ordered guardianship in which the court order revokes my right  
17.5 to vote;

17.6 (6) have not been found by a court to be legally incompetent to vote;

17.7 (7) am not currently incarcerated for a conviction of a felony offense; and

17.8 (8) have read and understand the following statement: that giving false information is a  
17.9 felony punishable by not more than five years imprisonment or a fine of not more than  
17.10 \$10,000, or both."

17.11 The certification must include boxes for the voter to respond to the following questions:

17.12 "(1) Are you a citizen of the United States?" and

17.13 "(2) Are you at least 16 years old and will you be at least 18 years old on or before the  
17.14 day of the election in which you intend to vote?"

17.15 And the instruction:

17.16 "If you checked 'no' to either of these questions, do not complete this form."

17.17 The form of the voter registration application and the certification of voter eligibility  
17.18 must be as provided in this subdivision and approved by the secretary of state. Voter  
17.19 registration forms authorized by the National Voter Registration Act must also be accepted  
17.20 as valid. The federal postcard application form must also be accepted as valid if it is not  
17.21 deficient and the voter is eligible to register in Minnesota.

17.22 An individual may use a voter registration application to apply to register to vote in  
17.23 Minnesota or to change information on an existing registration.

17.24 **EFFECTIVE DATE.** This section is effective June 1, 2024.

17.25 Sec. 15. Minnesota Statutes 2022, section 201.071, subdivision 3, is amended to read:

17.26 Subd. 3. **Deficient registration.** No voter registration application is deficient if it contains  
17.27 the voter's name, address or location of residence, date of birth, current and valid Minnesota  
17.28 driver's license number or Minnesota state identification number, or if the voter has no  
17.29 current and valid Minnesota driver's license or Minnesota state identification number, the  
17.30 last four digits of the voter's Social Security number, if the voter has been issued a Social  
17.31 Security number, prior registration, if any, and signature. The absence of a zip code number

does not cause the registration to be deficient. Failure to check a box on an application form that a voter has certified to be true does not cause the registration to be deficient. The election judges shall request an individual to correct a voter registration application if it is deficient or illegible. No eligible voter may be prevented from voting unless the voter's registration application is deficient or the voter is duly and successfully challenged in accordance with section 201.195 or 204C.12.

A voter registration application accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county or municipality may attempt to obtain the date of birth for a voter registration application accepted prior to August 1, 1983, by a request to the voter at any time except at the polling place. Failure by the voter to comply with this request does not make the registration deficient.

A voter registration application accepted before January 1, 2004, is not deficient for lack of a valid Minnesota driver's license or state identification number or the last four digits of a Social Security number. A voter registration application submitted by a voter who does not have a Minnesota driver's license or state identification number, or a Social Security number, is not deficient for lack of any of these numbers.

A voter registration application submitted electronically through the website of the secretary of state prior to April 30, 2014, is not invalid as a result of its electronic submission.

**EFFECTIVE DATE.** This section is effective June 1, 2024.

Sec. 16. Minnesota Statutes 2023 Supplement, section 201.1611, subdivision 1, is amended to read:

Subdivision 1. **Forms.** (a) All postsecondary institutions that enroll students accepting state or federal financial aid must provide voter registration forms to each student during the fall and spring of each year. In state election years, it must be provided 15 days in advance of the deadline for registering to vote for the state general election. If the voter registration forms are provided electronically, the electronic message must be devoted exclusively to voter registration.

(b) All school districts must make available paper or electronic voter registration applications each May and September to all students registered as students of the school district who ~~will be~~ are eligible to register or preregister to vote ~~at the next election after those months~~. A school district has no obligation to provide voter registration applications to students who participate in a postsecondary education option program or who otherwise maintain residence in the district but do not attend a school operated by the district. A school

19.1 district fulfills its obligation to a student under this section if it provides a voter registration  
19.2 application to the student one time.

19.3 (c) The voter registration forms must contain spaces for the information required in  
19.4 section 201.071, subdivision 1, and applicable rules of the secretary of state. The institutions  
19.5 and school districts may request these forms from the secretary of state. Institutions must  
19.6 consult with their campus student government in determining the most effective means of  
19.7 distributing the forms and in seeking to facilitate election day registration of students under  
19.8 section 201.061, subdivision 3. School districts must advise students that completion of the  
19.9 voter registration application is not a school district requirement.

19.10 (d) The institutions must report to the secretary of state by November 30 of each year  
19.11 on their implementation of this section. At a minimum, the report must include how and  
19.12 when the forms were distributed and the voter engagement plan under subdivision 3,  
19.13 paragraph (b), clause (2). Institutions may include information about methods that were  
19.14 effective in increasing student registrations.

19.15 (e) By February 1 of each year, the secretary of state must report to the chairs and ranking  
19.16 minority members of the legislative committees with jurisdiction over elections on the  
19.17 information under paragraph (d). The secretary must highlight best practices and innovative  
19.18 methods that were most effective in registering students to vote.

19.19 Sec. 17. Minnesota Statutes 2023 Supplement, section 203B.04, subdivision 1, is amended  
19.20 to read:

19.21 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision  
19.22 2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election  
19.23 may be submitted at any time not less than one day before the day of that election. The  
19.24 county auditor shall prepare absentee ballot application forms in the format provided by the  
19.25 secretary of state and shall furnish them to any person on request. By January 1 of each  
19.26 even-numbered year, the secretary of state shall make the forms to be used available to  
19.27 auditors through electronic means. An application submitted pursuant to this subdivision  
19.28 shall be in writing. An application may be submitted in person, by electronic facsimile  
19.29 device, by electronic mail, or by mail to:

19.30 (1) the county auditor of the county where the applicant maintains residence; or

19.31 (2) the municipal clerk of the municipality, or school district if applicable, where the  
19.32 applicant maintains residence.

~~For a federal, state, or county election,~~ (b) An absentee ballot application may alternatively be submitted electronically through a secure website that shall be maintained by the secretary of state for this purpose. Notwithstanding paragraph ~~(b)~~ (d), the secretary of state must require applicants using the website to submit the applicant's email address and verifiable Minnesota driver's license number, Minnesota state identification card number, or the last four digits of the applicant's Social Security number. This paragraph does not apply to a town election held in March.

(c) An application submitted electronically under this paragraph may only be transmitted to the county auditor for processing if the secretary of state has verified the application information matches the information in a government database associated with the applicant's driver's license number, state identification card number, or Social Security number. The secretary of state must review all unverifiable applications for evidence of suspicious activity and must forward any such application to an appropriate law enforcement agency for investigation.

~~(b)~~ (d) An application shall be approved if it is timely received, signed and dated by the applicant, contains the applicant's name and residence and mailing addresses, date of birth, and at least one of the following:

- (1) the applicant's Minnesota driver's license number;
- (2) Minnesota state identification card number;
- (3) the last four digits of the applicant's Social Security number; or
- (4) a statement that the applicant does not have any of these numbers.

~~(e)~~ (e) To be approved, the application must contain an oath that the information contained on the form is accurate, that the applicant is applying on the applicant's own behalf, and that the applicant is signing the form under penalty of perjury.

~~(d)~~ (f) An applicant's full date of birth, Minnesota driver's license or state identification number, and the last four digits of the applicant's Social Security number must not be made available for public inspection. An application may be submitted to the county auditor or municipal clerk by an electronic facsimile device. An application mailed or returned in person to the county auditor or municipal clerk on behalf of a voter by a person other than the voter must be deposited in the mail or returned in person to the county auditor or municipal clerk within ten days after it has been dated by the voter and no later than six days before the election.

21.1 ~~(e)~~(g) An application under this subdivision may contain an application under subdivision  
21.2 5 to automatically receive an absentee ballot.

21.3 **EFFECTIVE DATE.** This section is effective September 1, 2025, and applies to  
21.4 elections occurring on or after November 4, 2025.

21.5 Sec. 18. Minnesota Statutes 2023 Supplement, section 203B.07, subdivision 3, is amended  
21.6 to read:

21.7 Subd. 3. **Eligibility certificate.** A certificate of eligibility to vote by absentee ballot  
21.8 shall be printed on the back of the signature envelope. The certificate shall contain space  
21.9 for the voter's Minnesota driver's license number, state identification number, or the last  
21.10 four digits of the voter's Social Security number, or to indicate that the voter does not have  
21.11 one of these numbers. The space must be designed to ensure that the voter provides the  
21.12 same type of identification as provided on the voter's absentee ballot application for purposes  
21.13 of comparison. The certificate must also contain a statement to be signed and sworn by the  
21.14 voter indicating that the voter meets all of the requirements established by law for voting  
21.15 by absentee ballot and space for a statement signed by a person who is ~~registered to vote in~~  
21.16 Minnesota at least 18 years of age on or before the day of the election and a citizen of the  
21.17 United States or by a notary public or other individual authorized to administer oaths stating  
21.18 that:

21.19 (1) the ballots were displayed to that individual unmarked;

21.20 (2) the voter marked the ballots in that individual's presence without showing how they  
21.21 were marked, or, if the voter was physically unable to mark them, that the voter directed  
21.22 another individual to mark them; and

21.23 (3) if the voter was not previously registered, the voter has provided proof of residence  
21.24 as required by section 201.061, subdivision 3.

21.25 **EFFECTIVE DATE.** This section is effective for elections for which the absentee  
21.26 ballot period begins on or after January 1, 2025.

21.27 Sec. 19. Minnesota Statutes 2023 Supplement, section 203B.081, subdivision 4, is amended  
21.28 to read:

21.29 Subd. 4. **Temporary locations.** (a) A county auditor or municipal clerk authorized under  
21.30 section 203B.05 to administer voting before election day may designate additional polling  
21.31 places with days and hours that differ from those required by section 203B.085. A designation  
21.32 authorized by this subdivision must be made at least 47 days before the election. The county

22.1 auditor or municipal clerk must provide notice to the secretary of state at the time that the  
22.2 designations are made.

22.3 (b) At the request of a federally recognized Indian Tribe with a reservation in the county,  
22.4 the county auditor must establish an additional polling place for at least one day on the  
22.5 Indian reservation on a site agreed upon by the Tribe and the county auditor that is accessible  
22.6 to the county auditor by a public road.

22.7 (c) At the request of a postsecondary institution or the student government organization  
22.8 of a postsecondary institution in the county or municipality, the county auditor or municipal  
22.9 clerk must establish an additional polling place for at least one day on the institution's  
22.10 campus at a location that is agreed upon by the institution and the county auditor or municipal  
22.11 clerk and that is accessible to the public. The request must be made at least 53 days before  
22.12 an election and is valid only for that election.

22.13 Sec. 20. Minnesota Statutes 2023 Supplement, section 204B.09, subdivision 3, is amended  
22.14 to read:

22.15 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who  
22.16 wants write-in votes for the candidate to be counted must file a written request with the  
22.17 filing office for the office sought not more than 84 days before the primary and no later  
22.18 than the seventh day before the general election. The filing officer shall provide copies of  
22.19 the form to make the request. The filing officer shall not accept a written request later than  
22.20 5:00 p.m. on the last day for filing a written request.

22.21 (b) The governing body of a statutory or home rule charter city may adopt a resolution  
22.22 governing the counting of write-in votes for local elective office. The resolution may:

22.23 (1) require the candidate to file a written request with the chief election official no later  
22.24 than the seventh day before the city election if the candidate wants to have the candidate's  
22.25 write-in votes individually recorded; or

22.26 (2) require that write-in votes for an individual candidate only be individually recorded  
22.27 if the total number of write-in votes for that office is equal to or greater than the fewest  
22.28 number of non-write-in votes for a ballot candidate.

22.29 If the governing body of the statutory or home rule charter city adopts a resolution authorized  
22.30 by this paragraph, the resolution must be adopted and the city clerk must notify the county  
22.31 auditor before the first day of filing for office. A resolution adopted under this paragraph  
22.32 remains in effect until a subsequent resolution on the same subject is adopted by the  
22.33 governing body of the statutory or home rule charter city.

(c) The governing body of a township, school board, hospital district, park district, soil and water district, or other ancillary elected district may adopt a resolution governing the counting of write-in votes for local elective office. The resolution may require that write-in votes for an individual candidate only be individually recorded if the total number of write-in votes for that office is equal to or greater than the fewest number of non-write-in votes for a ballot candidate. If a governing body adopts a resolution authorized by this paragraph, the resolution must be adopted and the clerk must notify the county auditor before the first day of filing for office. A resolution adopted under this paragraph remains in effect until a subsequent resolution on the same subject is adopted by the governing body.

(d) A candidate for president of the United States who files a request under this subdivision must include the name of a candidate for vice president of the United States. The request must also include the name of at least one candidate for presidential elector. The total number of names of candidates for presidential elector on the request may not exceed the total number of electoral votes to be cast by Minnesota in the presidential election.

(e) A candidate for governor who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for lieutenant governor. A candidate for lieutenant governor who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for governor.

Sec. 21. Minnesota Statutes 2023 Supplement, section 204B.16, subdivision 1, is amended to read:

Subdivision 1. **Authority; location.** (a) By December 31 of each year, the governing body of each municipality and of each county with precincts in unorganized territory must designate by ordinance or resolution any changes to a polling place location. A polling place must be maintained ~~for the following calendar year~~ unless changed in accordance with this paragraph, or:

~~(1) by ordinance or resolution by December 31 of the previous year;~~

~~(2)~~ pursuant to section 204B.175;

~~(3)~~ (2) because a polling place has become unavailable;

~~(4)~~ (3) because a township designates one location for all state, county, and federal elections and one location for all township only elections; and

~~(5)~~ (4) pursuant to section 204B.14, subdivision 3.

(b) Polling places must be designated and ballots must be distributed so that no one is required to go to more than one polling place to vote in a school district and municipal election held on the same day. The polling place for a precinct in a city or in a school district located in whole or in part in the metropolitan area defined by section 200.02, subdivision 24, shall be located within the boundaries of the precinct or within one mile of one of those boundaries unless a single polling place is designated for a city pursuant to section 204B.14, subdivision 2, or a school district pursuant to section 205A.11. The polling place for a precinct in unorganized territory may be located outside the precinct at a place which is convenient to the voters of the precinct. If no suitable place is available within a town or within a school district located outside the metropolitan area defined by section 200.02, subdivision 24, then the polling place for a town or school district may be located outside the town or school district within five miles of one of the boundaries of the town or school district.

Sec. 22. Minnesota Statutes 2022, section 204B.175, is amended to read:

**204B.175 CHANGE OF POLLING PLACE IN AN EMERGENCY.**

Subdivision 1. **Application.** When an emergency occurs after the deadline to designate a polling place for the purpose of absentee or early voting pursuant to section 203B.081, or after the deadline to designate a polling place pursuant to section 204B.16 but before the polls close on election day, a new polling place may be designated ~~for that election~~ pursuant to this section. For purposes of this section, an emergency is any situation that prevents the safe, secure, and full operation of a polling place, or when required to remedy a potential violation of section 200.54.

Subd. 2. **Changing polling place.** If a local election official determines that an emergency has occurred or is imminent, the local election official must procure a polling place that is as near the designated polling place as possible and that complies with the requirements of section 204B.16, subdivisions 4 and 5. If it is not possible to locate a new polling place in the precinct, the polling place may be located outside of the precinct without regard to the distance limitations in section 204B.16, subdivision 1. If a polling place location is changed to remedy a potential violation of section 200.54, the location of the polling place must be selected to remedy the violation. The local election official must certify to the appropriate governing body the expenses incurred because of the change. These expenses shall be paid as part of the expenses of the election.

Subd. 2a. **Designation of additional polling places.** A local election official may designate additional polling places, notwithstanding the deadlines in section 203B.081, if



additional designations are required to remedy a potential violation of section 200.54. The local election official must certify to the appropriate governing body the expenses incurred because of the change. These expenses shall be paid as part of the expenses of the election.

Subd. 3. **Notice.** (a) Upon making the determination to relocate a polling place, the local election official must immediately notify the county auditor and the secretary of state. The notice must include the reason for the relocation and the reason for the location of the new polling place. As soon as possible, the local election official must also post a notice stating the reason for the relocation and the location of the new polling place. The notice must also be posted on the website of the public body, if there is one. The local election official must also notify the election judges and request that local media outlets publicly announce the reason for the relocation and the location of the polling place. If the relocation occurs more than 14 days prior to the election, the local election official must mail a notice to the impacted voters of the reason for the relocation and the location of the polling place.

(b) On election day, the local election official must post a notice in large print in a conspicuous place at the polling place where the emergency occurred, if practical, stating the location of the new polling place. The local election official must also post the notice, if practical, in a location visible by voters who vote from their motor vehicles as provided in section 204C.15, subdivision 2. If polling place hours are extended pursuant to section 204C.05, subdivision 2, paragraph (b), the posted notices required by this paragraph must include a statement that the polling place hours at the new polling place will be extended until the specified time.

Sec. 23. Minnesota Statutes 2023 Supplement, section 204B.295, subdivision 1, is amended to read:

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. For state elections, 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.

26.1 **EFFECTIVE DATE.** This section is effective June 1, 2024.

26.2 Sec. 24. Minnesota Statutes 2023 Supplement, section 204B.295, subdivision 2, is amended  
26.3 to read:

26.4 Subd. 2. **Designation of language minority districts.** ~~No later than 90 days before an~~  
26.5 ~~election~~ By January 1 of each year, the secretary of state or county auditor, in consultation  
26.6 with the state demographer, must determine the percentage of residents in each census tract  
26.7 who are members of a language minority and who lack sufficient skills in English to vote  
26.8 without assistance. Language minority districts will be designated if three percent or more  
26.9 of the population in a corresponding census tract speak English "less than very well"  
26.10 according to the most recent census data. The secretary of state must maintain the list of  
26.11 designated language minority districts on its website. The state demographer must consider  
26.12 the identified margin of error in the census data when identifying census tracts. Designations  
26.13 made in January apply to elections for which absentee balloting begins on or after January  
26.14 1 of each year and continue through the end of the calendar year.

26.15 **EFFECTIVE DATE.** This section is effective June 1, 2024.

26.16 Sec. 25. Minnesota Statutes 2023 Supplement, section 204B.295, subdivision 3, is amended  
26.17 to read:

26.18 Subd. 3. **Translation required; interpreter required.** (a) If the number of residents  
26.19 determined under subdivision 2 equals three percent or more of a census tract, or if interested  
26.20 citizens or organizations provide information that gives the secretary of state or county  
26.21 auditor sufficient reason to believe a need exists, at least two copies of the translated voting  
26.22 instructions and sample ballots must be provided to each precinct in that district during any  
26.23 regular or special state election conducted in that district. If more than one language is  
26.24 represented in three percent or more of residents as determined in subdivision 2, translated  
26.25 materials must be provided in, at minimum, the highest determined language and any  
26.26 language representing three percent or more of a census tract.

26.27 (b) If the number of residents determined under subdivision 2 equals 20 percent or more  
26.28 of the population of a census tract, or if interested citizens or organizations provide  
26.29 information that gives the secretary of state or county auditor sufficient reason to believe a  
26.30 need exists, at least four copies of the translated voting instructions and sample ballots must  
26.31 be provided to each precinct in that district during any regular or special state election  
26.32 conducted in that district. If more than one language is represented in the 20 or more percent  
26.33 of residents as determined in subdivision 2, translated materials must be provided in, at

minimum, the highest determined language and any language representing three percent or more of a census tract. 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.

(c) The county auditor must maintain a list of the designated language minority districts on its website, including the precinct name, languages that materials will be provided in, and, if applicable, where interpreters will be provided and the language they speak. This list must be posted no later than 90 days after receiving language minority district designations under subdivision 2 and must be updated as it is determined that materials or interpreters will be provided for additional districts.

**EFFECTIVE DATE.** This section is effective June 1, 2024.

Sec. 26. Minnesota Statutes 2023 Supplement, section 204B.295, is amended by adding a subdivision to read:

Subd. 5. **Sample ballot format requirements.** For the purposes of this section, sample ballots must accurately reflect the offices, candidates, and rotation sequence on the ballots used in that polling place. Sample ballots may deviate from other ballot formatting requirements to the extent required to accommodate the translated content.

**EFFECTIVE DATE.** This section is effective June 1, 2024.

Sec. 27. Minnesota Statutes 2022, section 204C.06, subdivision 1, is amended to read:

Subdivision 1. **Persons allowed near polling place.** An individual shall be allowed to go to and from the polling place for the purpose of voting without unlawful interference. No one except an election official or an individual who is waiting to register or to vote or an individual who is conducting exit polling shall stand within 100 feet of the building in which a polling place is located. ~~"Exit polling" is defined as approaching voters in a predetermined pattern as they leave the polling place after they have voted and asking voters to fill out an anonymous, written questionnaire.~~

28.1 Sec. 28. Minnesota Statutes 2022, section 204C.06, is amended by adding a subdivision  
28.2 to read:

28.3 Subd. 1a. **Exit polling.** (a) "Exit polling" is defined as approaching voters in a  
28.4 predetermined pattern as they leave the polling place after they have voted and asking voters  
28.5 to fill out an anonymous, written questionnaire.

28.6 (b) An individual conducting exit polling must present photo identification to the head  
28.7 judge upon arrival at the polling place, along with a letter or credential from the news media.

28.8 (c) A person must not conduct exit polling in a manner that unlawfully interferes with  
28.9 a person going to or from the polling place or allows any person to view another person's  
28.10 responses to the poll.

28.11 Sec. 29. Minnesota Statutes 2022, section 204C.19, subdivision 3, is amended to read:

28.12 Subd. 3. **Premature disclosure of count results.** No count results from any precinct  
28.13 shall be disclosed by any election judge or other individual until all count results from that  
28.14 precinct are available, nor shall the public media disclose any count results from any precinct  
28.15 before the time when voting is scheduled to end in the state. Count results from absentee  
28.16 ballots received by the county after 3:00 p.m. on election day may be added to the total  
28.17 count results after the initial results reporting of the precinct. If the precinct results do not  
28.18 include all absentee ballots, the county must report to the secretary of state and on the  
28.19 county's website the number of absentee ballots remaining to be processed. After processing  
28.20 the remaining ballots, the county must post on the county's website how many of the  
28.21 remaining ballots were accepted and added to the totals and how many were rejected and  
28.22 therefore not counted.

28.23 Sec. 30. Minnesota Statutes 2022, section 204C.20, subdivision 1, is amended to read:

28.24 Subdivision 1. **Determination of proper number.** The election judges shall determine  
28.25 the number of ballots to be counted by ~~adding the number of return envelopes from accepted~~  
28.26 ~~absentee ballots to~~ tallying the number of signed voter's certificates, or to the number of  
28.27 names entered in the election register. The election judges shall then remove all the ballots  
28.28 from the box. Without considering how the ballots are marked, the election judges shall  
28.29 ascertain that each ballot is separate and shall count them to determine whether the number  
28.30 of ballots in the box corresponds with the number of ballots to be counted.

28.31 **EFFECTIVE DATE.** This section is effective June 1, 2024.

29.1 Sec. 31. Minnesota Statutes 2022, section 204C.20, is amended by adding a subdivision  
29.2 to read:

29.3 Subd. 5. **Precincts with ballot tabulators.** In precincts using ballot tabulators, once the  
29.4 final count of ballots agrees with the number of ballots to be counted, election judges must  
29.5 immediately prepare the summary statement in accordance with section 204C.24 and seal  
29.6 the ballots in accordance with section 204C.25 for return to the county auditor.

29.7 **EFFECTIVE DATE.** This section is effective June 1, 2024.

29.8 Sec. 32. Minnesota Statutes 2023 Supplement, section 204C.24, subdivision 1, is amended  
29.9 to read:

29.10 Subdivision 1. **Information requirements.** Precinct summary statements shall be  
29.11 submitted by the election judges in every precinct. For all elections, the election judges  
29.12 shall complete three or more copies of the summary statements, and each copy shall contain  
29.13 the following information for each kind of ballot:

29.14 (1) the number of ballots delivered to the precinct as adjusted by the actual count made  
29.15 by the election judges, the number of unofficial ballots made, and the number of absentee  
29.16 ballots delivered to the precinct;

29.17 (2) the number of votes each candidate received or the number of yes and no votes on  
29.18 each question, the number of undervotes, the number of overvotes, and the number of  
29.19 defective ballots with respect to each office or question;

29.20 (3) the number of spoiled ballots, the number of duplicate ballots made, the number of  
29.21 absentee ballots rejected, and the number of unused ballots, presuming that the total count  
29.22 provided on each package of unopened prepackaged ballots is correct;

29.23 (4) the number of voted ballots indicating only a voter's choices as provided by section  
29.24 206.80, paragraph (b), clause (2), item (ii), in precincts that use an assistive voting device  
29.25 that produces this type of ballot;

29.26 (5) the number of individuals who voted at the election in the precinct which must equal  
29.27 the total number of ballots cast in the precinct, as required by sections 204C.20 and 206.86,  
29.28 subdivision 1;

29.29 (6) the number of voters registering on election day in that precinct;

29.30 (7) the signatures of the election judges who counted the ballots certifying that all of the  
29.31 ballots cast were properly piled, checked, and counted; and that the numbers entered by the

election judges on the summary statements correctly show the number of votes cast for each candidate and for and against each question;

(8) the number of election judges that worked in that precinct on election day; and

(9) the number of voting booths used in that precinct on election day.

At least two copies of the summary statement must be prepared for elections not held on the same day as the state elections.

Sec. 33. Minnesota Statutes 2022, section 204C.33, subdivision 1, is amended to read:

Subdivision 1. **County canvass.** The county canvassing board shall meet at the county auditor's office between the third and ~~tenth~~ eighth days following the state general election.

After taking the oath of office, the board shall promptly and publicly canvass the general election returns delivered to the county auditor. Upon completion of the canvass, the board shall promptly prepare and file with the county auditor a report which states:

(a) the number of individuals voting at the election in the county and in each precinct;

(b) the number of individuals registering to vote on election day and the number of individuals registered before election day in each precinct;

(c) the names of the candidates for each office and the number of votes received by each candidate in the county and in each precinct;

(d) the number of votes counted for and against a proposed change of county lines or county seat; and

(e) the number of votes counted for and against a constitutional amendment or other question in the county and in each precinct.

The result of write-in votes cast on the general election ballots must be compiled by the county auditor before the county canvass, except that write-in votes for a candidate for federal, state, or county office must not be counted unless the candidate has timely filed a request under section 204B.09, subdivision 3. The county auditor shall arrange for each municipality to provide an adequate number of election judges to perform this duty or the county auditor may appoint additional election judges for this purpose. The county auditor may open the envelopes or containers in which the voted ballots have been sealed in order to count and record the write-in votes and must reseal the voted ballots at the conclusion of this process. The county auditor must prepare a separate report of votes received by precinct for write-in candidates for federal, state, and county offices who have requested under section 204B.09 that votes for those candidates be tallied.

31.1 Upon completion of the canvass, the county canvassing board shall declare the candidate  
31.2 duly elected who received the highest number of votes for each county and state office voted  
31.3 for only within the county. The county auditor shall transmit a certified copy of the county  
31.4 canvassing board report for state and federal offices to the secretary of state by messenger,  
31.5 express mail, or similar service immediately upon conclusion of the county canvass.

31.6 Sec. 34. Minnesota Statutes 2023 Supplement, section 204C.33, subdivision 3, is amended  
31.7 to read:

31.8 Subd. 3. **State canvass.** The State Canvassing Board shall meet at a public meeting  
31.9 space located in the Capitol complex area on the ~~third Tuesday~~ 16th day following the state  
31.10 general election to canvass the certified copies of the county canvassing board reports  
31.11 received from the county auditors and shall prepare a report that states:

31.12 (1) the number of individuals voting in the state and in each county;

31.13 (2) the number of votes received by each of the candidates, specifying the counties in  
31.14 which they were cast; and

31.15 (3) the number of votes counted for and against each constitutional amendment, specifying  
31.16 the counties in which they were cast.

31.17 If the 16th day falls on a state holiday, the canvassing board shall meet on the next business  
31.18 day.

31.19 All members of the State Canvassing Board shall sign the report and certify its  
31.20 correctness. Within three days after completing the canvass, the State Canvassing Board  
31.21 shall declare the result and declare the candidates duly elected who received the highest  
31.22 number of votes for each federal office and for each state office voted on in more than one  
31.23 county.

31.24 Sec. 35. Minnesota Statutes 2022, section 204C.35, subdivision 1, is amended to read:

31.25 Subdivision 1. **Publicly funded recounts.** (a) In a state primary when the difference  
31.26 between the votes cast for the candidates for nomination to:

31.27 (1) a state legislative office is less than one-half of one percent of the total number of  
31.28 votes counted for that nomination or is ten votes or less and the total number of votes cast  
31.29 for the nomination is 400 votes or less; or

31.30 (2) a statewide federal office, state constitutional office, statewide judicial office,  
31.31 congressional office, or district judicial office is less than one-quarter of one percent of the

32.1 total number of votes counted for that nomination or is ten votes or less and the total number  
32.2 of votes cast for the nomination is 400 votes or less;  
32.3 and the difference determines the nomination, the canvassing board with responsibility for  
32.4 declaring the results for that office shall manually recount the vote upon receiving a written  
32.5 request from the candidate whose nomination is in question.

32.6 Immediately following the meeting of the board that has responsibility for canvassing  
32.7 the results of the nomination, the filing officer must notify the candidate that the candidate  
32.8 has the option to request a recount of the votes at no cost to the candidate. This written  
32.9 request must be received by the filing officer no later than 5:00 p.m. on the second day after  
32.10 the canvass of the primary for which the recount is being sought.

32.11 (b) In a state general election when the difference between the votes of a candidate who  
32.12 would otherwise be declared elected to:

32.13 (1) a state legislative office is less than one-half of one percent of the total number of  
32.14 votes counted for that office or is ten votes or less and the total number of votes cast for the  
32.15 office is 400 votes or less; or

32.16 (2) a statewide federal office, state constitutional office, statewide judicial office,  
32.17 congressional office, or district judicial office and the votes of any other candidate for that  
32.18 office is less than one-quarter of one percent of the total number of votes counted for that  
32.19 office or is ten votes or less if the total number of votes cast for the office is 400 votes or  
32.20 less,

32.21 the canvassing board shall manually recount the votes upon receiving a written request from  
32.22 the candidate whose election is in question.

32.23 Immediately following the meeting of the board that has responsibility for canvassing  
32.24 the results of the general election, the filing officer must notify the candidate that the  
32.25 candidate has the option to request a recount of the votes at no cost to the candidate. ~~This~~  
32.26 Except as provided in subdivision 2b, the written request must be received by the filing  
32.27 officer no later than 5:00 p.m. on the second day after the canvass of the election for which  
32.28 the recount is being sought.

32.29 (c) A recount must not delay any other part of the canvass. The results of the recount  
32.30 must be certified by the canvassing board as soon as possible.

32.31 (d) Time for notice of a contest for an office which is recounted pursuant to this section  
32.32 shall begin to run upon certification of the results of the recount by the canvassing board.



33.1 Sec. 36. Minnesota Statutes 2022, section 204C.35, subdivision 2, is amended to read:

33.2 Subd. 2. **Discretionary candidate recounts.** (a) A losing candidate whose name was  
33.3 on the ballot for nomination or election to a statewide federal office, state constitutional  
33.4 office, statewide judicial office, congressional office, state legislative office, or district  
33.5 judicial office may request a recount in a manner provided in this section at the candidate's  
33.6 own expense when the vote difference is greater than the difference required by this section.  
33.7 The votes shall be manually recounted as provided in this section if the candidate files a  
33.8 request during the time for filing notice of contest of the primary or election for which a  
33.9 recount is sought.

33.10 (b) The requesting candidate shall file with the filing officer a bond, cash, or surety in  
33.11 an amount set by the filing officer for the payment of the recount expenses. The requesting  
33.12 candidate is responsible for the following expenses: the compensation of the secretary of  
33.13 state, or designees, and any election judge, municipal clerk, county auditor, administrator,  
33.14 or other personnel who participate in the recount; necessary supplies and travel related to  
33.15 the recount; the compensation of the appropriate canvassing board and costs of preparing  
33.16 for the canvass of recount results; and any attorney fees incurred in connection with the  
33.17 recount by the governing body responsible for the recount.

33.18 (c) A discretionary recount of a primary must not delay delivery of the notice of  
33.19 nomination to the winning candidate under section 204C.32.

33.20 (d) The requesting candidate may provide the filing officer with a list of up to three  
33.21 precincts that are to be recounted first and may waive the balance of the recount after these  
33.22 precincts have been counted. If the candidate provides a list, the recount official must  
33.23 determine the expenses for those precincts in the manner provided by paragraph (b).

33.24 (e) The results of the recount must be certified by the canvassing board as soon as  
33.25 possible.

33.26 (f) If the winner of the race is changed by the optional recount, the cost of the recount  
33.27 must be paid by the jurisdiction conducting the recount.

33.28 (g) If a result of the vote counting in the manual recount is different from the result of  
33.29 the vote counting reported on election day by a margin greater than ~~the standard for~~  
33.30 ~~acceptable performance of voting systems provided in section 206.89, subdivision 4, two~~  
33.31 votes and greater than one-quarter of one percent of the number of ballots counted, the cost  
33.32 of the recount must be paid by the jurisdiction conducting the recount.

34.1 Sec. 37. Minnesota Statutes 2022, section 204C.35, is amended by adding a subdivision  
34.2 to read:

34.3 Subd. 2b. **Recount for presidential electors.** Any request for recount for the election  
34.4 of presidential electors, whether publicly funded or discretionary, must be made by 5 p.m.  
34.5 on the day after the canvass is completed. Any recount of votes under this section for the  
34.6 election of presidential electors must be completed and certified by the canvassing board  
34.7 no later than six days after the recount is requested.

34.8 Sec. 38. Minnesota Statutes 2022, section 204C.36, subdivision 2, is amended to read:

34.9 Subd. 2. **Discretionary candidate recounts.** (a) A losing candidate for nomination or  
34.10 election to a county, municipal, or school district office may request a recount in the manner  
34.11 provided in this section at the candidate's own expense when the vote difference is greater  
34.12 than the difference required by subdivision 1, paragraphs (a) to (e). The votes shall be  
34.13 manually recounted as provided in this section if the requesting candidate files with the  
34.14 county auditor, municipal clerk, or school district clerk a bond, cash, or surety in an amount  
34.15 set by the governing body of the jurisdiction or the school board of the school district for  
34.16 the payment of the recount expenses.

34.17 (b) The requesting candidate may provide the filing officer with a list of up to three  
34.18 precincts that are to be recounted first and may waive the balance of the recount after these  
34.19 precincts have been counted. If the candidate provides a list, the recount official must  
34.20 determine the expenses for those precincts in the manner provided by paragraph (b).

34.21 (c) A discretionary recount of a primary must not delay delivery of the notice of  
34.22 nomination to the winning candidate under section 204C.32.

34.23 (d) The results of the recount must be certified by the canvassing board as soon as  
34.24 possible.

34.25 (e) If the winner of the race is changed by the optional recount, the cost of the recount  
34.26 must be paid by the jurisdiction conducting the recount.

34.27 (f) If a result of the vote counting in the manual recount is different from the result of  
34.28 the vote counting reported on election day by a margin greater than ~~the standard for~~  
34.29 ~~acceptable performance of voting systems provided in section 206.89, subdivision 4~~ two  
34.30 votes and greater than one-quarter of one percent of the number of ballots recounted, the  
34.31 cost of the recount must be paid by the jurisdiction conducting the recount.

35.1 Sec. 39. Minnesota Statutes 2022, section 204C.36, subdivision 3, is amended to read:

35.2 Subd. 3. **Discretionary ballot question recounts.** ~~A recount may be conducted for a~~  
35.3 ~~ballot question when the difference between the votes for and the votes against the question~~  
35.4 ~~is less than or equal to the difference provided in subdivision 1.~~ A recount for a ballot  
35.5 question may be requested by any person eligible to vote on the ballot question. A written  
35.6 request for a recount must be filed with the filing officer of the county, municipality, or  
35.7 school district placing the question on the ballot and must be accompanied by a petition  
35.8 containing the signatures of 25 voters eligible to vote on the question. Upon receipt of a  
35.9 written request when the difference between the votes for ~~and the votes against~~ the question  
35.10 and the number required for passage is less than or equal to the difference provided in  
35.11 subdivision 1, the county auditor shall recount the votes for a county question at the expense  
35.12 of the county, the governing body of the municipality shall recount the votes for a municipal  
35.13 question at the expense of the municipality, and the school board of the school district shall  
35.14 recount the votes for a school district question at the expense of the school district. If the  
35.15 difference between the votes for ~~and the votes against~~ the question and the number required  
35.16 for passage is greater than the difference provided in subdivision 1, the person requesting  
35.17 the recount shall also file with the filing officer of the county, municipality, or school district  
35.18 a bond, cash, or surety in an amount set by the appropriate governing body for the payment  
35.19 of recount expenses. The written request, petition, and any bond, cash, or surety required  
35.20 must be filed during the time for notice of contest for the election for which the recount is  
35.21 requested.

35.22 Sec. 40. Minnesota Statutes 2023 Supplement, section 205.16, subdivision 2, is amended  
35.23 to read:

35.24 Subd. 2. **Sample ballot, publication.** For every municipal election not held in conjunction  
35.25 with a statewide election, the municipal clerk must, at least two weeks before the election,  
35.26 publish a notice to voters pursuant to section 204D.16 in the official newspaper of the  
35.27 municipality, except that the governing body of a fourth class city or a town not located  
35.28 within a metropolitan county as defined in section 473.121 may dispense with publication.

35.29 Sec. 41. Minnesota Statutes 2022, section 205.16, subdivision 4, is amended to read:

35.30 Subd. 4. **Notice to auditor.** At least ~~74~~ 84 days before every municipal election, the  
35.31 municipal clerk shall provide a written notice to the county auditor, including the date of  
35.32 the election, the offices to be voted on at the election, and the title and language for each  
35.33 ballot question to be voted on at the election. At least ~~74~~ 84 days before every municipal

36.1 election, the municipal clerk must provide written notice to the county auditor of any special  
36.2 election canceled under section 205.10, subdivision 6.

36.3 Sec. 42. Minnesota Statutes 2022, section 205.16, subdivision 5, is amended to read:

36.4 Subd. 5. **Notice to secretary of state.** At least ~~74~~ 84 days before every municipal election  
36.5 for which a notice is provided to the county auditor under subdivision 4, the county auditor  
36.6 shall provide a notice of the election to the secretary of state, in a manner and including  
36.7 information prescribed by the secretary of state.

36.8 Sec. 43. Minnesota Statutes 2022, section 205A.05, subdivision 3, is amended to read:

36.9 Subd. 3. **Cancellation.** A special election ordered by the school board on its own motion  
36.10 under subdivision 1 may be canceled by motion of the school board, but not less than ~~74~~  
36.11 84 days before ~~an any election held in conjunction with a regularly scheduled election for~~  
36.12 ~~federal, state, county, city, or school board office or a special election for federal office, or~~  
36.13 ~~46 days before any other election.~~

36.14 Sec. 44. Minnesota Statutes 2022, section 205A.07, subdivision 3, is amended to read:

36.15 Subd. 3. **Notice to auditor.** At least ~~74~~ 84 days before every school district election, the  
36.16 school district clerk shall provide a written notice to the county auditor of each county in  
36.17 which the school district is located. The notice must include the date of the election, the  
36.18 offices to be voted on at the election, and the title and language for each ballot question to  
36.19 be voted on at the election. For the purposes of meeting the timelines of this section, in a  
36.20 bond election, a notice, including a proposed question, may be provided to the county auditor  
36.21 before receipt of a review and comment from the commissioner of education and before  
36.22 actual initiation of the election. At least ~~74~~ 84 days before every school district election,  
36.23 the school district clerk must provide written notice to the county auditor of any special  
36.24 election canceled under section 205A.05, subdivision 3.

36.25 Sec. 45. Minnesota Statutes 2022, section 205A.07, subdivision 3b, is amended to read:

36.26 Subd. 3b. **Notice to secretary of state.** At least ~~74~~ 84 days before every school district  
36.27 election for which a notice is provided to the county auditor under subdivision 3, the county  
36.28 auditor shall provide a notice of the election to the secretary of state, in a manner and  
36.29 including information prescribed by the secretary of state.

37.1 Sec. 46. Minnesota Statutes 2022, section 205A.11, subdivision 2, is amended to read:

37.2 Subd. 2. **Combined polling place.** (a) When no other election is being held in a school  
37.3 district, the school board may designate combined polling places at which the voters in  
37.4 those precincts may vote in the school district election.

37.5 (b) By December 31 of each year, the school board must designate, by resolution, any  
37.6 changes to combined polling places. The combined polling places designated in the resolution  
37.7 are the polling places ~~for the following calendar year~~, unless a change is made in accordance  
37.8 with this paragraph or:

37.9 (1) pursuant to section 204B.175; or

37.10 (2) because a polling place has become unavailable.

37.11 (c) If the school board designates combined polling places pursuant to this subdivision,  
37.12 polling places must be designated throughout the district, taking into account both  
37.13 geographical distribution and population distribution. A combined polling place must be at  
37.14 a location designated for use as a polling place by a county or municipality.

37.15 (d) In school districts that have organized into separate board member election districts  
37.16 under section 205A.12, a combined polling place for a school general election must be  
37.17 arranged so that it does not include more than one board member election district.

37.18 Sec. 47. Minnesota Statutes 2023 Supplement, section 206.61, subdivision 1, is amended  
37.19 to read:

37.20 Subdivision 1. **Official responsible for providing ballots.** (a) The official charged with  
37.21 providing paper ballots when they are used shall provide all ballot cards, sample ballots,  
37.22 precinct summary statements, and other necessary supplies needed for electronic voting  
37.23 systems, except as otherwise provided by this section.

37.24 (b) At general elections and primaries the county auditor of each county in which an  
37.25 electronic voting system is used shall provide all ballot cards and other necessary printed  
37.26 forms and supplies needed for the electronic voting system, including all forms needed for  
37.27 voting on candidates and questions, the ballots for which are required by the election laws  
37.28 to be provided by the state when paper ballots are used.

37.29 (c) In precincts using a ballot format as provided by section 206.80, paragraph (b), clause  
37.30 (2), item (ii), voters must be provided the option of voting with a regularly printed optical  
37.31 scan ballot or paper ballot in precincts that hand count ballots.

38.1 Sec. 48. Minnesota Statutes 2022, section 206.89, subdivision 2, is amended to read:

38.2 Subd. 2. **Selection for review; notice.** At the canvass of the state primary, the county  
38.3 canvassing board in each county must set the date, time, and place for the postelection  
38.4 review of the state general election to be held under this section. The postelection review  
38.5 must not begin before the ~~11th~~ ninth day after the state general election and must be complete  
38.6 no later than the ~~18th~~ 14th day after the state general election.

38.7 At the canvass of the state general election, the county canvassing boards must select  
38.8 the precincts to be reviewed by lot. The ballots to be reviewed for a precinct include both  
38.9 the ballots counted at the polling place for that precinct and the absentee ballots counted  
38.10 centrally by a ballot board for that precinct. The county canvassing board of a county with  
38.11 fewer than 50,000 registered voters must conduct a postelection review of a total of at least  
38.12 two precincts. The county canvassing board of a county with between 50,000 and 100,000  
38.13 registered voters must conduct a review of a total of at least three precincts. The county  
38.14 canvassing board of a county with over 100,000 registered voters must conduct a review  
38.15 of a total of at least four precincts, or three percent of the total number of precincts in the  
38.16 county, whichever is greater. At least one precinct selected in each county must have had  
38.17 more than 150 votes cast at the general election.

38.18 The county auditor must notify the secretary of state of the precincts that have been  
38.19 chosen for review and the time and place the postelection review for that county will be  
38.20 conducted, as soon as the decisions are made. If the selection of precincts has not resulted  
38.21 in the selection of at least four precincts in each congressional district, the secretary of state  
38.22 may require counties to select by lot additional precincts to meet the congressional district  
38.23 requirement. The secretary of state must post this information on the office website.

38.24 Sec. 49. Minnesota Statutes 2022, section 206.89, subdivision 3, is amended to read:

38.25 Subd. 3. **Scope and conduct of review.** The county canvassing board shall appoint the  
38.26 postelection review official as defined in subdivision 1. The postelection review must be  
38.27 conducted of the votes cast for president or governor; United States senator; and United  
38.28 States representative. The postelection review official may conduct postelection review of  
38.29 the votes cast for additional offices.

38.30 The postelection review must be conducted in public at the location where the voted  
38.31 ballots have been securely stored after the state general election or at another location chosen  
38.32 by the county canvassing board. The postelection review official for each precinct selected  
38.33 must conduct the postelection review and may be assisted by election judges designated by  
38.34 the postelection review official for this purpose. The party balance requirement of section

204B.19 applies to election judges designated for the review. The postelection review must consist of a manual count of the ballots used in the precincts selected and must be performed in the manner provided by section 204C.21. The postelection review must be conducted in the manner provided for recounts under section 204C.361 to the extent practicable. The review must be completed no later than ~~two days~~ one day before the meeting of the state canvassing board to certify the results of the state general election.

Sec. 50. Minnesota Statutes 2022, section 206.89, subdivision 5, is amended to read:

Subd. 5. **Additional review.** (a) If the postelection review in one of the reviewed precincts reveals a difference greater than the thresholds specified in subdivision 4, the postelection review official must, within ~~two days~~ one day, conduct an additional review of the races indicated in subdivision 3 in at least three precincts in the same jurisdiction where the discrepancy was discovered. If all precincts in that jurisdiction have been reviewed, the county auditor must immediately publicly select by lot at least three additional precincts for review. The postelection review official must complete the additional review within ~~two days~~ one day after the precincts are selected and report the results immediately to the county auditor. If the second review in any of the reviewed precincts also indicates a difference in the vote totals compiled by the voting system that is greater than the thresholds specified in subdivision 4, the county auditor must conduct a review of the ballots from all the remaining precincts in the county for the races indicated in subdivision 3. This review must be completed and the results must be reported to the secretary of state within ~~one week~~ six days after the second review was completed.

(b) If the results from the countywide reviews from one or more counties comprising in the aggregate more than ten percent of the total number of persons voting in the election clearly indicate that an error in vote counting has occurred, the secretary of state must notify the postelection review official of each county in the district that they must conduct manual recounts of all the ballots in the district for the affected office using the procedure outlined in section 204C.35. The recount must be completed and the results reported to the appropriate canvassing board within ~~two weeks~~ one week after the postelection review official received notice from the secretary of state.

Sec. 51. Minnesota Statutes 2022, section 206.89, subdivision 6, is amended to read:

Subd. 6. **Report of results.** Upon completion of the postelection review, the postelection review official must immediately report the results to the county auditor. The county auditor must then immediately submit the results of the postelection review electronically or in

40.1 writing to the secretary of state not later than ~~two days~~ one day before the State Canvassing  
40.2 Board meets to canvass the state general election. The secretary of state shall report the  
40.3 results of the postelection review at the meeting of the State Canvassing Board to canvass  
40.4 the state general election.

40.5 Sec. 52. Minnesota Statutes 2022, section 208.06, is amended to read:

40.6 **208.06 ELECTORS AND ALTERNATES TO MEET AT STATE CAPITOL.**

40.7 The presidential electors and alternate presidential electors, before 12:00 M. on the day  
40.8 before that fixed by Congress for the electors to vote for president and vice president of the  
40.9 United States, shall notify the governor that they are at the State Capitol and ready at the  
40.10 proper time to fulfill their duties as electors. The governor or the governor's designee shall  
40.11 deliver to the electors present a certificate of the names of all the electors. The electors shall  
40.12 meet at 12:00 p.m. in the ~~executive chamber of the~~ State Capitol and unless the governor  
40.13 determines that location to be impracticable and directs the electors to meet at a different  
40.14 location. The electors shall perform all the duties imposed upon them as electors by the  
40.15 Constitution and laws of the United States and this state in the manner provided in section  
40.16 208.46.

40.17 Sec. 53. Minnesota Statutes 2022, section 208.44, is amended to read:

40.18 **208.44 CERTIFICATION OF ELECTORS.**

40.19 In submitting this state's certificate of ascertainment as required by United States Code,  
40.20 title 3, section ~~6~~ 5, the governor shall certify this state's electors and state in the certificate  
40.21 that:

40.22 (1) the electors will serve as electors unless a vacancy occurs in the office of elector  
40.23 before the end of the meeting at which elector votes are cast, in which case a substitute  
40.24 elector will fill the vacancy; and

40.25 (2) if a substitute elector is appointed to fill a vacancy, the governor will submit an  
40.26 amended certificate of ascertainment stating the names on the final list of this state's electors.

40.27 Sec. 54. Minnesota Statutes 2022, section 208.47, is amended to read:

40.28 **208.47 ELECTOR REPLACEMENT; ASSOCIATED CERTIFICATES.**

40.29 (a) After the vote of this state's electors is completed, if the final list of electors differs  
40.30 from any list that the governor previously included on a certificate of ascertainment prepared  
40.31 and transmitted under United States Code, title 3, section ~~6~~ 5, the secretary of state



41.1 immediately shall prepare an amended certificate of ascertainment and transmit it to the  
41.2 governor for the governor's signature.

41.3 (b) The governor immediately shall deliver the signed amended certificate of  
41.4 ascertainment to the secretary of state and a signed duplicate original of the amended  
41.5 certificate of ascertainment to all individuals entitled to receive this state's certificate of  
41.6 ascertainment, indicating that the amended certificate of ascertainment is to be substituted  
41.7 for the certificate of ascertainment previously submitted.

41.8 (c) The secretary of state shall prepare a certificate of vote. The electors on the final list  
41.9 shall sign the certificate. The secretary of state shall process and transmit the signed certificate  
41.10 with the amended certificate of ascertainment under United States Code, title 3, sections 9,  
41.11 10, and 11.

41.12 Sec. 55. Minnesota Statutes 2022, section 211B.17, subdivision 1, is amended to read:

41.13 Subdivision 1. **Forfeiture of nomination or office.** Except as provided in subdivision  
41.14 2, if a candidate is found guilty of violating this chapter or section 609.771 or an offense  
41.15 was committed by another individual with the knowledge, consent, or connivance of the  
41.16 candidate, the court, after entering the adjudication of guilty, shall enter a supplemental  
41.17 judgment declaring that the candidate has forfeited the nomination or office. If the court  
41.18 enters the supplemental judgment, it shall transmit to the filing officer a transcript of the  
41.19 supplemental judgment, the nomination or office becomes vacant, and the vacancy must be  
41.20 filled as provided by law.

41.21 **EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to crimes  
41.22 committed on or after that date.

41.23 Sec. 56. Minnesota Statutes 2022, section 211B.18, is amended to read:

41.24 **211B.18 DISQUALIFIED CANDIDATE NOT TO HOLD VARIOUS POSITIONS.**

41.25 A candidate whose election to office has been set aside for a violation of this chapter or  
41.26 section 609.771 may not be appointed, during the period fixed by law as the term of the  
41.27 office, to fill a vacancy in that office. A candidate or other individual who is convicted of  
41.28 a violation of this chapter or section 609.771 may not be appointed, during the period fixed  
41.29 by law as the term of the office with respect to which the election was held and the offense  
41.30 was committed, to fill a vacancy that may occur in the office. An appointment to an office  
41.31 made contrary to the provisions of this section is void.

A candidate or other individual who is convicted of a violation of this chapter or section 609.771 is not qualified, during the period fixed by law as the term of the office with respect to which the election was held and the offense was committed, to fill a vacancy in an office for which the legislature may establish qualifications under article XII, section 3, of the Minnesota Constitution.

**EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to crimes committed on or after that date.

Sec. 57. Minnesota Statutes 2022, section 375.08, is amended to read:

**375.08 BOARD TO FILL VACANCIES IN COUNTY OFFICES.**

Except for vacancies filled under section 375.081, when a vacancy occurs in the office of an elected county auditor, county treasurer, county recorder, sheriff, county attorney, county surveyor, or coroner, the county board shall fill it by appointment. For that purpose it shall meet at the usual place of meeting, upon one day's notice from the chair or clerk, which shall be served personally upon each member in the same manner as a district court summons. The person appointed shall give the bond and take the oath required by law, and serve the remainder of the term, and until a successor qualifies. When a vacancy occurs in an office that has a chief deputy or first assistant, the chief deputy or first assistant may perform all the duties and functions of the office until it is filled by appointment by the county board.

Sec. 58. **[375.081] VACANCY IN OFFICE OF SHERIFF OR COUNTY ATTORNEY.**

(a) As an alternative to the appointment procedure provided in section 375.08, a vacancy in the office of sheriff or county attorney may be filled at a special election as provided in this section. The county board may, by resolution, call for a special election to be held on one of the following dates: the second Tuesday in February; the second Tuesday in April; the second Tuesday in May; the second Tuesday in August; or the first Tuesday after the first Monday in November. The special election must be conducted and the returns canvassed in the manner provided for the county general election.

(b) The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term.

43.1 Sec. 59. Minnesota Statutes 2022, section 412.02, subdivision 6, is amended to read:

43.2 Subd. 6. **Council increased or reduced.** The council may by ordinance adopted at least  
43.3 60 days before the next regular city election submit to the voters of the city the question of  
43.4 whether the city council should be increased or reduced to seven or five members. The  
43.5 ordinance shall include a schedule of elections and terms and ward boundary changes, if  
43.6 applicable, to accomplish the change. The proposal shall be voted on at the next city general  
43.7 election and, if approved by a majority of those voting on the question, go into effect in  
43.8 accordance with the schedule and ward boundaries, if applicable.

43.9 **EFFECTIVE DATE.** This section is effective the day following final enactment.

43.10 Sec. 60. Minnesota Statutes 2022, section 412.02, is amended by adding a subdivision to  
43.11 read:

43.12 Subd. 7. **Wards.** (a) A city may adopt an ordinance to elect its city council members by  
43.13 ward in the following circumstances:

43.14 (1) if the ordinance is submitted to the voters of the city for approval at a regular or  
43.15 special election, and the ordinance is adopted at least 180 days before that election; or

43.16 (2) when approved or ordered to do so by a court of competent jurisdiction acting in  
43.17 response to a challenge to the city's method of conducting elections.

43.18 (b) If the city is petitioned by at least 15 percent of the electors voting at the last previous  
43.19 city election asking that the question of city council member election by ward be put to the  
43.20 voters of the city, the city must adopt an ordinance for that purpose and submit the ordinance  
43.21 to the voters of the city for approval at a regular or special election.

43.22 (c) An ordinance must designate the boundaries of the wards. The ordinance must also  
43.23 state whether the city will otherwise operate as a statutory standard plan city or statutory  
43.24 optional plan city, subject to voter approval as may be required under this chapter. If  
43.25 submitted to the voters by ballot question, the ordinance shall go into effect at the next  
43.26 regular city election if it is approved by a majority of those voting on the question. Except  
43.27 as provided by this subdivision, section 205.10 applies to a ballot question submitted to the  
43.28 voters at a special election under this subdivision.

43.29 (d) A city that elects its council members by ward is subject to the requirements of  
43.30 sections 204B.135 and 205.84.

43.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 61. Minnesota Statutes 2022, section 447.32, subdivision 3, is amended to read:

Subd. 3. **Election notices.** At least two weeks before the first day to file affidavits of candidacy, the clerk of the district shall publish a notice stating the first and last day on which affidavits of candidacy may be filed, the places for filing the affidavits and the closing time of the last day for filing. The clerk shall post a similar notice in at least one conspicuous place in each city and town in the district at least ten days before the first day to file affidavits of candidacy.

At least ~~74~~ 84 days prior to every hospital district election, the hospital district clerk shall provide a written notice to the county auditor of each county in which the hospital district is located. The notice must include the date of the election, the offices to be voted on at the election, and the title and language for each ballot question to be voted on at the election. The county auditor shall immediately provide a notice to the secretary of state in a manner and including information prescribed by the secretary of state.

The notice of each election must be posted in at least one public and conspicuous place within each city and town included in the district at least two weeks before the election. It must be published in the official newspaper of the district or, if a paper has not been designated, in a legal newspaper having general circulation within the district, at least two weeks before the election. Failure to give notice does not invalidate the election of an officer of the district. A voter may contest a hospital district election in accordance with chapter 209. Chapter 209 applies to hospital district elections.

Sec. 62. Minnesota Statutes 2023 Supplement, section 609.771, subdivision 2, is amended to read:

Subd. 2. **Use of deep fake to influence an election; violation.** (a) A person who disseminates a deep fake or enters into a contract or other agreement to disseminate a deep fake is guilty of a crime and may be sentenced as provided in subdivision 3 if the person knows or ~~reasonably should know that~~ acts with reckless disregard about whether the item being disseminated is a deep fake and dissemination:

**(1) takes place within 90 days before ~~an~~ a political party nominating convention, or after the start of the absentee voting period prior to a presidential nomination primary, state primary, local primary, special primary, special election, or general election;**

**(2) is made without the consent of the depicted individual; and**

**(3) is made with the intent to injure a candidate or influence the result of an election.**

(b) This subdivision does not apply to a broadcaster who disseminates a deep fake produced by a candidate if the broadcaster's dissemination is required by federal law.

**EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to crimes committed on or after that date.

Sec. 63. Minnesota Statutes 2023 Supplement, section 609.771, subdivision 3, is amended to read:

**Subd. 3. Use of deep fake to influence an election; penalty.** (a) A person convicted of violating subdivision 2 may be sentenced as follows:

(1) if the person commits the violation within five years of one or more prior convictions under this section, to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both;

(2) if the person commits the violation with the intent to cause violence or bodily harm, to imprisonment for not more than 364 days or to payment of a fine of not more than \$3,000, or both; or

(3) in other cases, to imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000, or both.

(b) In the case of a candidate for state or local office convicted of violating subdivision 2, the court must enter a supplemental judgment declaring that the candidate has forfeited the nomination or office in accordance with section 211B.17.

(c) A candidate for state or local office or other individual convicted of violating subdivision 2 is disqualified from being appointed to that office or any other office for which the legislature may establish qualifications under the Minnesota Constitution, article XII, section 3, in accordance with section 211B.18.

**EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to crimes committed on or after that date.

Sec. 64. Minnesota Statutes 2023 Supplement, section 609.771, subdivision 4, is amended to read:

**Subd. 4. Injunctive relief.** A cause of action for injunctive or equitable relief may be maintained against any person who is reasonably believed to be about to violate or who is in the course of violating this section by:

(1) the attorney general;

(2) a county attorney or city attorney;

(3) the depicted individual; or

(4) a candidate for nomination or election to a public office who is injured or likely to be injured by dissemination.

**EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to acts committed on or after that date.

Sec. 65. Minnesota Statutes 2023 Supplement, section 609.771, is amended by adding a subdivision to read:

**Subd. 5. Severability.** If any one or more provision, subdivision, sentence, clause, phrase, or word of this section or the application of it to any person or circumstance is found to be unconstitutional, it is declared to be severable and the balance of this section shall remain effective notwithstanding that unconstitutionality. The legislature intends that it would have passed this section, and each provision, subdivision, sentence, clause, phrase, or word, regardless of the fact that any one provision, subdivision, sentence, clause, phrase, or word is declared unconstitutional.

**EFFECTIVE DATE.** This section is effective July 1, 2024.

Sec. 66. **TRANSITION TO NEW VOTER REGISTRATION APPLICATIONS.**

Notwithstanding the requirements of this act, a completed voter registration application submitted by a voter is not deficient for purposes of registering that voter if the application form was printed or provided to the voter prior to the effective date of any modification required by this act. Beginning on the effective date of a modification required by this act, an election official must not print or copy a blank voter registration application that does not include the required modification.

**EFFECTIVE DATE.** This section is effective June 1, 2024.

Sec. 67. **LEGISLATIVE FINDINGS.**

(a) The legislature finds that election practices, procedures, and methods that deny or impair the equal opportunity of racial, color, or language minority groups and Tribal communities to participate in the political process or elect candidates of their choice are inconsistent with the fundamental right to vote, and the rights and privileges guaranteed by the Minnesota Constitution as well as protections found in the Fourteenth and Fifteenth Amendments to the United States Constitution.

47.1 (b) The legislature finds that there is a history in Minnesota, as in the United States  
47.2 overall, of discrimination based on race, color, language-minority status, and Tribal  
47.3 membership, including in access to the political process. For example, that:

47.4 (1) the state constitution of 1857 limited the right to vote to white residents and Native  
47.5 American voters "who have adopted the customs and habits of civilization," and invoked a  
47.6 cultural purity test for Native American residents, requiring only Native American applicants  
47.7 to appear before a district court to determine whether each individual was "capable of  
47.8 enjoying the rights of citizenship within the State";

47.9 (2) Minnesota voters twice rejected expanding suffrage to Black residents, voting down  
47.10 proposed constitutional amendments to do so in 1865 and again in 1867, and only granted  
47.11 nonwhite men the right to vote in 1868, three years after the end of the Civil War;

47.12 (3) civil rights plaintiffs and the federal government have filed litigation and taken other  
47.13 action against political subdivisions in Minnesota under the Federal Voting Rights Act of  
47.14 1965, as amended, alleging violations of section 2 of that act;

47.15 (4) individuals who are members of racial, color, or language minority groups have  
47.16 faced voter intimidation and disinformation in Minnesota, and that, for example, voters of  
47.17 color in 2020 in the cities of Minneapolis and St. Paul were targeted by a plan to hire and  
47.18 deploy armed paramilitia to polling locations, an attempt that was enjoined by a federal  
47.19 district court judge; and

47.20 (5) the history of discrimination in Minnesota further includes but is not limited to  
47.21 discrimination in housing, including the use of redlining, racially restrictive covenants on  
47.22 housing deeds, and predatory lending practices; education; employment; health; criminal  
47.23 justice; public works; transportation; land use; environmental protection; and other areas  
47.24 of life.

47.25 (c) As a result of this history and persistent discrimination and socioeconomic inequities  
47.26 that bear on the right to vote, members of racial, color, or language minority groups and  
47.27 Tribal communities continue to face unequal barriers in exercising the franchise and  
47.28 participating effectively in the political process.

47.29 (d) In light of these conditions, it is the legislature's intent by this act to encourage  
47.30 participation in the elective franchise by all eligible voters and to provide voters in this state  
47.31 with a means to secure their constitutional right to vote free from discrimination.

47.32 **EFFECTIVE DATE.** This section is effective the day following final enactment.

48.1 Sec. 68. **REPEALER.**

48.2 Minnesota Statutes 2022, section 383B.031, is repealed.

48.3 **ARTICLE 2**

48.4 **CAMPAIGN FINANCE AND LOBBYING**

48.5 Section 1. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision  
48.6 to read:

48.7 Subd. 16b. **Employee of a political subdivision.** "Employee of a political subdivision"  
48.8 includes an individual hired or appointed by the political subdivision. An individual is also  
48.9 an employee of a political subdivision if the individual is:

48.10 (1) hired to provide the political subdivision services as a consultant or independent  
48.11 contractor; or

48.12 (2) employed by a business that has contracted with the political subdivision to provide  
48.13 legal counsel, professional services, or policy recommendations to the political subdivision.

48.14 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
48.15 applies to activities occurring on or after that date.

48.16 Sec. 2. Minnesota Statutes 2023 Supplement, section 10A.01, subdivision 21, is amended  
48.17 to read:

48.18 Subd. 21. **Lobbyist.** (a) "Lobbyist" means an individual:

48.19 (1) engaged for pay or other consideration of more than \$3,000 from all sources in any  
48.20 year:

48.21 (i) for the purpose of attempting to influence legislative or administrative action, or the  
48.22 official action of a political subdivision, by communicating ~~or urging others to communicate~~  
48.23 with public or local officials; or

48.24 (ii) from a business whose primary source of revenue is derived from facilitating  
48.25 government relations or government affairs services if the individual's job duties include  
48.26 offering direct or indirect consulting or advice that helps the business provide those services  
48.27 to clients; or

48.28 (2) who spends more than \$3,000 of the individual's personal funds, not including the  
48.29 individual's own traveling expenses and membership dues, in any year for the purpose of  
48.30 attempting to influence legislative or administrative action, or the official action of a political  
48.31 subdivision, by communicating ~~or urging others to communicate~~ with public or local officials.



49.1 (b) "Lobbyist" does not include:

49.2 (1) a public official;

49.3 (2) an employee of the state, including an employee of any of the public higher education  
49.4 systems;

49.5 (3) an elected local official;

49.6 (4) a nonelected local official or an employee of a political subdivision acting in an  
49.7 official capacity, unless the nonelected official or employee of a political subdivision spends  
49.8 more than 50 hours in any month attempting to influence legislative or administrative action,  
49.9 or the official action of a political subdivision other than the political subdivision employing  
49.10 the official or employee, by communicating or urging others to communicate with public  
49.11 or local officials, including time spent monitoring legislative or administrative action, or  
49.12 the official action of a political subdivision, and related research, analysis, and compilation  
49.13 and dissemination of information relating to legislative or administrative policy in this state,  
49.14 or to the policies of political subdivisions;

49.15 (5) a party or the party's representative appearing in a proceeding before a state board,  
49.16 commission, or agency of the executive branch unless the board, commission, or agency is  
49.17 taking administrative action;

49.18 (6) an individual while engaged in selling goods or services to be paid for by public  
49.19 funds;

49.20 (7) a news medium or its employees or agents while engaged in the publishing or  
49.21 broadcasting of news items, editorial comments, or paid advertisements which directly or  
49.22 indirectly urge official action;

49.23 (8) a paid expert witness whose testimony is requested by the body before which the  
49.24 witness is appearing, but only to the extent of preparing or delivering testimony; ~~or~~

49.25 (9) a party or the party's representative appearing to present a claim to the legislature  
49.26 and communicating to legislators only by the filing of a claim form and supporting documents  
49.27 and by appearing at public hearings on the claim;

49.28 (10) an individual providing information, data, advice, professional opinions, variables,  
49.29 options, or direction on a topic on which the individual has particular expertise through  
49.30 education or professional or occupational training to a local official at a lobbyist's request;  
49.31 or

50.1 (11) an individual providing information or advice to members of a collective bargaining  
50.2 unit when the unit is actively engaged in the collective bargaining process with a state  
50.3 agency or a political subdivision.

50.4 (c) An individual who volunteers personal time to work without pay or other consideration  
50.5 on a lobbying campaign, and who does not spend more than the limit in paragraph (a), clause  
50.6 (2), need not register as a lobbyist.

50.7 (d) An individual who provides administrative support to a lobbyist and whose salary  
50.8 and administrative expenses attributable to lobbying activities are reported as lobbying  
50.9 expenses by the lobbyist, but who does not communicate or urge others to communicate  
50.10 with public or local officials, need not register as a lobbyist.

50.11 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
50.12 applies to activities occurring on or after that date.

50.13 Sec. 3. Minnesota Statutes 2022, section 10A.01, subdivision 33, is amended to read:

50.14 Subd. 33. **Principal.** "Principal" means an individual or association that:

50.15 (1) spends more than ~~\$500~~ \$3,000 in the aggregate in any calendar year to engage a  
50.16 lobbyist, compensate a lobbyist, or authorize the expenditure of money by a lobbyist; or

50.17 (2) ~~is not included in clause (1) and~~ spends a total of at least \$50,000 in any calendar  
50.18 year ~~on efforts~~ to influence legislative action, administrative action, or the official action  
50.19 of ~~metropolitan governmental units~~ political subdivisions, as described in section 10A.04,  
50.20 subdivision 6.

50.21 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
50.22 applies to activities occurring on or after that date.

50.23 Sec. 4. Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 3, is amended  
50.24 to read:

50.25 Subd. 3. ~~Can be received by 10,000 or more individuals~~ Targeted to the relevant  
50.26 electorate. (a) ~~"Can be received by 10,000 or more individuals"~~ "Targeted to the relevant  
50.27 electorate" means that a communication can be received in the district the candidate seeks  
50.28 to represent, in the case of a candidate for representative, senator, or other office represented  
50.29 by district; or in the entire state, if the candidate seeks a statewide office, as follows:

51.1 (1) in the case of a communication transmitted by an FM radio broadcast station or  
51.2 network, where the district lies entirely within the station's or network's protected or primary  
51.3 service contour, that the population of the district is 10,000 or more;

51.4 (2) in the case of a communication transmitted by an FM radio broadcast station or  
51.5 network, where a portion of the district lies outside of the protected or primary service  
51.6 contour, that the population of the part of the district lying within the station's or network's  
51.7 protected or primary service contour is 10,000 or more;

51.8 (3) in the case of a communication transmitted by an AM radio broadcast station or  
51.9 network, where the district lies entirely within the station's or network's most outward service  
51.10 area, that the population of the district is 10,000 or more;

51.11 (4) in the case of a communication transmitted by an AM radio broadcast station or  
51.12 network, where a portion of the district lies outside of the station's or network's most outward  
51.13 service area, that the population of the part of the district lying within the station's or  
51.14 network's most outward service area is 10,000 or more;

51.15 (5) in the case of a communication appearing on a television broadcast station or network,  
51.16 where the district lies entirely within the station's or network's Grade B broadcast contour,  
51.17 that the population of the district is 10,000 or more;

51.18 (6) in the case of a communication appearing on a television broadcast station or network,  
51.19 where a portion of the district lies outside of the Grade B broadcast contour:

51.20 (i) that the population of the part of the district lying within the station's or network's  
51.21 Grade B broadcast contour is 10,000 or more; or

51.22 (ii) that the population of the part of the district lying within the station's or network's  
51.23 broadcast contour, when combined with the viewership of that television station or network  
51.24 by cable and satellite subscribers within the district lying outside the broadcast contour, is  
51.25 10,000 or more;

51.26 (7) in the case of a communication appearing exclusively on a cable or satellite television  
51.27 system, but not on a broadcast station or network, that the viewership of the cable system  
51.28 or satellite system lying within a district is 10,000 or more; ~~or~~

51.29 (8) in the case of a communication appearing on a cable television network, that the  
51.30 total cable and satellite viewership within a district is 10,000 or more; or

51.31 (9) in the case of an email blast, a text message blast, a telephone bank, or a qualifying  
51.32 paid digital advertisement or communication, that the communication is capable of being  
51.33 received by 2,500 or more individuals in a district.

(b) Cable or satellite television viewership is determined by multiplying the number of subscribers within a district, or a part thereof, as appropriate, by the current average household size for Minnesota, as determined by the Bureau of the Census.

(c) A determination that a communication can be received by 10,000 or more individuals based on the application of the formula in this section shall create a rebuttable presumption that may be overcome by demonstrating that:

(1) one or more cable or satellite systems did not carry the network on which the communication was publicly distributed at the time the communication was publicly distributed; and

(2) applying the formula to the remaining cable and satellite systems results in a determination that the cable network or systems upon which the communication was publicly distributed could not be received by 10,000 individuals or more.

**EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to communications disseminated on or after that date.

Sec. 5. Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 4, is amended to read:

Subd. 4. **Direct costs of producing or airing electioneering communications.** "Direct costs of producing or airing electioneering communications" means:

(1) costs charged by a vendor, including studio rental time, staff salaries, costs of video or audio recording media, and talent; ~~and~~

(2) the cost of airtime on broadcast, cable, or satellite radio and television stations, studio time, material costs, and the charges for a broker to purchase the airtime; and

(3) the cost to access any platform used to disseminate messages digitally online or by electronic means to a recipient's telephone or other personal device.

**EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to communications disseminated on or after that date.

Sec. 6. Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 6, is amended to read:

Subd. 6. **Electioneering communication.** (a) "Electioneering communication" means any broadcast, cable, ~~or~~ satellite, or digital communication that:

(1) refers to a clearly identified candidate for state office;

53.1 (2) is publicly distributed within 60 days before a general election for the office sought  
53.2 by the candidate; or within 30 days before a primary election, or 30 days before a convention  
53.3 ~~or caucus~~ of a political party that has authority to ~~nominate~~ endorse a candidate, for the  
53.4 office sought by the candidate, and the candidate referenced is seeking the ~~nomination~~  
53.5 endorsement of that political party; and

53.6 (3) is targeted to the relevant electorate.

53.7 (b) A communication is not an electioneering communication if it:

53.8 (1) is publicly disseminated through a means of communication other than a broadcast,  
53.9 cable, ~~or~~ satellite television, or radio station, or by digital means through an electronic  
53.10 device;

53.11 (2) appears in a news story, commentary, or editorial distributed through the facilities  
53.12 of any broadcast, cable, or satellite television or radio station, unless such facilities are  
53.13 owned or controlled by any political party, political committee, or candidate, provided that  
53.14 a news story distributed through a broadcast, cable, or satellite television or radio station  
53.15 owned or controlled by any political party, political committee, or candidate is not an  
53.16 electioneering communication if the news story meets the requirements described in Code  
53.17 of Federal Regulations, title 11, section 100.132 (a) and (b);

53.18 (3) constitutes an expenditure or independent expenditure, provided that the expenditure  
53.19 or independent expenditure is required to be reported under this chapter;

53.20 (4) constitutes a candidate debate or forum, or that solely promotes such a debate or  
53.21 forum and is made by or on behalf of the person sponsoring the debate or forum; ~~or~~

53.22 (5) is paid for by a candidate; or

53.23 (6) is a noncommercial solicitation for the purposes of opinion research, including but  
53.24 not limited to opinion research designed for understanding the impact of exposure to political  
53.25 messages and content, provided that the solicitation is not designed to influence respondents'  
53.26 views by presenting biased or manipulative content under the guise of it being an opinion  
53.27 poll, survey, or other form of scientific data collection.

53.28 **EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to  
53.29 communications disseminated on or after that date.

54.1 Sec. 7. Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 9, is amended  
54.2 to read:

54.3 Subd. 9. **Publicly distributed.** "Publicly distributed" means aired, broadcast, cablecast,  
54.4 or otherwise disseminated through the facilities of a television station, radio station, cable  
54.5 television system, or satellite system, or disseminated in a digital format online or by other  
54.6 electronic means to a recipient's telephone or other personal device.

54.7 **EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to  
54.8 communications disseminated on or after that date.

54.9 Sec. 8. Minnesota Statutes 2023 Supplement, section 10A.202, subdivision 1, is amended  
54.10 to read:

54.11 Subdivision 1. **Reports required.** Any person who has made an electioneering  
54.12 communication, as defined in section 10A.201, aggregating in excess of \$10,000 during  
54.13 any calendar year shall file a statement with the board no later than 11:59 p.m. on the day  
54.14 following the disclosure date. The statement shall be filed under penalty of perjury, and  
54.15 must contain the information set forth in subdivision 2. Political committees, political funds,  
54.16 and political party units that make a communication described in section 10A.201 must  
54.17 report the communication as a campaign expenditure or independent expenditure as otherwise  
54.18 provided by this chapter and are not required to file a report under this section.

54.19 **EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to penalties  
54.20 assessed on or after that date.

54.21 Sec. 9. **STATE AND LOCAL LOBBYING ACTIVITY; STUDY REQUIRED.**

54.22 The Campaign Finance and Public Disclosure Board must study and, if appropriate,  
54.23 make recommendations to the legislature on the definition of "lobbyist" for purposes of the  
54.24 Minnesota Statutes. The study and recommendations must focus primarily on whether the  
54.25 law does or should distinguish between activities that constitute lobbying of a state  
54.26 government official and activities that constitute lobbying of a local official. If the study  
54.27 determines that a distinction between these activities is appropriate, the board must  
54.28 recommend options for the legislature to consider in adopting that distinction by law. The  
54.29 board must submit a report describing the study, its results, and any associated  
54.30 recommendations to the chairs and ranking minority members of the legislative committees  
54.31 with jurisdiction over campaign finance and lobbyist registration policy no later than January  
54.32 15, 2025.

55.1 Sec. 10. **REPEALER.**

55.2 Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 11, is repealed.

55.3 **EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to  
55.4 communications disseminated on or after that date.

55.5 **ARTICLE 3**

55.6 **CENSUS AND REDISTRICTING**

55.7 Section 1. Minnesota Statutes 2023 Supplement, section 2.92, subdivision 4, is amended  
55.8 to read:

55.9 Subd. 4. **Applicability.** ~~This section applies from January 1 to July 1 in any year during~~  
55.10 ~~which a~~ to all decennial census is activities conducted under the authority of the United  
55.11 States Constitution, article 1, section 2.

55.12 Sec. 2. **[2.93] INCARCERATED PERSONS IN DISTRICT PLANS.**

55.13 Subdivision 1. Definitions. (a) For the purposes of this section, the definitions have the  
55.14 meanings given.

55.15 (b) "Commissioner" means the commissioner of corrections.

55.16 (c) "Director" means the director of the Legislative Coordinating Commission.

55.17 (d) "Legislative Coordinating Commission" means the Legislative Coordinating  
55.18 Commission established in section 3.303.

55.19 Subd. 2. Reallocation and exclusion of incarcerated persons. (a) For purposes of  
55.20 drawing congressional, legislative, and all other election districts, the legislature and local  
55.21 governments must use the population from the federal decennial census as modified by  
55.22 reallocating and excluding persons who are incarcerated.

55.23 (b) A person who was incarcerated in a state or federal correctional facility, as determined  
55.24 by the decennial census, and who has a last known address in Minnesota must be reallocated  
55.25 to the census block of the last known address.

55.26 (c) A person who was incarcerated in a state or federal correctional facility, as determined  
55.27 by the decennial census, and who has a last known address outside of Minnesota or does  
55.28 not have a last known address must:

55.29 (1) be excluded from the population count for purposes of drawing congressional,  
55.30 legislative, or political subdivision districts; and

56.1 (2) be counted as part of the statewide population total.

56.2 Subd. 3. **Department of Corrections duties.** (a) On or before June 1 in a year ending  
56.3 in zero, the commissioner must provide to the director of the Legislative Coordinating  
56.4 Commission the following information, in electronic form, for each person incarcerated in  
56.5 a state correctional facility on April 1 in the year of the decennial census:

56.6 (1) a unique identifier that does not include the person's name, Department of Corrections  
56.7 identification number, or other identifying information;

56.8 (2) the street address of the correctional facility in which the person was incarcerated at  
56.9 the time of the report;

56.10 (3) the residential address of the person immediately prior to incarceration, if known,  
56.11 or if the person resided in an area lacking a specific physical address immediately prior to  
56.12 incarceration, a description of the physical location where the person regularly stayed  
56.13 immediately prior to being incarcerated;

56.14 (4) the following demographic information, if known: the racial and ethnic information  
56.15 collected by the census and whether the person is over the age of 18; and

56.16 (5) any additional information the director of the Legislative Coordinating Commission  
56.17 deems necessary.

56.18 (b) Notwithstanding any law to the contrary, the commissioner must provide the director  
56.19 with access to the best available data necessary to conduct the reallocations and exclusions  
56.20 required by this section.

56.21 Subd. 4. **Federal correctional facilities.** By April 15 in a year ending in zero, the director  
56.22 must request each agency that operates a federal facility in Minnesota that incarcerates  
56.23 persons convicted of a criminal offense to provide the director with a report, including the  
56.24 information listed in subdivision 3. The information must reflect the persons incarcerated  
56.25 in the federal facility on April 1 of that year. If information is provided pursuant to this  
56.26 subdivision, the information must be provided by June 1 of the year ending in zero. If  
56.27 information is not provided pursuant to this subdivision, persons incarcerated at federal  
56.28 facilities must be treated as having no known last address and must be excluded as provided  
56.29 in subdivision 2, paragraph (c).

56.30 Subd. 5. **Legislative Coordinating Commission duties.** (a) The director must reallocate  
56.31 and exclude people who are incarcerated in state or federal correctional facilities as provided  
56.32 in this subdivision and subdivision 2. Within 30 calendar days of receiving the Public Law  
56.33 94-171 data from the United States Census Bureau, the director must post the population



57.1 counts that reflect all required reallocations and exclusions on the Legislative Coordinating  
57.2 Commission's website.

57.3 (b) The director must, in consultation with the commissioner, develop a standardized  
57.4 format and technical guidelines to be used in collecting addresses from incarcerated persons.  
57.5 The commissioner must use this format and follow the guidelines in collecting addresses.  
57.6 The commissioner and the director may enter a memorandum of understanding detailing  
57.7 the additional details regarding the methodology to be used and the format and manner in  
57.8 which the data will be provided. Notwithstanding any law to the contrary, the commissioner  
57.9 must provide the director with access to the best available data necessary to conduct the  
57.10 reallocations and exclusions required by this section.

57.11 (c) Prior to reallocating and excluding incarcerated persons, the director must geocode  
57.12 addresses received from the commissioner. When geocoding addresses, the director must  
57.13 accept an address that is an exact match or is approximated to the street level and reject any  
57.14 address that is approximated to the center of a zip code, city, county, or state. The director  
57.15 must only reallocate those addresses that are accepted pursuant to this paragraph. The  
57.16 director must not reallocate any person at an address that was rejected but must instead  
57.17 count that person as part of the statewide population total.

57.18 (d) The director must not disseminate data received pursuant to this section in any  
57.19 manner, except as explicitly required by state or federal law.

57.20 **EFFECTIVE DATE.** This section is effective January 1, 2030, and applies to population  
57.21 counts used for redistricting conducted on or after that date.

57.22 Sec. 3. **[241.062] COLLECTION OF INCARCERATED PERSON'S ADDRESS.**

57.23 (a) As part of an incarcerated person's intake process, the commissioner of corrections  
57.24 must make all reasonable efforts to ensure that the information listed in section 2.93,  
57.25 subdivision 3, clauses (1) to (5), is collected and recorded. The information must be collected  
57.26 in compliance with the format and guidelines developed pursuant to section 2.93, subdivision  
57.27 5. An incarcerated person who was participating in the Safe at Home program established  
57.28 in chapter 5B, has safety concerns about providing a last residential address, or has safety  
57.29 concerns for people residing at that address may decline to provide an address.

57.30 (b) The incarcerated person's last residential address and the information listed in section  
57.31 2.93, subdivision 3, clauses (1) to (5), collected on intake and maintained by the  
57.32 commissioner are private data on individuals as defined in section 13.02, subdivision 12.

58.1 (c) Beginning in 2030, the commissioner must provide the information described in this  
58.2 section electronically to the director of the Legislative Coordinating Commission as required  
58.3 in section 2.93.

58.4 Sec. 4. **COLLECTION OF CURRENT INCARCERATED PERSON'S ADDRESS.**

58.5 Prior to April 1, 2030, the commissioner of corrections must make reasonable efforts to  
58.6 collect from or confirm with each incarcerated person the following information:

58.7 (1) the residential address of the person immediately prior to incarceration or, if the  
58.8 person resided in an area lacking a specific physical address immediately prior to  
58.9 incarceration, a description of the physical location where the person regularly stayed  
58.10 immediately prior to being incarcerated; and

58.11 (2) the following demographic information: the racial and ethnic information collected  
58.12 by the census and whether the person is over the age of 18.

58.13 This section only applies to an incarcerated person who was incarcerated prior to the date  
58.14 the commissioner started routinely collecting the information in clauses (1) and (2) as part  
58.15 of the intake process.

**10A.201 ELECTIONEERING COMMUNICATIONS; DEFINITIONS.**

Subd. 11. **Targeted to the relevant electorate.** "Targeted to the relevant electorate" means the communication can be received by 10,000 or more individuals:

(1) in the district the candidate seeks to represent, in the case of a candidate for representative, senator, or other office represented by district; or

(2) in the entire state, if the candidate seeks a statewide office.

**383B.031 BOARD VACANCIES: MORE OR NOT MORE THAN SIX MONTHS OUT.**

Subdivision 1. **More than six months; special election.** Notwithstanding the provisions of section 375.101, if a vacancy occurs in a seat on the Board of County Commissioners of Hennepin County more than six months before the general election in which a commissioner will next be selected to occupy such seat the county auditor shall, within seven days after the vacancy occurs, call a special election within the affected district to fill such vacancy. The auditor shall specify a date for the election to be held on a date authorized by section 205.10, subdivision 3a. Candidates shall file with the county auditor prior to the 35th day before the election. The primary election shall be held 14 days before the election. If no more than two candidates file for the office, the primary election shall be canceled and the date of the general election advanced 14 days.

Subd. 2. **Minnesota Statutes controls; affidavit of candidacy.** Each person who wishes to file as a candidate in the election for which provision is made in subdivision 1 shall submit to the county auditor an affidavit for candidacy. Except as otherwise specifically provided in this section, the special election shall be held in accordance with the provisions of Minnesota Statutes 1965, chapter 203. The candidate who receives a plurality of the votes cast in the special election shall be certified the winner.

Subd. 3. **Not more than six months; general election.** A vacancy in a seat on a board of county commissioners which occurs not more than six months before the general election in which a commissioner will next be selected to occupy the seat shall be filled at the general election.

Subd. 4. **Elected for unexpired term.** A person elected to the office of commissioner pursuant to the provisions of this section shall hold office for the unexpired term of the person's predecessor.