

Subject Automatic Voter Registration

Authors Bahner and others

Analyst Matt Gehring

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Overview

This bill establishes an “opt-out” automatic voter registration process for applicants for a Minnesota driver’s license, state identification card, or learner’s permit, and for applicants for benefits or services from other participating state agencies. This process would only be available if the application otherwise requires documentation of citizenship.

Under current law, these applicants are provided an opportunity to “opt-in” to voter registration when applying for a driver’s license, permit, or ID card. This bill would reverse that presumption: instead of requiring applicants to affirmatively state their desire to be registered to vote, applicants would instead be given an opportunity to decline if they do not wish to be registered.

All applicants not declining would be registered to vote following a review by the secretary of state to determine the applicant’s eligibility to vote. Applicants who are already registered to vote would have their registrations updated.

Summary

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1	Data derived from driver’s license applications.
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Provides a cross-reference in the Minnesota Government Data Practices Act related to the privacy of data contained on an application for a driver’s license, state identification card, or learner’s permit that is transferred to the secretary of state, when the secretary determines that the applicant is not eligible to vote. These data are classified as private, under a new classification established later in this bill.

2	Automatic voter registration.
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Establishes a process that requires an eligible applicant for a new or renewed driver’s license, instruction permit, or identification card to be registered to vote, unless the

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applicant opts out of the registration. Other units of government would be authorized to provide a similar service.

Subd. 1. Automatic registration. Requires eligible applicants to be registered to vote, unless the applicant declines to be registered, when submitting an application for one of the following:

(1) a new or renewed driver's license, instruction permit, or state identification card; or

(2) an application for benefits or services to another participating agency.

Automatic registration must occur only if the application submitted otherwise requires documentation of the applicant's citizenship.

Subd. 2. Option to decline registration. Requires an individual who submits an application that qualifies for automatic registration to be provided a mailed notice informing the individual of the option and procedures necessary to decline to be registered to vote. Procedures for continuing to offer the individual an opportunity to be registered upon submission of certain future qualifying applications are also provided.

Subd. 3. Department of Public Safety. Requires the commissioner of public safety to format driver's license, instruction permit, and identification card applications to accommodate the new process required by this bill, if the application otherwise requires verification of the applicant's citizenship. Information on qualifying applications must be transmitted at least daily by electronic means to the secretary of state. Additional statistical reports and procedures are required, and a definition of "driver's license" to include a number of types of licenses and permits issued by the department is included.

Subd. 4. Other agencies and units of government. Permits the commissioner of any state agency, the administrative head of any local government, or the administrative head of a federally-recognized Indian tribe within the state, to consult with the secretary of state and convert any form or application to also serve as a voter registration application, if the form or application already provides verification of an applicant's citizenship. An application or form may also be used to serve as an update to the address on a voter's existing registration record. Information on qualifying applications must be transmitted at least daily by electronic means to the secretary of state. Additional statistical reports and procedures are required.

Subd. 5. Registration. Establishes procedures for determining whether an applicant whose information is submitted under this section is currently

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registered to vote and/or eligible to vote, and for those applicants determined to be eligible, processing appropriate updates to the statewide voter registration system to reflect the updated or new registration.

Subd. 6. Notice. Requires the county auditor to provide voters registered under this section with a notice of registration, consistent with the postal verification requirements of current law. The notice must include information on declining to be registered to vote. Rulemaking is authorized.

Subd. 7. Prosecution of registration violations; voluntary action required. Provides standards for determining whether an individual who is not eligible to vote has submitted a voter registration application under this section in a manner that violates the law.

Subd. 8. Effective date of registration. Establishes the effective date for new registrations processed under this section, and a required notice in the event a registration is processed during the 20 days immediately preceding an election.

3 **Duties of state agencies.**

Provides that an existing requirement of state agencies, including nonprofit corporations that contract with a state agency to carry out certain obligations, to provide certain voter registration services includes providing information on automatic voter registration or information on voter eligibility and registration procedures as established in this bill.

4 **Effective date.**

Establishes an effective date for the bill.