Subject	Early voting
Authors	Long and others
Analyst	Matt Gehring
Date	March 7, 2019

Overview

This bill establishes standards and procedures for "early voting" in Minnesota.

Distinct from absentee voting, early voting permits a voter to cast a ballot at a centralized polling location during a specified period prior to election day. The bill provides for early voting in all federal, state, and county elections.

An existing authorization for local governments to choose to offer a version of early voting (in-person absentee voting using a ballot box) is repealed.

Summary

Section	Description
1	**Establishment.**
	Requires the statewide voter registration system to be capable of providing necessary reports related to early voting.
2	**Election law applicability.**
	Provides that the Minnesota Election Law (a term defined in law to mean Chapters 201-211C of Minnesota Statutes) applies to early voting.
3	**Early voting.**
	Establishes a definition of the term "early voting."
4	**Violation.**
	Adds references to early voting in an existing section of statute specifying criminal penalties for certain prohibited activities related to voting.
5	**Generally.**
	Adds a cross reference to the new early voting provisions established by the bill to an existing requirement in law related to a municipal clerk's access to the statewide voter registration system. A municipal clerk would only be permitted to administer early voting

Section	Description

if the clerk has the technical capacity to access the statewide voter registration system and has undergone training approved by the secretary of state.

6 **Town elections.**

Prohibits in-person absentee voting during the period designated for early voting as provided later in the bill.

7 **County auditor's and municipal clerk's offices to remain open.**

Modifies the time that the county auditor's office and the municipal clerk's office must be open to accept absentee ballots. Current law requires these offices to be open until 5:00 p.m. on the day immediately preceding an election; the bill would modify the standard to require the offices be open from 8:00 a.m. to noon on the day immediately preceding an election in which early voting will be used (the existing 5:00 p.m. standard would continue to apply to other types of elections).

8 **Establishment; applicable laws.**

Adds a reference to administration of early voting in the section of law related to establishment of ballot boards.

9 **Duties of ballot board; early voting.**

Establishes duties of a ballot board related to early voting. In addition to procedures established later in the bill, the ballot board must make a record of voters who cast ballots early and count the ballots using procedures that apply to the ballot board in existing law, and as provided in this bill.

10 **Record of voting.**

Provides that a voter who casts an early voting ballot may not be permitted to cast another ballot at the election.

This section also provides a conforming reference to the time after which a voter whose absentee ballot has been accepted is no longer permitted to cast a ballot at the election.

11 **Opening of envelopes.**

Provides that absentee ballots may be opened and processed following the close of business on the day prior to the beginning of the early voting period.

12 **Storage and counting of absentee and early voting ballots.**

Adds references to early voting in the existing law related to the storage and counting of ballots by a ballot board.

Section	Description

13   **Early voting.**

Permits any eligible voter to vote in person prior to election day using the procedures established in this bill. Early voting must be available at federal, state, and county elections. Cities are permitted to authorize early voting for city elections following procedures established in the bill.

14   **Time period for early voting.**

Requires early voting to be available for every primary, general, or special election subject to early voting beginning 30 days prior to election day, through 5:00 p.m. on the third day prior to the election. Voters in line at 5:00 p.m. on the third day prior to the election must be permitted to vote.

15   **Hours for early voting.**

Requires early voting to be open from 8:00 a.m. to 4:30 p.m. weekdays, but from 8:00 a.m. to 8:00 p.m. on at least one of those weekdays, and from 10:00 a.m. to 5:00 p.m. on the two Saturdays prior to the election.

16   **Locations for early voting.**

Requires early voting to be available in polling places designated in the county auditor's office, and at the municipal clerk's office, if the clerk has been delegated the responsibility to administer absentee voting, and at other county or city-owned buildings designated by the county auditor or municipal clerk.

The polling place for early voting must include equipment accessible for voters' disabilities.

17   **Notice to voters.**

Requires the county auditor or municipal clerk to prepare a notice of the days, times, and locations for early voting. The notice must be posted at least 14 days prior to the start of early voting on the websites of the county and any municipality where an early voting location is designated. Procedures for publication of the notice in an official newspaper are provided if the jurisdiction does not have a website.

18   **Procedures for early voting.**

Establishes procedures for casting a ballot using early voting, including a requirement that the voter sign the certification required of all voters voting on election day, and that a voter be permitted to register on-site if necessary. Ballots cast using early voting must be processed and counted by a ballot board.

Section	Description
19	**Election supplies; duties of county auditors and clerks.**
	Requires city clerks designated to administer early voting to be provided the appropriate election materials at least one day prior to the beginning of the early voting period. These materials are prepared by the county auditor.
20	**Program.**
	Establishes a timeline for completion and delivery of the computer program used to conduct an election.
21	**Testing of voting systems.**
	Requires testing of the voting system to be used at an election within 37 days before election day. Current law requires the testing to occur within 14 days before election day.
22	**Appropriation.**
	Provides an appropriation to the secretary of state to implement the bill.
23	**Repealer.**
	Repeals the existing law that authorizes local jurisdictions to offer a version of early voting (in-person absentee voting using a ballot box) during the seven days prior to the election.
24	**Effective date; applicability.**
	Provides an effective date for the bill, conditional on certification by the secretary of state that the statewide voter registration system has been tested and can properly track early voting information, and certification of precinct voting equipment capable of tabulating at least 30 ballot styles for use in the state.
	A jurisdiction may implement the requirements of the bill prior to the effective date if the secretary of state has made the required certifications at least 90 days prior to the election at which early voting will be used.