A bill for an act

relating to operation of state government; appropriating money for the legislature, office of the governor and lieutenant governor, state auditor, attorney general, secretary of state, certain state agencies, boards, commissions, councils, offices, Minnesota State Lottery, Minnesota Humanities Center, and certain retirement accounts; cancelling certain 2021 appropriations; designating the state fire museum; changing provisions for the legislative auditor and Legislative Coordinating Commission; authorizing virtual payments; creating the capitol flag program; modifying provisions for Tribal governments, state budget and forecast, administrative operations, general services revolving fund, grants, motor pool, historic properties and historical societies, taxpayer assistance grants, background checks, lawful gambling, election administration, campaign finance, Office of MN.IT Services, open meeting law, municipal planning, port authority, municipalities, metropolitan government, Duluth entertainment and convention center complex, bids and letting of contracts, and dedication fees; auditing state use of federal funds; creating the Office of Enterprise Sustainability; requiring racial equity impact assessments; requiring sensory accessibility accommodations; establishing the Legislative Commission on Cybersecurity; amending Minnesota Statutes 2020, sections 3.302, subdivision 3; 3.303, subdivision 1; 3.971, subdivision 2, by adding a subdivision; 3.972, subdivisions 2, 2a; 3.978, subdivision 2; 3.979, subdivision 3; 4A.01, subdivision 3; 4A.02; 5.30, subdivision 2; 5B.06; 8.31, subdivision 1; 10A.01, subdivisions 4, 7, 9, 11, 16a, 17c, 18, 20, 26, 27, 28, 35, by adding a subdivision; 10A.09, subdivisions 1, 2, 5, 6, by adding a subdivision; 10A.12, subdivisions 1, 2; 10A.121, subdivision 2; 10A.13, subdivision 1; 10A.17, subdivision 4; 10A.20, subdivisions 3, 6a, 13, by adding a subdivision; 10A.27, subdivision 13; 10A.275, subdivision 1; 10A.323; 13.607, by adding a subdivision; 13D.01, subdivisions 4, 5; 13D.015; 13D.02; 13D.021; 15.01; 16A.06, by adding a subdivision; 16A.103, subdivision 1; 16A.152, subdivision 2; 16B.24, subdivision 1; 16B.2975, by adding a subdivision; 16B.48, subdivision 2; 16B.54, subdivisions 1, 2; 16B.98, by adding a subdivision; 16E.01; 16E.016; 16E.02; 16E.03, subdivisions 1, 2, 3, 6; 16E.036; 16E.04, subdivision 3; 16E.0465, subdivision 2; 16E.05, subdivision 1; 16E.07, subdivision 12; 16E.21, subdivision 2; 43A.23, subdivision 1; 97A.057, subdivision 1; 135A.17, subdivision 2; 138.081, subdivisions 1, 2, 3; 138.31, by adding a subdivision; 138.34; 138.40; 138.665, subdivision 2; 138.666; 138.667; 138.763, subdivision 1; 201.014, by adding a subdivision; 201.071, subdivisions 1, 2, 3, 8; 201.091, subdivision 2; 201.12, subdivision 2; 201.121, subdivision 3; 201.123, subdivision 3; 201.161; 201.1611, subdivision 1; 201.162; 201.225, subdivision 2; 202A.11, subdivision 2; 202A.16,
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1

STATE GOVERNMENT APPROPRIATIONS

Section 1. STATE GOVERNMENT APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2022" and "2023" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium" is fiscal years 2022 and 2023.

APPROPRIATIONS

Available for the Year

Ending June 30

<table>
<thead>
<tr>
<th>2022</th>
<th>2023</th>
</tr>
</thead>
</table>
Sec. 2. LEGISLATURE

Subdivision 1. Total Appropriation $ 97,415,000 $ 98,222,000

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. Senate 35,654,000 35,654,000
Subd. 3. House of Representatives 39,932,000 40,431,000
Subd. 4. Legislative Coordinating Commission 21,829,000 22,137,000

From its funds, $10,000 each year is for purposes of the legislators’ forum, through which Minnesota legislators meet with counterparts from South Dakota, North Dakota, and Manitoba to discuss issues of mutual concern.

Legislative Auditor. $7,876,000 the first year and $8,007,000 the second year are for the Office of the Legislative Auditor.

Revisor of Statutes. $7,298,000 the first year and $7,419,000 the second year are for the Office of the Revisor of Statutes.

Legislative Reference Library. $1,793,000 the first year and $1,822,000 the second year are for the Legislative Reference Library.

Legislative Budget Office. $1,536,000 the first year and $1,570,000 the second year are for the Legislative Budget Office.

Sec. 3. GOVERNOR AND LIEUTENANT GOVERNOR $ 3,622,000 $ 3,622,000

(a) This appropriation is to fund the Office of the Governor and Lieutenant Governor.

(b) $19,000 each year are for necessary expenses in the normal performance of the
governor's and lieutenant governor's duties for which no other reimbursement is provided.

(c) By September 1 of each year, the commissioner of management and budget shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over state government finance any personnel costs incurred by the Offices of the Governor and Lieutenant Governor that were supported by appropriations to other agencies during the previous fiscal year. The Office of the Governor shall inform the chairs and ranking minority members of the committees before initiating any interagency agreements.

Sec. 4. STATE AUDITOR

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>2022</th>
<th>2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>30,614,000</td>
<td>28,170,000</td>
</tr>
<tr>
<td>State Government Special Revenue</td>
<td>2,521,000</td>
<td>2,521,000</td>
</tr>
<tr>
<td>Environmental</td>
<td>145,000</td>
<td>145,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>250,000</td>
<td>250,000</td>
</tr>
</tbody>
</table>

Sec. 5. ATTORNEY GENERAL

Sec. 6. SECRETARY OF STATE

(a) $500,000 the first year is for grants to political subdivisions to recruit bilingual election judges and bilingual trainee election judges. This appropriation is available until June 30, 2023. 

(b) $48,000 the second year is for the preparation of voting instructions in languages other than English for in-person absentee voters. This is a onetime appropriation.

Sec. 7. CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

<table>
<thead>
<tr>
<th></th>
<th>2022</th>
<th>2023</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1,145,000</td>
<td>1,167,000</td>
</tr>
</tbody>
</table>
5.1 Sec. 8. STATE BOARD OF INVESTMENT $ 139,000 $ 139,000

5.2 Sec. 9. ADMINISTRATIVE HEARINGS $ 8,236,000 $ 8,240,000

5.3 Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>2022</th>
<th>2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>405,000</td>
<td>409,000</td>
</tr>
<tr>
<td>Workers' Compensation</td>
<td>7,831,000</td>
<td>7,831,000</td>
</tr>
</tbody>
</table>

5.8 $268,000 the first year and $272,000 the second year are for municipal boundary adjustments.

5.11 Sec. 10. OFFICE OF MN.IT SERVICES $ 9,855,000 $ 9,882,000

5.12 (a) The commissioner of management and budget is authorized to provide cash flow assistance of up to $50,000,000 from the special revenue fund or other statutory general funds as defined in Minnesota Statutes, section 16A.671, subdivision 3, paragraph (a), to the Office of MN.IT Services for the purpose of managing revenue and expenditure differences. These funds shall be repaid with interest by the end of the fiscal year 2023 closing period.

5.23 (b) During the biennium ending June 30, 2023, the Office of MN.IT Services must not charge fees to a public noncommercial educational television broadcast station eligible for funding under Minnesota Statutes, chapter 129D, for access to the state broadcast infrastructure. If the access fees not charged to public noncommercial educational television broadcast stations total more than $400,000 for the biennium, the office may charge for access fees in excess of these amounts.
6.1 (c) $2,100,000 in fiscal year 2022 and
6.2 $2,050,000 in fiscal year 2023 are to
6.3 implement recommendations from the
6.4 Governor's Blue Ribbon Council on
6.5 Information Technology, established by
6.6 Executive Order 19-02 and re-established by
6.7 Executive Order 20-77. The base for this
6.8 appropriation is $1,400,000 in fiscal years
6.9 2024 and 2025.
6.10 Sec. 11. **ADMINISTRATION**
6.11 Subdivision 1. **Total Appropriation**  
$ 27,025,000 $ 27,376,000
6.12 The amounts that may be spent for each
6.13 purpose are specified in the following
6.14 subdivisions.
6.15 Subd. 2. **Government and Citizen Services**  
11,517,000 11,699,000
6.16 **Council on Developmental Disabilities.**
6.17 $222,000 each year is for the Council on
6.18 Developmental Disabilities.
6.19 Subd. 3. **Strategic Management Services**  
2,174,000 2,218,000
6.20 Subd. 4. **Fiscal Agent**  
13,334,000 13,459,000
6.21 The appropriations under this section are to
6.22 the commissioner of administration for the
6.23 purposes specified.
6.24 **In-Lieu of Rent.** $10,515,000 each year is for
6.25 space costs of the legislature and veterans
6.26 organizations, ceremonial space, and
6.27 statutorily free space.
6.28 **Public Television.** (a) $1,550,000 each year
6.29 is for matching grants for public television.
6.30 (b) $250,000 each year is for public television
6.31 equipment grants under Minnesota Statutes,
6.32 section 129D.13.
(c) The commissioner of administration must consider the recommendations of the Minnesota Public Television Association before allocating the amounts appropriated in paragraphs (a) and (b) for equipment or matching grants.

Public Radio. (a) $392,000 the first year and $492,000 the second year are for community service grants to public educational radio stations. This appropriation may be used to disseminate emergency information in foreign languages.

(b) $117,000 the first year and $142,000 the second year are for equipment grants to public educational radio stations. This appropriation may be used for the repair, rental, and purchase of equipment including equipment under $500.

(c) $510,000 each year is for equipment grants to Minnesota Public Radio, Inc., including upgrades to Minnesota's Emergency Alert and AMBER Alert Systems.

(d) The appropriations in paragraphs (a) to (c) may not be used for indirect costs claimed by an institution or governing body.

(e) The commissioner of administration must consider the recommendations of the Association of Minnesota Public Educational Radio Stations before awarding grants under Minnesota Statutes, section 129D.14, using the appropriations in paragraphs (a) and (b). No grantee is eligible for a grant unless they are a member of the Association of Minnesota Public Radio.
8.1 Public Educational Radio Stations on or before
8.2 July 1, 2021.
8.3 (f) Any unencumbered balance remaining the
8.4 first year for grants to public television or
8.5 public radio stations does not cancel and is
8.6 available for the second year.
8.7 Sec. 12. CAPITOL AREA ARCHITECTURAL
8.8 AND PLANNING BOARD $ 386,000 $ 365,000
8.9 Sec. 13. MINNESOTA MANAGEMENT AND
8.10 BUDGET $ 27,819,000 $ 28,240,000
8.11 Sec. 14. REVENUE
8.12 Subdivision 1. Total Appropriation $ 174,077,000 $ 176,311,000
8.13 Appropriations by Fund
8.14 2022 2023
8.15 General 169,863,000 172,097,000
8.16 Health Care Access 1,760,000 1,760,000
8.17 Highway User Tax Distribution 2,195,000 2,195,000
8.18 Environmental 259,000 259,000
8.19 Subd. 2. Tax System Management 144,204,000 145,921,000
8.20 Appropriations by Fund
8.21 2022 2023
8.22 General 139,990,000 141,707,000
8.23 Health Care Access 1,760,000 1,760,000
8.24 Highway User Tax Distribution 2,195,000 2,195,000
8.25 Environmental 259,000 259,000
8.26 Taxpayer Assistance. (a) $1,100,000 each
8.27 year is for the commissioner of revenue to
8.28 make grants to one or more eligible
8.29 organizations, qualifying under section
8.30 7526A(e)(2)(B) of the Internal Revenue Code
8.31 of 1986, to coordinate, facilitate, encourage,
8.32 and aid in the provision of taxpayer assistance
8.33 services. The unencumbered balance in the
9.1 first year does not cancel but is available for the second year.

9.3 (b) For purposes of this section, "taxpayer assistance services" means accounting and tax preparation services provided by volunteers to low-income, elderly, and disadvantaged Minnesota residents to help them file federal and state income tax returns and Minnesota property tax refund claims and to provide personal representation before the Department of Revenue and Internal Revenue Service.

9.12 Subd. 3. Debt Collection Management

9.13 Sec. 15. GAMBLING CONTROL

9.14 These appropriations are from the lawful gambling regulation account in the special revenue fund.

9.16 Sec. 16. RACING COMMISSION

9.18 These appropriations are from the racing and card playing regulation accounts in the special revenue fund.

9.21 Sec. 17. STATE LOTTERY

9.22 Notwithstanding Minnesota Statutes, section 349A.10, subdivision 3, the State Lottery's operating budget must not exceed $36,500,000 in fiscal year 2022 and $36,500,000 in fiscal year 2023.

9.27 Sec. 18. AMATEUR SPORTS COMMISSION

9.29 Sec. 19. COUNCIL FOR MINNESOTANS OF AFRICAN HERITAGE

9.30 Sec. 20. COUNCIL ON LATINO AFFAIRS

9.32 Sec. 21. COUNCIL ON ASIAN-PACIFIC MINNESOTANS

9.33 Sec. 22. INDIAN AFFAIRS COUNCIL
Sec. 23. **MINNESOTA HISTORICAL SOCIETY**

Subdivision 1. **Total Appropriation**

<table>
<thead>
<tr>
<th></th>
<th>23,918,000</th>
<th>24,218,000</th>
</tr>
</thead>
</table>

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. **Operations and Programs**

<table>
<thead>
<tr>
<th></th>
<th>23,597,000</th>
<th>23,897,000</th>
</tr>
</thead>
</table>

Notwithstanding Minnesota Statutes, section 138.668, the Minnesota Historical Society may not charge a fee for its general tours at the Capitol, but may charge fees for special programs other than general tours.

Subd. 3. **Fiscal Agent**

(a) Global Minnesota

(b) Minnesota Air National Guard Museum

(c) Hockey Hall of Fame

(d) Farmamerica

(e) Minnesota Military Museum

Any unencumbered balance remaining in this subdivision the first year does not cancel but is available for the second year of the biennium.

Sec. 24. **BOARD OF THE ARTS**

Subdivision 1. **Total Appropriation**

<table>
<thead>
<tr>
<th></th>
<th>7,551,000</th>
<th>7,561,000</th>
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</table>

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. **Operations and Services**

<table>
<thead>
<tr>
<th></th>
<th>612,000</th>
<th>622,000</th>
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</table>

Subd. 3. **Grants Program**

<table>
<thead>
<tr>
<th></th>
<th>4,800,000</th>
<th>4,800,000</th>
</tr>
</thead>
</table>

Subd. 4. **Regional Arts Councils**

<table>
<thead>
<tr>
<th></th>
<th>2,139,000</th>
<th>2,139,000</th>
</tr>
</thead>
</table>
Any unencumbered balance remaining in this section the first year does not cancel, but is available for the second year.

Money appropriated in this section and distributed as grants may only be spent on projects located in Minnesota. A recipient of a grant funded by an appropriation in this section must not use more than ten percent of the total grant for costs related to travel outside the state of Minnesota.

Sec. 25. MINNESOTA HUMANITIES CENTER

<table>
<thead>
<tr>
<th>Fund</th>
<th>2022</th>
<th>2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>400,000</td>
<td>375,000</td>
</tr>
<tr>
<td>Special Revenue</td>
<td>400,000</td>
<td>400,000</td>
</tr>
<tr>
<td>Workers' Compensation</td>
<td>100,000</td>
<td>100,000</td>
</tr>
</tbody>
</table>

(a) The appropriations in this section may only be spent with the approval of the governor after consultation with the Legislative Advisory Commission pursuant to Minnesota Statutes, section 3.30.
12.1 (b) If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

12.4 (c) If a contingent account appropriation is made in one fiscal year, it should be considered a biennial appropriation.

12.7 Sec. 31. TORT CLAIMS $ 161,000 $ 161,000

12.8 These appropriations are to be spent by the commissioner of management and budget according to Minnesota Statutes, section 3.736, subdivision 7. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

12.15 MINNESOTA STATE RETIREMENT SYSTEM

12.16 Subdivision 1. Total Appropriation $ 14,886,000 $ 14,878,000

12.17 The amounts that may be spent for each purpose are specified in the following subdivisions.

12.20 Subd. 2. Combined Legislators and Constitutional Officers Retirement Plan 8,886,000 8,878,000

12.22 Under Minnesota Statutes, sections 3A.03, subdivision 2; 3A.04, subdivisions 3 and 4; and 3A.115.

12.25 If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

12.28 Subd. 3. Judges Retirement Plan 6,000,000 6,000,000

12.29 For transfer to the judges retirement fund under Minnesota Statutes, section 490.123.

12.32 This transfer continues each fiscal year until the judges retirement plan reaches 100 percent funding as determined by an actuarial
valuation prepared according to Minnesota Statutes, section 356.214.

Sec. 33. PUBLIC EMPLOYEES RETIREMENT ASSOCIATION

(a) $9,000,000 the first year and $9,000,000 the second year are for direct state aid to the public employees police and fire retirement plan authorized under Minnesota Statutes, section 353.65, subdivision 3b.

(b) State payments from the general fund to the Public Employees Retirement Association on behalf of the former MERF division account are $16,000,000 on September 15, 2021, and $16,000,000 on September 15, 2022. These amounts are estimated to be needed under Minnesota Statutes, section 353.505.

Sec. 34. TEACHERS RETIREMENT ASSOCIATION

The amounts estimated to be needed are as follows:

Special Direct State Aid. $27,331,000 each year is for special direct state aid authorized under Minnesota Statutes, section 354.436.

Special Direct State Matching Aid.

$2,500,000 each year is for special direct state matching aid authorized under Minnesota Statutes, section 354.435.

Sec. 35. ST. PAUL TEACHERS RETIREMENT FUND

The amounts estimated to be needed for special direct state aid to the first class city teachers retirement fund association authorized
under Minnesota Statutes, section 354A.12, subdivisions 3a and 3c.

Sec. 36. SENSORY ACCESSIBILITY ACCOMMODATIONS GRANTS; APPROPRIATION.

$250,000 in fiscal year 2022 and $250,000 in fiscal year 2023 are appropriated from the general fund to the Minnesota Council on Disability for sensory accessibility accommodations grants authorized by article 2, section 45. These are onetime appropriations.

Sec. 37. STATE PARKING ACCOUNT.

Notwithstanding Laws 2014, chapter 287, section 25, as amended by Laws 2015, chapter 77, article 2, section 78, for fiscal years 2021 and 2022, the state parking account is not required to make the transfer to the general fund mandated by Laws 2014, chapter 287, section 25, as amended by Laws 2015, chapter 77, article 2, section 78.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 38. CANCELLATIONS; FISCAL YEAR 2021.

(a) $379,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First Special Session chapter 10, article 1, section 10, is canceled.

(b) $300,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First Special Session chapter 10, article 1, section 11, subdivision 1, is canceled. This amount is from the fiscal year 2021 appropriation for government and citizen services.

(c) $1,367,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First Special Session chapter 10, article 1, section 13, is canceled.

(d) $8,274,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First Special Session chapter 10, article 1, section 14, subdivision 1, is canceled. Of this amount, $7,305,000 is from the fiscal year 2021 appropriation for tax system management, and $969,000 is from the fiscal year 2021 appropriation for debt collection management.

(e) $86,000 of the fiscal year 2021 general fund appropriation for moving and relocation expenses under Laws 2019, First Special Session chapter 10, article 1, section 24, subdivision 2, as amended by Laws 2020, chapter 104, article 2, section 4, is canceled.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 39. CANCELLATIONS; ITA ACCOUNT.

(a) $179,000 from the information and telecommunications technology systems and services account established under Minnesota Statutes, section 16E.21, is canceled to the general fund.

(b) $14,000 from the information and telecommunications technology systems and services account established under Minnesota Statutes, section 16E.21, is canceled to the workers' compensation fund.

(c) $5,000 from the information and telecommunications technology systems and services account established under Minnesota Statutes, section 16E.21, is canceled to the state government special revenue fund.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 40. CANCELLATION; CARRYFORWARD.

$5,000,000 of the senate carryforward balance is canceled to the general fund on July 1, 2021.

Sec. 41. APPROPRIATION; ADMINISTRATIVE SPACE CONSOLIDATION AND MOVING.

$4,500,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of administration to complete and implement a comprehensive strategic plan for locating state agencies and for agency space consolidation, reconfiguration, and relocation costs. This is a onetime appropriation and is available until June 30, 2023.

ARTICLE 2
STATE GOVERNMENT POLICY

Section 1. [1.1471] STATE FIRE MUSEUM.

The Bill and Bonnie Daniels Firefighters Hall and Museum in Minneapolis is designated as the official state fire museum.

Sec. 2. Minnesota Statutes 2020, section 3.302, subdivision 3, is amended to read:

Subd. 3. State documents. The library is a depository of all documents published by the state and shall receive them automatically without cost to the legislature or library. As used in this chapter, "document" includes any publication issued by the state, constitutional officers, departments, commissions, councils, bureaus, research centers, societies, task...
forces, including advisory task forces created under section 15.014 or 15.0593, or other
agencies supported by state funds, or any publication prepared for the state by private
individuals or organizations considered to be of interest or value to the library. Intraoffice
or interoffice memos and forms and information concerning only the internal operation of
an agency are not included.

Sec. 3. Minnesota Statutes 2020, section 3.303, subdivision 1, is amended to read:

Subdivision 1. Purpose. The Legislative Coordinating Commission is created to
coordinate the legislative activities of the senate and house of representatives and the joint
legislative commissions, committees, offices, and task forces.

Sec. 4. Minnesota Statutes 2020, section 3.971, subdivision 2, is amended to read:

Subd. 2. Staff; compensation. (a) The legislative auditor shall establish a Financial
Audits Division and a Program Evaluation Division to fulfill the duties prescribed in this
section.

(b) Each division may be supervised by a deputy auditor, appointed by the legislative
auditor, with the approval of the commission, for a term coterminous with the legislative
auditor's term. The deputy auditors may be removed before the expiration of their terms
only for cause. The legislative auditor and deputy auditors may each appoint a confidential
secretary, an administrative support specialist to serve at pleasure. The salaries and benefits
of the legislative auditor, deputy auditors, and confidential secretaries, administrative support
specialists shall be determined by the compensation plan approved by the Legislative
Coordinating Commission. The deputy auditors may perform and exercise the powers,
duties and responsibilities imposed by law on the legislative auditor when authorized by
the legislative auditor.

(c) The legislative auditor must appoint a fiscal oversight officer with duties that include
performing the review under section 3.972, subdivision 4.

(d) The legislative auditor, deputy auditors, and the confidential secretaries
administrative support specialists shall serve in the unclassified civil service, but the fiscal
oversight officer and all other employees of the legislative auditor are shall serve in the
classified civil service. Compensation for employees of the legislative auditor in the classified
service shall be governed by a plan prepared by the legislative auditor and approved by the
Legislative Coordinating Commission and the legislature under section 3.855, subdivision 3.
While in office, a person appointed deputy for the Financial Audit Division must hold an active license as a certified public accountant.

Sec. 5. Minnesota Statutes 2020, section 3.971, is amended by adding a subdivision to read:

Subd. 8a. Special reviews. The legislative auditor may conduct a special review to: (1) fulfill a legal requirement; (2) investigate allegations that an individual or organization subject to audit by the legislative auditor may not have complied with legal requirements related to the use of public money, other public resources, or government data classified as not public; (3) respond to a legislative request for a review of an organization or program subject to audit by the legislative auditor; or (4) investigate allegations that an individual may not have complied with section 43A.38 or 43A.39.

Sec. 6. Minnesota Statutes 2020, section 3.972, subdivision 2, is amended to read:

Subd. 2. Audits of state and semistate agencies. The legislative auditor shall make a constant, as resources permit, audit of all the financial affairs activities of (1) all departments and agencies of, offices, and other organizations in the state, executive branch; (2) courts, offices, and other organizations in the state judicial branch; and of the financial records and transactions of (3) public boards, associations, and societies, and other public organizations created by state law or supported, wholly or in part, by state funds. Once in each year, if funds and personnel permit, without previous notice, The legislative auditor shall visit each state department and agency, association or society and, so far as practicable, (1) inspect; (2) thoroughly examine its books and accounts, verifying the funds, securities, and other assets; (3) check the items of receipts and disbursements with its voucher records; (4) ascertain the character of the official bonds for its officers and the financial ability of the bonding institution; (5) inspect its sources of revenue and the use and disposition of state appropriations and property; (6) investigate the methods of purchase and sale and the character of contracts on public account; (7) ascertain proper custody and depository for its funds and securities;
(8) verify the inventory of public property and other assets held in trust; and

(9) ascertain that all financial transactions and operations involving the public funds and property of the state comply with the spirit and purpose of the law, are sound by modern standards of financial management, and are for the best protection of the public interest funds and other public resources.

Sec. 7. Minnesota Statutes 2020, section 3.972, subdivision 2a, is amended to read:

Subd. 2a. Audits of Department of Human Services. (a) To ensure continuous effective legislative oversight and accountability, the legislative auditor shall give high priority to auditing the programs, services, and benefits administered by the Department of Human Services. The audits shall determine whether, as resources permit, the legislative auditor shall track and assess expenditures throughout the human service delivery system, from the department offered to the point of service delivery, and determine whether human services programs and provided, and benefits are being provided cost-effectively and only to eligible persons, individuals, and organizations, and complied in compliance with applicable legal requirements.

(b) The legislative auditor shall, based on an assessment of risk and using professional standards to provide a statistically significant sample, no less than three times each year, test a representative sample of persons enrolled in a medical assistance program or MinnesotaCare to determine whether they are eligible to receive benefits under those programs. The legislative auditor shall report the results to the commissioner of human services and recommend corrective actions. The commissioner shall provide a response to the legislative auditor within 20 business days, including corrective actions to be taken to address any problems identified by the legislative auditor and anticipated completion dates. The legislative auditor shall monitor the commissioner’s implementation of corrective actions and periodically report the results to the Legislative Audit Commission and the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance. The legislative auditor’s reports to the commission and the chairs and ranking minority members must include recommendations for any legislative actions needed to ensure that medical assistance and MinnesotaCare benefits are provided only to eligible persons.

Sec. 8. Minnesota Statutes 2020, section 3.978, subdivision 2, is amended to read:

Subd. 2. Inquiry and inspection power; duty to aid legislative auditor. All public officials and their deputies and employees, and all corporations, firms, and individuals
having business involving the receipt, disbursement, or custody of public funds shall at all

times afford reasonable facilities for examinations by the legislative auditor, make returns
and reports required by the legislative auditor, attend and answer under oath the legislative
auditor's lawful inquiries, produce and exhibit all books, accounts, documents, data of any
classification, and property that the legislative auditor may need requests to inspect, and in
all things aid cooperate with the legislative auditor in the performance of duties.

Sec. 9. Minnesota Statutes 2020, section 3.979, subdivision 3, is amended to read:

Subd. 3. Audit data. (a) "Audit" as used in this subdivision means a financial audit,
review, program evaluation, best practices special review, or investigation. Data relating to
an audit are not public or with respect to data on individuals are confidential until the final
report of the audit has been released by the legislative auditor or the audit is no longer being
actively pursued. Upon release of a final audit report by the legislative auditor, data relating
to an audit are public except data otherwise classified as not public.

(b) Data related to an audit but not published in the audit report and that the legislative
auditor reasonably believes will be used in litigation are not public and with respect to data
on individuals are confidential until the litigation has been completed or is no longer being
actively pursued.

(c) Data on individuals that could reasonably be used to determine the identity of an
individual supplying data for an audit are private if the data supplied by the individual were
needed for an audit and the individual would not have provided the data to the legislative
auditor without an assurance that the individual's identity would remain private, or the
legislative auditor reasonably believes that the subject would not have provided the data.

(d) The definitions of terms provided in section 13.02 apply for purposes of this
subdivision.

Sec. 10. Minnesota Statutes 2020, section 4A.01, subdivision 3, is amended to read:

Subd. 3. Report. The commissioner must submit a report to the governor and chairs and
ranking minority members of the senate and house of representatives committees with
jurisdiction on state government finance by January 15 of each year that provides economic,
social, and environmental demographic information to assist public and elected officials
with long-term management decisions. The report must identify and assess the information
important to understanding the state's two-, ten-, and 50-year outlook. The report must
include the demographic forecast required by section 4A.02, paragraph (e), and information
to assist with the preparation of the milestones report required by section 4A.11, and may include policy recommendations based upon the information and assessment provided.

Sec. 11. Minnesota Statutes 2020, section 4A.02, is amended to read:

**4A.02 STATE DEMOGRAPHER.**

(a) The commissioner shall appoint a state demographer. The demographer must be professionally competent in demography and must possess demonstrated ability based upon past performance.

(b) The demographer shall:

1. continuously gather and develop demographic data relevant to the state;
2. design and test methods of research and data collection;
3. periodically prepare population projections for the state and designated regions and periodically prepare projections for each county or other political subdivision of the state as necessary to carry out the purposes of this section;
4. review, comment on, and prepare analysis of population estimates and projections made by state agencies, political subdivisions, other states, federal agencies, or nongovernmental persons, institutions, or commissions;
5. serve as the state liaison with the United States Bureau of the Census, coordinate state and federal demographic activities to the fullest extent possible, and aid the legislature in preparing a census data plan and form for each decennial census;
6. compile an annual study of population estimates on the basis of county, regional, or other political or geographical subdivisions as necessary to carry out the purposes of this section and section 4A.03;
7. by January 1 of each year, issue a report to the legislature containing an analysis of the demographic implications of the annual population study and population projections;
8. prepare maps for all counties in the state, all municipalities with a population of 10,000 or more, and other municipalities as needed for census purposes, according to scale and detail recommended by the United States Bureau of the Census, with the maps of cities showing precinct boundaries;
9. prepare an estimate of population and of the number of households for each governmental subdivision for which the Metropolitan Council does not prepare an annual estimate, and convey the estimates to the governing body of each political subdivision by
June 1 of each year or, in a year following a decennial census, within six weeks of the date
the data are provided by the United States Census Bureau in that year;

(10) direct, under section 414.01, subdivision 14, and certify population and household
estimates of annexed or detached areas of municipalities or towns after being notified of
the order or letter of approval by the chief administrative law judge of the State Office of
Administrative Hearings;

(11) prepare, for any purpose for which a population estimate is required by law or
needed to implement a law, a population estimate of a municipality or town whose population
is affected by action under section 379.02 or 414.01, subdivision 14; and

(12) prepare an estimate of average household size for each statutory or home rule charter
city with a population of 2,500 or more by June 1 of each year or, in a year following a
decennial census, within six weeks of the date the data are provided by the United States
Census Bureau in that year.

(c) A governing body may challenge an estimate made under paragraph (b) by filing
their specific objections in writing with the state demographer by June 24. If the challenge
does not result in an acceptable estimate, the governing body may have a special census
conducted by the United States Bureau of the Census. The political subdivision must notify
the state demographer by July 1 of its intent to have the special census conducted. The
political subdivision must bear all costs of the special census. Results of the special census
must be received by the state demographer by the next April 15 to be used in that year's
June 1 estimate to the political subdivision under paragraph (b). In the year following a
decennial census, challenges to the census count must be submitted to the United States
Census Bureau through its formal challenge process.

(d) The state demographer shall certify the estimates of population and household size
to the commissioner of revenue by July 15 each year, including any estimates still under
objection except that in a year following a decennial census, the estimate must be certified
within six weeks of the date the data are provided by the United States Census Bureau in
that year.

(e) The state demographer may contract for the development of data and research required
under this chapter, including, but not limited to, population estimates and projections, the
preparation of maps, and other estimates.

**EFFECTIVE DATE.** This section is effective the day following final enactment.
Sec. 12. [10.65] GOVERNMENT-TO-GOVERNMENT RELATIONSHIP WITH TRIBAL GOVERNMENTS.

Subdivision 1. Recognition of Tribal status and relationship with the state of Minnesota.  (a) The state of Minnesota is home to 11 federally recognized Indian Tribes with elected Tribal government officials. The state of Minnesota acknowledges and supports the unique status of Minnesota Tribes and their absolute right to existence, self-governance, and self-determination.

(b) The United States and the state of Minnesota have a unique relationship with federally recognized Indian Tribes, formed by the Constitution of the United States, treaties, statutes, case law, and agreements.

(c) The state of Minnesota and Minnesota Tribal governments significantly benefit from working together, learning from one another, and partnering where possible.

(d) Timely and meaningful consultation between the state of Minnesota and Minnesota Tribal governments will facilitate better understanding and informed decision-making by allowing for communication on matters of mutual interest and helping to establish mutually respectful and beneficial relationships between the state of Minnesota and Minnesota Tribal governments.

Subd. 2. Definitions. As used in this section, the following terms have the meanings given:

(1) "agency" means the Department of Administration, Department of Agriculture, Department of Commerce, Department of Corrections, Department of Education, Department of Employment and Economic Development, Department of Health, Office of Higher Education, Housing Finance Agency, Department of Human Rights, Department of Human Services, Office of MN.IT Services, Department of Iron Range Resources and Rehabilitation, Department of Labor and Industry, Minnesota Management and Budget, Bureau of Mediation Services, Department of Military Affairs, Metropolitan Council, Department of Natural Resources, Pollution Control Agency, Department of Public Safety, Department of Revenue, Department of Transportation, Department of Veterans Affairs, Gambling Control Board, Racing Commission, Minnesota Lottery, Animal Health Board, and Board of Water and Soil Resources;

(2) "consultation" means the direct and interactive involvement of Minnesota Tribal governments in the development of policy on matters that have Tribal implications. Consultation is the proactive, affirmative process of identifying and seeking input from appropriate Tribal governments and considering their interest as a necessary and integral
part of the decision-making process. This definition adds to statutorily mandated notification procedures. During a consultation, the burden is on the agency to show that it has made a good faith effort to elicit feedback. Consultation is a formal engagement between agency officials and the governing body or bodies of an individual Minnesota Tribal government that the agency or an individual Tribal government may initiate. Formal meetings or communication between top agency officials and the governing body of a Minnesota Tribal government is a necessary element of consultation:

(3) "matters that have Tribal implications" means rules, legislative proposals, policy statements, or other actions that have substantial direct effects on one or more Minnesota Tribal governments, or on the distribution of power and responsibilities between the state and Minnesota Tribal governments:

(4) "Minnesota Tribal governments" means the federally recognized Indian Tribes located in Minnesota including: Bois Forte Band; Fond du Lac Band; Grand Portage Band; Leech Lake Band; Mille Lacs Band; White Earth Band; Red Lake Nation; Lower Sioux Indian Community; Prairie Island Indian Community; Shakopee Mdewakanton Sioux Community; and Upper Sioux Community; and

(5) "timely and meaningful" means done or occurring at a favorable or useful time that allows the result of consultation to be included in the agency's decision-making process for a matter that has Tribal implications.

Subd. 3. Consultation duties. (a) An agency must recognize the unique legal relationship between the state of Minnesota and Minnesota Tribal governments, respect the fundamental principles that establish and maintain this relationship, and accord Tribal governments the same respect accorded to other governments.

(b) An agency must, in consultation with Minnesota Tribal governments, implement Tribal consultation policies to comply with this section and guide their work with Minnesota Tribal governments, and must submit these policies to the governor and lieutenant governor.

Tribal consultation policies must address the communication protocols for each Minnesota Tribal government, which must be developed in coordination with representatives of each Minnesota Tribal government. An agency must update the Tribal consultation policies as often as required in order to facilitate timely and meaningful consultation, but no less than biannually.

(c) Consultation under this section is a duty of an agency to consult with the governing body or bodies of each individual Minnesota Tribal government. Coordination with groups or entities that have representation on some or all of the governing bodies of Minnesota Tribal
Tribal governments, such as the Minnesota Indian Affairs Council or the Minnesota Chippewa Tribe, is encouraged but does not satisfy an agency's duty to consult with individual Minnesota Tribal governments on matters that have Tribal implications. If a matter has implications for one Minnesota Tribal government but not others, the agency's duty is to only consult those Minnesota Tribal governments affected.

(d) An agency must consult with each Minnesota Tribal government at least annually, and as often as it is required, to address matters that have Tribal implications.

(e) An agency must consult with Minnesota Tribal governments on legislative and fiscal matters that affect one or all Minnesota Tribal governments or their members to identify priority issues in order to allow agencies to proactively engage Minnesota Tribal governments in the agency's development of legislative and fiscal proposals in time for submission into the governor's recommended budget and legislative proposals each year.

(f) An agency must develop and maintain ongoing consultation with Minnesota Tribal governments related to matters that have Tribal implications. Agencies must consider the input gathered from Tribal consultation into their decision-making processes, with the goal of achieving mutually beneficial solutions.

(g) An agency and a Minnesota Tribal government may agree that a formal consultation is not necessary for a given year on a given matter that has Tribal implications, and the agency must keep a written record of this decision.

(h) The prospective duty to consult does not apply to action on a matter that has Tribal implications if immediate action is required to address a present and immediate threat to the health, safety, or welfare of Minnesota citizens. For these actions, every effort should be made to communicate, and formal consultation should occur as soon as possible. The duty to consult also does not apply to criminal proceedings or other investigations or legal proceedings that prohibit an agency from disclosure.

(i) An agency must designate a Tribal liaison to assume responsibility for implementation of the Tribal consultation policy and to serve as the principal point of contact for Minnesota Tribal governments. The Tribal liaison must be able to directly and regularly meet and communicate with the agency's commissioner and deputy and assistant commissioners in order to appropriately conduct government-to-government consultation and cooperation.

(j) The state has instituted Tribal state government relations training, which is the foundation and basis of all other Tribal government relations training sources. All agencies must direct certain staff to complete available training to foster a collaborative relationship between the state of Minnesota and Minnesota Tribal governments, and to facilitate timely
and meaningful consultation. In addition to all commissioners, deputy commissioners, and
assistant commissioners, at a minimum all agency employees whose work is likely to include
matters that have Tribal implications must attend Tribal state relations training. Tribal
liaisons must actively support and participate in the Tribal state relations training.

(k) Any agency or board that is not listed in subdivision 2 is encouraged to and may
engage in consultation and communication with Minnesota Tribal governments for all
matters that have Tribal implications.

Subd. 4. Applicability. Nothing in this section requires the state or an agency to violate
or ignore any laws, rules, directives, or other legal requirements or obligations imposed by
state or federal law or set forth in agreements or compacts between one or more Minnesota
Tribal governments or any other Tribal government and the state or its agencies. This section
is not intended to, and does not create, any right to administrative or judicial review, or any
other right, benefit, or responsibility, substantive or procedural, enforceable against the state
of Minnesota, its agencies or instrumentalities, its officers or employees, or its subdivisions
or any other persons. Nothing in this section prohibits or limits any agency from asserting
any rights or pursuing any administrative or judicial action under state or federal law to
effectuate the interests of the state of Minnesota or any of its agencies. Nothing in this
section is intended to alter or reduce the state's duties to individual Minnesota citizens
including those of Native American descent.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 13. Minnesota Statutes 2020, section 16A.06, is amended by adding a subdivision to
read:

Subd. 12. Audit of state's use of federal funds; annual appropriation. The
commissioner shall contract with a qualified auditor to conduct the annual audit required
by the Single Audit Act of 1984, Public Law 98-502; the Single Audit Act Amendments of
1996, Public Law 104-156; and Code of Federal Regulations, title 2, part 200, Uniform
Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
(Uniform Guidance). There is annually appropriated from the general fund to the
commissioner an amount sufficient to pay the cost of the annual audit. The cost of the audit
shall be billed to the agencies audited during the subsequent fiscal year. Amounts paid by
state agencies shall be deposited in the general fund.
Sec. 14. Minnesota Statutes 2020, section 16A.103, subdivision 1, is amended to read:

Subdivision 1. **State revenue and expenditures.** In February and November each year, the commissioner shall prepare a forecast of state revenue and expenditures. The November forecast must be delivered to the legislature and governor no later than the end of the first week of December by December 6. The February forecast must be delivered to the legislature and governor by the end of February. Forecasts must be delivered to the legislature and governor on the same day. If requested by the Legislative Commission on Planning and Fiscal Policy, delivery to the legislature must include a presentation to the commission.

Sec. 15. Minnesota Statutes 2020, section 16A.152, subdivision 2, is amended to read:

Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund revenues and expenditures, the commissioner of management and budget determines that there will be a positive unrestricted budgetary general fund balance at the close of the biennium, the commissioner of management and budget must allocate money to the following accounts and purposes in priority order:

1. the cash flow account established in subdivision 1 until that account reaches $350,000,000;
2. the budget reserve account established in subdivision 1a until that account reaches $1,596,522,000;
3. the amount necessary to increase the aid payment schedule for school district aids and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest tenth of a percent without exceeding the amount available and with any remaining funds deposited in the budget reserve;
4. the amount necessary to restore all or a portion of the net aid reductions under section 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75, subdivision 5, by the same amount; and
5. the clean water fund established in section 114D.50 until $22,000,000 has been transferred into the fund; and
6. the amount necessary to increase the Minnesota 21st century fund by not more than the difference between $5,000,000 and the sum of the amounts credited and canceled to it in the previous 12 months under Laws 2020, chapter 71, article 1, section 11, until the sum of all transfers under this section and all amounts credited or canceled under Laws 2020, chapter 71, article 1, section 11, equals $20,000,000.
(b) The amounts necessary to meet the requirements of this section are appropriated from the general fund within two weeks after the forecast is released or, in the case of transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations schedules otherwise established in statute.

(c) The commissioner of management and budget shall certify the total dollar amount of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education. The commissioner of education shall increase the aid payment percentage and reduce the property tax shift percentage by these amounts and apply those reductions to the current fiscal year and thereafter.

(d) Paragraph (a), clause (5), expires after the entire amount of the transfer has been made.

Sec. 16. [16A.401] VIRTUAL PAYMENTS AUTHORIZED.

Subdivision 1. Virtual payments. The commissioner may establish a program to issue virtual payments from the state treasury. Any rebate to the state generated by the program must be deposited in the general fund unless retained under subdivision 3.

Subd. 2. Rebates. Notwithstanding subdivision 1, rebates attributable to expenditures in funds established in the state constitution or protected by federal law must be returned to the account from which the expenditure originated.

Subd. 3. Rebates retained. The commissioner may retain a portion of rebates for the administration of this section. Money retained under this subdivision must be deposited in an account in the special revenue fund and is appropriated to the commissioner for the purposes of this section.

Sec. 17. Minnesota Statutes 2020, section 16B.24, subdivision 1, is amended to read:

Subdivision 1. Operation and maintenance of buildings. The commissioner is authorized to maintain and operate the State Capitol building and grounds, subject to whatever standards and policies are set for its appearance and cleanliness by the Capitol Area Architectural and Planning Board and the commissioner under section 15B.15, subdivision 2, and all other buildings, cafeterias, and grounds in state-owned buildings in the Capitol Area under section 15B.02, the state Department of Public Safety, Bureau of Criminal Apprehension building in St. Paul, the state Department of Health building in Minneapolis, 321 Grove Street buildings, 603 Pine Street building in St. Paul, Fleet and Surplus Services building in Arden Hills, Ely Revenue building, any other properties acquired by the
Department of Administration, and, when the commissioner considers it advisable and practicable, any other building or premises owned or rented by the state for the use of a state agency. The commissioner shall assign and reassign office space in the Capitol and state buildings to make an equitable division of available space among agencies. The commissioner shall regularly update the long-range strategic plan for locating agencies and shall follow the plan in assigning and reassigning space to agencies. The plan must include locational and urban design criteria, a cost-analysis method to be used in weighing state ownership against leasing of space in specific instances, and a transportation management plan. If the commissioner determines that a deviation from the plan is necessary or desirable in a specific instance, the commissioner shall provide the legislature with a timely written explanation of the reasons for the deviation. The power granted in this subdivision does not apply to state hospitals or to educational, penal, correctional, or other institutions not enumerated in this subdivision the control of which is vested by law in some other agency.

Sec. 18. [16B.276] CAPITOL FLAG PROGRAM.

Subdivision 1. Definitions. (a) The terms used in this section have the meanings given. (b) "Active service" has the meaning given in section 190.05, subdivision 5. (c) "Eligible family member" means a surviving spouse, parent or legal guardian, child, or sibling of (1) a public safety officer killed in the line of duty, or (2) a person who has died while serving honorably in active service in the United States armed forces. For purposes of this section, an eligibility relationship may be established by birth or adoption. (d) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision 3. (e) "Public safety officer" has the meaning given in section 299A.41, subdivision 4.

Subd. 2. Establishment. A Capitol flag program is established. The purpose of the program is to make a Minnesota state flag and an American flag that were flown over the Minnesota State Capitol available to the family members of a public safety officer killed in the line of duty or a member of the United States armed forces who died while in active service. In addition to appropriations provided by law, the commissioner of management and budget may receive gifts to support the program as authorized in sections 16A.013 to 16A.016. The program established by this section is required only to the extent that sufficient funds are available through appropriations or gifts to support its operations.

Subd. 3. Submission of request; presentation. (a) A flag request may only be made by a legislator or state constitutional officer on behalf of an eligible family member after
verification of the family member's eligibility under the procedures adopted under subdivision
4. The request must be made to the commissioner of administration and must indicate the
type of flag requested, a certification that the family member's eligibility has been verified,
special requests for the date the flag is requested to be flown over the Capitol, and the
method of presentment. The commissioner may adopt a form to be used for this purpose.
With at least 30 days' notice, the commissioner must honor a request that a flag be flown
on a specific commemorative date.

(b) Upon receipt of a request, the commissioner shall deliver the requested flags to the
requesting legislator or constitutional officer for coordination of a later presentment
ceremony. If relevant information is made available, the commissioner shall provide a
certificate memorializing the details of the occasion and the date the flag was flown with
each flag presented.

Subd. 4. Verification of eligibility. The house of representatives, the senate, and each
constitutional officer must adopt procedures for the administration of flag requests received
from eligible family members, including a procedure for verification of a family member's
eligibility to receive a flag.

Subd. 5. Eligibility; fees. (a) For deaths that occur on or after August 1, 2021, the family
of a public safety officer killed in the line of duty or service member of the United States
armed forces who died in active service is entitled to receive one United States flag and one
Minnesota state flag free of charge under this section. If multiple flags of the same type are
requested to be flown in honor of the same decedent, the commissioner may charge a
reasonable fee that does not exceed the actual cost of flying each flag and preparing a
certificate memorializing the occasion.

(b) For deaths that occurred before August 1, 2021, the family of a public safety officer
killed in the line of duty or service member of the United States armed forces who died in
active service may receive one United States flag and one Minnesota state flag for a fee,
unless there are donated, nonstate funds available to provide a flag without a fee. If payment
of a fee is required under this paragraph, the commissioner may charge an eligible family
an amount that does not exceed the actual cost of flying each flag and preparing a certificate
memorializing the occasion.

EFFECTIVE DATE. This section is effective August 1, 2021.
Sec. 19. Minnesota Statutes 2020, section 16B.2975, is amended by adding a subdivision to read:

Subd. 8. Canine management. The commissioner may give and convey to the canine's handler the state's entirety of the right, title, interest, and estate in and to the canine for which the handler trained and worked with while the canine was in service to the state. The handler is solely responsible for all future expenses related to the retired canine.

Sec. 20. [16B.361] OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.

Subdivision 1. Duties of the office. The commissioner of administration shall maintain the Office of Collaboration and Dispute Resolution formerly codified as sections 179.90 and 179.91 within the Department of Administration. The office must:

(1) assist state agencies, offices of the executive, legislative and judicial branches, tribal governments, and units of local government in improving collaboration, dispute resolution, and public engagement;

(2) promote and utilize collaborative dispute resolution models and processes based on documented best practices including but not limited to:

(i) establishing criteria and procedures for identification and assessment of collaborative dispute resolution projects;

(ii) designing collaborative dispute resolution processes to foster trust, relationships, mutual understanding, and consensus-based solutions;

(iii) preparing and training participants; and

(iv) utilizing collaborative techniques, processes, and standards through facilitated meetings to develop wise and durable solutions;

(3) support collaboration and dispute resolution in the public and private sector by providing technical assistance and information on best practices and new developments in dispute resolution options;

(4) promote the broad use of community mediation in the state;

(5) ensure that all areas of the state have access to services by providing grants to private nonprofit entities certified by the state court administrator under chapter 494 that assist in resolution of disputes; and

(6) educate the public and government entities on collaboration, dispute resolution options, and public engagement.
Subd. 2. **Grant applications.** The commissioner may apply for and receive money made available from federal, state, or other sources for the purposes of carrying out the mission of the Office of Collaboration and Dispute Resolution. Funds received under this subdivision are appropriated to the commissioner for their intended purpose.

Subd. 3. **Grant awards.** The commissioner shall to the extent funds are appropriated for this purpose, make grants to private nonprofit community mediation entities certified by the state court administrator under chapter 494 that assist in resolution of disputes. The commissioner shall establish a grant review committee to assist in the review of grant applications and the allocation of grants under this section.

Subd. 4. **Eligibility.** To be eligible for a grant under this section, a nonprofit organization must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).

Subd. 5. **Conditions and exclusions.** A nonprofit entity receiving a grant must agree to comply with guidelines adopted by the state court administrator under section 494.015, subdivision 1. Policies adopted under sections 16B.97 and 16B.98 apply to grants under this section. The exclusions in section 494.03 apply to grants under this section.

Subd. 6. **Reporting.** Grantees must report data required under chapter 494 to evaluate quality and outcomes.

Sec. 21. [16B.372] ENVIRONMENTAL SUSTAINABILITY GOVERNMENT OPERATIONS; OFFICE CREATED.

Subdivision 1. **Enterprise sustainability.** The Office of Enterprise Sustainability is established to assist all state agencies in making measurable progress toward improving the sustainability of government operations by reducing the impact on the environment, controlling unnecessary waste of natural resources and public funds, and spurring innovation. The office shall create new tools and share best practices, assist state agencies to plan for and implement improvements, and monitor progress toward achieving intended outcomes. Specific duties include but are not limited to:

1. managing a sustainability metrics and reporting system, including a public dashboard that allows Minnesotans to track progress;
2. assisting agencies in developing and executing sustainability plans; and
3. publishing an annual report.

Subd. 2. **Local governments.** The Office of Enterprise Sustainability shall make reasonable attempts to share tools and best practices with local governments.
Sec. 22. Minnesota Statutes 2020, section 16B.48, subdivision 2, is amended to read:

Subd. 2. Purpose of funds. Money in the state treasury credited to the general services revolving fund and money that is deposited in the fund is appropriated annually to the commissioner for the following purposes:

1. to operate the central mailing service, including purchasing postage and related items and refunding postage deposits;
2. to operate a documents service as prescribed by section 16B.51;
3. to provide services for the maintenance, operation, and upkeep of buildings and grounds managed by the commissioner of administration;
4. to operate a materials handling service, including interagency mail and product delivery, solid waste removal, courier service, equipment rental, and vehicle and equipment maintenance;
5. to provide analytical, statistical, and organizational development services to state agencies, local units of government, metropolitan and regional agencies, and school districts;
6. to perform services for any other agency. Money may be expended for this purpose only when directed by the governor. The agency receiving the services shall reimburse the fund for their cost, and the commissioner shall make the appropriate transfers when requested. The term "services" as used in this clause means compensation paid officers and employees of the state government; supplies, materials, equipment, and other articles and things used by or furnished to an agency; and utility services and other services for the maintenance, operation, and upkeep of buildings and offices of the state government;
7. to operate a state recycling center.

Sec. 23. Minnesota Statutes 2020, section 16B.54, subdivision 1, is amended to read:

Subdivision 1. Motor pools. The commissioner shall manage a central motor pool of passenger motor vehicles and trucks used by state agencies with principal offices in the city of St. Paul and may provide for branch central motor pools at other places within the state.

For purposes of this section, (1) "agencies" includes the Minnesota State Colleges and Universities, and (2) "passenger motor vehicle" means on-road vehicle capable of transporting people, and (3) "truck" means a pickup or panel truck up to one ton carrying capacity.
Sec. 24. Minnesota Statutes 2020, section 16B.54, subdivision 2, is amended to read:

Subd. 2. Vehicles. (a) The commissioner may direct an agency to make a transfer of a passenger motor vehicle or truck currently assigned to it. The transfer must be made to the commissioner for use in the central motor pool. The commissioner shall reimburse an agency whose motor vehicles have been paid for with funds dedicated by the constitution for a special purpose and which are assigned to the central motor pool. The amount of reimbursement for a motor vehicle is its average wholesale price as determined from the midwest edition of the National Automobile Dealers Association official used car guide.

(b) To the extent that funds are available for the purpose, the commissioner may purchase or otherwise acquire additional passenger motor vehicles and trucks necessary for the central motor pool. The title to all motor vehicles assigned to or purchased or acquired for the central motor pool is in the name of the Department of Administration.

(c) On the request of an agency, the commissioner may transfer to the central motor pool any passenger motor vehicle or truck for the purpose of disposing of it. The department or agency transferring the vehicle or truck must be paid for it from the motor pool revolving account established by this section in an amount equal to two-thirds of the average wholesale price of the vehicle or truck as determined from the midwest edition of the National Automobile Dealers Association official used car guide.

(d) The commissioner shall provide for the uniform marking of all motor vehicles. Motor vehicle colors must be selected from the regular color chart provided by the manufacturer each year. The commissioner may further provide for the use of motor vehicles without marking by:

(1) the governor;
(2) the lieutenant governor;
(3) the Division of Criminal Apprehension, the Division of Alcohol and Gambling Enforcement, and arson investigators of the Division of Fire Marshal in the Department of Public Safety;
(4) the Financial Institutions Division and investigative staff of the Department of Commerce;
(5) the Division of Disease Prevention and Control of the Department of Health;
(6) the State Lottery;
(7) criminal investigators of the Department of Revenue;
(8) state-owned community service facilities in the Department of Human Services;
(9) the Office of the Attorney General; and
(10) the investigative staff of the Gambling Control Board; and
(11) the Department of Corrections inmate community work crew program under section 352.91, subdivision 3g.

Sec. 25. Minnesota Statutes 2020, section 16B.98, is amended by adding a subdivision to read:

Subd. 12. Grants administration. It is the policy of the legislature to ensure that grant activities and outcomes of programs and services funded by legislative appropriations are administered by state agencies in accordance with this section and section 16B.97. Unless amounts are otherwise appropriated for administrative costs, a state agency may retain up to five percent of the amount appropriated to the agency for grants enacted by the legislature and formula grants and up to ten percent for competitively awarded grants. This subdivision applies to appropriations made for new grant programs enacted July 1, 2021.

Sec. 26. Minnesota Statutes 2020, section 43A.23, subdivision 1, is amended to read:

Subdivision 1. General. (a) The commissioner is authorized to request proposals or to negotiate and to enter into contracts with parties which in the judgment of the commissioner are best qualified to provide service to the benefit plans. Contracts entered into are not subject to the requirements of sections 16C.16 to 16C.19. The commissioner may negotiate premium rates and coverage. The commissioner shall consider the cost of the plans, conversion options relating to the contracts, service capabilities, character, financial position, and reputation of the carriers, and any other factors which the commissioner deems appropriate. Each benefit contract must be for a uniform term of at least one year, but may be made automatically renewable from term to term in the absence of notice of termination by either party. A carrier licensed under chapter 62A is exempt from the taxes imposed by chapter 297I on premiums paid to it by the state.

(b) All self-insured hospital and medical service products must comply with coverage mandates, data reporting, and consumer protection requirements applicable to the licensed carrier administering the product, had the product been insured, including chapters 62J, 62M, and 62Q. Any self-insured products that limit coverage to a network of providers or provide different levels of coverage between network and nonnetwork providers shall comply
with section 62D.123 and geographic access standards for health maintenance organizations
adopted by the commissioner of health in rule under chapter 62D.

(c) Notwithstanding paragraph (b), a self-insured hospital and medical product offered
under sections 43A.22 to 43A.30 is required to extend dependent coverage to an eligible
employee's child to the full extent required under chapters 62A and 62L. Dependent child
coverage must, at a minimum, extend to an eligible employee's dependent child to the
limiting age as defined in section 62Q.01, subdivision 2a, disabled children to the extent
required in sections 62A.14 and 62A.141, and dependent grandchildren to the extent required
in sections 62A.042 and 62A.302.

(d) Beginning January 1, 2010, the health insurance benefit plans offered in the
commissioner's plan under section 43A.18, subdivision 2, and the managerial plan under
section 43A.18, subdivision 3, must include an option for a health plan that is compatible
with the definition of a high-deductible health plan in section 223 of the United States
Internal Revenue Code.

Sec. 27. Minnesota Statutes 2020, section 138.081, subdivision 1, is amended to read:

Subdivision 1. **Department of Administration as agency to accept federal funds.** The
Department of Administration is hereby designated the state agency with power to accept
any and all money provided for or made available to this state by the United States of
America or any department or agency thereof for surveys, restoration, construction,
equipping, or other purposes relating to the State Historic Preservation Program in
accordance with the provisions of federal law and any rules or regulations promulgated
thereunder and are further authorized to do any and all things required of this state by such
federal law and the rules and regulations promulgated thereunder in order to obtain such
federal money.

Sec. 28. Minnesota Statutes 2020, section 138.081, subdivision 2, is amended to read:

Subd. 2. **Commissioner's responsibilities.** The commissioner as the state historic
preservation officer shall be responsible for the preparation, implementation and
administration of the State Historic Preservation Plan and shall administer the State Historic
Preservation Program authorized by the National Historic Preservation Act (United States
Code, title 16, section 470 300101 et seq. as amended). The commissioner shall review
and approve in writing all grants-in-aid for architectural, archaeological and historic
preservation made by state agencies and funded by the state or a combination of state and
federal funds in accordance with the State Historic Preservation Program.
Sec. 29. Minnesota Statutes 2020, section 138.081, subdivision 3, is amended to read:

Subd. 3. Administration of federal act. The Department of Administration Minnesota Historical Society is designated as the state agency to administer the provisions of the federal act providing for the preservation of historical and archaeological data, United States Code, title 16, sections 469 to 469C 54, section 312501, as amended, insofar as the provisions of the act provide for implementation by the state.

Sec. 30. Minnesota Statutes 2020, section 138.31, is amended by adding a subdivision to read:


Sec. 31. Minnesota Statutes 2020, section 138.34, is amended to read:

138.34 ADMINISTRATION OF THE ACT.

The state archaeologist shall act as the agent of the state to administer and enforce the provisions of sections 138.31 to 138.42. Some enforcement provisions are shared with the society and the State Historic Preservation Office.

Sec. 32. Minnesota Statutes 2020, section 138.40, is amended to read:

138.40 COOPERATION OF STATE AGENCIES; DEVELOPMENT PLANS.

Subdivision 1. Cooperation. The Department of Natural Resources, the Department of Transportation, and all other state agencies whose activities may be affected, shall cooperate with the historical society, the State Historic Preservation Office, and the state archaeologist to carry out the provisions of sections 138.31 to 138.42 and the rules issued thereunder, but sections 138.31 to 138.42 are not meant to burden persons who wish to use state property for recreational and other lawful purposes or to unnecessarily restrict the use of state property.

Subd. 2. Compliance, enforcement, preservation. State and other governmental agencies shall comply with and aid in the enforcement of provisions of sections 138.31 to 138.42. Conservation officers and other enforcement officers of the Department of Natural Resources shall enforce the provisions of sections 138.31 to 138.42 and report violations to the director of the society state archeologist. When archaeological or historic sites are known or, based on scientific investigations are predicted to exist on public lands or waters, the agency or department controlling said lands or waters shall use the professional services of archaeologists from the University of Minnesota, Minnesota Historical Society, or other
qualified professional archaeologists, to preserve these sites. In the event that archaeological
evacuation is required to protect or preserve these sites, state and other governmental agencies
may use their funds for such activities.

Subd. 3. Review of plans. When significant archaeological or historic sites are known
or, based on scientific investigations, are predicted to exist on public lands or waters, the
agency or department controlling said lands or waters shall submit construction or
development plans to the state archaeologist and the director of the society State Historic
Preservation Office for review prior to the time bids are advertised. The state archaeologist
and the society State Historic Preservation Office shall promptly review such plans and
within 30 days of receiving the plans shall make recommendations for the preservation of
archaeological or historic sites which may be endangered by construction or development
activities. When archaeological or historic sites are related to Indian history or religion, the
state archaeologist shall submit the plans to the Indian Affairs Council for the council's
review and recommend action.

Sec. 33. Minnesota Statutes 2020, section 138.665, subdivision 2, is amended to read:

Subd. 2. Mediation. The state, state departments, agencies, and political subdivisions,
including the Board of Regents of the University of Minnesota, have a responsibility to
protect the physical features and historic character of properties designated in sections
138.662 and 138.664 or listed on the National Register of Historic Places created by Public
Law 89-665. Before carrying out any undertaking that will affect designated or listed
properties, or funding or licensing an undertaking by other parties, the state department or
agency shall consult with the State Historic Preservation Office pursuant to the society's
State Historic Preservation Office's established procedures to determine appropriate
treatments and to seek ways to avoid and mitigate any adverse effects on designated or
listed properties. If the state department or agency and the State Historic Preservation Office
agree in writing on a suitable course of action, the project may proceed. If the parties cannot
agree, any one of the parties may request that the governor appoint and convene a mediation
task force consisting of five members, two appointed by the governor, the chair of the State
Review Board of the State Historic Preservation Office, the commissioner of administration
or the commissioner's designee, and one member who is not an employee of the Minnesota
Historical Society appointed by the director of the Minnesota Historical Society. The two
appointees of the governor and the one of the director of the society shall be qualified by
training or experience in one or more of the following disciplines: (1) history; (2)
archaeology; and (3) architectural history. The mediation task force is not subject to the
conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision 24, and section 138.664, subdivisions 8 and 111.

Sec. 34. Minnesota Statutes 2020, section 138.666, is amended to read:

138.666 COOPERATION.

The state, state departments and agencies, political subdivisions, and the Board of Regents of the University of Minnesota shall cooperate with the Minnesota Historical Society and the State Historic Preservation Office in safeguarding state historic sites and in the preservation of historic and archaeological properties.

Sec. 35. Minnesota Statutes 2020, section 138.667, is amended to read:

138.667 HISTORIC PROPERTIES; CHANGES.

Properties designated as historic properties by sections 138.661 to 138.664 may be changed from time to time, and the Minnesota Historical Society and the State Historic Preservation Office shall notify the legislature of the need for changes, and shall make recommendations to keep the state historic sites network and the state register of historic places current and complete. The significance of properties proposed for designation under section 138.663, subdivision 2, shall be documented under the documentation standards established by the Minnesota Historical Society. This State Historic Preservation Office. Documentation shall include the opinion of the Minnesota Historical Society for the historic sites network under section 138.661, subdivision 3, and the State Historic Preservation Office for the state register of historic places under section 138.663, subdivision 2, as to whether the property meets the selection criteria.

Sec. 36. Minnesota Statutes 2020, section 138.763, subdivision 1, is amended to read:

Subdivision 1. Membership. There is a St. Anthony Falls Heritage Board consisting of 22 members with the director of the Minnesota Historical Society as chair. The members include the mayor; the chair of the Hennepin County Board of Commissioners or the chair’s designee; the president of the Minneapolis Park and Recreation Board or the president's designee; the superintendent of the park board; two members each from the house of representatives appointed by the speaker, the senate appointed by the Rules Committee, the city council, the Hennepin County Board, and the park board; one member each from the preservation commission, the State Historic Preservation Office, Hennepin County Historical Society, and the society; one person appointed by the park board; and two persons appointed by the chair of the board.
Sec. 37. Minnesota Statutes 2020, section 211B.20, subdivision 1, is amended to read:

Subdivision 1. Prohibition. (a) It is unlawful for a person, either directly or indirectly, to deny access to an apartment house, dormitory, nursing home, manufactured home park, other multiple unit facility used as a residence, or an area in which two or more single-family dwellings are located on private roadways to a candidate who has:

(1) has organized a campaign committee under applicable federal or state law;
(2) has filed a financial report as required by section 211A.02; or
(3) has filed an affidavit of candidacy for elected office; or
(4) is a United States Census Bureau employee.

A candidate granted access under this section must be allowed to be accompanied by campaign volunteers.

(b) For candidates, access to a facility or area is only required if it is located within the district or territory that will be represented by the office to which the candidate seeks election, and the candidate and any accompanying campaign volunteers seek access exclusively for the purpose of campaigning for a candidate or registering voters. The candidate must be seeking election to office at the next general or special election to be held for that office.

(c) A candidate and any accompanying campaign volunteers granted access under this section must be permitted to leave campaign materials for residents at their doors, except that the manager of a nursing home may direct that the campaign materials be left at a central location within the facility. The campaign materials must be left in an orderly manner.

(d) If a facility or area contains multiple buildings, a candidate and accompanying volunteers must be permitted to access more than one building on a single visit, but access is limited to only one building at a time. If multiple candidates are traveling together, each candidate and that candidate's accompanying volunteers is limited to one building at a time, but all of the candidates and accompanying volunteers traveling together must not be restricted to accessing the same building at the same time.

(e) For a United States Census Bureau employee, access to a facility or area is only required if it is part of their official work duties on a decennial census of population. United States Census Bureau employees working on other surveys and censuses are not granted access under this section.

(f) A United States Census Bureau employee must be permitted to leave census materials for residents at their doors. The census materials must be left in an orderly manner.
40.1 (g) If a facility or area contains multiple buildings, a United States Census Bureau employee must be permitted to access more than one building on a single visit. If multiple employees are traveling together, they must not be restricted to accessing the same building at the same time.

40.5 (h) A violation of this section is a petty misdemeanor.

Sec. 38. Minnesota Statutes 2020, section 270B.13, is amended by adding a subdivision to read:

Subd. 3. Background check; access to federal tax information. An individual performing services for an independent contractor or a vendor under subdivision 1 who has or will have access to federal tax information is subject to the requirements of section 299C.76.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 39. Minnesota Statutes 2020, section 270C.21, is amended to read:

270C.21 TAXPAYER ASSISTANCE GRANTS.

Subdivision 1. Taxpayer assistance. When the commissioner awards grants to nonprofit eligible organizations to coordinate, facilitate, encourage, and aid in the provision of taxpayer assistance services, the commissioner must provide public notice of the grants in a timely manner so that the grant process is completed and grants are awarded by October 1, in order for recipient eligible organizations to adequately plan expenditures for the filing season. At the time the commissioner provides public notice, the commissioner must also notify nonprofit eligible organizations that received grants in the previous biennium.

Subd. 2. Eligible organization. "Eligible organization" means an organization that meets the definition of eligible organization provided in section 7526A(e)(2)(B) of the Internal Revenue Code.

EFFECTIVE DATE. This section is effective for grants awarded after June 30, 2021.

Sec. 40. [299C.76] BACKGROUND CHECK; ACCESS TO FEDERAL TAX INFORMATION.

Subdivision 1. Definitions. (a) For the purposes of this section, the following definitions apply.

(b) "Federal tax information" means federal tax returns and return information or information derived or created from federal tax returns, in possession of or control by the
requesting agency, that is covered by the safeguarding provisions of section 6103(p)(4) of the Internal Revenue Code.

(c) "IRS Publication 1075" means Internal Revenue Service Publication 1075 that provides guidance and requirements for the protection and confidentiality of federal tax information as required in section 6103(p)(4) of the Internal Revenue Code.

(d) "National criminal history record information" means the Federal Bureau of Investigation identification records as defined in Code of Federal Regulations, title 28, section 20.3(d).

(e) "Requesting agency" means the Department of Revenue, Department of Employment and Economic Development, Department of Human Services, board of directors of MNsure, the Office of MN.IT Services, and counties.

Subd. 2. National criminal history record information check. As required by IRS Publication 1075, a requesting agency shall require fingerprints for a national criminal history record information check from the following individuals who have or will have access to federal tax information:

(1) a current or prospective permanent or temporary employee of the requesting agency;

(2) an independent contractor or vendor of the requesting agency;

(3) an employee or agent of an independent contractor or vendor of the requesting agency;

or

(4) any other individual authorized to access federal tax information by the requesting agency.

Subd. 3. Fingerprint submission and written statement of understanding. An individual subject to this section must provide fingerprints and a written statement of understanding that the fingerprints will be used for a background check to the requesting agency. The requesting agency must submit the fingerprints and written statement of understanding, along with the processing fees, to the superintendent of the Bureau of Criminal Apprehension. The fingerprints must only be used for the purposes described in this section.

Subd. 4. Bureau of Criminal Apprehension requirements. (a) After the superintendent of the Bureau of Criminal Apprehension notifies requesting agencies that the United States Attorney General has approved the request for submission under Public Law 92-544, a requesting agency may submit information under subdivision 3.
(b) Upon receipt of the information under subdivision 3, the superintendent of the Bureau of Criminal Apprehension must:

(1) perform a state criminal history record information search;

(2) exchange the fingerprints to the Federal Bureau of Investigation to facilitate a search of the national criminal history record information;

(3) compile the results of the state and national criminal history record information searches; and

(4) provide the results to the requesting agency.

Subd. 5. Classification of data. (a) All data collected, created, received, maintained, or disseminated by the requesting agency under this section is classified as private data on individuals as defined in section 13.02, subdivision 12.

(b) Notwithstanding any law to the contrary, a requesting agency must not further disseminate the results received under subdivision 4.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 41. Minnesota Statutes 2020, section 349.151, subdivision 2, is amended to read:

(a) The board consists of seven members, as follows: (1) five members appointed by the governor; (2) one member appointed by the commissioner of public safety; and (3) one member appointed by the attorney general.

(b) All appointments under this subdivision are with the advice and consent of the senate.

(c) After expiration of the initial terms, Appointments are for four years. A member may continue holding office until a successor is appointed unless, prior to the expiration of the member's term, the appointing authority notifies the board that a member's appointment may not be extended.

(d) The board shall select one of its members to serve as chair. No more than three members appointed by the governor under this subdivision may belong to the same political party.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 42. Minnesota Statutes 2020, section 473.24, is amended to read:

473.24 POPULATION ESTIMATES.

(a) The Metropolitan Council shall annually prepare an estimate of population for each county, city, and town in the metropolitan area and an estimate of the number of households and average household size for each city in the metropolitan area with a population of 2,500 or more, and an estimate of population over age 65 for each county in the metropolitan area, and convey the estimates to the governing body of each county, city, or town by June 1 each year or, in a year following a decennial census, within six weeks of the date the data are provided by the United States Census Bureau in that year. In the case of a city or town that is located partly within and partly without the metropolitan area, the Metropolitan Council shall estimate the proportion of the total population and the average size of households that reside within the area. The Metropolitan Council may prepare an estimate of the population and of the average household size for any other political subdivision located in the metropolitan area.

(b) A governing body may challenge an estimate made under this section by filing its specific objections in writing with the Metropolitan Council by June 24. If the challenge does not result in an acceptable estimate, the governing body may have a special census conducted by the United States Bureau of the Census. The political subdivision must notify the Metropolitan Council on or before July 1 of its intent to have the special census conducted. The political subdivision must bear all costs of the special census. Results of the special census must be received by the Metropolitan Council by the next April 15 to be used in that year's June 1 estimate under this section. In the year following a decennial census, challenges to the census count must be submitted to the United States Census Bureau through its formal challenge process. The Metropolitan Council shall certify the estimates of population and the average household size to the state demographer and to the commissioner of revenue by July 15 each year, including any estimates still under objection except that in a year following a decennial census, the estimate must be certified within six weeks of the date the data are provided by the United States Census Bureau in that year.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 43. PURPOSE; BACKGROUND CHECKS TO ACCESS FEDERAL TAX INFORMATION.

It is the intent of the legislature to ensure compliance with section 6103 of the Internal Revenue Code and IRS Publication 1075.
EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 44. RACIAL EQUITY IMPACT ASSESSMENT WORKING GROUP.

Subdivision 1. Working group established; membership. (a) A Racial Equity Impact Assessment Working Group is established. The working group consists of the following members:

1. the commissioner of human rights or the commissioner's designee;
2. a representative of the Center for Economic Inclusion;
3. a representative of Voices for Racial Justice;
4. three members of the public, appointed by the commissioner of human rights;
5. two business community representatives designated by the Minnesota Business Partnership;
6. four members affiliated with community-based organizations that represent people of color and indigenous communities, appointed by the speaker of the house; and
7. four members affiliated with community-based organizations that represent people of color and indigenous communities, appointed by the majority leader of the senate.

(b) In making appointments, the speaker of the house and the majority leader of the senate must consult with the members of the People of Color and Indigenous Caucus within each respective body.

(c) The commissioner of management and budget, the state demographer, the state economist, and the director of the Legislative Budget Office serve as ex-officio, nonvoting members of the working group.

Subd. 2. Duties. (a) The working group must develop recommendations for the preparation of a racial equity impact note for proposed legislation. In conducting its work, the group must engage members of racial and ethnic groups disproportionately impacted by disparities. The working group must consider racial equity analysis procedures for legislation proposed in other states, and identify sources of disaggregated data that could be used in the development and completion of a racial equity impact note in Minnesota.

(b) The working group must submit a report describing its recommendations by February 1, 2022, to the chairs and ranking minority members of the house of representatives Ways and Means and State Government Finance and Elections committees, and the senate Finance...
and State Government Finance and Policy and Elections committees. The report may include
draft legislation to codify the working group's recommendations.

(c) At its discretion, the working group may continue to study and make additional
reports following the submission of its initial report under paragraph (b).

(d) For purposes of this section, "disparities" includes but is not limited to the difference
in economic, employment, health, education, housing, or public safety outcomes between
the state population as a whole and racial and ethnic subgroups of the population.

Subd. 3. Administration; assistance of experts. (a) The executive director of the
Legislative Budget Office shall convene the first meeting of the working group no later than
September 1, 2021, and serves as the working group's executive secretary. Upon request of
the working group members, the executive director of the Legislative Budget Office must
arrange meeting space and provide administrative support for the group.

(b) In conducting its work, the working group may request the assistance of private
sector experts specializing in issues related to the economic impacts of racial inequity.

Subd. 4. Chair. The members of the working group must elect a chair or cochairs at the
initial meeting.

Subd. 5. Compensation. Members of the working group serve without compensation.

Subd. 6. Gifts and grants. The working group may accept gifts and grants, which are
accepted on behalf of the state and constitute donations to the state. Funds received under
this subdivision are appropriated to the Legislative Budget Office for purposes of the working
group.

Subd. 7. Deadline for appointments and designations. The appointments and
designations authorized by this section must be completed by August 1, 2021.


Sec. 45. SENSORY ACCESSIBILITY ACCOMMODATIONS GRANTS.

(a) The Minnesota Council on Disability shall award grants to state organizations,
counties, cities, and private holders of public access space to fund building modifications
to provide sensory accessibility or accommodations to increase accessible community
involvement and access for individuals who have autism spectrum disorder or a related
disability or other nonvisible health issue with sensory impacts. Grantees may use grants
to modify public space to:

(1) create sensory-friendly spaces;
46.1 (2) modify public use space to meet sensory-friendly design standards;
46.2 (3) equip a facility with mobile tool kits to support sensory needs; or
46.3 (4) provide quiet zones or times of service.
46.4 Grantees must also complete disability training to provide staff with the skills necessary to
46.5 successfully incorporate building modifications that support individuals within the sensory
46.6 modifications made.
46.7 (b) The council may use up to ten percent of this appropriation for grants administration.
46.8 (c) By February 15, 2024, the council shall report to the legislative committees having
46.9 jurisdiction over health and public safety policy on how this appropriation was spent and
46.10 what results were achieved.

Sec. 46. CHECK OR DEBIT CARD FOR CERTAIN GAMBLING PURCHASES.
46.11 Notwithstanding Minnesota Statutes, section 349.2127, subdivision 7, during a telephone
46.12 communication initiated by persons seeking to purchase a raffle ticket, an organization may
46.13 accept a check or debit card for raffle purchases, provided a debit card is checked against
46.14 a nationally recognized database of bank identification numbers that confirms the card is a
46.15 debit card.
46.16 EFFECTIVE DATE. This section is effective the day following final enactment and
46.17 expires July 1, 2022.

Sec. 47. REVISOR INSTRUCTION.
46.18 The revisor of statutes shall change "central motor pool" to "enterprise fleet" wherever
46.19 the term appears in Minnesota Statutes.

Sec. 48. REPEALER.
46.20 Subdivision 1. Legislative auditor. Minnesota Statutes 2020, sections 3.972, subdivisions
46.21 2c and 2d; 3.9741, subdivision 5; and 299D.03, subdivision 2a, are repealed.
46.22 Subd. 2. Employee gainsharing. Minnesota Statutes 2020, section 16A.90, is repealed.
46.23 Subd. 3. Interagency agreements and transfers. Minnesota Statutes 2020, section
46.24 15.0395, is repealed.
46.25 Subd. 4. Department of Administration. Minnesota Statutes 2020, sections 4A.11;
46.26 179.90; and 179.91, are repealed.
ARTICLE 3
ELECTIONS ADMINISTRATION

Section 1. Minnesota Statutes 2020, section 5.30, subdivision 2, is amended to read:

Subd. 2. Appropriation. Notwithstanding section 4.07, Money in the Help America Vote Act account may be spent only pursuant to direct appropriations enacted from time to time by law. Money in the account must be spent to improve the administration of elections in accordance with the Help America Vote Act, the state plan certified by the governor under the act, and for reporting and administrative requirements under the act and plan. To the extent required by federal law, money in the account must be used in a manner that is consistent with the maintenance of effort requirements of section 254(a)(7) of the Help America Vote Act, Public Law 107-252, based on the level of state expenditures for the fiscal year ending June 30, 2000.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to any balances of money in the Help America Vote Act account existing on or after that date.

Sec. 2. Minnesota Statutes 2020, section 5B.06, is amended to read:

5B.06 VOTING BY PROGRAM PARTICIPANT; ABSENTEE BALLOT.

A program participant who is otherwise eligible to vote may register with the secretary of state as a permanent absentee voter. Notwithstanding section 203B.04, subdivision 5, the secretary of state is not required to send an absentee ballot application prior to each election to a program participant registered as a permanent absentee voter under this section. As soon as practicable before each election, the secretary of state shall determine the precinct in which the residential address of the program participant is located. Upon making a precinct determination, the secretary of state shall either (1) request from and receive from the county auditor or other election official the ballot for that precinct and shall forward mail the absentee ballot to the program participant, or (2) using the Minnesota statewide voter registration system, prepare the program participant's ballot for that precinct and mail the absentee ballot to the program participant. The secretary of state shall include with each mailed absentee ballot all corresponding materials for absentee balloting as required by Minnesota law. The program participant shall complete the ballot and return it to the secretary of state, who shall review the ballot in the manner provided by section 203B.121, subdivision 2. If the ballot and ballot materials comply with the requirements of that section, the ballot must be certified by the secretary of state as the ballot of a program participant, and must be forwarded to the appropriate electoral jurisdiction for tabulation.
along with all other ballots. The name and address of a program participant must not be
listed in the statewide voter registration system.

Sec. 3. Minnesota Statutes 2020, section 8.31, subdivision 1, is amended to read:

Subdivision 1. Investigate offenses against provisions of certain designated sections;
assist in enforcement. The attorney general shall investigate violations of and assist in the
enforcement of the following laws as in this section provided:

(1) the law of this state respecting unfair, discriminatory, and other unlawful practices
in business, commerce, or trade, and specifically, but not exclusively, the Nonprofit
Corporation Act (sections 317A.001 to 317A.909), the Act Against Unfair Discrimination
and Competition (sections 325D.01 to 325D.07), the Unlawful Trade Practices Act (sections
325D.09 to 325D.16), the Antitrust Act (sections 325D.49 to 325D.66), section 325F.67
and other laws against false or fraudulent advertising, the antidiscrimination acts contained
in section 325D.67, the act against monopolization of food products (section 325D.68), the
act regulating telephone advertising services (section 325E.39), the Prevention of Consumer
Fraud Act (sections 325F.68 to 325F.70), and chapter 53A regulating currency exchanges
and assist in the enforcement of those laws as in this section provided.; and

(2) section 211B.075 regulating voter intimidation, interference, and deceptive practices
in elections.

Sec. 4. Minnesota Statutes 2020, section 13.607, is amended by adding a subdivision to
read:

Subd. 9. Data derived from driver's license or Minnesota identification card
applications. Data on an application for a driver's license or a Minnesota identification card
transferred to the secretary of state that are provided by a person whom the secretary of
state determines is not eligible to vote are governed by section 201.161.

Sec. 5. Minnesota Statutes 2020, section 135A.17, subdivision 2, is amended to read:

Subd. 2. Residential housing list. All postsecondary institutions that enroll students
accepting state or federal financial aid may prepare a current list of students enrolled in the
institution and residing in the institution's housing or within ten miles of the institution's
campus. All postsecondary institutions that enroll students accepting state financial aid must
prepare a current list of students enrolled in the institution and residing in the institution's
housing or within ten miles of the institution's campus. The list shall include each student's
current address, unless the student is enrolled in the Safe at Home address confidentiality
program as provided in chapter 5B. The list shall be certified and sent to the appropriate county auditor or auditors for use in election day registration as provided under section 201.061, subdivision 3. A residential housing list provided under this subdivision may not be used or disseminated by a county auditor or the secretary of state for any other purpose.

Sec. 6. Minnesota Statutes 2020, section 201.014, is amended by adding a subdivision to read:

Subd. 2a. Felony conviction; restoration of civil right to vote. An individual convicted of a felony has the civil right to vote restored when the individual is no longer incarcerated for the felony conviction, or upon sentencing if no incarceration is imposed. If the individual is later incarcerated for the same offense, the individual's civil right to vote is lost only during the period of incarceration.

Sec. 7. Minnesota Statutes 2020, section 201.071, subdivision 1, is amended to read:

Subdivision 1. Form. Both paper and electronic voter registration applications must contain the same information unless otherwise provided by law. A voter registration application must contain spaces for the following required information: voter's first name, middle name, and last name; voter's previous name, if any; voter's current address; voter's previous address, if any; voter's date of birth; voter's municipality and county of residence; voter's telephone number, if provided by the voter; date of registration; current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification, the last four digits of the voter's Social Security number; and voter's signature. The paper registration application may include the voter's e-mail address, if provided by the voter. The electronic voter registration application must include the voter's e-mail address. The registration application may include the voter's interest in serving as an election judge, if indicated by the voter. The application must also contain the following certification of voter eligibility:

"I certify that I:

(1) will be at least 18 years old on election day;

(2) am a citizen of the United States;

(3) will have resided maintained residence in Minnesota for 20 days immediately preceding election day;

(4) maintain residence at the address given on the registration form;
(5) am not under court-ordered guardianship in which the court order revokes my right to vote;

(6) have not been found by a court to be legally incompetent to vote;

(7) have the right to vote because, if I have been convicted of a felony, my felony sentence has expired (been completed) or I have been discharged from my sentence am not currently incarcerated for a conviction of a felony offense; and

(8) have read and understand the following statement: that giving false information is a felony punishable by not more than five years imprisonment or a fine of not more than $10,000, or both."

The certification must include boxes for the voter to respond to the following questions:

"(1) Are you a citizen of the United States?" and

"(2) Will you be 18 years old on or before election day?"

And the instruction:

"If you checked 'no' to either of these questions, do not complete this form."

The form of the voter registration application and the certification of voter eligibility must be as provided in this subdivision and approved by the secretary of state. Voter registration forms authorized by the National Voter Registration Act must also be accepted as valid. The federal postcard application form must also be accepted as valid if it is not deficient and the voter is eligible to register in Minnesota.

An individual may use a voter registration application to apply to register to vote in Minnesota or to change information on an existing registration.

Sec. 8. Minnesota Statutes 2020, section 201.071, subdivision 2, is amended to read:

Subd. 2. Instructions. (a) A registration application shall be accompanied by instructions specifying the manner and method of registration, the qualifications for voting, the penalties for false registration, and the availability of registration and voting assistance for elderly and disabled individuals and residents of health care facilities and hospitals.

(b) The instructions must indicate that if the voter does not have a valid Minnesota driver’s license or identification card number, or the last four digits of the voter’s Social Security number must be provided, unless the voter does not have a Social Security number, unless the voter has not been issued one of those numbers.
51.1 (c) If, prior to election day, a person requests the instructions in Braille, audio format, 
or in a version printed in 16-point bold type with 24-point leading, the county auditor shall 
provide them in the form requested. The secretary of state shall prepare Braille and audio 
copies and make them available.

51.5 Sec. 9. Minnesota Statutes 2020, section 201.071, subdivision 3, is amended to read:

51.6 Subd. 3. Deficient registration. No (a) A voter registration application is not deficient 
if it contains the voter’s:

51.8 (1) name, address, and date of birth;

51.9 (2) current and valid Minnesota driver's license number or, Minnesota state identification 
number, or if the voter has no current and valid Minnesota driver's license or Minnesota 
state identification number, the last four digits of the voter's Social Security number, if the 
voter has been issued a Social Security number;

51.11 (3) prior registration, if any; and

51.13 (4) signature.

51.15 (b) A voter registration application is not deficient due to any of the following:

51.16 (1) the absence of a zip code number does not cause the registration to be deficient;

51.17 (2) failure to check a box on an application form that a voter has certified to be true does 
not cause the registration to be deficient; or

51.19 (3) the absence of a number listed under paragraph (a), clause (2), if the voter has not 
been issued one of those numbers and the information can be verified in another government 
database associated with the applicant's name and date of birth, or the application was 
accepted before January 1, 2004.

51.23 The election judges shall request an individual to correct a voter registration application 
if it is deficient or illegible. No eligible voter may be prevented from voting unless the 
voter's registration application is deficient or the voter is duly and successfully challenged 
in accordance with section 201.195 or 204C.12.

51.27 (c) A voter registration application:

51.28 (1) accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county 
or municipality may attempt to obtain the date of birth for a voter registration application 
accepted prior to August 1, 1983, by a request to the voter at any time except at the polling
place. Failure by the voter to comply with this request does not make the registration deficient; and

A voter registration application accepted before January 1, 2004, is not deficient for lack of a valid Minnesota driver's license or state identification number or the last four digits of a Social Security number.

A voter registration application submitted by a voter who does not have a Minnesota driver's license or state identification number, or a Social Security number, is not deficient for lack of any of these numbers:

A voter registration application (2) submitted electronically through the website of the secretary of state prior to April 30, 2014, is not invalid as a result of its electronic submission.

(d) An election judge must request an individual to correct a voter registration application if it is deficient or illegible. An eligible voter must not be prevented from voting unless the voter's registration application is deficient or the voter's eligibility to vote is successfully challenged under section 201.195 or 204C.12.

Sec. 10. Minnesota Statutes 2020, section 201.071, subdivision 8, is amended to read:

Subd. 8. School district assistance. School districts shall assist county auditors in determining the school district in which a voter resides maintains residence.

Sec. 11. Minnesota Statutes 2020, section 201.091, subdivision 2, is amended to read:

Subd. 2. Corrected list. By February 15 of each year, the secretary of state shall prepare the master list for each county auditor. The records in the statewide registration system must be periodically corrected and updated by the county auditor. An updated master list for each precinct must be available for absentee voting at least 46 days before each election. A final corrected master list must be available seven 14 days before each election.

Sec. 12. Minnesota Statutes 2020, section 201.12, subdivision 2, is amended to read:

Subd. 2. Moved within state. If any nonforwardable mailing from an election official is returned as undeliverable but with a permanent forwarding address in this state, the county auditor may change the voter's status to "inactive" in the statewide registration system and shall transmit a copy of the mailing to the auditor of the county in which the new address is located. If an election is scheduled to occur in the precinct in which the voter resides maintains residence in the next 47 days, the county auditor shall promptly update the voter's address in the statewide voter registration system. If there is not an election scheduled, the
The auditor may wait to update the voter's address until after the next list of address changes is received from the secretary of state. Once updated, the county auditor shall mail to the voter a notice stating the voter's name, address, precinct, and polling place, except that if the voter's record is challenged due to a felony conviction, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, the auditor must not mail the notice. The notice must advise the voter that the voter's voting address has been changed and that the voter must notify the county auditor within 21 days if the new address is not the voter's address of residence. The notice must state that it must be returned if it is not deliverable to the voter at the named address.

Sec. 13. Minnesota Statutes 2020, section 201.121, subdivision 3, is amended to read:

Subd. 3. Postelection sampling. (a) Within ten days after an election, the county auditor shall send the notice required by subdivision 2 to a random sampling of the individuals registered on election day. The random sampling shall be determined in accordance with the rules of the secretary of state. As soon as practicable after the election, the county auditor shall mail the notice required by subdivision 2 to all other individuals registered on election day. If a notice is returned as not deliverable, the county auditor shall attempt to determine the reason for the return. A county auditor who does not receive or obtain satisfactory proof of an individual's eligibility to vote shall immediately notify the county attorney of all of the relevant information. By February 15 of each odd-numbered year, the county auditor must notify the secretary of state of the following information for the previous state general election by each precinct:

(1) the total number of all notices that were returned as nondeliverable;
(2) the total number of nondeliverable notices that the county auditor was able to determine the reason for the return along with the reason for each return; and
(3) the total number of individuals for whom the county auditor does not receive or obtain satisfactory proof of an individual's eligibility to vote.

(b) By March 1 of every odd-numbered year, the secretary of state shall report to the chair and ranking minority members of the legislative committees with jurisdiction over elections the following information for the previous state general election by each precinct and each county:

(1) the total number of all notices that were returned as nondeliverable;
(2) the total number of nondeliverable notices that a county auditor was able to determine the reason for the return along with the reason for each return; and
(3) the total number of individuals for whom the county auditor does not receive or obtain satisfactory proof of an individual's eligibility to vote.

Sec. 14. Minnesota Statutes 2020, section 201.13, subdivision 3, is amended to read:

Subd. 3. Use of change of address system. (a) At least once each month the secretary of state shall obtain a list of individuals registered to vote in this state who have filed with the United States Postal Service a change of their permanent address. The secretary of state may also periodically obtain a list of individuals with driver's licenses or state identification cards to identify those who are registered to vote who have applied to the Department of Public Safety for a replacement driver's license or state identification card with a different address, and a list of individuals for whom the Department of Public Safety received notification of a driver's license or state identification card cancellation due to a change of residency out of state. However, the secretary of state shall not load data derived from these lists into the statewide voter registration system within the 47 days before the state primary or 47 days before a November general election.

(b) If the address is changed to another address in this state, the secretary of state shall locate the precinct in which the voter resides, if possible. If the secretary of state is able to locate the precinct in which the voter resides, the secretary must transmit the information about the changed address by electronic means to the county auditor of the county in which the new address is located. For addresses for which the secretary of state is unable to determine the precinct, the secretary may forward information to the appropriate county auditors for individual review. If the voter has not voted or submitted a voter registration application since the address change, upon receipt of the information, the county auditor shall update the voter's address in the statewide voter registration system. The county auditor shall mail to the voter a notice stating the voter's name, address, precinct, and polling place, unless the voter's record is challenged due to a felony conviction, noncitizenship, name change, incompetence, or a court's revocation of voting rights of individuals under guardianship, in which case the auditor must not mail the notice. The notice must advise the voter that the voter's voting address has been changed and that the voter must notify the county auditor within 21 days if the new address is not the voter's address of residence. The notice must state that it must be returned if it is not deliverable to the voter at the named address.

(c) If the change of permanent address is to an address outside this state, the secretary of state shall notify by electronic means the auditor of the county where the voter formerly resided, that the voter has moved to another state. If the voter has not
voted or submitted a voter registration application since the address change, the county
auditor shall promptly mail to the voter at the voter’s new address a notice advising the voter
that the voter's status in the statewide voter registration system will be changed to "inactive"
unless the voter notifies the county auditor within 21 days that the voter is retaining the
former address as the voter's address of residence, except that if the voter's record is
challenged due to a felony conviction, noncitizenship, name change, incompetence, or a
court's revocation of voting rights of individuals under guardianship, the auditor must not
mail the notice. If the notice is not received by the deadline, the county auditor shall change
the voter's status to "inactive" in the statewide voter registration system.

(d) If, in order to maintain voter registration records, the secretary of state enters an
agreement to share information or data with an organization governed exclusively by a
group of states, the secretary must first determine that the data security protocols are sufficient
to safeguard the information or data shared. If required by such an agreement, the secretary
of state may share the following data from the statewide voter registration system and data
released to the secretary of state under section 171.12, subdivision 7a:

(1) name;
(2) date of birth;
(3) address;
(4) driver's license or state identification card number;
(5) the last four digits of an individual's Social Security number; and
(6) the date that an individual's record was last updated.

If the secretary of state enters into such an agreement, the secretary and county auditors
must process changes to voter records based upon that data in accordance with this section.
Except as otherwise provided in this subdivision, when data is shared with the secretary of
state by another state, the secretary of state must maintain the same data classification that
the data had while it was in the possession of the state providing the data.

Sec. 15. Minnesota Statutes 2020, section 201.161, is amended to read:

**201.161 DRIVER'S LICENSE AND IDENTIFICATION CARD APPLICATIONS**
**AUTOMATIC VOTER REGISTRATION.**

Subdivision 1. **Automatic registration.** Except as otherwise provided in this section,
an individual must be registered to vote if the individual is eligible to vote under section
201.014 and properly completes and submits one of the following applications, if the
application otherwise requires documentation of citizenship:

(1) an application for a new or renewed Minnesota driver's license or identification card;

or

(2) an application for benefits or services to a state agency participating under subdivision
4.

Subd. 2. Option to decline registration. After an individual submits an application
qualifying for registration under this section, a county auditor must provide, by mail, a
notice of the option and the procedures necessary to decline to be registered to vote pursuant
to subdivision 6 and section 201.12, subdivision 1. An individual must not be registered to
vote if the individual declines to be registered within 20 days of submitting the application.
The individual must continue to be offered an opportunity to be registered upon completion
or submission of a qualifying application unless the individual presents documentation
demonstrating a lack of citizenship or a failure to meet other eligibility criteria.

Subd. 3. Department of Public Safety. (a) The Department commissioner of public
safety shall, in consultation with the secretary of state, must change is the applications for
an original, duplicate, or change of address driver's license or identification card so that the
forms may also serve as voter registration applications if the application otherwise includes
verification of the applicant's citizenship. The forms must contain spaces for all information
collected by voter registration applications required to register to vote, as prescribed by the
secretary of state. Applicants for driver's licenses or identification cards must be asked if
they want to register to vote at the same time and that Unless the applicant has provided an
address other than the applicant's address of residence under section 171.12, subdivision 7,
paragraph (d), the commissioner must transmit the information must be transmitted at least
weekly daily by electronic means to the secretary of state. Pursuant to the Help America
Vote Act of 2002, Public Law 107-252, the computerized driver's license record containing
the voter's name, address, date of birth, citizenship, driver's license number or state
identification number, signature image, county, town, and city or town must be made
available for access by the secretary of state and interaction with the statewide voter
registration system. At least monthly, the commissioner must submit data to the secretary
of state identifying the total number of people applying for services in a manner that qualifies
for voter registration under this section and the total number of individuals whose records
were actually transferred for registration.
(b) Information on an applicant for a form of an original, duplicate, or change of address driver's license or identification card that does not include verification of citizenship must not be transmitted to the secretary of state. The commissioner must provide these applicants with information on the voting eligibility and the requirements for registering to vote at the time of the transaction.

(c) An applicant must not be registered to vote under this subdivision until the commissioner of public safety has certified that the department's systems have been tested and can accurately provide the required data, and the secretary of state has certified that the system for automatic registration of those applicants has been tested and is capable of properly determining whether an applicant is eligible to vote. The department's systems must be tested and accurately provide the necessary date no later than June 1, 2022.

(d) For purposes of this section, "driver's license" includes any instruction permit, provisional license, limited license, restricted license, or operator's permit issuable by the commissioner of public safety under chapter 171.

Subd. 4. Other agencies and units of government. (a) The commissioner of any state agency, and the administrative head of any local government or the government of a federally recognized Indian tribe within the state, in consultation with the secretary of state, may cause any form or application within its jurisdiction to serve as a voter registration application, if the form or application already provides verification of an applicant's United States citizenship. The form or application must contain spaces for all information required to register to vote as prescribed by the secretary of state. The commissioner or administrative head must transmit the information daily by electronic means to the secretary of state on any individual whose United States citizenship has been verified. At least monthly, the commissioner must submit data to the secretary of state identifying the total number of people applying for services in a manner that qualifies for voter registration under this section, and the total number of individuals whose records were actually transferred for registration.

(b) The commissioner or administrative head, in consultation with the secretary of state, may cause any form or application within its jurisdiction to serve as an update to the address on an applicant's existing voter registration record. The commissioner or administrative head must transmit the information daily by electronic means to the secretary of state. At least monthly, the commissioner or administrative head must submit data to the secretary of state identifying the total number of people applying for services in a manner that qualifies for a voter registration address update under this paragraph, and the total number of individuals whose records were actually transferred for updates.
(c) An applicant must not be registered to vote under this subdivision until the agency's commissioner, or the administrative head of the local or tribal government, has certified that the necessary systems have been tested and can accurately provide the required data, and the secretary of state has certified that the system for automatic registration of those applicants has been tested and is capable of properly determining whether an applicant is eligible to vote.

Subd. 5. Registration. (a) The secretary of state must determine whether an applicant whose information is submitted under this section is currently registered in the statewide voter registration system. For each currently registered voter whose registration is not changed, the secretary of state must update the voter's registration date in the statewide voter registration system. For each currently registered voter whose registration is changed, the secretary of state must transmit the registration daily by electronic means to the county auditor of the county where the voter resides.

(b) If the applicant is not currently registered in the statewide voter registration system, the secretary of state must determine whether the applicant is 18 years of age or older and a citizen of the United States. The secretary of state must also compare the voter registration information received under section 201.145 to determine whether the applicant is eligible to vote. If an applicant is less than 18 years of age, the secretary of state must wait until the applicant has turned 18 years of age to determine whether the applicant is eligible to vote. For each applicant the secretary of state determines is an eligible voter, the secretary of state must transmit the registration daily by electronic means to the county auditor of the county where the voter resides.

(c) Any data on applicants who the secretary determines are not eligible to vote are private data on individuals, as defined in section 13.02, subdivision 12.

(d) The county auditor must inactivate the voter's record in the statewide voter registration system upon receipt of a written request, signed by the voter, that the registration be inactivated.

Subd. 6. Notice. Upon receipt of the registration information, the county auditor must provide to the voter the notice of registration required by section 201.121, subdivision 2. A notice mailed under this subdivision must include information on declining the registration within the period authorized by subdivision 2, if the voter does not wish to be registered to vote. The secretary of state may adopt rules prescribing the notice required by this subdivision and subdivision 2.
Subd. 7. Prosecution of registration violations; voluntary action required. Unless an individual knows of the individual's ineligibility to vote and intentionally takes voluntary action to become registered, the transfer of the individual's record under this section does not constitute completion or submission of a voter registration application by that individual. If an application is processed and the individual is registered by the state under this section, the application and registration is presumed to have been officially authorized by the state and the individual is not subject to penalty under this section or other applicable law if the individual is subsequently determined to be ineligible.

Subd. 8. Effective date. A registration application completed pursuant to this section that is dated during the 20 days before an election is not effective until the day after the election. This subdivision does not limit the ability of a person to register to vote on election day as provided in section 201.061, subdivision 3. Any person who submits an application under this section that is dated during the 20 days before an election shall be provided at the time of application with a notice advising the applicant of the procedures to register to vote on election day.

Sec. 16. Minnesota Statutes 2020, section 201.1611, subdivision 1, is amended to read:

Subdivision 1. Forms. All postsecondary institutions that enroll students accepting state or federal financial aid shall provide voter registration forms to each student as early as possible in the fall quarter. All school districts shall make available voter registration applications each May and September to all students registered as students of the school district who will be eligible to vote at the next election after those months. A school district has no obligation to provide voter registration applications to students who participate in a postsecondary education option program or who otherwise reside in the district but do not attend a school operated by the district. A school district fulfills its obligation to a student under this section if it provides a voter registration application to the student one time. The forms must contain spaces for the information required in section 201.071, subdivision 1, and applicable rules of the secretary of state. The institutions and school districts may request these forms from the secretary of state. Institutions shall consult with their campus student government in determining the most effective means of distributing the forms and in seeking to facilitate election day registration of students under section 201.061, subdivision 3. School districts must advise students that completion of the voter registration application is not a school district requirement.
Sec. 17. Minnesota Statutes 2020, section 201.162, is amended to read:

**201.162 DUTIES OF STATE AGENCIES.**

The commissioner or chief administrative officer of each state agency or community-based public agency or nonprofit corporation that contracts with the state agency to carry out obligations of the state agency shall provide voter registration services for employees and the public including, as applicable, automatic voter registration or information on voter eligibility and registration procedures as required under section 201.161. A person may complete a voter registration application or apply to change a voter registration name or address if the person has the proper qualifications on the date of application. Nonpartisan voter registration assistance, including routinely asking members of the public served by the agency whether they would like to register to vote and, if necessary, assisting them in preparing the registration forms must be part of the job of appropriate agency employees.

Sec. 18. Minnesota Statutes 2020, section 201.225, subdivision 2, is amended to read:

Subd. 2. **Technology requirements.** An electronic roster must:

1. be able to be loaded with a data file that includes voter registration data in a file format prescribed by the secretary of state;
2. allow for data to be exported in a file format prescribed by the secretary of state;
3. allow for data to be entered manually or by scanning a Minnesota driver's license or identification card to locate a voter record or populate a voter registration application that would be printed and signed and dated by the voter. The printed registration application can be either a printed form, labels printed with voter information to be affixed to a preprinted form, or a combination of both;
4. allow an election judge to update data that was populated from a scanned driver's license or identification card;
5. cue an election judge to ask for and input data that is not populated from a scanned driver's license or identification card that is otherwise required to be collected from the voter or an election judge;
6. immediately alert the election judge if the voter has provided information that indicates that the voter is not eligible to vote;
7. immediately alert the election judge if the electronic roster indicates that a voter has already voted in that precinct, the voter's registration status is challenged, or it appears the voter resides in a different precinct;
(8) provide immediate instructions on how to resolve a particular type of challenge when a voter's record is challenged;

(9) provide for a printed voter signature certificate, containing the voter's name, address of residence, date of birth, voter identification number, the oath required by section 204C.10, and a space for the voter's original signature. The printed voter signature certificate can be either a printed form or a label printed with the voter's information to be affixed to the oath;

(10) contain only preregistered voters within the precinct, and not contain preregistered voter data on voters registered outside of the precinct;

(11) be only networked within the polling location on election day, except for the purpose of updating absentee ballot records;

(12) meet minimum security, reliability, and networking standards established by the Office of the Secretary of State in consultation with the Office of MN.IT Services;

(13) be capable of providing a voter's correct polling place; and

(14) perform any other functions necessary for the efficient and secure administration of the participating election, as determined by the secretary of state.

Electronic rosters used only for election day registration do not need to comply with clauses (1), (8), and (10). Electronic rosters used only for preregistered voter processing do not need to comply with clauses (4) and (5).

Sec. 19. [201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT VOTING RIGHTS.

The secretary of state shall develop accurate and complete information in a single publication about the voting rights of people who have been charged with or convicted of a crime. This publication must be made available electronically to the state court administrator for distribution to judges, court personnel, probation officers, and the commissioner of corrections for distribution to corrections officials, parole and supervised release agents, and the public.

Sec. 20. Minnesota Statutes 2020, section 202A.11, subdivision 2, is amended to read:

Subd. 2. Right to use. A major political party which has adopted a party name is entitled to the exclusive use of that name for the designation of its candidates on all ballots, and no candidate of any other political party is entitled to have printed on a ballot as a party
Sec. 21. Minnesota Statutes 2020, section 202A.16, subdivision 1, is amended to read:

Subdivision 1. **Eligible voters.** Only those individuals who are or will be eligible to vote at the time of the next state general election, may vote or be elected a delegate or officer at the precinct caucus. An eligible voter may vote or be elected a delegate or officer only in the precinct where the voter resides at the time of the caucus.

Sec. 22. Minnesota Statutes 2020, section 203B.01, subdivision 3, is amended to read:

Subd. 3. **Military.** "Military" means the Army, Navy, Air Force, Marine Corps, Coast Guard or Merchant Marine of the United States, all other uniformed services as defined in United States Code, title 52, section 20310, and military forces as defined by section 190.05, subdivision 3, or any eligible citizen of Minnesota enrolled as a student at the United States Naval Academy, the United States Coast Guard Academy, the United States Merchant Marine Academy, the United States Air Force Academy, or the United States Military Academy.

Sec. 23. Minnesota Statutes 2020, section 203B.01, is amended by adding a subdivision to read:

Subd. 5. **Utility worker.** "Utility worker" means an employee of a public utility as defined by section 216B.02, subdivision 4.

Sec. 24. Minnesota Statutes 2020, section 203B.02, is amended by adding a subdivision to read:

Subd. 4. **Emergency response providers.** Any trained or certified emergency response provider or utility worker who is deployed during the time period authorized by law for absentee voting, on election day, or during any state of emergency declared by the President of the United States or any governor of any state within the United States may vote by absentee ballot either as provided by sections 203B.04 to 203B.15 or sections 203B.16 to 203B.27.

Sec. 25. Minnesota Statutes 2020, section 203B.04, subdivision 1, is amended to read:

Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision 2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election
may be submitted at any time not less than one day before the day of that election. The county auditor shall prepare absentee ballot application forms in the format provided by the secretary of state and shall furnish them to any person on request. By January 1 of each even-numbered year, the secretary of state shall make the forms to be used available to auditors through electronic means. An application submitted pursuant to this subdivision shall be in writing. An application may be submitted in person, by electronic facsimile device, by electronic mail, or by mail to:

(1) the county auditor of the county where the applicant maintains residence; or

(2) the municipal clerk of the municipality, or school district if applicable, where the applicant maintains residence.

For a federal, state, or county election, an absentee ballot application may alternatively be submitted electronically through a secure website that shall be maintained by the secretary of state for this purpose. Notwithstanding paragraph (b), the secretary of state must require applicants using the website to submit the applicant's e-mail address and verifiable Minnesota driver's license number, Minnesota state identification card number, or the last four digits of the applicant's Social Security number.

An application submitted electronically under this paragraph may only be transmitted to the county auditor for processing if the secretary of state has verified the application information matches the information in a government database associated with the applicant's driver's license number, state identification card number, or Social Security number. The secretary of state must review all unverifiable applications for evidence of suspicious activity and must forward any such application to an appropriate law enforcement agency for investigation.

(b) An application shall be approved if it is timely received, signed and dated by the applicant, contains the applicant's name and residence and mailing addresses, date of birth, and at least one of the following:

(1) the applicant's Minnesota driver's license number;

(2) Minnesota state identification card number;

(3) the last four digits of the applicant's Social Security number; or

(4) a statement that the applicant does not have any of these numbers.

(c) To be approved, the application must contain an oath that the information contained on the form is accurate, that the applicant is applying on the applicant's own behalf, and that the applicant is signing the form under penalty of perjury.
(d) An applicant's full date of birth, Minnesota driver's license or state identification number, and the last four digits of the applicant's Social Security number must not be made available for public inspection. An application may be submitted to the county auditor or municipal clerk by an electronic facsimile device. An application mailed or returned in person to the county auditor or municipal clerk on behalf of a voter by a person other than the voter must be deposited in the mail or returned in person to the county auditor or municipal clerk within ten days after it has been dated by the voter and no later than six days before the election. The absentee ballot applications or a list of persons applying for an absentee ballot may not be made available for public inspection until the close of voting on election day, except as authorized in section 203B.12, and must be available to the public in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

(e) An application under this subdivision may contain an application under subdivision 5 to automatically receive an absentee ballot application.

Sec. 26. Minnesota Statutes 2020, section 203B.081, subdivision 1, is amended to read:

Subdivision 1. Location; timing. An eligible voter may vote by absentee ballot in the office of the county auditor and at any other polling place designated by the county auditor during the 46 days before the election, except as provided in this section. The county auditor shall make such polling place designations at least 14 weeks before the election. Voters casting absentee ballots in person for a town election held in March may do so during the 30 days before the election.

Sec. 27. Minnesota Statutes 2020, section 203B.081, subdivision 2, is amended to read:

Subd. 2. Town elections Voting booth; electronic ballot marker. Voters casting absentee ballots in person for a town election held in March may do so during the 30 days before the election. The county auditor shall make such designations at least 14 weeks before the election. For purposes of this section, the county auditor must make available in each polling place (1) at least one voting booth in each polling place must be made available by the county auditor for this purpose. The county auditor must also make available, and (2) at least one electronic ballot marker in each polling place that has implemented a voting system that is accessible for individuals with disabilities pursuant to section 206.57, subdivision 5.
Sec. 28. Minnesota Statutes 2020, section 203B.081, subdivision 3, is amended to read:

Subd. 3. Alternative procedure. (a) The county auditor may make available a ballot counter and ballot box for use by the voters during the seven days before the election. If a ballot counter and ballot box is provided, a voter must be given the option either (1) to vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the manner provided in this subdivision.

(b) If a voter chooses to vote in the manner provided in this subdivision, the voter must state the voter's name, address, and date of birth to the county auditor or municipal clerk. The voter shall sign a voter's certificate, which must include the voter's name, identification number, and the certification required by section 201.071, subdivision 1. The signature of an individual on the voter's certificate and the issuance of a ballot to the individual is evidence of the intent of the individual to vote at that election.

(c) After signing the voter's certificate, the voter shall be issued a ballot and immediately retire to a voting station or other designated location in the polling place to mark the ballot. The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter may return it to the election official in exchange for a new ballot. After completing the ballot, the voter shall deposit the ballot into the ballot box.

(d) The election official must immediately record that the voter has voted in the manner provided in section 203B.121, subdivision 3.

(e) The election duties required by this subdivision must be performed by the county auditor, municipal clerk, or a deputy of the auditor or clerk.

(f) The secretary of state must prepare voting instructions in languages other than English for use by voters casting a ballot under this subdivision. At a minimum, the instructions must be prepared and made available in print, electronic, and audiovisual formats in the Spanish, Hmong, and Somali languages.

Sec. 29. Minnesota Statutes 2020, section 203B.11, subdivision 1, is amended to read:

Subdivision 1. Generally. (a) Each full-time municipal clerk or school district clerk who has authority under section 203B.05 to administer absentee voting laws shall designate election judges to deliver absentee ballots in accordance with this section. The county auditor must also designate election judges to perform the duties in this section. A ballot may be delivered only to an eligible voter who is a temporary or permanent resident or patient in a health care facility or hospital located in the municipality in which the voter maintains residence. The ballots shall be delivered by two election judges, each of whom is affiliated
with a different major political party. When the election judges deliver or return ballots as provided in this section, they shall travel together in the same vehicle. Both election judges shall be present when an applicant completes the certificate of eligibility and marks the absentee ballots, and may assist an applicant as provided in section 204C.15. The election judges shall deposit the return envelopes containing the marked absentee ballots in a sealed container and return them to the clerk on the same day that they are delivered and marked.

(b) At the discretion of a full-time municipal clerk, school district clerk, or county auditor, absentee ballots may be delivered in the same manner as prescribed in paragraph (a) to a veterans home operated under chapter 198 or a shelter for battered women as defined in section 611A.37, subdivision 4.

Sec. 30. Minnesota Statutes 2020, section 203B.12, subdivision 7, is amended to read:

Subd. 7. Names of persons; rejected absentee ballots. (a) The names of voters who have submitted an absentee ballot to the county auditor or municipal clerk that has not been accepted may not be made available for public inspection until the close of voting on election day.

(b) After the close of voting on election day, the lists must be available to the public in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

Sec. 31. Minnesota Statutes 2020, section 203B.121, subdivision 2, is amended to read:

Subd. 2. Duties of ballot board; absentee ballots. (a) The members of the ballot board shall take possession of all return signature envelopes delivered to them in accordance with section 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk, two or more members of the ballot board shall examine each return signature envelope and shall mark it accepted or rejected in the manner provided in this subdivision. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10, subdivision 2.

(b) The members of the ballot board shall mark the return signature envelope "Accepted" and initial or sign the return signature envelope below the word "Accepted" if a majority of the members of the ballot board examining the envelope are satisfied that:

(1) the voter's name and address on the return signature envelope are the same as the information provided on the absentee ballot application;

(2) the voter signed the certification on the envelope;
(3) the voter's Minnesota driver's license, state identification number, or the last four digits of the voter's Social Security number are the same as a number on the voter's absentee ballot application or voter record. If the number does not match, the election judges must compare the signature provided by the applicant to determine whether the ballots were returned by the same person to whom they were transmitted;

(4) the voter is registered and eligible to vote in the precinct or has included a properly completed voter registration application in the return signature envelope;

(5) the certificate has been completed as prescribed in the directions for casting an absentee ballot; and

(6) the voter has not already voted at that election, either in person or, if it is after the close of business on the seventh 14th day before the election, by absentee ballot.

The return signature envelope from accepted ballots must be preserved and returned to the county auditor.

(c)(1) If a majority of the members of the ballot board examining a return signature envelope find that an absentee voter has failed to meet one of the requirements provided in paragraph (b), they shall mark the return signature envelope "Rejected," initial or sign it below the word "Rejected," list the reason for the rejection on the envelope, and return it to the county auditor. There is no other reason for rejecting an absentee ballot beyond those permitted by this section. Failure to place the ballot within the security secrecy envelope before placing it in the outer white envelope is not a reason to reject an absentee ballot.

(2) If an envelope has been rejected at least five days before the election, the envelope must remain sealed and the official in charge of the ballot board shall provide the voter with a replacement absentee ballot and return envelope in place of the rejected ballot.

(3) If an envelope is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

(d) The official in charge of the absentee ballot board must mail the voter a written notice of absentee ballot rejection between six and ten weeks following the election. If the official determines that the voter has otherwise cast a ballot in the election, no notice is required. If an absentee ballot arrives after the deadline for submission provided by this chapter, the notice must be provided between six to ten weeks after receipt of the ballot. A notice of absentee ballot rejection must contain the following information:
(1) the date on which the absentee ballot was rejected or, if the ballot was received after
the required deadline for submission, the date on which the ballot was received;

(2) the reason for rejection; and

(3) the name of the appropriate election official to whom the voter may direct further
questions, along with appropriate contact information.

(e) An absentee ballot return signature envelope marked "Rejected" may not be opened
or subject to further review except in an election contest filed pursuant to chapter 209.

Sec. 32. Minnesota Statutes 2020, section 203B.121, subdivision 3, is amended to read:

Subd. 3. Record of voting. (a) When applicable, the county auditor or municipal clerk
must immediately record that a voter’s absentee ballot has been accepted. After the close
of business on the seventeenth day before the election, a voter whose record indicates that
an absentee ballot has been accepted must not be permitted to cast another ballot at that
election. In a state primary, general, or state special election for federal or state office, the
auditor or clerk must also record this information in the statewide voter registration system.

(b) The roster must be marked, and a supplemental report of absentee voters who
submitted a voter registration application with their ballot must be created, no later than the
start of voting on election day to indicate the voters that have already cast a ballot at the
election. The roster may be marked either:

(1) by the county auditor or municipal clerk before election day;

(2) by the ballot board before election day; or

(3) by the election judges at the polling place on election day.

The record of a voter whose absentee ballot was received after the close of business on
the seventeenth day before the election is not required to be marked on the roster or
contained in a supplemental report as required by this paragraph.

Sec. 33. Minnesota Statutes 2020, section 203B.121, subdivision 4, is amended to read:

Subd. 4. Opening of envelopes. After the close of business on the seventeenth day
before the election, the ballots from return secrecy envelopes within the signature envelopes
marked "Accepted" may be opened, duplicated as needed in the manner provided in section
206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the
appropriate ballot box. If more than one voted ballot is enclosed in the ballot envelope, the
ballots must be returned in the manner provided by section 204C.25 for return of spoiled
ballots, and may not be counted.

Sec. 34. Minnesota Statutes 2020, section 203B.16, subdivision 2, is amended to read:

Subd. 2. Indefinite residence outside United States. Sections 203B.16 to 203B.27
provide the exclusive voting procedure for United States citizens who are living indefinitely
outside the territorial limits of the United States who meet all the qualifications of an eligible
voter except residence in Minnesota, but who are authorized by federal law to vote in
Minnesota because they or, if they have never resided maintained residence in the United
States, a parent maintained residence in Minnesota for at least 20 days immediately prior
to their departure from the United States. Individuals described in this subdivision shall be
permitted to vote only for the offices of president, vice-president, senator in Congress, and
representative in Congress.

Sec. 35. Minnesota Statutes 2020, section 203B.24, subdivision 1, is amended to read:

Subdivision 1. Check of voter eligibility; proper execution of certificate. Upon receipt
of an absentee ballot returned as provided in sections 203B.16 to 203B.27, the election
judges shall compare the voter's name with the names recorded under section 203B.19 in
the statewide registration system to insure that the ballot is from a voter eligible to cast an
absentee ballot under sections 203B.16 to 203B.27. The election judges shall mark the return
envelope "Accepted" and initial or sign the return envelope below the word "Accepted" if
the election judges are satisfied that:

(1) the voter's name and address on the return envelope appears in substantially the same
form as on the application records provided to the election judges by the county auditor;

(2) the voter has signed the federal oath prescribed pursuant to section 705(b)(2) of the
Help America Vote Act, Public Law 107-252;

(3) the voter has set forth the same voter's passport number, or Minnesota driver's license
or state identification card number, or the last four digits of the voter's Social Security
number as submitted on the application, if the voter has one of these documents;

(4) the voter is not known to have died; and

(5) the voter has not already voted at that election, either in person or by absentee ballot.

If the identification number described in clause (3) does not match the number as
submitted on the application, the election judges must make a reasonable effort to satisfy
themselves through other information provided by the applicant, or by an individual
authorized to apply on behalf of the voter, that the ballots were returned by the same person
to whom the ballots were transmitted.

An absentee ballot cast pursuant to sections 203B.16 to 203B.27 may only be rejected
for the lack of one of clauses (1) to (5). In particular, failure to place the ballot within the
security secrecy envelope before placing it in the outer white envelope is not a reason to
reject an absentee ballot.

Election judges must note the reason for rejection on the back of the envelope in the
space provided for that purpose.

Failure to return unused ballots shall not invalidate a marked ballot, but a ballot shall
not be counted if the certificate on the return envelope is not properly executed. In all other
respects the provisions of the Minnesota Election Law governing deposit and counting of
ballots shall apply. Notwithstanding other provisions of this section, the counting of the
absentee ballot of a deceased voter does not invalidate the election.

Sec. 36. Minnesota Statutes 2020, section 204B.06, subdivision 1b, is amended to read:

Subd. 1b. Address and telephone number. (a) An affidavit of candidacy must state a
telephone number where the candidate can be contacted. An affidavit must also state the
candidate's address of residence as determined under section 200.031, or at the candidate's
request in accordance with paragraph (c), the candidate's campaign contact address. The
form for the affidavit of candidacy must allow the candidate to request, if eligible, that the
candidate's address of residence be classified as private data, and to provide the certification
required under paragraph (c) for classification of that address.

(b) For an office whose residency requirement must be satisfied by the close of the filing
period, a registered voter in this state may request in writing that the filing officer receiving
the affidavit of candidacy review the address as provided in this paragraph, at any time up
to one day after the last day for filing for office. If requested, the filing officer must determine
whether the address provided in the affidavit of candidacy is within the area represented by
the office the candidate is seeking. If the filing officer determines that the address is not
within the area represented by the office, the filing officer must immediately notify the
candidate and the candidate's name must be removed from the ballot for that office. A
determination made by a filing officer under this paragraph is subject to judicial review
under section 204B.44.
(c) If the candidate requests that the candidate's address of residence be classified as private data, the candidate must list the candidate's address of residence on a separate form to be attached to the affidavit. The candidate must also certify on the affidavit that either:

1. A police report has been submitted or an order for protection has been issued, or the candidate has a reasonable fear in regard to the safety of the candidate or the candidate's family; or
2. The candidate's address is otherwise private pursuant to Minnesota law.

The address of residence provided by a candidate who makes a request for classification on the candidate's affidavit of candidacy and provides the certification required by this paragraph is classified as private data, as defined in section 13.02, subdivision 12, but may be reviewed by the filing officer as provided in this subdivision.

(d) The requirements of this subdivision do not apply to affidavits of candidacy for a candidate for: (1) judicial office; (2) the office of county attorney; or (3) county sheriff.

Sec. 37. Minnesota Statutes 2020, section 204B.06, subdivision 4a, is amended to read:

Subd. 4a. State and local offices. Candidates who seek nomination for the following offices shall state the following additional information on the affidavit:

1. For governor or lieutenant governor, that on the first Monday of the next January the candidate will be 25 years of age or older and, on the day of the state general election, a resident of Minnesota for not less than one year;
2. For supreme court justice, court of appeals judge, or district court judge, that the candidate is learned in the law;
3. For county, municipal, school district, or special district office, that the candidate meets any other qualifications for that office prescribed by law;
4. For senator or representative in the legislature, that on the day of the general or special election to fill the office the candidate will have resided in the state and not less than six months in the legislative district from which the candidate seeks election.

Sec. 38. Minnesota Statutes 2020, section 204B.09, subdivision 1, is amended to read:

Subdivision 1. Candidates in state and county general elections. (a) Except as otherwise provided by this subdivision, affidavits of candidacy and nominating petitions for county, state, and federal offices filled at the state general election shall be filed not...
more than 84 days nor less than 70 days before the state primary. The affidavit may be
prepared and signed at any time between 60 days before the filing period opens and the last
day of the filing period.

(b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed
in the presence of a notarial officer or an individual authorized to administer oaths under
section 358.10.

(c) This provision does not apply to candidates for presidential elector nominated by
major political parties. Major party candidates for presidential elector are certified under
section 208.03. Other candidates for presidential electors may file petitions at least 77 days
before the general election day pursuant to section 204B.07. Nominating petitions to fill
vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or
petition shall be accepted later than 5:00 p.m. on the last day for filing.

(d) Affidavits and petitions for county offices must be filed with the county auditor of
that county. Affidavits and petitions for federal offices must be filed with the secretary of
state. Affidavits and petitions for state offices must be filed with the secretary of state or
with the county auditor of the county in which the candidate resides.

(e) Affidavits other than those filed pursuant to subdivision 1a must be submitted by
mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and must
be received by 5:00 p.m. on the last day for filing.

Sec. 39. Minnesota Statutes 2020, section 204B.09, subdivision 3, is amended to read:

Subd. 3. Write-in candidates. (a) A candidate for county, state, or federal office who
wants write-in votes for the candidate to be counted must file a written request with the
filing office for the office sought not more than 84 days before the primary and no later
than the seventh day before the general election. The filing officer shall provide copies
of the form to make the request. No The filing officer shall not accept a written request shall
be accepted later than 5:00 p.m. on the last day for filing a written request.

(b) A candidate for president of the United States who files a request under this
subdivision must include the name of a candidate for vice president of the United States,
file jointly with another individual seeking nomination as a candidate for vice president of
the United States. A candidate for vice president of the United States who files a request
under this subdivision must file jointly with another individual seeking nomination as a
candidate for president of the United States. The request must also include the name of at
least one candidate for presidential elector. The total number of names of candidates for
presidential elector on the request may not exceed the total number of electoral votes to be
cast by Minnesota in the presidential election.

(c) A candidate for governor who files a request under this subdivision must include the
name of a candidate for lieutenant governor file jointly with another individual seeking
nomination as a candidate for lieutenant governor. A candidate for lieutenant governor who
files a request under this subdivision must file jointly with another individual seeking
nomination as a candidate for governor.

Sec. 40. Minnesota Statutes 2020, section 204B.13, is amended by adding a subdivision
to read:

Subd. 6a. Candidates for federal office. This section does not apply to a vacancy in
nomination for a federal office.

Sec. 41. Minnesota Statutes 2020, section 204B.16, subdivision 1, is amended to read:

Subdivision 1. Authority; location. (a) By December 31 of each year, the governing
body of each municipality and of each county with precincts in unorganized territory must
designate by ordinance or resolution a polling place for each election precinct. The polling
places designated in the ordinance or resolution are the polling places for the following
calendar year, unless a change is made: any changes to a polling place location. A polling
place must be maintained for the following calendar year unless changed:

(1) by ordinance or resolution by December 31 of the previous year;

(2) pursuant to section 204B.175;

(3) because a polling place has become unavailable; or

(4) because a township designates one location for all state, county, and federal
elections and one location for all township only elections.

(b) Polling places must be designated and ballots must be distributed so that no one is
required to go to more than one polling place to vote in a school district and municipal
election held on the same day. The polling place for a precinct in a city or in a school district
located in whole or in part in the metropolitan area defined by section 200.02, subdivision
24, shall be located within the boundaries of the precinct or within one mile of one of those
boundaries unless a single polling place is designated for a city pursuant to section 204B.14,
subdivision 2, or a school district pursuant to section 205A.11. The polling place for a
precinct in unorganized territory may be located outside the precinct at a place which is
convenient to the voters of the precinct. If no suitable place is available within a town or
within a school district located outside the metropolitan area defined by section 200.02, subdivision 24, then the polling place for a town or school district may be located outside the town or school district within five miles of one of the boundaries of the town or school district.

Sec. 42. Minnesota Statutes 2020, section 204B.19, subdivision 6, is amended to read:

Subd. 6. High school students. Notwithstanding any other requirements of this section, a student enrolled in a high school in Minnesota or who is in a home school in compliance with sections 120A.22 and 120A.24, who has attained the age of 16 is eligible to be appointed as a without party affiliation trainee election judge, without party affiliation, in the county in which the student resides maintains residence, or a county adjacent to the county in which the student resides maintains residence. The student must meet qualifications for trainee election judges specified in rules of the secretary of state. A student appointed as a trainee election judge may be excused from school attendance during the hours that the student is serving as a trainee election judge if the student submits a written request signed and approved by the student's parent or guardian to be absent from school and a certificate from the appointing authority stating the hours during which the student will serve as a trainee election judge to the principal of the school at least ten days prior to the election. Students shall not serve as trainee election judges after 10:00 p.m. Notwithstanding section 177.24 to the contrary, trainee election judges may be paid not less than two-thirds of the minimum wage for a large employer. The principal of the school may approve a request to be absent from school conditioned on acceptable academic performance at the time of service as a trainee election judge. A school board may determine that students are eligible to receive credit for serving as a trainee election judge.

Sec. 43. Minnesota Statutes 2020, section 204B.21, subdivision 2, is amended to read:

Subd. 2. Appointing authority; powers and duties. (a) Election judges for precincts in a municipality shall be appointed by the governing body of the municipality. Election judges for precincts in unorganized territory and for performing election-related duties assigned by the county auditor shall be appointed by the county board. Election judges for a precinct composed of two or more municipalities must be appointed by the governing body of the municipality or municipalities responsible for appointing election judges as provided in the agreement to combine for election purposes.

(b) Except as otherwise provided in this section, appointments shall be made from the list of voters who reside maintain residence in each precinct, furnished pursuant to subdivision 6...
(c) If no lists have been furnished or if additional election judges are required after all listed names in that municipality have been exhausted, the appointing authority may appoint other individuals who meet the qualifications to serve as an election judge, including persons on the list furnished pursuant to subdivision 1 who indicated a willingness to travel to the municipality, and persons who are not affiliated with a major political party. An individual who is appointed from a source other than the list furnished pursuant to subdivision 1 must provide to the appointing authority the individual's major political party affiliation or a statement that the individual does not affiliate with any major political party. An individual who refuses to provide the individual's major political party affiliation or a statement that the individual does not affiliate with a major political party must not be appointed as an election judge.

(d) The appointing authority must, whenever possible, recruit bilingual high school students to serve as trainee election judges pursuant to section 204B.19.

(e) The appointments shall be made at least 25 days before the election at which the election judges will serve, except that the appointing authority may pass a resolution authorizing the appointment of additional election judges within the 25 days before the election if the appointing authority determines that additional election judges will be required.

Sec. 44. Minnesota Statutes 2020, section 204B.36, subdivision 2, is amended to read:

Subd. 2. Candidates and offices. The name of each candidate shall be printed at a right angle to the length of the ballot. At a general election the name of the political party or the political principle of each candidate for partisan office shall be printed above or below the name of the candidate. The name of a political party or a political principle shall be printed in capital and lowercase letters of the same type, with the capital letters at least one-half the height of the capital letters used for names of the candidates. At a general or special election, blank lines containing the words "write-in, if any" shall be printed below the name of the last candidate for each office, or below the title of the office if no candidate has filed for that office, so that a voter may write in the names of individuals whose names are not on the ballot. One blank line shall be printed for each officer of that kind to be elected. At a primary election, no blank lines shall be provided for writing in the names of individuals whose names do not appear on the primary ballot.
On the left side of the ballot at the same level with the name of each candidate and each blank line shall be printed an oval or similar target shape in which the voter may designate a vote by filling in the oval or similar mark if a different target shape is used. Each oval or target shape shall be the same size. Above the first name on each ballot shall be instructions for voting. Directly underneath the official title of each office shall be printed the words "Vote for one" or "Vote for up to ..." (any greater number to be elected).

Sec. 45. Minnesota Statutes 2020, section 204B.44, is amended to read:

204B.44 ERRORS AND OMISSIONS; REMEDY.

(a) Any individual may file a petition in the manner provided in this section for the correction of any of the following errors, omissions, or wrongful acts which have occurred or are about to occur:

1. an error or omission in the placement or printing of the name or description of any candidate or any question on any official ballot, including the placement of a candidate on the official ballot who is not eligible to hold the office for which the candidate has filed;
2. any other error in preparing or printing any official ballot;
3. failure of the chair or secretary of the proper committee of a major political party to execute or file a certificate of nomination;
4. any wrongful act, omission, or error of any election judge, municipal clerk, county auditor, canvassing board or any of its members, the secretary of state, or any other individual charged with any duty concerning an election.

(b) A major political party may file a petition in the manner provided in this section to prevent the use of the party's name on an official ballot in a manner that violates section 202A.11, subdivision 2.

(b) (c) The petition shall describe the error, omission, or wrongful act and the correction sought by the petitioner. The petition shall be filed with any judge of the supreme court in the case of an election for state or federal office or any judge of the district court in that county in the case of an election for county, municipal, or school district office. The petitioner shall serve a copy of the petition on the officer, board or individual charged with the error, omission, or wrongful act, on all candidates for the office in the case of an election for state, federal, county, municipal, or school district office, and on any other party as required by the court. Upon receipt of the petition the court shall immediately set a time for a hearing on the matter and order the officer, board or individual charged with the error, omission or wrongful act to correct the error or wrongful act or perform the duty or show cause for not
doing so. In the case of a review of a candidate's eligibility to hold office, the court may
order the candidate to appear and present sufficient evidence of the candidate's eligibility.
In the case of a review of a candidate's major political party designation, the court may order
the candidate to appear and present sufficient evidence of the candidate's right to use the
party's name. Evidence of a candidate's nomination for endorsement at a party's endorsing
convention or engagement in the party's governance structure establishes a rebuttable
presumption that the candidate is entitled to be designated by that party's name on a ballot.
The court shall issue its findings and a final order for appropriate relief as soon as possible
after the hearing. Failure to obey the order is contempt of court.

Sec. 46. Minnesota Statutes 2020, section 204B.45, subdivision 1, is amended to read:

Subdivision 1. Authorization. A town of any size not located in a metropolitan county
as defined by section 473.121, or a city having fewer than 400 registered voters on June 1
of an election year and not located in a metropolitan county as defined by section 473.121,
may provide balloting by mail at any municipal, county, or state election with no polling
place other than the office of the auditor or clerk or other locations designated by the auditor
or clerk. The governing body may apply to the county auditor for permission to conduct
balloting by mail. The county board may provide for balloting by mail in unorganized
territory. The governing body of any municipality may designate for mail balloting any
precinct having fewer than 100 registered voters, subject to the approval of the county
auditor.

Voted ballots may be returned in person to any location designated by the county auditor
or municipal clerk.

Sec. 47. Minnesota Statutes 2020, section 204B.45, subdivision 2, is amended to read:

Subd. 2. Procedure. Notice of the election and the special mail procedure must be given
at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before
a regularly scheduled election and not more than 30 days nor later than 14 days before any
other election, the auditor shall mail ballots by nonforwardable mail to all voters registered
in the city, town, or unorganized territory. No later than 14 days before the election, the
auditor must make a subsequent mailing of ballots to those voters who register to vote after
the initial mailing but before the 20th day before the election. Eligible voters not registered
at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot
return envelopes, with return postage provided, must be preaddressed to the auditor or clerk
and the voter may return the ballot by mail or in person to the office of the auditor or clerk.
The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "accepted" or "rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors or deputy municipal clerks who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk shall provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the seventh 14th day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from mail or absentee ballots may be made public before the close of voting on election day.

The costs of the mailing shall be paid by the election jurisdiction in which the voter resides maintains residence. Any ballot received by 8:00 p.m. on the day of the election must be counted.

Sec. 48. Minnesota Statutes 2020, section 204B.46, is amended to read:

204B.46 MAIL ELECTIONS; QUESTIONS.

A county, municipality, or school district submitting questions to the voters at a special election may conduct an election by mail with no polling place other than the office of the auditor or clerk. No offices may be voted on at a mail election, except in overlapping school and municipality jurisdictions, where a mail election may include an office when one of the
jurisdictions also has a question on the ballot. Notice of the election must be given to the
county auditor at least 74 days prior to the election. This notice shall also fulfill the
requirements of Minnesota Rules, part 8210.3000. The special mail ballot procedures must
be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days
prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all
voters registered in the county, municipality, or school district. No later than 14 days before
the election, the auditor or clerk must make a subsequent mailing of ballots to those voters
who register to vote after the initial mailing but before the 20th day before the election.

Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant
to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and
absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days
of receipt if there are 14 or fewer days before election day, or within five days of receipt if
there are more than 14 days before election day. The board may consist of deputy county
auditors, deputy municipal clerks, or deputy school district clerks who have received training
in the processing and counting of mail ballots, who need not be affiliated with a major
political party. Election judges performing the duties in this section must be of different
major political parties, unless they are exempt from that requirement under section 205.075,
subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before
the election, the ballots in the envelope must remain sealed and the auditor or clerk must
provide the voter with a replacement ballot and return envelope in place of the spoiled ballot.

If the ballot is rejected within five days of the election, the envelope must remain sealed
and the official in charge of the ballot board must attempt to contact the voter by telephone
or e-mail to notify the voter that the voter's ballot has been rejected. The official must
document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to
indicate that the voter has already cast a ballot in that election. After the close of business
on the seventh day before the election, the ballots from return envelopes marked
"Accepted" may be opened, duplicated as needed in the manner provided by section 206.86,
subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit
and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as
one vote total. No vote totals from ballots may be made public before the close of voting
on election day.
Sec. 49. Minnesota Statutes 2020, section 204C.05, subdivision 1a, is amended to read:

Subd. 1a. Elections; organized town. The governing body of a town with less than 500 inhabitants according to the most recent federal decennial census, which is located outside the metropolitan area as defined in section 200.02, subdivision 24, may fix a later time for voting to begin at state primary, special, or general elections, if approved by a vote of the town electors at the annual town meeting. The question of shorter voting hours must be included in the notice of the annual town meeting before the question may be submitted to the electors at the meeting. The later time may not be later than 10:00 a.m. for special, primary, or general elections. The town clerk shall either post or publish notice of the changed hours and notify the county auditor and the secretary of state of the change 30 days before the election.

Sec. 50. Minnesota Statutes 2020, section 204C.05, subdivision 1b, is amended to read:

Subd. 1b. Elections; unorganized territory. An unorganized territory or unorganized territories which constitute a voting district may have shorter voting hours if at least 20 percent of the registered voters residing in the voting district sign a petition for shorter hours and present it to the county auditor and secretary of state at least 30 days before the election. The later time may not be later than 10:00 a.m. for special, primary, or general elections. The county auditor shall either post or publish notice of the changed hours, within the voting district, 30 days before the election.

Sec. 51. Minnesota Statutes 2020, section 204C.10, is amended to read:

204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE; VOTER RECEIPT.

(a) An individual seeking to vote shall sign a polling place roster or voter signature certificate which states that the individual:

1. is at least 18 years of age;
2. a citizen of the United States;
3. has resided in Minnesota for 20 days immediately preceding the election;
4. maintains residence at the address shown;
5. is not under a guardianship in which the court order revokes the individual's right to vote;
6. has not been found by a court of law to be legally incompetent to vote.
(7) has the right to vote because, if the individual was convicted of a felony, the felony sentence has expired or been completed or the individual has been discharged from the sentence, completed the term of incarceration, if any, for the conviction;

(8) is registered; and

(9) has not already voted in the election.

The roster must also state: "I understand that deliberately providing false information is a felony punishable by not more than five years imprisonment and a fine of not more than $10,000, or both."

(b) At the presidential nomination primary, the polling place roster must also state: "I am in general agreement with the principles of the party for whose candidate I intend to vote." This statement must appear separately from the statements required in paragraph (a).

The felony penalty provided for in paragraph (a) does not apply to this paragraph.

(c) A judge may, before the applicant signs the roster or voter signature certificate, confirm the applicant's name, address, and date of birth.

(d) After the applicant signs the roster or voter signature certificate, the judge shall give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to the voter the ballot. The voters' receipts must be maintained during the time for notice of filing an election contest.

(e) Whenever a challenged status appears on the polling place roster, an election judge must ensure that the challenge is concealed or hidden from the view of any voter other than the voter whose status is challenged.

Sec. 52. Minnesota Statutes 2020, section 204C.15, subdivision 1, is amended to read:

Subdivision 1. **Physical assistance in marking ballots.** A voter who claims a need for assistance because of inability to read English or physical inability to mark a ballot may obtain the aid of two election judges who are members of different major political parties. The election judges shall mark the ballots as directed by the voter and in as secret a manner as circumstances permit. A voter in need of assistance may alternatively obtain the assistance of any individual the voter chooses. Only the following persons may not provide assistance to a voter: the voter's employer, an agent of the voter's employer, an officer or agent of the voter's union, or a candidate for election. The person who assists the voter shall, unaccompanied by an election judge, retire with that voter to a booth and mark the ballot as directed by the voter. No person who assists another voter as provided in the preceding
sentence shall mark the ballots of more than three voters at one election. Before the ballots are deposited, the voter may show them privately to an election judge to ascertain that they are marked as the voter directed. An election judge or other individual assisting a voter shall not in any manner request, persuade, induce, or attempt to persuade or induce the voter to vote for any particular political party or candidate. The election judges or other individuals who assist the voter shall not reveal to anyone the name of any candidate for whom the voter has voted or anything that took place while assisting the voter.

Sec. 53. Minnesota Statutes 2020, section 204C.21, subdivision 1, is amended to read:

Subdivision 1. Method. The election judges shall take all the ballots of the same kind and count the votes cast for each office or question, beginning with the first office or question on the ballot. They shall make one pile of the ballots for each candidate who received votes for that office, or one pile for the "Yes" votes and one pile for the "No" votes on a question. They shall make a pile of totally defective ballots and a pile of totally blank ballots. They shall make a pile of ballots that are not totally defective but are defective with respect to the office or question being counted and a pile of ballots that are not totally blank but are blank with respect to the office or question being counted. After the separation into piles, the election judges shall examine each pile and remove and place in the proper pile any ballots that are found in the wrong pile. The election judges shall count the totally blank and totally defective ballots and set them aside until the counting is over for that ballot. In conducting the count of blank ballots, election judges may presume that the total count provided for prepackaged ballots is correct. The election judges may pile ballots crosswise in groups of 25 in the same pile to facilitate counting. When their counts agree, the election judges shall announce the number of ballots in each pile, and shall write the number in the proper place on the summary statements.

The election judges shall then return all the counted ballots, and all the partially defective or partially blank ballots, to the original pile to be separated and counted in the same manner for the next office or question.

Sec. 54. Minnesota Statutes 2020, section 204C.27, is amended to read:

204C.27 DELIVERY OF RETURNS TO COUNTY AUDITORS.

One or more of the election judges in each precinct shall deliver two sets of summary statements; all spoiled ballots; and the envelopes containing the ballots either directly to the municipal clerk for transmittal to the county auditor's office or directly to the county auditor's office as soon as possible after the vote counting is completed but no later than...
than 24 hours after the end of the hours for voting. One or more election judges shall deliver
the remaining set of summary statements and returns, all unused and spoiled municipal and
school district ballots, the envelopes containing municipal and school district ballots, and
all other things furnished by the municipal or school district clerk, to the municipal or school
district clerk's office within 24 hours after the end of the hours for voting. The municipal
or school district clerk shall return all polling place rosters and completed voter registration
cards to the county auditor within 48 hours after the end of the hours for voting.

Sec. 55. Minnesota Statutes 2020, section 204C.33, subdivision 3, is amended to read:

Subd. 3. State canvass. The State Canvassing Board shall meet at a public meeting
space located in the Capitol complex area on the third Tuesday following the state general
election to canvass the certified copies of the county canvassing board reports received from
the county auditors and shall prepare a report that states:

(1) the number of individuals voting in the state and in each county;
(2) the number of votes received by each of the candidates, specifying the counties in
which they were cast; and
(3) the number of votes counted for and against each constitutional amendment, specifying
the counties in which they were cast.

Upon completion of the canvass, the State Canvassing Board shall declare the candidates
duly elected who received the highest number of votes for each federal and state office. All
members of the State Canvassing Board shall sign the report and certify its correctness. The
State Canvassing Board shall declare the result within three days after completing the
canvass.

Sec. 56. Minnesota Statutes 2020, section 204C.35, is amended by adding a subdivision
to read:

Subd. 2a. Constitutional amendment recount. In a state general election when the
difference between the number of "yes" votes cast on ratification of a proposed constitutional
amendment is within one-quarter percent of the number of all other ballots cast at the
election, the canvassing board shall manually recount the votes on that question, including
the number of "yes" or "no" votes on the question, and the number of ballots that did not
cast a vote on the question. The results of the recount must be certified by the canvassing
board as soon as possible.
Sec. 57. Minnesota Statutes 2020, section 204C.35, subdivision 3, is amended to read:

Subd. 3. Scope of recount. A recount conducted as provided in this section is limited in scope to the determination of the number of votes validly cast for the office or question to be recounted. Only the ballots cast in the election and the summary statements certified by the election judges may be considered in the recount process. Original ballots that have been duplicated under section 206.86, subdivision 5, are not within the scope of a recount and must not be examined except as provided by a court in an election contest under chapter 209.

Sec. 58. Minnesota Statutes 2020, section 204C.36, subdivision 1, is amended to read:

Subdivision 1. Publicly funded recounts. (a) Except as provided in paragraphs (b) and (c), a losing candidate for nomination or election to a county, municipal, or school district office may request a recount of the votes cast for the nomination or election to that office if the difference between the vote cast for that candidate and for a winning candidate for nomination or election is less than one-quarter of one percent of the total votes counted for that office. In case of offices where two or more seats are being filled from among all the candidates for the office, the one-quarter of one percent difference is between the elected candidate with the fewest votes and the candidate with the most votes from among the candidates who were not elected.

(b) A losing candidate for nomination or election to a county, municipal, or school district office may request a recount of the votes cast for nomination or election to that office if the difference between the votes cast for that candidate and for a winning candidate for nomination or election is less than one-half of one percent, and the total number of votes cast for the nomination or election of all candidates is more than 400 but less than 50,000. In cases of offices where two or more seats are being filled from among all the candidates for the office, the one-half of one percent difference is between the elected candidate with the fewest votes and the candidate with the most votes from among the candidates who were not elected.

(c) A losing candidate for nomination or election to a county, municipal, or school district office may request a recount of the votes cast for nomination or election to that office if the difference between the vote cast for that candidate and for a winning candidate for nomination or election is ten votes or less, and the total number of votes cast for the nomination or election of all candidates is no more than 400. In cases of offices where two or more seats are being filled from among all the candidates for the office, the ten vote difference is...
between the elected candidate with the fewest votes and the candidate with the most votes
from among the candidates who were not elected.

(d) Candidates for county offices shall file a written request for the recount with the
county auditor. Candidates for municipal or school district offices shall file a written request
with the municipal or school district clerk as appropriate. All requests under this paragraph
shall be filed by between the close of the canvass of a primary or special primary and 5:00
p.m. on the fifth day after the canvass of a primary or special primary or by between the
close of the canvass of a special or general election and 5:00 p.m. on the seventh day of the
canvass of a special or general election for which a recount is sought.

(e) Upon receipt of a request made pursuant to this section, the county auditor shall
recount the votes for a county office at the expense of the county, the governing body of
the municipality shall recount the votes for a municipal office at the expense of the
municipality, and the school board of the school district shall recount the votes for a school
district office at the expense of the school district.

Sec. 59. Minnesota Statutes 2020, section 204D.08, subdivision 4, is amended to read:

Subd. 4. State partisan primary ballot; party columns. The state partisan primary
ballot shall be headed by the words "State Partisan Primary Ballot." The ballot shall be
printed on white paper. There must be at least three vertical columns on the ballot and each
major political party shall have a separate column headed by the words " .......... Party,"
giving the party name. Above the party names, the following statement shall be printed.

"Minnesota Election Law permits you to vote for the candidates of only one political
party in a state partisan primary election."

If there are only two major political parties to be listed on the ballot, one party must
occupy the left-hand column, the other party must occupy the right-hand column, and the
center column must contain the following statement:

"Do not vote for candidates of more than one party."

The names of the candidates seeking the nomination of each major political party shall
be listed in that party's column. If only one individual files an affidavit of candidacy seeking
the nomination of a major political party for an office, the name of that individual shall be
placed on the state partisan primary ballot at the appropriate location in that party's column.

In each column, the candidates for senator in Congress shall be listed first, candidates
for representative in Congress second, candidates for state senator third, candidates for state
representative fourth and then candidates for state office in the order specified by the secretary
of state. Vacant offices being filled by special election must be listed with other offices of
that type, but after any office of that type for which a candidate will be elected for a full
term.

The party columns shall be substantially the same in width, type, and appearance. The
columns shall be separated by a 12-point solid line.

Sec. 60. Minnesota Statutes 2020, section 204D.13, subdivision 1, is amended to read:

Subdivision 1. Order of offices. The candidates for partisan offices shall be placed on
the state general election ballot in the following order: senator in Congress shall be first;
representative in Congress, second; state senator, third; and state representative, fourth. The
candidates for state offices shall follow in the order specified by the secretary of state.
Candidates for governor and lieutenant governor shall appear so that a single vote may be
cast for both offices. Vacant offices being filled by special election must be listed with other
offices of that type, but after any office of that type for which a candidate will be elected
for a full term.

Sec. 61. Minnesota Statutes 2020, section 204D.19, subdivision 2, is amended to read:

Subd. 2. Special election when legislature will be in session. Except for vacancies in
the legislature which occur at any time between the last day of session in an odd-numbered
year and the 40th 54th day prior to the opening day of session in the succeeding
even-numbered year, when a vacancy occurs and the legislature will be in session so that
the individual elected as provided by this section could take office and exercise the duties
of the office immediately upon election, the governor shall issue within five days after the
vacancy occurs a writ calling for a special election. The special election shall be held as
soon as possible, consistent with the notice requirements of section 204D.22, subdivision
3, but in no event more than 35-49 days after the issuance of the writ. A special election
must not be held during the four days before or the four days after a holiday as defined in
section 645.44, subdivision 5.

Sec. 62. Minnesota Statutes 2020, section 204D.195, is amended to read:

204D.195 DATE OF SPECIAL ELECTION; CERTAIN TIMES PROHIBITED.

Notwithstanding any other provision of law, a special primary and special general election
may not be held:

(1) for a period beginning the day following the date of the state primary election and
ending the day prior to the date of the state general election; or
(2) on a holiday, or during the four days before or after a holiday, as defined in section 645.44, subdivision 5.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to special elections occurring on or after that date.

Sec. 63. Minnesota Statutes 2020, section 204D.22, subdivision 3, is amended to read:

Subd. 3. **Notice of special election.** The county auditor of a county in which a special election is to be held shall direct the clerk of each municipality in which the election is to be held to post a notice of the special primary and special election at least seven days before the special primary and at least 21 days before the special election in the manner provided in sections 204B.33 and 204B.34. If the special primary is to be held 21 days before the special election, a single notice of both elections may be posted seven days before the primary.

When the special primary or special election is to be held on the same day as any other election, notice of the special primary or special election may be included in the notice of the other election, if practicable.

Sec. 64. Minnesota Statutes 2020, section 204D.23, subdivision 2, is amended to read:

Subd. 2. **Time of filing.** Except as provided in subdivision 3, the affidavits and petitions shall be filed no later than 21 days before the special primary.

Sec. 65. Minnesota Statutes 2020, section 204D.27, subdivision 5, is amended to read:

Subd. 5. **Canvass; special primary; state canvassing board; contest.** Not later than four days after the returns of the county canvassing boards are certified to the secretary of state, the State Canvassing Board shall complete its canvass of the special primary. The secretary of state shall then promptly certify to the county auditors the names of the nominated individuals, prepare notices of nomination, and notify each nominee of the nomination. In case of a contest of a special primary for state senator or state representative, the notice of contest must be filed within two days, excluding Sundays and legal holidays, after the canvass is completed, and the contest shall otherwise proceed in the manner provided by law for contesting elections.

Sec. 66. Minnesota Statutes 2020, section 204D.28, subdivision 9, is amended to read:

Subd. 9. **Filing by candidates.** The time for filing of affidavits and nominating petitions for candidates to fill a vacancy at a special election shall open 12 weeks before the special election.
primary or on the day the secretary of state issues notice of the special election, whichever occurs later. Filings shall close ten weeks before the special primary. A candidate filing for the office of United States senator to fill a vacancy at a special election when both offices of United States senator are required to be placed on the same ballot must specify on the affidavit of candidacy the expiration date of the term of the office that the candidate is seeking.

Sec. 67. Minnesota Statutes 2020, section 204D.28, subdivision 10, is amended to read:

Subd. 10. United States senator; candidates; designation of term. When the names of candidates for both offices of United States senator are required to be placed on the same ballot, the expiration date of the term of each office shall be printed on the ballot in the office heading opposite the name of each candidate for nomination or election to that office.

Sec. 68. Minnesota Statutes 2020, section 205.13, subdivision 5, is amended to read:

Subd. 5. Nominating petition; cities of the first class. A nominating petition filed on behalf of a candidate for municipal office in a city of the first class shall be signed by eligible voters who reside in the election district from which the candidate is to be elected. The number of signers shall be at least 500, or two percent of the total number of individuals who voted in the municipality, ward, or other election district at the last preceding municipal general election, whichever is greater.

Sec. 69. Minnesota Statutes 2020, section 205A.10, subdivision 5, is amended to read:

Subd. 5. School district canvassing board. For the purpose of a recount of a special election conducted under section 126C.17, subdivision 9, or 475.59, the school district canvassing board shall consist of one member of the school board other than the clerk, selected by the board, the clerk of the school board, the county auditor of the county in which the greatest number of school district residents reside, the court administrator of the district court of the judicial district in which the greatest number of school district residents reside, and the mayor or chair of the town board of the school district's most populous municipality. Any member of the canvassing board may appoint a designee to appear at the meeting of the board, except that no designee may be a candidate for public office. If one of the individuals fails to appear at the meeting of the canvassing board, the county auditor shall appoint an eligible voter of the school district, who must not be a member of the school board, to fill the vacancy. Not more than two school board members shall serve on the canvassing board at one time. Four members constitute a quorum.
The school board shall serve as the school district canvassing board for the election of school board members.

Sec. 70. Minnesota Statutes 2020, section 205A.12, subdivision 5, is amended to read:

Subd. 5. **Board elections.** If the proposal for the establishment of election districts is approved by the voters, the board shall specify the election districts from which vacancies shall be filled as they occur until such time as each board member represents an election district. A candidate for school board in a subsequent election must file an affidavit of candidacy to be elected as a school board member for the election district in which the candidate resides/maintains residence. If there are as many election districts as there are members of the board, one and only one member of the board shall be elected from each election district. In school districts where one or more board members are elected by election districts, candidates must indicate on the affidavit of candidacy the number of the district from which they seek election or, if appropriate, that they seek election from one of the offices elected at large. If the election districts have two or three members each, the terms of the members must be staggered. Each board member must be a resident of the election district for which elected but the creation of an election district or a change in election district boundaries shall not disqualify a board member from serving for the remainder of a term.

Sec. 71. Minnesota Statutes 2020, section 206.805, subdivision 1, is amended to read:

Subdivision 1. **Contracts required.** (a) The secretary of state, with the assistance of the commissioner of administration, must establish one or more state voting systems contracts. The contracts should, if practical, include provisions for maintenance of the equipment purchased. The voting systems contracts must address precinct-based optical scan voting equipment, assistive voting technology, automatic tabulating equipment, and electronic roster equipment. The contracts must give the state a perpetual license to use and modify the software. The contracts must include provisions to escrow the software source code, as provided in subdivision 2. Bids for voting systems and related election services must be solicited from each vendor selling or leasing voting systems that have been certified for use by the secretary of state. Bids for electronic roster equipment, software, and related services must be solicited from each vendor selling or leasing electronic roster equipment that meets the requirements of section 201.225, subdivision 2. The contracts must be renewed from time to time.
(b) Counties and municipalities may purchase or lease voting systems and obtain related election services from the state contracts. All counties and municipalities are members of the cooperative purchasing venture of the Department of Administration for the purpose of this section. For the purpose of township elections, counties must aggregate orders under contracts negotiated under this section for products and services and may apportion the costs of those products and services proportionally among the townships receiving the products and services. The county is not liable for the timely or accurate delivery of those products or services.

Sec. 72. Minnesota Statutes 2020, section 206.89, subdivision 4, is amended to read:

Subd. 4. **Standard of acceptable performance by voting system.** A comparison of the results compiled by the voting system with the postelection review described in this section must show that the results of the electronic voting system differed by no more than one-half one-quarter of one percent from the manual count of the offices reviewed. Valid votes that have been marked by the voter outside the vote targets or using a manual marking device that cannot be read by the voting system must not be included in making the determination whether the voting system has met the standard of acceptable performance for any precinct.

Sec. 73. Minnesota Statutes 2020, section 206.89, subdivision 5, is amended to read:

Subd. 5. **Additional review.** (a) If the postelection review in one of the reviewed precincts reveals a difference greater than one-half one-quarter of one percent, or greater than two votes in a precinct where 400 800 or fewer voters cast ballots, the postelection review official must, within two days, conduct an additional review of the races indicated in subdivision 3 in at least three precincts in the same jurisdiction where the discrepancy was discovered. If all precincts in that jurisdiction have been reviewed, the county auditor must immediately publicly select by lot at least three additional precincts for review. The postelection review official must complete the additional review within two days after the precincts are selected and report the results immediately to the county auditor. If the second review in any of the reviewed precincts also indicates a difference in the vote totals compiled by the voting system that is greater than one-half one-quarter of one percent from the result indicated by the postelection review, or greater than two votes in a precinct where 400 800 or fewer voters cast ballots, the county auditor must conduct a review of the ballots from all the remaining precincts in the county for the races indicated in subdivision 3. This review must be completed and the results must be reported to the secretary of state within one week after the second review was completed.
(b) If the results from the countywide reviews from one or more counties comprising in the aggregate more than ten percent of the total number of persons voting in the election clearly indicate that an error in vote counting has occurred, the secretary of state must notify the postelection review official of each county in the district that they must conduct manual recounts of all the ballots in the district for the affected office using the procedure outlined in section 204C.35. The recount must be completed and the results reported to the appropriate canvassing board within two weeks after the postelection review official received notice from the secretary of state.

Sec. 74. Minnesota Statutes 2020, section 206.90, subdivision 6, is amended to read:

Subd. 6. Ballots. In precincts using optical scan voting systems, a single ballot card on which all ballot information is included must be printed in black ink on white colored material except that marks not to be read by the automatic tabulating equipment may be printed in another color ink. In state elections, a single ballot title must be used, as provided in sections 204D.08, subdivision 6, and 204D.11, subdivision 1. In odd-numbered years when both municipal and school district offices or questions appear on the ballot, the single ballot title "City (or Town) and School District Ballot" must be used.

On the front of the ballot must be printed the words "Official Ballot" and the date of the election and lines for the initials of at least two election judges.

When optical scan ballots are used, the offices to be elected must appear in the following order: federal offices; state legislative offices; constitutional offices; proposed constitutional amendments; county offices and questions; municipal offices and questions; school district offices and questions; special district offices and questions; and judicial offices.

On optical scan ballots, the names of candidates and the words "yes" and "no" for ballot questions must be printed as close to their corresponding vote targets as possible.

The line on an optical scan ballot for write-in votes must contain the words "write-in, if any."

If a primary ballot contains both a partisan ballot and a nonpartisan ballot, the instructions to voters must include a statement that reads substantially as follows: "This ballot card contains a partisan ballot and a nonpartisan ballot. On the partisan ballot you are permitted to vote for candidates of one political party only." If a primary ballot contains political party columns on both sides of the ballot, the instructions to voters must include a statement that reads substantially as follows: "Additional political parties are printed on the other side of this ballot. Vote for one political party only." At the bottom of each political party column...
on the primary ballot, the ballot must contain a statement that reads substantially as follows:

"Continue voting on the nonpartisan ballot." The instructions in section 204D.08, subdivision
4, do not apply to optical scan partisan primary ballots. Electronic ballot displays and audio
ballot readers must follow the order of offices and questions on the optical scan or paper
ballot used in the same precinct, or the sample ballot posted for that precinct.

Sec. 75. [206.97] ELECTION SECURITY AND ADMINISTRATION GRANTS.

Subdivision 1. Grants authorized. The secretary of state may disburse funds governed
by section 5.30 as grants for federal purposes to political subdivisions as authorized by this
section. In evaluating an application for a grant, the secretary of state shall consider only
the information set forth in the application and is not subject to chapter 14.

Subd. 2. Use of grants. A grant awarded under this section may be used for federal
purposes but restricted to the following:

(1) updated hardware or software used for administering elections;
(2) additional physical security for election equipment storage;
(3) increased polling place accessibility; or
(4) cybersecurity or physical security training for election officials or election judges.

Subd. 3. Application. The secretary of state may award a grant to a political subdivision
after receiving an application from the political subdivision. The application must identify:

(1) the date the application is submitted;
(2) the name of the political subdivision;
(3) the name and title of the individual who prepared the application;
(4) the total number of registered voters as of the date of the application in each precinct
in the political subdivision;
(5) the total amount of the grant requested;
(6) the hardware, software, security improvements, accessibility improvements, or
training to be acquired or conducted with the grant money;
(7) the proposed schedule for purchasing and implementing the proposed items and what
precincts will be impacted by their implementation;
(8) whether the political subdivision has previously applied for a grant under this
subdivision and the disposition of that application;
(9) a certified statement by the political subdivision that the grant will be used only for purposes authorized under subdivision 2; and

(10) any other information required by the secretary of state.

Subd. 4. Legislative report. No later than January 15, 2022, and annually thereafter in any year during which grants are disbursed, the secretary of state must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over elections policy on the grant awards. The report must detail each grant awarded, including the jurisdiction, the amount of the grant, and how the grant was used.

Sec. 76. Minnesota Statutes 2020, section 207A.12, is amended to read:

207A.12 CONDUCTING PRESIDENTIAL NOMINATION PRIMARY.

(a) Except as otherwise provided by law, the presidential nomination primary must be conducted, and the results canvassed and returned, in the manner provided by law for the state primary.

(b) An individual seeking to vote at the presidential nomination primary must be registered to vote pursuant to section 201.054, subdivision 1. The voter must request the ballot of the party for whose candidate the individual wishes to vote. Notwithstanding section 204C.18, subdivision 1, the election judge must record in the polling place roster the name of the political party whose ballot the voter requested. When posting voter history pursuant to section 201.171, the county auditor must include the name of the political party whose ballot the voter requested. The political party ballot selected by a voter is private data on individuals as defined under section 13.02, subdivision 12, except as provided in section 201.091, subdivision 4a. A voter eligible to cast a ballot as provided in section 5B.06 must be permitted to cast a ballot at the presidential nomination primary consistent with the requirements of that section.

(c) Immediately after the state canvassing board declares the results of the presidential nomination primary, the secretary of state must notify the chair of each party of the results.

(d) The results of the presidential nomination primary must bind the election of delegates in each party.
Sec. 77. Minnesota Statutes 2020, section 207A.13, is amended to read:

### 207A.13 FORM OF BALLOTS; CANDIDATES ON BALLOT.

**Subdivision 1. Form.** (a) Except as provided by law, presidential nomination primary ballots shall be printed in the same manner as state primary ballots as far as practicable. A sufficient number of each ballot shall be printed for each precinct and ward in the state.

(b) There must be separate ballots for the names of the candidates of each participating political party. Each ballot must be headed by the words "Presidential Nomination Primary Ballot." The heading must also indicate the party that appears on the ballot.

(c) If requested by a party chair, the ballot for that participating party must contain a place for a voter to indicate a preference for having delegates to the party's national convention remain uncommitted. If requested by a party chair, the ballot for that participating party must contain a blank line printed below the other choices on the ballot so that a voter may write in the name of a person who is not listed on the ballot. A request under this paragraph must be submitted to the secretary of state no later than 63 days before the presidential nomination primary.

**Subd. 2. Candidates on the ballot.** (a) Each party participating in the presidential nomination primary must determine which candidates are to be placed on the presidential nomination primary ballot for that party. The chair of each participating party must submit to the secretary of state the names of the candidates to appear on the ballot for that party no later than 63 days before the presidential nomination primary. Once submitted, changes must not be made to the candidates that will appear on the ballot.

(b) No later than the __th day before the presidential nomination primary, the chair of each participating party must submit to the secretary of state the names of write-in candidates, if any, to be counted for that party.

Sec. 78. Minnesota Statutes 2020, section 207A.14, subdivision 3, is amended to read:

**Subd. 3. Notice of primary to public.** At least 15 days before the date of the presidential nomination primary, each municipal clerk shall post a public notice stating the date of the presidential nomination primary, the location of each polling place in the municipality, the hours during which the polling places in the municipality will be open, and information about the requirements of section 207A.12, paragraph (b), including a notice that the voter's choice of a political party's ballot will be recorded and is public information. The county auditor shall post a similar notice in the auditor's office with information for any polling places in unorganized territory in the county. The governing body of a municipality or...
county may publish the notice in addition to posting it. Failure to give notice does not
invalidate the election.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 79. Minnesota Statutes 2020, section 209.021, subdivision 2, is amended to read:

Subd. 2. **Notice filed with court.** If the contest relates to a nomination or election for
statewide office, the contestant shall file the notice of contest with the court administrator
of District Court in Ramsey County. For contests relating to any other office, the contestant
shall file the notice of contest with the court administrator of district court in the county
where the contestee resides maintains residence.

If the contest relates to a constitutional amendment, the contestant shall file the notice
of contest with the court administrator of District Court in Ramsey County. If the contest
relates to any other question, the contestant shall file the notice of contest with the court
administrator of district court for the county or any one of the counties where the question
appeared on the ballot.

Sec. 80. [211B.075] **VOTER INTIMIDATION, INTERFERENCE, AND DECEPTIVE
PRACTICES PROHIBITED; CIVIL ENFORCEMENT.**

Subdivision 1. **Intimidation.** (a) A person, whether acting under color of law or
otherwise, may not directly or indirectly use or threaten force, coercion, violence, restraint,
damage, harm, or loss, including loss of employment or economic reprisal against:

(1) an individual with respect to registering or abstaining from registering to vote, voting
or abstaining from voting, or voting for or against a candidate or ballot question;

(2) an elections official with respect to the performance of duties related to election
administration; or

(3) any person with respect to that person's efforts to encourage another to cast a ballot
or assist another in registering to vote, traveling to a polling place, casting a ballot, or
participating in any other aspect of the election process.

(b) In an action brought to prevent and restrain violations of this section or to require
the payment of civil penalties, the moving party may show that the action or attempted
action would cause a reasonable person to feel intimidated. The moving party does not need
to show that the actor intended to cause the victim to feel intimidated.
Subd. 2. Deceptive practices. (a) No person, whether acting under color of law or otherwise, shall within 60 days of an election cause, by any means, information to be transmitted that the person:

(1) intends to impede or prevent another person from exercising the right to vote; and

(2) knows to be materially false.

(b) The prohibition in this subdivision includes but is not limited to information regarding the time, place, or manner of holding an election; the qualifications for or restrictions on voter eligibility at an election; and threats to physical safety associated with casting a ballot.

Subd. 3. Interference with registration or voting. No person, whether acting under color of law or otherwise, shall intentionally hinder, interfere with, or prevent another person from voting, registering to vote, or aiding another person in casting a ballot or registering to vote.

Subd. 4. Vicarious liability; conspiracy. A person, whether acting under color of law or otherwise, may be held vicariously liable for any damages resulting from the violation of this section and may be identified in an order restraining violations of this section if that person:

(1) intentionally aids, advises, hires, counsels, abets, incites, compels, or coerces a person to violate any provision of this section or attempts to aid, advise, hire, counsel, abet, incite, compel, or coerce a person to violate any provision of this section; or

(2) conspires, combines, agrees, or arranges with another to either commit a violation of this section or aid, advise, hire, counsel, abet, incite, compel, or coerce a third person to violate any provision of this section.

Subd. 5. Enforcement. (a) The attorney general or any injured person may enforce this section consistent with the authority provided in section 8.31. An action filed by an injured person under section 8.31, subdivision 3a, is in the public interest.

(b) Remedies allowable under this section are cumulative and do not restrict any other right or remedy otherwise available to an injured person. An action for a penalty or remedy under this section must be brought within two years of the date the violation is alleged to have occurred. The complaint process provided in sections 211B.31 to 211B.36 does not apply to violations of this section.
Sec. 81. [211B.076] VOTER INTIMIDATION, INTERFERENCE, AND DECEPTIVE PRACTICES PROHIBITED; CRIMINAL PENALTIES.

Subdivision 1. Intimidation. A person is guilty of a crime if the person, whether acting under color of law or otherwise, directly or indirectly uses or threatens force, coercion, violence, restraint, damage, harm, or loss, including loss of employment or economic reprisal against another with the intent to:

1. compel an individual to register or abstain from registering to vote, vote or abstain from voting, or vote for or against a candidate or ballot question;
2. influence an elections official in the performance of duties related to election administration; or
3. interfere with any person's efforts to encourage another to cast a ballot or assist another person in registering to vote, traveling to a polling place, casting a ballot, or participating in any other aspect of the election process.

Subd. 2. Deceptive practices. (a) A person is guilty of a crime if the person, whether acting under color of law or otherwise, within 60 days of an election causes, by any means, information to be transmitted that the person:

1. intends to impede or prevent another person from exercising the right to vote; and
2. knows to be materially false.

(b) The prohibition in this subdivision includes but is not limited to information regarding the time, place, or manner of holding an election; the qualifications for or restrictions on voter eligibility at an election; and threats to physical safety associated with casting a ballot.

Subd. 3. Interference with registration or voting. A person is guilty of a crime if the person, whether acting under color of law or otherwise, intentionally hinders, interferes with, or prevents another person from voting, registering to vote, or aiding another person in casting a ballot or registering to vote.

Subd. 4. Enforcement. The complaint process provided in sections 211B.31 to 211B.36 does not apply to violations of this section.

Subd. 5. Penalty. A person who violates this section is guilty of a gross misdemeanor.

EFFECTIVE DATE. This section is effective August 1, 2021, and applies to crimes committed on or after that date.
Sec. 82. Minnesota Statutes 2020, section 211B.11, subdivision 1, is amended to read:

Subdivision 1. **Soliciting near polling places.** A person may not display campaign material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within a polling place or within 100 feet of the building in which a polling place is situated, or anywhere on the public property on which a polling place is situated, on primary or election day to vote for or refrain from voting for a candidate or ballot question. A person may not provide political badges, political buttons, or other political insignia to be worn at or about the polling place on the day of a primary or election. A political badge, political button, or other political insignia may not be worn at or about the polling place on primary or election day. This section applies only during voting hours and to areas established by the county auditor or municipal clerk for absentee voting as provided in chapter 203B.

Nothing in this subdivision prohibits the distribution of "I VOTED" stickers as provided in section 204B.49.

Sec. 83. Minnesota Statutes 2020, section 211B.32, subdivision 1, is amended to read:

Subdivision 1. **Administrative remedy; exhaustion.** (a) Except as provided in paragraphs (b) and (c), a complaint alleging a violation of chapter 211A or 211B must be filed with the office. The complaint must be finally disposed of by the office before the alleged violation may be prosecuted by a county attorney.

(b) Complaints arising under those sections and related to those individuals and associations specified in section 10A.022, subdivision 3, must be filed with the Campaign Finance and Public Disclosure Board.

(c) Violations of sections 211B.075 and 211B.076 may be enforced as provided in those sections.

Sec. 84. [243.205] **NOTICE OF RESTORATION OF RIGHT TO VOTE.**

Subdivision 1. **Correctional facilities; designation of official.** The chief executive officer of each state and local correctional facility shall designate an official within the facility to provide the notice and application required under this section to a person to whom the civil right to vote is restored by reason of the person's release from actual incarceration. The official shall maintain an adequate supply of voter registration applications and informational materials for this purpose.

Subd. 2. **Notice requirement.** A notice of restoration of the civil right to vote and a voter registration application must be provided as follows:
(1) the chief executive officer of each state and local correctional facility shall provide
the notice and application to a person being released from the facility following incarceration
for a felony-level offense; and

(2) a probation officer or supervised release agent shall provide the notice and application
to all individuals under correctional supervision for a felony-level offense.

Subd. 3. Form of notice. The notice required by subdivision 2 must appear substantially
as follows:

"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.

Your receipt of this notice today means that your right to vote in Minnesota has been
restored. Before you can vote on election day, you still need to register to vote. To register,
you may complete a voter registration application and return it to the Office of the Minnesota
Secretary of State. You may also register to vote in your polling place on election day. You
will not be permitted to cast a ballot until you register to vote. The first time you appear at
your polling place to cast a ballot, you may be required to provide proof of your current
residence."

Subd. 4. Failure to provide notice. A failure to provide proper notice as required by
this section does not prevent the restoration of the person's civil right to vote.

Sec. 85. Minnesota Statutes 2020, section 367.03, subdivision 6, is amended to read:

Subd. 6. Vacancies. (a) When a vacancy occurs in a town office, the town board shall
fill the vacancy by appointment. Except as provided in paragraph (b), the person appointed
shall hold office until the next annual town election, when a successor shall be elected for
the unexpired term.

(b) When a vacancy occurs in a town office:

(1) with more than one year remaining in the term; and

(2) on or after the 14th day before the first day to file an affidavit of candidacy for the
town election;

the vacancy must be filled by appointment. The person appointed serves until the next annual
town election following the election for which affidavits of candidacy are to be filed, when
a successor shall be elected for the unexpired term.

(c) A vacancy in the office of supervisor must be filled by an appointment committee
comprised of the remaining supervisors and the town clerk.
(d) Any person appointed to fill the vacancy in the office of supervisor must, upon assuming the office, be an eligible voter, be 21 years of age, and have resided in the town for at least 30 days.

(e) When, because of a vacancy, more than one supervisor is to be chosen at the same election, candidates for the offices of supervisor shall file for one of the specific terms being filled.

(f) When, for any reason, the town board or the appointment committee fails to fill a vacancy in the position of an elected town officer by appointment, a special election may be called. To call a special election, the supervisors and town clerk, or any two of them together with at least 12 other town freeholders, must file a statement in the town clerk's office. The statement must tell why the election is called and that the interests of the town require the election. When the town board or the appointment committee fails to fill a vacancy by appointment, a special town election may also be called on petition of 20 percent of the electors of the town. The percentage is of the number of voters at the last general election. A special town election must be conducted in the manner required for the annual town election.

(g) Law enforcement vacancies must be filled by appointment by the town board.

Sec. 86. Minnesota Statutes 2020, section 367.25, subdivision 1, is amended to read:

Subdivision 1. Requirement, fee. Every person elected at a March election, elected at a special election, or appointed to a town office, within ten days after receiving a certificate or notice of election or appointment, shall take and subscribe the oath required by law. Persons elected at a November election shall take their oath before assuming office. If taken before the town clerk, the oath shall be administered and certified without fee.

Sec. 87. Minnesota Statutes 2020, section 412.02, subdivision 2a, is amended to read:

Subd. 2a. Vacancy. Except as otherwise provided in subdivision 2b, a vacancy in an office shall be filled by council appointment until an election is held as provided in this subdivision. In case of a tie vote in the council, the mayor shall make the appointment. If the vacancy occurs before the first day to file affidavits of candidacy for the next regular city election and more than two years remain in the unexpired term, a special election shall be held at or before the next regular city election and the appointed person shall serve until the qualification of a successor elected at a special election to fill the unexpired portion of the term. If the vacancy occurs on or after the first day to file affidavits of candidacy for the regular city election or when less than two years remain in the unexpired term, there...
need not be a special election to fill the vacancy and the appointed person shall serve until
the qualification of a successor. The council must specify by ordinance under what
circumstances it will hold a special election to fill a vacancy other than a special election
held at the same time as the regular city election.

All of the provisions of the Minnesota Election Law are applicable to special elections
as far as practicable.

Sec. 88. Minnesota Statutes 2020, section 447.32, subdivision 4, is amended to read:

Subd. 4. Candidates; ballots; certifying election. A person who wants to be a candidate
for the hospital board shall file an affidavit of candidacy for the election either as member
at large or as a member representing the city or town where the candidate resides maintains
residence. The affidavit of candidacy must be filed with the city or town clerk not more
than 98 days nor less than 84 days before the first Tuesday after the first Monday in
November of the year in which the general election is held. The city or town clerk must
forward the affidavits of candidacy to the clerk of the hospital district or, for the first election,
the clerk of the most populous city or town immediately after the last day of the filing period.
A candidate may withdraw from the election by filing an affidavit of withdrawal with the
clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of
candidacy.

Voting must be by secret ballot. The clerk shall prepare, at the expense of the district,
necessary ballots for the election of officers. Ballots must be prepared as provided in the
rules of the secretary of state. The ballots must be marked and initialed by at least two judges
as official ballots and used exclusively at the election. Any proposition to be voted on may
be printed on the ballot provided for the election of officers. The hospital board may also
authorize the use of voting systems subject to chapter 206. Enough election judges may be
appointed to receive the votes at each polling place. The election judges shall act as clerks
of election, count the ballots cast, and submit them to the board for canvass.

After canvassing the election, the board shall issue a certificate of election to the candidate
who received the largest number of votes cast for each office. The clerk shall deliver the
certificate to the person entitled to it in person or by certified mail. Each person certified
shall file an acceptance and oath of office in writing with the clerk within 30 days after the
date of delivery or mailing of the certificate. The board may fill any office as provided in
subdivision 1 if the person elected fails to qualify within 30 days, but qualification is effective
if made before the board acts to fill the vacancy.
Sec. 89. Minnesota Statutes 2020, section 609.165, subdivision 1, is amended to read:

Subdivision 1. Restoration. When a person has been deprived of civil rights by reason of conviction of a crime and is thereafter discharged, such discharge shall restore the person to all civil rights and to full citizenship, with full right to vote and hold office, the same as if such conviction had not taken place, and the order of discharge shall so provide.

Sec. 90. Laws 2019, First Special Session chapter 10, article 1, section 40, is amended to read:

Sec. 40. HELP AMERICA VOTE ACT TRANSFERS AND APPROPRIATIONS; SECRETARY OF STATE.

(a) $6,595,610 is appropriated in fiscal year 2019 from the HAVA account established in Minnesota Statutes, section 5.30, to the secretary of state for the purposes of improving the administration and security of elections as authorized by federal law. Use of the appropriation is limited to the following activities:

(1) modernizing, securing, and updating the statewide voter registration system and for cybersecurity upgrades as authorized by federal law;

(2) improving accessibility;

(3) preparing training materials and training local election officials; and

(4) implementing security improvements for election systems.

(b) Any amount earned in interest on the amount appropriated under paragraph (a) is appropriated from the HAVA account to the secretary of state for purposes of improving the administration and security of elections as authorized by federal law.

(c) The appropriations under paragraphs (a) and (b) are onetime and available until March 23, 2023 expended.

(d) $167,000 expended by the secretary of state in fiscal years 2018 and 2019 for increasing secure access to the statewide voter registration system is deemed:

(1) to be money used for carrying out the purposes authorized under the Omnibus Appropriations Act of 2018, Public Law 115-1410, and the Help America Vote Act of 2002, Public Law 107-252, section 101; and

(2) to be credited toward any match required by those laws.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 91. Laws 2020, chapter 77, section 3, subdivision 6, is amended to read:

Subd. 6. **Availability of appropriations.** The appropriations provided in this section are onetime and available until December 21, 2024 expended.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 92. **ELECTION DAY REGISTRATION; USE OF MEDICAL BILL TO PROVE RESIDENCE.**

The secretary of state must amend Minnesota Rules, section 8200.5100, subpart 2, to allow an eligible voter to prove residence in a precinct on election day by presenting a medical bill. The amendment to the rule must be effective no later than August 1, 2021. The secretary of state may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section and Minnesota Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section 14.388.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

**ARTICLE 4**

**CAMPAIGN FINANCE**

Section 1. Minnesota Statutes 2020, section 10A.01, subdivision 4, is amended to read:

Subd. 4. **Approved expenditure.** "Approved expenditure" means an expenditure made on behalf of a candidate or a local candidate by an entity other than the candidate's principal campaign committee or the local candidate, if the expenditure is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of the candidate or local candidate, the candidate's principal campaign committee, or the candidate's local candidate's agent. An approved expenditure is a contribution to that candidate or local candidate.

Sec. 2. Minnesota Statutes 2020, section 10A.01, subdivision 7, is amended to read:

Subd. 7. **Ballot question.** "Ballot question" means a question or proposition that is placed on the ballot and that may be voted on by:

1. all voters of the state;
2. all voters of Hennepin County;
3. all voters of any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or
(4) all voters of Special School District No. 1.

"Promoting or defeating a ballot question" includes activities, other than lobbying activities, related to qualifying the question for placement on the ballot.

Sec. 3. Minnesota Statutes 2020, section 10A.01, subdivision 9, is amended to read:

Subd. 9. Campaign expenditure. "Campaign expenditure" or "expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the nomination or election of a candidate or a local candidate or for the purpose of promoting or defeating a ballot question.

An expenditure is considered to be made in the year in which the candidate made the purchase of goods or services or incurred an obligation to pay for goods or services.

An expenditure made for the purpose of defeating a candidate or a local candidate is considered made for the purpose of influencing the nomination or election of that candidate or local candidate or any opponent of that candidate or local candidate.

Except as provided in clause (1), "expenditure" includes the dollar value of a donation in kind.

"Expenditure" does not include:

(1) noncampaign disbursements as defined in subdivision 26;

(2) services provided without compensation by an individual volunteering personal time on behalf of a candidate or a local candidate, ballot question, political committee, political fund, principal campaign committee, or party unit;

(3) the publishing or broadcasting of news items or editorial comments by the news media; or

(4) an individual's unreimbursed personal use of an automobile owned by the individual and used by the individual while volunteering personal time.

Sec. 4. Minnesota Statutes 2020, section 10A.01, is amended by adding a subdivision to read:

Subd. 10d. Local candidate. "Local candidate" means an individual who seeks nomination or election to:

(1) any county office in Hennepin County:
(2) any city office in any home rule charter city or statutory city located wholly within
Hennepin County and having a population of 75,000 or more; or

(3) the school board in Special School District No. 1.

Sec. 5. Minnesota Statutes 2020, section 10A.01, subdivision 11, is amended to read:

Subd. 11. Contribution. (a) "Contribution" means money, a negotiable instrument, or
a donation in kind that is given to a political committee, political fund, principal campaign
committee, local candidate, or party unit. An allocation by an association of general treasury
money to be used for activities that must be or are reported through the association's political
fund is considered to be a contribution for the purposes of disclosure required by this chapter.

(b) "Contribution" includes a loan or advance of credit to a political committee, political
fund, principal campaign committee, local candidate, or party unit, if the loan or advance
of credit is: (1) forgiven; or (2) repaid by an individual or an association other than the
political committee, political fund, principal campaign committee, local candidate, or party
unit to which the loan or advance of credit was made. If an advance of credit or a loan is
forgiven or repaid as provided in this paragraph, it is a contribution in the year in which the
loan or advance of credit was made.

(c) "Contribution" does not include services provided without compensation by an
individual volunteering personal time on behalf of a candidate, local candidate, ballot
question, political committee, political fund, principal campaign committee, or party unit;
the publishing or broadcasting of news items or editorial comments by the news media; or
an individual's unreimbursed personal use of an automobile owned by the individual while
volunteering personal time.

Sec. 6. Minnesota Statutes 2020, section 10A.01, subdivision 16a, is amended to read:

Subd. 16a. Expressly advocating. "Expressly advocating" means:
(1) that a communication clearly identifies a candidate or a local candidate and uses
words or phrases of express advocacy; or

(2) that a communication when taken as a whole and with limited reference to external
events, such as the proximity to the election, is susceptible of no reasonable interpretation
other than as an appeal advocating the election or defeat of one or more clearly identified
candidates.
Sec. 7. Minnesota Statutes 2020, section 10A.01, subdivision 17c, is amended to read:

Subd. 17c. General treasury money. "General treasury money" means money that an association other than a principal campaign committee, party unit, or political committee accumulates through membership dues and fees, donations to the association for its general purposes, and income from the operation of a business. General treasury money does not include money collected to influence the nomination or election of candidates or local candidates or to promote or defeat a ballot question.

Sec. 8. Minnesota Statutes 2020, section 10A.01, subdivision 18, is amended to read:

Subd. 18. Independent expenditure. "Independent expenditure" means an expenditure expressly advocating the election or defeat of a clearly identified candidate or local candidate, if the expenditure is made without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, any candidate or any candidate's principal campaign committee or agent or any local candidate or local candidate's agent. An independent expenditure is not a contribution to that candidate or local candidate. An independent expenditure does not include the act of announcing a formal public endorsement of a candidate or local candidate for public office, unless the act is simultaneously accompanied by an expenditure that would otherwise qualify as an independent expenditure under this subdivision.

Sec. 9. Minnesota Statutes 2020, section 10A.01, subdivision 20, is amended to read:

Subd. 20. Loan. "Loan" means an advance of money or anything of value made to a political committee, political fund, principal campaign committee, local candidate, or party unit.

Sec. 10. Minnesota Statutes 2020, section 10A.01, subdivision 26, is amended to read:

Subd. 26. Noncampaign disbursement. (a) "Noncampaign disbursement" means a purchase or payment of money or anything of value made, or an advance of credit incurred, or a donation in kind received, by a principal campaign committee for any of the following purposes:

(1) payment for accounting and legal services;
(2) return of a contribution to the source;
(3) repayment of a loan made to the principal campaign committee by that committee;
(4) return of a public subsidy;
(5) payment for food, beverages, and necessary utensils and supplies, entertainment, and facility rental for a fund-raising event;

(6) services for a constituent by a member of the legislature or a constitutional officer in the executive branch as provided in section 10A.173, subdivision 1;

(7) payment for food and beverages consumed by a candidate or volunteers while they are engaged in campaign activities;

(8) payment for food or a beverage consumed while attending a reception or meeting directly related to legislative duties;

(9) payment of expenses incurred by elected or appointed leaders of a legislative caucus in carrying out their leadership responsibilities;

(10) payment by a principal campaign committee of the candidate's expenses for serving in public office, other than for personal uses;

(11) costs of child care for the candidate's children when campaigning;

(12) fees paid to attend a campaign school;

(13) costs of a postelection party during the election year when a candidate's name will no longer appear on a ballot or the general election is concluded, whichever occurs first;

(14) interest on loans paid by a principal campaign committee on outstanding loans;

(15) filing fees;

(16) post-general election holiday or seasonal cards, thank-you notes, or advertisements in the news media mailed or published prior to the end of the election cycle;

(17) the cost of campaign material purchased to replace defective campaign material, if the defective material is destroyed without being used;

(18) contributions to a party unit;

(19) payments for funeral gifts or memorials;

(20) the cost of a magnet less than six inches in diameter containing legislator contact information and distributed to constituents;

(21) costs associated with a candidate attending a political party state or national convention in this state;
(22) other purchases or payments specified in board rules or advisory opinions as being for any purpose other than to influence the nomination or election of a candidate or to promote or defeat a ballot question;

(23) costs paid to a third party for processing contributions made by a credit card, debit card, or electronic check;

(24) a contribution to a fund established to support a candidate's participation in a recount of ballots affecting that candidate's election;

(25) costs paid by a candidate's principal campaign committee for a single reception given in honor of the candidate's retirement from public office after the filing period for affidavits of candidacy for that office has closed;

(26) a donation from a terminating principal campaign committee to the state general fund; and

(27) a donation from a terminating principal campaign committee to a county obligated to incur special election expenses due to that candidate's resignation from state office; and

(28) during a period starting January 1 in the year following a general election and ending on December 31 of the year of general election, payments of $2,000 or less for security-related expenses for a candidate and any immediate family member of the candidate, including but not limited to home security cameras, a home security system, and identity theft monitoring services. For purposes of this clause, an immediate family member is a person who resides in the candidate's household and is the candidate's spouse, fiancee, fiance, grandparent, parent, child, grandchild, sibling, including adoptive, half, step, and in-law relationships.

(b) The board must determine whether an activity involves a noncampaign disbursement within the meaning of this subdivision.

(c) A noncampaign disbursement is considered to be made in the year in which the candidate made the purchase of goods or services or incurred an obligation to pay for goods or services.

Sec. 11. Minnesota Statutes 2020, section 10A.01, subdivision 27, is amended to read:

Subd. 27. Political committee. "Political committee" means an association whose major purpose is to influence the nomination or election of one or more candidates or local candidates or to promote or defeat a ballot question, other than a principal campaign committee, local candidate, or a political party unit.
Sec. 12. Minnesota Statutes 2020, section 10A.01, subdivision 28, is amended to read:

Subd. 28. Political fund. "Political fund" means an accumulation of dues or voluntary contributions by an association other than a political committee, principal campaign committee, or party unit, if the accumulation is collected or expended to influence the nomination or election of one or more candidates or local candidates or to promote or defeat a ballot question. The term political fund as used in this chapter may also refer to the association acting through its political fund.

Sec. 13. Minnesota Statutes 2020, section 10A.01, subdivision 35, is amended to read:

Subd. 35. Public official. "Public official" means any:

(1) member of the legislature;

(2) individual employed by the legislature as secretary of the senate, legislative auditor, director of the Legislative Budget Office, chief clerk of the house of representatives, revisor of statutes, or researcher, legislative analyst, fiscal analyst, or attorney in the Office of Senate Counsel, Research and Fiscal Analysis, House Research, or the House Fiscal Analysis Department;

(3) constitutional officer in the executive branch and the officer's chief administrative deputy;

(4) solicitor general or deputy, assistant, or special assistant attorney general;

(5) commissioner, deputy commissioner, or assistant commissioner of any state department or agency as listed in section 15.01 or 15.06, or the state chief information officer;

(6) member, chief administrative officer, or deputy chief administrative officer of a state board or commission that has either the power to adopt, amend, or repeal rules under chapter 14, or the power to adjudicate contested cases or appeals under chapter 14;

(7) individual employed in the executive branch who is authorized to adopt, amend, or repeal rules under chapter 14 or adjudicate contested cases under chapter 14;

(8) executive director of the State Board of Investment;

(9) deputy of any official listed in clauses (7) and (8);

(10) judge of the Workers' Compensation Court of Appeals;
(11) administrative law judge or compensation judge in the State Office of Administrative
Hearings or unemployment law judge in the Department of Employment and Economic
Development;

(12) member, regional administrator, division director, general counsel, or operations
manager of the Metropolitan Council;

(13) member or chief administrator of a metropolitan agency;

(14) director of the Division of Alcohol and Gambling Enforcement in the Department
of Public Safety;

(15) member or executive director of the Higher Education Facilities Authority;

(16) member of the board of directors or president of Enterprise Minnesota, Inc.;

(17) member of the board of directors or executive director of the Minnesota State High
School League;

(18) member of the Minnesota Ballpark Authority established in section 473.755;

(19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;

(20) manager of a watershed district, or member of a watershed management organization
as defined under section 103B.205, subdivision 13;

(21) supervisor of a soil and water conservation district;

(22) director of Explore Minnesota Tourism;

(23) citizen member of the Lessard-Sams Outdoor Heritage Council established in section
97A.056;

(24) citizen member of the Clean Water Council established in section 114D.30;

(25) member or chief executive of the Minnesota Sports Facilities Authority established
in section 473J.07;

(26) district court judge, appeals court judge, or supreme court justice;

(27) county commissioner;

(28) member of the Greater Minnesota Regional Parks and Trails Commission; or

(29) member of the Destination Medical Center Corporation established in section 469.41
or

(30) chancellor or member of the Board of Trustees of the Minnesota State Colleges
and Universities.
Sec. 14. Minnesota Statutes 2020, section 10A.09, subdivision 1, is amended to read:

Subdivision 1. Time for filing. An individual must file a statement of economic interest with the board:

1. within 60 days of accepting employment as a public official or a local official in a metropolitan governmental unit;
2. within 60 days of assuming office as a district court judge, appeals court judge, supreme court justice, or county commissioner;
3. within 14 days after filing an affidavit of candidacy or petition to appear on the ballot for an elective state constitutional or legislative office or an elective local office in a metropolitan governmental unit other than county commissioner;
4. in the case of a public official requiring the advice and consent of the senate, within 14 days after undertaking the duties of office; or
5. in the case of members of the Minnesota Racing Commission, the director of the Minnesota Racing Commission, chief of security, medical officer, inspector of pari-mutuels, and stewards employed or approved by the commission or persons who fulfill those duties under contract, within 60 days of accepting or assuming duties.

Sec. 15. Minnesota Statutes 2020, section 10A.09, subdivision 2, is amended to read:

Subd. 2. Notice to board. The secretary of state or the appropriate county auditor, upon receiving an affidavit of candidacy or petition to appear on the ballot from an individual required by this section to file a statement of economic interest, and any official who nominates or employs a public or local official required by this section to file a statement of economic interest, must notify the board of the name of the individual required to file a statement and the date of the affidavit, petition, or nomination.

Sec. 16. Minnesota Statutes 2020, section 10A.09, subdivision 5, is amended to read:

Subd. 5. Form; general requirements. (a) A statement of economic interest required by this section must be on a form prescribed by the board. The individual filing must provide the following information:

1. name, address, occupation, and principal place of business;
2. the name of each associated business and the nature of that association;
3. a listing of all real property within the state, excluding homestead property, in which the individual holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or...

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seller, or an option to buy, whether direct or indirect, if the interest is valued in excess of $2,500; or (ii) an option to buy, if the property has a fair market value of more than $50,000;

(4) a listing of all real property within the state in which a partnership of which the individual is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of the partnership interest is valued in excess of $2,500; or (ii) an option to buy, if the property has a fair market value of more than $50,000. A listing under this clause or clause (3) must indicate the street address and the municipality or the section, township, range and approximate acreage, whichever applies, and the county in which the property is located;

(5) a listing of any investments, ownership, or interests in property connected with pari-mutuel horse racing in the United States and Canada, including a racehorse, in which the individual directly or indirectly holds a partial or full interest or an immediate family member holds a partial or full interest;

(6) a listing of the principal business or professional activity category of each business from which the individual receives more than $250 in any month during the reporting period as an employee, if the individual has an ownership interest of 25 percent or more in the business;

(7) a listing of each principal business or professional activity category from which the individual received compensation of more than $2,500 in the past 12 months as an independent contractor; and

(8) a listing of the full name of each security with a value of more than $10,000 owned in part or in full by the individual, at any time during the reporting period.

(b) The business or professional categories for purposes of paragraph (a), clauses (6) and (7), must be the general topic headings used by the federal Internal Revenue Service for purposes of reporting self-employment income on Schedule C. This paragraph does not require an individual to report any specific code number from that schedule. Any additional principal business or professional activity category may only be adopted if the category is enacted by law.

(c) For the purpose of an original statement of economic interest, "compensation in any month" includes only compensation received in the calendar month immediately preceding the date of appointment as a public official or filing as a candidate.

(d) For the purpose of calculating the amount of compensation received from any single source in a single month, the amount shall include the total amount received from
the source during the month, whether or not the amount covers compensation for more than
one month.

(е) (d) For the purpose of determining the value of an individual's interest in real property,
the value of the property is the market value shown on the property tax statement.

(f) For the purpose of an original statement of economic interest, the individual shall
disclose only those real properties owned on the date of appointment as a public official or
filing as a candidate.

(е) (e) For the purpose of this section, "date of appointment" means the effective date
of appointment to a position.

(е) (f) For the purpose of this section, "accepting employment as a public official" means
the effective date of the appointment to the position, as stated in the appointing authority's
notice to the board.

Sec. 17. Minnesota Statutes 2020, section 10A.09, is amended by adding a subdivision to
read:

Subd. 5a. Original statement; reporting period. (a) An original statement of economic
interest required under subdivision 1, clause (1), must cover the calendar month before the
month in which the individual accepted employment as a public official or a local official
in a metropolitan governmental unit.

(b) An original statement of economic interest required under subdivision 1, clauses (2),
(4), and (5), must cover the calendar month before the month in which the individual assumed
or undertook the duties of office.

(c) An original statement of economic interest required under subdivision 1, clause (3),
must cover the calendar month before the month in which the candidate filed the affidavit
of candidacy.

Sec. 18. Minnesota Statutes 2020, section 10A.09, subdivision 6, is amended to read:

Subd. 6. Annual statement. (a) Each individual who is required to file a statement of
economic interest must also file an annual statement by the last Monday in January of each
year that the individual remains in office. The annual statement must cover the period
through December 31 of the year prior to the year when the statement is due. The annual
statement must include the amount of each honorarium in excess of $50 $250 received since
the previous statement and the name and address of the source of the honorarium. The board
must maintain each annual statement of economic interest submitted by an officeholder in
the same file with the statement submitted as a candidate.

(b) For the purpose of annual statements of economic interest to be filed, "compensation
in any month" includes compensation and honoraria received in any month between the
end of the period covered in the preceding statement of economic interest and the end of
the current period.

(c) (b) An individual must file the annual statement of economic interest required by
this subdivision to cover the period for which the individual served as a public official even
though at the time the statement was filed, the individual is no longer holding that office as
a public official.

(d) For the purpose of an annual statement of economic interest, the individual shall
disclose any real property owned at any time between the end of the period covered by the
preceding statement of economic interest and through the last day of the month preceding
the current filing or the last day of employment, if the individual is no longer a public
official.

Sec. 19. Minnesota Statutes 2020, section 10A.12, subdivision 1, is amended to read:

Subdivision 1. When required for contributions and approved expenditures. An
association other than a political committee or party unit may not contribute more than $750
in aggregate in any calendar year to candidates, local candidates, political committees, or
party units or make approved expenditures of more than $750 in aggregate in any calendar
year unless the contribution or expenditure is made through a political fund.

Sec. 20. Minnesota Statutes 2020, section 10A.12, subdivision 2, is amended to read:

Subd. 2. Commingling prohibited. The contents of an association's political fund may
not be commingled with other funds or with the personal funds of an officer or member of
the association or the fund. It is not commingling for an association that uses only its own
general treasury money to make expenditures and disbursements permitted under section
10A.121, subdivision 1, directly from the depository used for its general treasury money.
An association that accepts more than $1,500 in aggregate in contributions to influence the
nomination or election of candidates or local candidates or more than $5,000 in contributions
to promote or defeat a ballot question must establish a separate depository for those
contributions.
Sec. 21. Minnesota Statutes 2020, section 10A.121, subdivision 2, is amended to read:

Subd. 2. Penalty. (a) An independent expenditure political committee or independent expenditure political fund is subject to a civil penalty of up to four times the amount of the contribution or approved expenditure if it does the following:

(1) makes a contribution to a candidate, local candidate, party unit, political committee, or political fund other than an independent expenditure political committee or an independent expenditure political fund; or

(2) makes an approved expenditure.

(b) No other penalty provided in law may be imposed for conduct that is subject to a civil penalty under this section.

Sec. 22. Minnesota Statutes 2020, section 10A.13, subdivision 1, is amended to read:

Subdivision 1. Accounts; penalty. The treasurer of a political committee, political fund, principal campaign committee, or party unit must keep an account of:

(1) the sum of all contributions, except any donation in kind valued at $20 or less, made to the committee, fund, or party unit;

(2) the name and address of each source of a contribution made to the committee, fund, or party unit in excess of $20, together with the date and amount of each;

(3) each expenditure made by the committee, fund, or party unit, together with the date and amount;

(4) each approved expenditure made on behalf of the committee, fund, or party unit, together with the date and amount; and

(5) the name and address of each political committee, political fund, principal campaign committee, local candidate, or party unit to which contributions in excess of $20 have been made, together with the date and amount.

Any individual who knowingly violates this subdivision is subject to a civil penalty imposed by the board of up to $1,000.

Sec. 23. Minnesota Statutes 2020, section 10A.17, subdivision 4, is amended to read:

Subd. 4. Independent expenditures. An individual, political committee, political fund, principal campaign committee, or party unit that independently solicits or accepts contributions or makes independent expenditures on behalf of a candidate or local candidate...
must publicly disclose that the expenditure is an independent expenditure. All written and
broadcast communications with those from whom contributions are independently solicited
or accepted or to whom independent expenditures are made on behalf of a candidate or local
candidate must contain a statement in substantially the form provided in section 211B.04,
subdivision 2. The statement must be on the front page of all written communications and
at the end of all broadcast communications made by that individual, political committee,
political fund, principal campaign committee, or party unit on the candidate's or local
candidate's behalf.

Sec. 24. Minnesota Statutes 2020, section 10A.20, is amended by adding a subdivision to
read:

Subd. 2a. Local election reports. (a) This subdivision applies to a political committee,
political fund, or political party unit that during a non-general election year:

(1) spends in aggregate more than $200 to influence the nomination or election of local
candidates;

(2) spends in aggregate more than $200 to make independent expenditures on behalf of
local candidates; or

(3) spends in aggregate more than $200 to promote or defeat ballot questions defined
in section 10A.01, subdivision 7, clause (2), (3), or (4).

(b) In addition to the reports required by subdivision 2, the entities listed in paragraph
(a) must file the following reports in each non-general election year:

(1) a first-quarter report covering the calendar year through March 31, which is due
April 14;

(2) a report covering the calendar year through May 31, which is due June 14;

(3) a pre-primary-election report due 15 days before the local primary election date
specified in section 205.065;

(4) a pre-general-election report due 42 days before the local general election; and

(5) a pre-general-election report due ten days before a local general election.

The reporting obligations in this paragraph begin with the first report due after the
reporting period in which the entity reaches the spending threshold specified in paragraph
(a).
Sec. 25. Minnesota Statutes 2020, section 10A.20, subdivision 3, is amended to read:

Subd. 3. Contents of report. (a) The report required by this section must include each of the items listed in paragraphs (b) to (q) that are applicable to the filer. The board shall prescribe forms based on filer type indicating which of those items must be included on the filer's report.

(b) The report must disclose the amount of liquid assets on hand at the beginning of the reporting period.

(c) The report must disclose the name, address, employer, or occupation if self-employed, and registration number if registered with the board, of each individual or association that has made one or more contributions to the reporting entity, including the purchase of tickets for a fund-raising effort, that in aggregate within the year exceed $200 for legislative or statewide candidates or more than $500 for ballot questions, together with the amount and date of each contribution, and the aggregate amount of contributions within the year from each source so disclosed. A donation in kind must be disclosed at its fair market value. An approved expenditure must be listed as a donation in kind. A donation in kind is considered consumed in the reporting period in which it is received. The names of contributors must be listed in alphabetical order. Contributions from the same contributor must be listed under the same name. When a contribution received from a contributor in a reporting period is added to previously reported unitemized contributions from the same contributor and the aggregate exceeds the disclosure threshold of this paragraph, the name, address, and employer, or occupation if self-employed, of the contributor must then be listed on the report.

(d) The report must disclose the sum of contributions to the reporting entity during the reporting period.

(e) The report must disclose each loan made or received by the reporting entity within the year in aggregate in excess of $200, continuously reported until repaid or forgiven, together with the name, address, occupation, principal place of business, if any, and registration number if registered with the board of the lender and any endorser and the date and amount of the loan. If a loan made to the principal campaign committee of a candidate is forgiven or is repaid by an entity other than that principal campaign committee, it must be reported as a contribution for the year in which the loan was made.

(f) The report must disclose each receipt over $200 during the reporting period not otherwise listed under paragraphs (c) to (e).
The report must disclose the sum of all receipts of the reporting entity during the reporting period.

The report must disclose the name, address, and registration number if registered with the board of each individual or association to whom aggregate expenditures, approved expenditures, independent expenditures, and ballot question expenditures have been made by or on behalf of the reporting entity within the year in excess of $200, together with the amount, date, and purpose of each expenditure, including an explanation of how the expenditure was used, and the name and address of, and office sought by, each candidate or local candidate on whose behalf the expenditure was made, identification of the ballot question that the expenditure was intended to promote or defeat and an indication of whether the expenditure was to promote or to defeat the ballot question, and in the case of independent expenditures made in opposition to a candidate or local candidate, the candidate's or local candidate's name, address, and office sought. A reporting entity making an expenditure on behalf of more than one candidate for state or legislative office or local candidate must allocate the expenditure among the candidates and local candidates on a reasonable cost basis and report the allocation for each candidate or local candidate. The report must list on separate schedules any independent expenditures made on behalf of local candidates and any expenditures made for ballot questions as defined in section 10A.01, subdivision 7, clause (2), (3), or (4).

The report must disclose the sum of all expenditures made by or on behalf of the reporting entity during the reporting period.

The report must disclose the amount and nature of an advance of credit incurred by the reporting entity, continuously reported until paid or forgiven. If an advance of credit incurred by the principal campaign committee of a candidate is forgiven by the creditor or paid by an entity other than that principal campaign committee, it must be reported as a donation in kind for the year in which the advance of credit was made.

The report must disclose the name, address, and registration number if registered with the board of each political committee, political fund, principal campaign committee, local candidate, or party unit to which contributions have been made that aggregate in excess of $200 within the year and the amount and date of each contribution. The report must list on separate schedules any contributions made to state candidates' principal campaign committees and any contributions made to local candidates.
The report must disclose the sum of all contributions made by the reporting entity during the reporting period and must separately disclose the sum of all contributions made to local candidates by the reporting entity during the reporting period.

The report must disclose the name, address, and registration number if registered with the board of each individual or association to whom noncampaign disbursements have been made that aggregate in excess of $200 within the year by or on behalf of the reporting entity and the amount, date, and purpose of each noncampaign disbursement, including an explanation of how the expenditure was used.

The report must disclose the sum of all noncampaign disbursements made within the year by or on behalf of the reporting entity.

The report must disclose the name and address of a nonprofit corporation that provides administrative assistance to a political committee or political fund as authorized by section 211B.15, subdivision 17, the type of administrative assistance provided, and the aggregate fair market value of each type of assistance provided to the political committee or political fund during the reporting period.

Legislative, statewide, and judicial candidates, party units, and political committees and funds must itemize contributions that in aggregate within the year exceed $200 for legislative or statewide candidates or more than $500 for ballot questions on reports submitted to the board. The itemization must include the date on which the contribution was received, the individual or association that provided the contribution, and the address of the contributor. Additionally, the itemization for a donation in kind must provide a description of the item or service received. Contributions that are less than the itemization amount must be reported as an aggregate total.

Legislative, statewide, and judicial candidates, party units, political committees and funds, and committees to promote or defeat a ballot question must itemize expenditures and noncampaign disbursements that in aggregate exceed $200 in a calendar year on reports submitted to the board. The itemization must include the date on which the committee made or became obligated to make the expenditure or disbursement, the name and address of the vendor that provided the service or item purchased, and a description of the service or item purchased, including an explanation of how the expenditure was used. Expenditures and noncampaign disbursements must be listed on the report alphabetically by vendor.
Sec. 26. Minnesota Statutes 2020, section 10A.20, subdivision 6a, is amended to read:

Subd. 6a. Statement of independence. An individual, political committee, political fund, or party unit filing a report or statement disclosing an independent expenditure under subdivision 3 or 6 must file with the report a sworn statement that the disclosed expenditures were not made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of any candidate; or any candidate's principal campaign committee or agent; any local candidate, or any local candidate's agent.

Sec. 27. Minnesota Statutes 2020, section 10A.20, subdivision 13, is amended to read:

Subd. 13. Third-party reimbursement. An individual or association filing a report disclosing an expenditure or noncampaign disbursement that must be reported and itemized under subdivision 3, paragraph (g) or (h) or (m), that is a reimbursement to a third party must report the purpose of each expenditure or disbursement for which the third party is being reimbursed. In the alternative, the reporting individual or association may report individually each of the underlying expenditures being reimbursed. An expenditure or disbursement is a reimbursement to a third party if it is for goods or services that were not directly provided by the individual or association to whom the expenditure or disbursement is made. Third-party reimbursements include payments to credit card companies and reimbursement of individuals for expenses they have incurred.

Sec. 28. Minnesota Statutes 2020, section 10A.27, subdivision 13, is amended to read:

Subd. 13. Unregistered association limit; statement; penalty. (a) The treasurer of a political committee, political fund, principal campaign committee, or party unit must not accept a contribution of more than $200 from an association not registered under this chapter unless the contribution is accompanied by a written statement that meets the disclosure and reporting period requirements imposed by section 10A.20. The statement may be a written statement or a government website where the disclosure report for the unregistered association may be viewed. This statement must be certified as true and correct by an officer of the contributing association. The committee, fund, or party unit that accepts the contribution must include a copy of the written statement or website with the report that discloses the contribution to the board.

(b) An unregistered association may provide the written statement required by this subdivision to no more than three committees, funds, or party units in a calendar year. Each statement must cover at least the 30 days immediately preceding and including the date on
which the contribution was made. An unregistered association or an officer of it is subject
to a civil penalty imposed by the board of up to $1,000, if the association or its officer:

(1) fails to provide a written statement as required by this subdivision; or

(2) fails to register after giving the written statement required by this subdivision to more
than three committees, funds, or party units in a calendar year.

(c) The treasurer of a political committee, political fund, principal campaign committee,
or party unit who accepts a contribution in excess of $200 from an unregistered association
without the required written disclosure statement is subject to a civil penalty up to four
times the amount in excess of $200.

(d) This subdivision does not apply:

(1) when a national political party contributes money to its state committee; or

(2) when a federal committee of a major or minor political party registered with the
board gives an in-kind contribution to the federal committee's state central committee or a
party organization within a house of the state legislature; or

(2) (3) to purchases by candidates for federal office of tickets to events or space rental
at events held by party units in this state (i) if the geographical area represented by the party
unit includes any part of the geographical area of the office that the federal candidate is
seeking and (ii) the purchase price is not more than that paid by other attendees or renters
of similar spaces.

Sec. 29. Minnesota Statutes 2020, section 10A.275, subdivision 1, is amended to read:

Subdivision 1. Exceptions. Notwithstanding other provisions of this chapter, the
following expenditures by a party unit, or two or more party units acting together, with at
least one party unit being either: the state committee or the party organization within a
congressional district, county, or legislative district, are not considered contributions to or
expenditures on behalf of a candidate for the purposes of section 10A.25 or 10A.27 and
must not be allocated to candidates under section 10A.20, subdivision 3, paragraph (g) (h):

(1) expenditures on behalf of candidates of that party generally without referring to any
of them specifically in a published, posted, or broadcast advertisement;

(2) expenditures for the preparation, display, mailing, or other distribution of an official
party sample ballot listing the names of three or more individuals whose names are to appear
on the ballot;
(3) expenditures for a telephone conversation including call, voice mail, text message, multimedia message, internet chat message, or e-mail when the communication includes the names of three or more individuals whose names are to appear on the ballot;

(4) expenditures for a political party fund-raising effort on behalf of three or more candidates; or

(5) expenditures for party committee staff services that benefit three or more candidates.

Sec. 30. Minnesota Statutes 2020, section 10A.323, is amended to read:

10A.323 AFFIDAVIT OF CONTRIBUTIONS.

(a) In addition to the requirements of section 10A.322, to be eligible to receive a public subsidy under section 10A.31 a candidate or the candidate's treasurer must:

(1) between January 1 of the previous year and the cutoff date for transactions included in the report of receipts and expenditures due before the primary election, accumulate contributions from individuals eligible to vote in this state in at least the amount indicated for the office sought, counting only the first $50 received from each contributor, excluding in-kind contributions:

(i) candidates for governor and lieutenant governor running together, $35,000;

(ii) candidates for attorney general, $15,000;

(iii) candidates for secretary of state and state auditor, separately, $6,000;

(iv) candidates for the senate, $3,000; and

(v) candidates for the house of representatives, $1,500;

(2) file an affidavit with the board stating that the principal campaign committee has complied with this paragraph. The affidavit must state the total amount of contributions that have been received from individuals eligible to vote in this state, excluding:

(i) the portion of any contribution in excess of $50;

(ii) any in-kind contribution; and

(iii) any contribution for which the name and address of the contributor is not known and recorded; and

(3) submit the affidavit required by this section to the board in writing by the deadline for reporting of receipts and expenditures before a primary under section 10A.20, subdivision 4.2.
(b) A candidate for a vacancy to be filled at a special election for which the filing period
does not coincide with the filing period for the general election must accumulate the
contributions specified in paragraph (a) and must submit the affidavit required by this section
to the board within five days after the close of the filing period for the special election for
which the candidate filed.

(c) Notwithstanding paragraphs (a) and (b), a candidate for a vacancy to be filled at a
special election called under section 204B.13, subdivision 2, paragraph (c), must accumulate
the contributions specified in paragraph (a) and must submit the affidavit required by this
section to the board within 12 calendar days after the general election.

(d) A candidate or the candidate's treasurer must be able to electronically file the affidavit
required under this section in the same manner as other reports required by this chapter.
The board must not require the candidate or candidate's treasurer to notarize the affidavit
of contribution.

Sec. 31. Minnesota Statutes 2020, section 211B.04, subdivision 2, is amended to read:

Subd. 2. Independent expenditures. (a) The required form of the disclaimer on a written
independent expenditure is: "This is an independent expenditure prepared and paid for by
...... (name of entity participating in the expenditure), ...... (address). It is not coordinated
with or approved by any candidate nor is any candidate responsible for it. The top three
contributors funding this expenditure are (1) ......., (2) ......., and (3) ......." The address must
be either the entity's mailing address or the entity's website, if the website includes the
entity's mailing address. When a written independent expenditure is produced and
disseminated without cost, the words "and paid for" may be omitted from the disclaimer.

(b) The required form of the disclaimer on a broadcast independent expenditure is: "This
independent expenditure is paid for by ...... (name of entity participating in the expenditure).
It is not coordinated with or approved by any candidate nor is any candidate responsible
for it. The top three contributors funding this expenditure are (1) ......., (2) ......., and (3)
......" When a broadcast independent expenditure is produced and disseminated without
cost, the following disclaimer may be used: "...... (name of entity participating in the
expenditure) is responsible for the contents of this independent expenditure. It is not
coordinated with or approved by any candidate nor is any candidate responsible for it."

(c) The listing of the top three contributors required to be included in a disclaimer under
this subdivision must identify by name the three individuals or entities making the largest
contribution required to be reported under chapter 10A to the expending entity during the
12-month period preceding the first date at which the expenditure was published or presented
Sec. 32. Minnesota Statutes 2020, section 211B.04, subdivision 3, is amended to read:

Subd. 3. Material that does not need a disclaimer. (a) This section does not apply to fund-raising tickets, business cards, personal letters, or similar items that are clearly being distributed by the candidate.

(b) This section does not apply to an individual or association that is not required to register or report under chapter 10A or 211A.

(c) This section does not apply to the following:

(1) bumper stickers, pins, buttons, pens, or similar small items on which the disclaimer cannot be conveniently printed; and

(2) skywriting, wearing apparel, or other means of displaying an advertisement of such a nature that the inclusion of a disclaimer would be impracticable; and

(3) online banner ads and similar electronic communications that link directly to an online page that includes the disclaimer.

(d) This section does not modify or repeal section 211B.06.

Sec. 33. Minnesota Statutes 2020, section 211B.04, is amended by adding a subdivision to read:

Subd. 3a. Certain electronic communications and advertisements. Notwithstanding subdivisions 1 and 2, the Campaign Finance and Public Disclosure Board must adopt rules using the expedited process in section 14.389 to specify the form and content of the disclaimer required by those subdivisions for small electronic communications on which the full disclaimer cannot be conveniently printed, including but not limited to online banner ads, text messages, social media communications, and small advertisements appearing on a mobile telephone or other handheld electronic device. In its rules, the board may waive the disclaimer requirement for categories of communications where inclusion would be technologically impossible.
Sec. 34. Minnesota Statutes 2020, section 383B.041, is amended to read:

383B.041 CAMPAIGN FINANCING, DISCLOSURE OF ECONOMIC INTERESTS.

Subdivision 1. Hennepin County candidates. Sections 383B.041 to 383B.058 apply to the financing of campaigns for county elections in Hennepin County and for city elections in home rule charter cities and statutory cities located wholly within Hennepin County, having a population of 75,000 or more, and for school board elections in the Special School District No. 1, Minneapolis, and to disclosure of economic interests by candidates and elected public officials of those jurisdictions. The provisions of sections 211A.02 to 211A.07 do not apply to the financing of campaigns for elections subject to the provisions of sections 383B.041 to 383B.058. Candidates for county commissioner, county attorney, and sheriff of Hennepin County must file campaign disclosure forms with the filing officer for Hennepin County. These candidates are subject to the provisions of chapter 211A.

Subd. 2. Political subdivision candidates. Candidates for elected city, school board, park commissioner, and other political subdivision offices within Hennepin County shall file campaign disclosure forms with the filing officer for the political subdivision for which the candidate is seeking office. These candidates are subject to the provisions of chapter 211A.

Subd. 3. Political committees, political funds, and independent expenditures. (a) The provisions of chapter 10A apply to political committees as defined in section 10A.01, subdivision 27; political funds as defined in section 10A.01, subdivision 28; and independent expenditures as defined in section 10A.01, subdivision 18, related to:

1. a campaign for the nomination or election of a candidate for:
   i. a county office in Hennepin County;
   ii. a city office in a home rule charter or statutory city located wholly within Hennepin County with a population of 75,000 or more; or
   iii. the school board in Special School District No. 1; and
2. a ballot question or proposition that may be voted on by:
   i. all voters in Hennepin County;
   ii. all voters of a home rule charter or statutory city located wholly within Hennepin County and having a population of 75,000 or more; or
   iii. all voters in Special School District No. 1.
(b) The provisions of chapter 211A apply to a campaign for nomination or election for an office in the following political subdivisions:

(1) a home rule or statutory city located wholly within Hennepin County and having a population of less than 75,000; and

(2) a school district located wholly within Hennepin County other than Special School District No. 1.

(c) The provisions of chapter 211A apply to a ballot question or proposition that may be voted on by:

(1) all voters of a home rule or statutory city located wholly within Hennepin County and having a population of less than 75,000; and

(2) all voters of a school district located wholly within Hennepin County other than Special School District No. 1.

Subd. 4. Local ordinances and charters superseded. This section supersedes the provisions of any ordinance or resolution of a political subdivision within Hennepin County, or any existing special law or home rule charter provision of a political subdivision within Hennepin County requiring disclosure of information related to the financing of election campaigns.

Subd. 5. Economic interest disclosure; Special School District No. 1. Every candidate for school board in Special School District No. 1, Minneapolis, must file an original statement of economic interest with the school district within 14 days of the filing of an affidavit or petition to appear on the ballot. An elected official in Special School District No. 1, Minneapolis, must file the annual statement required in section 10A.09, subdivision 6, with the school district for every year that the individual serves in office. An original and annual statement must contain the information listed in section 10A.09, subdivision 5. The provisions of section 10A.09, subdivisions 6a, 7, and 9, apply to statements required under this subdivision.

Sec. 35. REPEALER.

Subdivision 1. Enterprise Minnesota, Inc. Minnesota Statutes 2020, sections 116O.03, subdivision 9; and 116O.04, subdivision 3, are repealed.

127.1 383B.05; 383B.051; 383B.052; 383B.053; 383B.054; 383B.055; 383B.056; and 383B.057, are repealed.

127.3 Sec. 36. EFFECTIVE DATE.

127.4 This article is effective January 1, 2022, and applies to reports and disclosures required to be filed on or after that date.

ARTICLE 5
INFORMATION TECHNOLOGY

Section 1. [3.888] LEGISLATIVE COMMISSION ON CYBERSECURITY.

Subdivision 1. Membership. The Legislative Commission on Cybersecurity consists of the following eight members:

127.11 (1) four members of the senate, including two senators appointed by the senate majority leader and two senators appointed by the senate minority leader; and

127.12 (2) four members of the house of representatives, including two members appointed by the speaker of the house and two members appointed by the minority leader of the house.

Subd. 2. Terms; vacancies. Members of the commission serve for a two-year term beginning on appointment and expiring on appointment of a successor after the opening of the next regular session of the legislature in the odd-numbered year. A vacancy in the membership of the commission must be filled for the unexpired term in a manner that will preserve the representation established by this section.

Subd. 3. Duties. The commission shall provide oversight of the state's cybersecurity measures. The commission shall review the policies and practices of state agencies with regard to cybersecurity and may recommend changes in policy to adequately protect the state from cybersecurity threats. The commission may develop recommendations and draft legislation to support and strengthen the state's cybersecurity infrastructure.

Subd. 4. Chair. The commission shall elect a chair by a majority vote of members present. The officers shall alternate between a member of the senate and a member of the house of representatives. A chair shall serve a two-year term expiring upon election of a new chair after the opening of the next regular session of the legislature in the odd-numbered year.

Subd. 5. Meetings. The commission must meet at least three times per calendar year. The meetings of the commission are subject to section 3.055, except that the commission
may close a meeting when necessary to safeguard the state's cybersecurity. The minutes, recordings, and documents from a closed meeting under this subdivision shall be maintained by the Legislative Coordinating Commission and shall not be made available to the public until eight years after the date of the meeting.

Subd. 6. **Administration.** The Legislative Coordinating Commission shall provide administrative services for the commission.

Subd. 7. **Sunset.** The commission sunsets December 31, 2028.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2020, section 15.01, is amended to read:

**15.01 DEPARTMENTS OF THE STATE.**

The following agencies are designated as the departments of the state government: the Department of Administration; the Department of Agriculture; the Department of Commerce; the Department of Corrections; the Department of Education; the Department of Employment and Economic Development; the Department of Health; the Department of Human Rights; the Department of Information Technology Services; the Department of Iron Range Resources and Rehabilitation; the Department of Labor and Industry; the Department of Management and Budget; the Department of Military Affairs; the Department of Natural Resources; the Department of Public Safety; the Department of Human Services; the Department of Revenue; the Department of Transportation; the Department of Veterans Affairs; and their successor departments.

Sec. 3. Minnesota Statutes 2020, section 16E.01, is amended to read:

**16E.01 OFFICE OF MN.IT MINNESOTA DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES.**

Subdivision 1. **Creation; chief information officer.** The Office of MN.IT Minnesota Department of Information Technology Services, which may also be known as Minnesota Information Technology Services or Minnesota IT Services, referred to in this chapter as the "office," "department," is an agency in the executive branch headed by a commissioner, who also is the state chief information officer. The appointment of the commissioner is subject to the advice and consent of the senate under section 15.066.

Subd. 1a. **Responsibilities.** The office department shall provide oversight, leadership, and direction for information and telecommunications technology policy and the management, delivery, accessibility, and security of executive branch information and
telecommunications technology systems and services in Minnesota. The office department shall manage strategic investments in information and telecommunications technology systems and services to encourage the development of a technically literate society, to ensure sufficient access to and efficient delivery of accessible government services, and to maximize benefits for the state government as an enterprise.

Subd. 2. Discretionary powers. The office department may:

1. enter into contracts for goods or services with public or private organizations and charge fees for services it provides;
2. apply for, receive, and expend money from public agencies;
3. apply for, accept, and disburse grants and other aids from the federal government and other public or private sources;
4. enter into contracts with agencies of the federal government, local governmental units, the University of Minnesota and other educational institutions, and private persons and other nongovernmental organizations as necessary to perform its statutory duties;
5. sponsor and conduct conferences and studies, collect and disseminate information, and issue reports relating to information and communications technology issues;
6. review the technology infrastructure of regions of the state and cooperate with and make recommendations to the governor, legislature, state agencies, local governments, local technology development agencies, the federal government, private businesses, and individuals for the realization of information and communications technology infrastructure development potential;
7. sponsor, support, and facilitate innovative and collaborative economic and community development and government services projects, including technology initiatives related to culture and the arts, with public and private organizations; and
8. review and recommend alternative sourcing strategies for state information and communications systems.

Subd. 3. Duties. (a) The office department shall:

1. manage the efficient and effective use of available federal, state, local, and public-private resources to develop statewide information and telecommunications technology systems and services and its infrastructure;
2. approve state agency and intergovernmental information and telecommunications technology systems and services development efforts involving state or intergovernmental
funding, including federal funding, provide information to the legislature regarding projects
reviewed, and recommend projects for inclusion in the governor's budget under section
16A.11;

(3) ensure promote cooperation and collaboration among state and local governments
in developing intergovernmental information and telecommunications technology systems
and services, and define the structure and responsibilities of a representative governance
structure;

(4) cooperate and collaborate with the legislative and judicial branches in the development
of information and communications systems in those branches, as requested;

(5) continue the development of North Star, the state's official comprehensive online
service and information initiative;

(6) promote and collaborate with the state's agencies in the state's transition to an
effectively competitive telecommunications market;

(7) collaborate with entities carrying out education and lifelong learning initiatives to
assist Minnesotans in developing technical literacy and obtaining access to ongoing learning
resources;

(8) (6) promote and coordinate public information access and network initiatives,
consistent with chapter 13, to connect Minnesota's citizens and communities to each other,
to their governments, and to the world;

(9) promote and coordinate electronic commerce initiatives to ensure that Minnesota
businesses and citizens can successfully compete in the global economy;

(10) (7) manage and promote the regular and periodic reinvestment in the information
and telecommunications technology systems and services infrastructure so that state and
local government agencies can effectively and efficiently serve their customers;

(11) (8) facilitate the cooperative development of and ensure compliance with standards
and policies for information and telecommunications technology systems and services, and
electronic data practices and privacy, and electronic commerce among international, national,
state, and local public and private organizations within the executive branch;

(12) (9) eliminate unnecessary duplication of existing information and
telecommunications technology systems and services provided by state agencies;

(13) (10) identify, sponsor, develop, and execute shared information and
telecommunications technology projects and ongoing operations;
ensure overall security of the state's information and technology systems and services; and

manage and direct compliance with accessibility standards for informational technology, including hardware, software, websites, online forms, and online surveys.

(b) The chief information officer, in consultation with the commissioner of management and budget, must determine when it is cost-effective for agencies to develop and use shared information and telecommunications technology systems and services for the delivery of electronic government services. The chief information officer may require agencies to use shared information and telecommunications technology systems and services. The chief information officer shall establish reimbursement rates in cooperation with the commissioner of management and budget to be billed to agencies and other governmental entities sufficient to cover the actual development, operating, maintenance, and administrative costs of the shared systems. The methodology for billing may include the use of interagency agreements, or other means as allowed by law.

c) A state agency that has an information and telecommunications technology project with a total expected project cost of more than $1,000,000, whether funded as part of the biennial budget or by any other means, shall register with the office by submitting basic project startup documentation, as specified by the chief information officer in both format and content, before any project funding is requested or committed and before the project commences. State agency project leaders must demonstrate that the project will be properly managed, provide updates to the project documentation as changes are proposed, and regularly report on the current status of the project on a schedule agreed to with the chief information officer. The chief information officer has the authority to define a project for the purposes of this chapter.

d) The chief information officer shall monitor progress on any active information and telecommunications technology project with a total expected project cost of more than $5,000,000 and report on the performance of the project in comparison with the plans for the project in terms of time, scope, and budget. The chief information officer may conduct an independent project audit of the project. The audit analysis and evaluation of the projects subject to paragraph (c) must be presented to agency executive sponsors, the project governance bodies, and the chief information officer. All reports and responses must become part of the project record.

e) For any active information and telecommunications technology project with a total expected project cost of more than $10,000,000, the state agency must perform an annual
132.1 independent audit that conforms to published project audit principles promulgated adopted by the office department.

132.2 (f) The chief information officer shall report by January 15 of each year to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the office department regarding projects the office department has reviewed under paragraph (a), clause (10). The report must include the reasons for the determinations made in the review of each project and a description of its current status.

132.3 Sec. 4. Minnesota Statutes 2020, section 16E.016, is amended to read:

16E.016 RESPONSIBILITY FOR INFORMATION TECHNOLOGY SERVICES AND EQUIPMENT.

16E.016 RESPONSIBILITY FOR INFORMATION TECHNOLOGY SERVICES AND EQUIPMENT.

(a) The chief information officer is responsible for providing or entering into managed services contracts for the provision, improvement, and development of the following information technology systems and services to state agencies:

132.14 (1) state data centers;

132.15 (2) mainframes including system software;

132.16 (3) servers including system software;

132.17 (4) desktops including system software;

132.18 (5) laptop computers including system software;

132.19 (6) a data network including system software;

132.20 (7) database, electronic mail, office systems, reporting, and other standard software tools;

132.21 (8) business application software and related technical support services;

132.22 (9) help desk for the components listed in clauses (1) to (8);

132.23 (10) maintenance, problem resolution, and break-fix for the components listed in clauses (1) to (8);

132.24 (11) regular upgrades and replacement for the components listed in clauses (1) to (8);

132.25 and

132.26 (12) network-connected output devices.

132.27 (b) All state agency employees whose work primarily involves functions specified in paragraph (a) are employees of the Office of MN.IT Services Minnesota Department of
Information Technology Services. This includes employees who directly perform the functions in paragraph (a), as well as employees whose work primarily involves managing, supervising, or providing administrative services or support services to employees who directly perform these functions. The chief information officer may assign employees of the office department to perform work exclusively for another state agency.

(c) Subject to sections 16C.08 and 16C.09, the chief information officer may allow a state agency to obtain services specified in paragraph (a) through a contract with an outside vendor when the chief information officer and the agency head agree that a contract would provide best value, as defined in section 16C.02, under the service-level agreement. The chief information officer must require that agency contracts with outside vendors ensure that systems and services are compatible with standards established by the Office of MN.IT Department of Information Technology Services.

(d) The Minnesota State Retirement System, the Public Employees Retirement Association, the Teachers Retirement Association, the State Board of Investment, the Campaign Finance and Public Disclosure Board, the State Lottery, and the Statewide Radio Board are not state agencies for purposes of this section.

Sec. 5. Minnesota Statutes 2020, section 16E.02, is amended to read:

16E.02 OFFICE OF MN.IT MINNESOTA DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES; STRUCTURE AND PERSONNEL.

Subdivision 1. Office Department management and structure. (a) The chief information officer is appointed by the governor. The chief information officer serves in the unclassified service at the pleasure of the governor. The chief information officer must have experience leading enterprise-level information technology organizations. The chief information officer is the state's chief information officer and information and telecommunications technology adviser to the governor.

(b) The chief information officer may appoint other employees of the office department.

The Staff of the office department must include individuals knowledgeable in information and telecommunications technology systems and services and individuals with specialized training in information security and accessibility.

(c) The chief information officer may appoint a webmaster responsible for the supervision and development of state websites under the control of the office. The webmaster, if appointed, shall ensure that these websites are maintained in an easily accessible format that is consistent throughout state government and are consistent with the accessibility Article 5 Sec. 5.
standards developed under section 16E.03, subdivision 9. The webmaster, if appointed, shall provide assistance and guidance consistent with the requirements of this paragraph to other state agencies for the maintenance of other websites not under the direct control of the office.

Subd. 1a. **Accountability.** The chief information officer reports to the governor. The chief information officer must consult regularly with the executive branch agency commissioners of administration, management and budget, human services, revenue, and other commissioners as designated by the governor, on technology projects, standards, and services as well as management of resources and staff utilization.

Sec. 6. Minnesota Statutes 2020, section 16E.03, subdivision 1, is amended to read:

**Subdivision 1. Definitions.** (a) For the purposes of this chapter, the following terms have the meanings given them.

(b) "Information and telecommunications technology systems and services" means all computing and telecommunications hardware and software, the activities undertaken to secure that hardware and software, and the activities undertaken to acquire, transport, process, analyze, store, and disseminate information electronically. "Information and telecommunications technology systems and services" includes all proposed expenditures for computing and telecommunications hardware and software, security for that hardware and software, and related consulting or other professional services.

(e) "Information and telecommunications technology project" means an effort to acquire or produce information and telecommunications technology systems and services.

(d) "Telecommunications" means voice, video, and data electronic transmissions transported by wire, wireless, fiber-optic, radio, or other available transport technology.

(f) "Cyber security" means the protection of data and systems in networks connected to the Internet.

(g) "State agency" means an agency in the executive branch of state government and includes the Minnesota Office of Higher Education, but does not include the Minnesota State Colleges and Universities unless specifically provided elsewhere in this chapter.

(f) "Total expected project cost" includes direct staff costs, all supplemental contract staff and vendor costs, and costs of hardware and software development or purchase.

Breaking a project into several phases does not affect the cost threshold, which must be computed based on the full cost of all phases.
"Cloud computing" has the meaning described by the National Institute of Standards and Technology of the United States Department of Commerce in special publication 800-145, September 2011.

Sec. 7. Minnesota Statutes 2020, section 16E.03, subdivision 2, is amended to read:

Subd. 2. Chief information officer's responsibility. The chief information officer shall:

1. design a master plan for information and telecommunications technology systems and services in the state and its political subdivisions and shall report on the plan to the governor and legislature at the beginning of each regular session;

2. coordinate, review, and approve all information and telecommunications technology projects and oversee the state's information and telecommunications technology systems and services;

3. establish and enforce compliance with standards for information and telecommunications technology systems and services that are cost-effective and support open systems environments and that are compatible with state, national, and international standards, including accessibility standards;

4. maintain a library of systems and programs developed by the state and its political subdivisions for use by agencies of government;

5. direct and manage the shared operations of the state's information and telecommunications technology systems and services; and

6. establish and enforce standards and ensure acquisition of hardware and software necessary to protect data and systems in state agency networks connected to the Internet.

Sec. 8. Minnesota Statutes 2020, section 16E.03, subdivision 3, is amended to read:

Subd. 3. Evaluation and approval. A state agency may not undertake an information and telecommunications technology project until it has been evaluated according to the procedures developed under subdivision 4. The chief information officer or delegate shall give written approval of the proposed project. When notified by the chief information officer that a project has not been approved, the commissioner of management and budget shall cancel the unencumbered balance of any appropriation allotted for the project.

Sec. 9. Minnesota Statutes 2020, section 16E.03, subdivision 6, is amended to read:

Subd. 6. System development methods. The chief information officer shall establish and, as necessary, update and modify methods for developing information and
communications systems appropriate to the specific needs of individual state agencies. The
development methods shall be used to define the design, programming, and implementation
of systems. The development methods must also enable and require a data processing system
to be defined in terms of its computer programs, input requirements, output formats,
administrative procedures, and processing frequencies.

Sec. 10. Minnesota Statutes 2020, section 16E.036, is amended to read:

16E.036 ADVISORY COMMITTEE COUNCIL.

(a) The Technology Advisory Committee is created to advise the governor,
executive branch, and state chief information officer. The committee consists of council
shall consist of 15 voting members. The governor shall appoint six members appointed by
the governor who are individuals actively involved in business planning for state executive
branch agencies, one county member designated by the Association of Minnesota Counties,
one member appointed by the governor as a representative of a union that represents state
information technology employees, and one member appointed by the governor to represent
private businesses. The governor shall also select six additional members with private-sector
or public-sector IT experience or experience in academia pertaining to IT. The council shall
have the following four ex-officio nonvoting members:

(1) a member of the house of representatives selected by the speaker of the house;
(2) a member of the house of representatives selected by the minority leader;
(3) a member of the senate selected by the majority leader; and
(4) a member of the senate selected by the minority leader.

The governor shall designate one of the 15 voting members to serve as the council's chair.

(b) Membership terms, removal of members, and filling of vacancies are as provided in
section 15.059. Members do not receive compensation or reimbursement for expenses.

(c) The committee shall select a chair from its members. The chief information officer
shall provide administrative support to the committee.

(d) The committee shall advise the chief information officer on:

(1) development and implementation of the state information technology strategic plan;
(2) critical information technology initiatives for the state;
(3) standards for state information architecture;
(4) identification of business and technical needs of state agencies;
(5) strategic information technology portfolio management, project prioritization, and investment decisions;

(6) the office’s department’s performance measures and fees for service agreements with executive branch agencies;

(7) management of the state MN.IT services revolving fund; and

(8) the efficient and effective operation of the office department.

Sec. 11. Minnesota Statutes 2020, section 16E.04, subdivision 3, is amended to read:

Subd. 3. Risk assessment and mitigation. (a) A risk assessment and risk mitigation plan are required for all information systems development projects undertaken by a state agency in the executive or judicial branch or by a constitutional officer. The chief information officer must contract with an entity outside of state government to conduct the initial assessment and prepare the mitigation plan for a project estimated to cost more than $5,000,000. The outside entity conducting the risk assessment and preparing the mitigation plan must not have any other direct or indirect financial interest in the project. The risk assessment and risk mitigation plan must provide for periodic monitoring by the commissioner until the project is completed.

(b) The risk assessment and risk mitigation plan must be paid for with money appropriated for the information and telecommunications technology project. The chief information officer must notify the commissioner of management and budget when work has begun on a project and must identify the proposed budget for the project. The commissioner of management and budget shall ensure that no more than ten percent of the proposed budget be spent on the project, other than the money spent on the risk assessment and risk mitigation plan, is spent until the risk assessment and mitigation plan are reported to the chief information officer and the chief information officer has approved the risk mitigation plan.

Sec. 12. Minnesota Statutes 2020, section 16E.0465, subdivision 2, is amended to read:

Subd. 2. Required review and approval. (a) A state agency receiving an appropriation for an information and telecommunications technology project subject to this section must divide the project into phases.

(b) The commissioner of management and budget may not authorize the expenditure of an appropriation of state funds to a state agency for any phase of a state agency information and telecommunications technology project, device, or system subject to this section unless the Office of MN.IT Minnesota Department of
Information Technology Services has reviewed each phase of the project, device, or system, and based on this review, the chief information officer has determined for each phase that:

1. the project is compatible with the state information architecture and other policies and standards established by the chief information officer;
2. the agency is able to accomplish the goals of the phase of the project with the funds appropriated; and
3. the project supports the enterprise information technology strategy.

Sec. 13. Minnesota Statutes 2020, section 16E.05, subdivision 1, is amended to read:

Subdivision 1. Duties. The office department, in consultation with interested persons, shall:

1. coordinate statewide efforts by units of state and local government to plan for and develop a system for providing access to government services; and
2. explore ways and means to improve citizen and business access to public services, including implementation of technological improvements.

Sec. 14. Minnesota Statutes 2020, section 16E.07, subdivision 12, is amended to read:

Subd. 12. Private entity services; fee authority. (a) The office department may enter into a contract with a private entity to manage, maintain, support, and expand North Star and online government information services to citizens and businesses.

(b) A contract established under paragraph (a) may provide for compensation of the private entity through a fee established under paragraph (c).

(c) The office department, subject to the approval of the agency or office department responsible for the data or services involved in the transaction, may charge and may authorize a private entity that enters into a contract under paragraph (a) to charge a convenience fee for users of North Star and online government information services up to a total of $2 per transaction, provided that no fee shall be charged for viewing or inspecting data. The office shall consider the recommendation of the E-Government Advisory Council under section 16E.071 in setting the convenience fee. A fee established under this paragraph is in addition to any fees or surcharges authorized under other law.

(d) Receipts from the convenience fee shall be deposited in the North Star account established in subdivision 7. Notwithstanding section 16A.1285, subdivision 2, receipts credited to the account are appropriated to the office department for payment to the contracted
private entity under paragraph (a). In lieu of depositing the receipts in the North Star account, the office department can directly transfer the receipts to the private entity or allow the private entity to retain the receipts pursuant to a contract established under this subdivision.

e) The office department shall report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over state government finance by January 15 of each odd-numbered year regarding the convenience fee receipts and the status of North Star projects and online government information services developed and supported by convenience fee receipts.

Sec. 15. Minnesota Statutes 2020, section 16E.21, subdivision 2, is amended to read:

Subd. 2. Charges. (a) Upon agreement of the participating agency, the Office of MN.IT Minnesota Department of Information Technology Services may collect a charge or receive a fund transfer under section 16E.0466 for purchases of information and telecommunications technology systems and services by state agencies and other governmental entities through state contracts for purposes described in subdivision 1. Charges collected under this section must be credited to the information and telecommunications technology systems and services account.

(b) Notwithstanding section 16A.28, subdivision 3, any unexpended operating balance appropriated to a state agency may be transferred to the information and telecommunications technology systems and services account for the information technology cost of a specific project, subject to the review of the Legislative Advisory Commission under subdivision 3.

Sec. 16. Minnesota Statutes 2020, section 97A.057, subdivision 1, is amended to read:

Subdivision 1. Compliance with federal law. The commissioner shall take any action necessary to comply with the Federal Aid in Wildlife Restoration Act, United States Code, title 16, sections 669 to 669i, and the Federal Aid in Fish Restoration Act, United States Code, title 16, sections 777 to 777k. Notwithstanding section 16E.145 or any other law to the contrary, an appropriation for an information or telecommunications technology project from the game and fish fund, as established in section 97A.055, must be made to the commissioner. Any assets acquired with or expenditures made from the game and fish fund must remain under control of the commissioner.
Sec. 17. FIRST APPOINTMENTS AND FIRST MEETING OF LEGISLATIVE COMMISSION ON CYBERSECURITY.

Subdivision 1. First appointments. Appointing authorities must make initial appointments to the Legislative Commission on Cybersecurity within 60 days after final enactment.

Subd. 2. First meeting. The majority leader of the senate shall designate one senate member of the Legislative Commission on Cybersecurity under Minnesota Statutes, section 3.888, to convene the first meeting within 105 days after final enactment. The commission must select a chair from among the senate members at the first meeting.

Subd. 3. Meetings in 2021. Notwithstanding Minnesota Statutes, section 3.888, subdivision 5, the commission must meet at least twice in 2021.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 18. REVISOR INSTRUCTION.

The revisor of statutes shall change "Office of MN.IT Services" or similar terms to "Minnesota Department of Information Technology Services" wherever it appears in Minnesota Statutes.

Sec. 19. REPEALER.

Minnesota Statutes 2020, sections 16E.0466, subdivision 1; 16E.05, subdivision 3; 16E.071; and 16E.145, are repealed.

ARTICLE 6
LOCAL GOVERNMENT POLICY

Section 1. [13D.001] DEFINITIONS.

Subdivision 1. Applicability. For the purposes of this chapter, the terms defined in this section have the meanings given.

Subd. 2. Interactive technology. "Interactive technology" means a device, software program, or other application that allows individuals in different physical locations to see and hear one another.
Sec. 2. Minnesota Statutes 2020, section 13D.01, subdivision 4, is amended to read:

Subd. 4. Votes to be kept in journal. (a) The votes of the members of the state agency, board, commission, or department; or of the governing body, committee, subcommittee, board, department, or commission on an action taken in a meeting required by this section to be open to the public must be recorded in a journal kept for that purpose or minutes.

(b) The vote of each member must be recorded on each appropriation of money, except for payments of judgments, claims, and amounts fixed by statute.

Sec. 3. Minnesota Statutes 2020, section 13D.01, subdivision 5, is amended to read:

Subd. 5. Public access to journal. The journal or any minutes used to record votes of a meeting subject to this chapter must be open to the public during all normal business hours where records of the public body are kept.

Sec. 4. Minnesota Statutes 2020, section 13D.015, is amended to read:

13D.015 STATE ENTITY MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS INTERACTIVE TECHNOLOGY.

Subdivision 1. Application. This section applies to:

(1) a state agency, board, commission, or department, and a statewide public pension plan defined in section 356A.01, subdivision 24; and

(2) a committee, subcommittee, board, department, or commission of an entity listed in clause (1).

Subd. 2. Conditions. An entity listed in subdivision 1 may conduct a meeting governed by this section and section 13D.01, subdivisions 1, 2, 4, and 5, by telephone or other electronic means interactive technology so long as the following conditions are met:

(1) all members of the entity participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the entity can hear all discussion and all votes of members of the entity and participate in testimony;

(3) at least one member of the entity is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.
Subd. 3. Quorum: participation. Each member of the entity participating in a meeting by telephone or other electronic means interactive technology is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

Subd. 4. Monitoring from remote site; costs. If telephone or another electronic means interactive technology is used to conduct a meeting, the entity, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location. The entity may require the person making a connection to pay for documented marginal costs that the entity incurs as a result of the additional connection.

Subd. 5. Notice. If telephone or another electronic means interactive technology is used to conduct a regular, special, or emergency meeting, the entity shall provide notice of the regular meeting location, of the fact that some members may participate by electronic means interactive technology, and of the provisions of subdivision 4. The timing and method of providing notice is governed by section 13D.04. In addition, the entity must post the notice on its website at least ten days before any regular meeting as defined in section 13D.04, subdivision 1.

Sec. 5. Minnesota Statutes 2020, section 13D.02, is amended to read:

13D.02 OTHER ENTITY MEETINGS CONDUCTED BY INTERACTIVE TV; CONDITIONS TECHNOLOGY.

Subdivision 1. Conditions. (a) A meeting governed by section 13D.01, subdivisions 1, 2, 4, and 5, and this section may be conducted by interactive television technology so long as:

(1) all members of the body participating in the meeting, wherever their physical location, can hear and see one another and can hear and see all discussion and testimony presented at any location at which at least one member is present;

(2) members of the public present at the regular meeting location of the body can hear and see all discussion and testimony and all votes of members of the body;

(3) at least one member of the body is physically present at the regular meeting location;

(4) all votes are conducted by roll call so each member's vote on each issue can be identified and recorded; and

(5) each location at which a member of the body is present is open and accessible to the public.
(b) A meeting satisfies the requirements of paragraph (a), although a member of the public body participates from a location that is not open or accessible to the public, if the member has not participated more than three times in a calendar year from a location that is not open or accessible to the public, and:

1. the member is serving in the military and is at a required drill, deployed, or on active duty; or

2. the member has been advised by a health care professional against being in a public place for personal or family medical reasons. This clause only applies when a state of emergency has been declared under section 12.31, and expires 60 days after the removal of the state of emergency.

Subd. 1a. Meeting exception. This section applies to meetings of entities described in section 13D.01, subdivision 1, except meetings of:

1. a state agency, board, commission, or department and a statewide public pension plan defined in section 356A.01, subdivision 24; and

2. a committee, subcommittee, board, department, or commission of an entity listed in clause (1).

Subd. 2. Members are present for quorum, participation. Each member of a body participating in a meeting by interactive television technology is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

Subd. 3. Monitoring from remote site; costs. If interactive television technology is used to conduct a meeting, to the extent practical, a public body shall allow a person to monitor the meeting electronically from a remote location. The body may require the person making such a connection to pay for documented marginal costs that the public body incurs as a result of the additional connection.

Subd. 4. Notice of regular and all member sites. If interactive television technology is used to conduct a regular, special, or emergency meeting, the public body shall provide notice of the regular meeting location and notice of any site where a member of the public body will be participating in the meeting by interactive television technology. The timing and method of providing notice must be as described in section 13D.04.

Subd. 5. School boards; interactive technology with an audio and visual link. A school board conducting a meeting under this section may use interactive technology with an audio and visual link to conduct the meeting if the school board complies with all other requirements under this section.
Subd. 6. Record. The minutes for a meeting conducted under this section must reflect the names of any members appearing by interactive television technology and state the reason or reasons for the appearance by interactive television technology.

Sec. 6. Minnesota Statutes 2020, section 13D.021, is amended to read:

13D.021 MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS; CONDITIONS DURING PANDEMIC OR CHAPTER 12 EMERGENCY.

Subdivision 1. Conditions. A meeting governed by this section and section 13D.01, subdivisions 1, 2, 4, and 5, may be conducted by telephone or other electronic means so long as the following conditions are met:

(1) the presiding officer, chief legal counsel, or chief administrative officer for the affected governing body determines that an in-person meeting or a meeting conducted under section 13D.015 or 13D.02 is not practical or prudent because of a health pandemic or an emergency declared under chapter 12;

(2) all members of the body participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(3) members of the public present at the regular meeting location of the body can hear all discussion and testimony and all votes of the members of the body, unless attendance at the regular meeting location is not feasible due to the health pandemic or emergency declaration;

(4) at least one member of the body, chief legal counsel, or chief administrative officer is physically present at the regular meeting location, unless unfeasible due to the health pandemic or emergency declaration; and

(5) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

Subd. 2. Members are present for quorum, participation. Each member of the body participating in a meeting by telephone or other electronic means interactive technology is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

Subd. 3. Monitoring from remote site; costs. If telephone or another electronic means interactive technology is used to conduct a meeting, to the extent practical, the body shall allow a person to monitor the meeting electronically from a remote location. The body may
require the person making a connection to pay for the documented additional cost that the body incurs as a result of the additional connection.

Subd. 4. Notice of regular and all member sites. If telephone or another electronic means interactive technology is used to conduct a regular, special, or emergency meeting, the public body shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means interactive technology, and of the provisions of subdivision 3. The timing and method of providing notice is governed by section 13D.04 of the Open Meeting Law.

Subd. 5. Public comment period during health pandemic or emergency. If attendance at the regular meeting location is not feasible due to a health pandemic or emergency declaration and the public body offers a public comment period, members of the public shall be permitted to comment from a remote location during the public comment period of the meeting, to the extent practical.

Sec. 7. Minnesota Statutes 2020, section 462.358, is amended by adding a subdivision to read:

Subd. 2d. Dedication fee; first class cities. Notwithstanding subdivisions 2b and 2c, the city council or other chief governing body of a city of the first class, as defined in section 410.01, may require that a reasonable portion of land be dedicated to the public or may impose a dedication fee in conjunction with the construction permit required for new housing units and new commercial and industrial development in the city, wherever located, for public parks, playgrounds, recreational facilities, wetlands, trails, or open space. The city council or other chief governing body of the city must enact an ordinance to impose a dedication of land or a dedication fee. The ordinance may exempt senior housing and affordable housing applicants from the dedication of land or the dedication fee requirements. The ordinance may set the cash fee based on current land prices at the time the permit is issued or set at a flat fee rate per net new residential unit or other standard basis for commercial and industrial property.

EFFECTIVE DATE. This section is effective for ordinances enacted on or after August 1, 2021.
Sec. 8. Minnesota Statutes 2020, section 469.074, is amended by adding a subdivision to read:

Subd. 4. Nonprofit corporation creation authority. The Seaway Port Authority of Duluth may create a corporation as a nonprofit corporation under chapter 317A with the mission of furthering its goals and duties.

Sec. 9. Minnesota Statutes 2020, section 471.342, subdivision 1, is amended to read:

Subdivision 1. City. In this section, "city" means a home rule charter or statutory city, township, or any political subdivision of the state with statutory sewer ownership or operational responsibilities.

Sec. 10. Minnesota Statutes 2020, section 471.342, subdivision 4, is amended to read:

Subd. 4. Program guidelines. The city shall establish guidelines to govern the program. The guidelines shall establish criteria for program eligibility and standards for compliance with the program. Prior to adoption of the program guidelines, the city council must conduct a public hearing on the proposed guidelines after giving at least ten days' published notice of the hearing.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 11. Minnesota Statutes 2020, section 471.345, subdivision 20, is amended to read:

Subd. 20. Solicitations to small business enterprises or veteran-owned small businesses. A contract, as defined in subdivision 2, estimated not to exceed $250,000 $750,000 may be made pursuant to the provisions of subdivision 4 provided that a business that is directly solicited is: (1) certified as a small business enterprise by a county designated small business certification program; or (2) certified by the commissioner of administration as a small business that is majority-owned and operated by a veteran or a service-disabled veteran. This subdivision applies only to county boards.

Sec. 12. [471.585] MUNICIPAL HOTEL LICENSING.

(a) A statutory or home rule charter city or a town may adopt an ordinance requiring hotels operating within the boundaries of the city or town to have a valid license issued by the city or town. A fee for a license under this section may not exceed $100.
(b) An ordinance adopted under this section is limited to requiring compliance with state
and local laws as a condition of licensure. No other licensing conditions or requirements
are permitted.

(c) A city or town that has adopted an ordinance under this section may refuse to issue
a license, or may revoke an existing license, if the hotel fails to comply with the conditions
of the license.

Sec. 13. Minnesota Statutes 2020, section 473.606, subdivision 5, is amended to read:

Subd. 5. Employees, others, affirmative action; prevailing wage. The corporation
shall have the power to appoint engineers and other consultants, attorneys, and such other
officers, agents, and employees as it may see fit, who shall perform such duties and receive
such compensation as the corporation may determine notwithstanding the provisions of
section 43A.17, subdivision 9, and be removable at the pleasure of the corporation. The
corporation must adopt an affirmative action plan, which shall be submitted to the appropriate
agency or office of the state for review and approval. The plan must include a yearly progress
report to the agency or office. Whenever the corporation performs any work within the
limits of a city of the first class, or establishes a minimum wage for skilled or unskilled
labor in the specifications or any contract for work within one of the cities, the rate of pay
to such skilled and unskilled labor must be the prevailing rate of wage for such labor in that
city.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 14. Laws 1963, chapter 305, section 2, as amended by Laws 1998, chapter 404,
section 62, is amended to read:

Sec. 2.

The authority created under this act shall consist of 11 directors, seven appointed by the
city of Duluth and four appointed by the governor. The directors serve without compensation
but may be reimbursed for authorized out-of-pocket expenses incurred in the fulfillment of
their duties. The original term of three of the directors shall be for one year; the original
term of two of the directors shall be for two years; and the original term of two of the
directors shall be for three years, and until their respective successors are appointed and
qualified. Subsequent terms of directors appointed by the city shall be for three years. All
terms shall expire on June 30 of the appropriate year. Directors appointed by the governor
serve at the pleasure of the governor. Whenever a vacancy on such authority shall occur by
reason of resignation, death, removal from the city, or removal for failure or neglect to
perform duties of a director, such vacancy shall be filled for the unexpired term. All
appointments and removal of directors of the authority appointed by the city shall be made
by the mayor, with the approval of the city council, evidenced by resolution. Every appointee
who shall fail, within ten days after notification of his appointment, to file with the city
clerk his the appointee's oath or affirmation to perform faithfully, honestly, and impartially
the duties of his the office, shall be deemed to have refused such appointment, and thereupon
another person shall be appointed in the manner prescribed in this section.

Sec. 15. Laws 1963, chapter 305, section 3, as amended by Laws 1998, chapter 404,
section 63, is amended to read:

Sec. 3.

Subdivision 1. Within 30 days after the members of the authority shall have qualified
for office, the authority shall meet and organize, and adopt and thereafter may amend such
rules and regulations for the conduct of the authority as the authority shall deem to be in
the public interest and most likely to advance, enhance, foster, and promote the use of
regional assets, the entertainment and convention center, and its facilities for activities,
conventions, events, and athletic and cultural productions. Such rules and regulations shall
at all times be in harmony with this act.

Subd. 2. Such directors shall elect from among their number a president chair and a
vice-president vice-chair, and shall also elect a treasurer or secretary who may or may not
be a member of such authority, or both. No two of such offices may be held by one director.
The officers shall have the duties and powers usually attendant upon such officers, and such
other duties and powers not inconsistent herewith as may be provided by the authority.

Subd. 3. The authority shall select a specific site within the city of Duluth for location
of a national class entertainment and convention center, and may spend money appropriated,
or otherwise available to it for that purpose, to acquire property for the center and to plan,
design, construct, equip, and furnish the center. The authority shall administer, promote,
and operate the center as a state facility, but for which the state assumes no financial
responsibility or liability beyond the amounts appropriated for the facility.
Sec. 16. Laws 1963, chapter 305, section 4, as amended by Laws 1998, chapter 404, section 64, is amended to read:

Sec. 4.

Subdivision 1. The city treasurer of the city of Duluth shall be the treasurer fiscal agent of the authority. The treasurer fiscal agent shall receive and have the custody of all moneys of the authority from whatever source derived, and the same shall be deemed public funds. The city of Duluth shall disburse such funds only upon written orders drawn against such funds, signed by the manager and approved by the president chair, or in his the chair's absence, the vice-president vice-chair of such authority; and each order shall state the name of the payee and the nature of the claim for which the same is issued. The treasurer fiscal agent shall keep an account of all monies coming into his the fiscal agent's hands, showing the source of all receipts and the nature, purpose, and authority of all disbursements, and at least four times each year, at times and in a form to be determined by the city council, the authority shall file with the city clerk a financial statement of the authority, showing all receipts and disbursements, the nature of the same, the moneys on hand, and the purposes for which the same are applicable, the credits and assets of the authority, and its outstanding liabilities.

Subd. 2. The authority has the exclusive power to receive, control, and order the expenditure of any and all moneys and funds pertaining to the center operations.

Subd. 3. There are hereby created in the treasury of the city of Duluth a special entertainment and convention center fund, hereinafter referred to as the special fund, and an entertainment and convention center operating fund, hereinafter referred to as the operating fund. The moneys in the special fund shall be used solely for the acquisition and preparation of a site, and for the planning, construction, and equipping of the center. The special fund shall consist of:

(1) All moneys derived from the sale of bonds by the city to provide funds for the acquisition and preparation of a site, and for the planning, construction, and equipping of the center.

(2) All moneys appropriated or made available to the city of Duluth for the acquisition and preparation of a site, and for the planning, construction, and equipping of the center.

(3) The proceeds of all financial aid or assistance by the city or state governments for the acquisition and preparation of a site, and for the planning, construction, and equipping of the center.
(4) All moneys received from the United States of America to aid in the acquisition and preparation of a site, and for the planning, construction, and equipping of the center.

(5) All moneys received as gifts or contributions to the acquisition and preparation of a site, and for the planning, construction, and equipping of the center.

The operating fund shall be used for maintenance, marketing and promotion, operation, or betterment of the center, and for expenses of the authority. The operating fund shall consist of all moneys of the authority derived from any source other than moneys credited to the special fund as hereinabove provided.

Subd. 4. At least once in each year the city auditor shall make, or cause to be made, at the expense of the authority, a complete examination and audit of all books and accounts of the aforesaid authority; and for such purpose the city auditor shall have the authority and power to inspect and examine such books and accounts at any time during regular business hours and such intervals as he may determine determined by the city auditor. One copy of such yearly audit shall be filed by the city auditor with the city clerk as a public document.

Subd. 5. The authority shall annually submit to the governor and the legislature a report detailing its activities and finances for the previous year. The report shall also include a proposed budget for the succeeding two years, showing in reasonable detail estimated operating and nonoperating revenues from all sources, and estimated expenditures for operation, administration, ordinary repair, and debt service.

Subd. 6. The legislative auditor shall make an annual audit of the authority's books and accounts once each year or as often as the legislative auditor's funds and personnel permit.

Sec. 17. Laws 1963, chapter 305, section 5, as amended by Laws 1998, chapter 404, section 65, is amended to read:

Subdivision 1. Wherever the word "center" is used in this act, it means the entertainment and convention center complex of and its facilities in the city of Duluth, including the land upon which it stands and land appurtenant thereto.

Subd. 2. Notwithstanding anything to the contrary contained in any law, or in the charter of the city of Duluth, or in any ordinance thereof, passed by the city council, or approved by the electors of the city, there is hereby conferred upon such authority the power and duty to contract for and superintend the erection, construction, equipping and furnishing of the...
center, and to administer, promote, control, direct, manage, and operate the center as a municipal facility.

Sec. 18. Laws 1963, chapter 305, section 8, as amended by Laws 1998, chapter 404, section 67, is amended to read:

Sec. 8.

The authority shall have the power:

To adopt and alter all bylaws and rules and regulations which it shall from time to time deem best for the conduct of the business of the authority, and for the use of the facilities of the authority, and for the purposes of carrying out the objects of this act; but such bylaws, rules, and regulations shall not be in conflict with the terms of this act.

To appoint and remove a manager and such other employees as the authority may deem necessary, who shall not be within the civil service classifications of the city, and to prescribe the duties and fix the compensation and other benefits of such manager and employees, without regard to any provision contained in the charter or any ordinance of the city relating to civil service, or to any provision contained in Minnesota Statutes 1961, Sections 197.45 to 197.47, inclusive.

To procure and provide for a policy or policies of insurance for the defense and indemnification of the city of Duluth, its officers and employees, and directors, manager, and employees of the authority, against claims arising against them out of the performance of duty, whether such claims be groundless, or otherwise. Premiums for any policies of insurance required by this act shall be paid for out of the funds of the entertainment convention center authority.

To implement and carry out the provisions of section 7 of this act.

To utilize the services and facilities of the city so far as the same are offered by appropriate city officials and accepted by the authority, and to pay the city for all charges and costs for such services.

To operate and maintain and to lease from others all facilities necessary or convenient in connection with the center and to contract for the operation and maintenance of any parts thereof or for services to be performed; to lease the whole or parts thereof, and grant concessions, all on such terms and conditions as the authority may determine.
To authorize and direct the city treasurer fiscal agent to invest, in the manner provided by law, any funds held in reserve, or sinking funds, or any funds not required for immediate disbursement.

To fix, alter, charge, and collect rates, fees, and all other charges to be made for all services or facilities furnished by the authority for the use of the center facilities by any persons or public or private agencies utilizing such services or facilities.

To make and execute contracts, agreements, instruments, and other arrangements necessary or convenient to the exercise of its powers.

Sec. 19. Laws 1963, chapter 305, section 9, as amended by Laws 1998, chapter 404, section 68, is amended to read:

Sec. 9.

The manager of the center shall be responsible for the custody and control of all moneys received and collected from the daily operations of the center until such moneys are delivered to the city treasurer fiscal agent and he the fiscal agent shall have obtained a receipt therefor, or until such moneys are deposited in a bank account under control of the city treasurer fiscal agent.

The manager shall give bond in favor of the city of Duluth in a sum equal to twice the amount of money which will probably be in his the manager's hands at any time during any one year, that amount to be determined at least annually by the authority; such bond to be conditioned upon the faithful discharge of his the manager's official duties, and be approved as to form, correctness, and validity by the city attorney, and filed with the city auditor; such bond, however, shall not exceed $300,000. Premiums for such bonds shall be paid out of funds of the authority.

Sec. 20. Laws 1963, chapter 305, section 10, as amended by Laws 1998, chapter 404, section 69, is amended to read:

Sec. 10.

The authority shall regulate the making of bids and the letting of contracts through procedure established by the authority, subject to the following conditions:

(a) In all cases of work to be done by contract or the purchase of property of any kind, or the rendering of any service to the authority other than professional services, competitive
bids shall be secured before any purchase is made or any contract awarded where the amount involved exceeds the sum of $2,000 $50,000.

(b) All bids shall be sealed when received, shall be opened in public at the hour stated in the notice; and all original bids, together with all documents pertaining to the award of the contract, shall be retained and made a part of the permanent file or record, and shall be open to public inspection.

(c) Purchases of $2,000 $50,000 or less may, through procedure established by the authority, be delegated to the center manager. Contracts involving more than $2,000 $50,000 shall be awarded only after authorization by the authority.

(d) The authority may reject, or through procedure established by the authority, authorize the center manager to reject, any and all bids.

(e) Contract shall be let to the lowest responsible bidder, and purchases shall be made from the responsible bidder who offers to furnish the article desired for the lowest sum.

(f) In determining the lowest responsible bidder, in addition to price, the following may be considered:

1. The ability, capacity, and skill of the bidder to perform the contract or provide the service required.
2. Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference.
3. The character, integrity, reputation, judgment, experience and efficiency of the bidder.
4. The quality of performance of previous contracts or services.
5. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.
6. The quality, availability, and adaptability of the supplies or contractual service to the particular use required.
7. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.
8. The number and scope of conditions attached to the bid.

(g) Specifications shall not be so prepared as to exclude all but one type or kind, but shall include competitive supplies and equipment; provided, however, that unique or
noncompetitive articles which are determined by the authority to be sufficiently superior
for the service intended by the authority, may be purchased without regard to other bids.

Sec. 21. Laws 2006, chapter 269, section 2, as amended by Laws 2008, chapter 331,
section 11, Laws 2008, chapter 366, article 17, section 5, and Laws 2013, chapter 85, article
5, section 43, is amended to read:

Sec. 2. DEDICATION FEE.

Notwithstanding Minnesota Statutes, section 462.358, subdivision 2d, the Minneapolis
Park and Recreation Board and the Minneapolis City Council may jointly require that a
reasonable portion of land be dedicated to the public or impose a dedication fee in conjunction
with the construction permit required for new housing units and new commercial and
industrial development in the city, wherever located, for public parks, playgrounds,
recreational facilities, wetlands, trails, or open space. The dedication of land or dedication
fee must be imposed by an ordinance jointly enacted by the park board and the city council.
The cash fee may be set at a flat fee rate per net new residential unit. The ordinance may
exclude senior housing and affordable housing from paying the fee or the dedication of
land. The provisions of Minnesota Statutes, section 462.358, subdivisions 2b, paragraph
(b), and 2c, apply to the application and use of the dedication of land or the dedication fee.

EFFECTIVE DATE. This section is effective August 1, 2021.

Sec. 22. Laws 2013, chapter 85, article 5, section 44, is amended to read:

Sec. 44. CITY OF ST. PAUL DEDICATION FEE.

Notwithstanding Minnesota Statutes, section 462.358, subdivision 2d, the city of St.
Paul may require that a reasonable portion of land be dedicated to the public or impose a
dedication fee in conjunction with the construction permit required for new housing units
and new commercial and industrial development in the city, wherever located, for public
parks, playgrounds, recreational facilities, wetlands, trails, or open space. The dedication
of land or dedication fee must be imposed by an ordinance enacted by the city council. The
cash fee may be set at a flat fee rate per net new residential unit. The ordinance may exclude
senior housing and affordable housing from paying the fee or the dedication of land. The
provisions of Minnesota Statutes, section 462.358, subdivisions 2b, paragraph (b); and 2c,
apply to the application and use of the dedication of land or the dedication fee.

EFFECTIVE DATE. This section is effective August 1, 2021.
155.1 Sec. 23. **REPEALER.**

155.2 Minnesota Statutes 2020, section 43A.17, subdivision 9, is repealed.

155.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.
3.972 AUDITS OF AGENCIES.

Subd. 2c. Audits of the Department of Transportation. The legislative auditor must audit, as resources permit, the programs and services administered by the Department of Transportation.

Subd. 2d. Audits of the Department of Public Safety. The legislative auditor must audit, as resources permit, the programs and services administered by the Department of Public Safety.

3.9741 COST OF CERTAIN AUDITS.

Subd. 5. State data security; account, appropriation. (a) The data security account is created in the special revenue fund.

(b) Subject to available funds appropriated under paragraph (a), the legislative auditor shall:

(1) review and audit the audit reports of subscribers and requesters submitted under section 168.327, subdivision 6, including producing findings and opinions;

(2) in collaboration with the commissioner and affected subscribers and requesters, recommend corrective action plans to remediate any deficiencies identified under clause (1); and

(3) review and audit driver records subscription services and bulk data practices of the Department of Public Safety, including identifying any deficiencies and making recommendations to the commissioner.

(c) The legislative auditor shall submit any reports, findings, and recommendations under this subdivision to the legislative commission on data practices.

4A.11 MILESTONES REPORT.

The commissioner must review the statewide system of economic, social, and environmental performance measures in use under section 16A.10, subdivision 1c, and known as Minnesota milestones. The commissioner must provide the economic, social, and environmental information necessary to assist public and elected officials with understanding and evaluating Minnesota milestones. The commissioner must report on the trends and their implications for Minnesota milestones each year and provide the commissioner of management and budget with recommendations for the use of Minnesota milestones in budget documents. The commissioner may contract for the development of information and measures.

10A.15 CONTRIBUTIONS.

Subd. 6. Contributions from Hennepin County registered associations. In lieu of registration with the board, an association registered with the Hennepin County filing officer under sections 383B.041 to 383B.058 that makes contributions of more than $200 to a committee or fund in a calendar year may notify the recipient committee of its registration with Hennepin County, including its registration number, and instruct the recipient committee to include the notice when the recipient committee discloses receipt of the contribution.

15.0395 INTERAGENCY AGREEMENTS AND INTRA-AGENCY TRANSFERS.

(a) By October 15, 2018, and annually thereafter, the head of each agency must provide reports to the chairs and ranking minority members of the legislative committees with jurisdiction over the department or agency's budget on:

(1) interagency agreements or service-level agreements and any renewals or extensions of existing interagency or service-level agreements with another agency if the cumulative value of those agreements is more than $100,000 in the previous fiscal year; and

(2) transfers of appropriations between accounts within or between agencies, if the cumulative value of the transfers is more than $100,000 in the previous fiscal year.

The report must include the statutory citation authorizing the agreement, transfer or dollar amount, purpose, and effective date of the agreement, the duration of the agreement, and a copy of the agreement.

(b) As used in this section, "agency" includes the departments of the state listed in section 15.01, a multimember state agency in the executive branch described in section 15.012, paragraph (a), the Office of MN.IT Services, and the Office of Higher Education.
16A.90 EMPLOYEE GAINSHARING SYSTEM.

Subdivision 1. Commissioner must establish program. (a) The commissioner shall establish a program to provide onetime bonus compensation to state employees for efforts made to reduce the costs of operating state government or for ways of providing better or more efficient state services. The commissioner may authorize an executive branch appointing authority to make a onetime award to an employee or group of employees whose suggestion or involvement in a project is determined by the commissioner to have resulted in documented cost-savings to the state. Before authorizing awards under this section, the commissioner shall establish guidelines for the program including but not limited to:

1. the maximum award is ten percent of the documented savings in the first fiscal year in which the savings are realized up to $50,000;
2. the award must be paid from the appropriation to which the savings accrued; and
3. employees whose primary job responsibility is to identify cost savings or ways of providing better or more efficient state services are generally not eligible for bonus compensation under this section except in extraordinary circumstances as defined by the commissioner.

(b) The program required by this section must be in addition to any existing monetary or nonmonetary performance-based recognition programs for state employees, including achievement awards, continuous improvement awards, and general employee recognitions.

Subd. 2. Biannual legislative report. No later than August 1, 2017, and biannually thereafter, the commissioner must report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over Minnesota Management and Budget on the status of the program required by this section. The report must detail:

1. the specific program guidelines established by the commissioner as required by subdivision 1, if the guidelines have not been described in a previous report;
2. any proposed modifications to the established guidelines under consideration by the commissioner, including the reason for the proposed modifications;
3. the methods used by the commissioner to promote the program to state employees, if the methods have not been described in a previous report;
4. a summary of the results of the program that includes the following, categorized by agency:
   i. the number of state employees whose suggestions or involvement in a project were considered for possible bonus compensation, and a description of each suggestion or project that was considered;
   ii. the total amount of bonus compensation actually awarded, itemized by each suggestion or project that resulted in an award and the amount awarded for that suggestion or project; and
   iii. the total amount of documented cost-savings that accrued to the agency as a result of each suggestion or project for which bonus compensation was granted; and
5. any recommendations for legislation that, in the judgment of the commissioner, would improve the effectiveness of the bonus compensation program established by this section or which would otherwise increase opportunities for state employees to actively participate in the development and implementation of strategies for reducing the costs of operating state government or for providing better or more efficient state services.

16E.0466 STATE AGENCY TECHNOLOGY PROJECTS.

Subdivision 1. Consultation required. (a) Every state agency with an information or telecommunications project must consult with the Office of MN.IT Services to determine the information technology cost of the project. Upon agreement between the commissioner of a particular agency and the chief information officer, the agency must transfer the information technology cost portion of the project to the Office of MN.IT Services. Service level agreements must document all project-related transfers under this section. Those agencies specified in section 16E.016, paragraph (d), are exempt from the requirements of this section.

(b) Notwithstanding section 16A.28, subdivision 3, any unexpended operating balance appropriated to a state agency may be transferred to the information and telecommunications technology systems and services account for the information technology cost of a specific project, subject to the review of the Legislative Advisory Commission, under section 16E.21, subdivision 3.
16E.05 GOVERNMENT INFORMATION ACCESS.

Subd. 3. Capital investment. No state agency may propose or implement a capital investment plan for a state office building unless:

1. the agency has developed a plan for increasing telecommuting by employees who would normally work in the building, or the agency has prepared a statement describing why such a plan is not practicable; and

2. the plan or statement has been reviewed by the office.

16E.071 E-GOVERNMENT ADVISORY COUNCIL.

Subdivision 1. E-Government Advisory Council established. The E-Government Advisory Council is established for the purpose of improving online government information services to citizens and businesses.

Subd. 2. Membership. The council shall consist of nine members as follows:

1. the state chief information officer or the chief information officer's designee;

2. one public member appointed by the speaker of the house;

3. one public member appointed by the senate Subcommittee on Committees of the Rules and Administration Committee;

4. five members appointed by the governor representing state executive branch agencies that are actively involved with private businesses, the private business community, or the public; and

5. one member appointed by the governor who is knowledgeable in public access to government data.

Subd. 3. Initial appointments and first meeting. Appointing authorities shall make the first appointments to the council by September 1, 2013. The first member appointed by the speaker of the house shall serve until the first Monday in January 2015. The governor shall designate three initial appointees to serve until the first Monday in January 2015. The term of the other three initial appointees of the governor and the first member appointed by the senate shall be until the first Monday in January 2017. The chief information officer or the chief information officer's designee shall convene the council's first meeting by November 1, 2013, and shall act as chair until the council elects a chair at its first meeting.

Subd. 4. Terms; removal; vacancies; compensation. Membership terms, removal of member, and filling of vacancies are as provided in section 15.059, except that members shall not receive compensation or be reimbursed for expenses and except that terms of initial appointees are as provided in subdivision 3.

Subd. 5. Chair. The council shall annually elect a chair from its members.

Subd. 6. Duties. The council shall recommend to the office the priority of North Star projects and online government information services to be developed and supported by convenience fee receipts. The council shall provide oversight on the convenience fee and its receipts in the North Star account. The council shall by majority quorum vote to recommend to approve or disapprove establishing the convenience fee on particular types of transactions, the fee amount, and any changes in the fee amount. If the convenience fee receipts are retained by or transferred to the private entity in lieu of deposit in the North Star account, the council may audit the private entity's convenience fee receipts, expenses paid by the receipts, and associated financial statements.

Subd. 7. Staff. The office shall provide administrative support to the council.


Subd. 9. Reports. By June 1, 2014, and every year thereafter, the council shall report to the office with its recommendations regarding establishing the convenience fee, the fee amount, and changes to the fee amount.

16E.145 INFORMATION TECHNOLOGY APPROPRIATION.

An appropriation for a state agency information and telecommunications technology project must be made to the chief information officer. The chief information officer must manage and disburse the appropriation on behalf of the sponsoring state agency. Any appropriation for an
information and telecommunications technology project made to a state agency other than the Office of MN.IT Services is transferred to the chief information officer.

**43A.17 SALARY LIMITS, RATES, RANGES AND EXCEPTIONS.**

Subd. 9. **Political subdivision compensation limit.** (a) The salary and the value of all other forms of compensation of a person employed by a political subdivision of this state, excluding a school district, may not exceed 110 percent of the salary of the governor as set under section 15A.082, except as provided in this subdivision. For purposes of this subdivision, "political subdivision of this state" includes a statutory or home rule charter city, county, town, metropolitan or regional agency, or other political subdivision, but does not include a hospital, clinic, or health maintenance organization owned by such a governmental unit.

(b) Beginning in 2006, the limit in paragraph (a) must be adjusted annually in January. The limit must equal the limit for the prior year increased by the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year.

(c) Deferred compensation and payroll allocations to purchase an individual annuity contract for an employee are included in determining the employee's salary. Other forms of compensation which must be included to determine an employee's total compensation are all other direct and indirect items of compensation which are not specifically excluded by this subdivision. Other forms of compensation which must not be included in a determination of an employee's total compensation for the purposes of this subdivision are:

1. employee benefits that are also provided for the majority of all other full-time employees of the political subdivision, vacation and sick leave allowances, health and dental insurance, disability insurance, term life insurance, and pension benefits or like benefits the cost of which is borne by the employee or which is not subject to tax as income under the Internal Revenue Code of 1986;

2. dues paid to organizations that are of a civic, professional, educational, or governmental nature; and

3. reimbursement for actual expenses incurred by the employee which the governing body determines to be directly related to the performance of job responsibilities, including any relocation expenses paid during the initial year of employment.

The value of other forms of compensation is the annual cost to the political subdivision for the provision of the compensation.

(d) The salary of a medical doctor or doctor of osteopathic medicine occupying a position that the governing body of the political subdivision has determined requires an M.D. or D.O. degree is excluded from the limitation in this subdivision.

(e) The commissioner may increase the limitation in this subdivision for a position that the commissioner has determined requires special expertise necessitating a higher salary to attract or retain a qualified person. The commissioner shall review each proposed increase giving due consideration to salary rates paid to other persons with similar responsibilities in the state and nation. The commissioner may not increase the limitation until the commissioner has presented the proposed increase to the Legislative Coordinating Commission and received the commission's recommendation on it. The recommendation is advisory only. If the commissioner does not give its recommendation on a proposed increase within 30 days from its receipt of the proposal, the commission is deemed to have made no recommendation. If the commissioner grants or granted an increase under this paragraph, the new limitation must be adjusted beginning in August 2005 and in each subsequent calendar year in January by the percentage increase equal to the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year.

**116O.03 CORPORATION; BOARD OF DIRECTORS; POWERS.**

Subd. 9. **Contributions to public officials; disclosure.** Each director shall file a statement with the Campaign Finance and Public Disclosure Board disclosing the nature, amount, date, and recipient of any contribution made to a public official, political committee, political fund, or political party, as defined in chapter 10A, that:

1. was made within the four years preceding appointment to the Enterprise Minnesota, Inc. board; and

2. was subject to the reporting requirements of chapter 10A.
The statement must be updated annually during the director's term to reflect contributions made to public officials during the appointed director's tenure.

1160.04 CORPORATE PERSONNEL.

Subd. 3. Contributions to public officials; disclosure. The president shall file a statement with the Campaign Finance and Public Disclosure Board disclosing the nature, amount, date, and recipient of any contribution made to a public official which:

(1) was made within the four years preceding employment with the Enterprise Minnesota, Inc. board; and

(2) was subject to the reporting requirements of chapter 10A.

The statement must be updated annually during the president's employment to reflect contributions made to public officials during the president's tenure.

179.90 OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.

The commissioner of mediation services shall establish an Office of Collaboration and Dispute Resolution within the bureau. The office must:

(1) promote the broad use of community mediation in the state, ensuring that all areas of the state have access to services by providing grants to private nonprofit entities certified by the state court administrator under chapter 494 that assist in resolution of disputes;

(2) assist state agencies, offices of the executive, legislative, and judicial branches, and units of local government in improving collaboration and dispute resolution;

(3) support collaboration and dispute resolution in the public and private sector by providing technical assistance and information on best practices and new developments in dispute resolution options;

(4) educate the public and governmental entities on dispute resolution options; and

(5) promote and utilize collaborative dispute resolution models and processes based on documented best practices including, but not limited to, the Minnesota Solutions model:

(i) establishing criteria and procedures for identification and assessment of dispute resolution projects;

(ii) designating projects and appointing impartial convenors by the commissioner or the commissioner's designee;

(iii) forming multidisciplinary conflict resolution teams; and

(iv) utilizing collaborative techniques, processes, and standards through facilitated meetings until consensus among parties is reached in resolving a dispute.

179.91 GRANTS.

Subdivision 1. Authority. The commissioner of mediation services shall to the extent funds are appropriated for this purpose, make grants to private nonprofit community mediation entities certified by the state court administrator under chapter 494 that assist in resolution of disputes. The commissioner shall establish a grant review committee to assist in the review of grant applications and the allocation of grants under this section.

Subd. 2. Eligibility. To be eligible for a grant under this section, a nonprofit organization must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).

Subd. 3. Conditions and exclusions. A nonprofit entity receiving a grant must agree to comply with guidelines adopted by the state court administrator under section 494.015, subdivision 1. Sections 16B.97 and 16B.98 and policies adopted under those sections apply to grants under this section. The exclusions in section 494.03 apply to grants under this section.

Subd. 4. Reporting. Grantees must report data required under chapter 494 to evaluate quality and outcomes.

299D.03 STATE PATROL.

Subd. 2a. Salary and benefits survey. (a) By January 1 of 2021, 2023, 2027, and 2031, the legislative auditor must conduct a compensation and benefit survey of law enforcement officers in every police department:
(1) in a city with a population in excess of 25,000, located in a metropolitan county, as defined in section 473.121, subdivision 4, that is represented by a union certified by the Bureau of Mediation Services; or

(2) in a city of the first class.

The State Patrol must also be included in the survey.

(b) The legislative auditor must base the survey on compensation and benefits for the past completed calendar year. The survey must be based on full-time equivalent employees. The legislative auditor must calculate compensation using base salary, overtime wages, and premium pay. Premium pay is payment that is received by a majority of employees and includes but is not limited to education pay and longevity pay. The legislative auditor must not include any payments made to officers or troopers for work performed for an entity other than the agency that employs the officer or trooper, regardless of who makes the payment. The legislative auditor must also include in the survey all benefits, including insurance, retirement, and pension benefits. The legislative auditor must include contributions from both the employee and employer when determining benefits.

(c) The legislative auditor must compile the survey results into a report. The report must show each department separately. For each department, the survey must include:

(1) an explanation of the salary structure, and include minimum and maximum salaries for each range or step; and

(2) an explanation of benefits offered, including the options that are offered and the employee and employer contribution for each option.

Wherever possible, the report must be designed so that the data for each department is in the same table or grid format to facilitate easy comparison.

(d) By January 15 of 2021, 2023, 2027, and 2031, the legislative auditor must transmit the survey report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over the State Patrol budget.

(e) It is the legislature's intent to use the information in this study to compare salaries between the identified police departments and the State Patrol and to make appropriate increases to patrol trooper salaries. For purposes of this paragraph, "patrol troopers" has the meaning given in subdivision 2, paragraph (a).

383B.042 DEFINITIONS.

Subdivision 1. For county campaign finance provisions. For the purposes of sections 383B.041 to 383B.058, the terms defined in this section have the meanings given them. The terms defined in chapter 200 also apply to sections 383B.041 to 383B.058, unless a different meaning is specified in this section.

Subd. 2. Advance of credit. "Advance of credit" means any money owed for goods provided or services rendered. An advance of credit is an expenditure in the year in which the goods or services are used or consumed. "Advance of credit" does not mean "loan" as defined in subdivision 12.

Subd. 3. Association. "Association" means a business, corporation, firm, partnership, committee, labor organization, club, or any other group of two or more persons, which includes more than an immediate family, acting in concert.

Subd. 4. Business with which the individual is associated. "Business with which the individual is associated" means any association in connection with which the individual is compensated in excess of $50 except for actual and reasonable expenses in any month as a director, officer, owner, member, partner, employer or employee, or is a holder of securities worth $2,500 or more at fair market value.

Subd. 5. Candidate. "Candidate" means an individual, not within the definition of candidate of section 10A.01, subdivision 10, who seeks nomination or election to any county office in Hennepin County, to any city office in any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more or to the school board of Special School District No. 1, Minneapolis.

Subd. 6. City. "City" means any statutory or home rule charter city wholly within Hennepin County and having a population of 75,000 or more.
Subd. 7. **Contribution.** "Contribution" means a transfer of funds or a donation in kind. "Contribution" includes any loan or advance of credit to a political committee, political fund, or principal campaign committee, if that loan or advance of credit is (a) forgiven, or (b) paid by an entity other than the political committee, political fund, or principal campaign committee to which the loan or advance of credit is made.

"Contribution" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Subd. 8. **Donation in kind.** "Donation in kind" means anything of value other than money or negotiable instruments given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the outcome of an election.

Subd. 9. **Election.** "Election" means any election held to nominate or elect any candidate or to decide any question on a county ballot in Hennepin County or on the ballot of any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more, or on the ballot of Special School District No. 1, Minneapolis.

Subd. 10. **Expenditure.** "Expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the outcome of any election. "Expenditure" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Subd. 11. **Filing officer.** "Filing officer" means the official responsible under law for administration of the election laws for Hennepin County.

Subd. 12. **Loan.** "Loan" means an advance of money or anything of value made to a political committee, political fund, or principal campaign committee.

Subd. 13. **Political committee.** "Political committee" means any political party, association or person other than an individual that seeks as its major purpose to influence the outcome of any election for a city ballot issue or for any city office in the city of Bloomington; for a city or school district ballot issue and for any city or school district office in the city of Minneapolis, and in Special School District No. 1, Minneapolis; or for any countywide ballot issue or county office in Hennepin County; and not to influence the outcome of any other election.

Subd. 14. **Political fund.** "Political fund" means any accumulation of dues or voluntary contributions by an association other than a political committee, which accumulation is collected or expended for the purpose of influencing the outcome of any election for a city ballot issue or for any city office in the city of Bloomington; for a city or school district ballot issue and for any city or school district office in the city of Minneapolis, and in Special School District No. 1, Minneapolis; or for any countywide ballot issue or county office in Hennepin County; and not for the purpose of influencing the outcome of any other election.

Subd. 15. **Population.** "Population" means population as determined by the most recent federal census.

Subd. 16. **Principal campaign committee.** "Principal campaign committee" means the single political committee designated by a candidate for election for any city office in the city of Bloomington; for any city office in the city of Minneapolis; for any school district office in Special School District No. 1, Minneapolis; or for any county office in Hennepin County.

Subd. 17. **Transfer of funds.** "Transfer of funds" or "transfer" means money or negotiable instruments given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the outcome of any election.

**383B.043 POLITICAL COMMITTEES; COUNTY AND CERTAIN OTHER ELECTIONS.**

Subdivision 1. **Officers.** Every political committee shall have a chair and a treasurer, who may be the same individual. The treasurer may designate deputy treasurers and shall be responsible for their accounts. The treasurer shall designate a single depository and account for all contributions received by the political committee.

Subd. 2. **Prohibitions; acceptance of certain contributions; commingling of funds.** No contribution shall be accepted and no expenditure shall be made by or on behalf of a political committee while the office of treasurer is vacant. No anonymous contribution in excess of $20 shall
be retained by the political committee but shall be forwarded to the state campaign finance and public disclosure board and deposited in the general fund. No funds of the political committee shall be commingled with the personal funds of any officer, member or associate of the committee. Any individual who violates a provision of this subdivision is guilty of a misdemeanor.

383B.044 POLITICAL FUNDS.

Subdivision 1. When required. No association other than a political committee shall transfer more than $100 in aggregate in any one year to candidates or political committees or make any expenditure unless the transfer or expenditure is made from a political fund.

Subd. 2. Treasurer; commingling of funds; anonymous contributions. Each association which has a political fund shall elect or appoint a treasurer of the political fund. No contributions to the political fund shall be accepted and no expenditures from the fund shall be made while the office of treasurer is vacant. The contents of the political fund shall not be commingled with any other funds or with the personal funds of any officer or member of the fund. No anonymous contribution in excess of $20 shall be retained by the political fund but shall be forwarded to the state campaign finance and public disclosure board and deposited in the general fund.

Subd. 3. Use of dues and membership fees. Notwithstanding subdivision 1, the association may, if not prohibited by other law, deposit in its political fund money derived from dues or membership fees. The treasurer of the fund, in any report required by section 383B.049, shall disclose the name of any member whose dues, membership fees and contributions deposited in the political fund in any one year exceed $50 in the aggregate.

Subd. 4. Penalty. Any person who knowingly violates the provisions of this section is guilty of a misdemeanor.

383B.045 PRINCIPAL CAMPAIGN COMMITTEE.

Every candidate who receives contributions or makes expenditures in excess of $100 shall designate and cause to be formed a single political committee which shall be known as the candidate's principal campaign committee. The candidate shall make expenditures only through the candidate's principal campaign committee. The candidate may be the chair and treasurer of the principal campaign committee.

383B.046 REGISTRATION OF POLITICAL COMMITTEES, POLITICAL FUNDS, AND PRINCIPAL CAMPAIGN COMMITTEES.

Subdivision 1. Filing office; deadline. Every political committee, political fund and principal campaign committee as defined in section 383B.042, subdivisions 13, 14, and 16, shall register with the filing officer within 14 days after the date by which the committee or fund has received contributions or made expenditures in excess of $100. A political committee, political fund, or principal campaign committee that is registered with the Campaign Finance and Public Disclosure Board under section 10A.14 need not register under this section.

Subd. 2. Statement required. A political committee, political fund, or principal campaign committee registers by filing a statement of organization that includes:

(a) the name and address of the political committee, political fund, or principal campaign committee;

(b) the name and address of the chair, the treasurer, and any deputy treasurers;

(c) the name and address of the depository used by the committee or fund;

(d) the name and address of any supporting association of a political fund; and

(e) a statement as to whether the committee is a principal campaign committee.

The statement of organization shall be filed by the treasurer of the political committee, political fund or principal campaign committee.

383B.047 ACCOUNTS WHICH MUST BE KEPT.

Subdivision 1. Contributions; expenditures; transfers. The treasurer of any political committee, political fund or principal campaign committee shall keep an account of:

(1) the sum of all contributions made to the political committee, political fund, or principal campaign committee;
(2) the name and address of each source of a transfer or donation in kind, together with the date and amount;

(3) each expenditure made by or on behalf of the committee or fund together with the date and amount; and

(4) the name and address of each political committee, political fund, or principal campaign committee to which transfers have been made, together with the date and amount.

Subd. 2. Authorization of expenditures; receipts. Each expenditure by a political committee, political fund or principal campaign committee shall be authorized by the treasurer. The treasurer may authorize not more than $20 per week as petty cash for miscellaneous expenditures. The treasurer shall obtain a receipted bill stating the particulars for every expenditure made by or on behalf of the political committee, political fund, or principal campaign committee.

383B.048 CAMPAIGN REPORTS.

Subdivision 1. Committees required to report; deadlines. (a) The treasurer of any political committee, political fund, or principal campaign committee required to register pursuant to section 383B.046 shall file campaign reports with the filing officer. In each year in which the name of the candidate is on the ballot, the report of the principal campaign committee shall be filed one week before a regular primary and a regular election. Political committees and political funds shall file campaign reports one week before a regular primary or regular election.

(b) The treasurer of a principal campaign committee shall file reports one week before a special primary or other special election and 30 days after a special election.

(c) The reports shall cover the period from the day after the end of the previous reporting period to one week before the filing date.

(d) A campaign report shall be filed by all treasurers on January 31 of each year covering the period from the day after the end of the previous reporting period to December 31 of the preceding calendar year.

Subd. 2. Content of reports. Each campaign report required under this section shall disclose:

(1) the amount of liquid assets on hand at the beginning of the reporting period;

(2) the name, address and employer, or occupation if self-employed, of each individual, committee or political fund that made transfers or donations in kind to the political committee, political fund, or principal campaign committee in an aggregate amount or value in excess of $100, together with the amount and date;

(3) the sum of all contributions made to the political committee, political fund, or principal campaign committee;

(4) each loan made or received by the political committee, political fund, or principal campaign committee within the year in aggregate in excess of $100, together with the name, address, occupation and the principal place of business, if any, of the lender and any endorser and the date and amount of the loan. A loan made to a political committee, political fund, or principal campaign committee which is forgiven or is repaid by an entity other than that political committee or fund shall be reported as a contribution;

(5) the sum of all receipts, including all contributions and loans, during the reporting period;

(6) the name and address of each person to whom aggregate expenditures have been made by or on behalf of the political committee, political fund, or principal campaign committee within the year in excess of $100, the amount, date and purpose of each expenditure and the ballot question or the name and address of the candidate supported or opposed by the expenditure;

(7) the sum of all expenditures made by the political committee, political fund, or principal campaign committee;

(8) the amount and nature of any advance of credit incurred by the political committee, political fund, or principal campaign committee continuously reported until paid or forgiven. An advance of credit incurred by a political committee, political fund, or principal campaign committee which is forgiven or is paid by an entity other than that political committee, political fund, or principal campaign committee shall be reported as a donation in kind;
(9) the name and address of each political committee, political fund, or principal campaign committee to which aggregate transfers in excess of $100 have been made within the year, together with the amount and date of each transfer;

(10) the sum of all transfers made to political committees, political funds, or principal campaign committees; and

(11) the sum of all disbursements not made to influence the outcome of an election.

Subd. 3. Party sample ballots. Expenditures by a political party as defined in section 200.02, subdivision 7, or a substate unit of such a party, for the preparation, display and distribution of an official party sample ballot containing the names of three or more individuals whose names are to appear on the ballot shall not be considered contributions or expenditures on behalf of any candidate.

Subd. 4. Termination reports. (a) A political committee, political fund, or principal campaign committee created pursuant to section 383B.046 may dissolve upon filing of a termination report indicating that the committee or fund has settled all of its debts and disposed of all assets in excess of $100. The termination report shall include all information required in a periodic campaign report.

(b) Political committees and political funds that were created for purposes of supporting or opposing candidates or ballot issues beyond the scope of those identified in section 383B.042, subdivision 5, 13, or 14, may terminate their registration with Hennepin County. Termination of a registration under this provision does not require termination of the political committee or political fund and does not require settlement of all debts and disposition of all assets in excess of $100.

383B.049 EXPENDITURES BY INDIVIDUALS.

Subdivision 1. Reports. Except as provided in subdivision 2, any individual who makes expenditures in an aggregate amount of $100 or more in any year, which expenditures are not required to be reported by any political committee, political fund, or principal campaign committee as contributions to that political committee, political fund, or principal campaign committee, shall file campaign reports in the form required by section 383B.048 with respect to those expenditures.

Subd. 2. Exception; independent expenditures. An individual shall not be required to report any expenditure which is made without the cooperation or express or implied consent of any candidate, political committee, political fund, or agent of a candidate, political committee, or political fund, unless the expenditure expressly advocates the election or defeat of a clearly identified candidate or the approval or rejection of a clearly identified county or city ballot question at any election.

383B.05 ADDITIONAL INFORMATION TO BE DISCLOSED.

Subdivision 1. Earmarked contributions. Any individual, political committee, political fund, or principal campaign committee that receives a contribution from any person or association in an aggregate in excess of $50 with the express or implied condition that the contribution or any part of it be directed to a particular candidate shall disclose to the ultimate recipient and in any report required by section 383B.048, the original source of the contribution, the fact that it was earmarked and the candidate to whom it is directed. The ultimate recipient of any earmarked contribution shall also disclose the original source and the individual, political committee, political fund, or principal campaign committee through which it was directed. Any individual, political committee, political fund, or principal campaign committee that knowingly accepts earmarked funds and fails to make the disclosure required by this subdivision is guilty of a misdemeanor.

Subd. 2. Bills when rendered and paid. Every person who has a bill, charge or claim against any political committee, political fund, or principal campaign committee for any expenditure shall render in writing to the treasurer of the committee or fund the bill, charge or claim within 60 days after the material or service is provided. Failure to present the bill, charge or claim as required by this subdivision is a petty misdemeanor.

383B.051 CIRCUMVENTION PROHIBITED.

Any person who attempts to circumvent disclosure of the source or amount of contributions or expenditures by redirecting funds through or contributing funds on behalf of another person is guilty of a misdemeanor.

383B.052 ECONOMIC REPRISALS PROHIBITED.

No individual or association shall engage in economic reprisals or threaten loss of employment or physical coercion against any individual or association because of the political contributions or
political activity of that individual or association. This subdivision does not apply to compensation for employment or loss of employment when the political affiliation or viewpoint of the employee is a bona fide occupational qualification of the employment. Any individual or association that violates this subdivision is guilty of a misdemeanor.

**383B.053 ECONOMIC INTEREST DISCLOSURE.**

Subdivision 1. **Officials required to file; deadlines.** Every candidate for county office, every elected official of Hennepin County, every candidate for office and every elected official of a home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more, and every candidate for school board and every elected official in Special School District No. 1, Minneapolis shall file statements of economic interest as required by this section with the filing officer. A candidate shall file an original statement within 14 days of the filing of an affidavit or petition to appear on the ballot. Every individual required to file a statement shall file a supplementary statement on April 15 of each year in which the individual remains a candidate or elected official. An official required to file a statement of economic interest under section 10A.09 is not required to comply with this section.

Subd. 2. **Content of statement.** An individual required to file a statement of economic interest shall disclose:

(1) the individual's name, address, occupation and principal place of business;

(2) the name of each business with which the individual is associated and the nature of that association;

(3) a listing of all real property within the state, excluding homestead property, in which the individual holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, and which interest has a market value in excess of $2,500 as shown on the real estate tax statement for the property or (ii) an option to buy, which property has a fair market value of $50,000 or more;

(4) a listing of all real property within the state in which a partnership of which the individual is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of the partnership interest has a market value in excess of $2,500 as shown on the real estate tax statement for the property or (ii) an option to buy, which property has a fair market value of $50,000 or more; and

(5) in supplementary statements only, the amount of each honorarium in excess of $50 received since the last statement, together with the name and address of the source.

Any listing under clause (3) or (4) shall indicate the street address and the municipality or the section, township range and approximate acreage, whichever applies, and the county wherein the property is located.

**383B.054 REPORTS AND STATEMENTS; REQUIREMENTS.**

Subdivision 1. **Certification.** A report or statement required by sections 383B.046 to 383B.054 shall be signed and certified as true by the individual required to file the report. Any individual who signs and certifies to be true a report or statement which the individual knows contains false information or who knowingly omits required information is guilty of a gross misdemeanor.

Subd. 2. **Transmittal, retention, public inspection.** The filing officer shall promptly transmit to the appropriate city clerk a copy of each statement and report filed by a candidate for city office, a political committee or fund that discloses contributions or expenditures to influence a city or an elected city official. The filing officer and each city clerk shall retain the statements, reports and copies and make them available for public inspection for a period of five years after the date of receipt by the filing officer.

Subd. 3. **Changes and corrections.** Any material changes in information previously submitted and any corrections to a report or statement shall be reported in writing to the filing officer within ten days following the date of the event prompting the change or the date upon which the individual filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any individual who willfully fails to report a material change or correction is guilty of a misdemeanor.

Subd. 4. **Record keeping.** Each individual required to file any report or statement or to keep any account pursuant to sections 383B.046 to 383B.054 shall maintain and preserve for four years the records, including any vouchers, canceled checks, bills, invoices, worksheets and receipts, that
Subd. 5. Penalties. The filing officer shall notify by certified mail or personal service any individual who fails to file a statement or report required by sections 383B.046 to 383B.054. Except for any campaign report of a principal campaign committee due before an election, if an individual fails to file any statement or report within seven days after receiving a notice, the filing officer may impose a late filing fee of $5 per day, not to exceed $100, commencing on the eighth day after receiving notice. If a treasurer of a principal campaign committee fails to file a campaign report due before an election within three days of the date due, regardless of whether the treasurer has received any notice, the filing officer may impose a late filing fee of $50 per day, not to exceed $500, commencing on the fourth day after the date the statement was due. The filing officer shall further notify by certified mail or personal service any individual who fails to file any statement or report within 21 days after receiving a first notice that the individual may be subject to a criminal penalty for failure to file the statement or report. An individual who knowingly fails to file the statement or report within seven days after receiving a second notice from the filing officer is guilty of a misdemeanor. A filing officer who violates any provision of this subdivision is guilty of a misdemeanor.

Subd. 6. Recovery of late filing fees. A filing officer may bring an action in the Fourth Judicial District Court to recover any late filing fee imposed pursuant to subdivision 5. All money recovered shall be deposited in the general fund of Hennepin County.

Subd. 7. Reports of violations. If any individual other than a county official or candidate for county office fails to file the required statement or report within seven days after a second notice as provided in subdivision 5, the filing officer shall inform the Hennepin County attorney that a second notice was sent and that the individual failed to file the required statement or report. If a county official or candidate fails to file a report or statement after a second notice as provided in subdivision 5, the filing officer shall notify the attorney general.

Subd. 8. Report by subordinate. (a) Any deputy, clerk, employee or other subordinate of a filing officer who has knowledge or reason to believe that a violation of sections 383B.041 to 383B.057 has occurred, shall immediately transmit a report of that knowledge or belief to that filing officer, together with any evidence of the violation coming into the subordinate's possession.

(b) Any filing officer who has knowledge or reason to believe that a violation of sections 383B.041 to 383B.058 has occurred shall immediately transmit a report of that knowledge or belief to the county attorney of the county in which the violation is thought to have occurred, together with any evidence of the violation coming into the filing officer's possession.

(c) The filing officer shall also immediately send a copy of the report to the Campaign Finance and Public Disclosure Board.

(d) A violation of this subdivision is a misdemeanor.

383B.055 DUTIES OF CAMPAIGN FINANCE BOARD; FILING OFFICERS.

Subdivision 1. Board: advisory opinions, disclosure exemptions. The state Campaign Finance and Public Disclosure Board shall:

(1) issue and publish advisory opinions concerning the requirements of sections 383B.041 to 383B.057 upon application in writing by the county filing officer of Hennepin County or any individual or association who wishes to use the opinion to guide the applicant's own conduct; and

(2) exempt any individual or association required to disclose information under sections 383B.046 to 383B.05 from any requirement of those sections in the same manner as it exempts any individual or association from disclosure requirements under chapter 10A. An individual or association exempted from the disclosure provisions of chapter 10A, shall also be exempt from the disclosure provisions of sections 383B.046 to 383B.05.

Subd. 2. Filing officer: develop, distribute needed forms. The county filing officer of Hennepin County shall develop forms for all statements and reports required to be filed under sections 383B.041 to 383B.054. The filing officer shall furnish sufficient copies of the forms to all officers with whom candidates file affidavits or applications of candidacy and nominating petitions.

Subd. 3. Candidacy filing officer: forms to candidates; penalty. An officer who receives affidavits or applications of candidacy or nominating petitions shall mail or deliver a copy of each form required to be filed by a candidate to each candidate who files an affidavit, application or
petition with that officer or for whom a write-in vote is cast on the ballot of that jurisdiction. Any officer who fails to carry out the duties imposed by this subdivision is guilty of a misdemeanor.

383B.056 PENALTIES.

Except as expressly provided to the contrary in sections 383B.041 to 383B.055, a violation of sections 383B.041 to 383B.055 is not a crime.

383B.057 PROSECUTION OF VIOLATIONS.

Except as otherwise provided in this section, a violation of a criminal provision of sections 383B.041 to 383B.056 shall be prosecuted by the Hennepin County attorney in the Fourth Judicial District Court. A violation by a county official or candidate shall be prosecuted by the attorney general in the district court of Ramsey County.