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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1277

02/18/2021 Authored by Munson, Mortensen, Drazkowski, Bahr and Lucero
The bill was read for the first time and referred to the Committee on State Government Finance and Elections

1.1 A bill for an act
1.2 relating to local government; prohibiting political subdivisions from spending
1.3 public money for lobbying; proposing coding for new law in Minnesota Statutes,
1.4 chapter 10A; repealing Minnesota Statutes 2020, section 6.76.

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

1.6 Section 1. [10A.101] POLITICAL SUBDIVISION LOBBYING PROHIBITED;
1.7 LOCAL GOVERNMENT ASSOCIATIONS.

1.8 Subdivision 1. Applicability. This section applies to political subdivisions as defined
1.9 in section 10A.01, subdivision 31.

1.10 Subd. 2. No public money spent on lobbying. The governing body of a political
1.11 subdivision may not spend public money to directly or indirectly influence or attempt to
1.12 influence the outcome of any legislation pending before the legislature.

1.13 Subd. 3. Public officers and employees; communications with
1.14 legislature. Notwithstanding subdivision 2, an officer or employee of a political subdivision
1.15 may:

1.16 (1) provide information for a member of the legislature or appear before a legislative
1.17 committee at the request of the committee or a member of the legislature; and

1.18 (2) advocate for or against or otherwise influence or attempt to influence the outcome
1.19 of legislation pending before the legislature while acting as an officer of the political
1.20 subdivision.

2.1 Subd. 4. **Local government association membership.** The governing body of a political
2.2 subdivision may spend, in the name of the political subdivision, money for membership
2.3 fees and dues of a local government association if:

2.4 (1) the local government association, an employee of the local government association,
2.5 or a person acting on behalf of the local government association does not directly or indirectly
2.6 influence or attempt to influence the outcome of any legislation pending before the
2.7 legislature; and

2.8 (2) the local government association does not directly or indirectly contribute any money
2.9 or services to a political campaign or endorse a candidate or group of candidates for public
2.10 office.

2.11 Subd. 5. **Prohibited activity; injunctive relief.** (a) If a political subdivision spends
2.12 public money in violation of subdivision 2, or if a political subdivision pays dues to a local
2.13 government association that engages in activity prohibited under subdivision 4, a taxpayer
2.14 or resident of the political subdivision may apply for an injunction in the district court where
2.15 the political subdivision is located to prevent any further spending of public money in
2.16 violation of subdivision 2 or any further payments of fees and dues to a local government
2.17 association engaged in activity prohibited under subdivision 4.

2.18 (b) A taxpayer or resident who prevails in an action under paragraph (a) is entitled to
2.19 recover from the political subdivision the taxpayer's or resident's reasonable attorneys' fees
2.20 and costs incurred in bringing the action.

2.21 **EFFECTIVE DATE.** This section is effective January 1, 2022.

2.22 Sec. 2. **REPEALER.**

2.23 Minnesota Statutes 2020, section 6.76, is repealed.

2.24 **EFFECTIVE DATE.** This section is effective January 1, 2022.

6.76 POLITICAL SUBDIVISION EXPENDITURES FOR LOBBYISTS.

(a) On or before January 31 of each year, all political subdivisions shall report to the state auditor, on forms prescribed by the auditor, their estimated expenditures paid for the previous calendar year to a lobbyist as defined in section 10A.01, subdivision 21, except payments to associations of political subdivisions that are reported under paragraph (b), and to any staff person not registered as a lobbyist, over 25 percent of whose time is spent during the legislative session on legislative matters.

(b) Associations of political subdivisions subject to this section shall report annually, on or before January 31, to the state auditor and the association's members the proportionate amount of each member's dues spent for lobbying purposes.

(c) For purposes of this section, "political subdivision" has the meaning given in section 6.465, but also includes a metropolitan or regional agency or a public corporation audited by the legislative auditor.