

Chapter 62 – State and Local Government and Elections Policy and Finance Omnibus (H.F. 1830)

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Article 1 – State Government and Elections Appropriations

Sections 1 to 36 appropriate money for operations of constitutional offices, the legislature, and several state agencies and for other expenditures specified on the spreadsheet prepared by Andrew Erickson, Fiscal Analyst with the Office of Senate Counsel, Research, and Fiscal Analysis.

Section 37 cancels the balance of an appropriation for COVID-19 management to the General Fund.

Section 38 requires the commissioner of management and budget to reduce state agency appropriations by a certain amount to capture savings from reduced transfers to the Governor's Office.

Sections 39 to 47 appropriate money and make transfers as specified on the spreadsheet.

Section 48 creates a statutory appropriation for money in the Help America Vote Act account.

Section 49 strikes an existing statutory appropriation for the State Auditor.

Section 50 modifies the amount of an ongoing statutory transfer from the General Fund to the general account of the state campaign elections account.

Section 51 repeals an appropriation made in a previously enacted 2023 session law.

Article 2 – State Government Policy

All sections in this article are effective July 1, 2023, unless otherwise specified.

Sections 1-5 adopt a new official state Great Seal and Flag to be designed by a commission established under an uncoded section in this article.

Section 1 [Official seal; §1.135, subd. 2] is a conforming change, to reference a new statute section that identifies a new Great Seal.

Section 2 [Official seal; May 11, 2024, and thereafter; §1.135, subd. 3a] adopts the design to be certified by January 1, 2024, by a new commission as the new Great Seal of the State, effective May 11, 2024.

Section 3 [Additional effects; size; §1.135, subd. 4] removes constraints on the design of the Great Seal and makes conforming changes. Eliminates a prohibition on enlarging, reducing, or embossing the seal for use in unofficial acts.

Section 4 [State’s duties; §1.135, subd. 6] requires phasing out use of expendable materials with the current Great Seal by January 1, 2025.

Section 5 [Adoption; §1.141, subd. 1] adopts the design of the flag to be certified by the new State Emblems Redesign Commission by January 1, 2024, as the new state flag, effective May 11, 2024.

Section 6 [State Fire Museum; §1.1471] designates the Bill and Bonnie Daniels Firefighters Hall and Museum in Minneapolis as the official state fire museum.

Section 7 [Sessions; §3.011] delays the start of a regular session of the legislature by one week, so that session will begin the first Tuesday after the second Monday in January of odd-numbered years.

Section 8 [Legislative Day; §3.012] changes the definition of a legislative day so that a legislative day only occurs when either body of the legislature gives a bill a third reading, adopts a rule of procedure or organization, elects a university regent, confirms a gubernatorial appointment, or votes to override a veto. This section is effective January 13, 2025, and applies to sessions convened on or after that date.

Section 9 [Leaders; §3.099, subd. 3] increases from three to five the number of leadership positions for which the senate and the house may pay enhanced compensation, up to 140 percent of compensation for other members.

Section 10 [Distribution of reports; §3.195, subd. 1] reduces the number of copies an agency must provide to the Legislative Reference Library.

Section 11 [Legislative Funding; Appropriation; §3.1985] creates open appropriations from the general fund to the senate and the house of representatives for member salaries and other components of member benefits and specified expenses. Creates a process for certifying the amount for the appropriations. Creates open appropriations from the general fund to the senate, house of representatives, and the Legislative Coordinating Commission for emergency needs, capped at \$1,000,000. Creates open appropriations from the general fund to the senate, house, and LCC or other joint legislative office, in the event of nonappropriation caused by a veto, in the

amount of the base appropriation plus three percent. Requires annual reports to the commissioner of management and budget detailing expenses. This section is effective July 1, 2025 and applies to appropriations for fiscal year 2026 and thereafter.

Section 12 [Grants; staff; space; equipment; contracts; §3.303, subd. 6] authorizes the executive director of the Legislative Coordinating Commission (LCC) to enter into contracts for services and supplies for the senate, the house, legislative commissions, and joint legislative offices. Requires the executive director to consult with the chair and vice chair of the LCC before entering into a contract for professional or technical services valued at more than \$50,000.

Section 13 [Unrepresented state employee compensation; § 3.855, subd. 2] eliminates a requirement for the commissioner of management and budget to advise the LCC on the progress of collective bargaining activities with state employees. Eliminates the requirement for the commissioner to submit negotiated collective bargaining agreements or arbitration awards to the LCC for approval.

Section 14 [Other salaries and compensation plans; §3.855, subd. 3] eliminates authority for the legislature to modify compensation plans and eliminates authority for the legislature to review and act on salary recommendations for agency head positions. In other sections of this bill, the recommendations of the Compensation Council for agency head salaries are made effective by law. Makes other conforming changes.

Section 15 [Information required; §3.855, subd. 5] is a conforming change, removing references to collective bargaining agreements from requirements for information to be submitted to the LCC along with the submission of a collective bargaining agreement.

Section 16 [Information required; collective bargaining agreements, memoranda of understanding, and arbitration awards; §3.855, subd. 6] requires the commissioner of management and budget to provide copies of collective bargaining agreements and comparisons of compensation costs under the new agreements to the LCC.

Section 17 [Definition; §3.888, subd. 1a] defines “security records” for purposes of the Legislative Commission on Cybersecurity.

Section 18 [Meetings; §3.888, subd. 5] uses the newly defined term “security records” in place of a list of some materials to be maintained by the LCC for closed meetings of the Legislative Commission on Cybersecurity. Sets a minimum and maximum number of eight and 20 years, respectively, that the LCC must maintain closed meeting records for the Cybersecurity Commission.

Section 19 [Closed meetings procedures; §3.888, subd. 5a] requires the Legislative Commission on Cybersecurity to develop procedures for conducting closed meetings before the commission’s first closed meeting. Specifies minimum criteria for the closed meeting procedures.

Section 20 [Alleged member closed meeting confidentiality violations; §3.888, subd. 5b] requires the legislative committee with jurisdiction over ethical conduct to preserve the confidentiality of a closed meeting when a complaint alleges a member of the Legislative Commission on Cybersecurity violated the confidentiality requirements for a closed meeting.

Section 21 [Membership; terms; meetings; compensation; powers; §3.97, subd. 2] changes the appointing authority for the three senate members of the Legislative Audit Commission from the Subcommittee on Committees of the Committee on Rules and Administration to the senate majority leader. This section adds a requirement that the chair and vice chair be from different political parties.

Section 22 [Audit contracts; § 3.972, subd. 3] eliminates a requirement for certain review and actions by the legislative auditor (“OLA”) on contracts between agencies and public accountants. Requires agencies to provide the final report of a completed audit to the legislative auditor.

Section 23 [Inquire and inspection power; duty to aid legislative auditor; §3.978, subd. 2] makes technical changes relating to the requirements with respect to the OLA on those who receive public funds.

Section 24 [Access to data by commission members; §3.979, subd. 2] is a clarifying change.

Section 25 [Audit data; §3.979, subd. 3] modifies and clarifies the classification and treatment of data collected by the OLA.

Section 26 [Definitions; §3.979, subd. 6] makes the definitions from the Data Practices Act applicable to the entire statute section.

Section 27 [Children’s Cabinet; § 4.045] removes the director of the Office of Strategic and Long-Range Development from the Children’s Cabinet. This is a conforming change following from the repeal of the Office in this act.

Section 28 [Consumer Litigation Fund; §8.315] establishes a consumer litigation account in the special revenue fund. Authorizes the attorney general to authorize disbursements from the account for specified purposes related to the cost of multistate consumer litigation. Requires the attorney general to report annually to the legislature on activities funded by the money disbursed from the account.

Section 29 [Collateral; §9.031, subd. 3] authorizes the Executive Council to approve additional forms of collateral for a bank to offer to secure the state’s deposits in the bank.

Section 30 [Budgets; How Treated; §10.44] is a conforming change related to the establishment of open appropriations for the legislature in section 11.

Section 31 [Budget; Information; §10.45] are conforming changes related to the establishment of open appropriations for the legislature in section 11.

Section 32 [Hmong Special Guerrilla Units Remembrance Day’ §10.5805] requires the governor to fly flags on the grounds of the Capitol Area at half-staff on Hmong Special Guerrilla Units Remembrance Day. Adds additional permissions and encouragement for schools and businesses for the day.

Section 33 [Procedure when data is not accurate or complete; §13.04, subd. 4] makes changes to the process and timeline for an individual to challenge the accuracy or completeness of public or private data about the individual held by a government agency.

Section 34 [Council on LGBTQIA2S+ Minnesotans; §15.0147] establishes a Council on LGBTQIA2S+ Minnesotans, with duties related to implanting equality for Minnesotans who identify as lesbian, gay, bisexual, transgender, gender expansive, queer, intersex, asexual, or two-spirit.

Section 35 [Interagency Agreements and Intra-Agency Transfers; §15.0395] eliminates requirement to include certain interagency agreements and service-level agreements in an annual report.

Section 36 [Advice and consent time limit; §15.066, subd. 3] specifies that the senate has consented to an appointment if the senate does not reject the appointment within 60 legislative days of the day of receipt of the letter of appointment. Applies similarly to the house of representatives if an appointment requires consent of the house. Exempts appointments related to the Campaign Finance and Public Disclosure Board. This section is effective January 1, 2027.

Section 38 [Agency head salaries; §15A.0815, subd. 3] provides for agency head salaries to be determined by the Compensation Council. Eliminates caps on agency head salaries. This section is effective the day after enactment and applies to salary rates adopted by the Compensation Council for fiscal year 2024 and after.

Section 39 [Creation; §15A.082, subd. 1] are conforming changes related to the changes in section 41 on the responsibilities of the Compensation Council. This section is effective the day following enactment and applies to salary rates adopted by the Compensation Council for fiscal year 2024 and after.

Section 40 [Membership; §15A.082, subd. 2] modifies the membership, appointing authorities, and certain operations for the Compensation Council. Requires the commissioner of management and budget to provide analytical and policy support to the council.

Section 41 [Submission of recommendations and determinations; §15A.082, subd. 3] authorizes the Compensation Council to set salaries for constitutional officers and for state and metro agency heads. The salaries take effect unless the legislature provides otherwise by law.

Section 42 [Criteria; 15A.082, subd. 4] is a conforming change related to section 41.

Section 43 [No ex parte communications; §15A.082, subd. 7] precludes members of the Compensation Council from having communications with constitutional officers, heads of agencies, or members of the judiciary, during the time the Compensation Council is meeting to determine salaries or recommendations for salaries.

Section 44 [Membership; §15A.0825, subd. 1] adds a current employee of an entity in the executive or judicial branch to the list of people who may not serve on the Legislative Salary Council.

Section 45 [Appointments; convening authority; first meeting in odd-numbered year; §15A.0825, subd. 2] clarifies the timing for appointments to the legislative salary council and eliminates obsolete requirements.

Section 46 [Terms; §15A.0825, subd. 3] eliminates obsolete language.

Section 47 [Appointments following redistricting; §15A.0825, subd. 4] requires first appointments to the Legislative Salary Council after redistricting to be made on the same timeline as appointments at the start of every biennium.

Section 48 [Staffing; §15A.0825, subd. 9] provides that administrative support provided by the LCC to the Legislative Salary Council is not considered impermissible ex parte communication.

Section 49 [Transfer; §16A.011] defines “transfer” for purposes of chapter 16A that governs state budget and finance.

Section 50 [Grant acceptance; §16A.055, subd. 7] authorizes the commissioner of administration to apply for and receive grants. Grant funds are appropriated to the commissioner of administration for the purposes for which the funds are received.

Section 51 [Accountability and Performance Management; §16A.091] makes the commissioner of management and budget responsible for the coordination, development, assessment, and communication of information, performance measures, planning, and policy concerning the state’s future. Requires the commissioner of management and budget to develop a statewide system of economic, social, and environmental performance measures. The commissioner must provide information to assist public and elected officials with understanding the status of these performance measures. Authorizes the commissioner to appoint one deputy with principal responsibility for planning, strategy, and performance management.

Section 52 [State revenue and expenditures; §16A.103] sets December 6 as the deadline for the commissioner of management and budget to deliver the state’s November forecast.

Section 53 [Forecast variable; §16A.103, subd. 1b] changes the senate chair who must be consulted regarding variables included in the expenditure part of the forecast, from the chair of the State Government Finance Committee to the chair of the Finance Committee.

Section 54 [Budge close report; §16A.103, subd. 1i] requires the commissioner of management and budget to prepare a detailed fund balance analysis of the general fund for the previous biennium by October 15 in odd years. Requires the analysis to include a comparison of the most recent publicly available fund balance analysis of the general fund. Requires the commissioner to provide the analysis to the legislature and to post the analysis on the agency’s website.

Section 55 [Set rates; §16A.126, subd. 1] requires approval of the commissioner of management and budget for the rate one agency charges another for services paid from the statewide systems account. This section is effective July 1, 2024.

Section 56 [Billing procedures; §16A.1286, subd. 2] eliminates the annual limit on the amount the commissioner of administration may bill for statewide system services. Adds authority for Administration to charge the legislature for services. Eliminates authority for Administration to charge the University of Minnesota for services. Eliminates a requirement for the commissioner of administration to consult with the commissioner of management and budget, the University of Minnesota, and Minnesota State Colleges and Universities on billing policies and procedures. This section is effective July 1, 2025.

Section 57 [Allotment and encumbrance; §16A.15, subd. 3] allows consultants to proceed with certain work on agency construction projects before the money is encumbered.

Section 58 [Additional revenues; priority; §16A.152, subd. 2] increases the limit on the amount required to be allocated to the budget reserve account when there is a positive unrestricted budget balance in the general fund at the close of a biennium, and after a cash flow account has a specified balance. Eliminates two lowest-priority listed uses for a positive unrestricted budget balance: the Minnesota 21st Century fund and to reduce the percentage of certain accelerated June liability sales tax payments.

Section 59 [Reduction; §16A.142, subd. 4] precludes the commissioner of management and budget from reducing an allotment or appropriation to the legislature. This section is effective the day after enactment.

Section 60 [Appropriations to the Office of the Governor; §16A.2845] provides carryforward authority for appropriations to the office of the governor. Specifies allowed purposes for use of the money carried forward. This section is effective July 1, 2023, and applies to appropriations to the governor for fiscal year 2024 and after.

Section 61 [Standards; §16A.632, subd. 2] modifies the permissible uses of appropriations for asset preservation for state property.

Section 62 [Tobacco bonds; §16A.97] updates a statutory cross-reference in the tobacco bonds authorization to refer to the tobacco appropriation bonds statute.

Section 63 [Standards; §16B.307, subd. 1] modifies the permissible uses of appropriations for asset preservation for public property.

Section 64 [Alternative energy sources; §16B.32, subd. 1] modifies requirements related to energy efficiency for state building projects.

Section 65 [Onsite energy generation from renewable sources; §16B.32, subd. 1a] modifies requirements related to renewable energy for state building projects.

Section 66 [Definitions; 16B.33, subd. 1] exempts specified types of projects from the process for assigning a primary designer through the Designer Selection Board.

Section 67 [Agencies must request designer; §16B.33, subd. 3] raises the cost thresholds for the requirement for the Designer Selection Board to assign a primary designer for a state construction project.

Section 68 [Higher education projects; §16B.33, subd. 3a] raises the cost thresholds for the requirement for the Designer Selection Board to assign a primary designer for higher education construction projects.

Section 69 [Rate of inflation; §16B.33] requires the commissioner of administration to determine an inflation rate every five years, and to automatically increase the cost thresholds for triggering the requirement for the Designer Selection Board accordingly.

Section 70 [Office of Collaboration and Dispute Resolution; §16B.361, subd. 1] requires the commissioner of administration to maintain an Office of Collaboration and Dispute Resolution,

with specified duties. The Office is currently organized under the Bureau of Mediation Services (repealed in this act), with somewhat different duties.

Section 71 [Environmental Sustainability Government Operations; §16B.372, subd. 1] creates the Office of Enterprise Sustainability. The office is currently organized under an executive order.

Section 72 [Office of Enterprise Translations; §16B.373] establishes an Office of Enterprise Translations to provide translations services for written materials for executive branch agencies, and to perform other duties related to translations. Requires the commissioner of administration to determine a process and requirements for an agency to request translations of written materials.

Section 73 [Definitions; §16B.4805, subd. 1] reduces the lower threshold for the cost of a reasonable accommodation for which an agency may be reimbursed from the accommodation account.

Section 74 [Electric vehicle charging; §16B.58, subd. 9] authorizes the commissioner of administration to charge a fee to users of electric vehicle charging stations on the Capitol complex. The fee is determined by the commissioner.

Section 75 [Award and terms of loans; §16B.87, subd. 2] extends the allowable term, from seven years to ten years, for repayment of a loan to a state agency under a state building energy improvement conservation loan program.

Section 76 [Emergency acquisition; §16C.10, subd. 2] expands the exemptions from state solicitation processes in emergencies.

Sections 77 to 80 modify the small targeted group business program for state contracting. Under current law, small businesses owned by people in targeted groups receive preferences in obtaining state procurement contracts for goods, services, or construction.

Section 77 [Purchasing methods; §16C.16, subd. 6] increases the cap on the preference, from 6% to 12%, that the commissioner of administration may provide to small, targeted group businesses in the competitive bidding process for state contracts for goods or services. Increases the cap, from \$25,000 to \$100,000, for the total value of contracts that may be awarded for goods, services, or construction directly to a small business or small targeted group business without a competitive solicitation process.

Section 78 [Veteran-owned small business; §16C.16, subd. 6a] increases the cap on the preference, from 6% to 12%, that the commissioner of administration may provide to veteran-owned small businesses in the competitive bidding process for state contracts for goods or services. Increases the cap, from \$25,000 to \$100,000, for the total value of contracts that may be awarded for goods, services, or construction directly to a veteran-owned small business without a competitive solicitation process.

Section 79 [Economically disadvantaged areas; §16C.16, subd. 7] increases the cap on the preference, from 6% to 12%, that the commissioner of administration may provide to small businesses located in economically disadvantaged areas in the competitive bidding process for state contracts for goods or services. Increases the cap, from \$25,000 to \$100,000, for the total value of contracts that may be awarded for goods, services, or construction directly to a small business located in an economically disadvantaged area without a competitive solicitation process.

Section 80 [Eligibility; Rules; §16C.19] allows the commissioner of administration to rely on certification by a nationally recognized certifying organization, to certify businesses eligible for the targeted group small business procurement program, if the certifying organization’s requirements for certification are substantially the same as rules adopted to implement the program, and if the business meets the standards for a small business in statute (which relies on a federal law definition). This section also provides that a Tribally owned small business is certified if it is certified under the federal Small Business Administration program.

Section 81 [Best and final offer; §16C.251] specifies that the “best and final offer” solicitation process may not be used for state building and construction contracts awarded based on competitive bids.

Section 82 [Definitions; §16C.32, subd. 1] makes a conforming change to reflect the changes in the cost thresholds for applicability of the Designer Selection Board process in this act.

Section 83 [Reorganization Services Under Master Contract; § 16C.36] eliminates dated requirements for the commissioner of administration to report on the state’s use of contractors for certain purposes. The last report required under this section was in 2014.

Section 84 [Reporting; §43A.04, subd. 7] requires the commissioner of management and budget to post a report regarding appointments online and to advertise the reports in multiple formats.

Section 85 [General; §43A.06, subd. 1] eliminates a requirement for the Board of Trustees for the Minnesota State Colleges and Universities to include specified information when submitting a collective bargaining agreement to the Legislative Coordinating Commission. The requirement to submit the contract to the LCC is eliminated in another section.

Section 86 [Unclassified positions; §43A.08] is a conforming change related to the creation of the Office of Strategic and Long-Range Planning in this act.

Section 87 [Collective bargaining agreements; §43A.18, subd. 1] is a conforming change related to eliminating the legislature’s role in ratifying collective bargaining agreements.

Section 88 [Membership; §137.0245, subd. 2] changes the appointing authority for twelve senate members for the Regent Candidate Advisory Council from the Subcommittee on Committees of the Committee on Rules and Administration to the majority leader of the senate.

Section 89 [Public meetings; §137.0245, subd. 6] makes meetings of the Regent Candidate Advisory Council subject to the legislative open meeting law.

Section 90 [Administration of federal act. §138,081, subd. 3] changes the state agency designated to administer the federal act providing for preservation of historical and archaeological data and corrects a cross-reference to federal law.

Section 91 [Consultation; §138.665, subd. 2] eliminates a preclusion on employees of the Historical Society serving on a task force appointed to mediate a disagreement between a state agency and the State Historic Preservation Office about an undertaking that will affect designated or listed historic sites or places. Makes technical and clarifying changes.

Section 92 [Capitol Building Electrolier; §138.705] requires the Historical Society to light the electrolier in the Capitol building during regular business hours on any day the legislature convenes and during special events.

Section 93 [Establishment; §138.912, subd. 2] and 94 [Definitions; §138.912, subd. 2] expand the definition of farmers' market for purposes of the Healthy Eating, Here at Home program to include direct-farmer sales, including through a community-supported agriculture model. Under the Healthy Eating, Here at Home program, the Humanities Center is authorized to incentivize the use of SNAP benefits for healthy food purchases.

Section 95 [Implementation Plan; §145.951] is a conforming change related to the elimination of the Office of Strategic and Long-Range Planning in this act.

Section 96-103 institute a license for hair technicians in the licensing scheme of the board of cosmetology.

Section 96 [Manager; §155A.23, subd. 8] adds hair technician to the list of practitioners who may be a salon manager.

Section 97 [Practitioner; §155A.23, subd. 18] adds certain licensed professions to the definition of "practitioner."

Section 98 [Hair technician; §155A.23, subd. 21] adds a definition for a "hair technician." A hair technician is a person who, for compensation, performs personal services for the cosmetic care of the hair on the scalp. These services include cutting hair, applying dyes, bleach, reactive chemicals, keratin, or other preparations to color or alter the structure of hair. A person who only performs hairstyling is not a hair technician. This section is effective July 1, 2024.

Section 99 [Licensing; §155A.27, subd. 1] adds hair technician to the list of practices that cannot be performed without a license from the board of cosmetology.

Section 100 [Temporary military license; §155A.27, subd. 5a] adds hair technician to the list of practices for which the board of cosmetology must offer temporary licenses for active duty military members and their spouses and to veterans who left service in the two years preceding the license with an honorable or general discharge.

Section 101 [Nonresident licenses; §155A.27, subd. 10] adds hair technician to the list of practices for which the board of cosmetology may issue license based on qualifications obtained in other states or countries.

Section 102 [Hair Technician Requirements and Training; §155A.2705] specifies application and training requirements to obtain a license as a hair technician. This section is effective July 1, 2024.

Section 103 [Continuing education requirements; §155A.271, subd. 1] adds hair technician to the list of practices for which a person must meet continuing education requirements to maintain a license.

Section 104 [Licensing; §155A.29, subd. 1] eliminates requirements to have particular types of salon licenses.

Section 105 [Members; §161.1419, subd. 2] provides for the five citizen members of the Mississippi River Parkway Commission to serve four-year staggered terms.

Section 106 [Public employee or employee; §179A.03, subd. 14] modifies the definition of public employee for purposes of the Public Labor Relations Act to remove an exemption of an individual hired by the Board of Trustees of the Minnesota State Colleges and Universities to teach one course for three or fewer credits for one semester in a year.

Section 107 [Agreements; §179A.22, subd. 4] authorizes the commissioner of management and budget and the board of trustees for Minnesota State Colleges and Universities to enter into collective bargaining agreements with exclusive representatives of their employees. eliminates a requirement for the commissioner or the board of trustees to submit collective bargaining agreements and related arbitration decisions to the legislature for approval or rejection. This section is effective July 1, 2023, for negotiated agreements and arbitration decisions effective after that date.

Section 108 [Damages; Illegal Molestation of Human Remains; Burials; Cemeteries; Penalty; Assessment; §307.08] makes changes to the existing program for treatment of American Indian remains and cemeteries.

Subd. 1. [Legislative intent; scope] declares that nothing in this act as it applies within boundaries of Tribal Nation reservations, should be interpreted to conflict with federal law.

Subd. 2. [Felony; gross misdemeanor] makes no changes.

Subd. 3. [Protective posting] makes clarifying changes.

Subd. 3a. [Cemeteries; records and condition assessments.] changes an authentication process for burial grounds to an assessment of cemeteries. Requires the state archaeologist to maintain a system of records identifying the location of known, recorded, or suspected cemeteries and shall provide access to the records in a manner specified in subdivision 11. Allows the state archaeologist discretion whether to assess the condition of non-American Indian cemeteries based on the specified needs or at the request of an agency, landowner, or other appropriate authority. Conducting a condition assessment of an American Indian cemetery is at the discretion of the Indian Affairs Council based on specified needs or at the request of an agency, landowner, or other appropriate authority. If the Indian Affairs Council has possession or takes custody of remains, they are permitted to follow federal law. Cemeteries that contain remains of American Indians and non-American Indians shall be assessed at the discretion of the state archaeologist in collaboration with the Indian Affairs Council based on specified needs or at the request of an agency, landowner, or other appropriate authority. The state archaeologist or the Indian Affairs Council has 90 days from the date a request is made to begin a cemetery condition assessment or provide notice to the requester whether an assessment is needed. Authorizes the state archaeologist and the Indian Affairs Council go retain a qualified professional archaeologist, a qualified forensic anthropologist, or other experts to gather information that the archaeologist or Council can use to assess or identify cemeteries.

Subd. 5 [Cost] eliminates a requirement that the state pay costs of condition assessment, recording, surveying, and marking burial grounds and identification, analysis, rescue, and

reburial of human remains on private lands or waters. Eliminates a requirement that the state archaeologist make data available that has been collected during authentication and reburial of human remains. Makes conforming changes.

Subd. 7 [Remains found outside of recorded cemeteries] specifies that human remains be treated with utmost respect for all human dignity. Provides a role for the Indian Affairs Council and experts designated by the council in identifying burials of American Indians. Removes a requirement to turn remains of American Indians whose tribal identity can be ascertained over to tribal leaders. Eliminates the involvement of the state archeologist in establishing how to deal with American Indian remains for which no tribal identity can be determined. Requires that burials of American Indians be handled according to federal laws.

Subd. 7a [Landowners responsibilities] makes technical and conforming changes.

Subd. 8 [Burial ground location] makes technical and conforming changes.

Subd. 9. [Interagency cooperation] requires the state archaeologist and the Indian Affairs Council to enter into a memorandum of understanding to coordinate their responsibilities under this section.

Subd. 10. [Construction and development plan review] requires that construction plans be submitted to the state archaeologist before plans are finalized when burials are suspected to exist. Current law requires this submission when bids are advertised. Extends the time, from 30 days to 45 days that the archaeologist and the Indian Affairs Council may take to review the plans.

Subd. 11 [Burial sites data] clarifies the status of data held by the state archaeologist and makes the provision applicable to data under the authority of the Indian Affairs Council. Requires approval by the appropriate authority to make use of the information.

Subd. 12 [Right of entry] authorizes a designee of the state archaeologist to enter property to authenticate burial sites. Authorizes the Indian Affairs Council or a designated representative to enter property to assess or identify American Indian cemeteries.

Subd. 13 [Definitions] modifies the definition of “human remains;” adds a definition of “person” and “business”. Makes technical and conforming changes.

Section 109 [Director; §349A.02, subd. 1] eliminates cap on the salary for the director of the State Lottery. This section is effective the day following enactment. Recommendations by the Compensation Council in 2023 determines the director’s salary for fiscal years 2024 and 2025.

Section 110 [Expense, tax levy; §381.12, subd. 2] is a conforming, technical change related to the public land survey grant program in section 111.

Section 111 [Public Land Survey System Monument Grant Program; §381.125] establishes a grant program for counties to perpetuate public land survey monuments.

Section 112 [Unclassified service; §383B.32, subd. 2] changes the classified status of certain public safety positions. This section removes the following positions from the list of unclassified positions:

- Chief criminal deputy sheriff
- Chief civil deputy sheriff
- Chief financial services deputy sheriff

This section adds the following positions to the list of unclassified positions:

- Chief public safety services deputy sheriff
- Chief adult detention and court services deputy sheriff
- Chief community relations deputy sheriff
- Chief investigations deputy sheriff

Section 113 [Audits; 462A.22, subd. 10] eliminates a requirement for the Legislative Auditor to review contracts between agencies and public accountants.

Section 114 [Administration; §507.0945] eliminates a role for the LCC in administering, supporting, and providing meeting space for the Electronic Real Estate Recording Commission. Requires the Electronic Real Estate Commission to evaluate standards relating to recording and filing of property conveyances before adopting them.

Section 115 [Holiday; §645.44, subd. 5] eliminates Christopher Columbus Day and adds Indigenous Peoples Day to the list of official state holidays. This section is effective the day after enactment.

Section 116 [Effective date] and **Section 117 [Effective date]** amends the effective date of the law passed earlier in the 2023 session to make Juneteenth a state holiday and to change the date of recognition. These sections make the changes effective the day after enactment of this act.

Section 118 [State Emblems Redesign Commission] creates a commission to develop and adopt a new design for the official state flag and official state seal by January 1, 2024.

Section 119 [Working Group on Youth Interventions] establishes a working group on youth interventions to develop recommendations on the design of a regional system of care for youth interventions, sustainable financing models, and alternatives to criminal penalties. Specifies membership qualifications and appointing authorities, provides parameters for the operation of the working group, requires the LCC to provide administration support, specifies the duties of the group and establishes reporting requirements. The group expires on the later of February 29, 2024, or after submission of the report. This section is effective July 1, 2023.

Section 120 [Legislative Task Force on Aging] creates a legislative task force on aging.

Section 121 [Infrastructure Resilience Advisory Task Force] establishes a task force to evaluate issues related to coordination, sustainability, resiliency, and federal funding on state, local, and private infrastructure. Specifies membership qualifications and appointing authorities, provides parameters for the operation of the task force, requires the LCC to provide administration support, specifies the duties of the group and establishes reporting requirements. The task force expires on the later of June 30, 2024. This section is effective the day following enactment.

Section 122 [Ford Building Site Redevelopment; Mixed-Use Development Required] precludes the commissioner of administration from preparing or approving building construction plans for redevelopment of the Ford Building or its site unless the plans are for mixed-use development and identify ground-level space for locally owned businesses.

Section 123 [Capitol Barber] requires the commissioner of administration to provide space in the Capitol complex for operations of the Capitol Barber.

Section 124 [Capitol Mall Design Framework] specifies requirements for an updated Capitol Mall Design Framework. This section is effective the day after enactment.

Section 125 [Agency Head Salary Rebasing] requires the commissioner of management and budget to rebase the salary of each agency head equal to the across-the-board increases not applied to agency head compensation since rates were last determined, to be effective July 1, 2023. This section is effective the day after enactment.

Section 126 [Compensation Council] adopts the salary recommendations for constitutional officers submitted by the Compensation Council on March 31, 2023.

Section 127 [Deadline for Certification of Appropriation Amounts for Legislature for Fiscal Years 2026 and 2027] sets deadlines for the first certifications by the senate and the house of representative to the commissioner of management and budget of the amount anticipated to be appropriated to legislative bodies and for the actual amount to be appropriated for fiscal years 2026 and 2027.

Section 128 [Initial Appointments; Council on LGBTQIA2S+ Minnesotans] sets deadlines for initial appointments and for the first meeting of the Council on LGBTQIA2S+ Minnesotans.

Section 129 [Office of Small Agencies; Study] requires the commissioner of administration to review unique issues faced by small agencies. The commissioner must examine whether the current support model is adequate and how other states support small agencies. The commissioner must provide recommendations on how to most effectively support small agencies. The commissioner must report to the governor and the legislature by February 1, 2024.

Section 130 [Preparatory Work on Exclusive Representation and Collective Bargaining for Legislative Employees] requires the executive director of the LCC to request a report from the National Conference of State Legislatures on collective bargaining for legislative employees. Specifies the required content for the report. Requires the director of the LCC to contract for an external consultant to examine issues related to collective bargaining for legislative employees and to develop recommendations for best practices and options for the legislature to consider implementing collective bargaining for legislative employees. Specifies requirements for the consultant to gather information, including conducting a survey of employees and conducting interviews with a sample of employees. Requires the consultant to generate a report addressing specified topics. Requires the LCC to provide working space and administrative support to the consultant.

Section 131 [Mississippi River Parkway Commission; Citizen Members] specifies the end dates of the staggered terms for the current citizen members of the Mississippi River Parkway Commission. This section works in conjunction with the requirement in another section in this act for the citizen members to serve staggered terms.

Section 132 [Revisor Instruction] requires the revisor of statutes to change all references to Christopher Columbus Day to Indigenous Peoples Day. This section is effective the day after enactment.

Section 133 [Repealer] repeals provisions as follows:

Subdivision 1 [State emblems redesign; §1.135, subd. 3 and 5; §1.141, subd. 3, 4, and 6] repeals the description of the current emblem, effective May 11, 2024. Repeals designation of an official state flag. Repeals a description of a proper procedure for folding a state flag for presentation or display. This repeal is effective May 11, 2024.

Subd. 2 [Evergreen firehall polling place; 383.806] repeals a designation of the Evergreen firehall as a polling place.

Subd. 3 [Compensation council/Agency head salaries; §15A.0815, subd. 3, 4, and 5] repeals limits on agency head salaries and a process for the governor or appointing authority making recommendations for agency head salaries.

Subd. 4 [Parking garage debt service waiver; Laws 2014, chapter 287, section 25, as amended by Laws 2015, chapter 77, art. 2, section 78] repeals a law that transferred an amount equal to the debt service for construction of the legislative parking garage to the general fund to offset appropriations made to the senate for debt service payments for the legislative parking garage.

Subd. 5 [Tobacco securitization bonds; 16A.98] repeals an obsolete section relating to tobacco securitization bonds.

Subd. 6 [Strategic and long-range planning; §§4A.01, 4A.04, 4A.06, 4A.07, 4A.11, and 124D.23, subd.9] repeals sections relating to the Office of Strategic and Long-Range Planning.

Subd. 7 [Candidate Advisory Council; §136F.03] repeals the Candidate Advisory Council that assisted the governor in selecting candidates for membership on the board of trustees for the Minnesota State Colleges and Universities.

Subd. 8 [Office of Collaboration and Dispute Resolution; grants; §179.90 and 179.91] repeals the enabling statute for the Office of Collaboration and Dispute Resolution under the Bureau of Mediation Services and a related grant program.

Subd. 9 [Electric vehicle charging; §16B.24, subd. 13] repeals a requirement for the commissioner of administration to charge a user of an electric charging station on the Capitol complex a fee set at a rate to cover the electricity costs for charging the vehicle and for the administrative costs associated with providing charging stations.

Subd. 10 [Solar energy in state buildings; §16B.323] repeals certain solar energy requirements for construction of a state building.

Subd. 11 [Heating and cooling systems; state-funded buildings; §16B.326] repeals certain requirements for the consideration of geothermal and solar thermal applications for building projects that receive state funding for replacement of heating or cooling systems.

Article 3 - Local Government Policy

Section 1 [Section 13D.02, subd 1] amends the open meeting law, specifically the conditions that must be met in order for a meeting to be conducted by interactive technology. Current law allows a member of a public body to participate in a meeting from a location that is not accessible to the public under certain circumstances, including if the member has been advised by a health care professional against being in a public place for personal or family medical reasons, but this only applies during a state of emergency. This section removes the state of emergency restriction.

Sections 2 to 5 expand long-term equity investment authority for cities and counties. These sections are effective the day following final enactment.

Section 2 [Section 118A.09, subd 1] modifies the definition of the term “qualified government” by: (1) expanding the definition to include eligible counties and cities whose most recent long-term, senior general obligation rating is AA or higher (Current law requires the most recently issued general obligation bonds be rated in the highest category, which is AAA); and (2) removing self-insurance pool from the definition, which is replaced by new language under section 5, and (3) making conforming changes.

Section 3 [Section 118A.09, subd 2] is a technical correction. The requirement that qualifying governments investing in index mutual funds make the investments directly with the main sales office of the fund is moved from clause (2) to clause (1), which is a more suitable place in the law.

Section 4 [Section 118A.09, subd 3] is a conforming change. Strikes language that references self-insurance pools in section 2.

Section 5 [Section 118A.10] allows a self-insurance pool formed under this chapter to invest in securities which are authorized investments of the State Board of Investment under chapter 11A, with the exception of certain investments. Also allows qualifying governments to invest with the State Board of Investment subject to the terms adopted by the State Board of Investment. Before investing, the governing body must adopt an investment policy pursuant to a resolution that includes a statement that the governing body understands that the investments have risk and that the governing body understands the type of funds that are being invested and the specific investment.

Sections 6 and 7 [Sections 134.114 and 134.115] require the Ramsey County board of commissioners and the Anoka County board of commissioners, respectively, to directly operate and manage the county library system. These sections are effective when the governing body approves the measure by resolution and the resolution is filed with the Secretary of State.

Section 8 [Section 383B.145, subd 11] amends the Hennepin County chapter of law to allow the county to enter into a contract that does not exceed \$500,000, notwithstanding section 471.345, subd 4, if the business that is directly solicited by the county is either a small business enterprise or a small business that is majority owned and operated by a veteran or a service-disabled veteran. Section 471.345, subd 4 states that contracts that do not exceed \$175,000 may be made by either

sealed bids or direct negotiation, by obtaining two or more quotes without advertising for bids or otherwise complying with the requirements of competitive bidding.

Section 9 [Section 412.925] requires cities to allow an owner of privately owned land to install and maintain a managed natural landscape.

Sections 10 to 13 modify special service districts. These sections are effective for the establishment or the enlargement of a special service district after July 1, 2023.

Sections 10 and 11 [Section 428A.01, subd 1 and subd 8] define the terms “multiunit residential property” and “nonresidential property,” respectively.

Section 12 [Section 428A.02, subd 1] provides that nonresidential and multiunit residential property may be subject to the special service district charges imposed by a city ordinance.

Section 13 [Section 428A.03, subd 4] clarifies that service charges may not be imposed on a unit in a common interest community for a service that is ordinarily provided by the owner’s association unless an increased level of service is provided by the special service district. Defines common interest community.

Section 14 [Section 471.345, subd 3b] allows municipalities to award a contract to a construction manager at risk for contracts over \$175,000.

Section 15 [Section 471.463] allows municipalities to use a construction manager at risk method of project delivery and award a construction manager at risk contract based on the selection criteria described in this section.

Section 16 [Section 471.585] amends the municipal rights, duties, and powers chapter of law by creating a new section of law authorizing a city or town to adopt an ordinance requiring hotels, as defined in chapter 327, to have a valid license. The annual license fee may not exceed \$150. An ordinance is limited to requirements under state and local law, and the city or town may refuse to issue a license or may revoke a license for failure to comply.

Section 17 [Section 473.606, subd 5] is a conforming change due to the repealer in section 22, paragraph (b).

Section 18 [Section 473.704, subd 3] removes the requirement that the director of the mosquito control district be an entomologist.

Section 19 is special legislation to allow Hennepin County to select a construction manager at risk if the county only receives one proposal and the county determines that issuing a new solicitation is not practicable. This provision is effective after the Hennepin County Board approves the special law and the approval is filed with the Secretary of State.

Section 20 allows the city of St. Paul to solicit and award a design-build contract for a skate park in Eastside Heritage Park in St. Paul. Under the municipal contracting law, a city is not authorized to use a design-build contracting process. Due to the unique design and construction characteristics of a skate park, firms specializing in these projects generally oversee both the design and construction of the project.

Section 21 allows the city of St. Cloud to issue an on-sale liquor license for an establishment in the St. Cloud regional airport. This section is effective upon approval of the St. Cloud City Council and filing with the Secretary of State.

Section 22 Repealer

Paragraph (a) repeals obsolete provisions in Hennepin County chapter.

Paragraph (b) repeals the cap imposed on the salaries of employees of political subdivisions of the state, which includes cities, counties, towns, metropolitan or regional agencies, or other political subdivisions.

Section 23 makes section 17 and section 22, paragraph (b) effective the day after final enactment.

Article 4 – Elections Administration

Section 1 [Twelfth district] and Section 2 [Ninth district] amend the boundaries of Senate Districts 9 and 12 and House Districts 9A, 9B, 12A and 12B.

Section 3 [Seventeenth district] amends the boundaries of House districts 17A and 17B.

Section 4 [Forty-fourth district] amends House districts 44A and 44B.

Section 5 [Access to multiunit facilities by United States Census employees] prohibits a person from denying access to a multiunit facility to a U.S. Census Bureau employee who is engaged in official census business. This section applies from January 1 to July 1 in a year when a decennial census is conducted.

Section 6 [Voting operations, technology, and election resources account] establishes the voting operations, technology, and election resources account. Money in the account is annually distributed to counties based on the provided formula. Each county must distribute a portion of the funds it receives to cities and townships within the county. Money must be used for the stated election administration purposes.

Section 7 [Voting by program participant; absentee ballot] allows the secretary of state to prepare a ballot and mail it to a participant in the Safe at Home address confidentiality program.

Section 8 [Residential housing list] requires all postsecondary institutions that enroll students accepting state financial aid to prepare a list of students that reside in the institution's housing or in the city in which the campus is situated, if available. The lists must include the student's address, unless the student is enrolled in the Safe at Home address confidentiality program.

Section 9 [Major political party] amends the definition of major political party. A major political party must comply with the party's constitution and rules, comply with specified statutes relating to party governance, and file a certification that the party has met the foregoing requirements and of this section. Increases the qualifying percentage of votes received for presidential elector or U.S. senator from 5% to 8% starting with the 2024 general election. A major political party that does not submit the required certification loses major political party status. Makes formatting changes.

Section 10 [Felony conviction; restoration of civil right to vote] specifies an individual on work release or released for employment is not deemed to be incarcerated for purposes of voting.

Section 11 [Establishment] requires the statewide voter registration system (SVRS) to provide reports for early voting. This section is effective January 1, 2024, or upon early voting certification, whichever is later.

Section 12 [Prior to election day] allows the secretary of state to provide a feature for online voter registration that allows third parties to connect application programming interfaces that assist in individual's submitting voter registration applications.

Section 13 [Election day registration] amends the definition of "residential facility" to include assisted living facilities, residential treatment program facilities, and adult foster care program facilities. This is for purposes of election day registration.

Section 14 [Additional proofs of residence permitted for students] allows an eligible voter to prove residency by presenting a current photo ID issued by a postsecondary educational institution if the voter's name, ID number (if available), and address also appear on the residential housing list. The institution must certify the lists to the county auditor. If the institution fails to do so, students are not permitted to use this method to prove residency.

Section 15 [Forms] replaces the word "resided" with "maintained residence.

Section 16 [School district assistance] replaces "resides" with "maintains residence."

Section 17 [Presidential primary political party list] requires the secretary of state to provide to each major political party chair a list of presidential nomination primary voters who selected that party.

Section 18 [Moved within state] replaces "resides" with "maintains residence."

Section 19 [Entry of registration information] specifies that when the county auditor sends a notice of incomplete registration to a voter, the auditor must change the voter's status to "challenged" (instead of "incomplete"). Makes a conforming change to refer to clearing the challenge.

Section 20 [Use of change of address system] replaces "resided" with "maintained residence."

Section 21 [Commissioner of corrections report] strikes the requirement for the court administrator to report to the secretary of state on individuals who have been convicted of a felony. Amends the commissioner of correction's report to the secretary of state to require information only on individuals who are incarcerated for felony sentences. Amends the information included in the report. Makes conforming changes. This section is effective June 1, 2023.

Section 22 [Reports; restoration of right to vote] strikes the requirement for the court administrator to report on individuals previously convicted of a felony whose rights have been restored. Amends the commissioner of correction's report to the secretary of state to require information only on individuals who were incarcerated for felony sentences and have been released from incarceration. This section is effective June 1, 2023.

Section 23 [Forms] requires certain postsecondary institutions to provide voter registration applications at specified times. The institutions must report to the secretary of state on voter registrations. The secretary of state must report this data to the legislature. Replaces “reside” with “maintains residence.”

Section 24 [Voter information] requires postsecondary institutions that enroll students accepting state or federal financial aid to maintain a webpage to share resources to assist students in determining where and how they are eligible to vote. Each institution must designate a staff person as the campus vote coordinator to perform specified tasks related to student voting.

Section 25 [Challenges] amends the law on challenging voter eligibility prior to election day. Establishes a process for making the challenge, provides for a hearing, and allows for the appeal of a decision.

Section 26 [Technology requirements] allows a voter to electronically sign a voter registration application or voter signature certificate on an electronic roster (often called an e-poll book). The application or certificate must be printed at the polling place. Replaces “resides” with “maintains residence.” Allows electronic rosters to include information on voters that are not registered or outside of the precinct if the roster is being used for absentee or early voting or for mail balloting.

Section 27 [Committees; conventions] requires a major political party to establish an executive committee and hold a convention in at least 45 counties or legislative districts, instead of all counties or districts.

Section 28 [Preference ballot for governor] specifies that the requirement to distribute a preference ballot for governors at a caucus only applies in years when the governor is on the ballot.

Section 29 [Election law applicability] specifies that election laws apply to early voting unless otherwise specified. This section is effective January 1, 2024, or upon early voting certification, whichever is later.

Section 30 [Early voting] defines early voting as voting in person before election day as specified in this article. This section is effective January 1, 2024, or upon early voting certification, whichever is later.

Section 31 [Utility worker] defines utility worker as an employee of a public utility for purposes of absentee voting.

Section 32 [Violation] adds references to early voting in the section prohibiting certain election-related activities. This section is effective January 1, 2024, or upon early voting certification, whichever is later.

Section 33 [Prohibited methods of compensation] prohibits an individual from being compensated for soliciting, collecting, or accepting absentee ballot applications if compensation is based on the number of applications solicited, collected, or accepted. Prohibits depriving a person of compensation for failure to solicit, collect, or accept a minimum number of absentee ballot applications. A violation of this section is a petty misdemeanor. This section is effective the day following final enactment.

Section 34 [Generally] allows a city clerk of a city located in more than one county to administer early voting under specified circumstances. This section is effective January 1, 2024, or upon early voting certification, whichever is later.

Section 35 [Delivery of ballots] makes a technical change in referring to assisted living facilities.

Section 36 [Delivery of envelopes, directions] makes technical changes in describing an absentee ballot envelope.

Section 37 [Design of envelopes] makes a technical change in describing an absentee ballot envelope.

Section 38 [Eligibility certificate] makes a technical change in describing an absentee ballot envelope.

Section 39 [Marking and return by voter] extends the deadline for an agent to return an absentee ballot from 3 p.m. to 8 p.m. on election day.

Section 40 [Procedures on receipt of ballot] provides that all absentee ballots received after 8 p.m. on election day must be marked late. Strikes language referencing the 3 p.m. deadline that was stricken in a previous section.

Section 41 [Location; timing for absentee voting] changes a headnote to specify the subdivision is for absentee voting. This section is effective January 1, 2024, or upon early voting certification, whichever is later.

Section 42 [Location; timing for early voting] allows an eligible voter to vote using early voting procedures during the 18 days before a federal, state, county, or certain municipal elections at the office of the county auditor or other designated polling place. In elections where early voting is used, the alternative procedure described in **section 43** is not available. This section is effective January 1, 2024, or upon early voting certification, whichever is later.

Section 43 [Alternative procedure] specifies that the alternative procedure that allows absentee voters to place ballots directly into a ballot counter does not apply in elections where early voting is used. When the alternative procedure is used, the ballot counter must be made available for use for 18 days before the election. This section is effective January 1, 2024, or upon early voting certification, whichever is later.

Section 44 [Alternative procedure] specifies that the alternative procedure that allows absentee voters to place ballots directly into a ballot counter must be made available for use for 18 days before the election. This section is effective June 1, 2023.

Section 45 [Temporary locations] allows a county auditor or municipal clerk who administers early or absentee voting to designate additional polling places with alternate hours. Designations must be made at least 47 days before the election. At the request of a federally recognized Indian Tribe with a reservation in the county, the county auditor must establish an additional polling place for at least one day on the Indian reservation. This section is effective June 1, 2023.

Section 46 [Town elections] allows voters casting absentee ballots in person for March town elections to do so during the 30 days before the election. This section is effective June 1, 2023.

Section 47 [Designation of locations] requires the county auditor to designate polling places at least 14 weeks before the election. The county auditor must notify the secretary of state of the designations. This section is effective June 1, 2023

Section 48 [Notice to voters] requires the county auditor to prepare a notice to the voters of the days, times, and locations for in-person absentee and early voting. The notice must be posted on the secretary of state’s website and the applicable county and municipal websites. This section is effective June 1, 2023.

Section 49 [Equipment] requires the county auditor to provide each polling place with at least one voting booth, a ballot box, an electronic ballot counter, and at least one electronic ballot marker. This section is effective June 1, 2023.

Section 50 [County auditor’s and municipal clerk’s offices to remain open during certain hours preceding election] specifies the days and hours the county auditor and municipal clerk’s offices must be open for early voting leading up to a general election. Provides some specific days and hours for absentee voting and early voting hours for other elections. Specifies that absentee voters or early voters in line when a polling place closes must be allowed to vote in the same manner as voters in line on election day. This section is effective June 1, 2023.

Section 51 [Generally] requires election judges to deliver absentee ballots to veterans’ homes in the same manner as they are delivered to health care facilities. A municipality may choose to have election judges deliver absentee ballots to battered women shelters or assisted living facilities. Clarifies that the voter must maintain residence in the precinct regardless of the type of facility.

Section 52 [Thirty-five days before an election] increases the time period from 20 to 35 days before the election for delivering absentee ballots to voters in the facilities described the previous section.

Section 53 [Agent delivery of ballots] extends the deadline for agent returns of absentee ballots. Voters who have difficulty getting to the polls may designate an agent before 8 p.m. on election day (instead of 2 p.m. as allowed by current law). The agent must deliver the ballot by 8 p.m. (instead of 3 p.m. allowed by current law). Makes a technical change in referring to assisted living facilities.

Section 54 [Names of persons; rejected absentee ballots] makes the names of voters who have submitted absentee ballots available to the public in the same manner as public information on voters. Strikes the prohibition on making names public until after the close of voting on election day. This section is effective June 1, 2023.

Section 55 [Names of persons; accepted absentee ballots] requires the list of voters who have submitted absentee ballots that have been accepted to specify the method of ballot delivery.

Section 56 [Names of persons; early voting] requires the secretary of state to maintain a list of voters who cast a ballot using early voting. The list must be available to the public in the same manner as public information on voters. This section is effective January 1, 2024, or upon early voting certification, whichever is later.

Section 57 [Establishment; applicable laws] requires counties or cities that administer early voting to establish a ballot board. This section is effective January 1, 2024, or upon early voting certification, whichever is later.

Section 58 [Duties of ballot board; absentee ballots] increases the time period before the election from the close of business on the 7th day to the 19th day before the election. This section is effective June 1, 2023.

Section 59 [Record of voting] provides that after the close of business on the 19th day before the election, a voter whose record indicates that the voter's absentee ballot has been accepted must not be permitted to cast another ballot. Requires this information to be in the statewide voter registration system for special elections for county office. (This is already required for other elections.) Strikes language about not requiring information to be included in the statewide voter registration system. A portion of this paragraph is effective immediately and a portion is effective June 1, 2023.

Section 60 [Record of voting] makes the same changes as the previous section but also adds references to early voting. This section is effective January 1, 2024, or upon early voting certification, whichever is later.

Section 61 [Opening of envelopes] allows ballot boards to begin opening absentee ballot envelopes after the close of business on the 19th day before the election. For elections not using early voting, current law is unchanged and ballot envelopes may be opened and processed at the close of business on the seventh day before the election. This section is effective June 1, 2023.

Section 62 [Indefinite residence outside United States] replaces “resided” with “maintained residence.”

Section 63 [Form] makes technical changes in describing absentee ballot envelopes.

Section 64 [Back of signature envelope] makes a technical change in describing an absentee ballot envelope.

Section 65 [Duties] makes technical changes in describing absentee ballot envelopes.

Section 36 [Check of voter eligibility; proper execution of certificate] makes technical changes in describing absentee ballot envelopes.

Section 67 [Transmission of ballots under certain circumstances] allows emergency response providers or utility workers who are deployed during the absentee voting period and voters with print disabilities to request a ballot to be delivered to the voter electronically. The voter must print the ballot and eligibility certificate and return it to the county auditor.

Section 68 [Procedures for early voting] provides the process and requirements for early voting. When a voter appears at the polling place, the voter must provide their name, address, and, if requested, the voter's date of birth. The early voting official must confirm the voter's registration is current and the voter's status is not challenged. If the voter's registration is not current, the voter must submit a new voter registration application. If the voter's status is challenged, the voter may resolve the challenge in the same manner as in a polling place on election day. A voter who has already cast a ballot must not be given a ballot. The voter signs the voter certification and is given a

ballot. The voter marks the ballot and deposits it into the ballot box. At the end of each day, early voting officials must remove and secure the ballots. The absentee board must count the ballots after the polls have closed on election day. This section is effective January 1, 2024, or upon early voting certification, whichever is later.

Section 69 [Form of affidavit] amends the affidavit of candidacy to strike the various exceptions to the prohibition on filing for more than one office. The stricken language was moved to section 72.

Section 70 [Address, electronic mail address, and telephone number] provides that a candidate is not required to provide an email address on an affidavit of candidacy if the candidate does not have an email address. A candidate may certify on the affidavit that the candidate has a reasonable fear for the safety of the candidate or the candidate's family. If so, the candidate's address is classified as private data. The filing officer is required to determine whether the address provided is within the district.

Section 71 [State and local offices] specifies that on an affidavit of candidacy for a judge, the candidate must state that the candidate will not turn 70 before the term starts. Replaces "resided" with "maintained residence."

Section 72 [Multiple affidavits of candidacy] specifies the situations in which a person may file for more than one office.

Section 73 [Petitions; rules of secretary of state] specifies that a petition must not be rejected solely because it is on paper smaller than 8.5" by 14".

Section 74 [Candidates in state and county general elections] replaces "resides" with "maintains residence."

Section 75 [Write-in candidate] allows a city, towns, school districts, and other local units of government to adopt a resolution to determine when write-in votes must be counted. Requires presidential candidates requesting write-in votes to be counted to include the name of the candidate for vice president.

Section 76 [Candidates for federal office] specifies that the vacancy in nomination in partisan offices section of law does not apply to federal offices.

Section 77 [Separate precincts; combined polling places] requires the county auditor to notify the secretary of state when polling places are combined or when combined polling places are separated.

Section 78 [Authority; location] requires local governments to pass an ordinance or resolution establishing polling places only if there are changes from the previous year. Otherwise, the designations from the previous year continue in effect.

Section 79 [Trainee election judges] allows a high school student who is a trainee election judge to continue serving after graduation until the student turns 18. Replaces "resides" with "maintains residence."

Section 80 [Appointing authority; powers and duties] replaces "reside" with "maintain residence."

Section 81 [Election judges; violations; penalties] allows a county auditor or municipal clerk to remove a precinct election official for neglect, malfeasance, misconduct, or other cause. This section is effective the day following final enactment.

Section 82 [Election supplies; duties of county auditors and clerks] requires the county auditor to prepare and provide early voting election materials to city clerks on or before the 19th day before the election. This section is effective January 1, 2024, or upon early voting certification, whichever is later.

Section 83 [Allocation of election expenses] includes a cross-reference to the required published notice to voters. This section is effective December 1, 2023, or upon the secretary of state's approval of the notice, whichever is earlier.

Section 84 [Electronic voting systems] allows jurisdictions to use voting systems that prepare blank paper ballots to be marked using a touch screen or other electronic device. The ballot may be a different size than other ballots.

Section 85 [Authorization] removes the geographical limitation on using mail balloting so towns, regardless of size, and cities with fewer than 400 registered voters in the metro area may use mail balloting.

Section 86 [Procedure; voting prior to election day] provides that after the close of business on the 19th day before the election, accepted ballots may be opened and deposited into ballot boxes. Current law allows this for the 7 days before the election. Replaces “resides” with “maintains residence.” This section is effective June 1, 2023.

Section 87 [Procedure; voting on election day] allows the county auditor to make available a ballot counter for use during voting hours on election day in areas that use mail balloting. The voter must be allowed to return the ballot as provided by current law or deposit the ballot in the ballot counter. When a voter appears in the designated polling place, the voter must provide their name, address, and, if requested, the voter's date of birth. The mail ballot voting official must confirm the voter's registration is current and the voter's status is not challenged. If the voter's registration is not current, the voter must submit a new voter registration application. If the voter's status is challenged, the voter may resolve the challenge in the same manner as in a polling place on election day. A voter who has already cast a ballot must not be given a ballot. The voter signs the voter certification and is given a ballot. The voter marks the ballot and deposits it into the ballot box. At the end of each day, mail balloting voting officials must remove and secure the ballots. The absentee board must count the ballots after the polls have closed on election day.

Section 88 [Mail elections; questions] allows offices to be voted on in a mail election where school and municipal jurisdictions overlap and one jurisdiction has a question on the ballot. Makes a change that relates to increasing the period for opening absentee ballot envelopes from 7 to 18 days. This section is effective June 1, 2023.

Section 89 [“I voted” stickers] strikes references to specific sections on depositing ballots into the ballot box.

Section 90 [Right to be absent] allows employees to be absent from work to vote before election day.

Section 91 [Restrictions on conduct] provides that challengers in the polling place must not converse with voters. Strikes the allowance for challengers to speak to voters about eligibility to vote.

Section 92 [Polling place roster; voter signature certificate; voter receipt] replaces the word “resided” with “maintained residence.” Makes other grammatical and non-substantive changes. This section is effective June 1, 2023.

Section 93 [Physical assistance in marking ballots] allows a candidate to assist a voter in marking a ballot. Eliminates the cap on the number of voters a person may assist in filling out ballots.

Section 94 [Information requirements] requires summary statements to include the number of voters who used an electronic voting system that creates a marked paper ballot, the number of election judges that worked in the precinct on election day, and the number of voting booths used in that precinct.

Section 95 [County auditor] states if the sealed envelopes containing ballots are opened pursuant to court order or statute, the auditor must re-seal the envelope and sign them. Allows the county auditor, instead of the canvassing board, to open envelopes if necessary to procure election returns in certain situations.

Section 96 [State canvass] requires the State Canvassing Board, within three days of completing the canvass, to declare the candidate duly elected who received the highest number of votes.

Section 97 [Challenged ballot] allows a canvassing board to direct a recount official to make images of challenged ballots available to the public.

Section 98 [Manner of correction] amends the process for what occurs when a county canvassing board determines there was an obvious error made. The county canvassing board must instruct the county auditor to ask the court for an order determining whether an obvious error was made. Strikes the provision that allows a candidate to apply to the court for an order determining whether an obvious error was made. Makes conforming changes to refer to the auditor instead of the applicant.

Section 99 [State and county nonpartisan primary ballot] requires city and school district offices to be placed on the state and county nonpartisan primary ballot.

Section 100 [Sample ballot] requires the county auditor to publish the required notice to voters instead of publishing sample ballots. This section is effective December 1, 2023, or upon the secretary of state’s approval of the notice, whichever is earlier.

Section 101 [Order of candidates for president and vice president] specifies that the current practice of determining candidate order on the general election ballot only applies to candidates for president and vice president. (The current practice places candidates on the ballot based on the number of votes the party received at the last state general election.) Other candidates for president and vice president are placed below the major party candidates and the order is determined by drawing lots.

Section 102 [Rotation of names; other partisan offices] provides that all partisan candidates, except president and vice president, are rotated on the state general election ballot so that each candidate appears roughly the same number of times in each position on the ballot for that office.

Section 103 [Nominees by petition; political party or principles] strikes language relating to placing the names of candidates nominated by petition for partisan office on the state general election. This is replicated in an earlier section as it applies to candidates for president and vice president. Other partisan candidates nominated by petition are governed by the previous section.

Section 104 [Sample general election ballots; posting; publication] requires the secretary of state, in collaboration with stakeholders, to design the required published notice to voters. This section is effective December 1, 2023, or upon the secretary of state's approval of the notice, whichever is earlier.

Section 105 [Form] references the requirements for the required published notice to voters. This section is effective December 1, or upon the secretary of state's approval of the notice, whichever is earlier.

Section 106 [Nominating petition; cities of the first class] replaces "resides" with "maintains residence."

Section 107 [Sample ballot, publication] references the requirements for the published notice to voters. This section is effective December 1, 2023, or upon the secretary of state's approval of the notice, whichever is earlier.

Section 108 [Other municipalities] requires municipal clerks to notify the secretary of state when polling place hours are changed for municipal elections.

Section 109 [Other school districts] requires the school district clerk to notify the secretary of state when polling place hours are changed for school district elections.

Section 110 [School district canvassing board] replaces "reside" with "maintain residence."

Section 111 [Board elections] replaces "resides" with "maintains residence."

Section 112 [Municipalities] requires municipalities to continue to use electronic voting systems once they have started using them.

Section 113 [Counties] requires counties to continue to use electronic voting systems once they have started using them.

Section 114 [Official responsible for providing ballots] requires precincts that use electronic voting systems that create marked paper ballots to also allow voters to use a regularly printed optical scan ballot.

Section 115 [Electronic voting systems] allows the use of electronic voting systems that create a marked paper ballot. The ballot must include specified information. Using multiple ballot formats in a jurisdiction is not a violation of the voter's right to vote in secret.

Section 116 [Testing of voting systems] requires the election official to conduct the public accuracy testing of voting equipment at least 3 days before the equipment is used.

Section 117 [Prohibited connections] prohibits a county auditor or municipal clerk from creating or disclosing an electronic image of the hard drive of an electronic voting system. This section is effective the day following final enactment.

Section 118 [Cast vote records] specifies that textual data from automatic tabulating equipment is public with some specific exceptions.

Section 119 [Ballots in precincts with multiple styles of voting system] provides for recounts and post-election reviews in precincts that use electronic voting systems that create a marked paper ballot. If there were fewer than 10 voters who used the system, election judges from that precinct are not eligible to participate in the recount or postelection review of that precinct.

Section 120 [Counting write-in votes] specifies that write-in votes will only be counted if the corresponding vote target is filled in.

Section 121 [Conducting presidential nomination primary] specifies that an eligible voter who is enrolled in the Safe at Home address confidentiality program is permitted to vote in the presidential nominating primary.

Section 122 [Reimbursable local expenses] references the requirements for the published notice to voters. This section is effective December 1, 2023, or upon the secretary of state's approval of the notice, whichever is earlier.

Section 123 [State canvassing board] makes a conforming change. If the national popular vote agreement becomes effective, the State Canvassing Board is required to abide by the requirements of the compact.

Section 124 [Agreement among the states to elect the president by national popular vote] is the agreement among the states to elect the president by national popular vote. Provides the process for selecting presidential electors if the agreement becomes effective.

Section 125 [Conflict of laws] provides that when the national popular vote agreement is in effect, the agreement supersedes any conflicting state law.

Section 126 [Notice filed with court] replaces "resides" with "maintains residence."

Section 127 [When and where filed by committees] requires a committee or candidate to file a report ten days before the primary or special primary regardless of whether the candidate or issue is on the primary ballot or a primary is not conducted.

Section 128 [Intimidation and interference related to the performance of duties by an election official; penalties] prohibits: intimidating of an election official; interfering with an election official's performance of election-related duties; disseminating of personal information about election officials; obstructing access to a polling place; tampering with voting equipment, ballot boxes, the statewide voter registration system, registration lists, or polling place rosters; and accessing the statewide voter registration system without authorization. Provides for criminal penalties and civil remedies. This section is effective June 15, 2023, and applies to violations occurring on or after that date.

Section 129 [Soliciting near polling places] prohibits certain activities near a polling place during absentee and early voting periods and on election day. Prohibited activities include asking a voter to vote in a certain way or wearing items that display information related to a candidate, ballot question, or political party that appears on the ballot. This section is effective June 15, 2023.

Section 130 [Permitted activity; political party] corrects a cross-reference.

Section 131 [Prohibition] requires candidates who are admitted to a multiunit residential facility to be able to knock on doors and speak with residents in the building.

Section 132 [Administrative remedy; exhaustion] provides that violations of section 128 are enforced as provided in that section and not by the Office of Administrative Hearings. This section is effective June 15, 2023.

Section 133 [Vacancies] replaces “resided” with “maintained residence.”

Section 134 [Candidates; ballots, certifying election] replaces “resides” with “maintains residence.”

Section 135 [Voting instructions and sample ballots in languages other than English; multilingual election judges] requires the secretary of state to prepare voting instructions and make the instructions available at polling places; prepare and provide example ballots to county auditors; and post certain information on the secretary’s website. Strikes the requirements for the secretary of state to prepare sample ballots and to provide sample ballots in print and electronic formats. Requires translated voting instructions and sample ballots to be provided only for state elections. Strikes the requirement to provide a translated sample ballot in the polling place. This section is effective January 1, 2024.

Section 136 [Secretary of State voting study] requires the Secretary of State to study issues related to voter engagement, education, and improvements to the election system, which may include assessing ranked choice voting. The secretary of state must consult with a variety of listed stakeholders. The Secretary of State must provide reports to the legislature.

Section 137 [Early Voting Certification] requires the secretary of state to certify to the revisor of statutes that the statewide voter registration system has been tested and is ready to use for early voting.

Section 138 [Repealer] repeals statutes related to ballot order for partisan candidates (Minn. Stat. 204D.04, subd. 1); absentee voting in town elections, effective June 1, 2023 (Minn. Stat. 203B.081, subd. 2); and provisions governing who may participate in a party caucus (Minn. Stat. 202A.16, subdivisions 1, 2, and 3).

Article 5 – Campaign Finance

Section 1 [Associated business] amends the definition of “associated business” to include the individual’s spouse. Associated business also means a lobbyist, principal, or interested person who pays an individual more than \$250 in any month for providing services as an independent contractor or consultant. Defines “interested person.” This section is effective January 1, 2024.

Section 2 [Designated lobbyist] defines “designated lobbyist” as a lobbyist responsible for reporting lobbying disbursements and activities of the entity represented by the lobbyist. This section is effective January 1, 2024.

Section 3 [General lobbying category] defines “general lobbying category” as an area of interest that a lobbyist is lobbying on for an entity. The Board maintains a list of categories. This section is effective January 1, 2024.

Section 4 [Legislative action] defines “legislative action” as specified activities that are part of the legislative process. This section is effective January 1, 2024.

Section 5 [Lobbyist] amends the definition of “lobbyist” to refer to official actions of political subdivisions (instead of metropolitan governmental units). When compensation is from a business who facilitates government relations, it only includes compensation where the individual’s job duties include offering consulting or advice that helps the business provide those services. Increases the spending threshold from \$250 to \$3000 and specifies that it is the individual’s personal funds. This section is effective January 1, 2024.

Section 6 [Noncampaign disbursement] amends the definition of “noncampaign disbursement.” Specifies that legal services may be related to operating a campaign committee, serving in office, or security for the candidate or their immediate family. Includes costs paid by a candidate to support the candidate’s participation in a recount. Specifies security expenses are for detection-related security monitoring expenses. Includes costs to repair or replace lost or damaged campaign property.

Section 7 [Official action of political subdivision] defines “official action of political subdivisions” to include specified actions by a political subdivision. This section is effective January 1, 2024.

Section 8 [Political party unit or party unit] amends the definition of “political party unit” or “party unit” for purposes of campaign finance laws. Strikes specific types of party organizations within various levels of government and inserts a reference to party organizations designated by the political party chair.

Section 9 [Specific subjects of interest] defines “specific subjects of interest” as a particular topic of lobbying within a general lobbying category.

Section 10 [Virtual currency] defines “virtual currency” as digital currency which is only available in an electronic form.

Section 11 [Investigation authority; complaint process] specifies that the deadline for the board to act on a written complaint includes issuing a probable cause determination, entering into a conciliation agreement, or issuing public findings.

Section 12 [Changes and corrections] specifies that when the board requests that a lobbyist provide more detailed information about a specific subject of interest disclosed on a disbursement report, it is treated as a change or correction. This means that the additional information must be reported in a timely manner and there is a penalty for willfully failing to report the change or correction. This section is effective January 1, 2024.

Section 13 [Form] amends the lobbyist registration form to include the lobbying categories that the lobbyist expects to lobby on behalf of a client. This section is effective January 1, 2024.

Section 14 [General lobbying categories and specific subjects of interest] requires the Board to maintain a list of general lobbying categories and specific subjects of interest. The Board must publish the list on its website. Changes “metropolitan governmental unit” to “political subdivision” in the section on lobbyist reports. This section is effective January 1, 2024.

Section 15 [Information to a lobbyist] amends the requirement about providing information to a lobbyist for purposes of reporting to refer to an entity or lobbyist instead of an employer or employee. This section is effective January 1, 2024.

Section 16 [Content] amends the contents required in a lobbyist report. A lobbyist is required to report on general lobbying categories and specific subjects of interest for each entity represented by the lobbyist and every state agency and metropolitan governmental unit that the lobbyist lobbied on behalf of an entity. The requirement to report on the lobbyist’s total disbursements is stricken. This section is effective January 1, 2024.

Section 17 [Principal reports] amends the contents of a principal report. Requires principals to report total amounts spent by the principal, rounded to the nearest \$9,000. Some portions of the section are reorganized. Modifies the types of expenses that must be reported. The principal must report disbursements made over \$2,000 for paid advertising urging the public to contact elected officials to influence official actions. Changes “metropolitan governmental unit” to “political subdivision” in the section on principal reports. This section is effective January 1, 2024.

Section 18 [Reporting by multiple lobbyists representing the same entity] specifies that an entity represented by multiple lobbyists may only have one designated lobbyist at a time. This section is effective January 1, 2024.

Section 19 [Lobbyist report] changes “metropolitan governmental unit” to “political subdivision” in the section on lobbyist reports. This section is effective January 1, 2024.

Section 20 [Contingent fees prohibited] changes “metropolitan governmental unit” to “political subdivision” in the section on prohibiting contingent fees. This section is effective January 1, 2024.

Section 21 [Definitions] strikes reference “metropolitan governmental unit” so that for purposes of the gift ban, “official” means any local official. This section is effective January 1, 2024.

Section 22 [Form; general requirements] amends the requirements for a statement of economic interest. Except as otherwise provided, a statement of economic interest must include information for the person’s spouse. The person must also include certain contracts, professional licenses, leases, or franchises held or entered into by the person or the person’s spouse. This section is effective January 1, 2024.

Section 23 [Form; exceptions for certain officials] specifies that soil and water conservation district supervisors, watershed management district managers, and watershed management organization members, are required to provide more limited information than other public officials. This section is effective January 1, 2024.

Section 24 [Permitted disbursements] authorizes independent expenditure political committees and funds and ballot question political committees and funds to make disbursements for electioneering communications. This section is effective January 1, 2024.

Section 25 [Penalty] includes ballot question political committees and ballot question political funds in the subdivision that provides penalties for improper independent expenditures.

Section 26 [Deposit] requires contributions to be deposited into a depository of the principal campaign committee, political committee, political fund, or party unit. A contribution may temporarily be held within a digital wallet immediately after receipt if the recipient is a principal campaign committee, political committee, political fund, or party unit has sole ownership of that account.

Section 27 [Registration number on checks] adds a reference to local candidates in the subdivision that requires contributions to include the contributor's registration number.

Section 28 [Virtual currency contribution] regulates contributions in virtual currency. A principal campaign committee, political committee, political fund, or party unit may accept an in-kind donation of virtual currency. The value of the donation is the fair market value at the time of the donation. The virtual currency must be converted to U.S. currency within five business days.

Section 29 [Mobile payments] allows a principal campaign committee, political committee, political fund, or party unit to accept contributions made using mobile payment services, service dependent on direct carrier billing, or a website. The mobile payment service must display the recipient's name in a manner similar to how the recipient is registered with the board. Mobile payment contributions must be deposited as provided in section 26.

Section 30 [Penalty] provides that a person who violates section 31 is subject to a civil penalty of up to \$1000.

Section 31 [Use of depository] prohibits a principal campaign committee, political committee, political fund, or party unit from spending money unless the money is made using petty cash or a depository of the committee, fund, or party unit.

Section 32 [Local election reports] specifies that the required pre-primary report is required regardless of whether the candidate or issue appears on the primary ballot.

Section 33 [Pre-election reports] specifies that loans or contributions required to be reported to the board must be reported by the end of the next business day (instead of within 24 hours).

Section 34 [Failure to file; late fees; penalty] allows the Campaign Finance Board to impose a late filing fee if an individual or association fails to file a report. Provides guidance on setting the amount of the fee.

Section 35 [Electioneering communications; definitions] provides definitions relating to electioneering communication. This section is effective January 1, 2024.

Section 36 [Electioneering communication; reporting requirements] requires any person who has made an electioneering communication totaling more than \$10,000 during a calendar year to file a statement with the board. The content of the report is specified, including thresholds for when

individuals must be identified. A person who makes an electioneering communication or accepts donations for the purpose of making electioneering communications must maintain the records necessary to comply with this section. This section is effective January 1, 2024.

Section 37 [Voluntary inactive status; political funds] amends the section of law on voluntary inactive status for political funds to include disbursements for electioneering communications. This section is effective January 1, 2024.

Section 38 [Independent expenditures and electioneering communications] prohibits a candidate's principal campaign committee from making disbursements for electioneering communications. This section is effective January 1, 2024.

Section 39 [Notice to contributors] amends notice requirements for when political committees, political funds, political party units, or principal campaign committees sell goods or services as a fundraiser. For goods or services sold in person, the seller must verbally notify customers that the proceeds are a political contribution and to whom the contribution is made. A notice must also appear in writing within three feet of the point of sale. If goods or services are sold online, the notice must be prominently displayed on the page where payment information is entered.

Section 40 [Contributions during legislative session] prohibits contributions made by lobbyists, political committees, or political funds in order to attend an event or to gain access to a facility during the legislative session when the event or facility is held or operated by a principal campaign committee of a legislative or constitutional office candidate or a political party organization within a body of the legislature. This section is effective the day following final enactment.

Section 41 [Exceptions] eliminates the specific party unit requirement in the section on what is not considered a contribution to a candidate. Provides that expenditures for a booth at a community event that benefits three or more candidates is not a contribution to or expenditure on behalf of the candidates and must not be allocated to candidates.

Section 42 [Captioning of campaign advertisement] authorizes the Board to impose a civil penalty of up to \$1000 for a candidate who fails to comply with the requirements to provide captions of a campaign advertisement.

Section 42 [Foreign-influenced corporation] specifies that a section on foreign-influenced corporations does not prohibit donations to any association for its general purposes in a way that the funds are general treasury money.

Section 44 [Repealer] repeals the definitions of specific disbursement categories and designated lobbyist (Minnesota Rules, parts 4511.0600, subp. 5 and 4511.0100, subp. 1a).

Article 6 - Information Technology and Cybersecurity

Section 1 [Information and telecommunications technology systems and services; §12.03, subd. 5e] defines "information and telecommunications technology systems and services" for purposes of the chapter on emergency management.

Section 2 [Local government; §12.03, subd. 5f] defines "local government" for purposes of the chapter on emergency management.

Section 3 [Cyber attack; §12.03, subd. 5g] defines “cyber attack” for purposes of the chapter on emergency management.

Section 4 [Declaration of peacetime emergency; §12.31, subd. 2] adds cyber attack to the list of circumstances in which the governor is authorized to declare a peacetime emergency. Eliminates requirement for certain conditions to be present for a governor to declare a peacetime emergency for a civil disturbance.

Section 5 [Governor’s powers to fast provide emergency aid; §12.36] expands the kinds of contracts a governor may enter into without a full procurement process in an emergency or disaster to include contracts necessary to protect the safety of the state’s information and telecommunications technology infrastructure, systems, or services.

Section 6 [Responsibilities; §16E.01, subd. 1a] requires the department of information technology to partner with executive branch state agencies in fulfilling its duty to manage strategic investments in information and telecommunications technology systems and services.

Section 7 [Deputy; appointments; §16E.01, subd. 1b] authorizes the commissioner of information technology to appoint a deputy, assistant commissioners, and a confidential secretary. These positions serve at the commissioner’s pleasure and are in the unclassified service.

Section 8 [Duties; §16E.01, subd. 3] eliminates obsolete duties related to the North Star system. Updates the list of equipment for which the chief information officer must determine when it is cost-effective for agencies to share. Specifies that agency project leaders’ requests for IT projects from MN.IT must be in accord with MN.IT’s policies and standards. Modifies the list of information required in the chief information officer’s annual report to the legislature.

Section 9 [Responsibility for Information Technology Services and Equipment; §16E.016] adds lifecycle management to list of responsibilities that the chief information officer has regarding specified IT equipment and software.

Section 10 [Chief information officer’s responsibility; §16E.03, subd. 2] changes “master plan” to “strategic plan” in the chief information officer’s duties. Adds “services” to the things for which the chief information officer must establish and enforce standards.

Section 11 [Cloud computing services; §16E.03, subd. 4a] requires the chief information officer to establish metrics to assess the program of any cloud computing project for a state agency.

Section 12 [Cloud computing progress report; §16E.03, subd. 5a] requires the chief information office to report annually until December 31, 2027, to the legislature on the progress of the executive branch cloud adoption. Specifies information to be included in the report.

Section 13 [Cash flow; §16E.14, subd. 4] authorizes the commissioner of management and budget to provide the department of information technology up to \$60 million from a special revenue fund or the general fund, for the purposes of managing revenue and expenditure differences. Requires the funds to be repaid with interest by the end of the closing period of the second fiscal year of the same biennium.

Section 14 [Account established; appropriation; §16E.21, subd. 1] expands the purposes for which the department of information technology can use money in a specific account in the special revenue fund.

Section 15 [Charges; §16E.21, subd. 2] expands the list of things for which an agency may use funds from the Odyssey account.

Section 16 [County and Local Cybersecurity Grants; §16E.35] establishes a grant program for the department of IT services to make grants to political subdivisions to address cybersecurity risks and threats to information systems owned and operated by, or on behalf of, state, local, or Tribal governments. Requires that a political subdivision must complete funding for the project if the cost exceeds the amount appropriated. Requires the department of IT services to set program priorities and standards for review.

Section 17 [Repealer] repeals section 16E.0466, subd. 2, that requires the chief information officer to report to the legislature annually on specified things regarding agency-requested IT projects.

All sections in this article are effective July 1, 2023.

Article 7 – Grants Oversight

Section 1 [Transfers from grants prohibited; §16A.122, subd. 2] is a conforming change that follows from the authorization in new section 16B.98, subd. 14, to allow agencies to use a portion of grant funds for administering grants.

Section 2 [Grants governance; §16B.97, subd. 2] requires the commissioner of administration to adopt rules to carry out grant governance, oversight, and management, and requires agencies to cooperate with the commissioner in the creation, management, and oversight of state grants. This section is effective August 1, 2023.

Section 3 [Discretionary powers; §16B.97, subd. 3] authorizes the commissioner of management and budget to establish and enforce policy and procedures for grants management practices. Authorizes the commissioner of administration to suspend or debar grantees from eligibility to receive state grants under certain circumstances for a limited time. Establishes a procedure for a grantee to challenge suspension or debarment. This section is effective August 1, 2023.

Section 4 [Duties; §16B.97, subd. 4] authorizes the commissioner of administration to oversee and approve contracts and spending for grants management systems. This section is effective August 1, 2023.

Section 5 [Creation and validity of grant agreements; §16B.98, subd. 5] requires amendments to grant agreements to be executed by the head of an agency and to be approved by the commissioner of administration to be valid and binding. This section is effective April 1, 2024, and applies to grants issued on or after that date.

Section 6 [Grant administration; §16B.98, subd. 6] requires a granting agency to report to the commissioner of administration upon request on the status of any grant to which the agency is a party.

Section 7 [Audit; §16B.98, subd. 8] authorizes the commissioner of administration to examine the books, records, documents, and accounting procedures and practices of recipients of state grants. This section is effective August 1, 2023, and applies to grants issued on or after that date.

Section 8 [Grantee evaluations; §16B.98, subd. 12] requires the head of an agency entering into a grant agreement in excess of \$25,000 to submit a report to the commissioner of administration, with specified information about the grant, including a written performance evaluation of the work done under the grant. This section is effective April 1, 2024, and applies to grants issued on or after that date.

Section 9 [Limitations on actions; §16B.98, subd. 13] precludes a civil action by a grantee against an agency or employee for disclosing information in the report required under the previous section, unless certain conditions are met.

Section 10 [Administrative costs; §16B.98, subd. 14] authorizes a state agency to retain up to five percent of the amount appropriated to the agency for grants enacted by the legislature and formula grants and up to ten percent of grants to be awarded competitively. This authority applies to appropriations for new grant programs enacted after July 1, 2023. This authority does not apply to grants funded with an appropriation of proceeds from the sale of state general obligation bonds. This section is effective July 1, 2023, and applies to grants issued on or after that date.

Section 11 [Financial Review of Grant and Business Subsidy Recipients; §16B.981] applies to grants or business subsidies in excess of \$50,000 and applies to a grantee that is a political subdivision, a nonprofit business, or a for profit business. Requires an agency to evaluate a potential grantee's ability to perform obligations under the grant before awarding the grant. Specifies information that must be considered in the financial review of the potential grantee. Authorizes an agency to require additional information or provide enhanced oversight over grants to grantees that have not demonstrated the ability to perform duties required on the scale required. Authorizes an agency to refuse to award a grant unless certain conditions are met and establishes procedures for the potential grantee to challenge the agency's determination. Precludes an agency from requiring an Indian Tribe or band to deny sovereignty as a condition of a grant. This section is effective January 15, 2024, and applies to grants issued on or after that date.

Section 12 [Termination of Grant; §16B.991] requires a state grant agreement to authorize the commissioner of administration to terminate a grant agreement if the commissioner determines that further performance would not serve agency purposes or is not in the best interests of the state.

Section 13 [Subsidy agreement; §116J.994, subd. 3] is a conforming change, noting that business subsidies are subject to the financial review established in section 11. This section is effective January 15, 2024, and applies to grants issued on or after that date.

Section 14 [Grants Administration Oversight; Feasibility Study] requires the commissioner of administration to assess the viability of implementing a single grants management system for executive agencies. Specifies information required in the study.

Article 8 - State Employees with Disabilities

Article 8 reflects recommendations of the Advisory Task Force on State Employment and Retention of Employees with Disabilities. All sections in this article are effective July 1, 2023.

Section 1 [Precedence of merit principles and nondiscrimination; §43A.01, subd. 2] modifies the state’s affirmative action requirements. Specifies that the state’s affirmative action policy includes supporting full and equal participation in the social and economic life in the state. Requires managers and supervisors responsible for hiring to be made aware of bias in the hiring process.

Section 2 [Accommodation fund; §43A.02, subd. 1a] establishes a fund for reimbursing state agencies for eligible expenses for providing reasonable accommodations to state employees with disabilities.

Section 3 [Americans with Disabilities Act; §43A.02] provides a short title of the “Americans with Disabilities Act” to reference the federal Americans with Disabilities Act of 1990, as amended.

Section 4 [Digital accessibility; §43A.02, subd. 18a] defines “digital accessibility.”

Section 5 [Reasonable accommodation; §43A.02, subd. 35a] defines “reasonable accommodation” for purposes of the state employment chapter by cross-referencing the definition of the same term in the section of statute that precludes unfair discrimination in employment.

Section 6 [Mission; efficiency; §43A.04, subd. 1a] adds two items to the list of the mission of the department of management and budget: (1) to ensure technology used by employees is accessible and provided in a timely manner; and (2) to endeavor to use equitable and inclusive practices to attract and recruit protected class employees, eliminate discrimination against protected group employees, and provide equitable access to development and training, advancement, and promotional opportunities.

Section 7 [Administrative procedures; §43A.04, subd. 4] requires that certain administrative procedures to implement chapter 43A be reproduced in accessible digital formats. Requires public notice for pilot employee selection processes to be accessible and requires the process for the public to provide comment to be in multiple formats.

Section 8 [Reporting; §43A.04, subd. 7] requires online posting of a report that is currently required of the commissioner of management and budget on appointments made without following full appointment procedures, as allowed under current law. Requires the commissioner of management and budget to advertise the report in multiple formats to ensure broad dissemination.

Section 9 [Recruitment; §43A.09] specifies that qualified people with disabilities must be given special emphasis in recruitment for state employment. Requires that all technology and digital content related to recruiting and hiring be accessible to people with disabilities.

Section 10 [Application requirements; §43A.10, subd. 2a] requires that a posting for a job description for state employment be relevant to the duties of the job and be nondiscriminatory. Specifies that a job experience demonstration process, detailed and amended in another section, is considered an alternative noncompetitive hiring process for classified positions for qualified people with disabilities. Hiring managers and people involved in the candidate selection process must be aware of the accommodation fund. Requires the commissioner to make the online application process and all digital content related to a database of applicants for state employment to be accessible for people with disabilities.

Section 11 [Selection process accommodations; §43A.10, subd. 7] requires the commissioner of management and budget or an appointing authority to use the accommodation fund during the selection process to provide reasonable accommodations to a qualified applicant with a disability. Requires the commissioner of management and budget to ensure agencies are made aware of the accommodation fund and its function.

Section 12 [Appointments; §43A.14] adds a specific reference to people with disabilities to a requirement that appointments in the classified service be representative.

Section 13 [700-hour on-the-job demonstration experience; §43A.15, subd. 14] makes modifications to the existing process that allows an applicant with a disability of a significant nature to work on the job for which the applicant is unable to demonstrate their abilities in the selection process.

Section 14 [Report and survey; §43A.15] requires the commissioner of management and budget to report annually on specified enterprise-wide statistics regarding the on-the-job demonstration experience. Requires the commissioner to administer a survey annually to participants in the on-the-job demonstration experience. Requires the commissioner to consult annually with DEED's Vocational Rehabilitation Services and the State Services for the Blind and other disability experts on the survey results and to assess program satisfaction and make recommendations for improvement. Requires the commissioner to publish a report on the MMB's website with data from the survey and the recommendations for improvement.

Section 15 [Statewide affirmative action program; §43A.19, subd. 1] makes modifications to the state's affirmative action program for employees of the civil service in the executive branch.

Paragraph (a) modifies the stated purpose of the state's affirmative action program. Under current law the program is "to eliminate the underutilization of qualified members of protected groups." This section changes that purpose to "to eliminate the effects of past and present discrimination, intended or unintended, on the basis of protected group status." Requires agency heads to report the analysis of separation patterns to determine the impact on protected group members to the state Director of Recruitment, Retention, and Affirmative Action and the state ADA coordinator and to make the information available on request. Requires the commissioner of management and budget to annually post the aggregate and agency-level reports.

Paragraph (e) requires the commissioner of management and budget to designate a statewide ADA and disability employment director to whom the commissioner may delegate the preparation, revision, implementation, evaluation, and administration of the state's affirmative action program. Makes the director responsible for the on-the-job demonstration experience under the supported work program and disabled veteran's employment program. Sets qualifications for the director and specifies the position may be in the unclassified service if it meets criteria for an unclassified position established in existing statute.

Paragraph (f) requires agency affirmative action plans and reports to be posted on the agency's public and internal websites within 30 days of approval. Requires the commissioner of management and budget to post links to all executive branch, agency-approved, affirmative action plans on its public website. Accessible copies of the plans must be available to employees and the public on request.

Section 16 [Affirmative action officers; §43A.191] modifies requirements for agency affirmative action plans.

Subd. 1 [Affirmative action officers] precludes an agency affirmative action officer from being an unclassified employee.

Subd. 2 [Agency affirmative action plans] requires that reasonable accommodations for applicants and employees be provided timely.

Subd. 2a [Disability recruitment, hiring, and advancement] requires that agency affirmative action plans include specified information.

Subd. 3 [Audits; sanctions and incentives] requires the commissioner of management and budget to report audit findings to the governor if an agency fails to meet the affirmative action requirements for two consecutive years. Requires making public on MMB's website a currently required biennial report on the progress of each agency and the state as whole with respect to affirmative action.

Section 17 [Authority; purpose; §43A.21, subd. 1] requires the commissioner of management and budget to coordinate with the director of statewide ADA and disability employment (a position established in this bill) and the chief inclusion officer in conducting employee training and development. Adds goals for training and development to include “[building] employee capacity to deliver accessible and inclusive services to the public, including people with disabilities” and “[supporting] an inclusive work environment for employees with disabilities and employees of other protected classes.”

Section 18 [Responsibilities; §43a.21, subd. 2] adds requirements for state employees to receive annual training on Title II of the Americans with Disabilities Act, the state's affirmative action policy, equal opportunity employment, and digital accessibility standards.

Section 19 [Programs; §43A.21, subd. 3] requires managers and supervisors to receive training on inclusive work environments, disability awareness, cultural competence, and other equity and diversity areas. Requires agencies to conduct annual Americans with Disabilities Act self-assessment to ensure training programs meet the standards for universal design in learning.

Section 20 [Accessibility; §43A.21] requires the commissioner to ensure that training content and platforms meet accessibility standards. Requires that reasonable accommodations must be implemented in a timely and appropriate manner. All state employees, including ADA coordinators and human resources staff, must have training and resources to implement an accessible and inclusive workplace.

Section 21 [Cooperation; state agencies; §43A.36, subd. 1] requires the head of each agency in the executive branch to designate an ADA coordinator to have primary responsibility for the administration of ADA policies, procedures, trainings, requests, and arbitration. The coordinators report directly to the commissioner of management and budget.

Section 22 [Supported work program; §43A.421] makes modifications to the supported work program in the executive branch.

Subd. 1 [Program established] eliminates a requirement for a specific number of positions in state agencies to be included in a supported work program. Modifies the standard for participation in the supported work program through which up to three people share job responsibilities from people with “severe” disabilities to people with “significant” disabilities. Requires job postings for classified supported work jobs to link to an overview and application for the supported work program.

Subd. 2 [Responsibilities] requires the commissioner of management and budget to administer and oversee the supported work program. Requires policies, procedures, data collection and reporting requirements, and compliance. Requires the commissioner to implement a training curriculum for the supported work program. Requires all executive leaders, managers, supervisors, human resources professionals, affirmative action officers, and ADA coordinators to receive training regarding the program. Requires the commissioner to provide a grievance process for people in the program.

Section 23 [Americans with Disabilities Act Coordinators; §43A.431] requires each state agency to each designate at least one ADA coordinator. Specifies eligibility criteria and responsibilities for ADA coordinators.

Section 24 [Advisory Committee on Service Worker Standards; Uncoded] requires the commissioner of management and budget to convene an advisory committee to make recommendations regarding updates and clarifications to the service worker class specifications. Requires a report to the legislature on recommendations for changes to the service worker statute that provides that disability levels and types covered under the service worker category in the state civil service may include people with physical disabilities, mental health disabilities, and developmental disabilities.