

1.1 Senator moves to amend H.F. No. 4772, in conference committee, as
1.2 follows:

1.3 On R21, House language, (H4772-2)

1.4 Page 22, after line 12, insert:

1.5 "Sec. 20. Minnesota Statutes 2023 Supplement, section 203B.121, subdivision 2, is
1.6 amended to read:

1.7 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board
1.8 shall take possession of all signature envelopes delivered to them in accordance with section
1.9 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk,
1.10 two or more members of the ballot board shall examine each signature envelope and shall
1.11 mark it accepted or rejected in the manner provided in this subdivision. Election judges
1.12 performing the duties in this section must be of different major political parties, unless they
1.13 are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10,
1.14 subdivision 2.

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

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

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

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

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

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

1.30 (6) the voter has not already voted at that election, either in person or, if it is after the
1.31 close of business on the 19th day before the election, as provided by section 203B.081.

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

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

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

2.13 (3) If an envelope is rejected within five days of the election, the envelope must remain
2.14 sealed and the official in charge of the ballot board must attempt to contact the voter to
2.15 notify the voter that the voter's ballot has been rejected. ~~The ballot board must contact the~~
2.16 ~~voter~~ by the method or methods of communication provided by the voter on the voter's
2.17 application for an absentee ballot or voter registration. The official must document the
2.18 attempts made to contact the voter.

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

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

2.27 (2) the reason for rejection; and

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

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

2.32 On R22, House language, (H4772-2)

2.33 Page 23, line 30, strike the second "and" and insert "or"

3.1 On R26, House language, (H4772-2)

3.2 Page 27, after line 23, insert:

3.3 "Sec. 28. Minnesota Statutes 2023 Supplement, section 204B.46, is amended to read:

3.4 **204B.46 MAIL ELECTIONS; QUESTIONS.**

3.5 A county, municipality, or school district submitting questions to the voters at a special
3.6 election may conduct an election by mail with no polling place other than the office of the
3.7 auditor or clerk. No offices may be voted on at a mail election, except in overlapping school
3.8 and municipal jurisdictions, where a mail election may include an office when one of the
3.9 jurisdictions also has a question on the ballot. Notice of the election must be given to the
3.10 county auditor at least ~~74~~ 84 days prior to the election. This notice shall also fulfill the
3.11 requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must
3.12 be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days
3.13 prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all
3.14 voters registered in the county, municipality, or school district. No later than 14 days before
3.15 the election, the auditor or clerk must make a subsequent mailing of ballots to those voters
3.16 who register to vote after the initial mailing but before the 20th day before the election.
3.17 Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant
3.18 to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and
3.19 absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days
3.20 of receipt if there are 14 or fewer days before election day, or within five days of receipt if
3.21 there are more than 14 days before election day. The board may consist of deputy county
3.22 auditors, deputy municipal clerks, or deputy school district clerks who have received training
3.23 in the processing and counting of mail ballots, who need not be affiliated with a major
3.24 political party. Election judges performing the duties in this section must be of different
3.25 major political parties, unless they are exempt from that requirement under section 205.075,
3.26 subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before
3.27 the election, the ballots in the envelope must remain sealed and the auditor or clerk must
3.28 provide the voter with a replacement ballot and return envelope in place of the spoiled ballot.
3.29 If the ballot is rejected within five days of the election, the envelope must remain sealed
3.30 and the official in charge of the ballot board must attempt to contact the voter by telephone
3.31 or email to notify the voter that the voter's ballot has been rejected. The official must
3.32 document the attempts made to contact the voter.

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

4.1 on the 19th day before the election, the ballots from return envelopes marked "Accepted"
4.2 may be opened, duplicated as needed in the manner provided by section 206.86, subdivision
4.3 5, initialed by the ballot board, and deposited in the appropriate ballot box.

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

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

4.9 On R32, House language, (H4772-2)

4.10 Page 35, after line 21, insert:

4.11 "Sec. 42. Minnesota Statutes 2022, section 205.10, subdivision 6, is amended to read:

4.12 Subd. 6. **Cancellation.** A special election ordered by the governing body of the
4.13 municipality on its own motion under subdivision 1 may be canceled by motion of the
4.14 governing body, but not less than ~~74~~ 84 days before the election."

4.15 Renumber the sections in sequence and correct the internal references

4.16 Amend the title accordingly