

MINNESOTA 2024 LAW ENFORCEMENT QUICK REFERENCE GUIDE



This pocket reference guide contains key penal provisions found within the Minnesota Election Law in Chapters 203 through 211 and other relevant sections.

- Using or threatening force, coercion, or violence against an election official with intent to influence the performance of their duty, or obstructing their access or egress, is a gross misdemeanor.
- Using or threatening force, coercion, or violence to influence a voter's vote, or obstructing voting is a gross misdemeanor.
- Intentionally hindering, interfering with, or preventing an election official from performing their official duties is a gross misdemeanor.

VOTING HOURS

7 a.m.* to 8 p.m.

** In state and federal elections, towns with less than 500 residents are not required to open until 10 a.m., but most choose to open at 7 a.m.*

2024 ELECTION DATES

Presidential Primary Election: March 5

Primary Election: August 13

General Election: November 5

For more election dates:

sos.state.mn.us/election-administration-campaigns/elections-calendar

REPORT SUSPICIOUS BEHAVIOR TO

Your local election official:

sos.state.mn.us/elections-voting/find-county-election-office

Minnesota Secretary of State:

1-877-600-VOTE (8683)

elections.dept@state.mn.us

sos.state.mn.us/elections-voting/secure-and-fair-elections



INTIMIDATION AND INTERFERENCE RELATED TO THE PERFORMANCE OF DUTIES BY AN ELECTION OFFICIAL; PENALTIES

Minn. Stat. § 211B.076

Subdivision 1. **Definition.** For the purposes of this section, "election official" means a member of a canvassing board, the county auditor or municipal clerk charged with duties relating to elections, a member of a ballot board, an election judge, an election judge trainee, or any other individual assigned by a state entity or county or municipal government to perform official duties related to elections.

Subd. 2. **Intimidation.**

(a) A person may not directly or indirectly use or threaten force, coercion, violence, restraint, damage, harm, or loss, including loss of employment or economic reprisal, against another with the intent to influence an election official in the performance of a duty of election administration.

(b) In a civil action brought to prevent and restrain violations of this subdivision or to require the payment of civil penalties, the plaintiff may show that the action or attempted action would cause a reasonable person to feel intimidated. The plaintiff does not need to show that the defendant intended to cause the victim to feel intimidated.

Subd. 3. **Interfering with or hindering the administration of an election.** A person may not intentionally hinder, interfere with, or prevent an election official's performance of a duty related to election administration.

Subd. 4. **Dissemination of personal information about an election official.**

(a) A person may not knowingly and without consent make publicly available, including but not limited

to through the Internet, personal information about an election official or an election official's family or household member if:

- (1) the dissemination poses an imminent and serious threat to the official's safety or the safety of an official's family or household member; and
- (2) the person making the information publicly available knows or reasonably should know of any imminent and serious threat.

(b) As used in this subdivision, "personal information" means the home address of the election official or a member of an election official's family, directions to that home, or photographs of that home.

Subd. 5. **Obstructing access.** A person may not intentionally and physically obstruct an election official's access to or egress from a polling place, meeting of a canvassing board, place where ballots and elections equipment are located or stored, or any other place where the election official performs a duty related to election administration.

Subd. 6. **Tampering with voting equipment.**

(a) A person may not access without authorization, tamper with, or facilitate unauthorized access to or tampering with an electronic voting system, electromechanical voting equipment, or an election night reporting system before, during, or after any election required by law.

(b) A person may not knowingly publish or cause to be published passwords or other confidential information relating to an electronic voting system. In addition to any other remedies and penalties provided by

this section, the secretary of state, county auditor, or municipal clerk must immediately revoke any authorized access rights of a person found to be in violation of this paragraph.

Subd. 7. **Tampering with ballot box.** A person may not willfully tamper with or open a ballot box, including a ballot drop box, except for the purpose of conducting official duties as expressly authorized by law.

Except as otherwise provided, a person who violates any of the above provisions is guilty of a gross misdemeanor.

INTIMIDATION AND INTERFERENCE WITH THE VOTING PROCESS; PENALTIES.

Minn. Stat. § 211B.075

Subdivision 1. **Intimidation.**

(a) A person may not directly or indirectly use or threaten force, coercion, violence, restraint, damage, harm, or loss, including loss of employment or economic reprisal against:

(1) any person with the intent to compel that person to register or abstain from registering to vote, vote or abstain from voting, or vote for or against a candidate or ballot question; or

(2) any person with the intent to impede that person's efforts to encourage another to cast a ballot or assist another in registering to vote, traveling to a polling place, casting a ballot, or participating in any other aspect of the election process.

(b) Notwithstanding paragraph (a), in a civil action brought to prevent and restrain violations of this subdivision or to require the payment of civil penalties, the plaintiff

must demonstrate that the action or attempted action would cause a reasonable person to feel intimidated. The plaintiff does not need to show that the defendant intended to cause the victim to feel intimidated.

Subd. 2. **Deceptive practices.**

(a) No person may, within 60 days of an election, cause information to be transmitted by any means that the person:

- (1) intends to impede or prevent another person from exercising the right to vote; and
- (2) knows to be materially false.

(b) The prohibition in this subdivision includes but is not limited to information regarding the time, place, or manner of holding an election; the qualifications for or restrictions on voter eligibility at an election; and threats to physical safety associated with casting a ballot.

Subd. 3. **Interference with registration or voting.** No person may intentionally hinder, interfere with, or prevent another person from voting, registering to vote, or aiding another person in casting a ballot or registering to vote.

Except as otherwise provided, a person who violates any of the above provisions is guilty of a gross misdemeanor.

UNDUE INFLUENCE ON VOTERS PROHIBITED.

Minn. Stat. § 211B.07

A person may not directly or indirectly use or threaten force, coercion, violence, restraint, damage, harm, loss, including loss of employment or economic reprisal, undue influence, or temporal or spiritual injury against an individual to compel the individual to vote for or against a

candidate or ballot question. Abduction, duress, or fraud may not be used to obstruct or prevent the free exercise of the right to vote of a voter at a primary or election, or compel a voter to vote at a primary or election. Violation of this section is a gross misdemeanor.

CONDUCT IN AND NEAR POLLING PLACES.

Minn. Stat. § 204C.06

Subdivision 1. Persons allowed near polling place.

An individual shall be allowed to go to and from the polling place for the purpose of voting without unlawful interference. No one except an election official or an individual who is waiting to register or to vote or an individual who is conducting exit polling shall stand within 100 feet of the building in which a polling place is located.

Subd. 2. Individuals allowed in polling place; identification. (a) Representatives of the secretary of state's office, the county auditor's office, and the municipal or school district clerk's office may be present at the polling place to observe election procedures. Except for these representatives, election judges, sergeants-at-arms, and challengers, an individual may remain inside the polling place during voting hours only while voting or registering to vote, providing proof of residence for an individual who is registering to vote, or assisting a handicapped voter or a voter who is unable to read English. During voting hours no one except individuals receiving, marking, or depositing ballots shall approach within six feet of a voting booth, ballot counter, or electronic voting equipment, unless lawfully authorized to do so by an election judge or the individual is an election judge monitoring the operation of the ballot counter or electronic voting equipment.

Subd. 3. **Damaging or removing election materials; gross misdemeanor.** No individual shall intentionally:

(a) Tear down, mutilate, deface or otherwise damage during the hours of voting any voter instruction poster placed inside or outside of a polling place by an election judge or other election official; or

(b) Remove from the polling place before the time for voting ends any ballots prepared for use at the election or any supplies or conveniences placed in voting booths for use by the voters, except as authorized by law.

A violation of this subdivision is a gross misdemeanor.

Subd. 4. **Damaging or removing election materials; felony.** No individual shall intentionally:

(a) Remove from a polling place any election file or election register, except as authorized by law;

(b) Damage, deface, or mutilate any ballot, election file or election register or any item of information contained on it, except as authorized by law; or

(c) Add anything to a ballot, election file or election register, except as authorized by law.

A violation of this subdivision is a felony.

Subd. 5. **Sergeant-at-arms.** The election judges may appoint a sergeant-at-arms when necessary to keep the peace or otherwise to assist them. An election judge may request a sergeant-at-arms or a peace officer to arrest or remove from the polling place any individual who, despite a warning to desist, engages in disorderly conduct. A sergeant-at-arms or a peace officer shall not otherwise interfere in any manner with voters.

Subd. 6. **Peace officers.** Except when summoned by an election judge to restore the peace or when voting or registering to vote, no peace officer shall enter or remain in a polling place or stand within 50 feet of the entrance of a polling place.

VIOLATIONS; PENALTIES.

Minn. Stat. § 206.66

Subdivision 1. **Injuring voting machines.** An individual who intentionally injures or attempts to injure or render ineffectual any component of an electronic voting system, or who violates any of the provisions of sections 206.55 to 206.90, is guilty of a felony.

Subd. 2. **Violation of law, rules.** An individual who violates any rules adopted by the secretary of state or by the governing body of a municipality where an electronic voting system is used, or who violates any of the provisions of sections 206.55 to 206.90, is guilty of a gross misdemeanor.

ELECTION DAY PROHIBITIONS.

Minn. Stat. § 211B.11

Subdivision 1. **Soliciting near polling places.** A person may not display campaign material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within a polling place or within 100 feet of the building in which a polling place is situated, or anywhere on the public property on which a polling place is situated, on primary or election day to vote for or refrain from voting for a candidate or ballot question. . . . This section applies to areas established by the county auditor or municipal clerk for absentee voting as provided in chapter 203B.

Subd. 4. **Penalty.** Violation of this section is a petty misdemeanor.

ABSENTEE BALLOT DROP BOXES; SECURITY AND INTEGRITY.

Minn. Stat. § 203B.082

Subd. 4. **Electioneering prohibited.** Section 211B.11 applies to conduct within 100 feet of an absentee ballot drop box established under this section.

COUNTING VOTES; PENALTY.

Minn. Stat. § 204C.19

Subdivision 1. **Procedure.** When the hours for voting have ended and all voting has concluded, the election judges shall immediately count the votes cast at the election. The count shall be held at the polling place and shall be public. It shall be continued without intermission until it is completed and the results are declared, except that the election judges may recess for meals or other necessary purposes. During the count no one except the election judges shall handle the ballots. Any other individual who touches or interferes with ballots during the counting or any election judge who permits such touching or interference is guilty of a misdemeanor.

NEGLECT OF DUTY; OTHER OFFENSES BY ELECTION OFFICIALS; PENALTY.

Minn. Stat. § 204C.41

An election officer or other individual required by law to safely keep and produce ballots on election day or to perform any other act, who intentionally fails or refuses to perform the act required, or who is required by law to abstain from any act, and intentionally does the act, or who in either of these cases is guilty of fraud, corruption, partiality or misbehavior in conducting or aiding in the conduct of an election, or in counting or making returns of votes, or who wrongfully refuses to make or deliver a

certificate of election, or who falsely or corruptly performs any required act, for which a punishment has not been otherwise expressly provided for by law, is guilty of a felony.

UNLAWFUL VOTING; PENALTY.

Minn. Stat. § 204C.14

Subdivision 1. **Violations; penalty.** No individual shall intentionally:

- (a) Misrepresent the individual's identity in applying for a ballot, depositing a ballot in a ballot box or attempting to vote by means of a voting machine or electronic voting system;
- (b) Vote more than once at the same election;
- (c) Put a ballot in a ballot box for any illegal purpose;
- (d) Give more than one ballot of the same kind to an election judge to be placed in a ballot box;
- (e) Aid, abet, counsel or procure another to go into any precinct for the purpose of voting in that precinct, knowing that the other individual is not eligible to vote in that precinct; or
- (f) Aid, abet, counsel or procure another to do any act in violation of this section.

A violation of this section is a felony.

DANGEROUS WEAPONS.

Minn. Stat. § 609.66

Subd. 1d. **Possession on school property; penalty.**

(a) Except as provided [in the exceptions below], whoever possesses, stores, or keeps a dangerous weapon while knowingly on school property is guilty of a felony and may be sentenced to imprisonment for not more than five

years or to payment of a fine of not more than \$10,000, or both.

Exceptions include active licensed peace officers; on-duty military personnel performing official duties; firearm safety courses on school property; authorized ceremonial activities or shows; individuals with express permission of the principal or other school authority; and other authorized persons under §609.66 (f).

Subd. 1g. **Felony; possession in courthouse or certain state buildings.**

(a) A person who commits either of the following acts is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both:

- (1) possesses a dangerous weapon, ammunition, or explosives within any courthouse complex; or
- (2) possesses a dangerous weapon, ammunition, or explosives in any state building within the Capitol Area described in chapter 15B, other than the National Guard Armory.

(b) Unless a person is otherwise prohibited or restricted by other law to possess a dangerous weapon, this subdivision does not apply to [the below exceptions]:

Exceptions include licensed peace officers; military personnel performing official duties; licensed authorized individuals who notify relevant officials as appropriate; persons who are displaying the weapons as evidence during a trial or hearing in compliance with established advance notice and safety guidelines; or persons who have the express consent of the county sheriff or the commissioner of public safety.



Committee for

**SAFE AND SECURE
ELECTIONS**

