

1.1 A bill for an act
1.2 relating to elections; authorizing the Executive Council to take certain measures
1.3 for emergencies effecting elections; proposing coding for new law in Minnesota
1.4 Statutes, chapter 204B.

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

1.6 Section 1. **[204B.50] EMERGENCY PROCEDURES AUTHORIZED BY**
1.7 **EXECUTIVE COUNCIL.**

1.8 Subdivision 1. Declaration of emergency effecting elections. (a) A majority of the
1.9 Executive Council, as described in section 9.011, may declare an emergency exists that
1.10 prevents the safe, secure, and full operation of one or more polling places. Upon declaring
1.11 an emergency, the Executive Council may implement the procedures authorized by this
1.12 section. The declaration must, at a minimum, include the following information:

1.13 (1) the circumstances of the emergency;
1.14 (2) the precinct or precincts that are subject to the declaration;
1.15 (3) which procedures are required to be used by the precinct or precincts; and
1.16 (4) any other administrative actions that must be taken to carry out the orders
1.17 of the declaration.

1.18 (b) Each member of the Executive Council must post the declaration on the official
1.19 Web site of the member's office.

1.20 Subd. 2. Notification. (a) After issuing the declaration, the executive committee
1.21 must immediately notify the local election official of each jurisdiction subject to the
1.22 declaration. As soon as possible after receiving notification, the local election official
1.23 must post a notice stating the emergency procedures that will be used on the principal
1.24 bulletin board of the jurisdiction's governing body, if one exists, and on the governing

2.1 body's Web site, if one exists. The local election official must also notify the election
2.2 judges and request that local media outlets publicly announce the emergency election
2.3 procedures that will be used.

2.4 (b) When the emergency procedures authorized under subdivisions 4 and 5 are
2.5 authorized, the local election official must attempt to notify absentee voters that have not
2.6 yet returned absentee ballots of the emergency procedures.

2.7 Subd. 3. **Postponing election day.** The Executive Council may postpone or suspend
2.8 any election. If a federal office, statewide office, or statewide ballot question is on the ballot
2.9 for an election, the Executive Council must postpone the election for the entire state. The
2.10 declaration must specify the date on which the election will be held, but the election must be
2.11 held no later than days after the date on which the election was originally scheduled.

2.12 Subd. 4. **Extending absentee ballot deadlines.** (a) The Executive Council may
2.13 extend the deadline for accepting absentee ballots. A canvassing board must accept an
2.14 absentee ballot delivered by mail or a package delivery service if:

2.15 (1) the envelope or package was postmarked on or before election day; and

2.16 (2) the ballot is received before the State Canvassing Board convenes.

2.17 (b) An absentee ballot received pursuant to this subdivision must otherwise comply
2.18 with the requirements of chapter 203B and be handled in the same manner as other
2.19 absentee ballots.

2.20 Subd. 5. **Accepting absentee ballots by facsimile or e-mail.** (a) The Executive
2.21 Council may authorize a canvassing board to accept absentee ballots delivered by
2.22 electronic or facsimile transmission. The ballot must:

2.23 (1) be received by the time the polls close on election day; and

2.24 (2) include with it a copy or image of the completed certificate that appears on
2.25 the back of the return envelope.

2.26 (b) In addition to the notification required by subdivision 2, the local election official
2.27 must also notify the voter:

2.28 (1) of the facsimile number or numbers and e-mail address or addresses to which
2.29 a voter may send the voter's ballot; and

2.30 (2) that the voter waives the right to a secret ballot when using this option.

2.31 (c) An absentee ballot received pursuant to this subdivision must otherwise comply
2.32 with the requirements of chapter 203B and be handled in the same manner as other
2.33 absentee ballots.

2.34 Subd. 6. **Expanding UOCAVA voting procedures.** The Executive Council may
2.35 allow workers responding to an emergency within the state or outside of the state to use

3.1 the absentee voting provisions in sections 203B.16 to 203B.27. The Executive Council
3.2 must specify which workers are covered by the declaration.

3.3 Subd. 7. **Extending polling place hours.** The Executive Council may allow the
3.4 extension of polling place hours for a precinct if an emergency occurs. The polling place
3.5 hours may be extended until the emergency has been resolved.

3.6 Sec. 2. **EFFECTIVE DATE.**

3.7 This act is effective on