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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. **4240**

03/12/2026 Authored by Freiberg

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

03/23/2026 Adoption of Report: Amended and re-referred to the Committee on Ways and Means

1.1 A bill for an act

1.2 relating to elections; making various changes related to election administration;

1.3 modifying provisions related to absentee voting; modifying timelines; making

1.4 technical and clarifying changes; appropriating money; amending Minnesota

1.5 Statutes 2024, sections 203B.05, subdivision 1; 203B.06, subdivision 3; 203B.065;

1.6 204B.27, subdivision 2; 204C.26, subdivisions 2, 4; 205.185, subdivision 3;

1.7 205A.10, subdivision 3; Minnesota Statutes 2025 Supplement, sections 203B.30,

1.8 subdivisions 2, 3; 375.20; proposing coding for new law in Minnesota Statutes,

1.9 chapter 204D; repealing Minnesota Statutes 2024, section 5.31.

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

1.11 Section 1. Minnesota Statutes 2024, section 203B.05, subdivision 1, is amended to read:

1.12 Subdivision 1. **Generally.** (a) The full-time clerk of any city or town shall administer

1.13 the provisions of sections 203B.04 to 203B.15 and 203B.30 if:

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

1.15 (2) the clerk has given the county auditor of that county notice of intention to administer

1.16 them.

1.17 The designation or notice must specify whether the clerk will be responsible for the

1.18 administration of a ballot board as provided in section 203B.121 and whether the

1.19 municipality's office will be designated to administer voting under section 203B.081 starting

1.20 on the 46th day before the election or the 18th day before the election.

1.21 (b) A clerk of a city that is located in more than one county may only administer the

1.22 provisions of sections 203B.04 to 203B.15 and 203B.30 if the clerk has been designated

1.23 by each of the county auditors or has provided notice to each of the county auditors that the

1.24 city will administer absentee voting. A clerk may only administer the provisions of sections

2.1 203B.04 to 203B.15 and 203B.30 if the clerk has technical capacity to access the statewide
2.2 voter registration system in the secure manner prescribed by the secretary of state. The
2.3 secretary of state must identify hardware, software, security, or other technical prerequisites
2.4 necessary to ensure the security, access controls, and performance of the statewide voter
2.5 registration system. A clerk must receive training approved by the secretary of state on the
2.6 use of the statewide voter registration system before administering this section. A clerk may
2.7 not use the statewide voter registration system until the clerk has received the required
2.8 training. The county auditor must notify the secretary of state of any municipal clerk who
2.9 will be administering the provisions of this section and the duties that the clerk will
2.10 administer.

2.11 Sec. 2. Minnesota Statutes 2024, section 203B.06, subdivision 3, is amended to read:

2.12 Subd. 3. **Delivery of ballots.** (a) The county auditor, municipal clerk, school district
2.13 clerk, or full-time clerk of any city or town administering an election pursuant to section
2.14 203B.05, shall mail absentee ballots to voters on the permanent absentee ballot list pursuant
2.15 to section 203B.04, subdivision 5, on the following timelines:

2.16 (1) except as otherwise provided by this section, at least 46 days before each regularly
2.17 scheduled primary and general election and each special primary and special election;

2.18 (2) as soon as practicable for a special election held pursuant to section 204D.19,
2.19 subdivisions 2 and 3; and

2.20 (3) at least 30 days before a town general election held in March.

2.21 (b) The commissioner of corrections must provide the secretary of state with a list of
2.22 the names and mailing addresses of state adult correctional facilities. An application for an
2.23 absentee ballot that provides an address included on the list provided by the commissioner
2.24 of corrections must not be accepted and an absentee ballot must not be provided to the
2.25 applicant. The county auditor or municipal clerk must promptly transmit a copy of the
2.26 application to the county attorney. The Department of Corrections must implement procedures
2.27 to ensure that absentee ballots issued under this chapter are not received or mailed by
2.28 offenders incarcerated at state adult correctional facilities.

2.29 (c) If an application for absentee ballots is accepted at a time when absentee ballots are
2.30 not yet available for distribution, the county auditor, or municipal clerk accepting the
2.31 application shall file it and as soon as absentee ballots are available for distribution shall
2.32 mail them to the address specified in the application. If an application for absentee ballots

3.1 is accepted when absentee ballots are available for distribution, the county auditor or
3.2 municipal clerk accepting the application shall promptly:

3.3 (1) mail the ballots to the voter whose signature appears on the application if the
3.4 application is submitted by mail and does not request commercial shipping under clause
3.5 (2);

3.6 (2) ship the ballots to the voter using a commercial shipper requested by the voter at the
3.7 voter's expense;

3.8 (3) deliver the absentee ballots directly to the voter if the application is submitted in
3.9 person; or

3.10 (4) deliver the absentee ballots in a sealed transmittal envelope to an agent who has been
3.11 designated to bring the ballots, as provided in section 203B.11, subdivision 4, ~~to a voter~~
3.12 ~~who would have difficulty getting to the polls because of incapacitating health reasons, or~~
3.13 ~~who is disabled, or who is a patient in a health care facility, a resident of an assisted living~~
3.14 ~~facility licensed under chapter 144G, a participant in a residential program for adults licensed~~
3.15 ~~under section 245A.02, subdivision 14, or a resident of a shelter for battered women as~~
3.16 ~~defined in section 611A.37, subdivision 4.~~

3.17 (d) If an application does not indicate the election for which absentee ballots are sought,
3.18 the county auditor or municipal clerk shall mail or deliver only the ballots for the next
3.19 election occurring after receipt of the application. Only one set of ballots may be mailed,
3.20 shipped, or delivered to an applicant for any election, except as provided in section 203B.121,
3.21 subdivision 2, or when a replacement ballot has been requested by the voter for a ballot that
3.22 has been spoiled or lost in transit.

3.23 Sec. 3. Minnesota Statutes 2024, section 203B.065, is amended to read:

3.24 **203B.065 USING THE REGISTRATION SYSTEM.**

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

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

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

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

4.16 (e) The requirements in this section do not apply to a town election held in March,
4.17 however the system may be used to administer absentee voting in such an election.

4.18 **EFFECTIVE DATE.** This section is effective September 1, 2027.

4.19 Sec. 4. Minnesota Statutes 2025 Supplement, section 203B.30, subdivision 2, is amended
4.20 to read:

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

4.30 (b) Each voter must sign the certification provided in section 204C.10. The signature of
4.31 an individual on the voter's certificate and the issuance of a ballot to the individual is evidence
4.32 of the intent of the individual to vote at that election. After the voter signs the certification,
4.33 two early voting officials must initial the ballot and issue it to the voter. The early voting

5.1 official must maintain a printed copy of the voter certificate. The voter must immediately
5.2 retire to a voting station or other designated location in the polling place to mark the ballot.
5.3 The voter must not take a ballot from the polling place. If the voter spoils the ballot, the
5.4 voter may return it to the early voting official in exchange for a new ballot. After completing
5.5 the ballot, the voter must deposit the ballot into the ballot counter and ballot box. The early
5.6 voting official must immediately record that the voter has voted in the manner provided in
5.7 section 203B.121, subdivision 3.

5.8 **EFFECTIVE DATE.** This section is effective upon the revisor of statutes' receipt of
5.9 the early voting certification and applies to elections held on or after the 85th day after the
5.10 revisor of statutes receives the certification.

5.11 Sec. 5. Minnesota Statutes 2025 Supplement, section 203B.30, subdivision 3, is amended
5.12 to read:

5.13 Subd. 3. **Processing of ballots.** Each day when early voting occurs, the early voting
5.14 officials must:

5.15 (1) remove and secure ballots cast, noting the date, voting location, and number of ballots
5.16 cast;

5.17 (2) without inspecting the ballots, using the procedures in section 204C.20, subdivisions
5.18 1 to 4, ensure that the number of ballots removed from the ballot box is equal to the number
5.19 of voter certificates that were signed by voters in subdivision 2, paragraph (b); and

5.20 (3) seal and secure all voted and unvoted ballots and signed voter certificates present in
5.21 that location at the end of the day.

5.22 The ballot board must count the ballots after the polls have closed on election day following
5.23 the procedures in section 203B.121, subdivision 5, paragraph (b).

5.24 **EFFECTIVE DATE.** This section is effective upon the revisor of statutes' receipt of
5.25 the early voting certification and applies to elections held on or after the 85th day after the
5.26 revisor of statutes receives the certification.

5.27 Sec. 6. Minnesota Statutes 2024, section 204B.27, subdivision 2, is amended to read:

5.28 Subd. 2. **Election law and instructions.** The secretary of state shall prepare and publish
5.29 a volume containing all state general laws relating to elections. The attorney general shall
5.30 provide annotations to the secretary of state for this volume. On or before August 1 of every
5.31 ~~odd-numbered~~ July 15 of each year the secretary of state shall furnish to the county auditors
5.32 ~~and municipal clerks enough copies of this volume so that each county auditor and municipal~~

6.1 ~~clerk will have at least one copy. On or before July 1 of every even-numbered year, the~~
6.2 ~~secretary of state shall~~ prepare and make an electronic copy of this volume available on the
6.3 office's website. The secretary of state may prepare and transmit to the county auditors and
6.4 municipal clerks detailed written instructions for complying with election laws relating to
6.5 the conduct of elections, conduct of voter registration and voting procedures.

6.6 Sec. 7. Minnesota Statutes 2024, section 204C.26, subdivision 2, is amended to read:

6.7 Subd. 2. **Summary statements; contents.** (a) The blank summary statement forms
6.8 furnished to each precinct shall identify the precinct, ward number if any, city, school district
6.9 if applicable, or town, date, and kind of election and, under appropriate headings identifying
6.10 ~~each color ballot~~, shall contain spaces for the election judges to enter the information required
6.11 by section 204C.24, subdivision 1.

6.12 (b) Each blank summary statement form shall also contain a certificate to be signed by
6.13 the election judges stating that the national flag was displayed on a suitable staff during
6.14 voting hours; that all of the ballots cast were properly piled, checked, and counted; and that
6.15 the numbers entered by the election judges on the summary statements correctly show the
6.16 number of votes cast for each candidate and for and against each question.

6.17 Sec. 8. Minnesota Statutes 2024, section 204C.26, subdivision 4, is amended to read:

6.18 Subd. 4. **Envelopes for counted ballots.** Each official responsible for printing ballots
6.19 shall also furnish envelopes to contain those ballots after they have been counted. The
6.20 envelopes shall be made of heavy paper, printed or marked to distinguish ~~the color of the~~
6.21 ballots to be contained in them. They shall be of convenient size to hold the ballots and
6.22 shall be furnished at the same time and in the same manner as the ballots.

6.23 Sec. 9. **[204D.40] SPECIAL ELECTIONS; REIMBURSEMENT OF LOCAL**
6.24 **EXPENSES; APPROPRIATION.**

6.25 Subdivision 1. Reimbursable expenses for local governments. The secretary of state
6.26 must reimburse counties and municipalities for expenses incurred in administering a special
6.27 primary or special election for a state or federal office not held in conjunction with a state
6.28 primary or state general election. Reimbursable expenses include:

6.29 (1) preparation and printing of ballots;

6.30 (2) postage for absentee ballots;

6.31 (3) publication of notices to voters;

7.1 (4) preparation of polling places, not to exceed \$150 per polling place unless otherwise
7.2 authorized by the secretary of state;

7.3 (5) preparation of electronic voting systems, not to exceed \$100 per precinct unless
7.4 otherwise authorized by the secretary of state;

7.5 (6) compensation for temporary staff or overtime payments;

7.6 (7) salaries of election judges;

7.7 (8) compensation of county or municipal canvassing board members; and

7.8 (9) other expenses approved by the secretary of state.

7.9 Subd. 2. **Submission of requests for reimbursement.** (a) Within 60 days after the
7.10 results of a special election are certified, the county auditor must submit to the secretary of
7.11 state a request for payment of costs incurred by the county, and the municipal clerk must
7.12 submit a request for payment of costs incurred by the municipality.

7.13 (b) Each request must:

7.14 (1) be accompanied by an itemized statement of actual expenditures; and

7.15 (2) include copies of invoices and a certification that the expenses were incurred in the
7.16 administration of the special election.

7.17 Subd. 3. **Forms and issuance.** (a) The secretary of state must provide counties and
7.18 municipalities with appropriate forms for requesting reimbursement and certifying expenses.

7.19 (b) The secretary of state must not reimburse expenses unless the request and certification
7.20 have been submitted as provided in this section.

7.21 (c) The secretary of state must complete the issuance of reimbursements no later than
7.22 90 days after the results of the special election have been certified.

7.23 Subd. 4. **Appropriation.** The amounts necessary for the secretary of state to reimburse
7.24 local governments for special election expenses under this section are appropriated annually
7.25 from the general fund to the secretary of state.

7.26 **EFFECTIVE DATE.** This section is effective for special elections for which a writ is
7.27 issued on or after July 1, 2026.

7.28 Sec. 10. Minnesota Statutes 2024, section 205.185, subdivision 3, is amended to read:

7.29 Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** (a) Between
7.30 the third and ~~tenth~~ 14th days after an election, the governing body of a city conducting any

8.1 election including a special municipal election, or the governing body of a town conducting
8.2 the general election in November shall act as the canvassing board, canvass the returns, and
8.3 declare the candidate duly elected who received the highest number of votes for each
8.4 municipal office and the results of ~~the election~~ any ballot questions. The governing body
8.5 of a town conducting the general election in March shall act as the canvassing board, canvass
8.6 the returns, and declare the candidate duly elected who received the highest number of votes
8.7 for each town office and the results of ~~the election~~ any ballot question within two days after
8.8 an election.

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

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

8.16 Sec. 11. Minnesota Statutes 2024, section 205A.10, subdivision 3, is amended to read:

8.17 Subd. 3. **Canvass of returns, certificate of election, ballots, disposition.** Between the
8.18 third and ~~tenth~~ 14th days after a school district election ~~other than a recount of a special~~
8.19 ~~election conducted under section 126C.17, subdivision 9, or 475.59~~, the school board shall
8.20 canvass the returns and declare the candidate duly elected who received the highest number
8.21 of votes for each school district office and the results of ~~the election~~ any ballot question.
8.22 The recounted results of a referendum conducted under section 126C.17, subdivision 9, or
8.23 475.59 must be certified by the canvassing board. After the time for contesting elections
8.24 has passed, the school district clerk shall issue a certificate of election to each successful
8.25 candidate. If there is a contest, the certificate of election to that office must not be issued
8.26 until the outcome of the contest has been determined by the proper court. If there is a tie
8.27 vote, the school board shall determine the result by lot. The clerk shall deliver the certificate
8.28 of election to the successful candidate by personal service or certified mail. The successful
8.29 candidate shall file an acceptance and oath of office in writing with the clerk within 30 days
8.30 of the date of mailing or personal service. A person who fails to qualify prior to the time
8.31 specified shall be deemed to have refused to serve, but that filing may be made at any time
8.32 before action to fill the vacancy has been taken. The school district clerk shall certify the
8.33 results of the election to the county auditor, and the clerk shall be the final custodian of the
8.34 ballots and the returns of the election.

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

9.4 Sec. 12. Minnesota Statutes 2025 Supplement, section 375.20, is amended to read:

9.5 **375.20 BALLOT QUESTIONS.**

9.6 If the county board may do an act, incur a debt, appropriate money for a purpose, or
9.7 exercise any other power or authority, only if authorized by a vote of the people, the question
9.8 may be submitted at a special or general election, by a resolution specifying the matter or
9.9 question to be voted upon. If the question is to authorize the appropriation of money, creation
9.10 of a debt, or levy of a tax, it shall state the amount. Notice of the election shall be given as
9.11 in the case of special elections. If the question submitted is adopted, the board shall pass an
9.12 appropriate resolution to carry it into effect. In the election the form of the ballot shall be:
9.13 "Shall (here state the substance of the resolution to be submitted)?, Yes No.....". The
9.14 county board may call a special county election upon a question to be held ~~within~~ at least
9.15 84 days after a resolution to that effect is adopted by the county board. The special election
9.16 must be held on a uniform election date established in section 205.10, subdivision 3a. Upon
9.17 the adoption of the resolution the county auditor shall post and publish notices of the election,
9.18 as required by section 204D.22, subdivisions 2 and 3. The election shall be conducted and
9.19 the returns canvassed in the manner prescribed by sections 204D.20 to 204D.27, so far as
9.20 practicable.

9.21 Sec. 13. **REPEALER.**

9.22 Minnesota Statutes 2024, section 5.31, is repealed.

5.31 STATEWIDE VOTER REGISTRATION SYSTEM.

The secretary of state may sell intellectual property rights associated with the statewide voter registration system to other states or to units of local government in other states. Receipts from the sale must be deposited in the state treasury and credited to the Help America Vote Act account.