

# **Bond Case Briefs**

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## **STANDING - MINNESOTA**

### **Minnesota Voters Alliance v. Hunt**

**Supreme Court of Minnesota - August 7, 2024 - N.W.3d - 2024 WL 3681675**

Taxpayers and their association filed petition for writ of quo warranto or declaratory judgment, alleging that Re-Enfranchisement Act provision allowing individuals convicted of a felony to vote when not incarcerated for such offense violated provision of Minnesota Constitution prohibiting persons convicted of a felony from voting “unless restored to civil rights” and that Act’s authorization of use of public funds to educate voters about voting-right restoration was therefore unlawful.

Voters with felony convictions intervened as of right. District court denied petition for lack of standing. Taxpayers and association appealed, and accelerated review was granted.

The Supreme Court held that:

- Taxpayer standing is recognized only when the central dispute involves alleged unlawful disbursements of public funds, overruling *Oehler v. City of St. Paul*, 174 Minn. 410, 219 N.W. 760, and *McKee v. Likins*, 261 N.W.2d 566, and
- Use of public funds to educate public about voting-right restoration was incidental to Re-Enfranchisement Act, precluding taxpayer standing.

Taxpayer standing does not exist when a taxpayer simply seeks to generally restrain illegal actions on the part of public officials; rather, taxpayer standing is recognized only when the central dispute involves alleged unlawful disbursements of public funds; overruling *Oehler v. City of St. Paul*, 174 Minn. 410, 219 N.W. 760, and *McKee v. Likins*, 261 N.W.2d 566.

Expenditures of public funds, pursuant to Re-Enfranchisement Act, to educate voters about Act’s restoration of right to vote to non-incarcerated individuals convicted of a felony were incidental to Act’s substantive restoration of voting right, and thus, taxpayers lacked taxpayer standing to bring petition for writ of quo warranto or declaratory judgment challenging Act based on contentions that voting-right restoration violated section of Minnesota Constitution prohibiting persons convicted of a felony from voting “unless restored to civil rights” and that Act’s authorization of expenditures of public funds to educate voters about voting-right restoration was unlawful; voting rights could be restored without Legislature appropriating any money to educate voters about such change.