

CHAPTER 4512

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

GIFT PROHIBITION

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4512.0010 SCOPE.

This chapter applies to the prohibition of certain gifts pursuant to Minnesota Statutes, section 10A.071.

Statutory Authority: *MS s 10A.02*

History: *20 SR 2504*

4512.0100 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to this chapter and Minnesota Statutes, section 10A.071. The definitions in chapter 4501 and in Minnesota Statutes, chapter 10A, apply to this chapter.

Subp. 2. **Field of specialty.** "Field of specialty" means a vocation, profession, trade, craft, or avocation of the individual.

Subp. 3. **Gift.** In addition to those categories specified in Minnesota Statutes, section 10A.071, subdivision 1, the following are included within the definition of gift:

- A. meals and entertainment;
- B. loans of personal property for less than payment of fair market value;
- C. giving preferential treatment for purchases;
- D. honoraria; and
- E. payment of loans or other obligations.

Subp. 4. **Individual services.** "Individual services" means services performed by an official outside of official duties.

Subp. 5. **Plaque or similar memento.** "Plaque or similar memento" means a decorative item with an inscription recognizing an individual for an accomplishment.

Statutory Authority: *MS s 10A.02*

History: *20 SR 2504*

4512.0200 GIFTS WHICH MAY NOT BE ACCEPTED.

Subpart 1. **Acceptance.** An official may not accept a gift given by a lobbyist or lobbyist principal or given as the result of a request by a lobbyist or lobbyist principal.

Subp. 2. **Use of gift to metropolitan governmental unit.** An official may not use a gift given by a lobbyist or lobbyist principal to a metropolitan governmental unit until the gift has been formally accepted by an official action of the governing body of the metropolitan governmental unit.

Statutory Authority: *MS s 10A.02; 10A.025*

History: *20 SR 2504; 30 SR 903*

4512.0300 GIFTS PAID FOR BY THIRD PARTIES.

A gift is given by the individual or association paying for the gift or reimbursing another for the gift.

Statutory Authority: *MS s 10A.02*

History: *20 SR 2504*

4512.0400 GIFTS PARTIALLY PAID FOR BY LOBBYIST OR LOBBYIST PRINCIPAL.

An official must contemporaneously reimburse the lobbyist or lobbyist principal for the fair market value of any part of a gift paid for by the lobbyist or lobbyist principal.

Statutory Authority: *MS s 10A.02*

History: *20 SR 2504*

4512.0500 WHEN A GIFT IS REQUESTED BY LOBBYIST OR LOBBYIST PRINCIPAL.

A gift is requested by a lobbyist or lobbyist principal if it is the direct result of a request, suggestion, or other affirmative effort by the lobbyist or lobbyist principal.

Statutory Authority: *MS s 10A.02*

History: *20 SR 2504*

4512.0600 SPECIFIC EXCLUSIONS FROM GIFT DEFINITION.

Subpart 1. **Payment for goods and services.** Payment of the regular price for goods or services provided by an official or an official's business is not a gift to the official.

Subp. 2. **Employment compensation.** A salary increase, promotion, or change from part-time to full-time status for an official who is an employee is not a gift to the official.

Statutory Authority: *MS s 10A.02*

History: *20 SR 2504*