

Minnesota

If enacted in its current form, the For the People Act (H.R.1/S.1) would make changes to federal elections in Minnesota that would strengthen the freedom to vote and make it more difficult to enact voter suppression laws in the future. Several of the requirements of H.R.1/S.1—including those relating to registration, and felon enfranchisement—already exist in some form in Minnesota. However, Minnesota is exempt from several provisions in H.R.1/S.1 because the state is exempt from the National Voter Registration Act of 1993.¹ Other requirements, such as those relating to early voting, would more fundamentally change Minnesota’s procedures for conducting federal elections.

The following is a summary of the most salient ways in which H.R.1/S.1 would affect voting in Minnesota:

Expanding & Protecting Voter Registration Opportunities

Permits voters to provide a written statement on a state form, confirming their identity and eligibility to vote in the election.² Currently, Minnesota law requires proof-of-residence for same-day registration and absentee voting.³

Mandating Secure, Accessible Early Voting & Absentee Voting

- Deems ballots postmarked by Election Day to be valid and requires that they be counted if they are delivered to election officials within ten days of the election.⁴ Currently, Minnesota law requires that mail-in ballots be received by 8 p.m. on Election Day.⁵
- Requires secure drop boxes must be available 24 hours a day, for 45 days before Election Day, and that the number of drop boxes be based on county population.⁶ Currently, Minnesota law allows voters to drop off absentee ballots with county and town officials before Election Day but does not contain any of the specific duration and number requirements included in H.R.1/S.1.⁷
- Mandates drop box sites also have clearly posted information to help voters track ballots and make sure their vote is counted.⁸
- Grants absent uniformed military officers and overseas Americans a private cause of action to enforce their rights under the Uniformed and Overseas Citizens Absentee Voting

¹ “The National Voter Registration Act of 1993 (NVRA),” *U.S. Department of Justice*, March 11, 2020, <https://www.justice.gov/crt/national-voter-registration-act-1993-nvra>.

² H.R.1, §§ 1621, 1903.

³ Minn. Stat. §§ 201.061, subd. 3, 203B.04, subd. 4.

⁴ H.R.1, § 1621.

⁵ Minn. Stat. § 203B.08, subd. 3; *see also Carson v. Smith*, 978 F.3d 1051 (8th Cir. 2020) (holding that the election-day deadline superseded a consent decree that had extended the deadline).

⁶ H.R. 1, Title I, Subtitle N, Part 1.

⁷ Minn. Stat. § 203B.08, subd. 1; Minn. R. 8210.2100, 8210.2400.

⁸ *Id.*



Act.⁹

Protecting & Expanding Ballot Access

- Requires Minnesota to take steps to ensure that voters wait no more than 30 minutes to vote.¹⁰
- Mandates any changes to polling place locations be communicated by phone, as well as by text message and email (if possible), in addition to Minnesota's current mail requirement.¹¹
- Requires Minnesota to restore civil rights to people with felony convictions upon release from prison and to inform these people of their voting rights in writing. Currently, Minnesotans with felony convictions can vote only after they have completed parole and supervised release.¹²

Strengthening Election Security & Trust in Elections

- Requires the U.S. Postal Service to sweep its facilities and post offices daily to ensure that ballots are expeditiously transmitted to local election officials.¹³
- Prevents the U.S. Postal Service from enacting any new operational change that slows the delivery of voting materials in the 120 day period before an election.¹⁴
- Requires the U.S. Postal Service to appoint Election Mail Coordinators to assist election officials with any voting material questions.¹⁵
- Requires the voting system to produce a paper ballot that is verified by the voter before the vote is cast.¹⁶
- Permits the security of drop boxes through remote or electronic surveillance.¹⁷

Ending Partisan Gerrymandering in Federal Congressional Redistricting

- Under current Minnesota law, the legislature crafts congressional districts, subject to gubernatorial veto. It can do so for partisan advantage or to favor incumbents. H.R.1/S.1 would do the following:
 - Mandates that Minnesota conduct congressional redistricting by independent redistricting commission, rather than the Minnesota state legislature.¹⁸

⁹ H.R.1, § 1702.

¹⁰ H.R. 1, Title I, Subtitle N, Part 1.

¹¹ H.R.1, § 1902; Minn. Stat. § 204B.16, subd. 1a.

¹² H.R.1, §§ 1403, 1405; Minn. Stat. § 609.165, subd. 1-2; *Schroeder v. Simon*, 950 N.W.2d 70, 74 (Minn. Ct. App. 2020).

¹³ Amendment 5 to H.R.1, Part B.

¹⁴ Amendment 26 to H.R.1, Part B.

¹⁵ Amendment 27 to H.R.1, Part B.

¹⁶ H.R. 1, Title I, Subtitle F.

¹⁷ Amendment 9 to H.R.1, Part B.

¹⁸ H.R.1, § 2401; Minn. Stat. § 2.91, subd. 1.



Voter Protection Program

- Counts incarcerated Minnesotans as residents of their home community for purposes of representation, not their place of incarceration.¹⁹

Because Minnesota is exempt under the NVRA, it is not subject to the requirement that states implement automatic voter registration and pre-registration of 16 and 17 year olds to vote immediately upon turning 18.²⁰

¹⁹ H.R.1, § 2701.

²⁰ H.R.1, §§ 1012, 1018.