

A bill for an act
relating to elections; ballot preparation, canvassing, and procedures; amending Minnesota
Statutes 2019 sections 204B.06, subdivision 4; 204B.11, subdivision 1; 207A.13.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2019, section 204B.06, subdivision 4, is amended to read:

Subd. 4. **Federal offices.** ~~Candidates for president or vice president of the United States are not required to file an affidavit of candidacy for office.~~ Candidates who seek nomination for the office of president of the United States or United States senator or representative shall state the following information on the affidavit:

(1) for president of the United States, that the candidate is a natural born citizen of the United States and, when elected, will be 35 years of age or older and have resided within the United States for 14 years or more;

(2) for United States senator, that the candidate will be an inhabitant of this state when elected and will be 30 years of age or older and a citizen of the United States for not less than nine years on the next January 3 or, in the case of an election to fill a vacancy, within 21 days after the special election; and

~~(2)~~ (3) for United States representative, that the candidate will be an inhabitant of this state when elected and will be 25 years of age or older and a citizen of the United States for not less than seven years on the next January 3 or, in the case of an election to fill a vacancy, within 21 days after the special election.

Section 2. Minnesota Statutes 2019, section 204B.11, subdivision 1, is amended to read:

Subdivision 1. **Amount; dishonored checks; consequences.** (a) Except as provided by subdivision 2, a filing fee shall be paid by each candidate who files an affidavit of candidacy. The fee shall be paid at the time the affidavit is filed. The amount of the filing fee shall vary with the office sought as follows:

(1) for the office of governor, lieutenant governor, attorney general, state auditor, secretary of state, representative in Congress, judge of the supreme court, judge of the court of appeals, or judge of the district court, \$300;

(2) for the office of senator in Congress, \$400;

(3) for office of senator or representative in the legislature, \$100;

(4) for a county office, \$50; ~~and~~

(5) for the office of soil and water conservation district supervisor, \$20; and

(6) for the office of president of the United States, \$500.

(b) For the office of presidential elector, and for those offices for which no compensation is provided, no filing fee is required.

(c) The filing fees received by the county auditor shall immediately be paid to the county treasurer. The filing fees received by the secretary of state shall immediately be paid to the commissioner of management and budget.

(d) When an affidavit of candidacy has been filed with the appropriate filing officer and the requisite filing fee has been paid, the filing fee shall not be refunded. If a candidate's filing fee is paid with a check, draft, or similar negotiable instrument for which sufficient funds are not available or that is dishonored, notice to the candidate of the worthless instrument must be sent by the filing officer via registered mail no later than immediately upon the closing of the filing deadline with return receipt requested. The candidate will have five days from the time the filing officer receives proof of receipt to issue a check or other instrument for which sufficient funds are available. The candidate issuing the worthless instrument is liable for a service charge pursuant to section 604.113. If adequate payment is not made, the name of the candidate must not appear on any official ballot and the candidate is liable for all costs incurred by election officials in removing the name from the ballot.

Section 3. Minnesota Statutes 2019, section 207A.13, is amended to read:

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

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

(c) ~~If requested by a party chair, the~~ The ballot for ~~that each~~ party must contain a place for a voter to indicate a preference for having delegates to the party's national convention remain uncommitted. ~~If requested by a party chair, the ballot for that party must contain~~ and a blank line printed below the other choices on the ballot so that a voter may write in the name of a person who ~~is not listed on the ballot~~ has filed the request prescribed by section 204B.09, subdivision 3(b). ~~A request under this paragraph must be submitted to the secretary of state no later than 63 days before the presidential nomination primary.~~

Subd. 2. **Candidates on the ballot.** (a) Each party ~~must~~ may determine ~~which~~ the names of candidates ~~are~~ to be placed on the presidential nomination primary ballot for that party. The chair of each party ~~must~~ may submit to the secretary of state a notice containing the names of the candidates to appear on the ballot for that party no sooner than 112 days and no later than 63

days before the presidential nomination primary. Once submitted, changes must not be made to the ~~candidates that will appear on the ballot~~ notice filed by the chair.

~~(b) No later than the seventh day before the presidential nomination primary, the chair of each party must submit to the secretary of state the names of write-in candidates, if any, to be counted for that party.~~ The names of all individuals who file an affidavit of candidacy with the secretary of state no sooner than 112 days and no later than 63 days before the presidential nomination primary pursuant to section 204B.06 along with the appropriate filing fee or petition in place of filing fee pursuant to section 204B.11 shall appear on the ballot for the party indicated in the individual's affidavit of candidacy.

~~(c) The names of the candidates must be listed on the appropriate ballot for each party in the order indicated in the notice of the party chair followed by the names of the candidates who filed affidavits of candidacy in the order of their filing with the secretary of state. In the event of conflict between a notice filed by a party chair and an affidavit of candidacy filed by a candidate, the notice shall control.~~

Section 4. **EFFECTIVE DATE.** This bill is effective retroactively to November 12, 2019.