## ELECTION CONNECTED AND LAWYERS' COMMITTEE FOR PROTECTION CONNECTED AND A RIGHTS

### **Frequently Asked Questions**

### Minnesota – General Election 2024

Last Updated:7/30/2024

**Disclaimer:** This guide is designed for informational purposes only. It is not legal advice and is not intended to create an attorney-client relationship. The Election Protection Coalition does not warrant any information contained in this guide, nor does the Coalition suggest that the information in this guide should be used as a basis to pursue legal advice or decision-making.

**Note:** This FAQ is not exhaustive. Situations or inquiries may arise that are not answered below. In those circumstances, contact your hotline captain or command center for assistance. Please make sure to record all of the voter's contact information should follow-up be necessary.

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# **REGISTERING TO VOTE**

#### 1. ELIGIBILITY: Can I register to vote?

Individuals can register to vote if they are:

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- A U.S. citizen,
- At least 18 years old on Election Day,
- A resident of Minnesota for 20 days
- Not under a court order that revokes their right to vote, and

• Not currently incarcerated for a felony conviction.

Individuals can also register to vote while under guardianship unless a judge specifically has revoked their right to vote. However, individuals cannot register to vote if a court has ruled them legally incompetent.<sup>1</sup>

Persons who are 16 or 17 years old may pre-register. Election officials will process the application so it will automatically register the voter on their 18th birthday. Persons who turn 18 on or before Election Day, are eligible to vote in that election, including voting early or by absentee ballot.

2. **PRIMARY ELECTION:** Can I vote in the primary election? Do I need to be registered with a political party? Can I change my party registration to vote in another party's primary election? When I voted, the poll worker asked my party affiliation. Are they allowed to do that?

The primary to determine which **non-presidential** candidates will be on the ballot for the November general election will occur on Tuesday, August 13, 2024. All Minnesota residents who satisfy the requirements for eligibility (listed in <u>Question 1</u>) can vote in the primary election (August 13, 2024).

Individuals do not have to be members of a party to vote in its primary. In Minnesota, there is no political party registration; voters request a ballot for the party primary in which they want to vote.<sup>2</sup> However, if a voter does not select a party when requesting a ballot or voting in person, they will not be able to vote in the presidential primary.

3. **STATUS:** Am I registered to vote?

To check voter registration status, visit the Minnesota Secretary of State's website: MNVotes.

4. **HOW:** How do I register to vote? Can I register online? Do I need a printer? Can I register to vote in person?

**Online:** Individuals can register to vote by completing an application <u>online</u> at least 21 days before the election will take place (October 15, 2024 for the general election, July 23, 2024 for the August primary election).<sup>3</sup> Online registration requires 1) an email address, 2) applicant's Minnesota driver's license number or Minnesota state identification card number, **or** 3) the last four digits of the applicant's Social Security number.

At polling place: Individuals can also register to vote at their <u>polling location</u> during early voting or on Election Day <sup>4, 5</sup>

**By mail**: Electronic and paper voter registration forms are available online: <u>Register to Vote</u>. If individuals do not have access to a computer or a printer, they can get a voter registration form from their <u>county</u>

<sup>&</sup>lt;sup>1</sup> Minn. Stat. § 201.014, subd. 2(3).

<sup>&</sup>lt;sup>2</sup> <u>Party registration</u>

<sup>&</sup>lt;sup>3</sup> Minn. Stat. § 201.061, subd. 1(a)

<sup>&</sup>lt;sup>4</sup> https://www.sos.state.mn.us/elections-voting/register-to-vote/

<sup>&</sup>lt;sup>5</sup> Minn. Stat. § 201.061, subd.1a(2)

<u>election office</u>.<sup>6</sup> Applications in alternative formats are available <u>here</u>. A paper form allows the voter to declare that they do not have a driver's license, state ID, or social security number.

Automatically: Beginning on April 29, 2024 Minnesotans who apply for or renew a

(1) Minnesota driver's license or identification card;

(2) an initial or renewal application for MinnesotaCare under chapter 256L or medical assistance under chapter 256B; or

(3) an application for benefits or services to a state agency participating under subdivision 5

*will be registered to vote automatically without needing to opt-in.* Minnesotans can opt-out of registration by completing an opt-out notice that will be mailed to their residence within the required timeframe.<sup>7</sup>

**With assistance:** A person may have assistance in filling out a paper or on-line application for voter registration. See <u>application assistance</u> for details.

#### 5. **IDENTIFICATION:** What ID is required to register to vote?

**Online Registration** requires 1) an email address, and 2) applicant's Minnesota driver's license number or state identification card number, **or** 3) the last four digits of the applicant's Social Security number.

**Election Day Registration** Persons registering or updating their voter registration at the polls on Election Day or at an early voting site will need to show photo ID and proof of residence. Acceptable documentation includes one of the following:<sup>8</sup>

- 1. Government-issued ID with current name **and** address
  - 1. A valid MN driver's license, MN learner's permit, MN state ID card
  - 2. A receipt for a MN driver's license, learner's permit or state ID
  - 3. A tribal ID card with the voter's name, address, photo, and signature
- 2. OR Photo ID **PLUS** a document with current name and address

Approved Photo IDs	<b>Approved Documents</b>
Choose one. Note: can be expired	<i>Choose one. Can be shown on an electronic device.</i>
Driver's license, state ID or learner's permit issued by any state	<ul> <li>Bill, account or start-of-service statement due or dated within 30 days of the election for:</li> <li>Phone, TV or internet</li> <li>Solid waste, sewer, electric, gas or water</li> <li>Banking or credit card</li> </ul>

<sup>&</sup>lt;sup>6</sup> Minn. Stat. § 201.071, subd. 2(c)

<sup>&</sup>lt;sup>7</sup> <u>Automatic Voter Registration</u>, revised auto voter registration

<sup>&</sup>lt;sup>8</sup> Election Day Registration

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	Rent or mortgage	
U.S. Passport	Residential lease or rent agreement valid through Election Day	
U.S. Military or Veteran ID	Current student fee statement	
Tribal ID with name, signature and photo		
Minnesota university, college or technical college		
Minnesota high school ID		

- 3. OR a photo ID from the list above and a registered voter who can confirm the voter's address
  - A registered voter from the voter's precinct can go with the voter to the polling place to sign an oath confirming the voter's address. This is known as 'vouching.' A registered voter can vouch for up to eight voters. A voter cannot vouch for others if someone vouched for that voter.
- 4. College students
  - A student who regards their school as their permanent residence may register in advance of ED on-line or by mail as described above or
  - Register and vote at the polling place on election day by providing: the documentation described in 1, 2, or 3 above, including specifically for students:
    - A current student fee statement that contains the student's valid address in the precinct together with any of the listed picture identification cards.<sup>9</sup>
    - A 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.<sup>10</sup>
    - A voucher by a registered voter from the voter's precinct to confirm residence.
- 5. Valid registration in the precinct
  - If a voter is registered in the precinct but changed names or moved within the same precinct, the voter only needs to tell the election judge their previous name or address.
- 6. Notice of late registration
  - If a voter registered to vote within 20 days of the election, they may get a Notice of Late Registration in the mail. The voter should bring that with them and use it as their proof of residence.

<sup>&</sup>lt;sup>9</sup> Minnesota Statutes 2023 Supplement, section 201.061, subdivision 3(a).

<sup>&</sup>lt;sup>10</sup> Minnesota Statutes 2023 Supplement, section 201.061, subdivision 3(a)

- 7. Staff person of a residential facility
  - If a voter lives in a residential facility, a staff person can go with the voter to the polling place to confirm the voter's address. This is known as "vouching" and a staff person can vouch for all eligible voters living in the facility.<sup>11</sup>
- 6. **DEADLINES:** When is/was the voter registration deadline? Are there different deadlines whether I register by mail, in-person, online or on Election Day?

The deadline for people who register online and by mail is 21 days before Election Day (October 15, 2024 for the general election and July 23, 2024 for the August primary election).<sup>12</sup>

Paper applications must be received by 5:00 pm on that day, but online applications may be received until 11:59 pm.

Otherwise, voters may register in person at a polling place on Election Day.<sup>13</sup>

#### 7. SAME DAY: Does my state have Same Day Registration? If so, what is the process?

Yes, Minnesota has Same Day Registration.

To register and vote on Election Day, or at an in-person early voting site<sup>14</sup>, the individual must meet the eligibility requirements in <u>Question 1</u>, arrive at the correct polling place<sup>15</sup> and prove residence using one of the methods listed in <u>Question 5</u>.

#### 8. PERMANENT MOVE: I have moved permanently and I didn't update my voter registration, can I vote?

<u>Voters must re-register</u> each time they change their address, change their name, or do not vote at least once during a four-year period.<sup>16</sup> However, as long as a voter has lived in Minnesota for at least 20 days before Election Day, and meets all of the other eligibility requirements outlined in <u>Question 1</u>, the voter can up-date their registration and cast a ballot on Election Day using Election Day Registration procedures.

#### 9. TEMPORARY MOVE: I have moved temporarily. How can I vote?

If a voter is only temporarily living **in** Minnesota, the voter cannot vote in Minnesota. However, the voter can vote in their home state. For more information, please visit <u>Can I Vote | NASS. <sup>17</sup></u> A Minnesota resident temporarily living **outside** Minnesota, can vote in Minnesota either in person by voting at their <u>polling place</u> or by absentee ballot. For more information on absentee voting, please <u>see</u> <u>HOW TO VOTE: ABSENTEE</u>.

<sup>&</sup>lt;sup>11</sup> https://www.sos.state.mn.us/media/5622/election-day-registration.pdf

<sup>&</sup>lt;sup>12</sup> Minnesota Secretary Of State - Common registration questions

<sup>&</sup>lt;sup>13</sup> https://www.sos.state.mn.us/elections-voting/register-to-vote/register-on-election-day/

<sup>&</sup>lt;sup>14</sup> Minn. Stat. § 203B.04 subd. 4; <u>Minnesota Secretary Of State - Vote early in person</u>

<sup>&</sup>lt;sup>15</sup> Polling Place Finder

<sup>&</sup>lt;sup>16</sup> https://www.sos.state.mn.us/elections-voting/get-involved/how-to-pre-registerstar-to-vote/

<sup>&</sup>lt;sup>17</sup> National Association of Secretaries of State

## 10. **STUDENT:** I am a college student. Can I register to vote where I go to school? What if I am taking classes remotely? Where can I vote?

To vote in Minnesota, a person must be a U.S. Citizen, at least 18 years old on Election Day, and a resident of Minnesota for at least 20 days.

A college student should register to vote **from the address the student considers home**. For most students, that is likely either their parent's home or a school address. If a student is taking classes remotely, then they should register to vote in the state where they are physically located.

If an individual currently considers that their Minnesota college address is their home, the individual may use any of the registration options in <u>Question 5</u>, including Same Day Registration, to register and cast a vote. If a student moved to Minnesota from another state and currently considers Minnesota home, that student can vote here even if they pay out-of-state tuition or have a driver's license from another state.<sup>18</sup> Students can find their <u>polling place here</u>.

Starting on June 1, 2024, students attending Minnesota colleges and universities that accept state and federal financial aid can register on Election Day at their polling place using the student housing list provided by their school (instead of using a student fee statement) in conjunction with an approved form of photo ID, not limited to a student ID. Minnesota colleges and universities will share with their county election officials lists with addresses of students living in on-campus housing and those living in the city or cities where campus is located.

New law passed in 2023 requires post-secondary institutions to support student voters in many ways including: distributing registration forms twice a year, maintaining a web-page of voter information on their websites, and appointing a campus vote coordinator.<sup>19</sup>

#### 11. LIVING ABROAD: I am living abroad and/or serving in the military. How can I register and/or vote?

If the voter is living abroad or serving in the military, they can have an absentee ballot sent to them wherever they are in the world, AND that absentee ballot application also serves as a voter registration application. The following individuals are eligible:

- military members serving outside their home precinct,
- citizens living abroad temporarily or indefinitely, or
- spouses and dependents of military members.<sup>20</sup>

Individuals can apply for an absentee ballot online or on paper. There is no final date to request the ballot, but voters must request their ballots with adequate time for the ballot to be sent to the voter, completed, postmarked by Election Day <u>and received by county election officials no later than Election</u> <u>Day</u>. Ballots can be sent to a voter by email, but a voter must print, complete, and *mail* the ballot to vote.

Deadlines and other information available <u>here</u>. Voters <u>can track the status</u> of their ballot and confirm that it was received and counted.

<sup>&</sup>lt;sup>18</sup> https://www.sos.state.mn.us/elections-voting/register-to-vote/im-a-college-student/

<sup>&</sup>lt;sup>19</sup> Minnesota Statutes 2023 Supplement, section 201.1611.

<sup>&</sup>lt;sup>20</sup> https://www.sos.state.mn.us/elections-voting/other-ways-to-vote/vote-from-military-or-abroad/

12. **CRIMINAL CONVICTION:** I have a felony criminal conviction. Can I register to vote? Does the type of conviction matter? Are there any restrictions after any misdemeanor convictions?

Check the resources at Campaign Legal <u>Restore Your Vote</u> for latest information.

A criminal record does not affect an individual's right to vote in Minnesota unless the individual is **currently** incarcerated for a felony conviction.<sup>21</sup>

An individual who has had a felony conviction may vote after being released, including when the individual is on parole.

The individual will need to register to vote. The Minnesota Secretary of State recommends pre-registering, but the individual may register on Election Day.

Individuals can vote if:

- They were charged with or convicted of a misdemeanor or gross misdemeanor.
- They are in jail, but are not currently serving a felony sentence.
- They have been charged with a felony, but haven't been convicted.
- They have been given a stay of adjudication.
- They have been convicted of a felony, but are not incarcerated.<sup>22</sup>

#### 13. INCARCERATED: I am currently incarcerated. Can I register to vote? Can I vote from jail?

Check the resources at Campaign Legal <u>Restore Your Vote</u> for latest information.

Individuals who are in jail, but not currently serving a felony sentence, **can** register to vote and vote.

Incarcerated individuals can vote if...

- they were charged with or convicted of a misdemeanor or gross misdemeanor.
- they are in jail, but are not currently serving a felony sentence.
- they have been charged with a felony, but haven't been convicted.

Once an individual who had been incarcerated with a felony conviction is no longer incarcerated, they can vote. An individual on work release is not deemed to be incarcerated.<sup>23</sup> The individual will need to re-register to vote. It is best to register before Election Day, but they can do same-day registration on Election Day.<sup>24</sup>

#### 14. **REGISTRATION CHALLENGED:** My registration has been challenged, what should I do?

Any voter registered within a county may challenge the eligibility or residence of any other voter registered within that county. Within five days after receipt of the petition, the county auditor sets a date for a hearing on the challenge and notifies the challenged voter by serving them with a copy of the

<sup>&</sup>lt;sup>21</sup> <u>Voting with Criminal Record</u>

<sup>&</sup>lt;sup>22</sup> Voting with Criminal Record

<sup>&</sup>lt;sup>23</sup> Minn. Stat. § 201.014, subd. 2

<sup>&</sup>lt;sup>24</sup> Minn. Stat. § 201.014; Voting with Criminal Record

petition and notice of hearing. After a hearing, the county auditor or the auditor's designee will make findings and affirm or dismiss the challenge. If the challenge is affirmed, the challenged voter may appeal the ruling to the secretary of state.<sup>25</sup>

# **HOW TO VOTE: ELECTION DAY**

#### 15. HOURS: When do the polls open/close on Election Day?

Polling places are usually open from 7 a.m. to 8 p.m.<sup>26</sup>

Primary elections will be held on August 13, 2024.

In state and federal elections, polling places in towns with fewer than 500 registered voters are not required to open until 10 a.m., but most choose to open at 7 a.m.

In elections that are only for cities, towns, and/or school districts, polling places located in the metropolitan area do not have to open until 10 a.m. Those outside the metropolitan area do not have to open until 5 p.m. However, most choose to open at 7 a.m.

The metropolitan area includes the counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington, and Wright.

Confirm polling place hours with county officials: County contacts

#### 16. **POLLING LOCATION:** Where do I vote on Election Day?

To locate where to vote on Election Day, visit: Polling Place Finder.

#### 17. TIME OFF WORK: Is my employer required to give me time off to vote? Is it paid or unpaid?

Yes. Employees have the right to take time off work to vote, now including early voting in person, without losing pay, personal leave, or vacation time. The voter's employer must pay the employee for the time the employee needs to vote.<sup>27</sup>

See page for details.

#### 18. CLOSING: What if the polls close when I am already in line?

As long as a voter is in line by 8 p.m., they can vote, even if they reach the front of the line after 8 p.m.<sup>28</sup>

<sup>&</sup>lt;sup>25</sup> Minn. Stat. § 201.195

<sup>&</sup>lt;sup>26</sup> https://www.sos.state.mn.us/elections-voting/election-day-voting/voting-hours/

<sup>&</sup>lt;sup>27</sup> Minn. Stat. § 204C.04 Subd 1.

<sup>&</sup>lt;sup>28</sup> https://www.sos.state.mn.us/elections-voting/election-day-voting/voting-hours/

#### 19. **IDENTIFICATION:** What identification is required to vote?

Voters who have current and active registration do not need additional ID at the polling place. Individuals who register or update their registration at the polls will need photo ID and proof of residence: See <u>Question 5</u>.

#### 20. NO IDENTIFICATION: Can I vote without providing identification?

If an individual's voter registration is current and active (meaning the voter was successfully registered at least 21 days before Election Day (July 23, 2024 for the August primary; October 15, 2024 for the general election) and has not moved or changed names since), the voter does not need to bring identification to the polling place to vote on Election Day.

Individuals who register to vote or update their voter registration at the polling place will need to show photo ID and proof of residence before voting. See <u>Question 5</u> or MN SoS: <u>Polling Place ID</u>.

## 21. **NOT ON ROLLS AT MY POLLING PLACE:** I am at my polling place but am not showing up on the voter registration roll. Can I vote where I am?

If the voter IS registered to vote and at the correct precinct and polling place, the voter should ask the election judge to double check the voter rolls. (Check for possible mistakes in hyphenated names, reversed first and last names, misspellings, etc.) If the voter still is not found, the voter should call the <u>county election office</u> to confirm their registration status. Note: voters can alternatively utilize Election Day registration, but this may take additional time and require additional documentation.

If the voter IS registered to vote but is not at the correct precinct and polling place, the voter should go to their correct polling place and cast a ballot there. The voter can find their precinct and polling place here: <a href="https://pollfinder.sos.mn.gov/">https://pollfinder.sos.mn.gov/</a>.

If the voter IS NOT registered to vote, find the correct polling place for their residence at <u>http://pollfinder.sos.state.mn.us/</u>. Once the voter is at the correct polling place, the voter can use Same Day Registration and cast a ballot. See <u>Question 7</u> for how to register on Election Day.

#### 22. GIVEN PROVISIONAL BALLOT: I am being told I have to vote provisionally, what does that mean?

Not applicable. Minnesota does not have provisional ballots because it allows Election Day registration.<sup>29</sup>

#### 23. REQUESTING PROVISIONAL BALLOT: I am being told I can't vote, can I vote provisionally?

Not applicable. Minnesota does not have provisional ballots because it allows Election Day registration.<sup>30</sup>

<sup>&</sup>lt;sup>29</sup> 52 U.S.C. § 20503; 52 U.S.C. § 21082

<sup>&</sup>lt;sup>30</sup> 52 U.S.C. § 20503; 52 U.S.C. § 21082

#### 24. PROVISIONAL BALLOT NEXT STEPS: I voted a provisional ballot, what now?

Not applicable. Minnesota does not have provisional ballots because it allows Election Day registration.<sup>31</sup>

# HOW TO VOTE: IN-PERSON EARLY VOTING

(in this state defined as: An eligible voter voting by absentee ballot in the office of the county auditor or other designated polling place during the 46 days before the election)<sup>32</sup>

25. **AVAILABILITY:** Is there early voting in my state (whether called early voting or in-person absentee voting)?

Yes, all voters can vote early in person or by mail.<sup>33</sup>

#### 26. ELIGIBILITY: Do I have to have a reason to vote early?

No. Minnesota offers no-excuse absentee voting.<sup>34</sup>

#### 27. WHEN: When does early voting begin/end?

For most elections, in-person absentee voting starts 46 days before the election (Friday, September 20, 2024 for the general election; Friday, June 28, 2024 for the August primary election) and ends at 5:00 p.m. on the day before the election (Monday, November 4, 2024 for the general election, Monday, August 12, 2024 for the August primary election).<sup>35</sup> For voters looking for the hours that a specific location is open, see the list of voting locations before Election Day.

#### 28. WHERE: Where do I vote during early voting?

<u>In person</u>: Some cities and towns have in-person absentee voting. Voters can check the Secretary of State's website <u>here</u> to see if this option is available.

Note that voters do NOT have to be already registered to vote to utilize in-person absentee voting. If a voter is not registered, the voter can do so in person if they show proof of residence.<sup>36</sup>

<sup>&</sup>lt;sup>31</sup> 52 U.S.C. § 20503; 52 U.S.C. § 21082

<sup>&</sup>lt;sup>32</sup> Minn. Stat. § 203B.081, subd. 1

<sup>&</sup>lt;sup>33</sup> https://www.sos.state.mn.us/elections-voting/other-ways-to-vote/

<sup>&</sup>lt;sup>34</sup> Minn. Stat. § 203B.02, subd. 1

<sup>&</sup>lt;sup>35</sup> https://www.sos.state.mn.us/elections-voting/other-ways-to-vote/vote-early-in-person/

<sup>&</sup>lt;sup>36</sup> Minn. Stat. § 203B.04 subd. 4

#### 29. IDENTIFICATION: What identification is required for early voting? What if I don't have an ID?

To vote early in person, a voter who is *already registered* does not need to show any additional identification. If a voter is not registered, they can register and vote at the same time if they show proof of residence.<sup>37</sup>

See <u>Question # 5</u> for acceptable forms of proof of residence.

#### 30. **ASSISTANCE:** What if I need assistance voting early in person?

A voter who needs assistance voting early in person can bring anyone to assist them while voting, or they can get assistance from election judges. The voter cannot get assistance from their employer or their union. The voter's assistant can participate in all parts of the voting process. Assistants cannot influence how the voter votes or mark the ballot for the voter if the voter cannot communicate to the assistant who the voter wants to vote for.<sup>38</sup>

## HOW TO VOTE: VOTE BY MAIL

(in this state defined as: by Absentee or Mail Ballot<sup>39</sup>)

#### 31. AUTOMATIC MAIL BALLOT: Will I automatically be sent a ballot in the mail?

It depends.

Ballots will automatically be sent to:

- voters who had previous status as an ongoing absentee voter, or
- who apply to a county auditor or municipal clerk to automatically receive an absentee ballot before each election, or
- who have requested permanent absentee voter status through their original or updated voter registration application.

All other voters must request an absentee ballot.<sup>40</sup>

Voters can submit a request for an absentee ballot to be mailed to them at any time during the year, except the day of the election, by accessing <u>Minnesota Absentee Ballot Request - MNVotes</u> or by contacting their county election office.

To request an application in an alternative format such as Braille, call 1-877-600-8683.

<sup>&</sup>lt;sup>37</sup> <u>Minnesota Secretary Of State - Vote early in person</u>

<sup>&</sup>lt;sup>38</sup> https://www.sos.state.mn.us/media/5448/voter-assistance.pdf

<sup>&</sup>lt;sup>39</sup> <u>Minnesota Secretary Of State - Vote early by mail</u>

<sup>&</sup>lt;sup>40</sup> <u>Minnesota Secretary Of State - Vote early by mail</u>; Minn. Stat. § 203B.04 subd. 5 (effective June 1, 2024)

#### 32. ELIGIBILITY: Do I need a specific reason to vote by mail?

No.41

#### 33. APPLICATION DEADLINE: What is the deadline for requesting a mail-in ballot?

Voters can submit a request for an absentee ballot to be mailed to them at any time during the year, except the day of the election, by accessing <u>Minnesota Absentee Ballot Request - MNVotes</u> or by contacting their county election office.

However, voters should submit an absentee ballot request as soon as possible to leave time for election officials to mail the ballot and for the voter to return it.<sup>42</sup>

#### 34. APPLICATION ASSISTANCE: Can someone assist me with filling out the application?

Each person must apply for an absentee ballot for themselves, however, voters can obtain assistance filling out their absentee ballot application in a few ways. A voter may sign the application themselves, make their mark, ask another person to sign for the voter in their presence (the other person should sign their name as well), or use a signature stamp if the voter has adopted the use of one.<sup>43</sup> For additional help, voters should contact their county election office.

Voters with visual disabilities can also request an accessible absentee ballot by: 44

- Completing and submitting an absentee application. Links to applications are on both the Vote Early by Mail webpage AND
- After submitting the application, contacting the <u>local election office</u> to receive an accessible ballot.

## 35. **APPLICATION RETURN:** How do I submit my mail-in ballot application? Can someone return it for me? Does it have to be postmarked by a specific date?

Voters may submit their mail-in ballot *application* online or by returning the completed paper application to their <u>local election office</u> by mail, fax, or email.

An application mailed or returned in person to the county auditor or municipal clerk on behalf of a voter by a person other than the voter must be deposited in the mail or returned in person to the county auditor or municipal clerk within ten days after it has been dated by the voter and no later than six days before the election (August 7, 2024 for the Primary.)<sup>45</sup>

<sup>&</sup>lt;sup>41</sup> Minn. Stat. § 203B.02, subd. 1

<sup>&</sup>lt;sup>42</sup> Minnesota Secretary Of State - Vote early by mail

<sup>&</sup>lt;sup>43</sup> https://www.sos.state.mn.us/media/2444/english-regular-absentee-ballot-application.pdf

<sup>&</sup>lt;sup>44</sup> https://www.sos.state.mn.us/elections-voting/other-ways-to-vote/

<sup>&</sup>lt;sup>45</sup> Minn. Stat. § 203B.04, subd. 1(d)

## 36. **IDENTIFICATION:** Are there identification requirements when I return my mail-in ballot application and/or ballot?

Voters who have already registered do not need photo identification to apply for an absentee ballot or to vote absentee.

#### For the ballot application:

- To apply for a mail ballot online, the voter will need their Minnesota driver's license, Minnesota ID card number, or the last four digits of their social security number, and an email address.<sup>46</sup>
- Voters who do not have these can use a paper application for a mail ballot, and will be contacted for additional information.

If voters are not already registered, a voter registration form will be provided along with their absentee ballot. To complete the registration form, voters will need one of the following:

- a Minnesota driver's license or Minnesota ID card (voters provide the number),
- the last four digits of voter's Social Security number, or
- indicate they have neither of the above and a county election official will require additional documentation.

#### Voting the ballot:

- A voter will need a witness when they vote and complete their ballot.
- Voters must fill out the envelope with the same identifying numbers that they used to request the ballot.<sup>47</sup>
- 37. **RECEIVING MAIL BALLOT:** Does the ballot have to be sent to my home, or can I have it sent somewhere else? What if I don't have a home address or my address is a PO Box?

The absentee ballot application includes a line (#6) for the address to which absentee ballots should be sent. The form does not specify that it cannot be a PO Box.<sup>48</sup>

Voters who are homeless can register to vote using the location of where they sleep as their address, but may not be able to vote early by mail.<sup>49</sup>

Starting June 1, 2024, Minnesota's paper Voter Registration Application will include space for a voter to provide a physical description of their residence if they do not live at a location that has a specific physical address. It must be sufficient to allow for a county election administrator to determine which precinct the voter is living in.<sup>50</sup>

<sup>&</sup>lt;sup>46</sup> Absentee ballot instructions

<sup>&</sup>lt;sup>47</sup> ballot envelope instructions

<sup>&</sup>lt;sup>48</sup> https://www.sos.mn.gov/media/2444/english-regular-absentee-ballot-application.pdf

<sup>&</sup>lt;sup>49</sup> https://www.sos.state.mn.us/elections-voting/register-to-vote/im-homeless/

<sup>&</sup>lt;sup>50</sup>https://www.sos.state.mn.us/about-the-office/news-room/new-laws-to-take-effect-june-1-for-absentee-voting-and-vot er-registration/

38. MISSED THE APPLICATION DEADLINE: What if I have not requested a mail-in ballot by the deadline?

If the voter did not request a mail-in ballot by the deadline, they can still register and vote in person at their polling location on Election Day.<sup>51</sup>

39. **STATUS OF APPLICATION AND/OR BALLOT:** How can I check the status of my application and/or mail-in ballot?

Voters can check the status of their application and/or track their absentee ballot online (<u>Absentee or</u> <u>Mail Ballot Status - MNVotes</u>) or by calling their <u>county election office.</u>

40. **APPLICATION OR BALLOT REJECTED:** I learned my mail-in ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?

If a voter's mail-in ballot is rejected more than five days before the election, the voter will be mailed a replacement ballot along with an explanation of why their ballot was rejected. If the voter's ballot is rejected within 5 days of the election, election officials will attempt to contact the voter to let them know.

If an individual's absentee ballot application was rejected, they should contact their local election office to resolve the issue.<sup>52</sup>

#### 41. **COMPLETING BALLOT:** How do I complete the mail-in ballot?

- 1. Vote
  - Show the blank ballot to a witness (a registered voter, a notary, or a person with the authority to administer oaths.)
  - Mark the ballot in private.
  - Follow the instructions on the ballot.
  - Do not write the voter's name or ID number anywhere on the ballot.
  - Do not vote for more candidates than allowed. If the voter does, their votes for that office will not count.
- 2. Seal the ballot in the tan ballot envelope
  - Do not write on this envelope.
- **3.** Put the tan ballot envelope into the white signature envelope
- **4.** Fill out the white signature envelope <u>completely</u>
  - If there is no label, print name and Minnesota address.
  - Print Minnesota driver's license number, Minnesota ID card number, or the last four digits of Social Security number.

<sup>&</sup>lt;sup>51</sup> https://www.sos.state.mn.us/elections-voting/register-to-vote/register-on-election-day/

<sup>&</sup>lt;sup>52</sup> https://www.sos.state.mn.us/elections-voting/how-elections-work/absentee-ballot-process/

- Be sure to use the same ID number that the voter provided on the absentee ballot application.
  - If the voter does not have any of these numbers, check the box.
- Read and sign the oath.
- Ask the witness to print their name and Minnesota street address, including city
  - (not a P.O. Box), and sign their name.
  - If the witness is an official or notary, they must print their title instead of an address.
  - Notaries must also affix their stamp.
- Seal the envelope.
- 5. Put the signature envelope in the larger white return envelope to protect private information from view
  - Seal the envelope
- 6. Return the ballot by Election Day to the address on the return envelope. Ballots may not be delivered to the polling place.

Voters have four delivery options:

- Send the ballot so it arrives by Election Day, using U.S. mail or a package delivery service,
- Deliver the ballot in person to the county election office for the county the voter lives in by 8:00 p.m. on Election Day, (see <u>list</u> for county contact information)
- Deposit in a drop box in the voter's county<sup>53</sup>, or
- Ask someone to deliver it by 8:00 p.m. on Election Day.
  - This person cannot deliver more than 3 ballots.<sup>54</sup>

DO NOT drop off at a polling place

See <u>Question 42</u> for special instructions if the voter has a disability.

#### 42. ASSISTANCE COMPLETING BALLOT: Can someone assist me in filling out my ballot?

If the voter has a disability or cannot mark the ballot, the witness may assist by marking the ballot at the direction of the voter, assembling the materials, and filling out the forms for the voter.<sup>55</sup>

<sup>&</sup>lt;sup>53</sup> Minn. Stat. § 203B.08, subd. 1; Minn. Stat. § 203B.082, subd. 1

<sup>&</sup>lt;sup>54</sup> https://www.sos.state.mn.us/media/2315/absentee-ballot-instructions-for-registered-voters.pdf

<sup>&</sup>lt;sup>55</sup> https://www.sos.state.mn.us/media/2315/absentee-ballot-instructions-for-registered-voters.pdf

A voter with a disability can also request an <u>accessible absentee ballot</u>, <u>a ballot marking machine at a polling place</u>, and other forms of <u>assistance</u> in voting.

## 43. **DEADLINE TO RETURN BALLOT:** What is the deadline for the ballot to be received? Does it have to be postmarked by a specific date? Can I drop it off in person?

The deadline to return an absentee ballot is the same, no matter how it is submitted: it must be received no later than **8:00 p.m. on Election Day,** or it will not be counted. For the general election, any ballot received after November 5, 2024 at 8:00 p.m. will not be counted. For the August primary election, any ballot received after August 13, 2024 at 8:00 p.m. will not be counted.<sup>56</sup>

#### 44. BALLOT DROP OFF LOCATIONS: What are the locations for dropping off a ballot (instead of mailing it)?

Individuals can return their ballot in person no later than 8:00 p.m. on Election Day to the county election office that sent their ballot. Individuals can drop off ballots for up to three other voters.

Individuals may not drop their ballot off at their polling place.

Some voters may also return their ballot to a designated ballot drop box in their county. Drop box locations <u>here</u>.

#### 45. ASSISTANCE DROPPING OFF BALLOT: Can someone else drop off my completed ballot for me?

Yes, a voter can submit up to three absentee ballots for other voters (must show their own ID). In special situations, voters may ask an agent to pick up and return an absentee ballot for them. See requirements here: <u>Minnesota Secretary Of State - Vote early by mail</u>.

## 46. **LOST OR SPOILED BALLOT:** What if I lost my mail-in ballot, made a mistake on it (spoiled it), or I received an incorrect ballot?

#### If a voter made a mistake:

Voters can ask the election office that sent their ballot for a replacement ballot. If there is not enough time to get a new ballot, the voter should completely cross out the name of the candidate accidentally marked, then mark the candidate they prefer. The voter should not initial their corrections.<sup>57</sup>

#### If a ballot has not arrived, is lost, or damaged:

Voters should contact their <u>county election office</u>. Voters can receive a replacement ballot in person or by mail. The election official will cancel the original ballot. Voters should not return their original ballot, even if it is eventually found or received; only return the replacement ballot.<sup>58</sup>

<sup>&</sup>lt;sup>56</sup> Minn. Stat. § 203B.08, subd. 1

<sup>&</sup>lt;sup>57</sup> Minnesota Secretary Of State - Vote early by mail

<sup>58</sup> Minnesota Secretary Of State - Vote early by mail

## 47. **NON-RECEIPT OF BALLOT:** What if I requested a mail-in ballot but have not received it? What are my options for voting?

Voters should contact their <u>county election office</u>. Voters can receive a replacement ballot in person or by mail. The election official will cancel the original ballot. Voters should not return their original ballot, even if it is eventually found or received; only return the replacement ballot.<sup>59</sup>

\*The voter can also vote in person on Election Day.

## 48. **IN PERSON OPTION:** What if I requested or received a mail-in ballot but I want to vote in person on Election Day?

As long as the voter's absentee ballot hasn't been counted by election officials, they may still cast a ballot in person by voting in their polling place on Election Day or at their local early voting location. Voters can track the status of their absentee ballot to see when it is sent and when it is received by election officials.

After voting in person, the unique ballot ID number on voters' original absentee ballot will be invalidated, so that if it is returned to the election office, the officials will not count it. If a voter plans on voting in person, they should **not** bring their absentee ballot with them. The voter's election officials will provide them with a new ballot to complete that day.<sup>60</sup>

# **HOW TO VOTE: ABSENTEE**

(in this state defined as: voting with an absentee ballot starting 46 days before Election Day, by mail, in person, or as a member of the military or a Minnesotan living abroad.<sup>61</sup>)

#### 49. **ELIGIBILITY:** Am I eligible to request an absentee ballot?

All registered voters are eligible to request absentee ballots, and voters may register at the same time as requesting an absentee ballot.

Individuals are eligible to request an absentee ballot online if:

The voter:

- Is eligible to register and vote in Minnesota,
- Can provide an email address, and
- Can provide their identification number: Minnesota-issued driver's license, Minnesota ID card **OR** last 4 digits of Social Security Number.

<sup>&</sup>lt;sup>59</sup> Minnesota Secretary Of State - Vote early by mail

<sup>&</sup>lt;sup>60</sup> <u>Minnesota Secretary Of State - Vote early by mail</u>

<sup>&</sup>lt;sup>61</sup> https://www.sos.state.mn.us/elections-voting/other-ways-to-vote/

If an individual does not have an email address and one of the identification numbers above, they cannot apply for their absentee ballot online. They may apply with a paper form by <u>clicking this link</u>, selecting their preferred language, and printing out the paper absentee ballot application.<sup>62</sup>

Starting June 1, 2024, voters can request permanent absentee voter status by checking the box on the voter registration application form,<sup>63</sup> and thereafter receive absentee ballots for each election automatically. Voters can leave the permanent absentee voter list by written request to their county election officials. Voters will also be removed if an absentee ballot is returned as undeliverable, the county receives a notice of the voter's death, or a voter's status is challenged or inactive.

#### 50. APPLICATION DEADLINE: What is the deadline for requesting an absentee ballot?

Voters can submit a request for an absentee ballot to be mailed to them at any time during the year, except the day of the election, by accessing <u>mail ballot request</u> or by contacting their county election office.

However, voters should submit an absentee ballot request as soon as possible to leave time for election officials to mail the ballot and for the voter to return it. An absentee ballot will not count if it is received after 8:00 p.m. on Election Day.<sup>64</sup>

#### 51. **IDENTIFICATION:** Are there any identification requirements?

If voters are already registered, they do not need additional identification to vote absentee.

If voters are not already registered, a voter registration form will be provided along with their absentee ballot. To complete the registration form, voters will need one of the following:

- A Minnesota driver's license or Minnesota ID card [voters provide the number],
- The last four digits of Social Security number, or
- indicate they have neither of the above and a county election official will require additional documentation.<sup>65</sup>

Voters will need a witness when they vote and complete their ballot. The witness can be either a registered Minnesota voter or a notary. The witness must sign the signature envelope and list their address. Notaries should write their name and title, sign the signature envelope, and affix their notary stamp.<sup>66</sup>

#### 52. **EMERGENCY:** Is there an emergency absentee ballot? If so, am I eligible?

<sup>&</sup>lt;sup>62</sup> <u>https://mnvotes.sos.mn.gov/abrequest/index;</u>

https://www.sos.mn.gov/media/2444/english-regular-absentee-ballot-application.pdf

<sup>&</sup>lt;sup>63</sup> https://www.sos.state.mn.us/elections-voting/register-to-vote/

<sup>&</sup>lt;sup>64</sup> https://www.sos.state.mn.us/elections-voting/other-ways-to-vote/vote-early-by-mail/

<sup>&</sup>lt;sup>65</sup> https://www.sos.mn.gov/media/2444/english-regular-absentee-ballot-application.pdf

<sup>&</sup>lt;sup>66</sup> https://www.sos.state.mn.us/elections-voting/other-ways-to-vote/vote-early-by-mail/

Minnesota has a process referred to as "Agent Delivery" that allows a person to pick up and deliver a ballot during the last week of an election period to persons in a hospital, nursing home, assisted living facility, residential treatment center, group home, battered women's shelter or to persons unable to go to the polling place due to incapacitating health reasons or a disability. The agent may pick up the ballot starting 7 days before the election, August 6, 2024 for the primary. For more information see: <u>Agent Delivery Details</u>.

### 53. **APPLICATION RETURN:** Where and how can I return my absentee ballot application? Can someone return it for me?

Voters have the following options:

- By mail: Voters can return their absentee ballot application by mail or package delivery service to their county election office.
- Via fax: Voters can return their completed absentee ballot *application* to their county election office by fax.
- Online: Voters can submit an absentee ballot application online here
- By email: Voters can email their absentee ballot application to their county election office as a scanned attachment.<sup>67</sup>

An agent can return a completed absentee ballot application if the voter qualifies for agent delivery. More information about agent delivery can be found <u>here</u>.

## 54. **STATUS OF APPLICATION AND/OR BALLOT:** How can I check the status of my absentee ballot application and/or absentee ballot return?

Voters can check the status of their application and/or track their absentee ballot online (<u>Absentee or</u> <u>Mail Ballot Status - MNVotes</u>) or by calling their county election office.

55. **APPLICATION OR BALLOT REJECTED:** I learned my absentee ballot application and/or ballot was rejected. How can I confirm this and what can I do to fix any errors or get another one?

If an individual's absentee ballot *application* was rejected, they should contact their local election office to resolve the issue.

As for their ballot, local election officials must check that they (and their witness, if one was required) filled out the signature envelope correctly.

If the individual did not fill out the signature envelope correctly, election officials will mail replacement materials, including an explanation for why the signature envelope was rejected. Or, if there are fewer than five days before Election Day, election officials will try to contact the individual. In this case, the individual can vote in person early at their local election office or at their polling place on Election Day.<sup>68</sup>

#### 56. COMPLETING BALLOT: How do I complete the absentee ballot?

<sup>&</sup>lt;sup>67</sup>Minnesota Secretary Of State - Vote early by mail

<sup>&</sup>lt;sup>68</sup> Minnesota Secretary Of State - Vote early by mail

- 1. Vote
  - Show the voter's witness the voter's blank ballot.
  - Mark the voter's votes in private.
  - Follow the instructions on the ballot.
  - Do not write the voter's name or ID number anywhere on the ballot.
  - Do not vote for more candidates than allowed. If the voter does, their votes for that office will not count.
- 2. Seal the ballot in the tan ballot envelope.
  - Do not write on this envelope.
- 3. Put the tan ballot envelope into the white signature envelope.
- 4. Fill out the white signature envelope <u>completely.</u>
  - If there is no label, print name and Minnesota address.
  - Print Minnesota driver's license number, Minnesota ID card number, or the last four digits of Social Security number.
  - Be sure to use one of the same numbers that was provided on the absentee ballot application.
     If the voter does not have any of these numbers, check the box.
  - Read and sign the oath.
  - Ask the witness to print their name and Minnesota street address, including city (not a P.O. Box), and sign their name.
    - If the witness is an official or notary, they must print their title instead of an address.
    - Notaries must also affix their stamp.
  - Seal the envelope.
- 5. Put the signature envelope in the larger white return envelope to protect private information from view.
  - Seal the envelope.
- 6. Return the ballot by Election Day to the address on the return envelope. Ballots may not be delivered to the polling place.

Voters have four options:

- Send the ballot so it arrives by Election Day, using U.S. mail or a package delivery service,
- Deliver the ballot in person before Election Day or by 8:00 p.m. on Election Day,
- Deposit in a drop box in their county, or
- Ask someone to deliver it by 8:00 p.m. on Election Day.
  - This person cannot deliver more than 3 ballots.<sup>69</sup>

See <u>Question 42</u> for special instructions if a voter has a disability.

<sup>&</sup>lt;sup>69</sup> https://www.sos.state.mn.us/media/2315/absentee-ballot-instructions-for-registered-voters.pdf

#### 57. ASSISTANCE COMPLETING BALLOT: Can someone assist me filling out the ballot?

If a voter has a disability or cannot mark their absentee ballot, the witness may assist by marking the ballot at voter's direction, assembling the materials, and filling out the forms for them.<sup>70</sup>

A voter with a disability can also request an <u>accessible absentee ballot</u>, <u>a ballot marking machine at a polling place</u>, and other forms of <u>assistance</u> in voting.

## 58. **BALLOT DEADLINES:** What is the deadline for the ballot to be postmarked and/or received by, including dropping it off in person?

The deadline to return an absentee ballot is the same no matter what method the voter chooses:

**By mail**: If the voter mails their ballot, it will not count if it is received after the deadline. For the general election, the ballot must be received by 8:00 p.m. on Election Day, November 5, 2024. For the August primary election, the ballot must be received by 8:00 p.m. on Election Day, August 13, 2024.

**In person**: If the voter hand delivers their own ballot to the county election office that sent the ballot, they must do so by 8:00 p.m. on Election Day.

Ballot Drop Box: the same deadline of 8:00 on Election Day applies to drop boxes.

**In person by another person**: If another person hand delivers the voter's ballot to the county election office, that individual must do so by 8:00 p.m. on Election Day. This individual can drop off their own ballot and ballots for up to three other voters. This individual will need to show identification with name and signature when returning a ballot for someone else.<sup>71</sup>

#### 59. BALLOT DROP OFF LOCATIONS: Where can I drop off a ballot (instead of mailing it)?

Voters can return their ballot in person no later than 8:00 p.m. on Election Day to the county election office that sent the ballot. Voters can drop off ballots for up to three other voters.

Some voters may also return their absentee ballot in one of the designated <u>ballot drop box locations</u> in the county and city they live in. Voters *may not* drop ballots off at their polling places.

#### 60. ASSISTANCE DROPPING OFF: Can someone else drop off my completed ballot for me?

Yes, a voter can return up to three absentee ballots for other voters (the voter returning the ballots must show ID with name and signature). In special situations, voters may ask an agent to pick up and return an absentee ballot for them. See requirements here: <u>Agent Delivery Details</u>.<sup>72</sup>

<sup>&</sup>lt;sup>70</sup> https://www.sos.state.mn.us/media/2314/absentee-ballot-instructions-for-non-registered-voters.pdf

<sup>&</sup>lt;sup>71</sup><u>https/www.sos.state.mn.us/elections-voting/other-ways-to-vote/vote-early-by-mail/</u>

<sup>&</sup>lt;sup>72</sup> <u>https/www.sos.state.mn.us/elections-voting/other-ways-to-vote/vote-early-by-mail/</u>

#### 61. LOST OR SPOILED: What if I lost my absentee ballot or it is spoiled or I received an incorrect one?

If a voter's ballot never arrived or if it is damaged, they should contact their county election office (<u>county-election-offices</u>). The voter can receive a replacement ballot in person or by mail. The election official will cancel the voter's original ballot. The voter should not return their original ballot, even if they eventually find or receive it. The voter may need to vote in person if the error cannot be remedied in time.<sup>73</sup>

## 62. **NON-RECEIPT OF BALLOT:** What if I requested an absentee ballot but have not received it? Can I do anything?

If a voter's ballot never arrived or if it is damaged, the voter should contact their county election office (<u>county-election-offices</u>). The voter can receive a replacement ballot in person or by mail. The election official will cancel the voter's original ballot. The voter should not return their original ballot, even if they eventually find or receive it. The voter can vote in person if the error cannot be remedied in time.<sup>74</sup>

#### 63. IN PERSON OPTION: What if I requested an absentee ballot but I want to vote in person on Election Day?

As long as the absentee ballot hasn't been counted by the voter's election officials, the voter may still cast a ballot in person by voting in their polling place on Election Day. Voters can track the status of their absentee ballot to see when it is sent to them and when it is received by election officials.

After voting in person, the unique ballot ID number on the voter's original absentee ballot will be invalidated, so that if it is returned to the election office, officials will not count it. If the voter plans on voting in person, they should not bring their absentee ballot with them. Their election official will provide them with a new ballot to complete that day.<sup>75</sup>

#### 64. IN PERSON ABSENTEE: Where do I vote in-person absentee? When can I do this?

To vote in-person absentee, the voter can find their polling location here: Early Voting locations.

For most elections, in-person absentee voting starts 46 days before the election (Friday, September 20th, 2024 for the general election, June 28, 2024 for the August primary election) and ends at 5:00 p.m. on the day before the election (Monday, November 4, 2024 for the general election, Monday, August 12, 2024 for the primary election).<sup>76</sup> For voters looking for the hours that a specific location is open, see the <u>list</u> of voting locations before Election Day.

# **POLLING PLACE ISSUES**

<sup>73</sup> Mail Ballots

<sup>74</sup> Mail Ballots

<sup>75</sup> Mail Ballots

<sup>&</sup>lt;sup>76</sup> Minnesota Secretary Of State - Vote early in person

#### 65. POLLING PLACE NOT OPEN: The polling place is not open. What should I do?

Instruct the voter to stay at the polling location. Double check that the location is correct and has not been moved (<u>Polling Place Finder</u>). Contact the county election office.

66. **LONG LINES:** There are long lines at the polling place. What should I do? What if the polls are closing while I'm in line?

Stay in line. As long as the voter is in line at the polling place by 8:00 p.m., they must be allowed to vote.<sup>77</sup>

67. EQUIPMENT FAILURE: What should I do if there are equipment problems at my precinct?

Voters should immediately notify the election officers if the voting equipment breaks down. However, paper ballots are used throughout Minnesota, and machines are only used to assist individuals with disabilities in marking their paper ballots and to count all the ballots. Therefore, even if a machine breaks down, most voters should be able to continue voting, and the ballots should be placed in a secure, backup storage container while the ballot counter (aka optical scanner) is not functioning or is being repaired.<sup>78</sup>

68. **CAMPAIGNING:** What rules apply to people campaigning or "hanging around" my polling place? What counts as campaigning or electioneering? Can people approach me?

The voter has the right to vote without anyone in the polling place trying to influence their vote. With very few exceptions, no person is allowed to approach a voter, and no person is allowed to campaign inside the polling place or within 100 feet of the building.<sup>79</sup>

If the polling place is on public property, no one can campaign anywhere on the property, even beyond 100 feet. However, the prohibition of signs and campaign materials within 100 feet does not apply to adjacent private property.<sup>80</sup>

Campaigning includes:

- Displaying campaign materials,
- Posting signs,
- Asking, soliciting, or trying to induce or persuade a voter in any manner,
- Providing political badges, buttons, or other insignia to be worn at or around the polling place on the day of the election.<sup>81</sup>

<sup>&</sup>lt;sup>77</sup> https://www.sos.state.mn.us/elections-voting/election-day-voting/know-your-rights/

<sup>&</sup>lt;sup>78</sup> https://www.sos.state.mn.us/media/4905/election-judge-guide.pdf

<sup>&</sup>lt;sup>79</sup> https://www.sos.state.mn.us/elections-voting/election-day-voting/polling-place-rules/

<sup>&</sup>lt;sup>80</sup> <u>https://www.sos.state.mn.us/elections-voting/election-day-voting/polling-place-rules/</u>

<sup>&</sup>lt;sup>81</sup> Minn. Stat. § 211B.11, subd. 1

In the polling place, no person is allowed to display campaign t-shirts, buttons, or literature which relate to specific candidates, official political parties, or ballot questions on the ballot that day. A person in violation will need to either cover up or remove these items while in the polling place.<sup>82</sup>

#### The following people are allowed near a polling place:<sup>83</sup>

Voters have the right to go to and from the polling place without having anyone interfere with them. No one other than a voter can stand within 100 feet of the building where the polling place is located except the following:

- 1. an election official (representatives of the secretary of state's office, the county auditor's office, and the municipal or school district clerk's office; election judges; sergeants-at-arms and peace officers),
- 2. an individual who is waiting to register or to vote,
- 3. an individual who is conducting exit polling,
- 4. individuals representing the news media.<sup>84</sup>

The only people who may approach voters are people conducting exit polling outside of the polling place.

The following people are authorized to be inside a polling place<sup>85</sup>:

- 1. Representatives of the secretary of state's office, the county auditor's office, and the municipal or school district clerk's office,
- 2. Election Judges,
- 3. Sergeants-at-arms (if appointed/requested by an election judge to keep the peace),
- 4. Peace Officers (only when summoned by an election judge to restore the peace or when voting or registering to vote; otherwise, no peace officer shall enter or remain in a polling place or stand within 50 feet of the entrance of a polling place),<sup>86</sup>
- 5. Challengers,<sup>87</sup>
- 6. Individuals voting or registering to vote, providing proof of residence for an individual who is registering to vote, or assisting a disabled voter or a voter who is unable to read English,
- 7. Teachers and elementary or secondary school students participating in an educational activity authorized under Minnesota law,
- 8. News media (only to observe the voting process).<sup>88</sup>

<sup>&</sup>lt;sup>82</sup> Minnesota Secretary Of State - Polling place rules

<sup>&</sup>lt;sup>83</sup> Minn. Stat. § 204C.06, subd. 1

<sup>&</sup>lt;sup>84</sup> Minn. Stat. § 204C.06, subd. 8

<sup>&</sup>lt;sup>85</sup> Minn. Stat. § 204C.06, subd. 2

<sup>&</sup>lt;sup>86</sup> Minn. Stat. § 204C.06, subd. 5 & 6

<sup>&</sup>lt;sup>87</sup> Minn. Stat. § 204C.06, subd. 2; Minn. Stat. § 204C.07; Minn. Stat. § 204C.12

<sup>&</sup>lt;sup>88</sup> Minn. Stat. § 204C.06, subd. 8

69. **VOTER CONDUCT:** What am I prohibited from wearing or doing in a polling place? Can I take photos inside?

In the polling place, a voter cannot display campaign t-shirts, buttons or literature which relate to specific candidates, official political parties, or ballot questions on the ballot that day. The voter will need to either cover up or remove these items while in the polling place.<sup>89</sup>

There is no law that strictly prohibits taking photos or videos in the polling place to record the voter's own voting experience. However, the Office of the Minnesota Secretary of State discourages this activity.

In addition, Minnesota law prohibits voters from showing their marked ballot to others. Taking photographs or video of the voter's marked ballot could violate this prohibition.<sup>90</sup>

70. **POLL WORKER CONDUCT:** What is a poll worker prohibited from wearing or doing in a polling place?

Poll workers cannot wear political or campaign-related attire.<sup>91</sup> Poll workers (referred to as election judges in Minnesota) take an oath and must abide by the oath:

"I ...... solemnly swear (or affirm) that I will perform the duties of election judge according to law and the best of my ability and will diligently endeavor to prevent fraud, deceit and abuse in conducting this election. I will perform my duties in a fair and impartial manner and not attempt to create an advantage for my party or for any candidate."<sup>92</sup>

71. **INTIMIDATION:** Are there any other specific restrictions on conduct outside of a polling place? What should I do if I feel unsafe or uncomfortable outside the polling place?

People may not gather or linger in the polling place or within 100 feet of the building.

If a voter feels unsafe or uncomfortable outside the polling place, the voter can ask a poll worker for help or ask for help from a sergeant-at-arms, if there is one present at the polling place.<sup>93</sup>

72. CHALLENGE: Someone is formally challenging my vote. What should I do?

Generally, if an election judge determines that a voter eligibility challenge is valid, the challenged voter must either respond to questions from the election judge related to the challenge OR sign a polling place roster or voter signature certificate. Otherwise, an election judge may determine that a challenged voter is not permitted to vote.<sup>94</sup> A challenged voter who is initially unwilling to answer questions or sign the voter signature certificate who leaves the polling place and later returns willing to answer questions or sign is not allowed to vote.

<sup>&</sup>lt;sup>89</sup> Minnesota Secretary Of State - Polling place rules

<sup>&</sup>lt;sup>90</sup> Minnesota Secretary Of State - Polling place rules

<sup>&</sup>lt;sup>91</sup> https://www.sos.state.mn.us/media/4905/election-judge-guide.pdf

<sup>92</sup> Minn. Stat. § 204B.24

<sup>93</sup> Minn. Stat. § 204C.06, subd. 5

<sup>&</sup>lt;sup>94</sup> Minn. Stat. § 204C.12, subd. 2 & 4

73. **POLICE/MILITARY PRESENCE:** There are police/members of the military at the polling place. Is this okay? What should I do?

Except when (1) summoned by an election judge to restore the peace, (2) voting, or (3) registering to vote, no police officer shall enter or remain in a polling place or stand within 50 feet of the entrance of a polling place.<sup>95</sup>

Members of the military, like the general public, may remain inside the polling place during voting hours only while voting or registering to vote, providing proof of residence for an individual who is registering to vote, or assisting a disabled voter or a voter who is unable to read English.<sup>96</sup>

74. **THOUGHT WAS REGISTERED:** My name isn't on the voter registration roll but I thought I was registered. What should I do?

A voter's name can only be removed from the list of registered voters by the voter's own written request<sup>97</sup>, a felony conviction, death<sup>98</sup>, the individual being placed under guardianship (after the court revokes the individual's right to vote)<sup>99</sup>, the individual is found legally incompetent<sup>100</sup>, or pursuant to a voter registration list maintenance program.<sup>101</sup>

Any voter whose name was removed in one of the above ways and who subsequently becomes eligible to vote must re-register in advance or on Election Day in order to have their name restored to the statewide voter registration system.<sup>102</sup>

In addition, at the end of a calendar year, the Secretary of State may change the status of any individual who has not voted in the previous four years to "inactive." Individuals whose status is "inactive" must re-register in order to vote; this may be done at the voter's polling place on Election Day.<sup>103</sup>

75. PROVISIONAL BALLOT: I have been offered a provisional ballot. What should I do?

Not applicable. Minnesota does not have provisional ballots because it offers same-day voter registration.<sup>104</sup>

# **ACCESSIBILITY/ASSISTANCE**

<sup>95</sup> Minn. Stat. § 204C.06, subd. 5 & 6

- <sup>100</sup> Minn. Stat. § 201.145
- <sup>101</sup> Minn. Stat. § 201.014; Minn. Stat. § 201.171
- <sup>102</sup> Minn. Stat. § 201.171

<sup>104</sup> 52 U.S.C. § 20503; 52 U.S.C. § 21082

<sup>96</sup> Minn. Stat. § 204C.06, subd. 2.

<sup>&</sup>lt;sup>97</sup> Minn. Stat. § 201.13, subd. 4.

<sup>98</sup> Minn. Stat. § 201.13, subd. 1.

<sup>&</sup>lt;sup>99</sup> Minn. Stat. § 201.145

<sup>&</sup>lt;sup>103</sup> Minn. Stat. § 201.171

#### 76. EQUIPMENT ASSISTANCE: I don't know how to use the voting equipment. Can I get help?

Yes. There should be a "Demonstration Judge" poll worker at each polling place, who can show a voter how to use the equipment.<sup>105</sup>

77. **PHYSICAL DISABILITY:** I have a physical disability and need assistance. Is my polling place ADA compliant? Does my voting location have an accessible voting system?

Yes. Federal and state laws require that all polling places be accessible and usable by elderly voters or voters with disabilities.<sup>106</sup> Minnesota law requires that each polling place provide a ballot-marking device that is accessible to individuals with disabilities.<sup>107</sup> The ballot-marking device should provide individuals who are blind or visually impaired the opportunity to vote privately and independently.<sup>108</sup>

If a voter is unable to enter a polling place where paper ballots or electronic voting systems are used, they may register to vote and may vote without leaving a motor vehicle. (Curbside voting.) Two election judges who are members of different major political parties shall assist the voter to register and to complete a voter's certificate and shall provide the necessary ballots.<sup>109</sup>

Also, in all polling places, two election judges who are members of different major political parties will assist a voter with disabilities to enter the polling place and go through the registration and voting lines.<sup>110</sup>

## 78. **READING/LANGUAGE ASSISTANCE:** I am blind, have a physical disability, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?

Yes. Voters who require assistance to vote because of blindness, disability, or inability to read or write in English may have a person of the voter's choice—other than the voter's employer, an agent of the employer or an officer or agent of the voter's union or a candidate for election—make the voter's choices as directed by the voter or assist the voter in marking their choices on the ballot. Helpers are not allowed to influence the voter's vote or share how the voter voted with others.

In addition, a voter may obtain the aid of two election judges who are members of different major political parties. The election judges shall mark the ballot as directed by the voter and in as secret a manner as circumstances permit.<sup>111</sup>

<sup>&</sup>lt;sup>105</sup> https://www.sos.state.mn.us/media/4905/election-judge-guide.pdf

<sup>&</sup>lt;sup>106</sup> https://www.sos.state.mn.us/elections-voting/election-day-voting/polling-place-accessibility/

<sup>&</sup>lt;sup>107</sup> https://www.sos.state.mn.us/elections-voting/election-day-voting/ballot-marking-machine/

<sup>&</sup>lt;sup>108</sup> Minn. Stat. § 206.57 subd. 5

<sup>&</sup>lt;sup>109</sup> Minn. Stat. § 204C.15 subd. 2

<sup>&</sup>lt;sup>110</sup> Minn. Stat. § 204C.15 subd. 3

<sup>&</sup>lt;sup>111</sup> Section 208 of Voting Rights Act; Minn. Stat. § 204C.15

### 79. **LANGUAGE ACCESS:** I am not an English speaker. What language resources are available? Can I bring someone in the booth to help me understand the ballot?

Yes. Voters who require assistance to vote because of inability to read or write in English may have a person of the voter's choice—other than the voter's employer, an agent of the employer or an officer or agent of the voter's union or a candidate for election—make the voter's choices as directed by the voter, or assist the voter in marking their choices on the ballot. In addition, a voter may obtain the aid of two election judges who are members of different major political parties. The election judges shall mark the ballot as directed by the voter and in as secret a manner as circumstances permit.<sup>112</sup>

#### 80. CURBSIDE VOTING: Is curbside voting available? How do I request it?

Curbside voting is available for anyone who cannot enter the polling place for any reason, including concerns for their health. Curbside voting allows a voter to register to vote and vote without leaving their vehicle.

If a voter chooses curbside voting, two election judges will bring out a ballot to their vehicle. If the voter needs to register or update their registration, they will bring an application as well. When voters are finished voting, election judges will bring their ballot inside and put it in the ballot box.<sup>113</sup>

#### 81. **VOTER GUIDE:** Can I bring a voting guide or reference notes with me into the voting booth?

Yes. Voters have the right to take a sample ballot into the voting booth and a copy of the Minnesota Voter's Bill of Rights.<sup>114</sup>

# **STATE SPECIFIC SUPPLEMENT**

#### 82. TRIBAL POLLING PLACES: Can a Tribal Nation request a polling location?

Yes. When a county election office receives a request from a federally recognized Tribal Nation, it must provide an in-person absentee location on reservation land for at least one day.<sup>115</sup>

83. **QUESTIONS:** Who should I contact if I have questions about any of the above?

There are several places to look for help.

The Minnesota Secretary of State offers answers to several questions via their <u>website</u> or by phone 1-877-600-VOTE.

<sup>&</sup>lt;sup>112</sup> Section 208 of Voting Rights Act; Minn. Stat. § 204C.15

<sup>&</sup>lt;sup>113</sup> https://www.sos.state.mn.us/elections-voting/election-day-voting/get-help-voting/

<sup>&</sup>lt;sup>114</sup> https://www.sos.state.mn.us/elections-voting/election-day-voting/know-your-rights/

<sup>&</sup>lt;sup>115</sup> Minnesota Statutes 203B.081, subdivision 4b.; <u>Tribal Polling Places</u>

Most voter issues can be fixed by local election officials. Contacts for local election officials are available <u>here</u>.

A list of changes in laws, rules and procedures is available <u>here</u> on the Secretary of State website.