

Sec. 3. Minnesota Statutes 2010, section 171.01, is amended by adding a subdivision 3.13 to read:

3.14 Subd. 51. **Voter identification card.** "Voter identification card" means a card 3.15 issued or issuable under the laws of this state by the commissioner of public safety that 3.16 denotes citizenship, identity, and residence address and may be used as identification 3.17 and proof of residence for election day voter registration and for voting on election day, 3.18 but for no other purpose.

Comment [PJE1]: ID requirements – citizenship, identity and address

Subd. 3b. **Application for voter identification card.** An application for a voter 6.22 identification card, including a renewal or duplicate card, or a new card required as a 6.23 result of change of address, must:

Comment [PJE2]: Application to include proof of citizenship, length of residence

6.24 (1) state the applicant's full legal name, date of birth, sex, residence address, and 6.25 (i) last four digits of the applicant's Social Security number, or (ii) certification that the 6.26 applicant has not been assigned a Social Security number; 6.27 (2) provide a description of the applicant in the same manner as required on an 6.28 application for a Minnesota driver's license; 6.29 (3) be accompanied by proof satisfactory to the commissioner of the applicant's 6.30 United States citizenship; 6.31 (4) state the length of residence at the applicant's current address; and 6.32 (5) present a photographic identity document or affirm under penalty of perjury that 6.33 the applicant has a religious objection to the use of a photographic image.

Sec. 13. Minnesota Statutes 2010, section 171.07, subdivision 4, is amended to read:

9.15 Subd. 4. **Expiration.** (a) Except as otherwise provided in this subdivision, 9.16 the expiration date of Minnesota identification cards and voter identification cards of 9.17 applicants under the age of 65 shall be the birthday of the applicant in the fourth year 9.18 following the date of issuance of the card. 9.19 (b) Minnesota identification cards and voter identification cards issued to applicants 9.20 age 65 or over shall be valid for the lifetime of the applicant. 9.21 (c) The expiration date for an Under-21 identification card is the cardholder's 21st 9.22 birthday. The commissioner shall issue an identification card to a holder of an Under-21 9.23 identification card who applies for the card, pays the required fee, and presents proof of 9.24 identity and age, unless the commissioner determines that the applicant is not qualified 9.25 for the identification card.

Comment [PJE3]: Length of validity – 4 years

10.28 Sec. 17. Minnesota Statutes 2010, section 171.11, is amended to read:

10.29 **171.11 DUPLICATE LICENSE OR VOTER IDENTIFICATION CARD;** 10.30 **CHANGE OF DOMICILE OR NAME.**

Comment [PJE4]: Duplicate Change of Address, Change of name

10.31 Subdivision 1. **Duplicate driver's license.** When any person, after applying for or 10.32 receiving a driver's license, shall change permanent domicile from the address named in 10.33 such application or in the license issued to the person, or shall change a name by marriage 11.10 or otherwise, such person shall, within 30 days thereafter, apply for a duplicate driver's 11.21 license upon a form furnished by the department and pay the required fee. The application 11.30 or duplicate license shall show both the licensee's old address and new address or the 11.4 former name and new name as the case may be.

11.5 Subd. 2. **Duplicate voter identification card.** A voter identification cardholder who 11.6 changes residence address or name from the address or name stated on the card shall not 11.7 present the card for voting purposes, but must apply for a duplicate voter identification card 11.8 upon a form furnished by the department. The application for duplicate voter identification

Comment [PJE5]: ID must show proof of name, address, and length of residency

11. 9card must show the cardholder's former address and current address, along with length of
11. 10residence at the current address, and the former name and current name, as applicable.

Sec. 19. [200.035] DOCUMENTATION OF IDENTITY AND RESIDENCE.

11. 30(a) The following are sufficient proof of identity and residence for purposes of
11. 31election day voter registration under section 201.061, subdivision 3, and for determining
11. 32whether to count a provisional ballot under section 204C.135, subdivision 2:
12. 1(1) a current driver's license, state identification card, or voter identification card
12. 2issued to the voter by the Department of Public Safety that contains the voter's current
12. 3address of residence in the precinct;
12. 4(2) an identification card issued to the voter by the tribal government of a tribe
12. 5recognized by the Bureau of Indian Affairs that contains a photograph of the voter, the
12. 6voter's current address of residence in the precinct, and any other items of data required to
12. 7be contained on a Minnesota identification card, as provided in section 171.07, subdivision
12. 83, paragraphs (a) and (b);
12. 9(3) an original receipt for a new, renewed, or updated driver's license, state
12. 10identification card, or voter identification card issued to the voter under section 171.07
12. 11that contains the voter's current address of residence in the precinct along with one of the
12. 12following documents, provided that it contains a photograph of the voter:
12. 13(i) a driver's license, identification card, or voter identification card that is expired
12. 14or does not contain the voter's current address of residence, issued to the voter by the
12. 15state of Minnesota or any other state of the United States as defined in section 645.44,
12. 16subdivision 11;
12. 17(ii) a United States passport, issued to the voter;
12. 18(iii) an identification card issued by a branch, department, agency, entity, or
12. 19subdivision of Minnesota or the federal government;
12. 20(iv) an identification card issued by an accredited postsecondary institution with
12. 21a campus located within Minnesota, if a list of students from that institution has been
12. 22prepared under section 135A.17 and certified to the county auditor in the manner provided
12. 23in rules of the secretary of state; or
12. 24(v) an identification card issued to the voter by the tribal government of a tribe
12. 25recognized by the Bureau of Indian Affairs;
12. 26(4) if the voter is a student, a driver's license or identification card issued by
12. 27Minnesota or any other state of the United States as defined in section 645.44, subdivision
12. 2811 that does not contain the voter's current address of residence, along with a current
12. 29student fee statement that contains the student's valid address of residence in the precinct;
12. 30OR
12. 31(5) if the voter resides in a residential facility located in the precinct, a driver's
12. 32license or identification card issued to the voter by the Department of Public Safety that
12. 33contains the voter's photograph along with a certification of residence in the facility,
12. 34signed by the facility administrator on a form prescribed by the secretary of state.
12. 35(b) As used in this section, "residential facility" means transitional housing as
13. 1defined in section 256E.33, subdivision 1; a supervised living facility licensed by the
13. 2commissioner of health under section 144.50, subdivision 6; a nursing home as defined in
13. 3section 144A.01, subdivision 5; a residence registered with the commissioner of health
13. 4as a housing with services establishment as defined in section 144D.01, subdivision 4;
13. 5a veterans home operated by the commissioner of veterans affairs under chapter 198;
13. 6a residence licensed by the commissioner of human services to provide a residential
13. 7program as defined in section 245A.02, subdivision 14; a residential facility for persons
13. 8with a developmental disability licensed by the commissioner of human services under
13. 9section 252.28; group residential housing as defined in section 256I.03, subdivision 3; a

13. 9shelter for battered women as defined in section 611A.37, subdivision 4; or a supervised
13. 10publicly or privately operated shelter or dwelling designed to provide temporary living
13. 11accommodations for the homeless.

Subd. 2. Photo identification. (a) To satisfy the photo identification requirement in
17. 20subdivision 1, paragraph (b), a voter must present a valid form of one of the following
17. 21documents or sets of documents, issued to the voter:
17. 22(1) a Minnesota driver's license, state identification card, or voter identification card
17. 23issued under section 171.07 that contains the voter's current address of residence in the
17. 24precinct;
17. 25(2)(i) an original receipt for a new, renewed, or updated driver's license, state
17. 26identification card, or voter identification card issued to the voter under section 171.07 that
17. 27contains the voter's current address of residence in the precinct; and
17. 28(ii) a driver's license, identification card, or a voter identification card that is expired,
17. 29invalidated, or does not contain the voter's current address of residence in the precinct,
17. 30issued to the voter by the state of Minnesota or any other state of the United States as
17. 31defined in section 645.44, subdivision 11;
17. 32(3) an identification card issued by the tribal government of a tribe recognized
17. 33by the Bureau of Indian Affairs that contains a photograph of the voter, the voter's
17. 34current address of residence in the precinct, and any other items of data required to be
17. 35contained on a Minnesota identification card, as provided in section 171.07, subdivision 3,
17. 36paragraphs (a) and (b); or
18. 1(4) if the voter resides in a residential facility located in the precinct, a driver's
18. 2license or identification card issued to the voter by the Department of Public Safety that
18. 3contains the voter's photograph along with a certification of residence in the facility,
18. 4signed by the facility administrator on a form prescribed by the secretary of state.
18. 5(b) As used in this subdivision, "residential facility" means transitional housing as
18. 6defined in section 256E.33, subdivision 1; a supervised living facility licensed by the
18. 7commissioner of health under section 144.50, subdivision 6; a nursing home as defined in
18. 8section 144A.01, subdivision 5; a residence registered with the commissioner of health
18. 9as a housing with services establishment as defined in section 144D.01, subdivision 4;
18. 10a veterans home operated by the commissioner of veterans affairs under chapter 198;
18. 11a residence licensed by the commissioner of human services to provide a residential
18. 12program as defined in section 245A.02, subdivision 14; a residential facility for persons
18. 13with a developmental disability licensed by the commissioner of human services under
18. 14section 252.28; group residential housing as defined in section 256L.03, subdivision 3; a
18. 15shelter for battered women as defined in section 611A.37, subdivision 4; or a supervised
18. 16publicly or privately operated shelter or dwelling designed to provide temporary living
18. 17accommodations for the homeless.
18. 18(c) An identification card presented under this section by a voter who is a judge, law
18. 19enforcement officer, or corrections officer is not deficient for a lack of the voter's current
18. 20address of residence in the precinct if the identification card contains the mailing address
18. 21of the voter and that matches the address listed on the polling place roster.

[204C.135] PROVISIONAL BALLOTS.

19. 2 Subdivision 1. **Casting of provisional ballots.** (a) The following voters seeking to
19. 3vote are entitled to cast a provisional ballot in the manner provided by this section:
19. 4(1) a voter who is unable to provide proper photo identification as required by
19. 5section 204C.10;
19. 6(2) a voter whose registration status is listed as "challenged" on the polling place

Comment [PJE6]: Present ID at roster, current ID on what is in election day election day registration required

Comment [PJE7]: No proper ID, challenged and eligibility not determined

Comment [PJE8]: Procedure: 1)sign in on provisional roster 2) Complete envelope – name, address, DOB, Voter ID # and additional info as prescribed 3)Affirm in writing eligibility 4)Procedure with envelope same as AB – but color of envelope is different and is stamped as a provisional ballot 5) Secure and separate from other ballots

19. 7roster and who has not proven the voter's eligibility to vote in the precinct; and
19. 8(3) a voter whose eligibility to vote is challenged in the polling place and who is
19. 9unable to overcome the challenge as permitted by section 204C.12.
19. 10(b) A voter seeking to vote a provisional ballot must sign a provisional ballot roster
19. 11and complete a provisional ballot envelope. The envelope must contain a space for the
19. 12voter to list the voter's name, address of residence, date of birth, voter identification
19. 13number, and any other information prescribed by the secretary of state. The voter must
19. 14also swear or affirm, in writing, that the voter is eligible to vote, has not voted previously
19. 15in the same election, and meets the criteria for registering to vote in the precinct in which
19. 16the voter appears.
19. 17Once the voter has completed the provisional ballot envelope, the voter must be
19. 18allowed to cast a provisional ballot. The provisional ballot must be the same as the official
19. 19ballot available in the precinct on election day. A completed provisional ballot shall be
19. 20sealed in a secrecy envelope. The secrecy envelope shall be sealed inside the voter's
19. 21provisional ballot envelope and deposited by the voter in a secure, sealed provisional
19. 22ballot box. Completed provisional ballots may not be combined with other voted ballots
19. 23in the polling place.
19. 24(c) The form of the secrecy and provisional ballot envelopes shall be prescribed by
19. 25the secretary of state. The provisional ballot envelope must be a color other than that
19. 26provided for absentee ballot envelopes and must be prominently labeled "Provisional
19. 27Ballot Envelope."
19. 28(d) Provisional ballots and related documentation shall be delivered to and securely
19. 29maintained by the county auditor or municipal clerk in the same manner as required for
19. 30other election materials under sections 204C.27 to 204C.28.
19. 31 Subd. 2. **Counting provisional ballots.** (a) A voter who casts a provisional ballot in
19. 32the polling place may personally appear before the county auditor or municipal clerk no
19. 33later than seven calendar days following the election to prove that the voter's provisional
19. 34ballot should be counted. The county auditor or municipal clerk must count a provisional
19. 35ballot in the final certified results from the precinct if:
20. 1(1) the statewide voter registration system indicates that the voter is eligible to
20. 2vote or, if challenged, the county auditor or municipal clerk does not, based upon
20. 3available records and any documentation presented by the voter, conclude that the voter is
20. 4ineligible; and
20. 5(2) the voter presents proof of identity and residence in the precinct in the manner
20. 6permitted by section 200.035.
20. 7(b) If a voter does not appear before the county auditor or municipal clerk within
20. 8seven calendar days following the election or otherwise does not satisfy the requirements
20. 9of paragraph (a), or if the data listed on the items of identification presented by the voter
20. 10does not match the data submitted by the voter on the provisional ballot envelope, the
20. 11voter's provisional ballot must not be counted.
20. 12(c) The county auditor or municipal clerk must notify, in writing, any provisional
20. 13voter who does not appear within seven calendar days of the election that the voter's
20. 14provisional ballot was not counted because of the voter's failure to appear before the
20. 15county auditor or municipal clerk within the time permitted by law to determine whether
20. 16the provisional ballot should be counted.
20. 17 Subd. 3. **Provisional ballots; reconciliation.** Prior to counting any provisional
20. 18ballots in the final vote totals from a precinct, the county auditor must verify that the
20. 19number of signatures appearing on the provisional ballot roster from that precinct is equal
20. 20to the number of provisional ballots submitted by voters in the precinct on election day.
20. 21Any discrepancy must be resolved before the provisional ballots from the precinct may
20. 22be counted. Excess provisional ballots must be randomly withdrawn in the manner

Comment [PJE9]: Voter must appear within seven days following the election

20. 23required by section 204C.20, subdivision 2, after the period for a voter to appear to prove
20. 24residence and identity has expired and the ballots to be counted have been separated from
20. 25the provisional ballot envelopes.

Section 1. Minnesota Statutes 2010, section 135A.17, subdivision 2, is amended to
25. 20read:

25. 21 Subd. 2. **Residential housing list.** All postsecondary institutions that enroll students
25. 22accepting state or federal financial aid may prepare a current list of students enrolled in the
25. 23institution and residing in the institution's housing or within ten miles of the institution's
25. 24campus. The list shall include each student's current address and note any student on the
25. 25list known to not be a United States citizen. The list shall be certified and sent to the
25. 26appropriate county auditor or auditors, in an electronic format approved by the secretary of
25. 27state, for use in election day registration as provided under section 201.061, subdivision 3.
25. 28A residential housing list provided under this subdivision may not be used or disseminated
25. 29by a county auditor or the secretary of state for any other purpose.

Comment [PJE10]: Student – note on list noncitizens

Sec. 4. Minnesota Statutes 2010, section 201.061, subdivision 4, is amended to read:

27. 14 Subd. 4. **Registration by election judges; procedures.** Registration at the polling
27. 15place on election day shall be conducted by the election judges. Before registering an
27. 16individual to vote at the polling place, the election judge must review any list of absentee
27. 17election day registrants provided by the county auditor or municipal clerk to see if the
27. 18person has already voted by absentee ballot. If the person's name appears on the list, the
27. 19election judge must not allow the individual to register or to vote in the polling place.
27. 20The election judges shall also review the list of individuals reported to be ineligible to
27. 21vote using the electronic roster, or a paper list provided by the county auditor or municipal
27. 22clerk. If an individual is on the challenged eligibility list maintained by the secretary
27. 23of state, the elections official shall comply with section 201.197. The election judge
27. 24who registers an individual at the polling place on election day shall not handle that
27. 25voter's ballots at any time prior to the opening of the ballot box after the voting ends.
27. 26Registration applications and forms for oaths shall be available at each polling place.
27. 27If an individual who registers on election day proves residence by oath of a registered
27. 28voter, the form containing the oath shall be attached to the individual's registration
27. 29application. Registration applications completed on election day shall be forwarded to the
27. 30county auditor who shall add the name of each voter to the registration system unless the
27. 31information forwarded is substantially deficient. A county auditor who finds an election
27. 32day registration substantially deficient shall give written notice to the individual whose
27. 33registration is found deficient. An election day registration shall not be found deficient
27. 34solely because the individual who provided proof of residence was ineligible to do so.

Comment [PJE11]: List provided to EJs of who is ineligible have to check this first

Sec. 6. Minnesota Statutes 2010, section 201.071, subdivision 3, is amended to read:

28. 8 Subd. 3. **Deficient registration.** No voter registration application is deficient if it
28. 9contains the voter's name, address, date of birth, current and valid Minnesota driver's
28. 10license number ~~or~~ Minnesota state identification number, voter identification card
28. 11number, or if the voter has no current and valid Minnesota driver's license ~~or~~ number,
28. 12Minnesota state identification number, or voter identification card number, the last four
28. 13digits of the voter's Social Security number, if the voter has been issued a Social Security
28. 14number, prior registration, if any, and signature. The absence of a zip code number does
28. 15not cause the registration to be deficient. ~~Failure to check a box on an application form~~
28. 16~~that a voter has certified to be true does not cause the registration to be deficient.~~ The
28. 17election judges shall request an individual to correct a voter registration application if it is

Comment [PJE12]: Deficient voter registration applies if box not checked or if box attesting validity of information is not checked.

28. 18deficient or illegible. No eligible voter may be prevented from voting unless the voter's
28. 19registration application is deficient or the voter is duly and successfully challenged in
28. 20accordance with section 201.195 or 204C.12.
28. 21 A voter registration application accepted prior to August 1, 1983, is not deficient for
28. 22lack of date of birth. The county or municipality ~~may~~ shall attempt to obtain the date of
28. 23birth for a voter registration application accepted prior to August 1, 1983, by a request to
28. 24the voter ~~at any time except at the polling place. Failure by the voter to comply with this~~
28. 25request does not make the registration deficient.
28. 26 A voter registration application accepted before January 1, 2004, is not deficient for
28. 27lack of a valid Minnesota driver's license or state identification number, voter identification
28. 28card number, or the last four digits of a Social Security number. A voter registration
28. 29application submitted by a voter who does not have a Minnesota driver's license or state
28. 30identification number, voter identification card number, or a Social Security number, is not
28. 31deficient for lack of any of these numbers.

Sec. 11. **[201.197] CHALLENGED ELIGIBILITY LIST.**

31. 21(a) The secretary of state shall maintain an electronic database of individuals not
31. 22registered and who are reported to be ineligible to vote under section 201.014. The
31. 23database may be maintained as a module of the statewide voter registration system, if
31. 24permitted by federal law, or maintained as a separate database, and at a minimum must
31. 25include an individual's name, address of residence, date of birth, the reason the individual
31. 26is reported to be ineligible to vote and, if available, the individual's driver's license or state
31. 27identification card number, voter identification card number, or the last four digits of the
31. 28individual's Social Security number. Entries in the database shall be compiled using data
31. 29submitted to the secretary of state under this chapter.
31. 30(b) An elections official processing a voter registration application must verify
31. 31whether the individual listed on the application is included in the database of individuals
31. 32reported to be ineligible to vote. If the individual is listed in the database, the voter
31. 33registration application may be accepted, but the voter's status must be listed as
31. 34"challenged." An election judge processing a voter registration application submitted by a
31. 35voter in a polling place on election day must verify the application using the electronic
32. 1roster, or if the polling place does not have an electronic roster, using a paper list provided
32. 2by the county auditor. A paper list used for verification in a polling place may be limited
32. 3to only those individuals reported to be residents of the county in which the precinct
32. 4is located.

Comment [PJE13]: SVRS database of ineligible voters

Sec. 16. Minnesota Statutes 2010, section 203B.121, subdivision 1, is amended to read:

34. 21 Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each
34. 22county, municipality, and school district with responsibility to accept and reject absentee
34. 23ballots must, by ordinance or resolution, establish a ballot board. The board must consist
34. 24of a sufficient number of election judges trained in the handling of absentee ballots and
34. 25appointed as provided in sections 204B.19 to 204B.22. The board may include staff
34. 26trained as election judges.
34. 27(b) Each jurisdiction must pay a reasonable compensation to each member of that
34. 28jurisdiction's ballot board for services rendered during an election.
34. 29(c) A ballot board may only meet to perform its duties under this chapter during the
34. 30period in which completed absentee ballots are accepted for an election. The time and
34. 31place of each meeting must be scheduled, announced, and posted on the Web site of the
34. 32governing body of the county, municipality, or school district at least 14 days prior to

Comment [PJE14]: AB Board – time & place published – same all the time during business day

34. 33convening the first meeting of the ballot board for an election. If the governing body of
35. 1the county, municipality, or school district does not have a Web site, the time and place
35. 2of each meeting must be posted, in writing, on the principal bulletin board of the body.
35. 3Meetings of the ballot board must be convened at the same time and in the same location.
35. 4The ballot board must also meet on any day during which the county or municipal offices
35. 5are open for the purposes of conducting election business prior to an election. A ballot
35. 6board may not meet except during regularly scheduled meetings announced and posted as
35. 7required by this paragraph.
35. 8(d) Except as otherwise provided by this section, all provisions of the Minnesota
35. 9Election Law apply to a ballot board.