

SENATE

STATE OF MINNESOTA

NINETY-FOURTH SESSION

S.F. No. 1851

(SENATE AUTHORS: WESTLIN, Carlson and Draheim)		
DATE	D-PG	OFFICIAL STATUS
02/24/2025	489	Introduction and first reading Referred to Elections
02/27/2025	581	Author added Draheim
03/03/2025	603a	Comm report: To pass as amended and re-refer to Judiciary and Public Safety
04/01/2025	1157	Comm report: To pass and re-referred to Elections

1.1

A bill for an act

1.2

relating to elections; prohibiting misrepresentation of campaign authority; providing

1.3

criminal penalties and civil remedies; amending Minnesota Statutes 2024, section

1.4

211B.32, subdivision 1; proposing coding for new law in Minnesota Statutes,

1.5

chapter 211B.

1.6

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

1.7

Section 1. [211B.065] MISREPRESENTATION OF CAMPAIGN AUTHORITY.

1.8

Subdivision 1. Misrepresentation prohibited. (a) A person must not:

1.9

(1) misrepresent the person or any committee or organization as speaking or writing or

1.10

otherwise acting for or on behalf of any real, potential, spurious, or nonexistent candidate,

1.11

political party, committee, fund, or organization with the intent to defraud; or

1.12

(2) willfully and knowingly participate in or conspire to participate in any plan, scheme,

1.13

or design to violate clause (1).

1.14

(b) A person must not:

1.15

(1) misrepresent the person as speaking, writing, or otherwise acting for or on behalf of

1.16

any real, potential, spurious, or nonexistent candidate, political party, committee, fund, or

1.17

organization or employee or agent of any such candidate, political party, or political

1.18

committee or organization when soliciting money or any other thing of value with the intent

1.19

to defraud; or

1.20

(2) willfully and knowingly participate in or conspire to participate in any plan, scheme,

1.21

or design to violate clause (1).

2.1 Subd. 2. **Criminal penalties; civil remedies.** (a) Except as otherwise provided, a person
2.2 who violates this section is guilty of a gross misdemeanor.

2.3 (b) The attorney general, a county attorney, or a party injured by a violation of subdivision
2.4 1 may bring a civil action pursuant to section 8.31 to recover damages, together with costs
2.5 of investigation and reasonable attorney fees, and receive other equitable relief as determined
2.6 by the court. An action brought by an injured party under section 8.31, subdivision 3a,
2.7 benefits the public. In addition to all other damages, the court may impose a civil penalty
2.8 of up to \$1,000 for each violation.

2.9 (c) Civil remedies allowable under this section are cumulative and do not restrict any
2.10 other right or remedy otherwise available. The complaint process provided in sections
2.11 211B.31 to 211B.36 does not apply to violations of this section.

2.12 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
2.13 committed on or after that date and causes of action accruing on or after that date.

2.14 Sec. 2. Minnesota Statutes 2024, section 211B.32, subdivision 1, is amended to read:

2.15 Subdivision 1. **Administrative remedy; exhaustion.** (a) Except as provided in paragraphs
2.16 (b) and (c), a complaint alleging a violation of chapter 211A or 211B must be filed with the
2.17 office. The complaint must be finally disposed of by the office before the alleged violation
2.18 may be prosecuted by a county attorney.

2.19 (b) Complaints arising under those sections and related to those individuals and
2.20 associations specified in section 10A.022, subdivision 3, must be filed with the Campaign
2.21 Finance and Public Disclosure Board.

2.22 (c) Violations of sections 211B.065, 211B.075, and 211B.076 may be enforced as
2.23 provided in those sections.