

46.21 **ARTICLE 4**46.22 **RESTORATION OF RIGHT TO VOTE**

46.23 Section 1. Minnesota Statutes 2014, section 201.014, is amended by adding a  
46.24 subdivision to read:

46.25 Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual  
46.26 convicted of a felony has the civil right to vote restored when the individual completes  
46.27 any incarceration imposed and executed by the court for the offense, and during any other  
46.28 period following conviction in which the individual is not incarcerated. If the individual  
46.29 is later incarcerated for the same offense, the individual's civil right to vote is lost only  
46.30 during the period of incarceration. A person is considered to be incarcerated under this  
46.31 subdivision if the person is on work release or other form of temporary release and spends  
46.32 a portion of a day in a prison, jail, workhouse, or other local correctional facility.

47.1 Sec. 2. Minnesota Statutes 2014, section 201.071, subdivision 1, is amended to read:

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

47.16 "I certify that I:

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

47.18 (2) am a citizen of the United States;

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

47.20 (4) maintain residence at the address given on the registration form;

47.21 (5) am not under court-ordered guardianship in which the court order revokes my

47.22 right to vote;

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

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

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

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

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

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

47.34 And the instruction:

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

48.1 A paper voter registration application must be of suitable size and weight for  
48.2 mailing. The form of the voter registration application and the certification of voter  
48.3 eligibility must be as provided in this subdivision and approved by the secretary of state.  
48.4 Voter registration forms authorized by the National Voter Registration Act must also be  
48.5 accepted as valid. The federal postcard application form must also be accepted as valid if  
48.6 it is not deficient and the voter is eligible to register in Minnesota.

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

48.9 Sec. 3. Minnesota Statutes 2014, section 201.12, subdivision 2, is amended to read:

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

48.26 Sec. 4. Minnesota Statutes 2014, section 201.12, subdivision 3, is amended to read:

48.27 Subd. 3. **Moved out of state.** If any nonforwardable mailing from an election

48.28 official is returned as undeliverable but with a permanent forwarding address outside this  
48.29 state, the county auditor shall promptly mail to the voter at the voter's new address a  
48.30 notice advising the voter that the voter's status in the statewide voter registration system  
48.31 will be changed to "inactive" unless the voter notifies the county auditor within 21 days  
48.32 that the voter is retaining the former address as the voter's address of residence. If the  
48.33 voter's record is challenged due to incarceration for a felony conviction offense, lack of  
48.34 United States citizenship, legal incompetence, or court-ordered revocation of voting rights  
49.1 of persons under guardianship, the county auditor must not mail this notice. If the notice is  
49.2 not received by the deadline, the county auditor shall change the voter's status to "inactive"  
49.3 in the statewide voter registration system.

49.4 Sec. 5. Minnesota Statutes 2014, section 201.13, subdivision 3, is amended to read:

49.5 Subd. 3. **Use of change of address system.** (a) At least once each month the

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

49.16 (b) If the address is changed to another address in this state, the secretary of state

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

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

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

50.16 (1) name;

50.17 (2) date of birth;

50.18 (3) address;

50.19 (4) driver's license or state identification card number;

50.20 (5) the last four digits of an individual's Social Security number; and

50.21 (6) the date that an individual's record was last updated.

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

50.27 Sec. 6. Minnesota Statutes 2014, section 201.14, is amended to read:

50.28 **201.14 COURT ADMINISTRATOR OF DISTRICT COURT; REPORT**

50.29 **CHANGES OF NAMES.**

50.30 The state court administrator shall regularly report by electronic means to the  
50.31 secretary of state the name, address, and, if available, driver's license or state identification  
50.32 card number of each individual, 18 years of age or over, whose name was changed since  
50.33 the last report, by marriage, divorce, or any order or decree of the court. The secretary of  
50.34 state shall determine if any of the persons in the report are registered to vote under their  
50.35 previous name and shall prepare a list of those registrants for each county auditor. Upon  
51.1 receipt of the list, the county auditor shall make the change in the voter's record and mail  
51.2 to the voter the notice of registration required by section 201.121, subdivision 2. A notice  
51.3 must not be mailed if the voter's record is challenged due to incarceration for a felony  
51.4 ~~conviction~~ offense, lack of United States citizenship, legal incompetence, or court-ordered  
51.5 revocation of voting rights of persons under guardianship.

51.6 Sec. 7. Minnesota Statutes 2014, section 201.157, is amended to read:

51.7 **201.157 USE OF DEPARTMENT OF CORRECTIONS DATA.**

51.8 (a) The commissioner of corrections shall make electronic data available to the  
51.9 secretary of state on individuals 18 years of age or older who are currently: incarcerated in  
51.10 a state correctional facility.

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

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

51.14 The data must include the name, date of birth, last known residential address that is  
51.15 not a correctional facility, and, if available, corrections' state identification number, and  
51.16 the driver's license or state identification card number, and, if an individual has completed  
51.17 the sentence, the date of discharge.

51.18 (b) The secretary of state must determine if any data newly indicates that:

51.19 (1) an individual with an active voter registration in the statewide voter registration  
51.20 system is currently ~~serving a felony sentence under the commissioner's jurisdiction or is~~  
51.21 ~~on probation for a felony offense that would result in the loss of civil rights~~ incarcerated  
51.22 in a state correctional facility and the individual's voter record does not already have a  
51.23 challenged status due to a felony conviction;

51.24 (2) an individual with an active voter registration in the statewide voter registration  
51.25 system who is currently ~~serving a felony sentence under the commissioner's jurisdiction~~  
51.26 ~~or who is on probation for a felony offense that would result in the loss of civil rights~~  
51.27 incarcerated in a state correctional facility appears to have registered to vote or to have  
51.28 voted during a period when the individual's civil rights were revoked; and

51.29 (3) an individual with a voter record that has a challenged status due to a felony  
51.30 conviction who was serving a felony sentence under the commissioner's jurisdiction  
51.31 or who has been on probation for a felony offense that would result in the loss of civil  
51.32 rights has been discharged from a sentence.

51.33 The secretary of state shall prepare a list of the registrants included under clause (1),  
51.34 (2), or (3) for each county auditor. For individuals under clause (1), the county auditor  
51.35 shall challenge the individual's record in the statewide voter registration system. The  
52.1 county auditor must provide information to the county attorney about individuals under  
52.2 clause (2) for the county attorney's investigation. For individuals under clause (3), the  
52.3 county auditor must determine if the challenge status should be removed from the voter  
52.4 record for the individual, and if so, must remove the challenge.

52.5 The secretary of state must make the required determinations and provide the  
52.6 required lists to the county auditors at least monthly.

52.7 For each state general election that occurs prior to the statewide voter registration  
52.8 system being programmed to generate lists as required by this section, the secretary of  
52.9 state must make the determination and provide lists to the county auditors between 30 and  
52.10 60 days before the election and again between six and ten weeks after the election. In the  
52.11 year following that state election, the secretary of state must make this determination and  
52.12 provide lists to the county auditors again as part of the annual list maintenance.

52.13 Sec. 8. **[201.276] DUTIES OF SECRETARY OF STATE; INFORMATION**  
52.14 **ABOUT VOTING RIGHTS.**

52.15 The secretary of state shall develop accurate and complete information in a single  
52.16 publication about the voting rights of people who have been charged with or convicted of  
52.17 a crime. The secretary of state must make this publication available electronically to the  
52.18 state court administrator for distribution to judges, court personnel, probation officers,  
52.19 and the Department of Corrections for distribution to corrections officials, parole and  
52.20 supervised release agents, and the public. The secretary of state must make the publication  
52.21 available to the public on the Office of the Secretary of State's Web site.

52.22 Sec. 9. Minnesota Statutes 2014, section 204C.08, subdivision 1d, is amended to read:

52.23 Subd. 1d. **Voter's Bill of Rights.** The county auditor shall prepare and provide to  
52.24 each polling place sufficient copies of a poster setting forth the Voter's Bill of Rights as set  
52.25 forth in this section. Before the hours of voting are scheduled to begin, the election judges  
52.26 shall post it in a conspicuous location or locations in the polling place. The Voter's Bill  
52.27 of Rights is as follows:

52.28 "VOTER'S BILL OF RIGHTS

52.29 For all persons residing in this state who meet federal voting eligibility requirements:

52.30 (1) You have the right to be absent from work for the purpose of voting in a state  
52.31 ~~or~~ federal, or regularly scheduled election without reduction to your pay, personal leave,  
52.32 or vacation time on election day for the time necessary to appear at your polling place,  
52.33 cast a ballot, and return to work.

53.1 (2) If you are in line at your polling place any time before 8:00 p.m., you have the  
53.2 right to vote.

53.3 (3) If you can provide the required proof of residence, you have the right to register  
53.4 to vote and to vote on election day.

53.5 (4) If you are unable to sign your name, you have the right to orally confirm your  
53.6 identity with an election judge and to direct another person to sign your name for you.

53.7 (5) You have the right to request special assistance when voting.

53.8 (6) If you need assistance, you may be accompanied into the voting booth by a  
53.9 person of your choice, except by an agent of your employer or union or a candidate.

53.10 (7) You have the right to bring your minor children into the polling place and into  
53.11 the voting booth with you.

53.12 (8) ~~If you have been convicted of a felony but your felony sentence has expired~~  
53.13 ~~(been completed) or you have been discharged from your sentence,~~ You have the right to  
53.14 vote, even if you have been convicted of a felony, if you are not currently incarcerated for  
53.15 the felony offense.

53.16 (9) If you are under a guardianship, you have the right to vote, unless the court  
53.17 order revokes your right to vote.

53.18 (10) You have the right to vote without anyone in the polling place trying to  
53.19 influence your vote.

53.20 (11) If you make a mistake or spoil your ballot before it is submitted, you have the  
53.21 right to receive a replacement ballot and vote.

53.22 (12) You have the right to file a written complaint at your polling place if you are  
53.23 dissatisfied with the way an election is being run.

53.24 (13) You have the right to take a sample ballot into the voting booth with you.

53.25 (14) You have the right to take a copy of this Voter's Bill of Rights into the voting  
53.26 booth with you."

53.27 Sec. 10. Minnesota Statutes 2014, section 204C.10, is amended to read:

53.28 **204C.10 PERMANENT REGISTRATION; VERIFICATION OF**  
53.29 **REGISTRATION.**

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

53.32 (1) is at least 18 years of age;<sub>2</sub>

53.33 (2) a citizen of the United States;<sub>2</sub>

53.34 (3) has resided in Minnesota for 20 days immediately preceding the election;<sub>2</sub>

53.35 (4) maintains residence at the address shown;<sub>2</sub>

54.1 (5) is not under a guardianship in which the court order revokes the individual's  
54.2 right to vote;

54.3 (6) has not been found by a court of law to be legally incompetent to vote or has  
54.4 the right to vote because;

54.5 (7) if the individual was convicted of a felony, the felony sentence has expired or  
54.6 been completed or the individual has been discharged from the sentence; is not currently  
54.7 incarcerated for a felony offense;

54.8 (8) is registered; and

54.9 (9) has not already voted in the election.

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

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

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

54.20 Sec. 11. **[243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.**

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

54.26 Subd. 2. **Notice requirement.** A notice of restoration of the civil right to vote must  
54.27 be provided as follows:

54.28 (1) the chief executive officer of each state and local correctional facility shall  
54.29 provide the notice to a person being released from the facility following incarceration for a  
54.30 felony-level offense; and

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

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

54.35 **"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.**

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

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

55.10 Sec. 12. Minnesota Statutes 2014, section 609.165, subdivision 1, is amended to read:

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

55.15 (b) Section 201.014, subdivision 2a, governs the restoration of voting rights for  
55.16 persons whose right to vote has been lost due to a felony conviction.

55.17 Sec. 13. **REPEALER.**

55.18 Minnesota Statutes 2014, sections 201.155; and 201.275, are repealed.

55.19 Sec. 14. **EFFECTIVE DATE.**

55.20 This article is effective August 1, 2015, and applies to elections held on or after that  
55.21 date. Notices required to be provided by Minnesota Statutes, section 243.205, must be  
55.22 provided to individuals released from incarceration on or after August 1, 2015.