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REVISOR

HOUSE OF REPRESENTATIVES

H. F. No.

2727

State of Minnesota

EIGHTY-NINTH SESSION

03/08/2016 Authored by Halverson, Hortman, Thissen, Bernardy, Freiberg and others The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy

| 1.1 | A bill for an act | | | |
|------|---------------------------------------------------------------------------------------------|--|--|--|
| 1.2 | proposing an amendment to the Minnesota Constitution, article VII, section | | | |
| 1.3 | 9; requiring the legislature to enact laws providing for disclosure of certain | | | |
| 1.4 | campaign contributions and expenditures. | | | |
| 1.5 | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA: | | | |
| | | | | |
| 1.6 | Section 1. CONSTITUTIONAL AMENDMENT PROPOSED. | | | |
| 1.7 | An amendment to the Minnesota Constitution is proposed to the people. If the | | | |
| 1.8 | amendment is adopted, article VII, section 9, will read: | | | |
| 1.9 | Sec. 9. The amount that may be spent by candidates for constitutional and legislative | | | |
| 1.10 | offices to campaign for nomination or election shall be limited by law. | | | |
| 1.11 | The legislature shall provide by law for disclosure of contributions and expenditures | | | |
| 1.12 | made to support or oppose candidates for state elective offices. At a minimum, disclosure | | | |
| 1.13 | must be required for contributions and expenditures for communications made within a | | | |
| 1.14 | reasonable proximity to an election that clearly identify a candidate, communications | | | |
| 1.15 | that use words or phrases of express advocacy, and communications that, when taken | | | |
| 1.16 | as a whole and with limited reference to external events, including the proximity to an | | | |
| 1.17 | election, are not susceptible to any other interpretation by a reasonable person other than | | | |
| 1.18 | as advocating the election or defeat of a candidate. Exceptions to disclosure for de | | | |
| 1.19 | minimus contributions and expenditures and for contributions and expenditures directed | | | |
| 1.20 | by an organization to its own subscribed membership may be provided by law. | | | |
| 1.21 | As used in this section, "candidate" means an individual seeking nomination or | | | |
| 1.22 | election to a constitutional or legislative office and includes an incumbent seeking | | | |
| 1.23 | renomination or reelection to an office. | | | |

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|------|------------------------------------------------------------------------------------------|---------|-------------|---------|--|
| 2.1 | Sec. 2. SUBMISSION TO VOTE | RS. | | | |
| 2.2 | The proposed amendment must be submitted to the people at the 2016 general | | | | |
| 2.3 | election. The question submitted must | be: | | | |
| 2.4 | "Shall the Minnesota Constitution be amended to require public disclosure of | | | | |
| 2.5 | contributions and expenditures for communications made within a reasonable proximity | | | | |
| 2.6 | to an election that clearly identify a candidate, communications that expressly advocate | | | | |
| 2.7 | for or against a candidate for state elected office, and communications that could be | | | | |
| 2.8 | interpreted by a reasonable person as advocating the election or defeat of a candidate | | | | |
| 2.9 | for state elected office? | | | | |
| 2.10 | | | Yes | | |
| 2.11 | |] | <u>No "</u> | | |
| | | | | | |
| 2.12 | Sec. 3. DISCLOSE ACT. | | | | |

This act shall be referred to as the Democracy is Strengthened by Casting Light on 2.13 Spending in Elections (DISCLOSE) Act. 2.14