

S.F. No. 2270 – Ranked Choice Voting (1st Engrossment)

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S.F. 2270 establishes the Statewide Ranked Choice Voting Implementation Task Force to make recommendations to implement ranked choice voting for state and federal elections. Establishes a statutory framework for ranked choice voting. Allows local governments to implement ranked choice voting for local elections after January 1, 2024.

Article 1

Statewide Ranked Choice Voting Implementation Task Force; Appropriation.

Section 1 [Statewide ranked choice voting implementation task force] establishes the Statewide Ranked Choice Voting Implementation Task Force. The task force must make recommendations on statewide standards for ranked choice voting and a timetable for implementation for state and federal elections. The task force consists of 26 members. The task force must submit annual reports to the legislature starting in 2024 and ending in 2027, unless the task force votes to submit its final report early. Each report must include the specified information or a statement that there is no agreement on the issue. A blank appropriation is made from the general fund to the Legislative Coordinating Commission to support the work of the task force.

Article 2

Ranked Choice Voting Implementation

Section 1 [Applicability] specifies that the newly created chapter 204E applies to ranked choice voting elections. Minnesota election law applies to ranked choice voting elections unless otherwise provided.

Section 2 [Definitions] provides definitions for ranked choice voting.

Section 3 [Authorization for local adoption] allows political subdivisions to adopt ranked choice voting after January 1, 2024, for local elections.

Section 4 [Ballots] specifies ballot format for ranked choice voting elections. If there are three or more qualified candidates, the ballot must allow a voter to rank at least three candidates for each

office and must allow for write-in candidates. If an election uses ranked choice voting for some offices, the ranked choice voting and non-ranked choice voting offices must be separated.

Section 5 [Ranked choice voting tabulation center] requires the local election official to designate a ranked choice voting tabulation center. Write-in candidates must file a written request to have write-in votes counted. After voting has concluded, election judges in each precinct must record and publicly declare the number of votes cast at each ranking on the ballot. The election judges must then transfer all data and ballots to the tabulation center. Write-in votes must be examined and recorded at the tabulation center. After all votes have been recorded, tabulating votes must begin. The local election official may declare a recess.

Section 6 [Tabulation of votes; single-seat elections] specifies the process to be used when ranked choice voting is used for an office in which one seat is to be filled. Provides the method for counting votes in the initial and subsequent rounds.

Section 7 [Tabulation of votes; multiple-seat elections] specifies the process to be used when ranked choice voting is used for an office in which two or more seats are to be filled. Provides the method for counting votes in the initial and subsequent rounds.

Section 8 [Reporting results] requires each precinct to print a precinct summary statement with must include the number of first choice votes cast for each candidate. The local election official must provide a tabulation summary statement of each race that includes specified information. In jurisdictions where ballots are scanned and recorded electronically, the local election official must provide an electronic spreadsheet of the cast vote record. The election abstract must include the specified information.

Section 9 [Recounts] provides that a candidate defeated in the final round of tabulation may request a recount in the same manner as for non-ranked choice voting elections. A candidate defeated in an earlier round may request a recount as provided in this section. The recount may start with the round in which a candidate who is requesting a recount was defeated. A candidate cannot request a recount until after a winner is determined.

Section 10 [Postelection review] specifies the process for postelection review of a ranked choice voting election. Specifies the number of precincts to be hand-counted as part of the review process. If the review shows a vote difference above the stated threshold, additional review is required. The local election official must report the results of the postelection review to the county auditor and make the results available to the public. If a voting system failed to accurately record votes, the voting system must not be used again until the county auditor approves its use.

Section 11 [Rules] authorizes the secretary of state to adopt rules to implement the requirements of this article.

Article 3 Conforming Changes

Section 1 [Application] adds a cross reference to chapter 204E.

Sections 2 and 3 [Ranked choice voting election] specify that votes in ranked choice voting elections must be counted as provided in chapter 204E.

Section 4 [Information requirements] specifies that precinct summary statements must include the information required in **section 8**.

Section 5 [Exception; certain nonpartisan candidate] specifies that candidates in nonpartisan ranked choice voting elections are omitted from the state and county primary ballot.

Section 6 [Notice of filing dates] specifies that the notice to file affidavits of candidacy must include the method of election to be used for that office.

Section 7 [Required certification] requires a voting system vendor to obtain a test report from a voting system lab accredited by the Election Assistance Commission. Makes conforming changes.

Section 8 [Municipalities] allows a municipality to use automatic tabulating equipment or a software reallocation feature that has not been approved by the secretary of state if the reallocation feature has been tested and meets the municipality's ordinance requirements.

Section 9 [Electronic voting systems; purchasing] requires voting systems to have specified capabilities.

Section 10 [Testing of voting systems] specifies that the public accuracy testing must test ranked choice voting capabilities if ranked choice voting will be used.

Section 11 [State canvassing board] specifies that the state canvassing board's declarations must reflect ranked choice voting elections. Specifies that if the Agreement Among the States to Elect the President by National Popular Vote is adopted, then the presidential electors are appointed pursuant to that agreement.

Section 12 [When and where filed by committees] amends the timing of candidate reports in jurisdictions where local primaries are not held because of ranked choice voting.

Article 4 Appropriation for Local Governments

Section 1 [Ranked choice voting grants] establishes a grant program for local governments for ranked choice voting implementation costs. The secretary of state administers the program. A local match is required. The secretary of state must report to the legislature on the awarded grants.

Section 2 [Appropriation; local grants] makes a blank appropriation from the general fund to the secretary of state for costs associated with implanting this act. A blank amount must be distributed as grants as provided by **section 1**.