

**1-866-OUR-VOTE
(1-866-687-8683)****Disclaimer:**

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VOTER REGISTRATION FORMS**1) Where can voter registration forms be obtained?**

Voter registration forms can be downloaded from the website of the Office of the Minnesota Secretary of State at <http://www.sos.state.mn.us/home/index.asp?page=204>.

Original voter registration forms can be obtained at county auditors' and city clerks' offices; public libraries; locations where you apply for, renew, or change a Minnesota driver's license or identification card; registrars' offices or student associations at colleges, universities, and postsecondary schools; and, in even numbered years, in state income tax booklets. In addition, applications and change of address forms for Minnesota driver's licenses and identification cards are required to serve as voter registration forms, and all postsecondary institutions that enroll students accepting state or federal financial aid are required to provide voter registration forms to each student as early as possible in the fall quarter.

Voter registration forms are also available in large print and in other languages from the website of the Office of the Minnesota Secretary of State at <http://www.sos.state.mn.us/home/index.asp?page=138>.

2) Are there restrictions on registering to vote using a photocopied voter registration form?

There are no express legislative or administrative provisions in Minnesota that prohibit individuals or groups from copying blank or completed voter registration applications before they are submitted. The application must only be a "suitable size and weight" for mailing. Minnesota law restricts public access to completed voter registration cards and limits the extent to which the public can access information derived from such cards (**see Question 4**), which could be interpreted to mean that completed voter registration forms cannot be reproduced.

3) Are there restrictions on the use of the National Voter Registration Form?

Voter registration forms prescribed by the Federal Election Commission, as provided for by the National Voter Registration Act of 1993, must be accepted if information otherwise required by Minnesota law (**see Question 11**) is completed on such forms. The federal postcard application form must also be accepted as valid if it is not deficient and the voter is eligible to register in Minnesota.

4) Are there restrictions regarding the use of registration form information?

Completed registration forms will not be available to the public. However, a master list derived from completed registration forms that contains the name, address, and date of birth for each registered

voter will be maintained. This master list may only be made available to public officials for purposes related to election administration, jury selection, and in response to a law enforcement inquiry concerning a violation of or failure to comply with any criminal statute or state or local tax statute.

A list that contains the name, address, year of birth, and voting history of registered voters, as well as telephone numbers if they were provided by the voter, will also be maintained and available to the general public. Public officials may only use the public list for the same purposes as the master list and any individual who requests or acquires the public list may only use the information for purposes related to elections, political activities, and law enforcement.

5) Are there restrictions regarding pre-filling information on registration forms?

There are no express legislative or administrative provisions in Minnesota that prohibit individuals or groups from pre-filling information on registration forms. However, inconsistent or incorrect information may delay the processing of applications.

COMPLETING VOTER REGISTRATION FORMS

6) Who is eligible to vote in Minnesota?

To be eligible to vote in Minnesota, an individual must:

- be 18 years of age or older;
- be a citizen of the United States; and
- maintain residence in Minnesota for at least 20 days immediately preceding the election.

Any individual who:

- was convicted of treason or any felony and whose civil rights have not been restored;
- is under a guardianship in which the court order revokes the ward's right to vote; or
- was found by a court of law to be legally incompetent

is not eligible to vote. No person will lose the right to vote solely on grounds of his or her failure to vote in one or more elections. However, if a voter has not voted in four years or more, he or she must re-register to be eligible to vote.

7) Are there any restrictions on registering to vote using a P.O. Box, college campus, or dorm address?

If the United States Postal Service will not deliver mail to the registrant's residence address, the registrant must also list an alternate mailing address on the voter registration application.

8) If I am in a state because of school, can I register to vote?

Use of a college address is permissible provided that a registrant considers the college address to be a permanent address. The Office of the Minnesota Secretary of State has published the following guidelines in helping college students determine the appropriate polling place:

- College students living at home would most likely register to vote based on their home address and vote at their neighborhood polling location.

- College students living on or off campus may register and vote based on either their home or school address, depending on which one they consider to be their permanent address. However, college students cannot register and vote at both locations in any given election.

A student may also vote via absentee ballot if he or she satisfies the absentee voter eligibility requirement of being absent from the precinct in which the student is supposed to vote (see **Question 20**).

9) Are there any identification requirements to register to vote?

Yes. A voter registration application requires a valid Minnesota driver's license number, a valid identification card number issued by the Minnesota Department of Public Safety Minnesota, or the last four digits of a registrant's social security number.

For Election Day registration, see the special identification requirements in **Question 19**.

10) Are there any identification requirements in order to vote?

Except as related to registration, which requires voters to provide either a valid driver's license or identification card number, or the last four digits of their Social Security Number (see **Questions 9 and 19**), there are no express legislative or administrative provisions that require identification in order to vote. However, federal law requires that first-time voters who have not provided identification at registration are required to do so at the polling place. (see **Question 19** regarding Election Day Registration for additional information about what identification is required at the polls for Election Day registrants).

11) What are the rules regarding missing or illegible information on registration forms?

No voter registration application is deficient if it contains the voter's name; address; date of birth; current and valid Minnesota driver's license number or Minnesota identification number, or if the voter has neither, the last four digits of the voter's social security number; and the voter's signature. Absence of a zip code or failure to check a box does not cause an application to be deficient. If an error occurs on Election Day, the election judge should request an individual to correct the voter application if it is deficient or illegible. If the error is made on a pre-Election Day registration application, the auditor will notify the person their application was incorrect or incomplete by mail, phone, or email.

12) If a person changes their name, can they have their new name reflected on their voter registration records by filling out a voter registration form?

Yes. Additionally, voters who have legally changed their names are required to reregister under their new name in order to vote.

REGISTERING OTHERS TO VOTE

13) What are the laws regarding third-party registration?

Completed voter registration cards must be processed in a timely manner. Specifically, a state or local agency, or an individual, that accepts completed voter registration cards must submit the completed cards to the Office of the Minnesota Secretary of State or the appropriate county auditor within 10 days after the cards are dated by the voter. Completed voter registration cards can be sent to the Office of the Minnesota Secretary of State at the address indicated below, where the cards will be forwarded to the appropriate office for processing.

Office of the Minnesota Secretary of State
60 Empire Drive, #100,
St. Paul, Minnesota 55103

14) Are there any laws regarding submission of voter registration forms by individuals receiving compensation?

Effective for elections held on or after June 1, 2008, no individual may be compensated for the solicitation, collection, or acceptance of voter registration applications from voters for submission to the Secretary of State, a county auditor, or other local election official in a manner in which payment is calculated by multiplying (1) either a set or variable payment rate by (2) the number of voter registration applications solicited, collected, or accepted. In addition, no individual may be deprived of compensation or have compensation automatically reduced exclusively for failure to solicit, collect, or accept a minimum number of voter registration applications, and no individual may receive additional compensation for reaching or exceeding a minimum number of voter registration applications.

15) Is training or registration with state required for registration drives?

There are no express legislative or administrative provisions requiring training or registration with the State of Minnesota for registration drives.

16) Are volunteers or staff of voter registration drives required to be county or state residents?

There are no express legislative or administrative provisions requiring volunteers or staff of voter registration drives required to be county or state residents.

REGISTRATION DEADLINES

17) What is the deadline to register to vote?

Voters may pre-register at any time at least 20 days before the election. October 14, 2008 is the last day to pre-register for the November election. If voters are unable to pre-register, they may register at their polling place on Election Day or, if they are eligible to vote via absentee ballot, by enclosing a completed registration card with the absentee ballot.

18) Must organizations or individuals engaged in voter registration drives submit their forms within a certain period of time?

A state or local agency, or an individual, that accepts completed voter registration cards must submit the completed cards to the Office of the Minnesota Secretary of State or the appropriate county auditor within 10 days after the cards are dated by the voter. **See also Question 13.**

19) How do you register on Election Day?

An individual who is eligible to vote may register on Election Day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration application, making an oath in the form prescribed by the Secretary of State, and providing proof of residence. There are two options for providing proof of residence on Election Day.

1) Registrants may bring one of the following items to their polling place:

- a valid Minnesota driver's license, learner's permit, or a receipt for either that contains the voter's valid address in the precinct;
- a valid Minnesota identification card issued by the Minnesota Department of Public Safety or a receipt for the identification card that contains the voter's valid address in the precinct; or
- a tribal identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, address, signature, and picture of the individual;
- proof of valid registration in the same precinct;
- a notice of late registration mailed by the county auditor or municipal clerk;
- a voter registered in the same precinct as an applicant who can confirm, under oath, an applicant's address; or
- an employee employed by and working in a residential facility located in the precinct, who knows that the applicant is a resident of that residential facility and who can, under oath in the presence of the election judge, vouch for that facility resident.

Students

An eligible voter that is a student may prove residence by presenting a current valid photo identification issued by a postsecondary educational institution in Minnesota if the voter's name, student identification number (if available), and address within the precinct appear on a current list of persons residing in the postsecondary educational institution's housing, as certified to the county auditor by the postsecondary educational institution.

2) Registrants may present a combination of photo identification and service bill (one from each category below):

Acceptable photo identifications:

- a Minnesota driver's license or identification card;
- a United States passport;
- a United States military identification card;
- a student identification card issued by a Minnesota postsecondary educational institution; or
- a tribal identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the individual's signature.

An original bill for:

- telephone, cellular phone, television, or Internet provider services, regardless of how those telephone, television, or Internet provider services are delivered; or
- gas, electric, solid waste, water, or sewer services, if
 - the bill shows the voter's name and current address in the precinct; and
 - the due date on the bill is within 30 days before or after Election Day; or
- A current student fee statement that contains the student's valid address in the precinct.

20) Does state election law allow for early voting?

Early voting is not allowed in Minnesota. However, absentee voting is allowed provided the person meets the eligibility requirements listed below.

The three categories of persons who are eligible for absentee voting are those who:

- 1) are unable to attend polling place because of absence from precinct, illness, disability, religious discipline, observance of religious holiday, service as an election judge in another precinct, or governor-declared state of emergency that makes it difficult to attend the polling place;
- 2) are in the military or are a spouse or dependent of an individual serving in the military; or
- 3) permanently reside abroad.

If eligible, a person must fill out the absentee ballot application and submit the application to the county auditor or municipal clerk where the applicant resides at any time not less than one day before the date of the election. Absentee ballot applications can be found at the following website:
http://www.sos.state.mn.us/docs/ab_application.doc.

The application must be timely received, signed, and dated by the applicant; contain the applicant's name and residence and mailing addresses; and identify which of the categories of absentee voter the applicant satisfied, as described above and in Minn. Stat. § 203B.02. 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.

VOTER REGISTRATION LEGISLATION

21) What statutes and administrative rules apply to voter registration?

Chapter 201 *et seq.* of the Minnesota Statutes contains the statutes that apply to voter registration in Minnesota. A sample of statutes relevant to the information discussed herein is as follows:

- 201.014 - Eligibility to Vote
- 201.054 - Methods of Registration
- 201.061 - Registration on or before Election Day
- 201.071 - Registration Cards
- 201.091 - Registered Voter Lists

For information concerning absentee voting, please see Minnesota Statute § 203B.04 *et seq.*

Administrative rules applicable to voter registration in Minnesota are contained in Chapter 8200 *et seq.* of the Minnesota Administrative Rules.

22) Is there any pending legislation? If so, where is it in the legislative process?

In addition to the act that was signed into law regulating the receipt of compensation in connection with voter registration drives, as summarized in **Question 14**, Minnesota's legislature has passed, and the Governor has signed, two additional acts that amend various sections of Minn. Stat. § 201 *et seq.*, as follows:

- Minn. Stat. §§ 201.12 and 201.13 have been amended to provide for updates to the registered voter database based on receipt by a county auditor of undeliverable mail that was sent to a registered voter, and based on change of address forms filed with the United States Postal Service. Act of April 3, 2008, 2008 Minn. Laws Ch. 165.
- Minn. Stat. § 201.091 has been amended to provide that any list of registered voters provided for public inspection or purchase, for jury selection, or in response to a law enforcement inquiry, will not be able to include a voter's date of birth or any part of a voter's Social Security Number, driver's license number, identification card number, military identification card number, or passport number. Act of April 17, 2008, 2008 Minn. Laws Ch. 190.

The various acts also made several minor and technical amendments to Minn. Stat. §§ 201.056, 201.061, 201.071, 201.081, 201.091, 201.171, and 201.027, and effected amendments to the absentee voting procedures in Minn. Stat. § 203B et seq.

In addition, there are several bills pending in the Minnesota legislature. Among other things, these bills seek to:

- facilitate voter registration by authorizing additional forms of identification to be used when registering to vote on Election Day, and requiring individuals who challenge a voter's registration to prove the challenger is a resident of Minnesota and requiring challengers to swear to abide by the law governing challenges (S.F. 954, 85th Leg., Reg. Sess. (Minn. 2007-2008));
- provide for automatic voter registration of applicants for a driver's license, instruction permit, or identification card, and for automatic updating of a voter's registration when the voter files a permanent change of address with the United States Postal Service (S.F. 1297, 85th Leg., Reg. Sess. (Minn. 2007-2008));
- require that game and fish licenses be able to serve as voter registration applications (S.F. 3809 and H.F. 4114, 85th Leg., Reg. Sess. (Minn. 2007-2008)); and
- permit the continued use of voter registration applications on hand as of July 31, 2007 (S.F. 2552 and H.F. 2866, 85th Leg., Reg. Sess. (Minn. 2007-2008)).

23) Is there an elections official contact who is helpful?

For more information, contact the Secretary of State's office at:

Office of the Secretary of State
180 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155-1299
1-877-600-8683
elections.dept@state.mn.us
Fax: 651-296-9073

24) What web resources are available?

Office of the Minnesota Secretary of State's Voter and Election Information
<http://www.sos.state.mn.us/home/index.asp?page=134>

National Campaign for Fair Elections:
<http://www.nationalcampaignforfairelections.org/minnesota>.