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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2732

01/31/2022 Authored by Daudt, Neu Brindley, Burkel, Heinrich, Poston and others
The bill was read for the first time and referred to the Committee on State Government Finance and Elections

A bill for an act

relating to elections; requiring photo ID to register to vote and to vote; creating a voter identification card; establishing provisional ballots; prohibiting certain methods of compensation related to absentee voting; requiring identification of individuals acting as an agent for an absentee voter; requiring identification of individuals providing assistance to a voter in a polling place; prohibiting certain activities related to voter registration and absentee voting; prohibiting counties, municipalities, and school districts from accepting certain contributions for election expenses; amending requirements for in-person absentee voting polling places; increasing criminal penalties; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 5B.06; 13.6905, by adding a subdivision; 144.226, by adding subdivisions; 171.06, subdivisions 1, 2, by adding a subdivision; 171.061, subdivisions 1, 3, 4; 171.07, subdivisions 1a, 4, 14, by adding a subdivision; 171.071, subdivisions 1, 2; 171.10, subdivision 1; 171.11; 171.12, subdivision 3c; 171.121; 171.14; 201.022, subdivision 1; 201.061, subdivisions 1, 1a, 3; 201.071, subdivisions 1, 3; 201.091, subdivision 9; 201.121, subdivision 1; 201.13, subdivision 3; 201.14; 201.145, subdivisions 2, 3, 4, 5; 201.161; 201.221, subdivision 3; 203B.03, by adding a subdivision; 203B.04, subdivision 4; 203B.065; 203B.07, subdivision 3; 203B.081, subdivision 1; 203B.17, subdivision 2; 203B.19; 203B.21, subdivision 3; 204B.32, by adding a subdivision; 204B.45, subdivision 2; 204B.46; 204C.08, subdivision 1d; 204C.10; 204C.15, subdivision 1; 204C.32; 204C.33, subdivision 1; 204C.37; 205.065, subdivision 5; 205.185, subdivision 3; 205A.03, subdivision 4; 205A.10, subdivision 3; 211B.07; 211B.13, subdivision 1; 256E.22, subdivision 1; Minnesota Statutes 2021 Supplement, sections 201.071, subdivision 2; 201.225, subdivision 2; 203B.04, subdivision 1; 203B.08, subdivision 1; 203B.121, subdivision 2; 203B.24, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 200; 201; 204C; 357; repealing Minnesota Statutes 2020, section 201.061, subdivision 7.

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

ARTICLE 1
MINNESOTA ELECTIONS INTEGRITY ACT

Section 1. **TITLE.**

This act shall be known as the "Minnesota Elections Integrity Act."

ARTICLE 2
VOTER ID

Section 1. Minnesota Statutes 2020, section 5B.06, is amended to read:

5B.06 VOTING BY PROGRAM PARTICIPANT; ABSENTEE BALLOT.

Notwithstanding any law to the contrary, a program participant who is otherwise eligible to vote may vote pursuant to this section and may register with the secretary of state as a permanent absentee voter. Notwithstanding section 203B.04, subdivision 5, the secretary of state is not required to send an absentee ballot application prior to each election to a program participant registered as a permanent absentee voter under this section. As soon as practicable before each election, the secretary of state shall determine the precinct in which the residential address of the program participant is located and shall request from and receive from the county auditor or other election official the ballot for that precinct and shall forward the absentee ballot to the program participant with the other materials for absentee balloting as required by Minnesota law. The program participant shall complete the ballot and return it to the secretary of state, who shall review the ballot in the manner provided by section 203B.121, subdivision 2. If the ballot and ballot materials comply with the requirements of that section, the ballot must be certified by the secretary of state as the ballot of a program participant, and must be forwarded to the appropriate electoral jurisdiction for tabulation along with all other ballots. The name and address of a program participant must not be listed in the statewide voter registration system.

Sec. 2. Minnesota Statutes 2020, section 13.6905, is amended by adding a subdivision to read:

Subd. 36. **Voter identification card.** Applicant data related to a voter identification card is governed by section 171.06, subdivision 3c.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 3. Minnesota Statutes 2020, section 144.226, is amended by adding a subdivision to read:

Subd. 9. **Documents required for voter identification card.** (a) Notwithstanding provisions to the contrary in this section, no fee or surcharge shall be charged by the state registrar or local issuance office for a certified vital record if the applicant attests that the record is needed to obtain a voter identification card issued pursuant to section 171.07, subdivision 3c.

(b) The state registrar and local issuance offices shall report each year to the commissioner of management and budget the number of records obtained under this subdivision for which no fee or surcharge was charged.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 4. Minnesota Statutes 2020, section 144.226, is amended by adding a subdivision to read:

Subd. 10. **Appropriations and transfers.** (a) Each year, an amount equal to the total number of records reported to the commissioner of management and budget under subdivision 9, paragraph (b), for that year times the amount of the surcharge under section 144.226, subdivision 3, paragraph (b), is appropriated from the general fund to the commissioner of health for the administration of this section.

(b) Each year, an amount equal to the total number of records reported to the commissioner of management and budget under subdivision 9, paragraph (b), for that year times the amount of the surcharge under subdivision 4, is transferred from the general fund to the state government special revenue fund. This amount is appropriated annually from the state government special revenue fund to the commissioner of health for the administration of this section.

(c) Each year, an amount equal to the total number of records reported to the commissioner of management and budget under subdivision 9, paragraph (b), for that year times the amount of the surcharge under subdivision 3, paragraph (a), is transferred from the general fund to the account for the children's trust fund for the prevention of child abuse established under section 256E.22.

(d) Each year an amount equal to the number of records reported to the commissioner of management and budget by the state registrar under subdivision 9, paragraph (b), for that year times the amount of the fee under subdivision 1, paragraph (b), is transferred from the general fund to the state government special revenue fund. This amount is appropriated

annually from the state government special revenue fund to the commissioner of health for the administration of this section.

(e) The commissioner of health must transmit payment of $9 to a local issuance office for each certified vital record issued for no charge under subdivision 9, paragraph (a). Each year, an amount equal to the number of records reported to the commissioner of management and budget by local issuance offices under subdivision 9, paragraph (b), for that year times the amount of the fee under subdivision 1, paragraph (b), is appropriated from the general fund to the commissioner of health to make payments under this paragraph.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 5. Minnesota Statutes 2020, section 171.06, subdivision 1, is amended to read:

Subdivision 1. **Application format and requirements.** Every application for a Minnesota identification card, including an enhanced identification card, or for a driver's license, including an instruction permit, a provisional license, ~~and~~ an enhanced driver's license, or voter identification card, must be made in a format approved by the department. Every application must be accompanied by payment of the proper fee except for an application for a voter identification card issued pursuant to section 171.07, subdivision 3c. All applicants must sign the application and declare, under penalty of perjury, that the information and documentation presented in the application is true and correct. All applications requiring evidence of legal presence in the United States or United States citizenship must be signed in the presence of the person authorized to accept the application, or the signature on the application may be verified by a notary public.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 6. Minnesota Statutes 2020, section 171.06, subdivision 2, is amended to read:

Subd. 2. **Fees.** (a) The fees for a license and Minnesota identification card are as follows:

REAL ID Compliant or Noncompliant Classified Driver's License	D-$21.00	C-$25.00	B-$32.00	A-$40.00
REAL ID Compliant or Noncompliant Classified Under-21 D.L.	D-$21.00	C-$25.00	B-$32.00	A-$20.00
Enhanced Driver's License	D-$36.00	C-$40.00	B-$47.00	A-$55.00
REAL ID Compliant or Noncompliant Instruction Permit				$5.25

Enhanced Instruction Permit	$20.25
Commercial Learner's Permit	$2.50
REAL ID Compliant or Noncompliant Provisional License	$8.25
Enhanced Provisional License	$23.25
Duplicate REAL ID Compliant or Noncompliant License or duplicate REAL ID Compliant or Noncompliant identification card	$6.75
Enhanced Duplicate License or enhanced duplicate identification card	$21.75
REAL ID Compliant or Noncompliant Minnesota identification card or REAL ID Compliant or Noncompliant Under-21 Minnesota identification card, other than duplicate, except as otherwise provided in section 171.07, subdivisions 3 and 3a	$11.25
Enhanced Minnesota identification card	$26.25

From August 1, 2019, to June 30, 2022, the fee is increased by $0.75 for REAL ID compliant or noncompliant classified driver's licenses, REAL ID compliant or noncompliant classified under-21 driver's licenses, and enhanced driver's licenses.

(b) In addition to each fee required in paragraph (a), the commissioner shall collect a surcharge of $2.25. Surcharges collected under this paragraph must be credited to the driver and vehicle services technology account under section 299A.705.

(c) Notwithstanding paragraph (a), an individual who holds a provisional license and has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33, 169A.35, sections 169A.50 to 169A.53, or section 171.177, (2) convictions for crash-related moving violations, and (3) convictions for moving violations that are not crash related, shall have a $3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation" has the meaning given it in section 171.04, subdivision 1.

(d) In addition to the driver's license fee required under paragraph (a), the commissioner shall collect an additional $4 processing fee from each new applicant or individual renewing a license with a school bus endorsement to cover the costs for processing an applicant's initial and biennial physical examination certificate. The department shall not charge these applicants any other fee to receive or renew the endorsement.

(e) In addition to the fee required under paragraph (a), a driver's license agent may charge and retain a filing fee as provided under section 171.061, subdivision 4.

(f) In addition to the fee required under paragraph (a), the commissioner shall charge a filing fee at the same amount as a driver's license agent under section 171.061, subdivision 4. Revenue collected under this paragraph must be deposited in the driver services operating account under section 299A.705.

(g) An application for a Minnesota identification card, instruction permit, provisional license, or driver's license, including an application for renewal, must contain a provision that allows the applicant to add to the fee under paragraph (a), a $2 donation for the purposes of public information and education on anatomical gifts under section 171.075.

(h) The commissioner or driver's license agent must not collect any fee or surcharge for a voter identification card issued pursuant to section 171.07, subdivision 3c.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 7. Minnesota Statutes 2020, section 171.06, is amended by adding a subdivision to read:

Subd. 3c. **Application for voter identification card.** (a) An application for a voter identification card, including a renewal or duplicate card, must:

(1) state the applicant's full legal name, date of birth, sex, residence address, and (i) last four digits of the applicant's Social Security number, or (ii) certification that the applicant has not been assigned a Social Security number;

(2) provide a description of the applicant in the same manner as required on an application for a Minnesota driver's license;

(3) provide proof of the applicant's United States citizenship by presenting a document included in Minnesota Rules, part 7410.0400, subpart 1, item D;

(4) state the length of residence at the applicant's current address; and

(5) present a photographic identity document described in section 200.035 or affirm under penalty of perjury that the applicant has a religious objection to the use of a photographic image.

(b) Applicant data, submitted pursuant to this subdivision, is private data on individuals, as defined in section 13.02, subdivision 12.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 8. Minnesota Statutes 2020, section 171.061, subdivision 4, is amended to read:

Subd. 4. **Fee; equipment.** (a) The agent may charge and retain a filing fee of $8 for each application, except for an application for a voter identification card issued pursuant to section 171.07, subdivision 3c, for which no filing fee may be charged. Except as provided in paragraph (c), the fee shall cover all expenses involved in receiving, accepting, or forwarding to the department the applications and fees required under sections 171.02, subdivision 3; 171.06, subdivisions 2 and 2a; and 171.07, subdivisions 3 and 3a.

(b) The statutory fees and the filing fees imposed under paragraph (a) may be paid by credit card or debit card. The driver's license agent may collect a convenience fee on the statutory fees and filing fees not greater than the cost of processing a credit card or debit card transaction. The convenience fee must be used to pay the cost of processing credit card and debit card transactions. The commissioner shall adopt rules to administer this paragraph using the exempt procedures of section 14.386, except that section 14.386, paragraph (b), does not apply.

(c) The department shall maintain the photo identification equipment for all agents appointed as of January 1, 2000. Upon the retirement, resignation, death, or discontinuance of an existing agent, and if a new agent is appointed in an existing office pursuant to Minnesota Rules, chapter 7404, and notwithstanding the above or Minnesota Rules, part 7404.0400, the department shall provide and maintain photo identification equipment without additional cost to a newly appointed agent in that office if the office was provided the equipment by the department before January 1, 2000. All photo identification equipment must be compatible with standards established by the department.

(d) A filing fee retained by the agent employed by a county board must be paid into the county treasury and credited to the general revenue fund of the county. An agent who is not an employee of the county shall retain the filing fee in lieu of county employment or salary and is considered an independent contractor for pension purposes, coverage under the

Minnesota State Retirement System, or membership in the Public Employees Retirement Association.

(e) Before the end of the first working day following the final day of the reporting period established by the department, the agent must forward to the department all applications and fees collected during the reporting period except as provided in paragraph (d).

(f) The commissioner must transmit payment to the agent of $8 for each application for a voter identification card issued pursuant to section 171.07, subdivision 3c. An agent employed by a county board must remit the payments to the county under paragraph (d). All other agents may retain the payments.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 9. Minnesota Statutes 2020, section 171.07, is amended by adding a subdivision to read:

Subd. 3c. **Voter identification cards.** (a) A voter identification card must be issued to a qualifying applicant who, on the election day next occurring after the date of issuance, will meet the voter eligibility requirements of the Minnesota Constitution and Minnesota Statutes, and who does not possess a current Minnesota driver's license or Minnesota identification card.

(b) A voter identification card must bear a distinguishing number assigned to the applicant, the applicant's full name and date of birth, the applicant's address of residence, a description of the applicant in the same manner as provided on a Minnesota driver's license, the date of the card's expiration, and the usual signature of the applicant. The card must bear a colored photograph or an electronically produced image of the applicant, or, for an applicant who has affirmed a religious objection under section 171.06, subdivision 3c, paragraph (a), clause (5), the card must bear the words "Valid without photograph."

(c) A voter identification card is not valid identification for any purpose other than proving identity and residence for voting purposes.

(d) A voter identification card must be of a different color scheme than a Minnesota driver's license or state identification card, but must incorporate the same information and security features as provided in subdivision 9.

(e) Each voter identification card must be plainly marked: "Voter Identification Card. Valid Identification Only for Voting."

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 10. Minnesota Statutes 2020, section 171.07, subdivision 4, is amended to read:

Subd. 4. **Identification card expiration.** (a) Except as otherwise provided in this subdivision, the expiration date of a Minnesota identification card or voter identification card is the birthday of the applicant in the fourth year following the date of issuance of the card.

(b) For an applicant age 65 or older:

(1) the expiration date of a Minnesota identification card or voter identification card is the birthday of the applicant in the eighth year following the date of issuance of the card; or

(2) a noncompliant identification card is valid for the lifetime of the applicant.

(c) For the purposes of paragraph (b), "Minnesota identification card" does not include an enhanced identification card issued to an applicant age 65 or older.

(d) The expiration date for an Under-21 identification card is the cardholder's 21st birthday. The commissioner shall issue an identification card to a holder of an Under-21 identification card who applies for the card, pays the required fee, and presents proof of identity and age, unless the commissioner determines that the applicant is not qualified for the identification card.

(e) Notwithstanding paragraphs (a) to (d), the expiration date for an identification card issued to a person with temporary lawful status is the last day of the person's legal stay in the United States, or one year after issuance if the last day of the person's legal stay is not identified.

(f) Notwithstanding paragraphs (a) to (d), a voter identification card issued pursuant to section 171.07, subdivision 3c, to a person then or subsequently serving outside Minnesota in active military service, as defined in section 190.05, subdivision 5, in any branch or unit of the armed forces of the United States, or the person's spouse, continues in full force and effect without requirement for renewal until the date one year following the service member's separation or discharge from active military service, or until the cardholder's birthday in the fourth full year following the person's most recent card renewal or until the person's birthday in the third full year following the renewal.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 11. Minnesota Statutes 2020, section 171.11, is amended to read:

171.11 DUPLICATE LICENSE; CHANGE OF DOMICILE OR NAME.

Subdivision 1. **Duplicate driver's license.** When any person, after applying for or receiving a driver's license, shall change permanent domicile from the address named in such application or in the license issued to the person, or shall change a name by marriage or otherwise, such person shall, within 30 days thereafter, apply for a duplicate driver's license upon a form furnished by the department and pay the required fee. The application or duplicate license shall show both the licensee's old address and new address or the former name and new name as the case may be.

Subd. 2. **Duplicate voter identification card.** A voter identification cardholder who changes residence address or name from the address or name stated on the card shall not present the card for voting purposes, but must apply for a duplicate voter identification card upon a form furnished by the department. The application for a duplicate voter identification card must show the cardholder's former address and current address, along with length of residence at the current address, and the cardholder's former name and current name, as applicable.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 12. Minnesota Statutes 2020, section 171.14, is amended to read:

171.14 CANCELLATION.

Subdivision 1. **Cancellation of driver's license.** (a) The commissioner may cancel any driver's license upon determination that (1) the licensee was not entitled to the issuance of the license, (2) the licensee failed to give the required or correct information in the application, (3) the licensee committed any fraud or deceit in making the application, or (4) the person, at the time of the cancellation, would not have been entitled to receive a license under section 171.04.

(b) The commissioner shall cancel the driver's license of a person described in paragraph (a), clause (3), for 60 days or until the required or correct information has been provided, whichever is longer.

Subd. 2. **Cancellation of voter identification card.** (a) The commissioner must cancel any voter identification card issued pursuant to section 171.07, subdivision 3c, upon determination that (1) the cardholder was not entitled to the issuance of the card, (2) the cardholder failed to give the required or correct information in the application, (3) the cardholder committed any fraud or deceit in making the application, or (4) the cardholder,

at the time of the cancellation, would not have been entitled to receive a voter identification card under section 171.07, subdivision 3c.

(b) The commissioner must cancel the voter identification card issued pursuant to section 171.07, subdivision 3c, of a person described in paragraph (a) until the person completes the application process under section 171.07, subdivision 3c, and complies in all respects with the requirements of the commissioner.

(c) The commissioner must immediately notify the holder of a voter identification card issued pursuant to section 171.07, subdivision 3c, of a cancellation of the card. Notification must be by mail and addressed to the cardholder's last known address.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 13. **[200.035] DOCUMENTATION OF IDENTITY AND RESIDENCE.**

(a) The following are sufficient proof of identity and residence for purposes of election day voter registration under section 201.061, subdivision 3; absentee voting under sections 203B.04, 203B.07, and 203B.08; photo identification requirements under section 204C.10; and for determining whether to count a provisional ballot under section 204C.135, subdivision 2:

(1) a current driver's license, state identification card, or voter identification card issued to the voter by the Department of Public Safety that contains the voter's photograph and current address of residence in the precinct;

(2) a valid United States military identification card issued to the voter by the Department of Defense that contains the voter's photograph and current address of residence in the precinct;

(3) an identification card issued to the voter by the tribal government of a tribe recognized by the Bureau of Indian Affairs that contains a photograph of the voter, the voter's current address of residence in the precinct, and any other items of data required to be contained on a Minnesota identification card, as provided in section 171.07, subdivision 3, paragraphs (a) and (b);

(4) an original receipt for a new, renewed, or updated driver's license, state identification card, or voter identification card issued to the voter under section 171.07 that contains the voter's photograph and current address of residence in the precinct. If the receipt does not include a photograph, one of the following documents that contains a photograph of the voter must be provided:

(i) a driver's license, identification card, or voter identification card that is expired or does not contain the voter's current address of residence, issued to the voter by the state of Minnesota or any other state of the United States as defined in section 645.44, subdivision 11;

(ii) a United States passport, issued to the voter;

(iii) an identification card issued by a branch, department, agency, entity, or subdivision of Minnesota or the federal government;

(iv) an identification card issued by an accredited postsecondary institution with a campus located within Minnesota, if a list of students from that institution has been prepared under section 135A.17, and certified to the county auditor in the manner provided in rules of the secretary of state; or

(v) an identification card issued to the voter by the tribal government of a tribe recognized by the Bureau of Indian Affairs;

(5) one of the following documents issued to the voter that includes a photograph but not the voter's current address of residence in the precinct:

(i) a United States passport;

(ii) an identification card issued to the voter by the tribal government of a tribe recognized by the Bureau of Indian Affairs; or

(iii) a valid United States military identification card;

along with one of the following documents that contains the voter's name and current address of residence in the precinct:

(i) a home utility services bill issued within the past 90 days, provided that the election official must not accept a United States home utility bill if two unrelated people are listed on the bill;

(ii) a home utility services hook-up work order issued within the past 90 days, provided that the election official must not accept a United States home utility services hook-up work order if two unrelated people are listed on the bill;

(iii) United States financial information issued within the past 90 days, with account numbers redacted, including a bank account statement, a canceled check, or a credit card statement;

(iv) a United States high school identification card with a certified transcript from the school, if issued within the past 180 days;

(v) a Minnesota college or university identification card with a certified transcript from the college or university if issued within the past 180 days;

(vi) an employment pay stub issued within the past 90 days that lists the employer's name, address, and telephone number;

(vii) a Minnesota unemployment insurance benefit statement issued within the past 90 days;

(viii) a statement from an assisted living facility licensed under chapter 144G, a nursing home licensed under chapter 144A, or a boarding care facility licensed under sections 144.50 to 144.56, that was issued within the past 90 days;

(ix) a life, health, automobile, homeowner's, or renter's insurance policy issued within the past 90 days, except that a proof of insurance card must not be accepted;

(x) a federal or state income tax return or statement for the most recent tax filing year;

(xi) a Minnesota property tax statement for the current year that shows the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;

(xii) a Minnesota vehicle certificate of title, if issued within the past 12 months;

(xiii) a filed property deed or title for current residence, if issued within the past 12 months;

(xiv) a Supplemental Security Income award statement issued within the past 12 months;

(xv) mortgage documents for the applicant's principal residence;

(xvi) a residential lease agreement for the applicant's principal residence issued within the past 12 months;

(xvii) an unexpired Minnesota professional license;

(xviii) an unexpired Selective Service card; or

(xix) military orders that are still in effect at the time of application;

(6) if the voter is a student, a driver's license, identification card, or voter identification card issued by Minnesota or any other state of the United States as defined in section 645.44, subdivision 11, that contains a photograph of the voter but does not contain the voter's current address of residence, along with a current student fee statement that contains the student's valid address of residence in the precinct; or

(7) if the voter maintains residence in a residential facility located in the precinct, a driver's license or identification card issued to the voter by the Department of Public Safety that contains the voter's photograph along with a certification of residence in the facility, signed by the facility administrator on a form prescribed by the secretary of state.

(b) The documents specified in paragraph (a) are the only documents that may be accepted to prove identity and residence. Identification issued by counties, home rule charter or statutory cities, towns, or school districts are not acceptable to prove identity or residence unless explicitly authorized by paragraph (a).

(c) As used in this section, "residential facility" means transitional housing as defined in section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner of health under section 144.50, subdivision 6; a swing bed in a hospital licensed by the commissioner of health under sections 144.50 to 144.56; a certified boarding care home licensed by the commissioner of health under sections 144.50 to 144.56; a nursing home as defined in section 144A.01, subdivision 5; an assisted living facility licensed by the commissioner of health under chapter 144G; a boarding and lodging establishment with special services registered under section 157.17; a setting in which home and community-based services licensed under chapter 245D are provided; a veterans home operated by the commissioner of veterans affairs under chapter 198; a residence licensed by the commissioner of human services under chapter 245A to provide a residential program as defined in section 245A.02, subdivision 14; a residential facility for persons with a developmental disability licensed by the commissioner of human services under section 252.28; an establishment providing housing support as defined in section 256I.03, subdivision 3; a shelter for battered women as defined in section 611A.37, subdivision 4; or a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless.

Sec. 14. **[201.017] VOTER IDENTIFICATION CARD ACCOUNT.**

(a) A voter identification card account is established in the special revenue fund. Money in the account is appropriated to the commissioner of public safety for:

(1) reimbursing individuals for the costs of obtaining documents under paragraph (b);

(2) making payments to driver's license agents under section 171.061, subdivision 4, paragraph (f); and

(3) providing voter identification cards to individuals qualifying under section 171.07, subdivision 3c.

Money in the account does not cancel and is available until spent.

(b) The commissioner of public safety shall reimburse individuals for any fees required to secure an official document or certified copy from any federal, state, or local government, or from a court in any jurisdiction for the purpose of obtaining a voter identification card issued pursuant to section 171.07, subdivision 3c. In order to receive reimbursement, an applicant for a voter identification card must complete a reimbursement form approved by the commissioner of public safety, along with documentation of the applicant's reimbursable expenditure. The commissioner must mail payment for the reimbursable amount to an eligible applicant at the address listed on the voter identification card.

(c) The amount available to the commissioner of public safety under paragraph (a), clause (3), shall not exceed the actual cost of providing voter identification cards, not to exceed $..... for each card issued.

(d) The commissioner of public safety shall report to the committee members of the legislative committees with jurisdiction over elections on the total expenditures from the account by county by January 31 of each year.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 15. Minnesota Statutes 2020, section 201.061, subdivision 3, is amended to read:

Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration application, making an oath in the form prescribed by the secretary of state and providing proof of identity and residence. An individual may prove identity and residence for purposes of registering by~~:~~ presenting documentation as permitted by section 200.035.

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

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

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

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

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

~~(4) having a voter who is registered to vote in the precinct, or an employee employed by and working in a residential facility in the precinct and vouching for a resident in the facility, sign an oath in the presence of the election judge vouching that the voter or employee personally knows that the individual is a resident of the precinct. A voter who has been vouched for on election day may not sign a proof of residence oath vouching for any other individual on that election day. A voter who is registered to vote in the precinct may sign up to eight proof-of-residence oaths on any election day. This limitation does not apply to an employee of a residential facility described in this clause. The secretary of state shall provide a form for election judges to use in recording the number of individuals for whom a voter signs proof-of-residence oaths on election day. The form must include space for the maximum number of individuals for whom a voter may sign proof-of-residence oaths. For each proof-of-residence oath, the form must include a statement that the individual: (i) is registered to vote in the precinct or is an employee of a residential facility in the precinct, (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the statement on oath. The form must include a space for the voter's printed name, signature, telephone number, and address.~~

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

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

~~(c) "Residential facility" means transitional housing as defined in section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner of health under section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision 5; a residence registered with the commissioner of health as a housing with services establishment as defined in section 144D.01, subdivision 4; a veterans home operated by the board of directors of the Minnesota Veterans Homes under chapter 198; a residence licensed by the commissioner of human services to provide a residential program as defined in section 245A.02, subdivision 14; a residential facility for persons with a developmental disability licensed by the commissioner of human services under section 252.28; setting authorized to provide housing support as defined in section 256I.03, subdivision 3; a shelter for battered women as defined in section 611A.37, subdivision 4; or a supervised publicly~~

~~or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless.~~

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

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

~~(2) presenting an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, signature, and picture of the individual and also presenting one of the documents listed in Minnesota Rules, part 8200.5100, subpart 2, item B.~~

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

Sec. 16. Minnesota Statutes 2020, section 201.221, subdivision 3, is amended to read:

Subd. 3. **Procedures for polling place rosters.** The secretary of state shall prescribe the form of paper polling place rosters that include the voter's name, address, date of birth, school district number, and space for the voter's signature. An electronic roster and the voter signature certificate together must include the same information as a paper polling place roster. The address listed on the polling place roster must be the voter's address of residence, unless the voter has requested that the address printed on the roster be the voter's mailing address because the voter is a judge or a law enforcement or corrections officer, or the voter participates in the Safe at Home program as provided in chapter 5B. The secretary of state may prescribe additional election-related information to be placed on the polling place rosters on an experimental basis for one state primary and general election cycle; the same information may not be placed on the polling place roster for a second state primary and general election cycle unless specified in this subdivision. The polling place roster must be used to indicate whether the voter has voted in a given election. The secretary of state shall prescribe procedures for transporting the polling place rosters to the election judges for use on election day. The secretary of state shall prescribe the form for a county or municipality to request the date of birth from currently registered voters. The county or municipality shall not request the date of birth from currently registered voters by any communication other than the prescribed form and the form must clearly indicate that a currently registered voter does not lose registration status by failing to provide the date of birth. In accordance

with section 204B.40, the county auditor shall retain the prescribed polling place rosters used on the date of election for 22 months following the election.

Sec. 17. Minnesota Statutes 2021 Supplement, section 203B.04, subdivision 1, is amended to read:

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

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

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

For a federal, state, or county election, 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), the secretary of state must require applicants using the website to submit the applicant's e-mail address and verifiable Minnesota driver's license number, Minnesota state identification card number, voter identification card number, or the last four digits of the applicant's Social Security number.

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, voter 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) 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) voter identification card number;

(4) the last four digits of the applicant's Social Security number; or

~~(4)~~ (5) a statement that the applicant does not have any of these numbers.

(c) 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) Prior to approval, the county auditor or municipal clerk must verify that the Minnesota driver's license number, state identification card number, voter identification card number, or the last four digits of the Social Security number submitted by an applicant is valid and assigned to that applicant. If a driver's license, identification card number, voter identification card number, or the last four digits of a Social Security number is invalid or not assigned to the applicant, the county auditor or municipal clerk must reject the application.

~~(d)~~ (e) 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. The absentee ballot applications or a list of persons applying for an absentee ballot may not be made available for public inspection until the close of voting on election day, except as authorized in section 203B.12, and must be available to the public in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

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

Sec. 18. Minnesota Statutes 2020, section 203B.04, subdivision 4, is amended to read:

Subd. 4. **Registration at time of application.** An eligible voter who is not registered to vote but who is otherwise eligible to vote by absentee ballot may register by including a completed voter registration application with the absentee ballot. The individual shall present proof of identity and residence as required by section ~~201.061, subdivision 3~~ 200.035, to the individual who witnesses the marking of the absentee ballots or execute an affidavit described in section 203B.08, subdivision 1, paragraph (c). A military voter, as defined in

section 203B.01, may register in this manner if voting pursuant to sections 203B.04 to 203B.15, or may register pursuant to sections 203B.16 to 203B.27.

Sec. 19. Minnesota Statutes 2020, section 203B.07, subdivision 3, is amended to read:

Subd. 3. **Eligibility certificate.** (a) A certificate of eligibility to vote by absentee ballot shall be printed on the back of the ~~return~~ signature envelope. The certificate shall contain space for the voter's Minnesota driver's license number, state identification number, voter identification card number, or the last four digits of the voter's Social Security number, or to indicate that the voter does not have one of these numbers. The space must be designed to ensure that the voter provides the same type of identification as provided on the voter's absentee ballot application for purposes of comparison. The certificate must also contain a statement to be signed and sworn by the voter indicating that the voter meets all of the requirements established by law for voting by absentee ballot ~~and~~.

(b) The certificate must include a space for ~~a statement~~ an oath signed by a ~~person who is registered to vote in Minnesota or by a notary public or other individual authorized to administer oaths~~ witness stating that:

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

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

(3) ~~if the voter was not previously registered,~~ the voter has ~~provided~~ shown to the witness proof of identity and residence as required by section ~~201.061, subdivision 3~~ 200.035 or executed an affidavit described in section 203B.08, subdivision 1, paragraph (c). If the voter presented documentation of proof of identity and residence, the witness must also indicate the document or documents presented to prove identity and residence~~.~~; and

(4) the witness is registered to vote in Minnesota, is a notary public, or is an individual authorized to administer oaths. The witness must include the witness's driver's license number, identification card number, voter identification card number, the last four digits of the applicant's Social Security number, or a statement that the witness does not have any of these numbers.

(c) For purposes of this subdivision, a witness is a person who is registered to vote in Minnesota or by a notary public or other individual authorized to administer oaths.

Sec. 20. Minnesota Statutes 2021 Supplement, section 203B.08, subdivision 1, is amended to read:

Subdivision 1. **Marking and return by voter.** (a) An eligible voter who receives absentee ballots as provided in this chapter shall mark them in the manner specified in the directions for casting the absentee ballots.

(b) The voter must present proof of identity and residence as described in section 200.035 to the individual who witnesses the marking of the absentee ballots or executes an affidavit described in paragraph (c). If the voter presented documentation of proof of identity and residence, the witness must record the type of document that was presented on the witness certificate described in section 203B.27, paragraph (b).

(c) If the voter attempted to procure proof of identity and residence to satisfy the requirements of section 200.035 but was unable to do so, the voter may execute a sworn affidavit, under the penalty of perjury, that states:

(1) the voter completing the affidavit is the voter that marked the ballot;

(2) the voter is eligible to vote, has not voted previously in the same election, and meets the criteria for registering to vote in the precinct where the voter is voting;

(3) the voter attempted to procure proof of identity and residence but was unable to do so, and provide an explanation of the reason that the voter was unable to procure the necessary proof; and

(4) that the information on the affidavit is true and accurate.

The affidavit must be signed in the presence of the witness.

(d) The return envelope containing marked ballots may be mailed as provided in the directions for casting the absentee ballots, may be left with the county auditor or municipal clerk who transmitted the absentee ballots to the voter, or may be left in a drop box as provided in section 203B.082. If delivered in person, the return envelope must be submitted to the county auditor or municipal clerk by 3:00 p.m. on election day.

~~(b)~~ (e) The voter may designate an agent to deliver in person the sealed absentee ballot return envelope to the county auditor or municipal clerk or to deposit the return envelope in the mail. An agent may deliver or mail the return envelopes of not more than three voters in any election. Any person designated as an agent who tampers with either the return envelope or the voted ballots or does not immediately mail or deliver the return envelope to the county auditor or municipal clerk is guilty of a misdemeanor.

Sec. 21. Minnesota Statutes 2021 Supplement, section 203B.121, subdivision 2, is amended to read:

Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board shall take possession of all signature envelopes delivered to them in accordance with section 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk, two or more members of the ballot board shall examine each signature envelope and shall mark it accepted or rejected in the manner provided in this subdivision. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10, subdivision 2.

(b) The members of the ballot board shall mark the signature envelope "Accepted" and initial or sign the signature envelope below the word "Accepted" if a majority of the members of the ballot board examining the envelope are satisfied that:

(1) the voter's name and address on the signature envelope are the same as the information provided on the absentee ballot application;

(2) the voter signed the certification on the envelope;

(3) the voter's Minnesota driver's license, state identification number, voter identification card number, or the last four digits of the voter's Social Security number are the same as a number on the voter's absentee ballot application or voter record. If the number does not match, the election judges must compare the signature provided by the applicant to determine whether the ballots were returned by the same person to whom they were transmitted;

(4) the voter is registered and eligible to vote in the precinct or has included a properly completed voter registration application in the signature envelope;

(5) the portion of the certificate completed by a witness as required by section 203B.07, subdivision 3, paragraph (b), is completed and the document or documents listed that were used to prove identity and residence are documents authorized by section 200.035;

(6) the certificate has been completed as prescribed in the directions for casting an absentee ballot; and

~~(6)~~ (7) the voter has not already voted at that election, either in person or, if it is after the close of business on the seventh day before the election, by absentee ballot.

The signature envelope from accepted ballots must be preserved and returned to the county auditor.

(c)(1) If a majority of the members of the ballot board examining a signature envelope find that an absentee voter has failed to meet one of the requirements provided in paragraph (b), they shall mark the signature envelope "Rejected," initial or sign it below the word "Rejected," list the reason for the rejection on the envelope, and return it to the county auditor. There is no other reason for rejecting an absentee ballot beyond those permitted by this section. Failure to place the ballot within the secrecy envelope before placing it in the outer white envelope is not a reason to reject an absentee ballot.

(2) If an envelope has been rejected at least five days before the election, the envelope must remain sealed and the official in charge of the ballot board shall provide the voter with a replacement absentee ballot and signature envelope in place of the rejected ballot.

(3) If an envelope is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

(d) The official in charge of the absentee ballot board must mail the voter a written notice of absentee ballot rejection between six and ten weeks following the election. If the official determines that the voter has otherwise cast a ballot in the election, no notice is required. If an absentee ballot arrives after the deadline for submission provided by this chapter, the notice must be provided between six to ten weeks after receipt of the ballot. A notice of absentee ballot rejection must contain the following information:

(1) the date on which the absentee ballot was rejected or, if the ballot was received after the required deadline for submission, the date on which the ballot was received;

(2) the reason for rejection; and

(3) the name of the appropriate election official to whom the voter may direct further questions, along with appropriate contact information.

(e) An absentee ballot signature envelope marked "Rejected" may not be opened or subject to further review except in an election contest filed pursuant to chapter 209.

Sec. 22. Minnesota Statutes 2020, section 204B.32, is amended by adding a subdivision to read:

Subd. 3. **Contributions for election expenses prohibited.** Notwithstanding any home rule charter or local ordinance to the contrary, a county, municipality, or school district may not accept a contribution, in any form, from a for-profit business or a nonprofit organization

made for the purpose of paying expenses associated with conducting a federal, state, or local election.

Sec. 23. Minnesota Statutes 2020, section 204B.45, subdivision 2, is amended to read:

Subd. 2. **Procedure.** Mail balloting must be conducted as provided in this section and Minnesota Rules, part 8210.3000. Notice of the election and the special mail procedure must be given at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before a regularly scheduled election and not more than 30 days nor later than 14 days before any other election, the auditor shall mail ballots by nonforwardable mail to all voters registered in the city, town, or unorganized territory. No later than 14 days before the election, the auditor must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot return envelopes, with return postage provided, must be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in person to the office of the auditor or clerk. The voter must present proof of identity and residence to the voter's witness in the same manner required by section 203B.08, subdivision 1, paragraph (b). In addition to the information required by Minnesota Rules, part 8210.3000, the signature envelope must include the witness oath prescribed by section 203B.07, subdivision 3, paragraph (b). The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "accepted" or "rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors or deputy municipal clerks who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk shall provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business

on the seventh day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from mail or absentee ballots may be made public before the close of voting on election day.

The costs of the mailing shall be paid by the election jurisdiction in which the voter resides. Any ballot received by 8:00 p.m. on the day of the election must be counted.

Sec. 24. Minnesota Statutes 2020, section 204B.46, is amended to read:

204B.46 MAIL ELECTIONS; QUESTIONS.

A county, municipality, or school district submitting questions to the voters at a special election may conduct an election by mail with no polling place other than the office of the auditor or clerk. No offices may be voted on at a mail election. Mail balloting must be conducted as provided in this section and Minnesota Rules, part 8210.3000. Notice of the election must be given to the county auditor at least 74 days prior to the election. This notice shall also fulfill the requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all voters registered in the county, municipality, or school district. No later than 14 days before the election, the auditor or clerk must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant to chapter 203B. The voter must present proof of identity and residence to the voter's witness in the same manner required by section 203B.08, subdivision 1, paragraph (b). In addition to the information required by Minnesota Rules, part 8210.3000, the signature envelope must include the witness oath prescribed by section 203B.07, subdivision 3, paragraph (b). The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors, deputy municipal clerks, or deputy school district clerks who have received training in the processing and counting of mail ballots, who need

not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk must provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the seventh day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from ballots may be made public before the close of voting on election day.

Sec. 25. Minnesota Statutes 2020, section 204C.08, subdivision 1d, is amended to read:

Subd. 1d. **Voter's Bill of Rights.** The county auditor shall prepare and provide to each polling place sufficient copies of a poster setting forth the Voter's Bill of Rights as set forth in this section. Before the hours of voting are scheduled to begin, the election judges shall post it in a conspicuous location or locations in the polling place. The Voter's Bill of Rights is as follows:

"VOTER'S BILL OF RIGHTS

For all persons residing in this state who meet federal voting eligibility requirements:

(1) You have the right to be absent from work for the purpose of voting in a state, federal, or regularly scheduled election without reduction to your pay, personal leave, or vacation time on election day for the time necessary to appear at your polling place, cast a ballot, and return to work.

(2) If you are in line at your polling place any time before 8:00 p.m., you have the right to vote.

(3) If you can provide the required proof of identity and residence, you have the right to register to vote and to vote on election day.

(4) If you are unable to sign your name, you have the right to orally confirm your identity with an election judge and to direct another person to sign your name for you.

(5) You have the right to request special assistance when voting.

(6) If you need assistance, you may be accompanied into the voting booth by a person of your choice, except by an agent of your employer or union or a candidate.

(7) You have the right to bring your minor children into the polling place and into the voting booth with you.

(8) If you have been convicted of a felony but your felony sentence has expired (been completed) or you have been discharged from your sentence, you have the right to vote.

(9) If you are under a guardianship, you have the right to vote, unless the court order revokes your right to vote.

(10) You have the right to vote without anyone in the polling place trying to influence your vote.

(11) If you make a mistake or spoil your ballot before it is submitted, you have the right to receive a replacement ballot and vote.

(12) You have the right to file a written complaint at your polling place if you are dissatisfied with the way an election is being run.

(13) You have the right to take a sample ballot into the voting booth with you.

(14) You have the right to take a copy of this Voter's Bill of Rights into the voting booth with you."

Sec. 26. Minnesota Statutes 2020, section 204C.10, is amended to read:

204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE; VOTER RECEIPT.

(a) An individual seeking to vote shall sign a polling place roster or voter signature certificate which states that the individual is at least 18 years of age, a citizen of the United States, has resided in Minnesota for 20 days immediately preceding the election, maintains residence at the address shown, is not under a guardianship in which the court order revokes the individual's right to vote, has not been found by a court of law to be legally incompetent to vote or has the right to vote because, if the individual was convicted of a felony, the

felony sentence has expired or been completed or the individual has been discharged from the sentence, is registered and has not already voted in the election. The roster must also state: "I understand that deliberately providing false information is a felony punishable by not more than five years imprisonment and a fine of not more than $10,000, or both."

(b) At the presidential nomination primary, the polling place roster must also state: "I am in general agreement with the principles of the party for whose candidate I intend to vote." This statement must appear separately from the statements required in paragraph (a). The felony penalty provided for in paragraph (a) does not apply to this paragraph.

(c) ~~A judge may,~~ Before the applicant signs the roster or voter signature certificate, a judge must (1) require the voter to present proof of identity and residence as described in section 200.035; and (2) confirm the applicant's name, address, and date of birth. An applicant who does not present proof of identity and residence as required by section 200.035 must not sign the polling place roster or a voter signature certificate, but must be allowed to cast a provisional ballot as provided in section 204C.135.

(d) After the applicant signs the roster or voter signature certificate, the judge shall give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to the voter the ballot. The voters' receipts must be maintained during the time for notice of filing an election contest.

(e) Whenever a challenged status appears on the polling place roster, an election judge must ensure that the challenge is concealed or hidden from the view of any voter other than the voter whose status is challenged.

Sec. 27. **[204C.135] PROVISIONAL BALLOTS; PROOF OF IDENTITY AND RESIDENCE.**

Subdivision 1. **Casting of provisional ballots.** (a) A voter who is unable to provide proper proof of identity and residence as required by section 204C.10 is entitled to cast a provisional ballot in the manner provided by this section.

(b) A voter seeking to vote a provisional ballot under this section must complete a provisional ballot envelope and sign a provisional ballot roster or voter signature certificate for a provisional ballot. The envelope must contain a space for the voter to list the voter's name, address of residence, date of birth, and any other information prescribed by the secretary of state. The voter must also swear or affirm, in writing, that the voter is eligible to vote, has not voted previously in the same election, and meets the criteria for registering

to vote in the precinct in which the voter appears. Once the voter has completed the provisional ballot envelope, the voter must be allowed to cast a provisional ballot. The provisional ballot must be the same as the official ballot available in the precinct on election day. A completed provisional ballot must be sealed in a secrecy envelope. The secrecy envelope must be sealed inside the voter's provisional ballot envelope and deposited by the voter in a secure, sealed, provisional ballot box. Completed provisional ballots must not be combined with other voted ballots in the polling place.

(c) An election judge must inform the voter on the process to follow to prove residence and identity during the seven days following the election. The election judge must inform the voter of the location of the county auditor or municipal clerk responsible for accepting or rejecting provisional ballots and the hours the auditor or clerk is open for business during the week following the election.

(d) The form of the secrecy and provisional ballot envelopes must be prescribed by the secretary of state. The provisional ballot envelope must be a color other than that provided for absentee ballot envelopes. The envelope must be prominently labeled "Provisional Ballot Envelope."

(e) Provisional ballots and related documentation must be delivered to and securely maintained by the county auditor or municipal clerk in the same manner as required for other election materials under sections 204C.27 to 204C.28.

Subd. 2. **Accepting or rejecting provisional ballots.** (a) A voter who casts a provisional ballot in the polling place may personally appear before the county auditor or municipal clerk no later than seven calendar days following the election to prove that the voter's provisional ballot should be counted. The county auditor's office and the city clerk's office must be open for approving provisional ballots on the Saturday following the election for the hours prescribed in section 203B.085.

(b) The county auditor or municipal clerk must accept a provisional ballot if:

(1) the statewide voter registration system indicates that the voter is eligible to vote or, if challenged, the county auditor or municipal clerk does not, based upon available records and any documentation presented by the voter, conclude that the voter is ineligible;

(2) the voter presents proof of identity and residence in the precinct in the manner permitted by section 200.035 or executes an affidavit described in paragraph (c); and

(3) the data on the identity and residence document presented by the voter matches the data provided by the voter on the provisional ballot envelope.

(c) A voter that attempted to procure proof of identity and residence to satisfy the requirements of section 200.035 but was unable to do so, may execute a sworn affidavit, under the penalty of perjury, that states:

(1) the voter is the same voter who cast the provisional ballot;

(2) the voter is eligible to vote, has not voted previously in the same election, and meets the criteria for registering to vote in the precinct where the voter cast the provisional ballot;

(3) the voter attempted to procure proof of identity and residence but was unable to do so, and provide an explanation of the reason that the voter was unable to procure the necessary proof; and

(4) that the information on the affidavit is true and accurate.

The affidavit must be signed in the presence of the county auditor or municipal clerk.

(d) If the voter's ballot is accepted, the county auditor or municipal clerk must remove the ballot from the provisional ballot box, mark the provisional ballot envelope "accepted" and initial or sign the provisional ballot envelope below the word "accepted." All accepted provisional ballot envelopes must be kept together in a secure location. Provisional ballot envelopes must only be opened as provided in subdivision 3.

(e) A county auditor or municipal clerk must not accept or count a provisional ballot if the voter does not appear before the county auditor or municipal clerk within seven calendar days following the election or if the voter does not satisfy the requirements of paragraph (a).

(f) The county auditor or municipal clerk must notify, in writing, any voter who cast a provisional ballot and who does not appear within seven calendar days of the election that the voter's provisional ballot was not counted because of the voter's failure to appear before the county auditor or municipal clerk within the time permitted by law to determine whether the provisional ballot should be counted.

Subd. 3. **Provisional ballots; reconciliation; counting.** (a) At the close of business for the county auditor's or municipal clerk's office on the seventh day after the election, but prior to counting any provisional ballots in the final vote totals from a precinct, the county auditor or municipal clerk must determine whether the number of signatures appearing on the provisional ballot roster or number of voter signature certificates for provisional ballots from that precinct is equal to the number of provisional ballots submitted by voters in the precinct on election day. If there are excess ballots, ballots must be randomly withdrawn from the accepted provisional ballot envelopes in the manner required by section 204C.20,

subdivision 2. Any discrepancy must be resolved before the provisional ballots from the precinct may be counted.

(b) After the ballots are reconciled pursuant to paragraph (a), the county auditor or municipal clerk must open the accepted provisional ballot envelopes and deposit them in the appropriate ballot box. The accepted and deposited provisional ballots must be included in the final certified results from the precinct.

Sec. 28. Minnesota Statutes 2020, section 204C.32, is amended to read:

204C.32 CANVASS OF STATE PRIMARIES.

Subdivision 1. **County canvass.** The county canvassing board shall meet at the county auditor's office on ~~either the second or third~~ the eighth day following the state primary. After taking the oath of office, the canvassing board shall publicly canvass the election returns delivered to the county auditor. The board shall complete the canvass by the ~~third~~ eighth day following the state primary and shall promptly prepare and file with the county auditor a report that 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) for each major political party, the names of the candidates running for each partisan office and the number of votes received by each candidate in the county and in each precinct;

(d) the names of the candidates of each major political party who are nominated; and

(e) the number of votes received by each of the candidates for nonpartisan office in each precinct in the county and the names of the candidates nominated for nonpartisan office.

Upon completion of the canvass, the county auditor shall mail or deliver a notice of nomination to each nominee for county office voted for only in that county. The county auditor shall transmit one of the certified copies of the county canvassing board report for state and federal offices to the secretary of state by express mail or similar service immediately upon conclusion of the county canvass. The secretary of state shall mail a notice of nomination to each nominee for state or federal office.

Subd. 2. **State canvass.** The State Canvassing Board shall meet at a public meeting space located in the Capitol complex area ~~seven~~ 14 days after the state primary to canvass the certified copies of the county canvassing board reports received from the county auditors. Immediately after the canvassing board declares the results, the secretary of state shall

certify the names of the nominees to the county auditors. The secretary of state shall mail to each nominee a notice of nomination.

Sec. 29. Minnesota Statutes 2020, 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~~ eighth and ~~tenth~~ 14th 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.

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

Sec. 30. Minnesota Statutes 2020, section 204C.37, is amended to read:

204C.37 COUNTY CANVASS; RETURN OF REPORTS TO SECRETARY OF STATE.

A copy of the report required by sections 204C.32, subdivision 1, and 204C.33, subdivision 1, shall be certified under the official seal of the county auditor. The copy shall be enclosed in an envelope addressed to the secretary of state, with the county auditor's name and official address and the words "Election Returns" endorsed on the envelope. The copy of the canvassing board report must be sent by express mail or delivered to the secretary of state. If the copy is not received by the secretary of state within ten days following ~~the applicable election~~ a primary election, or within 15 days following a general election, the secretary of state shall immediately notify the county auditor, who shall deliver another copy to the secretary of state by special messenger.

Sec. 31. Minnesota Statutes 2020, section 205.065, subdivision 5, is amended to read:

Subd. 5. **Results.** The municipal primary shall be conducted and the returns made in the manner provided for the state primary so far as practicable. ~~The canvass may be conducted on either the second or third day after the primary.~~

The governing body of the municipality shall canvass the returns on the eighth day after the primary, and the two candidates for each office who receive the highest number of votes, or a number of candidates equal to twice the number of individuals to be elected to the office, who receive the highest number of votes, shall be the nominees for the office named. Their names shall be certified to the municipal clerk who shall place them on the municipal general election ballot without partisan designation and without payment of an additional fee.

Sec. 32. Minnesota Statutes 2020, section 205.185, subdivision 3, is amended to read:

Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** (a) Between the ~~third~~ eighth and ~~tenth~~ 15th days after an election, the governing body of a city conducting any election including a special municipal election, or the governing body of a town conducting the general election in November shall act as the canvassing board, canvass the returns, and declare the results of the election. The governing body of a town conducting the general election in March shall act as the canvassing board, canvass the returns, and declare the results of the election ~~within two days~~ on the eighth day after an election.

(b) After the time for contesting elections has passed, the municipal clerk shall issue a certificate of election to each successful candidate. In case of a contest, the certificate shall not be issued until the outcome of the contest has been determined by the proper court.

(c) In case of a tie vote, the canvassing board having jurisdiction over the municipality shall determine the result by lot. The clerk of the canvassing board shall certify the results of the election to the county auditor, and the clerk shall be the final custodian of the ballots and the returns of the election.

Sec. 33. Minnesota Statutes 2020, section 205A.03, subdivision 4, is amended to read:

Subd. 4. **Results.** ~~(a)~~ The school district primary must be conducted and the returns made in the manner provided for the state primary as far as practicable. ~~If the primary is conducted:~~

~~(1) only within that school district, a canvass may be conducted on either the second or third day after the primary; or~~

~~(2) in conjunction with the state primary, the canvass must be conducted on the third day after the primary, except as otherwise provided in paragraph (b).~~

On the eighth day after the primary, the school board of the school district shall canvass the returns, and the two candidates for each specified school board position who receive the highest number of votes, or a number of candidates equal to twice the number of individuals to be elected to at-large school board positions who receive the highest number of votes, are the nominees for the office named. Their names must be certified to the school district clerk who shall place them on the school district general election ballot without partisan designation and without payment of an additional fee.

~~(b) Following a school district primary as described in paragraph (a), clause (2), a canvass may be conducted on the second day after the primary if the county auditor of each county in which the school district is located agrees to administratively review the school district's primary voting statistics for accuracy and completeness within a time that permits the canvass to be conducted on that day.~~

Sec. 34. Minnesota Statutes 2020, section 205A.10, subdivision 3, is amended to read:

Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** Between the ~~third~~ eighth and ~~tenth~~ 14th days after a school district election other than a recount of a special election conducted under section 126C.17, subdivision 9, or 475.59, the school board shall canvass the returns and declare the results of the election. After the time for contesting

elections has passed, the school district clerk shall issue a certificate of election to each successful candidate. If there is a contest, the certificate of election to that office must not be issued until the outcome of the contest has been determined by the proper court. If there is a tie vote, the school board shall determine the result by lot. The clerk shall deliver the certificate of election to the successful candidate by personal service or certified mail. The successful candidate shall file an acceptance and oath of office in writing with the clerk within 30 days of the date of mailing or personal service. A person who fails to qualify prior to the time specified shall be deemed to have refused to serve, but that filing may be made at any time before action to fill the vacancy has been taken. The school district clerk shall certify the results of the election to the county auditor, and the clerk shall be the final custodian of the ballots and the returns of the election.

A school district canvassing board shall perform the duties of the school board according to the requirements of this subdivision for a recount of a special election conducted under section 126C.17, subdivision 9, or 475.59.

Sec. 35. Minnesota Statutes 2020, section 256E.22, subdivision 1, is amended to read:

Subdivision 1. **Creation of trust fund.** A children's trust fund for the prevention of child abuse is established as an account in the state treasury. The commissioner of management and budget shall credit to the trust fund all amounts received under sections 144.226, ~~subdivision~~ subdivisions 3 and 10, paragraph (c), and 256E.26, and shall ensure that trust fund money is invested under section 11A.25. All money earned by the trust fund must be credited to the trust fund. The trust fund earns its proportionate share of the total annual state investment income.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 36. **[357.43] DOCUMENTS REQUIRED FOR VOTER IDENTIFICATION CARD.**

Notwithstanding any provisions to the contrary, no fee shall be charged by the courts for a certified copy of a court order, decree, record, or other document if the applicant attests that the record is needed to obtain a voter identification card issued pursuant to section 171.07, subdivision 3c.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 37. **PUBLIC EDUCATION CAMPAIGN.**

The secretary of state must contract with a vendor for the production and implementation of a statewide public educational campaign related to the voter identification requirements of this article. The campaign must inform voters of the requirements for identification when voting, methods of securing sufficient identification, including securing a free voter identification card if necessary, and the process for provisional balloting for voters unable to meet the identification requirements on election day. The secretary of state may consult with the vendor in coordinating material related to the campaign, but the secretary, the secretary's staff, and any other documents or materials promoting the Office of the Secretary of State may not appear visually or audibly in any advertising or promotional items disseminated by the vendor as part of the public education campaign.

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

Sec. 38. **PROPOSED LEGISLATION.**

(a) By January 15, 2023, the secretary of state must report to the chairs and ranking minority members of the legislative committees with jurisdiction over elections on proposed legislation to amend matters currently contained in administrative rules as necessary to implement this act. To the greatest extent practical, this proposed legislation must propose codifying into law matters that otherwise would be adopted through the administrative rulemaking process.

(b) To the extent that codifying matters into law is not practical, the proposed legislation must direct, by law, specific changes to be made in administrative rules so that no interpretation of the law by the secretary of state would be necessary, and use of the good cause rulemaking exemption in Minnesota Statutes, section 14.388, would be appropriate if the legislature authorizes use of this process.

(c) Nothing in this section grants rulemaking authority to the secretary of state.

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

Sec. 39. **VOTER IDENTIFICATION CARD TRAINING FOR DRIVER'S LICENSE AGENTS.**

The commissioner of public safety must provide training for driver's license agents on the process for issuing voter identification cards.

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

Sec. 40. **APPROPRIATIONS.**

(a) $..... is appropriated in fiscal year 2023 from the general fund to the secretary of state for implementing the requirements of this act.

(b) $..... is appropriated in fiscal year 2023 from the general fund to the commissioner of public safety for the programming costs in the driver's license system necessary to implement this act and for the training for driver's license agents required by section 38. This is a onetime appropriation and is available until June 30, 2025.

(c) $..... in fiscal year 2023 is appropriated from the general fund to the commissioner of management and budget for transfer to the voter identification card account established under Minnesota Statutes, section 201.017, paragraph (a). The base for this appropriation is $..... in fiscal year 2024 and each year thereafter.

EFFECTIVE DATE. This section is effective July 1, 2022.

Sec. 41. **REPEALER.**

Minnesota Statutes 2020, section 201.061, subdivision 7, is repealed.

Sec. 42. **EFFECTIVE DATE.**

Except where otherwise provided, this article is effective on June 1, 2023.

ARTICLE 3
ABSENTEE VOTING

Section 1. Minnesota Statutes 2020, section 203B.03, is amended by adding a subdivision to read:

Subd. 1a. **Prohibited methods of compensation.** (a) No individual may be compensated for the solicitation, collection, or acceptance of absentee ballot applications from voters for submission to the county auditor or other local election official in a manner in which payment is calculated by multiplying (1) either a set or variable payment rate, by (2) the number of applications solicited, collected, or accepted.

(b) No individual may be deprived of compensation or have compensation automatically reduced exclusively for failure to solicit, collect, or accept a minimum number of absentee ballot applications.

(c) No individual may receive additional compensation for collecting a certain number of absentee ballot applications.

Sec. 2. Minnesota Statutes 2021 Supplement, section 203B.08, subdivision 1, is amended to read:

Subdivision 1. **Marking and return by voter.** ~~(a)~~ An eligible voter who receives absentee ballots as provided in this chapter shall mark them in the manner specified in the directions for casting the absentee ballots. The return envelope containing marked ballots may be mailed as provided in the directions for casting the absentee ballots, may be left with the county auditor or municipal clerk who transmitted the absentee ballots to the voter, or may be left in a drop box as provided in section 203B.082. If delivered in person, the return envelope must be submitted to the county auditor or municipal clerk by 3:00 p.m. on election day.

~~(b) The voter may designate an agent to deliver in person the sealed absentee ballot return envelope to the county auditor or municipal clerk or to deposit the return envelope in the mail. An agent may deliver or mail the return envelopes of not more than three voters in any election. Any person designated as an agent who tampers with either the return envelope or the voted ballots or does not immediately mail or deliver the return envelope to the county auditor or municipal clerk is guilty of a misdemeanor.~~

Sec. 3. Minnesota Statutes 2020, section 203B.081, subdivision 1, is amended to read:

Subdivision 1. **Location; timing.** An eligible voter may vote by absentee ballot in the office of the county auditor and at any other polling place designated by the county auditor during the 46 days before the election, except as provided in this section. Any other polling place designated by the county auditor pursuant to this section must:

(1) be at a precinct polling place designated pursuant to section 204B.16; and

(2) be open for in-person absentee voting for the entire absentee voting period during the same days and hours as the office of the county auditor is open for in-person absentee voting.

Sec. 4. Minnesota Statutes 2020, section 204C.15, subdivision 1, is amended to read:

Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for assistance because of inability to read English or physical inability to mark a ballot may obtain the aid of two election judges who are members of different major political parties. The election judges shall mark the ballots as directed by the voter and in as secret a manner as circumstances permit. A voter in need of assistance may alternatively obtain the assistance of any individual the voter chooses. Only the following persons may not provide assistance

to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the voter's union, or a candidate for election. The person who assists the voter shall, unaccompanied by an election judge, retire with that voter to a booth and mark the ballot as directed by the voter. No person who assists another voter as provided in the preceding sentence shall mark the ballots of more than three voters at one election. Before the ballots are deposited, the voter may show them privately to an election judge to ascertain that they are marked as the voter directed. An election judge or other individual assisting a voter shall not in any manner request, persuade, induce, or attempt to persuade or induce the voter to vote for any particular political party or candidate. The election judges or other individuals who assist the voter shall not reveal to anyone the name of any candidate for whom the voter has voted or anything that took place while assisting the voter. Before permitting an individual to assist a voter, an election judge must document the individual's name, address, and telephone number and must require the individual to sign a statement certifying compliance with this subdivision. An individual who assists a voter in a manner not authorized by this section is guilty of a felony.

Sec. 5. Minnesota Statutes 2020, section 211B.07, is amended to read:

211B.07 UNDUE INFLUENCE ON VOTERS PROHIBITED.

A person may not directly or indirectly use or threaten force, coercion, violence, restraint, damage, harm, loss, including loss of employment or economic reprisal, undue influence, or temporal or spiritual injury against an individual to compel the individual to register to vote, to apply for an absentee ballot, or to vote for or against a candidate or ballot question. Abduction, duress, or fraud may not be used to obstruct or prevent the free exercise of the right to vote of a voter at a primary or election, ~~or~~ compel an individual to register to vote, or compel a voter to apply for an absentee ballot or vote at a primary or election. Violation of this section is a ~~gross misdemeanor~~ felony.

Sec. 6. Minnesota Statutes 2020, section 211B.13, subdivision 1, is amended to read:

Subdivision 1. **Bribery, advancing money, and treating prohibited.** A person who willfully, directly or indirectly, advances, pays, gives, promises, or lends any money, food, liquor, clothing, entertainment, or other thing of monetary value, or who offers, promises, or endeavors to obtain any money, position, appointment, employment, or other valuable consideration, to or for a person, in order to induce ~~a voter~~ an individual to do any of the following: (1) to register to vote, (2) to refrain from voting, ~~or~~ (3) to vote in a particular way, or (4) to apply for an absentee ballot at an election, is guilty of a felony. This section

does not prevent a candidate from stating publicly preference for or support of another candidate to be voted for at the same primary or election. Refreshments of food or nonalcoholic beverages having a value up to $5 consumed on the premises at a private gathering or public meeting are not prohibited under this section.

ARTICLE 4
CONFORMING CHANGES

Section 1. Minnesota Statutes 2020, section 171.061, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For purposes of this section:

(1) "applicant" means an individual applying for a driver's license, provisional license, restricted license, duplicate license, instruction permit, Minnesota identification card, voter identification card, or motorized bicycle operator's permit; and

(2) "application" refers to an application for a driver's license, provisional license, restricted license, duplicate license, instruction permit, Minnesota identification card, voter identification card, or motorized bicycle operator's permit.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 2. Minnesota Statutes 2020, section 171.061, subdivision 3, is amended to read:

Subd. 3. **Application.** An applicant may file an application with an agent. The agent shall receive and accept applications in accordance with the laws and rules of the Department of Public Safety for a noncompliant driver's license or identification card; an enhanced driver's license or identification card; a REAL ID compliant driver's license or identification card; restricted license; duplicate license; instruction permit; voter identification card; or motorized bicycle operator's permit. Application records must be maintained at the office of the agent in a manner that complies with sections 13.05, subdivision 5, and 13.055. As an alternative to paper copy storage, an agent may retain records and documents in a secure electronic medium that complies with the security requirements under the United States Federal Bureau of Investigation, Criminal Justice Information Services Division, Policy 5.4 or any successor policy, provided 60 days have elapsed since the transaction and subject to standards established by the commissioner. The agent is responsible for all costs associated with the conversion to electronic records and maintenance of the electronic storage medium, including the destruction of existing paper records after conversion to the electronic format. All queries and responses in the secure electronic medium, and all actions in which data are entered, updated, accessed, or shared or disseminated by the agent must be contained

in a data audit trail. Data contained in the audit trail are public to the extent the data are not otherwise classified under this section.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 3. Minnesota Statutes 2020, section 171.07, subdivision 1a, is amended to read:

Subd. 1a. **Filing photograph or image; data classification.** The department shall file, or contract to file, all photographs or electronically produced images obtained in the process of issuing drivers' licenses ~~or~~, Minnesota identification cards, or voter identification cards. The photographs or electronically produced images shall be private data pursuant to section 13.02, subdivision 12. Notwithstanding section 13.04, subdivision 3, the department shall not be required to provide copies of photographs or electronically produced images to data subjects. The use of the files is restricted:

(1) to the issuance and control of drivers' licenses and voter identification cards;

(2) to criminal justice agencies, as defined in section 299C.46, subdivision 2, for the investigation and prosecution of crimes, service of process, enforcement of no contact orders, location of missing persons, investigation and preparation of cases for criminal, juvenile, and traffic court, location of individuals required to register under section 243.166 or 243.167, and supervision of offenders;

(3) to public defenders, as defined in section 611.272, for the investigation and preparation of cases for criminal, juvenile, and traffic courts;

(4) to child support enforcement purposes under section 256.978; and

(5) to a county medical examiner or coroner as required by section 390.005 as necessary to fulfill the duties under sections 390.11 and 390.25.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 4. Minnesota Statutes 2020, section 171.07, subdivision 14, is amended to read:

Subd. 14. **Use of Social Security number.** An applicant's Social Security number must not be displayed, encrypted, or encoded on the driver's license ~~or~~, Minnesota identification card, or voter identification card or included in a magnetic strip or bar code used to store data on the license or Minnesota identification card. The Social Security number must not be used as a Minnesota driver's license or identification number.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 5. Minnesota Statutes 2020, section 171.071, subdivision 1, is amended to read:

Subdivision 1. **Religious objection.** Notwithstanding the provisions of section 171.07, the commissioner of public safety may adopt rules to permit identification on a driver's license ~~or~~, Minnesota identification card, or voter identification card in lieu of a photograph or electronically produced image where the commissioner finds that the licensee has religious objections to the use of a photograph or electronically produced image.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 6. Minnesota Statutes 2020, section 171.071, subdivision 2, is amended to read:

Subd. 2. **Certain head wear permitted.** If an accident involving a head injury, serious illness, or treatment of the illness has resulted in hair loss by an applicant for a driver's license ~~or~~, identification card, or voter identification card, the commissioner shall permit the applicant to wear a hat or similar head wear in the photograph or electronically produced image. The hat or head wear must be of an appropriate size and type to allow identification of the holder of the license or card and must not obscure the holder's face.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 7. Minnesota Statutes 2020, section 171.10, subdivision 1, is amended to read:

Subdivision 1. **Duplicate license.** In the event that an instruction permit, provisional license, ~~or~~ driver's license, or voter identification card issued under the provisions of this chapter is lost or destroyed, or becomes illegible, the person to whom the same was issued shall obtain a duplicate thereof, furnishing proof satisfactory to the department that such permit or license has been lost or destroyed or has become illegible, and make payment of the required fee.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 8. Minnesota Statutes 2020, section 171.12, subdivision 3c, is amended to read:

Subd. 3c. **Record retention; birth certificates.** (a) If the procedures established by the commissioner for driver's license ~~or~~, Minnesota identification card, or voter identification card records include retention of a physical copy or digital image of a birth certificate, the commissioner must:

(1) notify a driver's license or identification card applicant of the retention procedure; and

(2) allow the applicant, licensee, or identification cardholder to designate that the applicant, licensee, or identification cardholder's birth certificate physical copy or digital image must not be retained.

(b) The commissioner must not retain a birth certificate if directed by an applicant, licensee, or identification cardholder under paragraph (a), clause (2), but must record and retain data on the birth certificate required under Code of Federal Regulations, title 6, section 37.31(c).

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 9. Minnesota Statutes 2020, section 171.121, is amended to read:

171.121 USE OF ANOTHER'S RESIDENCE ADDRESS.

A person may notify the commissioner in writing to the effect that the person (1) is the owner of a residence, and (2) does not consent to have that residence address identified on any driver's license ~~or~~, identification card, voter identification card, or driving record of the department as the residence address or permanent mailing address of any person named in the notice. The notice may not name a spouse of the notifying person. Upon receiving the notice the commissioner shall not issue any license ~~or~~, identification card, or voter identification card under this chapter, or accept an application for a license ~~or~~, identification card, or voter identification card under this chapter, that lists the residence address identified in the notice as the residence address or permanent mailing address of any person named in the notice.

EFFECTIVE DATE. This section is effective June 1, 2022.

Sec. 10. Minnesota Statutes 2020, section 201.022, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** The secretary of state shall maintain a statewide voter registration system to facilitate voter registration and to provide a central database containing voter registration information from around the state. The system must be accessible to the county auditor of each county in the state. The system must also:

(1) provide for voters to submit their voter registration applications to any county auditor, the secretary of state, or the Department of Public Safety;

(2) provide for the definition, establishment, and maintenance of a central database for all voter registration information;

(3) provide for entering data into the statewide registration system;

(4) provide for electronic transfer of completed voter registration applications from the Department of Public Safety to the secretary of state or the county auditor;

(5) assign a unique identifier to each legally registered voter in the state;

(6) provide for the acceptance of the Minnesota driver's license number, Minnesota state identification number, voter identification card number, and last four digits of the Social Security number for each voter record;

(7) coordinate with other agency databases within the state;

(8) allow county auditors and the secretary of state to add or modify information in the system to provide for accurate and up-to-date records;

(9) allow county auditors, municipal and school district clerks, and the secretary of state to have electronic access to the statewide registration system for review and search capabilities;

(10) provide security and protection of all information in the statewide registration system and ensure that unauthorized access is not allowed;

(11) provide access to municipal clerks to use the system;

(12) provide a system for each county to identify the precinct to which a voter should be assigned for voting purposes;

(13) provide daily reports accessible by county auditors on the driver's license numbers, state identification numbers, voter identification card number, or last four digits of the Social Security numbers submitted on voter registration applications that have been verified as accurate by the secretary of state; and

(14) provide reports on the number of absentee ballots transmitted to and returned and cast by voters under section 203B.16.

The appropriate state or local official shall provide security measures to prevent unauthorized access to the computerized list established under section 201.021.

Sec. 11. Minnesota Statutes 2020, section 201.061, subdivision 1, is amended to read:

Subdivision 1. **Prior to election day.** (a) At any time except during the 20 days immediately preceding any regularly scheduled election, an eligible voter or any individual who will be an eligible voter at the time of the next election may register to vote in the precinct in which the voter maintains residence by completing a voter registration application as described in section 201.071, subdivision 1. A completed application may be submitted:

(1) in person or by mail to the county auditor of that county or to the Secretary of State's Office; or

(2) electronically through a secure website that shall be maintained by the secretary of state for this purpose, if the applicant has an e-mail address and provides the applicant's verifiable Minnesota driver's license number, Minnesota state identification card number, voter identification card number, or the last four digits of the applicant's Social Security number.

A registration that is received in person or by mail no later than 5:00 p.m. on the 21st day preceding any election, or a registration received electronically through the secretary of state's secure website no later than 11:59 p.m. on the 21st day preceding any election, shall be accepted. An improperly addressed or delivered registration application shall be forwarded within two working days after receipt to the county auditor of the county where the voter maintains residence. A state or local agency or an individual that accepts completed voter registration applications from a voter must submit the completed applications to the secretary of state or the appropriate county auditor within ten calendar days after the applications are dated by the voter.

(b) An application submitted electronically under paragraph (a), clause (2), 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, voter identification card number, or Social Security number. The secretary of state must review all unverifiable voter registration applications submitted electronically for evidence of suspicious activity and must forward any such application to an appropriate law enforcement agency for investigation.

An individual may not electronically submit a voter registration application on behalf of any other individual.

(c) For purposes of this section, mail registration is defined as a voter registration application delivered to the secretary of state, county auditor, or municipal clerk by the United States Postal Service or a commercial carrier.

Sec. 12. Minnesota Statutes 2020, section 201.061, subdivision 1a, is amended to read:

Subd. 1a. **Incomplete registration by mail.** If the county auditor determines that a voter who has submitted a voter registration application by mail has not previously voted in this state for a federal office and has also not presented a document authorized for election day

registration in section 201.061, subdivision 3, to the auditor, and the county auditor is unable to verify the voter's driver's license, state identification, voter identification card, or last four digits of the voter's Social Security number as provided by the voter on the voter registration application, then the county auditor must notify the voter that the registration is incomplete and to complete registration by using one of the following methods:

(1) presenting to the auditor more than 20 days before the election a document authorized for election day registration in section 201.061, subdivision 3;

(2) registering in person before or on election day;

(3) if voting by absentee ballot or by mail, following election day registration procedures for absentee voters as described in section 203B.04, subdivision 4; or

(4) providing proof of residence by any of the methods authorized for election day registration in section 201.061, subdivision 3.

Sec. 13. Minnesota Statutes 2020, 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, voter identification card number, or if the voter has no current and valid Minnesota driver's license ~~or~~, Minnesota state identification, or voter identification card, the last four digits of the voter's Social Security number; and voter's signature. The paper registration application may include the voter's e-mail address, if provided by the voter. The electronic voter registration application must include the voter's e-mail 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) will be at least 18 years old on election day;

(2) am a citizen of the United States;

(3) will have resided in Minnesota for 20 days immediately preceding election day;

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

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

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

(7) have the right to vote because, if I have been convicted of a felony, my felony sentence has expired (been completed) or I have been discharged from my sentence; and

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

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

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

"(2) Will you be 18 years old on or before election day?"

And the instruction:

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

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

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

Sec. 14. Minnesota Statutes 2021 Supplement, section 201.071, subdivision 2, is amended to read:

Subd. 2. **Instructions.** (a) A registration application shall be accompanied by instructions specifying the manner and method of registration, the qualifications for voting, the penalties for false registration, and the availability of registration and voting assistance for elderly and disabled individuals and residents of health care facilities and hospitals.

(b) The instructions must indicate that the voter must provide a valid Minnesota driver's license or identification card number, voter identification card, or the last four digits of the voter's Social Security number, unless the voter has not been issued one of those numbers.

(c) If, prior to election day, a person requests the instructions in Braille, audio format, or in a version printed in 16-point bold type with 24-point leading, the county auditor shall

provide them in the form requested. The secretary of state shall prepare Braille and audio copies and make them available.

Sec. 15. Minnesota Statutes 2020, section 201.071, subdivision 3, is amended to read:

Subd. 3. **Deficient registration.** No voter registration application is deficient if it contains the voter's name, address, date of birth, current and valid Minnesota driver's license number ~~or~~, Minnesota state identification number, or voter identification card number, or if the voter has no current and valid Minnesota driver's license ~~or~~, Minnesota state identification number, or voter identification card number, the last four digits of the voter's Social Security number, if the voter has been issued a Social 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.

Sec. 16. Minnesota Statutes 2020, section 201.091, subdivision 9, is amended to read:

Subd. 9. **Restricted data.** A list provided for public inspection or purchase, or in response to a law enforcement inquiry, must not include a voter's date of birth or any part of a voter's Social Security number, driver's license number, identification card number, voter identification card number, military identification card number, or passport number.

Sec. 17. Minnesota Statutes 2020, section 201.121, subdivision 1, is amended to read:

Subdivision 1. **Entry of registration information.** (a) At the time a voter registration application is properly completed, submitted, and received in accordance with sections 201.061 and 201.071, the county auditor shall enter the information contained on it into the statewide registration system. Voter registration applications completed before election day must be entered into the statewide registration system within ten days after they have been submitted to the county auditor. Voter registration applications completed on election day must be entered into the statewide registration system within 42 days after the election, unless the county auditor notifies the secretary of state before the deadline has expired that the deadline will not be met. Upon receipt of a notification under this paragraph, the secretary of state must extend the deadline for that county auditor by an additional 28 days. The secretary of state may waive a county's obligations under this paragraph if, on good cause shown, the county demonstrates its permanent inability to comply.

The secretary of state must post data on each county's compliance with this paragraph on the secretary of state's website including, as applicable, the date each county fully complied or the deadline by which a county's compliance must be complete.

(b) Upon receiving a completed voter registration application, the secretary of state may electronically transmit the information on the application to the appropriate county auditor as soon as possible for review by the county auditor before final entry into the statewide registration system. The secretary of state may mail the voter registration application to the county auditor.

(c) Within ten days after the county auditor has entered information from a voter registration application into the statewide registration system, the secretary of state shall compare the voter's name, date of birth, and driver's license number, state identification number, voter identification card number, or the last four digits of the Social Security number with the same information contained in the Department of Public Safety database.

(d) The secretary of state shall provide a report to the county auditor on a weekly basis that includes a list of voters whose name, date of birth, or identification number have been compared with the same information in the Department of Public Safety database and cannot be verified as provided in this subdivision. The report must list separately those voters who have submitted a voter registration application by mail and have not voted in a federal election in this state.

(e) The county auditor shall compile a list of voters for whom the county auditor and the secretary of state are unable to conclude that information on the voter registration

application and the corresponding information in the Department of Public Safety database relate to the same person.

(f) The county auditor shall send a notice of incomplete registration to any voter whose name appears on the list and change the voter's status to "incomplete." A voter who receives a notice of incomplete registration from the county auditor may either provide the information required to complete the registration at least 21 days before the next election or at the polling place on election day.

Sec. 18. Minnesota Statutes 2020, section 201.13, subdivision 3, is amended to read:

Subd. 3. **Use of change of address system.** (a) At least once each month the secretary of state shall obtain a list of individuals registered to vote in this state who have filed with the United States Postal Service a change of their permanent address. The secretary of state may also periodically obtain a list of individuals with driver's licenses ~~or~~, state identification cards, or voter identification cards to identify those who are registered to vote who have applied to the Department of Public Safety for a replacement driver's license ~~or~~, state identification card, or voter identification card with a different address, and a list of individuals for whom the Department of Public Safety received notification of a driver's license ~~or~~, state identification card, or voter identification card cancellation due to a change of residency out of state. However, the secretary of state shall not load data derived from these lists into the statewide voter registration system within the 47 days before the state primary or 47 days before a November general election.

(b) If the address is changed to another address in this state, the secretary of state shall locate the precinct in which the voter resides, if possible. If the secretary of state is able to locate the precinct in which the voter resides, the secretary must transmit the information about the changed address by electronic means to the county auditor of the county in which the new address is located. For addresses for which the secretary of state is unable to determine the precinct, the secretary may forward information to the appropriate county auditors for individual review. If the voter has not voted or submitted a voter registration application since the address change, upon receipt of the information, the county auditor shall update the voter's address in the statewide voter registration system. The county auditor shall mail to the voter a notice stating the voter's name, address, precinct, and polling place, unless the voter's record is challenged due to a felony conviction, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, in which case the auditor must not mail the notice. The notice must advise the voter that the voter's voting address has been changed and that the voter must notify the

county auditor within 21 days if the new address is not the voter's address of residence. The notice must state that it must be returned if it is not deliverable to the voter at the named address.

(c) If the change of permanent address is to an address outside this state, the secretary of state shall notify by electronic means the auditor of the county where the voter formerly resided that the voter has moved to another state. If the voter has not voted or submitted a voter registration application since the address change, the county auditor shall promptly mail to the voter at the voter's new address a notice advising the voter that the voter's status in the statewide voter registration system will be changed to "inactive" unless the voter notifies the county auditor within 21 days that the voter is retaining the former address as the voter's address of residence, except that if the voter's record is challenged due to a felony conviction, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, the auditor must not mail the notice. If the notice is not received by the deadline, the county auditor shall change the voter's status to "inactive" in the statewide voter registration system.

(d) If, in order to maintain voter registration records, the secretary of state enters an agreement to share information or data with an organization governed exclusively by a group of states, the secretary must first determine that the data security protocols are sufficient to safeguard the information or data shared. If required by such an agreement, the secretary of state may share the following data from the statewide voter registration system and data released to the secretary of state under section 171.12, subdivision 7a:

(1) name;

(2) date of birth;

(3) address;

(4) driver's license ~~or~~, state identification card number, or voter identification number;

(5) the last four digits of an individual's Social Security number; and

(6) the date that an individual's record was last updated.

If the secretary of state enters into such an agreement, the secretary and county auditors must process changes to voter records based upon that data in accordance with this section. Except as otherwise provided in this subdivision, when data is shared with the secretary of state by another state, the secretary of state must maintain the same data classification that the data had while it was in the possession of the state providing the data.

Sec. 19. Minnesota Statutes 2020, section 201.14, is amended to read:

201.14 COURT ADMINISTRATOR OF DISTRICT COURT; REPORT CHANGES OF NAMES.

The state court administrator shall regularly report by electronic means to the secretary of state the name, address, and, if available, driver's license ~~or~~, state identification card number, or voter identification card number of each individual, 18 years of age or over, whose name was changed since the last report, by marriage, divorce, or any order or decree of the court. The secretary of state shall determine if any of the persons in the report are registered to vote under their previous name and shall prepare a list of those registrants for each county auditor. Upon receipt of the list, the county auditor shall make the change in the voter's record and mail to the voter the notice of registration required by section 201.121, subdivision 2. A notice must not be mailed if the voter's record is challenged due to a felony conviction, lack of United States citizenship, legal incompetence, or court-ordered revocation of voting rights of persons under guardianship.

Sec. 20. Minnesota Statutes 2020, section 201.145, subdivision 2, is amended to read:

Subd. 2. **State court administrator report.** (a) The state court administrator must report on individuals 17 years of age or older who are under a guardianship in which a court order revokes the ward's right to vote or where the court has found the individual to be legally incompetent to vote.

(b) The state court administrator must report on individuals transferred to the jurisdiction of the court who meet a condition specified in paragraph (a).

(c) Each report required under this subdivision must include the following information for each individual in the report: name, address, date of birth, and, if available, last four digits of the Social Security number and driver's license ~~or~~, state identification card number, or voter identification card number.

(d) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person identified under paragraphs (a) and (b) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must challenge the status on the record in the statewide voter registration system of each individual named in the list.

Sec. 21. Minnesota Statutes 2020, section 201.145, subdivision 3, is amended to read:

Subd. 3. **Commissioner of corrections report; state court administrator report.** (a) The state court administrator must report on individuals 17 years of age or older who have been convicted of a felony.

(b) The commissioner of corrections must report on individuals 17 years of age or older who are currently:

(1) serving felony sentences under the commissioner's jurisdiction; or

(2) on probation for felony offenses that resulted in the loss of civil rights, as indicated by the statewide supervision system established under section 241.065.

(c) Each report under this subdivision must include the following information for each individual: name, address or last known residential address that is not a correctional facility, and date of birth. If available, each report must also include the individual's: corrections' state identification number, last four digits of the Social Security number, driver's license ~~or~~, state identification card number, or voter identification card number, date of sentence, effective date of the sentence, county in which the conviction occurred, and date of discharge.

(d) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person identified under paragraph (a) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if any data newly indicates that a person identified under paragraph (b) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must challenge the status on the record in the statewide voter registration system of each individual named in the list.

(e) The county auditor must identify an individual who registered to vote or voted while serving a felony sentence under the commissioner's jurisdiction or while on probation for a felony offense that resulted in the loss of civil rights during a period when the individual's civil rights were revoked. The county auditor must immediately send notice to the county attorney. The notice must include the name of the individual and any other identifying information as well as the evidence that shows the individual registered to vote or voted during the period when the individual's civil rights were revoked.

Sec. 22. Minnesota Statutes 2020, section 201.145, subdivision 4, is amended to read:

Subd. 4. **Reports; restoration of right to vote.** (a) The state court administrator must report on each individual whose guardianship was modified to restore the ward's right to vote or whose guardianship was terminated by order of the court under section 524.5-317 after being ineligible to vote for any of the reasons specified in subdivision 2, paragraph (a).

(b) The state court administrator must report on individuals previously convicted of a felony whose civil rights have been restored.

(c) The commissioner of corrections must report on individuals who were serving a felony sentence under the commissioner's jurisdiction or who were on probation for a felony offense under the commissioner's jurisdiction that resulted in the loss of civil rights but who have been discharged from the sentence.

(d) Each report under this subdivision must include the following information for each individual: name, address, date of birth, and, if available, the last four digits of the Social Security number. For reports required by paragraphs (b) and (c), each report must also include the individual's, if available: corrections' state identification number, driver's license ~~or~~, state identification card number, or voter identification card number, date of sentence, effective date of the sentence, county in which the conviction occurred, and date of discharge.

(e) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person identified under paragraph (a) or (b) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if any data newly indicates that a person identified under paragraph (c) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must remove the challenge status on the record in the statewide voter registration system of each individual named in the list.

Sec. 23. Minnesota Statutes 2020, section 201.145, subdivision 5, is amended to read:

Subd. 5. **Commissioner of public safety report.** (a) The commissioner of public safety must report on individuals identified by department data as having temporary lawful status in the United States.

(b) The report under this section must include the following information for each individual: name, address, date of birth, driver's license ~~or~~, state identification card number,

voter identification card number, and, if available, last four digits of the Social Security number.

(c) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if any data newly indicates that a person identified under paragraph (a) is registered to vote and prepare a list of those voters for the county auditor. Within seven calendar days of receiving the list from the secretary of state, the county auditor must challenge the status on the record in the statewide voter registration system of each individual named in the list.

(d) The county auditor must also immediately send notice to the county attorney of each individual identified in paragraph (c). The notice must include the name of the individual and any other identifying information as well as the evidence that shows the individual registered to vote or voted and is not a citizen.

Sec. 24. Minnesota Statutes 2020, section 201.161, is amended to read:

201.161 DRIVER'S LICENSE AND IDENTIFICATION CARD APPLICATIONS.

The Department of Public Safety shall change its applications for an original, duplicate, or change of address driver's license ~~or~~, identification card, or voter identification card so that the forms may also serve as voter registration applications. The forms must contain spaces for all information collected by voter registration applications prescribed by the secretary of state. Applicants for driver's licenses ~~or~~, identification cards, or voter identification cards must be asked if they want to register to vote at the same time and that information must be transmitted at least weekly by electronic means to the secretary of state. Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the computerized driver's license record containing the voter's name, address, date of birth, driver's license number or state identification number, county, town, and city must be made available for access by the secretary of state and interaction with the statewide voter registration system.

Sec. 25. Minnesota Statutes 2021 Supplement, section 201.225, subdivision 2, is amended to read:

Subd. 2. **Technology requirements.** An electronic roster must:

(1) be able to be loaded with a data file that includes voter registration data in a file format prescribed by the secretary of state;

(2) allow for data to be exported in a file format prescribed by the secretary of state;

(3) allow for data to be entered manually or by scanning a Minnesota driver's license ~~or~~, identification card, or voter identification card to locate a voter record or populate a voter registration application that would be printed and signed and dated by the voter. The printed registration application can be either a printed form, labels printed with voter information to be affixed to a preprinted form, or a combination of both;

(4) allow an election judge to update data that was populated from a scanned driver's license ~~or~~, identification card, or voter identification card;

(5) cue an election judge to ask for and input data that is not populated from a scanned driver's license ~~or~~, identification card, or voter identification card that is otherwise required to be collected from the voter or an election judge;

(6) immediately alert the election judge if the voter has provided information that indicates that the voter is not eligible to vote;

(7) immediately alert the election judge if the electronic roster indicates that a voter has already voted in that precinct, the voter's registration status is challenged, or it appears the voter resides in a different precinct;

(8) provide immediate instructions on how to resolve a particular type of challenge when a voter's record is challenged;

(9) provide for a printed voter signature certificate, containing the voter's name, address of residence, date of birth, voter identification number, the oath required by section 204C.10, and a space for the voter's original signature. The printed voter signature certificate can be either a printed form or a label printed with the voter's information to be affixed to the oath;

(10) contain only preregistered voters within the precinct, and not contain preregistered voter data on voters registered outside of the precinct;

(11) be only networked within the polling location on election day, except for the purpose of updating absentee ballot records;

(12) meet minimum security, reliability, and networking standards established by the Office of the Secretary of State in consultation with the Department of Information Technology Services;

(13) be capable of providing a voter's correct polling place; and

(14) perform any other functions necessary for the efficient and secure administration of the participating election, as determined by the secretary of state.

Electronic rosters used only for election day registration do not need to comply with clauses (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need to comply with clauses (4) and (5).

Sec. 26. Minnesota Statutes 2020, section 203B.065, is amended to read:

203B.065 USING THE REGISTRATION SYSTEM.

Upon accepting an application for a state primary or state general election, the county auditor or municipal clerk shall record in the statewide voter registration system the voter's name, date of birth, address of residence in Minnesota, mailing address, Minnesota driver's license ~~or~~, state identification number, or voter identification card, or the last four digits of the voter's Social Security number, if provided by the voter. Upon acceptance of an absentee ballot application of a voter who is registered to vote at an address different from the residential address certified on the absentee ballot application, the voter registration record with the previous address shall be challenged. Once the absentee ballot has been transmitted to the voter, the method of transmission and the date of transmission must be recorded.

Upon receipt of a returned absentee ballot for a state primary or state general election, the county auditor or municipal clerk shall record in the statewide voter registration system that the voter has returned the ballot.

Upon receipt of notice that the ballot board has accepted or rejected the absentee ballot for a state primary or state general election, the county auditor or municipal clerk shall record in the statewide voter registration system whether the ballot was accepted or rejected, and if rejected, the reason for rejection. If a replacement ballot is transmitted to the voter, the county auditor or municipal clerk shall record this in the statewide voter registration system.

The labels provided for envelopes used for transmitting an absentee ballot to and from an applicant for an absentee ballot for a state primary or state general election must contain bar codes generated by the statewide voter registration system to facilitate the recording required under this section. A county auditor or municipal clerk entering information into the statewide voter registration system under this section must include the information provided on the bar code label whenever information is entered into the system.

Sec. 27. Minnesota Statutes 2020, section 203B.17, subdivision 2, is amended to read:

Subd. 2. **Required information.** (a) An application shall be accepted if it contains the following information stated under oath:

(1) the voter's name, birthdate, and present address of residence in Minnesota, or former address of residence or parent's former address of residence in Minnesota if the voter is living permanently outside the United States;

(2) a statement indicating that the voter is in the military, or is the spouse or dependent of an individual serving in the military, or is temporarily outside the territorial limits of the United States, or is living permanently outside the territorial limits of the United States and voting under federal law;

(3) a statement that the voter expects to be absent from the precinct at the time of the election;

(4) the address to which absentee ballots are to be mailed;

(5) the voter's signature or the signature and relationship of the individual authorized to apply on the voter's behalf;

(6) the voter's passport number, Minnesota driver's license ~~or~~, state identification card number, or voter identification card, or the last four digits of the voter's Social Security number; if the voter does not have access to any of these documents, the voter or other individual requesting absentee ballots may attest to the truthfulness of the contents of the application under penalty of perjury; and

(7) the voter's e-mail address, if the application was submitted electronically through the secure website maintained by the secretary of state.

(b) Notwithstanding paragraph (a), clause (6), an application submitted through the secretary of state's website must include the voter's verifiable Minnesota driver's license number, Minnesota state identification card number, voter identification card number, or the last four digits of the voter's Social Security number, and 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, voter 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.

Sec. 28. Minnesota Statutes 2020, section 203B.19, is amended to read:

203B.19 RECORDING APPLICATIONS.

Upon accepting an application, the county auditor shall record in the statewide registration system the voter's name, address of present or former residence in Minnesota, mailing address, school district number, passport number, Minnesota driver's license number ~~or~~, state identification card number, or voter identification card number, or the last four digits of the voter's Social Security number, and whether the voter is in the military or the spouse or dependent of an individual serving in the military, is a voter temporarily outside the territorial limits of the United States, or is living permanently outside the territorial limits of the United States and voting under federal law. The county auditor shall retain the record for six years. A voter whose name is recorded as provided in this section shall not be required to register under any other provision of law in order to vote under sections 203B.16 to 203B.27. Persons from whom applications are not accepted must be notified by the county auditor and provided with the reasons for the rejection.

No later than 60 days after the general election, the county auditor shall report to the secretary of state the combined number of absentee ballots transmitted to and the combined number of absentee ballots returned and cast by absent voters described in section 203B.16. The secretary of state may require the information be reported by category under section 203B.16 or by precinct.

No later than 90 days after the general election, the secretary of state shall report to the federal Election Assistance Commission the number of absentee ballots transmitted to voters under section 203B.16.

Sec. 29. Minnesota Statutes 2020, section 203B.21, subdivision 3, is amended to read:

Subd. 3. **Back of return envelope.** On the back of the return envelope a certificate shall appear with space for:

(1) the voter's address of present or former residence in Minnesota;

(2) the voter's current e-mail address, if the voter has one;

(3) a statement indicating the category described in section 203B.16 to which the voter belongs;

(4) a statement that the voter has not cast and will not cast another absentee ballot in the same election or elections;

(5) a statement that the voter personally marked the ballots without showing them to anyone, or if physically unable to mark them, that the voter directed another individual to mark them; and

(6) the same voter's passport number, Minnesota driver's license ~~or~~, state identification card number, or voter identification card, or the last four digits of the voter's Social Security number as provided on the absentee ballot application; if the voter does not have access to any of these documents, the voter may attest to the truthfulness of the contents of the certificate under penalty of perjury.

The certificate shall also contain a signed oath in the form required by section 705 of the Help America Vote Act, Public Law 107-252, which must read:

"I swear or affirm, under penalty of perjury, that:

I am a member of the uniformed services or merchant marine on active duty or an eligible spouse or dependent of such a member; a United States citizen temporarily residing outside the United States; or other United States citizen residing outside the United States; and I am a United States citizen, at least 18 years of age (or will be by the date of the election), and I am eligible to vote in the requested jurisdiction; I have not been convicted of a felony, or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting rights have been reinstated; and I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States except the jurisdiction cited in this voting form. In voting, I have marked and sealed my ballot in private and have not allowed any person to observe the marking of the ballot, except for those authorized to assist voters under state or federal law. I have not been influenced.

The information on this form is true, accurate, and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for a conviction for perjury."

Sec. 30. Minnesota Statutes 2021 Supplement, section 203B.24, subdivision 1, is amended to read:

Subdivision 1. **Check of voter eligibility; proper execution of certificate.** Upon receipt of an absentee ballot returned as provided in sections 203B.16 to 203B.27, the election judges shall compare the voter's name with the names recorded under section 203B.19 in the statewide registration system to insure that the ballot is from a voter eligible to cast an absentee ballot under sections 203B.16 to 203B.27. The election judges shall mark the

signature envelope "Accepted" and initial or sign the signature envelope below the word "Accepted" if the election judges are satisfied that:

(1) the voter's name and address on the signature envelope appears in substantially the same form as on the application records provided to the election judges by the county auditor;

(2) the voter has signed the federal oath prescribed pursuant to section 705(b)(2) of the Help America Vote Act, Public Law 107-252;

(3) the voter has set forth the same voter's passport number, or Minnesota driver's license ~~or,~~ state identification card number, or voter identification card number, or the last four digits of the voter's Social Security number as submitted on the application, if the voter has one of these documents;

(4) the voter is not known to have died; and

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

If the identification number described in clause (3) does not match the number as submitted on the application, the election judges must make a reasonable effort to satisfy themselves through other information provided by the applicant, or by an individual authorized to apply on behalf of the voter, that the ballots were returned by the same person to whom the ballots were transmitted.

An absentee ballot cast pursuant to sections 203B.16 to 203B.27 may only be rejected for the lack of one of clauses (1) to (5). In particular, failure to place the ballot within the secrecy envelope before placing it in the outer white envelope is not a reason to reject an absentee ballot.

Election judges must note the reason for rejection on the back of the envelope in the space provided for that purpose.

Failure to return unused ballots shall not invalidate a marked ballot, but a ballot shall not be counted if the certificate on the return envelope is not properly executed. In all other respects the provisions of the Minnesota Election Law governing deposit and counting of ballots shall apply. Notwithstanding other provisions of this section, the counting of the absentee ballot of a deceased voter does not invalidate the election.

Sec. 31. **EFFECTIVE DATE.**

Except where otherwise provided, this article is effective June 1, 2023.

201.061 REGISTRATION ON OR BEFORE ELECTION DAY.

Subd. 7. **Record of attempted registrations.** The election judge responsible for election day registration shall attempt to keep a record of the number of individuals who attempt to register on election day but who cannot provide proof of residence as required by this section. The record shall be forwarded to the county auditor with the election returns for that precinct.