

# Minnesota Elections Administration Manual

# **Absentee Voting**

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# Introduction

This guide aides absentee voting administrators and their staff in general requirements and duties for administering voting before Election Day. Use this guide along with the Office of the Minnesota Secretary of State (OSS) Minnesota Election Laws to answer any additional questions that may be found in the constitution, statutes, or rules.

Citations in this guide refer to Minnesota election laws (Minn. Stat. citations) or rules (Minn. Rule citations). Full text of the Minnesota election laws and rules can be found at the Minnesota Office of the Revisor of Statutes. In all matters, the statute or rule is the final authority and consult your jurisdiction's legal counsel if you are unsure of interpretation.

For a more comprehensive view of election administration in Minnesota, refer to the following election guides:

- County Election Administration
- City Clerk Election
- Township Clerk Election
- School District Clerk Election
- Election Judge
- Voting Equipment Testing
- Mail Voting

- Recount
- Campaign
- Post-Election Review
- Train the Trainer
- Election Terminology
- Presidential Nomination Primary Administration

The most recent editions can be found at Office of the Minnesota Secretary of State Election Manuals webpage.

Please contact this office if you have comments on how this publication could better support the needs of absentee voting administrators: call 651-215-1440 or e-mail elections.dept@state.mn.us.

# **Acronyms Used in This Guide**

For quick reference, this guide uses several common election-related acronyms.

AB - Absentee Ballot

**EDR** - Election Day Registration

**FPCA** – Federal Post Card Application

**HCF** - Health Care Facility

**ID** - Identification

MB - Mail Ballot

**SVRS** - Statewide Voter Registration System

**UOCAVA** – Uniformed and Overseas Citizens Absentee Voting Act

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# **Absentee Administration Calendar**

### **Abbreviated Absentee Election Administration Calendar**

An abbreviated election calendar focused on absentee (AB) administration tasks is provided in this guide. Complete and detailed calendars of all election-related tasks are available at the Office of the Minnesota Secretary of State <u>Election Calendars</u> webpage for the current year.

#### **Calculating dates**

Dates should be calculated in the following manner, pursuant to Minn. Stat. 331A.08, subds. 1-2, 645.13-.15 and 645.151: When counting the number of days before an election or other event, the day before the event is the first day counted. When determining the days after the event, start counting from the day after the event. If the day falls on a weekend or legal holiday, that day is usually omitted from the computation.

### 98 days before Election Day

Last day to designate absentee voting locations (Minn. Stat. 203B.081, subd. 6).

#### 47 days before Election Day

Deadline to designate additional or temporary absentee voting locations and provide notice to the Office of the Secretary of State. County election offices may, upon request, establish an additional temporary absentee voting location for at least one day before Election Day on a federally recognized Indian Tribe reservation (Minn. Stat. 203B.081, subd. 4).

#### 46 days before Election Day (30 days for March township elections)

Last day to begin absentee voting, and all UOCAVA absentee ballots must be transmitted (Minn. Stat. 203B.05, subd. 2; Minn. Stat. 203B.085; Minn. Stat. 204B.35).

#### 40 days before absentee voting begins

Offices using drop boxes should provide a list of designated absentee ballot box locations to the Office of the Secretary of State (Minn. Stat. 203B.082, subd. 3).

#### 35 days before absentee voting begins

Drop box location lists must be published on county, municipal, and Secretary of State's Office webpages (Minn. Stat. 203B.082, subd. 3).

#### 35 days before Election Day

Health Care Facility Outreach voting begins (Minn. Stat. 203B.11, subd. 2).

#### 19 days before Election Day

Absentee ballot processing may begin after the close of business (Minn. Stat. 203B.121, subds. 3-4).

#### 18 days before Election Day

Direct balloting is available to absentee voters if approved by the county elections office or municipal clerk (Minn. Stat. 203B.081, subd. 3).

#### 15 to 20 days before absentee voting begins

Deadline for updates to absentee voting drop box locations to be decided and published on webpages (Minn. Stat. 203B.082, subd. 3(b)).

#### Two Saturdays before the state general election

Absentee voting offices must be open for voting from 9 a.m. to 3 p.m. (Minn. Stat. 203B.085, subd. 1).

#### Tuesday before the state general election

Absentee voting offices must remain open until 7 p.m. (Minn. Stat. 203B.085, subd. 1).

#### 14 days before absentee voting begins

County election offices must prepare a notice to voters of the days, times, and locations for absentee voting. The notice is posted on the Secretary of State's Office, county, and municipality webpages (Minn. Stat. 203B.081, subd. 7).

#### 7 days before Election Day

Agent delivery of absentee ballots begins (Minn. Stat. 203B.11, subd. 4).

#### Before the start of absentee voting

Election offices should save the Master List to a PC hard drive for use if SVRS is unavailable (best practice).

#### Before the start of absentee voting

The ballot board must be established for regular and UOCAVA absentees, and ballot board members must be adequately trained in absentee voting procedures (Minn. Stat. 203B.121, subd. 1; Minn. Stat. 203B.23, subd. 1).

#### Saturday before Election Day

Absentee voting offices must be open from 9 a.m. to 3 p.m., and from 10 a.m. to 12 p.m. for March township elections (Minn. Stat. 203B.085).

#### Sunday before the state general election

Absentee voting offices must be open from 9 a.m. to 3 p.m. (Minn. Stat. 203B.085, subd. 1).

#### 1 day before Election Day

Last day to apply for an absentee ballot, and absentee voting offices must remain open until 5 p.m. (Minn. Stat. 203B.04, subd. 1; Minn. Stat. 203B.085).

#### **Election Day**

Voters or their agents may return absentee ballots to absentee voting locations until 5 p.m. Ballots may be requested or returned until 8 p.m. under the agent delivery process (Minn. Stat. 203B.11, subd. 4). Ballots returned by U.S. mail or package delivery service must arrive by 8 p.m. If absentee ballot drop boxes are being used, election officials must follow Minn. Stat. 203B.08, subds. 1 and 3 and Minn. Stat. 203B.082.

#### 42 days after Election Day

County election offices must post history for those who voted in the election, including by absentee ballot, and must also post history for voters with late or rejected absentee ballots (Minn. Stat. 201.171).

#### 42 to 70 days after Election Day

Last day for the official in charge of the ballot board to mail notice of absentee ballot rejection to all regular absentee voters whose ballots were rejected and who did not otherwise vote in the election (Minn. Stat. 203B.121, subd. 2(d)).

# **Administering Absentee Voting**

Voters can vote by absentee ballot at any election via one of two separate absentee voting processes:

- Regular (domestic) absentee voting in person or mail (Minn. Stat. 203B.04 to 203B.15): The jurisdiction responsible for administration varies depending on the type of election held.
- Military and overseas voting (those covered by UOCAVA Uniformed and Overseas Citizens Absentee Voting Act) (Minn. Stat. 203B.16 to 203B.27): The county administers UOCAVA voting for all elections.

**Note:** Early voting (Minn. Stat. 203B.30, Minn. Stat. 203B.081) will be introduced starting with the 2026 state primary, pending certification by the Office of the Secretary of State. Detailed implementation instructions on early voting and related processes will be provided in a separate guide.

# **Administering Absentee Voting by Jurisdiction**

### County, state, and federal elections

Counties administer regular absentee voting and UOCAVA voting for county, state, and federal elections. A county may designate a full-time municipal clerk to administer regular absentee voting and related provisions during these elections—or if the full-time clerk is not designated, they may notify the county of their intent to administer regular absentee voting. When a municipality is in **more than one county**, the clerk must be designated by each county's elections office to administer absentee voting.

# Important Pieces When Providing Designation or Notice

The designation given by the county, or the notification provided by the municipality, must specify whether the clerk will be responsible for the administration of a ballot board.

Municipalities must meet minimum technical requirements to access the statewide voter registration system (SVRS), and the municipality must receive training provided or approved by the OSS before using SVRS.

Once designations are in place, the county must notify the OSS by completing the municipality's profile in SVRS. Minn. Stat. 203B.05, subd. 1

# **Municipal and School District Elections**

When a city, town, or school district election occurs on a day other than a state Election Day, the clerk of that jurisdiction is responsible for all absentee administration except UOCAVA. Minn. Stat. 203B.05, subd. 2

The municipality or school district may choose to delegate absentee voting administration to the county.

The county can accept or decline the delegation request. If the county agrees to administer absentee voting for the municipality or the school, the city, town, or school district holding the election pays the county for the administration costs incurred.

Minnesota statutes do not require a municipality to administer a standalone school district election on behalf of a school district.

**Note:** When a county accepts a delegation and the district/municipality is in multiple counties, the county can request SVRS delegation from OSS which will enable them to administer absentee for the entire jurisdiction.

# Scheduling Local Special Elections on the Same Day

County, municipal, and school district special elections may only be held on one of five uniform election dates throughout the year; it is possible that overlapping jurisdictions will hold special elections on the same date. Minn. Stat. 205.10, subd. 3a; 205A.05, subd. 1a; 375.101

# **Applying the Election Administration Hierarchy**

Minnesota law ensures that voters are not required to travel to multiple locations to cast their ballot, including absentee ballots. To support this, an election administration hierarchy is used when multiple jurisdictions hold elections on the same day.

The hierarchy follows the order of offices on the state general election ballot:

- County
- City or Town (Municipal)
- School District

When jurisdictions overlap, the highest-ranking jurisdiction in the hierarchy is responsible for administering the election, including absentee voting, for voters who reside in both areas. A single ballot is used and includes all contests from each applicable jurisdiction.

**Example:** If a city and a school district both hold special elections on the same day and share some precincts, the city administers the election and absentee voting for those shared voters. The ballot is considered the city's ballot but will also include the school district's contests. The school district clerk is then responsible for administering absentee voting only for school district voters who do not live within the city.

# **Preparing Absentee Voting Materials**

#### Ballots and related materials

Use past election data and input from county or municipal election administrators to estimate quantities for materials you will need to issue absentee ballots—adjusting for health care facilities and population growth.

#### Materials include

- Ballots, pens, voting booths
- Absentee ballot applications (regular, agent delivery, UOCAVA)
- Instructions for registered, unregistered, and UOCAVA voters (county only)
- Voter registration applications (with voucher form)

#### **Envelopes**

- Transmittal: regular, UOCAVA (county only)
- Signature: registered, unregistered, UOCAVA (county only), agent delivery
- Ballot secrecy
- Return: registered, unregistered, UOCAVA (county only)

**Note**: All absentee voting locations must deploy at least one ballot-marking device (e.g., AutoMARK, OmniBallot, ExpressVote, Verity TouchWriter, etc.), with only one exception: Townships with fewer than 500 registered voters, which hold their regular elections in March, are not required to have an assistive voting device. No other jurisdictions or election types are exempt. Minn. Stat. 203B.081; 206.57, subd 5a

# Form of Application, Instructions, and Envelopes

The application forms, instructions, and envelopes used in the absentee voting process have a set format and required content.

By January 1 of each even-numbered year, the OSS provides election administrators with the format of the regular absentee ballot application form. The county, municipal clerk, or school clerk prepares absentee ballot application forms in the format provided by the OSS.

The regular absentee ballot application form, including forms in languages other than English, are available on the <u>Vote Early By Mail</u> webpage.

The federal government specifies the form of the UOCAVA application - the Federal Post Card Application. Minn. Stat. 203B.04, subd. 1

Minnesota Rules set the form and content of the absentee instructions and envelopes. Absentee voting instructions conforming to these requirements are available on the <a href="https://doi.org/10.108/journal.org/">Absentee Voting Instructions</a>.

At partisan primary elections, additional instructions **must** be provided to absentee voters:

"The top part of this ballot is for a partisan (party) primary:

Vote only for candidates of one party - stay in one column.

If you voted for candidates of more than one party, your votes in that section of the ballot will not be counted.

For how to correct a mistake, see the back of the absentee ballot instructions."

Transmittal, signature, secrecy, and return <u>sample envelopes</u> that conform to Minnesota Rules requirements are available on the OSS.

First class postage must be provided on return envelopes for regular absentee ballots sent within the U.S.

UOCAVA return envelopes to be returned from the following locations should be imprinted with "postage paid" by the federal government: APO or FPO addresses, overseas military bases, and embassies. To save time, you may wish to pre-print transmittal envelopes with the necessary postage prior to the start of the absentee voting period. Minn. Stat. 203B.07; Minn. Rules 8210.0300 to 8210.0600; 8210.0710 to 8210.0720; 8210.0800

Materials (envelopes and instructions) should not contain the name of any candidate whose name appears on the ballot. For example, if the county auditor or municipal clerk is running for election, their name should not appear on any of the materials sent out to absentee voters. Minn. Stat. 203B.06, subd. 8

### Administrative supplies

The following administrative materials are also necessary to issue absentees:

- Master list of registered voters in the jurisdiction
- Precinct finder—to identify the home precinct for nonregistered absentee voters
- Agent-return record—to log individuals other than the voter themselves who return ballots
- Incident log—as with the precinct polling place incident log, to make note of any occurrences in absentee voting location management, such as a spreadsheet (if SVRS will not be used)

# **Establishing Absentee Voting Locations**

### County, state, and federal elections

The county is responsible for administering absentee voting for all county, state, and federal elections.

### Delegation to full-time municipal clerks

- A county auditor may designate a municipal clerk to administer absentee voting within the municipality.
- Alternatively, a municipal clerk may notify the county auditor of their intent to administer absentee voting.
- Each designation or notification must state whether the clerk will manage a ballot board and confirm that the municipality has the technical capacity to access the Statewide Voter Registration System (SVRS).

### Additional absentee voting locations Minn. Stat. 203B.05, subd. 1; Minn. Stat. 203B.081

- County auditors or designated municipal clerks may establish additional absentee voting locations.
- These locations must be designated at least 14 weeks before the election.

### Municipal and school district elections

- For municipal elections not held on the same day as state elections, the municipal clerk administers absentee voting.
- For school district elections not held on the same day as state elections, the school district clerk administers absentee voting.

#### Delegation to county auditors Minn. Stat. 203B.05, subd. 1

- A city, town, or school district may delegate absentee voting administration to the county auditor.
- The county auditor may accept or decline this delegation.
- If accepted, the city, town, or school district remains responsible for covering all administration costs.

### Absentee voting locations Minn. Stat. 203B.081; Minn. Stat. 203B.04

- For county, state, and federal elections, absentee voting typically takes place at the county elections office.
- For municipal and school district elections, absentee voting is held at city, town, or school clerk offices.
- When establishing absentee voting locations, consider statutory factors such as geographic accessibility and facility accommodations.

### Temporary absentee voting locations Minn. Stat. 203B.081

- Temporary absentee voting locations may operate during part of the absentee voting period rather than the full period.
- These locations must be designated at least 47 days before the election.
- Counties and municipalities must post notice of each temporary location's address, days, and hours of
  operation on their websites within five business days after the location is designated.
- Counties must also notify the Office of the Secretary of State within five business days after designation.
- The Office of the Secretary of State must post this information on its website within five business days of receiving the notice.

### Special requirements for temporary absentee voting locations

**Tribal requests:** If requested by a federally recognized Indian Tribe with a reservation in the county or off-reservation Tribal lands, county election administrators must establish a temporary absentee voting location for at least one day. The site must be mutually agreed upon and accessible by a public road.

**College campus locations**: Institutions or student government organizations may request temporary absentee voting locations on college campuses. Reimbursement is available to support these locations.

#### Public information Minn. Stat. 203B.081, subd. 4; Minn. Stat. 203B.0815

- Details about absentee voting locations—including addresses, days, and hours of operation—must be included in the county's notice to the Secretary of State.
- This information is also published online with details about all absentee voting locations.

### Campaign restrictions Minn. Stat. 211B.11

- Absentee voting locations are considered polling places.
- Campaigning is prohibited inside these locations and within 100 feet of the room where voting occurs, to the extent practicable, for the entire absentee voting period.

#### Schedule and hours Minn. Stat. 203B.081; Minn. Stat. 203B.06

- Most elections, including many local special elections, have a 46-day absentee voting period.
- Township elections held in March have a 30-day absentee voting period.
- Ballots must be available at the start of the absentee period. If official ballots are delayed, voters must be allowed to vote using unofficial ballots that closely match the official format until official ballots are available.

#### Hours for absentee voting

Absentee voting must be available during the office's regular business hours throughout the absentee period. Administrators must notify the Office of the Secretary of State of the absentee voting location address, dates, and hours. This information is posted on municipality, county, and Secretary of State websites. Minn. Stat. 203B.05, subd. 2; Minn. Stat. 203B.081; Minn. Stat. 203B.085; Minn. Stat. 204B.35, subd. 4

#### **Extended hours**

Before a state general election

- Until 7:00 p.m. on the Tuesday before the election
- From 9:00 a.m. to 3:00 p.m. on the two Saturdays before the election
- From 9:00 a.m. to 3:00 p.m. on the Sunday immediately before the election
- Until 5:00 p.m. on the day before the election

#### Other elections

- From 9:00 a.m. to 3:00 p.m. on the Saturday before the election
- Until 5:00 p.m. on the day immediately preceding a primary, special, or general election (unless that day falls on a Saturday or Sunday)
- For township general elections in March, town clerk offices (or county offices if delegated) must be open from 10:00 a.m. to noon on the Saturday before the election
- School district clerks performing county duties are not required to follow these extended hours

# **Managing Absentee Voting**

The Absentee Ballot (AB) module of SVRS must be used for state elections. State elections include the state primary and state general election held in even-numbered years; any special elections for state, judicial, federal offices; and the presidential nomination primary. Minn. Stat. 203B.065

The SVRS AB module may be used for standalone local elections at the discretion of the county elections office or designated municipality. Local elections include township elections held in March; municipal, and school district primary and general elections held in August and November of odd-numbered years; and county level, municipal level, or school district level special elections not held in conjunction with state elections.

At elections where SVRS-use is optional, benefits to using the system to administer absentees include rather than not are:

- The Voter Information Portal's <u>Absentee/Mail Ballot Status</u> lookup tool (status of their absentee ballot): As absentee voting staff complete steps in SVRS—entering the app, sending the ballot, receiving the voted ballot, and accepting/rejecting—this information is available to the voter through the web tool.
- Rather than administrators having to hand write the required information onto application forms and signature envelopes, system-generated labels can be applied.
- Availability of the Accepted Absentee/Mail Ballot List report to complete any public information requests received (see the Public Information Requests section in this guide for more information).
- Absentee ballots marked accepted prior to printing are automatically marked on precinct rosters.
- Ability to use the **Apply Accepted AB-MB History** button during voter history posting to quickly apply.

# **Administering Absentee Voting Without SVRS**

If SVRS will not be used to administer absentee voting, administrators should consider the alternate tool they will use to assist with managing the flow of absentee ballots.

The official use only section of the absentee ballot application is used to track the date the application was received, the date the ballot was issued, and the issuer, how the ballot was issued (mail, counter, health care facility), and the materials (registered or nonregistered) that were provided.

Administrators may track the following data (by voter) in a spreadsheet as voted ballots are returned:

- Date received
- Date accepted/rejected by ballot board
- (if rejected) Rejected reason
- (if needed) Ballot replacement reason
- Replacement Sent Date
- Recording this data will enable administrators to easily determine counts of accepted ballots, quickly
  answer voter questions regarding their ballot, and easily complete a public information request for a
  list of accepted absentee ballots for the election.

# Administrative Activities Before the Absentee Voting Period

In advance of the absentee voting period, there are several tasks for election administrators to complete.

### Establishing an absentee ballot board Minn. Stat. 203B.121, subd. 1; 203B.23, subd. 1

The absentee ballot board is a special board of election judges and/or election administrators that process and count returned absentee ballots. The governing body of a county, municipality, or school district must authorize an absentee ballot board by ordinance or resolution (see a sample resolution in the Appendix). The county auditor must establish a UOCAVA absentee ballot board to process returned UOCAVA absentees.

- A defined timeframe for establishing a board is not provided in Minnesota Statutes or Rules, but it is good practice to have the board(s) established by the start of the election's absentee voting period.
- A regular absentee board must meet frequently after the first ballot is received
- UOCAVA board must meet immediately after returned absentees are received

Each member of the ballot board must be adequately trained on (but not limited to):

- Instructions on accepting and rejecting absentee ballots
- Storage of absentee ballots
- Timelines and deadlines
- The role of the ballot board
- Procedures for opening absentee ballot envelopes, counting absentee ballots, and reporting absentee totals

#### Minnesota Supreme Court Findings on Absentee Ballot Boards

Minnesota Voters Alliance, et al. vs. Ramsey County, et al. (2022)

This case clarified key aspects of absentee ballot board composition and duties:

**Election Judges Acting as Members of the Ballot Board**: A sufficient number must be appointed as provided in Minn. Stat. 204B.19, Minn. Stat. 204B.22. Party balanced election judges must be used to perform signature comparison when the identification number provided by the voter on the absentee ballot signature envelope does not match the number on record.

**Deputy County Auditors/City Clerks Acting as Members of the Ballot Board**: May serve on ballot boards if trained. Exempt from party balance requirements. May perform all ballot board tasks except those explicitly assigned to party balanced election judges.

**Board Composition**: Governing bodies have discretion to determine a "sufficient number" of election judges for their absentee ballot board and may otherwise appoint deputies as permitted by Minn. Stat. 203B.121.

Minnesota Voters Alliance, et al. vs. Hennepin County (2024)

The Minnesota Supreme Court clarified the statutory obligations for appointing election judges to absentee ballot boards. Key findings include:

- Party list exhaustion requirement—obligation to appoint using party lists until lists are exhausted.
- Counties must first appoint election judges from the lists provided by major political parties (Party Lists) under Minn. Stat. 204B.21.
- Election judges not on these lists may only be appointed after the party lists are exhausted.
- Party balance for signature verification –election judges from two different major political parties must perform the review, per Minn. Stat. 203B.121, subd. 2(a).

### Overseeing the regular absentee ballot board

A ballot board established for processing regular absentees must consist of election judges trained in the handling of absentee ballots and appointed as provided in Minn. Stat. 204B.19 to 204B.22.

**Note:** The county elections office or a municipal clerk who has received delegation as a training authority provides election judge training. This guide can be used for this training. Minn. Rule 8240.0100, subp. 6

- Election judges performing ballot board duties must be of different major political parties
- The board may include deputy county auditors or deputy city clerks who have received training on absentee processing and counting
- Deputies are exempt from the party balance requirement. Minn. Stat. 203B.121, subd. 1

For township and school district elections that are not held at the same time as state elections, ballot board judges are not subject to the party balance requirement. Township or school clerks, as well as deputy clerks, may serve on these ballot boards only if they have completed election judge training. They cannot serve solely because of their position as clerk or deputy clerk.

**Note:** If it is required to compare signatures of an absentee ballot voter's returned signature envelope to a signature on file, this ballot board duty must be completed by a team of election judges of two different major political parties. Most ballot boards should consist of at least two appointed election-judge type ballot board members of two different major party affiliation. Minnesota Voters Alliance, et. all., vs. Ramsey County et. al., 2022. These requirements do not extend to township elections.

### Overseeing the UOCAVA absentee ballot board

The county absentee ballot board established for processing UOCAVA absentee ballots may consist of staff trained and certified as election judges. A UOCAVA ballot board made up of county staff is exempt from the party balance requirement that normally applies to election judges. Minn. Stat. 203B.23, subd. 1

### **Providing sample ballots**

For state elections, the county must provide sample ballots electronically for all precincts to the OSS at least 46 days before the election. For all other elections, jurisdictions may choose whether to provide sample ballots. Minn. Stat. 204D.09, subd. 2, Minn. Stat. 204D.16(a) When sample ballots are provided to the OSS, they are available to the public through the Voter Information Portal's My Ballot tool.

If specified by the county, ballots can also be available in SVRS for use with the UOCAVA Email Delivery module.

## Planning absentee outreach to Health Care Facilities (HCFs)

The absentee voting official must arrange for absentee voting at health care facilities (HCFs) within their jurisdiction during the 35 days before an election. Outreach involves specially trained election judges visiting HCFs certified by the Department of Health. Advanced planning is necessary to ensure that:

- The HCF list is up-to-date and accurate
- Assigned election judges have received the required training
- Arrangements for the outreach were made with each facility

Refer to **Hospital Patients and Residents of Health Care Facilities** section of this guide for further details about each topic. A detailed overview of the 35-Day HCF outreach can be found in the Appendix. Minn. Stat. 203B.01, subd. 4; 203B.04, subd. 2; 203B.11

**Note:** An applicant's full date of birth, Minnesota driver's license or Minnesota ID number, and the last four digits of their social security number are **not** public information. Minn. Stat. 203B.04, subd. 1 (d)

### Arranging for storage and retention

Absentee materials, including blank ballots and returned voted ballots must be securely maintained in a locked container or other secured and locked space. Ensure that a suitable secure storage option is available for the duration of the election.

Following Election Day, these and other materials must be retained for a specific length of time. Make the necessary arrangements for long-term storage. See the Record Retention section of this guide for detailed information on record retention. Minn. Stat. 203B.06, subd. 5; 203B.19; 203B.26; 204B.40; Minn. Rule 8210.2400

### Preparing to issue absentee ballots

An application is required before an absentee ballot can be issued, in most cases. There are separate application forms for regular, UOCAVA, and presidential-only absentee voters. The next section focuses on regular absentee ballot applications. For UOCAVA and presidential-only ballots, refer to those sections of this guide.

**Note:** Absentee ballots are sent to Permanent Absentee voters without completion of an additional absentee ballot application.

# **Receiving Absentee Ballot Applications**

Any eligible voter may apply for an absentee ballot using the Minnesota process. If an applicant is not registered, they will need to register as part of the absentee voting process. Minn. Stat. 203B.02; 203B.04, subds. 1 & 4

There is not a specific date that voters can start applying for absentee ballots in advance of an election. A voter may submit an absentee ballot application at any time not less than one day before the date of the election for which they are applying. Under certain circumstances, voters may apply for and receive an absentee ballot on Election Day— see the Hospital Patients and Residents of Health Care Facilities section of this guide. Applications received well in advance of the requested election should be held until they can be processed.

**Note:** To enter a regular absentee ballot application into SVRS, the requested election(s) must be active in the system and districts must be approved.

Voters may turn in an absentee ballot application in person, through the mail, by email attachment, via fax, or using the online regular absentee application form. Minn. Stat. 203B.04, subd. 1; 203B.17, subd. 1

# **Preparing for Public Information Requests**

The following absentee voting information is public information and must be made available in the same manner as public information lists as noted in Minn. Stat. 201.091, subds. 4, 5, and 9:

- Names of persons with rejected absentee ballots. Submitted an absentee ballot that has not been accepted.
- Names of persons with accepted absentee ballots. Submitted absentee ballots that have been accepted, separated by method of ballot delivery.
- Names of persons who are permanent absentee voters. Those who are permanent absentee voters as noted in their voter registration record. This information is included as part of the registered voter list.
- Names of people who have submitted an absentee ballot application. Submitted an absentee ballot application to the absentee voting office.
- Names of people who cast an early voting ballot. When early voting is implemented in the future. The list of voters who cast a ballot using the early voting procedures. Minn. Stat. 201.091, subds. 4, 5, & 9, Minn. Stat. 203B.12, subds. 7-11

# **Managing Nonstandard Absentee Requests**

### Online absentee ballot applications

When voters apply for an absentee ballot using the regular online application form on the OSS website, the applications are sent to SVRS either immediately after they pass a security check or the following morning. Once the application is placed in the SVRS Absentee Ballot Online Queue for processing, the voter gets an automatic email from the Secretary of State's Office. **Process these applications as soon as possible.** 

The SVRS report **Online Regular AB Received by Application Date** shows all online regular applications submitted within a date range you choose. This report can be used to (Minn. Stat. 203B.04):

- Confirm that an online application was submitted and whether it passed the security check
- See the date the automatic email was sent to the voter
- Verify that an SVRS absentee ballot record was created

### Absentee ballot applications missing elections requested

If an absentee ballot application does not include the election(s) for which the voter is requesting a ballot, prepare a ballot for the next election only. Minn. Stat. 203B.06, subd. 3(c)

### Absentee requests from state adult correctional facilities

The commissioner of corrections provides the OSS with a list of names and mailing addresses of state adult correctional facilities (this list is included in the Appendix). An application for an absentee ballot with an address included on this list must not be accepted, nor a ballot provided to the applicant. The absentee administrator must promptly transmit a copy of the application to the county attorney. Adult correctional facilities are prisons, not jails or holding facilities where individuals might be detained without being convicted of a felony. Requests from facilities not on the list should be reviewed and processed as appropriate. Minn. Stat. 203B.06, subd. 3(a)

### Absentee ballot applications and Power of Attorney

Power of attorney (POA) does not apply to voting. An absentee applicant can have an individual of their choosing fill out the application form on their behalf. This individual can sign for the voter in their presence and must sign their own name as well. Minn. Stat. 523.24, subd. 14

# Absentee requests without an absentee ballot application form

An individual may apply for an absentee ballot by sending or presenting a letter if it includes Minn. Stat. 203B.04, subd. 1(b):

- Voter's name and residential address.
- Address where the ballot should be sent.
- Election(s) for which the request is made—one form may be used for the primary and general elections
- Voter's date of birth and at least one of the following:
  - o Voter's Minnesota driver's license number or Minnesota state identification number
  - The last four digits of the voter's social security number
  - Statement that the voter does not have any of these
- The oath stating that the information contained on the form is accurate, that the voter is applying on their own behalf, and that the voter is signing the oath under penalty of perjury
- Voter's own signature or mark and date the voter signed

Administrators can accept an older version of the absentee ballot application from a voter if the form has all the required information. Even though administrators can accept alternative or older versions, forms provided to voters should always be current to the version provided most recently by the OSS.

### Electronic delivery for voters with print disabilities & emergency response providers

Voters with print disabilities may request to receive an accessible absentee ballot. Print disabilities are disabilities that interfere with the effective reading, writing, or use of printed materials. This definition includes:

- individuals who are blind or visually impaired
- those with learning disabilities
- those with a physical disability that interferes with holding and manipulating paper or a pen/pencil

Voters with print disabilities should first complete and submit an absentee application. Once they have submitted an application, they must contact the county election office and specify their request to receive an accessible ballot due to their print disability.

Electronic delivery is also available for emergency response providers who are deployed in response to a state of emergency. Minn. Stat. 203B.29 Additional user documentation is available with information detailing how to process electronic absentee ballot requests.

# Issuing an absentee ballot

After an absentee ballot application is received and approved, an absentee ballot may be issued:

- Directly to the voter for them to complete in person
- To the voter through the mail
- To an agent if during the seven days before an election the voter is one of the following. See the **Agent Pick-up and Return Section** of this guide for more details:
  - o Patient of a health care facility or assisted living facility
  - Participant in a residential program for adults
  - Resident of a battered women's shelter
  - Voter who has difficulty getting to vote because of incapacitating health reasons or a disability

An absentee ballot cannot be issued:

- To another person who will then provide it to the voter, *unless* that individual is the voter's agent and the special procedures have been completed
- Electronically (e.g., via email or fax) for regular absentee ballots; there are exceptions for those with printreading disabilities or requesting a UOCAVA absentee ballot

Though the method of issuance may differ, the following steps should occur before an absentee ballot is issued:

- Check if the voter is registered or nonregistered—the types of ballot materials issued depend on whether the applicant is registered or not
- Record voter information on application form, voter's certificate, signature envelope, depending on the type
  of election and absentee voting method (mail, in-person, direct balloting, early voting, etc.)
- Ensure correct ballot (ward, precinct, school district) is issued to the voter

### **Checking voter registration**

Before issuing the absentee ballot and accompanying materials, check the registration status of the voter using SVRS or a master list. Minn. Stat. 203B.06, subd. 4

If the applicant is registered and active (denoted as "A" on the list), issue the ballot and registered materials. If the applicant is not listed in SVRS or the master list, or is listed as challenged (denoted as "C" on the list), issue nonregistered materials so the voter can register as part of the absentee voting process. They must complete a voter registration application (VRA) and show proof of residence to a witness. SVRS or the master list could also indicate See ID; in this case, issue nonregistered absentee materials to the voter. Minn. Stat. 201.061, subd. 1a

#### Recording information on application form and signature envelope

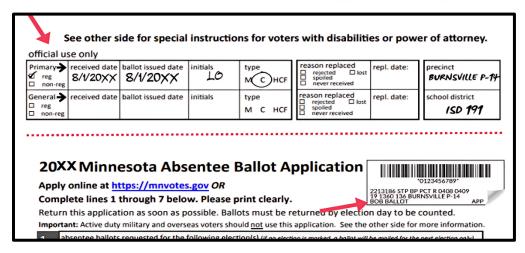
For paper absentee ballot applications, complete the Official Use Only section of the applicant's absentee application to track when the application was received by the office as well as when and how the ballot and accompanying materials were issued to the voter and the individual staff member who issued them. Retain and file the completed applications. Minn. Stat. 203B.06, subds. 3 & 5

Before ballot materials leave the office, the following information must be completed on the signature envelope:

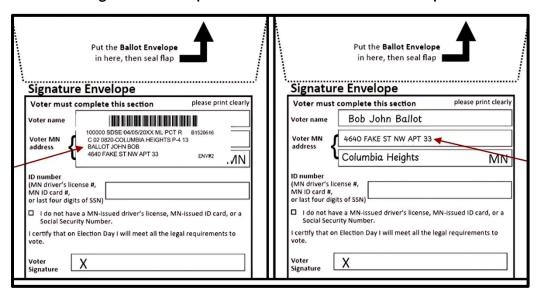
- Voter name and voter MN address.
- Voter ward (if applicable) and precinct number. Minn. Rule 8210.2000

For state elections and other elections where the SVRS Absentee Ballot module is used, apply labels generated by the system to the absentee ballot application and absentee envelopes to dispense with hand entering most information. With the SVRS application label applied, simply initial and note the dates ballots were sent in the official use only section of the paper application. Once the Env #2 label from SVRS is applied to the signature envelope, no further information is needed.

#### Administrative Information on Absentee Application Example



#### Signature Envelope's Voter Information Section Example



### **Ballot and Materials Review**

Before giving the ballot and accompanying materials to the voter, either in person or by mail, have a second staff member verify that the correct ballot has been selected. Confirm the correct ward, precinct, school district split, and that all materials are properly assembled with all required documents and envelopes.

### Materials for registered voters

- Ballot envelope (secrecy envelope)
- Signature envelope that is noted as registered
- Addressed and postage paid return envelope if ballot delivery method is mail
- Instructions

### Materials for challenged and nonregistered voters

- Election day voter registration application
- Nonregistered voting instructions
- Ballot envelope (secrecy envelope)
- Signature envelope that is noted as nonregistered
- Addressed and postage paid return envelope if ballot delivery method is mail

# **Processing In-Person Absentee Voting and Requests**

When a voter applies for an absentee ballot in person, the application should be completed and processed immediately.

#### Voter votes absentee off-site:

- Ensure that the return envelope has the correct postage.
- Place all required materials into a transmittal envelope. This includes:
  - o The ballot
  - Instructions
  - Return and signature envelopes
- Mark the ballot as **mailed** rather than voted in person.
- Hand the transmittal envelope to the voter.

#### Voter votes absentee on-site:

- Confirm that the signature envelope is properly completed and signed before the voter takes it into the voting booth.
- Allow the voter to complete their ballot in a voting booth or using the assistive voting device, if available.
- After voting, the voter should:
  - 1. Place the completed ballot in the ballot envelope.
  - 2. Seal the ballot envelope inside the signature envelope.
  - 3. Return the signature envelope to election staff or place in a secured ballot box.

# **Additional Requirements for Nonregistered Voters**

- The voter must also complete a voter registration application.
- The voter must present acceptable proof of identity and residence to their witness, as required when registering before an election judge on Election Day.
- The completed application must be placed in the signature envelope alongside the ballot envelope.

**Note**: Ensure that the voter registration application is sealed inside the signature envelope, not the ballot envelope.

### Witnessing requirements

Complete the witness section on the signature envelope. A witness may be:

- A U.S. citizen who is at least 18 years old
- A notary public
- A person authorized to administer oaths

In most cases, county, municipal, or school election officials meet these qualifications. Election judges may also serve as witnesses and should include their title on the signature envelope. Absentee voting staff may serve as witnesses if they are designated deputy auditors or deputy clerks. Their official title must be included on the envelope. Minn. Rules 8210.2450, subp. 5

# Absentee Voting Without Envelope ("Direct Balloting" Method)

This process is considered an alternative procedure in Minn. Stat. 203B.081, subd. 3 and has been named "direct balloting" to emphasize that a voter is able to place their voted absentee ballot directly into a ballot counter. If permitted by the county elections office, or the municipal/school district clerk for standalone elections, the process begins 18 days before the election.

To directly deposit their ballot, a voter must complete the absentee application form then sign a voter's certificate (with name, ID number, and signature) rather than the signature envelope they would sign in the inperson absentee voting process. Minn. Stat. 203B.081; Minn. Stat. 201.071, subd. 1.

An absentee ballot application form, which includes this certificate, is available on the <u>Election Administrator</u> <u>Forms</u> webpage. An alternative procedure for the voter certificate can be found in the Appendix.

Per Minn. Stat. 203B.081, direct balloting is only permitted for regular absentee ballots. Registered voters in a mail ballot precinct cannot do direct balloting process with their mail ballots. If a registered voter from a mail ballot precinct comes into the office during the 18 days before the election, they can:

- Return their sealed voted mail ballot envelope, or
- Ask to have their mail ballot spoiled and complete an absentee ballot application, then they can use the
  direct balloting process
- Note that the county auditor may choose to provide a ballot counter for mail ballot voters **on Election Day only**, as outlined in Minn. Stat. 204B.45 subd. 2a.

A summary of the direct balloting process is included in the Appendix.

# Issuing Absentee Ballots by Mail

If an application is received by mail or electronically by fax, email, or via the online application form, and the ballots themselves are ready, mail the ballot and appropriate materials immediately. Though absentee ballot requests can be received electronically, a regular absentee ballot **cannot** be received through email or fax.

**Note:** There are exceptions for UOCAVA voters and voters with print disabilities.

To receive their ballot more quickly, voters may have their ballot sent to them by express service at their own expense. To do this, they must provide the absentee administrator with a prepaid envelope when submitting their application.

If the voter has sent the application to the wrong office, promptly forward it to the correct administrator as an attachment to an email, by fax, or by mail. Minn. Stat. 203B.06, subd. 2

### Issuing absentee ballots when SVRS is unavailable

During elections where SVRS is used to administer absentee ballots, there could be times when the system is unavailable. When this occurs, absentee administration must continue. To prepare for such situations, have the following materials available as a backup to allow you to continue issuing ballots without pause:

- Master list from SVRS: digital copy saved to a computer hard drive or a paper copy
- Precinct finder to determine the precinct of nonregistered absentee voters
- Pre-addressed return labels to apply to the envelope to be mailed back to the absentee board
- Separate set of precinct labels to specify the voter's precinct on the signature envelope

Before issuing the ballot and materials, apply a precinct label to the signature envelope and, in place of the voter name/address label, complete the voter name/address section on the signature envelope by hand.

#### When the system is available again:

- Enter the application information manually into SVRS and print the labels.
- Update ballot sent dates as needed to reflect the true date materials were distributed.
- As voted ballots are returned, apply the labels to the signature envelopes if desire to use barcodes when processing in the system.

# **Permanent Absentee Voters**

### **Permanent Absentee Voter List**

Some voters choose to have an absentee ballot automatically mailed to them before each election they are eligible to vote in. Voters must request permanent absentee status by submitting <u>a regular absentee ballot application</u> or <u>a standalone permanent absentee application</u> (the paper voter registration application no longer includes this request and it will be removed from the online voter registration application as of January 1, 2026).

### Overview of permanent absentee status

Permanent absentee ballots are sent to the **voter's residential address**. To have the ballot sent to a different address, the voter must complete a regular absentee ballot application for each election cycle at that address.

Voters will **not** be sent a permanent absentee ballot if their voter record is marked:

- Challenged
- Must See ID
- Residing in a mail ballot precinct

These voters must apply separately:

- Challenged or Must-See ID voters are typically sent a nonregistered absentee ballot packet
- Voters in the mail ballot precincts are sent a mail ballot. Minn. Stat. 203B.04

### **Termination of permanent absentee status**

Permanent Absentee status ends when:

- The voter submits a written request to be removed
- The ballot is returned as undeliverable
- The voter dies
- The voter's record is changed to challenged or inactive

### Printing permanent absentee lists and entering SVRS records

Absentee records for permanent absentee voters are created by using the **Group Add Ballot Records** feature. These can be requested by a specific election or election date.

#### Delivery of permanent absentee ballots

Permanent absentee ballots are to be sent out at least 46 days before each regularly scheduled primary and general election and before each special primary and special election. There are two exceptions:

- As soon as practicable before a Minn. Stat. 204D.19, subds. 2 and 3 special election
- 30 days before the March township general election

#### ID number requirement for permanent absentee voters

Permanent absentee voters must write either their Minnesota driver's license number or the last four digits of their Social Security number on their signature envelope. The ballot board compares this number to the ID numbers listed in the voter's registration record.

If the ID number is missing or does not match: the ballot board may verify the voter's identity by comparing the signature on the envelope to a previous paper absentee ballot application or a paper voter registration application, if available.

**Note:** Signature comparisons must be completed by a team of two ballot board members who are election judges affiliated with different major political parties.

# **Hospital & Health Care Facilities**

Minnesota law provides several processes to help voters who are hospitalized, living in residential facilities, or otherwise unable to travel to their polling place. These processes include:

- 35-day health care facility outreach
- Election day health care facility outreach
- Agent pick-up and return

The official responsible for administering absentee voting under Minn. Stat. 203B.04, subd. 2 is also responsible for managing these processes.

### **Outreach to Health Care Facilities (HCFs)**

Absentee voting outreach must be provided to health care facilities located within a county, city, township, or school district, depending on the election type. The county elections office or a full-time municipal clerk must conduct outreach for most elections. For school district elections not held in conjunction with other elections, the school district must conduct outreach to HCFs in its jurisdiction. Minn. Stat. 203B.11, subd. 1

#### **HCF** definition

For election purposes, HCFs include:

- Hospitals
- Veteran's homes
- Residential treatment centers
- Nursing homes licensed under <u>Minnesota Chapter 144</u>

To confirm whether a facility qualifies, contact the administrator or use the Minnesota Department of Health's Health Care Provider Directory. Minn. Stat. 203B.01, subd. 4

### Basic requirements for HCF outreach

- Election judges operate in teams of two, each from a different major political party.
- Judges must travel to and from facilities together in the same vehicle.
- Judges provide absentee applications, issue ballots, assist voters if requested, and return all voted ballots in a sealed container to the elections office or clerk on the same day. Minn. Stat. 203B.11, subd. 1

## **HCF** election judge training

Election judges assigned to HCF outreach must complete:

- A two-hour basic election judge training course
- A one-hour training session specific to HCF outreach

This must be completed once every two years. Training is provided by the county elections office or a delegated municipal clerk. School district clerks may receive, but not provide, training. Required training topics include:

- Voter and facility eligibility for HCF absentee voting
- Contacting facilities and staff
- Transporting materials securely
- Application and registration procedures
- Assisting voters
- Common issues from past elections
- Vouching in Health Care Facilities

**Important:** Beginning January 1, 2026, residential facility employees must provide proof of employment to vouch that they personally know a voter resides in the precinct. Facilities will no longer be required to provide a list of names of employees working at the facility. (Minn. Stat. 201.061, subd. 3)

### Agent pick-up and return (Agent Delivery)

Eligible voters who may use the agent delivery process include those who:

- Have a health condition or disability that makes it difficult to get to the polls
- Are patients in a health care facility
- Are residents of an assisted living facility licensed under Minn. Stat. 144G
- Are participants in a residential program for adults licensed under Minn. Stat. 245A.02, subd. 14
- Are residents of a shelter for battered women as defined in Minn. Stat. 611A.37, subd. 4

Each voter must designate an agent who has a preexisting relationship with them. A candidate at the election may not serve as an agent. An agent may deliver ballots for no more than three voters in any election (Minn. Stat. 203B.11, subd. 4).

To request agent delivery, the voter must complete and submit:

- An absentee ballot application
- An agent delivery authorization form (see Appendix)

The administrator may email or fax both forms to the voter, who may then return the completed forms by the same method.

Once the application and form are received:

- Use the designated agent delivery signature envelope (see <u>Sample Absentee/Mail Ballot Envelopes</u>)
- Seal the ballot and materials in a transmittal envelope
- Issue the transmittal envelope to the authorized agent
- When the agent returns the voted ballot:
  - o Complete the Agent Return Record (also known as the log)
  - Refer to the Appendix for a step-by-step guide to the process

Agent delivery is available during the seven days preceding an election and until 8:00 p.m. on election day.

# Military and Overseas Voters (UOCAVA)

Federal and state laws provide an absentee voting process for military and overseas voters, referred to as UOCAVA voters as they are covered by the <u>Uniformed and Overseas Citizens Absentee Voting Act</u> (UOCAVA). UOCAVA voters use a separate application form, the Federal Post Card Application (FPCA). They also have expanded ballot delivery options and have additional protection under the law.

Counties administer UOCAVA voting for all elections including local standalone elections. Administration includes establishing a UOCAVA ballot board, receiving applications, and issuing and processing returned ballots.

### Classifications

UOCAVA voters fall into one of three possible classifications (or categories):

- Member of the military, their spouse, or dependents.
- U.S. citizens temporarily residing outside of the United States.
- U.S. citizens indefinitely (permanently) residing outside the United States.

Military means the Army, Navy, Air Force, Marine Corps, Coast Guard, or Merchant Marine of the United States, all other uniformed services as defined in <u>United States Code, title 52, section 20310</u>, and military forces as defined by <u>Minn. Stat. 190.05, subd. 3</u>, or any eligible citizen of Minnesota enrolled as a student at the United States Naval Academy, the United States Coast Guard Academy, the United States Merchant Marine Academy, the United States Air Force Academy, or the United States Military Academy. <u>Minn. Stat. 203B.01, subd. 3</u>

### Military voters and voters temporarily outside the U.S.

#### Minn. Stat. 203B.16, subd. 1

Voters in these two categories claim Minnesota as their permanent residence but are temporarily away from their voting precinct. They are entitled to vote for all offices and receive a full precinct ballot. These voters may:

- Use the regular absentee process under Minn. Stat. 203B.04 to 203B.15 by applying with the standard absentee ballot application form.
- Be informed of the option to complete the Federal Post Card Application (FPCA), as it provides additional benefits and protections.
- If there is not enough time and the voter has listed a foreign mailing address, receive the ballot using standard absentee ballot materials only. Do not use a UOCAVA transmittal envelope.
- Expect the county to obtain appropriate postage from the post office for outgoing and return mail overseas. Ballots sent with regular absentee materials are not covered by UOCAVA's return mail provisions.

### Voters permanently outside the U.S.

This category includes U.S. citizens who live permanently outside the United States or have no definite plans to return. These individuals meet all qualifications to vote except for maintaining residence in Minnesota.

#### Residency requirement

To vote in Minnesota, these individuals (or a parent, if the voter has never lived in the United States) must have resided in Minnesota for at least 20 days immediately before leaving the U.S.

#### Voting eligibility

Voters in this category are eligible to vote only in federal elections for U.S. President, U.S. Senator, and U.S. Representative, and they are issued a federal-only ballot containing these offices. Children of voters permanently living outside the United States who have never resided in the country are also eligible if one of their parents previously met the Minnesota residency requirement.

#### **Application process**

Voters who are permanently outside the county are only eligible to apply for a ballot using the FPCA and the UOCAVA method of voting. Minn. Stat. 203B.16, subd. 2, Minn. Stat. 204D.11, subd. 4

# **UOCAVA Application Process**

UOCAVA voters apply with the Federal Post Card Application (FPCA). The FPCA serves as both an absentee ballot request and as a voter registration application for certain categories of applicants. Voters can use:

- The online FPCA absentee ballot application
- The paper FPCA submitted by mail or electronically through email or fax. Minn. Stat. 203B.17

### Voter types on the FPCA

- The FPCA form asks voters to describe their situation:
   Temporarily outside the United States: The voter marks "I intend to return."
- Indefinitely outside the United States:
  - On the online FPCA, the voter marks "I do not intend to return."
  - o On the paper FPCA, the voter marks "My return is not certain."

### Applying online with the FPCA

- The online FPCA is available year-round on the Secretary of State's website.
- Voters can use it to apply for any election (federal, state, county, or local).
- When the form is submitted, the voter's information goes through a security check.
- If the information passes the check, the voter gets an automatic email from the Secretary of State's Office.
- This email confirms their information was verified and the application was sent to their county for processing.

**Note:** The SVRS report Online UOCAVA absentee Received by Application Date allows for the review of all online FPCAs submitted by voters within a specified date range. Use the report to confirm the submission of an online application, to check if the application has passed the security check, to see the date the autogenerated email was transmitted to the applicant or verify that an SVRS UOCAVA record was created.

# **UOCAVA and FPCA Application Periods**

Military voters and voters temporarily overseas can receive a full precinct ballot. If they live in a township with a March election, they are also eligible for the township ballot. To make sure these voters receive all ballots they qualify for, counties should regularly check the SVRS report UOCAVA Applications on File before each election.

A Federal Post Card Application (FPCA) may be submitted at any time. Once received, it stays active through the end of that calendar year or until the next regularly scheduled state general election, whichever comes later. Voters may also indicate a ballot end date on the application if they want their ballots to stop before that time. Minn. Stat. 203B.17, subd. 1(d) to (e)

Once the FPCA is filed with the county elections office, the voter must be provided with an absentee ballot for every election they are eligible to vote in during the active period of the application.

**Examples:** An application received on January 1 is active through December 31. The voter would receive a ballot for every applicable election held between January 1 and December 31 of that year.

An application received on November 6 is active through the next state general election. The voter would receive a ballot for every applicable election held between November 6 of that year and the following general election.

# Completing the FPCA

In addition to the voter themselves, an immediate relative, 18 years or older, may submit the FPCA on the voter's behalf. An immediate relative is a voter's parent, spouse, sibling, or child. Minn. Stat. 203B.17, subd. 1

When completing the application, one of the following identification numbers must be included, if the voter has:

- Minnesota driver's license or state identification card number
- The last four digits of the social security number
- Passport number

If the voter does not have one or both items, they should apply using the paper form. If no number is provided on the paper form, by signing the application the applicant is attesting to the fact that the information on the application is "true, accurate and complete." Minn. Stat. 203B.17, subd. 2

# **Receiving UOCAVA Applications**

When an FPCA is received, the county elections office must immediately enter it into SVRS. If the voter sent the application to the wrong county elections office, promptly forward it to the correct county elections office as an attachment to an email, by fax, or by mail. (Minn. Stat. 203B.18; 203B.19)

An FPCA serves as both a voter registration application (with limited exceptions) and an absentee ballot request. Therefore, the application data is typed into two places in SVRS: Voter Registration and Absentee Ballot.

### Recording applications in SVRS: voter registration, voter records

If a voter marks their status as military, military spouse or dependent, or temporarily living outside the U.S., and they sign the FPCA themselves, the county must process it as a voter registration. Use the FPCA to update the voter's record in SVRS or create a new one if none exists, even if no information has changed. The Application Date and Updated Registration Date in SVRS should match the new application.

FPCAs submitted online will appear in the Pending Applications section of Voter Registration in SVRS when the voter is eligible.

A voter will not be registered if they indicate they are indefinitely outside the U.S. or unsure of their return, or if someone else (such as a family member) signs the FPCA for them. These voters will still receive an absentee ballot and keep an active UOCAVA application. Minn. Stat. 203B.19

# **Entering UOCAVA absentee records in SVRS**

After the applicant's voter registration has been updated if applicable, a UOCAVA absentee record is added in the SVRS absentee module. When a UOCAVA record already exists, add the new application to the existing record. When a voter record exists, ensure that it is linked to the UOCAVA absentee Record. A linked UOCAVA record will contain the voter's voter identification number.

Pursuant to statutory requirements, the absentee record includes the following information:

- Voter's name
- Voter's present or former address of residence in Minnesota
- School district number
- Passport number, Minnesota driver's license or state identification card number, or the last four digits of the voter's social security number
- Category of UOCAVA voter
- Ballot delivery information Minn. Stat. 203B.19

**Note:** The paper FPCA form further breaks out military and overseas classifications. If a voter indicates they are a member of the Uniformed Services or Merchant Marine, a National Guard member on state orders, or an eligible spouse or dependent, use the "Uniformed Services or Spouse or Dependent" category in SVRS. If the voter selects "Never resided in the U.S.," use the "Indefinitely Outside the U.S." category in SVRS.

### Rejecting a UOCAVA application

There are only three reasons to reject the FPCA:

- The application is incomplete (e.g., missing required information),
- The voter is ineligible, or
- The application form is not signed.

The following are **not acceptable** reasons to reject an FPCA:

- It is a duplicate (e.g., the voter has already submitted an FPCA).
- The election is past, received too late, or there is no upcoming election for which the voter is eligible.

### Processing a second FPCA

If a voter submits a second FPCA, use the new application to update the voter's record. Do not reject the application. Follow the steps in the county election administration portal.

### Applications without upcoming elections

Do not reject a UOCAVA application just because an election has already passed or no future election is currently scheduled. An FPCA is valid for a set period. During that time, it serves as a request for all elections the voter is eligible to vote in. If no elections occur during that period, the application will expire on its own.

### Rejecting an application

If you reject an FPCA, record the reason in the voter's UOCAVA absentee record. You must also notify the voter and explain the reason for the rejection. Minn. Stat. 203B.17, subd. 2

### **UOCAVA** applications with non-matching precincts

As UOCAVA applications have lengthy validity dates, it is possible for a voter with an active UOCAVA application to submit a voter registration application or VRA update. It may happen that this update is at a different address within the state. As a result, the voter has a registration record at one address (or precinct) and an active UOCAVA application at another address (or precinct). The SVRS report UOCAVAs With Non-Matching Precincts will identify any voters in this situation. Before transmitting UOCAVA ballots, it is good practice to run this report and attempt to resolve any cases identified.

For UOCAVA apps with non-matching precincts, attempt to contact the voter to determine if a new FPCA needs to be submitted or if the existing application should be cancelled.

- If a new FPCA is provided, update the voter registration and UOCAVA records to reflect the correct address and send the appropriate ballot.
- If a new FPCA is provided after the original ballot is sent, spoil the original ballot, and send a new ballot for new address.

If no response is received from the voter, send the appropriate ballot based on the voter's residential address in their UOCAVA application (FPCA), not the address in their voter registration record. Because, pursuant to Minn. Stat. 203B.19, a UOCAVA voter is not required to register under any other provision of law to vote using the UOCAVA process.

# Filling UOCAVA Ballot Requests

Voters can choose the method of ballot delivery they prefer. UOCAVA voters may choose to have their ballot sent to them via mail, email, or fax. Electronic ballot delivery (email) is not permitted for regular absentee or presidential-only voters.

### Sending via mail

Materials sent by the U.S. Postal Service, or the military postal service should be mailed using the UOCAVA outgoing return envelope with free federal postage-paid indicia. 39 USC 3406; Minn. Stat. 203B.21, subd. 2; 203B.22

### Sending electronically

A UOCAVA voter can choose to have their ballot sent to them via email or fax. Materials sent electronically do not require return postage. Minn. Stat. 203B.225

**Note:** The UOCAVA Email Delivery system in SVRS facilitates emailing UOCAVA ballot materials to voters who requested that delivery method. A step-by-step guide to utilizing this process is available in the county election administration portal.

# **Completing and Returning UOCAVA Ballots**

Upon receipt of the materials, the UOCAVA voter votes their ballot and completes the certificate of eligibility also known as the signature envelope. (A voter receiving their materials through email must print these items). On the certificate of eligibility, the voter must provide the same identification number as provided on their absentee ballot application (e.g., Minnesota driver's license or state identification card number, last four digits of their social security number or passport number). UOCAVA voters self-certify their ballot; a witness is not required. The voter seals the ballot and certificate of eligibility into a return envelope. (Minn. Stat. 203B.21, subd. 3)

The ballot and certificate of eligibility must be returned to the county auditor by mail. Voted ballots cannot be returned via email or fax. Free postage is available only when using the U.S. Postal Service, Military Postal Service Agency (APO/FPO), or U.S. Diplomatic Pouch. Voters using foreign mail services or private carriers (e.g., FedEx or UPS) are responsible for postage costs. To be counted, ballots must arrive by Election Day.

The auditor must immediately deliver returned UOCAVA envelopes to the UOCAVA ballot board for accepting/rejecting. See the UOCAVA Ballot Board section of this guide for further information about ballot board procedures.

#### Federal write-in absentee ballot

Minnesota allows the use of a Federal Write-In Absentee Ballot (FWAB). The FWAB is available for UOCAVA voters who feel that there may not be sufficient time to receive and return the official ballot, or for UOCAVA voters who did not receive their requested absentee ballot. The FWAB allows a voter to write in their choices for federal, state, and local offices.

A voter can write in either a candidate name or political party for federal offices. For state and local offices, a voter must write in a candidate name for the votes to count. As described above, the classification selected by the voter determines the offices for which they can vote. Only those UOCAVA voters eligible to vote for state and local offices (those that are "military" and "temporarily away") should do so.

The FWAB serves as ballot, absentee ballot request, and voter registration application (when applicable) in lieu of an FPCA. The FWAB includes a Voter's Declaration/Affirmation page and Write-In Absentee Ballot pages. To be complete, the voter must submit both parts.

#### There are two possible scenarios with a FWAB:

- Scenario 1: Voter submits FWAB; there is no FPCA already on file with county
- Scenario 2: Voter previously submitted FPCA, and official ballot was issued; FWAB is now submitted

#### Scenario 1: No FPCA on file

- Treat FWAB like an FPCA.
- Update the voter's registration record (see "Recording Applications in SVRS").
- Add a UOCAVA AB record for the voter.
- FWAB itself is the ballot; do not issue an official ballot.
- Use the SVRS ballot record to process the write-in ballot as accepted or rejected.
- Begin processing FWABs seven days before the election. (Minn. Stat. 203B.227)

#### Scenario 2: FPCA Already Submitted, Official Ballot Issued

- Process FWAB as if it were the official ballot.
- Ballot board accepts/rejects based on its review.
- In SVRS, mark the ballot record "accepted" or "rejected" and check the box to indicate the ballot is a FWAB.
- Both FWAB and official ballot may be returned; only the first to arrive and be accepted counts.
- A FWAB in this scenario cannot be processed (separated from secrecy envelope and run through tabulator) until after 8:00 p.m. on Election Day.

#### **FWAB** processing

When a FWAB is received, place the write-in ballot portion of the FWAB in a secrecy envelope. Keep the certification portion with the secrecy envelope. Delivery it to the ballot board for accepting/rejecting. For further information on processing FWABs, see the Processing a Federal Write-In Absentee Ballot section.

# **Special Circumstances**

# Voters in the Safe at Home Program

### Safe at Home (SAH) voting process

The Safe at Home (SAH) program, administered by the Office of the Minnesota Secretary of State (OSS) in partnership with local victim service providers, offers a confidential address for individuals who have experienced domestic violence, sexual assault, stalking, or fear for their safety. Participants in the program may register as permanent absentee voters.

### **Election preparation for SAH participants**

**Eligibility review**: Before each election (regular or special), the SAH office reviews participant records and precinct assignments to determine voting eligibility.

#### **Ballot requests:**

- The SAH office contacts the relevant county auditor to request the required number of absentee ballots for eligible voters.
- If the county auditor does not administer absentee voting for a specific election (e.g., March township elections or local special elections), the county may:
  - Request ballots from the administering jurisdiction, or
  - o Forward ballots or the OSS request directly to the appropriate clerk.

### Ballot distribution and processing

The county auditor must supply the SAH office with:

- The number of ballots requested.
- A copy of the OSS request letter.

**Note:** Do not send instructions or envelopes; SAH provides these materials.

#### SAH process for voters

- 1. The SAH office mails the absentee ballot and accompanying materials to each voter.
- 2. The voter returns their absentee ballot envelope to the SAH office. SAH reviews the envelope and documents a recommendation for acceptance or rejection on the reverse of the SAH signature envelope.

#### Ballot handling by election officials

After review, the SAH office forwards ballots to the county auditor, who then:

- Sends them to the county absentee ballot board, or
- Forwards them to the appropriate clerk, who directs them to the ballot board

#### **Ballot board review**

The absentee ballot board must accept or reject ballots based on the certification provided by SAH.

#### **Confidentiality guidelines**

To protect program participants, election administrators, clerks, and election judges must not disclose the presence of SAH voters in any precinct. Minn. Stat. 5B.06; Minn. Rule 8290.1300

### Communicating with SAH voters

Minnesota statutes, section <u>5B.06</u> states that the name and address of a Safe at Home participant must not be listed in the statewide voter registration system. Therefore, their names will not be found in SVRS when they attempt to vote as a regular absentee voter.

Safe at Home participants vote by an absentee ballot administered by the Safe at Home staff and not by county or municipal election administrators. That process is outlined in statutes and administrative rules.

There is **no process** for a Safe at Home participant to vote using regular absentee voting processes and procedures. If a voter offers that they are a participant of the program, have them contact the Safe at Home offices immediately for next steps.

Safe at Home office phone numbers are: 651-201-1399 (metro area), 1-866-723-3035 (greater Minnesota), 711 (Minnesota relay service).

# **Presidential-Only Voters**

The presidential-only ballot, as its name suggests, contains only the office of President and Vice-President. Voters eligible for this ballot meet a unique set of circumstances: 1) they have **moved to** another state within 30 days of the general election 2) in a presidential election year. No state has residency requirements that exceed 30 days. These voters are unable to register to vote in the state where they now live because they cannot meet the new state's residency requirement. However, as U.S. citizens, they are still eligible to vote for the office of President and Vice-President.

**Note:** Do not confuse the **presidential-only** ballot with the **federal-only ballot**. The federal-only ballot is issued to U.S. citizens who reside indefinitely outside the United States and includes all federal offices, including President, Vice President, U.S. Senate, and U.S. House of Representatives.

In contrast, the presidential-only absentee ballot is only for voters who have recently moved from Minnesota and are not yet eligible to vote in their new state. This ballot is limited to the general election for the offices of President and Vice President and must be requested from the voter's former Minnesota county election office. The completed ballot must be received by Election Day to be counted.

Voters who would like to request a presidential ballot must submit a Presidential Absentee Application to the county of their last residence. This application is separate and distinct from the regular absentee ballot application and the FPCA. It must be submitted by mail, email, or fax. There is **not** an option to apply online.

Upon receipt, the county auditor enters the application into the SVRS AB module, selecting the application type "Presidential." As with the separate application, there are special ballot materials mailed to the voter: presidential-only ballot, presidential-only absentee instructions, and presidential ballot signature envelope.

Samples of Presidential absentee materials are available on the OSS website at: <a href="http://www.sos.state.mn.us/election-administration-campaigns/election-administration/sample-absenteemail-ballot-envelopes/">http://www.sos.state.mn.us/election-administration-campaigns/election-administration/sample-absenteemail-ballot-envelopes/</a>. (U.S. Code, title 42, section 1973aa-1; Minn. Rule 8210.0100)

# **Return of Voted Absentee Ballots**

All absentee voters, including regular, UOCAVA, and presidential-only, may return their completed ballots in one of the following ways:

- By mail
- By package delivery service
- In person
- Through an agent

Ballots may not be returned electronically, such as by email or fax.

# **Return Options**

### United States Postal Service (USPS) or Package Delivery Service

A ballot may be returned using U.S. mail, FedEx, or another package delivery service to the address on the return envelope. To be counted, it must be received by 8:00 p.m. on Election Day. The final mail delivery may occur as late as 8:00 p.m. (Minn. Stat. 203B.08, subd. 1; Minn. Rule 8210.2100)

### **In-person**

A voter may drop off their own voted absentee ballot in person to the county auditor, municipal clerk, or school district clerk from whom the ballot was received by 5:00 p.m. on Election Day. The ballot cannot be returned to the polling place. Absentee ballots delivered in-person that are received after 5:00 p.m. must be marked as late and not delivered to the ballot board. (Minn. Stat. 203B.08, subd. 3; Minn. Rule 8210.2200, subp. 1)

Before accepting an absentee signature envelope that is hand delivered, the auditor or clerk should inquire as to whether the ballot was voted by the individual returning it. If the answer is "No," refer to the Absentee Ballot Board Duties section of this guide. If the answer is "Yes, this is my voted ballot," the auditor or clerk shall inspect the signature envelope and verify that it is sealed and properly completed. If the envelope is unsealed or not properly completed, the voter is allowed to seal it and correct or complete the certification portion. (Minn. Rule 8210.2200, subp. 2)

### Agent return

An absentee voter may ask someone else to return their sealed signature envelope in person to the county auditor or clerk from whom the ballot was received. This individual is known as an agent. An agent must be at least 18 years old. They may only return ballots for up to three voters per election.

Any voter may designate an agent to return their voted ballot (e.g., spouse returning a ballot for their spouse). The designation of an agent to return a voted ballot is separate from the agent pick-up and return process of an unvoted (blank) ballot.

A ballot brought back by an agent must be submitted by 5:00 p.m. on Election Day, unless requested as part of the agent delivery process under Minn. Stat. 203B.11 subd. 4, in which case the deadline is 8:00 p.m. An agent may not return an absentee ballot to election judges in a polling place. (Minn. Stat. 203B.08, subd. 3)

Agent Return involves two steps:

- 1. Inspecting the Signature Envelope
- 2. Completing the Agent Return Record

#### **Envelope inspection**

Before accepting an absentee signature envelope that is hand-delivered by an agent, the auditor or clerk must inspect the signature envelope and verify that it is sealed, and that the certification portion is properly completed. If the signature envelope is sealed but not properly completed, the agent may return the envelope to the absent voter for correction or completion in compliance with the time requirements described above.

When an agent hand-delivers an absentee envelope that is not sealed or which the auditor or clerk has reason to believe has been tampered with, the envelope must not be accepted. The auditor or clerk must write "rejected" across the signature envelope and write the reason for rejection. This rejected signature envelope must be retained by the auditor or clerk. The absent voter may apply for a replacement ballot. A notice of nonacceptance must be mailed promptly to the absent voter and include the following information: the date of nonacceptance; the name and address of the agent; reason for nonacceptance.

A replacement ballot may be sent in place of the notice of nonacceptance. See the Replacement Absentee Ballot section of this guide for further information on replacement ballots.

#### Complete agent return record

The auditor or clerk must keep a record of ballots returned by individuals other than the voter. The record must indicate both the agent's name and the absentee voter's name and address. The agent returning the ballot must sign the Agent Return Record and show the auditor or clerk identification containing the agent's name and signature. Absentee ballots received after 5:00 p.m. (or 8:00 p.m. for agent delivery as defined in Minn. Stat. 203B.11 subd. 4), must be marked as late and not delivered to the absentee ballot board. (Minn. Stat. 203B.08, subd. 4; Minn. Rule 8210.2200, subps. 2 & 3)

**Note:** A sample Agent Return Record (Log) is included in Appendix A. The same log can be used for agent return as well as agent pick-up and return.

### **Drop boxes**

Jurisdictions holding elections may provide a drop box for the return of absentee ballots. An absentee voting drop box means a secure receptacle or container established to receive completed absentee ballots 24 hours per day. A drop box is not a receptacle or container maintained by the United States Postal Service or a location at which ballots are provided directly to an employee of the county auditor or municipal clerk.

**Note:** Only the absentee voter can place their own voted ballot in a drop box.

#### Minimum security and integrity standards for drop boxes

If a jurisdiction provides a drop box, there are minimum security and integrity standards outlined in Minn. Stat. 203B.082, subd. 2.

### Publication of drop box locations required

A list of designated drop box locations must be provided to the OSS no later than 40 days prior to the start of the absentee voting period at every regularly scheduled primary or general election. The list must be published on the website of the county or municipality and on the website of the OSS at least 35 days prior to the start of the absentee voting period.

An updated list of designated drop box locations is to be provided to the OSS no later than 20 days prior to the start of the absentee voting period. The updated list must be published on the website of the county or municipality and on the website of the OSS at least 15 days prior to the start of the absentee voting period.

### **Administrative Procedures**

When a voted absentee ballot is returned to the county auditor, or to a municipal or school clerk, the outer return envelope is opened, and the signature envelope is stamped or initialed to show it was received. If SVRS is used, the ballot is also marked as "received" in the system. The ballot is then stored in a secure location with other returned absentee ballots. (Minn. Stat. 203B.065; Minn. Stat. 8210.2200, subp. 3)

Regular absentee ballots must be delivered to the absentee ballot board within **five** days of their receipt by the auditor/clerk for accepting/rejecting up until two weeks before the election. During the 14 days preceding the election, regular ABs must be delivered to the board within **three** days of their receipt. (Minn. Stat. 203B.08, subd. 3)

UOCAVA absentee ballots must be delivered to the UOCAVA ballot board immediately upon receipt by the auditor. (Minn. Stat. 203B.23, subd. 2)

**Note:** When SVRS is used, ballots going to the board the same day do not need to be marked "Received" in the system. Following the ballot board meeting, simply mark ballots "Accepted" or "Rejected" and the received date will automatically be set to the accepted or rejected date.

## **Absentee Ballot Board Duties**

All absentee ballots must be delivered to the designated ballot board within the required deadlines. Counties and cities should make their ballot board meeting schedules public when possible.

Ballot boards are part of the local government that appoints them, not independent bodies. Because of this, the Open Meeting Law does not apply to their meetings, and there is no legal requirement to allow public observation (Minnesota Voters Alliance v. City of Duluth, No. 62-CV-20-4124 (Minn. Dist. Ct. 2020)). However, counties and cities may choose to let the public observe.

If observers are allowed, election officials must ensure that private voter information, such as identification numbers or full birth dates, cannot be seen or heard. Protecting this data is the responsibility of local officials. Minn. Stat. 203B.121

## Managing the regular absentee ballot board

All regular absentee signature envelopes received during the 46 days before the election must be delivered to the regular absentee ballot board for review.

There are two limited exceptions. In the following cases, envelopes do not have to be brought to the ballot board:

- Agent-delivered absentee envelopes rejected by the auditor or clerk for being unsealed or tampered with
- Absentee envelopes were received late. (Minn. Stat. 203B.08, subd. 3; Minn. Rule 8210.2200)

Up until two weeks before Election Day, the county auditor or municipal clerk (or school clerk) must deliver returned absentee ballots to the ballot board within **five** days of receipt. During the 14 days immediately preceding Election Day, ballots must be delivered to the board within **three** days. (Minn. Stat. 203B.08, subd. 3)

Two or more members of the ballot board examine each signature envelope. The envelope is marked accepted or rejected as provided in Minn. Stat. 203B.121 and Minn. Rule 8210.2450. Guidelines on accepting/rejecting envelopes as well as examples of accepted/rejected signature envelopes can be found in Appendix C.

#### Acceptance criteria:

- The voter's name and address on the envelope matches the application
- Use of, or lack of, full names, nicknames, abbreviations, or initials on the application or envelope is not a reason for rejection.
- Power of Attorney (POA) does not apply to voting.
- The voter has signed on the back of the envelope
- A signature is considered the voters even if a voter used a signature mark on either or both the application and envelope, or if a voter had another individual or different individuals sign the names in their presence on either or both the application and envelope.
- The voter has provided the same identification number on the envelope as on the absentee ballot application or on their voter record (see the Absentee Requests without Absentee Ballot Application Form section of this guide for acceptable ID numbers)
- If neither matching option results in a match, the board must compare the signature on the envelope to the signature provided on the application form to determine whether the ballot was returned by the same person to whom it was transmitted.
- Use of, or lack of, full names, nicknames, abbreviations, or initials on the application or envelope is not a reason for rejection.
- It is not possible to successfully compare a pen and ink signature to a digital typed signature.
- The voter is registered and eligible to vote in the precinct or has included a properly completed VRA with proof of residence marked on the signature envelope
- If the voter was sent nonregistered materials, double-check their registration status in SVRS (or master list or VIP Lookup tool). Their registration status could have changed between transmission of the blank ballot and the receipt of the voted ballot. If the voter is now registered, a VRA is not necessary.
- If a VRA is not found in the signature envelope, open the tan ballot envelope and, without examining or removing the ballot, remove any VRA from the envelope and immediately reseal, initial, and note the purpose of why it was opened on the exterior of the tan envelope.
- A witness who is a U.S. citizen over the age of 18 on Election Day has signed the statement on the signature envelope or provided a title indicating they are eligible to administer oaths, or has affixed a notary stamp
- The voter has not already voted in the election in person, or if it is after the 18th day before the election by absentee.

Signature envelopes, which meet the acceptance criteria, are marked "Accepted" by the ballot board members, who then sign or initial below the indication on the envelope. Accepted envelopes are returned to the auditor or designated clerk and securely stored.

If not satisfied that the ballot should be accepted, ballot board members mark the signature envelope as "Rejected," sign or initial below this indication and list the reason for rejection. Rejected ballots are returned to the auditor or designated clerk. Dependent upon timing, a replacement ballot will be issued, or the voter will be contacted. See the Replacement Absentee Ballots section of this guide for more information.

In a state primary, state general election, special election for federal or state office or other elections in which the SVRS AB module is used, all returned ballots must be marked "Accepted" or "Rejected" in SVRS. At other elections, record this information into the tracking spreadsheet.

# Managing the UOCAVA Absentee Ballot Board

During the 45 days before the election, the UOCAVA absentee ballot board must immediately examine the signature envelopes received by the auditor. (Minn. Stat. 203B.23)

The board members compare the voter's name on the envelope with the name recorded in SVRS from the UOCAVA application. The signature envelope is marked "accepted" or "rejected" (Minn. Stat. 203B.24.

### Acceptance Criteria:

- The voter's name on the envelope appears substantially the same on the application
- The voter has signed the certification on the back of the signature envelope
- The voter has provided the same identification number as on the application
- Voters can provide their passport, MN driver's license or state ID number or the last four digits of their social security number
- If the identification numbers do not match, board members must try to satisfy themselves that the ballot was returned by the same individual to whom the ballot was sent
- The voter is not known to have died
- The voter has not already voted in the election in person or by absentee

Signature envelopes, which meet the acceptance criteria, are marked "Accepted" by the ballot board members, who then sign or initial below the indication on the envelope. All returned UOCAVA ballots must be marked "Accepted" or "Rejected" in SVRS.

If the administration of the regular absentee ballot board has been designated to the municipal clerk (or if it is a local special election begin administered by the city, township, or school clerk), the county auditor must forward "accepted" UOCAVA ballots to the appropriate municipal ballot board for final processing, except, if a municipality and county agree that the county's ballot board retains responsibility for ballots issued pursuant to sections 203B.16 to 203B.27, UOCAVA ballots that are accepted must be opened, counted, and retained by the county's absentee ballot board.. (Minn. Stat. 203B.23)

# **Ballot Board "Challengers"**

As per October 16, 2020, Minnesota Attorney General's opinion, "Challengers do not have any role or authority within the ballot-board process." For more information, please review Attorney General Opinion 182.

# **Replacement Process for Rejected Ballots**

Replacement ballots are provided to voters (both regular and UOCAVA) when their absentee ballot is rejected by the ballot board or upon a voter's request. Replacement ballots must be transmitted in an envelope labeled "REPLACEMENT BALLOT" in at least 18-point type. (Minn. Rule 8210.2600)

## Ballot rejected by ballot board

If a regular absentee ballot or UOCAVA absentee ballot is rejected more than **five** days before the election, a replacement ballot is issued to the voter. The replacement ballot is sent with the same materials as the original ballot (instructions, signature, secrecy, and mailing envelopes), as well as an explanation of why the original ballot was rejected. A sample notice with a list of possible ballot rejection reasons for use by the absentee ballot board is available in Appendix C.

If an envelope is rejected within **five** days of the election, a replacement ballot is not sent. The official in charge of the ballot board must attempt to contact the voter by telephone or via email to notify the voter of the rejection of their ballot and their options for casting a replacement. These contact attempts must be documented. When the SVRS Absentee Ballot module is used, the Comments section of a voter's absentee record can be used to record contact attempts. (Minn. Stat. 203B.121, subd. 2; Minn. Rule 8210.2600, subp. 2)

**Recommended best practice**: If the voter cannot be reached successfully, issue a replacement ballot.

## Voter request

The county auditor or municipal clerk must issue a replacement ballot when a voter reports that their ballot was lost, spoiled, or never received. In addition, a voter whose original ballot has already been accepted may request to spoil that ballot and receive a replacement if the request is made by the close of business on the 19th day before the election.

Requests for replacement ballots do not need to be submitted in writing. However, administrators must reasonably confirm that they are communicating with the voter who submitted the absentee ballot application.

When a replacement is issued, record the following information on the voter's absentee ballot application:

- The date the voter requested the replacement
- The date the replacement ballot was issued
- The reason for the replacement

If a voter physically returns a spoiled ballot, place it in a spoiled ballot envelope.

If a voter with an **accepted** ballot requests to spoil it (often referred to as "clawing back" the ballot) and receive a replacement, the original **unopened** signature envelope should be re-marked as "**spoiled**" and stored with other spoiled ballots in the spoiled ballot envelope. (Minn. Stat. 203B.121, subd. 2; Minn. Rule 8210.2600 subp. 1) This period for "claw back" ends at close of business 19 days before Election Day, when stored absentee ballots may legally be opened and counted.

# **Voter Registration Changes for Absentee Voters**

## **Process When Absentee Voter Becomes Deceased**

Election administrators may receive notification that a voter with an existing absentee request has passed away. When a death notice is received, administrators should consider both the voter's registration **and** their absentee ballot request.

## Voter registration record

The county auditor should confirm the notification with a second source, such as an obituary or Department of Health Death Check. Once confirmed, the status of the SVRS voter record should be changed to Deceased. Maintain a copy of the second source for 22 months.

When the SVRS voter record has been marked deceased, the SVRS absentee ballot record associated with the voter will automatically be set to Inactive.

### Absentee ballot record

The administrative steps to take depend upon whether a **voted** ballot has been returned.

If the **voted** ballot has been returned, the ballot should be brought to the ballot board for rejection. The ballot board would reject the ballot for the reason "voter has died." A ballot that was previously accepted by the ballot board should be returned to the board for further review if the ballot has not already been separated from the signature envelope. A deceased individual no longer meets the voter eligibility criteria.

**Note:** If SVRS is used to administer absentee voting, ensure that the Resend Ballot checkbox has been unchecked when marking the ballot rejected in the system. Else an unnecessary replacement ballot will be initialized for the voter.

If an **unvoted** ballot has been returned, the auditor or clerk should mark the ballot as undeliverable. As undeliverable ballots do not go before the ballot board, the ballot would not be marked rejected.

If no ballot has been returned, the auditor or clerk should mark the ballot as spoiled/lost.

# Managing Address Changes for Absentee Voters

COA (change of address) information from the U.S. Postal Service and the Electronic Registration Information Center is loaded into SVRS each month. No COA data is added within 47 days of the state primary or state general election. Because many voters apply for absentee ballots early, it's common to see COA updates for voters who already have an absentee ballot record.

When processing COA changes in SVRS—whether through COA Express, Pending Applications, or directly in a voter record—administrators will see a notification if the voter has an active absentee ballot record. That record may be in the same county or in a different county.

Before applying a COA update, review the voter's absentee record:

- For UOCAVA voters, research further before moving the voter. Contact the voter if needed, since some COA
  updates may only reflect temporary mail forwarding.
- For **regular absentee voters**, the COA change should be applied.

After processing Express and Pending Queues or making manual updates, counties and municipalities should run the **COA Activity Affecting Absentee Voters** report. This report is found under "Absentee Ballot" (or "Local AB" for municipal users). Running it at least once a week is recommended.

The report includes three categories:

- 1. Voters where both the voter record and absentee record are in the administrator's county
- 2. Voters where the absentee record is in the administrator's county, but the voter record is in another county
- 3. Voters where the voter record is in the administrator's county, but the absentee record is in another county

## **Processing steps**

### COA address and AB address are the same

When both the voter record and absentee ballot record are in the administrator's county, it is possible that the COA update has modified the voter's registration to reflect the address the voter provided on their absentee ballot application. In these cases, no action is needed.

### COA address and absentee ballot application address are different

If an absentee ballot has been sent, update the status of the ballot to spoiled/lost in SVRS. Because the voter has moved to an address different from the residence address, they certified on the absentee ballot application, the voter can no longer vote the issued ballot. Further, as the application's residence address is now incorrect, the Application status within the SVRS AB record should be changed from Approved to Rejected, and an explanatory note added to the Comments field. Finally, notify the voter via email, phone, or mail. Provide information on how to reapply for an absentee ballot at their new address.

# **Processing Returned Absentee Ballots**

Regular absentee and (with a few limited exceptions) UOCAVA envelope processing can begin after the close of business (COB) on the 19<sup>th</sup> day before the election. Before an accepted ballot can be separated from its envelope, the roster must be marked to indicate that the voter has voted. After COB and the marking of the roster, ballots from "Accepted" signature envelopes may be opened, duplicated if necessary and deposited into the ballot counter.

# Maintaining Rosters and Reports for Absentee Voting

Two items must be prepared by the start of voting on Election Day:

- polling place roster with notations for those registered voters who have an accepted absentee ballot
- supplemental report listing absentee voters who submitted a voter registration application with their ballot (e.g., a report of AB Election Day registrations.)

The polling place roster can be marked with AB notations:

- by the auditor, municipal clerk, or ballot board before Election Day
- by election judges at polling places on Election Day, before the polls open (Minn. Stat. 203B.121, subd 3(b))

### When SVRS absentee ballot module is not used

When absentee balloting is administered without the aid of the SVRS AB module, all AB notations must be hand-entered onto the rosters. Using data from the tracking spreadsheet, administrators must also prepare the report of absentee Election Day registrants.

### When SVRS absentee ballot module is used

When SVRS is used to record AB applications and mark ballots accepted/rejected, the system will aid in the marking of the polling place rosters and the creation of a report of absentee Election Day registrants.

# **Marking Rosters for Absentee Voters**

The following pre-printed notations may be included on roster pages when applicable:

- "A.B.": indicates an absentee ballot was accepted for the voter
- "Challenged Different A.B. Address": indicates that the residential address supplied by the voter on their AB application is different from the residential address listed on the roster.

The "A.B." notation is automatically printed in the roster for those ballots marked "accepted" in the system before the rosters are created. Be sure SVRS is up to date (all ballots processed through Returned AB Envelopes or UOCAVA Ballot Board) before marking rosters ready to build (i.e., print).

Ballots marked "accepted" after rosters are built must be added to the printed roster by hand using the supplemental AB reports:

- ePollbook Roster Supplement: Accepted Ballots for Registered Voters
- Roster Supplement: Accepted Absentee Ballots for Registered Voters

Rosters must be marked before separating the secrecy envelope from the signature envelope.

# **Checking for Duplicate Registrations**

Polling place election judges who are registering voters on Election Day must have a report of those voters who completed an Election Day registration while voting absentee. There are SVRS reports that list these AB voters who were marked "accepted" in the system:

- ePollbook Roster Supplement: Accepted Ballots for Election Day Registrants
- Roster Supplement: Accepted Absentee Ballots for Election Day Registrants

If a voter's name appears on these reports, they should not be allowed to register and vote because they have already done so by absentee ballot.

# **Opening Envelopes and Storage**

## **Before Opening Envelopes**

Begin retrieving accepted absentee ballots from secure storage after the close of business on the 19th day before the election. Verify that the number of signature envelopes matches the number of accepted envelopes on record. If SVRS is being used, compare the count of accepted envelopes to the number marked as accepted in SVRS. In most cases, these numbers should match. Review and resolve any discrepancies before proceeding to envelope opening. Minn. Stat. 203B.121

Accepted signature envelopes must be segregated by precinct, except that school district elections using combined polling places may be processed together. Before opening accepted signature envelopes, two members of the ballot board must count and record the number of envelopes and ensure that the count matches either the number of accepted signature envelopes provided by the official responsible for the ballot board or the number of signature envelopes accepted by the ballot board that day.

At each step of envelope opening and processing, members of the ballot board must notify the official responsible for the ballot board if there is a discrepancy in any count and note it in the ballot board incident log.

## **Opening Envelopes**

- Once the counts are confirmed and recorded, two members of the ballot board must separate the absentee ballot signature envelope from the ballot secrecy envelope.
- Two members of the ballot board then remove the ballots from the ballot envelopes.
- Ballot envelopes must not be disposed of until 48 hours after the deadline for bringing an election contest expires or, if a contest is filed, 48 hours after completion of the contest and any related appeals, whichever is later.
- After ballots have been removed from the ballot envelopes, two members of the ballot board must count
  and record the number of ballots and confirm the count matches the number of accepted signature
  envelopes. Be sure to account for any empty envelopes or spoiled ballots and note those on the ballot
  board incident log.
- Two ballot board members must initial the judge lines on the top of the ballot. While initialing, they should confirm that the ballot style matches the precinct being processed. This means checking the municipality, ward, and precinct to ensure the correct ballot was issued.
- If a voter received the wrong ballot style, create a duplicate using the correct ballot style. Once this verification or duplication is complete, insert the original (if correct) or duplicated ballot into the tabulator. For more information on duplication, see the "Duplicating Ballots" section of this guide.

## **Storage and Processing of Absentee Ballots**

For each day that absentee ballots are processed, the ballot board must:

- remove the ballots from the ballot box
- ensure that the total number of ballots processed for each precinct matches the total recorded during the
  envelope opening process for ballots to be inserted into the ballot box that day.
- seal and secure all ballots
- keep ballots containing write-ins separate by precinct for later tallying (general election only).
   (Write-ins cannot be counted until after polls close on Election Day.)

No vote totals from ballots may be made public before the close of voting on Election Day. (Minn. Stat. 203B.121, subd. 5(c))

**Note:** An optional absentee ballot tracking spreadsheet template designed to aid in daily balancing and confirming final totals is available <u>here</u>.

# **Duplicating Ballots**

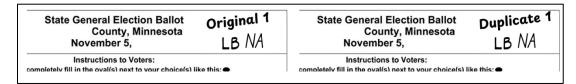
In addition to a wrong ballot, there are other circumstances that require a ballot to be duplicated:

- a damaged ballot
- a ballot that is unreadable by a tabulator (i.e., the voter used the wrong type of marking utensil or vote mark
- a federal-only ballot
- a presidential -only ballot

The ballot is still valid, so a duplicate ballot that the tabulator can count must be made. A duplicate ballot replaces the original ballot. Two election judges from different major parties complete the duplication process. When duplicating UOCAVA federal-only ballots or presidential-only ballots, be sure to select the correct ballot style – e.g., the ballot for the voter's Minnesota precinct. (Minn. Stat. 203B.121, subd. 4)

How to duplicate a ballot Minn. Stat. 206.86, subd. 5 and Minn. Rule. 8230.3850

- 1. Write "original 1" on the original ballot and "duplicate 1" on the new ballot. Keep numbering each pair in order (original 2 / duplicate 2, and so on)
- 2. On the duplicate ballot, write down the reason you made the duplicate (for example, "torn ballot")
- 3. One ballot board member reads the choices from the original ballot. The other board member fills in the duplicate to match.
- 4. If a mark on the ballot is unclear, use the voter intent rules in Minn. Stat. 204C.22.
- 5. Both ballot board members must initial both the original and duplicate ballots.
- 6. Compare the two ballots side by side to make sure the duplicate matches the original.
- 7. Put the duplicate ballot into the ballot counter.
- 8. Place the original ballot in an envelope for storage. Label the envelope clearly to show these are the originals and not the duplicates (e.g., "Do Not Count—Original Ballots Replaced by Duplicates")
- 9. Store the envelope with other election materials.



## Processing a federal write-in absentee ballot

The procedure for processing Federal Write-in Absentee ballots for UOCAVA voters is different from processing other absentee ballots. When the potential exists that an 'official' ballot could be returned (e.g., the voter submitted an FPCA, was issued a ballot, then returned a FWAB), the FWAB cannot be processed until after 8:00 p.m. on election night to allow for the receipt of the official ballot. If both a FWAB and an official ballot are received for a voter, count only the official ballot. The FWAB should be marked "rejected."

If no official ballot was issued (e.g., voter did not previously submit an FPCA), a FWAB can be processed beginning at the close of business on the 19<sup>th</sup> day before the election.

All FWABs will need to be duplicated by the absentee ballot board on an official ballot. The official ballot should be the appropriate ballot style - that of the voter's ward, precinct, and school district. (Minn. Rule 8210.2700)

Before separating the FWAB certificate from the secrecy envelope, check the voter's classification and note the appropriate ballot type (federal-only or full precinct) on the secrecy envelope. A ballot is federal-only when the voter is indefinitely (permanently) away or has never resided in the United States. A ballot is full precinct when the voter is in the military or is temporarily away.

When duplicating write-in votes for:

- federal offices vote may be for a candidate's name or a party name
- state, county, and local offices vote must include the candidate's name.
- State, county, or local office that is for only a political party vote cannot be counted.
- Safe at Home (SAH) Ballot Processing

## Counting SAH ballots

Count accepted ballots for Safe at Home participants like nonregistered absentee ballots. When ballot processing occurs, include ballots cast by participants with the rest of the absentee ballots for a precinct. As mentioned above, there is no SVRS record for these ballots. To balance counts for reporting purposes, the Absentee Election Day Registrants Roster includes space for Safe at Home voters. The absentee ballot board members should write "SAH" followed by a sequential number on the AB EDR roster.

# **Absentee Ballot Board Duties: Close of Polls**

Counting absentee ballots can begin after the polls close on Election Day, after 8:00 p.m. Two members of the ballot board must conduct the count; if election judges, they must be of two different major political parties.

**Important:** Beginning in 2025, Minn. Stat. 203B.121, subd. 5 requires absentee results to be tabulated by precinct for all elections (not just state elections). The absentee ballot board must submit at least one summary statement for each precinct to the auditor or municipal clerk. The auditor or clerk may then certify reports with the absentee ballot board summary statement details for the other required recipients (such as municipal or school district clerks).

When absentee ballots are counted at a central location, results must still be reported by precinct. This can be done in one of two ways:

- 1. Print a separate summary statement for each precinct
- 2. **Produce segregated results for each precinct** that can be identified and attached individually as part of a complete summary statement for each precinct (Minn. Rule 8230.3560)

### Special instructions for option 2:

- Ballot board members close the polls on the tabulator but do not run the results tape.
- Administrators instead use the reporting management software to generate a report.
- This report, together with the summary statistics for each precinct, must be signed by the absentee ballot board members.

A precinct's absentee totals are added to its polling place totals, and this combined total (Absentee + Polling Place) is reported and canvassed. This combining occurs in the Election Reporting System (ERS) before precinct results are displayed on the OSS Election Night Results website or are printed in the abstract of votes cast. (Minn. Stat. 203B.121, subd. 5(b); 204C.27)

## Completing ballot board duties

If not completed previously, within 24 hours after the end of voting, members of the ballot board must verify that voters whose absentee ballots arrived after the rosters were marked and supplemental reports generated and whose ballots were accepted, did not vote in person on Election Day. If the person voted on Election Day, the absentee ballot must be rejected. All other accepted absentee ballots must be opened, duplicated if necessary and counted by the board. The vote totals must be incorporated into the other absentee vote totals. (Minn. Stat. 203B.121, subd. 5(c).

# **Post-Election Duties**

After an election, several tasks must be completed. A post state general election absentee/mail ballot checklist is included in Appendix D. Checklists for other elections will be similar.

## **Record Retention**

The official carrying out the duties of Minn. Stat. chapter 203B is responsible for custody of absentee election materials. Materials must be retained for at least 22 months from the date of the election unless otherwise specified. (Minn. Stat. 203B.06, subd. 5)

#### Materials include:

- Absentee ballots cast
- Defective and spoiled ballots
- AB Summary Statements
- Lists submitted by residential facilities
- Completed Oath of Challenge to Acceptance of Absentee Ballot forms
- Incident log
- Absentee ballot applications (both filled and rejected)
- Absentee ballot signature envelopes (both accepted and rejected) All materials involved in a contested election must be retained for 22 months or until after the contest is decided, whichever is later

**Note:** There is a separate retention schedule for UOCAVA records. The county auditor must retain UOCAVA records for six years. This includes UOCAVA precinct records and application forms. (Minn. Stat. 203B.19; 203B.26)

# **Absentee Voting History**

Within six weeks after every election, the county auditor must post voting history for every person who voted in the election. Registered absentee voters will have history added through the precinct polling place roster. Absentee Election Day registrants will have their voter registration applications entered together with those who registered at the polling place on Election Day. (Minn. Stat. 201.171)

# **Processing Rosters**

If absentee balloting is administered without the aid of SVRS, history must be posted manually using a scanner and roster barcodes. When administrators use SVRS to manage absentee voting, the system can be used to apply absentee voting history for those pre-registered voters with accepted ballots. Rather than scanning the paper roster pages manually, a simple button click will mark the post voting history (PVH) roster "A.B." for all voters on the roster with an accepted absentee ballot.

Before beginning the posting process in the Post Voting History module, ensure that all absentee ballots for the precinct are marked 'accepted' or 'rejected' in SVRS. Only those voters with a ballot in "Accepted" status will have the "A.B." notation added to the PVH roster. Once all ballots have been marked, use the Apply Accepted AB/MB History button to apply AB history to the precinct's roster. After polling place voting history has been added, mark the roster complete and post the PVH history for the precinct.





# **Rejected or Late Absentee Ballots**

Although not counted in an election, rejected absentees or those received too late are considered a vote for the purpose of continuing registration. So, voting history must be added for regular and UOCAVA absentee voters whose ballots were rejected by the ballot board or received too late, and who did not otherwise vote in the election (e.g., did not vote by replacement absentee ballot or in person at the polling place on Election Day).

For rejected nonregistered envelopes, if the enclosed voter registration application is complete, use it to register the voter—entering as a regular application, not as an Election Day registration. Rejected voter history does not need to be posted in this situation as their registration date serves to keep them active voters.

Rejected or late absentee history is applied separately from history for accepted ballots. To post rejected/late history, go to the Elections menu in SVRS, select Post Rejected or Late AB History. When the SVRS Absentee Ballot module is used to administer absentees, ballots received too late should be marked as 'rejected received late' through Returned AB Envelopes and then have late history posted through Post Rejected or Late or AB History.

# **Notices of Rejection**

After an election, including local special elections *but not primaries*, a notice must be sent to each regular absentee voter whose signature envelope was rejected. A notice is not required if the regular absentee voter has successfully cast a ballot in the election (either in person or by replacement absentee). A notice is not sent to UOCAVA voters with rejected ballots.

The official in charge of the ballot board is responsible for sending notices of rejection, between six and 10 weeks after the election (e.g., if municipal clerk's designation to administer absentees includes administration of the ballot board, the municipal clerk is responsible for the rejection notices). All voting history (including Election Day registrations) should be entered before mailing these notices.

If an absentee is rejected because it arrives after Election Day, the notice must be provided between six and 10 weeks after receipt of the signature envelope.

The notice of rejection must contain the following information: the date of rejection (or the date it was received late), the reason for rejection and the contact information of the election official.

When the SVRS Absentee Ballot module is used, notices of rejection are available in SVRS under the report category Absentee Ballot (county user) and Local AB (designated municipal user). The report is titled Rejected AB Post-Election Notices. The option to print for a specific election will not be available in the dropdown list until six weeks after the election date. (Minn. Stat. 203B.121, subd. 2(d))

# **UOCAVA Post-Election Duties**

# **UOCAVA** precinct record

The county auditor must keep a separate record of UOCAVA voters for each precinct for each election. After an election, ensure that all UOCAVA ballots have been marked 'accepted' or 'rejected' in SVRS. After all records have been marked, generate a UOCAVA Precinct Record report from SVRS reports for each precinct in the election. The UOCAVA Precinct Record must be retained for six years. (Minn. Stat. 203B.26)

# Statistics reporting

UOCAVA statistics for each county are compiled by SVRS and available in the report UOCAVA Statistics Certification. This report is in SVRS Reports, under the category Absentee Ballot. The auditor must submit a certified copy of the report to OSS. The OSS in turn must report these absentee statistics to the EAC within 90 days of the state general election. (Minn. Stat. 203B.19)



# **Appendix A - Sample Forms**

## **Absentee Ballot Board Resolution**

#### ABSENTEE BALLOT BOARD RESOLUTION

BOARD OF COUNTY COMMISSIONERS [insert county name], MINNESOTA Date:

Resolution Number: Motion by Commissioner: Seconded by Commissioner:

 ${\tt RESOLUTION\ NO.\ [insert\ resolution\ number];\ ESTABLISHING\ AN\ ABSENTEE\ BALLOT\ BOARD}$ 

WHEREAS, [insert county name] is required by Minnesota Statutes 203B.121, Subd. 1 to establish an Absentee Ballot Board; and

WHEREAS, this board will bring uniformity in the processing of accepting or rejecting returned absentee ballots in [insert county name]; and

WHEREAS, the Absentee Ballot Board must consist of a sufficient number of election judges appointed as provided in sections 204B.19 to 204B.22; and

WHEREAS, the Absentee Ballot Board may include deputy county auditors trained in the processing and counting of absentee ballots;

THEREFORE, BE IT RESOLVED THAT, the **[insert county name]** Board of Commissioners hereby establishes an Absentee Ballot Board effective **[month day year]** to perform the required tasks.

COMMISSIONERS			VOTE	
	Yes	No	Absent	Abstain
	Yes	No	Absent	Abstain
	Yes	No	Absent	Abstain
	Yes	No	Absent	Abstain
	Yes	No	Absent	Abstain

#### STATE OF MINNESOTA

#### [insert county name]

I, [insert county administrator name], duly appointed qualified and County Administrator for the
[insert county name], State of Minnesota, do whereby certify that I have compared the foregoing
copy of a resolution with the original minutes of the proceedings of the Board of County
Commissioners, [insert county name], Minnesota at their session held on the day of,
2016 now on file in my office, and have found the same to be a true and correct copy thereof.
Witness my hand and official seal at [insert city name], Minnesota, this day of, [year].
County Administrator
Administrator's Designed

# **Absentee Ballot Agent Return Log**

This form is available on the Office of Minnesota Secretary of State's webpage.

## Absentee Ballot Agent Return Record

#### Instructions to the Agent:

- 1. Complete the following information
- 2. Show identification containing your name and signature

Date Absent Ballot Returned	
Agent Name	
(Print clearly)	
Agent Address	
(Print clearly, include city, state and zip)	
Absent Voter Name	
(Please print clearly)	
Absent Voter Address	
(Print clearly, include city, state and zip)	
Agent Signature	
Date Absent Ballot Returned	
Agent Name	
(Print clearly)	
Agent Address	
(Print clearly, include city, state and zip)	
Absent Voter Name	
(Please print clearly)	
Absent Voter Address	
(Print clearly, include city, state and zip)	
Agent Signature	
Agent Signature	
Date Absent Ballot Returned	
Date Absent Ballot Returned	
Agent Name	
(Print clearly)	
Agent Address	
Agent Address	
Agent Address (Print clearly, include city, state and zip)	
Agent Address (Print clearly, include city, state and zip) Absent Voter Name	
Agent Address (Print clearly, include city, state and zip) Absent Voter Name (Please print clearly) Absent Voter Address	
Agent Address (Print clearly, include city, state and zip) Absent Voter Name (Please print clearly) Absent Voter Address (Print clearly, include city, state and zip)	
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# **Agent Delivery Request Form**

This form is available for download from the Agent Delivery webpage.



## Office of the Minnesota Secretary of State

### REQUEST FOR AGENT DELIVERY OF ABSENTEE BALLOT

#### Instructions

Voters in the special situations listed below may ask someone (an "agent") to pick up and return an absentee ballot for them. Voters can only use agent delivery during the seven days before election day. The agent must be someone the voter has a pre-existing relationship with, and may not be a candidate at the election.

Voters wanting to vote absentee in this way can have their agent submit this completed form to their County Auditor or Municipal Clerk, along with an absentee ballot application.

Request and Certification In accordance with Minnesota Statutes 203B.11, subdivision 4	,
ı,	, certify that I:
am a patient in the following health care facility as de	fined in <i>Minnesota Statutes</i> 144.50, subd. 2 and 144A.02
am a resident in the following facility, which is either a 245A.02, subd. 14, shelter for battered women as defi living facility as licensed in <i>Minnesota Statutes</i> 144G	residential facility as licensed in <i>Minnesota Statutes</i> ned in <i>Minnesota Statutes</i> 611A.37, subd.4, or assisted
would have difficulty getting to the polls because of in	capacitating health reasons or have a disability
and request that the auditor or clerk provide an absentee ball	ot in a sealed transmittal envelope to
my agent,	
for delivery to me during the seven days before the election, pre-existing relationship with this person.	or before 8 p.m. on election day. I certify that I have a
Signature	Date

This form must be accompanied by an absentee ballot application in order for the ballot to be released to the agent.

Revised 2/2025

# **Direct Balloting Voter's Certificate**

## **Direct Balloting Voter's Certificate**

The voter's certificate used for direct balloting must include the voter's name, identification number and the oath required by Minn. Stat. 201.071. (Minn. Stat. 203B.081) A voter's certificate is included on the reverse of the Direct Balloting version of the regular absentee ballot application form. An alternative certificate sample (including multiple signature lines) is included directly below.

Election Name:	Election Date:
AB Location:	

I certify that I will be at least 18 years old on Election Day; am a citizen of the United States; will have maintained residence in Minnesota for 20 days immediately preceding Election Day; maintain residence at the address given on the registration form; am not under court-ordered guardianship in which the court order revokes my right to vote; have not been found by a court to be legally incompetent to vote; am not currently incarcerated for a conviction of a felony offense; and have read and understand the following statement: that giving false information is a felony punishable by not more than five years imprisonment or a fine of not more than \$10,000, or both.

1. Voter Name, ID # (affix label # 2)	2. Voter Name, ID # (affix label # 2)
Voter Signature and Date:	2. Voter Signature and Date:
3. Voter Name, ID # (affix label # 2)	4. Voter Name, ID # (affix label # 2)
3. Voter Signature and Date:	4. Voter Signature and Date:
5. Voter Name, ID # (affix label # 2)	6. Voter Name, ID # (affix label # 2)
5. Voter Signature and Date:	6. Voter Signature and Date:
7. Voter Name, ID # (affix label # 2)	8. Voter Name, ID # (affix label # 2)
7. Voter Signature and Date:	8. Voter Signature and Date:
9. Voter Name, ID # (affix label # 2	10. Voter Name, ID # (affix label # 2
9. Voter Signature and Date:	10. Voter Signature and Date:

# **EDR Voucher Form**

Voucher Form
Use this form only if you are registering to vote with a voucher as your proof of residence
I, swear or affirm that (Check one):
(Name of Voucher)
I am pre-registered to vote in this precinct  Voter ID #:  (to be completed by the election judge)
☐ I registered in this precinct today and did not have another person vouch for me
I am an employee of a residential facility  (Name of residential facility)
Residential Address of Voucher or Address of Residential Facility
Street Address City
Telephone number:  E-mail address (optional)
I personally know that is a resident of this precinct.  (Name of person registering)
Signature of Voucher
Election Judge Official Use Only Subscribed and sworn to before me
Date Signature of Election Judge

# **Appendix B - Health Care Facility Outreach**

The auditor or clerk must facilitate absentee voting for health care facilities (HCFs) within their jurisdiction before each election. Minnesota Statutes provides for outreach during the 35 days before an election. (Minn. Stat. 203B.11, subd. 2)

# **Preparing for HCF Outreach**

## **Voter registration**

To make absentee voting easier, auditors or clerks can coordinate with the facility to confirm that residents are registered and that their information is current. This preparation ensures voters will not need to complete nonregistered materials during outreach voting.

## List of employees

Facilities can submit a certified list of employees to the auditor at least 20 days before the election. Employees on this list can vouch for an unlimited number of residents.

## Absentee ballot applications

Distribute absentee applications to health care facilities ahead of outreach day so absentee materials can be prepared for voters before the visit. Also include blank application forms and envelopes in the outreach supplies in case they are needed.

## **Supplies**

- Sealed container(s) to hold and transport AB envelopes containing voted ballots
- HCF election judge identification badges (must not show party affiliation)
- Forms
  - Absentee ballot applications
  - Election Day VRAs
  - Precinct List of Persons Vouching
- Ballots
- Lists
  - Master list (registered voter list)
  - Absentee voter list (list of those with accepted absentee ballots)
  - Certified List of Employees of Residential Facilities (if provided by HCF)
- Envelopes
  - Ballot secrecy
  - Signature (both registered and nonregistered)
- Instructions (both registered and nonregistered)
- Incident log
- "I Voted" stickers
- 'Table' booths

# **Election Judge Responsibilities**

### **Deliver materials to HCF**

During the 35 days before an election, at least two election judges from different major parties will pick up the materials from the auditor or clerk and travel in the same car to the health care facility. Minn. Stat. 203B.11 HCF judges must wear ID badges that state their role in the election process. Minn. Stat. 204C.06, subd. 2 (c)

HCF election judges should work with HCF staff to locate the voting room and organize it in a way that ensures privacy for voters. HCF staff inform voters to attend the event or arrange for judges to visit individual rooms.

In accordance with Minn. Stat. 211B.11, campaign materials are prohibited in the polling place. As such, these materials cannot be worn or displayed in the room used for HCF absentee outreach.

Each voter must complete an absentee ballot application, before or during HCF outreach, with the following:

- Name and date of birth
- Minnesota driver's license or identification card number, or the last four digits of their social security number, or affirmation that the voter does not have any of these
- Residential address
- Voter's signature and signature date
- Applications must be signed by the person requesting the ballot. Power of attorney does not apply to voting. An applicant may ask another person to sign for them in their presence; that individual must sign their own name as well. Minn. Stat. 523.24, subd. 14

Using the absentee voter list, verify that the applicant has not already submitted a request and/or voted by absentee ballot. (For instance, if a voter submitted a request through the mail.)

# Verify resident's voter registration status

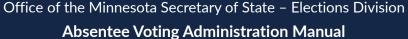
Verify the voter's registration using the master list supplied by the auditor or clerk. If the voter is registered, issue registered absentee ballot materials. Voters who are not registered or whose registration status indicates "challenged," must complete nonregistered materials. These materials include an EDR voter registration application.

## Assist in the completion of VRAs

Unregistered applicants or "challenged" voters must complete a VRA. When filling out the VRA, the voter must provide proof of residence. A judge must complete the Official Use Only portion of the VRA indicating which proof was shown. The witness will also record the proof on the signature envelope. Voters may use any of the proofs available to Election Day registrants. The following is an abbreviated list of acceptable proofs:

- A valid Minnesota driver's license, ID card, or a receipt for either
- A tribal ID card with a photo and signature
- A valid voter registration in the same precinct under a different name or address
- A Notice of Late Registration mailed by the county auditor or city clerk
- A registered voter in the same precinct who confirms the voter's address with a signed oath
- An employee of a residential facility who confirms the voter's address with a signed oath
- Both of the following:
  - An acceptable photo ID
  - An acceptable bill (utility, phone, rent statement, etc.)

The most common proof of residence used by HCF voters is a voucher; there are two types of vouchers: employee vouchers and registered voter vouchers.



## **Employee vouchers**

If the facility submitted the certified list of employees to the county auditor by the deadline, employees may vouch for an **unlimited** number of residents. Employees on this list do not need to show any other identification to vouch for a resident of the facility.

If no list has been provided, or an employee is not on the list, an employee can still vouch for a voter if they can demonstrate their employment at the facility. Proof of employment may be accomplished by providing an employee identification badge or a statement on the facility's letterhead that the individual is an employee of the facility (and is signed and dated by a manager or equivalent officer of the facility).

HCF judges should have the voucher complete the Voucher Form on the reverse side of the VRA. This type of voucher **does not** need to be recorded on the Precinct List of Persons Vouching form.

Although usually completed by judges, employee vouchers may also serve as the witness on the voter's signature envelope if they are a U.S. citizen, 18 years or older.

## **Registered voter vouchers**

Someone registered in the same precinct as the health care facility resident may vouch for them. A voter voucher can vouch for up to eight residents if they personally know the residents live in the same precinct. Health care facility election judges who live in the facility's precinct may also serve as vouchers.

Election judges should have the voucher complete the Voucher Form on the back of the VRA. Election judges should then obtain the voucher's voter ID number (SVRS) and record it on the Precinct List of Persons Vouching form. Judges must use this form to keep count of the number of residents a particular voter has vouched for.

Offi	ice of the Minnesota Secreta	y of St	ate	•					
PR	ECINCT LIST OF PERSONS VO	UCHII	١G						
City/Town	Ward	Pre	cinct						
,	eople vouched for by each voucher.  ach time that person vouches for a registrant.								
	lities may vouch for an unlimited number of fact vouchers may only vouch for a maximum of eig			nho a	re re	giste	ering	to v	ote at ti
	•	tht registra	nts.						ote at th
facility's address. Otherwise,	vouchers may only vouch for a maximum of eig	ht registra No	nts. ımbe	r Vo	uche	d fo	r on		ion Day
facility's address. Otherwise, Voucher's Name	voucher's may only vouch for a maximum of eig Voucher's Voter ID No. 1234567	tht registra No	nts. Imbe	r Vo	uche 4	d fo	<b>r on</b> 6	Elect	ion Day
facility's address. Otherwise,  Voucher's Name  Example: John Doe  1.	voucher's may only vouch for a maximum of eig Voucher's Voter ID No. 1234567	tht registra No	nts. Imbe	er Vo 3-	uche 4 4	ed fo	r <b>on</b> 6	Elect	sion Day 8 8
facility's address. Otherwise,  Voucher's Name  Example: John Doe  1	vouchers may only vouch for a maximum of eip  Voucher's Voter ID No.  1234567	tht registra  No  1  1	nts.  imbe	er Vo	uche 4 4 4	ed for 5	r <b>on</b> 6 6	Elect 7 7	sion Day 8 8 8
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Registered voter vouchers may witness the voter's signature envelope.

# Providing voter assistance

Two judges of different major parties may provide assistance to mark a ballot according to a voter's direction. An election judge team does not have a limit to the number of voters they can assist. Judges should always ask before helping a voter, and all questions should be directed to the voter themselves, not to others.

A voter may also obtain assistance from another person instead of asking HCF election judges. The individual selected by the voter **cannot** be the voter's employer, or an officer of the voter's union. Candidates are now allowed to assist in marking voters' ballots. Election judges and other individuals providing assistance must not influence the voter. (Minn. Stat. 204C.15) Before placing the ballot in the secrecy envelope, the voter may show it privately to an election judge to confirm it is marked correctly according to their direction. (Minn. Stat. 204C.15, subd. 1)

# **Ensure Completion of Signature Envelope**

### Health Care Facility (HCF) ballot procedures general requirement:

HCF judges must ensure the voter places their ballot into the secrecy envelope and that the signature envelope is fully completed.

### For Registered Absentee Voters

- **HCF Judge completes:** 
  - Voter name and address fields (if no label is affixed)
- **Voter completes:** 
  - o ID number (must match the number provided on the application)
  - Signature
- Witness completes:
  - o Name
  - Title (use "Election Judge" if an election judge is the witness; if an HCF employee witnesses, provide personal residence address)
  - Signature

### For Nonregistered Absentee Voters

- **HCF Judge completes:** 
  - Voter name and address fields (if no label is affixed)
- Voter completes:
  - Voter Registration Application (inserted into the signature envelope)
  - o ID number (must match the number provided on the application)
  - Signature
- Witness completes:
  - Name
  - Title (use "Election Judge" if an election judge is the witness; if an HCF employee witnesses, provide residence address)
  - Signature

Deposit signature envelopes containing marked absentee ballots in the sealed container. Record any unusual events or problems that occurred during HCF outreach on the incident log. Return voted ballots and materials to the auditor or clerk on the same day that they are delivered and marked. (Minn. Stat. 203B.11, subd. 1)

**Note:** An HCF voter may submit an absentee ballot application but decide not to vote during HCF outreach. If this occurs, all materials are to be returned to the auditor/clerk. When the SVRS AB module is used to administer absentee ballots and this occurs, the ballot can be left in "Sent" status in the system, as this reflects the real-world situation (e.g., a ballot was provided to the voter, but they did not vote it)



# **Appendix C – Absentee Ballot Board Guidelines**

# **Ballot Board Recommended Guidelines for Accepting/Rejecting Ballots**

Minn. Stat. 203B.121; Minn. Rule. 8210.2450

Absentee ballots that are returned to the county, municipality, or school district are delivered to the ballot board. Two members of the ballot board must review each signature envelope to determine whether to accept or reject the ballot, using the standards in Minn. Stat. 203B.121 and Minn. Rule. 8210.2450

If signature matching is required, such as when a voter applied online and did not provide a matching Minnesota-issued ID number or the last four digits of their Social Security number, a signature comparison must be done by election judges from different major political parties.

After review, the envelopes are returned to the county, municipal, or school district clerk for further processing.

### **Voter Section**

Voter name and address are either pre-printed on the label or entered by the election official.

- Reject the ballot if the voter changes the label to a different name or address than what appears on the application.
- Do not reject solely for the use or omission of full names, nicknames, abbreviations, or initials on either document.

Minn. Stat. 203B.121, subd. 2 (b) (1); Minn. Rule 8210.2450, subp. 2

### Voter has signed the certification on the envelope

- Reject the ballot if the name signed is clearly different from the name printed on the signature envelope (for example, an envelope printed with John Smith but signed by Mary Jones).
- Reject the ballot if there is no voter signature on the envelope.
- Accept the ballot if the voter signature is outside of the signature box or voter section, if it is distinguishable from the witness signature, even if it is not legible.

Minn. Stat. 203B.121, subd. 2 (b) (2); 203B.121, subd. 2 (b) (5); Minn. Rule 8210.2450, subp. 2

If an ID number is transposed or no ID number is provided on the envelope, the numbers do not match, and the signature must be compared.

- Use of, or lack of, full names, nicknames, abbreviations, or initials within either signature are not a reason for rejection.
- A signature is considered the voter's even if a voter uses a signature mark on either or both documents, or if a voter has another individual or different individuals sign the voter's name in their presence on either or both documents. In this case, the other individual's signature will follow.

Minn. Stat. 203B.121, subd. 2 (b) (3); Minn. Rule 8210.2450, subp. 3

### **Witness Section**

A witness has signed the statement on the envelope:

Witness signature outside of signature box and/or witness section is accepted if legible enough to know it is a signature and not a scribble.

Minn. Stat. 203B.121, subd. 2 (b) (5); Minn. Rule 8210.2450, subp. 5

The following officials (and their deputies) are authorized to administer oaths and therefore may serve as witnesses Minn. Stat. 203B.121, subd. 2 (b) (5); 358.10; Minn. Rule 8210.2450, subp. 5:

- Election Judge
- State Senator
- State Representative
- County Commissioner
- County Auditor
- County Recorder
- Municipal Clerk
- Municipal Recorder

## Voter Registration Status Minn. Stat. 203B.121 subd. 2 (4); Minn. Rule 8210.2450, subp. 4

Voter is registered under the name and at the address on the signature envelope.

- Determine registration status using SVRS, master list or polling place roster produced from SVRS
- Voter who is not registered, whose registration is inactive, who has a "see ID" notation, or whose registration
  is challenged must include a properly completed voter registration application with the absentee signature
  envelope.
- If sent nonregistered materials and voter is not registered:
- Proof of residence box on envelope must be marked
- A properly completed voter registration application (VRA) must be inside the signature envelope. If the VRA
  is not found in the signature envelope, ballot board members must open the ballot envelope. Without
  examining or removing the ballot, they should remove any VRA from the envelope, then immediately reseal
  the ballot envelope with the ballot still inside. Members must initial across the seal and note on the envelope
  the reason it was opened.
- A voter registration application returned separately from the signature envelope after the voter registration deadline is a late registration and may not be used as a registration for the current election.

## Ballot Already Cast Minn. Stat. 203B.121, subd. 2 (6); Minn. Rule 8210.2450 subp. 6

Voter has not already voted either in person or after the close of business on the 19th day before the election, by absentee ballot.

- If received before the close of business on the 19<sup>th</sup> day before the election, then previously submitted ballot is deemed spoiled and not counted.
- It is rejected if an envelope is received after the close of business on the 19th day before the election and another ballot has been accepted for the voter.

## Voter has Died Minn. Stat. 201.13; Minn. Stat. 203B.121, subd. 4

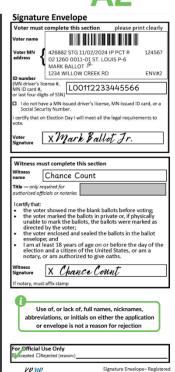
Voter is known to have died.

If an absentee voter is known to have died, registration record should be marked as 'deceased'. The voter is no longer eligible to vote and ballot should be rejected (if it has not yet been separated from the signature envelope).

# **Accepted Absentee Ballot Envelope Examples**

## **Accepted Absentee Ballot Envelope Examples (1-6)**





**⊘** ACCEPTED

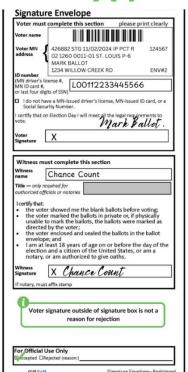
**⊘** ACCEPTED







Signature Envelope- Registered



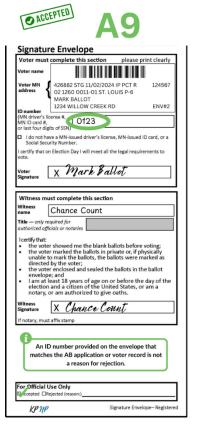




## Accepted Absentee Ballot Envelope Examples (7-12)

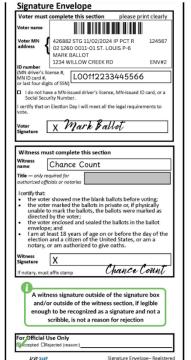






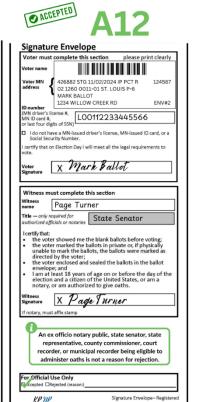


**A10** 

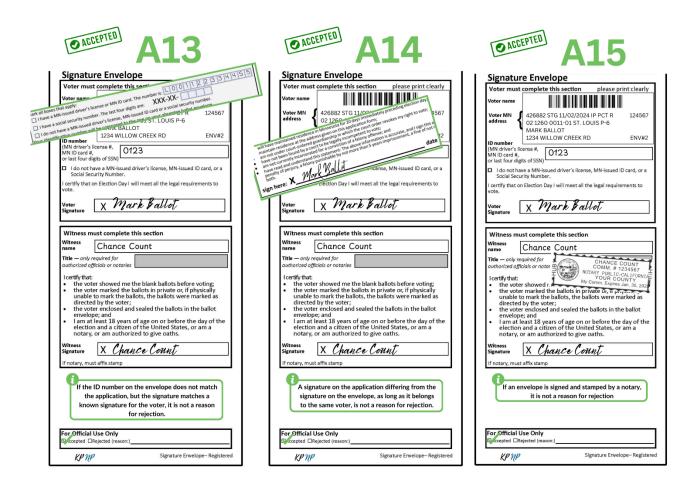


Voter must	complete this section please pr	int clearly
Voter name		
Voter MN address	426882 STG 11/02/2024 IP PCT R 02 1260 0011-01 ST. LOUIS P-6 MARK BALLOT	124567
ID number	1234 WILLOW CREEK RD	ENV#2
(MN driver's lio MN ID card #, or last four digit	L00112233445566	5
	re a MN-issued driver's license, MN-issued li rity Number.	D card, or a
I certify that on vote.	Election Day I will meet all the legal require	ments to
Voter	x Mark Ballot	
Signature L	X • • • • •	
Witness mu	st complete this section	
Witness mu		
name	Elliot Tally	
Title — only red	County Auditor	
I certify that:		
the voter unable to directed the voter envelope lam at le election notary, or	east 18 years of age on or before the and a citizen of the United States, or or am authorized to give oaths.	ysically arked as e ballot day of the
the voter unable to directed the voter envelope lam at le election	marked the ballots in private or, if pho o mark the ballots, the ballots were m by the voter; enclosed and sealed the ballots in the s; and east 18 years of age on or before the and a citizen of the United States, or	ysically arked as e ballot day of the
the voter unable to directed the voter envelope I am at le election notary, o  Witness	marked the ballots in private o., if ph mark the ballots, the ballots were m by the voter; enclosed and sealed the ballots in th v; and sear 18 years of age on or before the and a citizen of the United States, or or am authorized to give oaths.	ysically arked as e ballot day of the
the voter unable to directed the voter envelope I am at le election notary, o Witness Signature  If notary, must  An eleCoun	marked the ballots in private o., if ph mark the ballots, the ballots were m by the voter; enclosed and sealed the ballots in th v; and sear 18 years of age on or before the and a citizen of the United States, or or am authorized to give oaths.	ysically arked as e ballot day of the am a
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the voter     the voter     unable to     directed     the voter     envelope     I am at le     envelope     I am at le     if notary, must  An el     Coun     admil	marked the ballots in private or, if ph mark the ballots, the ballots were m by the voter; enclosed and sealed the ballots in the variance of the private of the private of the variety and a critize of the United States, or ar am authorized to give oaths.  X. Elliot Tally  affix stamp  ection official (or their deputy), such ty Auditor or City Clerk, being eligil nister oaths is not a reason for rejections.	ysically arked as e ballot day of the am a

ACCEPTED

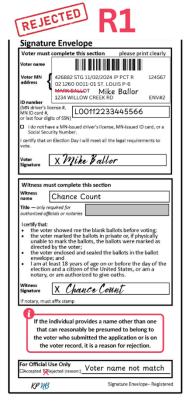


## Accepted Absentee Ballot Envelope Examples (13-15)

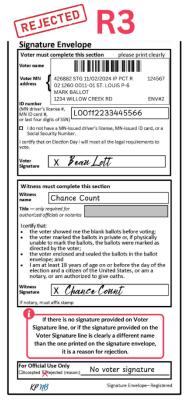


# **Rejected Absentee Ballot Envelope Examples**

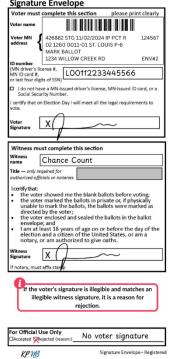
## Rejected Absentee Ballot Envelope Examples (1-6)



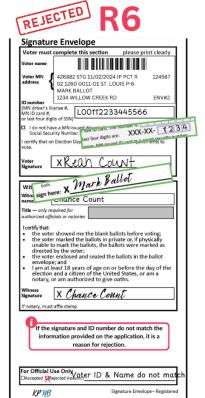












# Sample Notice of Ballot Rejection and Replacement Sample

[Date]

[Voter's Name/Address]

Notice of Ballot Rejection and Replacement

Dear [Voter's Name],

Your absentee ballot from the [date and election name i.e., 11/4/2024 State General] was rejected by the absentee ballot board for the reason checked below:

- The voter's name on the signature envelope does not match the applicant's name
- The voter's address on the signature envelope does not match the applicant's address
- The voter did not sign the signature envelope
- The numbers provided on the signature envelope do not match the application or voter record and the voter and application signatures do not match
- A voter registration application was not included in the signature envelope
- The voter registration application was not signed
- The voter registration application did not include all required information
- The witness did not sign the signature envelope
- The witness did not mark proof of residence used by the voter

The rejected ballot will not be counted.

A replacement ballot, instructions and envelope are enclosed. To have a vote counted in this election, you may:

- Follow the instructions and complete and return the replacement ballot, or
- Vote an absentee ballot in person at our office, or
- Vote in person at your polling place on Election Day.

If you have any questions regarding your absentee ballot, please contact the [county/city/school district name] election office by phone at [phone #] or by email at [email address].

Sincerely,

[county/city/school district name] Election

# **Appendix D - Lists, Checklists and Other Samples**

## **State Adult Correctional Facilities List**

The following list of state adult correctional facilities was submitted to OSS by the Department of Corrections in compliance with Minn. Stat. 203B.06, subd. 3(a).

An absentee ballot application that provides an address included on the list below **must not** be accepted, and an absentee ballot **must not** be provided to the applicant. The county auditor or municipal clerk must promptly transmit a copy of the applicant to the county attorney. The complete statutes citation is included below.

### **Adult Correctional Facilities**

**MCF-Faribault** 

1101 Linden Lane

Faribault, MN 55021

**MCF-Lino Lakes** 

7525 Fourth Avenue

Lino Lakes, MN 55014

MCF-Oak Park Heights

5329 Osgood Avenue North

Stillwater, MN 55082

MCF-Moose Lake

1000 Lake Shore Drive

Moose Lake, MN 55767

**MCF-Red Wing** 

1079 Highway 292

Red Wing, MN 55066

**MCF-Rush City** 

7600 - 525th Street

Rush City, MN 55069

MCF-St Cloud

2305 Minnesota Boulevard SE

St Cloud, MN 56304

MCF-Shakopee

1010 West Sixth Avenue

Shakopee, MN 55379

MCF-Stillwater

970 Pickett Street

Bayport, MN 55003

MCF-Togo

62742 Co Rd 551

Togo, MN 55723

**MCF-Willow River** 

86032 County Highway 61

Willow River, MN 55795

Minn. Stat. 203B.06, subd. 3. Delivery of Ballots. (a) The commissioner of corrections must provide the secretary of state with a list of the names and mailing addresses of state adult correctional facilities. An application for an absentee ballot that provides an address included on the list provided by the commissioner of corrections must not be accepted and an absentee ballot must not be provided to the applicant. The county auditor or municipal clerk must promptly transmit a copy of the application to the county attorney. The Department of Corrections must implement procedures to ensure that absentee ballots issued under <a href="chapter 203B">chapter 203B</a> are not received or mailed by offenders incarcerated at state adult correctional facilities.

# Sample In-Person Absentee Ballot Issuance (With Envelopes)

## **Registered Voter**

- Have voter fill out absentee ballot application. Check for completeness and legibility.
- Check voter's name and address on the voter master list or in SVRS. (If name or address is different, voter receives nonregistered materials.) Enter the application in SVRS and print envelope labels. Complete "official use only" portion of application (or attached application label) and file as instructed.
- Select the ballot that matches the precinct and school district the voter resides in as indicated in the registration record. Precinct and school district also indicated on Env. 2 label. Apply label to envelope.
- Provide the ballot, a tan secrecy envelope, and a registered voter signature envelope.
- After the voter has sealed their completed ballot in the secrecy envelope, and completed the signature envelope, seal and complete the witness portion of the signature envelope.
- Give the voter an "I VOTED" sticker. [Optional]

## **Nonregistered Voter**

- Check voter's name and address on the voter master list or in SVRS to confirm the voter is not registered.
- Have voter fill out both the voter registration (VRA) and absentee ballot applications. Check them for completeness and legibility. [After pre-registration cut-off.]
- Ask the voter for proof of residence. Use the "Election Day Registration" poster for list of acceptable proofs
  of residence.
- Enter the application in SVRS, print labels and apply to envelope and VRA. Complete "official use only" portion of application (or attach application label) and file as instructed.
- Select the ballot that matches the precinct and school district the voter resides in (using precinct finder). Precinct and school district also indicated on Env. 2 label.
- Provide the ballot, a tan secrecy envelope, and a nonregistered voter signature envelope. Remind them to put the VRA into the signature envelope and not into the secrecy envelope.
- After the voter has sealed their completed ballot into the secrecy envelope, and completed the signature envelope, seal and complete the witness portion of the signature envelope.
- Give the voter an "I VOTED" sticker. [Optional]

# **Agent Pick-up and Return Process**

## **Agent Delivery Facts**

Who qualifies for Agent Delivery?

#### A voter must:

- Live in a:
  - Nursing home
  - Assisted living facility
  - Residential treatment center
  - Group home
  - o Battered women's shelter
- OR be hospitalized
- OR be unable to go to the polling place due to incapacitating health reasons or a disability

### Who qualifies to be an Agent?

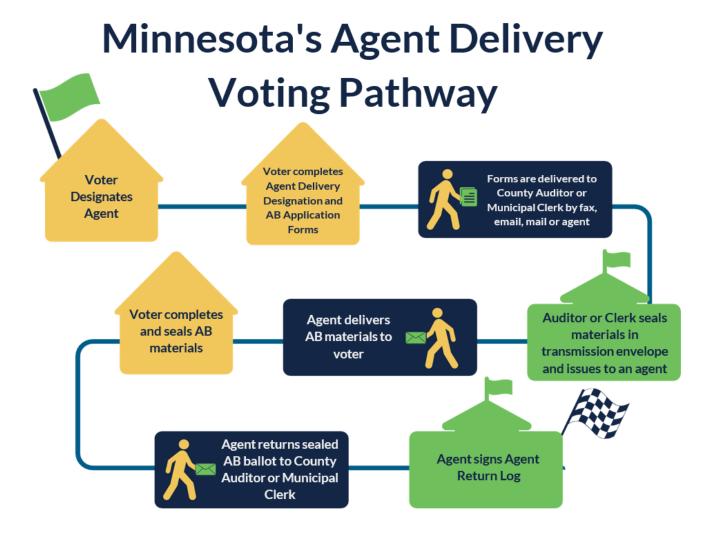
- Must be at least 18 years old
- Must have a pre-existing relationship with the voter
- Cannot be a candidate

### Additional rules for agents:

- An individual cannot be an agent for more than three voters in an election.
- The agent **must show identification** with their name and signature when returning a ballot.
- The agent must sign the Agent Return Log upon returning the completed ballot.

### When is Agent Delivery an Option?

- Agents can collect ballots from seven days before the election until 8 p.m. on Election Day.
- Ballots must be returned to the same election office by 8 p.m. on Election Day.
- Ballots can also be returned by mail but must arrive by Election Day.



## Minnesota's Agent Delivery Voting Pathway, in order:

- Voter designates an agent.
- Voter completes the Agent Delivery Designation Form and Absentee Ballot Application Form.
- Forms are delivered to the County Auditor or Municipal Clerk (can be delivered by fax, email, mail, or by an agent).
- Auditor or Clerk seals materials in a transmission envelope and issues them to the agent.
- Agent signs the Agent Return Log.
- An agent delivers absentee ballot materials to the voter.
- Voter completes and seals the absentee materials.
- An agent returns the sealed absentee ballot to the county auditor or municipal clerk.

# Sample Direct Balloting (Absentee Voting Without Envelope) Process

- 1. Voter completes a direct ballot absentee application
- 2. Staff ask the voter whether they want to insert their ballot into the tabulator or use envelopes
- 3. If the voter chooses to vote without envelopes:
  - a. Staff creates the absentee record in SVRS using the appropriate Direct Balloting option (Registered or New)
  - b. Staff prints the labels
  - c. The ballot is automatically marked as "Accepted" in the system
- 4. Staff pulls the correct ballot for the voter's precinct split
- 5. Staff gives the ballot application, labels, and ballot to the verifying staff member
- 6. The verifying staff member:
  - a. Confirm that all the information is correct
  - b. Places the signature envelope label (#2) on the voter certificate on the back of the absentee application
  - c. Has the voter sign the certificate and provide their ID number
- 7. The verifying staff member gives the voter ballot instructions, hands them the ballot, and directs them to the voting booth
- 8. The voter marks their ballot and inserts it into the tabulator

### **Administrative Process**

- End of day
- Note ballot count from tabulator screen on spreadsheet
- Two ballot board members remove ballots from tabulator, verify number of ballots by precinct to the signature certificates and tabulator screen
- Note number of ballots on spreadsheet
- Two ballot board members initial all ballots
- Seal ballots in envelopes by precinct with date label and number of ballots scanned on each envelope

#### **Ballot Records**

To be completed for each precinct before starting to post voter history

- Ensure all accepted and rejected envelopes have been marked as such in SVRS
- Process any ballots remaining in Received status in SVRS
- Review ballots remaining in Initialized status in SVRS and address as appropriate—DO NOT leave in Initialized status

## Online Application Queue

To be completed as soon as possible following Election Day

- Process online absentee ballot applications remaining in county or municipality queues
- Regular apps that were not filled should be marked as Rejected
- UOCAVA apps, unless deficient, should be accepted

**Important:** Be sure to process any accompanying voter registration in SVRS Voter Registration >> Pending Applications >> Source: FPCA Queued for Processing before processing the absentee ballot request.

## **Envelopes Received Late**

### To be completed when the envelopes are received by the office

- Absentee and mail ballots received late must be:
- Marked as Received in SVRS through Received AB Envelopes
- Marked with appropriate Rejected Received Late reason in SVRS through Returned AB Envelopes.
   Uncheck the Resend Ballot checkbox before scanning barcode or clicking Record Ballot button, or else a new ballot will be added which will need to be deleted.
- Given late history through Elections >> Post Rejected or Late AB History

## **Envelopes Rejected by Ballot Board**

### To be completed as soon as possible after 'normal' voter history has been posted

Voters with rejected absentee or mail ballots who did not otherwise vote in the election, either by receiving a replacement ballot or by voting in person, must have their record updated to show the rejection in the Elections system under Post Rejected or Late Absentee History.

### **UOCAVA Statistics Certification**

### To be completed no later than 60 days after the state general election

Run and review the UOCAVA Statistics Certification report to verify the data is accurate. After verification, submit a signed certification report to OSS via email (elections.dept@state.mn.us).

### **Rejected Absentee Ballot Post-Election Notices**

- To be completed 6-10 weeks after the election or 6-10 weeks after receipt of late ballot
- Send notice to voters whose regular absentee ballots were rejected and who did not otherwise vote in the election (by replacement absentee or in person)
- Use SVRS report Rejected AB Post-Election Notices
- The report will not be available for election until 6 weeks after election date

**Note:** This notice is **not** required for UOCAVA or Mail Ballot voters.

# **Helpful Links for Absentee Voting Administration**

# **Minnesota Secretary of State Resources**

### Minnesota Election Laws - Statutes and Rules (PDF)

https://www.sos.mn.gov/media/3k4hu2if/minnesota-election-laws-statutes-and-rules.pdf A consolidated publication of Minnesota election statutes and rules.

#### **Election Administration Guides**

https://www.sos.mn.gov/election-administration-campaigns/election-administration/election-guides/Downloadable manuals for election judges, clerks, and administrators.

#### **Election Calendars**

https://www.sos.mn.gov/election-administration-campaigns/election-administration/election-calendars/ Official state election calendars with important dates and deadlines.

### Vote Early by Mail

https://www.sos.mn.gov/elections-voting/other-ways-to-vote/vote-early-by-mail/

Public-facing instructions for Minnesota voters who wish to vote early by absentee.

### Absentee/Mail Ballot Instructions

https://www.sos.mn.gov/election-administration-campaigns/election-administration/absenteemail-ballot-instructions/

Official instructions that must accompany absentee and mail ballots.

### Sample Absentee/Mail Ballot Envelopes

https://www.sos.mn.gov/election-administration-campaigns/election-administration/sample-absenteemail-ballot-envelopes/

State-approved sample absentee envelopes for use as templates.

### **Election Administrator Forms**

https://www.sos.mn.gov/election-administration-campaigns/election-administration/election-administrator-forms/

Forms for election administrators, including direct balloting voter certificates.

# **Voter Tools (State Systems)**

### Absentee/Mail Ballot Status Lookup

https://mnvotes.sos.mn.gov/abstatus/index

Allows voters to track the status of their absentee or mail ballot.

#### My Ballot Tool

https://myballotmn.sos.mn.gov/

Provides voters with a preview of their ballot and candidate list by precinct.

### **Online Absentee Ballot Application**

https://mnvotes.sos.mn.gov/abrequest/index

Application portal for Minnesota voters requesting an absentee ballot.

### Permanent Absentee Application - English (PDF)

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

Application form for voters to request permanent absentee status.

## Permanent Absentee Application - Alternate Version (PDF)

https://www.sos.mn.gov/media/zwodvi3k/permanent-absentee-voter-application.pdf

Standalone form for voters seeking permanent absentee status.

# **Health Care Facility and Outreach**

### Minnesota Department of Health - Provider Directory

https://www.health.state.mn.us/facilities/regulation/directory/providerselect.html

Used to confirm whether a facility qualifies as a Health Care Facility (HCF) for absentee voting outreach.

# **UOCAVA (Military and Overseas Voting)**

### Federal Voting Assistance Program - UOCAVA Overview

https://www.fvap.gov/info/laws/uocava

Federal site with laws and guidance for military and overseas voters.

### **UOCAVA Online Application (MNvotes)**

https://mnvotes.sos.mn.gov/uocava/index

Minnesota's online application system for UOCAVA voters.

### Federal Post Card Application (FPCA) - PDF

https://www.fvap.gov/uploads/FVAP/Forms/fpca.pdf

Federal application used by military and overseas voters to request an absentee ballot and register to vote.