

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 2837

(SENATE AUTHORS: MARTY)

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OFFICIAL STATUS
Introduction and first reading
Referred to State Government Finance and Policy and Elections

1.1 A bill for an act

1.2 relating to campaign finance; modifying provisions related to certain contributions

1.3 to political committees or funds, independent expenditures, and campaign

1.4 expenditures; prohibiting contributions by foreign nationals; amending Minnesota

1.5 Statutes 2018, section 10A.20, by adding a subdivision; proposing coding for new

1.6 law in Minnesota Statutes, chapter 10A.

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

1.8 Section 1. **[10A.151] REQUIREMENTS FOR ASSOCIATION CONTRIBUTIONS;**

1.9 **INDEPENDENT EXPENDITURES; EXPENDITURES.**

1.10 Subdivision 1. **Application.** This section applies to any association governed by a body

1.11 vested with the general management of the internal affairs of the association, regardless of

1.12 how designated, other than a principal campaign committee, party unit, or political committee.

1.13 A governing body includes but is not limited to a board of directors, executive council, or

1.14 other similar organizational leadership body.

1.15 Subd. 2. **Authorization.** An association as described in subdivision 1 shall not, without

1.16 the prior authorization of the majority of the association's governing body, disburse funds

1.17 in excess of \$1,000 from its general treasury to make:

1.18 (1) a contribution to a political committee or political fund;

1.19 (2) an independent expenditure; or

1.20 (3) a campaign expenditure.

1.21 Subd. 3. **Authorization requirements.** An authorization required under subdivision 2

1.22 for the use of general treasury funds for a contribution to a political committee or political

2.1 fund, an independent expenditure, or a campaign expenditure, must provide the following
2.2 information:

2.3 (1) the amount authorized for:

2.4 (i) a contribution;

2.5 (ii) an independent expenditure; or

2.6 (iii) a campaign expenditure;

2.7 (2) the name and address of:

2.8 (i) each authorized recipient of a contribution;

2.9 (ii) each candidate to be affected by an authorized independent expenditure with an
2.10 indication as to whether the independent expenditure is for or against the candidate; or

2.11 (iii) a description of each ballot question to be affected by an authorized expenditure
2.12 and an indication as to whether the ballot question expenditure is to promote or to defeat
2.13 the ballot question.

2.14 Subd. 4. **Certification.** When an association disburses funds for a contribution, an
2.15 independent expenditure, or a campaign expenditure authorized by the association's governing
2.16 body, an officer of the association must provide a certificate to the treasurer of the political
2.17 committee or political fund. The certificate must document, by resolution or other affirmative
2.18 action, that the contribution, independent expenditure, or campaign expenditure was
2.19 authorized by the association's governing body as required by this section. The certificate
2.20 must be provided before the date that the recipient's next report of receipts and expenditures
2.21 that includes the contribution, independent expenditure, or campaign expenditure is due.
2.22 The certificate must be filed by the recipient with its next report of receipts and expenditures.

2.23 Sec. 2. **[10A.152] PROHIBITION ON CONTRIBUTIONS BY FOREIGN**
2.24 **NATIONALS.**

2.25 (a) A foreign national shall not make a contribution or offer or agree to make a
2.26 contribution to a political committee, political fund, principal campaign committee, or party
2.27 unit.

2.28 (b) As used in this section, foreign national includes the following:

2.29 (1) a person who is not a citizen of the United States and who is not lawfully admitted
2.30 for permanent residence;

(2) a foreign principal, including the government of a foreign country, a foreign political party, a foreign association, including a partnership, a corporation, an organization, or other combination of persons, that has its primary place of business in or is organized under the laws of a foreign country; and

(3) any corporation in which:

(i) a foreign national directly or indirectly owns ten percent or more of the voting shares;

(ii) ten percent or more of the members of the board of directors are foreign nationals;

(iii) one or more foreign nationals has the power to direct or influence the activities of the corporation with respect to its interests in the United States; or

(iv) one or more foreign nationals has the power to direct or influence the activities of the corporation in connection with an election, including the making of a contribution, an independent expenditure, or a campaign expenditure.

Sec. 3. Minnesota Statutes 2018, section 10A.20, is amended by adding a subdivision to read:

Subd. 6c. **Copy of certification.** A political committee or political fund filing a report or statement disclosing a contribution under subdivision 3 must file, along with the report, a copy of the certificate required under section 10A.151, subdivision 4, if applicable.