

## 7.2 RESIDENCY

Voters may only register and vote in the precinct where they reside and, unless the voter has been notified their registration has been otherwise updated by COA, etc., the voter must complete a new VRA on or prior to Election Day when any part of their name or residency changes. The definition of residency for voting purposes in Minnesota differs from other states, as well as from definitions of residency for other purposes. Residency for voting purposes is attached to the person, not to their property, place of employment or place of business. A person's residency for voting is where they have their home, live, sleep and return to after work or from other temporary absences. As a result, a voter **cannot** use their P.O. Box as their address for registration purposes. A P.O. Box can be listed as a mailing address ***if mail cannot be delivered*** to their residential address. Residency may even be determined by the location of the voter's bedroom when their home or apartment building is split by a precinct or school district boundary. A change in residency could include even a change of apartment number within the same building. The definition of voting residency is outlined in M.S. 200.031.

### 7.2.1 M.S. 200.031 - Determination of Residence

Residence shall be determined in accordance with the following principles, so far as they may be applicable to the facts of the case:

- (a) The residence of an individual is in the precinct where the individual's home is located, from which the individual has no present intention of moving, and to which, whenever the individual is absent, the individual intends to return;
- (b) An individual does not lose residence if the individual leaves home to live temporarily in another state or precinct;
- (c) An individual does not acquire a residence in any precinct of this state if the individual is living there only temporarily, without the intention of making that precinct home;
- (d) If an individual goes into another state or precinct with the intention of making it home or files an affidavit of residence there for election purposes, the individual loses residence in the former precinct;
- (e) If an individual moves to another state with the intention of living there for an indefinite period, the individual loses residence in this state, notwithstanding any intention to return at some indefinite future time;
- (f) Except as otherwise provided in this section, an individual's residence is located in the precinct where the individual's family lives, unless the individual's family is living in that precinct only temporarily;
- (g) If an individual's family lives in one precinct and the individual lives or does business in another, the individual's residence is located in the precinct where the individual's family lives, unless the individual establishes a home in the other precinct and intends to remain there, with or without the individual's family;
- (h) The residence of a single individual is in the precinct where the individual lives and usually sleeps;

(i) The mere intention to acquire a new residence is not sufficient to acquire a new residence, unless the individual moves to that location; moving to a new location is not sufficient to acquire a new residence unless the individual intends to remain there;

(j) The residence of an individual who is working temporarily in any precinct of this state is in the precinct where the individual's permanent home is located;

(k) The residence of an individual who is living permanently in a soldiers' home or nursing home is in the precinct where the home is located.

(l) If an individual's home lies in more than one precinct or political subdivision, the residence of the individual is in the precinct in which a majority of the room in which the individual usually sleeps is located.

(m) If an individual's home is destroyed or rendered uninhabitable by fire or natural disaster, the individual does not lose residence in the precinct where the home is located if the individual intends to return to the home when it is reconstructed or made habitable. *M.S. 200.031*

**Exceptions:** There are exceptions to residency requirements for voting absentee if the voter has just moved to another state and wishes to vote for the U.S. President, or if the voter lives outside of the United States. These exceptions are discussed in detail in the Absentee Voting Administration Guide.