

1.1 **Office of Secretary of State**

1.2 **Proposed Permanent Rules Relating to Elections**

1.3 **8200.2200 BUILDINGS FOR REGISTRATION.**

1.4 Each political subdivision shall have at least one building where voter registration
1.5 applications may be obtained and deposited, ~~for every 30,000 residents of the political~~
1.6 ~~subdivision.~~

1.7 **8200.2900 DEFICIENT REGISTRATIONS; NOTICE OF DEFICIENT**
1.8 **REGISTRATIONS.**

1.9 When a person attempts to register prior to election day and the county auditor
1.10 determines that the registration is deficient, the auditor shall notify the person attempting
1.11 to register that the registration was not correctly completed. The auditor shall attempt to
1.12 obtain from the applicant any needed information by mail or, if a telephone number or an
1.13 e-mail address was provided by the applicant, by telephone or e-mail.

1.14 If the needed information consists of the applicant's Minnesota driver's license,
1.15 Minnesota state identification card, or Social Security number, or confirmation that the
1.16 applicant has not been issued a Minnesota driver's license, Minnesota state identification
1.17 card, or Social Security number, the auditor shall also attempt to obtain that information
1.18 through the process provided in part 8200.9310, subpart 2.

1.19 If the auditor cannot obtain the needed information, the voter registration application
1.20 is deficient and shall be maintained separately for 22 months.

1.21 A new applicant whose voter registration application is deficient shall not be classified
1.22 as "active" or "challenged."

1.23 If an applicant submits a voter registration application that is deficient, the county
1.24 auditor shall send a notice of deficient registration to the person seeking to register.

1.25 If the auditor notifies an applicant of a deficient voter registration application, the
1.26 auditor shall also notify the applicant of the dates on which a preelection registration is not

permitted by Minnesota Statutes, section 201.061, subdivision 1, and of the procedures for election day registration.

In the notice to the applicant, the auditor shall explain that a registration received by the auditor during the period when preelection registration is not permitted by Minnesota Statutes, section 201.061, subdivision 1, ~~will make~~ means the applicant will be registered to vote on the day after the upcoming election unless the applicant registers to vote on election day.

If an applicant submits a deficient voter registration application during the period when preelection registration is not permitted by Minnesota Statutes, section 201.061, subdivision 1, the auditor shall notify the applicant that the applicant must register at the polling place of the precinct in which she or he resides on election day to vote at the election.

The secretary of state shall provide a sample notice of deficient registration.

8200.3200 CERTAIN APPLICANTS EXEMPT FROM IDENTIFICATION REQUIREMENTS.

Pursuant to section 303(b)(3)(C) of the Help America Vote Act of 2002, Public Law 107-252, persons who are voting by absentee ballot or otherwise than in person pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, the Voting Accessibility for the Elderly and Handicapped Act, or any other federal law are exempt from Minnesota Statutes, section 201.061, subdivision 1a.

~~Persons exempt under the Voting Accessibility for the Elderly and Handicapped Act are those who are 65 years of age or older or have a temporary or permanent physical disability, and include all those persons permitted to vote pursuant to Minnesota Statutes, sections 203B.04, subdivisions 2 and 5, and 203B.11.~~

8200.3600 CHANGE OF RESIDENCE.

A person who has previously registered to vote in Minnesota who changes residence must be permitted to vote only after ~~updating the registration by completing a voter~~

3.1 ~~registration application using~~ the person's registration has been updated to the person's
3.2 new residence address.

3.3 **8200.5100 REGISTRATION AT PRECINCT ONLY.**

3.4 Subpart 1. **Procedure; proof.** Any person otherwise qualified but not registered to
3.5 vote in the precinct in which the person resides may register to vote on election day at the
3.6 polling place of the precinct in which the person resides. To register on election day, a
3.7 person must complete and sign the registration application and provide proof of residence.
3.8 A person may prove residence on election day only:

3.9 [For text of items A to D, see M.R.]

3.10 E. by having an employee employed by and working in a residential facility
3.11 located in the precinct, who knows that the applicant is a resident of that residential
3.12 facility, vouch for that facility resident, and sign the oath in part 8200.9939, in the
3.13 presence of the election judge.

3.14 "Residential facility" means transitional housing as defined in Minnesota Statutes,
3.15 section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner
3.16 of health under Minnesota Statutes, section 144.50, subdivision 6; a nursing home as
3.17 defined in Minnesota Statutes, section 144A.01, subdivision 5; a residence registered
3.18 with the commissioner of health as a housing with services establishment as defined in
3.19 Minnesota Statutes, section 144D.01, subdivision 4; a veterans home operated by the
3.20 board of directors of the Minnesota Veterans Homes under Minnesota Statutes, chapter
3.21 198; a residence licensed by the commissioner of human services to provide a residential
3.22 program as defined in Minnesota Statutes, section 245A.02, subdivision 14; a residential
3.23 facility for persons with a developmental disability licensed by the commissioner of
3.24 human services under Minnesota Statutes, section 252.28; group residential housing
3.25 as defined in Minnesota Statutes, section 256I.03, subdivision 3; a shelter for battered
3.26 women as defined in Minnesota Statutes, section 611A.37, subdivision 4; or a supervised

publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless.

To be eligible to sign the oath, the employee must show proof of employment at the residential facility, which may be accomplished by methods including:

(1) ~~have his or her~~ having the employee's name appear on a list of employees provided by the general manager or equivalent officer of the residential facility to the county auditor at least 20 days before the election; ~~or~~

(2) ~~provide~~ providing a statement on the facility's letterhead that the individual is an employee of the facility that is signed and dated by a manager or equivalent officer of the facility; or

(3) providing an employee identification badge.

~~The statement must be in substantially the following form:~~

~~To the Election Judges~~

I am a ~~[insert title of manager or equivalent officer here]~~ at ~~[insert residential facility name here]~~.

~~Let it be known and recorded that [insert employee name here] is an employee of [insert residential facility name here], a residential facility as defined in Minnesota Statutes, section 201.061, subdivision 3, paragraph (c), and by my signature I certify that this is true as of the date signed.~~

[signature] [date]

Printed Name of Residential Facility Manager or
Equivalent Officer

5.1 ~~If the letterhead on which the document submitted under subitem (1) or (2) does not~~
5.2 ~~include the address of the residential facility in the precinct, the document must also~~
5.3 ~~include this address.~~

5.4 The oaths in items D and E must be attached to the voter registration application and
5.5 retained for at least 22 months.

5.6 Subp. 2. **Additional proof of residence allowed.** An eligible voter may prove
5.7 residence under this subpart by presenting one of the photo identification cards listed in
5.8 item A and one of the additional proofs of residence listed in item B.

5.9 A. The following documents are acceptable photo identification cards under this
5.10 subpart if they contain the voter's name and photograph:

5.11 (1) a ~~Minnesota~~ driver's license, a learner's permit, or identification card,
5.12 issued by the state of Minnesota or any other state of the United States as defined in
5.13 Minnesota Statutes, section 645.44, subdivision 11;

5.14 [For text of subitems (2) and (3), see M.R.]

5.15 (4) a student identification card issued by a Minnesota secondary or
5.16 postsecondary educational institution; or

5.17 [For text of subitem (5), see M.R.]

5.18 B. ~~An original bill for:~~ The following documents are acceptable additional
5.19 proofs of residence under this subpart if the documents show the voter's name and current
5.20 address in the precinct:

5.21 (1) an original bill, including account statements and start-of-service
5.22 notification, for telephone, television, or Internet provider services, regardless of how
5.23 those telephone, television, or Internet provider services are delivered; or gas, electric,
5.24 solid waste, water, or sewer services; credit card or banking services; or rent or mortgage
5.25 payments. The due date on the bill must be within 30 days before or after election day.

6.1 For bills delivered electronically, "original" means a printed copy of the electronic bill or a
6.2 display of the bill on the voter's portable electronic device;

6.3 ~~(2) gas, electric, solid waste, water, or sewer services,~~
6.4 ~~is acceptable as an additional proof of residence under this subpart if:~~

6.5 ~~(a) the bill shows the voter's name and current address in the preeinct;~~
6.6 ~~and~~

6.7 ~~(b) the due date on the bill is within 30 days before or after election day.~~

6.8 ~~A rent statement from a landlord that itemizes utility expenses and meets the~~
6.9 ~~requirements of this item is a utility bill for purposes of providing proof of residence;~~

6.10 ~~(3) (2) a current student fee statement that contains the student's valid~~
6.11 ~~address in the precinct is also acceptable as proof of residence.; or~~

6.12 ~~If the photo identification presented by the voter establishes the voter's identity and~~
6.13 ~~the additional proof of residence presented by the voter establishes the voter's current~~
6.14 ~~address in the preeinct, the voter shall have proven residence under this subpart.~~

6.15 (3) a residential lease or residential rental agreement if the lease or rental
6.16 agreement is valid through election day.

6.17 ~~C. The secretary of state shall provide samples of utility bills acceptable as~~
6.18 ~~additional proof of residence under item B to local election officials for use in election~~
6.19 ~~judge training and in the polling place on election day.~~

6.20 Subp. 3. **Additional proof of residence allowed for students.** An eligible
6.21 voter may prove residence by presenting a current valid photo identification issued
6.22 by a postsecondary educational institution in Minnesota if the voter's name, student
6.23 identification number (if available), and address within the precinct appear on a current
6.24 list of persons residing in the postsecondary educational institution's housing certified to
6.25 the county auditor by the postsecondary educational institution.

7.1 This additional proof of residence for students must not be allowed unless the
7.2 postsecondary educational institution submits to the county auditor no later than 60 days
7.3 prior to the election a written agreement that the postsecondary educational institution will
7.4 certify for use at the election accurate updated lists of persons residing in housing owned,
7.5 operated, leased, or otherwise controlled by the postsecondary educational institution.
7.6 A written agreement is effective for the election and all subsequent elections held in
7.7 that calendar year, including the November general election ~~which is instead governed~~
7.8 ~~by subpart 4.~~

7.9 The additional proof of residence for students must be allowed on an equal basis
7.10 for voters ~~resident~~ who reside in housing of any postsecondary education institution
7.11 within the county, if lists certified by the postsecondary educational institution meet the
7.12 requirements of this part.

7.13 An updated list must be certified to the county auditor no earlier than 20 days prior to
7.14 each election. The certification must be dated and signed by the chief officer or designee
7.15 of the postsecondary educational institution and must state that the list is current and
7.16 accurate and includes only the names of persons residing as of the date of the certification
7.17 in housing controlled by the postsecondary educational institution.

7.18 The auditor shall instruct the election judges of the precinct in procedures for use
7.19 of the list in conjunction with photo identification. The auditor shall supply a list to the
7.20 election judges with the election supplies for the precinct.

7.21 The auditor shall notify all postsecondary educational institutions in the county of the
7.22 provisions of this subpart ~~and subpart 4.~~

7.23 Subp. 4. [See repealer.]

7.24 **8200.5400 NOTATION OF IDENTIFICATION ON REGISTRATION**
7.25 **APPLICATION.**

7.26 When a voter uses a ~~Minnesota~~ driver's license, learner's permit, ~~Minnesota~~ or
7.27 identification card, issued by the state of Minnesota or any other state of the United

8.1 States as defined in Minnesota Statutes, section 645.44, subdivision 11; United States
8.2 passport; United States military identification card; tribal identification card; or
8.3 Minnesota secondary or postsecondary educational institution student identification card
8.4 to prove residence or identity when registering on election day, the election judge who
8.5 is registering voters shall record the number, if any, on the voter registration application
8.6 in the "election judge official use only" area of the application. When a voter uses one
8.7 of the documents listed in part 8200.5100, ~~subpart 2, item B,~~ subparts 2 and 3 to prove
8.8 residence for election day registration, the election judge who is registering voters shall
8.9 record the type of document on the voter registration application in the "election judge
8.10 official use only" area of the application.

8.11 **8200.5500 REGISTRATIONS RECEIVED ON ELECTION DAY.**

8.12 [For text of subp 1, see M.R.]

8.13 Subp. 2. **Verification; correction; enforcement.** All new voter registration
8.14 applications and updates of existing voter registrations submitted on election day pursuant
8.15 to Minnesota Statutes, section 201.061, subdivision 3, must be verified pursuant to part
8.16 8200.9310 and Minnesota Statutes, section 201.121.

8.17 If, after matching the information in the statewide voter registration system with the
8.18 information contained in the Department of Public Safety database or, in the case of an
8.19 applicant who does not have a Minnesota driver's license or Minnesota identification card,
8.20 in the database of the Social Security Administration, the accuracy of the information on
8.21 the voter registration application cannot be verified, the county auditor must investigate
8.22 and attempt to resolve the discrepancy.

8.23 The county auditor must send notices to election day registrants whose information
8.24 cannot be verified and request that the voters contact the registration office.

8.25 If the voter does not provide information that resolves the discrepancy so that the
8.26 voter registration application can be verified, the county auditor must challenge the voter

in the statewide voter registration system and may refer the matter to the county attorney. If during the verification process the Department of Public Safety provides information that indicates that the voter is ineligible to vote, the county auditor must challenge the ~~vote~~ voter's record in the statewide voter registration system and refer the matter to the county attorney.

8200.5710 REPORT OF DECEASED VOTER.

If on election day an individual wishes to report a deceased voter to an election judge, the individual reporting the deceased voter must complete notification of death of the registered voter in accordance with Minnesota Statutes, section 201.13. The notification of death must be in substantially the following form:

In accordance with Minnesota Statutes, section 201.13, I am a registered voter and I have personal knowledge that _____ is deceased.

Name of Registered Voter

Signature of Registered Voter

Date

Deceased's Date of Birth: _____

Date of Death: _____

Deceased's Last Known Address: _____

8200.9300 MAINTAINING CERTAIN VOTER REGISTRATION RECORDS; SECURITY.

[For text of subps 1 to 7, see M.R.]

Subp. 8. **Absentee voting.** When an absentee return envelope is marked "Accepted" pursuant to Minnesota Statutes, section ~~203B.12~~ 203B.121, subdivision ~~3~~ 2, the ~~election judge shall place the letters "A.B." in the space for the voter's signature on the precinct election list followed by the judge's initials~~ roster shall be marked pursuant to Minnesota Statutes, section 203B.121, subdivision 3.

10.1 ~~When a return envelope is accepted from a voter who registers on election day by~~
 10.2 ~~including a voter registration application with the absentee ballot, the election judge shall~~
 10.3 ~~print the voter's name, address, and month, day, and year of birth and the letters "A.B." in~~
 10.4 ~~the appropriate places on the precinct election list.~~

10.5 [For text of subps 9 and 10, see M.R.]

10.6 Subp. 11. [See repealer.]

10.7 **8200.9940 PRECINCT LIST OF PERSONS VOUCHING FOR VOTER**
 10.8 **RESIDENCE ON ELECTION DAY AND NUMBER OF PERSONS VOUCHERED**
 10.9 **FOR.**

10.10 Precinct List of Persons Vouching

10.11 City/Town _____ Ward _____ Precinct _____

10.12 ~~For election judges' use in recording the number of individuals for whom a voter signs~~
 10.13 ~~proof-of-residence oaths (vouches for) on Election Day. Cross out a number for every~~
 10.14 ~~individual for whom a voter registered in that precinct vouches. Unless vouching for~~
 10.15 ~~residential facility residents pursuant to part 8200.5100, subpart 1, item E, a voter who~~
 10.16 ~~is registered to vote in the precinct may sign no more than 15 proof-of-residence oaths~~
 10.17 ~~(Minnesota Statutes, section 201.061).~~

- 10.18 • To be completed by election judges.
- 10.19 • Use to track the number of people vouched for by each voucher.
- 10.20 • Cross out the next number each time that person vouches for a registrant.
- 10.21 • Employees of residential facilities may vouch for an unlimited number of voters.
- 10.22 Otherwise, vouchers may only vouch for a maximum of eight registrants.

10.23	Voucher's Name	Voucher's Voter	Number Vouched for
10.24		ID No.	on Election Day
10.25	Example: John Doe	1234567	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
10.26	1		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
10.27	2		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
10.28	3		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

11.1	4	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.2	5	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.3	6	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.4	7	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.5	8	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.6	9	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.7	10	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.8	11	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.9	12	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.10	13	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.11	14	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.12	15	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.13	16	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.14	17	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.15	18	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.16	19	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.17	20	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.18	21	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.19	22	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.20	23	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.21	24	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.22	25	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.23	26	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.24	27	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.25	28	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.26	29	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
11.27	30	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

11.28 Certified by the Head Election Judge of the Precinct:

11.29 _____

11.30 Printed Name

Signature

Date

12.1 **8205.1050 VERIFYING PETITIONS.**

12.2 Subpart 1. **Applicability.** This part does not apply to proposed recall and recall
12.3 petitions. The verification processes for proposed recall and recall petitions are located
12.4 in parts 8205.2010 and 8205.2120. This part does not apply to statewide Major Political
12.5 Party Recognition Petitions or statewide Minor Political Party Recognition Petitions. The
12.6 verification processes for Major Political Party Recognition Petitions and Minor Political
12.7 Party Recognition Petitions are located in parts 8205.3000, 8205.3100, 8205.3200, and
12.8 8205.3300.

12.9 [For text of subps 2 and 3, see M.R.]

12.10 **8205.3000 FORM OF MAJOR AND MINOR POLITICAL PARTY**
12.11 **RECOGNITION PETITION.**

12.12 Subpart 1. **Applicability of other rules.** A major or minor political party recognition
12.13 petition must comply with parts 8205.1010 to 8205.1040.

12.14 Subp. 2. **Form of Major Political Party Recognition Petition.** Major Political
12.15 Party Recognition Petitions must be prepared in accordance with items A and B.

12.16 A. The words "MAJOR POLITICAL PARTY RECOGNITION PETITION"
12.17 must be printed at the top of each page of the petition.

12.18 B. Each page in the petition must include the following information:

12.19 (1) An affirmation that each signatory:

12.20 (a) supports the general principles of that party's constitution;

12.21 (b) voted for a majority of that party's candidates in the last general
12.22 election; or

12.23 (c) intends to vote for a majority of that party's candidates in the
12.24 next general election.

13.1 (2) An oath in the following form: "I solemnly swear (or affirm) that I am
13.2 an eligible voter residing in the state; I know the purpose and content of the petition; and I
13.3 signed the petition only once and of my own free will."

13.4 C. A separate petition must be used for each prospective major political party.

13.5 Subp. 3. **Form of the Minor Political Party Recognition Petition.** A Minor
13.6 Political Party Recognition Petition must be prepared in accordance with items A and B.

13.7 A. The words "MINOR POLITICAL PARTY RECOGNITION PETITION"
13.8 must be printed at the top of each page of the petition.

13.9 B. An oath in the following form: "I solemnly swear (or affirm) that I am an
13.10 eligible voter residing in the state; I am a member of the _____ party; I know the
13.11 purpose and content of the petition; and I signed the petition only once and of my own
13.12 free will."

13.13 C. A separate petition must be used for each prospective minor political party.

13.14 Subp. 4. **Filing.** Prior to filing the petition, the party must ensure the signatures are
13.15 consecutively numbered. The completed petition must be filed with the secretary of state.
13.16 Upon filing the petition the prospective major or minor political party must provide the
13.17 name, address, and telephone number of a contact person.

13.18 **8205.3200 VERIFYING STATEWIDE MAJOR POLITICAL PARTY**
13.19 **RECOGNITION PETITION AND STATEWIDE MINOR POLITICAL PARTY**
13.20 **RECOGNITION PETITION.**

13.21 Subpart 1. **Verifying the statewide political party recognition petitions.** The
13.22 secretary of state shall verify each statewide Major Political Party Recognition Petition
13.23 and each statewide Minor Political Party Recognition Petition by the following method.

13.24 A. The secretary of state shall determine whether the petition was filed before the
13.25 close of the filing period for state and federal offices. If the secretary of state determines that

14.1 the petition was not filed before the close of filing for state and federal offices, the secretary
14.2 of state shall dismiss the petition and notify the petitioners of the reason for dismissal.

14.3 B. The secretary of state shall inspect the form of the major or minor political
14.4 party recognition petition to determine whether or not it complies with requirements in
14.5 parts 8205.1010 to 8205.1040 and 8205.3000.

14.6 C. The secretary of state shall inspect each petition to determine whether or not
14.7 is has been signed by a number of persons eligible to vote equal to at least:

14.8 (1) five percent of the total number of individuals who voted in the
14.9 preceding state general election for qualification as a major political party; or

14.10 (2) one percent of the total number of individuals who voted in the
14.11 preceding state general election for qualification as a minor political party.

14.12 If the petition has not been signed by the required number of eligible voters and the filing
14.13 deadline has passed during the verification process, the secretary of state shall dismiss the
14.14 petition and notify the petitioners of the reason for dismissal. If the petition has not been
14.15 signed by the required number of eligible voters but the filing deadline has not passed, the
14.16 secretary of state shall notify the petitioners:

14.17 (a) that the petition has not been signed by the required number
14.18 of voters;

14.19 (b) of the number of additional signatures needed;

14.20 (c) that the filing deadline has not yet passed;

14.21 (d) of the date of the filing deadline; and

14.22 (e) that the petitioners may provide the secretary of state with the
14.23 required number of additional signatures before the close of the filing period.

14.24 If the petitioners do not provide the necessary number of additional signatures before the
14.25 end of the filing period, the secretary of state shall dismiss the petition and notify the

15.1 petitioners. If the petitioners provide the necessary number of required signatures before
15.2 the close of the filing period, the secretary of state shall continue the verification process.

15.3 D. The secretary of state shall use a random sampling technique to verify that
15.4 the persons signing the petition are eligible voters.

15.5 (1) The sample size must be 2,000 signatures for a statewide political
15.6 party recognition petition.

15.7 (2) The secretary of state shall consecutively number every completed
15.8 signature line on the petition. The signature lines on the petition that correspond to the
15.9 random number generated constitute the sample for the verification process.

15.10 (3) The secretary of state shall verify that the address given by each
15.11 signatory in the sample is in the state of Minnesota and that the birth date given by each
15.12 signatory in the sample establishes that the signatory was at least 18 years old when the
15.13 petition was signed. Signatures from persons determined by the secretary of state to
15.14 be ineligible to vote must not be counted.

15.15 (4) The secretary of state shall determine what percentage of the signatories
15.16 in the sample are eligible voters.

15.17 (5) The secretary shall multiply the total number of petition signatories by
15.18 the percentage of signatories determined to be eligible voters in the sample to determine
15.19 how many of the signatories on the petition are deemed to be eligible voters.

15.20 (6) If the statistical sampling shows the number of signatories deemed to
15.21 be eligible voters is less than 100 percent of the required number and the filing deadline
15.22 has passed during the verification process, the secretary of state shall dismiss the petition
15.23 and notify the petitioners of the reasons for the dismissal.

16.1 (7) If the statistical sampling shows the number of signatories deemed to be
16.2 eligible voters is less than 100 percent of the required number but the filing deadline has
16.3 not passed during the verification process, the secretary of state shall notify the petitioners:

16.4 (a) that the petition has not been signed by the required number
16.5 of eligible voters;

16.6 (b) of the number of additional signatures needed;

16.7 (c) that the filing period has not expired;

16.8 (d) of the date on which the filing period expires; and

16.9 (e) that the petitioners may provide the secretary of state with the
16.10 required number of additional signatures before the filing deadline.

16.11 If the petitioners do not provide the secretary of state with additional signatures before
16.12 the end of the filing period, the secretary of state shall dismiss the petition and notify the
16.13 petitioners. If the petitioners provide the secretary of state with additional signatures, the
16.14 secretary of state shall reverify the petition using the procedure described in this subpart.

16.15 E. If the secretary of state determines that the petition satisfies the form
16.16 requirements in parts 8205.1010 and 8205.3000, that the petition has been filed prior to
16.17 the close of the filing deadline for state and federal candidates, that the petition has been
16.18 signed by the required number of signatories, and that the statistical sampling shows the
16.19 number of signatories who are eligible voters is 100 percent or greater of the required
16.20 number, the secretary of state shall certify the petition and immediately send written notice
16.21 to the petitioners, the commissioner of the Minnesota Department of Revenue, and the
16.22 executive director of the Campaign Finance and Public Disclosure Board.

16.23 Subp. 2. **Time for verification.** The secretary of state shall complete the verification
16.24 of a petition no later than ten working days after the day on which the petition was filed.

17.1 **8210.0200 ABSENTEE BALLOT APPLICATION.**

17.2 [For text of subps 1 to 3, see M.R.]

17.3 Subp. 4. **Permanent application.** An eligible voter ~~who meets the requirements in~~
17.4 under Minnesota Statutes, section 203B.04, subdivision 5 ~~or 6~~, may apply to the county
17.5 auditor or municipal clerk to automatically receive an absentee ballot application for each
17.6 election in which the voter is eligible to vote. The county auditor shall make available the
17.7 form provided by the secretary of state for this purpose. The voter shall complete the form
17.8 and return it to the county auditor or municipal clerk. A municipal clerk who receives
17.9 a completed application shall forward it to the county auditor immediately. The voter's
17.10 permanent application status must be indicated and permanently maintained on the voter's
17.11 registration record on the statewide voter registration system.

17.12 The county auditor shall maintain a list of voters who have applied to automatically
17.13 receive an absentee ballot application. At least ~~45~~ 60 days before each election, the county
17.14 auditor or municipal clerk shall send an absentee ballot application to each person on the
17.15 list who is eligible to vote in the election.

17.16 [For text of subps 4a to 6, see M.R.]

17.17 **8210.0500 INSTRUCTIONS TO ABSENT VOTER.**

17.18 [For text of subp 1, see M.R.]

17.19 Subp. 2. **Instructions for registered voters.**

17.20 **Instructions**

17.21 **How to vote by absentee ballot**

17.22 **for registered voters**

17.23 **You will need:**

- 17.24 • Ballot*
- 17.25 • Tan ballot envelope*
- 17.26 • White signature envelope*

- 18.1 • Pen with black ink
- 18.2 • Your ID number
- 18.3 Minnesota driver's license number, Minnesota ID card number, or the last four
- 18.4 digits of your Social Security Number.

18.5 *See below if you do not have any of these numbers.*

- 18.6 • Witness

18.7 Anyone registered to vote in Minnesota,

18.8 *including your spouse or relative,*

18.9 *or a notary public,*

18.10 *or a person with the authority to administer oaths*

18.11 * If any of these items are missing, please contact your local election official.

18.12 **1 Vote!**

- 18.13 • Show your witness your blank ballot, then mark your votes in private.
- 18.14 • Follow the instructions on the ballot.
- 18.15 • Do not write your name or ID number anywhere on the ballot.
- 18.16 • Do not vote for more candidates than allowed. *If you do, your votes for that office*
- 18.17 *will not count.*

18.18 *See the other side if you make a mistake on your ballot.*

18.19 **2 Seal your ballot in the tan ballot envelope**

- 18.20 • Do not write on this envelope.

18.21 **3 Slide the tan ballot envelope into the top of the white signature envelope**

18.22 **4 Fill out the white signature envelope completely**

- 18.23 • If there is no label, print your name and Minnesota address.
- 18.24 • Print your Minnesota driver's license number, Minnesota ID card number, or the
- 18.25 last four digits of your Social Security Number.

18.26 **Be sure to use one of the same number numbers that you provided on your**

18.27 **absentee ballot application.**

18.28 *If you do not have any of these numbers, check the box.*

- 18.29 • Read and sign the oath.

- 19.1 • Ask your witness to print their name and Minnesota street address, including city
19.2 (not a P. O. Box)₂ and sign their name.

19.3 *If your witness is an official or notary, they must print their title instead of*
19.4 *an address.*

19.5 *Notaries must also affix their stamp.*

- 19.6 • Seal the envelope. First the small flap, then the large flap.

19.7 **5 Return your ballot by Election Day to the address on the signature envelope**

19.8 **Ballots may not be delivered to your polling place.**

19.9 You have three options:

- 19.10 • Send it so it arrives by Election Day, using U.S. mail or a package delivery service,
19.11 • Deliver it in person by 5:00 p.m. on the day before the election, or
19.12 • Ask someone to deliver it by 3:00 p.m. on Election Day.

19.13 *This person cannot deliver more than 3 ballots.*

19.14 **See the other side for special instructions if you have a disability.**

19.15 **To check the status of your absentee ballot, visit www.mnvotes.org.**

19.16 **Correcting a mistake**

19.17 • If time allows, ask for a new ballot from your election office. Their contact
19.18 information can be found in the return address section of the envelope in which
19.19 you received these materials, or

19.20 • ~~Completely erase the mistake, or~~

19.21 • Completely cross out the name of the candidate you accidentally marked and then
19.22 mark your ballot for the candidate you prefer (do not initial your corrections), ~~or.~~

19.23 • ~~Ask for a new ballot from your election office. Their contact information can be~~
19.24 ~~found in the return address section of the envelope in which you received these~~
19.25 ~~materials.~~

19.26 **If you have a disability:**

19.27 If you have a disability or cannot mark your ballot, your witness may assist you by marking
19.28 your ballot at your direction, assembling the materials, and filling out the forms for you.

19.29 When signing the envelope, Minnesota law says you may:

- 20.1 • Sign the return envelope yourself, or
- 20.2 • Make your mark, or
- 20.3 • Ask your witness to sign for you in your presence. (Have the witness sign their
- 20.4 own name as well.)
- 20.5 • If you have adopted the use of a signature stamp for all purposes of signature, you
- 20.6 may use your signature stamp or ask your witness to use your signature stamp
- 20.7 in your presence.

20.8 Minnesota Statutes, section 645.44, subdivision 14

20.9 Please note: Voting is not covered by power of attorney. A person with power of attorney
20.10 may only sign for you in your presence, as outlined above.

20.11 **Confidentiality Notice:** The data you supply on your signature envelope is restricted
20.12 to election officials prior to Election Day at 8:00 p.m. After that time, your envelope and
20.13 the data on it, other than your identification number, are public information. Your ID
20.14 number is required to ensure that the ballot is returned by the same voter who applied for
20.15 it. You may refuse to provide it, but doing so may lead your absentee ballot to be rejected
20.16 and will prevent you from checking on the status of your absentee ballot online.

20.17 In those precincts where an additional envelope is used instead of an envelope with a
20.18 flap, the list under You Will Need must also include:

- 20.19 • Larger white return envelope*

20.20 Instruction 3 must read:

20.21 **3 Put the tan ballot envelope in the white signature envelope**

20.22 The last instruction under 4, a new instruction numbered 5, and the first line of the
20.23 renumbered instruction 6 must read:

- 20.24 • Seal the envelope

20.25 **5 Put the signature envelope into the larger white return envelope to protect your**
20.26 **private information from view**

20.27 **6 Return your ballot by Election Day to the address on the return envelope**

21.1 Subp. 3. **Instructions for unregistered voters.**

21.2 **Instructions**

21.3 **How to vote by absentee ballot**

21.4 **You will need:**

- 21.5 • Ballot*
- 21.6 • Tan ballot envelope*
- 21.7 • Voter registration application*
- 21.8 • White signature envelope*
- 21.9 • Pen with black ink
- 21.10 • Minnesota driver's license with your address
- 21.11 *or other authorized proof of where you live.*
- 21.12 *See other side for a list of options*
- 21.13 • Your ID number
- 21.14 Minnesota driver's license number, Minnesota ID card number, or the last four
- 21.15 digits of your Social Security Number.
- 21.16 *See below if you do not have any of these numbers.*
- 21.17 • Witness
- 21.18 Anyone registered to vote in Minnesota,
- 21.19 *including your spouse or relative,*
- 21.20 *or a notary public,*
- 21.21 *or a person with the authority to administer oaths*
- 21.22 * If any of these items are missing, please contact your local election official.

21.23 **Important: You must submit the voter registration application with your ballot (in**

21.24 **the white signature envelope) for your vote to be counted.**

21.25 **1 Fill out the voter registration application and sign it**

- 21.26 • Show your witness your driver's license or other authorized proof of where you live.
- 21.27 *See the other side for a list of options.*

21.28 **2 Vote!**

- 22.1 • Show your witness your blank ballot, then mark your votes in private.
- 22.2 • Follow the instructions on the ballot.
- 22.3 • Do not write your name or ID number anywhere on the ballot.
- 22.4 • Do not vote for more candidates than allowed. *If you do, your votes for that office*
- 22.5 *will not count.*
- 22.6 ***See the other side if you make a mistake on your ballot.***

22.7 **3 Seal your ballot in the tan ballot envelope**

- 22.8 • Do not write on this envelope.

22.9 **4 Slide the tan ballot envelope and the voter registration application into the top**

22.10 **of the white signature envelope**

22.11 **5 Fill out the white signature envelope completely**

- 22.12 • If there is no label, print your name and Minnesota address.
- 22.13 • Print your Minnesota driver's license number, Minnesota ID card number, or the
- 22.14 last four digits of your Social Security Number.
- 22.15 **Be sure to use one of the same number numbers that you provided on your**
- 22.16 **absentee ballot application.**
- 22.17 *If you do not have any of these numbers, check the box.*
- 22.18 • Read and sign the oath.
- 22.19 • Ask your witness to print their name and Minnesota street address, including city
- 22.20 (not a P. O. Box), indicate which proof you showed them, and sign their name.
- 22.21 *If your witness is an official or notary, they must print their title instead of*
- 22.22 *an address.*
- 22.23 *Notaries must also affix their stamp.*
- 22.24 • Seal the envelope. First the small flap, then the large flap.

22.25 **6 Return your ballot by Election Day to the address on the signature envelope**

22.26 **Ballots may not be delivered to your polling place.**

22.27 You have three options:

- 22.28 • Send it so it arrives by Election Day, using U.S. mail or a package delivery service,
- 22.29 • Deliver it in person by 5:00 p.m. on the day before the election, or

- 23.1 • Ask someone to deliver it by 3:00 p.m. on Election Day.

23.2 *This person cannot deliver more than 3 ballots.*

23.3 **To check the status of your absentee ballot, visit www.mnvotes.org.**

23.4 **Options for proof of where you live**

23.5 A valid Minnesota driver's license, Minnesota ID card, or permit with your current
23.6 address

23.7 *or*

23.8 A photo ID that does not have your current address along with a document that
23.9 has your current address

23.10 • **Eligible photo IDs:** ~~Minnesota driver's license, Minnesota ID card, Minnesota~~
23.11 ~~or another state's driver's license, learner's permit, or ID card; U.S. passport;~~
23.12 U.S. military ID card; Minnesota high school/college/university ID card; or
23.13 tribal ID card with your signature, from a tribe recognized by the Bureau of
23.14 Indian Affairs (BIA).

23.15 • **Eligible documents with your current address:** ~~a current student fee statement,~~
23.16 ~~or an original utility bill~~ an original bill, including account statements and
23.17 start-of-service notification, with a due date 30 days before or after the election,
23.18 ~~a rent statement showing utility expenses;~~ a current student fee statement; or a
23.19 residential lease if valid through election day. Eligible ~~utility~~ bills are gas, electric,
23.20 solid waste, water, sewer, phone, television, ~~or~~ Internet provider, credit card, or
23.21 banking services; or bills for rent or mortgage payments.

23.22 *or one of the following:*

- 23.23 • A yellow receipt for a valid Minnesota driver's license, Minnesota ID card, or
23.24 permit with your current address
- 23.25 • Vouching: the signature of a registered voter who lives in your precinct and
23.26 personally knows that you live in the precinct. If your witness is registered to vote
23.27 in this precinct, your witness may vouch for you. *This person must complete and*
23.28 *sign the voucher form on the back of the voter registration application.*
- 23.29 • A tribal ID card with your name, address, signature, and picture, from a tribe
23.30 recognized by the BIA
- 23.31 • A "Notice of Late Registration" if you received one from the county auditor or
23.32 city clerk

- 24.1 • If you have moved within your precinct or changed your name, a current
- 24.2 registration in the precinct
- 24.3 • Vouching for residents of certain residential facilities: the signature of an
- 24.4 employee of your residential facility, including nursing homes, group homes,
- 24.5 battered women's shelters, homeless shelters, etc. If you are not sure if the
- 24.6 residential facility where you live is eligible, call your local election official. *The*
- 24.7 *employee must complete and sign the voucher form on the back of the voter*
- 24.8 *registration application.*

24.9 **Correcting a mistake**

- 24.10 • If time allows, ask for a new ballot from your election office. Their contact
- 24.11 information can be found in the return address section of the envelope in which
- 24.12 you received these materials, or
- 24.13 • ~~Completely erase the mistake, or~~
- 24.14 • Completely cross out the name of the candidate you accidentally marked and then
- 24.15 mark your ballot for the candidate you prefer (do not initial your corrections), ~~or.~~
- 24.16 • ~~Ask for a new ballot from your election office. Their contact information can be~~
- 24.17 ~~found in the return address section of the envelope in which you received these~~
- 24.18 ~~materials.~~

24.19 **If you have a disability:**

24.20 If you have a disability or cannot mark your ballot, your witness may assist you by marking

24.21 your ballot at your direction, assembling the materials, and filling out the forms for you.

24.22 When signing the envelope, Minnesota law says you may:

- 24.23 • Sign the return envelope yourself, or
- 24.24 • Make your mark, or
- 24.25 • Ask your witness to sign for you in your presence. (Have the witness sign their
- 24.26 own name as well.)
- 24.27 • If you have adopted the use of a signature stamp for all purposes of signature, you
- 24.28 may use your signature stamp or ask your witness to use your signature stamp
- 24.29 in your presence.

24.30 Minnesota Statutes, section 645.44, subdivision 14

24.31 Please note: Voting is not covered by power of attorney. A person with power of attorney

24.32 may only sign for you in your presence, as outlined above.

25.1 **Confidentiality Notice:** The data you supply on your signature envelope is restricted
25.2 to election officials prior to Election Day at 8:00 p.m. After that time, your envelope and
25.3 the data on it, other than your identification number, are public information. Your ID
25.4 number is required to ensure that the ballot is returned by the same voter who applied for
25.5 it. You may refuse to provide it, but doing so may lead your absentee ballot to be rejected
25.6 and will prevent you from checking on the status of your absentee ballot online.

25.7 In those precincts where an additional envelope is used instead of an envelope with a
25.8 flap, the list under You Will Need must also include:

- 25.9 • Larger white return envelope*

25.10 Instruction 4 must read:

25.11 **4 Put the tan ballot envelope and the voter registration application in the white**
25.12 **signature envelope**

25.13 The last instruction under 5, a new instruction numbered 6, and the first line of the
25.14 renumbered instruction 7 must read:

- 25.15 • Seal the envelope.

25.16 **6 Put the signature envelope into the larger white return envelope to protect your**
25.17 **private information from view**

25.18 **7 Return your ballot by Election Day to the address on the return envelope**

25.19 Subp. 4. **Instructions for military and overseas voters transmitted ballots by mail.**

25.20 **Instructions**

25.21 **How to vote by absentee ballot**

25.22 **for military and overseas voters**

25.23 **You will need:**

- 25.24 • Ballot*
- 25.25 • Tan ballot envelope*
- 25.26 • White signature envelope*

- 26.1 • Pen with black ink
- 26.2 • Your ID number
- 26.3 U.S. passport number, Minnesota driver's license number, Minnesota ID card
- 26.4 number, or the last four digits of your Social Security Number.
- 26.5 *See below if you do not have any of these numbers.*
- 26.6 * If any of these items are missing, please contact your local election official.

26.7 **1 Vote!**

- 26.8 • Mark your votes in private.
- 26.9 • Follow the instructions on the ballot.
- 26.10 • Do not write your name or ID number anywhere on the ballot.
- 26.11 • Do not vote for more candidates than allowed. *If you do, your votes for that office*
- 26.12 *will not count.*
- 26.13 *See the other side if you make a mistake on your ballot.*

26.14 **2 Seal your ballot in the tan ballot envelope**

- 26.15 • Do not write on this envelope.

26.16 **3 Slide the tan ballot envelope into the top of the white signature envelope**

26.17 **4 Fill out the white signature envelope completely**

- 26.18 • If there is no label, print your name and Minnesota address (present or last).
- 26.19 • Print your email address and phone number (optional).
- 26.20 • Print your passport number, Minnesota driver's license number, Minnesota ID card
- 26.21 number, or the last four digits of your Social Security Number.
- 26.22 **Be sure to use one of the same number numbers that you provided on your**
- 26.23 **absentee ballot application.**
- 26.24 *If you do not have access to any of these documents, leave this space blank.*
- 26.25 • Read and sign the oath.
- 26.26 • Seal the envelope. First the small flap, then the large flap.

26.27 **5 Return your ballot by Election Day to the address on the signature envelope**

- 26.28 • Send it so it arrives by Election Day, using mail, a package delivery service, or
- 26.29 the diplomatic pouch at a U.S. embassy or consulate.

- 27.1 • Postage is not required if the postal permit is on the envelope and it is sent using
27.2 U.S. mail, U.S. military mail, or the diplomatic pouch. Postage may be required if
27.3 you use a foreign mail service or a package delivery service.

27.4 **See the other side for special instructions if you have a disability.**

27.5 **To check the status of your absentee ballot, visit**

27.6 **~~https://minnesota.overseasvotefoundation.org~~ http://www.mnvotes.org.**

27.7 If you have any questions, contact your county elections office at [insert email address] or
27.8 [insert telephone number].

27.9 **Correcting a mistake**

27.10 • If time allows, ask for a new ballot from your election office. Their contact
27.11 information can be found on the reverse side, or

27.12 • ~~Completely erase the mistake, or~~

27.13 • Completely cross out the name of the candidate you accidentally marked and then
27.14 mark your ballot for the candidate you prefer (do not initial your corrections), ~~or.~~

27.15 • ~~Ask for a new ballot from your election office. Their contact information can~~
27.16 ~~be found on the reverse side.~~

27.17 **If you have a disability:**

27.18 If you have a disability or cannot mark your ballot, another person may assist you by
27.19 marking your ballot at your direction, assembling the materials, and filling in the forms for
27.20 you.

27.21 When signing the envelope, Minnesota law says you may:

27.22 • Sign the return envelope yourself, or

27.23 • Make your mark, or

27.24 • Ask another person to sign for you in your presence. (Have this person sign their
27.25 own name as well.)

27.26 • If you have adopted the use of a signature stamp for all purposes of signature, you
27.27 may use your signature stamp or ask another person to use your signature stamp
27.28 in your presence.

27.29 Minnesota Statutes, section 645.44, subdivision 14

28.1 Please note: Voting is not covered by power of attorney. A person with power of attorney
28.2 may only sign for you in your presence as outlined above.

28.3 **Confidentiality Notice:** The data you supply on your signature envelope is restricted
28.4 to election officials prior to Election Day at 8:00 p.m. After that time, your envelope and
28.5 the data on it, other than your identification number, are public information. Your ID
28.6 number is required to ensure that the ballot is returned by the same voter who applied for
28.7 it. You may refuse to provide it, but doing so may lead your absentee ballot to be rejected
28.8 and will prevent you from checking on the status of your absentee ballot online.

28.9 In those precincts where an additional envelope is used instead of an envelope with a
28.10 flap, the list under You Will Need must also include: "• Larger white return envelope*"
28.11 Instruction 3 must read "**3 Put the tan ballot envelope into the white signature**
28.12 **envelope.**" The last instruction under 4, a new instruction numbered 5, and the first line of
28.13 the renumbered instruction 6 must read:

28.14 • Seal the envelope.

28.15 **5 Put the signature envelope into the larger white return envelope to protect your**
28.16 **private information from view**

28.17 **6 Return your ballot by Election Day to the address on the return envelope**

28.18 Subp. 5. **Cover letter for military and overseas voters transmitted ballots**
28.19 **electronically.** Dear Military/Overseas Absentee Voter:

28.20 Your absentee ballot and supporting materials for the election on [month day, year] are
28.21 attached. Your absentee ballot is being sent to you electronically because you requested
28.22 this delivery method on your application. Please print, fill out, and return these materials
28.23 so they are received by your county by Election Day, [day of the week], [month day, year].

28.24 **A paper ballot must be returned to Minnesota and received by Election Day**
28.25 **to be counted.**

28.26 You may use the domestic mail service of the country you are located in, an
28.27 international package delivery service, or the military or state department's mail services.

29.1 Be sure to vote and return this ballot as soon as possible to ensure timely return. Your
29.2 ballot must be received by your county elections office by Election Day to be counted.

29.3 This communication contains:

- 29.4 • A ballot
- 29.5 • Voting instructions
- 29.6 • Ballot envelope template
- 29.7 • Certificate of Eligibility
- 29.8 • Mailing envelope template

29.9 Carefully follow the instructions to ensure proper return of your voted ballot.

- 29.10 ☐ Print the materials
- 29.11 ☐ Fill out your ballot
- 29.12 ☐ Fold and seal your ballot and place it in your ballot envelope
- 29.13 ☐ Fill out the Certificate of Eligibility
- 29.14 ☐ Put the completed materials in your mailing envelope
- 29.15 ☐ Send your ballot by mail or package delivery service so that it is received by
- 29.16 Election Day

29.17 **To check the status of your absentee ballot, visit**

29.18 ~~<https://minnesota.overseasvotefoundation.org>~~ <http://www.mnvotes.org>.

29.19 Contact your county elections office at [email] or [phone number] if you have any
29.20 questions.

29.21 **Please note:** Each voter must submit an application and receive their own ballot. **Do**
29.22 **not forward this ballot to other voters.** A ballot received from a voter who did not submit
29.23 an application will not be counted. Refer other military or overseas voters who need to
29.24 apply for a ballot to ~~<https://minnesota.overseasvotefoundation.org>~~ <http://www.mnvotes.org>.

29.25 Thank you.

29.26 Subp. 6. **Instructions for military and overseas voters transmitted ballots**
29.27 **electronically.**

29.28 **Instructions**

30.1 **How to vote by absentee ballot**

30.2 **for military and overseas voters sent ballots electronically**

30.3 **Note: Your ballot must be printed out and physically returned. It cannot be returned**
30.4 **electronically.**

30.5 **You will need:**

- 30.6 • A printer
- 30.7 • A pen with black ink
- 30.8 • Two envelopes (you have 3 options):
 - 30.9 • Address your own blank envelopes by hand
 - 30.10 • Print the envelope templates directly onto envelopes (print the mailing
 - 30.11 envelope onto an envelope approximately 4 1/8 inches x 9 1/2 inches so that
 - 30.12 everything is positioned according to postal regulations)
 - 30.13 • If you do not have access to any envelopes, create the envelopes by folding
 - 30.14 and taping or gluing the attachments.
- 30.15 • Your ID number
 - 30.16 U.S. passport number, Minnesota driver's license number, Minnesota ID card
 - 30.17 number, or the last four digits of your Social Security Number.
 - 30.18 *See below if you do not have access to any of these numbers.*

30.19 **1 Print the materials**

- 30.20 • Print your ballot, the Certificate of Eligibility, and the envelope templates if you
- 30.21 are using them.
- 30.22 • Please note that the ballot may take multiple pages.
- 30.23 • Your printer should automatically scale the document to fit on the printable area of
- 30.24 the page. Just be sure that none of the words or ovals are cut off.

30.25 **2 Vote!**

- 30.26 • Mark your votes in private.
- 30.27 • Follow the instructions on the ballot.
- 30.28 • Do not write your name or ID number anywhere on the ballot.

- 31.1 • Do not vote for more candidates than allowed. *If you do, your votes for that office*
31.2 *will not count.*

31.3 ***See below if you make a mistake on your ballot.***

31.4 **3 Use one of the envelopes as the ballot envelope**

- 31.5 • Put your ballot in this envelope to keep your votes private.
31.6 • Seal the envelope.
31.7 • Do not write on this envelope.

31.8 **4 Fill out the Certificate of Eligibility completely**

- 31.9 • Print your name and your Minnesota street address, including city (present or last).
31.10 • Print your email address and phone number (optional).
31.11 • Print your passport number, Minnesota driver's license number, Minnesota ID card
31.12 number, or the last four digits of your Social Security Number.

31.13 **Be sure to use one of the same number numbers that you provided on your**
31.14 **absentee ballot application.**

31.15 *If you do not have access to any of these documents, leave this space blank.*

- 31.16 • Read and sign the oath.

31.17 **5 Put it all together**

- 31.18 • Attach the Certificate of Eligibility to the ballot envelope.
31.19 • Your second envelope is the return (mailing) envelope.
31.20 • Put the ballot envelope and the Certificate of Eligibility into the return envelope.
31.21 • Seal the return envelope.
31.22 • Address the return envelope to:

31.23 Official Absentee Balloting Material

31.24 County

31.25 [Street address]

31.26 [City], MN [Zip Code]

31.27 USA

31.28 **6 Return your ballot by Election Day to the address above**

- 32.1 • Send it so it arrives by Election Day, using mail, a package delivery service, or
- 32.2 the diplomatic pouch at a U.S. embassy or consulate.
- 32.3 • Postage is not required if the postal permit is on the envelope and it is sent using
- 32.4 U.S. mail, U.S. military mail, or the diplomatic pouch. Postage may be required if
- 32.5 you use a foreign mail service or a package delivery service.

32.6 **To check the status of your absentee ballot, visit**

32.7 **~~https://minnesota.overseasvotefoundation.org~~ http://www.mnvotes.org.**

32.8 If you need any help while voting, please contact your county elections office at [insert
32.9 email address] or [insert telephone number].

32.10 **Correcting a mistake**

- 32.11 • Print out a new ballot, or
- 32.12 • Ask for a new ballot from your election office, or
- 32.13 • ~~Completely erase the mistake, or~~
- 32.14 • Completely cross out the name of the candidate you accidentally marked and then
- 32.15 mark your ballot for the candidate you prefer (do not initial your corrections), ~~or.~~
- 32.16 • ~~Ask for a new ballot from your election office.~~

32.17 **If you have a disability:**

32.18 If you have a disability or cannot mark your ballot, another person may assist you by
32.19 marking your ballot at your direction, assembling the materials, and filling out the forms
32.20 for you.

32.21 When signing the Certificate of Eligibility, Minnesota law says you may:

- 32.22 • Sign the Certificate yourself, or
- 32.23 • Make your mark, or
- 32.24 • Ask another person to sign for you in your presence. (Have this person sign their
- 32.25 own name as well.)
- 32.26 • If you have adopted the use of a signature stamp for all purposes of signature, you
- 32.27 may use your signature stamp or ask another person to use your signature stamp
- 32.28 in your presence.

32.29 Minnesota Statutes, section 645.44, subdivision 14

33.1 Please note: Voting is not covered by power of attorney. A person with power of attorney
33.2 may only sign for you in your presence as outlined above.

33.3 **Confidentiality Notice:** The data you supply on your Certificate of Eligibility is
33.4 restricted to election officials prior to Election Day at 8:00 p.m. After that time, your
33.5 Certificate of Eligibility and the data on it, other than your identification number, are
33.6 public information. Your ID number is required to ensure that the ballot is returned by
33.7 the same voter who applied for it. You may refuse to provide it, but doing so may lead
33.8 your absentee ballot to be rejected and will prevent you from checking on the status of
33.9 your absentee ballot online.

33.10 [For text of subp 7, see M.R.]

33.11 **8210.0600 STATEMENT OF ABSENTEE VOTER.**

33.12 [For text of subp 1, see M.R.]

33.13 Subp. 1a. **Statement of registered absentee voter form.**

33.14 Signature Envelope

33.15 **Voter must complete this section** please print clearly

33.16 **Voter name** _____

33.17 **Voter MN address** _____

33.18 _____ MN

33.19 **ID number**

33.20 (MN driver's license #,

33.21 MN ID card #,

33.22 or last four digits of SSN) _____

33.23 ○ I do not have a MN-issued driver's license, MN-issued ID card,

33.24 or a Social Security Number.

33.25 I certify that on Election Day I will meet all the legal requirements to vote by ~~absentee~~
33.26 ~~ballot~~.

33.27 **Voter Signature X** _____

34.1 **Witness must complete this section**34.2 **Witness name** _____34.3 **MN street address**

34.4 (or title, if an

34.5 official or notary)

34.6 _____ MN

34.7 (Street Address)

34.8 _____ MN

34.9 (City)

34.10 I certify that:

- 34.11 • the voter showed me the blank ballots before voting;
- 34.12 • the voter marked the ballots in private or, if physically unable to mark the ballots,
- 34.13 the ballots were marked as directed by the voter;
- 34.14 • the voter enclosed and sealed the ballots in the ballot envelope; and
- 34.15 • I am or have been registered to vote in Minnesota, or am a notary, or am authorized
- 34.16 to give oaths.

34.17 **Witness Signature X** _____

34.18 If notary, must affix stamp

34.19 Subp. 1b. **Statement of unregistered absentee voter form.**

34.20 Signature Envelope

34.21 **Voter must complete this section** please print clearly34.22 **Voter name** _____34.23 **Voter MN address** _____

34.24 _____ MN

34.25 **ID number**

34.26 (MN driver's license #,

34.27 MN ID card #,

35.1 or last four digits of SSN) _____

35.2 ○ I do not have a MN-issued driver's license, MN-issued ID
35.3 card, or a Social Security Number.

35.4 I certify that on Election Day I will meet all the legal requirements to vote by ~~absentee~~
35.5 ~~ballot~~.

35.6 **Voter Signature X** _____

35.7 **Witness must complete this section**

35.8 **Witness name** _____

35.9 **MN street address**

35.10 (or title, if an
35.11 official or notary)

35.12 _____ MN

35.13 (Street Address)

35.14 _____ MN

35.15 (City)

35.16 ~~Voter must provide~~ Witness MUST CHECK ONE indicating proof of residence

35.17 provided by voter: (See instructions, ~~check one~~)

35.18 ○ MN driver's license, ID card, permit, or receipt

35.19 ○ ~~Utility Bill, rent statement, or student fee statement,~~ or residential lease plus
35.20 photo ID

35.21 ○ Registered voter in the precinct who vouched for voter's residence in the precinct
35.22 (must complete the voucher form on the back of the Voter Registration Application)

35.23 ○ Tribal ID card

35.24 ○ Notice of late registration

35.25 ○ Previous registration in the same precinct

35.26 ○ An employee of a residential facility in the precinct who vouched for voter's
35.27 residence at the facility (must complete the voucher form on the back of the Voter
35.28 Registration Application)

35.29 I certify that:

- 36.1 • the voter showed me the blank ballots before voting;
- 36.2 • the voter marked the ballots in private or, if physically unable to mark the ballots,
- 36.3 the ballots were marked as directed by the voter;
- 36.4 • the voter enclosed and sealed the ballots in the ballot envelope;
- 36.5 • the voter registered to vote by filling out and enclosing a voter registration
- 36.6 application in this envelope;
- 36.7 • the voter provided proof of residence as indicated above; and
- 36.8 • I am or have been registered to vote in Minnesota, or am a notary, or am authorized
- 36.9 to give oaths.

36.10 **Witness Signature X** _____

36.11 If notary, must affix stamp

36.12 [For text of subp 2, see M.R.]

36.13 Subp. 3. **Printing specifications.** The statement shall be printed on the back of
36.14 the absentee ballot return envelope. The words "Voter must complete this section" and
36.15 "Witness must complete this section" shall be printed in no smaller than 12-point bold
36.16 type. The "X" on the signature lines must be in at least 20-point type. The remainder of
36.17 the statement shall be printed in no smaller than 10-point medium type. The area for the
36.18 voter's name and address must be no smaller than 1-1/4 inches by 3-1/4 inches. The voter's
36.19 certificate must be at least 4-1/8 inches wide. County auditors and municipal clerks may
36.20 use the existing stock of absentee ballot return envelopes on hand as of January 1, 2014,
36.21 for absentee voting conducted in-person.

36.22 [For text of subps 4 and 4a, see M.R.]

36.23 **8210.2200 DUTIES OF COUNTY AUDITOR OR MUNICIPAL CLERK UPON**
36.24 **RECEIPT OF ABSENTEE BALLOT RETURN ENVELOPE.**

36.25 Subpart 1. **Personal delivery.** Absentee ballot return envelopes that are delivered
36.26 in person by an absent voter must be received by the county auditor or municipal clerk
36.27 by 5:00 p.m. on the day before election day. Absentee ballot return envelopes that are

37.1 delivered in person by an agent must be received by the county auditor or municipal clerk
37.2 by 3:00 p.m. on election day. Ballots received by personal delivery (1) after 3:00 p.m. of
37.3 election day, if delivered by an agent; or (2) after 5:00 p.m. on the day before election day,
37.4 if delivered by an absent voter personally, shall be marked as received late by the county
37.5 auditor or municipal clerk, and must not be delivered to the ballot board.

37.6 [For text of subps 2 and 3, see M.R.]

37.7 **8210.2300 RETAINING BALLOTS.**

37.8 A county auditor or municipal clerk who receives an absentee ballot return envelope
37.9 in person from an absent voter or an agent ~~may deposit the envelope in the mail or~~
37.10 must retain it in the office as provided in part 8210.2400. ~~However, on receiving the~~
37.11 ~~return envelope on the day before election day, the auditor or clerk shall retain the return~~
37.12 ~~envelope in the auditor's or clerk's office as provided in part 8210.2400 and deliver the~~
37.13 ~~return envelope to the polling place on election day.~~

37.14 **8210.2400 SAFEGUARDING PROCEDURES.**

37.15 The county auditor or municipal clerk shall establish measures for safeguarding
37.16 absentee ballot return envelopes received prior to election day.

37.17 ~~A. An auditor or clerk intending to deposit return envelopes in the mail shall do~~
37.18 ~~so promptly upon receipt of the return envelope from the absent voter or agent.~~

37.19 ~~B. A.~~ The auditor or clerk shall establish a record of absentee ballot return
37.20 envelopes which are retained in the office. The record shall state the absent voter's
37.21 name, address, and precinct number; the agent's name, if any; and the date the ballot was
37.22 received by the auditor or clerk.

37.23 ~~C. B.~~ All retained envelopes shall be placed in a locked, secure location after
37.24 being dated, stamped or initialed, and recorded. The envelopes shall not be removed from
37.25 this location or handled, except as necessary in an emergency or to process ballots as
37.26 provided in Minnesota Statutes, section 203B.121.

38.1 ~~D. C.~~ A part-time municipal clerk who receives return envelopes shall notify
38.2 the auditor prior to each election of the safeguarding procedures which the clerk plans to
38.3 follow, and the procedures shall be subject to the auditor's approval.

38.4 ~~E. D. On election day~~ When the ballot board opens accepted return envelopes
38.5 pursuant to Minnesota Statutes, section 203B.121, subdivision 4, all absentee ballot return
38.6 envelopes retained by the county auditor or municipal clerk shall be removed from the
38.7 place of safekeeping and compared with the record required by this rule to ensure that
38.8 all envelopes are accounted for. Any discrepancy shall be reported to the secretary of
38.9 state promptly.

38.10 **8210.2450 DUTIES OF BALLOT BOARD MEMBERS WHEN EXAMINING**
38.11 **RETURN ENVELOPES UNDER MINNESOTA STATUTES, SECTION 203B.121.**

38.12 Subpart 1. **Review.** Two or more ballot board members from different major political
38.13 parties must review the absentee ballots returned for the precinct under Minnesota
38.14 Statutes, section 203B.121, unless they are deputy county auditors or deputy city clerks
38.15 who have received training in the processing and counting of absentee ballots, or are
38.16 exempt from that requirement under Minnesota Statutes, section 205.075, subdivision 4,
38.17 or Minnesota Statutes, section 205A.10, subdivision 2.

38.18 [For text of subps 2 to 5, see M.R.]

38.19 Subp. 6. **Ballot already cast.** Ballot board members must use the statewide voter
38.20 registration system or available polling place rosters to determine whether another ballot
38.21 from the voter has been accepted. If a ballot is received before the close of business on
38.22 the ~~fourth~~ seventh day before the election, any ballot that has been previously received
38.23 from that voter and has not been rejected is deemed spoiled and must not be counted. If a
38.24 ballot is received after the close of business on the ~~fourth~~ seventh day before the election
38.25 and another absentee ballot has been accepted for that voter, the return envelope must be
38.26 marked "rejected."

39.1 **8210.2500 MAIL PICKUP.**

39.2 Each municipal clerk shall communicate with the United States postal service facility
39.3 serving the municipality with regard to the handling of absentee ballot return envelopes
39.4 received by the post office on election day after the last regular mail delivery has
39.5 commenced. The municipal clerk shall take all reasonable steps to ensure that all return
39.6 envelopes received by the post office before 4 p.m. on election day are delivered before
39.7 the closing of the polls to the election judges in the precinct where the absent voter resides
39.8 ballot board. Absentee ballots returned by mail delivery and received after election day
39.9 shall be marked as received late by the county auditor or municipal clerk, and must not
39.10 be delivered to the ballot board.

39.11 **8210.3000 MAIL BALLOTING.**

39.12 [For text of subps 1 to 3, see M.R.]

39.13 Subp. 4. **Mailing ballots.** The county auditor, municipal clerk, or school district
39.14 clerk shall mail ballots to the voters registered in the municipality or unorganized territory.
39.15 A ballot mailing must be sent to each registered voter no earlier than 46 or later than 14
39.16 days prior to the election if mail balloting in the voter's precinct is proceeding pursuant to
39.17 Minnesota Statutes, section 204B.45. No later than 14 days before the election, the auditor
39.18 must make a subsequent mailing of ballots to those voters who register to vote after the
39.19 initial mailing but before the 20th day before the election.

39.20 A ballot mailing must be sent no earlier than ~~30~~ 46 or later than 14 days prior to the
39.21 election if a mail election is being conducted in the jurisdiction pursuant to Minnesota
39.22 Statutes, section 204B.46. No later than 14 days before the election, the auditor or clerk
39.23 must make a subsequent mailing of ballots to those voters who register to vote after the
39.24 initial mailing but before the 20th day before the election.

39.25 No ballot may be mailed to a challenged voter. A notice must be transmitted to
39.26 challenged voter voters with an explanation of the challenge and with instructions on how

40.1 they may apply for an absentee ballot if they believe their registration was challenged in
40.2 error.

40.3 The mail balloting process for voters whose registrations are incomplete under
40.4 Minnesota Statutes, section 201.061, subdivision 1a, or 201.121, must be administered
40.5 as if the voter were not registered to vote. A notice must be transmitted to voters with
40.6 incomplete registrations with instructions on how they may apply for an absentee ballot.

40.7 Ballots must be sent by nonforwardable mail. Ballots for eligible voters who reside in
40.8 health care facilities may be delivered as provided in Minnesota Statutes, section 203B.11.
40.9 The ballot mailing must be addressed to the voter at the voter's residence address as shown
40.10 on the registration file unless the voter completes an absentee ballot request as provided in
40.11 Minnesota Statutes, section 203B.04 or 203B.16.

40.12 A return envelope, a ballot secrecy envelope, and instructions for marking and
40.13 returning mail ballots must be included with the ballots. The instructions must include a
40.14 telephone number or electronic mail address which voters can call or write for help in mail
40.15 voting. At the request of the secretary of state, a survey card that the voter can return to
40.16 the secretary of state must also be included. The ballot return envelope must be printed
40.17 with the mail voter's certificate. The ballot return envelope must be addressed for return to
40.18 the county auditor, municipal clerk, or school district clerk that is conducting the election.
40.19 First class postage must be affixed to the return envelope.

40.20 Subp. 4a. **Form of instructions to mail voters.**

40.21 **Instructions**

40.22 **How to vote by mail ballot**

40.23 **You will need:**

- 40.24 • Ballot*
- 40.25 • Tan ballot envelope*
- 40.26 • White signature envelope*
- 40.27 • Pen with black ink

- 41.1 • Witness
- 41.2 Anyone registered to vote in Minnesota,
- 41.3 *including your spouse or relative,*
- 41.4 *or a notary public,*
- 41.5 *or a person with the authority to administer oaths*
- 41.6 * If any of these items are missing, please contact your local election official.

41.7 **1 Vote!**

- 41.8 • Show your witness your blank ballot, then mark your votes in private.
- 41.9 • Follow the instructions on the ballot.
- 41.10 • Do not write your name or ID number anywhere on the ballot.
- 41.11 • Do not vote for more candidates than allowed. *If you do, your votes for that office*
- 41.12 *will not count.*
- 41.13 ***See the other side if you make a mistake on your ballot.***

41.14 **2 Seal your ballot in the tan ballot envelope**

- 41.15 • Do not write on this envelope.

41.16 **3 Put the tan ballot envelope into the white signature envelope**

41.17 **4 Fill out the white signature envelope completely**

- 41.18 • If there is no label, print your name and Minnesota address.
- 41.19 • Read and sign the oath.
- 41.20 • Ask your witness to print their name and Minnesota street address, including city
- 41.21 (not a P. O. Box), and sign their name.
- 41.22 *If your witness is an official or notary, they must print their title instead of*
- 41.23 *an address.*
- 41.24 *Notaries must also affix their stamp.*
- 41.25 • Seal the envelope.

41.26 **5 Return your ballot by Election Day to the address on the signature envelope**

41.27 You have three options:

- 42.1 • Send it so it arrives by Election Day, using U.S. mail or a package delivery service,
- 42.2 • Deliver it in person by 8:00 p.m. on Election Day, or
- 42.3 • Ask someone to deliver it by 8:00 p.m. on Election Day.

42.4 *This person cannot deliver more than 3 ballots.*

42.5 If you have questions, please call (...) ...-..... .

42.6 **See other side for special instructions if you have a disability**

42.7 **Correcting a mistake**

- 42.8 • If time allows, ask for a new ballot from your election office. Their contact
- 42.9 information can be found in the return address section of the envelope in which
- 42.10 you received these materials, or
- 42.11 • ~~Completely erase the mistake, or~~
- 42.12 • Completely cross out the name of the candidate you accidentally marked and then
- 42.13 mark your ballot for the candidate you prefer (do not initial your corrections), ~~or.~~
- 42.14 • ~~Ask for a new ballot from your election office. Their contact information can be~~
- 42.15 ~~found in the return address section of the envelope in which you received these~~
- 42.16 ~~materials.~~

42.17 **If you have a disability:**

42.18 If you have a disability or cannot mark your ballot, your witness may assist you by marking
42.19 your ballot at your direction, assembling the materials, and filling out the forms for you.

42.20 When signing the envelope, Minnesota law says you may:

- 42.21 • Sign the return envelope yourself, or
- 42.22 • Make your mark, or
- 42.23 • Ask your witness to sign for you in your presence. (Have your witness sign their
- 42.24 own name as well.)
- 42.25 • If you have adopted the use of a signature stamp for all purposes of signature, you
- 42.26 may use your signature stamp or ask your witness to use your signature stamp
- 42.27 in your presence.

42.28 Minnesota Statutes, section 645.44, subdivision 14

42.29 Please note: Voting is not covered by power of attorney. A person with power of attorney
42.30 may only sign for you in your presence as outlined above.

43.1 Subp. 4b. **Form of mail voter's certificate.**

43.2 Signature Envelope

43.3 **Voter must complete this section** please print clearly43.4 **Voter name** _____43.5 **Voter MN Address** _____

43.6 _____ MN

43.7 I certify that on Election Day I will meet all the legal requirements to vote.

43.8 **Voter Signature**X _____43.9 **Witness must complete this section**43.10 **Witness name** _____43.11 **MN street address**43.12 (or title, if an
43.13 official or notary)43.14 _____ ~~MN~~43.15 (Street Address)43.16 _____ MN43.17 (City)

43.18 I certify that:

- 43.19 • the voter showed me the blank ballots before voting;
- 43.20 • the voter marked the ballots in secrecy or, if physically unable to mark the ballots,
- 43.21 the ballots were marked as directed by the voter;
- 43.22 • the voter enclosed and sealed the ballots in the ballot envelope; and
- 43.23 • I am or have been registered to vote in Minnesota, or am a notary, or am authorized
- 43.24 to give oaths.

43.25 **Witness Signature X** _____

43.26 If notary, must affix stamp

43.27 [For text of subps 4c and 5, see M.R.]

44.1 Subp. 6. **Replacement ballots.** The election official must maintain a record of all
44.2 replacement ballots issued. The transmittal envelope must be labeled "REPLACEMENT
44.3 BALLOT" in at least 18-point type.

44.4 Subp. 6a. [Repealed, 34 SR 1561]

44.5 Subp. 7. **Undeliverable ballots.** Ballots returned by the post office as undeliverable
44.6 to the voter at the address of registration must be securely retained. If the auditor,
44.7 municipal clerk, or school district clerk is able to verify the voter's residence at that
44.8 address, the ballot may be reissued. A ballot undeliverable to the voter at the address of
44.9 registration must be considered a returned notice of verification and the voter's registration
44.10 must be treated as provided in Minnesota Statutes, section 201.12. The official conducting
44.11 the election shall maintain a record of all undeliverable ballots.

44.12 If the ballot is returned by the post office prior to 20 days before the election with
44.13 notification of the voter's new address within ~~the county, municipality, school district, or~~
44.14 ~~unorganized territory~~ a jurisdiction holding ~~the~~ a mail election, the auditor or clerk shall
44.15 resend a ballot to the voter along with a return envelope. If the ballot is returned by the
44.16 post office within 20 days before the election with notification of the voter's new address
44.17 within a jurisdiction holding a mail election, the auditor or clerk shall transmit instructions
44.18 on how the voter may apply for an absentee ballot.

44.19 If the ballot is returned by the post office within 20 days before the election with
44.20 notification of the voter's new address within a jurisdiction holding a nonmail election,
44.21 the auditor or clerk must transmit a notice via nonforwardable mail to the voter of how to
44.22 register and vote at the proper polling location. This notice must be treated as a notice of
44.23 late registration under part 8200.5100, subpart 1.

44.24 The auditor or clerk shall keep a list of individuals who are sent the second mailing
44.25 after the rosters are printed and must provide a copy of that list to the ~~election judges~~ ballot
44.26 board for use in processing the returned ballots.

45.1 Subp. 7a. **Voter registration applications after ballots have been mailed.** When
45.2 a voter registration application is processed on a voter record where a ballot has been
45.3 previously mailed, the original mail ballot record must be marked as "Spoiled" and the
45.4 voter must be notified that the original mail ballot cannot be counted.

45.5 If the application is processed prior to 20 days before an election, a voter in a
45.6 jurisdiction holding a mail election must also be provided a replacement ballot.

45.7 If the application is processed within 20 days prior to the election, a voter in a
45.8 jurisdiction holding a mail election must be sent a notice of late registration that includes
45.9 a notification that the original mail ballot cannot be counted and instructions on how
45.10 the voter may apply for an absentee ballot.

45.11 If the application is processed within 20 days before an election, the notice of late
45.12 registration sent to a voter in a jurisdiction holding a nonmail election must be notified
45.13 that the original mail ballot cannot be counted and how to register and vote at the proper
45.14 polling location.

45.15 Subp. 8. **Returning ballots.** Mail ballots may be returned to the official conducting
45.16 the election by mail, in person, or by designated agent. The official conducting the
45.17 election must accept ballots returned in person, or by designated agent, until 8:00 p.m. on
45.18 the day of the election. Ballots received after 8:00 p.m. on election day shall be marked
45.19 as received late by the official conducting the election. An individual shall not be the
45.20 designated agent of more than three absentee or mail voters in one election.

45.21 [For text of subp 9, see M.R.]

45.22 Subp. 10. **Receiving and counting ballots.** On or before election day, the election
45.23 judges ballot board shall receive from the county auditor, municipal clerk, or school
45.24 district clerk, returned ballots and applications for absentee ballots, records of replacement
45.25 ballots, and the list of voters sent a second mailing of the ballot. The judges ballot board
45.26 shall arrange to receive from the election official any additional ballots received in the mail

or returned by a voter prior to 8:00 p.m. on election day. Ballots must be transported to the location where ballot processing and counting will occur in a sealed transfer case by two or more election judges of different major political parties unless the election judges are municipal clerks or deputy clerks, or the judges are exempt from this requirement pursuant to Minnesota Statutes, section 205.075, subdivision 4, or 205A.10, subdivision 2. During the receiving and counting of ballots, the ballots must at all times remain in the custody of two or more election judges of different major political parties, unless the election judges are municipal clerks or deputy clerks, or the election is exempt from this requirement pursuant to Minnesota Statutes, section 205.075, subdivision 4, or 205A.10, subdivision 2.

The secretary of state must provide a sample notice with a list of the possible reasons that a mail ballot may be rejected. The election official must keep a record of the date that the voter's ballot was rejected, the date the replacement ballot was issued to the voter, and the reason that the previous ballot was rejected. Rejected envelopes must be kept in a separate sealed container.

[For text of subps 11 to 13, see M.R.]

8230.4050 DISTRIBUTION OF SUMMARY STATEMENTS.

The summary statements referred to in part 8230.3950 must be certified to the official conducting the election. The official conducting the election shall prepare one summary statement for each jurisdiction canvassing the results of the election. For state elections, the county auditor shall forward a summary statement to the secretary of state together with ~~two copies~~ one copy of the county canvassing board report. The official conducting the election may authorize the printing of copies of the summary statement for public information purposes. The official conducting the election shall prepare copies of any additional forms required by the secretary of state.

8230.4355 BALLOT BOXES FOR PRECINCT COUNTING CENTERS.

Ballot boxes used with precinct count voting systems may be separate or part of the ballot counting equipment provided that the ballot is fed directly into a locked or sealed ballot box. ~~At a general election, the ballot box must have two separate compartments into which the ballot counting equipment can feed ballots. One compartment must receive ballots on which all votes have been counted and recorded. The other~~ ballot box may contain a compartment that receives ballots on which all votes have been counted except those for offices for which the write-in target has been completed. An auxiliary ballot box, that may be separate or an additional compartment, must be supplied to be used if the voting system fails to function or for ballots that cannot be read by the ballot counter.

8230.4365 PRECINCT COUNT VOTING SYSTEM EQUIPMENT AND PROCEDURES.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Procedures during voting hours.** Ballot counters must be programmed to return to the voter a ballot having an overvote or votes for candidates of more than one political party in a partisan primary election. Ballot counters must be programmed to print a message describing the error on a paper tape or to display the error message electronically. If the voting system is capable of emitting an audible signal while electronically displaying the error message, it must do so. ~~Election judges monitoring the depositing of ballots into the ballot counters must be stationed no closer than six feet from the ballot counter.~~ The election judges shall read the error message to the voter and may explain the conditions that cause a ballot to be rejected, but the judges shall not examine the voted ballot unless the voter requests assistance or it is necessary to determine what style of replacement ballot must be given to the voter.

48.1 If the voter wants to change the rejected ballot, the election judge shall treat the
48.2 rejected ballot as a spoiled ballot, place the rejected ballot in the spoiled ballot envelope,
48.3 and issue the voter a new ballot.

48.4 If the voter does not want to change the rejected ballot, the election judge shall
48.5 override the rejection of the ballot. No means of overriding the rejection of a ballot having
48.6 defects may be used that does not meet the conditions in items A to C.

48.7 [For text of items A to C, see M.R.]

48.8 [For text of subp 4, see M.R.]

48.9 Subp. 5. **Opening ballot box during voting hours.** Two election judges of different
48.10 political parties may open the ballot boxes on election day to straighten or remove the
48.11 voted ballots but they shall not count or inspect the ballots. If removing ballots, the
48.12 election judges shall put the ballots taken from the ballot box's main compartment into
48.13 containers and seal them. The If the ballot box contains a compartment for write-in
48.14 ballots, the judges shall put the ballots taken from the ballot box's write-in compartment
48.15 into containers separate from the other ballots and seal them. The judges shall label the
48.16 ballot containers and store them in a secure location. The judges shall note on the incident
48.17 report the fact that the ballot box was opened, the time the box was opened, and, if
48.18 applicable, the numbers of any seals used to seal the ballot containers.

48.19 [For text of subp 6, see M.R.]

48.20 **8230.4375 WRITE-IN VOTES.**

48.21 A. At a general election, after the ballot counter has been secured against
48.22 receiving additional ballots, the election judges shall ~~open the write-in compartment and~~
48.23 ~~remove the ballots~~ determine if a write-in vote exists.

48.24 [For text of items B to D, see M.R.]

49.1 **8230.4380 SUMMARY STATEMENT.**

49.2 One unbroken tape that includes the zero report at the opening of the polls, messages
49.3 printed during the hours of voting, and the first printout of results must be certified to the
49.4 official conducting the election. In the event of equipment or power failure, the election
49.5 judges and any technicians working on the equipment shall make entries on the tape of
49.6 initials and time of occurrence to indicate the points at which the equipment failed and
49.7 was returned to service. If the tape has been broken, the election judges shall seal the parts
49.8 together and sign over the seal so that it cannot be broken without disturbing the continuity
49.9 of the signatures. The election judges shall prepare the number of summary statements
49.10 directed by the official conducting the election. For state elections, the county auditor
49.11 shall forward a summary statement to the secretary of state together with ~~two copies~~ one
49.12 copy of the county canvassing board report. The official conducting the election may
49.13 authorize the printing of copies of the summary statement for public information purposes.
49.14 The official conducting the election shall prepare copies of any additional forms required
49.15 by the secretary of state.

49.16 **8230.4385 TRANSFER CASE PROCEDURES.**

49.17 Subpart 1. **Content.** The election judges shall place in the transfer case for delivery
49.18 to the official conducting the election all of the following items:

49.19 [For text of items A to C, see M.R.]

49.20 D. envelopes with notations concerning any other issued ballots contained
49.21 which are not to be ~~to~~ counted.

49.22 [For text of subps 2 to 5, see M.R.]

49.23 **8235.0200 ~~AUTOMATIC AND DISCRETIONARY~~ RECOUNTS.**

49.24 This chapter establishes procedures for the conduct of all ~~automatic~~ publicly funded
49.25 and discretionary recounts provided for in Minnesota Statutes, sections 204C.35 and
49.26 204C.36. The secretary of state or secretary of state's designee is the recount official

for recounts conducted by the State Canvassing Board. The county auditor or auditor's designee is the recount official for recounts conducted by the county canvassing board. The county auditor or auditor's designee shall conduct recounts for county offices. The municipal clerk or clerk's designee is the recount official for recounts conducted by the municipal governing body. The school district clerk or clerk's designee is the recount official for recounts conducted by the school board, or by a school district canvassing board as provided in Minnesota Statutes, section 205A.10, subdivision 5. A recount official may delegate the duty to conduct a recount to a county auditor or municipal clerk by mutual consent. When the person who would otherwise serve as recount official is a candidate or is the spouse, child, parent, grandparent, grandchild, stepparent, stepchild, sibling, half-sibling, or stepsibling of a candidate for the office to be recounted, the appropriate canvassing board shall select a county auditor or municipal clerk from another jurisdiction to conduct the recount. "Legal adviser" means counsel to the recount official and the canvassing board for the office being recounted. The scope of ~~an automatic~~ a publicly funded or discretionary recount is limited to the recount of the ballots cast and the declaration of the person nominated or elected. The ballots in the envelope labeled "Original ballots from which duplicates are to be or were made" are not within the scope of the recount and this envelope must not be opened during the recount.

8235.0300 NOTICE.

Within 24 hours after determining that ~~an automatic~~ a publicly funded recount is ~~required~~ authorized and requested, or within 48 hours of receipt of a written request for a discretionary recount and filing of a security deposit if one is required, the official in charge of the recount shall send notice to the candidates for the office to be recounted and the county auditor of each county wholly or partially within the election district. The notice must include the date, starting time, and location of the recount, the office to be recounted, and the name of the official performing the recount. The notice must state that

51.1 the recount is open to the public, ~~and in case of an automatic recount, that the losing~~
51.2 ~~candidate may waive the recount.~~

51.3 **8235.1200 SECURITY DEPOSIT.**

51.4 When a bond, cash, or surety for recount expenses is required by Minnesota Statutes,
51.5 section 204C.35 or 204C.36, the governing body or recount official shall set the amount of
51.6 security deposit at an amount which will cover expected recount expenses. In multicounty
51.7 districts, the secretary of state shall set the amount taking into consideration the expenses
51.8 of the election jurisdictions in the district and the expenses of the secretary of state.

51.9 The security deposit must be filed during the period for requesting ~~an administrative~~ a
51.10 discretionary recount. In determining the expenses of the recount, only the actual recount
51.11 expenditures incurred by the recount official and the election jurisdiction in conducting the
51.12 recount may be included. General office and operating costs may not be taken into account.

51.13 **8250.0200 AUDITOR'S DUTIES.**

51.14 The ~~white~~ state general election ballot shall be prepared under the direction of the
51.15 county auditors in a sufficient number to enable the clerks to comply with Minnesota
51.16 Statutes, section 204B.29. The county auditors shall prepare and print the ~~white~~ state
51.17 general election ballot as soon as practicable, but in no event less than ~~30~~ 46 days before
51.18 the election. ~~Two weeks~~ At least 46 days before the general election the auditor shall file
51.19 sample copies of the ~~white ballot~~ state general election ballot for each precinct in the
51.20 auditor's office for public inspection and transmit electronic copies of these sample ballots
51.21 to the secretary of state. Ballots for distribution in the polling place must be packaged
51.22 in quantities of 25, 50, or 100.

51.23 **8250.0375 FORM OF GRAY JUDICIAL BALLOT.**

51.24 Subpart 1. **General form.** The judicial ~~nonpartisan office~~ ballot must only be used
51.25 ~~if the canary ballot exceeds 30 inches in length, except in counties using optical scan~~
51.26 ~~ballots, when the gray ballot may be prepared at the discretion of the county auditor~~ when

52.1 it is not possible to place all offices on a single ballot for the state general election as
52.2 provided in Minnesota Statutes, section 204D.11, subdivision 6. The ballot for judicial
52.3 nonpartisan offices must be prepared in the same manner as the white state general
52.4 election ballot, except as provided in this part. Ballots for electronic voting systems must
52.5 be prepared in the manner provided for paper ballots to the extent practicable. the ballot
52.6 heading provided in part 8250.1810, subpart 3, must instead use the words "JUDICIAL
52.7 NONPARTISAN GENERAL ELECTION BALLOT."

52.8 Subp. 2. [See repealer.]

52.9 **8250.0385 FORM OF GREEN TOWN ELECTION BALLOT.**

52.10 Subpart 1. **General form.** ~~The municipal nonpartisan office~~ A town election ballot
52.11 must be prepared in the same manner as the white state general election ballot as provided
52.12 in part 8250.1810, except as provided in this part. Ballots for electronic voting systems
52.13 must be prepared in the manner provided for paper ballots to the extent practicable. towns
52.14 conducting an election under the limited exemption under Minnesota Statutes, section
52.15 206.57, subdivision 5a, may prepare ballots as provided in this part.

52.16 Subp. 1a. **Ballot heading.** The words "TOWN ELECTION BALLOT" must be
52.17 printed at the top of the ballot in upper case letters.

52.18 Subp. 2. **Ballot order.** ~~The municipal clerk may add the type of election directly~~
52.19 ~~above the date on the green ballot. City offices must be listed in the following order and~~
52.20 ~~must be identified as follows in upper case letters:~~

52.21 ~~MAYOR~~

52.22 ~~COUNCIL MEMBER~~

52.23 ~~CITY CLERK~~

52.24 ~~CITY TREASURER~~

52.25 Town offices and questions must be listed in the following order and must be
52.26 identified as follows in upper case letters:

53.1 TOWN SUPERVISOR

53.2 TOWN CLERK

53.3 TOWN TREASURER

53.4 TOWN QUESTION

53.5 The name and/or number of the district that the person elected will represent must be
53.6 printed in upper case letters or numbers directly under the title of the office.

53.7 ~~Municipal offices elected at large must be listed before other offices of the same type~~
53.8 ~~elected by district. Where municipal offices are designated by number, those offices~~
53.9 ~~must be listed in numerical order.~~ If two of the offices listed in this subpart have been
53.10 combined into one office, the combined office must take the place of the first office listed
53.11 in this subpart. ~~Vacant municipal offices being filled by special election must be listed~~
53.12 ~~with offices of the same type but after any offices for which candidates will be elected for~~
53.13 ~~a full term.~~ The title of a vacant township office being filled at an annual town election
53.14 may be followed by the number of years remaining in the term. Municipal Town offices
53.15 not listed in this subpart must follow the last office listed above and must be listed in the
53.16 order determined by the ~~municipal~~ town clerk.

53.17 Subp. 3. **Names of candidates.** The full name of each candidate shall be printed in
53.18 upper case letters and at right angles to the length of the town election ballot. Below the
53.19 name of the last candidate for each office shall be placed as many blank lines as there are
53.20 offices of that kind to be filled, and on the blank lines the voter may write the names of
53.21 persons not printed on the ballot for whom the voter desires to vote. When no person has
53.22 filed for an office to be filled, the title and identification of the office shall be printed on the
53.23 town election ballot with as many blank lines below as there are offices to be filled; the
53.24 voter's choice may be written in the blanks. On the left side of the ballot and on a line with
53.25 the names of candidates and the blank lines, there shall be placed squares, each square
53.26 to be of the same size, in which the voter may designate the choice by a mark (X). The

54.1 name of a candidate may not appear on a ballot in any way which gives the candidate an
54.2 advantage over an opponent except as provided by law.

54.3 Subp. 4. **Town questions.** The following words must be printed directly under
54.4 the ballot heading, municipality name, election type, and election date. "To vote for a
54.5 question, put an (X) in the square next to the word "YES" on that question. To vote against
54.6 a question, put an (X) in the square next to the word "NO" on that question." When more
54.7 than one town question is on the ballot, each town ballot question must be designated by a
54.8 number and must be preceded by the words "TOWN QUESTION" in upper case letters
54.9 and the number assigned to the question. The town clerk or town governing body shall
54.10 provide a title for each town question printed on the town election ballot. The title must
54.11 not contain more than ten words. The municipality's attorney shall review the title to
54.12 determine whether it accurately describes the question asked. The title must not be used
54.13 on the ballot until it has been approved by the municipality's attorney. The title must be
54.14 printed in upper case letters and must be printed above the question to which it refers. The
54.15 body of the question must be printed in upper and lower case letters.

54.16 Subp. 5. **Back of ballot.** On the back of the town election ballot shall be printed
54.17 the words "OFFICIAL BALLOT," the date of the election, and lines for the initials
54.18 of two judges. The printing shall be placed as to be visible when the ballot is properly
54.19 folded for deposit.

54.20 Subp. 6. **Type styles and sizes.** The words "Put an (X) in the square opposite the
54.21 name of each candidate you wish to vote for" must be printed in upper and lower case in
54.22 as large as practicable but no smaller than 8-point bold type.

54.23 The words "TOWN ELECTION BALLOT" must be printed in upper case in as large
54.24 as practicable but not smaller than 18-point type.

54.25 The office and its identification must be printed in upper case in as large as practicable
54.26 but no smaller than 10-point bold type.

55.1 The words "VOTE FOR ONE" must be printed in upper case in as large as practicable
55.2 but no smaller than 8-point bold type.

55.3 The names of the candidates must be printed in upper case in as large as practicable
55.4 but no smaller than 8-point bold type.

55.5 The words "OFFICIAL BALLOT" on the back of the ballot must be printed in upper
55.6 case in as large as practicable but no smaller than 18-point bold type, the date in upper
55.7 case in as large as practicable but no smaller than 8-point type, and the word "Judge" in
55.8 upper and lower case in as large as practicable but no smaller than 10-point type.

55.9 Subp. 7. **Town clerk's duties.** The town clerk shall prepare and print the town
55.10 election ballot as soon as practicable, but in no event less than 30 days before the election.
55.11 Two weeks before the election, the town clerk shall file sample copies in the town clerk's
55.12 office for public inspection. The town election ballot shall be printed with black ink on
55.13 white paper as close as practicable to 30 pound. The ballot shall be no less than four
55.14 inches wide and printed so as to be easily legible, with suitable lines for division between
55.15 candidates, office, instructions, and other matter proper to be printed on the ballot. The
55.16 town clerk shall prepare the ballots in such a manner as to enable the voter to understand
55.17 what candidates have been nominated and how many are to be elected to each office and
55.18 to designate the voter's choice easily and accurately.

55.19 **8250.1810 FORMAT OF BALLOTS FOR OPTICAL SCAN SYSTEMS.**

55.20 Subpart 1. **Ballot form.** The optical scan ballot shall be prepared in a sufficient
55.21 number to enable the clerks to comply with Minnesota Statutes, section 204B.29. The
55.22 ballot shall be prepared and printed as soon as practicable, but in no event less than 46
55.23 days before ~~a regularly scheduled~~ an election for federal, state, county, city, or school
55.24 board office or a special election for federal or county office, and at least 30 days before
55.25 ~~any other election~~ unless otherwise specified in statute. Ballots for distribution in the
55.26 polling place must be shrink-wrapped in quantities of 25, 50, or 100.

56.1 The ballot shall be printed with black ink on white paper. The ballot shall be printed
56.2 so as to be easily legible, with suitable lines for divisions between candidates, offices,
56.3 instructions, and other matter proper to be printed on the ballot.

56.4 Each ballot must have printed on it both the name of the precinct and an electronically
56.5 readable precinct identifier or ballot style indicator. A ballot style used in more than one
56.6 precinct may have the names of all precincts in which it is used printed on the ballot. If
56.7 multiple ballots styles are to be used in the same precinct for precincts split by school
56.8 districts, each ballot style must include the precinct name and applicable school district
56.9 number. Only the electronically readable precinct identifier or ballot style indicator is
56.10 required on a presidential only or federal only absentee ballot.

56.11 [For text of subp 2, see M.R.]

56.12 Subp. 3. **Ballot heading.** At the top of a ballot containing both partisan and
56.13 nonpartisan offices, the applicable words "STATE GENERAL ELECTION BALLOT"
56.14 or "STATE PARTISAN PRIMARY BALLOT" and "STATE AND COUNTY
56.15 NONPARTISAN PRIMARY BALLOT" shall be printed. At the top of a primary ballot
56.16 containing only partisan offices, the words "STATE PRIMARY BALLOT" shall be
56.17 printed. At the top of a ballot containing only nonpartisan offices, the words "GENERAL
56.18 ELECTION BALLOT" or "PRIMARY ELECTION BALLOT" shall be printed, except
56.19 for first-class cities which may use an optional heading. At the top of a ballot containing
56.20 questions only, the words "SPECIAL ELECTION BALLOT" shall be printed.

56.21 When a county, municipal, school district, or hospital district election is held other
56.22 than in conjunction with a federal or state office, the applicable words "COUNTY
56.23 ELECTION BALLOT," "CITY ELECTION BALLOT," "TOWN ELECTION BALLOT,"
56.24 "SCHOOL DISTRICT BALLOT," or "HOSPITAL DISTRICT BALLOT" shall be printed.

56.25 The name of the jurisdiction preparing the ballot may be added within the heading in
56.26 no smaller than 8-point type. The date of the election must be printed within the heading
56.27 in no smaller than 8-point type.

57.1 The ballot heading must be printed in uppercase in as large as practicable but no
57.2 smaller than 18-point type.

57.3 On the front of the ballot the words "OFFICIAL BALLOT" must be printed in
57.4 uppercase in as large as practicable but no smaller than 10-point bold type and the word
57.5 "Judge" in upper and lowercase in as large as practicable but no smaller than 10-point
57.6 type with lines for initials of at least two election judges.

57.7 Subp. 4. **Instructions to voters.** Under the heading at the top of each side of the
57.8 ballot, the words "INSTRUCTIONS TO VOTERS:" must be printed in uppercase bold
57.9 in as large as practicable but no smaller than 12-point bold type. The words "To vote,
57.10 completely fill in the oval(s) next to your choice(s) like this: (R)." or "~~To vote, complete~~
57.11 ~~the arrow(s) pointing to your choice(s) like this: -->.~~" a similar wording or mark if a
57.12 different target shape is used by the electronic voting equipment must follow and be printed
57.13 in upper and lowercase in as large as practicable but no smaller than 8-point bold face type.

57.14 Immediately under each office title and district identified, one of the following
57.15 instructions must be printed in uppercase and bold face in as large as practicable but no
57.16 smaller than 8-point type:

57.17 VOTE FOR ONE TEAM

57.18 VOTE FOR ONE

57.19 VOTE FOR UP TO followed by the number of candidates to be elected.

57.20 [For text of subps 5 and 6, see M.R.]

57.21 Subp. 7. **Order and form of candidate names.** The name of each candidate as filed
57.22 on the affidavit of candidacy shall be printed at right angles to the length of the ballot.
57.23 On state primary ballots for nomination to a partisan or nonpartisan office, and on state
57.24 general election ballots and judicial nonpartisan general election ballots, the names of
57.25 each candidate shall be rotated with the names of the other candidates pursuant to part
57.26 8220.0825. If the number of candidates for an office is equal to or less than the number to

be elected, no rotation of candidate names is required and the official preparing the ballot shall determine the position of the candidates by lot. The candidate names must be printed in uppercase in as large as practicable but no smaller than 10-point type. The name of the candidate must be aligned as close to the vote target as possible. Below the name of each candidate for a partisan office must appear in the designation in not more than three words of the party or principle the candidate represents. Words used in the name of a major political party as defined in Minnesota Statutes, section 200.02, subdivision 7, may not be used to identify the party of a candidate of any other party. This prohibition does not apply to the word "independent," if it is used in the name of a major political party. The word "nonpartisan" may not be used in the designation of any candidate for a partisan office. The party or principle designation, if applicable, must be printed under the candidate name in upper and lower case letters in as large as practicable but no smaller than 8-point type.

[For text of subps 8 to 11, see M.R.]

Subp. 12. **Vote targets.** The target used to indicate to the voters where to mark their votes may be either ~~an arrow pointing toward the candidate name or~~ a horizontal oval next to the candidate name or similar target if used by certified equipment. The target may be highlighted or outlined in a color that does not affect the ability of the ballot counter to read the ballot.

[For text of subps 13 to 18, see M.R.]

REPEALER. Minnesota Rules, parts 8200.5100, subpart 4; 8200.9300, subpart 11; 8240.2850; 8250.0100; 8250.0300; 8250.0350; 8250.0365; 8250.0370; 8250.0375, subpart 2; 8250.0390; 8250.0395; 8250.0397; 8250.0398; 8250.0400; 8250.0500; 8250.0600; 8250.0800; 8250.0900; 8250.1000; 8250.1100; and 8250.1200, are repealed.