

**211B.04 CAMPAIGN LITERATURE MUST INCLUDE DISCLAIMER.**

(a) A person who participates in the preparation or dissemination of campaign material other than as provided in section 211B.05, subdivision 1, that does not prominently include the name and address of the person or committee causing the material to be prepared or disseminated in a disclaimer substantially in the form provided in paragraph (b) or (c) is guilty of a misdemeanor.

(b) Except in cases covered by paragraph (c), the required form of disclaimer is: "Prepared and paid for by the ..... committee, .....(address)" for material prepared and paid for by a principal campaign committee, or "Prepared and paid for by the ..... committee, .....(address)" for material prepared and paid for by a person or committee other than a principal campaign committee. If the material is produced and disseminated without cost, the words "paid for" may be omitted from the disclaimer.

(c) In the case of broadcast media, the required form of disclaimer is: "Paid for by the ..... committee." If the material is produced and broadcast without cost, the required form of the disclaimer is: "The ..... committee is responsible for the content of this message."

(d) This section does not apply to fund-raising tickets, business cards, personal letters, or similar items that are clearly being distributed by the candidate.

(e) This section does not apply to an individual or association that is not required to register or report under chapter 10A or 211A.

(f) This section does not apply to the following:

(1) bumper stickers, pins, buttons, pens, or similar small items on which the disclaimer cannot be conveniently printed;

(2) skywriting, wearing apparel, or other means of displaying an advertisement of such a nature that the inclusion of a disclaimer would be impracticable; and

(3) online banner ads and similar electronic communications that link directly to an online page that includes the disclaimer.

(g) This section does not modify or repeal section 211B.06.

**History:** 1988 c 578 art 3 s 4; 1991 c 227 s 24; 1998 c 376 s 2; 2004 c 293 art 3 s 2; 2010 c 397 s 15; 2015 c 73 s 22

**NOTE:** See *Riley v. Jankowski*, 713 N.W.2d 379 (Minn. Ct. App. 2006) for decision on the constitutionality of Minnesota Statutes 2004, section 211B.04. See also Laws 2010, chapter 397, section 15, amending Minnesota Statutes 2008, section 211B.04. See *Minnesota Citizens Concerned for Life, Inc. v. Kelley*, 219 F.Supp.2d 1052 (D.Minn. 2003) for decision on the constitutionality of Minnesota Statutes 2000, section 211B.04. See Also Laws 2004, chapter 293, article 3, section 2, amending Minnesota Statutes 2002, section 211B.04.