10A.52 MAJOR DECISION OF NONELECTED LOCAL OFFICIALS.

Subdivision 1. **Major decision regarding the expenditure of public money.** (a) Attempting to influence a nonelected local official is lobbying if the nonelected local official uses:

(1) the authority to make major decisions regarding the expenditure or investment of public money;

(2) the responsibility to make recommendations to a chief executive or the governing body about major decisions regarding the expenditure or investment of public money; or

(3) the authority to vote as a member of the governing body on major decisions regarding the expenditure or investment of public money.

(b) The mere act of submitting an application for a grant or responding to a request for proposals is not lobbying. Communications of a purely administerial or technical nature regarding the submission of a grant application or response to requests for proposals are not lobbying.

Subd. 2. **Actions that are a major decision regarding public funds.** A major decision regarding the expenditure or investment of public money includes but is not limited to a decision on:

(1) the development and ratification of operating and capital budgets of a political subdivision, including development of the budget request for an office or department within the political subdivision;

(2) whether to apply for or accept state, federal, or private grant funding;

(3) selecting recipients for government grants from the political subdivision; or

(4) tax abatement, tax increment financing, or expenditures on public infrastructure used to support private housing or business developments.

Subd. 3. **Actions that are not a major decision.** A major decision regarding the expenditure of public money does not include:

(1) the purchase of goods or services with public funds in the operating or capital budget of a political subdivision;

(2) collective bargaining of a labor contract on behalf of a political subdivision; or

(3) participating in discussions with a party or a party's representative regarding litigation between the party and the political subdivision of the local official.

History: *2025 c 39 art 7 s 15*