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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 2105

03/10/2025 Authored by Nash
The bill was read for the first time and referred to the Committee on State Government Finance and Policy
By motion, recalled and re-referred to the Committee on Elections Finance and Government Operations
03/13/2025 Adoption of Report: Re-referred to the Committee on State Government Finance and Policy

1.1 A bill for an act
1.2 relating to lobbyist registration; amending certain definitions related to lobbying;
1.3 providing that a lobbyist is not required to disclose certain confidential or privileged
1.4 communications; amending Minnesota Statutes 2024, sections 10A.01, subdivisions
1.5 21, 26b; 10A.04, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2024, section 10A.01, subdivision 21, is amended to read:

1.8 Subd. 21. Lobbyist. (a) "Lobbyist" means an individual:

1.9 (1) engaged for pay or other consideration of more than \$3,000 from all sources in any
1.10 year for more than ten hours in any month:

1.11 (i) for the purpose of attempting to influence legislative or administrative action, or the
1.12 official action of a political subdivision, by communicating with public or local officials;
1.13 or

1.14 (ii) from a business whose primary source of revenue is derived from facilitating
1.15 government relations or government affairs services if the individual's job duties include
1.16 offering direct or indirect consulting or advice that helps the business provide those services
1.17 to clients; ~~or~~

1.18 (2) who spends more than \$3,000 of the individual's personal funds, not including the
1.19 individual's own traveling expenses and membership dues, in any year for the purpose of
1.20 attempting to influence legislative or administrative action, or the official action of a political
1.21 subdivision, by communicating with public or local officials; or

2.1 (3) who is employed or retained by a client for financial or other compensation for
2.2 services that include more than one lobbying contact, other than an individual whose lobbying
2.3 activities constitute less than 20 percent of the time engaged in the services provided by
2.4 such individual to that client over a three-month period, in accordance with the definitions
2.5 provided in United States Code, title 2, section 1602.

2.6 (b) "Lobbyist" does not include:

2.7 (1) a public official;

2.8 (2) an employee of the state, including an employee of any of the public higher education
2.9 systems;

2.10 (3) an elected local official;

2.11 (4) a nonelected local official or an employee of a political subdivision acting in an
2.12 official capacity, unless the nonelected official or employee of a political subdivision spends
2.13 more than 50 hours in any month attempting to influence legislative or administrative action,
2.14 or the official action of a political subdivision other than the political subdivision employing
2.15 the official or employee, by communicating or urging others to communicate with public
2.16 or local officials, including time spent monitoring legislative or administrative action, or
2.17 the official action of a political subdivision, and related research, analysis, and compilation
2.18 and dissemination of information relating to legislative or administrative policy in this state,
2.19 or to the policies of political subdivisions;

2.20 (5) a party or the party's representative appearing in a proceeding before a state board,
2.21 commission, or agency of the executive branch unless the board, commission, or agency is
2.22 taking administrative action;

2.23 (6) an individual while engaged in selling goods or services to be paid for by public
2.24 funds;

2.25 (7) a news medium or its employees or agents while engaged in the publishing or
2.26 broadcasting of news items, editorial comments, or paid advertisements which directly or
2.27 indirectly urge official action;

2.28 (8) a paid expert witness whose testimony is requested by the body before which the
2.29 witness is appearing, but only to the extent of preparing or delivering testimony;

2.30 (9) a party or the party's representative appearing to present a claim to the legislature
2.31 and communicating to legislators only by the filing of a claim form and supporting documents
2.32 and by appearing at public hearings on the claim; ~~or~~

3.1 (10) an individual providing information or advice to members of a collective bargaining
3.2 unit when the unit is actively engaged in the collective bargaining process with a state
3.3 agency or a political subdivision;

3.4 (11) an individual whose job responsibilities do not include lobbying, who has not been
3.5 directed or requested to lobby on an issue by their employer, and who does not receive pay
3.6 or consideration for lobbying they undertake on their own initiative;

3.7 (12) an individual working to represent the individual's own interests, notwithstanding
3.8 whether the individual is a lobbyist registered to represent one or more principals, unless
3.9 the individual spends over \$3,000 in personal funds in a calendar year for the purpose of
3.10 lobbying;

3.11 (13) an individual whose work is a result of serving on the board or governing body of
3.12 an association that is a principal, unless the individual receives pay or other consideration
3.13 to lobby on behalf of the association and the aggregate pay or consideration for lobbying
3.14 from all sources exceeds \$3,000 in a calendar year; or

3.15 (14) an individual who, by virtue of their professional licensure, certification, or
3.16 recognized expertise, provides an elected or nonelected local official with factual information,
3.17 technical assessments, or professional recommendations, including but not limited to
3.18 architects, engineers, attorneys, public finance professionals, and other experts with specific
3.19 expertise.

3.20 (c) An individual who volunteers personal time to work without pay or other consideration
3.21 on a lobbying campaign, and who does not spend more than the limit in paragraph (a), clause
3.22 (2), need not register as a lobbyist.

3.23 (d) An individual who provides administrative support to a lobbyist and whose salary
3.24 and administrative expenses attributable to lobbying activities are reported as lobbying
3.25 expenses by the lobbyist, but who does not communicate or urge others to communicate
3.26 with public or local officials, need not register as a lobbyist.

3.27 Sec. 2. Minnesota Statutes 2024, section 10A.01, subdivision 26b, is amended to read:

3.28 Subd. 26b. **Official action of a political subdivision.** "Official action of a political
3.29 subdivision" means any action that requires a vote or approval by one or more elected local
3.30 officials while acting in their official capacity; or an action by an appointed or employed
3.31 local official to make, to recommend, or to vote on as a member of the governing body,
3.32 major decisions regarding the expenditure or investment of public money. Official action

4.1 of a political subdivision does not include the application or administration of a statute, rule,
4.2 or ordinance.

4.3 Sec. 3. Minnesota Statutes 2024, section 10A.04, is amended by adding a subdivision to
4.4 read:

4.5 Subd. 10. **Confidential and privileged communications.** Nothing in this section requires
4.6 an attorney or other licensed professional to disclose information that is protected by
4.7 attorney-client privilege, professional confidentiality obligations, or other legally recognized
4.8 privileges. Licensed professionals subject to confidentiality requirements under state or
4.9 federal law or professional codes of conduct are not required to report communications or
4.10 activities that would result in a violation of these obligations.