ARTICLE §

CAMPAIGN FINANCE

Section 1. Minnesota Statutes 2022, section 10A.01, subdivision 5, is amended to read: Subd. 5. Associated business. "Associated business" means an association, corporation, partnership, limited liability company, limited liability partnership, or other organized legal entity from which the individual or the individual's spouse receives compensation in excess of $250, except for actual and reasonable expenses, in any month during the reporting period as a director, officer, owner, member, partner, employer or employee, or whose securities the individual or the individual's spouse holds worth more than $10,000 at fair market value.

Sec. 2. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read: Subd. 12a. Designated lobbyist. "Designated lobbyist" means the lobbyist responsible for reporting the lobbying disbursements and activity of the entity the lobbyist represents.

Sec. 3. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read: Subd. 17d. General lobbying category. "General lobbying category" means an area of interest for lobbying for an entity that is on a list of categories specified by the board.

Sec. 4. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read: Subd. 19a. Legislative action. "Legislative action" means any of the following:

Sec. 4. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read: Subd. 19a. Legislative action. "Legislative action" means any of the following:
the development of prospective legislation, including the development of amendment
language to prospective legislation;
(2) the review, modification, adoption, or rejection by a member of the legislature or an
employee of the legislature, if applicable, of any (i) bill, (ii) amendment, (iii) resolution,
(iv) confirmation considered by the legislature, or (v) report;
(3) the development of, in conjunction with a constitutional officer, prospective legislation
or a request for support or opposition to introduced legislation; and
(4) the action of the governor in approving or vetoing any act of the legislature or portion
of an act of the legislature.

Sec. 5. Minnesota Statutes 2022, section 10A.01, subdivision 21, is amended to read:
"Lobbyist" means an individual:
(a) "Lobbyist" means an individual:
(i) engaged for pay or other consideration of more than $3,000 from all sources in any
year;
(ii) who spends more than 50 hours in any month attempting to influence legislative or administrative action, or the official action of a
metropolitan governmental unit; or
(iii) an elected local official; or
(b) "Lobbyist" does not include:
(1) a public official;
(2) an employee of the state, including an employee of any of the public higher education
systems;
(3) an elected local official;
(4) a nonelected local official or an employee of a political subdivision acting in an
official capacity, unless the nonelected official or employee of a political subdivision spends
more than 50 hours in any month attempting to influence legislative or administrative action,
or the official action of a metropolitan governmental unit; or
the political subdivision employing the official or employee, by communicating or urging

Lobbyist.
(2) Lobbyist. (a) "Lobbyist" means an individual:
(i) for the purpose of attempting to influence legislative or administrative action, or the
official action of a political subdivision, by communicating or urging others to
communicate with public or local officials; or
(ii) from a business whose primary source of revenue is derived from facilitating
government relations or government affairs services between two third parties, if the
individual's job duties include offering direct or indirect consulting or advice that helps the
individual's own traveling expenses and membership dues, in any year for the purpose
of attempting to influence legislative or administrative action, or the official action of a
political subdivision, by communicating or urging others to communicate with public or local officials.

House Language H1830-3
Campaign Finance

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Senate Language S1362-2

REVISOR FULL-TEXT SIDE-BY-SIDE
others to communicate with public or local officials, including time spent monitoring legislative or administrative action, or the official action of a metropolitan governmental unit, and related research, analysis, and compilation and dissemination of information relating to legislative or administrative policy in this state, or to the policies of metropolitan governmental units; political subdivisions;
(5) a party or the party’s representative appearing in a proceeding before a state board, commission, or agency of the executive branch unless the board, commission, or agency is taking administrative action;
(6) an individual while engaged in selling goods or services to be paid for by public funds;
(7) a news medium or its employees or agents while engaged in the publishing or broadcasting of news items, editorial comments, or paid advertisements which directly or indirectly urge official action;
(8) a paid expert witness whose testimony is requested by the body before which the witness is appearing, but only to the extent of preparing or delivering testimony; or
(9) a party or the party’s representative appearing to present a claim to the legislature and communicating to legislators only by the filing of a claim form and supporting documents and by appearing at public hearings on the claim.
(c) An individual who volunteers personal time to work without pay or other consideration on a lobbying campaign, and who does not spend more than the limit in paragraph (a), clause (2), need not register as a lobbyist.
(d) An individual who provides administrative support to a lobbyist and whose salary and administrative expenses attributable to lobbying activities are reported as lobbying expenses by the lobbyist, but who does not communicate or urge others to communicate with public or local officials, need not register as a lobbyist.
(2) who spends more than $250, not including the individual's own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit or political subdivision, by communicating or urging others to communicate with public or local officials;

(b) "Lobbyist" does not include:

(1) a public official;

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

(3) an elected local official;

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

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

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

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

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

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

(c) An individual who volunteers personal time to work without pay or other consideration on a lobbying campaign, and who does not spend more than the limit in paragraph (a), clause (2), need not register as a lobbyist.
An individual who provides administrative support to a lobbyist and whose salary and administrative expenses attributable to lobbying activities are reported as lobbying expenses by the lobbyist, but who does not communicate or urge others to communicate with public or local officials, need not register as a lobbyist.

**EFFECTIVE DATE.** This section is effective January 1, 2024.

Sec. 6. Minnesota Statutes 2022, section 10A.01, subdivision 26, is amended to read:

(a) "Noncampaign disbursement" means a purchase or payment of money or anything of value made, or an advance of credit incurred, or a donation in kind received, by a principal campaign committee for any of the following purposes:

1. Payment for accounting and legal services;
2. Return of a contribution to the source;
3. Repayment of a loan made to the principal campaign committee by that committee;
4. Return of a public subsidy;
5. Payment for food, beverages, and necessary utensils and supplies, entertainment, and facility rental for a fundraising event;
6. Services for a constituent by a member of the legislature or a constitutional officer in the executive branch as provided in section 10A.173, subdivision 1;
7. Payment for food and beverages consumed by a candidate or volunteers while they are engaged in campaign activities;
8. Payment for food or a beverage consumed while attending a reception or meeting directly related to legislative duties;
9. Payment of expenses incurred by elected or appointed leaders of a legislative caucus in carrying out their leadership responsibilities;
10. Payment by a principal campaign committee of the candidate's expenses for serving in public office, other than for personal uses;
11. Costs of child care for the candidate's children when campaigning;
12. Fees paid to attend a campaign school;
13. Costs of a postelection party during the election year when a candidate's name will no longer appear on a ballot or the general election is concluded, whichever occurs first;
14. Interest on loans paid by a principal campaign committee on outstanding loans;
(15) filing fees;
(16) post-general election holiday or seasonal cards, thank-you notes, or advertisements in the news media mailed or published prior to the end of the election cycle;
(17) the cost of campaign material purchased to replace defective campaign material, if the defective material is destroyed without being used;
(18) contributions to a party unit;
(19) payments for funeral gifts or memorials;
(20) the cost of a magnet less than six inches in diameter containing legislator contact information and distributed to constituents;
(21) costs associated with a candidate attending a political party state or national convention in this state;
(22) other purchases or payments specified in board rules or advisory opinions as being for any purpose other than to influence the nomination or election of a candidate or to promote or defeat a ballot question;
(23) costs paid by a candidate's principal campaign committee for a single reception card, or electronic check;
(24) a contribution to a fund established to support a candidate's participation in a recount of ballots affecting that candidate's election;
(25) costs paid by a candidate's principal campaign committee for a single reception given in honor of the candidate's retirement from public office after the filing period for affidavits of candidacy for that office has closed;
(26) a donation from a terminating principal campaign committee to the state general fund;
(27) a donation from a terminating principal campaign committee to a county obligated to incur special election expenses due to that candidate's resignation from state office;
(28) during a period starting January 1 in the year following a general election and ending on December 31 of the year of general election, total payments of up to $3,000 for security expenses for a candidate, including home security hardware, maintenance of home security hardware, identity theft monitoring services, and credit monitoring services;
(29) costs to support a candidate's principal campaign committee's participation in a recount of ballots affecting that candidate's election;
(30) costs paid by a candidate's principal campaign committee to support the candidate's participation in a recount of ballots affecting the candidate's election;
30 costs of running a transition office for a winning state constitutional office candidate during the first three months after election; and

31 costs paid to repair or replace campaign property that is documented to have been lost, damaged, or stolen, including but not limited to campaign lawn signs.

(b) The board must determine whether an activity involves a noncampaign disbursement within the meaning of this subdivision.

c) A noncampaign disbursement is considered to be made in the year in which the candidate made the purchase of goods or services or incurred an obligation to pay for goods or services.

Sec. 7. Minnesota Statutes 2022, section 10A.01, subdivision 30, is amended to read:

Sec. 3. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read:

Refining the concept of "specific subject of interest" to mean any subject that requires a vote or approval by one or more elected local officials while acting in their official capacity, or by an action by an appointed or employed local official to make, to recommend, or to vote on as a member of the governing body, major decisions regarding the expenditure or investment of public money.

EFFECTIVE DATE: This section is effective the day following final enactment.

Sec. 8. Minnesota Statutes 2022, section 10A.01, subdivision 30, is amended to read:

Sec. 9. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read:

Subd. 35c. "Specific subject of interest," "specific subject of interest" means a particular topic or area of lobbying interest within a general lobbying category.

Sec. 9. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read:

Subd. 37. "Virtual currency," "virtual currency" means any digital currency which is only available in an electronic form and not as a physical form of money. Virtual currency

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functions as a medium of exchange, units of account, or a store of value. Virtual currency
includes cryptocurrencies. Virtual currency does not include currencies issued by a
government.

Subd. 3. Investigation authority; complaint process. (a) The board may investigate
any alleged or potential violation of this chapter. The board may also investigate an alleged
or potential violation of section 211B.04, 211B.12, or 211B.15 by or related to a candidate,
treasure, principal campaign committee, political committee, political fund, or party unit,
as those terms are defined in this chapter. The board may only investigate an alleged violation
if the board:

(1) receives a written complaint alleging a violation;

(2) discovers a potential violation as a result of an audit conducted by the board; or

(3) discovers a potential violation as a result of a staff review.

(b) When the board investigates the allegations made in a written complaint and the
investigation reveals other potential violations that were not included in the complaint, the
board may investigate the potential violations not alleged in the complaint only after making
determination under paragraph (d) that probable cause exists to believe a violation that
warrants a formal investigation has occurred.

(c) Upon receipt of a written complaint filed with the board, the board chair or another
board member designated by the chair shall promptly make a determination as to whether
the complaint alleges a prima facie violation. If a determination is made that the complaint
does not allege a prima facie violation, the complaint shall be dismissed without prejudice
and the complainant and the subject of the complaint must be promptly notified of the
reasons the complaint did not allege a prima facie violation. The notice to the subject of the complaint
must include a copy of the complaint. If the complainant files a revised complaint
regarding the same facts and the same subject, the prima facie determination must be
completed by a board member other than the member who made the initial determination
and who does not support the same political party as the member who made the initial
determination. The chair may order that the prima facie determination for any complaint
be made by the full board and must order that the prima facie determination for a complaint
being submitted for the third time be made by the full board.

(d) If a determination is made that the complaint alleges a prima facie violation, the
board shall, within 45 days of the prima facie determination, make findings and
conclusions as to whether probable cause exists to believe the alleged violation that warrants
a formal investigation has occurred. Any party filing a complaint and any party against
whom a complaint is filed must be given an opportunity to be heard by the board prior to
the board's determination as to whether probable cause exists to believe a violation that
warrants a formal investigation has occurred.

Subd. 3. Upon receipt of a written complaint filed with the board, the board chair or another
board member designated by the chair shall promptly make a determination as to whether
the complaint alleges a prima facie violation. If a determination is made that the complaint
does not allege a prima facie violation, the complaint shall be dismissed without prejudice
and the complainant and the subject of the complaint must be promptly notified of the
reasons the complaint did not allege a prima facie violation. The notice to the subject of the complaint
must include a copy of the complaint. If the complainant files a revised complaint
regarding the same facts and the same subject, the prima facie determination must be
completed by a board member other than the member who made the initial determination
and who does not support the same political party as the member who made the initial
determination. The chair may order that the prima facie determination for any complaint
be made by the full board and must order that the prima facie determination for a complaint
being submitted for the third time be made by the full board.

(d) If a determination is made that the complaint alleges a prima facie violation, the
board shall, within 45 days of the prima facie determination, make findings and
conclusions as to whether probable cause exists to believe the alleged violation that warrants
a formal investigation has occurred. Any party filing a complaint and any party against
whom a complaint is filed must be given an opportunity to be heard by the board prior to
the board's determination as to whether probable cause exists to believe a violation that
warrants a formal investigation has occurred.
Upon a determination by the board that probable cause exists to believe a violation that warrants a formal investigation has occurred, the board must undertake an investigation under subdivision 2 and must issue an order at the conclusion of the investigation, except that if the complaint alleges a violation of section 10A.25 or 10A.27, the board must either enter a conciliation agreement or make public findings and conclusions as to whether a violation has occurred and must issue an order within 60 days after the probable cause determination has been made. Prior to making findings and conclusions in an investigation, the board must offer the subject of the complaint an opportunity to answer the allegations of the complaint in writing and to appear before the board to address the matter. The deadline for action on a written complaint, including but not limited to issuance of a probable cause determination in accordance with paragraph (d), entering into a conciliation agreement, or issuance of public findings may be extended by majority vote of the board.

Subd. 4. A person who willfully fails to report a material change or correction is subject to a civil penalty imposed by the board of up to $3,000. A willful violation of this subdivision is a gross misdemeanor.

The board must send a written notice to any individual who fails to file a report required by this subdivision. If the individual fails to file the required report within ten business days after the notice was sent, the board may impose a late filing fee of $25 per day up to $1,000 starting on the 11th day after the notice was sent. The board may send an additional notice by certified mail to an individual who fails to file a report within ten business days after the first notice was sent by the board. The certified notice must state that if the individual does not file the requested report within ten business days after the certified notice was sent, the individual may be subject to a civil penalty for failure to file a report. An individual who fails to file a report required by this subdivision within ten business days after the certified notice was sent by the board is subject to a civil penalty imposed by the board of up to $1,000. The board may send a written notice to any individual who fails to file a report required by this subdivision. If the individual fails to file the required report within ten business days after the notice was sent, the board may impose a late filing fee of $25 per day up to $1,000 starting on the 11th day after the notice was sent. The board may send an additional notice by certified mail to an individual who fails to file a report within ten business days after the first notice was sent by the board. The certified notice must state that if the individual does not file the requested report within ten business days after the certified notice was sent, the individual may be subject to a civil penalty for failure to file a report. An individual who fails to file a report required by this subdivision within ten business days after the certified notice was sent by the board is subject to a civil penalty imposed by the board of up to $1,000.
the name and address of each individual, association, political subdivision, or public
higher education system, if any, by whom the lobbyist is retained or employed or on whose
behalf the lobbyist appears;

(4) the website address of each association, political subdivision, or public higher
education system identified under clause (3), if the entity maintains a website; and

(5) a general description of the subject or subjects of interest in the lobbying
categories and specific subjects of interest must be specified by the board and

the lobbyist expects to lobby, on behalf of a represented entity; and

(6) if the lobbyist lobbies on behalf of an association, the registration form must include
the name and address of the officers and directors of the association.

Sec. 13. Minnesota Statutes 2022, section 10A.03, is amended by adding a subdivision to
read:

Subd. 6. General lobbying categories and specific subjects of interest. A list of general
lobbying categories and specific subjects of interest must be specified by the board and
updated periodically based on public comment and information provided by lobbyists. The
board must publish on its website the current list of general lobbying categories and specific
subjects of interest. Chapter 14 and section 14.386 do not apply to the specification,
publication, or periodic updates of the list of general lobbying categories and specific subjects
of interest.

Sec. 14. Minnesota Statutes 2022, section 10A.04, subdivision 3, is amended to read:

Subd. 3. Information to lobbyist. An employer or employee about an entity or lobbyist
whose activities are reported to the board by another lobbyist is required to provide the information required by subdivision 4 to the lobbyist no later than five days before the prescribed filing date.

Sec. 15. Minnesota Statutes 2022, section 10A.04, subdivision 4, is amended to read:

Subd. 4. Content. (a) A report under this section must include information the board
requires from the registration form and the information required by this subdivision for the
reporting period.

(b) A lobbyist must report the specific subjects of interest for an entity represented by
the lobbyist on each report submitted under this section. A lobbyist must describe a specific
subject of interest in the report with enough information to show the particular issue of
importance to the entity represented.

(c) A lobbyist must report the lobbyist's total disbursements on lobbying, separately
listing lobbying to influence legislative action, lobbying to influence administrative action,
and lobbying to influence the official actions of a metropolitan governmental unit, and a
download of disbursements for each of those kinds of lobbying into categories specified
for lobbying to influence legislative action.

(1) the name and address of each individual, association, political subdivision, or public
higher education system, if any, by whom the lobbyist is retained or employed or on whose
behalf the lobbyist appears;

(4) the website address of each association, political subdivision, or public higher
education system identified under clause (3), if the entity maintains a website; and

(5) a general description of the subject or subjects of interest in the lobbying
categories and specific subjects of interest must be specified by the board and

the lobbyist expects to lobby, on behalf of a represented entity; and

(6) if the lobbyist lobbies on behalf of an association, the registration form must include
the name and address of the officers and directors of the association.

Sec. 13. Minnesota Statutes 2022, section 10A.03, is amended by adding a subdivision to
read:

Subd. 6. General lobbying categories and specific subjects of interest. A list of general
lobbying categories and specific subjects of interest must be specified by the board and
updated periodically based on public comment and information provided by lobbyists. The
board must publish on its website the current list of general lobbying categories and specific
subjects of interest.

Sec. 14. Minnesota Statutes 2022, section 10A.04, subdivision 3, is amended to read:

Subd. 3. Information to lobbyist. An employer or employee about an entity or lobbyist
whose activities are reported to the board by another lobbyist is required to provide the information required by subdivision 4 to the lobbyist no later than five days before the prescribed filing date.

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Sec. 4. Minnesota Statutes 2022, section 10A.04, subdivision 4, is amended to read:

Subd. 4. Content. (a) A report under this section must include information the board
requires from the registration form and the information required by this subdivision for the
reporting period.

(b) A lobbyist must report the specific subjects of interest for an entity represented by
the lobbyist on each report submitted under this section. A lobbyist must describe a specific
subject of interest in the report with enough information to show the particular issue of
importance to the entity represented.

(c) A lobbyist must report the lobbyist's total disbursements on lobbying, separately
listing lobbying to influence legislative action, lobbying to influence administrative action,
and lobbying to influence the official actions of a metropolitan governmental unit, and a
download of disbursements for each of those kinds of lobbying into categories specified
for lobbying to influence legislative action.
by the board, including but not limited to the cost of publication and distribution of each
publication used in lobbying; other printing; media, including the cost of production; postage;
travel; fees, including allowances; entertainment; telephone and telegraph; and other
expenses; every state agency that had administrative action that the represented entity sought
to influence during the reporting period. The lobbyist must report the specific subjects of
interest for each administrative action and the revisor rule draft number assigned to the
administrative rulemaking.

(d) A lobbyist must report every political subdivision that considered official action that
the represented entity sought to influence during the reporting period. The lobbyist must
report the specific subjects of interest for each action.

(e) A lobbyist must report general lobbying categories and up to four specific subjects
of interest related to each general lobbying category on which the lobbyist attempted to
influence legislative action during the reporting period. If the lobbyist attempted to influence
legislative action on more than four specific subjects of interest for a general lobbying
category, the lobbyist, in consultation with the represented entity, must determine which
four specific subjects of interest were the entity’s highest priorities during the reporting
period and report only those four subjects.

(f) A lobbyist must report the Public Utilities Commission project name for each rate
setting, power plant and powerline siting, or granting of certification of need before the
Public Utilities Commission that the represented entity sought to influence during the
reporting period.

(g) A lobbyist must report the amount and nature of each gift, item, or benefit, excluding contributions to a candidate, equal in value to $5 or more, given or paid to any
official, as defined in section 10A.071, subdivision 1, by the lobbyist or an employer or
employee of the lobbyist. The list must include the name and address of each official to
whom the gift, item, or benefit was given or paid and the date it was given or paid.

(h) A lobbyist must report each original source of money in excess of $500 in any
year used for the purpose of lobbying to influence legislative action, administrative action,
or the official action of a metropolitan governmental unit or political subdivision. The list must
include the name, address, and employer, or, if self-employed, the occupation and principal
place of business, of each payer of money in excess of $500.

(i) On the report due June 15, the lobbyist must provide a disclose the general
description of the subjects lobbying categories that were lobbyed on in the previous 12
months reporting period.

EFFECTIVE DATE. This section is effective January 1, 2024.

Subd. 6. Principal reports. (a) A principal must report to the board as required in this
subdivision by March 15 for the preceding calendar year.
(b) Except as provided in paragraph (d), the principal must report the total amount, rounded to the nearest $20,000, spent by the principal during the preceding calendar year to influence legislative action, administrative action, and the official action of metropolitan governmental units, on each type of lobbying listed below:

1. lobbying to influence legislative action;
2. lobbying to influence administrative action, other than lobbying described in clause (3); and
3. lobbying to influence administrative action in cases of rate setting, power plant and powerline siting, and granting of certificates of need under section 216B.243;

(c) Except as provided in paragraph (d), for each type of lobbying listed in paragraph (b), the principal must report under this subdivision a total amount that includes:

1. the portion of all direct payments for compensation and benefits paid by the principal to lobbyists in this state, for that type of lobbying;
2. the portion of all expenditures for advertising, mailing, research, consulting, surveys, expert testimony, studies, reports, analysis, compilation and dissemination of information, social media, and public relations campaigns related to legislative action, administrative action, or the official action of metropolitan governmental units, and legal counsel used to support that type of lobbying in this state; and
3. for that type of lobbying in this state.

(d) A principal that must report spending to influence administrative action in cases of rate setting, power plant and powerline siting, and granting of certificates of need under section 216B.243 must report those amounts as provided in this subdivision, except that they must be reported separately and not included in the totals required under paragraphs (b) and (c).

(e) The principal must report disbursements made and obligations incurred that exceed $2,000 for paid advertising used for the purpose of urging members of the public to contact public or local officials to influence official actions during the reporting period. Paid advertising includes the cost to boost the distribution of an advertisement on social media.

The report must provide the date that the advertising was purchased, the name and address of the vendor, a description of the advertising purchased, and any specific subjects of interest addressed by the advertisement.

**EFFECTIVE DATE.** This section is effective January 1, 2024.
Sec. 15. Minnesota Statutes 2022, section 10A.04, subdivision 9, is amended to read:

10A.04 LOBBYIST REPORT.

Sec. 6. Minnesota Statutes 2022, section 10A.05, is amended to read:

10A.05 LOBBYIST REPORT.

Within 30 days after each lobbyist filing date set by section 10A.04, the executive director of the board must publish the names of the lobbyists registered who were not previously reported, the names of the individuals, associations, political subdivisions, or public higher education systems whom they represent as lobbyists, the subject or subjects on which they are lobbying, and whether in each case they lobby to influence legislative action, administrative action, or the official action of a metropolitan governmental and political subdivision.
158.5 Sec. 19. Minnesota Statutes 2022, section 10A.06, is amended to read:

158.6 **10A.06 CONTINGENT FEES PROHIBITED.**

158.7 No person may act as or employ a lobbyist for compensation that is dependent upon the result or outcome of any legislative or administrative action, or of the official action of a metropolitan governmental unit.

158.8 A person who violates this section is guilty of a gross misdemeanor.

158.11 Sec. 20. Minnesota Statutes 2022, section 10A.071, subdivision 1, is amended to read:

158.12 Subdivision 1. Definitions. (a) The definitions in this subdivision apply to this section.

158.13 (b) "Gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment, that is given and received without the giver receiving consideration of equal or greater value in return.

158.14 (c) "Official" means a public official, an employee of the legislature, or a local official of a metropolitan governmental unit.

158.15 (d) "Plaque" means a decorative item with an inscription recognizing an individual for an accomplishment.

158.20 Sec. 21. Minnesota Statutes 2022, section 10A.09, subdivision 5, is amended to read:

158.21 Subd. 5. Form; general requirements. (a) A statement of economic interest required by this section must be on a form prescribed by the board. Except as provided in subdivision 5b, the individual filing must provide the following information:

158.22 (1) the individual's name, address, occupation, and principal place of business;

158.23 (2) a listing of the name of each associated business and the nature of that association;

158.24 (3) a listing of all real property within the state, excluding homestead property, in which the individual or the individual's spouse holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the interest is valued in excess of $2,500; or (ii) an option to buy, if the property has a fair market value of more than $50,000;

158.25 (4) a listing of all real property within the state in which a partnership of which the individual or the individual's spouse is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of the partnership interest is valued in excess of $2,500; or (ii) an option

158.28 (a) A statement of economic interest required by this section must be on a form prescribed by the board.

103.11 **EFFECTIVE DATE.** This section is effective January 1, 2024.

103.12 Sec. 7. Minnesota Statutes 2022, section 10A.06, is amended to read:

103.13 **10A.06 CONTINGENT FEES PROHIBITED.**

103.14 No person may act as or employ a lobbyist for compensation that is dependent upon the result or outcome of any legislative or administrative action, or of the official action of a metropolitan governmental unit.

103.16 A person who violates this section is guilty of a gross misdemeanor.

103.18 **EFFECTIVE DATE.** This section is effective January 1, 2024.

103.19 Sec. 8. Minnesota Statutes 2022, section 10A.071, subdivision 1, is amended to read:

103.20 Subdivision 1. Definitions. (a) The definitions in this subdivision apply to this section.

103.21 (b) "Gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment, that is given and received without the giver receiving consideration of equal or greater value in return.

103.22 (c) "Official" means a public official, an employee of the legislature, or a local official of a metropolitan governmental unit.

103.24 (d) "Plaque" means a decorative item with an inscription recognizing an individual for an accomplishment.

103.26 **EFFECTIVE DATE.** This section is effective January 1, 2024.

S1362-2

11.26 Sec. 16. Minnesota Statutes 2022, section 10A.09, subdivision 5, is amended to read:

11.27 Subd. 5. Form; general requirements. (a) A statement of economic interest required by this section must be on a form prescribed by the board. Except as provided in subdivision 5b, the individual filing must provide the following information:

11.28 (1) the individual's name, address, occupation, and principal place of business;

11.29 (2) a listing of the name of each associated business and the nature of that association;

11.30 (3) a listing of all real property within the state, excluding homestead property, in which the individual or the individual's spouse holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the interest is valued in excess of $2,500; or (ii) an option to buy, if the property has a fair market value of more than $50,000;

12.1 (4) a listing of all real property within the state in which a partnership of which the individual or the individual's spouse is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of the partnership interest is valued in excess of $2,500; or (ii) an option
to buy, if the property has a fair market value of more than $50,000. A listing under this
clause or clause (3) must indicate the street address and the municipality or the section,
township, range and approximate acreage, whichever applies, and the county in which the
property is located;

(5) a listing of any investments, ownership, or interests in property connected with
pari-mutuel horse racing in the United States and Canada, including a racehorse, in which
the individual directly or indirectly holds a partial or full interest or an immediate family
member holds a partial or full interest;

(6) a listing of the principal business or professional activity category of each business
from which the individual or the individual's spouse receives more than $250 in any month
during the reporting period as an employee; if the individual or the individual's spouse has
an ownership interest of 25 percent or more in the business;

(7) a listing of each principal business or professional activity category from which the
individual or the individual's spouse received compensation of more than $2,500 in the past
12 months as an independent contractor; and

(8) a listing of the full name of each security with a value of more than $10,000 owned
in part or in full by the individual or the individual's spouse, at any time during the reporting
period; and

(9) a listing of any contract, professional license, lease, or franchise that:

(i) is held by the individual or the individual's spouse or any business in which the
individual has an ownership interest of 25 percent or more; and

(ii) is entered into with, or issued by, the government agency on which the individual
serves as a public or local official.

(b) The business or professional categories for purposes of paragraph (a), clauses (6)
and (7), must be the general topic headings used by the federal Internal Revenue Service
for purposes of reporting self-employment income on Schedule C. This paragraph does not
require an individual to report any specific code number from that schedule. Any additional
principal business or professional activity category may only be adopted if the category is
enacted by law.

(c) For the purpose of calculating the amount of compensation received from any single
source in a single month, the amount shall include the total amount received from the source
during the month, whether or not the amount covers compensation for more than one month.

(d) For the purpose of determining the value of an individual's interest in real property,
the value of the property is the market value shown on the property tax statement.

(e) For the purpose of this section, "date of appointment" means the effective date of
appointment to a position.
For the purpose of this section, "accepting employment as a public official" means the effective date of the appointment to the position, as stated in the appointing authority's notice to the board.

Sec. 22. Minnesota Statutes 2022, section 10A.09, is amended by adding a subdivision to read:

Subd. 5b. Form; exceptions for certain officials. (a) This subdivision applies to the following individuals:

(i) a supervisor of a soil and water conservation district;

(ii) a manager of a watershed district; and

(iii) a member of a watershed management organization as defined under section 103B.205, subdivision 13.

(b) Notwithstanding subdivision 5, paragraph (a), an individual listed in paragraph (a), must provide only the information listed below on a statement of economic interest:

(ii) an option to buy, if the property has a fair market value of more than $50,000; A listing under this clause or clause (3) must indicate the street address and the municipality.
or the section, township, range and approximate acreage, whichever applies, and the county in which the property is located; and

(5) a listing of any contract, professional license, lease, or franchise that meets the following criteria:

(i) it is held by the individual or the individual’s spouse or any business in which the individual has an ownership interest of 25 percent or more; and

(ii) it is entered into with, or issued by, the government agency on which the individual serves as a public or local official.

(c) The listings required in paragraph (b), clauses (3) to (5), must not identify whether the individual or the individual’s spouse is associated with or owns the listed item.

(d) If an individual listed in paragraph (a) also holds a public official position that is not listed in paragraph (a), the individual must file a statement of economic interest that includes the information specified in subdivision 5, paragraph (a).

Subdivision 1. Permitted disbursements. An independent expenditure political committee or fund, or a ballot question political committee or fund, may:

(1) pay costs associated with its fundraising and general operations;

(2) pay for communications that do not constitute contributions or approved expenditures;

(3) make contributions to independent expenditure or ballot question political committees or funds;

(4) make independent expenditures;

(5) make expenditures to promote or defeat ballot questions;

(6) return a contribution to its source;

(7) for a political fund, record bookkeeping entries transferring the association’s general treasury money allocated for political purposes back to the general treasury of the association; and

(8) for a political fund, return general treasury money transferred to a separate depository to the general depository of the association; and

(9) make disbursements for electioneering communications.

EFFECTIVE DATE. This section is effective January 1, 2024, and applies to expenditures and electioneering communications made on or after that date.

EFFECTIVE DATE. This section is effective January 1, 2024, and applies to expenditures and electioneering communications made on or after that date.
Sec. 19. Minnesota Statutes 2022, section 10A.121, subdivision 2, is amended to read:

Subd. 2. Penalty. (a) An independent expenditure political committee or independent expenditure political fund, ballot question political committee, or ballot question political fund is subject to a civil penalty of up to four times the amount of the contribution or approved expenditure if it does the following:

1. makes a contribution to a candidate, local candidate, party unit, political committee, or political fund other than an independent expenditure political committee or an independent expenditure political fund; or

2. makes an approved expenditure.

(b) No other penalty provided in law may be imposed for conduct that is subject to a civil penalty under this section.

Sec. 20. Minnesota Statutes 2022, section 10A.15, subdivision 3, is amended to read:

Subd. 3. Deposit. All contributions received by or on behalf of a candidate, principal campaign committee, political committee, political fund, or party unit must be deposited in an account designated "Campaign Fund of ..... (name of candidate, committee, fund, or party unit)." All contributions must be deposited promptly upon receipt and, except for contributions received during the last three days of a reporting period as described in section 10A.20, must be deposited during the reporting period in which they were received. A contribution received during the last three days of a reporting period must be deposited within 72 hours after receipt and must be reported as received during the reporting period whether or not deposited within that period. A contribution must not be deposited in any other account prior to being deposited within a depository of the principal campaign committee, political committee, political fund, or party unit. However, a contribution may temporarily be held within a digital wallet or other account immediately after receipt if the recipient principal campaign committee, political committee, political fund, or party unit has sole ownership of that account. A candidate, principal campaign committee, political committee, political fund, or party unit may refuse to accept a contribution. A deposited contribution may be returned to the contributor within 90 days after deposit. A contribution deposited and not returned within 90 days after that deposit must be reported as accepted.

Sec. 21. Minnesota Statutes 2022, section 10A.15, subdivision 5, is amended to read:

Subd. 5. Registration number on checks. A contribution made to a candidate or local candidate by a lobbyist, political committee, political fund, or party unit must show the name of the lobbyist, political committee, political fund, or party unit and the number under which it is registered with the board.
Sec. 22. Minnesota Statutes 2022, section 10A.15, is amended by adding a subdivision to read:

Subd. 8. Virtual currency contributions. (a) A principal campaign committee, political committee, political fund, or party unit may accept a donation in kind in the form of virtual currency. The value of donated virtual currency is its fair market value at the time it is donated. The recipient of a virtual currency contribution must sell the virtual currency in exchange for United States currency within five business days after receipt.

(b) Any increase in the value of donated virtual currency after its donation, but before its conversion to United States currency, must be reported as a receipt that is not a contribution pursuant to section 10A.20, subdivision 3. Any decrease in the value of donated virtual currency after its donation, but before its conversion to United States currency, must be reported as an expenditure pursuant to section 10A.20, subdivision 3.

(c) A principal campaign committee, political committee, political fund, or party unit may not purchase goods or services with virtual currency.

Sec. 23. Minnesota Statutes 2022, section 10A.15, is amended by adding a subdivision to read:

Subd. 9. Mobile payments. (a) A principal campaign committee, political committee, political fund, or party unit may accept a contribution of money made using a mobile payment service or platform, a service that is dependent upon direct carrier billing, or a website.

(b) A principal campaign committee, political committee, political fund, or party unit may not solicit or accept a contribution made using a mobile payment service or platform that, to a potential contributor, displays only the name of an individual as the recipient or displays a name for the recipient that is not substantially similar to the name under which the recipient is registered with the board.

(c) A mobile payment contribution must be deposited pursuant to subdivision 3 before the funds received may be used to make an expenditure or disbursement other than payment of any processing fee charged for using the mobile payment service or platform.

Sec. 24. Minnesota Statutes 2022, section 10A.17, subdivision 5, is amended to read:

Subd. 5. Penalty. A person who violates subdivision 2 or 6 is subject to a civil penalty imposed by the board of up to $1,000. A person who knowingly violates subdivision 3a or 4 or falsely claims that an expenditure was an independent expenditure is guilty of a gross misdemeanor and subject to a civil penalty imposed by the board of up to $3,000.
Sec. 25. Minnesota Statutes 2022, section 10A.17, is amended by adding a subdivision to read:

Subd. 6. Use of depository. A political committee, political fund, principal campaign committee, or party unit may not expend money unless the expenditure or other disbursement is made using petty cash or a depository of that committee, fund, or party unit.

Sec. 26. Minnesota Statutes 2022, section 10A.20, subdivision 2a, is amended to read:

Subd. 2a. Local election reports. (a) This subdivision applies to a political committee, political fund, or political party unit that during a non-general election year:

(1) spends in aggregate more than $200 to influence the nomination or election of local candidates;

(2) spends in aggregate more than $200 to make independent expenditures on behalf of local candidates; or

(3) spends in aggregate more than $200 to promote or defeat ballot questions defined in section 10A.01, subdivision 7, clause (2), (3), or (4).

(b) In addition to the reports required by subdivision 2, the entities listed in paragraph (a) must file the following reports in each non-general election year:

(1) a first-quarter report covering the calendar year through March 31, which is due April 14;

(2) a report covering the calendar year through May 31, which is due June 14;

(3) a pre-primary-election report due 15 days before the local primary election date specified in section 205.065;

(4) a pre-general-election report due 42 days before the local general election; and

(5) a pre-general-election report due ten days before a local general election.

The reporting obligations in this paragraph begin with the first report due after the reporting period in which the entity reaches the spending threshold specified in paragraph (a). The pre-primary report required under clause (3) is required for all entities required to report under paragraph (a), regardless of whether the candidate or issue is on the primary ballot.

Sec. 27. Minnesota Statutes 2022, section 10A.20, subdivision 5, is amended to read:

Subd. 5. Pre-election reports. (a) Any loan, contribution, or contributions:

(1) to a political committee or political fund from any one source totaling more than $1,000;

(2) to the principal campaign committee of a candidate for an appellate court judicial office totaling more than $2,000;
164.13 (3) to the principal campaign committee of a candidate for district court judge totaling
164.14 more than $400; or

164.15 (4) to the principal campaign committee of a candidate for constitutional office or for
164.16 the legislature totaling more than 50 percent of the election segment contribution limit for
164.17 the office,

164.18 received between the last day covered in the last report before an election and the election
164.19 must be reported to the board in the manner provided in paragraph (b).

164.20 (b) A loan, contribution, or contributions required to be reported to the board under
164.21 paragraph (a) must be reported to the board either:

164.22 (1) in person by the end of the next business day after its receipt; or

164.23 (2) by electronic means sent within 24 hours after its receipt
164.24 business day after its receipt;

164.25 (c) These loans and contributions must also be reported in the next required report.

164.26 (d) This notice requirement does not apply in a primary election to a candidate who is
164.27 unopposed in the primary, in a primary election to a ballot question political committee or
164.28 fund, or in a general election to a candidate whose name is not on the general election ballot.
164.29 The board must post the report on its website by the end of the next business day after it is
164.30 received.

164.31 (e) This subdivision does not apply to a ballot question or independent expenditure
164.32 political committee or fund that has not met the registration threshold of section 10A.14,
164.33 subdivision 1a. However, if a contribution that would be subject to this section triggers the
164.34 registration requirement in section 10A.14, subdivision 1a, then both registration under that
164.35 section and reporting under this section are required.

Sec. 29. Minnesota Statutes 2022, section 10A.20, subdivision 12, is amended to read:

Subd. 12. Failure to file; late fees; penalty. (a) If an individual or association fails to
file a report required by this section or section 10A.202, the board may impose a late filing
fee as provided in this subdivision;

(b) If an individual or association fails to file a report required by this section that is due
January 31, the board may impose a late filing fee of $25 per day, not to exceed $1,000,
commencing the day after the report was due;

(c) If an individual or association fails to file a report required by this section that is due
before a primary or general election, subdivision 2, 2a, or 5, or by section 10A.202, the
board may impose a late filing fee of $50 per day, not to exceed $1,000, commencing on
the day after the date the statement was due, provided that if the total receipts received

EFFECTIVE DATE. This section is effective January 1, 2024, and applies to
expenditures and electioneering communications made on or after that date.
during the reporting period or total expenditure reportable under section 10A.202 exceeds
$25,000, then the board may impose a late filing fee of up to two percent of the amount that
should have been reported, per day, commencing on the day after the report was due, not
to exceed 100 percent of the amount that should have been reported;
(d) If an individual or association has been assessed a late filing fee under this subdivision
during the prior four years, the board may impose a late filing fee of up to twice the amount
otherwise authorized by this subdivision;
(e) Within ten business days after the report was due or receipt by the board of
information disclosing the potential failure to file a report required by this section, the board
must send notice by certified mail to an individual who fails to file a report within ten
business days after the report was due that the individual or association may be subject to
a civil penalty for failure to file the report. An individual who fails to file the report within
seven days after the certified mail notice was sent by the board is subject to a civil penalty
imposed by the board of up to $1,000 in addition to the late filing fees imposed by this
subdivision;

Sec. 30. [10A.201] ELECTIONEERING COMMUNICATIONS; DEFINITIONS. Subdivision 1. Definitions. The terms defined in this section apply to this section and
to section 10A.202.
Subd. 2. Broadcast, cable, or satellite communication. "Broadcast, cable, or satellite
communication" means a communication that is publicly distributed by a television station,
radio station, cable television system, or satellite system.
Subd. 3. Can be received by 10,000 or more individuals. (a) "Can be received by
10,000 or more individuals" means;
(1) in the case of a communication transmitted by an FM radio broadcast station or
network, where the district lies entirely within the station's or network's protected or primary
service contour, that the population of the district is 10,000 or more;
(2) in the case of a communication transmitted by an FM radio broadcast station or
network, where a portion of the district lies outside of the protected or primary service
contour, that the population of the part of the district lying within the station's or network's
protected or primary service contour is 10,000 or more;
(3) in the case of a communication transmitted by an AM radio broadcast station or
network, where the district lies entirely within the station's or network's most outward service
area, that the population of the district is 10,000 or more;
(4) in the case of a communication transmitted by an AM radio broadcast station or
network, where a portion of the district lies outside of the station's or network's most outward
service area, that the population of the part of the district lying within the station's or
network's most outward service area is 10,000 or more;
(5) in the case of a communication appearing on a television broadcast station or network, that the population of the district is 10,000 or more;

(6) in the case of a communication appearing on a television broadcast station or network, where a portion of the district lies outside of the Grade B broadcast contour;

(i) that the population of the part of the district lying within the station's or network's Grade B broadcast contour is 10,000 or more; or

(ii) that the population of the part of the district lying within the station's or network's broadcast contour, when combined with the viewership of that television station or network by cable and satellite subscribers within the district lying outside the broadcast contour, is 10,000 or more;

(7) in the case of a communication appearing exclusively on a cable or satellite television system, but not on a broadcast station or network, that the viewership of the cable system or satellite system lying within a district is 10,000 or more; or

(8) in the case of a communication appearing on a cable television network, that the total cable and satellite viewership within a district is 10,000 or more; or

(b) Cable or satellite television viewership is determined by multiplying the number of cable and satellite subscribers within a district, or a part thereof, as appropriate, by the current average household size, as determined by the Bureau of the Census.

(c) A determination that a communication can be received by 10,000 or more individuals based on the application of the formula in this section shall create a rebuttable presumption that may be overcome by demonstrating that:

(1) one or more cable or satellite systems did not carry the network on which the communication was publicly distributed at the time the communication was publicly distributed; and

(2) applying the formula to the remaining cable and satellite systems results in a determination that the communication was publicly distributed could not be received by 10,000 individuals or more;

Subd. 4. Direct costs of producing or airing electioneering communications. "Direct costs of producing or airing electioneering communications" means:

(1) costs charged by a vendor, including studio rental time, staff salaries, costs of video or audio recording media, and talent; and

(2) the cost of airtime on broadcast, cable, or satellite radio and television stations, studio time, material costs, and the charges for a broker to purchase the airtime.

Subd. 5. Disclosure date. "Disclosure date" means:
(1) the first date on which an electioneering communication is publicly distributed, provided that the person making the electioneering communication has made one or more disbursements, or has executed one or more contracts to make disbursements, for the direct costs of producing or airing one or more electioneering communications aggregating in excess of $10,000; or

(2) any other date during the same calendar year on which an electioneering communication is publicly distributed, provided that the person making the electioneering communication has made one or more disbursements, or has executed one or more contracts to make disbursements, for the direct costs of producing or airing one or more electioneering communications aggregating in excess of $10,000 since the most recent disclosure date during that calendar year.

Subd. 6. Electioneering communication. (a) "Electioneering communication" means any broadcast, cable, or satellite communication that:

(1) is publicly disseminated through a means of communication other than a broadcast, cable, or satellite television or radio station; or

(2) appears in a news story, commentary, or editorial distributed through the facilities of any broadcast, cable, or satellite television or radio station, unless such facilities are owned or controlled by any political party, political committee, or candidate, provided that a news story distributed through a broadcast, cable, or satellite television or radio station owned or controlled by any political party, political committee, or candidate is not an electioneering communication if the news story meets the requirements described in Code of Federal Regulations, title 11, section 100.132(a) and (b);

(3) constitutes an expenditure or independent expenditure, provided that the expenditure or independent expenditure is required to be reported under this chapter;

(4) constitutes a candidate debate or forum, or that solely promotes such a debate or forum and is made by or on behalf of the person sponsoring the debate or forum; or

(5) is paid for by a candidate.
Subd. 7. Identification. "Identification" means, in the case of an individual, the individual's full name including first name, middle name or initial, if available, and last name; mailing address; occupation; and the name of the individual's employer and, in the case of a person who is not an individual, the person's name and principal place of business.

Subd. 8. Individuals sharing or exercising direction or control. "Individuals sharing or exercising direction or control" means officers, directors, executive directors or the equivalent, partners, and in the case of unincorporated organizations, owners, of the entity or person making the disbursement for the electioneering communication.

Subd. 9. Publicly distributed. "Publicly distributed" means aired, broadcast, cablecast, or otherwise disseminated through the facilities of a television station, radio station, cable television system, or satellite system.

Subd. 10. Refers to a clearly identified candidate. "Refers to a clearly identified candidate" means that the candidate's name, nickname, photograph, or drawing appears, or the identity of the candidate is otherwise apparent through an unambiguous reference such as "the governor," "your legislator," or "the incumbent," or through an unambiguous reference to the candidate's status as a candidate such as "the [political party] gubernatorial nominee" or "the [political party] candidate for senate."

Subd. 11. Targeted to the relevant electorate. "Targeted to the relevant electorate" means the communication can be received by 10,000 or more individuals.

(1) in the district the candidate seeks to represent, in the case of a candidate for representative, senator, or other office represented by district, or

(2) in the entire state, if the candidate seeks a statewide office.

EFFECTIVE DATE. This section is effective January 1, 2024, and applies to expenditures and electioneering communications made on or after that date.

Sec. 31. [10A.201] ELECTIONEERING COMMUNICATION: REPORTING REQUIREMENTS.

Subdivision 1. Reports required. Any person who has made an electioneering communication, as defined in section 10A.201, aggregating in excess of $10,000 during any calendar year shall file a statement with the board no later than 11:59 p.m. on the day following the disclosure date. The statement shall be filed under penalty of perjury, and must contain the information set forth in subdivision 2. Political committees that make a communication described in section 10A.201 must report the communication as a campaign expenditure or independent expenditure as otherwise provided by this chapter and are not required to file a report under this section.

Subd. 2. Content of report. A statement of electioneering communications required by this section shall disclose the following information:

...
(1) the identification of the person who made the disbursement or who executed a contract to make a disbursement and, if the person is not an individual, the person's principal place of business;

(2) the identification of any individual sharing or exercising direction or control over the activities of the person who made the disbursement or who executed a contract to make a disbursement;

(3) the identification of the custodian of the books and accounts from which the disbursements were made;

(4) the amount of each disbursement, or amount obligated, of more than $200 during the period covered by the statement, the date the disbursement was made or the contract was executed, and the identification of the person to whom that disbursement was made;

(5) all clearly identified candidates referred to in the electioneering communication and the elections in which they are candidates;

(6) the disclosure date;

(7) if the disbursements were paid exclusively from a segregated bank account consisting of funds provided solely by persons other than national banks, corporations organized by federal law or the laws of this state, or foreign nationals, the name and address of each donor who donated an amount aggregating $1,000 or more to the corporation or labor organization, aggregating since the first day of the preceding calendar year, and aggregating since the first day of the preceding calendar year, and

(8) if the disbursements were not paid exclusively from a segregated bank account consisting of funds provided solely by persons other than national banks, corporations organized by federal law or the laws of this state, or foreign nationals, and were not made by a corporation or labor organization, the name and address of each donor who donated an amount aggregating $1,000 or more to the person making the disbursement, aggregating since the first day of the preceding calendar year; and

(9) if the disbursements were made by a corporation or labor organization and were not paid exclusively from a segregated bank account consisting of funds provided solely by persons other than national banks, corporations organized by federal law or the laws of this state, or foreign nationals, the name and address of each person who made a donation aggregating $1,000 or more to the corporation or labor organization, aggregating since the first day of the preceding calendar year, which was made for the purpose of furthering electioneering communications.

Subd. 3. Recordkeeping. All persons who make electioneering communications or who accept donations for the purpose of making electioneering communications must maintain records as necessary to comply with the requirements of this section.
Subd. 4. Disclaimer required. An electioneering communication must include a
disclaimer in the same manner as required for campaign material under section 211B.04.

Subdivision 1, paragraph (c).

Subd. 5. Late fees; failure to file; penalties. A person who fails to file a report required
by this section is subject to the late fees and penalties provided in section 10A.20, subdivision
12.

EFFECTIVE DATE. This section is effective January 1, 2024, and applies to
expenditures and electioneering communications made on or after that date.

Sec. 32. Minnesota Statutes 2022, section 10A.244, is amended to read:

Sec. 30. Minnesota Statutes 2022, section 10A.244, is amended to read:

10A.244 VOLUNTARY INACTIVE STATUS; POLITICAL FUNDS.

Subdivision 1. Election of voluntary inactive status. An association that has a political
fund registered under this chapter may elect to have the fund placed on voluntary inactive
status if the following conditions are met:

(1) the association makes a written request for inactive status;

(2) the association has filed all periodic reports required by this chapter and has received
no contributions into its political fund and made no expenditures or disbursements, including
disbursements for electioneering communications, through its political fund since the last
date included on the association's most recent report; and

(3) the association has satisfied all obligations to the state for late filing fees and civil
penalties imposed by the board or the board has waived this requirement.

Subd. 2. Effect of voluntary inactive status. After an association has complied with
the requirements of subdivision 1:

(1) the board must notify the association that its political fund has been placed in
voluntary inactive status and of the terms of this section;

(2) the board must stop sending the association reports, forms, and notices of report due
dates that are periodically sent to entities registered with the board;

(3) the association is not required to file periodic disclosure reports for its political fund
as otherwise required under this chapter;

(4) the association may not accept contributions into its political fund and may not make
expenditures, contributions, or disbursements, including disbursements for electioneering
communications, through its political fund; and

(5) if the association maintains a separate depository account for its political fund, it
may continue to pay bank service charges and receive interest paid on that account while
its political fund is in inactive status.

This section is effective January 1, 2024, and applies to
expenditures and electioneering communications made on or after that date.

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expenditures and electioneering communications made on or after that date.

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12.

10A.244 VOLUNTARY INACTIVE STATUS; POLITICAL FUNDS.

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fund registered under this chapter may elect to have the fund placed on voluntary inactive
status if the following conditions are met:

(1) the association makes a written request for inactive status;

(2) the association has filed all periodic reports required by this chapter and has received
no contributions into its political fund and made no expenditures or disbursements, including
disbursements for electioneering communications, through its political fund since the last
date included on the association's most recent report; and

(3) the association has satisfied all obligations to the state for late filing fees and civil
penalties imposed by the board or the board has waived this requirement.

Subd. 2. Effect of voluntary inactive status. After an association has complied with
the requirements of subdivision 1:

(1) the board must notify the association that its political fund has been placed in
voluntary inactive status and of the terms of this section;

(2) the board must stop sending the association reports, forms, and notices of report due
dates that are periodically sent to entities registered with the board;

(3) the association is not required to file periodic disclosure reports for its political fund
as otherwise required under this chapter;

(4) the association may not accept contributions into its political fund and may not make
expenditures, contributions, or disbursements, including disbursements for electioneering
communications, through its political fund; and

(5) if the association maintains a separate depository account for its political fund, it
may continue to pay bank service charges and receive interest paid on that account while
its political fund is in inactive status.
Subd. 3. Resumption of active status or termination. (a) An association that has placed its political fund in voluntary inactive status may resume active status upon written notice to the board.

(b) A political fund placed in voluntary inactive status must resume active status within 14 days of the date that it has accepted contributions or made expenditures, contributions, or disbursements, including disbursements for electioneering communications, that aggregate more than $750 since the political fund was placed on inactive status. If, after meeting this threshold, the association does not notify the board that its fund has resumed active status, the board may place the association's political fund in active status and notify the association of the change in status.

(c) An association that has placed its political fund in voluntary inactive status may terminate the registration of the fund without returning it to active status.

Subd. 3a. Termination of political committee. A political committee, political fund, political party unit, or principal campaign committee that raises funds through the sale of goods or services must disclose to potential customers that the proceeds from the purchase are a political contribution and to whom the contribution is made. If goods or services are sold in person, the notice may be provided verbally at the time of purchase, or through the prominent display of a sign providing the notice in immediate proximity to within three feet of, and facing, the point of sale at the location where the goods or services are sold. If goods or services are sold using a website or other electronic means, the notice must be prominently displayed to the customer at the point of sale. The principal campaign committee of a candidate must not make independent expenditures to the board.

Subd. 4. Penalty for financial activity while in voluntary inactive status. If an association fails to notify the board of its political fund's resumption of active status under subdivision 3, the board may impose a civil penalty of $50 per day, not to exceed $1,000 commencing on the 15th calendar day after the fund resumed active status.

EFFECTIVE DATE. This section is effective January 1, 2024, and applies to expenditures and electioneering communications made on or after that date.

Sec. 33. Minnesota Statutes 2022, section 10A.25, subdivision 3a, is amended to read:

Subd. 3a. Independent expenditures and electioneering communications. The principal campaign committee of a candidate must not make independent expenditures or disbursements for electioneering communications. If the principal campaign committee of a candidate makes a contribution to an independent expenditure committee or independent expenditure fund on or after January 1 of the year the candidate's office will appear on the ballot, the independent expenditure committee or independent expenditure fund must not make an independent expenditure for that candidate.

EFFECTIVE DATE. This section is effective January 1, 2024, and applies to expenditures and electioneering communications made on or after that date.

Sec. 32. Minnesota Statutes 2022, section 10A.271, subdivision 1, is amended to read:

Subdivision 1. Notice to contributors. A political committee, political fund, political party unit, or principal campaign committee that raises funds through the sale of goods or services must disclose to potential customers that the proceeds from the purchase are a political contribution and to whom the contribution is made. If goods or services are sold in person, the notice may be provided verbally at the time of purchase, or through the prominent display of a sign providing the notice in immediate proximity to within three feet of, and facing, the point of sale at the location where the goods or services are sold. If goods or services are sold using a website or other electronic means, the notice must be prominently displayed to the customer at the point of sale.
Subdivision 1. Contributions during legislative session. (a) A candidate for the legislature or for constitutional office, or by a political party organization within a body of the legislature, is a violation of this section. (b) Regardless of when made, a contribution made by a lobbyist, political committee, political fund, or an association not registered with the board and that is held by the principal campaign committee of a candidate for the legislature or constitutional office, or by a political party organization within a body of the legislature, is a violation of this section. (c) Regardless of when made, a contribution from a lobbyist, political committee, or political fund for membership or access to a facility operated during the regular session of the legislature by the principal campaign committee of a candidate for the legislature or constitutional office, or by a political party organization within a body of the legislature, is a violation of this section.

EFFECTIVE DATE. This section is effective the day following final enactment.

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Sec. 36. Minnesota Statutes 2022, section 10A.275, subdivision 1, is amended to read:

174.14 Subdivision 1. Exceptions. Notwithstanding other provisions of this chapter, the following expenditures by a party unit, or two or more party units acting together, with at least one party unit being either: the state committee or the party organization within a congressional district, county, or legislative district, are not considered contributions to or expenditures on behalf of a candidate for the purposes of section 10A.25 or 10A.27 and must not be allocated to candidates under section 10A.20, subdivision 3, paragraph (h):

174.15 (1) expenditures on behalf of candidates of that party generally without referring to any of them specifically in a published, posted, or broadcast advertisement;

174.16 (2) expenditures for the preparation, display, mailing, or other distribution of an official party sample ballot listing the names of three or more individuals whose names are to appear on the ballot;

174.17 (3) expenditures for a telephone call, voice mail, text message, multimedia message, internet chat message, or email when the communication includes the names of three or more individuals whose names are to appear on the ballot;

174.18 (4) expenditures for a booth at a community event, county fair, or state fair that benefits three or more individuals whose names are to appear on the ballot;

174.19 (5) expenditures for a telephone call, voice mail, text message, multimedia message, internet chat message, or email when the communication includes the names of three or more individuals whose names are to appear on the ballot;

174.20 (6) expenditures for a booth at a community event, county fair, or state fair that benefits three or more individuals whose names are to appear on the ballot;

174.21 Sec. 37. Minnesota Statutes 2022, section 10A.38, is amended to read:

174.22 10A.38 CAPTIONING OF CAMPAIGN ADVERTISEMENTS.

174.23 (a) This section applies to a campaign advertisement by a candidate who is governed by an agreement under section 10A.322.

174.24 (b) "Campaign advertisement" means a professionally produced visual or audio recording of two minutes or less produced by the candidate for the purpose of influencing the nomination or election of a candidate.

174.25 (c) A campaign advertisement that is disseminated as an advertisement by broadcast or cable television must include closed captioning for deaf and hard-of-hearing viewers, unless the candidate has filed with the board before the advertisement is disseminated a statement setting forth the reasons for not doing so. A campaign advertisement that is disseminated
as an advertisement to the public on the candidate's website must include closed captioning for deaf and hard-of-hearing viewers, unless the candidate has posted on the website a transcript of the spoken content of the advertisement or the candidate has filed with the board before the advertisement is disseminated a statement setting forth the reasons for not doing so. A campaign advertisement must not be disseminated as an advertisement by radio unless the candidate has posted on the candidate's website a transcript of the spoken content of the advertisement or the candidate has filed with the board before the advertisement is disseminated a statement setting forth the reasons for not doing so.

(D) A candidate who fails to comply with the requirements of paragraph (c) is subject to a civil penalty imposed by the board of up to $1,000.

Sec. 38. REPEALER.

Minnesota Rules, part 4511.0600, subpart 5, is repealed.

Minnesota Rules, parts 4511.0100, subpart 3a; and 4511.0600, subpart 5, are repealed.