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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 427

01/28/2019 Authored by Gruenhagen and Quam
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to elections; prohibiting use of public funds to promote or defeat a ballot
1.3 question; proposing coding for new law in Minnesota Statutes, chapters 5; 10A.

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

1.5 Section 1. [5.385] USE OF PUBLIC FUNDS; BALLOT QUESTIONS.

1.6 Notwithstanding section 10A.52, paragraph (b), the secretary of state shall not spend,
1.7 or cause to be spent, any public funds or use any other public resource with the purpose of
1.8 promoting or defeating a ballot question at any time. The secretary of state shall not use the
1.9 inherent prestige of the office in any manner that has the effect of promoting or defeating
1.10 a ballot question. The secretary of state may spend public funds to provide impartial and
1.11 balanced information on ballot questions that does not have the effect of promoting or
1.12 defeating a ballot question. For purposes of this section, public funds means all general,
1.13 special, permanent, trust, and other funds, regardless of source or purpose, held or
1.14 administered by a government entity.

1.15 Sec. 2. [10A.52] USE OF PUBLIC FUNDS; BALLOT QUESTIONS.

1.16 (a) No public official shall spend, or cause to be spent, any public funds or use any other
1.17 public resource with the purpose of promoting or defeating a ballot question or in a manner
1.18 that has the effect of promoting or defeating a ballot question.

1.19 (b) This prohibition only applies after final enactment of a legislative act that places a
1.20 ballot question on the ballot.

- 2.1 (c) For purposes of this section, public funds means all general, special, permanent, trust,
2.2 and other funds, regardless of source or purpose, held or administered by a government
2.3 entity.