

2020
COUNCIL MEMBER
CANDIDATE
PACKET

Brooklyn Park 

NOTICE TO CANDIDATE

CANDIDATE FILING PERIOD:

Tuesday, May 19 – Tuesday, June 2, 2020

Signatures on the nomination petitions
can only be obtained during the filing
period.

NOTICE TO CANDIDATE

TO: Prospective Council Member Candidates

RE: **Candidate Filing Requirements**

Dear Prospective Council Member Candidate:

Congratulations on your interest in becoming our next Council Member!

The candidate filing period for Council Member in the Central, East, or West District is May 19 through June 2, 2020. ***Signatures can only be obtained during the filing period.*** I encourage you to file early during this period and not wait until the last day.

In accordance with Charter Section 4.06 and 4.07, the following filing requirements must be met and submitted by 5 p.m. June 2, 2020:

- A nominating petition with signatures, printed names, addresses and date of at least twenty-five (25) **registered** voters of the City of Brooklyn Park, qualified to vote for the office in question. These signatures need to be of **registered** voters in the District from which you reside.
- I encourage you to obtain at least forty (40) signatures to offset the possibility of residents believing they are registered when they are not.
- The nominating petition must be signed and notarized. Both sides of the petition if each side is used and in the same format per the Charter.
- Minnesota Affidavit of Candidacy form – signed and notarized. The exact name from this form will be used on the ballot.
- A \$25.00 non-refundable filing fee.
- You may also submit the Statement of Economic Interest form or within 14 days of filing.

Included in your folder are the Candidate Filing forms and important information to review. Should you have any questions, please call me at 763-493-8180. Good luck in your endeavor.

Devin Montero, CMC
City Clerk

CANDIDATE FILING FORMS IN THE PACKET

1. Ten Nomination Petition Sheets (two sided).
2. Minnesota Affidavit of Candidacy form and Minnesota Address of Residence Form. (The Affidavit of Candidacy must be signed, notarized and filed with the City Clerk during the filing period.)
3. City Charter Sections: 2.03, Mayor and Council Members: Qualifications and Terms; 4.06, Nominations By Petition; 4.07, Nomination Petitions; and 4.08, Withdrawal of Candidate; and 4.10 Write-In Candidates
4. Precinct Map and List of polling places– (A larger map may be purchased upon request)
5. Council Member Job Description
6. City Code Section 30:01: Salary of Mayor and Council Members
7. Campaign Sign Information – City of Brooklyn Park, Hennepin County, MN Department of Transportation and Brooklyn Park Campaign Sign Acknowledgement Form
8. Campaign Finance Materials from Hennepin County:
 - a. Candidate Letter
 - b. Financial Disclosure Law Information
 - c. Registration Form
 - d. Contribution Limits
 - e. Financial Disclosure Law Booklet and Supplement
9. Statement of Economic Interest Form Memo with Attachment
10. Affidavit of Withdrawal Form
11. Map Order Form
12. Registered Voter List Request Form
13. Polling Place List Request Form
14. Precinct Finder Request Form
15. IRS Fact Sheet
16. Candidate Write-in Request (General Election Only)

NOMINATION PETITION

We, the undersigned registered voters in the City of Brooklyn Park, hereby nominate _____, whose residence is _____ in the City of Brooklyn Park, for the office of _____ to be voted for at the regular municipal election to be held _____, 20____; and we individually certify that we are qualified registered voters and that we have not signed more nomination petitions of candidates for this office than there are persons to be elected thereto.

| Name (Legal Signature) | Print Name | Address | Date |
|------------------------|------------|---------|-------|
| 1. _____ | _____ | _____ | _____ |
| 2. _____ | _____ | _____ | _____ |
| 3. _____ | _____ | _____ | _____ |
| 4. _____ | _____ | _____ | _____ |
| 5. _____ | _____ | _____ | _____ |
| 6. _____ | _____ | _____ | _____ |
| 7. _____ | _____ | _____ | _____ |
| 8. _____ | _____ | _____ | _____ |
| 9. _____ | _____ | _____ | _____ |
| 10. _____ | _____ | _____ | _____ |

_____, being duly sworn, deposes and says that he/she circulated the foregoing petition containing no more than 10 signatures, and that the signatures appended thereto were made in his/her presence and are the signatures of the persons whose names they purport to be and that such persons signed the petition of their own free will.

(Circulator)

Subscribed and sworn to before me this _____ day of _____ 20__

Notary Public

This petition, if found insufficient, shall be returned to _____
at _____.

There must also be filed in the office of the City Clerk by the end of the filing period a written statement signed by the person nominated in a nomination petition, indicating his/her willingness to accept the office for which he/she is nominated, which statement should be in substantially the following form:

I hereby indicate my willingness to accept the office of _____ if elected.

(Signature of Candidate)

(Date)

Page ____ of ____

Nominating Petitions must be signed during the filing period of May 19 through June 2, 2020 and signed by **registered** voters who live in the City of Brooklyn Park. Signatures must only appear on the Nomination Petition Form.

We, the undersigned registered voters in the City of Brooklyn Park, hereby nominate _____, whose residence is _____ in the City of Brooklyn Park, for the office of _____ to be voted for at the regular municipal election to be held _____, 20____; and we individually certify that we are qualified **registered** voters and that we have not signed more nomination petitions of candidates for this office than there are persons to be elected thereto.

Each petition page must have no more than 10 signature lines.

| | Name (Legal Signature) | Print Name | Address | Date |
|-----|------------------------|------------|---------|-------|
| 1. | _____ | _____ | _____ | _____ |
| 2. | _____ | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ | _____ |
| 6. | _____ | _____ | _____ | _____ |
| 7. | _____ | _____ | _____ | _____ |
| 8. | _____ | _____ | _____ | _____ |
| 9. | _____ | _____ | _____ | _____ |
| 10. | _____ | _____ | _____ | _____ |

Each petition page must have a legal signature, printed name, address and date (mm/dd/yyyy) on each signature line

_____, being duly sworn, deposes and says that he/she circulated the foregoing petition containing no more than 10 signatures, and that the signatures appended thereto were made in his/her presence and are the signatures of the persons whose names they purport to be and that such persons signed the petition of their own free will.

(Circulator)

Name of individual circulating the petition

Subscribed and sworn to before me
this _____ day of _____ 20____

Each petition page must be notarized

Notary Public

This petition, if found insufficient, shall be returned to _____ at _____.

Name and Address
of Candidate

There must also be filed in the office of the City Clerk by the end of the filing period a written statement signed by the person nominated in a nomination petition, indicating his/her willingness to accept the office for which he/she is nominated, which statement should be in substantially the following form:

I hereby indicate my willingness to accept the office of _____ if elected.

(Signature of Candidate) (Date)

**NOTE: ANY ALTERATION TO THE
FORM OF THE PETITION COULD
INVALIDATE THE PETITION**

Page ____ of ____

DO NOT USE THIS AS YOUR ACTUAL PETITION. This is only an example to provide guidance in completing your petition.
The City Clerk will provide you with the Nominating Petitions in your Candidate packet.



Office of the Minnesota Secretary of State
AFFIDAVIT OF CANDIDACY

Filing # _____

Cash/Check # _____

Amount \$ _____

Instructions

All information on this form is available to the public. Information provided will be published on the [Secretary of State's website](#). If filing for partisan office and not a major party candidate, you must file both an affidavit of candidacy and a nominating petition. (*Minn. Stat.* 204B.03)

Candidate Information

Name and Office

Candidate Name (as it will appear on the ballot)

Office Sought

District #

For Partisan Office, Provide Political Party or Principle

For Judicial Office, Provide Name of Incumbent

Residence Address

Do not complete if residence address is to be private and checkbox below is marked. All address and contact information is optional for federal, judicial, county attorney, and county sheriff office candidates.

Street Address

City

State

Zip Code

My residence address is to be classified as private data. I certify a police report has been submitted or I have an order for protection for my (or my family's) safety, or my address is otherwise private by Minnesota law. I have attached a separate form listing my residence address.

Campaign Address and Contact

Candidate Phone Number (Required)

Campaign Contact Address (Required for those who have checked the box above):

Street Address

City

State

Zip Code

Website

Email

Affirmation

For all offices, I swear (or affirm) that this is my true name or the name by which I am generally known in the community.

If filing for a state or local office, I also swear (or affirm) that:

- I am eligible to vote in Minnesota;
- I have not filed for the same or any other office at the upcoming primary or general election (except as provided in *M.S.* 204B.06, subd. 1 (2));
- I am, or will be on assuming office, 21 years of age or more;
- I will have maintained residence in this district for at least 30 days before the general election; and
- If a major political party candidate, I either participated in the party's most recent precinct caucuses or intend to vote for a majority of that party's candidates at the next general election.

If filing for one of the following offices, I also swear (or affirm) that I meet the requirements listed below:

- **United States Senator** – I will be an inhabitant of this state when elected and I will be at least 30 years old and a citizen of the United States for not less than nine years on the next January 3rd, or if filled at special election, within 21 days after the election.
- **United States Representative** – I will be an inhabitant of this state when elected and I will be at least 25 years old and a citizen of the United States for not less than seven years on the next January 3rd, or if filled at special election, within 21 days after the election.
- **Governor or Lieutenant Governor** – I will be at least 25 years old on the first Monday of the next January and a resident of Minnesota for not less than one year on election day. I am filing jointly with _____
- **Supreme Court Justice, Court of Appeals Judge, District Court Judge, or County Attorney** – I am learned in the law and licensed to practice law in Minnesota. My Minnesota attorney license number is _____ and a copy of my license is attached.
- **State Senator or State Representative** – I will be a resident of Minnesota not less than one year and of this district for six months on the day of the general or special election.
- **County Sheriff** – I am a licensed peace officer in Minnesota. My Board of Peace Officer Standards and Training license number is _____ and a copy of my license is attached.
- **School Board Member** – I have not been convicted of an offense for which registration is required under *Minn. Stat.* 243.166.
- **County, Municipal, School District, or Special District Office** – I meet any other qualifications for that office prescribed by law.

Candidate Signature _____ Date _____

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary public or other officer empowered to take and certify acknowledgement

(Notary stamp)

SECTION 2.03 MAYOR AND COUNCIL MEMBERS: QUALIFICATIONS AND TERMS

The Council shall be composed of a Mayor and six Council Members who shall be qualified voters, and shall hold no other elected office, nor any non-elective paid municipal office or employment for the city, and who shall qualify as provided in this Charter.

The Mayor and Council Members must reside within the boundary limits of the city. The Council Members must reside within the boundary limits of the district that they are elected to represent.

The Mayor shall be elected at-large. Each of the district Council Members shall be elected by the qualified voters of the district in which they reside. There shall be two Council Members elected from each district.

The Council Members shall be elected for a term of four years and shall serve until their successors are elected and qualified. There shall be one Council Member elected from each district each even numbered year. The Mayor shall be elected at-large every four years commencing in 1990.

The transition from two year terms for Council Members to four year terms shall be as follows:

Council Members who are elected at the regular election in 1986 shall have a term of two years and those three Council Member positions shall be on the ballot in November of 1988 for a term of four years, and the new four term terms shall commence in January of 1989.

Council Members who are elected at the regular election in 1987 shall have a term of three years and those three Council Member positions shall be on the ballot in November of 1990 for a term of four years, and the new four year terms shall commence in January of 1991.

The transition from a three year term for the Mayor to a four year term shall be as follows:

The Mayor elected at the regular election to be held in November, 1987, shall serve a three year term; the Mayor elected at the regular election to be held in November, 1990, shall serve a four year term commencing in January of 1991. The Mayor's term from that date forward shall be for four years.

SECTION 4.06 NOMINATIONS BY PETITION

All elective officers provided for by this Charter shall be nominated by petition. The name of any qualified voter of the city shall be printed upon the ballot whenever a petition as hereinafter prescribed shall have been filed in his/her behalf with the City Clerk. Such petition shall contain printed names and signatures of at least twenty-five (25) registered voters for a City Council seat and at least seventy five (75) registered voters for a Mayoral seat, qualified to vote for the office in question. No qualified voter shall sign petitions for more candidates for any office than the number of persons to be chosen for that office at the election; should he/she do so, his/her signatures shall be void as to the petition or petitions last filed. All nominations shall be in the hands of the City Clerk's office by the end of the filing period. A nominating petition for a candidate who will be out of the state during the filing period to submit an affidavit of candidacy along with filing fees and any required petitions may do so during the seven days prior to the candidate's absence. The Clerk shall prepare the ballots with the names of the candidates for an office in a

manner to be provided by ordinance. Each petition, when presented, must be accompanied by a \$25 filing fee for a Council seat and a \$75 filing fee for a Mayoral seat, which is non-refundable. Nomination Petitions and Candidate Packets are only available at the City Manager's Office.

SECTION 4.07 NOMINATION PETITIONS

Petitions for the nomination of candidates for elective office shall be in writing, signed by the petitioning voters, with the street and number, if there by such, of their respective residences. Each petition may consist of one or more pages, and the signatures need not all be on the same page. The nomination petition shall contain only one signature on each designated line and no more than 10 signatures on each side of the page. Each page of the nomination petition shall be in the following form provided by the City Clerk's office. Nomination Petitions and Candidate Packets are only available at the City Manager's Office.

(The remainder of this page is intentionally left blank.)

NOMINATION PETITION

We, the undersigned registered voters in the City of Brooklyn Park, hereby nominate _____, whose residence is _____ in the City of Brooklyn Park, for the office of _____ to be voted for at the regular municipal election to be held _____, 20____; and we individually certify that we are qualified registered voters and that we have not signed more nomination petitions of candidates for this office than there are persons to be elected thereto.

| | Name (Legal Signature) | Print Name | Address | Date |
|-----|------------------------|------------|---------|-------|
| 1. | _____ | _____ | _____ | _____ |
| 2. | _____ | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ | _____ |
| 6. | _____ | _____ | _____ | _____ |
| 7. | _____ | _____ | _____ | _____ |
| 8. | _____ | _____ | _____ | _____ |
| 9. | _____ | _____ | _____ | _____ |
| 10. | _____ | _____ | _____ | _____ |

_____, being duly sworn, deposes and says that he/she circulated the foregoing petition containing no more than 10 signatures, and that the signatures appended thereto were made in his/her presence and are the signatures of the persons whose names they purport to be and that such persons signed the petition of their own free will.

(Circulator)

Subscribed and sworn to before me
this _____ day of _____ 20__

Notary Public

This petition, if found insufficient, shall be returned to _____
at _____.

There must also be filed in the office of the City Clerk by the end of the filing period a written statement signed by the person nominated in a nomination petition, indicating his/her willingness to accept the office for which he/she is nominated, which statement should be in substantially the following form:

I hereby indicate my willingness to accept the office of _____
if elected.

(Signature of Candidate) (Date)

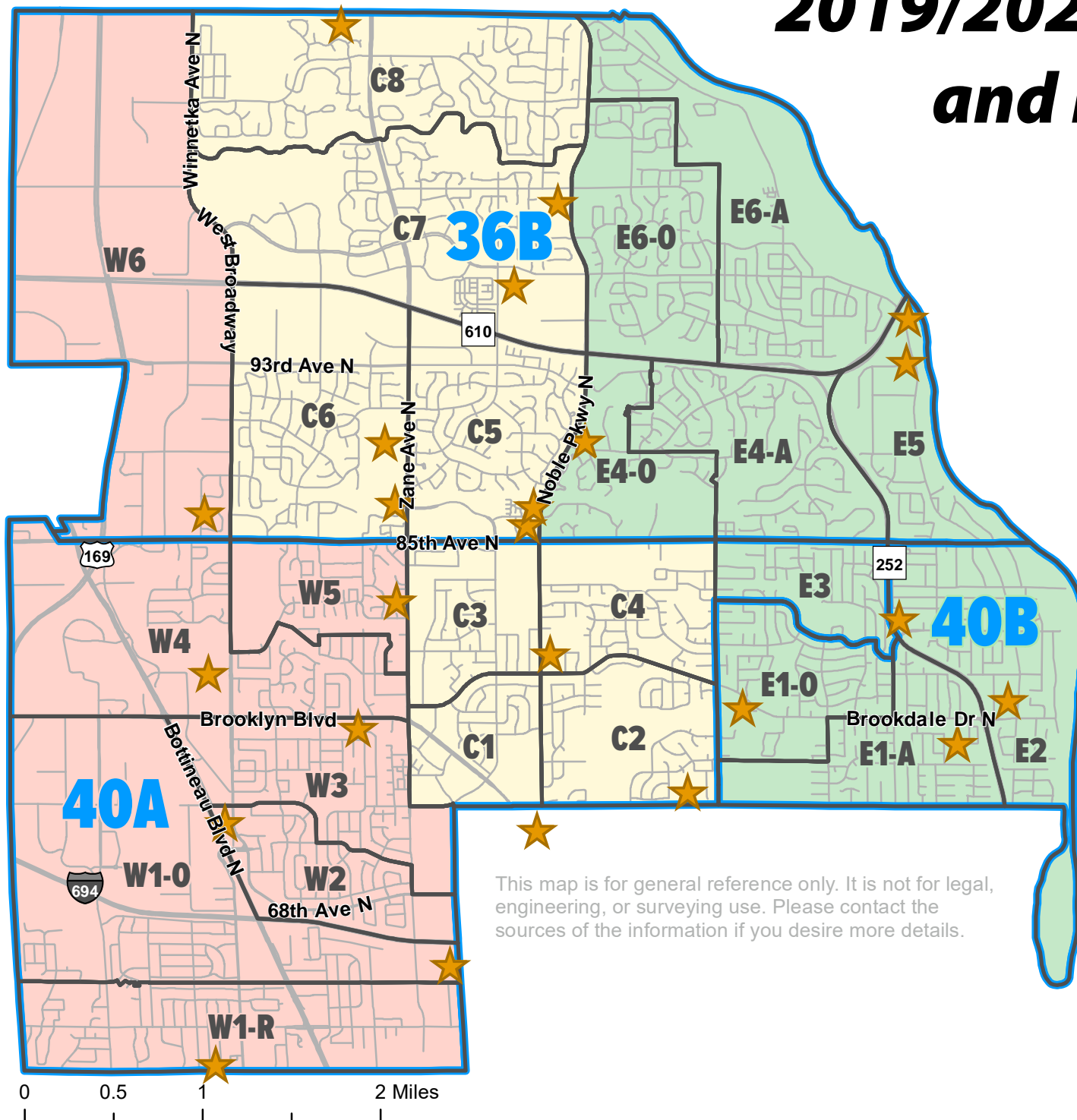
SECTION 4.08 WITHDRAWAL OF CANDIDATE

Any person who has been nominated for election to office under this Charter may, not later than 5:00 p.m. two days after the last day for filing nomination petitions, cause his/her name to be withdrawn from nomination by filing with the City Clerk a written request for withdrawal, and no name so withdrawn shall be printed upon the ballot.

SECTION 4.10 WRITE-IN CANDIDATES

A candidate for any city office who wants write-in votes for the candidate to be counted must file a written request with the filing officer for the office sought no later than the seventh (7th) day by 5 p.m. before the general or special municipal election. The city clerk shall provide the form to make the request.

2019/2020 Legislative and Precinct Map



- ★ Polling Place
- House Districts
- West Ward
- Central Ward
- East Ward

This map is for general reference only. It is not for legal, engineering, or surveying use. Please contact the sources of the information if you desire more details.

CITY-WIDE PRECINCTS AND POLLING PLACES

| | Precinct Name | Polling Place Name | Polling Place Address | City State Zip |
|--|--------------------|--------------------------------------|------------------------|---------------------------|
| | CENTRAL PRECINCT 1 | BROOKLYN UNITED METHODIST CHURCH | 7200 BROOKLYN BLVD | BROOKLYN CENTER, MN 55429 |
| | CENTRAL PRECINCT 2 | PALMER LAKE ELEMENTARY SCHOOL | 7300 PALMER LAKE DR W | BROOKLYN PARK, MN 55429 |
| | CENTRAL PRECINCT 3 | FAMILY OF GOD LUTHERAN CHURCH | 8625 ZANE AVE N | BROOKLYN PARK, MN 55443 |
| | CENTRAL PRECINCT 4 | BIRCH GROVE ELEMENTARY SCHOOL | 4690 BROOKDALE DR N | BROOKLYN PARK, MN 55443 |
| | CENTRAL PRECINCT 5 | THE EDGE CHRISTIAN WORSHIP CENTER | 4707 EDINBROOK TER N | BROOKLYN PARK, MN 55443 |
| | CENTRAL PRECINCT 6 | EDINBROOK ELEMENTARY SCHOOL | 8925 ZANE AVE N | BROOKLYN PARK, MN 55443 |
| | CENTRAL PRECINCT 7 | CHURCH OF ST GERARD | 9600 REGENT AVE N | BROOKLYN PARK, MN 55443 |
| | CENTRAL PRECINCT 8 | OXBOW ELEMENTARY SCHOOL | 6505 109TH AVE N | BROOKLYN PARK, MN 55316 |
| | EAST PRECINCT 1-A | MONROE ELEMENTARY SCHOOL | 901 BROOKDALE DR N | BROOKLYN PARK, MN 55444 |
| | EAST PRECINCT 1-O | PALMER LAKE VFW | 2817 BROOKDALE DR N | BROOKLYN PARK, MN 55444 |
| | EAST PRECINCT 2 | WAY CROSS EVANGELICAL CHURCH | 773 WEST RIVER ROAD | BROOKLYN PARK, MN 55444 |
| | EAST PRECINCT 3 | DISCOVER CHURCH | 1400 81ST AVE N | BROOKLYN PARK, MN 55444 |
| | EAST PRECINCT 4-A | EDINBROOK CHURCH | 4300 EDINBROOK PKWY N | BROOKLYN PARK, MN 55443 |
| | EAST PRECINCT 4-O | CHURCH OF JESUS CHRIST OF LATTER-DAY | 4700 EDINBROOK TER N | BROOKLYN PARK, MN 55443 |
| | EAST PRECINCT 5 | RIVERVIEW EARLY CHILDHOOD CENTER | 1400 93RD AVE N | BROOKLYN PARK, MN 55444 |
| | EAST PRECINCT 6-A | LEOPOLDS MISSISSIPPI GARDENS | 9500 WEST RIVER ROAD | BROOKLYN PARK, MN 55444 |
| | EAST PRECINCT 6-O | SALVATION ARMY NOBLE WORSHIP | 10011 NOBLE PKWY N | BROOKLYN PARK, MN 55443 |
| | WEST PRECINCT 1-O | FAIR OAKS ELEMENTARY SCHOOL | 5600 65TH AVE N | BROOKLYN PARK, MN 55429 |
| | WEST PRECINCT 1-R | FIRST LUTHERAN CHURCH OF CRYSTAL | 7708 62ND AVE N | BROOKLYN PARK, MN 55428 |
| | WEST PRECINCT 2 | PRINCE OF PEACE LUTHERAN CHURCH | 7217 WEST BROADWAY | BROOKLYN PARK, MN 55428 |
| | WEST PRECINCT 3 | REDEEMER COVENANT CHURCH | 7801 BROOKLYN BLVD N | BROOKLYN PARK, MN 55445 |
| | WEST PRECINCT 4 | REVIVE BROOKLYN PARK CHURCH | 7849 WEST BROADWAY | BROOKLYN PARK, MN 55445 |
| | WEST PRECINCT 5 | OUR SAVIOR'S REFORMED CHURCH | 8209 ZANE AVE N | BROOKLYN PARK, MN 55443 |
| | WEST PRECINCT 6 | MAPLEBROOK COMMUNITY CENTER | 8644 MAPLEBROOK PKWY N | BROOKLYN PARK, MN 55445 |

JOB DESCRIPTION

POSITION TITLE: City Council Member

RESPONSIBLE TO: Residents of Brooklyn Park

PRIMARY OBJECTIVE OF POSITION

To identify and discuss issues impacting the City of Brooklyn Park, receive and consider public input, make appropriate decisions in a manner which encourages full and open discussion, and exercise all the powers that the statutes and City Charter empowers to the city and Council Members.

MAJOR AREAS OF RESPONSIBILITY

| | |
|--|--|
| I. Regularly and thoroughly prepares for each City Council Meeting <ul style="list-style-type: none">• Thoroughly reads and reviews agenda materials supplied• Becomes familiar with the City Comprehensive Plans, Home Rule City Charter and other city documents and understands how these documents impact city policy• Conducts site visits as appropriate• Solicits and receives input from affected parties and the general public• Contacts affected parties to solicit input• Meaningfully participates in consideration of agenda items• Participates in discussion of issue, including requesting additional data and/or supplying personal perspective both from a citywide perspective, as well as the council member's view of the impact of a proposal• Actively listens to ensure a complete appreciation of each proposal and the respective positions of the petitioner, affected parties (businesses, residents, etc.), and the city staff | |
| II. Responds to constituent requests for information or assistance with problem resolution <ul style="list-style-type: none">• Acts as liaison between the city and the general public | |
| III. Participates in special study subcommittees or task forces to provide information for City Council consideration <ul style="list-style-type: none">• Assumes responsibility for accomplishing necessary research either by talking to appropriate individuals or requesting that the staff prepare appropriate research• Assumes a constructive and active role in the output of the task force | |
| IV. Discusses issues impacting the City with State Legislators, Met Council representatives, and other local governments | |

| | |
|---|--|
| V. Appoints the City Manager and City Attorney and annually evaluates the performance of the City Manager | |
| VI. Establishes and modifies goals and objectives for the City <ul style="list-style-type: none"> • Sets administrative policies • Establishes public policy for the city • Directs the enforcement of city ordinances | |
| VII. Reviews and approves an annual budget and tax levy | |
| VIII. Reviews and approves a capital improvements program for the City <ul style="list-style-type: none"> • Views the long-range perspectives of the city • Formulates the policies to solve future issues and adjust to social and economic trends | |
| IX. Conducts Intergovernmental Affairs and Provides Community Leadership <ul style="list-style-type: none"> • Serves as Council Liaison to City commissions or other agencies serving Brooklyn Park • Creates advisory boards • Conducts city business with state and federal agencies • Participates in intergovernmental programs and the work of the League of Minnesota Cities • Participates in civic events providing leadership and promoting new ideas and new programs to improve the community and its surrounding area | |
| X. Sets and Interprets Rules Governing Its Own Proceedings <ul style="list-style-type: none"> • Preserves order during its own meetings • Establishes rules of procedures • Compels the attendance of members at meetings and addresses non-attendance • Disqualifies self from participation where actual or potential conflict of interest occurs | |

TIME COMMITMENT - In general, approximate per month time commitment will consist of 30-50 hours

| | |
|---|--|
| Monthly Attendance of Meetings <ul style="list-style-type: none"> • Expected to attend all regularly scheduled and special council meetings each month • Expected to attend all regularly scheduled and special EDA meetings each month • Expected to serve as liaison to one or more commission or committee meetings per month • Expected to attend community events as possible | |
|---|--|

§ 30.01 SALARY OF MAYOR AND COUNCIL MEMBERS.

(A) The monthly salary of each Council member shall be \$950 per month until January 1, 2019, at which time it shall be \$969 per month until January 1, 2020, at which time it shall be \$988 per month, and the monthly salary for the Mayor shall be \$1425 per month until January 1, 2019, at which time it shall be \$1454 per month until January 1, 2020, at which time it shall be \$1483 per month.

(B) The salary schedule referred to in division (A) of this section is established on the basis that the offices of Mayor and Council member in this city are part-time positions. The Mayor and/or Council members are sometimes required to attend municipal functions or to take time from their regular employment to perform services beneficial to the city. Additional compensation is paid to the Mayor or Council members in those cases subject to the following conditions:

(1) The activity and number of days for which a Council member is to be engaged must be approved by the City Council prior to member's participation.

(2) The Mayor and Council member will be paid \$50 per day as supplemental compensation for each day approved and for which the member is in attendance at the approved activity.

(C) The City Manager shall biennially prepare a compensation report that contains an analysis of the compensation paid to elected officials of the Minneapolis-St. Paul area metropolitan cities similar to the City of Brooklyn Park. The report shall be provided to the City Council for review.

Campaign Signs



Brooklyn Park City Hall
5200 85th Avenue North
Brooklyn Park, MN 55443

Visit our Website

Administration Department
www.brooklynpark.org/campaign-signs/

Report a Violation of a Campaign Sign Located on Public Ways and Other Restricted Locations

Environmental Health Division
763-493-8070

Report a Violation of a Campaign Sign Located on Corporate Property

Minnesota Office of Administrative Hearings
763-361-7837

DID YOU KNOW?

Campaign signs cannot be placed within 100 feet of a polling place during Election Day.

Report a Violation of a Campaign Sign Placed Within 100 Feet of a Polling Place on Election Day

City Clerk
763-493-8180 or
Environmental Health Division
763-493-8070

This information is intended only as a guide. For more information, you can reference the city ordinances at www.brooklynpark.org.

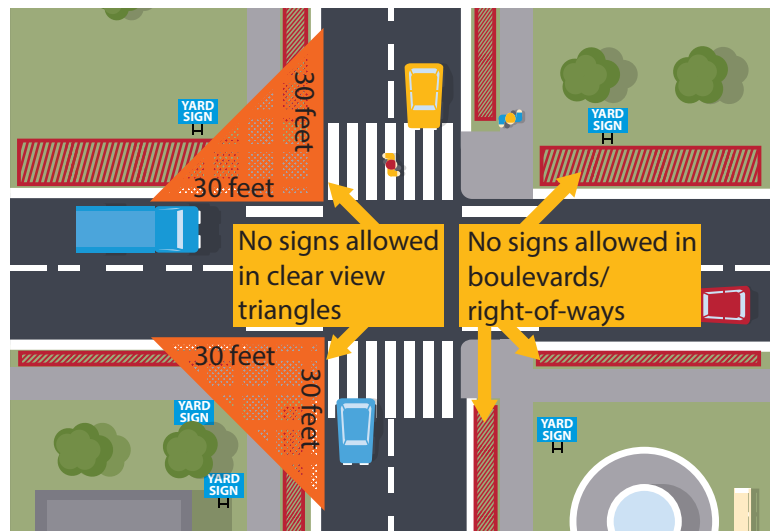
Campaign Sign Regulations

The information in this handout is a summary of laws regulating the construction and display of campaign signs in the City of Brooklyn Park. Many of the campaign regulations are also in Minnesota State Statutes. We realize that candidates seeking public office cannot entirely control the political efforts of supporters or opponents. However, candidates may be able to significantly influence their supporters and others to be in compliance with these laws. Remember, prevention is always the best practice.

What are the location restrictions for campaign signs?

Public Ways

- Campaign signs cannot be placed on any right-of-ways including, but not limited to roads or streets; and inside the 30-foot clear view triangles as shown in the boulevard below.



- Campaign signs cannot be placed on any right-of-ways of the interstate highway system, except as otherwise provided by law or allowed by the county commissioner.
- Campaign signs cannot hide or resemble traffic control devices such as signs, signals, or markings.
- Campaign signs cannot obstruct or interfere with the driver's view of approaching, merging, or intersecting traffic for a distance not to exceed 500 feet.

Private and Public Properties

- Campaign signs cannot be placed on private property without the permission of the property owner or occupant.
- Campaign signs cannot be placed on city-owned properties such as parks and trails, city hall, community centers, fire and police stations, etc.
- Campaign signs cannot be attached to the following things:
 - Fences (public)
 - Utility Poles
 - Trees
 - Permanent Support Structures (not intended for signs)

Campaign Signs



Brooklyn Park City Hall
5200 85th Avenue North
Brooklyn Park, MN 55443

Visit our Website

Administration Department
www.brooklynpark.org/campaign-signs

DID YOU KNOW?

Minnesota State Statutes do not allow a city to restrict the sizes or numbers of campaign signs.

Report a Violation of a Campaign Sign Content

Minnesota Office of
Administrative Hearings
651-361-7837

Retrieve a Violated Campaign Sign at City Hall

City Clerk
763-493-8180 or
Environmental Health Division
763-493-8070

When can campaign signs be posted?

Campaign signs can be posted 46 days prior to the state primary election and 10 days following the state general election. For the 2020 election year, campaign signs can be posted throughout the city from **June 26 to November 13**.

What are the size and number requirements for campaign signs?

Size and Number

Campaign signs can be posted in any size and number throughout the election period.

Height

Campaign signs may not exceed 12 feet above grade.

What type of content is not allowed on campaign signs?

- Campaign signs cannot prominently display the word "stop" or "danger"; and
- Campaign signs cannot contain statements, words, or images of an obscene, indecent or immoral character, or such as would offend public morals or decency.

What type of campaign signs are not allowed?

- Motion signs;
- Projecting signs such as flashing or moving lights that could be a traffic hazard;
- Signs painted directly on building walls;
- Signs painted or drawn upon rocks or natural features;
- Signs that have more than two faces; and
- Signs that are structurally unsafe, in disrepair, or are abandoned.

How does the City respond to campaign sign complaints and violations?

When a complaint is filed and confirmed to be in violation by city staff, the campaign sign will be digitally documented. City staff will take the following steps:

- Contact the candidate and give them 24 hours to relocate and/or remove the campaign sign.
- Immediately remove a campaign sign if it is repeatedly in violation or constitute a safety hazard such as blocking visibility.

Can I get my campaign sign back?

Yes, campaign signs removed by city staff will be temporarily stored at City Hall.

May 7, 2020

RE: Placement of Signs along Trunk Highways

To All Candidates for Public Office:

The Minnesota Department of Transportation reminds the public that placing signs, including campaign signs, along trunk highways is prohibited. State law ([Minn. Stat. 160.2715](#)) prohibits the placement, painting, printing or affixing of advertisements on any object within the limits of a trunk highway. This restriction includes driving lanes, inside and outside shoulders, ditches and sight corners at intersections. The trunk highway system includes state, U.S., and interstate highways in Minnesota.

The Minnesota Outdoor Advertising Control Act ([Minn. Stat. 173.15](#)), which applies to land next to trunk highway right of way, prohibits placing advertising devices on private land without consent of the owner or occupant; on trees, shrubs, or public utility poles; or by painting on rocks or other natural features.

These laws protect the safety of the traveling public and those who might place signs. They ensure Minnesota complies with federal highway beautification laws. Right of way is used for a variety of purposes, including providing a safe place for vehicles that leave travel lanes, snow storage, location for public utilities, draining excess water away from roads, vegetation growth for aesthetics and erosion control and even pollinator habitat. Unauthorized signs and people stopping to place signs within the limits of the highway can compromise these functions.

County, city and township employees administer applicable laws on roads under their jurisdiction. MnDOT is responsible for the trunk highway system. Please contact local MnDOT offices for assistance when placing signs where trunk highway right of way cannot be clearly identified. Make sure those who place signs on your behalf know the law. Illegally placed signs will be removed by MnDOT employees and temporarily stored. Please contact [local MnDOT offices](#) promptly to retrieve signs that have been removed.

Thank you for participating in the democratic process and thank you for your cooperation.

Sincerely,



Margaret Anderson Kelliher
Commissioner

**Hennepin County**

Public Works

Transportation Operations Department1600 Prairie Drive
Medina, Minnesota 55340**Phone: 612-596-0300**
<http://www.hennepin.us>

DATE: August 6, 2018

TO: Transportation Operations Department Management Staff and Dispatchers

FROM: Michael Olmstead

SUBJECT: Advertising/Political Signs in the Right-of-Way Encroachment Procedure

Minnesota Statute § 160.2715 prohibits the placement of advertisement in public right-of-way without authorization. Due to the upcoming election there has been an increase in signage in the public right of way. Cities who contact Hennepin County's Elections Department will be directed to contact Road & Bridge Dispatch and a Service Request will be filled out to have a foreman verify if the sign(s) in question are in violation.

Signs that are found in violation will be detached or pulled from their location and placed flat on the ground where the violation occurred. The sign will then have a warning sticker placed on the front notifying the owner of the violation. Signs that have to be removed a second time (with a sticker or the remains of the sticker still attached) will be confiscated and stored at the Medina facility. Signs can be claimed at the Medina facility until February 1 (the calendar year following the election) at which point they will be recycled.

Focus priority on compliance with those signs that have been installed such that they pose a risk to the traveling public. These would include signs that block line of sight, clusters of signs that compete with traffic control devices (signs and signals), and signs that inhibit access to utilities or county facilities.

NOTE: Stickers can be obtained through Dispatch. Place one sticker in a conspicuous location near the corner of the sign. Attempt not to obscure the name or make the sign unusable.

cc. Christian Irving
Permits Office Staff
Road & Bridge Operations Staff



CAMPAIGN SIGN ACKNOWLEDGEMENT

Date: _____

Name of Candidate: _____

Address: _____

Phone Number: _____

I, _____, acknowledge that I have received a copy of the Summary of Campaign Sign Regulations and will abide by the regulations.

I acknowledge that my campaign signs may not:

- Be located in the 30-foot clear view triangle at intersections. (BP 150.06)
- Create traffic obstructions or other health or safety hazards. (BP 150.04)
- Be displayed within 100 feet of a polling place during Election Day. (MS 211B.11)

I acknowledge that my campaign signs will be removed by city staff if they are:

- In violation of any provisions stated in the Summary of Campaign Sign Regulations
- Located in public rights-of-ways including, but not limited to highways, roads or streets, city boulevards. (MS 160.27, BP 150.06)
- Located on city-owned properties, such as parks and trails, fire stations, community activity centers, etc. (BP 150.06)

I acknowledge that city staff will contact me on any violation of my campaign signs and me or my representative will correct the violation within 24 hours or the sign will be removed by city staff.

I acknowledge that my campaign sign will be removed immediately if a health/life safety concern exists or if the sign is a repeat violation (located in a spot previously identified and warned).

I acknowledge that any campaign sign removed from city staff will be stored on the west side of city hall and will be disposed of if not picked up after 3 days.

I acknowledge that all my campaign signs will be removed throughout the city by **November 13, 2020**.

Signature of Candidate

Date

HENNEPIN COUNTY

FINANCIAL DISCLOSURE LAW

MINNESOTA STATUTES 383B.041 THROUGH 383B.058

Revised April 2019

Also includes:

MINNESOTA STATUTES 211A
(As applicable)
MINNESOTA STATUTES 211B

Printed and distributed by:

Hennepin County Elections Department
PSL 012 Government Center
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www.hennepin.us/electionscf

Printed April 2019

383B.041 CAMPAIGN FINANCING, DISCLOSURE OF ECONOMIC INTERESTS.

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MINNESOTA STATUTES 383B.041 TO 383B.058
HENNEPIN COUNTY FINANCIAL DISCLOSURE LAW

383B.041 CAMPAIGN FINANCING, DISCLOSURE OF ECONOMIC INTERESTS.

Sections 383B.041 to 383B.058 apply to the financing of campaigns for county elections in Hennepin County and for city elections in home rule charter cities and statutory cities located wholly within Hennepin County, having a population of 75,000 or more, and for school board elections in the Special School District No. 1, Minneapolis, and to disclosure of economic interests by candidates and elected public officials of those jurisdictions. The provisions of sections 211A.02 to 211A.07 do not apply to the financing of campaigns for elections subject to the provisions of sections 383B.041 to 383B.058.

History: 1980 c 362 s 1; 1987 c 218 s 2; 1988 c 578 art 1 s 5

383B.042 Definitions.

Subd. 1. **For county campaign finance provisions.** For the purposes of sections 383B.041 to 383B.058, the terms defined in this section have the meanings given them. The terms defined in Chapter 200, also apply to sections 383B.041 to 383B.058, unless a different meaning is specified in this section.

Subd. 2. **Advance of credit** "Advance of credit" means any money owed for goods provided or services rendered. An advance of credit is an expenditure in the year in which the goods or services are used or consumed. "Advance of credit" does not mean "loan" as defined in subdivision 12.

Subd. 3. **Association** "Association" means a business, corporation, firm, partnership, committee, labor organization, club, or any other group of two or more persons, which includes more than an immediate family, acting in concert.

Subd. 4. **Business with which the individual is associated** "Business with which the individual is associated" means any association in connection with which the individual is compensated in excess of \$50 except for actual and reasonable expenses in any month as a director, officer, owner, member, partner, employer or employee, or is a holder of securities worth \$2,500 or more at fair market value.

Subd. 5. **Candidate** "Candidate" means an individual, not within the definition of candidate of section 10A.01, subdivision 10, who seeks nomination or election to any county office in Hennepin County, to any city office in any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more or to the school board of Special School District No. 1, Minneapolis.

Subd. 6. **City** "City" means any statutory or home rule charter city wholly within Hennepin County and having a population of 75,000 or more.

Subd. 7. **Contribution** "Contribution" means a transfer of funds or a donation in kind. "Contribution" includes any loan or advance of credit to a political committee, political fund, or principal campaign committee, if that loan or advance of credit is (a) forgiven, or (b) paid by an entity other than the political committee, political fund, or principal campaign committee to which the loan or advance of credit is made. "Contribution" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Subd. 8. **Donation in kind** "Donation in kind" means anything of value other than money or negotiable instruments given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the outcome of an election.

Subd. 9. **Election** "Election" means any election held to nominate or elect any candidate or to decide any question on a county ballot in Hennepin County or on the ballot of any home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more, or on the ballot of Special School District No. 1, Minneapolis.

Subd. 10. **Expenditure** "Expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the outcome of any election. "Expenditure" does not include services provided without compensation by an individual volunteering personal time on behalf of a candidate, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Subd. 11. **Filing officer** "Filing officer" means the official responsible under law for administration of the election laws for Hennepin County.

Subd. 12. **Loan** "Loan" means an advance of money or anything of value made to a political committee, political fund, or principal campaign committee.

Subd. 13. **Political committee** "Political committee" means any political party, association or person other than an individual that seeks as its major purpose to influence the outcome of any election for a city ballot issue or for any city office in the city of Bloomington; for a city or school district ballot issue and for any city or school district office in the city of Minneapolis, and in Special School District No. 1, Minneapolis; or for any countywide ballot issue or county office in Hennepin County; and not to influence the outcome of any other election.

History:

2005 c 11 s 1

Subd. 14. **Political fund** "Political fund" means any accumulation of dues or voluntary contributions by an association other than a political committee, which accumulation is collected or expended for the purpose of influencing the outcome of any election for a city ballot issue or for any city office in the city of Bloomington; for a city or school district ballot issue and for any city or school district office in the city of Minneapolis, and in Special School District No.1, Minneapolis; or for any countywide ballot issue or county office in Hennepin County; and not for the purpose of influencing the outcome of any other election.

History: 2005 c 11 s 2

Subd. 15. **Population** "Population" means population as determined by the most recent federal census.

Subd. 16. **Principal campaign committee** "Principal campaign committee" means the single political committee designated by a candidate for election for any city office in the city of Bloomington; for any city office in the city of Minneapolis; for any school district office in Special School District No. 1, Minneapolis; or for any county office in Hennepin County.

History: 2005 c 11 s 3

Subd. 17. **Transfer of funds** "Transfer of funds or transfer" means money or negotiable instruments given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the outcome of any election.

History: 1980 c 362 s 2; 1986 c 444; 1987 c 218 s 3, 4; 1999 c 220 s 50

383B.043 POLITICAL COMMITTEES; COUNTY AND CERTAIN OTHER ELECTIONS.

Subdivision 1. **Officers.** Every political committee shall have a chair and a treasurer, who may be the same individual. The treasurer may designate deputy treasurers and shall be responsible for their accounts. The treasurer shall designate a single depository and account for all contributions received by the political committee.

Subd. 2. **Prohibitions; acceptance of certain contributions; commingling of funds.** No contribution shall be accepted and no expenditure shall be made by or on behalf of a political committee while the office of treasurer is vacant. No anonymous contribution in excess of \$20 shall be retained by the political committee but shall be forwarded to the state campaign finance and public disclosure board and deposited in the general fund. No funds of the political committee shall be commingled with the personal funds of any officer, member or associate of the committee. Any individual who violates a provision of this subdivision is guilty of a misdemeanor.

History: 1980 c 362 s 3; 1986 c 444; 1997 c 202 art 2 s 63

383B.044 POLITICAL FUNDS.

Subdivision 1. **When required.** No association other than a political committee shall transfer more than \$100 in aggregate in any one year to candidates or political committees or make any expenditure unless the transfer or expenditure is made from a political fund.

Subd. 2. **Treasurer; commingling of funds; anonymous contributions.** Each association which has a political fund shall elect or appoint a treasurer of the political fund. No contributions to the political fund shall be accepted and no expenditures from the fund shall be made while the office of treasurer is vacant. The contents of the political fund shall not be commingled with any other funds or with the personal funds of any officer or member of the fund. No anonymous contribution in excess of \$20 shall be retained by the political fund but shall be forwarded to the state campaign finance and public disclosure board and deposited in the general fund.

Subd. 3. **Use of dues and membership fees.** Notwithstanding subdivision 1, the association may, if not prohibited by other law, deposit in its political fund money derived from dues or membership fees. The treasurer of the fund, in any report required by section 383B.049, shall disclose the name of any member whose dues, membership fees and contributions deposited in the political fund in any one year exceed \$50 in the aggregate.

Subd. 4. **Penalty.** Any person who knowingly violates the provisions of this section is guilty of a misdemeanor.

History: 1980 c 362 s 4; 1997 c 202 art 2 s 63

383B.045 PRINCIPAL CAMPAIGN COMMITTEE.

Every candidate who receives contributions or makes expenditures in excess of \$100 shall designate and cause to be formed a single political committee which shall be known as the candidate's principal campaign committee. The candidate shall make expenditures only through the candidate's principal campaign committee. The candidate may be the chair and treasurer of the principal campaign committee.

History: 1980 c 362 s 5; 1986 c 444

383B.046 REGISTRATION OF POLITICAL COMMITTEES, POLITICAL FUNDS, AND PRINCIPAL CAMPAIGN COMMITTEES.

Subdivision 1. **Filing office; deadline.** Every political committee, political fund and principal campaign committee as defined in section 383B.042, subdivisions 13, 14, and 16, shall register with the filing officer within 14 days after the date by which the committee or fund has received contributions or made expenditures in excess of \$100. A political committee, political fund, or principal campaign committee that is registered with the Campaign Finance and Public Disclosure Board under section 10A.14 need not register under this section.

Subd. 2. **Statement required.** A political committee, political fund, or principal campaign committee registers by filing a statement of organization that includes:

- (a) the name and address of the political committee, political fund, or principal campaign committee;
- (b) the name and address of the chair, the treasurer, and any deputy treasurers;
- (c) the name and address of the depository used by the committee or fund;
- (d) the name and address of any supporting association of a political fund; and
- (e) a statement as to whether the committee is a principal campaign committee.

The statement of organization shall be filed by the treasurer of the political committee, political fund or principal campaign committee. **History:** 1980 c 362 s 6; 1986 c 444; 2005 c 11 s 4

383B.047 ACCOUNTS WHICH MUST BE KEPT.

Subdivision 1. **Contributions; expenditures; transfers.** The treasurer of any political committee, political fund or principal campaign committee shall keep an account of:

- (1) the sum of all contributions made to the political committee, political fund, or principal campaign committee;
- (2) the name and address of each source of a transfer or donation in kind together with the date and amount;
- (3) each expenditure made by or on behalf of the committee or fund together with the date and amount; and
- (4) the name and address of each political committee, political fund, or principal campaign committee to which transfers have been made, together with the date and amount.

Subd. 2. **Authorization of expenditures; receipts.** Each expenditure by a political committee, political fund or principal campaign committee shall be authorized by the treasurer. The treasurer may authorize not more than \$20 per week as petty cash for miscellaneous expenditures. The treasurer shall obtain a receipted bill stating the particulars for every expenditure made by or on behalf of the political committee, political fund, or principal campaign committee.

History: 1980 c 362 s 7; 2005 c 11 s 5

383B.048 CAMPAIGN REPORTS.

Subdivision 1. **Committees required to report; deadlines.** (a) The treasurer of any political committee, political fund or principal campaign committee required to register pursuant to section 383B.046 shall file campaign reports with the filing officer. In each year in which the name of the candidate is on the ballot, the report of the principal campaign committee shall be filed one week before a regular primary and a regular election. Political committees and political funds shall file campaign reports one week before a regular primary or regular election.

(b) The treasurer of a principal campaign committee shall file reports one week before a special primary or other special election and 30 days after a special election.

(c) The reports shall cover the period from the day after the end of the previous reporting period to one week before the filing date.

(d) A campaign report shall be filed by all treasurers on January 31 of each year covering the period from the day after the end of the previous reporting period to December 31 of the preceding calendar year.

Subd. 2. **Content of reports.** Each campaign report required under this section shall disclose:

- (1) the amount of liquid assets on hand at the beginning of the reporting period;
- (2) the name, address and employer, or occupation if self-employed, of each individual, committee or political fund that made transfers or donations in kind to the political committee, political fund, or principal campaign committee in an aggregate amount or value in excess of \$100, together with the amount and date;
- (3) the sum of all contributions made to the political committee, political fund, or principal campaign committee;

(4) each loan made or received by the political committee, political fund, or principal campaign committee within the year in aggregate in excess of \$100, together with the name, address, occupation and the principal place of business, if any, of the lender and any endorser and the date and amount of the loan. A loan made to a political committee, political fund, or principal campaign committee which is forgiven or is repaid by an entity other than that political committee or fund shall be reported as a contribution;

(5) the sum of all receipts, including all contributions and loans, during the reporting period;

(6) the name and address of each person to whom aggregate expenditures have been made by or on behalf of the political committee, political fund, or principal campaign committee within the year in excess of \$100, the amount, date and purpose of each expenditure and the ballot question or the name and address of the candidate supported or opposed by the expenditure;

(7) the sum of all expenditures made by the political committee, political fund, or principal campaign committee;

(8) the amount and nature of any advance of credit incurred by the political committee, political fund, or principal campaign committee continuously reported until paid or forgiven. An advance of credit incurred by a political committee, political fund, or principal campaign committee which is forgiven or is paid by an entity other than that political committee, political fund, or principal campaign committee shall be reported as a donation in kind;

(9) the name and address of each political committee, political fund, or principal campaign committee to which aggregate transfers in excess of \$100 have been made within the year, together with the amount and date of each transfer;

(10) the sum of all transfers made to political committees, political funds, or principal campaign committees; and

(11) the sum of all disbursements not made to influence the outcome of an election.

Subd. 3. **Party Sample Ballots.** Expenditures by a political party as defined in section 200.02, subdivision 7, or a substate unit of such a party, for the preparation, display and distribution of an official party sample ballot containing the names of three or more individuals whose names are to appear on the ballot shall not be considered contributions or expenditures on behalf of any candidate.

Subd. 4. **Termination reports.** (a) A political committee, political fund, or principal campaign committee created pursuant to section 383B.046 may dissolve upon filing of a termination report indicating that the committee or fund has settled all of its debts and disposed of all assets in excess of \$100. The termination report shall include all information required in a periodic campaign report.

(b) Political committees and political funds that were created for purposes of supporting or opposing candidates or ballot issues beyond the scope of those identified in section 383B.042, subdivision 5, 13, or 14, may terminate their registration with Hennepin County. Termination of a registration under this provision does not require termination of the political committee or political fund and does not require settlement of all debts and disposition of all assets in excess of \$100.

History: 1980 c 362 s 8; 1986 c 475 s 21; 1987 c 214 s 10; 2005 c 11 s 6

383B.049 EXPENDITURES BY INDIVIDUALS.

Subdivision 1. **Reports.** Except as provided in subdivision 2, any individual who makes expenditures in an aggregate amount of \$100 or more in any year, which expenditures are not required to be reported by any political committee, political fund, or principal campaign committee as contributions to that political committee, political fund, or principal campaign committee, shall file campaign reports in the form required by section 383B.048 with respect to those expenditures.

Subd. 2. **Exception; independent expenditures.** An individual shall not be required to report any expenditure which is made without the cooperation or express or implied consent of any candidate, political committee, political fund, or agent of a candidate, political committee, or political fund, unless the expenditure expressly advocates the election or defeat of a clearly identified candidate or the approval or rejection of a clearly identified county or city ballot question at any election.

History: 1980 c 362 s 9; 2005 c 11 s 7

383B.05 ADDITIONAL INFORMATION TO BE DISCLOSED.

Subdivision 1. **Earmarked contributions.** Any individual, political committee, political fund, or principal campaign committee that receives a contribution from any person or association in an aggregate in excess of \$50 with the express or implied condition that the contribution or any part of it be directed to a particular candidate shall disclose to the ultimate recipient and in any report required by section 383B.048, the original source of the contribution, the fact that it was earmarked and the candidate to whom it is directed. The ultimate recipient of any earmarked contribution shall also disclose the original source and the individual, political committee, political fund, or principal campaign committee through which it was directed. Any individual, political committee, political fund, or principal campaign committee that knowingly accepts earmarked funds and fails to make the disclosure required by this subdivision is guilty of a misdemeanor.

Subd. 2. **Bills when rendered and paid.** Every person who has a bill, charge or claim against any political committee, political fund, or principal campaign committee for any expenditure shall render in writing to the treasurer of the committee or fund the bill, charge or claim within 60 days after the material or service is provided. Failure to present the bill, charge or claim as required by this subdivision is a petty misdemeanor. **History:** 1980 c 362 s 10; 2005 c 11 s 8

383B.051 CIRCUMVENTION PROHIBITED.

Any person who attempts to circumvent disclosure of the source or amount of contributions or expenditures by redirecting funds through or contributing funds on behalf of another person is guilty of a misdemeanor. **History:** 1980 c 362 s 11

383B.052 ECONOMIC REPRISALS PROHIBITED.

No individual or association shall engage in economic reprisals or threaten loss of employment or physical coercion against any individual or association because of the political contributions or political activity of that individual or association. This subdivision does not apply to compensation for employment or loss of employment when the political affiliation or viewpoint of the employee is a bona fide occupational qualification of the employment. Any individual or association that violates this subdivision is guilty of a misdemeanor. **History:** 1980 c 362 s 12

383B.053 ECONOMIC INTEREST DISCLOSURE.

Subdivision 1. **Officials required to file; deadlines.** Every candidate for county office, every elected official of Hennepin County, every candidate for office and every elected official of a home rule charter city or statutory city located wholly within Hennepin County and having a population of 75,000 or more, and every candidate for school board and every elected official in special school district No. 1, Minneapolis shall file statements of economic interest as required by this section with the filing officer. A candidate shall file an original statement within 14 days of the filing of an affidavit or petition to appear on the ballot. Every individual required to file a statement shall file a supplementary statement on April 15 of each year in which the individual remains a candidate or elected official. An official required to file a statement of economic interest under section 10A.09 is not required to comply with this section.

Subd. 2. **Content of statement.** An individual required to file a statement of economic interest shall disclose:

- (1) The individual's name, address, occupation and principal place of business;
- (2) The name of each business with which the individual is associated and the nature of that association;
- (3) A listing of all real property within the state, excluding homestead property, in which the individual 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, and which interest has a market value in excess of \$2,500 as shown on the real estate tax statement for the property or (ii) an option to buy, which property has a fair market value of \$50,000 or more;
- (4) A listing of all real property within the state in which a partnership of which the individual 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 has a market value in excess of \$2,500 as shown on the real estate tax statement for the property or (ii) an option to buy, which property has a fair market value of \$50,000 or more; and

(5) In supplementary statements only, the amount of each honorarium in excess of \$50 received since the last statement, together with the name and address of the source.

Any listing under clause (3) or (4) shall indicate the street address and the municipality or the section, township range and approximate acreage, whichever applies, and the county wherein the property is located.

History: 1980 c 362 s 13; 1986 c 444; 1987 c 218 s 5; 1990 c 608 art 2 s 5; 2005 c 11 s 9

383B.054 REPORTS AND STATEMENTS; REQUIREMENTS.

Subdivision 1. **Certification.** A report or statement required by sections 383B.046 to 383B.054 shall be signed and certified as true by the individual required to file the report. Any individual who signs and certifies to be true a report or statement which the individual knows contains false information or who knowingly omits required information is guilty of a gross misdemeanor.

Subd. 2. **Transmittal, retention, public inspection.** The filing officer shall promptly transmit to the appropriate city clerk a copy of each statement and report filed by a candidate for city office, a political committee or fund that discloses contributions or expenditures to influence a city or an elected city official. The filing officer and each city clerk shall retain the statements, reports and copies and make them available for public inspection for a period of five years after the date of receipt by the filing officer.

Subd. 3. **Changes and corrections.** Any material changes in information previously submitted and any corrections to a report or statement shall be reported in writing to the filing officer within ten days following the date of the event prompting the change or the date upon which the individual filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any individual who willfully fails to report a material change or correction is guilty of a misdemeanor.

Subd. 4. **Record keeping.** Each individual required to file any report or statement or to keep any account pursuant to sections 383B.046 to 383B.054 shall maintain and preserve for four years the records, including any vouchers, canceled checks, bills, invoices, worksheets and receipts, that will provide in sufficient detail the necessary information from which the accounts and the filed reports and statements may be verified, explained, clarified and checked for accuracy and completeness.

Subd. 5. **Penalties.** The filing officer shall notify by certified mail or personal service any individual who fails to file a statement or report required by sections 383B.046 to 383B.054. Except for any campaign report of a principal campaign committee due before an election, if an individual fails to file any statement or report within seven days after receiving a notice, the filing officer may impose a late filing fee of \$5 per day, not to exceed \$100, commencing on the eighth day after receiving notice. If a treasurer of a principal campaign committee fails to file a campaign report due before an election within three days of the date due, regardless of whether the treasurer has received any notice, the filing officer may impose a late filing fee of \$50 per day, not to exceed \$500, commencing on the fourth day after the date the statement was due. The filing officer shall further notify by certified mail or personal service any individual who fails to file any statement or report within 21 days after receiving a first notice that the individual may be subject to a criminal penalty for failure to file the statement or report. An individual who knowingly fails to file the statement or report within seven days after receiving a second notice from the filing officer is guilty of a misdemeanor. A filing officer who violates any provision of this subdivision is guilty of a misdemeanor.

Subd. 6. **Recovery of late filing fees.** A filing officer may bring an action in the Fourth Judicial District Court to recover any late filing fee imposed pursuant to subdivision 5. All money recovered shall be deposited in the general fund of Hennepin County.

Subd. 7. **Reports of violations.** If any individual other than a county official or candidate for county office fails to file the required statement or report within seven days after a second notice as provided in subdivision 5, the filing officer shall inform the Hennepin County attorney that a second notice was sent and that the individual failed to file the required statement or report. If a county official or candidate fails to file a report or statement after a second notice as provided in subdivision

5, the filing officer shall notify the attorney general.

Subd. 8. **Report by subordinate.** (a) Any deputy, clerk, employee or other subordinate of a filing officer who has knowledge or reason to believe that a violation of sections 383B.041 to 383B.057 has occurred, shall immediately transmit a report of that knowledge or belief to that filing officer, together with any evidence of the violation coming into the subordinate's possession.

(b) Any filing officer who has knowledge or reason to believe that a violation of sections 383B.041 to 383B.058 has occurred shall immediately transmit a report of that knowledge or belief to the county attorney of the county in which the violation is thought to have occurred, together with any evidence of the violation coming into the filing officer's possession.

(c) The filing officer shall also immediately send a copy of the report to the Campaign Finance and Public Disclosure Board.

(d) A violation of this subdivision is a misdemeanor.

History: 1980 c 362 s 14; 1986 c 444; 1997 c 202 art 2 s 63; 1998 c 254 art 2 s 39

383B.055 DUTIES OF CAMPAIGN FINANCE BOARD; FILING OFFICERS.

Subdivision 1. **Board: advisory opinions, disclosure exemptions** The State Campaign Finance and Public Disclosure Board shall:

(1) issue and publish advisory opinions concerning the requirements of sections 383B.041 to 383B.057 upon application in writing by the county filing officer of Hennepin County or any individual or association who wishes to use the opinion to guide the applicant's own conduct; and

(2) exempt any individual or association required to disclose information under sections 383B.046 to 383B.05 from any requirement of those sections in the same manner as it exempts any individual or association from disclosure requirements under chapter 10A. An individual or association exempted from the disclosure provisions of chapter 10A, shall also be exempt from the disclosure provisions of sections 383B.046 to 383B.05.

Subd. 2. **Filing officer: develop, distribute needed forms.** The county filing officer of Hennepin County shall develop forms for all statements and reports required to be filed under sections 383B.041 to 383B.054. The filing officer shall furnish sufficient copies of the forms to all officers with whom candidates file affidavits or applications of candidacy and nominating petitions.

Subd. 3. **Candidacy filing officer: forms to candidates; penalty.** An officer who receives affidavits or applications of candidacy or nominating petitions shall mail or deliver a copy of each form required to be filed by a candidate to each candidate who files an affidavit, application or petition with that officer or for whom a write-in vote is cast on the ballot of that jurisdiction. Any officer who fails to carry out the duties imposed by this subdivision is guilty of a misdemeanor.

History: 1980 c 362 s 15; 1986 c 444; 1990 c 608 art 7 s 4, 5; 1997 c 202 art 2 s 63

383B.056 PENALTIES.

Except as expressly provided to the contrary in sections 383B.041 to 383B.055, a violation of sections 383B.041 to 383B.055 is not a crime.

History: 1980 c 362 s 16

383B.057 PROSECUTION OF VIOLATIONS.

Except as otherwise provided in this section, a violation of a criminal provision of sections 383B.041 to 383B.056 shall be prosecuted by the Hennepin County attorney in the Fourth Judicial District Court. A violation by a county official or candidate shall be prosecuted by the attorney general in the district court of Ramsey County.

History: 1980 c 362 s 17; 1998 c 254 art 2 s 40

383B.058 LOCAL ORDINANCES AND CHARTERS SUPERSEDED.

(a) Except as provided in this section, sections 383B.041 to 383B.057 supersede the provisions of any ordinance or resolution of a jurisdiction governed by sections 383B.041 to 383B.058 or any existing special law or home rule charter provision requiring disclosure of information related to the financing of election campaigns or requiring disclosure of economic interests by candidates and elected officials of that jurisdiction.

(b) The governing body of Hennepin County, the governing body of any home rule charter city or statutory city located wholly in Hennepin County, and the school board of Special School District No. 1, Minneapolis may adopt or continue in force ordinances or resolutions that:

(1) Impose limits on the amount that any individual or association may contribute to any candidate for elected office in that jurisdiction;

(2) Require disclosure of economic interests in addition to those required to be disclosed under section 383B.053; or

(3) Require other public officials of that jurisdiction to make such disclosure.

(c) Any home rule charter city that adopts a charter provision modifying or superseding any provision of sections 383B.041 to 383B.057 shall file a copy of the charter provision with the Campaign Finance and Public Disclosure Board within 60 days of its adoption.

History: 1980 c 362 s 18; 1987 c 218 s 6; 1997 c 202 art 2 s 63

The following Sections of Minnesota Statutes, Chapter 211A apply to all Principal Campaign Committees, Political Committees and Political Funds required to file reports pursuant to Minnesota Statutes 383B.041 through 383B.058. Pursuant to M.S.383B.041, "... The provisions of sections 211A.02 to 211A.07 do not apply to the financing of campaigns for elections subject to the provisions of sections 383B.041 to 383B.058."

Chapter 211A CAMPAIGN FINANCIAL REPORTS

211A.01 DEFINITIONS.

Subdivision 1. **Application.** The definitions in chapter 200 and this section apply to this chapter.

Subd. 2. **Ballot question.** "Ballot question" means a proposition placed on the ballot to be voted on by the voters of one or more political subdivisions but not by all the voters of the state.

Subd. 3. **Candidate.** "Candidate" means an individual who seeks nomination or election to a county, municipal, school district, or other political subdivision office. This definition does not include an individual seeking a judicial office. For purposes of sections 211A.01 to 211A.05 and 211A.07, "candidate" also includes a candidate for the United States Senate or House of Representatives.

Subd. 4. **Committee.** "Committee" means a corporation or association or persons acting together to influence the nomination, election, or defeat of a candidate or to promote or defeat a ballot question. Promoting or defeating a ballot question includes efforts to qualify or prevent a proposition from qualifying for placement on the ballot.

Subd. 5. **Contribution.** "Contribution" means anything of monetary value that is given or loaned to a candidate or committee for a political purpose. "Contribution" does not include a service provided without compensation by an individual.

Subd. 6. **Disbursement.** "Disbursement" means money, property, office, position, or any other thing of value that passes or is directly or indirectly conveyed, given, promised, paid, expended, pledged, contributed, or lent. "Disbursement" does not include payment by a county, municipality, school district, or other political subdivision for election-related expenditures required or authorized by law.

Subd. 7. **Filing officer.** "Filing officer" means the officer authorized by law to accept affidavits of candidacy or nominating petitions for an office or the officer authorized by law to place a ballot question on the ballot.

Subd. 8. **Political purposes.** An act is done for "political purposes" if it is of a nature, done with the intent, or done in a way to influence or tend to influence, directly or indirectly, voting at a primary or an election or if it is done because a person is about to vote, has voted, or has refrained from voting at a primary or an election.

History: 1988 c 578 art 2 s 1; 1990 c 453 s 22

211A.08 PROSECUTION.

Subd. 3 **County attorney authority.** A county attorney may prosecute any violation of this chapter.

History: 1986 c 444; 1988 c 578 art 2 s 8; 2004 c 277 s 4

211A.09 FORFEITURE OF NOMINATION OR OFFICE.

Subdivision 1. **Forfeiture required.** Except as provided in subdivision 2, if a candidate is convicted of violating a provision of this chapter or if an offense was committed by another individual with the knowledge, consent, or connivance of the candidate, the court, after entering the

adjudication of guilty, shall enter a supplemental judgment declaring that the candidate has forfeited the nomination or office. If the court enters the supplemental judgment, it shall transmit to the filing officer a transcript of the supplemental judgment, the nomination or office becomes vacant, and the vacancy must be filled as provided by law.

Subd. 2. **Circumstances where nomination or office not forfeited.** In a trial for a violation of this chapter, the candidate's nomination or election is not void if the court finds that:

- (1) an offense, though committed by the candidate or with the candidate's knowledge, consent, or connivance, was trivial; or
- (2) an act or omission of a candidate arose from accidental miscalculation or other reasonable cause, but in any case not from a want of good faith, and that it would be unjust for the candidate to forfeit the nomination or election.

Neither of these findings is a defense to a conviction under this chapter. **History:** 1988 c 578 art 2 s 9

211A.10 DISQUALIFIED INDIVIDUALS NOT TO HOLD VARIOUS POSITIONS.

A candidate whose election to office has been set aside for a violation of this chapter may not be appointed, during the period fixed by law as the term of the office, to fill a vacancy that may occur in the office. A candidate or other individual who is convicted of a violation of this chapter may not be appointed, during the period fixed by law as the term of the office with respect to which the election was held and the offense was committed, to fill a vacancy in the office. An appointment to an office made contrary to this section is void.

A candidate or other individual who is convicted of a violation of this chapter is not qualified, during the period fixed by law as the term of the office with respect to which the election was held and the offense was committed, to fill a vacancy in an office for which the legislature may establish qualification under article XII, section 3, of the Minnesota Constitution. **History:** 1988 c 578 art 2 s 10

211A.11 PENALTIES FOR VIOLATIONS.

A violation of this chapter for which no other penalty is provided is a misdemeanor.

History: 1988 c 578 art 2 s 11

211A.12 CONTRIBUTION LIMITS.

A candidate or a candidate's committee may not accept aggregate contributions made or delivered by an individual or committee in excess of \$600 in an election year for the office sought and \$250 in other years; except that a candidate or a candidate's committee for an office whose territory has a population over 100,000 may not accept aggregate contributions made or delivered by an individual or committee in excess of \$1,000 in an election year for the office sought and \$250 in other years. The following deliveries are not subject to the bundling limitation in this section:

- 1) delivery of contributions collected by a member of the candidate's committee, such as a block worker or a volunteer who hosts a fundraising event, to the committee's treasurer; and
- 2) a delivery made by an individual on behalf of the individual's spouse.

Notwithstanding sections 211A.02, subdivision 3, and 410.21, this section supersedes any home rule charter. **History:** 1993 c 318 art 2 s 46; 1997 c 224 s 1

211A.13 PROHIBITED TRANSFERS.

A candidate for political subdivision office must not accept contributions from the principal campaign committee of a candidate as defined in section 10A.01, subdivision 34. A candidate for political subdivision office must not make contributions to a principal campaign committee, unless the contribution is made from the personal funds of the candidate for political subdivision office.

History: 1993 c 318 art 2 s 47; 2003 c 2 art 1 s 21

211A.14 CONTRIBUTIONS AND SOLICITATIONS DURING LEGISLATIVE SESSION.

A legislator or state constitutional officer who is a candidate for a county, city, or town office, the candidate's principal campaign committee, and any other political committee with the candidate's name or title may not solicit or accept a contribution from a political fund or registered lobbyist during a regular session of the legislature. **History:** 1 977 c 224 s 2

All Sections of Minnesota Statutes Chapter 211B apply to all Principal Campaign Committees, Political Committees and Political Funds required to file reports pursuant to Minnesota Statutes 383B.041 through 383B.058.

Chapter 211B FAIR CAMPAIGN PRACTICES

211B.01 DEFINITIONS.

Subdivision 1. **Application.** The definitions in chapter 200 and this section apply to this chapter.

Subd. 2. **Campaign material.** "Campaign Material" means any literature, publication, or material that is disseminated for the purpose of influencing voting at a primary or other election, except for news items or editorial comments by the news media.

Subd. 3. **Candidate.** "Candidate" means an individual who seeks nomination or election to a federal, statewide, legislative, judicial, or local office including special districts, school districts, towns, home rule charter and statutory cities, and counties, except candidates for president and vice-president of the United States.

Subd. 4. **Committee.** "Committee" means two or more persons acting together or a corporation or association acting to influence the nomination, election, or defeat of a candidate or to promote or defeat a ballot question. Promoting or defeating a ballot question includes efforts to qualify or prevent a proposition from qualifying for placement on the ballot.

Subd. 5. **Disbursement.** "Disbursement" means an act through which money, property, office, or position or other thing of value is directly or indirectly promised, paid, spent, contributed, or lent, and any money, property, office, or position or other thing of value so promised or transferred.

Subd. 6. **Political purposes.** An act is done for "political purposes" when the act is intended or done to influence, directly or indirectly, voting at a primary or other election. This does not include news items or editorial comments published or broadcast by the news media.

History: 1988 c 578 art 3 s 1; 2004 c 293 art 3 s 1

211B.02 FALSE CLAIM OF SUPPORT.

A person or candidate may not knowingly make, directly or indirectly, a false claim stating or implying that a candidate or ballot question has the support or endorsement of a major political party or party unit or of an organization. A person or candidate may not state in written campaign material that the candidate or ballot question has the support or endorsement of an individual without first getting written permission from the individual to do so.

History: 1988 c 578 art 3 s 2

211B.03 USE OF THE TERM REELECT.

A person or candidate may not, in the event of redistricting, use the term "reelect" in a campaign for elective office unless the candidate is the incumbent of that office and the office represents any part of the new district.

History: 1988 c 578 art 3 s 3

211B.04 CAMPAIGN MATERIAL MUST INCLUDE DISCLAIMER

Subdivision 1. Campaign material.

(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. The address must be either the committee's mailing address or the committee's website, if the website includes the committee's mailing address. 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."

Subd. 2.Independent expenditures.

(a) The required form of the disclaimer on a written independent expenditure is: "This is an independent expenditure prepared and paid for by (name of entity participating in the expenditure), (address). It is not coordinated with or approved by any candidate nor is any candidate responsible for it." The address must be either the entity's mailing address or the entity's website, if the website includes the entity's mailing address. When a written independent expenditure is produced and disseminated without cost, the words "and paid for" may be omitted from the disclaimer.

(b) The required form of the disclaimer on a broadcast independent expenditure is: "This independent expenditure is paid for by (name of entity participating in the expenditure). It is not coordinated with or approved by any candidate nor is any candidate responsible for it." When a broadcast independent expenditure is produced and disseminated without cost, the following disclaimer may be used: "..... (name of entity participating in the expenditure) is responsible for the contents of this independent expenditure. It is not coordinated with or approved by any candidate nor is any candidate responsible for it."

Subd. 3.Material that does not need a disclaimer.

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

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

(c) 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.

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

Subd. 4.Websites.

The requirements of this section are satisfied for an entire website or social media page when the disclaimer required in subdivision 1 or 2 appears once on the home page of the site.

Subd. 5.Font size.

For written communications other than an outdoor sign, website, or social media page, the disclaimer must be printed in 8-point font or larger.

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

211B.045 NONCOMMERCIAL SIGNS EXEMPTION.

All noncommercial signs of any size may be posted in any number beginning 46 days before the state primary in a state general election year until ten days following the state general election. Municipal ordinances may regulate the size and number of noncommercial signs at other times.

History: 1990 c 585 s 30; 2004 c 142 s 1; 2010 c 184 s 42; 2013 c 131 s 74

211B.05 PAID ADVERTISEMENTS IN NEWS.

Subdivision 1. **Acceptance of paid advertisements.** A newspaper, periodical, or magazine may not intentionally accept for insertion in the newspaper, magazine, or periodical a political advertisement unless the words "PAID ADVERTISEMENT," and the disclaimer required under section 211B.04 are included at the beginning or end of the advertisement. The disclaimer must be in a legible text size and font. A radio station, television station, or cable system may not accept for broadcast a political advertisement unless the words "PAID ADVERTISEMENT" are included at the beginning or end of the advertisement.

Subd. 2. **Advertising rates.** Rates charged for advertising to support or oppose a candidate or ballot question must be the same as the charges made for any other political candidate and may be no greater than charges made for any other comparable purpose or use according to the seller's rate schedule.

Subd. 3. **Compensation prohibited, except for paid advertisement.** An owner, publisher, editor, reporter, agent, broadcaster, or employee of a newspaper, periodical, magazine, radio or television broadcast station, or cable system may not directly or indirectly solicit, receive, or accept a payment, promise, or compensation, nor may a person pay or promise to pay or in any manner compensate an owner, publisher, editor, reporter, agent, broadcaster, or employee directly or indirectly for influencing or attempting to influence voting at an election or primary through printed material in the newspaper or periodical, or radio, television, or cable broadcast, except as a "PAID ADVERTISEMENT" as provided in this section.

Subd. 4. **Unpaid material identification.** Unpaid material published in a newspaper, magazine, or other publication that is (1) in unique typeset or otherwise differentiated from other unpaid material, (2) designed to influence or attempt to influence the voting at any election or the passage or defeat of legislation, and (3) not placed on the editorial page must be clearly identified as an editorial opinion.
History: 1988 c 578 art 3 s 5; 2001 c 143 s 1

211B.06 FALSE POLITICAL AND CAMPAIGN MATERIAL; PENALTY; EXCEPTIONS.

Subdivision 1. **Gross misdemeanor.** (a) A person is guilty of a gross misdemeanor who intentionally participates in the preparation, dissemination, or broadcast of paid political advertising or campaign material with respect to the personal or political character or acts of a candidate, or with respect to the effect of a ballot question, that is designed or tends to elect, injure, promote, or defeat a candidate for nomination or election to a public office or to promote or defeat a ballot question, that is false, and that the person knows is false or communicates to others with reckless disregard of whether it is false.

(b) A person is guilty of a misdemeanor who intentionally participates in the drafting of a letter to the editor with respect to the personal or political character or acts of a candidate, or with respect to the effect of a ballot question, that is designed or tends to elect, injure, promote, or defeat any candidate for nomination or election to a public office or to promote or defeat a ballot question, that is false, and that the person knows is false or communicates to others with reckless disregard of whether it is false.

Subd. 2. **Exception.** Subdivision 1 does not apply to any person or organization whose sole act is, in the normal course of their business, the printing, manufacturing, or dissemination of the false information.

History: 1988 c 578 art 3 s 6; 1998 c 376 s 3

NOTE: See 281 Care Committee v. Arneson, 766 F.3d 774 (8th Cir. 2014) for discussion of constitutionality.

211B.07 UNDUE INFLUENCE ON VOTERS PROHIBITED.

A person may not directly or indirectly use or threaten force, coercion, violence, restraint, damage, harm, loss, including loss of employment or economic reprisal, undue influence, or temporal or spiritual injury against an individual to compel the individual to vote for or against a candidate or ballot question. Abduction, duress, or fraud may not be used to obstruct or prevent the free exercise of the right to vote of a voter at a primary or election, or compel a voter to vote at a primary or election. Violation of this section is a gross misdemeanor.

History: 1988 c 578 art 3 s 7

211B.08 SOLICITATION OF CONTRIBUTIONS PROHIBITED.

A religious, charitable, or educational organization may not request a candidate or committee to contribute to the organization, to subscribe for the support of a club or organization, to buy tickets to entertainment, or to pay for space in a publication. This section does not apply to:

- (1) the solicitation of a business advertisement in periodicals in which the candidate was a regular contributor, before candidacy;
- (2) ordinary business advertisements;

(3) regular payments to a religious, charitable, or educational organization, of which the candidate was a member, or to which the candidate was a contributor for more than six months before candidacy; or

(4) ordinary contributions at church services.

History: 1988 c 578 art 3 s 8

NOTE: This section was found unconstitutional in *Minnesota Citizens Concerned for Life, Inc. v. Kelley*, 427 F.3d 1106 (8th Cir. 2005)

211B.09 PROHIBITED PUBLIC EMPLOYEE ACTIVITIES.

An employee or official of the state or of a political subdivision may not use official authority or influence to compel a person to apply for membership in or become a member of a political organization, to pay or promise to pay a political contribution, or to take part in political activity. A political subdivision may not impose or enforce additional limitations on the political activities of its employees.

History: 1988 c 578 art 3 s 9

211B.10 INDUCING OR REFRAINING CANDIDACY; TIME OFF FOR PUBLIC OFFICE MEETINGS.

Subdivision 1. **Inducing or refraining from candidacy.** A person may not reward or promise to reward another in any manner to induce the person to be or refrain from or cease being a candidate. A person may not solicit or receive a payment, promise, or reward from another for this purpose.

Subd. 1a. **Prohibited activities of a political party.**

A political party unit may not, through imposition or threatened imposition of any fine, sanction, or other penalty, attempt to coerce an individual who does not have the party unit's official endorsement as a means to prevent the individual from filing as a candidate for office.

Subd. 2. **Time off for public office meetings.** A person elected to a public office must be permitted time off from regular employment to attend meetings required by reason of the public office. The time off may be without pay, with pay, or made up with other hours, as agreed between the employee and employer. When an employee takes time off without pay, the employer shall make an effort to allow the employee to make up the time with other hours when the employee is available. No retaliatory action may be taken by the employer for absences to attend meetings necessitated by reason of the employee's public office.

History: 1988 c 578 art 3 s 10; 2012 c 250 s 3

211B.11 ELECTION DAY PROHIBITIONS.

Subdivision 1. **Soliciting near polling places.** A person may not display campaign material, post signs, ask, solicit, or in any manner try to induce or persuade a voter within a polling place or within 100 feet of the building in which a polling place is situated, or anywhere on the public property on which a polling place is situated, on primary or election day to vote for or refrain from voting for a candidate or ballot question. A person may not provide political badges, political buttons, or other political insignia to be worn at or about the polling place on the day of a primary or election. A political badge, political button, or other political insignia may not be worn at or about the polling place on primary or election day. This section applies to areas established by the county auditor or municipal clerk for absentee voting as provided in chapter 203B.

Nothing in this subdivision prohibits the distribution of "I VOTED" stickers as provided in section 204B.49.

Subd. 2. **Repealed 1997 c 147 s 79.**

Subd. 3. **Transportation of voters to polling place; penalty.** A person transporting a voter to or from the polling place may not ask, solicit, or in any manner try to induce or persuade a voter on primary or election day to vote or refrain from voting for a candidate or ballot question.

Subd. 4. **Penalty.** Violation of this section is a petty misdemeanor.

History: 1988 c 578 art 3 s 11; 1989 c 291 art 1 s 32; 1993 c 223 s 25; 1997 c 147 s 79; 2017 c 92 art 1 s 27

211B.12 LEGAL EXPENDITURES.

Use of money collected for political purposes is prohibited unless the use is reasonably related to the conduct of election campaigns, or is a noncampaign disbursement as defined in section 10A.01, subdivision 26. The following are permitted expenditures when made for political purposes:

- (1) salaries, wages, and fees;
- (2) communications, mailing, transportation, and travel;
- (3) campaign advertising;
- (4) printing;
- (5) office and other space and necessary equipment, furnishings, and incidental supplies;
- (6) charitable contributions of not more than \$100 to any charity organized under section 501(c) (3) of the Internal Revenue Code annually, except that the amount contributed is not limited by this clause if the political committee, political fund, party unit, principal campaign committee, or campaign fund of a candidate for political subdivision office that made the contribution dissolves within one year after the contribution is made; and
- (7) other expenses, not included in clauses (1) to (6), that are reasonably related to the conduct of election campaigns. In addition, expenditures made for the purpose of providing information to constituents, whether or not related to the conduct of an election, are permitted expenses. Money collected for political purposes and assets of a political committee or political fund may not be converted to personal use.

History: 1988 c 578 art 3 s 12; 1993 c 318 art 2 s 48; 2008 c 295 s 23; 2010 c 327 s 27

211B.13 BRIBERY, TREATING, AND SOLICITATION.

Subdivision 1. **Bribery, advancing money, and treating prohibited.** A person who willfully, directly or indirectly, advances, pays, gives, promises, or lends any money, food, liquor, clothing, entertainment, or other thing of monetary value, or who offers, promises, or endeavors to obtain any money, position, appointment, employment, or other valuable consideration, to or for a person, in order to induce a voter to refrain from voting, or to vote in a particular way, at an election, is guilty of a felony. This section does not prevent a candidate from stating publicly preference for or support of another candidate to be voted for at the same primary or election. Refreshments of food or nonalcoholic beverages having a value up to \$5 consumed on the premises at a private gathering or public meeting are not prohibited under this section.

Subd. 2. **Certain solicitations prohibited.** A person may not knowingly solicit, receive, or accept any money, property, or other thing of monetary value, or a promise or pledge of these that is a disbursement prohibited by this section or section 211B.15. **History:** 1988 c 578 art 3 s 13; 2005 c 156 art 6 s 63

211B.14 DIGEST OF LAWS.

The secretary of state, with the approval of the attorney general, shall prepare and print an easily understandable digest of this chapter and annotations of it. The digest may include other related laws and annotations at the discretion of the secretary of state.

The secretary of state shall distribute the digest to candidates and committees through the county auditor or otherwise as the secretary of state considers expedient. A copy of the digest and, if appropriate, a financial reporting form and a certification of filing form must be distributed to each candidate by the filing officer at the time that the candidate's affidavit of candidacy is filed.

History: 1988 c 578 art 3 s 14; 1993 c 223 s 26; 1997 c 147 s 73

211B.15 CORPORATE POLITICAL CONTRIBUTIONS.

Subdivision 1. **Definitions.** For purposes of this section, "corporation" means:

- (1) a corporation organized for profit that does business in this state;
- (2) a nonprofit corporation that carries out activities in this state; or
- (3) a limited liability company formed under chapter 322C, or under similar laws of another state, that does business in this state.

Subd. 2. **Prohibited contributions.** A corporation may not make a contribution or offer or agree to make a contribution, directly or indirectly, of any money, property, free service of its officers, employees, or members, or thing of monetary value to a political party, organization, committee, or individual to promote or defeat the candidacy of an individual for nomination, election, or appointment to a political office.

(b) A political party, organization, committee, or individual may not accept a contribution or an offer or agreement to make a contribution that a corporation is prohibited from making under paragraph (a).

(c) For the purpose of this subdivision, "contribution" includes an expenditure to promote or defeat the election or nomination of a candidate to a political office that is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of, a candidate or committee established to support or oppose a candidate but does not include an independent expenditure authorized by subdivision 3.

Subd. 3. **Independent expenditures.** A corporation may not make an expenditure or offer or agree to make an expenditure to promote or defeat the candidacy of an individual for nomination, election, or appointment to a political office, unless the expenditure is an independent expenditure. For the purpose of this subdivision, "independent expenditure" has the meaning given in section 10A.01, subdivision 18.

Subd. 4. **Ballot question.** A corporation may make contributions or expenditures to promote or defeat a ballot question, to qualify a question for placement on the ballot unless otherwise prohibited by law, or to express its views on issues of public concern. A corporation may not make a contribution to a candidate for nomination, election, or appointment to a political office or to a committee organized wholly or partly to promote or defeat a candidate.

Subd. 5. **News media.** This section does not prohibit publication or broadcasting of news items or editorial comments by the news media.

Subd. 6. **Penalty for individuals.** (a) An officer, manager, stockholder, member, agent, employee, attorney, or other representative of a corporation acting on behalf of the corporation who violates this section is subject to a civil penalty of up to ten times the amount of the violation, but in no case more than \$10,000, imposed by the Campaign Finance and Public Disclosure Board under chapter 10A or imposed by the Office of Administrative Hearings under this chapter.

(b) Knowingly violating this section is a crime. An officer, manager, stockholder, member, agent, employee, attorney, or other representative of a corporation acting in behalf of the corporation who is convicted of knowingly violating this section may be fined not more than \$20,000 or be imprisoned for not more than five years, or both.

Subd. 7. **Penalty for corporations.** (a) A corporation that violates this section is subject to a civil penalty of up to ten times the amount of the violation, but in no case more than \$10,000, imposed by the Campaign Finance and Public Disclosure Board under chapter 10A or imposed by the Office of Administrative Hearings under this chapter.

(b) Knowingly violating this section is a crime. A corporation convicted of knowingly violating this section is subject to a fine not greater than \$40,000. A convicted domestic corporation may be dissolved as well as fined. If a foreign or nonresident corporation is convicted, in addition to being fined, its right to do business in this state may be declared forfeited.

Subd. 7a. **Application of penalties.** No penalty may be imposed for a violation of this section that is subject to a civil penalty under section 10A.121.

Subd. 7b. **Knowing violations.**

An individual or a corporation knowingly violates this section if, at the time of a transaction, the individual or the corporation knew:

(1) that the transaction causing the violation constituted a contribution under chapter 10A, 211A, or 383B; and

(2) that the contributor was a corporation subject to the prohibitions of subdivision 2.

Subd. 8. **Permitted activity; political party.** It is not a violation of this section for a political party, as defined in section 200.02, subdivision 7, to form a nonprofit corporation for the sole purpose of holding real property to be used exclusively as the party's headquarters.

Subd. 9. **Media projects.** It is not a violation of this section for a corporation to contribute to or conduct public media projects to encourage individuals to attend precinct caucuses, register, or vote

if the projects are not controlled by or operated for the advantage of a candidate, political party, or committee.

Subd. 10. **Meeting facilities.** It is not a violation of this section for a corporation to provide meeting facilities to a committee, political party, or candidate on a nondiscriminatory and nonpreferential basis.

Subd. 11. **Messages on premises.** It is not a violation of this section for a corporation selling products or services to the public to post on its public premises messages that promote participation in precinct caucuses, voter registration, or elections if the messages are not controlled by or operated for the advantage of a candidate, political party, or committee.

Subd. 12. [Repealed, 2010 c 397 s 20].

Subd. 13. **Aiding violation; penalty.** An individual who aids, abets, or advises a violation of this section is guilty of a gross misdemeanor.

Subd. 14. **Prosecutions; venue.** Violations of this section may be prosecuted in the county where the payment or contribution was made, where services were rendered, or where money was paid or distributed.

Subd. 15. **Nonprofit corporation exemption.** The prohibitions in this section do not apply to a nonprofit corporation that:

- (1) is not organized or operating for the principal purpose of conducting a business;
- (2) has no shareholders or other persons affiliated so as to have a claim on its assets or earnings; and
- (3) was not established by a business corporation or a labor union and has a policy not to accept significant contributions from those entities.

Subd. 16. **Employee political fund solicitation.** Any solicitation of political contributions by an employee must be in writing, informational and nonpartisan in nature, and not promotional for any particular candidate or group of candidates. The solicitation must consist only of a general request on behalf of an independent political committee (conduit fund) and must state that there is no minimum contribution, that a contribution or lack thereof will in no way impact the employee's employment, that the employee must direct the contribution to candidates of the employee's choice, and that any response by the employee shall remain confidential and shall not be directed to the employee's supervisors or managers. Questions from an employee regarding a solicitation may be answered orally or in writing consistent with the above requirements. Nothing in this subdivision authorizes a corporate donation of an employee's time prohibited under subdivision 2.

Subd 17. **Nonprofit corporation political activity.** It is not a violation of this section for a nonprofit corporation to provide administrative assistance to one political committee or political fund that is associated with the nonprofit corporation and registered with the campaign finance and public disclosure board under section 10A.14. Such assistance must be limited to accounting, clerical or legal services, bank charges, utilities, office space, and supplies. The records of the political committee or political fund may be kept on the premises of the nonprofit corporation.

The administrative assistance provided by the nonprofit corporation to the political committee or political fund is limited annually to the lesser of \$5,000 or 7 ½ percent of the expenditures of the political committee or political fund.

History: 1988 c 578 art 3 s 15; 1989 c 209 art 2 s 26; 1992 c 517 art 1 s 1-9; 1993 c 318 art 2 s 49; 1996 c 459 s3, 4; 1997 c202 art 2 s 63; 2010 c 397 s 16-18

211B.16 PROSECUTION.

Subd. 3 **County attorney authority.** A county attorney may prosecute any violations of this chapter.

History: 1988 c 578 art 3 s 16; 2004 c 277 s 5

211B.17 FORFEITURE OF NOMINATION OR OFFICE; CIRCUMSTANCES WHERE NOT FORFEITED.

Subdivision 1. **Forfeiture of nomination or office.** Except as provided in subdivision 2, if a candidate is found guilty of violating this chapter or an offense was committed by another individual with the knowledge, consent, or connivance of the candidate, the court, after entering the adjudication of guilty, shall enter a supplemental judgment declaring that the candidate has forfeited the nomination or office. If the court enters the supplemental judgment, it shall transmit to the filing officer a transcript of the supplemental judgment, the nomination or office becomes vacant, and the vacancy must be filled as provided by law.

Subd. 2. **Circumstances where nomination or office not forfeited.** In a trial for a violation of this chapter, the candidate's nomination or election is not void if the court finds that:

- (1) an offense, though committed by the candidate or with the candidate's knowledge, consent, or connivance, was trivial; or
- (2) an act or omission of a candidate arose from accidental miscalculation or other reasonable cause, but in any case not from a want of good faith; and the court also finds that it would be unjust for a candidate to forfeit the nomination or election.

None of these findings is a defense to a conviction under this chapter.

History: 1988 c 578 art 3 s 17

211B.18 DISQUALIFIED CANDIDATE NOT TO HOLD VARIOUS POSITIONS.

A candidate whose election to office has been set aside for a violation of this chapter may not be appointed, during the period fixed by law as the term of the office, to fill a vacancy in that office. A candidate or other individual who is convicted of a violation of this chapter may not be appointed, during the period fixed by law as the term of the office with respect to which the election was held and the offense was committed, to fill a vacancy that may occur in the office. An appointment to an office made contrary to the provisions of this section is void.

A candidate or other individual who is convicted of a violation of this chapter is not qualified, during the period fixed by law as the term of the office with respect to which the election was held and the offense was committed, to fill a vacancy in an office for which the legislature may establish qualifications under article XII, section 3, of the Minnesota Constitution.

History: 1988 c 578 art 3 s 18

211B.19 PENALTIES FOR VIOLATION.

A violation of this chapter for which no other penalty is provided is a misdemeanor.

History: 1988 c 578 art 3 s 19

211B.20 DENIAL OF ACCESS BY POLITICAL CANDIDATES TO MULTIPLE UNIT DWELLINGS.

Subdivision 1. **Prohibition.** (a) It is unlawful for a person, either directly or indirectly, to deny access to an apartment house, dormitory, nursing home, manufactured home park, other multiple unit facility used as a residence, or an area in which two or more single-family dwellings are located on private roadways to a candidate who has:

- (1) organized a campaign committee under applicable federal or state law;
- (2) filed a financial report as required by section 211A.02; or
- (3) filed an affidavit of candidacy for elected office

A candidate granted access under this section must be allowed to be accompanied by campaign volunteers.

(b) Access to a facility or area is only required if it is located within the district or territory that will be represented by the office to which the candidate seeks election, and the candidate and any accompanying campaign volunteers seek access exclusively for the purpose of campaigning for a candidate or registering voters. The candidate must be seeking election to office at the next general or special election to be held for that office.

(c) A candidate and any accompanying campaign volunteers granted access under this section must be permitted to leave campaign materials for residents at their doors, except that the manager of a

nursing home may direct that the campaign materials be left at a central location within the facility. The campaign materials must be left in an orderly manner.

(d) If a facility or area contains multiple buildings, a candidate and accompanying volunteers must be permitted to access more than one building on a single visit, but access is limited to only one building at a time. If multiple candidates are traveling together, each candidate and that candidate's accompanying volunteers is limited to one building at a time, but all of the candidates and accompanying volunteers traveling together must not be restricted to accessing the same building at the same time.

(e) A violation of this section is a petty misdemeanor.

Subd. 2. **Exceptions.** Subdivision 1 does not prohibit:

- (1) denial of admittance into a particular apartment, room, manufactured home, or personal residential unit;
- (2) requiring reasonable and proper identification as a necessary prerequisite to admission to a multiple unit dwelling;
- (3) in the case of a nursing home or a registered housing with services establishment providing assisted living services meeting the requirements of section 144G.03, subdivision 2, denial of permission to visit certain persons for valid health reasons;
- (4) limiting visits by candidates or volunteers accompanied by the candidate to a reasonable number of persons or reasonable hours;
- (5) requiring a prior appointment to gain access to the facility; or
- (6) denial of admittance to or expulsion from a multiple unit dwelling for good cause.

History: 1988 c 578 art 3 s 20; 2010 c 314 s 3

211B.205 PARTICIPATION IN PUBLIC PARADES.

If a public parade allows candidates, a candidate must be allowed to participate for a fee that is not greater than the amount that is charged to other units participating in the parade.

History: 1Sp2001 c 10 art 18 s 40

211B.21 APPLICABILITY.

Nothing in section 211B.17 or 211B.18 may be construed to limit the ability of each house of the legislature to act as judge of the election returns and eligibility of its own members.

History: 1988 c 578 art 3 s 21

211B.31 DEFINITION.

As used in sections 211B.32 to 211B.36, "office" means the Office of Administrative Hearings.

History: 2004 c 277 s 6

211B.32 COMPLAINTS OF UNFAIR CAMPAIGN PRACTICES.

Subdivision. 1. **Administrative remedy; exhaustion.** (a) Except as provided in paragraph (b), a complaint alleging a violation of chapter 211A or 211B must be filed with the office. The complaint must be finally disposed of by the office before the alleged violation may be prosecuted by a county attorney.

(b) Complaints arising under those sections and related to those individuals and associations specified in section 10A.022, subdivision 3, must be filed with the Campaign Finance and Public Disclosure Board.

Subd. 2. **Limitation on filing.** The complaint must be filed with the office within one year after the occurrence of the act or failure to act that is the subject of the complaint, except that if the act or failure to act involves fraud, concealment, or misrepresentation that could not be discovered during that one-year period, the complaint may be filed with the office within one year after the fraud, concealment, or misrepresentation was discovered.

Subd. 3. **Form of complaint.** The complaint must be in writing, submitted under oath, and detail the factual basis for the claim that a violation of law has occurred. The office may prescribe the form of a complaint.

Subd. 4. **Proof Of Claim.** The burden of proving the allegations in the complaint is on the

complainant. The standard of proof of a violation of section 211B.06, relating to false statements in paid political advertising or campaign material, is clear and convincing evidence. The standard of proof of any other violation of chapter 211A or 211B is a preponderance of the evidence.

Subd. 5. **Filing fee; waiver; refund.** (a) The complaint must be accompanied by a filing fee of \$50, unless filed by a filing officer under section 211A.05, subdivision 2.

(b) The office may waive the payment of the filing fee, if the individual seeking a waiver of the fee files with the office an affidavit stating that the individual is financially unable to pay the fee.

(c) The office may refund the filing fee of a complainant who prevails on the merits.

Subd. 6. **Service on respondent.** Upon receipt of the filed complaint, the office must immediately notify the respondent and provide the respondent with a copy of the complaint by the most expeditious means available.

History: 2004 c 277 s 7

211B.33 PRIMA FACIE REVIEW.

Subdivision 1. **Time for review.** The chief administrative law judge must randomly assign an administrative law judge to review the complaint. Within one business day after the complaint was filed with the office, when practicable, but never longer than three business days, the administrative law judge must make a preliminary determination for its disposition.

Subd. 2. **Recommendation.** (a) If the administrative law judge determines that the complaint does not set forth a prima facie violation of chapter 211A or 211B, the administrative law judge must dismiss the complaint.

(b) If the administrative law judge determines that the complaint sets forth a prima facie violation of section 211B.06 and was filed within 60 days before the primary or special election or within 90 days before the general election to which the complaint relates, the administrative law judge must conduct an expedited probable cause hearing under section 211B.34.

(c) If the administrative law judge determines that the complaint sets forth a prima facie violation of a provision of chapter 211A or 211B, other than section 211B.06, and that the complaint was filed within 60 days before the primary or special election or within 90 days before the general election to which the complaint relates, the administrative law judge, on request of any party, must conduct an expedited probable cause hearing under section 211B.34.

(d) If the administrative law judge determines that the complaint sets forth a prima facie violation of chapter 211A or 211B, and was filed more than 60 days before the primary or special election or more than 90 days before the general election to which the complaint relates, the administrative law judge must schedule an evidentiary hearing under section 211B.35.

Subd. 3. **Notice to parties.** The office must notify all parties of the determination made under subdivision 2. If the complaint is scheduled for hearing, the notice must identify the time and place of the hearing and inform all parties that they may submit evidence, affidavits, documentation, and argument for consideration by the administrative law judge.

Subd. 4. **Joinder and separation of complaints.** The chief administrative law judge may direct that two or more complaints be joined for disposition if the chief administrative law judge determines that the allegations in each complaint are of the same or similar character, are based on the same act or failure to act, or are based on two or more acts or failures to act constituting parts of a common scheme or plan. If one complaint contains two or more allegations, the chief administrative law judge may separate the allegations, if they are not of the same or similar character, if they are not based on the same act or failure to act, or if they are not based on two or more acts or failures to act constituting parts of a common scheme or plan. If the chief administrative law judge separates the allegations in a complaint, the assigned administrative law judge or judges may make separate recommendations under subdivision 2 for each allegation.

History: 2004 c 277 s 8

211B.34 PROBABLE CAUSE HEARING.

Subdivision 1. **Time for review.** The assigned administrative law judge must hold a probable cause hearing on the complaint no later than three business days after receiving the assignment if an expedited hearing is required by section 211B.33, except that for good cause the administrative law judge may hold the hearing no later than seven days after receiving the assignment. If an expedited

hearing is not required by section 211B.33, the administrative law judge must hold the hearing not later than 30 days after receiving the assignment.

Subd. 2. **Disposition.** At the probable cause hearing, the administrative law judge must make one of the following determinations:

- (a) The complaint is frivolous, or there is no probable cause to believe that the violation of law alleged in the complaint has occurred. If the administrative law judge makes either determination, the administrative law judge must dismiss the complaint.
- (b) There is probable cause to believe that the violation of law alleged in the complaint has occurred. If the administrative law judge so determines, the chief administrative law judge must schedule the complaint for an evidentiary hearing under section 211B.35.

Subd. 3. **Reconsideration by chief administrative law judge.** (a) If the administrative law judge dismisses the complaint, the administrative law judge shall provide to the complainant written notice of the right to seek reconsideration of the decision on the record by the chief administrative law judge.

(b) A petition for reconsideration must be filed within two business days after the dismissal. The chief administrative law judge must make a decision on the petition within three business days after receiving the petition. If the chief administrative law judge determines that the assigned administrative law judge made a clear error of law and grants the petition, within five business days after granting the petition, the chief administrative law judge shall schedule the complaint for an evidentiary hearing under section 211B.35.

History: 2004 c 277 s 9

211B.35 EVIDENTIARY HEARING BY PANEL.

Subdivision 1. **Deadline for hearing.** When required by section 211B.34, subdivision 2 or 3, the chief administrative law judge must assign the complaint to a panel of three administrative law judges for an evidentiary hearing. The hearing must be held within the following times:

- (1) ten days after the complaint was assigned, if an expedited probable cause hearing was requested or required under section 211B.33;
- (2) 30 days after the complaint was filed, if it was filed within 60 days before the primary or special election or within 90 days before the general election to which the complaint relates; or
- (3) 90 days after the complaint was filed, if it was filed at any other time. For good cause shown, the panel may extend the deadline set forth in clause (2) or (3) by 60 days.

Subd. 2. **Disposition of complaint.** The panel must determine whether the violation alleged in the complaint occurred and must make at least one of the following dispositions:

- (a) The panel may dismiss the complaint.
- (b) The panel may issue a reprimand.
- (c) The panel may find that a statement made in a paid advertisement or campaign material violated section 211B.06.
- (d) The panel may impose a civil penalty of up to \$5,000 for any violation of chapter 211A or 211B.
- (e) The panel may refer the complaint to the appropriate county attorney.

Subd. 3. **Time for disposition.** The panel must dispose of the complaint:

- (1) within three days after the hearing record closes, if an expedited probable cause hearing was required by section 211B.33; and
- (2) within 14 days after the hearing record closes, if an expedited probable cause hearing was not required by section 211B.33.

History: 2004 c 277 s 10

211B.36 PROCEDURES.

Subdivision 1. **Evidence and argument.** The administrative law judge or panel may consider any evidence and argument submitted until a hearing record is closed, including affidavits and documentation, or may continue a hearing to enable the parties to submit additional testimony.

Subd. 2. **Withdrawal of complaint.** At any time before an evidentiary hearing under section 211B.35 begins, a complainant may withdraw a complaint filed under section 211B.32. After the evidentiary hearing begins, a complaint filed under section 211B.32 may only be withdrawn with the

permission of the panel.

Subd. 3. **Costs.** If the assigned administrative law judge or panel determines the complaint is frivolous, they may order the complainant to pay the respondent's reasonable attorney fees and to pay the costs of the office in the proceeding in which the complaint was dismissed.

Subd. 4. **Hearings public.** A hearing under section 211B.34 or 211B.35 may be conducted by conference telephone call or by interactive television. All hearings must be open to the public.

Subd. 5. **Judicial review.** A party aggrieved by a final decision on a complaint filed under section 211B.32 is entitled to judicial review of the decision as provided in sections 14.63 to 14.69; however, proceedings on a complaint filed under section 211B.32 are not a contested case within the meaning of chapter 14 and are not otherwise governed by chapter 14.

History: 2004 c 277 s 11

211B.37 COSTS ASSESSED.

Except as otherwise provided in section 211B.36, subdivision 3, the chief administrative law judge shall assess the cost of considering complaints filed under section 211B.32 as provided in this section. Costs of complaints relating to a statewide ballot question or an election for a statewide or legislative office must be paid from appropriations to the Office of Administrative Hearings for this purpose. Costs of complaints relating to any other ballot question or elective office must be paid from appropriations to the office for this purpose..

History: 2004 c 277 s 12 2013 c131 s 75 2013 c 138 art 4 s 7; 2015 c 73 s 25; 2015 c 77 art 2 s 52

RELATED LAWS - SELECTED PROVISIONS

160.27 PARTICULAR USES OF RIGHT-OF-WAY; MISDEMEANORS.

Subdivision 1. **Public notices.** With the approval of the proper road authority, billboards for the use and purpose of displaying public notices only may be erected within the limits of any public highway, including city streets.

Subd. 6. **Removal of unauthorized advertisement, building, or structure.** The road authorities may take down, remove, or destroy any advertisement, building or structure in or upon any highway in violation of this section and section 160.2715.

160.2715 RIGHT-OF-WAY USE; MISDEMEANORS.

(a) Except for the actions of the road authorities, their agents, employees, contractors, and utilities in carrying out their duties imposed by law or contract, and except as herein provided, it shall be unlawful to:

(1) obstruct any highway or deposit snow or ice thereon;

(9) place or maintain any advertisement within the limits of any highway, except as provided in section 160.27, subdivision 7;

(10) paint, print, place, or affix any advertisement or any object within the limits of any highway, except as provided in section 160.27, subdivision 7;

(11) deface, mar, damage, or tamper with any structure, work, material, equipment, tools, signs, markers, signals, paving, guardrails, drains, or any other highway appurtenance on or along any highway;

(b) Any violation of this section is a misdemeanor.

204C.06 CONDUCT IN AND NEAR POLLING PLACES.

Subdivision 1. **Persons allowed near polling place.** An individual shall be allowed to go to and from the polling place for the purpose of voting without unlawful interference. No one except an election official or an individual who is waiting to register or to vote or an individual who is conducting exit polling shall stand within 100 feet of the building in which a polling place is located. "Exit polling" is defined as approaching voters in a predetermined pattern as they leave the polling place after they have voted and asking voters to fill out an anonymous, written questionnaire.

Subd. 2. **Individuals allowed in polling place; identification.**

(a) Representatives of the secretary of state's office, the county auditor's office, and the municipal or school district clerk's office may be present at the polling place to observe election procedures. Except for these representatives, election judges, sergeants-at-arms, and challengers, an individual may remain inside the polling place during voting hours only while voting or registering to vote, providing proof of residence for an individual who is registering to vote, or assisting a disabled voter or a voter who is unable to read English. During voting hours no one except individuals receiving, marking, or depositing ballots shall approach within six feet of a voting booth, ballot counter, or electronic voting equipment, unless lawfully authorized to do so by an election judge or the individual is an election judge monitoring the operation of the ballot counter or electronic voting equipment.

(b) Teachers and elementary or secondary school students participating in an educational activity authorized by section 204B.27, subdivision 7, may be present at the polling place during voting hours.

(c) Each official on duty in the polling place must wear an identification badge that shows their role in the election process. The badge must not show their party affiliation.

Subd. 3. **Damaging or removing election materials; gross misdemeanor.** No individual shall intentionally:

(a) Tear down, mutilate, deface or otherwise damage during the hours of voting any voter instruction poster placed inside or outside of a polling place by an election judge or other election official; or

- (b) Remove from the polling place before the time for voting ends any ballots prepared for use at the election or any supplies or conveniences placed in voting booths for use by the voters, except as authorized by law.

A violation of this subdivision is a gross misdemeanor.

Subd. 4. **Damaging or removing election materials; felony.** No individual shall intentionally:

- (a) Remove from a polling place any election file or election register, except as authorized by law;
(b) Damage, deface, or mutilate any ballot, election file or election register or any item of information contained on it, except as authorized by law; or
(c) Add anything to a ballot, election file or election register, except as authorized by law.

A violation of this subdivision is a felony.

Subd. 7. **Use of intoxicating liquor; prohibition; penalty.** During the time an election is being held it is a misdemeanor to bring intoxicating liquor or 3.2 percent malt liquor into a polling place, to drink intoxicating liquor or 3.2 percent malt liquor in a polling place, or to be intoxicated in a polling place. The election judges shall not permit an obviously intoxicated individual to vote or remain in the polling place for any purpose.

History: 1981 c 29 art 5 s 6; 1984 c 471 s 10; 1984 c 515 s 1; 1986 c 444; 1987 c 266 art 1 s 35; 1989 c 291 art 1 s 12; 1991 c 237 s 5; 1991 c 294 s 31; 1993 c 223 s 12; 2004 c 293 art 2 s 24; 2005 c 56 s 1; 2005 c 113 s 1; 2005 c 156 art 6 s 41; 2008 c 244 art 1 s 13; 2010 c 201 s 35; 2011 c 18 s 6

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MINNESOTA STATUTES SECTION 211A.12 CONTRIBUTION LIMITS.

A candidate or a candidate's committee may not accept aggregate contributions made or delivered by an individual or committee in excess of \$600 in an election year for the office sought and \$250 in other years; except that a candidate or a candidate's committee for an office whose territory has a population over 100,000 may not accept aggregate contributions made or delivered by an individual or committee in excess of \$1,000 in an election year for the office sought and \$250 in other years.

The following deliveries are not subject to the bundling limitation in this section:

- (1) delivery of contributions collected by a member of the candidate's committee, such as a block worker or a volunteer who hosts a fund-raising event, to the committee's treasurer; and
- (2) a delivery made by an individual on behalf of the individual's spouse.

The following campaign contribution limits have been imposed, as described below, and do apply for candidates and their Principal Campaign Committees for the following political subdivisions: the Cities of Bloomington, Brooklyn Park and Minneapolis as well as Special School District No. 1.

| OFFICE | ELECTION YEAR LIMIT | NON-ELECTION YEAR LIMIT |
|--|------------------------|----------------------------|
| BLOOMINGTON | | |
| Council Member at Large | | |
| Council Member (Districts 1 & 2) | \$600 | \$250 |
| BROOKLYN PARK | | |
| Mayor | | |
| Council Member (Districts Central, East, and West) | \$600 | \$250 |
| MINNEAPOLIS | | |
| Mayor, Board of Estimate/Taxation, Special School District No. 1 At Large Directors, Park Board at Large | \$1,000 | \$250 |
| City Council Ward 1-13, Park Board Districts 1-6, Special School District No 1 - Districts 1-6 | \$600 | \$250 |

MINNESOTA STATUTES SECTION 211A.13 PROHIBITED TRANSFERS.

A candidate for political subdivision office must not accept contributions from the principal campaign committee of a candidate as defined in section [10A.01, subdivision 34](#). A candidate for political subdivision office must not make contributions to a principal campaign committee, unless the contribution is made from the personal funds of the candidate for political subdivision office.

CLARIFICATION: Pursuant to an Attorney General Opinion of August, 1994, MN Sta. 211A.13 DOES NOT PROHIBIT a candidate for political subdivision office from making a contribution to the principal campaign committee of another candidate for political subdivision office. The opinion states that Section 211A.13 prohibits a candidate for political subdivision office from accepting contributions from the principal campaign committee of a Chapter 10A candidate (generally state-wide candidates) and a candidate for political subdivision office may not make contributions to the principal campaign committee of a 10A candidate.

MINNESOTA STATUTES SECTION 211A.14 CONTRIBUTIONS AND SOLICITATIONS DURING LEGISLATIVE SESSION.

A legislator or state constitutional officer who is a candidate for a county, city, or town office, the candidate's principal campaign committee, and any other political committee with the candidate's name or title may not solicit or accept a contribution from a political fund or registered lobbyist during a regular session of the legislature.

REGISTRATION AND STATEMENT OF ORGANIZATION

☐ New Registration

☐ Amendment

1. ☐ **Principal Campaign Committee** (Cities of Bloomington, Brooklyn Park, & Minneapolis, or Hennepin County Government elective offices) (See registration form instructions.) Complete Items 4-10 and 12-13.
2. ☐ **Political Committee** (See registration form instructions.) Complete items 4-7, 10, 12-13.
3. ☐ **Political Fund** (See registration form instructions.) Complete items 4-7, 10-13.

4. NAME OF COMMITTEE OR FUND: _____

5. MAILING ADDRESS OF COMMITTEE OR FUND (Include City, State, Zip Code):

6. E-MAIL ADDRESS: _____

7. TELEPHONE OF COMMITTEE OR FUND: _____

8. NAME OF CANDIDATE - If Principal Campaign Committee: _____

CANDIDATE'S ADDRESS: _____

CANDIDATE'S PHONE: _____

9. OFFICE SOUGHT OR HELD BY CANDIDATE:

Bloomington: ☐ Mayor ☐ Council District No. _____

Brooklyn Park: ☐ Mayor ☐ Council District No. _____

Minneapolis: ☐ Mayor ☐ Council Ward No. ____ ☐ Library Board ☐ Park Board District No. _____

☐ Minneapolis School District #1 District No.(1-6 OR at Large) _____ ☐ Board of Estimate/Taxation

Hennepin County: ☐ Attorney ☐ Sheriff ☐ Commissioner District No. _____

☐ Three Rivers Park District No. _____

10. COMMITTEE OFFICERS: NAME MAILING ADDRESS FOR COMMITTEE BUSINESS PHONE

Chair: _____

Treasurer: _____

E-mail address _____

Deputy Treasurer (if any): _____

11. ASSOCIATIONS SUPPORTING A POLITICAL FUND: _____

12. DEPOSITORY/BANK (Location of Committee Funds): _____

Address: _____

13. CERTIFICATION: Any individual who signs and certifies to be true a statement which the individual knows contains false information or who knowingly omits required information is guilty of a gross misdemeanor.

I, (Print Name) _____, The Treasurer CERTIFY THAT THE INFORMATION CONTAINED ON THIS FORM IS COMPLETE, TRUE AND CORRECT. Once submitted, all information within this form is public data.

(Signature of Treasurer)

(Date)

INSTRUCTIONS for COMPLETION of the REGISTRATION AND STATEMENT OF ORGANIZATION

1. "Principal Campaign Committee" means the single political committee designated by a candidate."

Note: A candidate for elective office in the Cities of Bloomington, Brooklyn Park, and Minneapolis, or for Hennepin County Government, shall register a Principal Campaign Committee within 14 days after the date by which contributions have been received or expenditures made in excess of \$100. The Principal Campaign Committee may include people other than the candidate, serving as Chair, Treasurer or Deputy Treasurer. The candidate may serve as any or all of the Principal Campaign Committee officers.

Even if the candidate uses only his/her own money to fund the campaign, a Principal Campaign Committee **must** be registered within 14 days after spending in excess of \$100.

2. "Political Committee" means any political party, association or person other than an individual that seeks as its major purpose to influence the outcome of any election.
3. "Political Fund" means any accumulation of dues or voluntary contributions by an association other than a political committee, which accumulation is collected or expended for the purpose of influencing the outcome of any election.
4. **Principal Campaign Committee:** If this is a New Registration or an Amendment for a Principal Campaign Committee, please indicate on line #9 the elective office sought or held by the candidate for which this registration applies. If applicable, indicate the District or Ward seat that is sought or held by the candidate.
5. On line #10, please provide the address and phone number for the Chair, Treasurer and Deputy Treasurer at which they are to receive phone calls and written correspondence regarding the activities of the Principal Campaign Committee, Political Committee or Political Fund. Please note that, if appropriate, this address and phone number may be the same as that listed on line #5 for the mailing address and phone number of your Committee or Fund.
6. No financial transactions into or from your Principal Campaign Committee, Political Committee or Political Fund Account are permitted during any time that the office of treasurer is vacant.
7. At any time when information on this Registration changes, you must submit an Amended Registration and Statement of Organization form, or a letter clearly identifying the change, signed by the Treasurer and submitted to the Campaign Finance Office.

Revised May 2014

Hennepin County Taxpayer Services Department
PSL 012 Government Center
300 S Sixth St
Minneapolis, MN 55487-0012

Contact us at: (612)596-7152
campaign.finance@hennepin.us
www.hennepin.us/electionscf

FAQS – CAMPAIGN FINANCE

Registration of Committee

Q: Which committees/candidates register with Hennepin County?

A: Candidates (principal campaign committees) who are seeking office for the cities of Bloomington, Brooklyn Park and Minneapolis, Minneapolis School District 1, and Hennepin County OR;
Political Committees and Funds who contribute to candidates listed above or whose major purpose is to influence a county wide or city ballot issue for the cities listed above.

Q: Where do other committees register?

A: Committees that fall under 211A (all remaining cities and school districts in Hennepin County) file their registration and reports with the city or school district they are seeking a seat in.

Q: When is a committee required to register with Hennepin County?

A: A committee/fund must register within 14 days of spending or receiving in excess of \$100.00 (even if all the money funding the committee comes from the candidate).

Q: How do I register my committee?

A: Complete and submit a Registration and Statement of Organization form to Hennepin County Elections.

Q: How do I amend a registration?

A: To amend a registration complete a registration form which includes the new information, check the “amendment” box at the top of the form, and submit it to Hennepin County Elections.

Q: Can a registration be submitted electronically?

A: Yes. A registration can be [emailed](#) or faxed (612-348-2151) to us in addition to the options of mailing or hand delivering your report.

Reports

Q: What are the due dates for 383B campaign finance reports?

A: Reports are due one week before the primary (pre-primary) , one week before the general (pre-general) , and on January 31st for the previous year ([annual] i.e. 2017 annual report is due January 31, 2018).

Q: Which committees are required to complete a report?

1. Active Principal Campaign Committees (Candidate committee)

- If the candidate will be on the ballot all three reports are due as long as the committee stays open (This includes Minneapolis candidates).

- If the candidate will not be on the ballot – only the annual report.

2. Active Campaign Committees or Political Funds

- All three reports are due as long as the committee/fund stays open.

Q: When do you have to itemize contributions/ expenditures?

A: You have to itemize contributions and/or expenditures once, in aggregate, the contributions/expenditures from one source are in excess of \$100.00.

Q: What is Hennepin County's retention period?

A: Five years from date of receipt.

Q: What is the committee's retention period?

A: Four years.

Q: How do I amend a report?

A: To amend a report complete the report with the new information, write "amendment" on page one of the report, and submit.

Q: Can a report be submitted electronically?

A: Yes. A report can be emailed (campaign.finance@hennepin.us) or faxed (612-348-2151) to us as well as mailed or hand delivered.

Contributions

Q: Is a candidate limited to contribution limits?

A: No. There's no limit to the amount of contributions a candidate can make to their own committee.

Q: Can a committee not show the addresses of itemized contributors on the Hennepin County website?

A: Yes. The treasurer must check the box and initial (at the top of page 3) and also provide us with two contributor lists. One that contains the addresses of the contributors and one which does not.

Complaints of Unfair Campaign Practices

Q: Where does someone file a complaint against a campaign committee?

A: For complaints alleging a violation of 211A or 211 B the complaint is filed with the Office of Administrative Hearings. For complaints alleging a violation of 383B the complaint is filed with the Hennepin County Attorney's office.

MEMORANDUM

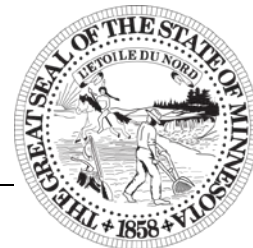
DATE: May 2020
TO: Prospective Council Member Candidates
FROM: Devin Montero, City Clerk
SUBJECT: Statement of Economic Interest

Per Minnesota State Statute 10A.01, Subdivision 22; and 10A.09, Subdivision 6A, the attached form must be completed and returned to me within 14 days of signing an Affidavit of Candidacy.

Campaign Finance & Public Disclosure Board

190 Centennial Office Building, 658 Cedar St, St Paul, MN 55155

cfb.mn.gov



Original Statement of Economic Interest for Candidates for Elective Office

Filing instructions

(General instructions for completing the form start on page 2)

- The statement must be received by the Campaign Finance and Public Disclosure Board within 14 days after a candidate files an affidavit of candidacy.
- Late fees will accrue for a statement not received by the due date.
- This form may be filed by mail to the address above, by email to cfb.eis@state.mn.us, or by fax to 651-539-1196 or 800-357-4114.
Fax filers: Keep the original and a fax confirmation notice as proof of timely filing.
- All information on this statement is public information and may be published on the Board's website.
- It is unlawful to use information filed with the Board for commercial purposes.
- Board staff may be reached by telephone at 651-539-1183 or 800-657-3889 or by email at cfb.eis@state.mn.us.

Candidate information

Employment information

| | |
|--|--|
| Name | Occupation (Includes categories such as student, retired, and homemaker.) |
| Address at which you wish to receive mail from the Board (You may use either a home or business address. This will not be posted to the Board's website.) | Name of employer (You may need to include your employer as a source of compensation on page 2. Also indicate here if self-employed or unemployed.) |
| City, state, zip | Business address (This address will be posted on the Board's website) |
| Telephone (Daytime) | Business city, state, zip |
| Email address | |

Office information

| | |
|---------------|------------|
| Office sought | District # |
|---------------|------------|

Certification

I, _____, certify that the information contained on this form, including information
(Print name) on the schedules, is complete, true, and correct.

Signature

Date

Notice: Any person who signs and certifies to be true a statement which the person knows contains false information or omits required information is subject to a civil penalty imposed by the Board of up to \$3,000 and is subject to criminal prosecution for a gross misdemeanor.

This document is available in alternative formats to individuals with disabilities by calling 651-539-1180 or 800-657-3889 or through the Minnesota Relay Service at 800-627-3529.

Form last updated 4/20/2020

Reporting period

The reporting period begins on the first day of the calendar month before the month in which you filed your affidavit of candidacy and runs through the date that you filed.

Sources of compensation

List all businesses from which you received more than \$250 in compensation in any calendar month during the reporting period. You should include any employer listed on the first page if it is a business as described below.

"Business" means an association, corporation, partnership, limited liability company, limited liability partnership, or other organized legal entity. An individual acting alone in the individual's own capacity, such as in the form of a sole proprietorship, is not a business for purposes of this statement, nor is a government agency.

"Compensation" means any payment for labor or personal services as a director, officer, owner, member, partner, employer, or employee of a business. Compensation does not include payments that do not result from the performance of services, such as rental income, social security payments, unemployment compensation, workers' compensation, pension benefits, or insurance benefits.

----- Check each applicable box -----

| Name of source | Director | Officer | Owner | Member | Partner | Employer | Employee |
|----------------|----------|---------|-------|--------|---------|----------|----------|
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

Business ownership

If you own 25% or more of a business **and** received more than \$250 in any month during the reporting period as an employee of that business, list the business or professional activity category from page 4 that best describes the main function of the business.

| |
|---|
| Business or professional activity category (See page 4) |
| |
| |
| |
| |

Independent contracting

If you received more than \$2,500 for work as an independent contractor in the past 12 months, list the business or professional activity category from page 4 that best describes the nature of that work.

| |
|---|
| Business or professional activity category (See page 4) |
| |
| |
| |
| |

Securities

List all businesses whose securities valued at more than \$10,000 you individually or jointly held at any time during the reporting period. Use the definition of business from the Sources of compensation section on the previous page.

“Securities” means stocks, shares, bonds, warrants, options, pledges, notes, mortgages, annuities, debentures, leases, and commercial paper. “Securities” does not include shares of mutual funds, shares of exchange-traded funds, or defined benefit pension plans. For stocks, list the name of the business- do not list the exchange symbol, total shares, or value.

For retirement accounts like IRAs or 401(k)s, list the individual investment items, other than mutual funds or exchange-traded funds, held through the account. For example, if you have an IRA managed by Charles Schwab, do not list Charles Schwab – IRA. Instead, obtain an itemized listing of the investments held in the IRA and report those investments, other than mutual and exchange-traded funds, that meet the definition of security and exceed \$10,000 in value.

| Name of business in which security is held | Name of business in which security is held |
|--|--|
| | |
| | |
| | |
| | |

Real property

Do not report your homestead. Report interests in all other real property located in Minnesota that you held individually or jointly on the date of your appointment. You must report the following interests: a fee simple interest (you are an owner, even if you owe a mortgage), a contract for deed as a buyer or seller, or a mortgage that you hold as a seller.

Report an option to buy if the value of the option is more than \$2,500 or if the fair market value of the optioned property is more than \$50,000 even if the value of the option itself is \$2,500 or less. For each property list the county in which the property is located. Also list the street address and city, or if the property does not have a street address, the section, township, and range where the property is located and the approximate acreage.

Upon written request and for good cause shown, the Board may waive the requirement that a public official disclose the address of a secondary residence of the official. Contact Board staff if you want to request this waiver.

----- Check one -----

| MN County | Street address and city; or section, township, and range | Own (Even if paying a mortgage) | Contract for deed (As buyer or seller) | Option to buy: Option value greater than \$2,500 | Option to buy: Property value greater than \$50,000 | Mortgage (Only if held as seller) | Acreage (If applicable) |
|-----------|--|--|---|---|--|--|----------------------------|
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

Pari-mutuel horse racing interests

Report any investment, ownership, or interest in property connected to pari-mutuel horse racing in the United States or Canada, including a race horse. Include direct, indirect, partial or full interests held by you or an immediate family member.

----- Check one -----

| | Partial interest | Full interest | Description of interest (Horse, stable, etc.) |
|----------------------------|------------------|---------------|---|
| Official direct interest | | | |
| Official indirect interest | | | |
| Family interest | | | |

Business and professional activity categories

Use these categories for the business ownership and independent contracting categories on page 2.

If you need more information to decide which category to use, please see the chart on the Internal Revenue Service website at <https://www.irs.gov/instructions/i1040sc#idm140495537003200>.

Accommodation
Administrative and Support Services
Agriculture, Forestry, Hunting, & Fishing
Agriculture & Forestry Support Activities
Amusement, Gambling, & Recreation Industries
Broadcasting (except internet) & Telecommunications (including internet service providers)
Construction of Buildings
Construction - Heavy and Civil Engineering
Construction - Specialty Trade Contractors
Credit Intermediation & Related Activities
Data Processing Services (including internet publishing)
Educational Services
Food Services & Drinking Places
Health Care - Ambulatory Health Care Services
Health Care - Hospitals
Health Care - Nursing & Residential Care Facilities
Information (publishing industries except internet)
Insurance Agents, Brokers, & Related Activities
Manufacturing - Chemical
Manufacturing - Food
Manufacturing - Leather & Allied Product
Manufacturing - Nonmetallic Mineral Product
Manufacturing - Other
Mining
Motion Picture & Sound Recording
Museums, Historical Sites, & Similar Institutions
Performing Arts, Spectator Sports, & Related Industries
Personal & Laundry Services
Professional, Scientific, & Technical Services (Architectural, Engineering, & Related Services)
Professional, Scientific, & Technical Services (Computer Systems Design & Related Services)
Professional, Scientific, & Technical Services (Legal, Accounting, Payroll, & Tax Preparation Services)
Professional, Scientific, & Technical Services (Specialized Design Services)
Professional, Scientific, & Technical Services (Other)
Real Estate
Religious, Grantmaking, Civic, Professional, & Similar Organizations
Rental & Leasing Services
Repair & Maintenance Services
Retail - Building Material & Garden Equipment & Supplies Dealers
Retail - Clothing & Accessories Stores
Retail - Electronic & Appliance Stores
Retail - Food & Beverage Stores
Retail - Furniture & Home Furnishing Stores
Retail - Gasoline Stations
Retail - General Merchandise Stores
Retail - Health & Personal Care Stores
Retail - Motor Vehicle & Parts Dealers
Retail - Sporting Goods, Hobby, Book, & Music Stores
Retail - Miscellaneous Store Retailers
Retail - Nonstore Retailers
Securities, Commodity Contracts, & Other Financial Investments & Related Activities
Social Assistance
Transportation
Transportation (couriers and messengers)
Unclassified Establishments (unable to classify)
Utilities
Warehousing & Storage Facilities
Waste Management & Remediation Services
Wholesale Trade - Merchant Wholesalers (Durable Goods)
Wholesale Trade - Merchant Wholesalers (Nondurable Goods)
Wholesale Electronic Markets and Agents & Brokers

TO: City Clerk
5200 85th Avenue North
Brooklyn Park, MN 55443

AFFIDAVIT OF WITHDRAWAL

I, _____, certify that I
filed an Affidavit of Candidacy for the office of _____
on _____ 2020. I request that my name be
withdrawn from the ballot pursuant to Minnesota Statute 204B.12, subd.1.

(Candidate's Signature)

(Date)

Subscribed and sworn to before me this _____ day of _____, 2020.

(Signature of Notary Public)

(Date Commission Expires)

(Printed Name of Notary)

(County/State Residence)

Office of the Minnesota Secretary of State
Map Order Form

Contact Information

Name

Address

City, State and Zip Code

Phone or email

Order will be picked up from State Office Building

Ship to address above via UPS Ground (\$3.50)

Available Maps

Maps usually include congressional district, legislative district, county, city, township, and precinct boundaries, and physical features such as roads, railroads, rivers and lakes, depending on scale.

Please select from the following available maps and indicate quantity, size and desired jurisdiction, as applicable.

Available sizes are large (36" by 48"), medium (17" by 22") and small (8.5" by 11"), unless otherwise indicated.

- Statewide legislative and congressional districts. **Quantity and size**
- Metropolitan area legislative and congressional districts (large size only). **Quantity**
- Individual congressional districts (large size only). **Quantity and district(s)**
- Individual state house or senate districts. **Quantity, size and district(s)**
- County, showing legislative districts (large size only). **Quantity and county**
- County, showing commissioner districts (large size only). **Quantity and county**
- Individual school district (large size only). **Quantity and school district**
- Individual city or town (large size only). **Quantity and municipality**
- Additional information

Cost, delivery and payment

- Map prices are \$11 per large map, \$9 per medium map, and \$7 per small map.
- Maps may be shipped via UPS for \$3.50 per order, or picked up from the State Office Building (address below).
- Full payment must be submitted with this request. Checks or money order are accepted via mail. Cash is also accepted when ordering in person. Allow five to ten days for processing. Return completed form and payment to:
Minnesota Secretary of State
Elections Division
180 State Office Building
100 Dr. Rev. Martin Luther King, Jr. Blvd.
Saint Paul MN 55155
- For questions, call 651-215-1440 or email elections.dept@state.mn.us

Disclaimer

This document can be made available in large print by calling (651) 296-2803/Voice, or on our Web site at www.sos.state.mn.us. For TTY communication, contact the Minnesota Relay Service at 1-800-627-3529 and ask them to place a call to (651) 215-1440. The Secretary of State's Office does not discriminate on the basis of race, creed, color, sex, sexual orientation, national origin, age, marital status, disability, religion, reliance on public assistance or political opinions or affiliations in employment or the provision of services.



Office of the Minnesota Secretary of State
REGISTERED VOTER LIST REQUEST

Instructions

Use this form to request a list of registered voters. For multiple orders, submit a new form for each list. Lists are provided in a ready-to-print pdf format, or in a comma-delimited text format which can be opened in most spreadsheet and database programs. Examples of these formats are available on the [Secretary of State's website](http://www.sos.state.mn.us) (<http://www.sos.state.mn.us>). This office may take up to 10 days to produce the report. The report will be current as of the time the report is run. The use of the list of registered voters for purposes unrelated to elections, political activities or law enforcement is a violation of Minnesota law. ([Minn.Statutes. 201.091](#))

Voter Information

Name (as it would appear on your voter record)

Street Address

City

State

Zip Code

Email

Phone

Report Information

1) Choose **one** geographic area for your report:

Statewide (\$46) – Must choose Text format below

PDF format may be unavailable for jurisdictions below with large numbers of registered voters

Congressional District (\$30)

County, City, Town, Judicial or School District (\$30)

Minnesota Senate or House District (\$30)

Ward or Precinct (\$30) City/Town

Ward or Precinct Name

2) Choose **one** format for your report:

Voter Lists with Voting History

Text (comma-delimited)

PDF (ready for printing, not sortable)

Walking List (sorted by street)

Summary Voting History for All Elections

not available

Detailed Voting History for All Elections

not available

Voter Lists for Mailing Labels

Text (comma-delimited)

PDF (ready for printing, not sortable)

One label per registered voter

One label per household

Delivery Information

I will pick up my order at the: Retirement Systems of Minnesota Building, 60 Empire Dr., Ste. 100, St. Paul MN 55103

Ship my order on CD via UPS Ground Service to this address (\$5). Orders submitted together may be shipped for one fee.

Name

Street Address (no PO Boxes)

City

State

Zip Code

Payment Information

Total Cost: \$51 Statewide Report
with Shipping

\$46 Statewide Report
with Pickup

\$35 Local Report
with Shipping

\$30 Local Report
with Pickup

Payment via cash (in-person orders only. Orders are not produced "while you wait")

Payment via check or money order

Mail or hand-deliver your order to: Office of the Secretary of State, 60 Empire Drive, Suite 100, Saint Paul MN 55103

Certification

I certify that I am a registered voter in the State of Minnesota and that the information in this list of registered voters will be used only for purposes related to elections, political activities, or law enforcement (M.S. 201.091).

Signature

Date

OFFICE USE ONLY

| | | | | |
|---------------|-------------------|-------------|----------|--------------|
| Date - Fiscal | Date - Media Prod | Client Acct | Amt Paid | Work Order # |
|---------------|-------------------|-------------|----------|--------------|

Revised 12/2019

Registered Voter List Ordering Information

Registered voter information is only available to registered Minnesota voters, and may only be used for purposes related to elections, political activities, or law enforcement. ([Minnesota Statutes 201.091](#)) All data on registered voter reports is current as of the time the report was run. Only currently registered voters are included in the report. Voting history may not be updated for up to six weeks after an election.

Geographic Area

Reports can be requested for different geographic areas such as statewide, county, city, town, or precinct. Reports can also be requested by election district, such as congressional district, state senate district, state house district, judicial district, school district, city ward, or precinct.

Note that statewide reports may only be ordered in text format below. These reports will be divided into separate files for each congressional district.

Report Format

Reports are available in pdf format, text format, or sometimes both. Pdf reports come ready to print, but cannot be edited, sorted or filtered. Text files come in a comma-delimited format, ready to import into spreadsheet or database software. In that software, the data can be edited, sorted, and filtered, and also used in other ways, such as for mail merges. This office does NOT offer support for using this data with specific software application.

Report Information

| Report | Voter Name | Address | Phone | Birth Year | Voter ID | Legacy ID | Registration Date | County | MCD | Precinct Code | School District Code | Other District Codes | Voting History |
|---|------------|---------|-------|------------|----------|-----------|-------------------|--------|-----|---------------|----------------------|----------------------|----------------|
| Walking List (pdf or text) | Yes | Yes | Yes | Yes | No | No | No | No | No | No | No | No | Yes |
| Summary History for All Elections (pdf) | Yes | Yes | Yes | Yes | Yes | Yes | No | Yes | Yes | Yes | Yes | No | Yes |
| Detailed History for All Elections (text) | Yes | Yes | Yes | Yes | Yes | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| Voter Mailing Labels (pdf or text) | Yes | Yes | No | No | No | No | No | Yes | No | Yes | Yes | No | No |
| Household Mailing Labels (pdf or text) | No | Yes | No | No | No | No | No | Yes | No | Yes | Yes | No | No |

Additional report notes:

- Walking Lists are sorted by street name, then street number
- Walking list and summary history reports include abbreviated election description for each year.
- Detailed history reports include two files: one is a list of voters, the second is a list of elections the voters have history of voting in. The Voter ID can be used as a primary key to cross-reference the records in the two files.
- Detailed history reports' elections files include election date, election description, and voting method.
- Mailing label pdf reports are formatted to print on Avery 5160 (or similar) label sheets.
- Household mailing labels include one label per address with at least one registered voter. All labels are addressed to "Registered Voters."

Ordering and Payment

Submit your order by mail or in person to Office of the Secretary of State, 60 Empire Drive, Suite 100, Saint Paul MN 55103. Orders may not be submitted online at this time. If ordering multiple lists, submit a separate order form for each list. Orders submitted together may be paid for with one payment.

- To order by mail, send your order form(s) and payment to the address above, "Attention: Voter Registration Lists". Payment may be by check or money order, payable to the Office of the Secretary of State.
- To order in person, come to the address above and submit your order form(s) and payment. You may pay with cash or check payable to the Office of the Secretary of State. Note that orders are not produced "while you wait."

Delivery

Ordered files will be burned onto a CD, and are current as of the time the file is produced. Completed orders may be picked up or shipped.

- Orders may be picked up from Office of the Secretary of State, 60 Empire Drive, Suite 100, Saint Paul MN 55103. The Business Services Counter is open Monday-Friday (excluding holidays) from 8am-4pm.
- Orders may be shipped via UPS Ground for \$5. Orders submitted together may be shipped together for one fee. UPS does not deliver to PO Boxes, so please give a street address.



Office of the Minnesota Secretary of State

POLLING PLACE LIST REQUEST

Instructions

Use this form to request a list of polling places for an upcoming election. The list is provided on a CD-ROM either in a pdf format ready for printing, or in a comma-delimited text format which can be opened in most spreadsheet and database programs. The report will be current as of the time the report is run. This office may take up to 10 days to produce the report.

Requestor Contact Information

Name

Street Address

City

State

Zip Code

Email

Phone

Report Information

Choose a geographic area for your report:

Statewide (\$46) – MUST CHOOSE TEXT FORMAT BELOW

Single Jurisdiction (\$30) – Specify name (of county, city, district, etc.)

Choose a specific election for your report:

Next State Primary (available May before the primary)

Next State General Election (available August before the election)

Other Election (Specify Election Name & Date)

Choose a format for your report:

PDF (ready for printing)

Text (comma-delimited, for use in spreadsheets or databases)

Delivery Information

I will pick up my order at the: Retirement Systems of Minnesota Building
60 Empire Drive, Suite 100, Saint Paul MN 55103

Ship my order via UPS Ground Service to this address (\$5):

Name

Street Address (no PO Boxes)

City

State

Zip Code

Payment Information

Total Cost

Payment via cash (in-person orders only. Note: orders are not produced “while you wait”)

Payment via check

Payment via money order

Mail or hand-deliver your order to: Office of the Secretary of State, 60 Empire Drive, Suite 100, Saint Paul MN 55103

OFFICE USE ONLY

| | | | | |
|---------------|-------------------|-------------|----------|--------------|
| Date - Fiscal | Date - Media Prod | Client Acct | Amt Paid | Work Order # |
|---------------|-------------------|-------------|----------|--------------|

Rev. 3/2019



Office of the Minnesota Secretary of State

PRECINCT FINDER REQUEST

Instructions

Use this form to request precinct finder data, which is a list of address ranges that can be used to find precinct and district information for a given address. This data is provided on a CD-ROM either in a pdf format ready for printing, or in a comma-delimited text format which can be opened in most spreadsheet and database programs. The report will be current as of the time the report is run. This office may take up to 10 days to produce the report.

Requestor Contact Information

Name

Street Address

City

State

Zip Code

Email

Phone

Report Information

Choose a geographic area for your report:

Statewide (\$46)

Single Jurisdiction (\$30) – Specify Name (of city, county, district, etc.)

Choose a format for your report:

PDF (ready for printing)

Text (comma-delimited, for use in spreadsheets or databases)

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|---------------|-------------------|-------------|----------|--------------|
| Date - Fiscal | Date - Media Prod | Client Acct | Amt Paid | Work Order # |
|---------------|-------------------|-------------|----------|--------------|

Rev. 1/2016



Filing Requirements

Political parties; campaign committees for candidates for federal, state or local office; and political action committees are all political organizations subject to tax under IRC section 527.

Section 527 organizations are generally required to file one or more of the following:

- 1) An initial notice
- 2) Periodic reports on contributions and expenditures
- 3) Annual income tax returns and
- 4) Annual information returns

A political organization must have its own employer identification number (EIN), even if it does not have any employees. To get an EIN, an organization must file Form SS-4, *Application for Employer Identification Number*. For more information about obtaining an EIN (including how to apply online), see Employer ID Numbers (EIN) .

Additionally, many political organizations must electronically file their periodic reports. In order to electronically file these reports, an organization needs the username and password issued to it after filing its initial notice. If you have forgotten or misplaced this username and password, please contact TE/GE Customer Account Services to request a replacement.

Additional information

- News Release 2002-123
- Fact Sheet 2002-13
- Revenue Ruling 2003-49.
- Revenue Procedure 2007-27 (safe harbor allowing certain tax-exempt political organizations to establish that failure to file Form 8872 was due to reasonable cause and not willful neglect and, therefore, eligible for relief from penalties)
- State Filing Requirements

Page Last Reviewed or Updated: 06-Aug-2017



Fact Sheet

Media Relations Office
For Release: November 2002

Washington, D.C.

Tel. 202.622.4000
Release No: FS-2002-13

**SECTION 527 POLITICAL ORGANIZATIONS
REVISED TAX FILING REQUIREMENTS**

Legislation adopted in 2002 altered filing requirements for certain political organizations that seek tax-exempt status under section 527 of the Internal Revenue Code. The new law generally reduces filing requirements for certain state/local political organizations that already disclose certain information to state agencies. In addition, the law relieves some political organizations from filing an annual income tax return or an annual information return. Except where noted, the revised filing requirements are retroactive to July 1, 2000. This fact sheet discusses the current filing requirements as revised by the new legislation. FS-2002-11, published May 2002, is superseded.

The new law:

- Exempts state and local candidate and party committees from filing Form 8871 and Form 990 (or 990-EZ);
- Exempts qualified state and local political organizations (QSLPOs) (as defined below) from filing Form 8872;
- Exempts political committees filing with the FEC from filing Form 990 (or 990-EZ);
- Exempts political organizations that are a caucus or association of state or local officials from filing Form 990 (or 990-EZ);
- Requires additional information on Form 8871 and Form 8872;
- Requires the filing of an amended Form 8871 after material changes to maintain tax-exempt status;
- Increases reporting thresholds for certain Form 990 filers;
- Eliminates the requirement to file Form 1120-POL except where an organization has taxable income after taking the \$100 specific deduction (returning to pre-July 2000 requirements);
- Reinstates the pre-July 2000 confidentiality requirement for any Form 1120-POL filed after November 2, 2002; and
- Changes the electronic filing requirements by
 - Requiring that Form 8871 be filed electronically (as opposed to both in writing and electronically); and
 - Requiring that any Form 8872 due after June 30, 2003, be filed electronically if the filing organization has or expects to have contributions or expenditures of more than \$50,000 during the calendar year.

Definition of Political Organization

Political organizations are organized and operated primarily to accept contributions and make expenditures for the purpose of influencing the “selection, nomination, election, or appointment of any individual to Federal, State, or local public office or office in a political organization, or the election of Presidential electors.” Political organizations include political party committees, Federal, State and local candidate committees and other political committees such as political action committees (PACs).

The law also creates a new sub-category of political organization -- qualified state or local political organization (QSLPO). A state or local organization may be a QSLPO, if it meets the following criteria:

- All of its political activities relate solely to state or local public office (or office in a state or local political organization),
- It is subject to state law that requires it to report (and it does report) to a state agency information about contributions and expenditures that is similar to the information that the organization would otherwise be required to report to the IRS,
- The state agency and the organization make the reports publicly available, and
- No Federal candidate or office holder controls it or materially participates in its direction, solicits contributions for it, or directs any of its disbursements.

Filing Categories

Federal tax law divides political organizations into several different categories, and provides different filing requirements for each category. See the first chart below for the filing requirements for each category.

Federal organizations

- FEC political committee: A political organization (including federal candidate committees, political party committees and PACs) that is required to report as a political committee under the Federal Election Campaign Act.
- Other federal political organization: A political organization attempting to influence federal elections that is not required to report as a political committee under the Federal Election Campaign Act.

State and Local organizations

- Candidate committee: A campaign committee of a state or local candidate.
- Party committee: A state or local committee of a political party.
- Qualified state or local political organization (QSLPO): See above definition.
- Caucus or association: A group of state or local officials attempting to influence elections.
- Other political organization: Any other state or local political organization.

Filing Requirements

The filing requirements in the chart below apply to those political organizations that:

- Wish to be a tax-exempt political organization, and
- Receive or expect to receive \$25,000 or more in gross receipts in any taxable year.

| If You Are A | You May Be Required To File |
|--|---|
| FEC political committee, state or local candidate committee or state or local committee of a political party | ➤ Form 1120-POL |
| Qualified state or local political organization (QSLPO)* | ➤ Form 8871; ➤ Form 1120-POL; and ➤ Form 990 |
| Caucus or association of state or local officials* | ➤ Form 8871; ➤ Form 8872; and ➤ Form 1120-POL |
| Any other political organization, including other federal political organizations and other state or local political organizations | ➤ Form 8871; ➤ Form 8872; ➤ Form 1120-POL; and ➤ Form 990 or Form 990-EZ |

*An organization may be both a QSLPO and a caucus or association of state or local officials. If so, it is not required to file Form 8872 and Form 990.

NOTE: If you are:

- A political organization that is not tax-exempt, or
- A tax-exempt political organization that does not have gross receipts of at least \$25,000

You must file Form 1120-POL if you have taxable income after taking the \$100 specific deduction for any taxable year.

Description of Form Filing Requirements

1. Form 8871 – Notice of 527 Status

Unless excepted (see chart below), a political organization must file Form 8871, *Political Organization Notice of 527 Status*, with the IRS to be tax-exempt. Until it files the form, its income (including contributions) is subject to taxation. Form 8871 must be filed electronically, within 24 hours of the political organization's establishment. An amended Form 8871 must be filed within 30 days of any material change (including termination), or any income (including contributions) it receives after the material change will be subject to taxation.

2. Form 8872 - Report of Contributions and Expenditures

Tax-exempt political organizations, other than QSLPOs, that file Form 8871 must file Form 8872, *Political Organization Report of Contributions and Expenditures*, to disclose information concerning:

- expenditures that aggregate \$500 or more per person, per calendar year; and
- contributions that aggregate \$200 or more per person, per calendar year.

A tax-exempt political organization that does not disclose this information must pay an amount equal to the highest corporate tax rate (35 percent) multiplied by the amount of contributions and expenditures not disclosed.

The filing due dates are available on the IRS web site at www.irs.gov/polorgs.

A political organization is not required to file Form 8872 for any period of time that it is subject to tax on its income because it did not file or amend a Form 8871.

3. Form 1120-POL – U.S. Income Tax Return for Certain Political Organizations

Political organizations, whether or not tax-exempt, that have taxable income in excess of the \$100 specific deduction in a taxable year must file Form 1120-POL, *U.S. Income Tax Return for Certain Political Organizations*.

Form 1120-POL is due by the 15th day of the 3rd month after the end of the organization's taxable year. Political organizations may request a six-month extension of the filing deadline by filing Form 7004, *Application for Automatic Extension of Time to File Corporate Income Tax Return*. This extension must be filed by the due date of Form 1120-POL. There is a penalty for failure to file Form 1120-POL.

4. Form 990 or 990-EZ – Return of Organization Exempt from Income Tax

Unless excepted (see chart below), a tax-exempt political organization must file an exempt organization annual information return if it has gross receipts of \$25,000 or more for the taxable year (\$100,000 for QSLPOs). A tax-exempt political organization with gross receipts of less than \$100,000 and assets of less than \$250,000 at the end of the year may file a Form 990-EZ, *Short Form Return of Organization Exempt from Income Tax*. Otherwise, it files a Form 990, *Return of Organization Exempt from Income Tax*.

Form 990 or Form 990-EZ is due on the 15th day of the 5th month after the end of the organization's taxable year. There is a penalty for failure to file this return. Organizations may request a three-month extension, without showing cause, by filing Form 8868, *Application for Extension of Time to File an Exempt Organization Return*, by the due date. A second three-month extension, with cause, may also be requested through Form 8868.

| Form | When filed | Exceptions to filing requirement |
|---------------|--|--|
| 8871 | Within 24 hours of establishment or within 30 days of any material change, including termination | <ul style="list-style-type: none">➤ Organization that does not seek tax-exempt status;➤ Political committee required to report to the FEC;➤ Campaign committee of state and local candidates;➤ State or local committee of political parties; and➤ Organization that reasonably expects annual gross receipts to always be less than \$25,000. |
| 8872 | At organization's option, quarterly/semiannually or monthly, on same basis for entire calendar year (see form instructions for detailed information) | <ul style="list-style-type: none">➤ Any organization excepted from Form 8871 filing requirement (see above); and➤ Qualified state or local political organization (QSLPO). |
| 1120-POL | Due the 15th day of the 3rd month after the close of the taxable year | <ul style="list-style-type: none">➤ Political organization with no taxable income after taking the \$100 specific deduction. |
| 990 or 990-EZ | Due the 15th day of the 5th month after the close of the taxable year | <ul style="list-style-type: none">➤ Any organization excepted from Form 8871 filing requirement (see above); and➤ Caucus or association of state or local officials |

Disclosure Requirements

Tax-exempt section 527 organizations must make their forms (other than Form 1120-POL) publicly available for inspection and copying at their principal place of business. The IRS also posts Form 8871 and Form 8872 on its web site at www.irs.gov/polorgs.

For More Information

Questions about the filing requirements may be directed to the Tax Exempt and Government Entities Customer Account Services toll free number 1-877-829-5500. Assistance is available 8:00 a.m. to 6:30 p.m. ET, Monday through Friday.

WRITTEN REQUEST FOR WRITE-IN CANDIDATE
TO BE COUNTED FOR COUNCIL MEMBER

I, _____ request that all write-in votes cast for me for the
office of Council Member at the City General Election on November 3, 2020 be
counted.

Signature: _____ Date: _____

This form must be received by 5:00 p.m. on October 27, 2020 for write-in counts
to be counted separately. Submit this form to the City Clerk, 5200 85th Avenue
North, Brooklyn Park, MN 55443.