U.S. ELECTION ASSISTANCE COMMISSION

2016 Election Administration & Voting Survey

Statutory Overview

In order to better understand state laws governing Federal elections, the U.S. Election Assistance Commission, as part of its biennial Election Administration and Voting Survey, is collecting information on state election laws and procedures. These answers will help EAC to better understand the quantitative data relating to the 2016 general election that we are collecting from all U.S. states and territories.

EAC understands that responding to this Statutory Overview may require significant staff time on the part of your office. Please be assured that we have attempted to minimize the burden, and we appreciate your cooperation in this very important project.

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DIRECTIONS AND EXAMPLE

As appropriate, please provide your state's legal citation for the responses to the questions beginning on the following page.

Please answer each question to the best of your ability. If a term or concept is ambiguous, please explain why. If a question is not applicable to your state, please explain why. If a definition or term lacks statutory reference in your state but is widely used in practice, please explain. If election procedures vary at the local level within your state, please explain these variations to the best of your ability.

The Statutory Overview data collection document has two columns below each question.

- On the left, we have provided you with the answer your state provided for the 2014 Statutory Overview. If there has not been a change in your state's laws or legal citation in the response to a question, please mark the box labeled **No Change since 2014** at the top of the left column.

- If the response has changed since 2014 – or your state has not answered this question previously for some reason— please mark the box labeled **Changed since 2014** at the top of the right column and then provide the new answer in the text box provided. If your response is too long to fit in the box, please make a note in the text box and place your response in the "Notes" page at the end of the document. Additionally, if a law was repealed in full, please answer "repealed in full" in the box.

If any of your state laws are currently enjoined or otherwise blocked from enforcement by a state or federal court or by executive decision, please specify.

Example:

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

State code 1.11 - An attempt to vote for a larger number of candidates than is allowed.

b) Under-vote

☐ **No Change since 2014** ☒ **Changed since 2014**

This term has no legal definition.

State code 1.12 - An attempt to vote for a smaller number of candidates than is allowed.

SECTION A: GENERAL

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

M.R. 8220.0250 Subp. 21.Overvote. "Overvote" means a condition of a voted ballot in which more votes have been cast for an issue or office than the number of votes that the voter is lawfully entitled to cast.

2016 Response:

b) Under-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

M.R. 8220.0250 Subp. 33. Undervote. "Undervote" means a condition of a voted ballot in which fewer votes have been cast for an issue or office than permitted by law.

2016 Response:

c) Blank ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A ballot cast by a voter that is totally blank, with no vote cast for any race.

2016 Response:

d) Void/Spoiled ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

M.S. 206.84 Subd. 7. Spoiled ballot cards. A voter who spoils a ballot card or makes an error may return it to the election judges and obtain another.
M.S. 204C.13 Subd. 3. d) An individual who spoils a ballot may return it to the election judges and receive another.
8230.1050 BALLOTS FOUND IN VOTING STATIONS. Any ballot found in a voting station must be marked "found in voting station." The ballot must be placed in the spoiled ballot envelope. In no case may that ballot be placed with the properly cast ballots. A note of the occurrence must be made in the remarks section of the precinct incident report.

2016 Response:

e) Provisional/Challenged ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Not used in Minnesota – exempt from HAVA requirement as EDR state.

2016 Response:

f) Absentee

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

M.S. Chapter 203B.02 A ballot cast by an eligible voter either in-person or by mail during the absentee voting period. An eligible voter who is either in the military, or is a spouse or dependent of an individual serving in the military, or is temporarily outside the territorial limits of the U.S. may vote by absentee ballot.
A U.S. citizen living permanently outside the U.S. who is eligible under federal law to vote in federal elections in Minnesota may vote by absentee ballot.

2016 Response:

Added in 2015:
M.S. 203B.16 A U.S. citizen living permanently abroad, if they have never resided in the U.S. but a parent maintained residence in Minnesota for at least 20 days immediately prior to their departure from the U.S., may vote by absentee ballot in federal elections.

g) Early voting

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Not applicable in Minnesota

2016 Response:

h) Active Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The voter record of an individual who completed a voter registration application which has been input into the statewide registration system. An “active” voter record is printed on the polling place rosters and public information lists. An “active” record may be “challenged” in which case the election judge must ask the challenged individual sufficient questions to test that individual’s residence and right to vote. An “active” record may be an “incomplete registration” of a 1st time voter in the state who registered by mail and the county auditor is unable to verify the number provided on the application and for which the roster challenge notes the voter must “Show ID” before being allowed to vote. (Chapter 201; 204C.12)

2016 Response:

i) Inactive Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

M.S. 201.171 “Inactive” registrants must register before voting in any election.
A voter record may be made “Inactive” if:
a. after the close of the calendar year, the secretary of state shall determine if any registrants have not voted during the preceding four years. (M.S. 201.171)
b. If a notice mailed at least 60 days after the return of the first nonforwardable mailing is also returned by the postal service, the county auditor shall change the registrant's status to "inactive" in the statewide registration system. (M.S. 201.12)
c. If a voter makes a written request for removal of the voter’s record (M.S. 201.13 Sub. 4)
Inactive also includes any found duplicate records, with one of the records remaining “active” and the duplicate made inactive.

2016 Response:

j) Other terms (please specify) _____

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

2016 Response:

A2. Please provide the legal citation for any *significant* changes to election laws or procedures that have been enacted or adopted since the previous Federal election. "Significant" does not include routine or technical changes (such as changes to election district boundaries or polling place changes). However, EAC would like to learn about any new identification requirements for voters or registrants; changes in eligibility for voting or registering; adoption of alternative voting methods; and other changes that you believe represent a significant change in the way your state runs its elections.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Election Day registration proofs of residence were modified:
Voucher limit option was reduced from 15 to 8; other state photo IDs now allowed in conjunction with allowed bills/statements; additional bills/statements allowed to be used in conjunction with photo ID including credit card or banking services and rent or mortgage payments.
No-excuse absentee voting implemented with 2014 State Primary
Voter registration, UOCAVA and regular absentee applications may be submitted online
Electronic rosters (ePollbooks) authorized to be used in polling places
Secretary of State may share driver's license and voter registration data with other state consortium.
Information on voters who have applied for a driver's license or state id card with a different address may be forwarded to county auditors who shall update the voter's record to the new address and mail a confirmation postcard to the voter, allowing the voter 21 days to notify the county auditor if the new address is not the voter's address of residence.

2016 Response:

M.R. 8200.5100 Subp. 2 (A)(5)
Election Day registration proofs of residence were modified to allow a Veterans ID card as a photo ID allowed to be used in conjunction with allowed bills/statements.

M.S. 203B.01
National Guard was added to definition of military, allowing use of UOCAVA process and protections when the National Guard is called to active service by the Governor.

M.S. 203B.081 Subd. 3.
Voting method change for in-person absentee voting:
During the 7 days before the election, the county auditor may alternatively offer in-person absentee voters the option to place their ballot directly into a vote tabulator rather than sealing the ballot in envelopes.

M.S. 203B.17 Subd. 1.
UOCAVA application valid time period extended beyond the end of the calendar year:
UOCAVA applications are valid for elections from the time the application is received through the end of that calendar year or through the next scheduled state general election, whichever is later.

SECTION B: VOTER REGISTRATION

B1. Is your state's voter registration database system best described as a bottom-up, a top-down, or a hybrid? (Note: A bottom-up system generally uploads information retained at the local level and compiled at regular intervals to form the statewide voter registration list. A top-down system is hosted on a single, central platform/mainframe and is generally maintained by the state with information supplied by local jurisdictions. A hybrid is some combination of both systems described above.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
Top-Down	

If your state uses a bottom-up or hybrid system, how often do local jurisdictions transmit registration information to the state list?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
Not applicable	

B2. Please describe the process used in your state to move voters from the active list to the inactive list, and from the inactive list to the active list. Is a different process used for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

M.S. 201.171 After the close of the calendar year, the secretary of state shall determine if any registrants have not voted during the preceding four years and change the status of those registrants to "inactive". Although not counted in an election, late or rejected absentee or mail ballots must be considered a vote for the purpose of continuing registration under this section, but is not considered voting history for the purpose of public information lists available under section 201.091, subdivision 4.
M.S. 201.171 "Inactive" registrants must register by completing a voter registration application before voting in any election.
An FPCA or FWAB submitted by UOCAVA voters that are eligible to be registered (i.e. not permanently/indefinitely overseas) is used to register the individual in the statewide registration system. Voter history is posted to UOCAVA voters if they are also an active registered voter, so a UOCAVA voter would not be made "inactive" if they've voted during the preceding four years.

2016 Response:

B3. Please describe your state's process for removing voters from the voter registration rolls (not merely moving them from active to inactive). Please include information regarding notices and confirmations. Are these procedures the same for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

What is your definition of "removed"? No records are ever deleted. For Minnesota, making them inactive does remove them from the "rolls" as far as being on the polling place rosters or public information lists.
As a non-NVRA state, MN changes voters from active to inactive as noted in answer B2.

2016 Response:

B4. Can your state's voter registration database (or equivalent) share information electronically with your state's driver's license agency (for example, to match records or trace changes in address)? Can your voter registration database be similarly linked with databases in any other state or Federal agencies? Please describe these links, including any use of database matching to verify voter registration applications.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Yes. Information is shared electronically between VR and Driver's License on a nightly basis.
VR data of the day's activity is sent to Driver Vehicle Services (DVS). DVS compares with DL data and returns a file to OSS containing exact matches and potential matches. Exact matches are updated as verified, potential matches are queued for review by county auditors to determine if a match.
Online VR data of individual submitting online application containing a driver's license number that could not be matched in the statewide registration system is sent to Driver Vehicle Services (DVS). DVS compares with Name, DOB and DL/State ID # and returns a file to OSS with matches that passed or failed. Online VR applications for passed matches are queued for review by county auditors. Individuals with online VR applications where a match failed receive an email notification.
Records of individuals completing a DL application who also indicate they wish to be registered to vote are forwarded by

2016 Response:

Dept of Corrections information is shared electronically on a monthly basis. Corrections data are compared to the voter database and returned matches are queued for review by county auditors to add or remove challenges to the voter record.

Minnesota is an ERIC member and shares data electronically on a monthly basis. ERIC returned matches are queued for review by county auditors to update voter record addresses and to mark voter records as deceased.

B5. Please describe how your state uses National Change of Address (NCOA). What has been your state's experience with NCOA?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

OSS compares NCOA data with voter database monthly. If NCOA indicates a move within the state, the voter's address is updated and notice given allowing a 21-day reversal period. If NCOA indicates a move out of the state, the voter record is flagged to be inactivated following a notice and 21-day period for voter to reply to retain registration status. If any nonforwardable mailing from an election official is returned as undeliverable but with no forwarding address, a challenge is applied to the voter record. Upon return of a second mailing at least 60 days after the return of the first mailing, the registrant's status is made inactive.

2016 Response:

B6. Please describe your state's voting eligibility requirements as they relate to individuals with a felony conviction. (For example, are convicted felons allowed to vote while in prison or while on parole or probation? Are voting rights automatically restored or does the individual have to apply for a pardon, certificate of eligibility or other similar certificate? Does an individual whose voting rights have been restored have to produce documentation of his/her status when registering to vote?)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

To be eligible to vote if convicted of a felony, the individual's sentence must have expired (been completed) or have been discharged from their sentence. Voting rights are automatically restored upon the expiration of the sentence. They simply register and vote.

2016 Response:

B7. Does your state currently use the Internet in any way to facilitate voter registration? If yes, please describe how your state allows voters to use the Internet in the registration process (e.g., entire registration completed online; completed online but then must be printed, signed, and mailed by voter, etc.).

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Voter registration application form is available online. Information can be input into the form online, but it must be printed, signed and returned by the individual to county auditor or secretary of state.
Individuals may submit an online application if they provide an email address and provide either a MN-issued driver's license number, MN-issued state identification card number, or the last 4 digits of their social security number. Name, DOB and DL/State ID # must match existing information in a government database associated with the applicant's driver's license, state identification card number, or Social Security number before the application may be transmitted electronically to the county auditor for processing.

2016 Response:

SECTION C: ELECTION ADMINISTRATION

C1. Please describe how all votes cast at a place other than the voter's precinct of registration are tabulated (for example, please include descriptions of such votes as absentee ballots, mail-in ballots, votes cast at vote centers, provisional ballots, early voting locations, etc.).

a. Are the votes counted centrally or at the precincts?

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Votes cast at polling places for 85 of 87 are counted at the precincts, 2 counties are counted centrally. Absentee ballots for all counties are counted centrally either by county or municipal ballot boards.

2016 Response:

Votes cast at a place other than the voter's precinct are counted centrally, either by a county or municipal ballot board.

b. If centrally tabulated, are the votes redirected to the appropriate precinct for reporting in the canvass?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

All votes counted at central counting centers are tallied and reported by precinct.

2016 Response:

c. Are the absentee, mail, etc., votes reported separately for each precinct, or are they added to the in-precinct results and reported as just a single number?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

All votes are reported as a single result for the precinct.

2016 Response:

d. How are UOCAVA ballots counted and reported?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

All UOCAVA ballots are counted centrally by precinct, either by county or municipality ballot board, and reported in the single results for the precinct.

2016 Response:

C2. Does your state require a reason for voting absentee, or does your state allow no-excuse absentee voting? (If a reason is required, please provide the legal citation.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A reason is not required to vote absentee.
203B.02 GENERAL ELIGIBILITY REQUIREMENTS.
Subdivision 1.Absentee voting; eligibility. (a) Any eligible voter may vote by absentee ballot as provided in sections 203B.04 to 203B.15.

2016 Response:

C3. Does your state provide for in-person early voting? If so, how is early voting defined? When early voting is used, are the ballots counted at the precinct or at a central location? How are these votes reported?

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

MN does not provide early voting, only no-excuse absentee voting either in-person or by mail.

2016 Response:

Minnesota provides both in-person and by mail no-excuse absentee voting during the 46 days before the election.

During the 7 days before the election, the county auditor may alternatively offer in-person absentee voters the option to place their ballot directly into a vote tabulator rather than sealing the ballot in envelopes.

Absentee ballots are counted at a central location, by a county or municipal ballot board. Absentee votes are combined with polling place results and reported as one total per precinct in the canvass.

Minnesota reports in-person absentee voters as early voting in EAVS.

C4. Do any jurisdictions in your state use a vote-by-mail system to replace (and not merely supplement) at-the-precinct voting in any elections?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Yes.
204B.45 MAIL BALLOTING.
Subdivision 1. Authorization. A town of any size not located in a metropolitan county as defined by section 473.121, or a city having fewer than 400 registered voters on June 1 of an election year and not located in a metropolitan county as defined by section 473.121 may provide balloting by mail at any municipal, county, or state election with no polling place other than the office of the auditor or clerk or other locations designated by the auditor or clerk.

2016 Response:

C5. Please list each of the situations that require a provisional ballot in your state. Please provide the relevant legal citation for each situation.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

None.

2016 Response:

C6. Does your state count provisional ballots of voters who are registered in different precincts, or are those ballots automatically rejected? Please describe the process used by local election officials in determining whether to count a provisional ballot.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Not applicable.

2016 Response:

C7. Please describe your state's laws regarding post-election audits, if any. A post-election audit refers to hand-counting votes on paper records and comparing those counts to the corresponding vote counts originally reported, as a check on the accuracy of election results, and resolving discrepancies using accurate hand counts of the paper records as the benchmark.

If your state has post-election auditing, consider including in your response information such as the unit being audited (e.g., precincts, machines); the sampling method (e.g., fixed percentages); whether there is a specific trigger for the audit; the location of the random selection (e.g., state, county); and the races that can be audited.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A post election review of voting systems will take place for specific precincts after every state general election. At the canvass of the state primary, the county canvassing board in each county must set the date, time, and place for the post election review of the state general election. The county auditor must notify the OSS when these selections have been made. The votes cast for President or Governor; United States Senator and United States Representative must be reviewed for the precincts selected by lot by the county canvassing board. A review of an office is not required if it is subject to a recount. The county auditor is the post election review official unless the auditor designates the municipal clerk as the review official within 24 hours after the canvass of the state general election. The post election review official may conduct post election review of the votes cast for additional offices.
Number of precincts to be selected:
The county canvassing board of a county with fewer than 50,000 registered voters must conduct a review of a total of at least two precincts.
The county canvassing board of a county with between 50,000 and 100,000 registered voters must conduct a review of at least three precincts.
The county canvassing board of a county with more than 100,000 registered voters must conduct a review of at least four precincts or 3% of total number of precincts in the county, whichever is greater.
One precinct selected in each county must have had more than 150 votes cast at the general election.
The county auditor must notify the OSS of the precincts that have been chosen for review, the time and place of the review as soon as the decision is made.
If the selection of precincts has not resulted in the selection of at least four precincts in each congressional district, the OSS may require counties to select additional precincts by lot.
The review is a comparison of a hand tally of the voted ballots cast by eligible voters in the precinct with the reported results certified by the county canvassing board. The comparison of the results from the voting system and the hand count must be accurate to within one-half of one percent or two votes in a precinct where 400 or fewer voters cast ballots. This does not include votes marked outside the vote

2016 Response:

C8. Please describe any state requirements for poll worker training.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

204B.25 TRAINING FOR ELECTION JUDGES.
Subdivision 1. Duties of county auditor. Each county auditor shall provide training for all election judges who are appointed to serve at any election to be held in the county. The county auditor shall also provide a procedure for emergency training of election judges elected to fill vacancies. The county auditor may delegate to a municipal election official the duty to provide training of election judges in that municipality or school district.
Subd. 2. Rules of secretary of state. The secretary of state shall adopt rules establishing programs for the training of county auditors, local election officials, and election judges by county auditors as required by this section.
Subd. 3. Trained election judges; number required. Each election precinct in which less than 100 individuals voted at the last state general election shall have at least two election judges who are members of different major political parties who have received training as required in this section. In every other election precinct, no individual may serve as an election judge who has not received training as required by subdivision 1.
Subd. 4. Training for local election officials. At least once every two years, the county auditor shall conduct training sessions for the municipal and school district clerks in the county. The training sessions must be conducted in the manner provided by the secretary of state. No local election official may administer an election without receiving training from the county auditor.
History: 1981 c 29 art 4 s 25; 1987 c 266 art 1 s 28; 1999 c 250 art 1 s 86,87
Minnesota Rules Chapter 8240 (selected parts)
8240.1300 ELECTION JUDGE BASIC TRAINING REQUIREMENT.
Subpart 1.Election judge basic training course. To serve as an election judge, a person must successfully complete a basic training course that meets the requirements of part 8240.1600.
Subp. 2.Certification of training. A training authority must issue a certification of election judge basic training to a person who successfully completes a basic training course.
Subp. 3. Maintaining certification. A person must successfully complete the basic training course once every 24 months to remain qualified to serve as an election judge.
Subp. 4. Timing. The basic training course must be conducted not more than 60 days before the state primary election or fewer than three days before the state general election.
Subp. 5. Training between primary and general elections. An election judge who successfully completes the training required by parts 8240.0100 to 8240.2500 for a state primary election is not required to complete additional training for the

2016 Response:

SECTION D: ELECTION DAY ACTIVITIES

D1. Please describe your state's process for capturing "over-vote" and "under-vote" counts.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Captured on precinct summary statements by office. Results transferred electronically by 60 of 87 counties to the state contain overvote and undervote data.

2016 Response:

Captured on precinct summary statements by office. Expect results transferred electronically by 67 of 87 counties to the state contain overvote and undervote data.

D2. What identification does your state require from voters in the following situations:

a. registering to vote;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

None for pre-registrants who are not 1st time voters in the state registering by mail.
1st time voters in the state registering by mail if county auditor unable to verify using DL/SSN number must show one of the same proofs used for EDRs either to the county auditor prior to election day, or to an election judge in the polling place before being allowed to vote.
Election Day Registrants have multiple methods of documentation they can provide to prove residence.

2016 Response:

b. casting an in-person ballot;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

None for pre-registered voters, unless challenged as unverified 1st time voter in Minnesota who registered by mail.
Election Day Registrants have multiple methods of documentation they can provide to prove residence.

2016 Response:

c. casting a mail-in or absentee vote;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The absentee application contains a MN Driver's License or state ID #, or the last 4 digits of the voter's social security number, or indication they have none of these numbers. The back of the absentee return envelope contains space for the same number. If the identification number on the envelope does not match that on the application, the election judges must compare the signature on both to determine that the ballots were returned by the same person to whom they were transmitted.
Election Day Registrants have multiple methods of documentation they can provide to prove residence.

2016 Response:

d. casting a ballot under UOCAVA;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The FPCA to obtain a ballot contains passport #, MN Driver's License or state ID #, or the last 4 digits of the voter's social security number or oath attesting to truthfulness of application. The back of the UOCAVA return envelope contains space for same number as was placed on the FPCA or oath attesting to truthfulness of contents of certificate. Election judges examine FPCA and certificate on returned ballot envelope. If the identification number on the envelope does not match that on the application, election judges must make reasonable effort to satisfy themselves through other information that the ballots were returned by the same person to whom the ballots were transmitted.

2016 Response:

e. any other stage in registration or voting process in which identification is required (please specify).

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

2016 Response:

D3. Please describe your state's laws regarding access to the polling place for election observers. Election observers are people allowed inside the polling place who are not poll workers, election officials or voters. If decisions on access to observers are left to local jurisdictions, please explain.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

204C.06 CONDUCT IN AND NEAR POLLING PLACES.
Subd. 8. Access for news media. A news media representative may enter a polling place during voting hours only to observe the voting process. A media representative must present photo identification to the head election judge upon arrival at the polling place, along with either a recognized media credential or written statement from a local election official attesting to the media representative's credentials. A media representative must not:
(1) approach within six feet of a voter;
(2) converse with a voter while in the polling place;
(3) make a list of persons voting or not voting; or
(4) interfere with the voting process.
204C.07 CHALLENGERS.
Subdivision 1. Partisan elections. At an election to fill partisan offices, the chair of an authorized committee of each major political party may appoint by written certificate voters from that political party to act as challengers of voters at the polling place for each precinct. Only one challenger from each major political party for each precinct shall be allowed to remain in the polling place at one time.
Subd. 2. Nonpartisan elections. At an election to fill nonpartisan offices, each nonpartisan candidate may appoint by written certificate voters to act as challengers of voters at the polling place for each precinct. Only one challenger for each candidate shall be allowed to remain in the polling place for each precinct at one time.
Subd. 3. Elections on a question. At an election where a question is to be voted upon, the mayor of a city, or the school board of a school district, or the board of supervisors of a town, upon receiving a written petition signed by at least 25 eligible voters, shall appoint by written certificate one voter for each precinct in the municipality, or school district if applicable, to act as a challenger of voters in the polling place for that precinct.
Subd. 3a. Residence requirement. A challenger must be a resident of this state.
Subd. 4. Restrictions on conduct. An election judge may not be appointed as a challenger. The election judges shall permit challengers appointed pursuant to this section to be present in the polling place during the hours of voting and to remain there until the votes are counted and the results declared. No challenger shall handle or inspect registration cards, files, or lists. Challengers shall not prepare in any manner any list of individuals who have or have not voted. They shall not attempt to influence voting in any manner. They shall not converse with a voter except to determine, in the presence of an election judge, whether the voter is eligible to vote in the

2016 Response:

SECTION E: OTHER

E1. Under HAVA, Section 402, states are required to establish and maintain administrative complaint procedures to remedy grievances. Has your state revised its administrative complaint procedures since they were first implemented? If so, how?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No changes.

2016 Response:

E2. Please add any additional comments or information about your state's election administration processes that would help to inform the EAC's interpretation of your data.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

2016 Response:

* The information collection associated with the Election Administration and Voting Survey is required for the EAC to meet its statutory requirements under the Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15301), the National Voter Registration Act (NVRA) (42 U.S.C. 1973gg-1 et seq.), and the Uniformed and Overseas Citizens Absentee Voters Act (UOCAVA) (42 U.S.C. 1973ff-1). Respondent's obligation to reply to this information collection is mandatory as required under NVRA (42 U.S.C. 1973gg-1 et seq.) and UOCAVA (42 U.S.C. 1973ff-1). This part of the information collection is being requested to help the EAC to better understand state laws governing Federal elections. Respondents include the fifty states, the District of Columbia, and the U.S. Territories. This information will be made publicly available on the EAC website (www.eac.gov). According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB Control No. 3265-0006 (expires 04/30/2017). The time required to complete this information collection is estimated to average 59 hours per state response. This estimate includes the time for reviewing the instructions, gathering information, and completing the form. Comments regarding this burden estimate should be sent the U.S. Election Assistance Commission – 2014 Election Administration and Voting Survey, 1335 East West Highway, Suite 4300, Silver Spring MD, 20910.

NOTES – please place longer responses below