

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 275
Version: As introduced

DATE: January 28, 2015

Authors: O'Driscoll and others

Subject: Investigation of Voter Registration Crimes

Analyst: Matt Gehring, 651-296-5052

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd/.

Overview

This bill modifies standards related to prosecution of voter registration crimes, and provides that a public employee may be suspended without pay or dismissed for willfully violating a voter registration law.

In 2013, this section of law was amended to shift the obligation to investigate voter registration complaints from county attorneys to law enforcement. The language contained in this bill was part of the legislature's discussions at that time, but was ultimately not enacted into law.

Section

1 **Investigations; prosecutions.** Modifies standards related to initiating a prosecution, when there is probable cause to believe that a voter registration crime has occurred. Current law requires that, if probable cause exists, a prosecution must proceed with a complaint or with whatever evidence is found. The bill provides instead that the county attorney's obligation is to proceed according to the generally applicable standards regarding the functions and duties of a county attorney.

This section also eliminates existing language that requires a county attorney to forfeit office if a violation of the law is not prosecuted.

New language, providing that willful violation of the voter registration laws by a public employee is just cause for suspension without pay or dismissal, is also added.