

**THIRTY-EIGHTH DAY**

St. Paul, Minnesota, Monday, March 20, 2023

The Senate met at 11:00 a.m. and was called to order by the President.

**CALL OF THE SENATE**

Senator Frentz imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Jen Collins.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

The roll was called, and the following Senators were present:

Abeler	Dziedzic	Koran	Miller	Rasmusson
Anderson	Farnsworth	Kreun	Mitchell	Rest
Bahr	Fateh	Kunesh	Mohamed	Seeberger
Boldon	Frentz	Kupec	Morrison	Utke
Carlson	Green	Latz	Murphy	Weber
Champion	Gruenhagen	Lieske	Nelson	Wesenberg
Cwodzinski	Gustafson	Limmer	Oumou Verbeten	Westlin
Dahms	Hauschild	Lucero	Pappas	Wiklund
Dibble	Hawj	Mann	Pha	Xiong
Dornink	Hoffman	Marty	Port	
Draheim	Howe	Mathews	Pratt	
Drazkowski	Jasinski	Maye Quade	Putnam	
Duckworth	Klein	McEwen	Rarick	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communications were received.

March 16, 2023

The Honorable Bobby Joe Champion  
President of the Senate

Dear President Champion:

I have received, approved, signed, and deposited in the Office of the Secretary of State, Chapter 16, S.F. No. 667.

Sincerely,  
Tim Walz, Governor

March 16, 2023

The Honorable Melissa Hortman  
Speaker of the House of Representatives

The Honorable Bobby Joe Champion  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2023 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2023	Date Filed 2023
	121	14	1:57 p.m. March 16	March 16
	30	15	1:57 p.m. March 16	March 16
667		16	1:52 p.m. March 16	March 16

Sincerely,  
Steve Simon  
Secretary of State

March 17, 2023

The Honorable Melissa Hortman  
Speaker of the House of Representatives

The Honorable Bobby Joe Champion  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2023 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2023	Date Filed 2023
	5	18	1:50 p.m. March 17	March 17

Sincerely,  
Steve Simon  
Secretary of State

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 745, 975, and 1440.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted March 16, 2023

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 745:** A bill for an act relating to corrections; authorizing the removal of the ombudsperson only for just cause; amending Minnesota Statutes 2022, section 241.90.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1596.

**H.F. No. 975:** A bill for an act relating to transportation; amending certain requirements governing retrieval of towed vehicle contents; providing a cause of action for aggrieved vehicle owners; amending Minnesota Statutes 2022, section 168B.07, subdivision 3, by adding subdivisions.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1448, now on General Orders.

**H.F. No. 1440:** A bill for an act relating to housing; appropriating money for the family homeless prevention and assistance program; requiring a report.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1367, now on General Orders.

### REPORTS OF COMMITTEES

Senator Frentz moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 1981, 2500, 2442, and 1772.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 39 and nays 15, as follows:

Those who voted in the affirmative were:

Abeler	Cwodzinski	Dornink	Farnsworth	Gustafson
Boldon	Dahms	Draheim	Fateh	Hauschild
Champion	Dibble	Duckworth	Frentz	Hoffman

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Klein	Mann	Mitchell	Pha	Seeberger
Kreun	Marty	Murphy	Port	Weber
Kunesh	Maye Quade	Nelson	Pratt	Wiklund
Kupec	McEwen	Oumou Verbeten	Putnam	Xiong
Limmer	Miller	Pappas	Rest	

Those who voted in the negative were:

Anderson	Green	Jasinski	Lucero	Rasmusson
Bahr	Gruenhagen	Koran	Mathews	Utke
Drazkowski	Howe	Lieske	Rarick	Wesenberg

The motion prevailed.

**Senator Putnam from the Committee on Agriculture, Broadband, and Rural Development, to which was referred**

**S.F. No. 2200:** A bill for an act relating to economic development; appropriating money to WomenVenture to establish a business expansion program for women food entrepreneurs.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 22, insert:

"(c) By December 15, 2026, WomenVenture must submit a report to the chairs and ranking members of the legislative committees with jurisdiction over agriculture and employment and economic development. The report must include a summary of the uses of the appropriation, including the amount of the appropriation used for administration. The report must also provide a breakdown of the amount of funding used for loans, forgivable loans, and grants, information about the terms of the loans issued, a discussion of how funds from repaid loans will be used, the number of entrepreneurs assisted, and a breakdown of how many entrepreneurs received assistance in each county."

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on Jobs and Economic Development. Amendments adopted. Report adopted.

**Senator Frentz from the Committee on Energy, Utilities, Environment, and Climate, to which was referred**

**S.F. No. 2513:** A bill for an act relating to energy; appropriating money to support investment in green fertilizer production using renewable energy.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, delete "commerce" and insert "agriculture"

Page 1, line 9, delete "2028" and insert "2032"

Page 1, line 11, delete "at a specified price"

Page 1, line 18, delete "and"

Page 1, after line 18, insert:

"(3) "green hydrogen" means hydrogen produced by splitting water molecules using electricity from renewable energy;

(4) "green fertilizer" means a nitrogen-based fertilizer produced from green hydrogen; and"

Page 1, line 19, delete "(3)" and insert "(5)"

Page 1, after line 20, insert:

"(d) The commissioner must develop criteria and scoring procedures for evaluating and awarding grants. The maximum grant award for a cooperative is \$7,000,000.

(e) Up to five percent of the amount in paragraph (a) may be used by the department to administer this section."

And when so amended the bill do pass and be re-referred to the Committee on Agriculture, Broadband, and Rural Development. Amendments adopted. Report adopted.

**Senator Frenz from the Committee on Energy, Utilities, Environment, and Climate, to which was referred**

**S.F. No. 2689:** A bill for an act relating to energy; making technical changes to the solar for schools program; amending Minnesota Statutes 2022, section 216C.375, subdivision 4.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Kunesh from the Committee on Education Finance, to which was re-referred**

**S.F. No. 1981:** A bill for an act relating to education; requiring "Erin's Law" personal safety instruction; amending Minnesota Statutes 2022, section 120B.021, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 21, delete the comma and insert a period

Page 2, delete lines 22 and 23

Page 2, line 24, delete everything before "This"

Page 2, line 32, delete "Erin's Law" under"

And when so amended the bill do pass and be re-referred to the Committee on Finance.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

**Senator Cwodzinski from the Committee on Education Policy, to which was referred**

**S.F. No. 2377:** A bill for an act relating to early childhood; removing obsolete language from early childhood family education statutes; amending Minnesota Statutes 2022, section 124D.135, subdivision 1.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Education Finance. Report adopted.

**Senator Cwodzinski from the Committee on Education Policy, to which was referred**

**S.F. No. 2373:** A bill for an act relating to early childhood; removing obsolete language from voluntary prekindergarten statutes; amending Minnesota Statutes 2022, section 124D.151, subdivision 5.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Cwodzinski from the Committee on Education Policy, to which was referred**

**S.F. No. 911:** A bill for an act relating to transportation; governing policy provisions on school-related active transportation; amending Minnesota Statutes 2022, sections 123B.90, subdivision 2; 169.14, subdivision 5a, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 123B.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, delete section 3

Page 5, delete section 4

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Transportation. Amendments adopted. Report adopted.

**Senator Cwodzinski from the Committee on Education Policy, to which was referred**

**S.F. No. 60:** A bill for an act relating to education; allowing educational data sharing with Tribal nations about Tribally enrolled or descendent students; amending Minnesota Statutes 2022, section 13.32, subdivision 3.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Judiciary and Public Safety. Report adopted.

**Senator Cwodzinski from the Committee on Education Policy, to which was referred**

**S.F. No. 1273:** A bill for an act relating to education; requiring schools to use approved literacy curriculum; requiring literacy specialists; requiring a report; appropriating money; amending

Minnesota Statutes 2022, sections 120B.12, subdivisions 1, 4a, 5; 122A.06, subdivision 4; 124D.98, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 120B.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2022, section 120B.11, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For the purposes of this section and section 120B.10, the following terms have the meanings given them.

(a) "Instruction" means methods of providing learning experiences that enable a student to meet state and district academic standards and graduation requirements including applied and experiential learning.

(b) "Curriculum" means district or school adopted programs and written plans for providing students with learning experiences that lead to expected knowledge and skills and career and college readiness.

(c) "World's best workforce" means striving to: meet school readiness goals; ~~have all third grade students achieve grade-level literacy;~~ close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.

(d) "Experiential learning" means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.

Sec. 2. Minnesota Statutes 2022, section 120B.11, subdivision 2, is amended to read:

Subd. 2. **Adopting plans and budgets.** (a) A school board, at a public meeting, shall adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world's best workforce and includes:

(1) clearly defined district and school site goals and benchmarks for instruction and student achievement for all student subgroups identified in section 120B.35, subdivision 3, paragraph (b), clause (2);

(2) a process to assess and evaluate each student's progress toward meeting state and local academic standards, assess and identify students to participate in gifted and talented programs and accelerate their instruction, and adopt early-admission procedures consistent with section 120B.15, and identifying the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students' progress and growth toward career and college readiness and leading to the world's best workforce;

(3) a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, school principal

evaluations under section 123B.147, subdivision 3, students' access to effective teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under section 120B.35, subdivision 3, paragraph (b), clause (2), and teacher evaluations under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

(4) strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners;

(5) a process to examine the equitable distribution of teachers and strategies to ensure low-income and minority children are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;

(6) education effectiveness practices that integrate high-quality instruction, rigorous curriculum, technology, and a collaborative professional culture that develops and supports teacher quality, performance, and effectiveness; and

(7) an annual budget for continuing to implement the district plan.

(b) A school district is not required to include information regarding literacy in a plan or report required under this section, except with regards to the academic achievement of English learners.

Sec. 3. **[120B.1119] TITLE; THE READ ACT.**

Sections 120B.12 to 120B.123 may be cited as the Reading to Ensure Academic Development Act, or the "Read Act."

Sec. 4. Minnesota Statutes 2022, section 120B.12, subdivision 1, is amended to read:

Subdivision 1. **Literacy goal.** The legislature seeks to have every child reading at or above grade level no later than the end of grade 3, including English learners, and that teachers provide ~~comprehensive, scientifically based reading~~ evidence-based literacy instruction consistent with section 122A.06, subdivision 4, by 2025.

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

Sec. 5. Minnesota Statutes 2022, section 120B.12, subdivision 2, is amended to read:

Subd. 2. **Identification; report.** (a) Each school district must identify before the end of kindergarten, grade 1, and grade 2 all students who are not reading at grade level. Students identified as not reading at grade level by the end of kindergarten, grade 1, and grade 2 must be screened, in a locally determined manner, for characteristics of dyslexia.

(b) Students in grade 3 or higher who demonstrate a reading difficulty to a classroom teacher must be screened, in a locally determined manner, for characteristics of dyslexia, unless a different reason for the reading difficulty has been identified.

(c) Reading ~~assessments~~ screeners in English, and in the predominant languages of district students where practicable, must identify and evaluate students' areas of academic need related to



literacy. The district also must monitor the progress and provide reading instruction appropriate to the specific needs of English learners. The district must use a locally adopted, developmentally appropriate, and culturally responsive ~~assessment screener~~ and annually report summary ~~assessment screener~~ results to the commissioner by July 1.

(d) The district also must ~~annually report to the commissioner by July 1~~ include in its literacy plan under subdivision 4a, a summary of the district's efforts to screen and identify students who demonstrate characteristics of dyslexia using screening tools such as those recommended by the department's dyslexia specialist. With respect to students screened or identified under paragraph (a), the report must include:

- (1) a summary of the district's efforts to screen for dyslexia;
- (2) the number of students screened for that reporting year; and
- (3) the number of students demonstrating characteristics of dyslexia for that year.

(e) A student identified under this subdivision must be provided with alternate instruction under section 125A.56, subdivision 1.

Sec. 6. Minnesota Statutes 2022, section 120B.12, subdivision 3, is amended to read:

Subd. 3. **Intervention.** (a) For each student identified under subdivision 2, the district shall provide reading intervention to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year. If a student does not read at or above grade level by the end of grade 3, the district must continue to provide reading intervention until the student reads at grade level. District intervention methods shall encourage family engagement and, where possible, collaboration with appropriate school and community programs. Intervention methods may include, but are not limited to, requiring attendance in summer school, intensified ~~reading~~ structured literacy instruction that may require that the student be removed from the regular classroom for part of the school day, extended-day programs, or programs that strengthen students' cultural connections.

(b) A school district or charter school ~~is strongly encouraged to~~ must provide a personal learning plan for a student who is unable to demonstrate grade-level proficiency, as measured by the statewide reading assessment in grade 3 or a screener identified by the Department of Education under section 120B.123. The district or charter school must determine the format of the personal learning plan in collaboration with the student's educators and other appropriate professionals. The school must develop the learning plan in consultation with the student's parent or guardian. The personal learning plan must include targeted instruction and ongoing progress monitoring of the student's progress, and address knowledge gaps and skill deficiencies through strategies such as specific exercises and practices during and outside of the regular school day, group interventions, periodic assessments or screeners, and reasonable timelines. The personal learning plan may include grade retention, if it is in the student's best interest; a student may not be retained solely due to delays in literacy or not demonstrating grade-level proficiency. A school must maintain and regularly update and modify the personal learning plan until the student reads at grade level. This paragraph does not apply to a student under an individualized education program.

(c) The Department of Education must post on the department website a model personal learning plan that meets the requirements of this section by July 15, 2023.

Sec. 7. Minnesota Statutes 2022, section 120B.12, subdivision 4a, is amended to read:

Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district must adopt a local literacy plan to have every child reading at or above grade level no later than the end of grade 3, including English learners. The plan must be updated by August 1 each year. The plan must be consistent with section sections 120B.123 and 122A.06, subdivision 4, and include the following:

(1) a process to assess students' level of reading proficiency and data to support the effectiveness of an assessment used to screen and identify a student's level of reading proficiency the screeners used, by school site and grade level, under section 120B.123;

(2) a process to notify and involve parents;

(3) a description of how schools in the district will determine the ~~proper~~ targeted reading instruction that is evidence-based and includes an intervention strategy for a student and the process for intensifying or modifying the reading strategy in order to obtain measurable reading progress;

(4) evidence-based intervention methods for students who are not reading at or above grade level and progress monitoring to provide information on the effectiveness of the intervention; ~~and~~

(5) identification of staff development needs, including a program to meet those needs;

(6) the literacy curriculum used by school site and grade level; and

(7) student data using the measures of foundational literacy skills and mastery identified by the Department of Education and CAREI.

(b) The district must post its literacy plan on the official school district website and submit it to the commissioner of education.

(c) By January 1, 2024, the commissioner of education must develop a model local literacy plan that meets the requirements of this subdivision and requires all reading instruction and teacher training in reading instruction to be evidence-based.

(d) Starting December 1, 2024, the commissioner of education must submit a report to the legislative committees with jurisdiction over prekindergarten through grade 12 education summarizing the local literacy plans submitted to the commissioner. The summary must include the following information:

(1) the number of teachers and other staff that have completed training approved by the Department of Education under section 120B.123;

(2) by school site and grade or prekindergarten program, the screeners used at the beginning and end of the school year under section 120B.123 and the reading curriculum used; and

(3) by school site and grade, using the measurements of foundational literacy skills and mastery identified by the department and CAREI, both aggregated data and disaggregated data using the student categories under section 120B.35, subdivision 3, paragraph (a), clause (2).

**EFFECTIVE DATE.** This section is effective July 1, 2023.

Sec. 8. Minnesota Statutes 2022, section 120B.12, subdivision 5, is amended to read:

Subd. 5. **Commissioner.** The commissioner ~~shall~~ must recommend to districts multiple ~~assessment~~ screening tools to assist districts and teachers with identifying students under subdivision 2, and to assess students' reading proficiency under section 120B.123; the commissioner must identify screeners that may be used for both purposes. The commissioner ~~shall~~ must also make available examples of nationally recognized and ~~research-based~~ evidence-based instructional methods or programs to districts to provide ~~comprehensive, scientifically based reading~~ evidence-based literacy instruction and intervention under this section.

**EFFECTIVE DATE.** This section is effective July 1, 2023.

Sec. 9. **[120B.121] LITERACY DATA.**

Subdivision 1. **Literacy rates.** (a) A school district or charter school must annually report to the commissioner of education the following information in the form and manner determined by the commissioner:

(1) the reading curriculum and reading interventions used in each grade;

(2) the number and percentage of students, by grade, that read at grade level at the beginning and end of the previous school year; and

(3) any assessment used to assess students' reading proficiency and progress.

(b) The commissioner of education must establish a database that measures literacy rates across school districts and charter schools in Minnesota and includes the information reported by districts and charter schools under paragraph (a). The database must be accessible on the Department of Education website by September 1, 2024.

Subd. 2. **Teacher reading credentials.** The Professional Educator Licensing and Standards Board must report, by school site, the number and percentage of teachers that have received training that is identified by the board or by the commissioner of education as effective literacy training based on the science of reading. The report must be accessible on the board website by September 1, 2024.

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

Sec. 10. **[120B.123] READ ACT IMPLEMENTATION.**

Subdivision 1. **Definitions.** (a) For purposes of sections 120B.12 to 120B.123, the following terms have the meanings given.

(b) "CAREI" means the Center for Applied Research and Educational Improvement at the University of Minnesota.

(c) "District" means a school district, charter school, or cooperative unit as defined in section 123A.24, subdivision 2.

(d) "Evidence-based" means the instruction or item described is based on reliable, trustworthy, and valid evidence and has demonstrated a record of success in increasing students' reading competency in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension. Evidence-based literacy instruction is explicit, systematic, evidence-based reading instruction that includes the acquisition of language, phonological and phonemic awareness, phonics and decoding, spelling, fluency, vocabulary, oral language, and comprehension that can be differentiated to meet the needs of individual students. Evidence-based instruction does not include the three-cueing system.

(e) "Literacy specialist" means a person licensed by the Professional Educator Licensing and Standards Board as a teacher of reading, a special education teacher, or a kindergarten through grade six teacher, who has completed professional development approved by the Department of Education in structured literacy.

(f) "Literacy trainer" means a literacy specialist with expertise in working with educators as adult learners. A district literacy trainer must support the district's implementation of the Read Act; provide school-based coaching; support the implementation of structured literacy, interventions, curriculum delivery, and teacher training; assist with the development of personal learning plans; and train paraprofessionals and other support staff to support classroom literacy instruction. A literacy trainer may be employed by one district, jointly by two or more districts, or may provide services to districts through a partnership with the Regional Centers of Excellence or another district.

(g) "Progress monitoring" means using data collected to inform whether interventions are working. Progress monitoring involves ongoing monitoring of progress that quantifies rates of improvement and informs instructional practice and the development of individualized programs using state-approved screening that is reliable and valid for the intended purpose.

(h) "Structured literacy" means an approach to reading instruction where teachers carefully structure important literacy skills, concepts, and the sequence of instruction, to facilitate children's literacy learning and progress. Structured literacy is characterized by the provision of systematic, explicit instruction that integrates listening, speaking, reading, and writing, and emphasizes:

(1) the structure of language across the speech sound system or phonology;

(2) the writing system or orthography;

(3) the structure of sentences or syntax;

(4) the meaningful parts of words or morphology;

(5) the relationships among words or semantics; and

(6) the organization of spoken and written discourse.

(i) "Three-cueing system," also known as "meaning structure visual (MSV)," means a method that teaches students to use meaning, structure and syntax, and visual cues when attempting to read an unknown word.

Subd. 2. **Department of Education.** (a) The Department of Education must partner with CAREI as required under subdivision 8 to approve literacy curricula and professional development programs. A district is not required to use a curriculum identified under this section, unless the curriculum was purchased with state grant funds that require a curriculum to be selected from a list of approved curricula.

(b) By July 1, 2023, the department must make available to districts a list of approved evidence-based screeners in accordance with section 120B.12 that a district may use to assess students' reading proficiency.

(c) The department must regularly provide districts with information about professional development opportunities available throughout the state on reading instruction that is evidence-based.

(d) The department must identify training required for a literacy specialist position under this section.

(e) The department must employ a literacy specialist to provide support to districts implementing the Read Act and coordinate duties assigned to the department under the Read Act. The literacy specialist must work on state efforts to improve literacy tracking and implementation.

Subd. 3. **Screeners.** A district must administer a reading screener to students in kindergarten through grade 3 within the first six weeks of the school year, and again within the last six weeks of the school year. The screener must be one of the screeners identified by the Department of Education.

Subd. 4. **Progress monitoring.** For a student not reading at grade level, a district must develop an intervention plan that meets the requirements of section 120B.12, subdivision 3.

Subd. 5. **Curriculum.** A district is encouraged to use evidence-based curriculum at each grade level that is designed around teaching the foundational reading skills of phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension.

Subd. 6. **Professional development.** (a) A district must provide training that is evidence-based to all reading intervention teachers and literacy specialists by July 1, 2025; and by June 15, 2027, to other teachers in the district, prioritizing elementary school classroom teachers, teachers that work with students with disabilities, English learners, and students who qualify for the graduation incentives program under section 124D.68. The commissioner of education may grant the district an extension to the deadlines in this paragraph.

(b) The training must include teaching in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, reading comprehension, and culturally and linguistically responsive pedagogy.

Subd. 7. **Literacy trainer.** (a) By August 30, 2025, a district must employ or contract with a literacy trainer, or be actively supporting a designated literacy specialist through the process of becoming a literacy trainer. A board may satisfy the requirements of this subdivision by contracting

with another school board or cooperative, or the Regional Centers of Excellence for the services of a literacy specialist by August 30, 2025. A district may use Read Act funding to pay for training, substitute teachers to allow teachers time to attend trainings, and incentives for teachers that complete the training.

(b) A district literacy specialist must collaborate with district administrators and staff to support the district's implementation of requirements under the Read Act.

Subd. 8. **Read Act implementation partnership.** (a) The Department of Education must partner with CAREI for two years beginning June 1, 2023, until August 30, 2025, to support implementation of the Read Act. The department and CAREI must jointly:

(1) identify at least five literacy curricula that are evidence-based, or focused on structured literacy by July 15, 2023, and post a list of the curricula on the department website. The list must include curricula that use culturally and linguistically responsive materials that reflect diverse populations;

(2) identify at least three professional development programs that focus on the five pillars of literacy and the components of structured literacy by July 15, 2023, and post a list of the programs on the department website;

(3) develop an evidence-based lead literacy specialist training program that trains literacy specialists throughout Minnesota to support schools' efforts in screening, measuring growth, monitoring progress, and implementing interventions in accordance with subdivision 1;

(4) identify measures of foundational literacy skills and mastery that a district must report on a local literacy plan;

(5) provide guidance to districts about best practices in literacy instruction, and practices that are not evidence-based; and

(6) ensure that teacher professional development options are geographically equitable by supporting trainings through the Regional Centers of Excellence.

(b) The department and CAREI must provide districts an opportunity to request that the department and CAREI add to the list of curricula, professional development programs, and screeners a specific curriculum, professional development program, or curriculum. The department must publish the request for reconsideration procedure on the department website. A request for reconsideration must demonstrate that the curriculum or professional development program meets the requirements of the Read Act, is evidence-based, and has structured literacy components; or that the screener accurately measures literacy growth, monitors progress, and accurately assesses effective reading, including phonemic awareness, phonics, fluency, vocabulary, and comprehension. The department and CAREI must review the request for reconsideration, consult with the Read Act Implementation Advisory Council regarding the request, and approve or deny the request within 60 days.

(c) The department and CAREI must support district efforts to implement the Read Act by:

(1) issuing guidance for teachers on implementing curriculum that is evidence-based, or focused on structured literacy;

(2) providing teachers accessible options for evidence-based professional development focused on structured literacy; and

(3) providing districts technical support.

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

Sec. 11. Minnesota Statutes 2022, section 122A.06, subdivision 4, is amended to read:

Subd. 4. ~~Comprehensive, scientifically based reading~~ **Evidence-based literacy instruction.**

(a) ~~"Comprehensive, scientifically based reading~~ **Evidence-based literacy instruction**" includes a program or collection of instructional practices that is based on ~~valid, replicable evidence showing that when these programs or practices are used, students can be expected to achieve, at a minimum, satisfactory reading progress~~ research that applies rigorous, systematic, and objective procedures to obtain valid knowledge that is relevant to reading development, reading instruction, and reading difficulties. The program or collection of practices must include, at a minimum, ~~effective, balanced~~ evidence-based instruction in all five areas of reading: phonemic awareness, phonics, fluency, vocabulary development, and reading comprehension.

~~Comprehensive, scientifically based reading~~ **Evidence-based literacy instruction** also includes and integrates instructional strategies for continuously assessing, evaluating, and communicating the student's reading progress and needs in order to design and implement ongoing interventions so that students of all ages and proficiency levels can read and comprehend text, write, and apply higher level thinking skills. For English learners developing literacy skills, districts are encouraged to use strategies that teach reading and writing in the students' native language and English at the same time.

(b) "Fluency" is the ability of students to read text with speed, accuracy, and proper expression.

(c) "Phonemic awareness" is the ability of students to ~~notice~~ hear, ~~think about~~ identify, and manipulate individual sounds in spoken syllables and words.

(d) "Phonics" is ~~the understanding that there are systematic and predictable relationships between written letters and spoken words. Phonics instruction is a way of teaching reading that stresses learning how letters correspond to sounds and how to apply this knowledge in reading and spelling~~ the understanding that there are systematic and predictable relationships between written letters or graphemes, and spoken sounds or phonemes.

(e) "Reading comprehension" is ~~an active process that requires intentional thinking during which meaning is constructed through interactions between text and reader. Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and implementing specific cognitive strategies to help beginning readers derive meaning through intentional, problem-solving thinking processes~~ the ability to read the words on the page and to understand and comprehend the words that have been read.

(f) "Vocabulary development" is the process of teaching vocabulary both directly and indirectly, with repetition and multiple exposures to vocabulary items. Learning in rich contexts, incidental learning, and use of computer technology enhance the acquiring of vocabulary.

(g) Nothing in this subdivision limits the authority of a school district to select a school's reading program or curriculum.

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

Sec. 12. Minnesota Statutes 2022, section 124D.98, is amended by adding a subdivision to read:

**Subd. 5. Uses.** A school district must use its literacy incentive aid to support implementation of evidence-based reading instruction. The following are eligible uses of literacy incentive aid:

(1) training for kindergarten through grade 3 teachers, early childhood educators, special education teachers, reading intervention teachers working with students in kindergarten through grade 12, curriculum directors, and instructional support staff that provide reading instruction, on using evidence-based screening and progress monitoring tools;

(2) evidence-based training using a training program approved by the Department of Education;

(3) employing or contracting with a literacy trainer, as defined in section 120B.123; and

(4) materials, training, and ongoing coaching to ensure reading interventions under section 125A.56, subdivision 1, are evidence-based.

**EFFECTIVE DATE.** This section is effective July 1, 2023.

Sec. 13. **READ ACT IMPLEMENTATION ADVISORY COUNCIL.**

**Subdivision 1. Purpose and duties.** (a) An advisory council is established to advise the Department of Education and the Center for Applied Research and Educational Improvement (CAREI) on the implementation of the Read Act.

(b) The council must review the screeners, and professional development programs identified by the Department of Education in accordance with Minnesota Statutes, section 120B.123 and the curriculum identified jointly by the Department of Education and CAREI. The council must advise the department and CAREI on whether the screeners, professional development programs, and curriculum are evidence-based and accessible for teachers. The department and CAREI must consider the recommendations of the council but are not required to implement them.

(c) Compensation and removal of council members are governed by Minnesota Statutes, section 15.059.

**Subd. 2. Membership.** (a) The advisory council is composed of the following 16 members appointed by the governor in accordance with Minnesota Statutes, section 15.0597:

(1) three literacy specialists, coaches, or special education teachers that work on literacy interventions with students in kindergarten through grade 5;



(2) three licensed teachers that work as kindergarten through grade 5 classroom teachers;

(3) two curriculum coordinators or directors with expertise in kindergarten through grade 5 curriculum;

(4) two elementary school principals;

(5) two superintendents or assistant superintendents;

(6) two members of the public with expertise in literacy;

(7) one special education director; and

(8) one representative of the Minnesota Association of Colleges for Teacher Education.

(b) To the extent practicable, the members of the advisory council must represent the geographic, gender, racial, cultural, and linguistic diversity of Minnesota.

(c) The governor must appoint the members of the advisory council by June 15, 2023.

Subd. 3. **Meetings and administrative support.** (a) The advisory council must meet at least four times, or more often if requested to do so by the Department of Education or CAREI. Meetings are subject to the open meeting requirements under Minnesota Statutes, chapter 13D.

(b) The governor must convene the first meeting of the advisory council by July 1, 2023, at which time the council must elect a chair.

(c) The commissioner of education must provide the advisory council with administrative support and meeting space.

Subd. 4. **Expiration.** The advisory council expires on June 30, 2025.

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

Sec. 14. **APPROPRIATIONS.**

Subdivision 1. **Department of Education.** The sums indicated in this section are appropriated from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **Read Act instructional materials grants.** (a) For grants to school districts, charter schools, and cooperatives for evidence-based literacy supports for children in prekindergarten through grade 12 based on structured literacy:

§        40,000,000    ..... 2024

(b) Recipients must use grant funding to pay for evidence-based, structured literacy curriculum, books, prekindergarten through grade 5 classroom literacy instructional materials, and kindergarten through grade 12 literacy intervention materials. Grant funds may be used to reimburse a grant recipient for curriculum, books, and instructional or intervention materials purchased after July 1, 2021.

(c) A school district or charter school must submit a grant application to the commissioner in the form and manner determined by the commissioner. The commissioner must report to the legislative committees with jurisdiction over kindergarten through grade 12 education the districts and charter schools that receive literacy grants, and the amounts of each grant, by January 15, 2025, according to Minnesota Statutes, section 3.195.

(d) A school district or charter school is encouraged to use grant funds to purchase curriculum and instructional materials that are culturally responsive and reflect diverse populations.

(e) This appropriation is available until June 30, 2028.

Subd. 3. **Read Act professional development.** (a) For evidence-based training on structured literacy for teachers working in school districts, charter schools, and cooperatives:

<u>\$</u>	<u>30,000,000</u>	<u>.....</u>	<u>2024</u>
<u>\$</u>	<u>30,000,000</u>	<u>.....</u>	<u>2025</u>

(b) A district, charter school, or cooperative must report to the commissioner the number of prekindergarten through grade 5 classroom teachers and prekindergarten through grade 12 literacy intervention teachers for whom the district seeks to provide training. The commissioner must proportionately allocate the appropriation to districts, charter schools, and cooperatives. Each district, charter school, or cooperative's aid equals the appropriation for that year times the ratio of the number of teachers for whom it applied for training to the statewide total number of teachers for whom the funding was requested.

(c) A school district or charter school may use the funding to pay for training, substitute teachers to allow classroom teachers time to attend training, and incentives for teachers that complete training.

(d) The commissioner must report to the legislative committees with jurisdiction over kindergarten through grade 12 education how the funding was distributed among districts, charter schools, and cooperatives, and the number of teachers each recipient received funding for. The report must include the number of teachers for whom districts requested professional development funds, and the number of teachers that were able to receive training using funds under this subdivision.

(e) This appropriation is available until June 30, 2027.

(f) The base for fiscal year 2026 is \$0.

Subd. 4. **Department.** (a) For the Department of Education:

<u>\$</u>	<u>.....</u>	<u>.....</u>	<u>2024</u>
<u>\$</u>	<u>.....</u>	<u>.....</u>	<u>2025</u>

(b) This appropriation includes funds for a full-time literacy specialist at the Department of Education.

(c) The agency's base is \$..... for fiscal year 2026 and \$..... for fiscal year 2027."

Amend the title as follows:

Page 1, line 3, after the first semicolon, insert "establishing an advisory council;"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Education Finance. Amendments adopted. Report adopted.

**Senator Cwodzinski from the Committee on Education Policy, to which was referred**

**S.F. No. 2500:** A bill for an act relating to education; allowing high school students to earn elective credits through employment with certain health care providers; proposing coding for new law in Minnesota Statutes, chapter 124D.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete lines 8 to 10 and insert "A student in grade 11 or 12 who is employed by an institutional long-term care or licensed assisted living facility, a home and community-based services and supports provider, or a hospital or health system clinic, may earn up to two elective credits each year toward graduation under section"

Page 1, line 12, after "worked" insert ", including hours worked during the summer"

And when so amended the bill do pass and be re-referred to the Committee on Education Finance.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

**Senator Wiklund from the Committee on Health and Human Services, to which was re-referred**

**S.F. No. 168:** A bill for an act relating to health; prohibiting excessive price increases by manufacturers to generic or off-patent drugs; authorizing the attorney general to take action against manufacturers for certain price increases; prohibiting withdrawal of certain generic or off-patent drugs sales; establishing a prescription drug affordability board and prescription drug affordability advisory council; providing for prescription drug cost reviews and remedies; providing appointments; imposing civil penalties; requiring a report; appropriating money; amending Minnesota Statutes 2022, section 151.071, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapter 62J.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on State and Local Government and Veterans. Report adopted.

**Senator Wiklund from the Committee on Health and Human Services, to which was referred**

**S.F. No. 2800:** A bill for an act relating to health; expanding membership on rural health advisory committee; amending Minnesota Statutes 2022, section 144.1481, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, delete the new language

Page 1, line 8, after "following" insert "22"

Page 1, lines 20 and 21, delete the new language

Page 1, after line 21, insert:

"(8) an allied dental personnel as defined in Minnesota Rules, part 3100.0100, subpart 5;"

Page 2, line 1, strike "(8)" and insert "(9)"

Page 2, line 2, strike "(9)" and insert "(10)"

Page 2, line 3, strike "(10)" and insert "(11)"

Page 2, line 5, strike "(11)" and insert "(12)"

Page 2, line 7, delete "(12)" and insert "(13)"

Page 2, line 8, delete "(13)" and insert "(14)"

Page 2, line 9, delete "(14)" and insert "(15)"

Page 2, line 11, delete "(15)" and insert "(16)"

Page 2, line 13, delete "(16)" and insert "(17)"

Page 2, line 14, delete "and"

Page 2, line 15, delete "(17)" and insert "(18)" and strike "three" and insert "two"

Page 2, line 17, strike the period and insert "; and"

Page 2, after line 17, insert:

"(19) one consumer who is an advocate for persons who are developmentally disabled."

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government and Veterans. Amendments adopted. Report adopted.

**Senator Wiklund from the Committee on Health and Human Services, to which was referred**

**S.F. No. 2341:** A bill for an act relating to health; changing provisions for cancer reporting; amending Minnesota Statutes 2022, section 144.69.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 17, delete "will" and insert "must"

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety. Amendments adopted. Report adopted.

**Senator Wiklund from the Committee on Health and Human Services, to which was re-referred**

**S.F. No. 579:** A bill for an act relating to education; modifying lead testing and remediation requirements in schools; requiring a report; appropriating money; amending Minnesota Statutes 2022, sections 121A.335; 123B.595, subdivisions 1, 2, 7, 8, 8a, 9.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Education Finance. Report adopted.

**Senator Wiklund from the Committee on Health and Human Services, to which was re-referred**

**S.F. No. 2444:** A bill for an act relating to education; requiring schools to maintain a supply of opiate antagonists; modifying provisions for opiate antagonist administration in schools; appropriating money; amending Minnesota Statutes 2022, section 151.37, subdivision 12; proposing coding for new law in Minnesota Statutes, chapter 121A.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Education Finance. Report adopted.

**Senator Wiklund from the Committee on Health and Human Services, to which was re-referred**

**S.F. No. 30:** A bill for an act relating to capital investment; establishing a grant program to replace lead drinking water service lines; requiring a report; appropriating money; amending Minnesota Statutes 2022, sections 144.383; 446A.081, subdivisions 8, 9; proposing coding for new law in Minnesota Statutes, chapter 446A.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 18, delete "municipalities" and insert "community public water supplies, as defined in the federal Safe Drinking Water Act,"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Murphy from the Committee on State and Local Government and Veterans, to which was referred**

**S.F. No. 2431:** A bill for an act relating to state government; establishing the Council on LGBTQIA Minnesotans; proposing coding for new law in Minnesota Statutes, chapter 15.

Reports the same back with the recommendation that the bill be amended as follows:

Page 5, delete section 2 and insert:

"Sec. 2. **APPROPRIATIONS.**

(a) \$572,000 in fiscal year 2024 and \$586,000 in fiscal year 2025 are appropriated from the general fund to the Council on LGBTQIA Minnesotans to implement the provisions of Minnesota Statutes, section 15.0146.

(b) \$158,000 in fiscal year 2024 and \$28,000 in fiscal year 2025 are appropriated from the general fund to the commissioner of administration to develop and create training modules for and to support the work of the Council on LGBTQIA Minnesotans."

Amend the title as follows:

Page 1, line 2, after the second semicolon, insert "appropriating money;"

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

**Senator Murphy from the Committee on State and Local Government and Veterans, to which was re-referred**

**S.F. No. 36:** A bill for an act relating to public safety; establishing a reward account for information on missing and murdered Indigenous relatives; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, after "group" insert "established under subdivision 3"

Page 2, line 11, after "(b)" insert "Members serve a term of four years."

Page 2, line 12, delete everything after "duties" and insert ". The group shall elect a chair from among its members. The chair shall serve a term of two years"

Page 2, line 13, delete everything before the period

Page 2, after line 30, insert:

**"Sec. 2. INITIAL APPOINTMENT AND FIRST MEETING FOR THE REWARD ADVISORY GROUP FOR THE OFFICE OF MISSING AND MURDERED INDIGENOUS RELATIVES.**

The Director of the Office of Missing and Murdered Indigenous Relatives must appoint the first members to the reward advisory group under Minnesota Statutes, section 299A.86, subdivision 3, by August 15, 2023, and must convene the first meeting of the group by October 1, 2023. The group must elect a chair at its first meeting."

Renumber the sections in sequence

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Murphy from the Committee on State and Local Government and Veterans, to which was re-referred**

**S.F. No. 2442:** A bill for an act relating to education; requiring education on the Holocaust, genocide of Indigenous Peoples, and other genocides for middle and high school students; creating a working group on education on the Holocaust, genocide of Indigenous Peoples, and other genocides; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 120B.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Education Finance.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

**Senator Murphy from the Committee on State and Local Government and Veterans, to which was referred**

**S.F. No. 2568:** A bill for an act relating to state and local government; appropriating money for a geophysical study of the St. Anthony Falls area; requiring a report.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Klein from the Committee on Commerce and Consumer Protection, to which was re-referred**

**S.F. No. 834:** A bill for an act relating to environment; prohibiting PFAS in certain products; requiring disclosure; authorizing rulemaking; proposing coding for new law in Minnesota Statutes, chapter 116.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [116.943] PRODUCTS CONTAINING PFAS.

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Adult mattress" means a mattress other than a crib mattress or toddler mattress.

(c) "Air care product" means a chemically formulated consumer product labeled to indicate that the purpose of the product is to enhance or condition the indoor environment by eliminating odors or freshening the air.

(d) "Automotive maintenance product" means a chemically formulated consumer product labeled to indicate that the purpose of the product is to maintain the appearance of a motor vehicle, including products for washing, waxing, polishing, cleaning, or treating the exterior or interior surfaces of

motor vehicles. Automotive maintenance product does not include automotive paint or paint repair products.

(e) "Carpet or rug" means a fabric marketed or intended for use as a floor covering.

(f) "Cleaning product" means a finished product used primarily for domestic, commercial, or institutional cleaning purposes, including but not limited to an air care product, an automotive maintenance product, a general cleaning product, or a polish or floor maintenance product.

(g) "Commissioner" means the commissioner of the Pollution Control Agency.

(h) "Cookware" means durable houseware items used to prepare, dispense, or store food, foodstuffs, or beverages. Cookware includes but is not limited to pots, pans, skillets, grills, baking sheets, baking molds, trays, bowls, and cooking utensils.

(i) "Cosmetic" means articles, excluding soap:

(1) intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for the purpose of cleansing, beautifying, promoting attractiveness, or altering the appearance; and

(2) intended for use as a component of any such article.

(j) "Currently unavoidable use" means a use of PFAS that the commissioner has determined by rule under this section to be essential for health, safety, or the functioning of society and for which alternatives are not reasonably available.

(k) "Fabric treatment" means a substance applied to fabric to give the fabric one or more characteristics, including but not limited to stain resistance or water resistance.

(l) "Intentionally added" means PFAS deliberately added during the manufacture of a product where the continued presence of PFAS is desired in the final product or one of the product's components to perform a specific function.

(m) "Juvenile product" means a product designed or marketed for use by infants and children under 12 years of age:

(1) including but not limited to a baby or toddler foam pillow; bassinet; bedside sleeper; booster seat; changing pad; child restraint system for use in motor vehicles and aircraft; co-sleeper; crib mattress; highchair; highchair pad; infant bouncer; infant carrier; infant seat; infant sleep positioner; infant swing; infant travel bed; infant walker; nap cot; nursing pad; nursing pillow; play mat; playpen; play yard; polyurethane foam mat, pad, or pillow; portable foam nap mat; portable infant sleeper; portable hook-on chair; soft-sided portable crib; stroller; and toddler mattress; and

(2) not including a children's electronic product such as a personal computer, audio and video equipment, calculator, wireless phone, game console, handheld device incorporating a video screen, or any associated peripheral such as a mouse, keyboard, power supply unit, or power cord; a medical device; or an adult mattress.



(n) "Manufacturer" means the person that creates or produces a product or whose brand name is affixed to the product. In the case of a product imported into the United States, manufacturer includes the importer or first domestic distributor of the product if the person that manufactured or assembled the product or whose brand name is affixed to the product does not have a presence in the United States.

(o) "Medical device" has the meaning given "device" under United States Code, title 21, section 321, subsection (h).

(p) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

(q) "Product" means an item manufactured, assembled, packaged, or otherwise prepared for sale to consumers, including but not limited to its product components, sold or distributed for personal, residential, commercial, or industrial use, including for use in making other products.

(r) "Product component" means an identifiable component of a product, regardless of whether the manufacturer of the product is the manufacturer of the component.

(s) "Ski wax" means a lubricant applied to the bottom of snow runners, including but not limited to skis and snowboards, to improve their grip or glide properties. Ski wax includes related tuning products.

(t) "Textile" means an item made in whole or part from a natural or synthetic fiber, yarn, or fabric. Textile includes but is not limited to leather, cotton, silk, jute, hemp, wool, viscose, nylon, and polyester.

(u) "Textile furnishings" means textile goods of a type customarily used in households and businesses, including but not limited to draperies, floor coverings, furnishings, bedding, towels, and tablecloths.

(v) "Upholstered furniture" means an article of furniture that is designed to be used for sitting, resting, or reclining and that is wholly or partly stuffed or filled with any filling material.

**Subd. 2. Information required.** (a) On or before January 1, 2026, a manufacturer of a product sold, offered for sale, or distributed in the state that contains intentionally added PFAS must submit to the commissioner information that includes:

(1) a brief description of the product, including a universal product code (UPC), stock keeping unit (SKU), or other numeric code assigned to the product;

(2) the purpose for which PFAS are used in the product, including in any product components;

(3) the amount of each PFAS, identified by its chemical abstracts service registry number, in the product, reported as an exact quantity determined using commercially available analytical methods or as falling within a range approved for reporting purposes by the commissioner;

(4) the name and address of the manufacturer and the name, address, and phone number of a contact person for the manufacturer; and

(5) any additional information requested by the commissioner as necessary to implement the requirements of this section.

(b) With the approval of the commissioner, a manufacturer may supply the information required in paragraph (a) for a category or type of product rather than for each individual product.

(c) A manufacturer must submit the information required under this subdivision whenever a new product that contains intentionally added PFAS is sold, offered for sale, or distributed in the state and update and revise the information whenever there is significant change in the information or when requested to do so by the commissioner.

(d) A person may not sell, offer for sale, or distribute for sale in the state a product containing intentionally added PFAS if the manufacturer has failed to provide the information required under this subdivision and the person has received notification under subdivision 4.

**Subd. 3. Information requirement waivers; extensions.** (a) The commissioner may waive all or part of the information requirement under subdivision 2 if the commissioner determines that substantially equivalent information is already publicly available. The commissioner may grant a waiver under this paragraph to a manufacturer or a group of manufacturers for multiple products or a product category.

(b) The commissioner may enter into an agreement with one or more other states or political subdivisions of a state to collect information and may accept information to a shared system as meeting the information requirement under subdivision 2.

(c) The commissioner may extend the deadline for submission by a manufacturer of the information required under subdivision 2 if the commissioner determines that more time is needed by the manufacturer to comply with the submission requirement.

**Subd. 4. Testing required and certificate of compliance.** (a) If the commissioner has reason to believe that a product contains intentionally added PFAS and the product is being offered for sale in the state, the commissioner may direct the manufacturer of the product to, within 30 days, provide the commissioner with testing results that demonstrate the amount of each of the PFAS, identified by its chemical abstracts service registry number, in the product, reported as an exact quantity determined using commercially available analytical methods or as falling within a range approved for reporting purposes by the commissioner.

(b) If testing demonstrates that the product does not contain intentionally added PFAS, the manufacturer must provide the commissioner a certificate attesting that the product does not contain intentionally added PFAS, including testing results and any other relevant information.

(c) If testing demonstrates that the product contains intentionally added PFAS, the manufacturer must provide the commissioner with the testing results and the information required under subdivision 2.

(d) A manufacturer must notify persons who sell or offer for sale a product prohibited under subdivision 2 or 5 that the sale of that product is prohibited in this state and provide the commissioner with a list of the names and addresses of those notified.

(e) The commissioner may notify persons who sell or offer for sale a product prohibited under subdivision 2 or 5 that the sale of that product is prohibited in this state.

Subd. 5. **Prohibitions.** (a) Beginning January 1, 2025, a person may not sell, offer for sale, or distribute for sale in this state the following products if the product contains intentionally added PFAS:

- (1) carpets or rugs;
- (2) cleaning products;
- (3) cookware;
- (4) cosmetics;
- (5) dental floss;
- (6) fabric treatments;
- (7) juvenile products;
- (8) menstruation products;
- (9) textile furnishings;
- (10) ski wax; or
- (11) upholstered furniture.

(b) The commissioner may by rule identify additional products by category or use that may not be sold, offered for sale, or distributed for sale in this state if they contain intentionally added PFAS and designate effective dates. A prohibition adopted under this paragraph must be effective no earlier than January 1, 2025, and no later than January 1, 2032. The commissioner must prioritize the prohibition of the sale of product categories that, in the commissioner's judgment, are most likely to contaminate or harm the state's environment and natural resources if they contain intentionally added PFAS.

(c) Beginning January 1, 2032, a person may not sell, offer for sale, or distribute for sale in this state any product that contains intentionally added PFAS, unless the commissioner has determined by rule that the use of PFAS in the product is a currently unavoidable use. The commissioner may specify specific products or product categories for which the commissioner has determined the use of PFAS is a currently unavoidable use. The commissioner may not determine that the use of PFAS in a product is a currently unavoidable use if the product is listed in paragraph (a).

Subd. 6. **Fees.** The commissioner may establish by rule a fee payable by a manufacturer to the commissioner upon submission of the information required under subdivision 2 to cover the agency's reasonable costs to implement this section. Fees collected under this subdivision must be deposited in an account in the environmental fund.

Subd. 7. **Enforcement.** (a) The commissioner may enforce this section under sections 115.071 and 116.072. The commissioner may coordinate with the commissioners of commerce and health in enforcing this section.

(b) When requested by the commissioner, a person must furnish to the commissioner any information that the person may have or may reasonably obtain that is relevant to show compliance with this section.

Subd. 8. **Exemptions.** This section does not apply to:

(1) a product for which federal law governs the presence of PFAS in the product in a manner that preempts state authority;

(2) a product regulated under section 325F.072 or 325F.075; or

(3) the sale or resale of a used product.

Subd. 9. **Rules.** The commissioner may adopt rules necessary to implement this section. Section 14.125 does not apply to the commissioner's rulemaking authority under this section.

Sec. 2. Minnesota Statutes 2022, section 325F.072, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Class B firefighting foam" means foam designed for flammable liquid fires to prevent or extinguish a fire in flammable liquids, combustible liquids, petroleum greases, tars, oils, oil-based paints, solvents, lacquers, alcohols, and flammable gases.

(c) "PFAS chemicals" or "perfluoroalkyl and polyfluoroalkyl substances" means, ~~for the purposes of firefighting agents,~~ a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom ~~and designed to be fully functional in class B firefighting foam formulations.~~

(d) "Political subdivision" means a county, city, town, or a metropolitan airports commission organized and existing under sections 473.601 to 473.679.

(e) "State agency" means an agency as defined in section 16B.01, subdivision 2.

(f) "Testing" means calibration testing, conformance testing, and fixed system testing.

Sec. 3. Minnesota Statutes 2022, section 325F.072, subdivision 3, is amended to read:

~~Subd. 3. **Prohibition of testing and training.** (a) Beginning July 1, 2020, No person, political subdivision, or state agency shall discharge class B firefighting foam that contains intentionally added~~ manufacture or knowingly sell, offer for sale, distribute for sale, or distribute for use in this state, and no person shall use in this state, class B firefighting foam containing PFAS chemicals.

~~(1) for testing purposes, unless the testing facility has implemented appropriate containment, treatment, and disposal measures to prevent releases of foam to the environment; or~~

~~(2) for training purposes, unless otherwise required by law, and with the condition that the training event has implemented appropriate containment, treatment, and disposal measures to prevent releases of foam to the environment. For training purposes, class B foam that contains intentionally added PFAS chemicals shall not be used.~~

~~(b) This section does not restrict:~~

~~(1) the manufacture, sale, or distribution of class B firefighting foam that contains intentionally added PFAS chemicals; or~~

~~(2) the discharge or other use of class B firefighting foams that contain intentionally added PFAS chemicals in emergency firefighting or fire prevention operations.~~

(b) This subdivision does not apply to the manufacture, sale, distribution, or use of class B firefighting foam for which the inclusion of PFAS chemicals is required by federal law, including but not limited to Code of Federal Regulations, title 14, section 139.317. If a federal requirement to include PFAS chemicals in class B firefighting foam is revoked after January 1, 2024, class B firefighting foam subject to the revoked requirements is no longer exempt under this paragraph effective one year after the day of revocation.

(c) This subdivision does not apply to the manufacture, sale, distribution, or use of class B firefighting foam for purposes of use at an airport, as defined under section 360.013, subdivision 39, until the state fire marshal makes a determination that:

(1) the Federal Aviation Administration has provided policy guidance on the transition to fluorine-free firefighting foam;

(2) a fluorine-free firefighting foam product is included in the Federal Aviation Administration's Qualified Product Database; and

(3) a firefighting foam product included in the database under clause (2) is commercially available in quantities sufficient to reliably meet the requirements under Code of Federal Regulations, title 14, part 139.

(d) Until the state fire marshal makes a determination under paragraph (c), the operator of an airport using class B firefighting foam containing PFAS chemicals must, on or before December 31 each calendar year, submit a report to the state fire marshal regarding the status of the airport's conversion to class B firefighting foam products without intentionally added PFAS, the disposal of class B firefighting foam products with intentionally added PFAS, and an assessment of the factors listed in paragraph (c) as applied to the airport.

**EFFECTIVE DATE.** This section is effective January 1, 2024.

Sec. 4. Minnesota Statutes 2022, section 325F.072, is amended by adding a subdivision to read:

Subd. 3a. **Discharge for testing and training.** A person, political subdivision, or state agency exempted from the prohibitions under subdivision 3 may not discharge class B firefighting foam that contains intentionally added PFAS chemicals for:

(1) testing purposes, unless the testing facility has implemented appropriate containment, treatment, and disposal measures to prevent releases of foam to the environment; or

(2) training purposes, unless otherwise required by law, and with the condition that the training event has implemented appropriate containment, treatment, and disposal measures to prevent releases of foam to the environment.

**EFFECTIVE DATE.** This section is effective January 1, 2024.

**Sec. 5. FIREFIGHTER TURNOUT GEAR; REPORT.**

(a) The commissioner of the Pollution Control Agency, in cooperation with the commissioner of health, must submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the environment and natural resources regarding perfluoroalkyl and polyfluoroalkyl substances (PFAS) in turnout gear by January 15, 2024. The report must include:

(1) current turnout gear requirements and options for eliminating or reducing PFAS in turnout gear;

(2) current turnout gear disposal methods and recommendations for future disposal to prevent PFAS contamination; and

(3) recommendations and protocols for PFAS biomonitoring in firefighters, including a process for allowing firefighters to voluntarily register for biomonitoring.

(b) For the purposes of this section, "turnout gear" is the personal protective equipment (PPE) used by firefighters.

**Sec. 6. TEMPORARY EXEMPTION FOR TERMINALS AND OIL REFINERIES.**

Subdivision 1. **Temporary exemption.** Minnesota Statutes, section 325F.072, subdivision 3, does not apply to the manufacture, sale, distribution, or use of class B firefighting foam for the purposes of use at a terminal or oil refinery until January 1, 2026.

Subd. 2. **Extension; waiver.** (a) A person who operates a terminal or oil refinery may apply to the state fire marshal for a waiver to extend the exemption under subdivision 1 beyond January 1, 2026, as provided in this subdivision.

(b) The state fire marshal may grant a waiver to extend the exemption under subdivision 1 for a specific use if the applicant provides all of the following:

(1) clear and convincing evidence that there is no commercially available replacement that does not contain intentionally added PFAS chemicals and that is capable of suppressing fire for that specific use;

(2) information on the amount of firefighting foam containing intentionally added PFAS chemicals stored, used, or released on-site on an annual basis;

(3) a detailed plan, with timelines, for the operator of the terminal or oil refinery to transition to firefighting foam that does not contain intentionally added PFAS chemicals for that specific use; and

(4) a plan for meeting the requirements under subdivision 3.

(c) The state fire marshal must ensure there is an opportunity for public comment during the waiver process. The state fire marshal must consider both information provided by the applicant and information provided through public comment when making a decision on whether to grant a waiver. The term of a waiver must not exceed two years. The state fire marshal must not grant a waiver for a specific use if any other terminal or oil refinery is known to have transitioned to commercially available class B firefighting foam that does not contain intentionally added PFAS chemicals for that specific use. All waivers must expire by January 1, 2028. A person that anticipates applying for a waiver for a terminal or oil refinery must submit a notice of intent to the state fire marshal by January 1, 2025, in order to be considered for a waiver beyond January 1, 2026. The state fire marshal must notify the waiver applicant of a decision within six months of the waiver submission date.

(d) The state fire marshal must provide an applicant for a waiver under this subdivision an opportunity to:

(1) correct deficiencies when applying for a waiver; and

(2) provide evidence to dispute a determination that another terminal or oil refinery is known to have transitioned to commercially available class B firefighting foam that does not contain intentionally added PFAS chemicals for that specific use, including evidence that the specific use is different.

Subd. 3. Use requirements. (a) A person that uses class B firefighting foam containing intentionally added PFAS chemicals under this section must:

(1) implement tactics that have been demonstrated to prevent release directly to the environment, such as to unsealed ground, soakage pits, waterways, or uncontrolled drains;

(2) attempt to fully contain all firefighting foams with PFAS on-site using demonstrated practices designed to contain all PFAS releases;

(3) implement containment measures such as bunds and ponds that are controlled, are impervious to PFAS chemicals, and do not allow fire water, wastewater, runoff, and other wastes to be released to the environment, such as to soils, groundwater, waterways, or stormwater; and

(4) dispose of all fire water, wastewater, runoff, impacted soils, and other wastes in a way that prevents releases to the environment.

(b) A terminal or oil refinery that has received a waiver under this section may provide and use class B firefighting foam containing intentionally added PFAS chemicals in the form of mutual aid to another terminal or oil refinery at the request of authorities only if the other terminal or oil refinery also has a waiver.

**EFFECTIVE DATE.** This section is effective January 1, 2024."

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government and Veterans. Amendments adopted. Report adopted.

**Senator Klein from the Committee on Commerce and Consumer Protection, to which was re-referred**

**S.F. No. 776:** A bill for an act relating to environment; prohibiting the use of certain firefighting foam; appropriating money; allowing certain exemptions; amending Minnesota Statutes 2022, section 325F.072, subdivisions 1, 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 29, delete "and"

Page 2, line 31, delete the period and insert "; and"

Page 2, after line 31, insert:

"(3) firefighting foam product included in the database under clause (2) is commercially available in quantities sufficient to reliably meet the requirements under Code of Federal Regulations, title 14, section 139."

Page 3, after line 7, insert:

"Sec. 3. Minnesota Statutes 2022, section 325F.072, is amended by adding a subdivision to read:

Subd. 3a. **Discharge for testing and training.** A person, political subdivision, or state agency exempted from the prohibitions under subdivision 3 may not discharge class B firefighting foam that contains intentionally added PFAS chemicals for:

(1) testing purposes, unless the testing facility has implemented appropriate containment, treatment, and disposal measures to prevent releases of foam to the environment; or

(2) training purposes, unless otherwise required by law, and with the condition that the training event has implemented appropriate containment, treatment, and disposal measures to prevent releases of foam to the environment.

**EFFECTIVE DATE.** This section is effective January 1, 2024."

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Environment, Climate, and Legacy. Amendments adopted. Report adopted.



**Senator Klein from the Committee on Commerce and Consumer Protection, to which was referred**

**S.F. No. 2046:** A bill for an act relating to consumer protection; modifying and adding provision governing the sale of certain motor vehicles; amending Minnesota Statutes 2022, sections 53C.01, subdivision 12c, by adding a subdivision; 53C.06; 53C.08, subdivisions 1, 1a; 325F.662, subdivisions 2, 8a, by adding subdivisions.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2022, section 53C.01, is amended by adding a subdivision to read:

Subd. 4a. **Global positioning system starter interrupt device.** "Global positioning system starter interrupt device" or "GPS starter interrupt device" means a device installed on a motor vehicle by a motor vehicle dealer that enables an individual who is not in possession of the motor vehicle to remotely disable the motor vehicle's ignition. GPS starter interrupt device includes a device commonly referred to as a fuel or ignition kill switch.

Sec. 2. Minnesota Statutes 2022, section 53C.01, subdivision 12c, is amended to read:

Subd. 12c. **Theft deterrent device.** "Theft deterrent device" means the following devices:

- (1) a vehicle alarm system;
- (2) a window etch product;
- (3) a body part marking product;
- (4) a steering lock; or
- (5) a pedal or ignition lock; ~~or~~
- ~~(6) a fuel or ignition kill switch.~~

Sec. 3. Minnesota Statutes 2022, section 53C.08, subdivision 1a, is amended to read:

Subd. 1a. **Disclosures required.** Prior to the execution of a retail installment contract, the seller shall provide to a buyer, and obtain the buyer's signature on, a written disclosure that sets forth the following information:

(1) a description and the total price of all items sold in the following categories if the contract includes a charge for the item:

- (i) a service contract;
- (ii) an insurance product;
- (iii) a debt cancellation agreement;

(iv) a theft deterrent device; or

(v) a surface protection product;

(2) if a GPS starter interrupt device is installed on the motor vehicle, regardless of whether the contract includes a charge for the GPS starter interrupt device;

(3) the amount that would be calculated under the contract as the regular installment payment if charges for the items referenced under clause (1) are not included in the contract;

~~(3)~~ (4) the amount that would be calculated under the contract as the regular installment payment if charges for the items referenced under clause (1) are included in the contract; and

~~(4)~~ (5) the disclosures required under this subdivision must be in at least ten-point type and must be contained in a single document that is separate from the retail installment contract and any other vehicle purchase documents.

Sec. 4. Minnesota Statutes 2022, section 325F.662, subdivision 2, is amended to read:

Subd. 2. **Written warranty required.** (a) Every used motor vehicle sold by a dealer is covered by an express warranty which the dealer shall provide to the consumer in writing. At a minimum, the express warranty applies for the following terms:

(1) if the used motor vehicle has less than 36,000 miles, the warranty must remain in effect for at least 60 days or 2,500 miles, whichever comes first;

(2) if the used motor vehicle has 36,000 miles or more, but less than 75,000 miles, the warranty must remain in effect for at least 30 days or 1,000 miles, whichever comes first; and

(3) unless the vehicle is sold by a new motor vehicle dealer, as defined in section 168.27, subdivision 2, if the used motor vehicle has 75,000 miles or more, the warranty must remain in effect for at least 15 days or 500 miles, whichever comes first.

(b) The express warranty must require the dealer, in the event of a malfunction, defect, or failure in a covered part, to repair or replace the covered part, or at the dealer's election, to accept return of the used motor vehicle from the consumer and provide a refund to the consumer.

(c) For used motor vehicles with less than 36,000 miles, the dealer's express warranty shall cover, at minimum, the following parts:

(1) with respect to the engine, all lubricated parts, intake manifolds, engine block, cylinder head, rotary engine housings, and ring gear;

(2) with respect to the transmission, the automatic transmission case, internal parts, and the torque converter; or, the manual transmission case, and the internal parts;

(3) with respect to the drive axle, the axle housings and internal parts, axle shafts, drive shafts and output shafts, and universal joints; but excluding the secondary drive axle on vehicles, other than passenger vans, mounted on a truck chassis;

(4) with respect to the brakes, the master cylinder, vacuum assist booster, wheel cylinders, hydraulic lines and fittings, and disc brakes calipers;

(5) with respect to the steering, the steering gear housing and all internal parts, power steering pump, valve body, piston, and rack;

(6) the water pump;

(7) the externally mounted mechanical fuel pump;

(8) the radiator;

(9) the alternator, generator, and starter.

(d) For used motor vehicles with 36,000 miles or more, ~~but less than 75,000 miles~~, the dealer's express warranty shall cover, at minimum, the following parts:

(1) with respect to the engine, all lubricated parts, intake manifolds, engine block, cylinder head, rotary engine housings, and ring gear;

(2) with respect to the transmission, the automatic transmission case, internal parts, and the torque converter; or, the manual transmission case, and internal parts;

(3) with respect to the drive axle, the axle housings and internal parts, axle shafts, drive shafts and output shafts, and universal joints; but excluding the secondary drive axle on vehicles, other than passenger vans, mounted on a truck chassis;

(4) with respect to the brakes, the master cylinder, vacuum assist booster, wheel cylinders, hydraulic lines and fittings, and disc brake calipers;

(5) with respect to the steering, the steering gear housing and all internal parts, power steering pump, valve body, and piston;

(6) the water pump;

(7) the externally mounted mechanical fuel pump.

(e)(1) A dealer's obligations under the express warranty remain in effect notwithstanding the fact that the warranty period has expired, if the consumer promptly notified the dealer of the malfunction, defect, or failure in the covered part within the specified warranty period and, within a reasonable time after notification, brings the vehicle or arranges with the dealer to have the vehicle brought to the dealer for inspection and repair.

(2) If a dealer does not have a repair facility, the dealer shall designate where the vehicle must be taken for inspection and repair.

(3) In the event the malfunction, defect, or failure in the covered part occurs at a location which makes it impossible or unreasonable to return the vehicle to the selling dealer, the consumer may have the repairs completed elsewhere with the consent of the selling dealer, which consent may not be unreasonably withheld.

(4) Notwithstanding the provisions of this paragraph, a consumer may have nonwarranty maintenance and nonwarranty repairs performed other than by the selling dealer and without the selling dealer's consent.

(f) Nothing in this section diminishes the obligations of a manufacturer under an express warranty issued by the manufacturer. The express warranties created by this section do not require a dealer to repair or replace a covered part if the repair or replacement is covered by a manufacturer's new car warranty, or the manufacturer otherwise agrees to repair or replace the part.

(g) The express warranties created by this section do not cover defects or repair problems which result from collision, abuse, negligence, or lack of adequate maintenance following sale to the consumer.

(h) The terms of the express warranty, including the duration of the warranty and the parts covered, must be fully, accurately, and conspicuously disclosed by the dealer on the front of the Buyers Guide.

Sec. 5. Minnesota Statutes 2022, section 325F.662, subdivision 3, is amended to read:

Subd. 3. **Exclusions.** Notwithstanding the provisions of subdivision 2, a dealer is not required to provide an express warranty for a used motor vehicle:

(1) except for a used motor vehicle described in subdivision 2, paragraph (a), clause (3), sold for a total cash sale price of less than \$3,000, including the trade-in value of any vehicle traded in by the consumer, but excluding tax, license fees, registration fees, and finance charges;

(2) with an engine designed to use diesel fuel;

(3) with a gross weight, as defined in section 168.002, subdivision 13, in excess of 9,000 pounds;

(4) that has been custom-built or modified for show or for racing;

(5) except for a used motor vehicle described in subdivision 2, paragraph (a), clause (3), that is eight years of age or older, as calculated from the first day in January of the designated model year of the vehicle;

(6) that has been produced by a manufacturer which has never manufactured more than 10,000 motor vehicles in any one year;

~~(7) that has 75,000 miles or more at time of sale;~~

~~(7)~~ (7) that has not been manufactured in compliance with applicable federal emission standards in force at the time of manufacture as provided by the Clean Air Act, United States Code, title 42, sections 7401 through 7642, and regulations adopted pursuant thereto, and safety standards as provided by the National Traffic and Motor Safety Act, United States Code, title 15, sections 1381 through 1431, and regulations adopted pursuant thereto; or

~~(9)~~ (8) that has been issued a certificate of title that bears a "salvage" brand or stamp under section 168A.151."

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Klein from the Committee on Commerce and Consumer Protection, to which was re-referred**

**S.F. No. 328:** A bill for an act relating to health; requiring manufacturers to report and maintain prescription drug prices; requiring the filing of health plan prescription drug formularies; health care coverage; establishing requirements for a prescription benefit tool; requiring prescription drug benefit transparency and disclosure; amending Minnesota Statutes 2022, sections 62A.02, subdivision 1; 62J.497, subdivisions 1, 3; 62J.84, subdivisions 2, 6, 7, 8, 9; 151.071, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 62J; 62Q.

Reports the same back with the recommendation that the bill be amended as follows:

Page 14, line 17, delete "quarter" and insert "year"

Page 15, after line 28, insert:

"(e) Health plan companies, and managed care plans and county-based purchasing plans under section 256B.69 and chapter 256L, may update their formulary or preferred drug list quarterly, provided that these changes do not apply to enrollees who are currently taking the drugs affected by these changes for the duration of the calendar year."

And when so amended the bill do pass and be re-referred to the Committee on Health and Human Services. Amendments adopted. Report adopted.

**Senator Carlson from the Committee on Elections, to which was referred**

**S.F. No. 1827:** A bill for an act relating to elections; modifying the definition of major political party; amending Minnesota Statutes 2022, section 200.02, subdivision 7.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 5, reinstate stricken language and delete new language

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Carlson from the Committee on Elections, to which was referred**

**S.F. No. 1362:** A bill for an act relating to elections; making technical and clarifying changes; amending Minnesota Statutes 2022, sections 203B.07, subdivisions 1, 2, 3; 203B.121, subdivision 4; 203B.21, subdivisions 1, 3; 203B.23, subdivision 2; 203B.24, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

**"ARTICLE 1****CAMPAIGN FINANCE POLICY**

Section 1. Minnesota Statutes 2022, section 10A.01, subdivision 5, is amended to read:

Subd. 5. **Associated business.** (a) "Associated business" means an association, corporation, partnership, limited liability company, limited liability partnership, or other organized legal entity from which the individual or the individual's spouse receives compensation in excess of \$250, except for actual and reasonable expenses, in any month during the reporting period as a director, officer, owner, member, partner, employer or employee, or whose securities the individual or the individual's spouse holds worth more than \$10,000 at fair market value.

(b) Associated business also means a lobbyist, principal, or interested person by whom the individual is compensated in excess of \$250, except for actual and reasonable expenses, in any month for providing services as an independent contractor or consultant. If an individual is compensated by a person or association for providing services to a lobbyist, principal, or interested person, associated business includes both the person or association that pays the compensation and the lobbyist, principal, or interested person to whom the services are provided.

(c) "Interested person" means a person or a representative of a person or association that has a direct financial interest in a decision that the individual receiving the compensation is authorized to make as a public or local official or will be authorized to make upon becoming a public or local official. To be direct, the financial interest of the person or association paying the compensation to the individual must be of greater consequence to the payer than the general interest of other residents or taxpayers of the individual's governmental unit.

Sec. 2. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read:

Subd. 12a. **Designated lobbyist.** "Designated lobbyist" means the lobbyist responsible for reporting the lobbying disbursements and activity of the entity the lobbyist represents.

Sec. 3. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read:

Subd. 17d. **General lobbying category.** "General lobbying category" means an area of interest for lobbying for an entity that is on a list of categories specified by the board.

Sec. 4. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read:

Subd. 19a. **Legislative action.** "Legislative action" means any of the following:

(1) the development of prospective legislation, including the development of amendment language to prospective legislation;

(2) the review, modification, adoption, or rejection by a member of the legislature or an employee of the legislature, if applicable, of any (i) bill, (ii) amendment, (iii) resolution, (iv) confirmation considered by the legislature, or (v) report;

(3) the development of, in conjunction with a constitutional officer, prospective legislation or a request for support or opposition to introduced legislation; and

(4) the action of the governor in approving or vetoing any act of the legislature or portion of an act of the legislature.

Sec. 5. Minnesota Statutes 2022, section 10A.01, subdivision 21, is amended to read:

Subd. 21. **Lobbyist.** (a) "Lobbyist" means an individual:

(1) engaged for pay or other consideration of more than \$3,000 from all sources in any year:

(i) for the purpose of attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit, by communicating or urging others to communicate with public or local officials; or

(ii) from a business whose primary source of revenue is derived from facilitating government relations or government affairs services between two third parties, if the individual's job duties include offering direct or indirect consulting or advice that helps the business provide those services to clients; or

(2) who spends more than ~~\$250~~ \$3,000 of the individual's personal funds, not including the individual's own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit, by communicating or urging others to communicate with public or local officials.

(b) "Lobbyist" does not include:

(1) a public official;

(2) an employee of the state, including an employee of any of the public higher education systems;

(3) an elected local official;

(4) a nonelected local official or an employee of a political subdivision acting in an official capacity, unless the nonelected official or employee of a political subdivision spends more than 50 hours in any month attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit other than the political subdivision employing the official or employee, by communicating or urging others to communicate with public or local officials, including time spent monitoring legislative or administrative action, or the official action of a metropolitan governmental unit, and related research, analysis, and compilation and dissemination of information relating to legislative or administrative policy in this state, or to the policies of metropolitan governmental units;

(5) a party or the party's representative appearing in a proceeding before a state board, commission, or agency of the executive branch unless the board, commission, or agency is taking administrative action;

(6) an individual while engaged in selling goods or services to be paid for by public funds;

(7) a news medium or its employees or agents while engaged in the publishing or broadcasting of news items, editorial comments, or paid advertisements which directly or indirectly urge official action;

(8) a paid expert witness whose testimony is requested by the body before which the witness is appearing, but only to the extent of preparing or delivering testimony; or

(9) a party or the party's representative appearing to present a claim to the legislature and communicating to legislators only by the filing of a claim form and supporting documents and by appearing at public hearings on the claim.

(c) An individual who volunteers personal time to work without pay or other consideration on a lobbying campaign, and who does not spend more than the limit in paragraph (a), clause (2), need not register as a lobbyist.

(d) An individual who provides administrative support to a lobbyist and whose salary and administrative expenses attributable to lobbying activities are reported as lobbying expenses by the lobbyist, but who does not communicate or urge others to communicate with public or local officials, need not register as a lobbyist.

Sec. 6. Minnesota Statutes 2022, 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 fundraising 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) costs paid by a candidate's principal campaign committee to support the candidate's participation in a recount of ballots affecting the candidate's election;

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

~~(25)~~ (26) 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)~~ (27) a donation from a terminating principal campaign committee to the state general fund;

~~(27)~~ (28) 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)~~ (29) during a period starting January 1 in the year following a general election and ending on December 31 of the year of general election, total payments of up to \$3,000 for detection-related security monitoring expenses for a candidate, including home security hardware, maintenance of home security monitoring hardware, identity theft monitoring services, and credit monitoring services; and

(30) costs paid to repair or replace campaign property that was: (i) lost or stolen, or (ii) damaged or defaced to such a degree that the property no longer serves its intended purpose. For purposes of this clause, campaign property includes but is not limited to campaign lawn signs. The candidate must document the need for these costs in writing or with photographs.

(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. 7. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read:

Subd. 26b. **Official action of metropolitan governmental units.** "Official action of metropolitan governmental units" means any action that requires a vote or approval by one or more elected local officials while acting in their official capacity; or an action by an appointed or employed local official to make, to recommend, or to vote on as a member of the governing body, major decisions regarding the expenditure or investment of public money.

Sec. 8. Minnesota Statutes 2022, section 10A.01, subdivision 30, is amended to read:

Subd. 30. **Political party unit or party unit.** "Political party unit" or "party unit" means the state committee ~~or~~, the party organization within a house of the legislature, ~~congressional district, county, legislative district, municipality, or precinct~~ or any other party organization designated by the chair of the political party in an annual certification of party units provided to the board.

Sec. 9. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read:

Subd. 35c. **Specific subject of interest.** "Specific subject of interest" means a particular topic or area of lobbying interest within a general lobbying category.

Sec. 10. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read:

Subd. 37. **Virtual currency.** "Virtual currency" means any digital currency which is only available in an electronic form and not as a physical form of money. Virtual currency functions as a medium of exchange, units of account, or a store of value. Virtual currency includes cryptocurrencies. Virtual currency does not include currencies issued by a government.

Sec. 11. Minnesota Statutes 2022, section 10A.022, subdivision 3, is amended to read:

Subd. 3. **Investigation authority; complaint process.** (a) The board may investigate any alleged or potential violation of this chapter. The board may also investigate an alleged or potential violation of section 211B.04, 211B.12, or 211B.15 by or related to a candidate, treasurer, principal campaign

committee, political committee, political fund, or party unit, as those terms are defined in this chapter. The board may only investigate an alleged violation if the board:

- (1) receives a written complaint alleging a violation;
- (2) discovers a potential violation as a result of an audit conducted by the board; or
- (3) discovers a potential violation as a result of a staff review.

(b) When the board investigates the allegations made in a written complaint and the investigation reveals other potential violations that were not included in the complaint, the board may investigate the potential violations not alleged in the complaint only after making a determination under paragraph (d) that probable cause exists to believe a violation that warrants a formal investigation has occurred.

(c) Upon receipt of a written complaint filed with the board, the board chair or another board member designated by the chair shall promptly make a determination as to whether the complaint alleges a prima facie violation. If a determination is made that the complaint does not allege a prima facie violation, the complaint shall be dismissed without prejudice and the complainant and the subject of the complaint must be promptly notified of the reasons the complaint did not allege a prima facie violation. The notice to the subject of the complaint must include a copy of the complaint. If the complainant files a revised complaint regarding the same facts and the same subject, the prima facie determination must be completed by a board member other than the member who made the initial determination and who does not support the same political party as the member who made the initial determination. The chair may order that the prima facie determination for any complaint be made by the full board and must order that the prima facie determination for a complaint being submitted for the third time be made by the full board.

(d) If a determination is made that the complaint alleges a prima facie violation, the board shall, within ~~45~~ 60 days of the prima facie determination, make findings and conclusions as to whether probable cause exists to believe the alleged violation that warrants a formal investigation has occurred. Any party filing a complaint and any party against whom a complaint is filed must be given an opportunity to be heard by the board prior to the board's determination as to whether probable cause exists to believe a violation that warrants a formal investigation has occurred.

(e) Upon a determination by the board that probable cause exists to believe a violation that warrants a formal investigation has occurred, the board must undertake an investigation under subdivision 2 and must issue an order at the conclusion of the investigation, except that if the complaint alleges a violation of section 10A.25 or 10A.27, the board must either enter a conciliation agreement or make public findings and conclusions as to whether a violation has occurred and must issue an order within 60 days after the probable cause determination has been made. Prior to making findings and conclusions in an investigation, the board must offer the subject of the complaint an opportunity to answer the allegations of the complaint in writing and to appear before the board to address the matter. The deadline for action on a written complaint, including but not limited to issuance of a probable cause determination in accordance with paragraph (d), entering into a conciliation agreement, or issuance of public findings may be extended by majority vote of the board.

Sec. 12. Minnesota Statutes 2022, section 10A.025, subdivision 4, is amended to read:

Subd. 4. **Changes and corrections.** Material changes in information previously submitted and corrections to a report or statement must be reported in writing to the board within ten days following the date of the event prompting the change or the date upon which the person filing became aware of the inaccuracy. The change or correction must identify the form and the paragraph containing the information to be changed or corrected. A request from the board to a lobbyist to provide more detailed information about a specific subject of interest disclosed on a lobbyist disbursement report is a change or correction governed by this subdivision.

A person who willfully fails to report a material change or correction is subject to a civil penalty imposed by the board of up to \$3,000. A willful violation of this subdivision is a gross misdemeanor.

The board must send a written notice to any individual who fails to file a report required by this subdivision. If the individual fails to file the required report within ten business days after the notice was sent, the board may impose a late filing fee of \$25 per day up to \$1,000 starting on the 11th day after the notice was sent. The board may send an additional notice by certified mail to an individual who fails to file a report within ten business days after the first notice was sent by the board. The certified notice must state that if the individual does not file the requested report within ten business days after the certified notice was sent, the individual may be subject to a civil penalty for failure to file a report. An individual who fails to file a report required by this subdivision within ten business days after the certified notice was sent by the board is subject to a civil penalty imposed by the board of up to \$1,000.

Sec. 13. Minnesota Statutes 2022, section 10A.03, subdivision 2, is amended to read:

Subd. 2. **Form.** The board must prescribe a registration form, which must include:

(1) the name, address, and email address of the lobbyist;

(2) the principal place of business of the lobbyist;

(3) the name and address of each individual, association, political subdivision, or public higher education system, if any, by whom the lobbyist is retained or employed or on whose behalf the lobbyist appears;

(4) the website address of each association, political subdivision, or public higher education system identified under clause (3), if the entity maintains a website; ~~and~~

(5) ~~a the general description of the subject or subjects~~ lobbying categories on which the lobbyist expects to lobby: on behalf of a represented entity; and

(6) if the lobbyist lobbies on behalf of an association, the registration form must include the name and address of the officers and directors of the association.

Sec. 14. Minnesota Statutes 2022, section 10A.03, is amended by adding a subdivision to read:

Subd. 6. **General lobbying categories and specific subjects of interest.** A list of general lobbying categories and specific subjects of interest must be specified by the board and updated periodically based on public comment and information provided by lobbyists. The board must publish on its website the current list of general lobbying categories and specific subjects of interest.

Sec. 15. Minnesota Statutes 2022, section 10A.04, subdivision 3, is amended to read:

Subd. 3. **Information to lobbyist.** An ~~employer or employee about~~ entity or lobbyist whose activities ~~a~~ are reported to the board by another lobbyist is required to ~~report~~ must provide the information required by subdivision 4 to the lobbyist no later than five days before the prescribed filing date.

Sec. 16. Minnesota Statutes 2022, section 10A.04, subdivision 4, is amended to read:

Subd. 4. **Content.** (a) A report under this section must include information the board requires from the registration form and the information required by this subdivision for the reporting period.

(b) A lobbyist must report the specific subjects of interest for an entity represented by the lobbyist on each report submitted under this section. A lobbyist must describe a specific subject of interest in the report with enough information to show the particular issue of importance to the entity represented.

~~(b) (c) A lobbyist must report the lobbyist's total disbursements on lobbying, separately listing lobbying to influence legislative action, lobbying to influence administrative action, and lobbying to influence the official actions of a metropolitan governmental unit, and a breakdown of disbursements for each of those kinds of lobbying into categories specified by the board, including but not limited to the cost of publication and distribution of each publication used in lobbying; other printing; media, including the cost of production; postage; travel; fees, including allowances; entertainment; telephone and telegraph; and other expenses. every state agency that had administrative action that the represented entity sought to influence during the reporting period. The lobbyist must report the specific subjects of interest for each administrative action and the revisor rule draft number assigned to the administrative rulemaking.~~

(d) A lobbyist must report every metropolitan governmental unit that considered official action that the represented entity sought to influence during the reporting period. The lobbyist must report the specific subjects of interest for each action.

(e) A lobbyist must report general lobbying categories and up to four specific subjects of interest related to each general lobbying category on which the lobbyist attempted to influence legislative action during the reporting period. If the lobbyist attempted to influence legislative action on more than four specific subjects of interest for a general lobbying category, the lobbyist, in consultation with the represented entity, must determine which four specific subjects of interest were the entity's highest priorities during the reporting period and report only those four subjects.

(f) A lobbyist must report the Public Utilities Commission project name for each rate setting, power plant and powerline siting, or granting of certification of need before the Public Utilities Commission that the represented entity sought to influence during the reporting period.

~~(e) (g)~~ (g) A lobbyist must report the amount and nature of each gift, item, or benefit, excluding contributions to a candidate, equal in value to \$5 or more, given or paid to any official, as defined in section 10A.071, subdivision 1, by the lobbyist or an employer or employee of the lobbyist. The list must include the name and address of each official to whom the gift, item, or benefit was given or paid and the date it was given or paid.

~~(d)~~ (h) A lobbyist must report each original source of money in excess of \$500 in any year used for the purpose of lobbying to influence legislative action, administrative action, or the official action of a metropolitan governmental unit. The list must include the name, address, and employer, or, if self-employed, the occupation and principal place of business, of each payer of money in excess of \$500.

~~(e)~~ (i) On ~~the each~~ report ~~due June 15, the~~ a lobbyist must ~~provide a~~ disclose the general ~~description of the subjects~~ lobbying categories that were lobbied on in the ~~previous 12 months~~ reporting period.

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 17. Minnesota Statutes 2022, section 10A.04, subdivision 6, is amended to read:

Subd. 6. **Principal reports.** (a) A principal must report to the board as required in this subdivision by March 15 for the preceding calendar year.

~~(b) Except as provided in paragraph (d),~~ The principal must report the total amount, ~~rounded to the nearest \$20,000,~~ spent by the principal during the preceding calendar year ~~to influence legislative action, administrative action, and the official action of metropolitan governmental units.~~ on each type of lobbying listed below:

(1) lobbying to influence legislative action;

(2) lobbying to influence administrative action, other than lobbying described in clause (3);

(3) lobbying to influence administrative action in cases of rate setting, power plant and powerline siting, and granting of certificates of need under section 216B.243; and

(4) lobbying to influence official action of metropolitan governmental units.

~~(c) Except as provided in paragraph (d),~~ For each type of lobbying listed in paragraph (b), the principal must report ~~under this subdivision~~ a total amount that includes:

(1) the portion of all direct payments for compensation and benefits paid by the principal to lobbyists in this state for that type of lobbying;

(2) the portion of all expenditures for advertising, mailing, research, consulting, surveys, expert testimony, studies, reports, analysis, compilation and dissemination of information, social media and public relations campaigns related to legislative action, administrative action, or the official action of metropolitan governmental units, and legal counsel used to support that type of lobbying in this state; and

(3) a reasonable good faith estimate of the portion of all salaries and administrative overhead expenses attributable to activities of the principal relating to efforts to influence legislative action, administrative action, or the official action of metropolitan governmental units for that type of lobbying in this state.

~~(d) A principal that must report spending to influence administrative action in cases of rate setting, power plant and powerline siting, and granting of certificates of need under section 216B.243~~

must report those amounts as provided in this subdivision, except that they must be reported separately and not included in the totals required under paragraphs (b) and (c).

(d) The principal must report disbursements made and obligations incurred that exceed \$2,000 for paid advertising used for the purpose of urging members of the public to contact public or local officials to influence official actions during the reporting period. Paid advertising includes the cost to boost the distribution of an advertisement on social media. The report must provide the date that the advertising was purchased, the name and address of the vendor, a description of the advertising purchased, and any specific subjects of interest addressed by the advertisement.

**EFFECTIVE DATE.** This section is effective January 1, 2024.

Sec. 18. Minnesota Statutes 2022, section 10A.04, subdivision 9, is amended to read:

Subd. 9. **Reporting by multiple lobbyists representing the same entity.** Clauses (1) to (6) apply when a single individual, association, political subdivision, or public higher education system is represented by more than one lobbyist.

(1) The entity must appoint one designated lobbyist to report lobbyist disbursements made by the entity. An entity represented by more than one lobbyist may only have one designated lobbyist at any given time. The designated lobbyist must indicate that status on the periodic reports of lobbyist disbursements.

(2) A reporting lobbyist may consent to report on behalf of one or more other lobbyists for the same entity, in which case, the other lobbyists are persons whose activities the reporting lobbyist must disclose and are subject to the disclosure requirements of subdivision 3. Lobbyist disbursement reports filed by a reporting lobbyist must include the names and registration numbers of the other lobbyists whose activities are included in the report.

(3) Lobbyists whose activities are accounted for by a reporting lobbyist are not required to file lobbyist disbursement reports.

(4) A lobbyist whose lobbying disbursements are provided to the board through a reporting lobbyist must supply all relevant information on disbursements to the reporting lobbyist no later than five days before the prescribed filing date.

(5) The reporting periods and due dates for a reporting lobbyist are those provided in subdivision 2. The late filing provisions in subdivision 5 apply to reports required by this subdivision.

(6) The reporting lobbyist must indicate the names and registration numbers of any lobbyists who did not provide their lobbying disbursements for inclusion in a report. The late filing provisions in subdivision 5 apply to lobbyists who fail to report information to the reporting lobbyist.

Sec. 19. Minnesota Statutes 2022, 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. Except as provided in subdivision 5b, the individual filing must provide the following information:

(1) the individual's name, address, occupation, and principal place of business;

(2) a listing of 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 or the individual's spouse 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 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 or the individual's spouse 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 or the individual's spouse receives more than \$250 in any month during the reporting period as an employee, if the individual or the individual's spouse 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 or the individual's spouse 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 or the individual's spouse, at any time during the reporting period; and

(9) a listing of any contract, professional license, lease, or franchise that:

(i) is held by the individual or the individual's spouse or any business in which the individual has an ownership interest of 25 percent or more; and

(ii) is entered into with, or issued by, the government agency on which the individual serves as a public or local official.

(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 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.



(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.

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

(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.

(g) The listings required in paragraph (a), clauses (3) to (9), must not identify whether the individual or the individual's spouse is associated with or owns the listed item.

Sec. 20. Minnesota Statutes 2022, section 10A.09, is amended by adding a subdivision to read:

Subd. 5b. **Form; exceptions for certain officials.** (a) This subdivision applies to the following individuals:

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

(2) a manager of a watershed district; and

(3) a member of a watershed management organization as defined under section 103B.205, subdivision 13.

(b) Notwithstanding subdivision 5, paragraph (a), an individual listed in paragraph (a), must provide only the information listed below on a statement of economic interest:

(1) the individual's name, address, occupation, and principal place of business;

(2) a listing of any association, corporation, partnership, limited liability company, limited liability partnership, or other organized legal entity from which the individual receives compensation in excess of \$250, except for actual and reasonable expenses, in any month during the reporting period as a director, officer, owner, member, partner, employer, or employee;

(3) a listing of all real property within the state, excluding homestead property, in which the individual or the individual's spouse 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 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 or the individual's spouse 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; and

(5) a listing of any contract, professional license, lease, or franchise that meets the following criteria:

(i) it is held by the individual or the individual's spouse or any business in which the individual has an ownership interest of 25 percent or more; and

(ii) it is entered into with, or issued by, the government agency on which the individual serves as a public or local official.

(c) The listings required in paragraph (b), clauses (3) to (5), must not identify whether the individual or the individual's spouse is associated with or owns the listed item.

(d) If an individual listed in paragraph (a) also holds a public official position that is not listed in paragraph (a), the individual must file a statement of economic interest that includes the information specified in subdivision 5, paragraph (a).

Sec. 21. Minnesota Statutes 2022, section 10A.121, subdivision 1, is amended to read:

Subdivision 1. **Permitted disbursements.** An independent expenditure political committee or fund, or a ballot question political committee or fund, may:

- (1) pay costs associated with its fundraising and general operations;
- (2) pay for communications that do not constitute contributions or approved expenditures;
- (3) make contributions to independent expenditure or ballot question political committees or funds;
- (4) make independent expenditures;
- (5) make expenditures to promote or defeat ballot questions;
- (6) return a contribution to its source;
- (7) for a political fund, record bookkeeping entries transferring the association's general treasury money allocated for political purposes back to the general treasury of the association; ~~and~~
- (8) for a political fund, return general treasury money transferred to a separate depository to the general depository of the association; and
- (9) make disbursements for electioneering communications.

**EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to expenditures and electioneering communications made on or after that date.

Sec. 22. Minnesota Statutes 2022, section 10A.121, subdivision 2, is amended to read:

Subd. 2. **Penalty.** (a) An independent expenditure political committee ~~or~~, independent expenditure political fund, ballot question political committee, or ballot question 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, ballot question political committee, or ballot question 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. 23. Minnesota Statutes 2022, section 10A.15, subdivision 3, is amended to read:

Subd. 3. **Deposit.** All contributions received by or on behalf of a candidate, principal campaign committee, political committee, political fund, or party unit must be ~~deposited in an~~ placed in a depository account designated "Campaign Fund of ..... (name of candidate, committee, fund, or party unit)." All contributions must be deposited promptly upon receipt and, except for contributions received during the last three days of a reporting period as described in section 10A.20, must be deposited during the reporting period in which they were received. A contribution ~~received during the last three days of a reporting period must be deposited within 72 hours after receipt and must be reported as received during the reporting period whether or not deposited within that period~~ must not be deposited in any other account prior to being deposited within a depository of the principal campaign committee, political committee, political fund, or party unit. However, a contribution may temporarily be held within a digital wallet or other account immediately after receipt if the recipient principal campaign committee, political committee, political fund, or party unit has sole ownership of that account. A candidate, principal campaign committee, political committee, political fund, or party unit may refuse to accept a contribution. A deposited contribution may be returned to the contributor within 90 days after deposit. A contribution deposited and not returned within 90 days after that deposit must be reported as accepted.

Sec. 24. Minnesota Statutes 2022, section 10A.15, subdivision 5, is amended to read:

Subd. 5. **Registration number on checks.** A contribution made to a candidate or local candidate by a lobbyist, political committee, political fund, or party unit must show the name of the lobbyist, political committee, political fund, or party unit and the number under which it is registered with the board.

Sec. 25. Minnesota Statutes 2022, section 10A.15, is amended by adding a subdivision to read:

Subd. 8. **Virtual currency contributions.** (a) A principal campaign committee, political committee, political fund, or party unit may accept a donation in kind in the form of virtual currency. Any virtual currency contribution must be made and received through a virtual currency payment processor based in the United States that is registered with the United States Department of Treasury and which utilizes protocols to verify the identity of the contributor for all contributions. The value of donated virtual currency is its fair market value at the time it is donated. The recipient of a virtual

currency contribution must sell the virtual currency in exchange for United States currency within five business days after receipt.

(b) Any increase in the value of donated virtual currency after its donation, but before its conversion to United States currency, must be reported as a receipt that is not a contribution pursuant to section 10A.20, subdivision 3. Any decrease in the value of donated virtual currency after its donation, but before its conversion to United States currency, must be reported as an expenditure pursuant to section 10A.20, subdivision 3.

(c) A principal campaign committee, political committee, political fund, or party unit may not purchase goods or services with virtual currency.

Sec. 26. Minnesota Statutes 2022, section 10A.15, is amended by adding a subdivision to read:

Subd. 9. **Mobile payments.** (a) A principal campaign committee, political committee, political fund, or party unit may accept a contribution of money made using a mobile payment service or platform, a service that is dependent upon direct carrier billing, or a website.

(b) A principal campaign committee, political committee, political fund, or party unit may not solicit or accept a contribution made using a mobile payment service or platform that, to a potential contributor, displays only the name of an individual as the recipient or displays a name for the recipient that is not substantially similar to the name under which the recipient is registered with the board.

(c) A mobile payment contribution must be deposited pursuant to subdivision 3 before the funds received may be used to make an expenditure or disbursement other than payment of any processing fee charged for using the mobile payment service or platform.

Sec. 27. Minnesota Statutes 2022, section 10A.17, subdivision 5, is amended to read:

Subd. 5. **Penalty.** A person who violates subdivision 2 or 6 is subject to a civil penalty imposed by the board of up to \$1,000. A person who knowingly violates subdivision 3a or 4 or falsely claims that an expenditure was an independent expenditure is guilty of a gross misdemeanor and subject to a civil penalty imposed by the board of up to \$3,000.

Sec. 28. Minnesota Statutes 2022, section 10A.17, is amended by adding a subdivision to read:

Subd. 6. **Use of depository.** A political committee, political fund, principal campaign committee, or party unit may not expend money unless the expenditure or other disbursement is made using petty cash or a depository of that committee, fund, or party unit.

Sec. 29. Minnesota Statutes 2022, section 10A.20, subdivision 2a, is amended 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). The pre-primary report required under clause (3) is required for all entities required to report under paragraph (a), regardless of whether the candidate or issue is on the primary ballot.

Sec. 30. Minnesota Statutes 2022, section 10A.20, subdivision 5, is amended to read:

Subd. 5. **Pre-election reports.** (a) Any loan, contribution, or contributions:

(1) to a political committee or political fund from any one source totaling more than \$1,000;

(2) to the principal campaign committee of a candidate for an appellate court judicial office totaling more than \$2,000;

(3) to the principal campaign committee of a candidate for district court judge totaling more than \$400; or

(4) to the principal campaign committee of a candidate for constitutional office or for the legislature totaling more than 50 percent of the election segment contribution limit for the office,

received between the last day covered in the last report before an election and the election must be reported to the board in the manner provided in paragraph (b).

(b) A loan, contribution, or contributions required to be reported to the board under paragraph (a) must be reported to the board either:

(1) in person by the end of the next business day after its receipt; or

(2) by electronic means sent ~~within 24 hours after its receipt~~ by the end of the next business day after its receipt.

(c) These loans and contributions must also be reported in the next required report.

(d) This notice requirement does not apply in a primary election to a candidate who is unopposed in the primary, in a primary election to a ballot question political committee or fund, or in a general election to a candidate whose name is not on the general election ballot. The board must post the report on its website by the end of the next business day after it is received.

(e) This subdivision does not apply to a ballot question or independent expenditure political committee or fund that has not met the registration threshold of section 10A.14, subdivision 1a. However, if a contribution that would be subject to this section triggers the registration requirement in section 10A.14, subdivision 1a, then both registration under that section and reporting under this section are required.

**EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to expenditures and electioneering communications made on or after that date.

Sec. 31. **[10A.201] ELECTIONEERING COMMUNICATIONS; DEFINITIONS.**

Subdivision 1. **Definitions.** The terms defined in this section apply to this section and to section 10A.202.

Subd. 2. **Broadcast, cable, or satellite communication.** "Broadcast, cable, or satellite communication" means a communication that is publicly distributed by a television station, radio station, cable television system, or satellite system.

Subd. 3. **Can be received by 10,000 or more individuals.** (a) "Can be received by 10,000 or more individuals" means:

(1) in the case of a communication transmitted by an FM radio broadcast station or network, where the district lies entirely within the station's or network's protected or primary service contour, that the population of the district is 10,000 or more;

(2) in the case of a communication transmitted by an FM radio broadcast station or network, where a portion of the district lies outside of the protected or primary service contour, that the population of the part of the district lying within the station's or network's protected or primary service contour is 10,000 or more;

(3) in the case of a communication transmitted by an AM radio broadcast station or network, where the district lies entirely within the station's or network's most outward service area, that the population of the district is 10,000 or more;

(4) in the case of a communication transmitted by an AM radio broadcast station or network, where a portion of the district lies outside of the station's or network's most outward service area, that the population of the part of the district lying within the station's or network's most outward service area is 10,000 or more;

(5) in the case of a communication appearing on a television broadcast station or network, where the district lies entirely within the station's or network's Grade B broadcast contour, that the population of the district is 10,000 or more;

(6) in the case of a communication appearing on a television broadcast station or network, where a portion of the district lies outside of the Grade B broadcast contour:

(i) that the population of the part of the district lying within the station's or network's Grade B broadcast contour is 10,000 or more; or

(ii) that the population of the part of the district lying within the station's or network's broadcast contour, when combined with the viewership of that television station or network by cable and satellite subscribers within the district lying outside the broadcast contour, is 10,000 or more;

(7) in the case of a communication appearing exclusively on a cable or satellite television system, but not on a broadcast station or network, that the viewership of the cable system or satellite system lying within a district is 10,000 or more; or

(8) in the case of a communication appearing on a cable television network, that the total cable and satellite viewership within a district is 10,000 or more.

(b) Cable or satellite television viewership is determined by multiplying the number of subscribers within a district, or a part thereof, as appropriate, by the current average household size for Minnesota, as determined by the Bureau of the Census.

(c) A determination that a communication can be received by 10,000 or more individuals based on the application of the formula in this section shall create a rebuttable presumption that may be overcome by demonstrating that:

(1) one or more cable or satellite systems did not carry the network on which the communication was publicly distributed at the time the communication was publicly distributed; and

(2) applying the formula to the remaining cable and satellite systems results in a determination that the cable network or systems upon which the communication was publicly distributed could not be received by 10,000 individuals or more.

**Subd. 4. Direct costs of producing or airing electioneering communications.** "Direct costs of producing or airing electioneering communications" means:

(1) costs charged by a vendor, including studio rental time, staff salaries, costs of video or audio recording media, and talent; and

(2) the cost of airtime on broadcast, cable, or satellite radio and television stations, studio time, material costs, and the charges for a broker to purchase the airtime.

**Subd. 5. Disclosure date.** "Disclosure date" means:

(1) the first date on which an electioneering communication is publicly distributed, provided that the person making the electioneering communication has made one or more disbursements, or has executed one or more contracts to make disbursements, for the direct costs of producing or airing one or more electioneering communications aggregating in excess of \$10,000; or

(2) any other date during the same calendar year on which an electioneering communication is publicly distributed, provided that the person making the electioneering communication has made

one or more disbursements, or has executed one or more contracts to make disbursements, for the direct costs of producing or airing one or more electioneering communications aggregating in excess of \$10,000 since the most recent disclosure date during that calendar year.

Subd. 6. **Electioneering communication.** (a) "Electioneering communication" means any broadcast, cable, or satellite communication that:

(1) refers to a clearly identified candidate for state office;

(2) is publicly distributed within 60 days before a general election for the office sought by the candidate; or within 30 days before a primary election, presidential nomination primary, or a convention or caucus of a political party that has authority to nominate a candidate, for the office sought by the candidate, and the candidate referenced is seeking the nomination of that political party; and

(3) is targeted to the relevant electorate.

(b) A communication is not an electioneering communication if it:

(1) is publicly disseminated through a means of communication other than a broadcast, cable, or satellite television or radio station;

(2) appears in a news story, commentary, or editorial distributed through the facilities of any broadcast, cable, or satellite television or radio station, unless such facilities are owned or controlled by any political party, political committee, or candidate, provided that a news story distributed through a broadcast, cable, or satellite television or radio station owned or controlled by any political party, political committee, or candidate is not an electioneering communication if the news story meets the requirements described in Code of Federal Regulations, title 11, section 100.132(a) and (b);

(3) constitutes an expenditure or independent expenditure, provided that the expenditure or independent expenditure is required to be reported under this chapter;

(4) constitutes a candidate debate or forum, or that solely promotes such a debate or forum and is made by or on behalf of the person sponsoring the debate or forum; or

(5) is paid for by a candidate.

Subd. 7. **Identification.** "Identification" means, in the case of an individual, the individual's full name including first name, middle name or initial if available, and last name; mailing address; occupation; and name of the individual's employer and, in the case of a person who is not an individual, the person's name and principal place of business.

Subd. 8. **Individuals sharing or exercising direction or control.** "Individuals sharing or exercising direction or control" means officers, directors, executive directors or the equivalent, partners, and in the case of unincorporated organizations, owners, of the entity or person making the disbursement for the electioneering communication.



Subd. 9. **Publicly distributed.** "Publicly distributed" means aired, broadcast, cablecast, or otherwise disseminated through the facilities of a television station, radio station, cable television system, or satellite system.

Subd. 10. **Refers to a clearly identified candidate.** "Refers to a clearly identified candidate" means that the candidate's name, nickname, photograph, or drawing appears, or the identity of the candidate is otherwise apparent through an unambiguous reference such as "the governor," "your legislator," or "the incumbent," or through an unambiguous reference to the candidate's status as a candidate such as "the [political party] gubernatorial nominee" or "the [political party] candidate for senate."

Subd. 11. **Targeted to the relevant electorate.** "Targeted to the relevant electorate" means the communication can be received by 10,000 or more individuals:

(1) in the district the candidate seeks to represent, in the case of a candidate for representative, senator, or other office represented by district; or

(2) in the entire state, if the candidate seeks a statewide office.

**EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to expenditures and electioneering communications made on or after that date.

## Sec. 32. **[10A.202] ELECTIONEERING COMMUNICATION; REPORTING REQUIREMENTS.**

Subdivision 1. **Reports required.** Any person who has made an electioneering communication, as defined in section 10A.201, aggregating in excess of \$10,000 during any calendar year shall file a statement with the board no later than 11:59 p.m. on the day following the disclosure date. The statement shall be filed under penalty of perjury, and must contain the information set forth in subdivision 2. Political committees that make a communication described in section 10A.201 must report the communication as a campaign expenditure or independent expenditure as otherwise provided by this chapter and are not required to file a report under this section.

Subd. 2. **Content of report.** A statement of electioneering communications required by this section shall disclose the following information:

(1) the identification of the person who made the disbursement or who executed a contract to make a disbursement and, if the person is not an individual, the person's principal place of business;

(2) the identification of any individual sharing or exercising direction or control over the activities of the person who made the disbursement or who executed a contract to make a disbursement;

(3) the identification of the custodian of the books and accounts from which the disbursements were made;

(4) the amount of each disbursement, or amount obligated, of more than \$200 during the period covered by the statement, the date the disbursement was made or the contract was executed, and the identification of the person to whom that disbursement was made;

(5) all clearly identified candidates referred to in the electioneering communication and the elections in which they are candidates;

(6) the disclosure date;

(7) if the disbursements were paid exclusively from a segregated bank account consisting of funds provided solely by persons other than national banks, corporations organized by federal law or the laws of this state, or foreign nationals, the name and address of each donor who donated an amount aggregating \$1,000 or more to the segregated bank account, aggregating since the first day of the preceding calendar year;

(8) if the disbursements were not paid exclusively from a segregated bank account consisting of funds provided solely by persons other than national banks, corporations organized by federal law or the laws of this state, or foreign nationals, and were not made by a corporation or labor organization, the name and address of each donor who donated an amount aggregating \$1,000 or more to the person making the disbursement, aggregating since the first day of the preceding calendar year; and

(9) if the disbursements were made by a corporation or labor organization and were not paid exclusively from a segregated bank account consisting of funds provided solely by persons other than national banks, corporations organized by federal law or the laws of this state, or foreign nationals, the name and address of each person who made a donation aggregating \$1,000 or more to the corporation or labor organization, aggregating since the first day of the preceding calendar year, which was made for the purpose of furthering electioneering communications.

Subd. 3. **Recordkeeping.** All persons who make electioneering communications or who accept donations for the purpose of making electioneering communications must maintain records as necessary to comply with the requirements of this section.

Subd. 4. **Disclaimer required.** An electioneering communication must include a disclaimer in the same manner as required for campaign material under section 211B.04, subdivision 1, paragraph (c).

**EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to expenditures and electioneering communications made on or after that date.

Sec. 33. Minnesota Statutes 2022, section 10A.244, is amended to read:

**10A.244 VOLUNTARY INACTIVE STATUS; POLITICAL FUNDS.**

Subdivision 1. **Election of voluntary inactive status.** An association that has a political fund registered under this chapter may elect to have the fund placed on voluntary inactive status if the following conditions are met:

(1) the association makes a written request for inactive status;

(2) the association has filed all periodic reports required by this chapter and has received no contributions into its political fund and made no expenditures or disbursements, including

disbursements for electioneering communications, through its political fund since the last date included on the association's most recent report; and

(3) the association has satisfied all obligations to the state for late filing fees and civil penalties imposed by the board or the board has waived this requirement.

**Subd. 2. Effect of voluntary inactive status.** After an association has complied with the requirements of subdivision 1:

(1) the board must notify the association that its political fund has been placed in voluntary inactive status and of the terms of this section;

(2) the board must stop sending the association reports, forms, and notices of report due dates that are periodically sent to entities registered with the board;

(3) the association is not required to file periodic disclosure reports for its political fund as otherwise required under this chapter;

(4) the association may not accept contributions into its political fund and may not make expenditures, contributions, or disbursements, including disbursements for electioneering communications, through its political fund; and

(5) if the association maintains a separate depository account for its political fund, it may continue to pay bank service charges and receive interest paid on that account while its political fund is in inactive status.

**Subd. 3. Resumption of active status or termination.** (a) An association that has placed its political fund in voluntary inactive status may resume active status upon written notice to the board.

(b) A political fund placed in voluntary inactive status must resume active status within 14 days of the date that it has accepted contributions or made expenditures, contributions, or disbursements, including disbursements for electioneering communications, that aggregate more than \$750 since the political fund was placed on inactive status. If, after meeting this threshold, the association does not notify the board that its fund has resumed active status, the board may place the association's political fund in active status and notify the association of the change in status.

(c) An association that has placed its political fund in voluntary inactive status may terminate the registration of the fund without returning it to active status.

**Subd. 4. Penalty for financial activity while in voluntary inactive status.** If an association fails to notify the board of its political fund's resumption of active status under subdivision 3, the board may impose a civil penalty of \$50 per day, not to exceed \$1,000 commencing on the 15th calendar day after the fund resumed active status.

**EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to expenditures and electioneering communications made on or after that date.

Sec. 34. Minnesota Statutes 2022, section 10A.25, subdivision 3a, is amended to read:

Subd. 3a. **Independent expenditures and electioneering communications.** The principal campaign committee of a candidate must not make independent expenditures or disbursements for electioneering communications. If the principal campaign committee of a candidate makes a contribution to an independent expenditure committee or independent expenditure fund on or after January 1 of the year the candidate's office will appear on the ballot, the independent expenditure committee or independent expenditure fund must not make an independent expenditure for that candidate.

**EFFECTIVE DATE.** This section is effective January 1, 2024, and applies to expenditures and electioneering communications made on or after that date.

Sec. 35. Minnesota Statutes 2022, section 10A.271, subdivision 1, is amended to read:

Subdivision 1. **Notice to contributors.** A political committee, political fund, political party unit, or principal campaign committee that raises funds through the sale of goods or services must disclose to potential customers that the proceeds from the purchase are a political contribution and to whom the contribution is made. If goods or services are sold in person, the notice ~~may~~ must be provided verbally at the time of purchase, or through the prominent display of a sign providing the notice ~~in immediate proximity to~~ within three feet of, and facing, the point of sale at the location where the goods or services are sold. If goods or services are sold using a website or other electronic means, the notice must be prominently displayed on the page used by potential customers to make a purchase or enter payment information.

Sec. 36. Minnesota Statutes 2022, section 10A.273, subdivision 1, is amended to read:

Subdivision 1. **Contributions during legislative session.** (a) A candidate for the legislature or for constitutional office, the candidate's principal campaign committee, or a political committee or party unit established by all or a part of the party organization within a house of the legislature, must not solicit or accept a contribution from a registered lobbyist, political committee, political fund, or an association not registered with the board during a regular session of the legislature.

(b) During a regular session of the legislature, a candidate for the legislature or for constitutional office, or the candidate's principal campaign committee, must not solicit contributions for or take an action directly related to the solicitation or acceptance of contributions for a political party or party unit from a registered lobbyist, political committee, political fund, or an association not registered with the board.

(c) A registered lobbyist, political committee, political fund, or an association not registered with the board must not make a contribution to a candidate for the legislature or for constitutional office, the candidate's principal campaign committee, or a political committee or party unit established by all or a part of the party organization within a house of the legislature during a regular session of the legislature.

(d) Regardless of when made, a contribution made by a lobbyist, political committee, or political fund in order to attend an event that occurs during a regular session of the legislature and that is held by the principal campaign committee of a candidate for the legislature or constitutional office, or by a political party organization within a body of the legislature, is a violation of this section.

(e) Regardless of when made, a contribution from a lobbyist, political committee, or political fund for membership or access to a facility operated during the regular session of the legislature by the principal campaign committee of a candidate for the legislature or constitutional office, or by a political party organization within a body of the legislature, is a violation of this section.

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

Sec. 37. Minnesota Statutes 2022, section 10A.273, subdivision 2, is amended to read:

Subd. 2. **Party and party unit solicitations.** (a) At an event hosted by a candidate, a political party or party unit must not solicit or receive at an event hosted by a candidate for the legislature or by a candidate for constitutional office a contribution from a lobbyist, political committee, political fund, or party unit during a regular session of the legislature.

(b) A political party or party unit must not use the image of a candidate or promote the attendance of a candidate at an event to solicit contributions during the legislative session.

(c) For purposes of this subdivision, "candidate" means a candidate for the legislature or for constitutional office.

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

Sec. 38. Minnesota Statutes 2022, 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 (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 call, voice mail, text message, multimedia message, internet chat message, or email when the communication includes the names of three or more individuals whose names are to appear on the ballot;

(4) expenditures for a booth at a community event, county fair, or state fair that benefits three or more individuals whose names are to appear on the ballot;

~~(4)~~ (5) expenditures for a political party fundraising effort on behalf of three or more candidates;  
or

~~(5)~~ (6) expenditures for party committee staff services that benefit three or more candidates.

Sec. 39. Minnesota Statutes 2022, section 10A.38, is amended to read:

### 10A.38 CAPTIONING OF CAMPAIGN ADVERTISEMENTS.

(a) This section applies to a campaign advertisement by a candidate who is governed by an agreement under section 10A.322.

(b) "Campaign advertisement" means a professionally produced visual or audio recording of two minutes or less produced by the candidate for the purpose of influencing the nomination or election of a candidate.

(c) A campaign advertisement that is disseminated as an advertisement by broadcast or cable television must include closed captioning for deaf and hard-of-hearing viewers, unless the candidate has filed with the board before the advertisement is disseminated a statement setting forth the reasons for not doing so. A campaign advertisement that is disseminated as an advertisement to the public on the candidate's website must include closed captioning for deaf and hard-of-hearing viewers, unless the candidate has posted on the website a transcript of the spoken content of the advertisement or the candidate has filed with the board before the advertisement is disseminated a statement setting forth the reasons for not doing so. A campaign advertisement must not be disseminated as an advertisement by radio unless the candidate has posted on the candidate's website a transcript of the spoken content of the advertisement or the candidate has filed with the board before the advertisement is disseminated a statement setting forth the reasons for not doing so.

(d) A candidate who fails to comply with the requirements of paragraph (c) is subject to a civil penalty imposed by the board of up to \$1,000.

#### Sec. 40. REPEALER.

Minnesota Rules, parts 4511.0100, subpart 1a; and 4511.0600, subpart 5, are repealed.

## ARTICLE 2

### ELECTIONS POLICY

Section 1. Minnesota Statutes 2022, 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~~ a program participant is located ~~and~~. 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 with the other, 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. 2. Minnesota Statutes 2022, 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, to the extent the information may be disclosed pursuant to Code of Federal Regulations, title 34, part 99, prepare a current list of students enrolled in the institution and residing in the institution's housing or in the city or cities in which the campus is situated, if available. 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. 3. Minnesota Statutes 2022, section 201.061, subdivision 1, is amended to read:

Subdivision 1. **Prior to election day.** (a) At any time except during the 20 days immediately preceding any regularly scheduled election, an eligible voter or any individual who will be an eligible voter at the time of the next election may register to vote in the precinct in which the voter maintains residence by completing a voter registration application as described in section 201.071, subdivision 1. A completed application may be submitted:

(1) in person or by mail to the county auditor of that county or to the Secretary of State's Office;  
or

(2) electronically through a secure website that shall be maintained by the secretary of state for this purpose, if the applicant has an email address and provides the applicant's verifiable Minnesota driver's license number, Minnesota state identification card number, or the last four digits of the applicant's Social Security number.

(b) A registration that is received in person or by mail no later than 5:00 p.m. on the 21st day preceding any election, or a registration received electronically through the secretary of state's secure website no later than 11:59 p.m. on the 21st day preceding any election, shall be accepted. An improperly addressed or delivered registration application shall be forwarded within two working days after receipt to the county auditor of the county where the voter maintains residence. A state or local agency or an individual that accepts completed voter registration applications from a voter must submit the completed applications to the secretary of state or the appropriate county auditor within ten calendar days after the applications are dated by the voter.

~~(b)~~ (c) An application submitted electronically under paragraph (a), clause (2), 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 voter registration applications submitted electronically for evidence of suspicious activity and must forward any such application to an appropriate law enforcement agency for investigation.

(d) An individual may not electronically submit a voter registration application on behalf of any other individual, except that the secretary of state may provide features on the secure website established under paragraph (a), clause (2), that allow third parties to connect application programming interfaces that facilitate an individual's submission of voter registration information while interacting with the third party.

~~(e)~~ (e) For purposes of this section, mail registration is defined as a voter registration application delivered to the secretary of state, county auditor, or municipal clerk by the United States Postal Service or a commercial carrier.

Sec. 4. Minnesota Statutes 2022, section 201.061, subdivision 3, is amended to read:

Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration application, making an oath in the form prescribed by the secretary of state and providing proof of residence. An individual may prove residence for purposes of registering by:

(1) presenting a driver's license or Minnesota identification card issued pursuant to section 171.07;

(2) presenting any document approved by the secretary of state as proper identification;

(3) presenting one of the following:

(i) a current valid student identification card from a postsecondary educational institution in Minnesota, if a list of students from that institution has been prepared under section 135A.17 and certified to the county auditor in the manner provided in rules of the secretary of state; or

(ii) a current student fee statement that contains the student's valid address in the precinct together with a picture identification card; or

(4) having a voter who is registered to vote in the precinct, or an employee employed by and working in a residential facility in the precinct and vouching for a resident in the facility, sign an oath in the presence of the election judge vouching that the voter or employee personally knows that the individual is a resident of the precinct. A voter who has been vouched for on election day may not sign a proof of residence oath vouching for any other individual on that election day. A voter who is registered to vote in the precinct may sign up to eight proof-of-residence oaths on any election day. This limitation does not apply to an employee of a residential facility described in this clause. The secretary of state shall provide a form for election judges to use in recording the number of individuals for whom a voter signs proof-of-residence oaths on election day. The form must include space for the maximum number of individuals for whom a voter may sign proof-of-residence oaths. For each proof-of-residence oath, the form must include a statement that the individual: (i) is registered to vote in the precinct or is an employee of a residential facility in the precinct, (ii)



personally knows that the voter is a resident of the precinct, and (iii) is making the statement on oath. The form must include a space for the voter's printed name, signature, telephone number, and address.

The oath required by this subdivision and Minnesota Rules, part 8200.9939, must be attached to the voter registration application.

(b) The operator of a residential facility shall prepare a list of the names of its employees currently working in the residential facility and the address of the residential facility. The operator shall certify the list and provide it to the appropriate county auditor no less than 20 days before each election for use in election day registration.

(c) "Residential facility" means transitional housing as defined in section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner of health under section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision 5; ~~a residence registered with the commissioner of health as a housing with services establishment as defined in section 144D.01, subdivision 4~~ an assisted living facility licensed by the commissioner of health under chapter 144G; a veterans home operated by the board of directors of the Minnesota Veterans Homes under chapter 198; a residence licensed by the commissioner of human services to provide a residential program as defined in section 245A.02, subdivision 14; a residential facility for persons with a developmental disability licensed by the commissioner of human services under section 252.28; setting authorized to provide housing support as defined in section 256I.03, subdivision 3; a shelter for battered women as defined in section 611A.37, subdivision 4; ~~or a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless; a facility where a provider operates a residential treatment program as defined in section 245.462, subdivision 23; or a facility where a provider operates an adult foster care program as defined in section 245A.02, subdivision 6c.~~

(d) For tribal band members, an individual may prove residence for purposes of registering by:

(1) presenting an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, address, signature, and picture of the individual; or

(2) presenting an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, signature, and picture of the individual and also presenting one of the documents listed in Minnesota Rules, part 8200.5100, subpart 2, item B.

(e) A county, school district, or municipality may require that an election judge responsible for election day registration initial each completed registration application.

Sec. 5. Minnesota Statutes 2022, section 201.061, is amended by adding a subdivision to read:

**Subd. 3a. Additional proofs of residence permitted for students.** (a) An eligible voter may prove residence by presenting a current valid photo identification issued by a postsecondary educational institution in Minnesota if the voter's name; student identification number, if available; and address within the precinct appear on a current residential housing list under section 135A.17, certified to the county auditor by the postsecondary educational institution.

(b) This additional proof of residence for students must not be allowed unless the postsecondary educational institution submits to the county auditor no later than 60 days prior to the election a written agreement that the postsecondary educational institution will certify for use at the election accurate updated residential housing lists under section 135A.17. A written agreement is effective for the election and all subsequent elections held in that calendar year, including the November general election.

(c) The additional proof of residence for students must be allowed on an equal basis for voters who reside in housing meeting the requirements of section 135A.17, if the residential housing lists certified by the postsecondary educational institution meet the requirements of this subdivision.

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

(e) The county auditor shall instruct the election judges of the precinct in procedures for use of the list in conjunction with photo identification. The auditor shall supply a list to the election judges with the election supplies for the precinct.

(f) The county auditor shall notify all postsecondary educational institutions in the county of the provisions of this subdivision.

Sec. 6. Minnesota Statutes 2022, 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. 7. Minnesota Statutes 2022, 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 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. 8. Minnesota Statutes 2022, section 201.121, subdivision 1, is amended to read:

Subdivision 1. **Entry of registration information.** (a) At the time a voter registration application is properly completed, submitted, and received in accordance with sections 201.061 and 201.071, the county auditor shall enter the information contained on it into the statewide registration system. Voter registration applications completed before election day must be entered into the statewide registration system within ten days after they have been submitted to the county auditor. Voter registration applications completed on election day must be entered into the statewide registration system within 42 days after the election, unless the county auditor notifies the secretary of state before the deadline has expired that the deadline will not be met. Upon receipt of a notification under this paragraph, the secretary of state must extend the deadline for that county auditor by an additional 28 days. The secretary of state may waive a county's obligations under this paragraph if, on good cause shown, the county demonstrates its permanent inability to comply.

The secretary of state must post data on each county's compliance with this paragraph on the secretary of state's website including, as applicable, the date each county fully complied or the deadline by which a county's compliance must be complete.

(b) Upon receiving a completed voter registration application, the secretary of state may electronically transmit the information on the application to the appropriate county auditor as soon as possible for review by the county auditor before final entry into the statewide registration system. The secretary of state may mail the voter registration application to the county auditor.

(c) Within ten days after the county auditor has entered information from a voter registration application into the statewide registration system, the secretary of state shall compare the voter's name, date of birth, and driver's license number, state identification number, or the last four digits of the Social Security number with the same information contained in the Department of Public Safety database.

(d) The secretary of state shall provide a report to the county auditor on a weekly basis that includes a list of voters whose name, date of birth, or identification number have been compared with the same information in the Department of Public Safety database and cannot be verified as provided in this subdivision. The report must list separately those voters who have submitted a voter registration application by mail and have not voted in a federal election in this state.

(e) The county auditor shall compile a list of voters for whom the county auditor and the secretary of state are unable to conclude that information on the voter registration application and the corresponding information in the Department of Public Safety database relate to the same person.

(f) The county auditor shall send a notice of incomplete registration to any voter whose name appears on the list and change the voter's status to "~~incomplete.~~" "challenged." A voter who receives a notice of incomplete registration from the county auditor may either provide the information required to ~~complete the registration~~ clear the challenge at least 21 days before the next election or at the polling place on election day.

Sec. 9. Minnesota Statutes 2022, 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~~ maintains residence, if possible. If the secretary of state is able to locate the precinct in which the voter ~~resides~~ maintains residence, 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~~ maintained residence 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. 10. Minnesota Statutes 2022, section 201.145, subdivision 3, is amended to read:

Subd. 3. **Commissioner of corrections report; state court administrator report.** ~~(a) The state court administrator must report on individuals 17 years of age or older who have been convicted of a felony.~~

~~(b) The commissioner of corrections must report on individuals 17 16 years of age or older who are currently:~~

~~(1) serving incarcerated for felony sentences under the commissioner's jurisdiction; or~~

~~(2) on probation for felony offenses that resulted in the loss of civil rights, as indicated by the statewide supervision system established under section 241.065.~~

~~(e) (b) Each report under this subdivision must include the following information for each individual: name, address or last known residential address that is not a correctional facility, and date of birth. If available, each report must also include the individual's: corrections' state identification number, last four digits of the Social Security number, driver's license or state identification card number, date of sentence, effective date of the sentence, county in which the conviction occurred, and date of discharge and most recent date of incarceration.~~

~~(d) (c) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person identified under paragraph (a) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if any data newly indicates that a person identified under paragraph (b) (a) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must challenge the status on the record in the statewide voter registration system of each individual named in the list.~~

~~(e) (d) The county auditor must identify an individual who registered to vote or voted while serving incarcerated for a felony sentence under the commissioner's jurisdiction or while on probation for a felony offense that resulted in the loss of civil rights during a period when the individual's civil rights were revoked. The county auditor must immediately send notice to the county attorney. The notice must include the name of the individual and any other identifying information as well as the evidence that shows the individual registered to vote or voted during the period when the individual's civil rights were revoked of incarceration.~~

Sec. 11. Minnesota Statutes 2022, section 201.145, subdivision 4, is amended to read:

Subd. 4. **Reports; restoration of right to vote.** (a) The state court administrator must report on each individual whose guardianship was modified to restore the ward's right to vote or whose guardianship was terminated by order of the court under section 524.5-317 after being ineligible to vote for any of the reasons specified in subdivision 2, paragraph (a).

~~(b) The state court administrator must report on individuals previously convicted of a felony whose civil rights have been restored.~~

~~(c) The commissioner of corrections must report on individuals who were serving incarcerated for a felony sentence under the commissioner's jurisdiction or who were on probation for a felony offense under the commissioner's jurisdiction that resulted in the loss of civil rights but who have been discharged from the sentence and have been released from incarceration.~~

~~(d)~~ (c) Each report under this subdivision must include the following information for each individual: name, address, date of birth, and, if available, the last four digits of the Social Security number. For ~~reports~~ the report required by ~~paragraphs~~ paragraph (b) and ~~(c)~~, each the report must also include the individual's, if available: corrections' state identification number, driver's license or state identification card number, date of ~~sentence, effective date of the sentence~~ incarceration, county in which the conviction occurred, and date of discharge.

~~(e)~~ (d) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person identified under paragraph (a) ~~or (b)~~ is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if any data newly indicates that a person identified under paragraph ~~(c)~~ (b) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must remove the challenge status on the record in the statewide voter registration system of each individual named in the list.

Sec. 12. Minnesota Statutes 2022, section 201.1611, subdivision 1, is amended to read:

Subdivision 1. **Forms.** (a) All postsecondary institutions that enroll students accepting state or federal financial aid ~~shall~~ must provide voter registration forms to each student ~~as early as possible in the fall quarter during the fall and spring of each year. In state election years, it must be provided 15 days in advance of the deadline for registering to vote for the state general election. If the voter registration forms are provided electronically, the electronic message must be devoted exclusively to voter registration.~~

(b) All school districts ~~shall~~ must 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~~ maintains residence 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.

(c) The voter registration 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 must 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.

(d) The institutions must report to the secretary of state by November 30 of each year on their implementation of this section. At a minimum, the report must include how and when the forms were distributed and the voter engagement plan under subdivision 3, paragraph (b), clause (2). Institutions may include information about methods that were effective in increasing student registrations.

(e) By February 1 of each year, the secretary of state must report to the chairs and ranking minority members of the legislative committees with jurisdiction over elections on the information under paragraph (d). The secretary must highlight best practices and innovative methods that were most effective in registering students to vote.

Sec. 13. Minnesota Statutes 2022, section 201.1611, is amended by adding a subdivision to read:

Subd. 3. **Voter information.** (a) All postsecondary institutions that enroll students accepting state or federal financial aid must maintain a webpage to share resources to help students determine where and how they are eligible to vote. The webpage must include the following:

(1) resources from state and local election officials on voter registration and voting requirements including voter registration deadlines; residency requirements; acceptable methods of proving residency for same day registration, as applicable; and absentee voting options;

(2) applicable deadlines for requesting and submitting an absentee ballot, as well as additional options for early and in-person voting, and voting on election day;

(3) resources to help students who are registered in another state to apply for absentee ballots in that state, and may include resources from state and local election officials from that state;

(4) the campus vote coordinator's name and contact information; and

(5) the voter engagement plan required by paragraph (b), clause (2).

(b) All postsecondary institutions that enroll students accepting state or federal financial aid must designate a staff person as the campus vote coordinator. The campus vote coordinator must:

(1) ensure the institution complies with this section; and

(2) consult with the campus student association to develop a voter engagement plan that identifies goals and activities, resources to accomplish the identified goals and activities, and individual or key departments responsible for executing the identified goals and activities.

Sec. 14. Minnesota Statutes 2022, section 201.195, is amended to read:

**201.195 CHALLENGES.**

Subdivision 1. **Petition; hearing timing.** (a) Upon petition filed with the county auditor, any voter registered within a county may challenge the eligibility or residence of any other voter registered within that county. A petition filed pursuant to this section must not include the name of more than one person whose right to vote is challenged. The county auditor must not accept a filing which challenges the eligibility of more than one voter. Petitions must be filed at least 45 days before the election, unless the voter registered or updated the voter's registration within 60 days before the election, in which case the petition must be filed at least ten days before the election, or within ten days after the voter's new or updated registration appeared on the public information list, whichever is later.

(b) The petition shall must state the grounds for challenge and, provide facts and circumstances supporting the challenge, and may include supporting documents, affidavits, or other evidence. The petition must be accompanied by an affidavit stating that the challenge is based on the challenger's personal knowledge, and that the filer exercised due diligence to personally verify the facts and circumstances establishing the basis for the challenge. The filer has the burden to prove, by clear and convincing evidence, that the basis for challenging the individual's eligibility to vote is valid.

(c) The following reasons, standing alone, do not constitute adequate grounds for a challenge:

(1) a piece of mail sent to the voter by someone other than the county auditor that was returned as undeliverable;

(2) enrollment in an educational institution; or

(3) registration to vote at an address that is housing provided for students by an educational institution.

Subd. 1a. **Reasons for dismissal.** If the petition is incomplete, or if the basis for the challenge does not meet the requirements of this section, the county auditor must dismiss the petition and notify the filer in writing of the reasons for the dismissal.

Subd. 1b. **Notice to voter.** Within five days after receipt of the a petition that meets the requirements of this section, the county auditor shall must set a date for a hearing on the challenge and notify the challenger by mail. A copy of the petition and notice of the hearing shall must be served on the challenged voter by the county auditor in the same manner as in a civil action. The county auditor must inform the challenged individual that:

(1) a petition has been filed as to whether the individual is eligible to vote as well as the basis of the challenge;

(2) if the individual votes by mail, the individual's ballot will not be counted unless the challenge is resolved; and

(3) the individual may submit information prior to the hearing or present information at the hearing. This information may include a sworn statement, supporting documents, affidavits, witnesses, or other evidence supporting the challenged individual's eligibility to vote in the election.



Subd. 1c. **Hearing.** The hearing ~~shall~~ must be held before the county auditor or the auditor's designee who ~~shall~~ must then make findings and affirm or dismiss the challenge. The hearing must be recorded by either video or audio recording. The recording must be retained for 22 months.

Subd. 2. **Appeal.** If a challenge is affirmed, the voter whose registration has been challenged may appeal the ruling to the secretary of state. The voter must immediately notify the county auditor of the appeal, and upon receipt of this notice, the county auditor must submit the entire record of the hearing, including all documents and a recording of the hearing, to the secretary of state. The appeal ~~shall~~ must be heard within five days but in any case before election day. Upon hearing the appeal the secretary of state ~~shall~~ must affirm or reverse the ruling and ~~shall~~ must give appropriate instructions to the county auditor.

Subd. 3. **Hearing procedures.** A hearing before the secretary of state ~~shall~~ must be conducted as a contested case and determined in accordance with chapter 14.

Sec. 15. Minnesota Statutes 2022, 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~~ a label printed with voter information to be affixed to a preprinted form, ~~or~~ a combination of ~~both~~ a form and label, or an electronic record that the voter signs electronically and is printed following its completion at the polling place;

(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~~ maintains residence 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, or an electronic record that the voter signs electronically and is printed following its completion at the polling place;

(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 Department of Information Technology 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. 16. Minnesota Statutes 2022, section 202A.18, subdivision 2a, is amended to read:

Subd. 2a. **Preference ballot for governor.** In a year when the office of governor appears on the state general election ballot, prior to the opening of nominations for the election of permanent offices and delegates, a ballot must be distributed to permit caucus participants to indicate their preference for the office of the governor. The results of preference voting must be reported to the secretary of state immediately upon conclusion of the voting, in the manner provided by the secretary of state. The secretary of state shall provide the appropriate forms to the party for reporting the results.

Sec. 17. Minnesota Statutes 2022, section 203B.06, subdivision 3, is amended to read:

Subd. 3. **Delivery of ballots.** (a) The commissioner of corrections must provide the secretary of state with a list of the names and mailing addresses of state adult correctional facilities. An application for an absentee ballot that provides an address included on the list provided by the commissioner of corrections must not be accepted and an absentee ballot must not be provided to the applicant. The county auditor or municipal clerk must promptly transmit a copy of the application to the county attorney. The Department of Corrections must implement procedures to ensure that absentee ballots issued under this chapter are not received or mailed by offenders incarcerated at state adult correctional facilities.

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

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

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

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

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

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

Sec. 18. Minnesota Statutes 2022, section 203B.07, subdivision 1, is amended to read:

Subdivision 1. **Delivery of envelopes, directions.** The county auditor or the municipal clerk shall prepare, print, and transmit a return envelope, a signature envelope, a ballot envelope, and a copy of the directions for casting an absentee ballot to each applicant whose application for absentee ballots is accepted pursuant to section 203B.04. The county auditor or municipal clerk shall provide first class postage for the return envelope. The directions for casting an absentee ballot shall be printed in at least 14-point bold type with heavy leading and may be printed on the ballot envelope. When a person requests the directions in Braille or on audio file, the county auditor or municipal clerk shall provide them in the form requested. The secretary of state shall prepare Braille and audio file copies and make them available.

When a voter registration application is sent to the applicant as provided in section 203B.06, subdivision 4, the directions or registration application shall include instructions for registering to vote.

Sec. 19. Minnesota Statutes 2022, section 203B.07, subdivision 2, is amended to read:

Subd. 2. **Design of envelopes.** (a) ~~The return signature envelope~~ shall be of sufficient size to conveniently enclose and contain the ballot envelope and a folded voter registration application. ~~The return signature envelope shall be designed to open on the left-hand end.~~

(b) The return envelope must be designed in one of the following ways:

(1) it must be of sufficient size to contain ~~an additional~~ a signature envelope that when and when the return envelope is sealed, it conceals the signature, identification, and other information; or

(2) it must be the signature envelope and provide an additional flap that when sealed, conceals the signature, identification, and other information.

(c) Election officials may open the flap or the ~~additional~~ return envelope at any time after receiving the returned ballot to inspect the returned certificate for completeness or to ascertain other information.

Sec. 20. Minnesota Statutes 2022, section 203B.07, subdivision 3, is amended to read:

Subd. 3. **Eligibility certificate.** A certificate of eligibility to vote by absentee ballot shall be printed on the back of the ~~return~~ signature envelope. The certificate shall contain space for the voter's Minnesota driver's license number, state identification number, or the last four digits of the voter's Social Security number, or to indicate that the voter does not have one of these numbers. The space must be designed to ensure that the voter provides the same type of identification as provided on the voter's absentee ballot application for purposes of comparison. The certificate must also contain a statement to be signed and sworn by the voter indicating that the voter meets all of the requirements established by law for voting by absentee ballot and space for a statement signed by a person who is registered to vote in Minnesota or by a notary public or other individual authorized to administer oaths stating that:

(1) the ballots were displayed to that individual unmarked;

(2) the voter marked the ballots in that individual's presence without showing how they were marked, or, if the voter was physically unable to mark them, that the voter directed another individual to mark them; and

(3) if the voter was not previously registered, the voter has provided proof of residence as required by section 201.061, subdivision 3.

Sec. 21. Minnesota Statutes 2022, section 203B.08, subdivision 1, is amended to read:

Subdivision 1. **Marking and return by voter.** (a) An eligible voter who receives absentee ballots as provided in this chapter shall mark them in the manner specified in the directions for casting the absentee ballots. The return envelope containing marked ballots may be mailed as provided in the directions for casting the absentee ballots, may be left with the county auditor or municipal clerk who transmitted the absentee ballots to the voter, or may be left in a drop box as provided in section 203B.082. If delivered in person, the return envelope must be submitted to the county auditor or municipal clerk by ~~3:00~~ 8:00 p.m. on election day.

(b) The voter may designate an agent to deliver in person the sealed absentee ballot return envelope to the county auditor or municipal clerk or to deposit the return envelope in the mail. An agent may deliver or mail the return envelopes of not more than three voters in any election. Any person designated as an agent who tampers with either the return envelope or the voted ballots or does not immediately mail or deliver the return envelope to the county auditor or municipal clerk is guilty of a misdemeanor.

Sec. 22. Minnesota Statutes 2022, section 203B.08, subdivision 3, is amended to read:

Subd. 3. **Procedures on receipt of ballots.** When absentee ballots are returned to a county auditor or municipal clerk, that official shall stamp or initial and date the return envelope and place it in a locked ballot container or other secured and locked space with other return envelopes received by that office. Within five days after receipt, the county auditor or municipal clerk shall deliver to the ballot board all ballots received, except that during the 14 days immediately preceding an election, the county auditor or municipal clerk shall deliver all ballots received to the ballot board within three days. Ballots received on election day ~~either (1) after 3:00 p.m., if delivered in person; or (2) after 8:00 p.m., if delivered by mail or a package delivery service;~~ shall be marked as received late by the county auditor or municipal clerk, and must not be delivered to the ballot board.

Sec. 23. Minnesota Statutes 2022, 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 must 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 one of the following facilities located in the municipality in which the voter maintains residence: a health care facility or, hospital located in the municipality in which the voter maintains residence, or veterans home operated by the board of directors of the Minnesota veterans homes under chapter 198. The ballots shall must 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 must travel together in the same vehicle. Both election judges shall must 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 must 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 shelter for battered women as defined in section 611A.37, subdivision 4, or to an assisted living facility licensed under chapter 144G.

Sec. 24. Minnesota Statutes 2022, section 203B.11, subdivision 2, is amended to read:

Subd. 2. **Twenty ~~20~~ Thirty days before an election.** During the ~~20~~ 30 days preceding an election, the election judges shall must deliver absentee ballots only to an eligible voter who has applied for absentee ballots to the county auditor or municipal clerk under section 203B.04, subdivision 1.

Sec. 25. Minnesota Statutes 2022, section 203B.11, subdivision 4, is amended to read:

Subd. 4. **Agent delivery of ballots.** During the seven days preceding an election and until ~~2:00~~ 8:00 p.m. on election day, an eligible voter who would have difficulty getting to the polls because of incapacitating health reasons, or who is disabled, or who is a patient of a health care facility, a resident of a facility providing an assisted living services governed by facility licensed under chapter 144G, a participant in a residential program for adults licensed under section 245A.02, subdivision 14, or a resident of a shelter for battered women as defined in section 611A.37, subdivision 4, may designate an agent to deliver the ballots to the voter from the county auditor or municipal clerk. An

agent must have a preexisting relationship with the voter. A candidate at the election may not be designated as an agent. The voted ballots must be returned to the county auditor or municipal clerk no later than ~~3:00~~ 8:00 p.m. on election day. The voter must complete an affidavit requesting the auditor or clerk to provide the agent with the ballots in a sealed transmittal envelope. The affidavit must include a statement from the voter stating that the ballots were delivered to the voter by the agent in the sealed transmittal envelope. An agent may deliver ballots to no more than three persons in any election. The secretary of state shall provide samples of the affidavit and transmission envelope for use by the county auditors.

Sec. 26. Minnesota Statutes 2022, 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 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 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 signature envelope "Accepted" and initial or sign the 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 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 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 day before the election, by absentee ballot.

The 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 signature envelope find that an absentee voter has failed to meet one of the requirements provided in paragraph (b), they shall mark the 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 ~~secrecy~~ ballot 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 signature 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 email 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 signature envelope marked "Rejected" may not be opened or subject to further review except in an election contest filed pursuant to chapter 209.

Sec. 27. Minnesota Statutes 2022, 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 seventh 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 seventh day before the election is not required to be marked on the roster or contained in a supplemental report as required by this paragraph.~~

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

Sec. 28. Minnesota Statutes 2022, 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. 29. Minnesota Statutes 2022, section 203B.21, subdivision 1, is amended to read:

Subdivision 1. **Form.** Absentee ballots under sections 203B.16 to 203B.27 shall conform to the requirements of the Minnesota Election Law, except that modifications in the size or form of ballots or envelopes may be made if necessary to satisfy the requirements of the United States postal service. The return envelope must be designed in one of the following ways:

(1) it must be of sufficient size to contain ~~an additional~~ a signature envelope that when and when the return envelope is sealed, it conceals the signature, identification, and other information; or

(2) it must ~~be the signature envelope~~ and provide an additional flap that when sealed, conceals the signature, identification, and other information.

The flap or the ~~additional~~ return envelope must be perforated to permit election officials to inspect the returned certificate for completeness or to ascertain other information at any time after receiving the returned ballot without opening the ~~return~~ signature envelope.

Sec. 30. Minnesota Statutes 2022, section 203B.21, subdivision 3, is amended to read:

Subd. 3. **Back of ~~return~~ signature envelope.** On the back of the ~~return~~ signature envelope a certificate shall appear with space for:

(1) the voter's address of present or former residence in Minnesota;

(2) the voter's current email address, if the voter has one;

(3) a statement indicating the category described in section 203B.16 to which the voter belongs;

(4) a statement that the voter has not cast and will not cast another absentee ballot in the same election or elections;



(5) a statement that the voter personally marked the ballots without showing them to anyone, or if physically unable to mark them, that the voter directed another individual to mark them; and

(6) the same voter's passport number, Minnesota driver's license or state identification card number, or the last four digits of the voter's Social Security number as provided on the absentee ballot application; if the voter does not have access to any of these documents, the voter may attest to the truthfulness of the contents of the certificate under penalty of perjury.

The certificate shall also contain a signed oath in the form required by section 705 of the Help America Vote Act, Public Law 107-252, which must read:

"I swear or affirm, under penalty of perjury, that:

I am a member of the uniformed services or merchant marine on active duty or an eligible spouse or dependent of such a member; a United States citizen temporarily residing outside the United States; or other United States citizen residing outside the United States; and I am a United States citizen, at least 18 years of age (or will be by the date of the election), and I am eligible to vote in the requested jurisdiction; I have not been convicted of a felony, or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting rights have been reinstated; and I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States except the jurisdiction cited in this voting form. In voting, I have marked and sealed my ballot in private and have not allowed any person to observe the marking of the ballot, except for those authorized to assist voters under state or federal law. I have not been influenced.

The information on this form is true, accurate, and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for a conviction for perjury."

Sec. 31. Minnesota Statutes 2022, section 203B.23, subdivision 2, is amended to read:

Subd. 2. **Duties.** (a) The absentee ballot board must examine all returned absentee ballot envelopes for ballots issued under sections 203B.16 to 203B.27 and accept or reject the absentee ballots in the manner provided in section 203B.24. If the certificate of voter eligibility is not printed on the ~~return or administrative~~ signature envelope, the certificate must be attached to the ballot ~~secrecy~~ envelope.

(b) The absentee ballot board must immediately examine the ~~return~~ signature envelopes or certificates of voter eligibility that are attached to the ballot envelopes and mark them "accepted" or "rejected" during the 45 days before the election. If an envelope has been rejected at least five days before the election, the ballots in the envelope must be considered spoiled ballots and the official in charge of the absentee ballot board must provide the voter with a replacement absentee ballot and ~~return envelope~~ envelopes in place of the spoiled ballot.

(c) If a county has delegated the responsibility for administering absentee balloting to a municipality under section 203B.05, accepted absentee ballots must be delivered to the appropriate municipality's absentee ballot board. The absentee ballot board with the authority to open and count the ballots must do so in accordance with section 203B.121, subdivisions 4 and 5.

Sec. 32. Minnesota Statutes 2022, 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 signature envelope "Accepted" and initial or sign the signature envelope below the word "Accepted" if the election judges are satisfied that:

(1) the voter's name and address on the signature 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 ~~secrecy~~ ballot envelope before placing it in the ~~outer white~~ signature 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~~ signature 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. 33. **[203B.29] TRANSMISSION OF BALLOTS UNDER CERTAIN CIRCUMSTANCES.**

Subdivision 1. **Emergency response providers.** Any eligible Minnesota voter who is a 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 request that ballots, instructions, and a certificate of voter eligibility be transmitted to the voter electronically. Upon receipt of a properly completed application requesting electronic transmission,

the county auditor shall electronically transmit the requested materials to the voter. The county auditor is not required to provide return postage to voters to whom ballots are transmitted electronically.

Subd. 2. **Reasonable accommodation for voter with disability.** Any eligible Minnesota voter with a print disability, including any voter with disabilities that interfere with the effective reading, writing, or use of printed materials, may request that ballots, instructions, and a certificate of voter eligibility be transmitted to the voter electronically in an accessible format that meets Election Assistance Commission minimum accessibility requirements. Upon receipt of a properly completed application requesting electronic transmission, the county auditor shall electronically transmit the requested materials to the voter. The county auditor must also mail the voter materials required under section 203B.07.

Subd. 3. **Returning voted ballots.** A voter receiving a ballot electronically under subdivision 1 or 2 must print and return the voter's voted ballot and the certificate of voter eligibility to the county auditor in a sealed envelope. A voter must not return the ballot or certificate of voter eligibility electronically. A ballot that is returned electronically must be rejected and must not be counted.

Sec. 34. Minnesota Statutes 2022, section 204B.06, subdivision 1, is amended to read:

Subdivision 1. **Form of affidavit.** An affidavit of candidacy shall state the name of the office sought and, except as provided in subdivision 4, shall state that the candidate:

(1) is an eligible voter;

(2) has no other affidavit on file as a candidate for any office at the same primary or next ensuing general election, ~~except that a candidate for soil and water conservation district supervisor in a district not located in whole or in part in Anoka, Hennepin, Ramsey, or Washington County, may also have on file an affidavit of candidacy for mayor or council member of a statutory or home rule charter city of not more than 2,500 population contained in whole or in part in the soil and water conservation district or for town supervisor in a town of not more than 2,500 population contained in whole or in part in the soil and water conservation district~~ as authorized by subdivision 9; and

(3) is, or will be on assuming the office, 21 years of age or more, and will have maintained residence in the district from which the candidate seeks election for 30 days before the general election.

An affidavit of candidacy must include a statement that the candidate's name as written on the affidavit for ballot designation is the candidate's true name or the name by which the candidate is commonly and generally known in the community.

An affidavit of candidacy for partisan office shall also state the name of the candidate's political party or political principle, stated in three words or less.

Sec. 35. Minnesota Statutes 2022, section 204B.06, subdivision 1b, is amended to read:

Subd. 1b. **Address, electronic mail 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 or campaign's nongovernment issued electronic mail address or an attestation

that the candidate and the candidate's campaign do not possess an electronic mail address. 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) If an affidavit for an office where a residency requirement must be satisfied by the close of the filing period is filed as provided by paragraph (c), the filing officer must, within one business day of receiving the filing, determine whether the address provided in the affidavit of candidacy is within the area represented by the office the candidate is seeking. For all other candidates who filed 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 that~~ (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. 36. Minnesota Statutes 2022, 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 and will not turn 70 years of age before the first Monday in January of the following year;

(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~~ maintained residence not less than one year in the state and not less than six months in the legislative district from which the candidate seeks election.

Sec. 37. Minnesota Statutes 2022, section 204B.06, is amended by adding a subdivision to read:

**Subd. 9. Multiple affidavits of candidacy.** Notwithstanding subdivision 1, clause (2):

(1) a candidate for soil and water conservation district supervisor in a district not located in whole or in part in Anoka, Hennepin, Ramsey, or Washington County may also have on file an affidavit of candidacy for:

(i) mayor or council member of a statutory or home rule charter city of not more than 2,500 population contained in whole or in part in the soil and water conservation district; or

(ii) town supervisor in a town of not more than 2,500 population contained in whole or in part in the soil and water conservation district; and

(2) a candidate for school board member may also have on file an affidavit of candidacy for town board supervisor, unless that town board is exercising the powers of a statutory city under section 368.01 or an applicable special law.

Sec. 38. Minnesota Statutes 2022, 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~~ maintains residence.

(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 2022, 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. 40. Minnesota Statutes 2022, section 204B.14, subdivision 2, is amended to read:

Subd. 2. **Separate precincts; combined polling place.** (a) The following shall constitute at least one election precinct:

- (1) each city ward; and
- (2) each town and each statutory city.

(b) A single, accessible, combined polling place may be established no later than November 1 if a presidential nomination primary is scheduled to occur in the following year or May 1 of any other year:

- (1) for any city of the third or fourth class, any town, or any city having territory in more than one county, in which all the voters of the city or town shall cast their ballots;
- (2) for contiguous precincts in the same municipality;
- (3) for up to four contiguous municipalities located entirely outside the metropolitan area, as defined by section 200.02, subdivision 24, that are contained in the same county; or
- (4) for noncontiguous precincts located in one or more counties.

Subject to the requirements of paragraph (c), a single, accessible, combined polling place may be established after May 1 of any year in the event of an emergency.

A copy of the ordinance or resolution establishing a combined polling place must be filed with the county auditor within 30 days after approval by the governing body, and the county auditor must provide notice within ten days to the secretary of state, in a manner and including information prescribed by the secretary of state. A polling place combined under clause (3) must be approved by the governing body of each participating municipality. A polling place combined under clause (4) must be approved by the governing body of each participating municipality and the secretary of state and may be located outside any of the noncontiguous precincts. A municipality withdrawing from participation in a combined polling place must do so by filing a resolution of withdrawal with the county auditor no later than October 1 if a presidential nomination primary is scheduled to occur in the following year or April 1 of any other year, and the county auditor must provide notice within ten days to the secretary of state, in a manner and including information prescribed by the secretary of state.

The secretary of state shall provide a separate polling place roster for each precinct served by the combined polling place, except that in a precinct that uses electronic rosters the secretary of state shall provide separate data files for each precinct. A single set of election judges may be appointed to serve at a combined polling place. The number of election judges required must be based on the total number of persons voting at the last similar election in all precincts to be voting at the combined polling place. Separate ballot boxes must be provided for the ballots from each

precinct. The results of the election must be reported separately for each precinct served by the combined polling place, except in a polling place established under clause (2) where one of the precincts has fewer than ten registered voters, in which case the results of that precinct must be reported in the manner specified by the secretary of state.

(c) If a local elections official determines that an emergency situation preventing the safe, secure, and full operation of a polling place on election day has occurred or is imminent, the local elections official may combine two or more polling places for that election pursuant to this subdivision. To the extent possible, the polling places must be combined and the election conducted according to the requirements of paragraph (b), except that:

(1) polling places may be combined after May 1 and until the polls close on election day;

(2) any city or town, regardless of size or location, may establish a combined polling place under this paragraph;

(3) the governing body is not required to adopt an ordinance or resolution to establish the combined polling place;

(4) a polling place combined under paragraph (b), clause (3) or (4), must be approved by the local election official of each participating municipality;

(5) the local elections official must immediately notify the county auditor and the secretary of state of the combination, including the reason for the emergency combination and the location of the combined polling place. As soon as possible, the local elections official must also post a notice stating the reason for the combination and the location of the combined polling place. The notice must also be posted on the governing board's website, if one exists. The local elections official must also notify the election judges and request that local media outlets publicly announce the reason for the combination and the location of the combined polling place; and

(6) on election day, the local elections official must post a notice in large print in a conspicuous place at the polling place where the emergency occurred, if practical, stating the location of the combined polling place. The local election official must also post the notice, if practical, in a location visible by voters who vote from their motor vehicles as provided in section 204C.15, subdivision 2. If polling place hours are extended pursuant to section 204C.05, subdivision 2, paragraph (b), the posted notices required by this paragraph must include a statement that the polling place hours at the combined polling place will be extended until the specified time.

Sec. 41. Minnesota Statutes 2022, 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;

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

(+) (5) pursuant to section 204B.14, subdivision 3.

(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 2022, section 204B.19, subdivision 6, is amended to read:

Subd. 6. ~~High school students~~ **Trainee election judges.** (a) 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 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 under this subdivision while enrolled in a high school or receiving instruction in a home school may continue to serve as a trainee election judge after the student graduates and until the student reaches the age of 18.

(b) 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~~ A trainee election judges judge shall not serve 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.

Sec. 43. Minnesota Statutes 2022, section 204B.21, subdivision 2, is amended to read:

Subd. 2. **Appointing authority; powers and duties.** 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. 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 1, subject to the eligibility requirements and other qualifications established or authorized under section 204B.19. At least two election judges in each precinct must be affiliated with different major political parties. 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. 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 2022, section 204B.32, subdivision 2, is amended to read:

Subd. 2. **Allocation of election expenses.** The secretary of state shall develop procedures for the allocation of election expenses among counties, municipalities, and school districts for elections that are held concurrently. The following expenses must be included in the procedures: salaries of election judges; postage for absentee ballots and applications; preparation of polling places; preparation and testing of electronic voting systems; ballot preparation; publication of election notices ~~and sample ballots~~, including the notice required by section 204D.16; transportation of ballots and election supplies; and compensation for administrative expenses of the county auditor, municipal clerk, or school district clerk.

**EFFECTIVE DATE.** This section is effective December 1, 2023, or upon the secretary of state's approval of the notice required by section 204D.16, paragraph (b), whichever is earlier. The secretary of state must notify the revisor of statutes of the approval date.

Sec. 45. Minnesota Statutes 2022, section 204B.35, is amended by adding a subdivision to read:

Subd. 6. **Electronic voting systems.** Notwithstanding sections 204B.35 to 204B.44 and chapter 204D, a jurisdiction may prepare blank paper ballots if the jurisdiction employs an electronic voting system and the required information is instead displayed on a touch screen or other electronic device in a format that substantially meets the requirements of law.

Sec. 46. Minnesota Statutes 2022, section 204C.04, subdivision 1, is amended to read:

Subdivision 1. **Right to be absent.** Every employee who is eligible to vote in an election has the right to be absent from work for the time necessary to appear at the employee's polling place, cast a ballot, and return to work on the day of that election or during the time period allowed under

section 203B.081 for voting in person before election day, without penalty or deduction from salary or wages because of the absence. An employer or other person may not directly or indirectly refuse, abridge, or interfere with this right or any other election right of an employee.

Sec. 47. Minnesota Statutes 2022, section 204C.07, subdivision 4, is amended to read:

Subd. 4. **Restrictions on conduct.** An election judge ~~may~~ must not be appointed as a challenger. The election judges ~~shall~~ must permit challengers appointed pursuant to this section to be present in the polling place during the hours of voting and to remain there until the votes are counted and the results declared. ~~No~~ A challenger ~~shall~~ must not handle or inspect registration cards, files, or lists. Challengers ~~shall~~ must not prepare in any manner any list of individuals who have or have not voted. They ~~shall~~ must not attempt to influence voting in any manner. ~~They shall~~ In accordance with section 204C.12, challengers must not converse with a voter except to determine, in the presence of an election judge, whether the voter is eligible to vote in the precinct.

Sec. 48. Minnesota Statutes 2022, 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, or 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. 49. Minnesota Statutes 2022, section 204C.24, subdivision 1, is amended to read:

Subdivision 1. **Information requirements.** Precinct summary statements shall be submitted by the election judges in every precinct. For all elections, the election judges shall complete three or more copies of the summary statements, and each copy shall contain the following information for each kind of ballot:

(1) the number of ballots delivered to the precinct as adjusted by the actual count made by the election judges, the number of unofficial ballots made, and the number of absentee ballots delivered to the precinct;

(2) the number of votes each candidate received or the number of yes and no votes on each question, the number of undervotes, the number of overvotes, and the number of defective ballots with respect to each office or question;

(3) the number of spoiled ballots, the number of duplicate ballots made, the number of absentee ballots rejected, and the number of unused ballots, presuming that the total count provided on each package of unopened prepackaged ballots is correct;

(4) the number of voted ballots indicating only a voter's choices as provided by section 206.80, paragraph (b), clause (2), item (ii);

(5) the number of individuals who voted at the election in the precinct which must equal the total number of ballots cast in the precinct, as required by sections 204C.20 and 206.86, subdivision 1;

~~(5)~~ (6) the number of voters registering on election day in that precinct; and

~~(6)~~ (7) the signatures of the election judges who counted the ballots certifying that all of the ballots cast were properly piled, checked, and counted; and that the numbers entered by the election judges on the summary statements correctly show the number of votes cast for each candidate and for and against each question;

(8) the number of election judges that worked in that precinct on election day; and

(9) the number of voting booths used in that precinct on election day.

At least two copies of the summary statement must be prepared for elections not held on the same day as the state elections.

Sec. 50. Minnesota Statutes 2022, section 204C.28, subdivision 1, is amended to read:

Subdivision 1. **County auditor.** (a) Every county auditor shall must remain at the auditor's office to receive delivery of the returns, to permit public inspection of the summary statements, and to tabulate the votes until all have been tabulated and the results made known, or until 24 hours have elapsed since the end of the hours for voting, whichever occurs first. Every county auditor shall must, in the presence of the municipal clerk or the election judges who deliver the returns, make a record of all materials delivered, the time of delivery, and the names of the municipal clerk or election judges who made delivery. The record must include the number of ballots delivered to the precinct, as certified by section 204B.28, and the total number of ballots returned, as certified by the election judges under section 204C.24. A discrepancy between the number of ballots delivered to the precinct and the number of total ballots returned by election judges that cannot be reconciled by taking into account the adjustments made by the election judge counts and any unofficial ballots must be noted, but does not necessarily require disqualification of the votes from that precinct or invalidation of the election. The county auditor shall must file the record and all envelopes containing ballots in a safe and secure place with envelope seals unbroken. Access to the record and ballots shall must be strictly controlled. Accountability and a record of access shall must be maintained by the county auditor during the period for contesting elections or, if a contest is filed, until the contest has been finally determined. Thereafter, the record shall must be retained in the auditor's office for the same period as the ballots as provided in section 204B.40.

(b) The county auditor shall must file all envelopes containing ballots in a safe place with seals unbroken. If the envelopes were previously are opened by proper authority for examination or recount; as specifically authorized by a court or statute, the county auditor shall must have the

envelopes sealed again and signed by the individuals who made the inspection or recount. The envelopes may be opened by the county ~~canvassing board~~ auditor if necessary to procure election returns that the election judges inadvertently may have sealed in the envelopes with the ballots. In that case, the envelopes ~~shall~~ must be sealed again and signed in the same manner as otherwise provided in this subdivision.

Sec. 51. Minnesota Statutes 2022, 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.

All members of the State Canvassing Board shall sign the report and certify its correctness. Within three days after completing the canvass, the State Canvassing Board shall declare the result within three days after completing the canvass and declare the candidates duly elected who received the highest number of votes for each federal office and for each state office voted on in more than one county.

Sec. 52. Minnesota Statutes 2022, section 204C.35, is amended by adding a subdivision to read:

Subd. 5. **Challenged ballots.** Notwithstanding any law to the contrary, a canvassing board may direct a recount official to make images of ballots challenged by a candidate in a recount available to the public.

Sec. 53. Minnesota Statutes 2022, section 204C.39, subdivision 1, is amended to read:

Subdivision 1. **Manner of correction.** A county canvassing board may determine by majority vote that the election judges have made an obvious error in counting or recording the votes for an office. The county canvassing board shall then promptly notify all candidates for that office of the determination, including a description of the error. ~~A candidate who receives notification pursuant to this subdivision or any candidate who believes that the election judges in a precinct have made an obvious error in the counting or recording of the votes for an office may~~ The county canvassing board must also instruct the county auditor to apply without unreasonable delay to the district court of the county containing the precinct in which the alleged error was made for an order determining whether or not an obvious error has been made. The applicant auditor shall describe the alleged error in the application and may submit additional evidence as directed by the court. The applicant auditor shall notify the county canvassing board and all candidates for the affected office in the manner directed by the court. If the court finds that the election judges made an obvious error it shall issue an order specifying the error and directing the county canvassing board to inspect the

ballots and returns of the precinct in order to correct the error and to proceed further in accordance with this section or otherwise as the court may direct.

Sec. 54. Minnesota Statutes 2022, section 204D.08, subdivision 6, is amended to read:

Subd. 6. **State and county nonpartisan primary ballot.** The state and county nonpartisan primary ballot shall be headed "State and County Nonpartisan Primary Ballot." It shall be printed in the manner provided in the rules of the secretary of state. The names of candidates for nomination to the supreme court, court of appeals, district court, ~~and all county offices,~~ all city offices, and all school district offices shall be placed on this ballot.

No candidate whose name is placed on the state and county nonpartisan primary ballot shall be designated or identified as the candidate of any political party or in any other manner except as expressly provided by law.

Sec. 55. Minnesota Statutes 2022, section 204D.09, subdivision 2, is amended to read:

Subd. 2. **Sample ballot.** At least 46 days before the state primary the county auditor ~~shall~~ must prepare a sample ballot for each precinct for public inspection and transmit an electronic copy of these sample ballots to the secretary of state. The names of the candidates to be voted for in the county ~~shall~~ must be placed on the sample ballots, with the names of the candidates for each office arranged in the base rotation as determined by section 206.61, subdivision 5. The county auditor ~~shall~~ must post the sample ballots in a conspicuous place in the auditor's office ~~and shall cause them to be published.~~ At least one week before the state primary, the county auditor must publish a notice to voters pursuant to section 204D.16 in at least one newspaper of general circulation in the county.

**EFFECTIVE DATE.** This section is effective December 1, 2023, or upon the secretary of state's approval of the notice required by section 204D.16, paragraph (b), whichever is earlier. The secretary of state must notify the revisor of statutes of the approval date.

Sec. 56. Minnesota Statutes 2022, section 204D.13, subdivision 2, is amended to read:

Subd. 2. **Order of ~~political parties~~ candidates for president and vice president.** The first name printed for ~~each partisan office~~ president and vice president of the United States on the state general election ballot shall be that of the candidate of the major political party that received the smallest average number of votes at the last state general election. The succeeding names shall be those of the candidates of the other major political parties that received a succeeding higher average number of votes respectively. For the purposes of this subdivision, the average number of votes of a major political party shall be computed by dividing the total number of votes counted for all of the party's candidates for statewide office at the state general election by the number of those candidates at the election. The names of candidates nominated by petition for president and vice president shall be placed on the state general election ballot after the names of the candidates for that office who were nominated by major political parties. No later than 11 weeks before the state general election, the secretary of state shall determine by lot the order of candidates nominated by petition. The drawing of lots must be by political party or principle.

Sec. 57. Minnesota Statutes 2022, section 204D.13, is amended by adding a subdivision to read:

Subd. 2a. **Rotation of names; other partisan offices.** Except as provided in subdivision 2, the names of candidates for partisan offices on the state general election ballot shall be rotated in the manner provided for rotation of names on state partisan primary ballots by section 204D.08, subdivision 3.

Sec. 58. Minnesota Statutes 2022, section 204D.13, subdivision 3, is amended to read:

Subd. 3. **Nominees by petition; placement on ballot political party or principle.** The names of candidates nominated by petition for a partisan office voted on at the state general election shall be placed on the state general election ballot after the names of the candidates for that office who were nominated at the state primary. No later than 11 weeks before the state general election, the secretary of state shall determine by lot the order of candidates nominated by petition. The drawing of lots must be by political party or principle. For candidates nominated by petition for partisan office, the political party or political principle of the a candidate as stated on the petition shall be placed after the name of a candidate nominated by petition. The word "nonpartisan" shall not be used to designate any partisan candidate whose name is placed on the state general election ballot by nominating petition.

Sec. 59. Minnesota Statutes 2022, section 204D.16, is amended to read:

**204D.16 SAMPLE GENERAL ELECTION BALLOTS; POSTING; PUBLICATION.**

(a) At least 46 days before the state general election, the county auditor shall must post sample ballots for each precinct in the auditor's office for public inspection and transmit an electronic copy of these sample ballots to the secretary of state.

(b) No earlier than ~~15~~ 20 days and no later than ~~two~~ ten days before the state general election the county auditor shall must cause a ~~sample state general election ballot~~ notice to voters to be published in at least one newspaper of general circulation in the county. The secretary of state, in collaboration with stakeholders, must design the notice to be published, including the format and content to be used. The secretary of state, in collaboration with stakeholders, may modify the content or format of the notice to be used by metropolitan counties, as defined in section 473.121, subdivision 4. When published, the notice must be sized so that it comprises a minimum of one full newspaper page.

(c) The notice required by paragraph (b) must, at minimum, include the following:

(1) a statement that the voter's official ballot will have the names of all candidates for the voter's precinct;

(2) the web address where a voter may view the voter's sample ballot based on the voter's address;

(3) the county's website where a list of sample ballots for each county precinct may be viewed;

(4) how a voter may obtain a free copy of a sample ballot specific to the voter's address; and

(5) contact information for the appropriate local election official, including a phone number and email address.

The notice may include information about contests on the ballot; names, offices, and party affiliation, if any, of candidates; polling place locations; poll hours; and absentee voting information.

(d) For purposes of this section, "stakeholder" means local government election officials and representatives of the Minnesota Newspaper Association.

**EFFECTIVE DATE.** This section is effective December 1, 2023, or upon the secretary of state's approval of the notice required by section 204D.16, paragraph (b), whichever is earlier. The secretary of state must notify the revisor of statutes of the approval date.

Sec. 60. Minnesota Statutes 2022, 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. 61. Minnesota Statutes 2022, 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~~ 14 days before the special primary and at least ~~14~~ 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 ~~14~~ 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. 62. Minnesota Statutes 2022, 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 ~~14~~ 21 days before the special primary.

Sec. 63. Minnesota Statutes 2022, section 204D.25, subdivision 1, is amended to read:

Subdivision 1. **Form.** Except as provided in subdivision 2, the county auditor ~~shall~~ must prepare separate ballots for a special primary and special election as required by sections 204D.17 to 204D.27. The ballots ~~shall~~ must be headed "Special Primary Ballot" or "Special Election Ballot" as the case may be, followed by the date of the special primary or special election. Immediately below the title of each office to be filled ~~shall~~ must be printed the words "To fill vacancy in term expiring .....", with the date of expiration of the term and any other information that is necessary to distinguish the

office from any other office to be voted upon at the same election. For a special primary or special election, the instructions to voters may use the singular form of the word when referring to candidates and offices when only one office is to be filled at the special election. Otherwise the form of the ballots ~~shall~~ must comply as far as practicable with the laws relating to ballots for state primaries and state general elections. The county auditor ~~shall~~ must post a sample of each ballot in the auditor's office as soon as prepared and not later than four days before the special primary or special election. Publication of the ~~sample ballot~~ notice to voters pursuant to section 204D.16 for a special primary or special election is not required.

**EFFECTIVE DATE.** This section is effective December 1, 2023, or upon the secretary of state's approval of the notice required by section 204D.16, paragraph (b), whichever is earlier. The secretary of state must notify the revisor of statutes of the approval date.

Sec. 64. Minnesota Statutes 2022, 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~~ maintain residence 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. 65. Minnesota Statutes 2022, section 205.16, subdivision 2, is amended to read:

Subd. 2. **Sample ballot, publication.** For every municipal election, the municipal clerk ~~shall~~ must, at least two weeks before the election, publish a ~~sample ballot~~ notice to voters pursuant to section 204D.16 in the official newspaper of the municipality, except that the governing body of a fourth class city or a town not located within a metropolitan county as defined in section 473.121 may dispense with publication.

**EFFECTIVE DATE.** This section is effective December 1, 2023, or upon the secretary of state's approval of the notice required by section 204D.16, paragraph (b), whichever is earlier. The secretary of state must notify the revisor of statutes of the approval date.

Sec. 66. Minnesota Statutes 2022, section 205.175, subdivision 3, is amended to read:

Subd. 3. **Other municipalities.** The governing body of a municipality other than a municipality described in subdivision 2, may by resolution adopted prior to giving notice of the election, designate the time, in addition to the minimum voting hours provided in subdivision 1, during which the polling places will remain open for voting at the next succeeding and all subsequent municipal elections. The resolution shall remain in force until it is revoked by the municipal governing body or changed because of request by voters as provided in this subdivision. If a petition requesting longer voting hours, signed by a number of voters equal to 20 percent of the votes cast at the last municipal election, is presented to the municipal clerk no later than 30 days prior to the municipal election, then the polling places for that election shall open at 10:00 a.m. and close at 8:00 p.m. The municipal clerk shall give ten days' notice of the changed voting hours and notify the county auditor and secretary of state of the change. Municipalities covered by this subdivision shall certify their election hours to the county auditor in January of each year.



Sec. 67. Minnesota Statutes 2022, section 205A.09, subdivision 2, is amended to read:

Subd. 2. **Other school districts.** At a school district election in a school district other than one described in subdivision 1, the school board, by resolution adopted before giving notice of the election, may designate the time during which the polling places will remain open for voting at the next succeeding and all later school district elections. All polling places must be open between the hours of 5:00 p.m. and 8:00 p.m. The resolution must remain in force until it is revoked by the school board or changed because of request by voters as provided in this subdivision. If a petition requesting longer voting hours, signed by a number of voters equal to 20 percent of the votes cast at the last school district election, is presented to the school district clerk no later than 30 days before a school district election, then the polling places for that election must open at 10:00 a.m. and close at 8:00 p.m. The school district clerk must give ten days' published notice and posted notice of the changed voting hours and notify appropriate county auditors and the secretary of state of the change.

Sec. 68. Minnesota Statutes 2022, 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~~ maintain residence, the court administrator of the district court of the judicial district in which the greatest number of school district residents ~~reside~~ maintain residence, 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. 69. Minnesota Statutes 2022, 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. 70. Minnesota Statutes 2022, section 206.58, subdivision 1, is amended to read:

Subdivision 1. **Municipalities.** (a) The governing body of a municipality, at a regular meeting or at a special meeting called for the purpose, may provide for the use of an electronic voting system in one or more precincts and at all elections in the precincts, subject to approval by the county auditor. Once a municipality has adopted the use of an electronic voting system in one or more precincts, the municipality must continue to use an electronic voting system for state elections in those precincts. The governing body ~~shall~~ must disseminate information to the public about the use of a new voting system at least 60 days prior to the election and ~~shall~~ must provide for instruction of voters with a demonstration voting system in a public place for the six weeks immediately prior to the first election at which the new voting system will be used.

~~No system may be adopted or used~~ (b) A municipality must not adopt or use a system unless it has been approved by the secretary of state pursuant to section 206.57.

Sec. 71. Minnesota Statutes 2022, section 206.58, subdivision 3, is amended to read:

Subd. 3. **Counties.** (a) The governing body of a county may provide for the use of an electronic voting system in one or more precincts of the county at all elections. Once a county has adopted the use of an electronic voting system in one or more precincts, the county must continue to use an electronic voting system for state elections in those precincts. The governing body of the municipality ~~shall~~ must give approval before an electronic voting system may be adopted or used in the municipality under the authority of this section.

~~No system may be adopted or used~~ (b) A county must not adopt or use a system unless it has been approved by the secretary of state pursuant to section 206.57.

Sec. 72. Minnesota Statutes 2022, section 206.61, subdivision 1, is amended to read:

Subdivision 1. **Official responsible for providing ballots.** (a) The official charged with providing paper ballots when they are used shall provide all ballot cards, sample ballots, precinct summary statements, and other necessary supplies needed for electronic voting systems, except as otherwise provided by this section.

(b) At general elections and primaries the county auditor of each county in which an electronic voting system is used shall provide all ballot cards and other necessary printed forms and supplies needed for the electronic voting system, including all forms needed for voting on candidates and questions, the ballots for which are required by the election laws to be provided by the state when paper ballots are used.

(c) In precincts using a ballot format as provided by section 206.80, paragraph (b), clause (2), item (ii), voters must be provided the option of voting with a regularly printed optical scan ballot.

Sec. 73. Minnesota Statutes 2022, section 206.80, is amended to read:

#### **206.80 ELECTRONIC VOTING SYSTEMS.**

(a) An electronic voting system may not be employed unless it:

(1) permits every voter to vote in secret;

(2) permits every voter to vote for all candidates and questions for whom or upon which the voter is legally entitled to vote;

(3) provides for write-in voting when authorized;

(4) automatically rejects, except as provided in section 206.84 with respect to write-in votes, all votes for an office or question when the number of votes cast on it exceeds the number which the voter is entitled to cast;

(5) permits a voter at a primary election to select secretly the party for which the voter wishes to vote;

(6) automatically rejects all votes cast in a primary election by a voter when the voter votes for candidates of more than one party; and

(7) provides every voter an opportunity to verify votes recorded on the permanent paper ballot, either visually or using assistive voting technology, and to change votes or correct any error before the voter's ballot is cast and counted, produces an individual, discrete, permanent, paper ballot cast by the voter, and preserves the paper ballot as an official record available for use in any recount.

(b) An electronic voting system purchased on or after June 4, 2005, may not be employed unless it:

(1) accepts and tabulates, in the polling place or at a counting center, a marked optical scan ballot; or

(2) creates a ~~marked optical scan~~ ballot that can be tabulated in the polling place or at a counting center by automatic tabulating equipment certified for use in this state and the ballot is:

(i) a marked optical scan ballot; or

(ii) a marked paper ballot indicating, at a minimum, the date of the election; the name of the precinct; an electronically readable precinct identifier or ballot style indicator; and the voter's votes for each office or question, generated from the voter's use of a touch screen or other electronic device on which a complete ballot meeting the information requirements of any applicable law was displayed electronically.

(c) The use of multiple ballot formats of electronic voting systems in a jurisdiction is not a violation of a voter's right to vote in secret, provided that a record of the ballot formats of electronic voting system used by a voter is not recorded by the election judges or any other elections official in any form.

Sec. 74. Minnesota Statutes 2022, section 206.83, is amended to read:

### **206.83 TESTING OF VOTING SYSTEMS.**

~~Within 14~~ At least three days before ~~election day~~ voting equipment is used, the official in charge of elections shall have the voting system tested to ascertain that the system will correctly mark ballots using all methods supported by the system, including through assistive technology, and count the votes cast for all candidates and on all questions. Public notice of the time and place of the test

must be given at least two days in advance by publication once in official newspapers. The test must be observed by at least two election judges, who are not of the same major political party, and must be open to representatives of the political parties, candidates, the press, and the public. The test must be conducted by (1) processing a preaudited group of ballots punched or marked to record a predetermined number of valid votes for each candidate and on each question, and must include for each office one or more ballot cards which have votes in excess of the number allowed by law in order to test the ability of the voting system tabulator and electronic ballot marker to reject those votes; and (2) processing an additional test deck of ballots marked using the electronic ballot marker for the precinct, including ballots marked using the electronic ballot display, audio ballot reader, and any assistive voting technology used with the electronic ballot marker. If any error is detected, the cause must be ascertained and corrected and an errorless count must be made before the voting system may be used in the election. After the completion of the test, the programs used and ballot cards must be sealed, retained, and disposed of as provided for paper ballots.

Sec. 75. Minnesota Statutes 2022, section 206.845, is amended by adding a subdivision to read:

Subd. 3. **Cast vote records.** After the municipal clerk or county auditor has received data from automatic tabulating equipment, textual data from the file is public, with the following exceptions, which are protected nonpublic data under section 13.02:

- (1) data that indicate the date, time, or order in which a voter cast a ballot;
- (2) data that indicate the method with which a voter cast a ballot;
- (3) data files that do not include all ballots cast in a precinct;
- (4) data files that provide data in the order it was generated; and
- (5) data from precincts in which fewer than ten votes were cast.

Data stored as images are protected nonpublic data under section 13.02.

Sec. 76. Minnesota Statutes 2022, section 206.86, is amended by adding a subdivision to read:

Subd. 5a. **Ballots in precincts with multiple styles of voting system.** In the event the results of a precinct are subject to a recount under section 204C.35 or 204C.36, or are subject to a postelection review under section 206.89, and a ballot format as provided in section 206.80, paragraph (b), clause (2), item (ii), was used by ten or fewer voters in the precinct, the election judges from that precinct are not eligible to participate in conducting a recount or postelection review in that precinct.

Sec. 77. Minnesota Statutes 2022, section 206.90, subdivision 10, is amended to read:

Subd. 10. **Counting write-in votes.** Notwithstanding section 204C.22, subdivision 4, in precincts using optical scan voting systems, the ballot must be marked in the oval or other target shape opposite the blank when a voter writes an individual's name on the line provided for write-in votes in order to be counted. The judges shall count the write-in votes and enter the number of those votes on forms provided for the purpose. When the write-in votes are recorded on a medium that cannot be examined for write-in votes by the automatic tabulating equipment or the automatic tabulating equipment does not reject, with respect to write-in votes, all votes for an office or question when

the number of votes cast on it exceeds the number which the voter is entitled to count, all ballot envelopes or other medium on which write-in votes have been recorded must be serially numbered, starting with the number one and the same number must be placed on the ballot card of the voter. The judges shall compare the write-in votes with the votes cast on the ballot card. If the total number of votes for any office exceeds the number allowed by law, a notation to that effect must be entered on the back of the ballot card and the card must be returned to the counting center in an envelope marked "defective ballots"; however, valid votes on ballot cards containing invalid votes must be counted as provided in section 206.86, subdivision 5.

When the write-in votes are recorded on ballot cards that can be examined for write-in votes by the automatic tabulating equipment and the automatic tabulating equipment rejects all votes for an office or question when the number of votes cast on it exceeds the number which the voter is entitled to cast, the judges shall examine the ballot cards with write-in votes and count the valid write-in votes.

Sec. 78. Minnesota Statutes 2022, 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. 79. Minnesota Statutes 2022, section 207A.15, subdivision 2, is amended to read:

Subd. 2. **Reimbursable local expenses.** (a) The secretary of state ~~shall~~ must reimburse the counties and municipalities for expenses incurred in the administration of the presidential nomination primary from money contained in the presidential nomination primary elections account. The following expenses are eligible for reimbursement: preparation and printing of ballots; postage for absentee ballots; publication of the sample ballot notice to voters pursuant to section 204D.16; preparation of polling places in an amount not to exceed \$150 per polling place; preparation of electronic voting systems in an amount not to exceed \$100 per precinct; compensation for temporary

staff or overtime payments; salaries of election judges; compensation of county canvassing board members; and other expenses as approved by the secretary of state.

(b) Within 60 days after the results of a presidential nomination primary are certified by the State Canvassing Board, the county auditor must submit a request for payment of the costs incurred by the county for conducting the presidential nomination primary, and the municipal clerk must submit a request for payment of the costs incurred by the municipality for conducting the presidential nomination primary. The request for payment must be submitted to the secretary of state, and must be accompanied by an itemized description of actual county or municipal expenditures, including copies of invoices. In addition, the county auditor or municipal clerk must certify that the request for reimbursement is based on actual costs incurred by the county or municipality in the presidential nomination primary.

(c) The secretary of state ~~shall~~ must provide each county and municipality with the appropriate forms for requesting payment and certifying expenses under this subdivision. The secretary of state must not reimburse expenses unless the request for payment and certification of costs has been submitted as provided in this subdivision. The secretary of state must complete the issuance of reimbursements to the counties and municipalities no later than 90 days after the results of the presidential nomination primary have been certified by the State Canvassing Board.

**EFFECTIVE DATE.** This section is effective December 1, 2023, or upon the secretary of state's approval of the notice required by section 204D.16, paragraph (b), whichever is earlier. The secretary of state must notify the revisor of statutes of the approval date.

Sec. 80. Minnesota Statutes 2022, section 208.05, is amended to read:

**208.05 STATE CANVASSING BOARD.**

The State Canvassing Board at its meeting on the date provided in section 204C.33 shall open and canvass the returns made to the secretary of state for presidential electors and alternates, prepare a statement of the number of votes cast for the persons receiving votes for these offices, and declare the person or persons receiving the highest number of votes for each office duly elected, except that if the Agreement Among the States to Elect the President by National Popular Vote governs the appointment of presidential electors, the State Canvassing Board shall declare duly elected the candidates for presidential electors and alternates identified in accordance with the provisions of that agreement. When it appears that more than the number of persons to be elected as presidential electors or alternates have the highest and an equal number of votes, the secretary of state, in the presence of the board shall decide by lot which of the persons shall be declared elected, except that if the Agreement Among the States to Elect the President by National Popular Vote governs the appointment of presidential electors, no such drawing of lots shall be conducted. The governor shall transmit to each person declared elected a certificate of election, signed by the governor, sealed with the state seal, and countersigned by the secretary of state.

Sec. 81. **[208.051] AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE.**

The Agreement Among the States to Elect the President by National Popular Vote is enacted into law and entered into with all other states legally joining in it in substantially the following form:

Article I - Membership

Any state of the United States and the District of Columbia may become a member of this agreement by enacting this agreement.

Article II - Right of the People in Member States to  
Vote for President and Vice President

Each member state shall conduct a statewide popular election for president and vice president of the United States.

Article III - Manner of Appointing Presidential Electors in Member States

Prior to the time set by law for the meeting and voting by the presidential electors, the chief election official of each member state shall determine the number of votes for each presidential slate in each state of the United States and in the District of Columbia in which votes have been cast in a statewide popular election and shall add such votes together to produce a national popular vote total for each presidential slate. The chief election official of each member state shall designate the presidential slate with the largest national popular vote total as the national popular vote winner. The presidential elector certifying official of each member state shall certify the appointment in that official's own state of the elector slate nominated in that state in association with the national popular vote winner. At least six days before the day fixed by law for the meeting and voting by the presidential electors, each member state shall make a final determination of the number of popular votes cast in the state for each presidential slate and shall communicate an official statement of such determination within 24 hours to the chief election official of each other member state. The chief election official of each member state shall treat as conclusive an official statement containing the number of popular votes in a state for each presidential slate made by the day established by federal law for making a state's final determination conclusive as to the counting of electoral votes by Congress. In event of a tie for the national popular vote winner, the presidential elector certifying official of each member state shall certify the appointment of the elector slate nominated in association with the presidential slate receiving the largest number of popular votes within that official's own state. If, for any reason, the number of presidential electors nominated in a member state in association with the national popular vote winner is less than or greater than that state's number of electoral votes, the presidential candidate on the presidential slate that has been designated as the national popular vote winner shall have the power to nominate the presidential electors for that state and that state's presidential elector certifying official shall certify the appointment of such nominees. The chief election official of each member state shall immediately release to the public all vote counts or statements of votes as they are determined or obtained. This article shall govern the appointment of presidential electors in each member state in any year in which this agreement is, on July 20, in effect in states cumulatively possessing a majority of the electoral votes.

Article IV - Other Provisions

This agreement shall take effect when states cumulatively possessing a majority of the electoral votes have enacted this agreement in substantially the same form and the enactments by such states have taken effect in each state. Any member state may withdraw from this agreement, except that a withdrawal occurring six months or less before the end of a president's term shall not become effective until a president or vice president shall have been qualified to serve the next term. The

chief executive of each member state shall promptly notify the chief executive of all other states of when this agreement has been enacted and has taken effect in that official's state, when the state has withdrawn from this agreement, and when this agreement takes effect generally. This agreement shall terminate if the electoral college is abolished. If any provision of this agreement is held invalid, the remaining provisions shall not be affected.

#### Article V - Definitions

For purposes of this agreement:

(1) "chief election official" means the state official or body that is authorized to certify the total number of popular votes for each presidential slate;

(2) "chief executive" means the governor of a state of the United States or the mayor of the District of Columbia;

(3) "elector slate" means a slate of candidates who have been nominated in a state for the position of presidential elector in association with a presidential slate;

(4) "presidential elector" means an elector for president and vice president of the United States;

(5) "presidential elector certifying official" means the state official or body that is authorized to certify the appointment of the state's presidential electors;

(6) "presidential slate" means a slate of two persons, the first of whom has been nominated as a candidate for president of the United States and the second of whom has been nominated as a candidate for vice president of the United States, or any legal successors to such persons, regardless of whether both names appear on the ballot presented to the voter in a particular state;

(7) "state" means a state of the United States and the District of Columbia; and

(8) "statewide popular election" means a general election in which votes are cast for presidential slates by individual voters and counted on a statewide basis.

#### **Sec. 82. [208.052] CONFLICT OF LAWS.**

When the Agreement Among the States to Elect the President by National Popular Vote governs the appointment of presidential electors, the provisions of that agreement shall take precedence over any conflicting law of this state.

Sec. 83. Minnesota Statutes 2022, 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. 84. Minnesota Statutes 2022, section 211B.15, subdivision 8, is amended to read:

Subd. 8. **Permitted activity; political party.** It is not a violation of this section for a political party, as defined in section 200.02, subdivision 7 6, to form a nonprofit corporation for the sole purpose of holding real property to be used exclusively as the party's headquarters.

Sec. 85. Minnesota Statutes 2022, 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) organized a campaign committee under applicable federal or state law;
- (2) filed a financial report as required by section 211A.02; or
- (3) filed an affidavit of candidacy for elected office.

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

(b) 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 knock on the doors of individual units to speak with residents and 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) A violation of this section is a petty misdemeanor.

Sec. 86. Minnesota Statutes 2022, 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~~ maintained residence 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. 87. Minnesota Statutes 2022, 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. 88. **REPEALER.**

Minnesota Statutes 2022, section 202A.16, is repealed."

Delete the title and insert:

"A bill for an act relating to elections; modifying campaign finance provisions; modifying campaign finance reporting requirements; requiring disclosure of electioneering communications; amending provisions relating to voter registration, absentee voting, and election day voting; adopting the national popular vote compact; prohibiting certain contributions during the legislative session; making technical and clarifying changes; amending Minnesota Statutes 2022, sections 5B.06; 10A.01, subdivisions 5, 21, 26, 30, by adding subdivisions; 10A.022, subdivision 3; 10A.025, subdivision 4; 10A.03, subdivision 2, by adding a subdivision; 10A.04, subdivisions 3, 4, 6, 9; 10A.09, subdivision 5, by adding a subdivision; 10A.121, subdivisions 1, 2; 10A.15, subdivisions 3, 5, by adding subdivisions; 10A.17, subdivision 5, by adding a subdivision; 10A.20, subdivisions 2a, 5; 10A.244; 10A.25, subdivision 3a; 10A.271, subdivision 1; 10A.273, subdivisions 1, 2; 10A.275, subdivision 1; 10A.38; 135A.17, subdivision 2; 201.061, subdivisions 1, 3, by adding a subdivision; 201.071, subdivision 8; 201.12, subdivision 2; 201.121, subdivision 1; 201.13, subdivision 3; 201.145, subdivisions 3, 4; 201.1611, subdivision 1, by adding a subdivision; 201.195; 201.225, subdivision 2; 202A.18, subdivision 2a; 203B.06, subdivision 3; 203B.07, subdivisions 1, 2, 3; 203B.08, subdivisions 1, 3; 203B.11, subdivisions 1, 2, 4; 203B.121, subdivisions 2, 3; 203B.16, subdivision 2; 203B.21, subdivisions 1, 3; 203B.23, subdivision 2; 203B.24, subdivision 1; 204B.06, subdivisions 1, 1b, 4a, by adding a subdivision; 204B.09, subdivision 1; 204B.13, by adding a subdivision; 204B.14, subdivision 2; 204B.16, subdivision 1; 204B.19, subdivision 6; 204B.21, subdivision 2; 204B.32, subdivision 2; 204B.35, by adding a subdivision; 204C.04, subdivision 1; 204C.07, subdivision 4; 204C.15, subdivision 1; 204C.24, subdivision 1; 204C.28, subdivision 1; 204C.33, subdivision 3; 204C.35, by adding a subdivision; 204C.39, subdivision 1; 204D.08, subdivision 6; 204D.09, subdivision 2; 204D.13, subdivisions 2, 3, by adding a subdivision; 204D.16; 204D.19, subdivision 2; 204D.22, subdivision 3; 204D.23, subdivision 2; 204D.25, subdivision 1; 205.13, subdivision 5; 205.16, subdivision 2; 205.175, subdivision 3; 205A.09, subdivision 2; 205A.10, subdivision 5; 205A.12, subdivision 5; 206.58, subdivisions 1, 3; 206.61, subdivision 1; 206.80;

206.83; 206.845, by adding a subdivision; 206.86, by adding a subdivision; 206.90, subdivision 10; 207A.12; 207A.15, subdivision 2; 208.05; 209.021, subdivision 2; 211B.15, subdivision 8; 211B.20, subdivision 1; 367.03, subdivision 6; 447.32, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 10A; 203B; 208; repealing Minnesota Statutes 2022, section 202A.16; Minnesota Rules, parts 4511.0100, subpart 1a; 4511.0600, subpart 5."

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Dibble from the Committee on Transportation, to which was referred**

**S.F. No. 1545:** A bill for an act relating to transportation; amending the description of the Caleb L. Erickson Memorial Highway in Waseca County; amending Minnesota Statutes 2022, section 161.14, subdivision 97.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Dibble from the Committee on Transportation, to which was referred**

**S.F. No. 1859:** A bill for an act relating to transportation; modifying selection process procedures for Corridors of Commerce projects; amending Minnesota Statutes 2022, section 161.088, subdivisions 1, 2, 4, 5, as amended, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2022, section 161.088, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For purposes of this section, the following terms have the meanings given:

(1) "beyond the project limits" means any point that is located:

(i) outside of the project limits;

(ii) along the same trunk highway; and

(iii) within the same region of the state;

(2) "city" means a statutory or home rule charter city;

(3) "greater Minnesota area" means the counties that are not metropolitan counties;

(4) "metropolitan area" means Anoka, Carver, Chisago, Dakota, Hennepin, Ramsey, Scott, and Washington Counties;

~~(5)~~ (5) "program" means the corridors of commerce program established in this section; and

~~(4)~~ (6) "project limits" means the estimated construction limits of a project for trunk highway construction, reconstruction, or maintenance, that is a candidate for selection under the corridors of commerce program.

Sec. 2. Minnesota Statutes 2022, section 161.088, subdivision 2, is amended to read:

Subd. 2. **Program authority; funding.** (a) As provided in this section, the commissioner shall establish a corridors of commerce program for trunk highway construction, reconstruction, and improvement, including maintenance operations, that improves commerce in the state.

(b) The commissioner may expend funds under the program from appropriations to the commissioner that are:

(1) made specifically by law for use under this section;

(2) at the discretion of the commissioner, made for the budget activities in the state roads program of operations and maintenance, program planning and delivery, or state road construction; and

(3) made for the corridor investment management strategy program, unless specified otherwise.

(c) The commissioner ~~shall~~ must include in the program the cost participation policy for local units of government.

(d) The commissioner may use up to 17 percent of any appropriation ~~to the program under this section~~ for program delivery and for project scoring, ranking, and selection under subdivision 5.

Sec. 3. Minnesota Statutes 2022, section 161.088, subdivision 4, is amended to read:

Subd. 4. **Project eligibility.** (a) The eligibility requirements for projects that can be funded under the program are:

(1) consistency with the statewide multimodal transportation plan under section 174.03;

(2) location of the project on an interregional corridor, for a project located outside of the Department of Transportation metropolitan district;

(3) placement into at least one project classification under subdivision 3;

(4) project construction work will commence within ~~three~~ four years, or a longer length of time as determined by the commissioner; and

(5) for each type of project classification under subdivision 3, a maximum allowable amount for the total project cost estimate, as determined by the commissioner with available data.

(b) A project whose construction is programmed in the state transportation improvement program is not eligible for funding under the program. This paragraph does not apply to a project that is programmed as result of selection under this section.

(c) A project may be, but is not required to be, identified in the 20-year state highway investment plan under section 174.03.

(d) For each project, the commissioner must consider all of the eligibility requirements under paragraph (a). The commissioner is prohibited from considering any eligibility requirement not specified under paragraph (a).

(e) A project in the greater Minnesota area with a total project cost of more than \$10,000,000 is classified as a greater Minnesota large project. A project in the greater Minnesota area with a total project cost of \$10,000,000 or less is classified as a greater Minnesota small project. All projects in the metropolitan area are classified as metropolitan projects, regardless of the total project cost.

Sec. 4. Minnesota Statutes 2022, section 161.088, subdivision 5, is amended to read:

Subd. 5. **Project selection process; criteria.** (a) The commissioner must establish a process to identify, evaluate, and select projects under the program. The process must be consistent with the requirements of this subdivision and must not include any additional evaluation criteria.

(b) As part of the project selection process, the commissioner must annually accept recommendations on candidate projects from area transportation partnerships and ~~other interested stakeholders in each Department of Transportation district~~ counties in the metropolitan area as provided by this section. The commissioner must determine the eligibility for each candidate project ~~identified under this paragraph~~ that is submitted as provided in this section. For each eligible project, the commissioner must classify and evaluate the project for the program, using all of the criteria established under paragraph ~~(e)~~ (d).

(c) Before proceeding to the evaluation required under paragraph (d), all project recommendations submitted for consideration must be screened as follows:

(1) for projects in the greater Minnesota area:

(i) the area transportation partnership for the area must review all project recommendations from the partnership's area;

(ii) each area transportation partnership must select up to three large projects and three small projects as defined in subdivision 4 to recommend for advancement to the evaluation process under paragraph (d). Each area transportation partnership may develop its own process to determine which projects to recommend. An area transportation partnership must not include the same segment of road in more than one project; and

(iii) only the projects recommended for evaluation may be developed by the department and scored for selection under paragraph (d). All projects not recommended for evaluation are disqualified from further consideration and must not be evaluated under paragraph (d); and

(2) for projects located in the metropolitan area:

(i) projects located within a county in the metropolitan area must be reviewed by the county board;

(ii) each county board must select up to two projects to recommend for advancement to the evaluation process under paragraph (d). A board must not include the same segment of road in more

than one project. Each board may develop its own process to determine which project to recommend; and

(iii) only the projects submitted by the county boards as provided in this paragraph may be developed by the department and scored for selection under paragraph (d). All projects not recommended for evaluation are disqualified from further consideration and must not be evaluated under paragraph (d).

~~(c)~~ (d) Projects must be evaluated using all of the following criteria:

- (1) a return on investment measure that provides for comparison across eligible projects;
- (2) measurable impacts on commerce and economic competitiveness;
- (3) efficiency in the movement of freight, including but not limited to:
  - (i) measures of annual average daily traffic and commercial vehicle miles traveled, which may include data near the project location on that trunk highway or on connecting trunk and local highways; and
  - (ii) measures of congestion or travel time reliability, which may be within or near the project limits, or both;
- (4) improvements to traffic safety;
- (5) connections to regional trade centers, local highway systems, and other transportation modes;
- (6) the extent to which the project addresses multiple transportation system policy objectives and principles;
- (7) support and consensus for the project among members of the surrounding community;
- (8) the time and work needed before construction may begin on the project; ~~and~~
- (9) regional balance throughout the state; and
- (10) written recommendations submitted as provided by subdivision 5a.

The commissioner must ~~give the criteria in clauses (1) to (8) equal weight in~~ assign 100 selection points to each evaluation criterion set forth in clauses (1) to (8) for the selection process.

(e) The commissioner must select projects so that approximately 50 percent of the available funding is used for projects in the metropolitan area and the other 50 percent is used for projects in the greater Minnesota area. Of funding for projects in the metropolitan area, at least 45 percent must be spent for projects in Anoka, Carver, Chisago, Dakota, Scott, and Washington Counties. Of the funding for projects in the greater Minnesota area, approximately 25 percent must be used for projects classified as greater Minnesota small projects as defined in subdivision 4. When selecting projects in the greater Minnesota area, the commissioner must select projects so that no district has two or more projects more than any other district.

~~(d) The list of all projects evaluated must be made public and must include the score of each project~~ (f) The commissioner must publish information regarding the selection process on the department's website. The information must include:

(1) lists of all projects submitted for consideration and all projects recommended by the screening entities;

(2) the scores and ranking for each project; and

(3) an overview of each selected project, with amounts and sources of funding.

~~(e)~~ (g) As part of the project selection process, the commissioner may divide funding to be separately available among projects within each classification under subdivision 3, and may apply separate or modified criteria among those projects falling within each classification.

Sec. 5. Minnesota Statutes 2022, section 161.088, is amended by adding a subdivision to read:

Subd. 5a. **Recommendations.** After receiving all projects submitted pursuant to subdivision 5 but before making final selections, the commissioner must compile a list of all projects that were submitted and transmit the list to each legislator and to the governor. The list must include the location of each project and a brief description of the work to be done. Within 30 days of the date the project list is transmitted, each legislator and the governor may submit to the commissioner a written recommendation for one project on the list. The commissioner must award one additional point to a project for each written recommendation received for that project.

Sec. 6. Minnesota Statutes 2022, section 161.088, is amended by adding a subdivision to read:

Subd. 5b. **Project selection period.** Beginning July 1, 2027, and every five years thereafter, area transportation partnerships and the metropolitan counties must submit projects to the commissioner of transportation as provided in subdivision 5. The commissioner must evaluate the projects and select projects by March 1 of the following year. To the greatest extent possible, the commissioner must select a sufficient number of projects to ensure that all funds allocated for the five-year period are encumbered or spent by the end of the period. If all selected projects are funded in the five-year time period and there were projects that were identified and not selected, the commissioner must select additional projects from the original project submissions. If all the projects that were submitted are funded, the commissioner may authorize an additional project selection period to select projects for the remainder of the period. Except as authorized by this subdivision, the project submission and selection process must only occur every five years."

Delete the title and insert:

"A bill for an act relating to transportation; modifying selection process procedures for Corridors of Commerce projects; amending Minnesota Statutes 2022, section 161.088, subdivisions 1, 2, 4, 5, by adding subdivisions."

And when so amended the bill do pass. Amendments adopted. Report adopted.



**Senator Dibble from the Committee on Transportation, to which was referred**

**S.F. No. 622:** A bill for an act relating to the Metropolitan Council; modifying requirements of a study on post-COVID pandemic public transportation; amending Laws 2021, First Special Session chapter 5, article 4, section 143.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, strike "for commuters in" and insert "throughout"

Page 1, line 18, before "on" insert "for the public transit system in the metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2,"

Page 2, line 3, strike "2023" and insert "2024"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Dibble from the Committee on Transportation, to which was re-referred**

**S.F. No. 2499:** A bill for an act relating to behavioral health; providing and waiving fees for certified birth records, identification cards, and driver's licenses for persons treated for substance use disorder who are eligible for medical assistance; modifying substance use disorder treatment plan review requirements; providing for transition follow-up counseling; modifying substance use disorder treatment rate and staffing requirements; requiring data to be provided to substance use disorder treatment providers; providing temporary rate increases for substance use disorder treatment providers and direct care staff; directing the commissioner of human services to develop recommendations on transition support services; requiring a report; amending Minnesota Statutes 2022, sections 144.226, by adding a subdivision; 171.06, by adding a subdivision; 245G.06, subdivision 3; 245G.07, by adding a subdivision; 254B.05, subdivision 5; 254B.051; 254B.12, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 144.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 10, delete "8" and insert "12"

And when so amended the bill do pass and be re-referred to the Committee on Human Services. Amendments adopted. Report adopted.

**Senator Latz from the Committee on Judiciary and Public Safety, to which was referred**

**S.F. No. 1332:** A bill for an act relating to civil actions; amending civil remedies for consumer protection violations; amending Minnesota Statutes 2022, sections 8.31, subdivision 3a; 325F.69, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2022, section 325F.70, is amended by adding a subdivision to read:

Subd. 1a. **Private enforcement.** (a) In addition to the remedies otherwise provided by law, a consumer injured by a violation of sections 325F.68 to 325F.70 may bring a civil action and recover damages, together with costs and disbursements, including costs of investigation and reasonable attorney fees, and receive other equitable relief as determined by the court. An action brought under this section is a public benefit.

(b) For the purposes of this subdivision:

(1) "consumer" means a natural person or family farmer involved in a sale of merchandise for personal, family, household, or agricultural purposes;

(2) "family farmer" means a person or persons operating a family farm; and

(3) "family farm" has the meaning given in section 116B.02, subdivision 6."

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Latz from the Committee on Judiciary and Public Safety, to which was referred**

**H.F. No. 55:** A bill for an act relating to public safety; creating an office for missing and murdered Black women and girls; authorizing office to issue grants; requiring Bureau of Criminal Apprehension to operate missing person alert program; requiring a report; appropriating money; amending Minnesota Statutes 2022, section 299C.53, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 299A.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 32, before "office" insert "commissioner in consultation with the"

Page 5, line 10, before "office" insert "commissioner in consultation with the"

Page 5, line 19, delete "may" and insert "shall"

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government and Veterans. Amendments adopted. Report adopted.

**Senator Latz from the Committee on Judiciary and Public Safety, to which was referred**

**S.F. No. 1549:** A bill for an act relating to public safety; appropriating money for prevention services, intervention services, and barrier reduction services relating to youth involved or at risk of becoming involved in the criminal or juvenile justice system; requiring a report.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 5, insert:

"Section 1. **TASK FORCE ON YOUTH INTERVENTIONS.**

**Subdivision 1. Establishment.** The Task Force on Youth Interventions is established to develop recommendations on the design of a regional system of care for youth interventions, sustainable financing models, and alternatives to criminal penalties. The task force must evaluate coordinated approaches to youth with high behavioral health needs with the goal of reducing and eliminating touchpoints with the justice system as well as identifying community-based services to address youth needs and identifying gaps in services.

**Subd. 2. Membership.** (a) The task force consists of the following members:

(1) two members of the senate, one appointed by the senate majority leader and one appointed by the senate minority leader;

(2) two members of the house of representatives, one appointed by the speaker of the house and one appointed by the house minority leader;

(3) a county attorney appointed by the Minnesota County Attorneys Association;

(4) a public defender with responsibility for systems in one or more of the counties included in clause (6) appointed by the State Public Defender's Office;

(5) a peace officer, as defined in Minnesota Statutes, section 626.84, subdivision 1, paragraph (c), from one of the counties included in clause (6) appointed by the Minnesota Sheriffs' Association;

(6) a county administrator or their designee from each of the following counties:

(i) Anoka County;

(ii) Carver County;

(iii) Dakota County;

(iv) Hennepin County;

(v) Olmsted County;

(vi) Ramsey County;

(vii) Scott County;

(viii) St. Louis County;

(ix) Stearns County; and

(x) Washington County;

(7) two representatives of county social services agencies appointed by the Minnesota Association of County Social Service Administrators;

(8) two representatives of community supervision appointed by the Minnesota Association of Community Corrections Act Counties;

(9) two representatives of community supervision appointed by the Minnesota Association of County Probation Officers;

(10) two representatives appointed by the commissioner of human services, one with experience in child welfare and one with experience in children's mental health;

(11) the commissioner of corrections, or a designee;

(12) two members representing culturally competent advocacy organizations, one of which must be the National Alliance on Mental Illness-Minnesota; and

(13) two members, to be designated by Hennepin County, from the community with lived experience of a juvenile family member who was or is currently involved in the justice system, one of whom must be a resident of Hennepin County.

(b) Appointments to the task force must be made by September 1, 2023.

(c) Member compensation and reimbursement for expenses are governed by Minnesota Statutes, section 15.059, subdivision 3.

Subd. 3. **Chairs; meetings.** (a) The task force shall be cochaired by the representative member under clause (6) from Hennepin County and the commissioner of corrections or a designee.

(b) The cochairs shall convene the first meeting of the task force no later than September 1, 2023.

(c) Task force meetings are subject to the Minnesota Open Meeting Law under Minnesota Statutes, chapter 13D.

Subd. 4. **Administrative support.** The Legislative Coordinating Commission must provide administrative support and meeting space for the task force. The commission may also choose to delegate this authority to Hennepin County.

Subd. 5. **Duties.** (a) The task force shall assess the current approach to addressing the therapeutic and rehabilitative needs of youth adjudicated to be either children in need of protection services or delinquent. The task force shall evaluate racial disparities as part of the task force duties under this subdivision.

(b) The task force shall also:

(1) provide the number of youth currently in these systems;

(2) provide the demographics of all youth including age, gender, sexual orientation, and race or ethnicity;

(3) provide the number of youth currently in out-of-home placement due to their behavioral health needs broken down by:

(i) therapeutic and rehabilitative needs of youth; and

(ii) proximity of a facility to their home or community;

(4) provide the number of youth currently in an out-of-state residential facility broken down by:

(i) therapeutic and rehabilitative needs;

(ii) type of facility or setting;

(iii) location of facility; and

(iv) county of residence;

(5) provide the number of youth awaiting or in need of placement due to no available resource broken down by:

(i) therapeutic and rehabilitative needs;

(ii) type of facility or setting needed; and

(iii) wait time and wait setting;

(6) provide the total bed capacity by treatment facility broken down by:

(i) residential treatment centers;

(ii) which facilities are state operated;

(iii) which facilities are county operated; and

(iv) which facilities are owned or operated by a community provider;

(7) for children who can access residential treatment, provide the:

(i) average length of stay;

(ii) average daily cost per type of placement, and delineate by payor source;

(iii) return or recidivism rate;

(iv) therapeutic and rehabilitative needs;

(v) discharge setting, including whether that is a home, step down program, or runaway; and

(vi) barriers, if any, to discharge;

(8) describe community-based programming, various treatment models, how programs operate, and the types of these services currently being provided in the state, including licensure model, and provide data specific to current total capacity and availability, level of care, outcomes, and costs;

(9) provide research models and best practices across North America, including continuum of care, program specifics, best metrics, continuous improvement, entities involved in funding and oversight, outcomes, and costs; and

(10) describe the role the state of Minnesota should play in ensuring best practice resources are available to all children across the state.

Subd. 6. **Report.** No later than February 1, 2024, the task force must submit a written report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over human services, public safety, and judiciary on the task force's activities and recommendations based on the evaluation and information collected under subdivision 5.

Subd. 7. **Expiration.** The task force shall expire upon submission of the report required under subdivision 6, or February 15, 2024, whichever is later.

**EFFECTIVE DATE.** This section is effective July 1, 2023."

Page 2, line 2, after the comma, insert "federally recognized Indian Tribes within the boundaries of Minnesota, and"

Page 2, line 3, delete ", and other community organizations"

Page 2, line 21, before "nonprofits" insert "and" and delete ", and"

Page 2, line 22, delete "other community organizations"

Page 3, line 6, before "nonprofits" insert "and" and delete ", and"

Page 3, line 7, delete "other community organizations"

Page 4, after line 19, insert:

"Sec. 3. **APPROPRIATION; TASK FORCE ON YOUTH INTERVENTIONS.**

\$500,000 in fiscal year 2024 is appropriated from the general fund to the Legislative Coordinating Commission for the Task Force on Youth Interventions. This is a onetime appropriation."

Amend the title as follows:

Page 1, line 4, after "system;" insert "establishing the task force on youth interventions;" and before the period, insert "; appropriating money"

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government and Veterans. Amendments adopted. Report adopted.

**Senator Latz from the Committee on Judiciary and Public Safety, to which was re-referred**

**S.F. No. 1191:** A bill for an act relating to elections; making technical and policy changes to provisions related to elections administration; amending Minnesota Statutes 2022, sections 5B.06; 201.061, subdivisions 1, 3; 201.071, subdivisions 1, 8; 201.091, subdivisions 2, 4a; 201.12,

subdivision 2; 201.121, subdivision 1; 201.13, subdivision 3; 201.1611, subdivision 1; 201.195; 201.225, subdivision 2; 202A.16, subdivision 1; 202A.18, subdivision 2a; 203B.01, by adding a subdivision; 203B.02, by adding a subdivision; 203B.08, subdivisions 1, 3; 203B.081, subdivisions 1, 2, 3; 203B.11, subdivisions 1, 2, 4; 203B.12, subdivision 7; 203B.121, subdivisions 2, 3, 4; 203B.16, subdivision 2; 204B.06, subdivisions 1, 1b, 4a, by adding a subdivision; 204B.09, subdivisions 1, 3; 204B.13, by adding a subdivision; 204B.14, subdivision 2; 204B.16, subdivision 1; 204B.19, subdivision 6; 204B.21, subdivision 2; 204B.45, subdivisions 1, 2; 204B.46; 204C.07, subdivision 4; 204C.15, subdivision 1; 204C.24, subdivision 1; 204C.28, subdivision 1; 204C.35, by adding a subdivision; 204C.39, subdivision 1; 204D.08, subdivision 6; 204D.19, subdivision 2; 204D.22, subdivision 3; 204D.23, subdivision 2; 205.13, subdivision 5; 205.175, subdivision 3; 205A.09, subdivision 2; 205A.10, subdivision 5; 205A.12, subdivision 5; 206.58, subdivisions 1, 3; 206.845, by adding a subdivision; 207A.12; 207A.13, subdivision 2; 209.021, subdivision 2; 211B.15, subdivision 8; 367.03, subdivision 6; 447.32, subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 10, after line 23, insert:

"Sec. 11. Minnesota Statutes 2022, section 201.145, subdivision 3, is amended to read:

Subd. 3. **Commissioner of corrections report; state court administrator report.** ~~(a) The state court administrator must report on individuals 17 years of age or older who have been convicted of a felony.~~

~~(b)~~ (b) The commissioner of corrections must report on individuals ~~17~~ 16 years of age or older who are currently:

~~(1) serving incarcerated for felony sentences under the commissioner's jurisdiction; or~~

~~(2) on probation for felony offenses that resulted in the loss of civil rights, as indicated by the statewide supervision system established under section 241.065.~~

~~(e)~~ (b) Each report under this subdivision must include the following information for each individual: name, address or last known residential address that is not a correctional facility, and date of birth. If available, each report must also include the individual's: corrections' state identification number, last four digits of the Social Security number, driver's license or state identification card number, ~~date of sentence, effective date of the sentence, county in which the conviction occurred, and date of discharge~~ and most recent date of incarceration.

~~(d)~~ (c) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person identified under paragraph (a) is registered to vote and must prepare a list of those registrants for the county auditor. ~~No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if any data newly indicates that a person identified under paragraph (b) (a) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must challenge the status on the record in the statewide voter registration system of each individual named in the list.~~

~~(e)~~ (d) The county auditor must identify an individual who ~~registered to vote or voted while serving incarcerated for a felony sentence under the commissioner's jurisdiction or while on probation for a felony offense that resulted in the loss of civil rights during a period when the individual's civil rights were revoked.~~ The county auditor must immediately send notice to the county attorney. The notice must include the name of the individual and any other identifying information as well as the evidence that shows the individual ~~registered to vote or voted during the period when the individual's civil rights were revoked~~ of incarceration.

Sec. 12. Minnesota Statutes 2022, section 201.145, subdivision 4, is amended to read:

Subd. 4. **Reports; restoration of right to vote.** (a) The state court administrator must report on each individual whose guardianship was modified to restore the ward's right to vote or whose guardianship was terminated by order of the court under section 524.5-317 after being ineligible to vote for any of the reasons specified in subdivision 2, paragraph (a).

~~(b) The state court administrator must report on individuals previously convicted of a felony whose civil rights have been restored.~~

~~(e)~~ The commissioner of corrections must report on individuals who were serving incarcerated for a felony sentence under the commissioner's jurisdiction or who were on probation for a felony offense under the commissioner's jurisdiction that resulted in the loss of civil rights but who have been discharged from the sentence and have been released from incarceration.

~~(d)~~ (c) Each report under this subdivision must include the following information for each individual: name, address, date of birth, and, if available, the last four digits of the Social Security number. For ~~reports~~ the report required by ~~paragraphs~~ paragraph (b) and (e), ~~each~~ the report must also include the individual's, if available: corrections' state identification number, driver's license or state identification card number, date of ~~sentence, effective date of the sentence~~ incarceration, county in which the conviction occurred, and date of discharge.

~~(e)~~ (d) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person identified under paragraph (a) ~~or (b)~~ is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if any data newly indicates that a person identified under paragraph ~~(e)~~ (b) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must remove the challenge status on the record in the statewide voter registration system of each individual named in the list."

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Elections. Amendments adopted. Report adopted.



**Senator Latz from the Committee on Judiciary and Public Safety, to which was re-referred**

**S.F. No. 1003:** A bill for an act relating to energy; modifying certain utility requirements; prohibiting certain restrictions on the use of residential solar energy systems; amending Minnesota Statutes 2022, sections 216B.164, by adding a subdivision; 515B.2-103; 515B.3-102; proposing coding for new law in Minnesota Statutes, chapter 500.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Energy, Utilities, Environment, and Climate. Report adopted.

**Senator Murphy from the Committee on State and Local Government and Veterans, to which was re-referred**

**S.F. No. 1772:** A bill for an act relating to insurance; requiring the commissioner of commerce to modify rules relating to automotive self-insurance; authorizing expedited rulemaking.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 8, insert:

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

And when so amended the bill do pass.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

**Senator Murphy from the Committee on State and Local Government and Veterans, to which was referred**

**S.F. No. 2401:** A bill for an act relating to state government; modifying the children's cabinet; establishing the Department of Children, Youth, and Families; transferring responsibilities from the Department of Education, Department of Human Services, and Department of Public Safety to the Department of Children, Youth, and Families; requiring reports; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2022, sections 4.045; 10.65, subdivision 2; 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 43A.08, subdivision 1a; 256.014, subdivisions 1, 2; proposing coding for new law as Minnesota Statutes, chapter 143.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, after line 18, insert:

**"(d) To the extent that departmental changes affect the operations of any school district or charter school, employers have the obligation to bargain about any changes affecting or relating to employees' terms and conditions of employment if such changes are necessary during or after the term of an existing collective bargaining agreement."**

Page 7, after line 14, insert:

**"(1) centering and including the lived experiences of children and youth, including those with disabilities and mental illness and their families, in all aspects of the department's work;"**

Page 7, line 15, delete "(1)" and insert "(2)"

Page 7, line 17, delete "(2)" and insert "(3)"

Page 7, line 19, delete "(3)" and insert "(4)"

Page 7, line 22, delete "(4)" and insert "(5)"

Page 7, line 24, delete "(5)" and insert "(6)"

Page 7, delete subdivision 3

Page 12, after line 13, insert:

"(g) The commissioner of children, youth, and families must provide four successive quarterly reports to relevant legislative committees on the status of transferring programs, responsibilities, and personnel under this section. The first report must cover the quarter starting July 1, 2024, and each report must be submitted by the 15th of the month following the quarter end."

Page 14, after line 24, insert:

**Sec. 16. TRANSITION REPORT TO THE LEGISLATURE.**

By March 1, 2024, the commissioner of management and budget must report to the legislature on the status of work related to establishing and setting up the Department of Children, Youth, and Families. The report must address, at a minimum:

(1) the completed, ongoing, and anticipated work related to the transfer of programs, responsibilities, and personnel to the department;

(2) the development of interagency agreements for services that will be shared across agencies;

(3) a description of efforts to secure needed federal approvals for the transfer of programs and responsibilities;

(4) engagement with leaders and staff of state agencies; Tribal governments; local service providers, including but not limited to county agencies, Tribal organizations, and school districts; families; and relevant stakeholders about the creation of the department and the transfer of programs, responsibilities, and personnel to the department; and

(5) plans and timelines related to the items referenced in clauses (1) through (4).

**Sec. 17. DATA PRACTICES.**

(a) To the extent not prohibited by state or federal law, and notwithstanding the data's classification under Minnesota Statutes, chapter 13:

(1) the commissioner of children, youth, and families may access data maintained by the commissioners of education, health, human services, and public safety related to the responsibilities transferred under section 15 of this act; and

(2) the commissioners of education, health, human services, and public safety may access data maintained by the commissioner of children, youth, and families related to each department's respective responsibilities transferred under section 15 of this act.

(b) Data sharing authorized by this section includes only the data necessary to coordinate department activities and services transferred under section 15 of this act.

(c) Any data shared under this section retain their classification from the agency holding the data.

(d) Existing limitations and legal requirements under Minnesota Statutes, chapter 13, including but not limited to any applicable data subject consent requirements, apply to any data accessed, transferred, disseminated, or shared under this section.

(e) This section expires July 1, 2027."

Page 15, line 9, delete everything before "to" and insert "part or all of the appropriation"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "Families;" insert "addresses data practice issues;"

And when so amended the bill do pass and be re-referred to the Committee on Health and Human Services. Amendments adopted. Report adopted.

**Senator Murphy from the Committee on State and Local Government and Veterans, to which was re-referred**

**S.F. No. 1681:** A bill for an act relating to health; specifying requirements for certain health care entity transactions; extending the moratorium on conversion transactions for certain organizations; appropriating money; amending Laws 2017, First Special Session chapter 6, article 5, section 11, as amended; proposing coding for new law in Minnesota Statutes, chapter 144.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Judiciary and Public Safety. Report adopted.

**Senator Murphy from the Committee on State and Local Government and Veterans, to which was re-referred**

**S.F. No. 360:** A bill for an act relating to state government; creating the Office of New Americans; establishing the Interdepartmental Coordinating Council on Immigrant and Refugee Affairs; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Jobs and Economic Development. Report adopted.

**Senator Murphy from the Committee on State and Local Government and Veterans, to which was re-referred**

**S.F. No. 2270:** A bill for an act relating to elections; providing for ranked choice voting in elections for federal and state offices; establishing a Statewide Ranked Choice Voting Implementation Task Force; authorizing jurisdictions to adopt ranked choice voting for local offices; establishing procedures for adoption, implementation, and use of ranked choice voting for local jurisdictions; allowing local jurisdictions to use electronic voting systems with a reallocation feature; authorizing rulemaking; requiring a report; appropriating money; amending Minnesota Statutes 2022, sections 204B.35, subdivision 1; 204C.19, by adding a subdivision; 204C.21, by adding a subdivision; 204C.24, subdivision 1; 204D.07, subdivision 3; 205.13, subdivision 2; 206.57, subdivision 6; 206.58, subdivision 1; 206.83; 208.05; 211A.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 206; proposing coding for new law as Minnesota Statutes, chapter 204E.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, after line 2, insert:

"Subd. 6. **LCC Resolution A3.** The A3 resolution adopted by the Legislative Coordinating Commission on February 7, 2023, does not apply to this task force."

Renumber the subdivisions in sequence

And when so amended the bill do pass and be re-referred to the Committee on Elections. Amendments adopted. Report adopted.

**Senator Murphy from the Committee on State and Local Government and Veterans, to which was re-referred**

**S.F. No. 1621:** A bill for an act relating to nursing homes; establishing the Nursing Home Workforce Standards Board; establishing duties for the board; requiring training for nursing home workers; prohibiting retaliation against nursing home workers; providing for enforcement; authorizing rulemaking; authorizing civil actions by nursing home workers; amending Minnesota Statutes 2022, section 177.27, subdivisions 4, 7; proposing coding for new law in Minnesota Statutes, chapter 181.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 14, delete "The"

Page 4, delete lines 15 to 22

Page 4, after line 26, insert:

"(c) A member serves until a successor is appointed."

Page 14, line 10, after the period, insert "Notwithstanding section 181.212, subdivision 2, the initial terms of members appointed under subdivision 1, clauses (4) and (5), shall be determined by lot by the secretary of state and shall be as follows:"

Page 14, after line 10, insert:

"(1) one member appointed under each of subdivision 1, clauses (4) and (5), shall serve a two-year term;

(2) one member appointed under each of subdivision 1, clauses (4) and (5), shall serve a three-year term; and

(3) one member appointed under each of subdivision 1, clauses (4) and (5), shall serve a four-year term.

The commissioner of labor and industry must convene the first meeting by September 1, 2023. The board must elect a chair at its first meeting."

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety. Amendments adopted. Report adopted.

**Senator Latz from the Committee on Judiciary and Public Safety, to which was re-referred**

**S.F. No. 658:** A bill for an act relating to public utilities; providing a procedure to resolve disputes between public utilities and residential customers; amending Minnesota Statutes 2022, section 216B.17, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 216B.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Energy, Utilities, Environment, and Climate. Report adopted.

**Senator Latz from the Committee on Judiciary and Public Safety, to which was referred**

**S.F. No. 1351:** A bill for an act relating to corrections; establishing the Indeterminate Sentence Release Board; requiring a report; amending Minnesota Statutes 2022, section 244.05, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 244.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **[244.049] INDETERMINATE SENTENCE RELEASE BOARD.**

Subdivision 1. **Establishment; membership.** (a) As provided under paragraph (b) and section 244.05, subdivision 5, the Indeterminate Sentence Release Board is established to review eligible cases and make release and final discharge decisions for:

(1) inmates serving life sentences with the possibility of parole or supervised release under sections 243.05, subdivision 1, and 244.05, subdivision 5; and

(2) inmates serving indeterminate sentences for crimes committed on or before April 30, 1980.

(b) Beginning July 1, 2024, the authority to grant discretionary release and final discharge previously vested in the commissioner under sections 243.05, subdivisions 1, paragraph (a), and 3; 244.08; and 609.12 is transferred to the board.

(c) The board consists of five members as follows:

(1) four members appointed by the governor from which each of the majority leaders and minority leaders of the house of representatives and the senate provides two candidate recommendations for consideration; and

(2) the commissioner, who serves as chair.

(d) Appointed board members must meet the following qualifications, at a minimum:

(1) a law degree or a bachelor's degree in criminology, corrections, or a related social science;

(2) five years of experience in corrections, a criminal justice or community corrections field, rehabilitation programming, behavioral health, or criminal law; and

(3) demonstrated knowledge of victim issues and correctional processes.

Subd. 2. **Terms; compensation.** (a) Appointed board members serve four-year staggered terms, but the terms of the initial members are as follows:

(1) two members must be appointed for terms that expire January 1, 2026; and

(2) two members must be appointed for terms that expire January 1, 2028.

(b) An appointed member is eligible for reappointment, and a vacancy must be filled according to subdivision 1.

(c) For appointed members, compensation and removal are as provided in section 15.0575.

Subd. 3. **Quorum; administrative duties.** (a) The majority of members constitutes a quorum.

(b) An appointed board member must visit at least one state correctional facility every 12 months.

(c) The commissioner must provide the board with personnel, supplies, equipment, office space, and other administrative services necessary and incident to fulfilling the board's functions.

Subd. 4. **Limitation.** Nothing in this section or section 244.05, subdivision 5:

(1) supersedes the commissioner's authority to set conditions of release or revoke an inmate's release for violating any of the conditions; or

(2) impairs the power of the Board of Pardons to grant a pardon or commutation in any case.

Subd. 5. **Report.** (a) Beginning February 15, 2025, and each year thereafter, the board must submit to the legislative committees with jurisdiction over criminal justice policy a written report that:

(1) details the number of inmates reviewed;

(2) identifies inmates granted release or final discharge in the preceding year; and

(3) provides demographic data of inmates who were granted release or final discharge and inmates who were denied release or final discharge.

(b) The report must also include the board's recommendations to the commissioner for policy modifications that influence the board's duties.

**EFFECTIVE DATE.** This section is effective July 1, 2023.

Sec. 2. Minnesota Statutes 2022, section 244.05, subdivision 2, is amended to read:

Subd. 2. **Rules.** (a) Notwithstanding section 14.03, subdivision 3, paragraph (b), clause (1), the commissioner of corrections shall must adopt by rule standards and procedures for the revocation of revoking supervised or conditional release; and shall must specify the period of revocation for each violation of release except in accordance with subdivision 5, paragraph (i), for inmates serving life sentences.

(b) Procedures for the revocation of revoking release shall must provide due process of law for the inmate.

**EFFECTIVE DATE.** This section is effective July 1, 2024.

Sec. 3. Minnesota Statutes 2022, section 244.05, subdivision 5, is amended to read:

Subd. 5. **Supervised release; life sentence and indeterminate sentences.** (a) The commissioner of corrections board may, under rules promulgated adopted by the commissioner, give grant supervised release or parole to an inmate serving a mandatory life sentence under section 609.185, paragraph (a), clause (3), (5), or (6); 609.3455, subdivision 3 or 4; 609.385; or Minnesota Statutes 2004, section 609.109, subdivision 3,:

(1) after the inmate has served the minimum term of imprisonment specified in subdivision 4 or section 243.05, subdivision 1, paragraph (a); or

(2) at any time for an inmate serving a nonlife indeterminate sentence for a crime committed on or before April 30, 1980.

(b) No earlier than three years before an inmate reaches their minimum term of imprisonment or parole eligibility date, the commissioner must conduct a formal review and make programming recommendations relevant to the inmate's release review under this subdivision.

(c) The commissioner shall board must require the preparation of a community investigation report and shall consider the findings of the report when making a supervised release or parole decision under this subdivision. The report shall must:

(1) reflect the sentiment of the various elements of the community toward the inmate, both at the time of the offense and at the present time;

The report shall (2) include the views of the sentencing judge, the prosecutor, any law enforcement personnel who may have been involved in the case, and any successors to these individuals who may have information relevant to the supervised release decision; and

The report shall also (3) include the views of the victim and the victim's family unless the victim or the victim's family chooses not to participate.

~~(e)~~ (d) The commissioner ~~shall~~ must make reasonable efforts to notify the victim, in advance, of the time and place of the inmate's ~~supervised~~ release review hearing. The victim has a right to submit an oral or written statement at the review hearing. The statement may summarize the harm suffered by the victim as a result of the crime and give the victim's recommendation on whether the inmate should be given supervised release or parole at this time. ~~The commissioner must consider the victim's statement when making the supervised release decision.~~

~~(d)~~ (e) Supervised release or parole must be granted with a majority vote of the board members. When considering whether to ~~give grant~~ grant supervised release or parole to an inmate serving a life sentence under section 609.3455, subdivision 3 or 4 or indeterminate sentence, the ~~commissioner shall~~ board must consider, at a minimum, the following:

- (1) the risk the inmate poses to the community if released;<sub>2</sub>
- (2) the inmate's progress in treatment;<sub>2</sub>
- (3) the inmate's behavior while incarcerated;<sub>2</sub>
- (4) psychological or other diagnostic evaluations of the inmate;<sub>2</sub>
- (5) the inmate's criminal history;<sub>2</sub>
- (6) a victim statement under paragraph (d), if submitted; and
- (7) any other relevant conduct of the inmate while incarcerated or before incarceration.

~~(f)~~ The ~~commissioner~~ board may not ~~give grant~~ grant supervised release or parole to ~~the~~ an inmate unless:

- (1) while in prison:
  - (i) the inmate has successfully completed appropriate sex offender treatment, if applicable;
  - (ii) the inmate has been assessed for substance use disorder needs and, if appropriate, has successfully completed substance use disorder treatment; and
  - (iii) the inmate has been assessed for mental health needs and, if appropriate, has successfully completed mental health treatment; and
- (2) a comprehensive individual release plan is in place for the inmate that:
  - (i) ensures that, after release, the inmate will have suitable housing and receive appropriate aftercare and community-based treatment. ~~The comprehensive plan also must include; and~~
  - (ii) includes a postprison employment or education plan for the inmate.

~~(e)~~ (g) When granting supervised release under this subdivision, the board must set prerelease conditions to be followed by the inmate before their actual release or before constructive parole becomes effective. If the inmate violates any of the prerelease conditions, the commissioner may rescind the grant of supervised release without a hearing at any time before the inmate's release or



before constructive parole becomes effective. A grant of constructive parole becomes effective once the inmate begins serving the consecutive sentence.

(h) If the commissioner rescinds a grant of supervised release or parole, the board:

(1) must set a release review date that occurs within 90 days of the commissioner's rescission; and

(2) by majority vote, may set a new supervised release date or set another review date.

(i) If the commissioner revokes supervised release or parole for an inmate serving a life sentence, the revocation is not subject to the limitations under section 244.30 and the board:

(1) must set a release review date that occurs within one year of the commissioner's final revocation decision; and

(2) by majority vote, may set a new supervised release date or set another review date.

(j) The board may, by a majority vote, grant a person on supervised release or parole for a life or indeterminate sentence a final discharge from their sentence in accordance with section 243.05, subdivision 3. In no case, however, may a person subject to a mandatory lifetime conditional release term under section 609.3455, subdivision 7, be discharged from that term.

As used in (k) For purposes of this subdivision;

(1) "board" means the Indeterminate Sentence Release Board under section 244.049;

(2) "constructive parole" means the status of an inmate who has been paroled from an indeterminate sentence to begin serving a consecutive sentence in prison; and

(3) "victim" means ~~the~~ an individual who has directly suffered loss or harm as a result of the from an inmate's crime or; ~~if the individual is deceased, the deceased's~~ a murder victim's surviving spouse ~~or~~ next of kin, or family kin.

**EFFECTIVE DATE.** This section is effective July 1, 2024.

#### Sec. 4. **INDETERMINATE SENTENCE RELEASE BOARD.**

Notwithstanding Minnesota Statutes, section 244.049, subdivision 1, paragraph (a), the Indeterminate Sentence Release Board may not begin to review eligible cases and make release and final discharge decisions until July 1, 2024.

**EFFECTIVE DATE.** This section is effective July 1, 2023.

#### Sec. 5. **REVISOR INSTRUCTION.**

Where necessary to reflect the transfer under Minnesota Statutes, section 244.049, subdivision 1, the revisor of statutes must change the term "commissioner" or "commissioner of corrections" to "Indeterminate Sentence Release Board" or "board" in Minnesota Statutes, sections 243.05,

subdivisions 1, paragraph (a), and 3; 244.08; and 609.12, and make any other necessary grammatical changes.

**EFFECTIVE DATE.** This section is effective July 1, 2024."

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government and Veterans. Amendments adopted. Report adopted.

**Senator Latz from the Committee on Judiciary and Public Safety, to which was referred**

**S.F. No. 1596:** A bill for an act relating to corrections; authorizing the removal of the ombudsperson only for just cause; amending Minnesota Statutes 2022, section 241.90.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Latz from the Committee on Judiciary and Public Safety, to which was re-referred**

**S.F. No. 1335:** A bill for an act relating to public safety; making policy changes related to State Patrol duties, including school bus inspections, commercial vehicle inspections, and rearview mirror requirements; establishing a penalty; amending Minnesota Statutes 2022, sections 169.451, subdivisions 2, 3, 4; 169.70; 169.781, subdivision 3.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Transportation. Report adopted.

**Senator Latz from the Committee on Judiciary and Public Safety, to which was referred**

**S.F. No. 1334:** A bill for an act relating to corrections; authorizing e-filing of disposition of detainees; providing language access to limited English proficient individuals under authority of Department of Corrections; amending statutory language regarding substance use disorder assessment process to reflect current standards of care; including warrant authority for inmate failing to report post sentencing; clarifying that Shakopee correctional facility offers challenge incarceration program; combining Advisory council of Interstate Adult Supervision with Interstate Commission for Juveniles; repealing intensive community supervision program law; providing mechanism for funding probation services resulting from transition of services to Department of Corrections; amending Minnesota Statutes 2022, sections 169A.276, subdivision 1; 241.021, by adding a subdivision; 243.1606; 243.58; 244.0513, subdivisions 2, 4; 244.172, subdivision 1; 244.19, subdivisions 1, 5; 260.515; 629.292, subdivision 2; repealing Minnesota Statutes 2022, sections 244.14; 244.15.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 26, insert:

"Sec. 3. Minnesota Statutes 2022, section 242.18, is amended to read:

**242.18 STUDY OF OFFENDER'S BACKGROUND; REHABILITATION.**

(a) When a person has been committed to the commissioner of corrections, the commissioner under rules shall forthwith cause the person to be examined and studied, and investigate all of the pertinent circumstances of the person's life and the antecedents of the crime or other delinquent conduct because of which the person has been committed to the commissioner, and thereupon order the treatment the commissioner determines to be most conducive to rehabilitation. Except as authorized in paragraph (b), persons convicted of crimes shall not be detained in institutions for adjudicated delinquents, nor shall delinquent children be detained in institutions for persons convicted of crimes. The court and the prosecuting and police authorities and other public officials shall make available to the commissioner of corrections all pertinent data in their possession in respect to the case.

(b) Upon review of safety considerations and the treatment and programming needs of a juvenile convicted of a crime, the commissioner may commit the juvenile to the facility that best meets rehabilitative needs."

Page 4, delete section 4 and insert:

"Sec. 5. Minnesota Statutes 2022, section 243.58, is amended to read:

**243.58 ESCAPED INMATES; WARRANT; REWARD ISSUING WARRANT FOR ESCAPED INMATE OR CONVICTED DEFENDANT.**

If an inmate escapes from any state correctional facility under the control of the commissioner of corrections, the commissioner shall issue a warrant directed to any peace officer requiring that the fugitive be taken into immediate custody and returned to any state correctional facility designated by the commissioner. The commissioner may also issue such a warrant when a convicted defendant fails to report postsentencing to their county authority or to a state correctional facility. The chief executive officer of the facility from which the escape occurred shall use all proper means to apprehend and return the escapee, which may include the offer of a reward of not more than \$100 to be paid from the state treasury, for information leading to the arrest and return to custody of the escapee.

Sec. 6. Minnesota Statutes 2022, section 244.05, subdivision 6, is amended to read:

Subd. 6. **Intensive supervised release.** (a) The commissioner may order that an inmate be placed on intensive supervised release for:

(1) all or part of the inmate's supervised release or parole term if the commissioner determines that the action will further the goals described in section 244.14, subdivision 1, clauses (2), (3), and (4). In addition, the commissioner may order that an inmate be placed on intensive supervised release for; or

(2) all of the inmate's conditional or supervised release term if the inmate was;

(i) convicted of a sex offense under section 609.342, 609.343, 609.344, 609.345, or 609.3453; or

was (ii) sentenced under the provisions of section 609.3455, subdivision 3a.

(b) The commissioner ~~shall~~ must order that all level III predatory offenders be placed on intensive supervised release for the entire supervised release, conditional release, or parole term.

~~(b)~~ (c) The commissioner may impose appropriate conditions of release on ~~the~~ an inmate, including but not limited to:

(1) unannounced searches by an intensive supervision agent of the inmate's person, vehicle, premises, computer, or other electronic devices capable of accessing the Internet ~~by an intensive supervision agent~~;

(2) compliance with court-ordered restitution, if any;

(3) random drug testing;

(4) house arrest;

(5) daily curfews;

(6) frequent face-to-face contacts with an assigned intensive supervision agent;

(7) work, education, or treatment requirements; and

(8) electronic surveillance.

~~In addition, any~~ (d) A sex offender placed on intensive supervised release may be ordered to participate in an appropriate sex offender program as a condition of release.

(e) If electronic surveillance is directed for an inmate on intensive supervised release, the commissioner must require that until electronic surveillance is activated:

(1) the inmate be kept in custody; or

(2) the inmate's intensive supervision agent, or the agent's designee, directly supervise the inmate.

(f) Before being released from custody or the direct supervision of an intensive supervision agent, an inmate placed on electronic surveillance must ensure that:

(1) the inmate's residence is properly equipped to support electronic surveillance; and

(2) the inmate's telecommunications system is properly configured to support electronic surveillance.

(g) An inmate who fails to comply with paragraph (f) may be found in violation of the inmate's conditions of release after a revocation hearing.

~~(e)~~ (h) As a condition of release for an inmate required to register under section 243.166 who is placed on intensive supervised release under this subdivision, the commissioner shall prohibit the inmate from accessing, creating, or maintaining a personal web page, profile, account, password, or ~~user name~~ username for: (1) a social networking website, or (2) an instant messaging or chat room program, any of which permits persons under the age of 18 to become a member or to create or maintain a personal web page.

~~(i) An intensive supervised release supervision agent may modify the prohibition described in this under paragraph (h) if doing so does:~~

~~(1) the modification would not jeopardize public safety; and~~

~~(2) the modification is specifically described and agreed to in advance by the agent.~~

~~(d) (j) If the an inmate violates the conditions of the intensive supervised release, the commissioner shall may impose sanctions as provided in subdivision 3 and section 609.3455.~~

Sec. 7. Minnesota Statutes 2022, section 244.05, subdivision 8, is amended to read:

Subd. 8. **Conditional medical and epidemic release.** (a) Notwithstanding subdivisions 4 and 5, the commissioner may order that ~~any offender an inmate~~ be placed on conditional medical release before ~~the offender's their~~ scheduled supervised release date or target release date if:

~~(1) the offender inmate suffers from a grave illness or medical condition; and~~

~~(2) the release poses no threat to the public.~~

~~(b) If there is an epidemic of any potentially fatal infectious or contagious disease in the community or in a state correctional facility, the commissioner may also release an inmate to home confinement before the inmate's scheduled supervised release date or target release date if:~~

~~(1) the inmate has a medical condition or state of health that would make the inmate particularly vulnerable to the disease; and~~

~~(2) release to home confinement poses no threat to the public.~~

~~In making the decision to (c) When deciding whether to release an offender on this status inmate according to this subdivision, the commissioner must consider:~~

~~(1) the offender's inmate's age and medical condition, the health care needs of the offender, the offender's and custody classification and level of risk of violence;~~

~~(2) the appropriate level of community supervision; and~~

~~(3) alternative placements that may be available for the offender inmate.~~

~~(d) An inmate may not be released under this provision subdivision unless the commissioner has determined that the inmate's health costs are likely to be borne by:~~

~~(1) the inmate; or~~

~~(2) medical assistance, Medicaid, veteran's benefits, or by any other federal or state medical assistance programs or by the inmate.~~

~~Conditional medical release is governed by provisions relating to supervised release except that it may be rescinded (e) The commissioner may rescind conditional medical release without a hearing by the commissioner if the offender's commissioner considers that the inmate's medical condition~~

~~improves~~ has improved to the extent that ~~the continuation of the conditional medical release presents a more serious risk to the public.;~~

(1) the illness or condition is no longer grave or can be managed by correctional health care options; or

(2) the epidemic that precipitated release has subsided or effective vaccines or other treatments have become available.

(f) Release under this subdivision may also be revoked in accordance with subdivisions 2 and 3 if the inmate violates any conditions of release imposed by the commissioner."

Page 6, after line 1, insert:

"Sec. 10. Minnesota Statutes 2022, section 244.171, subdivision 4, is amended to read:

Subd. 4. **Sanctions.** (a) The commissioner shall impose severe and meaningful sanctions for violating the conditions of the challenge incarceration program. The commissioner shall remove an offender from the challenge incarceration program if the offender:

(1) commits a material violation of or repeatedly fails to follow the rules of the program;

(2) commits any misdemeanor, gross misdemeanor, or felony offense; or

(3) presents a risk to the public, based on the offender's behavior, attitude, or abuse of alcohol or controlled substances. The removal of an offender from the challenge incarceration program is governed by the procedures in the commissioner's rules adopted under section 244.05, subdivision 2.

(b) An offender who is removed from the challenge incarceration program shall be imprisoned for a time period equal to the offender's term of imprisonment, minus earned good time if any, but in no case for longer than the time remaining in the offender's sentence. "Term of imprisonment" means a time period equal to two-thirds of the sentence originally executed by the sentencing court, minus jail credit, if any.

(c) Notwithstanding paragraph (b), an offender who has been removed from the challenge incarceration program but who remains otherwise eligible for acceptance into the program may be readmitted at the commissioner's discretion. An offender readmitted to the program under this paragraph must participate from the beginning and complete all of the program's phases."

Page 25, after line 27, insert:

"Sec. 15. Minnesota Statutes 2022, section 299A.41, subdivision 4, is amended to read:

Subd. 4. **Public safety officer.** "Public safety officer" includes:

(1) a peace officer defined in section 626.84, subdivision 1, paragraph (c) or (d);

(2) a correction officer employed at a correctional facility and charged with maintaining the safety, security, discipline, and custody of inmates at the facility;

(3) a corrections staff working in a public agency and supervising offenders in the community as defined in sections 243.05, subdivision 6; 244.19, subdivision 1; and 401.01, subdivision 2;

~~(3)~~ (4) an individual employed on a full-time basis by the state or by a fire department of a governmental subdivision of the state, who is engaged in any of the following duties:

- (i) firefighting;
- (ii) emergency motor vehicle operation;
- (iii) investigation into the cause and origin of fires;
- (iv) the provision of emergency medical services; or
- (v) hazardous material responder;

~~(4)~~ (5) a legally enrolled member of a volunteer fire department or member of an independent nonprofit firefighting corporation who is engaged in the hazards of firefighting;

~~(5)~~ (6) a good samaritan while complying with the request or direction of a public safety officer to assist the officer;

~~(6)~~ (7) a reserve police officer or a reserve deputy sheriff while acting under the supervision and authority of a political subdivision;

~~(7)~~ (8) a driver or attendant with a licensed basic or advanced life-support transportation service who is engaged in providing emergency care;

~~(8)~~ (9) a first responder who is certified by the emergency medical services regulatory board to perform basic emergency skills before the arrival of a licensed ambulance service and who is a member of an organized service recognized by a local political subdivision to respond to medical emergencies to provide initial medical care before the arrival of an ambulance; and

~~(9)~~ (10) a person, other than a state trooper, employed by the commissioner of public safety and assigned to the State Patrol, whose primary employment duty is either Capitol security or the enforcement of commercial motor vehicle laws and regulations."

Renumber the sections in sequence

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government and Veterans. Amendments adopted. Report adopted.

**Senator Latz from the Committee on Judiciary and Public Safety, to which was referred**

**S.F. No. 1279:** A bill for an act relating to adoption; modifying provisions governing adult adoptee access to their own original birth records and other adoption-related information; amending Minnesota Statutes 2022, sections 13.10, subdivision 5; 13.465, subdivision 8; 144.218, subdivisions 1, 2; 144.225, subdivision 2; 144.2252; 259.83, subdivisions 1, 1a, 1b, by adding a subdivision;

260C.317, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 2022, sections 144.212, subdivision 11; 259.83, subdivision 3; 259.89; 260C.637.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 19, delete "subdivision 2,"

Page 4, line 21, delete "certified"

Page 5, line 21, delete "2022" and insert "2024"

Page 7, line 9, after the semicolon, insert "and"

Page 7, line 10, delete "; and" and insert a period

Page 7, delete line 11

Page 8, line 15, after "(a)" insert "Except as provided in paragraph (b),"

Page 8, delete lines 16 and 17 and insert:

"(b) Sections 7 and 14 are effective August 1, 2023."

And when so amended the bill do pass and be re-referred to the Committee on Health and Human Services. Amendments adopted. Report adopted.

**Senator Wiklund from the Committee on Health and Human Services, to which was referred**

**S.F. No. 2606:** A bill for an act relating to early childhood; establishing an early childhood apprenticeship program; appropriating money for an apprenticeship program, an early childhood workforce compensation task force, early childhood workforce development scholarships, and for grants to postsecondary institutions to improve early childhood program curricula; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 119B.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, after "CHILDHOOD" insert "REGISTERED" and after "APPRENTICESHIP" insert "GRANT"

Page 1, line 10, after "shall" insert ", in coordination with the commissioner of labor and industry,"

Page 1, line 11, after "apprenticeship" insert "grant" and delete "paid" and insert "employment-based training and mentoring" and delete "to learn"

Page 1, line 12, delete everything before the period

Page 1, delete subdivisions 2 and 3 and insert:



"Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the definitions given.

(b) "Apprentice" means an employee participating in an early childhood registered apprenticeship program.

(c) "Early childhood registered apprenticeship program" means an organization registered with the Department of Labor and Industry under chapter 178, registered with the Office of Apprenticeship within the United States Department of Labor, or registered with a recognized state apprenticeship agency under Code of Federal Regulations, title 29, parts 29 and 30, and who is:

(1) a licensed child care center under Minnesota Rules, chapter 9503;

(2) a licensed family and group family child care provider under Minnesota Rules, chapter 9502;

(3) a public prekindergarten program under section 124D.13, 124D.135, 124D.15 to 124D.16, 125A.01 to 125A.05, or 125A.26 to 125A.48, or Laws 2017, First Special Session chapter 5, article 8, section 9;

(4) a Head Start program under sections 119A.50 to 119A.54; or

(5) a certified, license-exempt child care center under chapter 245H.

(d) "Mentor" means an early childhood registered apprenticeship program journeyworker under section 178.011, subdivision 9, and who has a career lattice step of nine or higher.

Subd. 3. **Program components.** The organization holding the TEACH license with the Department of Human Services shall distribute the grant and must use the grant for:

(1) tuition scholarships for apprentices for courses leading to a higher education degree in early childhood;

(2) stipends for mentors; or

(3) stipends for early childhood registered apprenticeship programs."

Page 2, delete subdivision 4 and insert:

"Subd. 4. **Grants to apprentices.** An apprentice may receive a higher education scholarship of up to \$10,000 for up to 24 months under this section, provided the apprentice complies with the following program requirements:

(1) enrolls in an early childhood registered apprenticeship program;

(2) is a current participant in good standing in the TEACH scholarship program under section 119B.251;

(3) participates in monthly meetings with a mentor;

(4) works toward meeting early childhood competencies identified in Minnesota's Knowledge and Competency Framework for early childhood professionals, as observed by a mentor; and

(5) works toward the attainment of a higher education degree in early childhood.

Subd. 5. Allowable uses. Grant recipients may use grant money for personal expenses."

Page 2, line 12, after "receive" insert "up to"

Page 2, line 13, delete everything after the second "the" and insert "requirements in the apprenticeship program standard and completes eight weeks of mentor training and additional training on observation. The training shall be free of charge to mentors."

Page 2, delete lines 14 to 17

Page 2, line 18, after the first "childhood" insert "registered apprenticeship" and after the second "childhood" insert "registered apprenticeship"

Page 2, line 19, after "receive" insert "up to" and after "and" insert "up to" and delete "hosted" and insert "employed"

Page 2, line 20, after "childhood" insert "registered apprenticeship" and after "with" insert "the requirements in the apprenticeship program standard and"

Page 2, line 22, after the semicolon, insert "and"

Page 2, line 24, delete the semicolon and insert a period

Page 2, delete lines 25 to 27

Page 3, delete section 2

Page 4, line 23, after "CHILDHOOD" insert "REGISTERED" and after "APPRENTICESHIP" insert "GRANT"

Page 4, line 25, delete "\$....." and insert "\$2,000,000" and delete "\$....." and insert "\$2,000,000"

Page 4, line 26, after "childhood" insert "registered" and after "apprenticeship" insert "grant"

Page 5, delete section 5

Renumber the subdivisions and sections in sequence

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on Labor. Amendments adopted. Report adopted.

**Senator Wiklund from the Committee on Health and Human Services, to which was re-referred**

**S.F. No. 1249:** A bill for an act relating to crime; requiring state to pay medical examination costs for criminal sexual conduct victim; appropriating money; amending Minnesota Statutes 2022, sections 144.6586, subdivision 2; 145.4712; 609.35.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Judiciary and Public Safety. Report adopted.

**Senator Wiklund from the Committee on Health and Human Services, to which was referred**

**S.F. No. 2673:** A bill for an act relating to health care; establishing requirements for hospitals to screen patients for eligibility for health coverage or assistance; requiring an affidavit of expert review before certain debt collection activities; limiting hospital charges for uninsured treatments and services for certain patients; proposing coding for new law in Minnesota Statutes, chapter 144.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

**Section 1. [144.587] REQUIREMENTS FOR SCREENING FOR ELIGIBILITY FOR HEALTH COVERAGE OR ASSISTANCE.**

**Subdivision 1. Definitions. (a) The terms defined in this subdivision apply to this section and sections 144.588 to 144.589.**

**(b) "Charity care" means the provision of free or discounted care to a patient according to a hospital's financial assistance policies.**

**(c) "Hospital" means a private, nonprofit, or municipal hospital licensed under sections 144.50 to 144.56.**

**(d) "Insurance affordability program" has the meaning given in section 256B.02, subdivision 19.**

**(e) "Navigator" has the meaning given in section 62V.02, subdivision 9.**

**(f) "Presumptive eligibility" has the meaning given in section 256B.057, subdivision 12.**

**(g) "Revenue recapture" means the use of the procedures in chapter 270A to collect debt.**

**(h) "Uninsured service or treatment" means any service or treatment that is not covered by:**

**(1) a health plan, contract, or policy that provides health coverage to a patient; or**

**(2) any other type of insurance coverage, including but not limited to no-fault automobile coverage, workers' compensation coverage, or liability coverage.**

**(i) "Unreasonable burden" includes requiring a patient to apply for enrollment in a state or federal program for which the patient is obviously or categorically ineligible or has been found to be ineligible in the previous 12 months.**

**Subd. 2. Screening. (a) A hospital participating in the hospital presumptive eligibility program under section 256B.057, subdivision 12, must determine whether a patient who is uninsured or**

whose insurance coverage status is not known by the hospital is eligible for hospital presumptive eligibility coverage.

(b) For any uninsured patient, including any patient the hospital determines is eligible for hospital presumptive eligibility coverage, and for any patient whose insurance coverage status is not known to the hospital, a hospital must:

(1) if it is a certified application counselor organization, schedule an appointment for the patient with a certified application counselor to occur prior to discharge;

(2) if it is not a certified application counselor organization, schedule prior to discharge an appointment for the patient with a MNsure-certified navigator to occur after discharge; or

(3) if the patient declines the scheduling of an appointment under clause (1) or (2), provide the patient with contact information for available MNsure-certified navigators who can meet the needs of the patient.

(c) For any uninsured patient, including any patient the hospital determines is eligible for hospital presumptive eligibility coverage, and any patient whose insurance coverage status is not known to the hospital, a hospital must screen the patient for eligibility for charity care from the hospital. The hospital must attempt to complete the screening process for charity care in person or by telephone within 30 days after the patient receives services at the hospital or at the emergency department associated with the hospital.

Subd. 3. **Charity care.** (a) Upon completion of the screening process in subdivision 2, paragraph (c), the hospital must determine whether the patient is eligible for charity care. When a hospital evaluates a patient's eligibility for charity care, hospital requests to the responsible party for verification of assets or income shall be limited to:

(1) information that is reasonably necessary and readily available to determine eligibility; and

(2) facts that are relevant to determine eligibility.

A hospital must not demand duplicate forms of verification of assets.

(b) If the patient is eligible for charity care, the hospital must assist the patient with applying for charity care and refer the patient to the appropriate department in the hospital for follow-up. A hospital may not impose application procedures for charity care that place an unreasonable burden on the individual patient, taking into account the individual patient's physical, mental, intellectual, or sensory deficiencies or language barriers that may hinder the patient's ability to comply with application procedures.

(c) A hospital may not initiate any of the actions described in subdivision 4 while the patient's application for charity care is pending.

Subd. 4. **Prohibited actions.** A hospital must not initiate one or more of the following actions until the hospital determines that the patient is ineligible for charity care or denies an application for charity care:

(1) offering to enroll or enrolling the patient in a payment plan;

(2) changing the terms of a patient's payment plan;

(3) offering the patient a loan or line of credit, application materials for a loan or line of credit, or assistance with applying for a loan or line of credit, for the payment of medical debt;

(4) referring a patient's debt for collections, including in-house collections, third-party collections, revenue recapture, or any other process for the collection of debt;

(5) denying health care services to the patient or any member of the patient's household because of outstanding medical debt, regardless of whether the services are deemed necessary or may be available from another provider; or

(6) accepting a credit card payment of over \$500 for the medical debt owed to the hospital.

Subd. 5. **Notice.** (a) A hospital must post notice of the availability of charity care from the hospital in at least the following locations: (1) areas of the hospital where patients are admitted or registered; (2) emergency departments; and (3) the portion of the hospital's financial services or billing department that is accessible to patients. The posted notice must be in all languages spoken by more than five percent of the population in the hospital's service area.

(b) A hospital must make available on the hospital's website the current version of the hospital's charity care policy, a plain-language summary of the policy, and the hospital's charity care application form. The summary and application form must be available in all languages spoken by more than five percent of the population in the hospital's service area.

Subd. 6. **Patient may decline services.** A patient may decline to complete an insurance affordability program application to schedule an appointment with a certified application counselor, to schedule an appointment with a MNsure-certified navigator, to accept information about navigator services, to participate in the charity care screening process, or to apply for charity care.

Subd. 7. **Enforcement.** In addition to the enforcement of this section by the commissioner, the attorney general may enforce this section under section 8.31.

**EFFECTIVE DATE.** This section is effective November 1, 2023.

Sec. 2. **[144.588] CERTIFICATION OF EXPERT REVIEW.**

Subdivision 1. **Requirement; action to collect medical debt or garnish wages or bank accounts.** (a) In an action against a patient for collection of medical debt owed to a hospital or for garnishment of the patient's wages or bank accounts to collect medical debt owed to a hospital, the hospital must serve on the defendant with the summons and complaint an affidavit of expert review certifying that:

(1) unless the patient declined to participate, the hospital complied with the requirements in section 144.587;

(2) there is a reasonable basis to believe that the patient owes the debt;

(3) all known third-party payors have been properly billed by the hospital, such that any remaining debt is the financial responsibility of the patient, and the hospital will not bill the patient for any amount that an insurance company is obligated to pay;

(4) the patient has been given a reasonable opportunity to apply for charity care, if the facts and circumstances suggest that the patient may be eligible for charity care;

(5) where the patient has indicated an inability to pay the full amount of the debt in one payment and provided reasonable verification of the inability to pay the full amount of the debt in one payment if requested by the hospital, the hospital has offered the patient a reasonable payment plan;

(6) there is no reasonable basis to believe that the patient's wages or funds at a financial institution are likely to be exempt from garnishment; and

(7) in the case of a default judgment proceeding, there is not a reasonable basis to believe:

(i) that the patient may already consider that the patient has adequately answered the complaint by calling or writing to the hospital, its debt collection agency, or its attorney;

(ii) that the patient is sick, disabled, infirm, or so elderly so as to potentially render the patient unable to answer the complaint; or

(iii) the patient may not have received service of the complaint.

(b) The affidavit of expert review must be completed by a designated employee of the hospital seeking to initiate the action or garnishment.

**Subd. 2. Requirement; referral to third-party debt collection agency.** (a) In order to refer a patient's account to a third-party debt collection agency, a hospital must complete an affidavit of expert review certifying that:

(1) unless the patient declined to participate, the hospital complied with the requirements in section 144.587;

(2) there is a reasonable basis to believe that the patient owes the debt;

(3) all known third-party payors have been properly billed by the hospital, such that any remaining debt is the financial responsibility of the patient, and the hospital will not bill the patient for any amount that an insurance company is obligated to pay;

(4) the patient has been given a reasonable opportunity to apply for charity care, if the facts and circumstances suggest that the patient may be eligible for charity care; and

(5) where the patient has indicated an inability to pay the full amount of the debt in one payment and provided reasonable verification of the inability to pay the full amount of the debt in one payment if requested by the hospital, the hospital has offered the patient a reasonable payment plan.

(b) The affidavit of expert review must be completed by a designated employee of the hospital seeking to refer the patient's account to a third-party debt collection agency.

Subd. 3. **Penalty for noncompliance.** Failure to comply with subdivision 1 shall result, upon motion, in mandatory dismissal with prejudice of the action to collect the medical debt or to garnish the patient's wages or bank accounts. Failure to comply with subdivision 2 shall subject a hospital to a fine assessed by the commissioner of health. In addition to the enforcement of this section by the commissioner, the attorney general may enforce this section under section 8.31.

**EFFECTIVE DATE.** This section is effective November 1, 2023.

Sec. 3. **[144.589] BILLING OF UNINSURED PATIENTS.**

Subdivision 1. **Limits on charges.** A hospital must not charge a patient whose annual household income is less than \$125,000 for any uninsured service or treatment in an amount that exceeds the lowest total amount the provider would be reimbursed for that service or treatment from a private insurer. The lowest total amount the provider would be reimbursed for that service or treatment from a private insurer includes both the amount the provider would be reimbursed directly from the private insurer and the amount the provider would be reimbursed from the insured's policyholder under any applicable co-payments, deductibles, and coinsurance.

Subd. 2. **Enforcement.** In addition to the enforcement of this section by the commissioner, the attorney general may enforce this section under section 8.31.

**EFFECTIVE DATE.** This section is effective November 1, 2023."

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety. Amendments adopted. Report adopted.

## SECOND READING OF SENATE BILLS

S.F. Nos. 2689, 2373, 2046, 1827, 1362, 1545, 1859, 1332, and 1596 were read the second time.

## INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

### **Senators Hoffman and Abeler introduced--**

**S.F. No. 2972:** A bill for an act relating to human services; establishing the Task Force on Disability Services Accessibility and pilot projects; requiring a report; appropriating money.

Referred to the Committee on Human Services.

### **Senators Xiong and Putnam introduced--**

**S.F. No. 2973:** A bill for an act relating to agriculture; establishing an emerald ash borer response grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 18G.

Referred to the Committee on Environment, Climate, and Legacy.

**Senator Gruenhagen introduced--**

**S.F. No. 2974:** A bill for an act relating to state government; requiring a reduction in appropriations for positions that have been unfilled for at least 180 days; requiring a report.

Referred to the Committee on State and Local Government and Veterans.

**Senator Gustafson introduced--**

**S.F. No. 2975:** A bill for an act relating to agriculture; funding the good food access program; transferring money.

Referred to the Committee on Agriculture, Broadband, and Rural Development.

**Senator Putnam introduced--**

**S.F. No. 2976:** A bill for an act relating to agriculture; amending hemp provisions; amending Minnesota Statutes 2022, sections 18K.04, subdivisions 1, 2; 18K.06; repealing Minnesota Statutes 2022, sections 18K.05; 18K.09.

Referred to the Committee on Agriculture, Broadband, and Rural Development.

**Senator Johnson introduced--**

**S.F. No. 2977:** A bill for an act relating to capital investment; appropriating money for an expansion of existing solid waste and recyclable material facilities and processing equipment, and organic compost site in Polk County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Johnson introduced--**

**S.F. No. 2978:** A bill for an act relating to natural resources; appropriating money for FireFrost Recreational Trail.

Referred to the Committee on Environment, Climate, and Legacy.

**Senator Murphy introduced--**

**S.F. No. 2979:** A bill for an act relating to state government; appropriating money for certain constitutional offices, legislature, state agencies, boards, offices, councils, commissions, and certain retirement accounts; establishing the consumer litigation fund; amending salary limits provisions and provisions of the compensation council; requiring performance measures for the state; amending provisions covering transfers from grants, setting agency rates for services, and billing procedures for settlement; creating the Office of Enterprise Sustainability and Office of Enterprise Translation; modifying grants governance provisions; establishing a cybersecurity grant program; establishing an enhanced computer system for the Department of Children, Youth, and Families and medical assistance and other human services programs; amending provisions covering human burial; requiring a study on the viability of implementing a single grants management system and a study of the



unique issues faced by small agencies; making a postretirement adjustment for calendar year 2024; making certain reductions in appropriations and cancellations; modifying provisions for the stadium reserve; requiring reports; amending Minnesota Statutes 2022, sections 4.045; 5.30, subdivision 2; 15A.0815, subdivisions 1, 2; 15A.082, subdivisions 1, 2, 3, 4; 16A.122, subdivision 2; 16A.126, subdivision 1; 16A.1286, subdivision 2; 16A.151, subdivision 2; 16A.726; 16B.4805, subdivision 1; 16B.97, subdivisions 2, 3, 4; 16B.98, subdivisions 5, 6, 8, by adding subdivisions; 16B.991; 43A.08, subdivision 1; 145.951; 256.014; 297A.994, subdivision 4; 307.08; 349A.02, subdivision 1; 473J.13, subdivisions 2, 4; proposing coding for new law in Minnesota Statutes, chapters 8; 16A; 16B; 16E; proposing coding for new law as Minnesota Statutes, chapter 143; repealing Minnesota Statutes 2022, sections 4A.01; 4A.04; 4A.06; 4A.07; 4A.11; 15A.0815, subdivisions 3, 4, 5; 124D.23, subdivision 9; Laws 2014, chapter 287, section 25, as amended.

Referred to the Committee on State and Local Government and Veterans.

**Senator Pappas introduced--**

**S.F. No. 2980:** A bill for an act relating to state government; establishing the Minnesota Migration Act and Minnesota Migration Act account; requiring a report; appropriating money to study and provide reparation grants for American descendants of chattel slavery who reside in this state; proposing coding for new law in Minnesota Statutes, chapter 363A.

Referred to the Committee on Judiciary and Public Safety.

**Senators Weber, Nelson, Miller, and Drazkowski introduced--**

**S.F. No. 2981:** A bill for an act relating to taxation; modifying property taxes and individual income taxes; modifying the first-tier valuation limit for agricultural homestead properties; increasing tier limits for homestead resort properties; modifying the homestead market value exclusion; reducing the state general levy; allowing an unlimited Social Security subtraction; decreasing income tax rates; establishing a temporary refundable child credit; providing a direct payment to individuals; appropriating money; amending Minnesota Statutes 2022, sections 273.11, subdivision 23; 273.13, subdivisions 22, 35; 275.025, subdivision 1; 290.0132, subdivision 26; 290.06, subdivisions 2c, as amended, 2d.

Referred to the Committee on Taxes.

**Senator Boldon introduced--**

**S.F. No. 2982:** A bill for an act relating to health occupations; establishing licensure requirements for speech-language pathology assistants; establishing licensure fee and criminal history background requirements; amending Minnesota Statutes 2022, sections 144.0572, subdivision 1; 148.511; 148.512, subdivision 17a; 148.513, subdivisions 1, 2, 3, by adding a subdivision; 148.514, subdivision 2; 148.515, subdivision 1; 148.518; 148.519, subdivision 1, by adding a subdivision; 148.5191, subdivision 1, by adding a subdivision; 148.5192, subdivisions 1, 2, 3; 148.5193, subdivision 1, by adding a subdivision; 148.5194, subdivision 8, by adding a subdivision; 148.5195, subdivision 3; 148.5196, subdivisions 1, 3; 245C.031, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Health and Human Services.

**Senator Champion introduced--**

**S.F. No. 2983:** A bill for an act relating to motor vehicles; establishing full-service deputy registrar's office in the Hennepin County North Minneapolis Service Center; amending Laws 2005, First Special Session chapter 6, article 3, section 103.

Referred to the Committee on Transportation.

**Senator Latz introduced--**

**S.F. No. 2984:** A bill for an act relating to capital investment; appropriating money for improvements to Cedar Lake Road and Louisiana Avenue in Hennepin County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Champion introduced--**

**S.F. No. 2985:** A bill for an act relating to capital investment; appropriating money for a grant to the Community Action Partnership of Hennepin County for a youth center in the city of Minneapolis.

Referred to the Committee on Capital Investment.

**Senators Johnson, Lang, and Rasmusson introduced--**

**S.F. No. 2986:** A bill for an act relating to firearms; clarifying law on use of force in defense of home and person; codifying and extending Minnesota's self-defense and defense of home laws; eliminating the common law duty to retreat in cases of self-defense outside the home; expanding the boundaries of dwelling for purposes of self-defense; creating a presumption in the case of a person entering a dwelling or occupied vehicle by stealth or force; extending the rights available to a person in that person's dwelling to a person defending against entry of that person's occupied vehicle; amending Minnesota Statutes 2022, section 609.065.

Referred to the Committee on Judiciary and Public Safety.

**Senator Rarick introduced--**

**S.F. No. 2987:** A bill for an act relating to energy; amending the definition of low-income household for purposes of receiving energy conservation assistance; amending Minnesota Statutes 2022, section 216B.2402, subdivision 16.

Referred to the Committee on Energy, Utilities, Environment, and Climate.

**Senator Rarick introduced--**

**S.F. No. 2988:** A bill for an act relating to capital investment; appropriating money for a new regional female offender and judicial facility in Carlton County.

Referred to the Committee on Capital Investment.

**Senator Nelson introduced--**

**S.F. No. 2989:** A bill for an act relating to capital investment; appropriating money for a grant to Dodge County for a solid waste transfer station; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Nelson and Utke introduced--**

**S.F. No. 2990:** A bill for an act relating to health occupations; creating a dentist and dental hygienist compact; proposing coding for new law in Minnesota Statutes, chapter 150A.

Referred to the Committee on Health and Human Services.

**Senator Miller introduced--**

**S.F. No. 2991:** A bill for an act relating to parks and trails; appropriating money for extending Blufflands trail system.

Referred to the Committee on Environment, Climate, and Legacy.

**Senator Miller introduced--**

**S.F. No. 2992:** A bill for an act relating to capital investment; appropriating money for the Blufflands trail system; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Port, McEwen, and Dibble introduced--**

**S.F. No. 2993:** A bill for an act relating to energy; allowing a public utility to file a program with the public utilities commission to promote the deployment of electric school buses; proposing coding for new law in Minnesota Statutes, chapter 216B.

Referred to the Committee on Energy, Utilities, Environment, and Climate.

**Senator Fateh introduced--**

**S.F. No. 2994:** A bill for an act relating to housing; appropriating money for a grant to Community Action Partnership of Hennepin County (CAP-HC) to increase affordable housing in the Black community.

Referred to the Committee on Housing and Homelessness Prevention.

**Senator Wiklund introduced--**

**S.F. No. 2995:** A bill for an act relating to health; appropriating money for the Department of Health, health-related boards, Council on Disability, ombudsman for mental health and disabilities, ombudsperson for families, ombudsperson for American Indian families, Office of the Foster Youth Ombudsperson, MNsure, Rare Disease Advisory Council, and the Department of Revenue; establishing the Health Care Spending Growth Target Commission and Health Care Spending Technical Advisory Council; identifying ways to reduce spending by health care organizations and group purchasers and low-value care; assessing alternative payment methods in rural health care; assessing feasibility for a health provider directory; requiring compliance with the No Surprises Act in billing; modifying prescription drug price provisions and continuity of care provisions; compiling health encounter data; establishing certain advisory councils, committees, and grant programs; modifying lead testing in schools and remediation requirements; modifying lead service line requirements; requiring lead testing in drinking water in child care settings; establishing Minnesota One Health Microbial Stewardship Collaborative, a comprehensive drug overdose and morbidity program, a Sentinel Event Review Committee, law enforcement-involved deadly force encounters advisory committee, and cultural communications program; setting certain fees; providing for clinical health care training; establishing a climate resiliency program; changing assisted living provisions; establishing a program to monitor long COVID, a 988 suicide crisis lifeline, school-based health centers, Healthy Beginnings, Healthy Families Act, and Comprehensive and Collaborative Resource and Referral System for Children; funding for community health boards; developing COVID-19 pandemic delayed preventive care; changing certain health board fees; establishing easy enrollment health insurance outreach program; setting certain fees; requiring reports; amending Minnesota Statutes 2022, sections 12A.08, subdivision 3; 62J.84, subdivisions 2, 3, 4, 6, 7, 8, 9, by adding subdivisions; 62K.15; 62Q.01, by adding a subdivision; 62Q.021, by adding a subdivision; 62Q.55, subdivision 5; 62Q.556; 62Q.56, subdivision 2; 62Q.73, subdivisions 1, 7; 62U.04, subdivisions 4, 5, 6; 121A.335, subdivisions 3, 5, by adding a subdivision; 144.122; 144.1505; 144.226, subdivisions 3, 4; 144.383; 144G.16, subdivision 7; 144G.18; 144G.57, subdivision 8; 145.925; 145A.131, subdivisions 1, 5; 145A.14, by adding a subdivision; 148B.392, subdivision 2; 151.065, subdivisions 1, 2, 3, 4, 6; 270B.14, by adding a subdivision; 403.161; 403.162; Laws 2022, chapter 99, article 1, section 46; article 3, section 9; proposing coding for new law in Minnesota Statutes, chapters 62J; 62V; 115; 144; 145; 148; 290; repealing Minnesota Statutes 2022, sections 62J.84, subdivision 5; 62U.10, subdivisions 6, 7, 8; 145.4235; 145.4241; 145.4242; 145.4243; 145.4244; 145.4245; 145.4246; 145.4247; 145.4248; 145.4249; 145.925, subdivisions 1a, 3, 4, 7, 8.

Referred to the Committee on Health and Human Services.

**Senators Hauschild and Farnsworth introduced--**

**S.F. No. 2996:** A bill for an act relating to capital investment; appropriating money for wastewater system upgrades at two St. Louis County School District campuses; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Kunesh introduced--**

**S.F. No. 2997:** A bill for an act relating to capital investment; appropriating money for a new emergency shelter and other municipal improvements in the city of Hilltop; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Kunesh introduced--**

**S.F. No. 2998:** A bill for an act relating to education; allowing smudging in public schools; amending Minnesota Statutes 2022, section 144.4165; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on Education Policy.

**Senator Kunesh introduced--**

**S.F. No. 2999:** A bill for an act relating to capital investment; appropriating money for a new public works facility in the city of Columbia Heights; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Kunesh introduced--**

**S.F. No. 3000:** A bill for an act relating to child protection; modifying foster care licensing requirements for Tribal licensees; expanding council membership; adding required county performance on child protection measures; modifying Indian child welfare primary support grants; modifying Indian Child Welfare Act compliance system review requirements; requiring the commissioner of human services to develop and maintain an Indian child welfare compliance tracking database; requiring a report; appropriating money; amending Minnesota Statutes 2022, sections 245A.04, by adding a subdivision; 256M.41, subdivision 4; 260.785, subdivision 1; 260.835, subdivisions 1, 2; 477A.0126, subdivisions 6, 7.

Referred to the Committee on Health and Human Services.

**Senators Duckworth, Coleman, Abeler, Kreun, and Hoffman introduced--**

**S.F. No. 3001:** A bill for an act relating to education; requiring reading instruction to be based on the science of reading; establishing a reading reset account in the special revenue fund; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 120B.

Referred to the Committee on Education Finance.

**Senators Mitchell and Kunesh introduced--**

**S.F. No. 3002:** A bill for an act relating to local government; modifying Ramsey County employment provisions; amending Minnesota Statutes 2022, sections 383A.288, subdivision 3; 383A.292, subdivision 1; 383A.294, subdivisions 3, 4.

Referred to the Committee on State and Local Government and Veterans.

**Senator Boldon introduced--**

**S.F. No. 3003:** A bill for an act relating to health occupations; amending grounds for issuing licenses or imposing discipline against a physician; amending Minnesota Statutes 2022, section 147.091, subdivisions 1, 6.

Referred to the Committee on Health and Human Services.

**Senator Klein introduced--**

**S.F. No. 3004:** A bill for an act relating to capital investment; appropriating money for water and sewer infrastructure in the city of Newport; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Champion, Oumou Verbeten, and Fateh introduced--**

**S.F. No. 3005:** A bill for an act relating to higher education; appropriating money for a grant to the Minnesota Association of Black Lawyers for a pilot program for black Minnesota undergraduates exploring law school and legal careers; requiring a report.

Referred to the Committee on Higher Education.

**Senators Drazkowski, Bahr, and Koran introduced--**

**S.F. No. 3006:** A bill for an act relating to state government; repealing sustainable building design guidelines; making a conforming change; amending Minnesota Statutes 2022, section 216B.241, subdivision 1f; repealing Minnesota Statutes 2022, section 16B.325.

Referred to the Committee on State and Local Government and Veterans.

**Senators Oumou Verbeten, Mohamed, and Latz introduced--**

**S.F. No. 3007:** A bill for an act relating to corrections; providing communication services for incarcerated persons; proposing coding for new law in Minnesota Statutes, chapter 241.

Referred to the Committee on Judiciary and Public Safety.

**Senators Dibble, Rest, and Drazkowski introduced--**

**S.F. No. 3008:** A bill for an act relating to taxation; limiting assessments of individual income, corporate franchise, and sales and use taxes; amending Minnesota Statutes 2022, section 270C.33, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Pappas and Dibble introduced--**

**S.F. No. 3009:** A bill for an act relating to transportation; appropriating money for a Rice Street Capitol Area redesign project.

Referred to the Committee on Transportation.

**Senators Putnam, Kupec, Dibble, and Pratt introduced--**

**S.F. No. 3010:** A bill for an act relating to business financing; establishing a nonprofit corporation to provide financing and leverage private investment in the energy, agriculture, building, and transportation sectors to support commercialization of products and services with clean energy solutions; requiring a report; appropriating money.

Referred to the Committee on Jobs and Economic Development.

**Senators Xiong, Dibble, Cwodzinski, and Mohamed introduced--**

**S.F. No. 3011:** A bill for an act relating to capital investment; appropriating money for statewide reforestation and forest improvements.

Referred to the Committee on Capital Investment.

**Senators Lieske, Kreun, Jasinski, Housley, and Coleman introduced--**

**S.F. No. 3012:** A bill for an act relating to transportation; abolishing vehicle registration taxes; transferring money; amending Minnesota Statutes 2022, sections 168.002, subdivision 13; 168.012; 168.013, subdivisions 8, 20, 22; 168.0135, subdivision 1; 168.017, subdivision 5; 168.018; 168.04, subdivisions 1, 2; 168.09, subdivisions 1, 5, 7; 168.092, subdivision 1; 168.10, subdivisions 1, 1a, 1b, 1c, 1d, 1h, 1i, 2; 168.101, subdivision 2a; 168.105, subdivision 2; 168.11, subdivisions 1, 3; 168.12, subdivisions 1, 2, 2a, 2b, 2c, 2d, 2e, 2f, 5; 168.123, subdivision 1; 168.1235, subdivision 1; 168.1255, subdivision 1; 168.1256, subdivision 1; 168.127, subdivisions 2, 5; 168.128, subdivision 2; 168.1282, subdivision 1; 168.1284, subdivisions 1, 5; 168.1285, subdivisions 1, 5; 168.1286, subdivision 1; 168.129, subdivision 1; 168.1294, subdivisions 1, 5, 6; 168.1295, subdivisions 1, 5; 168.1296, subdivisions 1, 5; 168.1297, subdivision 1; 168.1298, subdivisions 1, 5; 168.13; 168.15, subdivision 1; 168.17; 168.181, subdivisions 1, 2; 168.187, subdivisions 7, 27; 168.221; 168.27, subdivision 28; 168.301, subdivisions 1, 2, 3, 5; 168.33, subdivisions 1, 2, 7; 168.34; 168.61, subdivision 2; 168.62, subdivision 1; 168.64; 168.65, subdivision 2; 168.842; 168.843; repealing Minnesota Statutes 2022, sections 168.002, subdivision 33; 168.013, subdivisions 1, 1a, 1b, 1c, 1d, 1e, 1f, 1g, 1h, 1k, 1l, 1m, 2, 3, 4, 5, 6, 7, 12, 14, 15, 16, 18, 19, 23; 168.016; 168.022; 168.032;

168.033; 168.041, subdivision 8; 168.11, subdivision 2; 168.16; 168.183; 168.28; 168.31, subdivisions 1, 4, 4a, 5, 6; 168.35; 168.62, subdivision 2; 168.63, subdivision 5.

Referred to the Committee on Transportation.

**Senator Westlin introduced--**

**S.F. No. 3013:** A bill for an act relating to judiciary; increasing the membership of the State Board of Public Defense; amending Minnesota Statutes 2022, section 611.215, subdivision 1.

Referred to the Committee on Judiciary and Public Safety.

**Senator Dibble introduced--**

**S.F. No. 3014:** A bill for an act relating to capital investment; appropriating money for the Rise Up Center in the city of Minneapolis.

Referred to the Committee on Capital Investment.

**Senator Champion introduced--**

**S.F. No. 3015:** A bill for an act relating to capital investment; appropriating money for a grant to the Film Society of Minneapolis-St. Paul.

Referred to the Committee on Capital Investment.

**Senators Frentz, Pappas, Seeberger, and Murphy introduced--**

**S.F. No. 3016:** A bill for an act relating to retirement; authorizing eligible employees of Minnesota State Colleges and Universities who are members of the higher education individual retirement account plan to elect coverage by the Teachers Retirement Association and receive retroactive service credit; proposing coding for new law in Minnesota Statutes, chapter 354B.

Referred to the Committee on State and Local Government and Veterans.

**Senators Dibble and Oumou Verbeten introduced--**

**S.F. No. 3017:** A bill for an act relating to state government; adding small businesses owned by lesbian, gay, bisexual, transgender, intersex, queer, or other nonbinary gender or sexual identification people to the list of targeted group businesses for the purposes of state procurement; amending Minnesota Statutes 2022, section 16C.16, subdivision 5.

Referred to the Committee on State and Local Government and Veterans.

**Senators Mann, Kunesh, Klein, Murphy, and Carlson introduced--**

**S.F. No. 3018:** A bill for an act relating to health; guaranteeing that health care is available and affordable for every Minnesotan; establishing the Minnesota Health Plan, Minnesota Health Board, Minnesota Health Fund, Office of Health Quality and Planning, ombudsman for patient advocacy,



and auditor general for the Minnesota Health Plan; requesting an Affordable Care Act 1332 waiver; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2022, sections 13.3806, by adding a subdivision; 14.03, subdivisions 2, 3; 15A.0815, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 62X.

Referred to the Committee on Health and Human Services.

**Senators Dibble, Westlin, Oumou Verbeten, Port, and Xiong introduced--**

**S.F. No. 3019:** A bill for an act relating to health; guaranteeing that health care is available and affordable for every Minnesotan; establishing the Minnesota Health Plan, Minnesota Health Board, Minnesota Health Fund, Office of Health Quality and Planning, ombudsman for patient advocacy, and auditor general for the Minnesota Health Plan; requesting an Affordable Care Act 1332 waiver; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2022, sections 13.3806, by adding a subdivision; 14.03, subdivisions 2, 3; 15A.0815, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 62X.

Referred to the Committee on Health and Human Services.

**Senators Fateh, Hawj, Mitchell, Mohamed, and Pappas introduced--**

**S.F. No. 3020:** A bill for an act relating to health; guaranteeing that health care is available and affordable for every Minnesotan; establishing the Minnesota Health Plan, Minnesota Health Board, Minnesota Health Fund, Office of Health Quality and Planning, ombudsman for patient advocacy, and auditor general for the Minnesota Health Plan; requesting an Affordable Care Act 1332 waiver; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2022, sections 13.3806, by adding a subdivision; 14.03, subdivisions 2, 3; 15A.0815, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 62X.

Referred to the Committee on Health and Human Services.

**Senators Gustafson and Cwodzinski introduced--**

**S.F. No. 3021:** A bill for an act relating to health; guaranteeing that health care is available and affordable for every Minnesotan; establishing the Minnesota Health Plan, Minnesota Health Board, Minnesota Health Fund, Office of Health Quality and Planning, ombudsman for patient advocacy, and auditor general for the Minnesota Health Plan; requesting an Affordable Care Act 1332 waiver; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2022, sections 13.3806, by adding a subdivision; 14.03, subdivisions 2, 3; 15A.0815, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 62X.

Referred to the Committee on Health and Human Services.

**Senator Hoffman introduced--**

**S.F. No. 3022:** A bill for an act relating to human services; establishing the Department of Direct Care and Services; amending Minnesota Statutes 2022, sections 15.01; 15.06, subdivision 1; 43A.08, subdivision 1a; proposing coding for new law as Minnesota Statutes, chapter 246C.

Referred to the Committee on Health and Human Services.

**Senators Hoffman, Abeler, Fateh, Champion, and Mohamed introduced--**

**S.F. No. 3023:** A bill for an act relating to health; appropriating money for a grant to Community Action Partnership of Hennepin County.

Referred to the Committee on Health and Human Services.

**Senator Nelson introduced--**

**S.F. No. 3024:** A bill for an act relating to taxation; individual income and corporate franchise; providing a credit for investments in advanced manufacturing facilities; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

**Senators Pappas and Nelson introduced--**

**S.F. No. 3025:** A bill for an act relating to retirement; volunteer firefighter relief associations; recommendation of the State Auditor's volunteer firefighter working group; increasing the relief association special fund asset or liability threshold for required annual financial report and audited financial statements; amending Minnesota Statutes 2022, section 424A.014, subdivision 1.

Referred to the Committee on State and Local Government and Veterans.

**Senator Draheim introduced--**

**S.F. No. 3026:** A bill for an act relating to capital investment; appropriating money for public safety facilities in the city of Montgomery; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Hoffman introduced--**

**S.F. No. 3027:** A bill for an act relating to arts and cultural heritage; appropriating money for Diverse Emerging Music Organization.

Referred to the Committee on Environment, Climate, and Legacy.

**Senator Utke introduced--**

**S.F. No. 3028:** A bill for an act relating to state government; requiring legislative approval for adoption of rules; amending Minnesota Statutes 2022, sections 14.18, subdivision 1; 14.27; 14.389, subdivision 3.

Referred to the Committee on State and Local Government and Veterans.

**MOTIONS AND RESOLUTIONS**

Senator Kunesh moved that the name of Senator Abeler be added as a co-author to S.F. No. 60. The motion prevailed.

Senator Carlson moved that the name of Senator Pha be added as a co-author to S.F. No. 455. The motion prevailed.

Senator Fateh moved that the name of Senator Rasmusson be added as a co-author to S.F. No. 1015. The motion prevailed.

Senator Mohamed moved that her name be stricken as a co-author to S.F. No. 1273. The motion prevailed.

Senator Carlson moved that the name of Senator Pha be added as a co-author to S.F. No. 1360. The motion prevailed.

Senator Westlin moved that the name of Senator Pappas be added as a co-author to S.F. No. 1474. The motion prevailed.

Senator Gustafson moved that the name of Senator Boldon be added as a co-author to S.F. No. 1475. The motion prevailed.

Senator Fateh moved that the name of Senator Putnam be added as a co-author to S.F. No. 1814. The motion prevailed.

Senator Rest moved that the name of Senator Nelson be added as a co-author to S.F. No. 1874. The motion prevailed.

Senator Champion moved that the name of Senator Maye Quade be added as a co-author to S.F. No. 1965. The motion prevailed.

Senator Seeberger moved that the name of Senator Abeler be added as a co-author to S.F. No. 2020. The motion prevailed.

Senator Wiklund moved that the name of Senator Gruenhagen be added as a co-author to S.F. No. 2067. The motion prevailed.

Senator Kunesh moved that the name of Senator Westlin be added as a co-author to S.F. No. 2076. The motion prevailed.

Senator Kupec moved that the name of Senator Putnam be added as a co-author to S.F. No. 2218. The motion prevailed.

Senator Maye Quade moved that the name of Senator Mitchell be added as a co-author to S.F. No. 2431. The motion prevailed.

Senator Mitchell moved that the name of Senator Abeler be added as a co-author to S.F. No. 2464. The motion prevailed.

Senator Maye Quade moved that the name of Senator Miller be added as a co-author to S.F. No. 2514. The motion prevailed.

Senator Putnam moved that the name of Senator Housley be added as a co-author to S.F. No. 2598. The motion prevailed.

Senator Hauschild moved that the name of Senator Nelson be added as a co-author to S.F. No. 2615. The motion prevailed.

Senator Port moved that her name be stricken as chief author, shown as a co-author, and the name of Senator Boldon be shown as chief author to S.F. No. 2624. The motion prevailed.

Senator Carlson moved that the name of Senator Dibble be added as a co-author to S.F. No. 2649. The motion prevailed.

Senator Carlson moved that the name of Senator Dibble be added as a co-author to S.F. No. 2650. The motion prevailed.

Senator Carlson moved that the name of Senator Dibble be added as a co-author to S.F. No. 2651. The motion prevailed.

Senator Seeberger moved that the name of Senator Carlson be added as a co-author to S.F. No. 2692. The motion prevailed.

Senator Champion moved that the names of Senators Kunesh and Oumou Verbeten be added as co-authors to S.F. No. 2722. The motion prevailed.

Senator Wiklund moved that her name be stricken as chief author, shown as a co-author, and the name of Senator Hoffman be added as chief author to S.F. No. 2818. The motion prevailed.

Senator Hawj moved that the name of Senator Kunesh be added as a co-author to S.F. No. 2874. The motion prevailed.

Senator Kunesh moved that the name of Senator Boldon be added as a co-author to S.F. No. 2900. The motion prevailed.

Senator Dahms moved that the name of Senator Dornink be added as a co-author to S.F. No. 2906. The motion prevailed.

Senator Miller moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Abeler be shown as chief author to S.F. No. 2944. The motion prevailed.

Senator Jasinski moved that the name of Senator Dornink be added as a co-author to S.F. No. 2964. The motion prevailed.

Senator Pappas moved that S.F. No. 413 be withdrawn from the Committee on Judiciary and Public Safety and re-referred to the Committee on Finance. The motion prevailed.

Senator Hauschild moved that S.F. No. 1633 be withdrawn from the Committee on Education Finance and re-referred to the Committee on Judiciary and Public Safety. The motion prevailed.

Senator McEwen moved that S.F. No. 2187 be withdrawn from the Committee on Jobs and Economic Development and re-referred to the Committee on Capital Investment. The motion prevailed.

Senator Mohamed moved that S.F. No. 2486 be withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Human Services. The motion prevailed.

Senator Hoffman moved that S.F. No. 2567 be withdrawn from the Committee on State and Local Government and Veterans and re-referred to the Committee on Housing and Homelessness Prevention. The motion prevailed.

Senator Hoffman moved that S.F. No. 2818 be withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Human Services. The motion prevailed.

#### **MEMBERS EXCUSED**

Senators Coleman, Eichorn, Housley, Johnson, Lang, and Westrom were excused from the Session of today. Senator Latz was excused from the Session of today from 11:10 to 11:15 a.m.

#### **ADJOURNMENT**

Senator Frentz moved that the Senate do now adjourn until 11:00 a.m., Wednesday, March 22, 2023. The motion prevailed.

Thomas S. Bottern, Secretary of the Senate

