

1.1 ..... moves to amend H.F. No. 558 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2022, section 201.022, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2.12 ~~and~~

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

2.15 (15) provide reports necessary for early voting.

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

2.18 Sec. 2. Minnesota Statutes 2022, section 203B.001, is amended to read:

2.19 **203B.001 ELECTION LAW APPLICABILITY.**

2.20 The Minnesota Election Law is applicable to voting by absentee ballot and early voting  
2.21 unless otherwise provided in this chapter.

2.22 Sec. 3. Minnesota Statutes 2022, section 203B.01, is amended by adding a subdivision to  
2.23 read:

2.24 Subd. 5. **Early voting.** "Early voting" means voting in person before election day as  
2.25 provided in section 203B.30.

2.26 Sec. 4. Minnesota Statutes 2022, section 203B.03, subdivision 1, is amended to read:

2.27 Subdivision 1. **Violation.** (a) No individual shall intentionally:

2.28 (1) make or sign any false certificate required by this chapter;

2.29 (2) make any false or untrue statement in any application for absentee ballots;

- 3.1 (3) apply for absentee ballots more than once in any election with the intent to cast an  
3.2 illegal ballot;
- 3.3 (4) exhibit a ballot marked by that individual to any other individual;
- 3.4 (5) do any act in violation of the provisions of this chapter for the purpose of casting an  
3.5 illegal vote in any precinct or for the purpose of aiding another to cast an illegal vote;
- 3.6 (6) use information from absentee ballot or early voting materials or records for purposes  
3.7 unrelated to elections, political activities, or law enforcement;
- 3.8 (7) provide assistance to an absentee or early voter except in the manner provided by  
3.9 section 204C.15, subdivision 1;
- 3.10 (8) solicit the vote of an absentee voter while in the immediate presence of the voter  
3.11 during the time the individual knows the absentee voter is voting; or
- 3.12 (9) alter an absentee ballot application after it has been signed by the voter, except by  
3.13 an election official for administrative purposes.
- 3.14 (b) Before inspecting information from absentee ballot or early voting materials or  
3.15 records, an individual shall provide identification to the public official having custody of  
3.16 the material or information.

3.17 Sec. 5. Minnesota Statutes 2022, section 203B.05, subdivision 1, is amended to read:

3.18 Subdivision 1. **Generally.** The full-time clerk of any city or town shall administer the  
3.19 provisions of sections 203B.04 to 203B.15 and 203B.30 if:

3.20 (1) the county auditor of that county has designated the clerk to administer them; or

3.21 (2) the clerk has given the county auditor of that county notice of intention to administer  
3.22 them.

3.23 The designation or notice must specify whether the clerk will be responsible for the  
3.24 administration of a ballot board as provided in section 203B.121.

3.25 A clerk of a city that is located in more than one county may only administer the  
3.26 provisions of sections 203B.04 to 203B.15 and 203B.30 if the clerk has been designated  
3.27 by each of the county auditors or has provided notice to each of the county auditors that the  
3.28 city will administer absentee voting. A clerk may only administer the provisions of sections  
3.29 203B.04 to 203B.15 if the clerk has technical capacity to access the statewide voter  
3.30 registration system in the secure manner prescribed by the secretary of state. The secretary  
3.31 of state must identify hardware, software, security, or other technical prerequisites necessary

4.1 to ensure the security, access controls, and performance of the statewide voter registration  
4.2 system. A clerk must receive training approved by the secretary of state on the use of the  
4.3 statewide voter registration system before administering this section. A clerk may not use  
4.4 the statewide voter registration system until the clerk has received the required training.  
4.5 The county auditor must notify the secretary of state of any municipal clerk who will be  
4.6 administering the provisions of this section and the duties that the clerk will administer.

4.7 Sec. 6. Minnesota Statutes 2022, section 203B.081, subdivision 1, is amended to read:

4.8 Subdivision 1. **Location; timing for absentee voting.** (a) An eligible voter may vote  
4.9 by absentee ballot in the office of the county auditor and at any other polling place designated  
4.10 by the county auditor during the 46 days before the election, except as provided in this  
4.11 section.

4.12 (b) A county auditor or municipal clerk authorized under section 203B.05 to administer  
4.13 absentee voting may designate additional polling places that may be open for all or some  
4.14 of the 46 days before the election with hours that differ from those required by section  
4.15 203B.085. At the request of a federally recognized Indian Tribe with a reservation in the  
4.16 county, the county auditor must establish an additional polling place for at least one day on  
4.17 the Indian reservation on a site agreed upon by the Tribe and the county auditor that is  
4.18 accessible to the county auditor by a public road.

4.19 **EFFECTIVE DATE.** This section is effective June 1, 2023.

4.20 Sec. 7. Minnesota Statutes 2022, section 203B.081, is amended by adding a subdivision  
4.21 to read:

4.22 Subd. 1a. **Location; timing for early voting.** (a) An eligible voter may vote using early  
4.23 voting during the 18 days before a federal, state, or county election, and during the 18 days  
4.24 before a municipal election if authorized under section 203B.05, in the office of the county  
4.25 auditor and at any other polling place designated by the county auditor.

4.26 (b) A county auditor or municipal clerk administering early voting may designate  
4.27 additional early voting polling places that may be open for all or some of the 18 days before  
4.28 the election with hours that differ from those required by section 203B.085. A designation  
4.29 authorized by this paragraph must be made at least 47 days before the election. The county  
4.30 auditor or municipal clerk must provide notice to the secretary of state at the time that the  
4.31 designations are made.

5.1 Sec. 8. Minnesota Statutes 2022, section 203B.081, is amended by adding a subdivision  
5.2 to read:

5.3 Subd. 4. **Town elections.** Voters casting absentee ballots in person for a town election  
5.4 held in March may do so during the 30 days before the election.

5.5 **EFFECTIVE DATE.** This section is effective June 1, 2023.

5.6 Sec. 9. Minnesota Statutes 2022, section 203B.081, is amended by adding a subdivision  
5.7 to read:

5.8 Subd. 5. **Designation of locations.** Except as provided in subdivision 1a, paragraph (b),  
5.9 the county auditor shall make polling place designations at least 14 weeks before the election  
5.10 and must provide the notice to the secretary of state at the time the designations are made.

5.11 **EFFECTIVE DATE.** This section is effective June 1, 2023.

5.12 Sec. 10. Minnesota Statutes 2022, section 203B.081, is amended by adding a subdivision  
5.13 to read:

5.14 Subd. 6. **Notice to voters.** The county auditor must prepare a notice to the voters of the  
5.15 days, times, and locations for in-person absentee and early voting. This notice must be  
5.16 posted on the secretary of state's website, the county's website, and the website for each  
5.17 municipality in the county where an in-person absentee or early voting location is designated  
5.18 for the election at least 14 days before the first day of the absentee voting period. If a county  
5.19 or municipality does not have a website, the county auditor or municipal clerk must publish  
5.20 the notice at least once in the jurisdiction's official newspaper at least seven days and not  
5.21 more than 14 days before the first day of the absentee voting period.

5.22 **EFFECTIVE DATE.** This section is effective June 1, 2023.

5.23 Sec. 11. Minnesota Statutes 2022, section 203B.081, is amended by adding a subdivision  
5.24 to read:

5.25 Subd. 7. **Equipment.** The county auditor must provide each polling place with at least  
5.26 one voting booth, a ballot box, an electronic ballot counter, unless it has not adopted use of  
5.27 one, and at least one electronic ballot marker for individuals with disabilities pursuant to  
5.28 section 206.57, subdivision 5.

5.29 **EFFECTIVE DATE.** This section is effective June 1, 2023.

6.1 Sec. 12. Minnesota Statutes 2022, section 203B.085, is amended to read:

6.2 **203B.085 COUNTY AUDITOR'S AND MUNICIPAL CLERK'S OFFICES TO**  
6.3 **REMAIN OPEN DURING CERTAIN HOURS PRECEDING ELECTION.**

6.4 Subdivision 1. Elections with early voting. The county auditor's office in each county  
6.5 and the clerk's office in each city or town authorized under section 203B.05 to administer  
6.6 early voting must be open between the hours of 8:00 a.m. and 4:30 p.m. on each weekday  
6.7 during the early voting period, from 8:00 a.m. to 8:00 p.m. on the same weekday each week,  
6.8 from 9:00 a.m. to 3:00 p.m. each Saturday and on the Sunday before the election, and until  
6.9 3:00 p.m. on the day before the election. All voters in line at 3:00 p.m. on the day before  
6.10 the election must be allowed to vote in the same manner as provided in section 204C.05,  
6.11 subdivision 2. A polling place designated under 203B.081, subdivision 1a, paragraph (b)  
6.12 may be open alternate hours.

6.13 Subd. 2. Elections without early voting. In elections in which early voting is not  
6.14 applicable pursuant to section 203B.081, subdivision 1a, the county auditor's office in each  
6.15 county ~~and the clerk's office in each city or town authorized under section 203B.05 to~~  
6.16 ~~administer absentee balloting~~ must be open for acceptance of absentee ballot applications  
6.17 and casting of absentee ballots from 10:00 a.m. to 3:00 p.m. on Saturday and Sunday and  
6.18 until 5:00 p.m. on the day immediately preceding a primary, special, or general election  
6.19 unless that day falls on a Saturday or Sunday. Town clerks' offices must be open for absentee  
6.20 voting from 10:00 a.m. to 12:00 noon on the Saturday before a town general election held  
6.21 in March. The school district clerk, when performing the county auditor's election duties,  
6.22 need not comply with this section.

6.23 EFFECTIVE DATE. Subdivision 2 is effective June 1, 2023.

6.24 Sec. 13. Minnesota Statutes 2022, section 203B.12, is amended by adding a subdivision  
6.25 to read:

6.26 Subd. 9. Names of persons; early voting. The secretary of state must maintain a list of  
6.27 voters who cast a ballot using the early voting procedures established in section 203B.30  
6.28 for all elections at which those procedures are used. The list must be available to the public  
6.29 in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

6.30 Sec. 14. Minnesota Statutes 2022, section 203B.121, subdivision 1, is amended to read:

6.31 Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county,  
6.32 municipality, and school district with responsibility to accept and reject absentee ballots or

7.1 to administer early voting must, by ordinance or resolution, establish a ballot board. The  
7.2 board must consist of a sufficient number of election judges appointed as provided in sections  
7.3 204B.19 to 204B.22. The board may include deputy county auditors or deputy city clerks  
7.4 who have received training in the processing and counting of absentee ballots. Each member  
7.5 of the ballot board must be provided adequate training on the processing and counting of  
7.6 absentee ballots, including but not limited to instruction on accepting and rejecting absentee  
7.7 ballots, storage of absentee ballots, timelines and deadlines, the role of the ballot board,  
7.8 procedures for opening absentee ballot envelopes, procedures for counting absentee ballots,  
7.9 and procedures for reporting absentee ballot totals.

7.10 (b) Each jurisdiction must pay a reasonable compensation to each member of that  
7.11 jurisdiction's ballot board for services rendered during an election.

7.12 (c) Except as otherwise provided by this section, all provisions of the Minnesota Election  
7.13 Law apply to a ballot board.

7.14 Sec. 15. Minnesota Statutes 2022, section 203B.121, subdivision 3, is amended to read:

7.15 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk  
7.16 must immediately record that a voter's absentee ballot has been accepted or that the voter  
7.17 has cast a ballot pursuant to the early voting procedures provided in this chapter. A voter  
7.18 whose record indicates that the voter has cast an early ballot must not be permitted to cast  
7.19 another ballot in that election. After the close of business on the day prior to the beginning  
7.20 of the early voting period as provided in section 203B.081, or in elections in which early  
7.21 voting is not conducted after the close of business on the seventh day before the election,  
7.22 a voter whose record indicates that an absentee ballot has been accepted must not be permitted  
7.23 to cast another ballot at that election. In a state primary, general, or state special election  
7.24 for federal ~~or~~, state, or county office, the auditor or clerk must also record this information  
7.25 in the statewide voter registration system.

7.26 (b) The roster must be marked, and a supplemental report of absentee and early voters  
7.27 who submitted a voter registration application with their ballot must be created, no later  
7.28 than the start of voting on election day to indicate the voters that have already cast a ballot  
7.29 at the election. The roster may be marked either:

7.30 (1) by the county auditor or municipal clerk before election day;

7.31 (2) by the ballot board before election day; or

7.32 (3) by the election judges at the polling place on election day.

8.1 The record of a voter whose absentee ballot was received after the close of business on  
8.2 the seventh day before the election is not required to be marked on the roster or contained  
8.3 in a supplemental report as required by this paragraph.

8.4 Sec. 16. Minnesota Statutes 2022, section 203B.121, subdivision 3, is amended to read:

8.5 Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk  
8.6 must immediately record that a voter's absentee ballot has been accepted. After the close  
8.7 of business on the seventh day before the election, a voter whose record indicates that an  
8.8 absentee ballot has been accepted must not be permitted to cast another ballot at that election.  
8.9 In a state primary, general, or state special election for federal or state office, the auditor or  
8.10 clerk must also record this information in the statewide voter registration system.

8.11 (b) The roster must be marked, and a supplemental report of absentee voters who  
8.12 submitted a voter registration application with their ballot must be created, no later than the  
8.13 start of voting on election day to indicate the voters that have already cast a ballot at the  
8.14 election. The roster may be marked either:

8.15 (1) by the county auditor or municipal clerk before election day;

8.16 (2) by the ballot board before election day; or

8.17 (3) by the election judges at the polling place on election day.

8.18 ~~The record of a voter whose absentee ballot was received after the close of business on~~  
8.19 ~~the seventh day before the election is not required to be marked on the roster or contained~~  
8.20 ~~in a supplemental report as required by this paragraph.~~

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

8.22 Sec. 17. Minnesota Statutes 2022, section 203B.121, subdivision 4, is amended to read:

8.23 Subd. 4. **Opening of envelopes.** After the close of business on the day prior to the  
8.24 beginning of the early voting period as provided in section 203B.081, or in elections in  
8.25 which early voting is not conducted after the close of business on the seventh day before  
8.26 the election, the ballots from secrecy envelopes within the signature envelopes marked  
8.27 "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86,  
8.28 subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate  
8.29 ballot box. If more than one voted ballot is enclosed in the ballot envelope, the ballots must  
8.30 be returned in the manner provided by section 204C.25 for return of spoiled ballots, and  
8.31 may not be counted.



9.1 Sec. 18. **[203B.30] PROCEDURES FOR EARLY VOTING.**

9.2 Subdivision 1. **Definition.** For purposes of this section, "early voting official" means  
9.3 the county auditor, city clerk, or a deputy of the auditor or clerk.

9.4 Subd. 2. **Voting procedure.** (a) When a voter appears in an early voting polling place,  
9.5 the voter must state the voter's name, address, and, if requested, the voter's date of birth to  
9.6 the early voting official. The early voting official must confirm that the voter's registration  
9.7 is current in the statewide voter registration system and that the voter has not already cast  
9.8 a ballot in the election. If the voter's status is challenged, the voter may resolve the challenge  
9.9 as provided in section 204C.12. An individual who is not registered to vote or whose name  
9.10 or address has changed must register in the manner provided in section 201.061, subdivision  
9.11 3. A voter who has already cast a ballot in the election must not be provided with a ballot.

9.12 (b) Each voter must sign the certification provided in section 204C.10. The signature of  
9.13 an individual on the voter's certificate and the issuance of a ballot to the individual is evidence  
9.14 of the intent of the individual to vote at that election. After the voter signs the certification,  
9.15 two early voting officials must initial the ballot and issue it to the voter. The voter must  
9.16 immediately retire to a voting station or other designated location in the polling place to  
9.17 mark the ballot. The voter must not take a ballot from the polling place. If the voter spoils  
9.18 the ballot, the voter may return it to the early voting official in exchange for a new ballot.  
9.19 After completing the ballot, the voter must deposit the ballot into the ballot counter and  
9.20 ballot box. The early voting official must immediately record that the voter has voted in the  
9.21 manner provided in section 203B.121, subdivision 3.

9.22 Subd. 3. **Processing of ballots.** The early voting official must remove and secure ballots  
9.23 cast during the early voting period following the procedures in section 203B.121, subdivision  
9.24 5, paragraph (a). The absentee ballot board must count the ballots after the polls have closed  
9.25 on election day following the procedures in section 203B.121, subdivision 5, paragraph (b).

9.26 Sec. 19. Minnesota Statutes 2022, section 204B.28, subdivision 2, is amended to read:

9.27 Subd. 2. **Election supplies; duties of county auditors and clerks.** (a) Except as  
9.28 otherwise provided for absentee ballots in this section and in section 204B.35, subdivision  
9.29 4, the county auditor shall complete the preparation of the election materials for which the  
9.30 auditor is responsible at least four days before every state primary and state general election.  
9.31 At any time after all election materials are available from the county auditor but not later  
9.32 than four days before the election each municipal clerk shall secure from the county auditor:

9.33 (a) (1) the forms that are required for the conduct of the election;

10.1 ~~(b)~~ (2) any printed voter instruction materials furnished by the secretary of state;

10.2 ~~(c)~~ (3) any other instructions for election officers; and

10.3 ~~(d)~~ (4) a sufficient quantity of the official ballots, registration files, envelopes for ballot  
 10.4 returns, and other supplies and materials required for each precinct in order to comply with  
 10.5 the provisions of the Minnesota Election Law. The county auditor may furnish the election  
 10.6 supplies to the municipal clerks in the same manner as the supplies are furnished to precincts  
 10.7 in unorganized territory pursuant to section 204B.29, subdivision 1.

10.8 (b) The county auditor must prepare and make available election materials for early  
 10.9 voting to city clerks designated to administer early voting under section 203B.05 at least  
 10.10 one day prior to the beginning of the early voting period as provided in section 203B.31.

10.11 Sec. 20. Minnesota Statutes 2022, section 204B.49, is amended to read:

10.12 **204B.49 "I VOTED" STICKERS.**

10.13 The secretary of state, county auditor, municipal clerk, school district clerk, or an election  
 10.14 judge may provide a sticker containing the words "I VOTED," and nothing more, to an  
 10.15 individual who:

10.16 (1) has successfully deposited a ballot into a ballot box, ~~under section 203B.081,~~  
 10.17 ~~subdivision 3, or 204C.13, subdivision 5;~~

10.18 (2) is provided an absentee ballot under section 203B.07, subdivision 1, or 203B.21,  
 10.19 subdivision 2; or

10.20 (3) is provided a ballot by mail under section 204B.45 or 204B.46.

10.21 Sec. 21. Minnesota Statutes 2022, section 206.83, is amended to read:

10.22 **206.83 TESTING OF VOTING SYSTEMS.**

10.23 ~~Within 14~~ At least three days before election day voting equipment is used, the official  
 10.24 in charge of elections shall have the voting system tested to ascertain that the system will  
 10.25 correctly mark ballots using all methods supported by the system, including through assistive  
 10.26 technology, and count the votes cast for all candidates and on all questions. Public notice  
 10.27 of the time and place of the test must be given at least two days in advance by publication  
 10.28 once in official newspapers. The test must be observed by at least two election judges, who  
 10.29 are not of the same major political party, and must be open to representatives of the political  
 10.30 parties, candidates, the press, and the public. The test must be conducted by (1) processing  
 10.31 a preaudited group of ballots punched or marked to record a predetermined number of valid

11.1 votes for each candidate and on each question, and must include for each office one or more  
11.2 ballot cards which have votes in excess of the number allowed by law in order to test the  
11.3 ability of the voting system tabulator and electronic ballot marker to reject those votes; and  
11.4 (2) processing an additional test deck of ballots marked using the electronic ballot marker  
11.5 for the precinct, including ballots marked using the electronic ballot display, audio ballot  
11.6 reader, and any assistive voting technology used with the electronic ballot marker. If any  
11.7 error is detected, the cause must be ascertained and corrected and an errorless count must  
11.8 be made before the voting system may be used in the election. After the completion of the  
11.9 test, the programs used and ballot cards must be sealed, retained, and disposed of as provided  
11.10 for paper ballots.

11.11 **Sec. 22. APPROPRIATION.**

11.12 \$137,000 in fiscal year 2024 and \$27,000 in fiscal year 2025 are appropriated from the  
11.13 general fund to the secretary of state to implement this act.

11.14 **EFFECTIVE DATE.** This section is effective July 1, 2023.

11.15 **Sec. 23. REPEALER.**

11.16 (a) Minnesota Statutes 2022, section 203B.081, subdivision 2, is repealed effective June  
11.17 1, 2023.

11.18 (b) Minnesota Statutes 2022, section 203B.081, subdivision 3, is repealed.

11.19 **Sec. 24. CERTIFICATION; EFFECTIVE DATE.**

11.20 The secretary of state must certify to the revisor of statutes that the statewide voter  
11.21 registration system has been tested and shown to properly allow for tracking of the  
11.22 information required to conduct early voting and can handle the expected volume of use.  
11.23 Except as otherwise provided, this act is effective January 1, 2024, or the 85th day after  
11.24 certification is made, whichever is later, and applies to elections conducted on or after that  
11.25 date."

11.26 Amend the title accordingly