8290.0100 DEFINITIONS.

Subpart 1. **Terms.** For purposes of this chapter, the terms defined in this part have the meanings given them.

Subp. 2. **Actual address.** "Actual address" means a residential street address in Minnesota of an individual, as specified on the individual's application to be a program participant under this chapter. It also means a school or work address of that individual, if specified on the application.

Subp. 3. **Applicant.** "Applicant" means an adult, a parent or guardian acting on behalf of an eligible minor, or a guardian acting on behalf of an incapacitated person, as defined in Minnesota Statutes, section 524.5-102.

Subp. 4. **Application assistant.** "Application assistant" means a staff person designated by the secretary of state or a person employed by a community-based program as defined in subpart 7 who has completed the training for application assistants approved by the secretary of state.

Subp. 5. **Certification.** "Certification" means that the secretary of state has determined that the eligible person meets the requirements for entering into or continuing in the program.

Subp. 6. **Change of identity.** "Change of identity" means that the program participant has changed the participant's name and Social Security number in an attempt to sever all connections to a previous name.

Subp. 7. **Community-based program.** "Community-based program" means an office, institution, or center whose mission consists substantially of offering assistance to survivors of domestic violence, sexual assault, stalking, or crimes of violence.

Subp. 8. **Criminal justice system management.** "Criminal justice system management" means the eligible person:

A. has been convicted of a crime; or

B. has pled guilty to a crime; or

C. has been adjudicated of a crime; or

D. has pled no contest to a crime; and

E. is under supervision for that crime, and that supervision has residency-related conditions.

Subp. 9. **Designated address.** "Designated address" means the address assigned to the program participant by the secretary of state, including the lot number, to be used by public and private persons other than the Safe at Home program.

Subp. 10. **Domestic violence.** "Domestic violence" means an act as defined in Minnesota Statutes, section 518B.01, subdivision 2, paragraph (a), or the threat of such acts, regardless of whether these acts or threats have been reported to law enforcement officers.

Subp. 11. **Eligible person.** "Eligible person" means an adult, a minor, or an incapacitated person, as defined in Minnesota Statutes, section 524.5-102, who is not a person registered or required to register as a predatory offender under Minnesota Statutes, section 243.166 or 243.167, or the law of another jurisdiction, and for whom there is good reason to believe:

A. that the eligible person is a victim of domestic violence, sexual assault, or stalking; or

B. that the applicant fears for the applicant's safety or the safety of persons on whose behalf the application is made.

Subp. 12. **Lot number.** "Lot number" means the specific identifier assigned by the secretary of state to a program participant for use in sorting mail and confirming

program participation in accordance with Minnesota Statutes, section 5B.03, subdivision 1, clause (7).

Subp. 13. **Mail.** "Mail" means first class letters and flats delivered via the United States Postal Service, including priority, express, and certified mail, and excluding packages, parcels, periodicals, and catalogs, unless they are clearly identifiable as pharmaceuticals or clearly indicate that they are sent by a government agency, that are specifically addressed to a program participant and delivered to the designated address by the United States Postal Service.

Subp. 14. **Mailing address.** "Mailing address" means the actual residential street address to which the secretary of state must forward a program participant's mail, except in those cases where the United States Postal Service provides no delivery service to the actual residential address, in which case it means another address designated by the program participant.

Subp. 15. **Minor child.** "Minor child" means an individual who has not attained the age of 18, residing with or under the guardianship of an adult applicant or program participant.

Subp. 16. **Program participant.** "Program participant" means an individual certified as a program participant under Minnesota Statutes, section 5B.03.

Subp. 17. **Program participant voter.** "Program participant voter" means a program participant who is eligible to vote under Minnesota law who registers to vote as an ongoing absentee voter under part 8290.1300.

Subp. 18. **Safe at Home.** "Safe at Home" is the program authorized by Minnesota Statutes, chapter 5B.

Subp. 19. **Safe at Home card.** "Safe at Home card" means the official participation card issued by the secretary of state to each program participant, which must state the

program participant's name, date of birth, designated address, certification expiration date, and a space for the signature of the program participant.

Subp. 20. **School.** "School" means any elementary or secondary educational institution.

Subp. 21. **Sexual assault.** "Sexual assault" means acts criminalized under Minnesota Statutes, sections 609.342 to 609.3453 and 609.352, or the threat of such acts, regardless of whether these acts or threats have been reported to law enforcement officers.

Subp. 22. **Stalking.** "Stalking" means acts criminalized under Minnesota Statutes, section 609.749, or the threat of such acts, regardless of whether these acts or threats have been reported to law enforcement officers.

8290.0200 APPLICATION.

Subpart 1. **Certification of program participant.** The secretary of state shall certify an eligible person as a program participant when the secretary of state receives a properly executed application that contains:

A. the full legal name and date of birth of the eligible person;

B. the name and contact data of the applicant, if different;

C. a listing of all minor children residing at the actual address, each minor child's full legal name, each minor child's date of birth, and each minor child's relationship to the applicant;

D. a statement by the applicant that the applicant has good reason to believe that the eligible person is not applying for certification as a program participant in order to avoid prosecution for a crime and either:

(1) that the eligible person listed on the application has survived domestic violence, sexual assault, or stalking; or

5.1 (2) that the applicant fears for the eligible person's safety;

5.2 E. a designation of the secretary of state as agent for purpose of service of
5.3 process and for the purpose of receipt of mail;

5.4 F. the mailing address and the telephone number or numbers at which the
5.5 eligible person can be contacted by the secretary of state;

5.6 G. the actual address or addresses of the eligible person that the applicant
5.7 requests not be disclosed for the reason that disclosure increases the risk of domestic
5.8 violence, sexual assault, stalking, or other risks to safety;

5.9 H. a statement that the program participant shall not disclose the participant's
5.10 actual address or addresses to the batterer, stalker, or perpetrator of sexual assault, or
5.11 other persons the participant fears;

5.12 I. the number of motor vehicles owned by the eligible persons for whom the
5.13 applicant is applying;

5.14 J. a statement that the applicant understands that a program participant's voting
5.15 record cannot be active in the statewide voter registration system;

5.16 K. a statement whether the eligible person is currently the subject of any
5.17 pending or ongoing criminal actions, and, if so, the prosecuting authority and consent
5.18 for the secretary of state to forward notice of the participant's designated address, to
5.19 the prosecuting authority;

5.20 L. a statement that the eligible person agrees to provide an actual address, upon
5.21 request, to any supervising person if the eligible person is or becomes subject to criminal
5.22 justice system management;

5.23 M. a statement that the eligible person is not a person registered or required to
5.24 register as a predatory offender under Minnesota Statutes, section 243.166 or 243.167, or
5.25 the law of another jurisdiction;

N. the signature of the applicant and the date signed; and

O. the signature of the application assistant and the date signed.

Subp. 2. **Completion.** The application must be completed in the presence of an application assistant.

Subp. 3. **Duties of applicant.** The applicant must provide all the information required on the application and indicate the applicant's relationship with the eligible person. The applicant must initial next to each item in the application to indicate that the applicant agrees to those provisions.

Subp. 4. **Proof of identity.** The applicant must also prove the applicant's identity by showing photo identification to the application assistant or must indicate on the application that the applicant does not possess photo identification.

Subp. 5. **Notification to prosecuting authority.** If the applicant discloses on the application that the eligible person is currently the subject of pending or ongoing criminal legal action, at the time of the application, the applicant must complete a form letter to notify each prosecuting authority for the pending or ongoing criminal action of the designated address and the designation of the secretary of state as agent for purposes of service of process. The secretary of state must provide form letters to all application assistants. The form letter must include a statement that any prospective service of process must be clearly labeled as service of process on the exterior of the envelope containing the service.

Subp. 6. **Submission by application assistant.** The application assistant shall submit completed applications and any additional materials by first class mail to the secretary of state.

Subp. 7. **Missing information.** If the completed application does not meet the requirements of this part, the secretary of state shall contact the applicant listed on the

application to obtain the missing information. The eligible person shall be certified only if the missing information is provided.

Subp. 8. **Effective date.** A properly completed application is effective on the day it is reviewed and certified by the secretary of state.

Subp. 9. **Voter registration through secretary of state.** At the time of application, the application assistant must also offer the applicant the opportunity to register to vote as an ongoing absentee voter with the secretary of state, pursuant to part 8290.1300 and Minnesota Statutes, section 5B.06. A voter registration application filled out in the presence of an application assistant and submitted by an application assistant is not considered registration by mail as provided in Minnesota Statutes, section 201.061.

Subp. 10. **Penalties.** A person who falsely attests in an application or who knowingly provides false or incorrect information upon making an application is subject to penalties under Minnesota Statutes, section 5.15, cancellation of program certification, or both.

8290.0300 CERTIFICATION OF PROGRAM PARTICIPANT.

Subpart 1. **Certification.** An eligible person or a minor child residing at the actual address for whom a properly completed application or renewal is filed shall be certified by the secretary of state as a program participant.

Subp. 2. **Duration.** A program participant is certified for four years following the date the application or renewal is certified unless the certification is canceled or withdrawn before that date.

Subp. 3. **Duties of secretary of state and program participant.** Upon certification, the secretary of state shall, within two business days, issue and mail a Safe at Home card to the program participant's mailing address with instructions on how to use the Safe at Home card. Upon receipt, the program participant must immediately sign the Safe at

Home card. A program participant under the age of 11 may have the card signed by the adult responsible for the participant.

Subp. 4. **Communication; verification of identity.** The secretary of state must verify the identity of the applicant or program participant before discussing by telephone or electronic mail any data related to certification or otherwise related to the applicant or program participant.

Subp. 5. **Notification to other parties.** If an application submitted to the secretary of state discloses that the eligible person is the subject of a pending or ongoing criminal legal action, the applicant or eligible person must have completed and submitted with the application the form letter referenced in part 8290.0200, subpart 5. The secretary of state must mail the letter to the appropriate prosecuting authority. If compliance with this subpart is necessary and the letters have not been submitted to the secretary of state, the secretary of state shall certify the program participant, and provide the program participant with new form letters and instructions on how they must be used. Failure by the applicant to provide these letters to the secretary of state within five business days after the secretary of state mails notice of the certification to the program participant shall lead to cancellation pursuant to part 8290.0900.

Subp. 6. **Lost or stolen card.** A program participant shall contact the secretary of state whenever a Safe at Home card is lost or stolen. The secretary of state shall issue a replacement Safe at Home card to the program participant. If a card is found by a program participant after being reported lost or stolen, the program participant shall return the card to the secretary of state.

8290.0400 DESIGNATED ADDRESS.

Subpart 1. **Address and program status.** Every public or private person or entity shall accept the designated address as the true address of the program participant. Presentation of the Safe at Home card creates a rebuttable presumption that the individual

listed on the card is a program participant. A program participant is not required to respond to any question a public or private person puts to the program participant about the details or circumstances of the person's inclusion in the program. The public or private person or entity may contact the secretary of state for information on the program.

Subp. 2. **Request.** The program participant, and not the secretary of state, is responsible for requesting the use of the designated address by any public or private person or entity as the address of the program participant.

Subp. 3. **Secretary of state as agent.** The secretary of state is the agent for receipt of all mail sent by public and private persons and entities to the program participants at the designated address.

Subp. 4. **Mail to be forwarded.** All mail specifically addressed to the program participant at the designated address must be forwarded at least every second business day to the participant at the participant's mailing address. Envelopes containing the mail being forwarded must be marked "Return Service Requested." The secretary of state is not required to forward mail if the mail is not specifically addressed to a program participant.

Subp. 5. **Short-term mail hold.** The secretary of state may hold a participant's mail for up to three days upon request of the program participant. The secretary of state may hold a participant's mail for up to a total of three weeks if the participant has sent a signed, written mail hold request to the secretary of state that includes a statement that the participant understands that the participant is personally responsible for any consequences of the delay in mail delivery, and a telephone number at which the participant can be reached. Upon receipt of a written request, the secretary of state must compare the signature of the program participant or applicant on the request with the signature on the original application and conclude that the signatures are the same. The mail hold is effective the date the secretary of state receives the request, unless the participant has indicated an alternate effective date.

10.1 Subp. 6. **Limited circumstances of use of actual address.**

10.2 A. In cases in which a public or private person or entity must under federal law
10.3 obtain a program participant's actual address, the program participant must provide the
10.4 program participant's actual address, in addition to the designated address.

10.5 B. For those services delivered to an actual address or tied to residency in a
10.6 particular jurisdiction, the public or private person must request only that portion of the
10.7 actual address required in order to provide those services, in addition to the designated
10.8 address.

10.9 C. A program participant who is subject to criminal justice system management
10.10 must, upon request, supply the program participant's actual address to the participant's
10.11 supervising person, in addition to the designated address.

10.12 D. In cases in which all or part of the actual address has been disclosed pursuant
10.13 to item A, B, or C, the designated address must be used as the address of the program
10.14 participant by the public or private person or entity for all purposes where the actual
10.15 address is not specifically required.

10.16 E. The secretary of state, upon request of the public or private person, shall
10.17 suggest measures that shall assist in protecting the actual address and the program
10.18 participant's name against disclosure in any way. Measures may include, but are not
10.19 limited to, assigning a pseudonym to the program participant; suppressing the program
10.20 participant's name on records; keeping the actual address in the program participant's
10.21 paper file, but not entering it into a database; and making the records password protected
10.22 and limiting access to them to a small pool of staff.

10.23 Subp. 7. **Availability to law enforcement.** The secretary of state shall be available
10.24 at all times to fulfill the requirements of Minnesota Statutes, section 5B.07, subdivision 2,
10.25 in exigent circumstances.

8290.0500 SERVICE OF PROCESS.

Subpart 1. **Secretary of state as agent.** The secretary of state shall be an agent of the program participant upon whom any summons, writ, notice, demand, or process may be served. The secretary of state shall not charge a fee for accepting service.

Subp. 2. **Service by mail.** Service on the secretary of state of any such summons, writ, notice, demand, or process must be made by mailing the summons, writ, notice, demand, or process to the designated address. If an envelope enclosing the summons, writ, notice, demand, or process is clearly labeled as service of process on the outside of the envelope and is served by first class or certified mail on the secretary of state, the secretary of state shall forward the service to the program participant no later than the next business day. As the secretary of state is the agent for service of process, the signed receipt of certified mail by the secretary of state constitutes proof of service on the program participant and commences the time in which responsive pleadings must be filed.

Subp. 3. **Service in person.** In the event that personal service of any document is required by law, that document may be served by delivering the document to any public counter of the Office of the Secretary of State. The secretary of state must forward the service to the program participant no later than the next business day. As the secretary of state is the agent for service of process, an affidavit of service on the secretary of state constitutes proof of service on the program participant and commences the time in which responsive pleadings must be filed.

Subp. 4. **Record.** The secretary of state shall maintain, in the program participant's file, a record of services served upon the secretary of state for that participant. The secretary of state shall include in the file the action taken on that service, including the name of the program participant to whom the service is directed, the date of receipt, the date of mailing, a unique identifying service number for the mailing, and whether the mailing was returned to the secretary of state as undeliverable.

8290.0600 ATTAINING AGE OF MAJORITY.

Subpart 1. **Certification continued.** When a program participant reaches the age of 18, certification shall not be terminated until the expiration date, unless the certification is canceled or withdrawn before that date.

Subp. 2. **Responsibility for information changes.** An individual who became a program participant as a minor child assumes responsibility for information changes pursuant to part 8290.0700 and renewal pursuant to part 8290.1100 when the individual reaches the age of 18.

Subp. 3. **Address change; reapplication or withdrawal.** A program participant who reaches the age of 18 must reapply or withdraw if the participant establishes a new residence separate from the adult participant who applied for certification on the participant's behalf when the program participant was a minor.

Subp. 4. **Reapplication.** Program participants who reach the age of 18 who have withdrawn or whose certification expires or has expired may reapply on their own behalf.

8290.0700 CHANGES IN PROGRAM PARTICIPANT INFORMATION.

Subpart 1. **Notification of personal contact changes.** A program participant or applicant shall send signed, written notification of a change of mailing or actual address, telephone number, or permanent contact data to the secretary of state.

Subp. 2. **Additional minor children.** If a program participant sends signed, written notification to the secretary of state that the program participant is now responsible for additional minor children, the secretary of state must certify the minor children as program participants and issue them Safe at Home cards.

Subp. 3. **Notification of name changes.** If the name of a program participant changes, the program participant or applicant shall send signed, written notification to the secretary of state along with a copy of the court order and the program participant's

Safe at Home card or a statement that the program participant has misplaced the Safe at Home card. The secretary of state must send a Safe at Home card with the participant's new legal name to the participant within two business days of receiving notification under this subpart and conducting the verification required by subpart 4.

Subp. 4. **Signature verification.** Before making changes in information effective, the secretary of state must compare the signature of the program participant or applicant on the notification of the change with the signature on the original application and conclude that the signatures are the same.

Subp. 5. **Change in identity.** On or before the effective date of a change in identity, a program participant or an applicant, if different, must withdraw from Safe at Home pursuant to part 8290.1000. The program participant or applicant may apply for recertification in Safe at Home under the new identity.

8290.0800 TRANSFER OF SCHOOL RECORDS.

Subpart 1. **Participant request.** A parent or guardian of a program participant who is a student in an elementary or secondary school in Minnesota, or a student in a secondary school in Minnesota who is a program participant who has reached the age of majority, may submit a records transfer request to the secretary of state which shall consist of written consent for: (1) the secretary of state to request the student's records from the student's previous school; (2) the student's previous school to provide the student's records to the secretary of state; and (3) the secretary of state to send the records to the student's new school. If it is in receipt of a records transfer request, the secretary of state must request the student's records from the student's previous school and provide the student's previous school with the parent's, guardian's, or student's written consent for the school to provide the student's records to the secretary of state. A school that receives such a request must send the student's records to the secretary of state within the time frame required by

Minnesota Statutes, section 120A.22, subdivision 7. The secretary of state must forward the records to the student's new school as soon as practicable after receipt.

Subp. 2. **School request.** If a school makes a request of the secretary of state to facilitate the transfer of records for a student who is a program participant, the secretary of state must provide the program participant's parent or guardian or the program participant, if the program participant has reached the age of majority, with the opportunity to provide a records transfer request to the secretary of state, in accordance with subpart 1.

8290.0900 FAILURE TO NOTIFY SECRETARY OF STATE OF CHANGES IN INFORMATION; CANCELLATION.

Subpart 1. **Warning by secretary of state.** If mail forwarded by the secretary of state to the program participant is undeliverable, or if the program participant has not complied with part 8290.0300, subpart 5, within five business days after the secretary of state mails notice of the certification to the program participant, then the secretary of state must contact the program participant or applicant, if different, to request that the program participant or applicant provide the secretary of state written notice of a change of address, or, where applicable, comply with part 8290.0300, subpart 5, and state that if the program participant or applicant fails to comply within five business days, the program participant's certification shall be canceled and the former program participant must return any Safe at Home cards in the participant's possession.

Subp. 2. **Cancellation.** If the program participant or applicant fails to provide the secretary of state with an updated address, or to comply with part 8290.0300, subpart 5, within five business days after the written notice is sent, the secretary of state must cancel the certification of the program participant. If a program participant or applicant provides false information when applying for certification or renewal, or on a change of information notice, the secretary of state must cancel the certification of the program participant.

Subp. 3. **Cancellation of program certification without recourse.** The secretary of state must cancel a program participant's certification if a program participant or applicant is found by a court to have knowingly provided false information when applying for certification or renewal, or on a change of information notice. The court may include in the finding a restriction or prohibition on reapplication to Safe at Home. The secretary of state shall inform the former program participant that the Safe at Home card must be returned immediately. Upon receiving the court findings and sending the notice, the secretary of state shall execute these actions.

Subp. 4. **Return of mail.** If the certification of the program participant is canceled, mail addressed to the program participant must be returned to the sender.

8290.1000 WITHDRAWAL OF PROGRAM CERTIFICATION.

Subpart 1. **Withdrawal request.**

A. A program participant or an applicant, if different, may withdraw from Safe at Home by submitting a signed withdrawal request along with any Safe at Home cards or a signed statement that the participant's Safe at Home card has been misplaced.

B. The withdrawal request shall include a statement that the program participant or applicant:

(1) wants to withdraw from Safe at Home; and

(2) understands that it is the responsibility of the program participant or applicant, if different, to notify all persons of a new mailing address at which the participant can be contacted.

C. If the program participant is responsible for minor children who are program participants, the program participant shall list the names of any minor children who are being withdrawn from the program on the withdrawal request.

D. The program participant or applicant may designate a period during which mail will be forwarded of up to 30 days immediately following the date on which the withdrawal is effective and may provide an address to which mail should be forwarded for this period, if different than the mailing address on record.

E. The program participant or applicant may include the date on which the participant would like the withdrawal to be effective.

Subp. 2. **Signature verification.** Before terminating a program participant's certification, the secretary of state must compare the signature of the program participant or applicant on the withdrawal request with the signature on the original application and conclude that the signatures are the same.

Subp. 3. **Termination.** Certification as a program participant shall be terminated upon withdrawal. The termination is effective on the day the withdrawal request is received by the secretary of state, unless the participant designated a different effective date on the withdrawal request.

Subp. 4. **Mail forwarding.** Mail received at the designated address for the program participant other than mail designated "Do Not Forward," "Return Service Requested," or similarly designated, must be forwarded to the program participant for 30 days after the effective date of withdrawal, unless the program participant or applicant has designated a shorter period. After 30 days mail must be returned to the sender.

Subp. 5. **Reapplication.** A program participant whose certification is withdrawn may reapply or have an applicant reapply on the program participant's behalf pursuant to part 8290.0200.

8290.1100 RENEWAL OF PROGRAM CERTIFICATION.

Subpart 1. **Notification of option to renew.**

A. At least 30 days before the expiration of the certification, the secretary of state shall inform the program participant or applicant, if different, of the option of renewing certification in Safe at Home by sending a renewal form by first class mail to the program participant's mailing address. The notice must provide instructions to the program participant on what actions to take upon expiration, including the return of the Safe at Home card and notification to public and private persons of the actual address, and that the designated address is no longer the address of the program participant. If the secretary of state has not received a renewal form ten days before the expiration of the program participant's certification, the secretary of state must mail a notice to the program participant reminding the program participant of the option to renew.

B. Along with the renewal form sent 30 days prior to expiration, the secretary of state must also offer the program participant the opportunity to register to vote as an ongoing absentee voter with the secretary of state, pursuant to part 8290.1300 and Minnesota Statutes, section 5B.06, if the program participant has not already done so.

Subp. 2. **Application.** The secretary of state shall renew the certification of a program participant when the secretary of state receives a certification renewal form from that program participant or applicant, if different. The application must contain:

A. the full legal name and date of birth of the program participant;

B. the name and contact data of the applicant, if different;

C. a listing of any minor children residing at the actual address, each minor child's full legal name, each minor child's date of birth, and each minor child's relationship to the applicant;

D. a statement by the program participant or applicant that the program participant or applicant has good reason to believe that the eligible person is not applying for renewed certification as a program participant in order to avoid prosecution for a crime and either:

18.1 (1) that the eligible person listed on the renewal has survived domestic
18.2 violence, sexual assault, or stalking; or

18.3 (2) that the program participant or applicant fears for the eligible person's
18.4 safety;

18.5 E. a designation of the secretary of state as agent for purpose of service of
18.6 process and for the purpose of receipt of mail;

18.7 F. the mailing address and the telephone number or numbers at which the
18.8 program participant can be contacted by the secretary of state;

18.9 G. the actual address of the eligible person that the program participant or
18.10 applicant requests not be disclosed for the reason that disclosure shall increase the risk of
18.11 domestic violence, sexual assault, stalking, or other risks to safety;

18.12 H. an indication that the program participant shall not disclose the actual
18.13 address or addresses to the batterer, stalker, or perpetrator of sexual assault, or other
18.14 persons the participant fears;

18.15 I. the number of motor vehicles owned by the eligible persons for whom the
18.16 applicant is applying;

18.17 J. a statement that the eligible person agrees to provide the actual address, upon
18.18 request, to any supervising person if the eligible person is or becomes subject to criminal
18.19 justice system management;

18.20 K. a statement that the applicant understands that a program participant's voting
18.21 record cannot be active in the statewide voter registration system;

18.22 L. a statement that the eligible person is not a person registered or required to
18.23 register as a predatory offender under Minnesota Statutes, section 243.166 or 243.167, or
18.24 the law of another jurisdiction; and

M. the signature of the program participant or applicant, if different, and the date signed.

Subp. 3. **Duties of applicant.** The program participant or applicant, if different, must provide all the information required by subpart 2 in the renewal, and date and sign the renewal.

Subp. 4. **Completed renewals to be mailed.** The program participant or applicant must submit completed renewals and any additional materials by first class mail to the secretary of state.

Subp. 5. **Missing information.** If the completed renewal does not meet the requirements of this part, the secretary of state shall contact the program participant or applicant to obtain the missing information.

Subp. 6. **Effective date.** A properly completed renewal postmarked on or before the expiration date is effective on the day it is reviewed and certified by the secretary of state.

Subp. 7. **Duties of secretary of state and program participants.** The secretary of state must send new Safe at Home cards with updated expiration dates within two business days of renewing a program participant's certification. Upon receipt, the program participant must immediately sign the Safe at Home card. A program participant under the age of 11 may have the card signed by the adult responsible for that person.

Subp. 8. **Penalties.** A person who falsely attests in a renewal or who knowingly provides false information upon making an application for renewal is subject to penalties under Minnesota Statutes, section 5.15, cancellation of program certification, or both.

8290.1200 EXPIRATION OF PROGRAM CERTIFICATION.

When the term of a program participant expires, the program participant is no longer certified in Safe at Home. The secretary of state must forward mail to the former program

participant's mailing address for five days after the expiration date. After that five-day period, the secretary of state must return all mail to the sender.

8290.1300 VOTING BY PROGRAM PARTICIPANT.

Subpart 1. **Internal procedures.** The secretary of state shall establish internal procedures designed to facilitate voting by program participants that minimize the number of persons with access to program participant data while maintaining the integrity of the election process.

Subp. 2. **Absentee ballot recipient status.** A program participant who is eligible to vote may register to vote with the secretary of state as an ongoing absentee voter pursuant to Minnesota Statutes, section 5B.06. The secretary of state shall maintain a record of each program participant registering to vote as an ongoing absentee voter.

Subp. 3. **Identification of program participant voters.** Whenever the secretary of state is notified that an election will be taking place, the secretary of state must, at least 45 days before the election, or in the case of a special election, within two business days after it is scheduled, identify all program participant voters who live in the jurisdiction.

Subp. 4. **Review and removal from voter registration system.** Upon certification of an application and again prior to each election in which the program participant is eligible to vote, the secretary of state must review the statewide voter registration system to ensure that the program participant voter is not listed in that system at the actual address. If a program participant voter is listed in the statewide voter registration system, the secretary of state must notify the participant that the participant is not allowed to vote as an ongoing absentee voter through Safe at Home until the participant's current voter record is removed from the statewide voter registration system and provide instructions on how to get the record removed.

Subp. 5. **Absentee ballot request form.** The secretary of state shall provide program participant voters not currently registered in the statewide voter registration system at

the actual address with an absentee ballot request form for each election in which the program participant is eligible to vote. Notwithstanding parts 8210.0200, 8210.0500, and 8210.0700, in order to receive a ballot, the program participant must return the absentee ballot request form to the secretary of state. A program participant voter must provide, in lieu of the verification process under the Help America Vote Act, a copy of the photo identification with the absentee ballot request form if the program participant voter's registration:

A. was not submitted by an application assistant;

B. the statewide voter registration system indicates that the program participant voter has not previously voted in a federal election in Minnesota;

C. the application states that the participant possesses photo identification; and

D. the program participant voter has not provided the secretary of state with a photocopy of photo identification.

Upon receiving the absentee ballot request form, the secretary of state must communicate to the appropriate election administrator of each jurisdiction for which requests have been received the number of ballots necessary for each jurisdiction. Notwithstanding parts 8210.0200, 8210.0500, and 8210.0700, the election administrator must provide the appropriate ballots for that election to the secretary of state.

Subp. 6. **Ballot distribution.** The secretary of state must forward the requested ballots to each program participant voter by first class mail, accompanied by absentee ballot instructions, a secrecy envelope, and a return envelope addressed to the secretary of state.

Subp. 7. **Return of undeliverable ballots.** If the absentee ballot of any program participant is declared undeliverable by the United States Postal Service, the secretary of state must return those materials to the appropriate county auditor.

Subp. 8. **Ballot handling.**

A. Notwithstanding parts 8210.0200, 8210.0500, and 8210.0700, program participant voters must submit their return ballot envelopes to the secretary of state.

B. If the program participant voter submits a return ballot envelope, the secretary of state must review the original return envelope to determine whether the secretary of state is satisfied that the program participant voter's name and signature on the original return envelope appear in substantially the same form as on the absentee ballot request form described in subpart 5 and that the certificate on the original return envelope is properly executed.

C. The secretary of state must remove the secrecy envelope from the return envelope received from the program participant voter and transfer the secrecy envelope to a blank, unused return envelope with the verification certificate printed on it. The secretary of state must complete and sign the verification certificate. The verification certificate includes the county, municipality, ward, and precinct/school district combination and states that the ballot is provided for a Safe at Home participant voter, whether the secretary of state is satisfied that the program participant voter's name and signature on the return envelope appear in substantially the same form as on the absentee ballot request form described in subpart 5, and whether the certificate on the return envelope is properly executed. The secretary of state must then forward these materials to the county auditor.

Subp. 9. **County auditor to forward ballot.** The county auditor shall forward the substituted return envelope bearing the verification certificate to the municipal or school district clerk.

Subp. 10. **Receipt and counting of ballots.** The municipality or school district clerk shall forward the verification certificate and substituted return envelope to the precinct. The election judges in the precinct must review the verification certificate and may only reject the absentee ballot if the verification certificate indicates that the secretary of state

23.1 was not satisfied that the program participant voter met the requirements of this part. If the
23.2 election judges accept the ballot, they must write "SAH" followed by a sequential number
23.3 for each Safe at Home ballot processed and "AB" on the election day registration roster
23.4 page. An accepted ballot is counted in the polling place as any other registered absentee
23.5 ballot for statistical purposes.

23.6 Subp. 11. **Review and determination by secretary of state.** By March 31 of each
23.7 year, the secretary of state must determine whether any program participant voters who cast
23.8 ballots in the preceding 12-month period are recorded in the statewide voter registration
23.9 system as having both a record of casting a ballot under this part and also voting in the
23.10 same election. If it is found that a program participant voter casting a ballot under this part
23.11 also has a voting history record for the same election in the statewide voter registration
23.12 system, the secretary of state shall notify the appropriate county attorney of that fact.

23.13 Subp. 12. **Cessation of ongoing absentee ballot status.** The secretary of state must
23.14 revoke the program participant voter's ongoing ballot status under this part until the county
23.15 attorney confirms that the issue has been resolved in favor of the program participant if
23.16 voting records under this part and voting history records in the statewide voter registration
23.17 system show that the program participant voter has not only cast a ballot under this part
23.18 but also voted in the same election by other means.

23.19 Subp. 13. **Record keeping.** The secretary of state must maintain a record for each
23.20 election with the number of ballots requested by precinct/school district combinations,
23.21 blank ballots received from each county auditor, assembled ballots sent to program
23.22 participant voters, ballots returned as undeliverable, ballot envelopes returned by program
23.23 participant voters to the secretary of state, and substituted return envelopes created by
23.24 the secretary of state.

Subp. 14. **Biennial report.** By April 30 of each odd-numbered year, the secretary of state shall issue a report on the activities of program participant voters during the period of two calendar years ending on December 31 preceding the report date.

8290.1400 SUMMARY DATA.

For purposes of collecting state aid on motor vehicles pursuant to Minnesota Statutes, section 163.051, the secretary of state shall issue to the Department of Public Safety and to the Minnesota Department of Transportation a table containing summary data by county on the number of motor vehicles reported as owned by program participants residing in each county. The table must be used only for the purposes of issuing state aid on motor vehicles and wheelage tax administration.

8290.1500 APPLICATION ASSISTANT ACCREDITATION.

Subpart 1. **Role of community-based programs.** The role of the community-based programs in Safe at Home is to select application assistants to explain to an applicant the program's services and limitations, explain to an applicant the program participant's responsibilities, and assist applicants in the completion of application materials.

Subp. 2. **When awarded.** Application assistant accreditation shall be awarded by the secretary of state when:

A. the prospective application assistant:

(1) completes an application that includes the prospective application assistant's name, business mailing address, business telephone number, and business e-mail address, if available; the community-based program at which the application assistant is employed and a contact name for the community-based program; a statement that the application assistant provides direct advocacy services to victims as a substantial part of the application assistant's current job duties; an agreement to adhere to the instructions and terms provided in the application assistant agreement; and an agreement

25.1 not to discriminate against any applicant or program participant because of race, creed,
25.2 religion, color, national origin, gender, marital status, sexual orientation, status with regard
25.3 to public assistance, age, or mental, physical, or sensory disability;

25.4 (2) submits the completed application, with a statement from the
25.5 community-based program as described in item B, to the secretary of state; and

25.6 (3) successfully completes a program orientation or training session
25.7 sponsored by or on behalf of the secretary of state; and

25.8 B. the community-based program confirms that the application assistant is
25.9 employed by the community-based program and agrees to designate a contact for the
25.10 community-based program. The program must have a person authorized to act on behalf
25.11 of the organization execute the application in order for it to be accepted by the secretary of
25.12 state.

25.13 Subp. 3. **Employment status.** The application assistant performing the duties under
25.14 this chapter is not deemed to be an employee of the Office of the Secretary of State or of
25.15 the state of Minnesota or an agent of the secretary of state in any manner whatsoever. The
25.16 application assistant shall not hold out as, nor claim to be, an officer or employee of the
25.17 Office of the Secretary of State or of the state of Minnesota simply because the person is
25.18 an application assistant, and shall not make any claim, demand, or application to or for
25.19 any right or privilege applicable to an officer or employee of the Office of the Secretary of
25.20 State or of the state of Minnesota.

25.21 Subp. 4. **Term of accreditation.** An application assistant's accreditation is ongoing
25.22 as long as the application assistant maintains employment at the community-based
25.23 organization named on the application, completes a periodic review approved by the
25.24 secretary of state at least once every three years, and, in addition, completes any other
25.25 training deemed necessary by the secretary of state.

Subp. 5. **Termination.** An application assistant's accreditation may be terminated by the secretary of state for failing to abide by any requirement in this chapter or for failing to act in accordance with requirements of the secretary of state. An application assistant's accreditation must be terminated if the application assistant is no longer employed by the community-based organization with which the person applied.

Subp. 6. **Employment with another community-based organization.** If an application assistant changes employment, leaving employment at one community-based organization and gaining employment at another, the application assistant may apply to become accredited again after the new community-based organization confirms the person is an employee and agrees to designate a contact for the community-based program. The new organization must have a person authorized to act on behalf of the organization execute a new application. The secretary of state will determine what training, if any, is necessary to fully renew the application assistant's accreditation status.

Subp. 7. **Access to application assistants.** The secretary of state shall make available a list of the names and telephone numbers of community-based programs at which accredited application assistants may be found.

Subp. 8. **Records.** An application assistant shall forward the completed application materials required by this chapter to the secretary of state. If the applicant so directs, an application assistant may mail any optional notices that are generated as a part of the application process to the appropriate party. Any remaining application materials must be given to the applicant or securely disposed of by the application assistant.