

A bill for an act

relating to elections; authorizing local election officials to combine or relocate polling places in an emergency; amending Minnesota Statutes 2014, section 204B.14, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 204B; repealing Minnesota Statutes 2014, section 204B.17.

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

Section 1. Minnesota Statutes 2014, section 204B.14, subdivision 2, is amended to read:

Subd. 2. **Separate precincts; combined polling place.** (a) The following shall constitute at least one election precinct:

(1) each city ward; and

(2) each town and each statutory city.

(b) A single, accessible, combined polling place may be established no later than May 1 of any year:

(1) for any city of the third or fourth class, any town, or any city having territory in more than one county, in which all the voters of the city or town shall cast their ballots;

(2) for contiguous precincts in the same municipality;

(3) for up to four contiguous municipalities located entirely outside the metropolitan area, as defined by section 200.02, subdivision 24, that are contained in the same county; or

(4) for noncontiguous precincts located in one or more counties.

Subject to the requirements of paragraph (c), a single, accessible, combined polling place may be established after May 1 of any year in the event of an emergency.

A copy of the ordinance or resolution establishing a combined polling place must be filed with the county auditor within 30 days after approval by the governing body. A polling place combined under clause (3) must be approved by the governing body of each participating municipality. A polling place combined under clause (4) must be approved

2.1 by the governing body of each participating municipality and the secretary of state and
2.2 may be located outside any of the noncontiguous precincts. A municipality withdrawing
2.3 from participation in a combined polling place must do so by filing a resolution of
2.4 withdrawal with the county auditor no later than April 1 of any year.

2.5 The secretary of state shall provide a separate polling place roster for each precinct
2.6 served by the combined polling place, except that in a precinct that uses electronic rosters
2.7 the secretary of state shall provide separate data files for each precinct. A single set of
2.8 election judges may be appointed to serve at a combined polling place. The number of
2.9 election judges required must be based on the total number of persons voting at the last
2.10 similar election in all precincts to be voting at the combined polling place. Separate ballot
2.11 boxes must be provided for the ballots from each precinct. The results of the election must
2.12 be reported separately for each precinct served by the combined polling place, except in a
2.13 polling place established under clause (2) where one of the precincts has fewer than ten
2.14 registered voters, in which case the results of that precinct must be reported in the manner
2.15 specified by the secretary of state.

2.16 (c) If a local elections official determines that an emergency situation preventing
2.17 the safe, secure, and full operation of a polling place on election day has occurred or is
2.18 imminent, the local elections official may combine two or more polling places for that
2.19 election pursuant to this subdivision. To the extent possible, the polling places must
2.20 be combined and the election conducted according to the requirements of paragraph
2.21 (b), except that:

2.22 (1) any city, regardless of size or location, may establish a combined polling place
2.23 under this paragraph;

2.24 (2) the governing body is not required to adopt an ordinance or resolution to
2.25 establish the combined polling place;

2.26 (3) a polling place combined under paragraph (a), clause (3) or (4), must be approved
2.27 by the local election official of each participating municipality;

2.28 (4) the local elections official must immediately notify the county auditor and the
2.29 secretary of state of the combination, including the reason for the emergency combination
2.30 and the location of the combined polling place. As soon as possible, the local elections
2.31 official must also post a notice stating the reason for the combination and the location of the
2.32 combined polling place on the principal bulletin board of the jurisdiction's governing body,
2.33 if one exists, and on the governing board's Web site, if one exists. The local elections official
2.34 must also notify the election judges and request that local media outlets publicly announce
2.35 the reason for the combination and the location of the combined polling place; and

3.1 (5) on election day, the local elections official must post a notice in large print in a
3.2 conspicuous place at the polling place where the emergency occurred, if practical, stating
3.3 the location of the combined polling place. The notice must also be posted, if practical,
3.4 in a location visible by voters who vote from their motor vehicles as provided in section
3.5 204C.15, subdivision 2.

3.6 **Sec. 2. [204B.175] CHANGE OF POLLING PLACE IN AN EMERGENCY.**

3.7 Subdivision 1. **Application.** When an emergency occurs after the deadline to
3.8 designate a polling place pursuant to section 204B.16 but before the polls close on election
3.9 day, a new polling place may be designated for that election pursuant to this section. For
3.10 purposes of this section, an emergency is any situation that prevents the safe, secure, and
3.11 full operation of a polling place.

3.12 Subd. 2. **Changing polling place.** If a local election official determines that an
3.13 emergency has occurred or is imminent, the local election official must procure a polling
3.14 place that is as near the designated polling place as possible and that complies with the
3.15 requirements of section 204B.16, subdivisions 4 and 5. If it is not possible to locate a new
3.16 polling place in the precinct, the polling place may be located outside of the precinct
3.17 without regard to the distance limitations in section 204B.16, subdivision 1. The local
3.18 election official must certify to the appropriate governing body the expenses incurred
3.19 because of the change. These expenses shall be paid as part of the expenses of the election.

3.20 Subd. 3. **Notice.** (a) Upon making the determination to relocate a polling place,
3.21 the local election official must immediately notify the county auditor and the secretary of
3.22 state. The notice must include the reason for the relocation and the location of the new
3.23 polling place. As soon as possible, the local election official must also post a notice stating
3.24 the reason for the relocation and the location of the new polling place on the principal
3.25 bulletin board of the public body, if there is one, and the Web site of the public body, if
3.26 there is one. The local election official must also notify the election judges and local
3.27 media outlets of the reason for the relocation and the location of the polling place.

3.28 (b) On election day, the local election official must post a notice in large print in a
3.29 conspicuous place at the polling place where the emergency occurred, if practical, stating
3.30 the location of the new polling place. The local election official must also post the notice
3.31 in a location visible by voters who vote from their motor vehicles as provided in section
3.32 204C.15, subdivision 2, if practical.

3.33 **Sec. 3. REPEALER.**

3.34 Minnesota Statutes 2014, section 204B.17, is repealed.

4.1 Sec. 4. **EFFECTIVE DATE.**

4.2 Sections 1 and 2 are effective on