

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 863

02/25/2013 Authored by Winkler and Bernardy
The bill was read for the first time and referred to the Committee on Elections
03/11/2013 Adoption of Report: Pass and Read Second Time
03/13/2013 By motion, re-referred to the Committee on Judiciary Finance and Policy

1.1 A bill for an act
1.2 relating to campaign finance; providing for additional disclosure; making various
1.3 changes to campaign finance and public disclosure law; providing penalties;
1.4 amending Minnesota Statutes 2012, sections 10A.01, subdivisions 10, 11, 27,
1.5 28, by adding subdivisions; 10A.02, subdivisions 9, 10, 11, 12, by adding a
1.6 subdivision; 10A.025, subdivisions 2, 3; 10A.105, subdivision 1; 10A.12,
1.7 subdivisions 1, 1a, 2; 10A.121, subdivision 1; 10A.14, subdivision 1, by adding a
1.8 subdivision; 10A.15, subdivisions 1, 2, 3; 10A.20, subdivisions 1, 2, 3, 5, 6, 7,
1.9 by adding a subdivision; 10A.25, subdivisions 2, 2a, 3, 3a; 10A.257, subdivision
1.10 1; 10A.27, subdivisions 1, 10, 11, 13, 14, 15; 10A.323; 13.607, subdivisions 3,
1.11 5a; 211B.32, subdivision 1; proposing coding for new law in Minnesota Statutes,
1.12 chapter 10A; repealing Minnesota Statutes 2012, sections 10A.24; 10A.241;
1.13 10A.242; 10A.25, subdivision 6.

1.14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.15 Section 1. Minnesota Statutes 2012, section 10A.01, is amended by adding a
1.16 subdivision to read:
1.17 Subd. 7c. **Ballot question political committee.** "Ballot question political
1.18 committee" means a political committee that makes only expenditures to promote or defeat
1.19 a ballot question and disbursements permitted under section 10A.121, subdivision 1.

1.20 Sec. 2. Minnesota Statutes 2012, section 10A.01, is amended by adding a subdivision
1.21 to read:

1.22 Subd. 7d. **Ballot question political fund.** "Ballot question political fund" means
1.23 a political fund that makes only expenditures to promote or defeat a ballot question and
1.24 disbursements permitted under section 10A.121, subdivision 1.

1.25 Sec. 3. Minnesota Statutes 2012, section 10A.01, subdivision 10, is amended to read:

Subd. 10. **Candidate.** "Candidate" means an individual who seeks nomination or election as a state constitutional officer, legislator, or judge. An individual is deemed to seek nomination or election if the individual has taken the action necessary under the law of this state to qualify for nomination or election, has received contributions or made expenditures in excess of \$100, or has given implicit or explicit consent for any other person to receive contributions or make expenditures in excess of \$100, for the purpose of bringing about the individual's nomination or election. A candidate remains a candidate until the candidate's principal campaign committee is dissolved as provided in section ~~10A.24~~ 10A.243.

Sec. 4. Minnesota Statutes 2012, section 10A.01, subdivision 11, is amended to read:

Subd. 11. **Contribution.** (a) "Contribution" means money, a negotiable instrument, or a donation in kind that is given to a political committee, political fund, principal campaign committee, or party unit. An allocation by an association of general treasury money to be used for activities that must be or are reported through the association's political fund is considered to be a contribution for the purposes of disclosure required by this chapter.

(b) "Contribution" includes a loan or advance of credit to a political committee, political fund, principal campaign committee, or party unit, if the loan or advance of credit is: (1) forgiven; or (2) repaid by an individual or an association other than the political committee, political fund, principal campaign committee, or party unit to which the loan or advance of credit was made. If an advance of credit or a loan is forgiven or repaid as provided in this paragraph, it is a contribution in the year in which the loan or advance of credit was made.

(c) "Contribution" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, ballot question, political committee, political fund, principal campaign committee, or party unit; the publishing or broadcasting of news items or editorial comments by the news media; or an individual's unreimbursed personal use of an automobile owned by the individual while volunteering personal time.

Sec. 5. Minnesota Statutes 2012, section 10A.01, is amended by adding a subdivision to read:

Subd. 16a. **Expressly advocating.** "Expressly advocating" means:
(1) that a communication clearly identifies a candidate and uses words or phrases of express advocacy; or

(2) that a communication, when taken as a whole and with limited reference to external events, such as the proximity to the election, is susceptible of no interpretation by a reasonable person other than as advocating the election or defeat of one or more clearly identified candidates.

Sec. 6. Minnesota Statutes 2012, section 10A.01, is amended by adding a subdivision to read:

Subd. 17c. **General treasury money.** "General treasury money" means money that an association other than a principal campaign committee, party unit, or political committee accumulates through membership dues and fees, donations to the association for its general purposes, and income from the operation of a business. General treasury money does not include money collected to influence the nomination or election of candidates or to promote or defeat a ballot question.

Sec. 7. Minnesota Statutes 2012, section 10A.01, is amended by adding a subdivision to read:

Subd. 26a. **Person** "Person" means an individual, an association, a political subdivision, or a public higher education system.

Sec. 8. Minnesota Statutes 2012, section 10A.01, subdivision 27, is amended to read:

Subd. 27. **Political committee.** "Political committee" means an association whose major purpose is to influence the nomination or election of ~~a candidate~~ one or more candidates or to promote or defeat a ballot question, other than a principal campaign committee or a political party unit.

Sec. 9. Minnesota Statutes 2012, section 10A.01, subdivision 28, is amended to read:

Subd. 28. **Political fund.** "Political fund" means an accumulation of dues or voluntary contributions by an association other than a political committee, principal campaign committee, or party unit, if the accumulation is collected or expended to influence the nomination or election of ~~a candidate~~ one or more candidates or to promote or defeat a ballot question. The term "political fund" as used in this chapter may also refer to the association acting through its political fund.

Sec. 10. Minnesota Statutes 2012, section 10A.02, subdivision 9, is amended to read:

Subd. 9. **Documents; information.** The executive director must inspect all material filed with the board as promptly as necessary to comply with this chapter ~~and~~, with other

provisions of law requiring the filing of a document with the board, and with other provisions of law under the board's jurisdiction pursuant to subdivision 11. The executive director must immediately notify ~~the~~ an individual ~~required to file a document with the board~~ if a written complaint is filed with the board alleging, or it otherwise appears, that a document filed with the board is inaccurate or does not comply with this chapter, or that the individual has failed to file a document required by this chapter or has failed to comply with this chapter or other provisions under the board's jurisdiction pursuant to subdivision 11. ~~The executive director may provide an individual required to file a document under this chapter with factual information concerning the limitations on corporate campaign contributions imposed by section 211B.15.~~

Sec. 11. Minnesota Statutes 2012, section 10A.02, subdivision 10, is amended to read:

Subd. 10. **Audits and investigations.** The board may make audits and investigations, impose statutory civil penalties, and issue orders for compliance with respect to statements and reports that are filed or that should have been filed under the requirements of this chapter and provisions under the board's jurisdiction pursuant to subdivision 11. In all matters relating to its official duties, the board has the power to issue subpoenas and cause them to be served. If a person does not comply with a subpoena, the board may apply to the District Court of Ramsey County for issuance of an order compelling obedience to the subpoena. A person failing to obey the order is punishable by the court as for contempt.

Sec. 12. Minnesota Statutes 2012, section 10A.02, subdivision 11, is amended to read:

Subd. 11. **Violations; enforcement.** (a) The board may investigate any alleged violation of this chapter. The board may also investigate an alleged violation of section 211B.04, 211B.12, or 211B.15 by or related to a candidate, treasurer, principal campaign committee, political committee, political fund, or party unit, as those terms are defined in this chapter. The board must investigate any violation that is alleged in a written complaint filed with the board and must within 30 days after the filing of the complaint make ~~a public finding of whether there is probable cause to believe a violation has occurred~~ findings and conclusions as to whether a violation has occurred and must issue an order, except that if the complaint alleges a violation of section 10A.25 or 10A.27, the board must either enter a conciliation agreement or make a public ~~finding of whether there is probable cause,~~ findings and conclusions as to whether a violation has occurred and must issue an order within 60 days after the filing of the complaint. The deadline for action on a written complaint may be extended by majority vote of the board.

5.1 (b) The board may bring legal actions in its own name to recover money raised from
5.2 contributions subject to the conditions in this paragraph.

5.3 (1) No action may be commenced unless the board has made a formal determination,
5.4 after an investigation, that the money was raised for political purposes as defined in
5.5 section 211B.04, subdivision 6, and that the money was used for purposes not permitted
5.6 under this chapter or under section 211B.12.

5.7 (2) Prior to commencing an action, the board must give the association written
5.8 notice by certified mail of its intent to take action under this subdivision and must give the
5.9 association a reasonable opportunity, for a period of not less than 90 days, to recover the
5.10 money without board intervention. This period must be extended for at least an additional
5.11 90 days for good cause if the association is actively pursuing recovery of the money. The
5.12 board may not commence a legal action under this subdivision if the association has
5.13 commenced a legal action for the recovery of the same money.

5.14 (3) Any funds recovered under this subdivision must be distributed as follows:

5.15 (i) an amount equal to the board's actual costs and disbursements in the action,
5.16 including court reporter fees for depositions taken in the course of an investigation, must
5.17 be returned to the board's general operating appropriation account;

5.18 (ii) an amount equal to the reasonable value of legal services provided by the Office
5.19 of the Attorney General must be deposited into the general operating account of the Office
5.20 of the Attorney General and is available for general purposes of the office; and

5.21 (iii) any remaining balance must be returned to the association to which the money
5.22 was originally contributed.

5.23 (4) Notwithstanding clause (3), item (iii), if the candidate of a principal campaign
5.24 committee is the person who used the association's money for illegal purposes, or if the
5.25 association or political fund whose money was misused is no longer registered with the
5.26 board, any money remaining after the payments specified in clause (3), items (i) and (ii),
5.27 must be deposited into the general account of the state elections campaign account.

5.28 (5) Any action by the board under this paragraph must be commenced not later than
5.29 four years after the improper use of money is shown on a report filed with the board or the
5.30 board has actual knowledge of improper use. No action may be commenced under this
5.31 paragraph for improper uses disclosed on reports for calendar years prior to 2011.

5.32 (6) If the board prevails in an action brought under this subdivision and the court
5.33 makes a finding that the misuse of funds was willful, the court may enter judgment in favor
5.34 of the board and against the person misusing the funds in the amount of the misused funds.

5.35 ~~(b)~~ (c) Within a reasonable time after beginning an investigation of an individual
5.36 or association, the board must notify the individual or association of the fact of the

investigation. The board must not make a finding of whether there is probable cause to believe a violation has occurred without notifying the individual or association of the nature of the allegations and affording an opportunity to answer those allegations.

~~(e)~~ (d) A hearing or action of the board concerning a complaint or investigation other than a finding concerning probable cause or a conciliation agreement is confidential. Until the board makes a public finding concerning probable cause or enters a conciliation agreement:

(1) a member, employee, or agent of the board must not disclose to an individual information obtained by that member, employee, or agent concerning a complaint or investigation except as required to carry out the investigation or take action in the matter as authorized by this chapter; and

(2) an individual who discloses information contrary to this subdivision is subject to a civil penalty imposed by the board of up to \$1,000.

(e) A matter that is under the board's jurisdiction pursuant to this section and that may result in a criminal offense must be finally disposed of by the board before the alleged violation may be prosecuted by a county attorney.

Sec. 13. Minnesota Statutes 2012, section 10A.02, is amended by adding a subdivision to read:

Subd. 11b. **Data privacy related to electronic reporting system.** The board may develop and maintain systems to enable treasurers to enter and store electronic records online for the purpose of complying with this chapter. Data entered into such systems by treasurers or their authorized agents is not government data under chapter 13 and may not be accessed or used by the board for any purpose without the treasurer's written consent. Data from such systems that has been submitted to the board as a filed report is government data under chapter 13.

Sec. 14. Minnesota Statutes 2012, section 10A.02, subdivision 12, is amended to read:

Subd. 12. **Advisory opinions.** (a) The board may issue and publish advisory opinions on the requirements of this chapter and of those sections listed in subdivision 11 based upon real or hypothetical situations. An application for an advisory opinion may be made only by ~~an individual or association~~ a person who is subject to chapter 10A and who wishes to use the opinion to guide the ~~individual's or the association's~~ person's own conduct. The board must issue written opinions on all such questions submitted to it within 30 days after receipt of written application, unless a majority of the board agrees to extend the time limit.

(b) A written advisory opinion issued by the board is binding on the board in a subsequent board proceeding concerning the person making or covered by the request and is a defense in a judicial proceeding that involves the subject matter of the opinion and is brought against the person making or covered by the request unless:

(1) the board has amended or revoked the opinion before the initiation of the board or judicial proceeding, has notified the person making or covered by the request of its action, and has allowed at least 30 days for the person to do anything that might be necessary to comply with the amended or revoked opinion;

(2) the request has omitted or misstated material facts; or

(3) the person making or covered by the request has not acted in good faith in reliance on the opinion.

(c) A request for an opinion and the opinion itself are nonpublic data. The board, however, may publish an opinion or a summary of an opinion, but may not include in the publication the name of the requester, the name of a person covered by a request from an agency or political subdivision, or any other information that might identify the requester, unless the person consents to the inclusion.

Sec. 15. Minnesota Statutes 2012, section 10A.025, subdivision 2, is amended to read:

Subd. 2. **Penalty for false statements.** (a) A report or statement required to be filed under this chapter must be signed and certified as true by the individual required to file the report. The signature may be an electronic signature consisting of a password assigned by the board.

(b) An individual who signs and certifies shall not sign and certify to be true a report or statement knowing it contains false information or who knowingly knowing it omits required information is guilty of a gross misdemeanor and subject to a civil penalty imposed by the board of up to \$3,000.

(c) An individual shall not knowingly provide false or incomplete information to a treasurer with the intent that the treasurer will rely on that information in signing and certifying to be true a report or statement.

(d) A person who violates paragraph (b) or (c) is subject to a civil penalty imposed by the board of up to \$3,000. A violation of paragraph (b) or (c) is a gross misdemeanor.

(e) The board may impose an additional civil penalty of up to \$3,000 on the principal campaign committee or candidate, party unit, political committee, or association that has a political fund that is affiliated with an individual who violated paragraph (b) or (c).

Sec. 16. Minnesota Statutes 2012, section 10A.025, subdivision 3, is amended to read:

8.1 Subd. 3. **Record keeping; penalty.** (a) A person required to file a report or statement
8.2 or who has accepted record-keeping responsibility for the filer must maintain records on
8.3 the matters required to be reported, including vouchers, canceled checks, bills, invoices,
8.4 worksheets, and receipts, that will provide in sufficient detail the necessary information
8.5 from which the filed reports and statements may be verified, explained, clarified, and
8.6 checked for accuracy and completeness. The person must keep the records available for
8.7 audit, inspection, or examination by the board or its authorized representatives for four
8.8 years from the date of filing of the reports or statements or of changes or corrections to
8.9 them. ~~A person who knowingly violates this subdivision is guilty of a misdemeanor.~~

8.10 (b) The board may impose a civil penalty of up to \$3,000 on a person who knowingly
8.11 violates this subdivision. The board may impose a separate civil penalty of up to \$3,000
8.12 on the principal campaign committee or candidate, party unit, political committee, or
8.13 association that has a political fund that is affiliated with an individual who violated
8.14 this subdivision.

8.15 (c) A knowing violation of this subdivision is a gross misdemeanor.

8.16 Sec. 17. Minnesota Statutes 2012, section 10A.105, subdivision 1, is amended to read:

8.17 Subdivision 1. **Single committee.** A candidate must not accept contributions from a
8.18 source, other than self, in aggregate in excess of ~~\$100~~ \$750 or accept a public subsidy
8.19 unless the candidate designates and causes to be formed a single principal campaign
8.20 committee for each office sought. A candidate may not authorize, designate, or cause to be
8.21 formed any other political committee bearing the candidate's name or title or otherwise
8.22 operating under the direct or indirect control of the candidate. However, a candidate may
8.23 be involved in the direct or indirect control of a party unit.

8.24 Sec. 18. Minnesota Statutes 2012, section 10A.12, subdivision 1, is amended to read:

8.25 Subdivision 1. **When required for contributions and approved expenditures.** An
8.26 association other than a political committee or party unit may not contribute more than
8.27 ~~\$100~~ \$750 in aggregate in any ~~one~~ calendar year to candidates, political committees, or
8.28 party units or make ~~any approved or independent expenditure or expenditure to promote~~
8.29 ~~or defeat a ballot question~~ expenditures of more than \$750 in aggregate in any calendar
8.30 year unless the contribution or expenditure is made ~~from~~ through a political fund.

8.31 Sec. 19. Minnesota Statutes 2012, section 10A.12, subdivision 1a, is amended to read:

8.32 Subd. 1a. **When required for independent expenditures or ballot questions.** An
8.33 association other than a political committee that makes only independent expenditures

9.1 ~~and disbursements permitted under section 10A.121, subdivision 1, or expenditures to~~
 9.2 ~~promote or defeat a ballot question must do so by forming and registering through an~~
 9.3 ~~independent expenditure or ballot question political fund if the expenditure is in excess of~~
 9.4 ~~\$100 independent expenditures aggregate more than \$1,500 in a calendar year or if the~~
 9.5 ~~expenditures to promote or defeat a ballot question aggregate more than \$5,000 in a~~
 9.6 ~~calendar year, or by contributing to an existing independent expenditure or ballot question~~
 9.7 ~~political committee or political fund.~~

9.8 Sec. 20. Minnesota Statutes 2012, section 10A.12, subdivision 2, is amended to read:

9.9 Subd. 2. **Commingling prohibited.** The contents of a an association's political
 9.10 fund may not be commingled with other funds or with the personal funds of an officer or
 9.11 member of the association or the fund. It is not commingling for an association that uses
 9.12 only its own general treasury money to make expenditures and disbursements permitted
 9.13 under section 10A.121, subdivision 1, directly from the depository used for its general
 9.14 treasury money. An association that accepts more than \$1,500 in contributions to influence
 9.15 the nomination or election of candidates or more than \$5,000 in contributions to promote
 9.16 or defeat a ballot question must establish a separate depository for those contributions.

9.17 Sec. 21. Minnesota Statutes 2012, section 10A.121, subdivision 1, is amended to read:

9.18 Subdivision 1. **Permitted disbursements.** An independent expenditure political
 9.19 committee or ~~an independent expenditure political fund; in addition to making independent~~
 9.20 ~~expenditures, or a ballot question political committee or fund~~ may:

- 9.21 (1) pay costs associated with its fund-raising and general operations;
- 9.22 (2) pay for communications that do not constitute contributions or approved
 9.23 expenditures; and
- 9.24 (3) make contributions to ~~other independent expenditure political committees or~~
 9.25 ~~independent expenditure political funds.~~ ballot question political committees or funds;
- 9.26 (4) make independent expenditures;
- 9.27 (5) make disbursements for electioneering communications;
- 9.28 (6) make expenditures to promote or defeat ballot questions;
- 9.29 (7) return a contribution to its source;
- 9.30 (8) for a political fund, record bookkeeping entries transferring the association's
 9.31 general treasury money allocated for political purposes back to the general treasury of
 9.32 the association; and
- 9.33 (9) for a political fund, return general treasury money transferred to a separate
 9.34 depository to the general depository of the association.

10.1 Sec. 22. Minnesota Statutes 2012, section 10A.14, subdivision 1, is amended to read:

10.2 Subdivision 1. **First registration.** The treasurer of a political committee, political
10.3 fund, principal campaign committee, or party unit must register with the board by filing
10.4 a registration statement of organization no later than 14 days after the committee, fund,
10.5 or party unit has made a contribution, received contributions, or made expenditures in
10.6 excess of ~~\$100~~ \$750, or by the end of the next business day after it has received a loan
10.7 or contribution that must be reported under section 10A.20, subdivision 5, whichever is
10.8 earlier. This subdivision does not apply to ballot question or independent expenditure
10.9 political committees or funds, which are subject to subdivision 1a.

10.10 Sec. 23. Minnesota Statutes 2012, section 10A.14, is amended by adding a subdivision
10.11 to read:

10.12 Subd. 1a. **Independent expenditure or ballot question political committees**
10.13 **and funds; first registration; reporting.** The treasurer of an independent expenditure
10.14 or ballot question political committee or fund must register with the board by filing
10.15 a registration statement:

10.16 (1) no later than 14 calendar days after the committee or the association registering
10.17 the political fund has:

10.18 (i) received aggregate contributions for independent expenditures of more than
10.19 \$1,500 in a calendar year;

10.20 (ii) received aggregate contributions for expenditures to promote or defeat a ballot
10.21 question of more than \$5,000 in a calendar year;

10.22 (iii) made aggregate independent expenditures of more than \$1,500 in a calendar
10.23 year; or

10.24 (iv) made aggregate expenditures to promote or defeat a ballot question of more
10.25 than \$5,000 in a calendar year; or

10.26 (2) by the end of the next business day after it has received a loan or contribution
10.27 that must be reported under section 10A.20, subdivision 5, and it has met one of the
10.28 requirements of clause (1).

10.29 Sec. 24. Minnesota Statutes 2012, section 10A.15, subdivision 1, is amended to read:

10.30 Subdivision 1. **Anonymous contributions.** A political committee, political fund,
10.31 principal campaign committee, or party unit may not retain an anonymous contribution in
10.32 excess of ~~\$20~~ \$50, but must forward it to the board for deposit in the general account of
10.33 the state elections campaign ~~fund~~ account.

11.1 Sec. 25. Minnesota Statutes 2012, section 10A.15, subdivision 2, is amended to read:

11.2 Subd. 2. **Source; amount; date.** An individual who receives a contribution in
11.3 excess of ~~\$20~~ \$50 for a political committee, political fund, principal campaign committee,
11.4 or party unit must, on demand of the treasurer, inform the treasurer of the name and, if
11.5 known, the address of the source of the contribution, the amount of the contribution, and
11.6 the date it was received.

11.7 Sec. 26. Minnesota Statutes 2012, section 10A.15, subdivision 3, is amended to read:

11.8 Subd. 3. **Deposit.** All contributions received by or on behalf of a candidate,
11.9 principal campaign committee, political committee, political fund, or party unit must
11.10 be deposited in an account designated "Campaign Fund of (name of candidate,
11.11 committee, fund, or party unit)." All contributions must be deposited promptly upon
11.12 receipt and, except for contributions received during the last three days of a reporting
11.13 period as described in section 10A.20, must be deposited during the reporting period
11.14 in which they were received. A contribution received during the last three days of a
11.15 reporting period must be deposited within 72 hours after receipt and must be reported
11.16 as received during the reporting period whether or not deposited within that period. A
11.17 candidate, principal campaign committee, political committee, political fund, or party unit
11.18 may refuse to accept a contribution. A deposited contribution may be returned to the
11.19 contributor within ~~60~~ 90 days after deposit. A contribution deposited and not returned
11.20 within ~~60~~ 90 days after that deposit must be reported as accepted.

11.21 Sec. 27. Minnesota Statutes 2012, section 10A.20, subdivision 1, is amended to read:

11.22 Subdivision 1. **First filing; duration.** The treasurer of a political committee, political
11.23 fund, principal campaign committee, or party unit must begin to file the reports required
11.24 by this section ~~in~~ for the first year it receives contributions or makes expenditures ~~in excess~~
11.25 ~~of \$100 that require it to register under section 10A.14~~ and must continue to file until the
11.26 committee, fund, or party unit is terminated. The reports must be filed electronically in a
11.27 standards-based open format specified by the board. For good cause shown, the board
11.28 must grant exemptions to the requirement that reports be filed electronically.

11.29 Sec. 28. Minnesota Statutes 2012, section 10A.20, subdivision 2, is amended to read:

11.30 Subd. 2. **Time for filing.** (a) The reports must be filed with the board on or before
11.31 January 31 of each year and additional reports must be filed as required and in accordance
11.32 with paragraphs (b) to (d).

(b) In each year in which the name of the a candidate for legislative or district court judicial office is on the ballot, the report of the principal campaign committee must be filed 15 days before a primary and ten days before a general election, seven days before a special primary and a special election, and ten days after a special election cycle.

(c) In each general election year, a political committee ~~or, a political fund must file reports 28 and 15 days before a primary and 42 and ten days before a general election.~~ Beginning in 2012, reports required under this paragraph must also be filed 56 days before a primary, a state party committee, a party unit established by all or a part of the party organization within a house of the legislature, and the principal campaign committee of a candidate for constitutional or appellate court judicial office must file reports on the following schedule:

(1) a first-quarter report covering the calendar year through March 31, which is due April 14;

(2) in a year in which a primary election is held in August, a report covering the calendar year through May 31, which is due June 14;

(3) in a year in which a primary election is held before August, a pre-general-election report covering the calendar year through July 15, which is due July 29;

(4) a pre-primary-election report due 15 days before a primary election;

(5) a pre-general-election report due 42 days before the general election;

(6) a pre-general-election report due ten days before a general election; and

(7) for a special election, a constitutional office candidate whose name is on the ballot must file reports seven days before a special primary and a special election, and ten days after a special election cycle.

(d) In each general election year, a party unit not included in paragraph (c) must file reports 15 days before a primary election and ten days before a general election.

(e) Notwithstanding paragraphs (a) to (d), the principal campaign committee of a candidate whose name will not be on the general election ballot is not required to file the report due ten days before a general election or seven days before a special election.

Sec. 29. Minnesota Statutes 2012, section 10A.20, subdivision 3, is amended to read:

Subd. 3. Contents of report. (a) The report required by this section must include each of the items listed in paragraphs (b) to (o) that are applicable to the filer. The board shall prescribe forms based on filer type indicating which of those items must be included on the filer's report.

~~(a)~~ (b) The report must disclose the amount of liquid assets on hand at the beginning of the reporting period.

~~(b)~~ (c) The report must disclose the name, address, and employer, or occupation if self-employed, of each individual or association that has made one or more contributions to the reporting entity, including the purchase of tickets for a fund-raising effort, that in aggregate within the year exceed ~~\$100~~ \$200 for legislative or statewide candidates or ballot questions, together with the amount and date of each contribution, and the aggregate amount of contributions within the year from each source so disclosed. A donation in kind must be disclosed at its fair market value. An approved expenditure must be listed as a donation in kind. A donation in kind is considered consumed in the reporting period in which it is received. The names of contributors must be listed in alphabetical order. Contributions from the same contributor must be listed under the same name. When a contribution received from a contributor in a reporting period is added to previously reported unitemized contributions from the same contributor and the aggregate exceeds the disclosure threshold of this paragraph, the name, address, and employer, or occupation if self-employed, of the contributor must then be listed on the report.

~~(e)~~ (d) The report must disclose the sum of contributions to the reporting entity during the reporting period.

~~(d)~~ (e) The report must disclose each loan made or received by the reporting entity within the year in aggregate in excess of ~~\$100~~ \$200, continuously reported until repaid or forgiven, together with the name, address, occupation, and principal place of business, if any, of the lender and any endorser and the date and amount of the loan. If a loan made to the principal campaign committee of a candidate is forgiven or is repaid by an entity other than that principal campaign committee, it must be reported as a contribution for the year in which the loan was made.

~~(e)~~ (f) The report must disclose each receipt over ~~\$100~~ \$200 during the reporting period not otherwise listed under paragraphs ~~(b)~~ (c) to ~~(d)~~ (e).

~~(f)~~ (g) The report must disclose the sum of all receipts of the reporting entity during the reporting period.

~~(g)~~ (h) The report must disclose the name and address of each individual or association to whom aggregate expenditures, ~~including~~ approved expenditures, independent expenditures, ballot question expenditures, and disbursements for electioneering communications have been made by or on behalf of the reporting entity within the year in excess of ~~\$100~~ \$200, together with the amount, date, and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made or, in the case of electioneering communications, each candidate identified positively in the communication, identification of the ballot question that the expenditure was intended to promote or defeat and an indication of

whether the expenditure was to promote or to defeat the ballot question, and in the case of independent expenditures made in opposition to a candidate or electioneering communications in which a candidate is identified negatively, the candidate's name, address, and office sought. A reporting entity making an expenditure on behalf of more than one candidate for state or legislative office must allocate the expenditure among the candidates on a reasonable cost basis and report the allocation for each candidate.

~~(h)~~ (i) The report must disclose the sum of all expenditures made by or on behalf of the reporting entity during the reporting period.

~~(i)~~ (j) The report must disclose the amount and nature of an advance of credit incurred by the reporting entity, continuously reported until paid or forgiven. If an advance of credit incurred by the principal campaign committee of a candidate is forgiven by the creditor or paid by an entity other than that principal campaign committee, it must be reported as a donation in kind for the year in which the advance of credit was made.

~~(j)~~ (k) The report must disclose the name and address of each political committee, political fund, principal campaign committee, or party unit to which contributions have been made that aggregate in excess of ~~\$100~~ \$200 within the year and the amount and date of each contribution.

~~(k)~~ (l) The report must disclose the sum of all contributions made by the reporting entity during the reporting period.

~~(l)~~ (m) The report must disclose the name and address of each individual or association to whom noncampaign disbursements have been made that aggregate in excess of ~~\$100~~ \$200 within the year by or on behalf of the reporting entity and the amount, date, and purpose of each noncampaign disbursement.

~~(m)~~ (n) The report must disclose the sum of all noncampaign disbursements made within the year by or on behalf of the reporting entity.

~~(n)~~ (o) The report must disclose the name and address of a nonprofit corporation that provides administrative assistance to a political committee or political fund as authorized by section 211B.15, subdivision 17, the type of administrative assistance provided, and the aggregate fair market value of each type of assistance provided to the political committee or political fund during the reporting period.

Sec. 30. Minnesota Statutes 2012, section 10A.20, subdivision 5, is amended to read:

Subd. 5. ~~Preelection~~ Pre-election reports. (a) Any loan, contribution, or contributions:

(1) to a political committee or political fund from any one source totaling more than \$1,000 ~~or more, or in a statewide election for;~~

15.1 (2) to the principal campaign committee of a candidate for an appellate court judicial
 15.2 office, any loan, contribution, or contributions from any one source totaling more than
 15.3 \$2,000 or more, or in any judicial;

15.4 (3) to the principal campaign committee of a candidate for district court judge
 15.5 totaling more than \$400 or more, and any loan, contribution, or contributions; or

15.6 (4) to the principal campaign committee of a candidate for constitutional office or
 15.7 for the legislature from any one source totaling 80 more than 50 percent or more of the
 15.8 election cycle contribution limit for the office, received between the last day covered in
 15.9 the last report before an election and the election must be reported to the board in one of
 15.10 the following ways: in the manner provided in paragraph (b).

15.11 (b) A loan, contribution, or contributions required to be reported to the board under
 15.12 paragraph (a) must be reported to the board either:

15.13 (1) in person by the end of the next business day after its receipt; or

15.14 (2) by electronic means sent within 24 hours after its receipt.

15.15 (c) These loans and contributions must also be reported in the next required report.

15.16 (d) This notice requirement does not apply with respect to in a primary in which
 15.17 the statewide or legislative election to a candidate who is unopposed in the primary, in a
 15.18 primary election to a ballot question political committee or fund, or in a general election to
 15.19 a candidate whose name is not on the general election ballot. The board must post the
 15.20 report on its Web site by the end of the next business day after it is received.

15.21 (e) This subdivision does not apply to a ballot question or independent expenditure
 15.22 political committee or fund that has not met the registration threshold of section 10A.14,
 15.23 subdivision 1a. However, if a contribution that would be subject to this section triggers the
 15.24 registration requirement in section 10A.14, subdivision 1a, then both registration under
 15.25 that section and reporting under this section are required.

15.26 Sec. 31. Minnesota Statutes 2012, section 10A.20, subdivision 6, is amended to read:

15.27 Subd. 6. **Report when no committee.** (a) A candidate who does not designate
 15.28 and cause to be formed a principal campaign committee and an individual who makes
 15.29 independent expenditures or campaign expenditures expressly advocating the approval or
 15.30 defeat of a ballot question in aggregate in excess of \$100 \$750 in a year must file with
 15.31 the board a report containing the information required by subdivision 3. Reports required
 15.32 by this subdivision must be filed on by the dates on which reports by principal campaign
 15.33 committees, funds, and party units are must be filed.

15.34 (b) An individual who makes independent expenditures that aggregate more than
 15.35 \$1,500 in a calendar year or expenditures to promote or defeat a ballot question that

16.1 aggregate more than \$5,000 in a calendar year must file with the board a report containing
16.2 the information required by subdivision 3. A report required by this subdivision must be
16.3 filed by the date on which the next report by political committees and political funds
16.4 must be filed.

16.5 Sec. 32. Minnesota Statutes 2012, section 10A.20, subdivision 7, is amended to read:

16.6 Subd. 7. **Statement of inactivity.** If a ~~reporting entity~~ principal campaign
16.7 committee, party unit, or political committee, has no receipts or expenditures during a
16.8 reporting period, the treasurer must file with the board at the time required by this section
16.9 a statement to that effect.

16.10 Sec. 33. Minnesota Statutes 2012, section 10A.20, is amended by adding a subdivision
16.11 to read:

16.12 Subd. 7a. **Activity of political fund.** An association is not required to file any
16.13 statement or report for a reporting period when the association accepted no contributions
16.14 into the association's political fund and made no expenditures from its political fund since
16.15 the last date included in its most recent filed report. If the association maintains a separate
16.16 checking account for its political fund, the receipt of interest on the proceeds of that
16.17 account and the payment of fees to maintain that account do not constitute activity that
16.18 requires the filing of a report for an otherwise inactive political fund.

16.19 Sec. 34. **[10A.201] ELECTIONEERING COMMUNICATIONS.**

16.20 Subdivision 1. **Electioneering communication.** (a) "Electioneering
16.21 communication" means a communication distributed by television, radio, satellite, or
16.22 cable broadcasting system; by means of printed material, signs, or billboards; or through
16.23 the use of telephone communications that:

16.24 (1) refers to a clearly identified candidate;

16.25 (2) is made within:

16.26 (i) 30 days before a primary election or special primary election for the office sought
16.27 by the candidate; or

16.28 (ii) 60 days before a general election or special election for the office sought by
16.29 the candidate;

16.30 (3) is targeted to the relevant electorate; and

16.31 (4) is made without the express or implied consent, authorization, or cooperation
16.32 of, and not in concert with or at the request or suggestion of, a candidate or a candidate's
16.33 principal campaign committee or agent.

(b) If an electioneering communication clearly directs recipients to another communication, including a Web site, on-demand or streaming video, or similar communications, the electioneering communication consists of both the original electioneering communication and the communication to which recipients are directed and the cost of both must be included when determining if disclosure is required under this section.

(c) Electioneering communication does not include:

(1) the publishing or broadcasting of news items or editorial comments by the news media;

(2) a communication that constitutes an approved expenditure or an independent expenditure;

(3) a communication by an association distributed only to the association's own members in a newsletter or similar publication in a form that is routinely sent to the association's members;

(4) any other communication specified in board rules or advisory opinions as being excluded from the definition of electioneering communications; and

(5) a communication that:

(i) refers to a clearly identified candidate who is an incumbent member of the legislature or a constitutional officer;

(ii) refers to a clearly identified issue that is before the legislature in the form of an introduced bill; and

(iii) is made when the legislature is in session.

(d) A communication that meets the requirements of paragraph (a) but is made with the authorization or express or implied consent of, or in cooperation or in concert with, or at the request or suggestion of a candidate, a candidate's principal campaign committee, or a candidate's agent is an approved expenditure.

Subd. 2. Targeted to relevant electorate. For purposes of this section, a communication that refers to a clearly identified candidate is targeted to the relevant electorate if the communication is distributed to or can be received by more than 1,500 persons in the district the candidate seeks to represent, in the case of a candidate for the house of representatives, senate, or a district court judicial office or by more than 6,000 persons in the state, in the case of a candidate for constitutional office or appellate court judicial office.

Subd. 3. Disclosure of electioneering communications. (a) Electioneering communications made by a political committee, a party unit, or a principal campaign

committee must be disclosed on the periodic reports of receipts and expenditures filed by the association on the schedule and in accordance with the terms of section 10A.20.

(b) An association other than a political committee, party unit, or principal campaign committee may register a political fund with the board and disclose its electioneering communications on the reports of receipts and expenditures filed by the political fund. If it does so, it must disclose its disbursements for electioneering communication on the schedule and in accordance with the terms of section 10A.20.

(c) An association that does not disclose its disbursements for electioneering communication under paragraph (a) or (b) must disclose its electioneering communications according to the requirements of subdivision 4.

Subd. 4. Statement required for electioneering communications made by unregistered associations. (a) Except for associations providing disclosure as specified in subdivision 3, paragraph (a) or (b), every person who makes a disbursement for the costs of producing or distributing electioneering communications that aggregate more than \$1,500 in a calendar year must, within 24 hours of each disclosure date, file with the board a disclosure statement containing the information described in this subdivision.

(b) Each statement required to be filed under this section must contain the following information:

(1) the names of: (i) the association making the disbursement; (ii) any person exercising direction or control over the activities of the association with respect to the disbursement; and (iii) the custodian of the financial records of the association making disbursement;

(2) the address of the association making the disbursement;

(3) the amount of each disbursement of more than \$200 during the period covered by the statement, a description of the purpose of the disbursement, and the identification of the person to whom the disbursement was made;

(4) the names of the candidates identified or to be identified in the communication;

(5) if the disbursements were paid out of a segregated bank account that consists of funds donated specifically for electioneering communications, the name and address of each person who gave more than \$200 in aggregate to that account during the period beginning on the first day of the preceding calendar year and ending on the disclosure date; and

(6) if the disbursements for electioneering communications were made using general treasury money of the association, an association that has paid more than \$5,000 in aggregate for electioneering communications during the calendar year must file with its disclosure statement a written statement that includes the name, address, and amount attributable to each person that paid the association membership dues or fees, or made

19.1 donations to the association that, in total, aggregate more than \$1,000 of the money used
19.2 by the association for electioneering communications. The statement must also include
19.3 the total amount of the disbursements for electioneering communications attributable to
19.4 persons not subject to itemization under this clause. The statement must be certified as
19.5 true by an officer of the association that made the disbursements for the electioneering
19.6 communications.

19.7 (c) To determine the amount of the membership dues or fees, or donations
19.8 made by a person to an association and attributable to the association's disbursements
19.9 for electioneering communications, the association must separately prorate the total
19.10 disbursements made for electioneering communications during the calendar year over all
19.11 general treasury money received during the calendar year.

19.12 (d) If the amount spent for electioneering communications exceeds the amount of
19.13 general treasury money received by the association during that year:

19.14 (1) the electioneering communications must be attributed first to all receipts of
19.15 general treasury money received during the calendar year in which the electioneering
19.16 communications were made;

19.17 (2) any amount of current year electioneering communications that exceeds the total
19.18 of all receipts of general treasury money during the current calendar year must be prorated
19.19 over all general treasury money received in the preceding calendar year; and

19.20 (3) if the allocation made in clauses (1) and (2) is insufficient to cover the subject
19.21 electioneering communications, no further allocation is required.

19.22 (e) After a portion of the general treasury money received by an association
19.23 from a person has been designated as the source of a disbursement for electioneering
19.24 communications, that portion of the association's general treasury money received
19.25 from that person may not be designated as the source of any other disbursement for
19.26 electioneering communications or as the source for any contribution to an independent
19.27 expenditure political committee or fund.

19.28 Subd. 5. **Disclosure date.** For purposes of this section, the term "disclosure date"
19.29 means the earlier of:

19.30 (1) the first date on which an electioneering communication is publicly distributed,
19.31 provided that the person making the electioneering communication has made
19.32 disbursements for the direct costs of producing or distributing one or more electioneering
19.33 communication aggregating in excess of \$1,500; or

19.34 (2) any other date during the same calendar year on which an electioneering
19.35 communication is publicly distributed, provided that the person making the electioneering
19.36 communication has made disbursements for the direct costs of distributing one or more

20.1 electioneering communications aggregating in excess of \$1,500 since the most recent
20.2 disclosure date.

20.3 Subd. 6. **Contracts to disburse.** For purposes of this section, a person shall be
20.4 treated as having made a disbursement if the person has entered into an obligation to
20.5 make the disbursement.

20.6 Subd. 7. **Statement of attribution.** (a) An electioneering communication must
20.7 include a statement of attribution.

20.8 (1) For communications distributed by printed material, signs, and billboards, the
20.9 statement must say, in conspicuous letters: "Paid for by [association name] [address]."

20.10 (2) For communications distributed by television, radio, satellite, or cable
20.11 broadcasting system, the statement must be included at the end of the communication and
20.12 must orally state at a volume and speed that a person of ordinary hearing can comprehend:
20.13 "The preceding communication was paid for by the [association name]."

20.14 (3) For communications distributed by telephone communication, the statement
20.15 must precede the communication and must orally state at a volume and speed that a person
20.16 of ordinary hearing can comprehend: "The following communication is paid for by the
20.17 [association name]."

20.18 (b) If the communication is paid for by an association registered with the board, the
20.19 statement of attribution must use the association's name as it is registered with the board.
20.20 If the communication is paid for by an association not registered with the board, the
20.21 statement of attribution must use the association's name as it is disclosed to the board on
20.22 the association's disclosure statement associated with the communication.

20.23 Subd. 8. **Failure to file; penalty.** (a) If a person fails to file a statement required by
20.24 this section by the date the statement is due, the board may impose a late filing fee of \$100
20.25 per day, not to exceed \$5,000, commencing the day after the report was due.

20.26 (b) The board must send notice by certified mail to a person who fails to file a
20.27 statement within ten business days after the statement was due that the person may be
20.28 subject to a civil penalty for failure to file the statement. A person who fails to file the
20.29 statement within seven days after the certified mail notice was sent by the board is subject
20.30 to a civil penalty imposed by the board of up to \$10,000.

20.31 (c) An association that provides disclosure under section 10A.20 rather than under
20.32 this section is subject to the late filing fee and civil penalty provisions of section 10A.20
20.33 and is not subject to the penalties provided in this subdivision.

20.34 (d) An association that makes electioneering communications under this section
20.35 and fails to provide the statement required by subdivision 4, paragraph (b), clause (6),
20.36 within the time specified is subject to an additional civil penalty of up to four times the

21.1 amount of the electioneering communications disbursements, but not to exceed \$25,000,
21.2 except when the violation was intentional.

21.3 Sec. 35. **[10A.243] TERMINATION OF REGISTRATION.**

21.4 Subdivision 1. **Termination report.** A political committee, political fund, principal
21.5 campaign committee, or party unit may terminate its registration with the board after it
21.6 has disposed of all its assets in excess of \$100 by filing a final report of receipts and
21.7 expenditures. The final report must be identified as a termination report and must include
21.8 all financial transactions that occurred after the last date included on the most recent
21.9 report filed with the board. The termination report may be filed at any time after the
21.10 asset threshold in this section is reached.

21.11 Subd. 2. **Asset disposition.** "Assets" include credit balances at vendors, prepaid
21.12 postage and postage stamps, as well as physical assets. Assets must be disposed of at their
21.13 fair market value. Assets of a political fund that consist of, or were acquired using, only
21.14 the general treasury money of the fund's supporting association remain the property of the
21.15 association upon termination of the association's political fund registration and are not
21.16 subject to the disposal requirements of this section.

21.17 Sec. 36. **[10A.244] VOLUNTARY INACTIVE STATUS; POLITICAL FUNDS.**

21.18 Subdivision 1. **Election of voluntary inactive status.** An association that has a
21.19 political fund registered under this chapter may elect to have the fund placed on voluntary
21.20 inactive status if the following conditions are met:

21.21 (1) the association makes a written request for inactive status;

21.22 (2) the association has filed all periodic reports required by this chapter and
21.23 has received no contributions into its political fund and made no expenditures or
21.24 disbursements for electioneering communications through its political fund since the last
21.25 date included on the association's most recent report; and

21.26 (3) the association has satisfied all obligations to the state for late filing fees and civil
21.27 penalties imposed by the board or the board has waived this requirement.

21.28 Subd. 2. **Effect of voluntary inactive status.** After an association has complied
21.29 with the requirements of subdivision 1:

21.30 (1) the board must notify the association that its political fund has been placed in
21.31 voluntary inactive status and of the terms of this section;

21.32 (2) the board must stop sending the association reports, forms, and notices of report
21.33 due dates that are periodically sent to entities registered with the board;

(3) the association is not required to file periodic disclosure reports for its political fund as otherwise required under this chapter;

(4) the association may not accept contributions into its political fund and may not make expenditures, contributions, or disbursements for electioneering communications through its political fund; and

(5) if the association maintains a separate depository account for its political fund, it may continue to pay bank service charges and receive interest paid on that account while its political fund is in inactive status.

Subd. 3. Resumption of active status or termination. (a) An association that has placed its political fund in voluntary inactive status may resume active status upon written notice to the board.

(b) A political fund placed in voluntary inactive status must resume active status within 14 days of the date that it has accepted contributions or made expenditures, contributions, or disbursements for electioneering communications that aggregate more than \$750 since the political fund was placed on inactive status. If, after meeting this threshold, the association does not notify the board that its fund has resumed active status, the board may place the association's political fund in active status and notify the association of the change in status.

(c) An association that has placed its political fund in voluntary inactive status may terminate the registration of the fund without returning it to active status.

Subd. 4. Penalty for financial activity while in voluntary inactive status. If an association fails to notify the board of its political fund's resumption of active status under subdivision 3, the board may impose a civil penalty of \$50 per day, not to exceed \$1,000 commencing on the 15th calendar day after the fund resumed active status.

Sec. 37. [10A.245] ADMINISTRATIVE TERMINATION OF INACTIVE COMMITTEES AND FUNDS.

Subdivision 1. Inactivity defined. (a) A principal campaign committee becomes inactive on the later of the following dates:

(1) six years after the last election in which the individual for whom the committee exists was a candidate for the office sought or held at the time the principal campaign committee registered with the board; or

(2) six years after the last day on which the individual for whom the committee exists served in an elective office subject to this chapter.

(b) A political committee, political fund, or party unit becomes inactive when four years have elapsed since the end of a reporting period during which the political

23.1 committee, political fund, or party unit made an expenditure or disbursement requiring
 23.2 itemized disclosure under this chapter.

23.3 (c) A political fund that has elected voluntary inactive status under section 10A.244
 23.4 becomes inactive within the meaning of this section when four years have elapsed during
 23.5 which the political fund was continuously in voluntary inactive status.

23.6 Subd. 2. **Termination by board.** The board may terminate the registration of a
 23.7 principal campaign committee, party unit, political committee, or political fund found to be
 23.8 inactive under this section 60 days after sending written notice of inactivity by certified mail
 23.9 to the affected association at the last address on record with the board for that association.
 23.10 Within 60 days after the board sends notice under this section, the affected association must
 23.11 dispose of its assets as provided in this subdivision. The assets of the principal campaign
 23.12 committee, party unit, or political committee must be used for the purposes authorized by
 23.13 this chapter or section 211B.12 or must be liquidated and deposited in the general account
 23.14 of the state elections campaign account. The assets of an association's political fund that
 23.15 were derived from the association's general treasury money revert to the association's
 23.16 general treasury. Assets of a political fund that resulted from contributions to the political
 23.17 fund must be used for the purposes authorized by this chapter or section 211B.12 or must
 23.18 be liquidated and deposited in the general account of the state elections campaign account.

23.19 Sec. 38. **[10A.246] UNPAID DEBT UPON TERMINATION.**

23.20 Termination of a registration with the board does not affect the liability, if any, of the
 23.21 association or its candidates, officers, or other individuals for obligations incurred in the
 23.22 name of the association or its political fund.

23.23 Sec. 39. Minnesota Statutes 2012, section 10A.25, subdivision 2, is amended to read:

23.24 Subd. 2. **Amounts.** (a) ~~In a year in which an election is held~~ each election cycle for
 23.25 an office sought by a candidate, the principal campaign committee of the candidate must
 23.26 not make campaign expenditures nor permit approved expenditures to be made on behalf
 23.27 of the candidate that result in aggregate expenditures in excess of the following:

23.28 (1) for governor and lieutenant governor, running together, ~~\$2,577,200~~ \$5,000,000;

23.29 (2) for attorney general, ~~\$429,600~~;

23.30 ~~(3) for secretary of state, and state auditor, separately, \$214,800~~ each \$1,500,000;

23.31 ~~(4) (3) for state senator, \$68,100~~ \$120,000;

23.32 ~~(5) (4) for state representative, \$34,300~~ \$60,000.

23.33 ~~(b) In addition to the amount in paragraph (a), clause (1), a candidate for~~
 23.34 ~~endorsement for the office of lieutenant governor at the convention of a political party~~

24.1 ~~may make campaign expenditures and approved expenditures of five percent of that~~
 24.2 ~~amount to seek endorsement.~~

24.3 ~~(e)~~ (b) If a special election cycle occurs during a general election cycle, expenditures
 24.4 by or on behalf of a candidate in the special election cycle do not count as expenditures by
 24.5 or on behalf of the candidate in the general election cycle.

24.6 ~~(d)~~ (c) The expenditure limits in this subdivision for an office are increased by ten
 24.7 percent for a candidate who is ~~running for that office for the first time~~ has not previously
 24.8 held the same office, whose name has not previously been on the primary or general
 24.9 election ballot for that office, and who has not in the past ten years raised or spent
 24.10 more than \$750 in a run previously for any other office whose territory now includes a
 24.11 population that is more than one-third of the population in the territory of the new office.
 24.12 In the case of a legislative candidate, the office is that of a member of the house of
 24.13 representatives or senate without regard to any specific district.

24.14 Sec. 40. Minnesota Statutes 2012, section 10A.25, subdivision 2a, is amended to read:

24.15 Subd. 2a. **Aggregated expenditures.** If a candidate makes expenditures from more
 24.16 than one principal campaign committee for nomination or election to statewide office
 24.17 in the same election ~~year~~ cycle, the amount of expenditures from all of the candidate's
 24.18 principal campaign committees for statewide office for that election ~~year~~ cycle must be
 24.19 aggregated for purposes of applying the limits on expenditures under subdivision 2.

24.20 Sec. 41. Minnesota Statutes 2012, section 10A.25, subdivision 3, is amended to read:

24.21 Subd. 3. **Governor and lieutenant governor a single candidate.** For the purposes
 24.22 of ~~sections 10A.11 to 10A.34~~ this chapter, a candidate for governor and a candidate
 24.23 for lieutenant governor, running together, are considered a single candidate. ~~Except as~~
 24.24 ~~provided in subdivision 2, paragraph (b),~~ All expenditures made by or all approved
 24.25 expenditures made on behalf of the candidate for lieutenant governor are considered to be
 24.26 expenditures by or approved expenditures on behalf of the candidate for governor.

24.27 Sec. 42. Minnesota Statutes 2012, section 10A.25, subdivision 3a, is amended to read:

24.28 Subd. 3a. **Independent expenditures and electioneering communications.** The
 24.29 principal campaign committee of a candidate must not make independent expenditures or
 24.30 disbursements for electioneering communications.

24.31 Sec. 43. Minnesota Statutes 2012, section 10A.257, subdivision 1, is amended to read:

25.1 Subdivision 1. **Unused funds.** After all campaign expenditures and noncampaign
25.2 disbursements for an election cycle have been made, an amount up to 50 percent of the
25.3 election ~~year~~ cycle expenditure limit for the office may be carried forward. Any remaining
25.4 amount up to the total amount of the public subsidy from the state elections campaign fund
25.5 must be returned to the state treasury for credit to the general fund under section 10A.324.
25.6 Any remaining amount in excess of the total public subsidy must be contributed to the
25.7 state elections campaign ~~fund~~ and account or a political party for multicandidate expenditures
25.8 as defined in section 10A.275.

25.9 Sec. 44. Minnesota Statutes 2012, section 10A.27, subdivision 1, is amended to read:

25.10 Subdivision 1. **Contribution limits.** (a) Except as provided in subdivision 2,
25.11 a candidate must not permit the candidate's principal campaign committee to accept
25.12 aggregate contributions in an election cycle made or delivered by any individual, political
25.13 committee, ~~or political fund,~~ or association not registered with the board in excess of
25.14 the following:

25.15 (1) to candidates for governor and lieutenant governor running together, ~~\$2,000 in~~
25.16 ~~an election year for the office sought and \$500 in other years~~ \$6,000;

25.17 (2) to a candidate for attorney general, secretary of state, or state auditor, ~~\$1,000 in~~
25.18 ~~an election year for the office sought and \$200 in other years~~ \$4,000;

25.19 (3) to a candidate for state senator, ~~\$500 in an election year for the office sought~~
25.20 ~~and \$100 in other years~~ \$3,000;

25.21 (4) to a candidate for state representative, ~~\$500 in an election year for the office~~
25.22 ~~sought and \$100 in the other year~~ \$1,500; and

25.23 (5) to a candidate for judicial office, ~~\$2,000 in an election year for the office sought~~
25.24 ~~and \$500 in other years~~ \$4,500.

25.25 (b) The following deliveries are not subject to the bundling limitation in this
25.26 subdivision:

25.27 (1) delivery of contributions collected by a member of the candidate's principal
25.28 campaign committee, such as a block worker or a volunteer who hosts a fund-raising
25.29 event, to the committee's treasurer; and

25.30 (2) a delivery made by an individual on behalf of the individual's spouse.

25.31 (c) A lobbyist, political committee, political party unit, ~~or an association that has a~~
25.32 ~~political fund,~~ or an association not registered with the board must not make a contribution
25.33 a candidate is prohibited from accepting.

25.34 Sec. 45. Minnesota Statutes 2012, section 10A.27, subdivision 10, is amended to read:

Subd. 10. **Limited personal contributions.** A candidate who ~~accepts a public subsidy~~ signs an agreement under section 10A.322 may not contribute to the candidate's own campaign during ~~a year~~ an election cycle more than ten times the candidate's election ~~year~~ cycle contribution limit under subdivision 1.

Sec. 46. Minnesota Statutes 2012, section 10A.27, subdivision 11, is amended to read:

Subd. 11. **Contributions from certain types of contributors.** A candidate must not permit the candidate's principal campaign committee to accept a contribution from a political committee, political fund, lobbyist, ~~or~~ large contributor, or association not registered with the board if the contribution will cause the aggregate contributions from those types of contributors to exceed an amount equal to 20 percent of the expenditure limits for the office sought by the candidate, provided that the 20 percent limit must be rounded to the nearest \$100. For purposes of this subdivision, "large contributor" means an individual, other than the candidate, who contributes an amount that is ~~more than \$100~~ and more than one-half the amount an individual may contribute.

Sec. 47. Minnesota Statutes 2012, section 10A.27, subdivision 13, is amended to read:

Subd. 13. **Unregistered association limit; statement; penalty.** (a) The treasurer of a political committee, political fund, principal campaign committee, or party unit must not accept a contribution of more than ~~\$100~~ \$200 from an association not registered under this chapter unless the contribution is accompanied by a written statement that meets the disclosure and reporting period requirements imposed by section 10A.20. This statement must be certified as true and correct by an officer of the contributing association. The committee, fund, or party unit that accepts the contribution must include a copy of the statement with the report that discloses the contribution to the board. ~~This subdivision does not apply when a national political party contributes money to its affiliate in this state.~~

(b) An unregistered association may provide the written statement required by this subdivision to no more than three committees, funds, or party units in a calendar year. Each statement must cover at least the 30 days immediately preceding and including the date on which the contribution was made. An unregistered association or an officer of it is subject to a civil penalty imposed by the board of up to \$1,000, if the association or its officer:

(1) fails to provide a written statement as required by this subdivision; or

(2) fails to register after giving the written statement required by this subdivision to more than three committees, funds, or party units in a calendar year.

(c) The treasurer of a political committee, political fund, principal campaign committee, or party unit who accepts a contribution in excess of ~~\$100~~ \$200 from an

27.1 unregistered association without the required written disclosure statement is subject to a
 27.2 civil penalty up to four times the amount in excess of \$100 \$200.

27.3 (d) This subdivision does not apply:

27.4 (1) when a national political party contributes money to its state committee; or

27.5 (2) to purchases by candidates for federal office of tickets to events or space rental

27.6 at events held by party units in this state (i) if the geographical area represented by the

27.7 party unit includes any part of the geographical area of the office that the federal candidate

27.8 is seeking and (ii) the purchase price is not more than that paid by other attendees or

27.9 renters of similar spaces.

27.10 Sec. 48. Minnesota Statutes 2012, section 10A.27, subdivision 14, is amended to read:

27.11 Subd. 14. **Contributions of business revenue.** An association may, if not prohibited
 27.12 by other law, contribute revenue from the operation of a business to an independent
 27.13 expenditure or ballot question political committee or ~~an independent expenditure political~~
 27.14 fund without complying with subdivision 13.

27.15 Sec. 49. Minnesota Statutes 2012, section 10A.27, subdivision 15, is amended to read:

27.16 Subd. 15. **Contributions of dues or contribution revenue or use of general**
 27.17 **treasury money.** (a) An association may, if not prohibited by other law, contribute revenue
 27.18 ~~from membership dues or fees, or from contributions received by the association~~ its general
 27.19 treasury money to an independent expenditure or ballot question political committee or
 27.20 ~~an independent expenditure political~~ fund, including its own independent expenditure or
 27.21 ballot question political committee or fund, without complying with subdivision 13.

27.22 (b) Before the day when the recipient committee or fund's next report must be
 27.23 filed with the board under section 10A.20, subdivision 2 or 5, an association that has
 27.24 contributed more than \$5,000 or more in aggregate to independent expenditure political
 27.25 committees or funds during the calendar year or has contributed more than \$5,000 in
 27.26 aggregate to ballot question political committees or funds during the calendar year must
 27.27 provide in writing to the recipient's treasurer a statement that includes the name, address,
 27.28 and amount attributable to each individual or association person that paid the association
 27.29 dues or fees, or made contributions donations to the association that, in total, aggregate
 27.30 more than \$1,000 or more of the contribution from the association to the independent
 27.31 expenditure or ballot question political committee or fund. The statement must also
 27.32 include the total amount of the contribution from individuals or associations attributable
 27.33 to persons not subject to itemization under this section. The statement must be certified
 27.34 as true ~~and correct~~ by an officer of the donor association.

28.1 ~~(b)~~ (c) To determine the amount of membership dues or fees, or contributions
28.2 donations made by an individual or association that exceed \$1,000 of the contribution
28.3 made by the donor association a person to an association and attributable to the
28.4 association's contribution to the independent expenditure or ballot question political
28.5 committee or fund, the donor association must: separately prorate the total independent
28.6 expenditures and ballot question expenditures made during the calendar year over all
28.7 general treasury money received during the calendar year.

28.8 (1) ~~apply a pro rata calculation to all unrestricted dues, fees, and contributions~~
28.9 ~~received by the donor association in the calendar year; or~~

28.10 (2) ~~as provided in paragraph (c), identify the specific individuals or associations~~
28.11 ~~whose dues, fees, or contributions are included in the contribution to the independent~~
28.12 ~~expenditure political committee or fund.~~

28.13 (e) ~~Dues, fees, or contributions from an individual or association must be identified~~
28.14 ~~in a contribution to an independent expenditure political committee or fund under~~
28.15 ~~paragraph (b), clause (2), if:~~

28.16 (1) ~~the individual or association has specifically authorized the donor association to~~
28.17 ~~use the individual's or association's dues, fees, or contributions for this purpose; or~~

28.18 (2) ~~the individual's or association's dues, fees, or contributions to the donor~~
28.19 ~~association are unrestricted and the donor association designates them as the source of the~~
28.20 ~~subject contribution to the independent expenditure political committee or fund.~~

28.21 (d) If the amount contributed to independent expenditure and ballot question
28.22 political committees or funds in a calendar year exceeds the amount of general treasury
28.23 money received by the association during that year:

28.24 (1) the contributions must be attributed first to all receipts of general treasury money
28.25 received during the calendar year in which the contributions were made;

28.26 (2) any amount of current-year contributions that exceeds the total of all receipts of
28.27 general treasury money during the current calendar year must be prorated over all general
28.28 treasury money received in the preceding calendar year; and

28.29 (3) if the allocation made in clauses (1) and (2) is insufficient to cover the subject
28.30 contributions, no further allocation is required.

28.31 (e) After a portion of an individual's or association's dues, fees, or contributions to
28.32 the donor association have the general treasury money received by an association from a
28.33 person has been designated as the source of a contribution to an independent expenditure or
28.34 ballot question political committee or fund, that portion of the individual's or association's
28.35 dues, fees, or contributions to the donor association association's general treasury money
28.36 received from that person may not be designated as the source of any other contribution to

29.1 an independent expenditure or ballot question political committee or fund or as the source
 29.2 of funds for a disbursement for electioneering communications made by that association.

29.3 ~~(d) For the purposes of this section, "donor association" means the association~~
 29.4 ~~contributing to an independent expenditure political committee or fund that is required to~~
 29.5 ~~provide a statement under paragraph (a).~~

29.6 Sec. 50. Minnesota Statutes 2012, section 10A.323, is amended to read:

29.7 **10A.323 AFFIDAVIT OF CONTRIBUTIONS.**

29.8 (a) In addition to the requirements of section 10A.322, to be eligible to receive a
 29.9 public subsidy under section 10A.31 a candidate or the candidate's treasurer must ~~file an~~
 29.10 ~~affidavit with the board stating that:~~

29.11 (1) between January 1 of the previous year and the cutoff date for transactions
 29.12 included in the report of receipts and expenditures due before the primary election ~~the~~
 29.13 ~~candidate has accumulated,~~ accumulate contributions from ~~persons~~ individuals eligible to
 29.14 vote in this state in at least the amount indicated for the office sought, counting only the
 29.15 first \$50 received from each contributor, excluding in-kind contributions:

29.16 ~~(1)~~ (i) candidates for governor and lieutenant governor running together, \$35,000;

29.17 ~~(2)~~ (ii) candidates for attorney general, \$15,000;

29.18 ~~(3)~~ (iii) candidates for secretary of state and state auditor, separately, \$6,000;

29.19 ~~(4)~~ (iv) candidates for the senate, \$3,000; and

29.20 ~~(5)~~ (v) candidates for the house of representatives, \$1,500-;

29.21 (2) the candidate or the candidate's treasurer must file an affidavit with the board
 29.22 stating that the principal campaign committee has complied with this paragraph. The
 29.23 affidavit must state the total amount of contributions that have been received from persons
 29.24 individuals eligible to vote in this state, ~~disregarding~~ excluding:

29.25 (i) the portion of any contribution in excess of \$50-;

29.26 (ii) any in-kind contribution; and

29.27 (iii) any contribution for which the name and address of the contributor is not known
 29.28 and recorded; and

29.29 (3) the candidate or the candidate's treasurer must submit the affidavit required
 29.30 by this section to the board in writing by the deadline for reporting of receipts and
 29.31 expenditures before a primary under section 10A.20, subdivision 4.

29.32 (b) A candidate for a vacancy to be filled at a special election for which the filing
 29.33 period does not coincide with the filing period for the general election must accumulate
 29.34 the contributions specified in paragraph (a) and must submit the affidavit required by this

30.1 section to the board within five days after the close of the filing period for the special
30.2 election for which the candidate filed.

30.3 (c) A candidate whose name is placed on the ballot after the date by which the
30.4 affidavit must be filed under this subdivision must accumulate the required contributions
30.5 and must file the affidavit required by this section within ten days of the date that the
30.6 candidate's name was placed on the ballot.

30.7 Sec. 51. Minnesota Statutes 2012, section 13.607, subdivision 3, is amended to read:

30.8 Subd. 3. ~~Ethical practices~~ **Campaign Finance and Public Disclosure Board**
30.9 **investigation data.** The record of certain investigations conducted under chapter 10A
30.10 is classified, and disposition of certain information is governed, by section 10A.02,
30.11 subdivision 11a.

30.12 Sec. 52. Minnesota Statutes 2012, section 13.607, subdivision 5a, is amended to read:

30.13 Subd. 5a. **Campaign reports and data.** Certain reports filed with the Campaign
30.14 Finance and Public Disclosure Board are classified under section 10A.20. Certain data
30.15 stored by the Campaign Finance and Public Disclosure Board is not government data
30.16 under section 10A.02, subdivision 11b.

30.17 Sec. 53. Minnesota Statutes 2012, section 211B.32, subdivision 1, is amended to read:

30.18 Subdivision 1. **Administrative remedy; exhaustion.** (a) Except as provided in
30.19 paragraph (b), a complaint alleging a violation of chapter 211A or 211B must be filed with
30.20 the office. The complaint must be finally disposed of by the office before the alleged
30.21 violation may be prosecuted by a county attorney.

30.22 (b) Complaints arising under those sections and related to those individuals and
30.23 associations specified in section 10A.02, subdivision 11, paragraph (a), must be filed with
30.24 the Campaign Finance and Public Disclosure Board.

30.25 Sec. 54. **REPEALER.**

30.26 Minnesota Statutes 2012, sections 10A.24; 10A.241; 10A.242; and 10A.25,
30.27 subdivision 6, are repealed.

10A.24 DISSOLUTION OR TERMINATION.

Subdivision 1. **Termination report.** A political committee, political fund, principal campaign committee, or party unit may not dissolve until it has settled all of its debts and disposed of all its assets in excess of \$100 and filed a termination report. "Assets" include credit balances at vendors and physical assets such as computers and postage stamps. Physical assets must be listed at their fair market value. The termination report may be made at any time and must include all information required in periodic reports.

Subd. 2. **Termination allowed.** Notwithstanding subdivision 1, a committee, fund, or party unit that has debts incurred more than six years previously, has disposed of all its assets, and has met the requirements of section 10A.20, subdivision 7, may notify any remaining creditors by certified mail and then file a termination report.

10A.241 TRANSFER OF DEBTS.

Notwithstanding section 10A.24, a candidate may terminate the candidate's principal campaign committee for one state office by transferring any debts of that committee to the candidate's principal campaign committee for another state office if all outstanding unpaid bills or loans from the committee being terminated are assumed and continuously reported by the committee to which the transfer is being made until paid or forgiven. A loan that is forgiven is covered by section 10A.20 and, for purposes of section 10A.324, is a contribution to the principal campaign committee from which the debt was transferred under this section.

10A.242 DISSOLUTION OF INACTIVE COMMITTEES AND FUNDS.

Subdivision 1. **Dissolution required.** A political committee, political fund, or principal campaign committee must be dissolved within 60 days after receiving notice from the board that the committee or fund has become inactive. The assets of the committee or fund must be spent for the purposes authorized by section 211B.12 and other applicable law or liquidated and deposited in the general account of the state elections campaign fund within 60 days after the board notifies the committee or fund that it has become inactive.

Subd. 2. **Inactivity defined.** (a) A principal campaign committee becomes inactive on the later of the following dates:

(1) when six years have elapsed since the last election in which the person was a candidate for the office sought or held at the time the principal campaign committee registered with the board; or

(2) when six years have elapsed since the last day on which the individual for whom it exists served in an elective office subject to this chapter.

(b) A political committee or fund becomes inactive when two years have elapsed since the end of a reporting period during which the political committee or fund made an expenditure or disbursement requiring disclosure under this chapter.

Subd. 3. **Remaining debts.** If a committee or fund becomes inactive when it still has unpaid debts, the committee or fund must liquidate available assets to pay the debts. If insufficient assets exist to pay the debts, the board may set up a payment schedule and allow the committee or fund to defer dissolution until all debts are paid. This section does not extinguish debts incurred by the committee or fund.

10A.25 SPENDING LIMITS.

Subd. 6. **Limit in nonelection year.** During an election cycle, in any year before the election year for the office held or sought by the candidate, a candidate must not make campaign expenditures nor permit approved expenditures to be made on behalf of the candidate that exceed 20 percent of the expenditure limit set forth in subdivision 2.