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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **1952**

03/04/2021 Authored by Nelson, M., and Ecklund
The bill was read for the first time and referred to the Committee on State Government Finance and Elections
04/09/2021 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
04/13/2021 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time
04/16/2021 Calendar for the Day, Amended
Read Third Time as Amended
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments
04/27/2021 Returned to the House as Amended by the Senate
Refused to concur and a Conference Committee was appointed
05/17/2021 Read Third Time as Amended by Conference and repassed by the House

1.1 A bill for an act

1.2 relating to state government; making technical and policy changes to legislative

1.3 coordinating commission, legislative auditor, state budget, operation and

1.4 maintenance of state buildings, canine management, state central motor pool, and

1.5 state historic preservation office; establishing the Capitol flag program; making

1.6 information technology changes including changing the name of the Office of

1.7 MN.IT Services; making technical and policy changes to various election and

1.8 campaign finance provisions including provisions related to elections

1.9 administration, voting, absentee voting, candidates, ballots, recounts, noncampaign

1.10 disbursements, public officials, and economic interest statements; modifying

1.11 provisions to the financing of campaigns for Hennepin County elections and for

1.12 certain political subdivisions in Hennepin County; appropriating money for veterans

1.13 homes in Preston, Montevideo, and Bemidji; amending Minnesota Statutes 2020,

1.14 sections 3.302, subdivision 3; 3.303, subdivision 1; 3.971, subdivision 2, by adding

1.15 a subdivision; 3.972, subdivisions 2, 2a; 3.978, subdivision 2; 3.979, subdivision

1.16 3; 10A.01, subdivisions 4, 7, 9, 11, 16a, 17c, 18, 20, 26, 27, 28, 35, by adding a

1.17 subdivision; 10A.09, subdivisions 1, 2, 5, 6, by adding a subdivision; 10A.12,

1.18 subdivisions 1, 2; 10A.121, subdivision 2; 10A.13, subdivision 1; 10A.14, by

1.19 adding a subdivision; 10A.17, subdivision 4; 10A.20, subdivisions 3, 6a, 13, by

1.20 adding a subdivision; 10A.27, subdivision 13; 10A.275, subdivision 1; 10A.323;

1.21 15.01; 16A.152, subdivision 2; 16B.24, subdivision 1; 16B.2975, by adding a

1.22 subdivision; 16B.48, subdivision 2; 16B.54, subdivisions 1, 2; 16E.01; 16E.016;

1.23 16E.02; 16E.03, subdivisions 1, 2, 3, 6; 16E.036; 16E.04, subdivision 3; 16E.0465,

1.24 subdivision 2; 16E.05, subdivision 1; 16E.07, subdivision 12; 16E.21, subdivision

1.25 2; 97A.057, subdivision 1; 138.081, subdivisions 1, 2; 138.31, by adding a

1.26 subdivision; 138.34; 138.40; 138.666; 138.667; 138.763, subdivision 1; 203B.01,

1.27 subdivision 3; 203B.04, subdivision 1; 203B.12, subdivision 7; 203B.121,

1.28 subdivisions 2, 4; 203B.24, subdivision 1; 204B.09, subdivision 3; 204B.36,

1.29 subdivision 2; 204C.05, subdivisions 1a, 1b; 204C.21, subdivision 1; 204C.27;

1.30 204C.36, subdivision 1; 204D.08, subdivision 4; 204D.13, subdivision 1; 204D.195;

1.31 204D.27, subdivision 5; 204D.28, subdivisions 9, 10; 206.805, subdivision 1;

1.32 206.89, subdivisions 4, 5; 206.90, subdivision 6; 207A.13; 207A.14, subdivision

1.33 3; 349.151, subdivision 2; 367.25, subdivision 1; 383B.041; 412.02, subdivision

1.34 2a; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing

1.35 Minnesota Statutes 2020, sections 3.972, subdivisions 2c, 2d; 10A.15, subdivision

1.36 6; 16E.0466, subdivision 1; 16E.05, subdivision 3; 16E.071; 16E.145; 116O.03,

1.37 subdivision 9; 116O.04, subdivision 3; 383B.042; 383B.043; 383B.044; 383B.045;

2.1 383B.046; 383B.047; 383B.048; 383B.049; 383B.05; 383B.051; 383B.052;
2.2 383B.053; 383B.054; 383B.055; 383B.056; 383B.057.

2.3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

2.4 **ARTICLE 1**

2.5 **STATE GOVERNMENT POLICY**

2.6 Section 1. Minnesota Statutes 2020, section 3.302, subdivision 3, is amended to read:

2.7 Subd. 3. **State documents.** The library is a depository of all documents published by
2.8 the state and shall receive them automatically without cost to the legislature or library. As
2.9 used in this chapter, "document" includes any publication issued by the state, constitutional
2.10 officers, departments, commissions, councils, bureaus, research centers, societies, task
2.11 forces, including advisory task forces created under section 15.014 or 15.0593, or other
2.12 agencies supported by state funds, or any publication prepared for the state by private
2.13 individuals or organizations considered to be of interest or value to the library. Intraoffice
2.14 or interoffice memos and forms and information concerning only the internal operation of
2.15 an agency are not included.

2.16 Sec. 2. Minnesota Statutes 2020, section 3.303, subdivision 1, is amended to read:

2.17 Subdivision 1. **Purpose.** The Legislative Coordinating Commission is created to
2.18 coordinate the legislative activities of the senate and house of representatives and the joint
2.19 legislative commissions, committees, offices, and task forces.

2.20 Sec. 3. Minnesota Statutes 2020, section 3.971, subdivision 2, is amended to read:

2.21 Subd. 2. **Staff; compensation.** (a) The legislative auditor shall establish a Financial
2.22 Audits Division and a Program Evaluation Division to fulfill the duties prescribed in this
2.23 section.

2.24 (b) Each division may be supervised by a deputy auditor, appointed by the legislative
2.25 auditor, with the approval of the commission, for a term coterminous with the legislative
2.26 auditor's term. The deputy auditors may be removed before the expiration of their terms
2.27 only for cause. The legislative auditor and deputy auditors may each appoint ~~a confidential~~
2.28 ~~secretary~~ an administrative support specialist to serve at pleasure. The salaries and benefits
2.29 of the legislative auditor, deputy auditors, and ~~confidential secretaries~~ administrative support
2.30 specialists shall be determined by the compensation plan approved by the Legislative
2.31 Coordinating Commission. The deputy auditors may perform and exercise the powers,

3.1 duties and responsibilities imposed by law on the legislative auditor when authorized by
3.2 the legislative auditor.

3.3 ~~(e) The legislative auditor must appoint a fiscal oversight officer with duties that include~~
3.4 ~~performing the review under section 3.972, subdivision 4.~~

3.5 ~~(d) (c) The legislative auditor, deputy auditors, and the confidential secretaries~~
3.6 ~~administrative support specialists shall serve in the unclassified civil service, but the fiscal~~
3.7 ~~oversight officer and all other employees of the legislative auditor are shall serve in the~~
3.8 classified civil service. Compensation for employees of the legislative auditor in the classified
3.9 service shall be governed by a plan prepared by the legislative auditor and approved by the
3.10 Legislative Coordinating Commission and the legislature under section 3.855, subdivision
3.11 3.

3.12 ~~(e) (d)~~ While in office, a person appointed deputy for the Financial Audit Division must
3.13 hold an active license as a certified public accountant.

3.14 (e) Notwithstanding Minnesota Statutes, section 43A.32, subdivisions 2 and 3, or any
3.15 other law to the contrary, an employee of the legislative auditor is prohibited from being a
3.16 candidate for a partisan elected public office.

3.17 Sec. 4. Minnesota Statutes 2020, section 3.971, is amended by adding a subdivision to
3.18 read:

3.19 Subd. 8a. **Special reviews.** The legislative auditor may conduct a special review to: (1)
3.20 fulfill a legal requirement; (2) investigate allegations that an individual or organization
3.21 subject to audit by the legislative auditor may not have complied with legal requirements
3.22 related to the use of public money, other public resources, or government data classified as
3.23 not public; (3) respond to a legislative request for a review of an organization or program
3.24 subject to audit by the legislative auditor; or (4) investigate allegations that an individual
3.25 may not have complied with section 43A.38 or 43A.39.

3.26 Sec. 5. Minnesota Statutes 2020, section 3.972, subdivision 2, is amended to read:

3.27 Subd. 2. **Audits of state and semistate agencies.** The legislative auditor shall ~~make a~~
3.28 ~~constant~~, as resources permit, audit ~~of all the financial affairs~~ activities of (1) all departments
3.29 ~~and~~, agencies ~~of~~, offices, and other organizations in the state; executive branch; (2) courts,
3.30 offices, and other organizations in the state judicial branch; and ~~of the financial records and~~
3.31 ~~transactions of~~ (3) public boards, associations, ~~and~~ societies, and other public organizations
3.32 created by state law or supported, wholly or in part, by state funds. ~~Once in each year, if~~

4.1 ~~funds and personnel permit, without previous notice,~~ The legislative auditor shall visit each
 4.2 ~~state department and agency, association or society and, so far as practicable,~~

4.3 ~~(1) inspect;~~

4.4 ~~(2) thoroughly examine its books and accounts, verifying the funds, securities, and other~~
 4.5 ~~assets;~~

4.6 ~~(3) check the items of receipts and disbursements with its voucher records;~~

4.7 ~~(4) ascertain the character of the official bonds for its officers and the financial ability~~
 4.8 ~~of the bonding institution;~~

4.9 ~~(5) inspect its sources of revenue and the use and disposition of state appropriations and~~
 4.10 ~~property;~~

4.11 ~~(6) investigate the methods of purchase and sale and the character of contracts on public~~
 4.12 ~~account;~~

4.13 ~~(7) ascertain proper custody and depository for its funds and securities;~~

4.14 ~~(8) verify the inventory of public property and other assets held in trust; and~~

4.15 ~~(9) ascertain that all financial transactions and operations involving the public funds and~~
 4.16 ~~property of the state comply with the spirit and purpose of the law, are sound by modern~~
 4.17 ~~standards of financial management, and are for the best protection of the public interest~~
 4.18 funds and other public resources.

4.19 Sec. 6. Minnesota Statutes 2020, section 3.972, subdivision 2a, is amended to read:

4.20 Subd. 2a. **Audits of Department of Human Services.** ~~(a) To ensure continuous effective~~
 4.21 ~~legislative oversight and accountability, the legislative auditor shall give high priority to~~
 4.22 ~~auditing the programs, services, and benefits administered by the Department of Human~~
 4.23 ~~Services. The audits shall determine whether~~ As resources permit, the legislative auditor
 4.24 shall track and assess expenditures throughout the human service delivery system, from the
 4.25 department offered to the point of service delivery, and determine whether human services
 4.26 programs and provided, services, and benefits are being provided cost-effectively and only
 4.27 to eligible persons individuals and organizations, and complied in compliance with applicable
 4.28 legal requirements.

4.29 ~~(b) The legislative auditor shall, based on an assessment of risk and using professional~~
 4.30 ~~standards to provide a statistically significant sample, no less than three times each year,~~
 4.31 ~~test a representative sample of persons enrolled in a medical assistance program or~~
 4.32 ~~MinnesotaCare to determine whether they are eligible to receive benefits under those~~

5.1 ~~programs. The legislative auditor shall report the results to the commissioner of human~~
5.2 ~~services and recommend corrective actions. The commissioner shall provide a response to~~
5.3 ~~the legislative auditor within 20 business days, including corrective actions to be taken to~~
5.4 ~~address any problems identified by the legislative auditor and anticipated completion dates.~~
5.5 ~~The legislative auditor shall monitor the commissioner's implementation of corrective actions~~
5.6 ~~and periodically report the results to the Legislative Audit Commission and the chairs and~~
5.7 ~~ranking minority members of the legislative committees with jurisdiction over health and~~
5.8 ~~human services policy and finance. The legislative auditor's reports to the commission and~~
5.9 ~~the chairs and ranking minority members must include recommendations for any legislative~~
5.10 ~~actions needed to ensure that medical assistance and MinnesotaCare benefits are provided~~
5.11 ~~only to eligible persons.~~

5.12 Sec. 7. Minnesota Statutes 2020, section 3.978, subdivision 2, is amended to read:

5.13 Subd. 2. **Inquiry and inspection power; duty to aid legislative auditor.** All public
5.14 officials and their deputies and employees, and all corporations, firms, and individuals
5.15 having business involving the receipt, disbursement, or custody of public funds shall at all
5.16 times afford reasonable facilities for examinations by the legislative auditor, make returns
5.17 and reports required by the legislative auditor, attend and answer under oath the legislative
5.18 auditor's lawful inquiries, produce and exhibit all books, accounts, documents, data of any
5.19 classification, and property that the legislative auditor ~~may need~~ requests to inspect, and in
5.20 all things ~~aid~~ cooperate with the legislative auditor ~~in the performance of duties.~~

5.21 Sec. 8. Minnesota Statutes 2020, section 3.979, subdivision 3, is amended to read:

5.22 Subd. 3. **Audit data.** (a) "Audit" as used in this subdivision means a financial audit,
5.23 ~~review,~~ program evaluation, ~~best practices~~ special review, or investigation. Data relating to
5.24 an audit are not public or with respect to data on individuals are confidential until the final
5.25 report of the audit has been released by the legislative auditor or the audit is no longer being
5.26 actively pursued. Upon release of a final audit report by the legislative auditor, data relating
5.27 to an audit are public except data otherwise classified as not public.

5.28 (b) Data related to an audit but not published in the audit report and that the legislative
5.29 auditor reasonably believes will be used in litigation are not public and with respect to data
5.30 on individuals are confidential until the litigation has been completed or is no longer being
5.31 actively pursued.

5.32 (c) Data ~~on individuals~~ that could reasonably be used to determine the identity of an
5.33 individual supplying data for an audit are private if the data supplied by the individual were

6.1 needed for an audit and the individual would not have provided the data to the legislative
6.2 auditor without an assurance that the individual's identity would remain private, or the
6.3 legislative auditor reasonably believes that the subject would not have provided the data.

6.4 (d) The definitions of terms provided in section 13.02 apply for purposes of this
6.5 subdivision.

6.6 Sec. 9. Minnesota Statutes 2020, section 16A.152, subdivision 2, is amended to read:

6.7 Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund
6.8 revenues and expenditures, the commissioner of management and budget determines that
6.9 there will be a positive unrestricted budgetary general fund balance at the close of the
6.10 biennium, the commissioner of management and budget must allocate money to the following
6.11 accounts and purposes in priority order:

6.12 (1) the cash flow account established in subdivision 1 until that account reaches
6.13 \$350,000,000;

6.14 (2) the budget reserve account established in subdivision 1a until that account reaches
6.15 \$1,596,522,000;

6.16 (3) the amount necessary to increase the aid payment schedule for school district aids
6.17 and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest
6.18 tenth of a percent without exceeding the amount available and with any remaining funds
6.19 deposited in the budget reserve;

6.20 (4) the amount necessary to restore all or a portion of the net aid reductions under section
6.21 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75,
6.22 subdivision 5, by the same amount; and

6.23 ~~(5) the clean water fund established in section 114D.50 until \$22,000,000 has been~~
6.24 ~~transferred into the fund; and~~

6.25 ~~(6)~~ (5) the amount necessary to increase the Minnesota 21st century fund by not more
6.26 than the difference between \$5,000,000 and the sum of the amounts credited and canceled
6.27 to it in the previous 12 months under Laws 2020, chapter 71, article 1, section 11, until the
6.28 sum of all transfers under this section and all amounts credited or canceled under Laws
6.29 2020, chapter 71, article 1, section 11, equals \$20,000,000.

6.30 (b) The amounts necessary to meet the requirements of this section are appropriated
6.31 from the general fund within two weeks after the forecast is released or, in the case of

7.1 transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations
7.2 schedules otherwise established in statute.

7.3 (c) The commissioner of management and budget shall certify the total dollar amount
7.4 of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education.
7.5 The commissioner of education shall increase the aid payment percentage and reduce the
7.6 property tax shift percentage by these amounts and apply those reductions to the current
7.7 fiscal year and thereafter.

7.8 ~~(d) Paragraph (a), clause (5), expires after the entire amount of the transfer has been~~
7.9 ~~made.~~

7.10 Sec. 10. Minnesota Statutes 2020, section 16B.24, subdivision 1, is amended to read:

7.11 Subdivision 1. **Operation and maintenance of buildings.** The commissioner is
7.12 authorized to maintain and operate the State Capitol building and grounds, subject to whatever
7.13 standards and policies are set for its appearance and cleanliness by the Capitol Area
7.14 Architectural and Planning Board and the commissioner under section 15B.15, subdivision
7.15 2, and all other buildings, cafeterias, and grounds in state-owned buildings in the Capitol
7.16 Area under section 15B.02, the state Department of Public Safety, Bureau of Criminal
7.17 Apprehension building in St. Paul, ~~the state Department of Health building in Minneapolis,~~
7.18 ~~321 Grove Street buildings~~ 603 Pine Street building in St. Paul, Fleet and Surplus Services
7.19 building in Arden Hills, Ely Revenue building, any other properties acquired by the
7.20 Department of Administration, and, when the commissioner considers it advisable and
7.21 practicable, any other building or premises owned or rented by the state for the use of a
7.22 state agency. The commissioner shall assign and reassign office space in the Capitol and
7.23 state buildings to make an equitable division of available space among agencies. The
7.24 commissioner shall regularly update the long-range strategic plan for locating agencies and
7.25 shall follow the plan in assigning and reassigning space to agencies. The plan must include
7.26 locational and urban design criteria, a cost-analysis method to be used in weighing state
7.27 ownership against leasing of space in specific instances, and a transportation management
7.28 plan. If the commissioner determines that a deviation from the plan is necessary or desirable
7.29 in a specific instance, the commissioner shall provide the legislature with a timely written
7.30 explanation of the reasons for the deviation. The power granted in this subdivision does not
7.31 apply to state hospitals or to educational, penal, correctional, or other institutions not
7.32 enumerated in this subdivision the control of which is vested by law in some other agency.

8.1 Sec. 11. **[16B.276] CAPITOL FLAG PROGRAM.**

8.2 Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given
8.3 them.

8.4 (b) "Active service" has the meaning given in section 190.05, subdivision 5.

8.5 (c) "Eligible family member" means a surviving spouse, parent or legal guardian, child,
8.6 or sibling of (1) a public safety officer killed in the line of duty, or (2) a person who has
8.7 died while serving honorably in active service in the United States armed forces. For purposes
8.8 of this section, an eligibility relationship may be established by birth or adoption.

8.9 (d) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision
8.10 3.

8.11 (e) "Public safety officer" has the meaning given in section 299A.41, subdivision 4.

8.12 Subd. 2. **Establishment.** A Capitol flag program is established. The purpose of the
8.13 program is to make a Minnesota state flag and an American flag that were flown over the
8.14 Minnesota State Capitol available to the family members of a public safety officer killed
8.15 in the line of duty or a member of the United States armed forces who died while in active
8.16 service. In addition to appropriations provided by law, the commissioner of management
8.17 and budget may receive gifts to support the program as authorized in sections 16A.013 to
8.18 16A.016. The program established by this section is required only to the extent that sufficient
8.19 funds are available through appropriations or gifts to support its operations.

8.20 Subd. 3. **Submission of request; presentation.** (a) A flag request may only be made
8.21 by a legislator or state constitutional officer on behalf of an eligible family member after
8.22 verification of the family member's eligibility under the procedures adopted under subdivision
8.23 4. The request must be made to the commissioner of administration, and must indicate the
8.24 type of flag requested, a certification that the family member's eligibility has been verified,
8.25 special requests for the date the flag is requested to be flown over the Capitol, and the
8.26 method of presentment. The commissioner may adopt a form to be used for this purpose.
8.27 With at least 30 days' notice, the commissioner must honor a request that a flag be flown
8.28 on a specific commemorative date.

8.29 (b) Upon receipt of a request, the commissioner shall deliver the requested flags to the
8.30 requesting legislator or constitutional officer for coordination of a later presentment
8.31 ceremony. If relevant information is made available, the commissioner shall provide a
8.32 certificate memorializing the details of the occasion and the date the flag was flown with
8.33 each flag presented.

9.1 Subd. 4. **Verification of eligibility.** The house of representatives, the senate, and each
9.2 constitutional officer must adopt procedures for the administration of flag requests received
9.3 from eligible family members, including a procedure for verification of a family member's
9.4 eligibility to receive a flag.

9.5 Subd. 5. **Eligibility; fees.** (a) For deaths that occur on or after August 1, 2021, the family
9.6 of a public safety officer killed in the line of duty or service member of the United States
9.7 armed forces who died in active service is entitled to receive one United States flag and one
9.8 Minnesota state flag free of charge under this section. If multiple flags of the same type are
9.9 requested to be flown in honor of the same decedent, the commissioner may charge a
9.10 reasonable fee that does not exceed the actual cost of flying each flag and preparing a
9.11 certificate memorializing the occasion.

9.12 (b) For deaths that occurred before August 1, 2021, the family of a public safety officer
9.13 killed in the line of duty or service member of the United States armed forces who died in
9.14 active service may receive a Minnesota state flag and a United States flag for a fee, unless
9.15 there are donated, nonstate funds available to provide a flag without a fee. If payment of a
9.16 fee is required under this paragraph, the commissioner may charge an eligible family an
9.17 amount that does not exceed the actual cost of flying each flag and preparing a certificate
9.18 memorializing the occasion.

9.19 **EFFECTIVE DATE.** This section is effective August 1, 2021.

9.20 Sec. 12. Minnesota Statutes 2020, section 16B.2975, is amended by adding a subdivision
9.21 to read:

9.22 Subd. 8. **Canine management.** The commissioner may give and convey to a canine's
9.23 handler the state's entirety of the right, title, interest, and estate in and to a canine who is
9.24 retired from service, with whom the handler trained and worked while the canine was in
9.25 service to the state. The handler is solely responsible for all future expenses related to the
9.26 retired canine.

9.27 Sec. 13. Minnesota Statutes 2020, section 16B.48, subdivision 2, is amended to read:

9.28 Subd. 2. **Purpose of funds.** Money in the state treasury credited to the general services
9.29 revolving fund and money that is deposited in the fund is appropriated annually to the
9.30 commissioner for the following purposes:

9.31 (1) to operate the central mailing service, including purchasing postage and related items
9.32 and refunding postage deposits;

10.1 (2) to operate a documents service as prescribed by section 16B.51;

10.2 (3) to provide services for the maintenance, operation, and upkeep of buildings and
10.3 grounds managed by the commissioner of administration;

10.4 ~~(4) to operate a materials handling service, including interagency mail and product~~
10.5 ~~delivery, solid waste removal, courier service, equipment rental, and vehicle and equipment~~
10.6 ~~maintenance;~~

10.7 ~~(5)~~ (4) to provide analytical, statistical, and organizational development services to state
10.8 agencies, local units of government, metropolitan and regional agencies, and school districts;
10.9 and

10.10 ~~(6)~~ (5) to perform services for any other agency. Money may be expended for this purpose
10.11 only when directed by the governor. The agency receiving the services shall reimburse the
10.12 fund for their cost, and the commissioner shall make the appropriate transfers when requested.
10.13 The term "services" as used in this clause means compensation paid officers and employees
10.14 of the state government; supplies, materials, equipment, and other articles and things used
10.15 by or furnished to an agency; and utility services and other services for the maintenance,
10.16 operation, and upkeep of buildings and offices of the state government; ~~and.~~

10.17 ~~(7) to operate a state recycling center.~~

10.18 Sec. 14. Minnesota Statutes 2020, section 16B.54, subdivision 1, is amended to read:

10.19 Subdivision 1. **Motor pools.** The commissioner shall manage a central motor pool of
10.20 passenger motor vehicles and trucks used by state agencies with principal offices in the city
10.21 of St. Paul and may provide for branch central motor pools at other places within the state.
10.22 For purposes of this section, (1) "agencies" includes the Minnesota State Colleges and
10.23 Universities, ~~and~~ (2) "passenger motor vehicle" means on-road vehicle capable of transporting
10.24 people, and (3) "truck" means a pickup or panel truck up to one ton carrying capacity.

10.25 Sec. 15. Minnesota Statutes 2020, section 16B.54, subdivision 2, is amended to read:

10.26 Subd. 2. **Vehicles.** (a) The commissioner may direct an agency to make a transfer of a
10.27 passenger motor vehicle or truck currently assigned to it. The transfer must be made to the
10.28 commissioner for use in the central motor pool. The commissioner shall reimburse an agency
10.29 whose motor vehicles have been paid for with funds dedicated by the constitution for a
10.30 special purpose and which are assigned to the central motor pool. The amount of
10.31 reimbursement for a motor vehicle is its average wholesale price as determined from the
10.32 midwest edition of the National Automobile Dealers Association official used car guide.

11.1 (b) To the extent that funds are available for the purpose, the commissioner may purchase
11.2 or otherwise acquire additional passenger motor vehicles and trucks necessary for the central
11.3 motor pool. The title to all motor vehicles assigned to or purchased or acquired for the
11.4 central motor pool is in the name of the Department of Administration.

11.5 (c) On the request of an agency, the commissioner may transfer to the central motor
11.6 pool any passenger motor vehicle or truck for the purpose of disposing of it. The department
11.7 or agency transferring the vehicle or truck must be paid for it from the motor pool revolving
11.8 account established by this section in an amount equal to two-thirds of the average wholesale
11.9 price of the vehicle or truck as determined from the midwest edition of the National
11.10 Automobile Dealers Association official used car guide.

11.11 (d) The commissioner shall provide for the uniform marking of all motor vehicles. Motor
11.12 vehicle colors must be selected from the regular color chart provided by the manufacturer
11.13 each year. The commissioner may further provide for the use of motor vehicles without
11.14 marking by:

11.15 (1) the governor;

11.16 (2) the lieutenant governor;

11.17 (3) the Division of Criminal Apprehension, the Division of Alcohol and Gambling
11.18 Enforcement, and arson investigators of the Division of Fire Marshal in the Department of
11.19 Public Safety;

11.20 (4) the Financial Institutions Division and investigative staff of the Department of
11.21 Commerce;

11.22 (5) the Division of Disease Prevention and Control of the Department of Health;

11.23 (6) the State Lottery;

11.24 (7) criminal investigators of the Department of Revenue;

11.25 (8) state-owned community service facilities in the Department of Human Services;

11.26 (9) the Office of the Attorney General; ~~and~~

11.27 (10) the investigative staff of the Gambling Control Board; and

11.28 (11) the Department of Corrections inmate community work crew program under section
11.29 352.91, subdivision 3g.

12.1 Sec. 16. Minnesota Statutes 2020, section 138.081, subdivision 1, is amended to read:

12.2 Subdivision 1. **Department of Administration as agency to accept federal funds.** The
12.3 Department of Administration is hereby designated the state agency with power to accept
12.4 any and all money provided for or made available to this state by the United States of
12.5 America or any department or agency thereof for surveys, restoration, construction,
12.6 equipping, or other purposes relating to the State Historic ~~sites~~ Preservation Program in
12.7 accordance with the provisions of federal law and any rules or regulations promulgated
12.8 thereunder and are further authorized to do any and all things required of this state by such
12.9 federal law and the rules and regulations promulgated thereunder in order to obtain such
12.10 federal money.

12.11 Sec. 17. Minnesota Statutes 2020, section 138.081, subdivision 2, is amended to read:

12.12 Subd. 2. **Commissioner's responsibilities.** The commissioner as the state historic
12.13 preservation officer shall be responsible for the preparation, implementation and
12.14 administration of the State Historic Preservation Plan and shall administer the State Historic
12.15 Preservation Program authorized by the National Historic Preservation Act (United States
12.16 Code, title ~~16~~ 54, section ~~470~~ 300101 et seq. ~~as amended~~). The commissioner shall review
12.17 and approve in writing all grants-in-aid for architectural, archaeological and historic
12.18 preservation made by state agencies and funded by the state or a combination of state and
12.19 federal funds in accordance with the State Historic Preservation Program.

12.20 Sec. 18. Minnesota Statutes 2020, section 138.31, is amended by adding a subdivision to
12.21 read:

12.22 Subd. 13a. **State Historic Preservation Office.** "State Historic Preservation Office"
12.23 means the State Historic Preservation Office at the Department of Administration.

12.24 Sec. 19. Minnesota Statutes 2020, section 138.34, is amended to read:

12.25 **138.34 ADMINISTRATION OF THE ACT.**

12.26 The state archaeologist shall act as the agent of the state to administer and enforce the
12.27 provisions of sections 138.31 to 138.42. Some enforcement provisions are shared with the
12.28 society and the State Historic Preservation Office.

13.1 Sec. 20. Minnesota Statutes 2020, section 138.40, is amended to read:

13.2 **138.40 COOPERATION OF STATE AGENCIES; DEVELOPMENT PLANS.**

13.3 Subdivision 1. **Cooperation.** The Department of Natural Resources, the Department of
13.4 Transportation, and all other state agencies whose activities may be affected, shall cooperate
13.5 with the historical society, the State Historic Preservation Office, and the state archaeologist
13.6 to carry out the provisions of sections 138.31 to 138.42 and the rules issued thereunder, but
13.7 sections 138.31 to 138.42 are not meant to burden persons who wish to use state property
13.8 for recreational and other lawful purposes or to unnecessarily restrict the use of state property.

13.9 Subd. 2. **Compliance, enforcement, preservation.** State and other governmental agencies
13.10 shall comply with and aid in the enforcement of provisions of sections 138.31 to 138.42.
13.11 Conservation officers and other enforcement officers of the Department of Natural Resources
13.12 shall enforce the provisions of sections 138.31 to 138.42 and report violations to the ~~director~~
13.13 ~~of the society~~ state archeologist. When archaeological or historic sites are known or, based
13.14 on scientific investigations are predicted to exist on public lands or waters, the agency or
13.15 department controlling said lands or waters shall use the professional services of
13.16 archaeologists from the University of Minnesota, Minnesota Historical Society, or other
13.17 qualified professional archaeologists, to preserve these sites. In the event that archaeological
13.18 excavation is required to protect or preserve these sites, state and other governmental agencies
13.19 may use their funds for such activities.

13.20 Subd. 3. **Review of plans.** When significant archaeological or historic sites are known
13.21 or, based on scientific investigations, are predicted to exist on public lands or waters, the
13.22 agency or department controlling said lands or waters shall submit construction or
13.23 development plans to the state archaeologist and the ~~director of the society~~ State Historic
13.24 Preservation Office for review prior to the time bids are advertised. The state archaeologist
13.25 and the ~~society~~ State Historic Preservation Office shall promptly review such plans and
13.26 within 30 days of receiving the plans shall make recommendations for the preservation of
13.27 archaeological or historic sites which may be endangered by construction or development
13.28 activities. When archaeological or historic sites are related to Indian history or religion, the
13.29 state archaeologist shall submit the plans to the Indian Affairs Council for the council's
13.30 review and recommend action.

14.1 Sec. 21. Minnesota Statutes 2020, section 138.666, is amended to read:

14.2 **138.666 COOPERATION.**

14.3 The state, state departments and agencies, political subdivisions, and the Board of Regents
14.4 of the University of Minnesota shall cooperate with the Minnesota Historical Society and
14.5 the State Historic Preservation Office in safeguarding state historic sites and in the
14.6 preservation of historic and archaeological properties.

14.7 Sec. 22. Minnesota Statutes 2020, section 138.667, is amended to read:

14.8 **138.667 HISTORIC PROPERTIES; CHANGES.**

14.9 Properties designated as historic properties by sections 138.661 to 138.664 may be
14.10 changed from time to time, and the Minnesota Historical Society and the State Historic
14.11 Preservation Office shall notify the legislature of the need for changes, and shall make
14.12 recommendations to keep the state historic sites network and the state register of historic
14.13 places current and complete. The significance of properties proposed for designation under
14.14 section 138.663, subdivision 2, shall be documented under the documentation standards
14.15 established by the ~~Minnesota Historical Society.~~ This State Historic Preservation Office.
14.16 Documentation shall include the opinion of the Minnesota Historical Society for the historic
14.17 sites network under section 138.661, subdivision 3, and the State Historic Preservation
14.18 Office for the state register of historic places under section 138.663, subdivision 2, as to
14.19 whether the property meets the selection criteria.

14.20 Sec. 23. Minnesota Statutes 2020, section 138.763, subdivision 1, is amended to read:

14.21 Subdivision 1. **Membership.** There is a St. Anthony Falls Heritage Board consisting of
14.22 22 members with the director of the Minnesota Historical Society as chair. The members
14.23 include the mayor; the chair of the Hennepin County Board of Commissioners or the chair's
14.24 designee; the president of the Minneapolis Park and Recreation Board or the president's
14.25 designee; the superintendent of the park board; two members each from the house of
14.26 representatives appointed by the speaker, the senate appointed by the Rules Committee, the
14.27 city council, the Hennepin County Board, and the park board; one member each from the
14.28 preservation commission, the State Historic Preservation Office, Hennepin County Historical
14.29 Society, and the society; one person appointed by the park board; and two persons appointed
14.30 by the chair of the board.

15.1 Sec. 24. Minnesota Statutes 2020, section 349.151, subdivision 2, is amended to read:

15.2 Subd. 2. **Membership.** (a) The board consists of seven members, as follows: (1) five
15.3 members appointed by the governor; (2) one member appointed by the commissioner of
15.4 public safety; and (3) one member appointed by the attorney general.

15.5 (b) All appointments under this subdivision are with the advice and consent of the senate.

15.6 (c) ~~After expiration of the initial terms,~~ Appointments are for four years. A member may
15.7 continue holding office until a successor is appointed unless, prior to the expiration of the
15.8 member's term, the appointing authority notifies the board that a member's appointment
15.9 may not be extended.

15.10 (d) The board shall select one of its members to serve as chair. No more than three
15.11 members appointed by the governor under this subdivision may belong to the same political
15.12 party.

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

15.14 Sec. 25. **APPROPRIATION; VETERANS AFFAIRS.**

15.15 All federal funds received in fiscal years 2021 to 2023 to construct, equip, and furnish
15.16 veterans homes in Preston, Montevideo, and Bemidji are appropriated to the commissioner
15.17 of veterans affairs to be spent in accordance with the requirements of the federal award.

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

15.19 Sec. 26. **REVISOR INSTRUCTION.**

15.20 The revisor of statutes shall change "central motor pool" to "enterprise fleet" wherever
15.21 the term appears in Minnesota Statutes.

15.22 Sec. 27. **REPEALER.**

15.23 Minnesota Statutes 2020, section 3.972, subdivisions 2c and 2d, are repealed.

15.24 **ARTICLE 2**

15.25 **INFORMATION TECHNOLOGY**

15.26 Section 1. Minnesota Statutes 2020, section 15.01, is amended to read:

15.27 **15.01 DEPARTMENTS OF THE STATE.**

15.28 The following agencies are designated as the departments of the state government: the
15.29 Department of Administration; the Department of Agriculture; the Department of Commerce;

16.1 the Department of Corrections; the Department of Education; the Department of Employment
16.2 and Economic Development; the Department of Health; the Department of Human Rights;
16.3 the Department of Information Technology Services; the Department of Iron Range
16.4 Resources and Rehabilitation; the Department of Labor and Industry; the Department of
16.5 Management and Budget; the Department of Military Affairs; the Department of Natural
16.6 Resources; the Department of Public Safety; the Department of Human Services; the
16.7 Department of Revenue; the Department of Transportation; the Department of Veterans
16.8 Affairs; and their successor departments.

16.9 Sec. 2. Minnesota Statutes 2020, section 16E.01, is amended to read:

16.10 **16E.01 ~~OFFICE OF MN.IT~~ DEPARTMENT OF INFORMATION TECHNOLOGY**
16.11 **SERVICES.**

16.12 Subdivision 1. **Creation; chief information officer.** The ~~Office of MN.IT~~ Department
16.13 of Information Technology Services, which may also be known as Minnesota Information
16.14 Technology Services or Minnesota IT Services, referred to in this chapter as the "~~office,~~"
16.15 "department," is an agency in the executive branch headed by a commissioner, who also is
16.16 the ~~state~~ chief information officer. The appointment of the commissioner is subject to the
16.17 advice and consent of the senate under section 15.066.

16.18 Subd. 1a. **Responsibilities.** The ~~office~~ department shall provide oversight, leadership,
16.19 and direction for information and telecommunications technology policy and the
16.20 management, delivery, accessibility, and security of executive branch information and
16.21 telecommunications technology systems and services in Minnesota. The ~~office~~ department
16.22 shall manage strategic investments in information and telecommunications technology
16.23 systems and services ~~to encourage the development of a technically literate society,~~ to ensure
16.24 sufficient access to and efficient delivery of accessible government services; and to maximize
16.25 benefits for the state government as an enterprise.

16.26 Subd. 2. **Discretionary powers.** The ~~office~~ department may:

16.27 (1) enter into contracts for goods or services with public or private organizations and
16.28 charge fees for services it provides;

16.29 (2) apply for, receive, and expend money from public agencies;

16.30 (3) apply for, accept, and disburse grants and other aids from the federal government
16.31 and other public or private sources;

17.1 (4) enter into contracts with agencies of the federal government, local governmental
17.2 units, the University of Minnesota and other educational institutions, and private persons
17.3 and other nongovernmental organizations as necessary to perform its statutory duties;

17.4 (5) sponsor and conduct conferences and studies, collect and disseminate information,
17.5 and issue reports relating to information and communications technology issues;

17.6 (6) review the technology infrastructure of regions of the state and cooperate with and
17.7 make recommendations to the governor, legislature, state agencies, local governments, local
17.8 technology development agencies, the federal government, private businesses, and individuals
17.9 for the realization of information and communications technology infrastructure development
17.10 potential;

17.11 (7) sponsor, support, and facilitate innovative and collaborative economic and community
17.12 development and government services projects, including technology initiatives related to
17.13 culture and the arts, with public and private organizations; and

17.14 (8) review and recommend alternative sourcing strategies for state information and
17.15 communications systems.

17.16 Subd. 3. **Duties.** (a) The ~~office~~ department shall:

17.17 (1) manage the efficient and effective use of available federal, state, local, and
17.18 public-private resources to develop statewide information and telecommunications technology
17.19 systems and services and its infrastructure;

17.20 (2) approve state agency and intergovernmental information and telecommunications
17.21 technology systems and services development efforts involving state or intergovernmental
17.22 funding, including federal funding, provide information to the legislature regarding projects
17.23 reviewed, and recommend projects for inclusion in the governor's budget under section
17.24 16A.11;

17.25 (3) ~~ensure~~ promote cooperation and collaboration among state and local governments
17.26 in developing intergovernmental information and telecommunications technology systems
17.27 and services, ~~and define the structure and responsibilities of a representative governance~~
17.28 ~~structure~~;

17.29 (4) cooperate and collaborate with the legislative and judicial branches in the development
17.30 of information and communications systems in those branches, as requested;

17.31 (5) continue the development of North Star, the state's official comprehensive online
17.32 service and information initiative;

18.1 ~~(6) promote and collaborate with the state's agencies in the state's transition to an~~
18.2 ~~effectively competitive telecommunications market;~~

18.3 ~~(7) collaborate with entities carrying out education and lifelong learning initiatives to~~
18.4 ~~assist Minnesotans in developing technical literacy and obtaining access to ongoing learning~~
18.5 ~~resources;~~

18.6 ~~(8)~~ (6) promote and coordinate public information access and network initiatives,
18.7 consistent with chapter 13, to connect Minnesota's citizens and communities to each other,
18.8 to their governments, and to the world;

18.9 ~~(9) promote and coordinate electronic commerce initiatives to ensure that Minnesota~~
18.10 ~~businesses and citizens can successfully compete in the global economy;~~

18.11 ~~(10)~~ (7) manage and promote the regular and periodic reinvestment in the information
18.12 and telecommunications technology systems and services infrastructure so that state and
18.13 local government agencies can effectively and efficiently serve their customers;

18.14 ~~(11)~~ (8) facilitate the cooperative development of and ensure compliance with standards
18.15 and policies for information and telecommunications technology systems and services, and
18.16 ~~electronic data practices and privacy, and electronic commerce among international, national,~~
18.17 ~~state, and local public and private organizations~~ within the executive branch;

18.18 ~~(12)~~ (9) eliminate unnecessary duplication of existing information and
18.19 telecommunications technology systems and services provided by state agencies;

18.20 ~~(13)~~ (10) identify, sponsor, develop, and execute shared information and
18.21 telecommunications technology projects and ongoing operations;

18.22 ~~(14)~~ (11) ensure overall security of the state's information and technology systems and
18.23 services; and

18.24 ~~(15)~~ (12) manage and direct compliance with accessibility standards for informational
18.25 technology, including hardware, software, websites, online forms, and online surveys.

18.26 (b) The chief information officer, in consultation with the commissioner of management
18.27 and budget, must determine when it is cost-effective for agencies to develop and use shared
18.28 information and telecommunications technology systems and services for the delivery of
18.29 electronic government services. The chief information officer may require agencies to use
18.30 shared information and telecommunications technology systems and services. The chief
18.31 information officer shall establish reimbursement rates in cooperation with the commissioner
18.32 of management and budget to be billed to agencies and other governmental entities sufficient
18.33 to cover the actual development, operating, maintenance, and administrative costs of the

19.1 shared systems. The methodology for billing may include the use of interagency agreements,
19.2 or other means as allowed by law.

19.3 (c) A state agency that has an information and telecommunications technology project
19.4 ~~with a total expected project cost of more than \$1,000,000~~, whether funded as part of the
19.5 biennial budget or by any other means, shall register with the ~~office~~ department by submitting
19.6 basic project startup documentation, as specified by the chief information officer in both
19.7 format and content, ~~before any project funding is requested or committed and before the~~
19.8 ~~project commences~~. State agency project leaders must demonstrate that the project will be
19.9 properly managed, provide updates to the project documentation as changes are proposed,
19.10 and regularly report on the current status of the project on a schedule agreed to with the
19.11 chief information officer. The chief information officer has the authority to define a project
19.12 for the purposes of this chapter.

19.13 (d) The chief information officer shall monitor progress on any active information and
19.14 telecommunications technology project with a total expected project cost of more than
19.15 \$5,000,000 and report on the performance of the project in comparison with the plans for
19.16 the project in terms of time, scope, and budget. The chief information officer may conduct
19.17 an independent project audit of the project. The audit analysis and evaluation of the projects
19.18 subject to paragraph (c) must be presented to agency executive sponsors, the project
19.19 governance bodies, and the chief information officer. All reports and responses must become
19.20 part of the project record.

19.21 (e) For any active information and telecommunications technology project with a total
19.22 expected project cost of more than \$10,000,000, the state agency must perform an annual
19.23 independent audit that conforms to published project audit principles ~~promulgated~~ adopted
19.24 by the ~~office~~ department.

19.25 (f) The chief information officer shall report by January 15 of each year to the chairs
19.26 and ranking minority members of the legislative committees and divisions with jurisdiction
19.27 over the ~~office~~ department regarding projects the ~~office~~ department has reviewed under
19.28 paragraph (a), clause ~~(13)~~ (10). The report must include the reasons for the determinations
19.29 made in the review of each project and a description of its current status.

20.1 Sec. 3. Minnesota Statutes 2020, section 16E.016, is amended to read:

20.2 **16E.016 RESPONSIBILITY FOR INFORMATION TECHNOLOGY SERVICES**
20.3 **AND EQUIPMENT.**

20.4 (a) The chief information officer is responsible for providing or entering into managed
20.5 services contracts for the provision, improvement, and development of the following
20.6 information technology systems and services to state agencies:

20.7 (1) state data centers;

20.8 (2) mainframes including system software;

20.9 (3) servers including system software;

20.10 (4) desktops including system software;

20.11 (5) laptop computers including system software;

20.12 (6) a data network including system software;

20.13 (7) database, electronic mail, office systems, reporting, and other standard software
20.14 tools;

20.15 (8) business application software and related technical support services;

20.16 (9) help desk for the components listed in clauses (1) to (8);

20.17 (10) maintenance, problem resolution, and break-fix for the components listed in clauses
20.18 (1) to (8);

20.19 (11) regular upgrades and replacement for the components listed in clauses (1) to (8);

20.20 and

20.21 (12) network-connected output devices.

20.22 (b) All state agency employees whose work primarily involves functions specified in
20.23 paragraph (a) are employees of the ~~Office of MN.IT Services~~ Department of Information
20.24 Technology Services. This includes employees who directly perform the functions in
20.25 paragraph (a), as well as employees whose work primarily involves managing, supervising,
20.26 or providing administrative services or support services to employees who directly perform
20.27 these functions. The chief information officer may assign employees of the ~~office~~ department
20.28 to perform work exclusively for another state agency.

20.29 (c) Subject to sections 16C.08 and 16C.09, the chief information officer may allow a
20.30 state agency to obtain services specified in paragraph (a) through a contract with an outside
20.31 vendor when the chief information officer and the agency head agree that a contract would

21.1 provide best value, as defined in section 16C.02, under the service-level agreement. The
 21.2 chief information officer must require that agency contracts with outside vendors ensure
 21.3 that systems and services are compatible with standards established by the ~~Office of MN.IT~~
 21.4 Department of Information Technology Services.

21.5 (d) The Minnesota State Retirement System, the Public Employees Retirement
 21.6 Association, the Teachers Retirement Association, the State Board of Investment, the
 21.7 Campaign Finance and Public Disclosure Board, the State Lottery, and the Statewide Radio
 21.8 Board are not state agencies for purposes of this section.

21.9 Sec. 4. Minnesota Statutes 2020, section 16E.02, is amended to read:

21.10 **16E.02 OFFICE OF MN.IT DEPARTMENT OF INFORMATION TECHNOLOGY**
 21.11 **SERVICES; STRUCTURE AND PERSONNEL.**

21.12 Subdivision 1. **Office Department management and structure.** (a) The chief
 21.13 information officer is appointed by the governor. The chief information officer serves in
 21.14 the unclassified service at the pleasure of the governor. The chief information officer must
 21.15 have experience leading enterprise-level information technology organizations. The chief
 21.16 information officer is the state's chief information officer and information and
 21.17 telecommunications technology ~~advisor~~ adviser to the governor.

21.18 (b) The chief information officer may appoint other employees of the ~~office~~ department.
 21.19 ~~The Staff of the office~~ department must include individuals knowledgeable in information
 21.20 and telecommunications technology systems and services and individuals with specialized
 21.21 training in information security and accessibility.

21.22 ~~(e) The chief information officer may appoint a webmaster responsible for the supervision~~
 21.23 ~~and development of state websites under the control of the office. The webmaster, if~~
 21.24 ~~appointed, shall ensure that these websites are maintained in an easily accessible format~~
 21.25 ~~that is consistent throughout state government and are consistent with the accessibility~~
 21.26 ~~standards developed under section 16E.03, subdivision 9. The webmaster, if appointed,~~
 21.27 ~~shall provide assistance and guidance consistent with the requirements of this paragraph to~~
 21.28 ~~other state agencies for the maintenance of other websites not under the direct control of~~
 21.29 ~~the office.~~

21.30 Subd. 1a. **Accountability.** The chief information officer reports to the governor. The
 21.31 chief information officer must consult regularly with ~~the~~ executive branch agency
 21.32 ~~commissioners of administration, management and budget, human services, revenue, and~~

22.1 ~~other commissioners as designated by the governor~~, on technology projects, standards, and
22.2 services as well as management of resources and staff utilization.

22.3 Sec. 5. Minnesota Statutes 2020, section 16E.03, subdivision 1, is amended to read:

22.4 Subdivision 1. **Definitions.** (a) For the purposes of this chapter, the following terms
22.5 have the meanings given them.

22.6 (b) "Information and telecommunications technology systems and services" means all
22.7 computing and telecommunications hardware and software, the activities undertaken to
22.8 secure that hardware and software, and the activities undertaken to acquire, transport, process,
22.9 analyze, store, and disseminate information electronically. "Information and
22.10 telecommunications technology systems and services" includes all proposed expenditures
22.11 for computing and telecommunications hardware and software, security for that hardware
22.12 and software, and related consulting or other professional services.

22.13 ~~(e) "Information and telecommunications technology project" means an effort to acquire~~
22.14 ~~or produce information and telecommunications technology systems and services.~~

22.15 ~~(d)~~ (c) "Telecommunications" means voice, video, and data electronic transmissions
22.16 transported by wire, wireless, fiber-optic, radio, or other available transport technology.

22.17 ~~(e)~~ (d) "Cyber security" means the protection of data and systems in networks connected
22.18 to the Internet.

22.19 ~~(f)~~ (e) "State agency" means an agency in the executive branch of state government and
22.20 includes the Minnesota Office of Higher Education, but does not include the Minnesota
22.21 State Colleges and Universities unless specifically provided elsewhere in this chapter.

22.22 ~~(g)~~ (f) "Total expected project cost" includes direct staff costs, all supplemental contract
22.23 staff and vendor costs, and costs of hardware and software development or purchase.
22.24 Breaking a project into several phases does not affect the cost threshold, which must be
22.25 computed based on the full cost of all phases.

22.26 ~~(h)~~ (g) "Cloud computing" has the meaning described by the National Institute of
22.27 Standards and Technology of the United States Department of Commerce in special
22.28 publication 800-145, September 2011.

22.29 Sec. 6. Minnesota Statutes 2020, section 16E.03, subdivision 2, is amended to read:

22.30 Subd. 2. **Chief information officer's responsibility.** The chief information officer shall:

23.1 (1) design a master plan for information and telecommunications technology systems
23.2 and services in the state ~~and its political subdivisions~~ and shall report on the plan to the
23.3 governor and legislature at the beginning of each regular session;

23.4 (2) coordinate, review, and approve all information and telecommunications technology
23.5 projects and oversee the state's information and telecommunications technology systems
23.6 and services;

23.7 (3) establish and enforce compliance with standards for information and
23.8 telecommunications technology systems and services that are cost-effective and support
23.9 open systems environments and that are compatible with state, national, and international
23.10 standards, including accessibility standards;

23.11 (4) maintain a library of systems and programs developed by the state ~~and its political~~
23.12 ~~subdivisions~~ for use by agencies of government;

23.13 (5) direct and manage the shared operations of the state's information and
23.14 telecommunications technology systems and services; and

23.15 (6) establish and enforce standards and ensure acquisition of hardware and software
23.16 necessary to protect data and systems in state agency networks connected to the Internet.

23.17 Sec. 7. Minnesota Statutes 2020, section 16E.03, subdivision 3, is amended to read:

23.18 Subd. 3. **Evaluation and approval.** A state agency may not undertake an information
23.19 and telecommunications technology project until it has been evaluated according to the
23.20 procedures developed under subdivision 4. The chief information officer or delegate shall
23.21 give written approval of the proposed project. ~~When notified by the chief information officer~~
23.22 ~~that a project has not been approved, the commissioner of management and budget shall~~
23.23 ~~cancel the unencumbered balance of any appropriation allotted for the project.~~

23.24 Sec. 8. Minnesota Statutes 2020, section 16E.03, subdivision 6, is amended to read:

23.25 Subd. 6. **System development methods.** The chief information officer shall establish
23.26 and, as necessary, update and modify methods for developing information and
23.27 communications systems appropriate to the specific needs of individual state agencies. The
23.28 development methods shall be used to define the design, programming, and implementation
23.29 of systems. ~~The development methods must also enable and require a data processing system~~
23.30 ~~to be defined in terms of its computer programs, input requirements, output formats,~~
23.31 ~~administrative procedures, and processing frequencies.~~

24.1 Sec. 9. Minnesota Statutes 2020, section 16E.036, is amended to read:

24.2 **16E.036 ADVISORY ~~COMMITTEE~~ COUNCIL.**

24.3 (a) The Technology Advisory ~~Committee~~ Council is created to advise the governor,
24.4 executive branch, and the state chief information officer. The ~~committee consists of~~ council
24.5 shall consist of 15 voting members. The governor shall appoint six members ~~appointed by~~
24.6 ~~the governor~~ who are individuals actively involved in business planning for state executive
24.7 branch agencies, one county member designated by the Association of Minnesota Counties,
24.8 one member appointed by the governor as a representative of a union that represents state
24.9 information technology employees, and one member appointed by the governor to represent
24.10 private businesses. The governor shall also select six additional members with private-sector
24.11 or public-sector IT experience or experience in academia pertaining to IT. The council shall
24.12 have the following four ex-officio nonvoting members:

24.13 (1) a member of the house of representatives selected by the speaker of the house;

24.14 (2) a member of the house of representatives selected by the minority leader of the house
24.15 of representatives;

24.16 (3) a member of the senate selected by the majority leader of the senate; and

24.17 (4) a member of the senate selected by the minority leader of the senate.

24.18 The governor shall designate one of the 15 voting members to serve as the council's chair.

24.19 (b) Membership terms, removal of members, and filling of vacancies are as provided in
24.20 section 15.059. Members do not receive compensation or reimbursement for expenses.

24.21 (c) The ~~committee shall select a chair from its members.~~ The chief information officer
24.22 shall provide administrative support to the ~~committee~~ council.

24.23 (d) The ~~committee~~ council shall advise the chief information officer on:

24.24 (1) development and implementation of the state information technology strategic plan;

24.25 (2) critical information technology initiatives for the state;

24.26 (3) standards for state information architecture;

24.27 (4) identification of business and technical needs of state agencies;

24.28 (5) strategic information technology portfolio management, project prioritization, and
24.29 investment decisions;

24.30 (6) the ~~office's~~ department's performance measures and fees for service agreements with
24.31 executive branch agencies;

25.1 (7) management of the state MN.IT services revolving fund; and

25.2 (8) the efficient and effective operation of the ~~office~~ department.

25.3 Sec. 10. Minnesota Statutes 2020, section 16E.04, subdivision 3, is amended to read:

25.4 Subd. 3. **Risk assessment and mitigation.** (a) A risk assessment and risk mitigation
25.5 plan are required for all information systems development projects undertaken by a state
25.6 agency in the executive or judicial branch or by a constitutional officer. The chief information
25.7 officer must contract with an entity outside of state government to conduct the initial
25.8 assessment and prepare the mitigation plan for a project estimated to cost more than
25.9 \$5,000,000. The outside entity conducting the risk assessment and preparing the mitigation
25.10 plan must not have any other direct or indirect financial interest in the project. The risk
25.11 assessment and risk mitigation plan must provide for periodic monitoring by the
25.12 commissioner until the project is completed.

25.13 (b) The risk assessment and risk mitigation plan must be paid for with money appropriated
25.14 for the information and telecommunications technology project. ~~The chief information~~
25.15 ~~officer must notify the commissioner of management and budget when work has begun on~~
25.16 ~~a project and must identify the proposed budget for the project. The commissioner of~~
25.17 ~~management and budget shall ensure that no more than ten percent of the proposed budget~~
25.18 ~~be spent on the project, other than the money spent on the risk assessment and risk mitigation~~
25.19 ~~plan, is spent until the risk assessment and mitigation plan are reported to the chief~~
25.20 ~~information officer and the chief information officer has approved the risk mitigation plan.~~

25.21 Sec. 11. Minnesota Statutes 2020, section 16E.0465, subdivision 2, is amended to read:

25.22 Subd. 2. **Required review and approval.** (a) A state agency receiving an appropriation
25.23 for an information and telecommunications technology project subject to this section must
25.24 divide the project into phases.

25.25 (b) ~~The commissioner of management and budget may not authorize the~~ An encumbrance
25.26 ~~or expenditure of an appropriation of state funds to a state agency~~ may not be made for any
25.27 phase of a state agency information and telecommunications technology project, device, or
25.28 ~~system~~ subject to this section unless the ~~Office of MN.IT~~ Department of Information
25.29 Technology Services has reviewed each phase of the project, ~~device, or system,~~ and based
25.30 on this review, the chief information officer has determined for each phase that:

25.31 (1) the project is compatible with the state information architecture and other policies
25.32 and standards established by the chief information officer;

26.1 (2) the agency is able to accomplish the goals of the phase of the project with the funds
26.2 appropriated; and

26.3 (3) the project supports the enterprise information technology strategy.

26.4 Sec. 12. Minnesota Statutes 2020, section 16E.05, subdivision 1, is amended to read:

26.5 Subdivision 1. **Duties.** The ~~office~~ department, in consultation with interested persons,
26.6 shall:

26.7 ~~(1) coordinate statewide efforts by units of state and local government to plan for and~~
26.8 ~~develop a system for providing access to government services; and~~

26.9 ~~(2)~~ explore ways and means to improve citizen and business access to public services,
26.10 including implementation of technological improvements.

26.11 Sec. 13. Minnesota Statutes 2020, section 16E.07, subdivision 12, is amended to read:

26.12 Subd. 12. **Private entity services; fee authority.** (a) The ~~office~~ department may enter
26.13 into a contract with a private entity to manage, maintain, support, and expand North Star
26.14 and online government information services to citizens and businesses.

26.15 (b) A contract established under paragraph (a) may provide for compensation of the
26.16 private entity through a fee established under paragraph (c).

26.17 (c) The ~~office~~ department, subject to the approval of the agency or ~~office~~ department
26.18 responsible for the data or services involved in the transaction, may charge and may authorize
26.19 a private entity that enters into a contract under paragraph (a) to charge a convenience fee
26.20 for users of North Star and online government information services up to a total of \$2 per
26.21 transaction, provided that no fee shall be charged for viewing or inspecting data. ~~The office~~
26.22 ~~shall consider the recommendation of the E-Government Advisory Council under section~~
26.23 ~~16E.071 in setting the convenience fee.~~ A fee established under this paragraph is in addition
26.24 to any fees or surcharges authorized under other law.

26.25 (d) Receipts from the convenience fee shall be deposited in the North Star account
26.26 established in subdivision 7. Notwithstanding section 16A.1285, subdivision 2, receipts
26.27 credited to the account are appropriated to the ~~office~~ department for payment to the contracted
26.28 private entity under paragraph (a). In lieu of depositing the receipts in the North Star account,
26.29 the ~~office~~ department can directly transfer the receipts to the private entity or allow the
26.30 private entity to retain the receipts pursuant to a contract established under this subdivision.

27.1 (e) The ~~office~~ department shall report to the chairs and ranking minority members of
27.2 the house of representatives and senate committees with jurisdiction over state government
27.3 finance by January 15 of each odd-numbered year regarding the convenience fee receipts
27.4 and the status of North Star projects and online government information services developed
27.5 and supported by convenience fee receipts.

27.6 Sec. 14. Minnesota Statutes 2020, section 16E.21, subdivision 2, is amended to read:

27.7 Subd. 2. **Charges.** (a) Upon agreement of the participating agency, the ~~Office of MN.IT~~
27.8 Department of Information Technology Services may collect a charge or receive a fund
27.9 transfer under section 16E.0466 for purchases of information and telecommunications
27.10 technology systems and services by state agencies and other governmental entities through
27.11 state contracts for purposes described in subdivision 1. Charges collected under this section
27.12 must be credited to the information and telecommunications technology systems and services
27.13 account.

27.14 (b) Notwithstanding section 16A.28, subdivision 3, any unexpended operating balance
27.15 appropriated to a state agency may be transferred to the information and telecommunications
27.16 technology systems and services account for the information technology cost of a specific
27.17 project, subject to the review of the Legislative Advisory Commission under subdivision
27.18 3.

27.19 Sec. 15. Minnesota Statutes 2020, section 97A.057, subdivision 1, is amended to read:

27.20 Subdivision 1. **Compliance with federal law.** The commissioner shall take any action
27.21 necessary to comply with the Federal Aid in Wildlife Restoration Act, United States Code,
27.22 title 16, sections 669 to 669i, and the Federal Aid in Fish Restoration Act, United States
27.23 Code, title 16, sections 777 to 777k. ~~Notwithstanding section 16E.145 or any other law to~~
27.24 ~~the contrary,~~ an appropriation for an information or telecommunications technology project
27.25 from the game and fish fund, as established in section 97A.055, must be made to the
27.26 commissioner. Any assets acquired with or expenditures made from the game and fish fund
27.27 must remain under control of the commissioner.

27.28 Sec. 16. **REVISOR INSTRUCTION.**

27.29 The revisor of statutes shall change "Office of MN.IT Services" or similar terms to
27.30 "Department of Information Technology Services" wherever it appears in Minnesota Statutes.

28.1 Sec. 17. **REPEALER.**

28.2 Minnesota Statutes 2020, sections 16E.0466, subdivision 1; 16E.05, subdivision 3;
28.3 16E.071; and 16E.145, are repealed.

28.4 **ARTICLE 3**
28.5 **ELECTIONS**

28.6 Section 1. Minnesota Statutes 2020, section 203B.01, subdivision 3, is amended to read:

28.7 Subd. 3. **Military.** "Military" means the Army, Navy, Air Force, Marine Corps, Coast
28.8 Guard or Merchant Marine of the United States, all other uniformed services as defined in
28.9 United States Code, title 52, section 20310, and military forces as defined by section 190.05,
28.10 subdivision 3, or any eligible citizen of Minnesota enrolled as a student at the United States
28.11 Naval Academy, the United States Coast Guard Academy, the United States Merchant
28.12 Marine Academy, the United States Air Force Academy, or the United States Military
28.13 Academy.

28.14 Sec. 2. Minnesota Statutes 2020, section 203B.04, subdivision 1, is amended to read:

28.15 Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision
28.16 2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election
28.17 may be submitted at any time not less than one day before the day of that election. The
28.18 county auditor shall prepare absentee ballot application forms in the format provided by the
28.19 secretary of state and shall furnish them to any person on request. By January 1 of each
28.20 even-numbered year, the secretary of state shall make the forms to be used available to
28.21 auditors through electronic means. An application submitted pursuant to this subdivision
28.22 shall be in writing. An application may be submitted in person, by electronic facsimile
28.23 device, by electronic mail, or by mail to:

28.24 (1) the county auditor of the county where the applicant maintains residence; or

28.25 (2) the municipal clerk of the municipality, or school district if applicable, where the
28.26 applicant maintains residence.

28.27 For a federal, state, or county election, an absentee ballot application may alternatively be
28.28 submitted electronically through a secure website that shall be maintained by the secretary
28.29 of state for this purpose. Notwithstanding paragraph (b), the secretary of state must require
28.30 applicants using the website to submit the applicant's e-mail address and verifiable Minnesota
28.31 driver's license number, Minnesota state identification card number, or the last four digits
28.32 of the applicant's Social Security number.

29.1 An application submitted electronically under this paragraph may only be transmitted to
29.2 the county auditor for processing if the secretary of state has verified the application
29.3 information matches the information in a government database associated with the applicant's
29.4 driver's license number, state identification card number, or Social Security number. The
29.5 secretary of state must review all unverifiable applications for evidence of suspicious activity
29.6 and must forward any such application to an appropriate law enforcement agency for
29.7 investigation.

29.8 (b) An application shall be approved if it is timely received, signed and dated by the
29.9 applicant, contains the applicant's name and residence and mailing addresses, date of birth,
29.10 and at least one of the following:

29.11 (1) the applicant's Minnesota driver's license number;

29.12 (2) Minnesota state identification card number;

29.13 (3) the last four digits of the applicant's Social Security number; or

29.14 (4) a statement that the applicant does not have any of these numbers.

29.15 (c) To be approved, the application must contain an oath that the information contained
29.16 on the form is accurate, that the applicant is applying on the applicant's own behalf, and
29.17 that the applicant is signing the form under penalty of perjury.

29.18 (d) An applicant's full date of birth, Minnesota driver's license or state identification
29.19 number, and the last four digits of the applicant's Social Security number must not be made
29.20 available for public inspection. An application may be submitted to the county auditor or
29.21 municipal clerk by an electronic facsimile device. An application mailed or returned in
29.22 person to the county auditor or municipal clerk on behalf of a voter by a person other than
29.23 the voter must be deposited in the mail or returned in person to the county auditor or
29.24 municipal clerk within ten days after it has been dated by the voter and no later than six
29.25 days before the election. The absentee ballot applications or a list of persons applying for
29.26 an absentee ballot may not be made available for public inspection until the close of voting
29.27 on election day, except as authorized in section 203B.12, and must be available to the public
29.28 in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

29.29 (e) An application under this subdivision may contain an application under subdivision
29.30 5 to automatically receive an absentee ballot application.

30.1 Sec. 3. Minnesota Statutes 2020, section 203B.12, subdivision 7, is amended to read:

30.2 Subd. 7. **Names of persons; rejected absentee ballots.** (a) The names of voters who
30.3 have submitted an absentee ballot to the county auditor or municipal clerk that has not been
30.4 accepted may not be made available for public inspection until the close of voting on election
30.5 day.

30.6 (b) After the close of voting on election day, the lists must be available to the public in
30.7 the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

30.8 Sec. 4. Minnesota Statutes 2020, section 203B.121, subdivision 2, is amended to read:

30.9 Subd. 2. **Duties of ballot board; absentee ballots.** (a) The members of the ballot board
30.10 shall take possession of all ~~return~~ signature envelopes delivered to them in accordance with
30.11 section 203B.08. Upon receipt from the county auditor, municipal clerk, or school district
30.12 clerk, two or more members of the ballot board shall examine each ~~return~~ signature envelope
30.13 and shall mark it accepted or rejected in the manner provided in this subdivision. Election
30.14 judges performing the duties in this section must be of different major political parties,
30.15 unless they are exempt from that requirement under section 205.075, subdivision 4, or
30.16 section 205A.10, subdivision 2.

30.17 (b) The members of the ballot board shall mark the ~~return~~ signature envelope "Accepted"
30.18 and initial or sign the ~~return~~ signature envelope below the word "Accepted" if a majority
30.19 of the members of the ballot board examining the envelope are satisfied that:

30.20 (1) the voter's name and address on the ~~return~~ signature envelope are the same as the
30.21 information provided on the absentee ballot application;

30.22 (2) the voter signed the certification on the envelope;

30.23 (3) the voter's Minnesota driver's license, state identification number, or the last four
30.24 digits of the voter's Social Security number are the same as a number on the voter's absentee
30.25 ballot application or voter record. If the number does not match, the election judges must
30.26 compare the signature provided by the applicant to determine whether the ballots were
30.27 returned by the same person to whom they were transmitted;

30.28 (4) the voter is registered and eligible to vote in the precinct or has included a properly
30.29 completed voter registration application in the ~~return~~ signature envelope;

30.30 (5) the certificate has been completed as prescribed in the directions for casting an
30.31 absentee ballot; and

31.1 (6) the voter has not already voted at that election, either in person or, if it is after the
31.2 close of business on the seventh day before the election, by absentee ballot.

31.3 The ~~return~~ signature envelope from accepted ballots must be preserved and returned to
31.4 the county auditor.

31.5 (c)(1) If a majority of the members of the ballot board examining a ~~return~~ signature
31.6 envelope find that an absentee voter has failed to meet one of the requirements provided in
31.7 paragraph (b), they shall mark the ~~return~~ signature envelope "Rejected," initial or sign it
31.8 below the word "Rejected," list the reason for the rejection on the envelope, and return it
31.9 to the county auditor. There is no other reason for rejecting an absentee ballot beyond those
31.10 permitted by this section. Failure to place the ballot within the ~~security~~ secrecy envelope
31.11 before placing it in the outer white envelope is not a reason to reject an absentee ballot.

31.12 (2) If an envelope has been rejected at least five days before the election, the envelope
31.13 must remain sealed and the official in charge of the ballot board shall provide the voter with
31.14 a replacement absentee ballot and ~~return~~ signature envelope in place of the rejected ballot.

31.15 (3) If an envelope is rejected within five days of the election, the envelope must remain
31.16 sealed and the official in charge of the ballot board must attempt to contact the voter by
31.17 telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official
31.18 must document the attempts made to contact the voter.

31.19 (d) The official in charge of the absentee ballot board must mail the voter a written notice
31.20 of absentee ballot rejection between six and ten weeks following the election. If the official
31.21 determines that the voter has otherwise cast a ballot in the election, no notice is required.
31.22 If an absentee ballot arrives after the deadline for submission provided by this chapter, the
31.23 notice must be provided between six to ten weeks after receipt of the ballot. A notice of
31.24 absentee ballot rejection must contain the following information:

31.25 (1) the date on which the absentee ballot was rejected or, if the ballot was received after
31.26 the required deadline for submission, the date on which the ballot was received;

31.27 (2) the reason for rejection; and

31.28 (3) the name of the appropriate election official to whom the voter may direct further
31.29 questions, along with appropriate contact information.

31.30 (e) An absentee ballot ~~return~~ signature envelope marked "Rejected" may not be opened
31.31 or subject to further review except in an election contest filed pursuant to chapter 209.

32.1 Sec. 5. Minnesota Statutes 2020, section 203B.121, subdivision 4, is amended to read:

32.2 Subd. 4. **Opening of envelopes.** After the close of business on the seventh day before
32.3 the election, the ballots from ~~return~~ secrecy envelopes within the signature envelopes marked
32.4 "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86,
32.5 subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate
32.6 ballot box. If more than one voted ballot is enclosed in the ballot envelope, the ballots must
32.7 be returned in the manner provided by section 204C.25 for return of spoiled ballots, and
32.8 may not be counted.

32.9 Sec. 6. Minnesota Statutes 2020, section 203B.24, subdivision 1, is amended to read:

32.10 Subdivision 1. **Check of voter eligibility; proper execution of certificate.** Upon receipt
32.11 of an absentee ballot returned as provided in sections 203B.16 to 203B.27, the election
32.12 judges shall compare the voter's name with the names recorded under section 203B.19 in
32.13 the statewide registration system to insure that the ballot is from a voter eligible to cast an
32.14 absentee ballot under sections 203B.16 to 203B.27. The election judges shall mark the ~~return~~
32.15 signature envelope "Accepted" and initial or sign the ~~return~~ signature envelope below the
32.16 word "Accepted" if the election judges are satisfied that:

32.17 (1) the voter's name and address on the ~~return~~ signature envelope appears in substantially
32.18 the same form as on the application records provided to the election judges by the county
32.19 auditor;

32.20 (2) the voter has signed the federal oath prescribed pursuant to section 705(b)(2) of the
32.21 Help America Vote Act, Public Law 107-252;

32.22 (3) the voter has set forth the same voter's passport number, or Minnesota driver's license
32.23 or state identification card number, or the last four digits of the voter's Social Security
32.24 number as submitted on the application, if the voter has one of these documents;

32.25 (4) the voter is not known to have died; and

32.26 (5) the voter has not already voted at that election, either in person or by absentee ballot.

32.27 If the identification number described in clause (3) does not match the number as
32.28 submitted on the application, the election judges must make a reasonable effort to satisfy
32.29 themselves through other information provided by the applicant, or by an individual
32.30 authorized to apply on behalf of the voter, that the ballots were returned by the same person
32.31 to whom the ballots were transmitted.

33.1 An absentee ballot cast pursuant to sections 203B.16 to 203B.27 may only be rejected
33.2 for the lack of one of clauses (1) to (5). In particular, failure to place the ballot within the
33.3 ~~security~~ secrecy envelope before placing it in the outer white envelope is not a reason to
33.4 reject an absentee ballot.

33.5 Election judges must note the reason for rejection on the back of the envelope in the
33.6 space provided for that purpose.

33.7 Failure to return unused ballots shall not invalidate a marked ballot, but a ballot shall
33.8 not be counted if the certificate on the return envelope is not properly executed. In all other
33.9 respects the provisions of the Minnesota Election Law governing deposit and counting of
33.10 ballots shall apply. Notwithstanding other provisions of this section, the counting of the
33.11 absentee ballot of a deceased voter does not invalidate the election.

33.12 Sec. 7. Minnesota Statutes 2020, section 204B.09, subdivision 3, is amended to read:

33.13 Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who
33.14 wants write-in votes for the candidate to be counted must file a written request with the
33.15 filing office for the office sought not more than 84 days before the primary and no later
33.16 than the seventh day before the general election. The filing officer shall provide copies of
33.17 the form to make the request. ~~No~~ The filing officer shall not accept a written request shall
33.18 ~~be accepted~~ later than 5:00 p.m. on the last day for filing a written request.

33.19 (b) A candidate for president of the United States who files a request under this
33.20 subdivision must ~~include the name of a candidate for vice president of the United States.~~
33.21 file jointly with another individual seeking nomination as a candidate for vice president of
33.22 the United States. A candidate for vice president of the United States who files a request
33.23 under this subdivision must file jointly with another individual seeking nomination as a
33.24 candidate for president of the United States. The request must also include the name of at
33.25 least one candidate for presidential elector. The total number of names of candidates for
33.26 presidential elector on the request may not exceed the total number of electoral votes to be
33.27 cast by Minnesota in the presidential election.

33.28 (c) A candidate for governor who files a request under this subdivision must ~~include the~~
33.29 ~~name of a candidate for lieutenant governor.~~ file jointly with another individual seeking
33.30 nomination as a candidate for lieutenant governor. A candidate for lieutenant governor who
33.31 files a request under this subdivision must file jointly with another individual seeking
33.32 nomination as a candidate for governor.

34.1 Sec. 8. Minnesota Statutes 2020, section 204B.36, subdivision 2, is amended to read:

34.2 Subd. 2. **Candidates and offices.** The name of each candidate shall be printed at a right
34.3 angle to the length of the ballot. At a general election the name of the political party or the
34.4 political principle of each candidate for partisan office shall be printed above or below the
34.5 name of the candidate. The name of a political party or a political principle shall be printed
34.6 in capital and lowercase letters of the same type, with the capital letters at least one-half the
34.7 height of the capital letters used for names of the candidates. At a general or special election,
34.8 blank lines containing the words "write-in, if any" shall be printed below the name of the
34.9 last candidate for each office, or below the title of the office if no candidate has filed for
34.10 that office, so that a voter may write in the names of individuals whose names are not on
34.11 the ballot. One blank line shall be printed for each officer of that kind to be elected. At a
34.12 primary election, no blank lines shall be provided for writing in the names of individuals
34.13 whose names do not appear on the primary ballot.

34.14 On the left side of the ballot at the same level with the name of each candidate and each
34.15 blank line shall be printed an oval or similar target shape in which the voter may designate
34.16 a vote by filling in the oval or similar mark if a different target shape is used. Each oval or
34.17 target shape shall be the same size. Above the first name on each ballot shall be instructions
34.18 for voting. Directly underneath the official title of each office shall be printed the words
34.19 "Vote for one" or "Vote for up to ..." (any greater number to be elected).

34.20 Sec. 9. Minnesota Statutes 2020, section 204C.05, subdivision 1a, is amended to read:

34.21 Subd. 1a. **Elections; organized town.** The governing body of a town with less than 500
34.22 inhabitants according to the most recent federal decennial census, which is located outside
34.23 the metropolitan area as defined in section 200.02, subdivision 24, may fix a later time for
34.24 voting to begin at state primary, special, or general elections, if approved by a vote of the
34.25 town electors at the annual town meeting. The question of shorter voting hours must be
34.26 included in the notice of the annual town meeting before the question may be submitted to
34.27 the electors at the meeting. The later time may not be later than 10:00 a.m. for special,
34.28 primary, or general elections. The town clerk shall either post or publish notice of the
34.29 changed hours and notify the county auditor and the secretary of state of the change 30 days
34.30 before the election.

34.31 Sec. 10. Minnesota Statutes 2020, section 204C.05, subdivision 1b, is amended to read:

34.32 Subd. 1b. **Elections; unorganized territory.** An unorganized territory or unorganized
34.33 territories which constitute a voting district may have shorter voting hours if at least 20

35.1 percent of the registered voters residing in the voting district sign a petition for shorter hours
35.2 and present it to the county auditor and secretary of state at least 30 days before the election.
35.3 The later time may not be later than 10:00 a.m. for special, primary, or general elections.
35.4 The county auditor shall either post or publish notice of the changed hours, within the voting
35.5 district, 30 days before the election.

35.6 Sec. 11. Minnesota Statutes 2020, section 204C.21, subdivision 1, is amended to read:

35.7 Subdivision 1. **Method.** The election judges shall take all the ballots of the same kind
35.8 and count the votes cast for each office or question, beginning with the first office or question
35.9 on the ballot. They shall make one pile of the ballots for each candidate who received votes
35.10 for that office, or one pile for the "Yes" votes and one pile for the "No" votes on a question.
35.11 They shall make a pile of totally defective ballots and a pile of totally blank ballots. They
35.12 shall make a pile of ballots that are not totally defective but are defective with respect to
35.13 the office or question being counted and a pile of ballots that are not totally blank but are
35.14 blank with respect to the office or question being counted. After the separation into piles,
35.15 the election judges shall examine each pile and remove and place in the proper pile any
35.16 ballots that are found in the wrong pile. The election judges shall count the totally blank
35.17 and totally defective ballots and set them aside until the counting is over for that ballot. In
35.18 conducting the count of blank ballots, election judges may presume that the total count
35.19 provided for sealed prepackaged ballots is correct. The election judges may pile ballots
35.20 crosswise in groups of 25 in the same pile to facilitate counting. When their counts agree,
35.21 the election judges shall announce the number of ballots in each pile, and shall write the
35.22 number in the proper place on the summary statements.

35.23 The election judges shall then return all the counted ballots, and all the partially defective
35.24 or partially blank ballots, to the original pile to be separated and counted in the same manner
35.25 for the next office or question.

35.26 Sec. 12. Minnesota Statutes 2020, section 204C.27, is amended to read:

35.27 **204C.27 DELIVERY OF RETURNS TO COUNTY AUDITORS.**

35.28 One or more of the election judges in each precinct shall deliver ~~two sets~~ one set of
35.29 summary statements; all spoiled ballots; and the envelopes containing the ballots either
35.30 directly to the municipal clerk for transmittal to the county auditor's office or directly to the
35.31 county auditor's office as soon as possible after the vote counting is completed but no later
35.32 than 24 hours after the end of the hours for voting. One or more election judges shall deliver
35.33 the remaining set of summary statements and returns, all unused and spoiled municipal and

36.1 school district ballots, the envelopes containing municipal and school district ballots, and
36.2 all other things furnished by the municipal or school district clerk, to the municipal or school
36.3 district clerk's office within 24 hours after the end of the hours for voting. The municipal
36.4 or school district clerk shall return all polling place rosters and completed voter registration
36.5 cards to the county auditor within 48 hours after the end of the hours for voting.

36.6 Sec. 13. Minnesota Statutes 2020, section 204C.36, subdivision 1, is amended to read:

36.7 Subdivision 1. **Publicly funded recounts.** (a) Except as provided in paragraphs (b) and
36.8 (c), a losing candidate for nomination or election to a county, municipal, or school district
36.9 office may request a recount of the votes cast for the nomination or election to that office
36.10 if the difference between the vote cast for that candidate and for a winning candidate for
36.11 nomination or election is less than one-quarter of one percent of the total votes counted for
36.12 that office. In case of offices where two or more seats are being filled from among all the
36.13 candidates for the office, the one-quarter of one percent difference is between the elected
36.14 candidate with the fewest votes and the candidate with the most votes from among the
36.15 candidates who were not elected.

36.16 (b) A losing candidate for nomination or election to a county, municipal, or school
36.17 district office may request a recount of the votes cast for nomination or election to that
36.18 office if the difference between the votes cast for that candidate and for a winning candidate
36.19 for nomination or election is less than one-half of one percent, and the total number of votes
36.20 cast for the nomination or election of all candidates is more than 400 but less than 50,000.
36.21 In cases of offices where two or more seats are being filled from among all the candidates
36.22 for the office, the one-half of one percent difference is between the elected candidate with
36.23 the fewest votes and the candidate with the most votes from among the candidates who
36.24 were not elected.

36.25 (c) A losing candidate for nomination or election to a county, municipal, or school district
36.26 office may request a recount of the votes cast for nomination or election to that office if the
36.27 difference between the vote cast for that candidate and for a winning candidate for nomination
36.28 or election is ten votes or less, and the total number of votes cast for the nomination or
36.29 election of all candidates is no more than 400. In cases of offices where two or more seats
36.30 are being filled from among all the candidates for the office, the ten vote difference is
36.31 between the elected candidate with the fewest votes and the candidate with the most votes
36.32 from among the candidates who were not elected.

36.33 (d) Candidates for county offices shall file a written request for the recount with the
36.34 county auditor. Candidates for municipal or school district offices shall file a written request

37.1 with the municipal or school district clerk as appropriate. All requests under this paragraph
37.2 shall be filed ~~by~~ between the close of the canvass of a primary or special primary and 5:00
37.3 p.m. on the fifth day after the canvass of a primary or special primary or ~~by~~ between the
37.4 close of the canvass of a special or general election and 5:00 p.m. on the seventh day of the
37.5 canvass of a special or general election for which a recount is sought.

37.6 (e) Upon receipt of a request made pursuant to this section, the county auditor shall
37.7 recount the votes for a county office at the expense of the county, the governing body of
37.8 the municipality shall recount the votes for a municipal office at the expense of the
37.9 municipality, and the school board of the school district shall recount the votes for a school
37.10 district office at the expense of the school district.

37.11 Sec. 14. Minnesota Statutes 2020, section 204D.08, subdivision 4, is amended to read:

37.12 Subd. 4. **State partisan primary ballot; party columns.** The state partisan primary
37.13 ballot shall be headed by the words "State Partisan Primary Ballot." The ballot shall be
37.14 printed on white paper. There must be at least three vertical columns on the ballot and each
37.15 major political party shall have a separate column headed by the words "..... Party,"
37.16 giving the party name. Above the party names, the following statement shall be printed.

37.17 "Minnesota Election Law permits you to vote for the candidates of only one political
37.18 party in a state partisan primary election."

37.19 If there are only two major political parties to be listed on the ballot, one party must
37.20 occupy the left-hand column, the other party must occupy the right-hand column, and the
37.21 center column must contain the following statement:

37.22 "Do not vote for candidates of more than one party."

37.23 The names of the candidates seeking the nomination of each major political party shall
37.24 be listed in that party's column. If only one individual files an affidavit of candidacy seeking
37.25 the nomination of a major political party for an office, the name of that individual shall be
37.26 placed on the state partisan primary ballot at the appropriate location in that party's column.

37.27 In each column, the candidates for senator in Congress shall be listed first, candidates
37.28 for representative in Congress second, candidates for state senator third, candidates for state
37.29 representative fourth and then candidates for state office in the order specified by the secretary
37.30 of state. Vacant offices being filled by special election must be listed with other offices of
37.31 that type, but after any office of that type for which a candidate will be elected for a full
37.32 term.

38.1 The party columns shall be substantially the same in width, type, and appearance. The
38.2 columns shall be separated by a 12-point solid line.

38.3 Sec. 15. Minnesota Statutes 2020, section 204D.13, subdivision 1, is amended to read:

38.4 Subdivision 1. **Order of offices.** The candidates for partisan offices shall be placed on
38.5 the state general election ballot in the following order: senator in Congress shall be first;
38.6 representative in Congress, second; state senator, third; and state representative, fourth. The
38.7 candidates for state offices shall follow in the order specified by the secretary of state.
38.8 Candidates for governor and lieutenant governor shall appear so that a single vote may be
38.9 cast for both offices. Vacant offices being filled by special election must be listed with other
38.10 offices of that type, but after any office of that type for which a candidate will be elected
38.11 for a full term.

38.12 Sec. 16. Minnesota Statutes 2020, section 204D.195, is amended to read:

38.13 **204D.195 DATE OF SPECIAL ELECTION; CERTAIN TIMES PROHIBITED.**

38.14 Notwithstanding any other provision of law, a special primary and special general election
38.15 may not be held:

38.16 (1) for a period beginning the day following the date of the state primary election and
38.17 ending the day prior to the date of the state general election; or

38.18 (2) on a holiday, or during the four days before or after a holiday, as defined in section
38.19 645.44, subdivision 5.

38.20 **EFFECTIVE DATE.** This section is effective the day following final enactment and
38.21 applies to special elections occurring on or after that date.

38.22 Sec. 17. Minnesota Statutes 2020, section 204D.27, subdivision 5, is amended to read:

38.23 Subd. 5. **Canvass; special primary; state canvassing board; contest.** Not later than
38.24 four days after the returns of the county canvassing boards are certified to the secretary of
38.25 state, the State Canvassing Board shall complete its canvass of the special primary. The
38.26 secretary of state shall then promptly certify to the county auditors the names of the
38.27 nominated individuals, prepare notices of nomination, and notify each nominee of the
38.28 nomination. In case of a contest of a special primary for state senator or state representative,
38.29 the notice of contest must be filed within two days, excluding Sundays and legal holidays,
38.30 after the canvass is completed, and the contest shall otherwise proceed in the manner provided
38.31 by law for contesting elections.

39.1 Sec. 18. Minnesota Statutes 2020, section 204D.28, subdivision 9, is amended to read:

39.2 Subd. 9. **Filing by candidates.** The time for filing of affidavits and nominating petitions
39.3 for candidates to fill a vacancy at a special election shall open 12 weeks before the special
39.4 primary or on the day the secretary of state issues notice of the special election, whichever
39.5 occurs later. Filings shall close ten weeks before the special primary. A candidate filing for
39.6 the office of United States senator to fill a vacancy at a special election when both offices
39.7 of United States senator are required to be placed on the same ballot must specify on the
39.8 affidavit of candidacy the expiration date of the term of the office that the candidate is
39.9 seeking.

39.10 Sec. 19. Minnesota Statutes 2020, section 204D.28, subdivision 10, is amended to read:

39.11 Subd. 10. **United States senator; candidates; designation of term.** When the names
39.12 of candidates for both offices of United States senator are required to be placed on the same
39.13 ballot, the expiration date of the term of each office shall be printed on the ballot in the
39.14 office heading opposite the name of each candidate for nomination or election to that office.

39.15 Sec. 20. Minnesota Statutes 2020, section 206.805, subdivision 1, is amended to read:

39.16 Subdivision 1. **Contracts required.** (a) The secretary of state, with the assistance of the
39.17 commissioner of administration, must establish one or more state voting systems contracts.
39.18 The contracts should, if practical, include provisions for maintenance of the equipment
39.19 purchased. The voting systems contracts must address precinct-based optical scan voting
39.20 equipment, assistive voting technology, automatic tabulating equipment, and electronic
39.21 roster equipment. The contracts must give the state a perpetual license to use and modify
39.22 the software. The contracts must include provisions to escrow the software source code, ~~as~~
39.23 ~~provided in subdivision 2.~~ Bids for voting systems and related election services must be
39.24 solicited from each vendor selling or leasing voting systems that have been certified for use
39.25 by the secretary of state. Bids for electronic roster equipment, software, and related services
39.26 must be solicited from each vendor selling or leasing electronic roster equipment that meets
39.27 the requirements of section 201.225, subdivision 2. The contracts must be renewed from
39.28 time to time.

39.29 (b) Counties and municipalities may purchase or lease voting systems and obtain related
39.30 election services from the state contracts. All counties and municipalities are members of
39.31 the cooperative purchasing venture of the Department of Administration for the purpose of
39.32 this section. For the purpose of township elections, counties must aggregate orders under
39.33 contracts negotiated under this section for products and services and may apportion the

40.1 costs of those products and services proportionally among the townships receiving the
40.2 products and services. The county is not liable for the timely or accurate delivery of those
40.3 products or services.

40.4 Sec. 21. Minnesota Statutes 2020, section 206.89, subdivision 4, is amended to read:

40.5 Subd. 4. **Standard of acceptable performance by voting system.** A comparison of the
40.6 results compiled by the voting system with the postelection review described in this section
40.7 must show that the results of the electronic voting system differed ~~by no more than one-half~~
40.8 ~~of one percent~~ from the manual count of the offices reviewed by no more than two votes in
40.9 a precinct where fewer than 1,200 voters cast ballots, three votes in a precinct where between
40.10 1,200 and 1,599 voters cast ballots, four votes in a precinct where between 1,600 and 1,999
40.11 voters cast ballots, or five votes in a precinct where 2,000 or more voters cast ballots. Valid
40.12 votes that have been marked by the voter outside the vote targets or using a manual marking
40.13 device that cannot be read by the voting system must not be included in making the
40.14 determination whether the voting system has met the standard of acceptable performance
40.15 for any precinct.

40.16 Sec. 22. Minnesota Statutes 2020, section 206.89, subdivision 5, is amended to read:

40.17 Subd. 5. **Additional review.** (a) If the postelection review in one of the reviewed precincts
40.18 reveals a difference greater than ~~one-half of one percent, or greater than two votes in a~~
40.19 ~~precinct where 400 or fewer voters cast ballots~~ the thresholds specified in subdivision 4,
40.20 the postelection review official must, within two days, conduct an additional review of the
40.21 races indicated in subdivision 3 in at least three precincts in the same jurisdiction where the
40.22 discrepancy was discovered. If all precincts in that jurisdiction have been reviewed, the
40.23 county auditor must immediately publicly select by lot at least three additional precincts
40.24 for review. The postelection review official must complete the additional review within two
40.25 days after the precincts are selected and report the results immediately to the county auditor.
40.26 If the second review in any of the reviewed precincts also indicates a difference in the vote
40.27 totals compiled by the voting system that is greater than ~~one-half of one percent from the~~
40.28 ~~result indicated by the postelection review, or greater than two votes in a precinct where~~
40.29 ~~400 or fewer voters cast ballots~~ the thresholds specified in subdivision 4, the county auditor
40.30 must conduct a review of the ballots from all the remaining precincts in the county for the
40.31 races indicated in subdivision 3. This review must be completed and the results must be
40.32 reported to the secretary of state within one week after the second review was completed.

41.1 (b) If the results from the countywide reviews from one or more counties comprising in
41.2 the aggregate more than ten percent of the total number of persons voting in the election
41.3 clearly indicate that an error in vote counting has occurred, the secretary of state must notify
41.4 the postelection review official of each county in the district that they must conduct manual
41.5 recounts of all the ballots in the district for the affected office using the procedure outlined
41.6 in section 204C.35. The recount must be completed and the results reported to the appropriate
41.7 canvassing board within two weeks after the postelection review official received notice
41.8 from the secretary of state.

41.9 Sec. 23. Minnesota Statutes 2020, section 206.90, subdivision 6, is amended to read:

41.10 Subd. 6. **Ballots.** In precincts using optical scan voting systems, a single ballot card on
41.11 which all ballot information is included must be printed in black ink on white colored
41.12 material except that marks not to be read by the automatic tabulating equipment may be
41.13 printed in another color ink. In state elections, a single ballot title must be used, as provided
41.14 in sections 204D.08, subdivision 6, and 204D.11, subdivision 1. ~~In odd-numbered years~~
41.15 When both municipal and school district offices or questions appear on the ballot, the single
41.16 ballot title "City (or Town) and School District Ballot" must be used.

41.17 On the front of the ballot must be printed the words "Official Ballot" and the date of the
41.18 election and lines for the initials of at least two election judges.

41.19 When optical scan ballots are used, the offices to be elected must appear in the following
41.20 order: federal offices; state legislative offices; constitutional offices; proposed constitutional
41.21 amendments; county offices and questions; municipal offices and questions; school district
41.22 offices and questions; special district offices and questions; and judicial offices.

41.23 On optical scan ballots, the names of candidates and the words "yes" and "no" for ballot
41.24 questions must be printed as close to their corresponding vote targets as possible.

41.25 The line on an optical scan ballot for write-in votes must contain the words "write-in,
41.26 if any."

41.27 If a primary ballot contains both a partisan ballot and a nonpartisan ballot, the instructions
41.28 to voters must include a statement that reads substantially as follows: "This ballot card
41.29 contains a partisan ballot and a nonpartisan ballot. On the partisan ballot you are permitted
41.30 to vote for candidates of one political party only." If a primary ballot contains political party
41.31 columns on both sides of the ballot, the instructions to voters must include a statement that
41.32 reads substantially as follows: "Additional political parties are printed on the other side of
41.33 this ballot. Vote for one political party only." At the bottom of each political party column

42.1 on the primary ballot, the ballot must contain a statement that reads substantially as follows:
42.2 "Continue voting on the nonpartisan ballot." The instructions in section 204D.08, subdivision
42.3 4, do not apply to optical scan partisan primary ballots. Electronic ballot displays and audio
42.4 ballot readers must follow the order of offices and questions on the optical scan or paper
42.5 ballot used in the same precinct, or the sample ballot posted for that precinct.

42.6 Sec. 24. Minnesota Statutes 2020, section 207A.13, is amended to read:

42.7 **207A.13 FORM OF BALLOTS; CANDIDATES ON BALLOT.**

42.8 Subdivision 1. **Form.** (a) Except as provided by law, presidential nomination primary
42.9 ballots shall be printed in the same manner as state primary ballots as far as practicable. A
42.10 sufficient number of each ballot shall be printed for each precinct and ward in the state.

42.11 (b) There must be separate ballots for the names of the candidates of each participating
42.12 political party. Each ballot must be headed by the words "Presidential Nomination Primary
42.13 Ballot." The heading must also indicate the party that appears on the ballot.

42.14 (c) If requested by a party chair, the ballot for that participating party must contain a
42.15 place for a voter to indicate a preference for having delegates to the party's national
42.16 convention remain uncommitted. If requested by a party chair, the ballot for that participating
42.17 party must contain a blank line printed below the other choices on the ballot so that a voter
42.18 may write in the name of a person who is not listed on the ballot. A request under this
42.19 paragraph must be submitted to the secretary of state no later than 63 days before the
42.20 presidential nomination primary.

42.21 Subd. 2. **Candidates on the ballot.** (a) Each party participating in the presidential
42.22 nomination primary must determine which candidates are to be placed on the presidential
42.23 nomination primary ballot for that party. The chair of each participating party must submit
42.24 to the secretary of state the names of the candidates to appear on the ballot for that party no
42.25 later than 63 days before the presidential nomination primary. Once submitted, changes
42.26 must not be made to the candidates that will appear on the ballot.

42.27 (b) No later than the seventh day before the presidential nomination primary, the chair
42.28 of each participating party must submit to the secretary of state the names of write-in
42.29 candidates, if any, to be counted for that party.

42.30 Sec. 25. Minnesota Statutes 2020, section 207A.14, subdivision 3, is amended to read:

42.31 Subd. 3. **Notice of primary to public.** At least 15 days before the date of the presidential
42.32 nomination primary, each municipal clerk shall post a public notice stating the date of the

43.1 presidential nomination primary, the location of each polling place in the municipality, the
43.2 hours during which the polling places in the municipality will be open, and information
43.3 about the requirements of section 207A.12, paragraph (b), ~~including a notice that the voter's~~
43.4 ~~choice of a political party's ballot will be recorded and is public information.~~ The county
43.5 auditor shall post a similar notice in the auditor's office with information for any polling
43.6 places in unorganized territory in the county. The governing body of a municipality or
43.7 county may publish the notice in addition to posting it. Failure to give notice does not
43.8 invalidate the election.

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

43.10 Sec. 26. Minnesota Statutes 2020, section 367.25, subdivision 1, is amended to read:

43.11 Subdivision 1. **Requirement, fee.** Every person elected at a March election, elected at
43.12 a special election, or appointed to a town office, within ten days after receiving a certificate
43.13 or notice of election or appointment, shall take and subscribe the oath required by law.
43.14 Persons elected at a November election shall take their oath before assuming office. If taken
43.15 before the town clerk, the oath shall be administered and certified without fee.

43.16 Sec. 27. Minnesota Statutes 2020, section 412.02, subdivision 2a, is amended to read:

43.17 Subd. 2a. **Vacancy.** Except as otherwise provided in subdivision 2b, a vacancy in an
43.18 office shall be filled by council appointment until an election is held as provided in this
43.19 subdivision. In case of a tie vote in the council, the mayor shall make the appointment. If
43.20 the vacancy occurs before the first day to file affidavits of candidacy for the next regular
43.21 city election and more than two years remain in the unexpired term, a special election shall
43.22 be held at or before the next regular city election and the appointed person shall serve until
43.23 the qualification of a successor elected at a special election to fill the unexpired portion of
43.24 the term. If the vacancy occurs on or after the first day to file affidavits of candidacy for
43.25 the regular city election or when less than two years remain in the unexpired term, there
43.26 need not be a special election to fill the vacancy and the appointed person shall serve until
43.27 the qualification of a successor. The council must specify by ordinance under what
43.28 circumstances it will hold a special election to fill a vacancy other than a special election
43.29 held at the same time as the regular city election.

43.30 All of the provisions of the Minnesota Election Law are applicable to special elections
43.31 as far as practicable.

ARTICLE 4

CAMPAIGN FINANCE

44.1

44.2

44.3 Section 1. Minnesota Statutes 2020, section 10A.01, subdivision 4, is amended to read:

44.4 Subd. 4. **Approved expenditure.** "Approved expenditure" means an expenditure made
44.5 on behalf of a candidate or a local candidate by an entity other than the candidate's principal
44.6 campaign committee of the candidate or the local candidate, if the expenditure is made with
44.7 the authorization or expressed or implied consent of, or in cooperation or in concert with,
44.8 or at the request or suggestion of the candidate or local candidate, the candidate's principal
44.9 campaign committee, or the candidate's or local candidate's agent. An approved expenditure
44.10 is a contribution to that candidate or local candidate.

44.11 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
44.12 and disclosures required to be filed on or after that date.

44.13 Sec. 2. Minnesota Statutes 2020, section 10A.01, subdivision 7, is amended to read:

44.14 Subd. 7. **Ballot question.** "Ballot question" means a question or proposition that is placed
44.15 on the ballot and that may be voted on by:

44.16 (1) all voters of the state;

44.17 (2) all voters of Hennepin County;

44.18 (3) all voters of any home rule charter city or statutory city located wholly within
44.19 Hennepin County and having a population of 75,000 or more; or

44.20 (4) all voters of Special School District No. 1.

44.21 "Promoting or defeating a ballot question" includes activities, other than lobbying
44.22 activities, related to qualifying the question for placement on the ballot.

44.23 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
44.24 and disclosures required to be filed on or after that date.

44.25 Sec. 3. Minnesota Statutes 2020, section 10A.01, subdivision 9, is amended to read:

44.26 Subd. 9. **Campaign expenditure.** "Campaign expenditure" or "expenditure" means a
44.27 purchase or payment of money or anything of value, or an advance of credit, made or
44.28 incurred for the purpose of influencing the nomination or election of a candidate or a local
44.29 candidate or for the purpose of promoting or defeating a ballot question.

45.1 An expenditure is considered to be made in the year in which the candidate made the
45.2 purchase of goods or services or incurred an obligation to pay for goods or services.

45.3 An expenditure made for the purpose of defeating a candidate or a local candidate is
45.4 considered made for the purpose of influencing the nomination or election of that candidate
45.5 or local candidate or any opponent of that candidate or local candidate.

45.6 Except as provided in clause (1), "expenditure" includes the dollar value of a donation
45.7 in kind.

45.8 "Expenditure" does not include:

45.9 (1) noncampaign disbursements as defined in subdivision 26;

45.10 (2) services provided without compensation by an individual volunteering personal time
45.11 on behalf of a candidate or a local candidate, ballot question, political committee, political
45.12 fund, principal campaign committee, or party unit;

45.13 (3) the publishing or broadcasting of news items or editorial comments by the news
45.14 media; or

45.15 (4) an individual's unreimbursed personal use of an automobile owned by the individual
45.16 and used by the individual while volunteering personal time.

45.17 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
45.18 and disclosures required to be filed on or after that date.

45.19 Sec. 4. Minnesota Statutes 2020, section 10A.01, is amended by adding a subdivision to
45.20 read:

45.21 **Subd. 10d. Local candidate.** "Local candidate" means an individual who seeks
45.22 nomination or election to:

45.23 (1) any county office in Hennepin County;

45.24 (2) any city office in any home rule charter city or statutory city located wholly within
45.25 Hennepin County and having a population of 75,000 or more; or

45.26 (3) the school board in Special School District No. 1.

45.27 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
45.28 and disclosures required to be filed on or after that date.

46.1 Sec. 5. Minnesota Statutes 2020, section 10A.01, subdivision 11, is amended to read:

46.2 Subd. 11. **Contribution.** (a) "Contribution" means money, a negotiable instrument, or
46.3 a donation in kind that is given to a political committee, political fund, principal campaign
46.4 committee, local candidate, or party unit. An allocation by an association of general treasury
46.5 money to be used for activities that must be or are reported through the association's political
46.6 fund is considered to be a contribution for the purposes of disclosure required by this chapter.

46.7 (b) "Contribution" includes a loan or advance of credit to a political committee, political
46.8 fund, principal campaign committee, local candidate, or party unit, if the loan or advance
46.9 of credit is: (1) forgiven; or (2) repaid by an individual or an association other than the
46.10 political committee, political fund, principal campaign committee, local candidate, or party
46.11 unit to which the loan or advance of credit was made. If an advance of credit or a loan is
46.12 forgiven or repaid as provided in this paragraph, it is a contribution in the year in which the
46.13 loan or advance of credit was made.

46.14 (c) "Contribution" does not include services provided without compensation by an
46.15 individual volunteering personal time on behalf of a candidate, local candidate, ballot
46.16 question, political committee, political fund, principal campaign committee, or party unit;
46.17 the publishing or broadcasting of news items or editorial comments by the news media; or
46.18 an individual's unreimbursed personal use of an automobile owned by the individual while
46.19 volunteering personal time.

46.20 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
46.21 and disclosures required to be filed on or after that date.

46.22 Sec. 6. Minnesota Statutes 2020, section 10A.01, subdivision 16a, is amended to read:

46.23 Subd. 16a. **Expressly advocating.** "Expressly advocating" means that a communication
46.24 clearly identifies a candidate or a local candidate and uses words or phrases of express
46.25 advocacy.

46.26 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
46.27 and disclosures required to be filed on or after that date.

46.28 Sec. 7. Minnesota Statutes 2020, section 10A.01, subdivision 17c, is amended to read:

46.29 Subd. 17c. **General treasury money.** "General treasury money" means money that an
46.30 association other than a principal campaign committee, party unit, or political committee
46.31 accumulates through membership dues and fees, donations to the association for its general
46.32 purposes, and income from the operation of a business. General treasury money does not

47.1 include money collected to influence the nomination or election of candidates or local
47.2 candidates or to promote or defeat a ballot question.

47.3 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
47.4 and disclosures required to be filed on or after that date.

47.5 Sec. 8. Minnesota Statutes 2020, section 10A.01, subdivision 18, is amended to read:

47.6 Subd. 18. **Independent expenditure.** "Independent expenditure" means an expenditure
47.7 expressly advocating the election or defeat of a clearly identified candidate or local candidate,
47.8 if the expenditure is made without the express or implied consent, authorization, or
47.9 cooperation of, and not in concert with or at the request or suggestion of, any candidate or
47.10 any candidate's principal campaign committee or agent or any local candidate or local
47.11 candidate's agent. An independent expenditure is not a contribution to that candidate or
47.12 local candidate. An independent expenditure does not include the act of announcing a formal
47.13 public endorsement of a candidate or local candidate for public office, unless the act is
47.14 simultaneously accompanied by an expenditure that would otherwise qualify as an
47.15 independent expenditure under this subdivision.

47.16 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
47.17 and disclosures required to be filed on or after that date.

47.18 Sec. 9. Minnesota Statutes 2020, section 10A.01, subdivision 20, is amended to read:

47.19 Subd. 20. **Loan.** "Loan" means an advance of money or anything of value made to a
47.20 political committee, political fund, principal campaign committee, local candidate, or party
47.21 unit.

47.22 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
47.23 and disclosures required to be filed on or after that date.

47.24 Sec. 10. Minnesota Statutes 2020, section 10A.01, subdivision 26, is amended to read:

47.25 Subd. 26. **Noncampaign disbursement.** (a) "Noncampaign disbursement" means a
47.26 purchase or payment of money or anything of value made, or an advance of credit incurred,
47.27 or a donation in kind received, by a principal campaign committee for any of the following
47.28 purposes:

47.29 (1) payment for accounting and legal services;

47.30 (2) return of a contribution to the source;

47.31 (3) repayment of a loan made to the principal campaign committee by that committee;

- 48.1 (4) return of a public subsidy;
- 48.2 (5) payment for food, beverages, and necessary utensils and supplies, entertainment,
48.3 and facility rental for a fund-raising event;
- 48.4 (6) services for a constituent by a member of the legislature or a constitutional officer
48.5 in the executive branch as provided in section 10A.173, subdivision 1;
- 48.6 (7) payment for food and beverages consumed by a candidate or volunteers while they
48.7 are engaged in campaign activities;
- 48.8 (8) payment for food or a beverage consumed while attending a reception or meeting
48.9 directly related to legislative duties;
- 48.10 (9) payment of expenses incurred by elected or appointed leaders of a legislative caucus
48.11 in carrying out their leadership responsibilities;
- 48.12 (10) payment by a principal campaign committee of the candidate's expenses for serving
48.13 in public office, other than for personal uses;
- 48.14 (11) costs of child care for the candidate's children when campaigning;
- 48.15 (12) fees paid to attend a campaign school;
- 48.16 (13) costs of a postelection party during the election year when a candidate's name will
48.17 no longer appear on a ballot or the general election is concluded, whichever occurs first;
- 48.18 (14) interest on loans paid by a principal campaign committee on outstanding loans;
- 48.19 (15) filing fees;
- 48.20 (16) post-general election holiday or seasonal cards, thank-you notes, or advertisements
48.21 in the news media mailed or published prior to the end of the election cycle;
- 48.22 (17) the cost of campaign material purchased to replace defective campaign material, if
48.23 the defective material is destroyed without being used;
- 48.24 (18) contributions to a party unit;
- 48.25 (19) payments for funeral gifts or memorials;
- 48.26 (20) the cost of a magnet less than six inches in diameter containing legislator contact
48.27 information and distributed to constituents;
- 48.28 (21) costs associated with a candidate attending a political party state or national
48.29 convention in this state;

49.1 (22) other purchases or payments specified in board rules or advisory opinions as being
49.2 for any purpose other than to influence the nomination or election of a candidate or to
49.3 promote or defeat a ballot question;

49.4 (23) costs paid to a third party for processing contributions made by a credit card, debit
49.5 card, or electronic check;

49.6 (24) a contribution to a fund established to support a candidate's participation in a recount
49.7 of ballots affecting that candidate's election;

49.8 (25) costs paid by a candidate's principal campaign committee for a single reception
49.9 given in honor of the candidate's retirement from public office after the filing period for
49.10 affidavits of candidacy for that office has closed;

49.11 (26) a donation from a terminating principal campaign committee to the state general
49.12 fund; ~~and~~

49.13 (27) a donation from a terminating principal campaign committee to a county obligated
49.14 to incur special election expenses due to that candidate's resignation from state office; and

49.15 (28) during a period starting January 1 in the year following a general election and ending
49.16 on December 31 of the year of general election, total payments of up to \$3,000 for security
49.17 expenses for a candidate, including home security hardware, maintenance of home security
49.18 hardware, identity theft monitoring services, and credit monitoring services.

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

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

49.24 **EFFECTIVE DATE.** This section is effective the day following final enactment and
49.25 applies to payments made on or after January 1, 2021.

49.26 Sec. 11. Minnesota Statutes 2020, section 10A.01, subdivision 27, is amended to read:

49.27 Subd. 27. **Political committee.** "Political committee" means an association whose major
49.28 purpose is to influence the nomination or election of one or more candidates or local
49.29 candidates or to promote or defeat a ballot question, other than a principal campaign
49.30 committee, local candidate, or a political party unit.

49.31 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
49.32 and disclosures required to be filed on or after that date.

50.1 Sec. 12. Minnesota Statutes 2020, section 10A.01, subdivision 28, is amended to read:

50.2 Subd. 28. **Political fund.** "Political fund" means an accumulation of dues or voluntary
50.3 contributions by an association other than a political committee, principal campaign
50.4 committee, or party unit, if the accumulation is collected or expended to influence the
50.5 nomination or election of one or more candidates or local candidates or to promote or defeat
50.6 a ballot question. The term political fund as used in this chapter may also refer to the
50.7 association acting through its political fund.

50.8 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
50.9 and disclosures required to be filed on or after that date.

50.10 Sec. 13. Minnesota Statutes 2020, section 10A.01, subdivision 35, is amended to read:

50.11 Subd. 35. **Public official.** "Public official" means any:

50.12 (1) member of the legislature;

50.13 (2) individual employed by the legislature as secretary of the senate, legislative auditor,
50.14 director of the Legislative Budget Office, chief clerk of the house of representatives, revisor
50.15 of statutes, or researcher, legislative analyst, fiscal analyst, or attorney in the Office of
50.16 Senate Counsel, Research and Fiscal Analysis, House Research, or the House Fiscal Analysis
50.17 Department;

50.18 (3) constitutional officer in the executive branch and the officer's chief administrative
50.19 deputy;

50.20 (4) solicitor general or deputy, assistant, or special assistant attorney general;

50.21 (5) commissioner, deputy commissioner, or assistant commissioner of any state
50.22 department or agency as listed in section 15.01 or 15.06, or the state chief information
50.23 officer;

50.24 (6) member, chief administrative officer, or deputy chief administrative officer of a state
50.25 board or commission that has either the power to adopt, amend, or repeal rules under chapter
50.26 14, or the power to adjudicate contested cases or appeals under chapter 14;

50.27 (7) individual employed in the executive branch who is authorized to adopt, amend, or
50.28 repeal rules under chapter 14 or adjudicate contested cases under chapter 14;

50.29 (8) executive director of the State Board of Investment;

50.30 (9) deputy of any official listed in clauses (7) and (8);

50.31 (10) judge of the Workers' Compensation Court of Appeals;

- 51.1 (11) administrative law judge or compensation judge in the State Office of Administrative
51.2 Hearings or unemployment law judge in the Department of Employment and Economic
51.3 Development;
- 51.4 (12) member, regional administrator, division director, general counsel, or operations
51.5 manager of the Metropolitan Council;
- 51.6 (13) member or chief administrator of a metropolitan agency;
- 51.7 (14) director of the Division of Alcohol and Gambling Enforcement in the Department
51.8 of Public Safety;
- 51.9 (15) member or executive director of the Higher Education Facilities Authority;
- 51.10 (16) member of the board of directors or president of Enterprise Minnesota, Inc.;
- 51.11 (17) member of the board of directors or executive director of the Minnesota State High
51.12 School League;
- 51.13 (18) member of the Minnesota Ballpark Authority established in section 473.755;
- 51.14 (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;
- 51.15 (20) manager of a watershed district, or member of a watershed management organization
51.16 as defined under section 103B.205, subdivision 13;
- 51.17 (21) supervisor of a soil and water conservation district;
- 51.18 (22) director of Explore Minnesota Tourism;
- 51.19 (23) citizen member of the Lessard-Sams Outdoor Heritage Council established in section
51.20 97A.056;
- 51.21 (24) citizen member of the Clean Water Council established in section 114D.30;
- 51.22 (25) member or chief executive of the Minnesota Sports Facilities Authority established
51.23 in section 473J.07;
- 51.24 (26) district court judge, appeals court judge, or supreme court justice;
- 51.25 (27) county commissioner;
- 51.26 (28) member of the Greater Minnesota Regional Parks and Trails Commission; ~~or~~
- 51.27 (29) member of the Destination Medical Center Corporation established in section
51.28 469.41; or
- 51.29 (30) chancellor or member of the Board of Trustees of the Minnesota State Colleges
51.30 and Universities.

52.1 Sec. 14. Minnesota Statutes 2020, section 10A.09, subdivision 1, is amended to read:

52.2 Subdivision 1. **Time for filing.** An individual must file a statement of economic interest
52.3 ~~with the board:~~

52.4 (1) within 60 days of accepting employment as a public official or a local official in a
52.5 metropolitan governmental unit;

52.6 (2) within 60 days of assuming office as a district court judge, appeals court judge,
52.7 supreme court justice, or county commissioner;

52.8 (3) within 14 days after filing an affidavit of candidacy or petition to appear on the ballot
52.9 for an elective state constitutional or legislative office or an elective local office in a
52.10 metropolitan governmental unit other than county commissioner;

52.11 (4) in the case of a public official requiring the advice and consent of the senate, within
52.12 14 days after undertaking the duties of office; or

52.13 (5) in the case of members of the Minnesota Racing Commission, the director of the
52.14 Minnesota Racing Commission, chief of security, medical officer, inspector of pari-mutuels,
52.15 and stewards employed or approved by the commission or persons who fulfill those duties
52.16 under contract, within 60 days of accepting or assuming duties.

52.17 Sec. 15. Minnesota Statutes 2020, section 10A.09, subdivision 2, is amended to read:

52.18 Subd. 2. **Notice to board.** The secretary of state or the appropriate county auditor, upon
52.19 receiving an affidavit of candidacy or petition to appear on the ballot from an individual
52.20 required by this section to file a statement of economic interest, and any official who
52.21 nominates or employs a public ~~or local~~ official required by this section to file a statement
52.22 of economic interest, must notify the board of the name of the individual required to file a
52.23 statement and the date of the affidavit, petition, or nomination.

52.24 Sec. 16. Minnesota Statutes 2020, section 10A.09, subdivision 5, is amended to read:

52.25 Subd. 5. **Form; general requirements.** (a) A statement of economic interest required
52.26 by this section must be on a form prescribed by the board. The individual filing must provide
52.27 the following information:

52.28 (1) name, address, occupation, and principal place of business;

52.29 (2) the name of each associated business and the nature of that association;

52.30 (3) a listing of all real property within the state, excluding homestead property, in which
52.31 the individual holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or

53.1 seller, or an option to buy, whether direct or indirect, if the interest is valued in excess of
53.2 \$2,500; or (ii) an option to buy, if the property has a fair market value of more than \$50,000;

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

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

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

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

53.21 (8) a listing of the full name of each security with a value of more than \$10,000 owned
53.22 in part or in full by the individual, at any time during the reporting period.

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

53.29 ~~(e) For the purpose of an original statement of economic interest, "compensation in any~~
53.30 ~~month" includes only compensation received in the calendar month immediately preceding~~
53.31 ~~the date of appointment as a public official or filing as a candidate.~~

53.32 ~~(d)~~ (c) For the purpose of calculating the amount of compensation received from any
53.33 single source in a single month, the amount shall include the total amount received from

54.1 the source during the month, whether or not the amount covers compensation for more than
54.2 one month.

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

54.5 ~~(f) For the purpose of an original statement of economic interest, the individual shall~~
54.6 ~~disclose only those real properties owned on the date of appointment as a public official or~~
54.7 ~~filing as a candidate.~~

54.8 ~~(g)~~ (e) For the purpose of this section, "date of appointment" means the effective date
54.9 of appointment to a position.

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

54.13 Sec. 17. Minnesota Statutes 2020, section 10A.09, is amended by adding a subdivision to
54.14 read:

54.15 Subd. 5a. **Original statement; reporting period.** (a) An original statement of economic
54.16 interest required under subdivision 1, clause (1), must cover the calendar month before the
54.17 month in which the individual accepted employment as a public official or a local official
54.18 in a metropolitan governmental unit.

54.19 (b) An original statement of economic interest required under subdivision 1, clauses (2),
54.20 (4), and (5), must cover the calendar month before the month in which the individual assumed
54.21 or undertook the duties of office.

54.22 (c) An original statement of economic interest required under subdivision 1, clause (3),
54.23 must cover the calendar month before the month in which the candidate filed the affidavit
54.24 of candidacy.

54.25 Sec. 18. Minnesota Statutes 2020, section 10A.09, subdivision 6, is amended to read:

54.26 Subd. 6. **Annual statement.** (a) Each individual who is required to file a statement of
54.27 economic interest must also file an annual statement by the last Monday in January of each
54.28 year that the individual remains in office. The annual statement must cover the period
54.29 through December 31 of the year prior to the year when the statement is due. The annual
54.30 statement must include the amount of each honorarium in excess of \$50 \$250 received since
54.31 the previous statement and the name and address of the source of the honorarium. The board

55.1 must maintain each annual statement of economic interest submitted by an officeholder in
55.2 the same file with the statement submitted as a candidate.

55.3 ~~(b) For the purpose of annual statements of economic interest to be filed, "compensation~~
55.4 ~~in any month" includes compensation and honoraria received in any month between the~~
55.5 ~~end of the period covered in the preceding statement of economic interest and the end of~~
55.6 ~~the current period.~~

55.7 ~~(e)~~ (b) An individual must file the annual statement of economic interest required by
55.8 this subdivision to cover the period for which the individual served as a public official even
55.9 though at the time the statement was filed, the individual is no longer holding that office as
55.10 a public official.

55.11 ~~(d) For the purpose of an annual statement of economic interest, the individual shall~~
55.12 ~~disclose any real property owned at any time between the end of the period covered by the~~
55.13 ~~preceding statement of economic interest and through the last day of the month preceding~~
55.14 ~~the current filing or the last day of employment, if the individual is no longer a public~~
55.15 ~~official.~~

55.16 Sec. 19. Minnesota Statutes 2020, section 10A.12, subdivision 1, is amended to read:

55.17 Subdivision 1. **When required for contributions and approved expenditures.** An
55.18 association other than a political committee or party unit may not contribute more than \$750
55.19 in aggregate in any calendar year to candidates, local candidates, political committees, or
55.20 party units or make approved expenditures of more than \$750 in aggregate in any calendar
55.21 year unless the contribution or expenditure is made through a political fund.

55.22 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
55.23 and disclosures required to be filed on or after that date.

55.24 Sec. 20. Minnesota Statutes 2020, section 10A.12, subdivision 2, is amended to read:

55.25 Subd. 2. **Commingling prohibited.** The contents of an association's political fund may
55.26 not be commingled with other funds or with the personal funds of an officer or member of
55.27 the association or the fund. It is not commingling for an association that uses only its own
55.28 general treasury money to make expenditures and disbursements permitted under section
55.29 10A.121, subdivision 1, directly from the depository used for its general treasury money.
55.30 An association that accepts more than \$1,500 in aggregate in contributions to influence the
55.31 nomination or election of candidates or local candidates or more than \$5,000 in contributions

56.1 to promote or defeat a ballot question must establish a separate depository for those
56.2 contributions.

56.3 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
56.4 and disclosures required to be filed on or after that date.

56.5 Sec. 21. Minnesota Statutes 2020, section 10A.121, subdivision 2, is amended to read:

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

56.9 (1) makes a contribution to a candidate, local candidate, party unit, political committee,
56.10 or political fund other than an independent expenditure political committee or an independent
56.11 expenditure political fund; or

56.12 (2) makes an approved expenditure.

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

56.15 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
56.16 and disclosures required to be filed on or after that date.

56.17 Sec. 22. Minnesota Statutes 2020, section 10A.13, subdivision 1, is amended to read:

56.18 Subdivision 1. **Accounts; penalty.** The treasurer of a political committee, political fund,
56.19 principal campaign committee, or party unit must keep an account of:

56.20 (1) the sum of all contributions, except any donation in kind valued at \$20 or less, made
56.21 to the committee, fund, or party unit;

56.22 (2) the name and address of each source of a contribution made to the committee, fund,
56.23 or party unit in excess of \$20, together with the date and amount of each;

56.24 (3) each expenditure made by the committee, fund, or party unit, together with the date
56.25 and amount;

56.26 (4) each approved expenditure made on behalf of the committee, fund, or party unit,
56.27 together with the date and amount; and

56.28 (5) the name and address of each political committee, political fund, principal campaign
56.29 committee, local candidate, or party unit to which contributions in excess of \$20 have been
56.30 made, together with the date and amount.

57.1 Any individual who knowingly violates this subdivision is subject to a civil penalty
57.2 imposed by the board of up to \$1,000.

57.3 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
57.4 and disclosures required to be filed on or after that date.

57.5 Sec. 23. Minnesota Statutes 2020, section 10A.14, is amended by adding a subdivision to
57.6 read:

57.7 Subd. 2a. **Alternate contact information; form.** (a) A candidate; treasurer of a political
57.8 committee, political fund, principal campaign committee, or party unit; or chair of a political
57.9 committee, principal campaign committee, or party unit may file a form with the board that
57.10 includes alternate contact information. If a form is filed, the form must include the following
57.11 information for the filer:

57.12 (1) name;

57.13 (2) political committee, political fund, principal campaign committee, or party unit; and

57.14 (3) alternate contact information.

57.15 (b) The board must only use the alternate contact information to contact the filer for the
57.16 purposes of administering chapter 10A. Information collected pursuant to this subdivision
57.17 is private data on individuals.

57.18 (c) For purposes of this subdivision, "alternate contact information" means an address,
57.19 phone number, or e-mail address that is different from the information provided on the form
57.20 required by subdivision 2.

57.21 **EFFECTIVE DATE.** This section is effective August 1, 2021.

57.22 Sec. 24. Minnesota Statutes 2020, section 10A.17, subdivision 4, is amended to read:

57.23 Subd. 4. **Independent expenditures.** An individual, political committee, political fund,
57.24 principal campaign committee, or party unit that independently solicits or accepts
57.25 contributions or makes independent expenditures on behalf of a candidate or local candidate
57.26 must publicly disclose that the expenditure is an independent expenditure. All written and
57.27 broadcast communications with those from whom contributions are independently solicited
57.28 or accepted or to whom independent expenditures are made on behalf of a candidate or local
57.29 candidate must contain a statement in substantially the form provided in section 211B.04,
57.30 subdivision 2. The statement must be on the front page of all written communications and
57.31 at the end of all broadcast communications made by that individual, political committee,

58.1 political fund, principal campaign committee, or party unit on the candidate's or local
58.2 candidate's behalf.

58.3 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
58.4 and disclosures required to be filed on or after that date.

58.5 Sec. 25. Minnesota Statutes 2020, section 10A.20, is amended by adding a subdivision to
58.6 read:

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

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

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

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

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

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

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

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

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

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

58.24 The reporting obligations in this paragraph begin with the first report due after the
58.25 reporting period in which the entity reaches the spending threshold specified in paragraph
58.26 (a).

58.27 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
58.28 and disclosures required to be filed on or after that date.

59.1 Sec. 26. Minnesota Statutes 2020, section 10A.20, subdivision 3, is amended to read:

59.2 Subd. 3. **Contents of report.** (a) The report required by this section must include each
59.3 of the items listed in paragraphs (b) to (q) that are applicable to the filer. The board shall
59.4 prescribe forms based on filer type indicating which of those items must be included on the
59.5 filer's report.

59.6 (b) The report must disclose the amount of liquid assets on hand at the beginning of the
59.7 reporting period.

59.8 (c) The report must disclose the name, address, employer, or occupation if self-employed,
59.9 and registration number if registered with the board, of each individual or association that
59.10 has made one or more contributions to the reporting entity, including the purchase of tickets
59.11 for a fund-raising effort, that in aggregate within the year exceed \$200 for legislative or
59.12 statewide candidates or more than \$500 for ballot questions, together with the amount and
59.13 date of each contribution, and the aggregate amount of contributions within the year from
59.14 each source so disclosed. A donation in kind must be disclosed at its fair market value. An
59.15 approved expenditure must be listed as a donation in kind. A donation in kind is considered
59.16 consumed in the reporting period in which it is received. The names of contributors must
59.17 be listed in alphabetical order. Contributions from the same contributor must be listed under
59.18 the same name. When a contribution received from a contributor in a reporting period is
59.19 added to previously reported unitemized contributions from the same contributor and the
59.20 aggregate exceeds the disclosure threshold of this paragraph, the name, address, and
59.21 employer, or occupation if self-employed, of the contributor must then be listed on the
59.22 report.

59.23 (d) The report must disclose the sum of contributions to the reporting entity during the
59.24 reporting period.

59.25 (e) The report must disclose each loan made or received by the reporting entity within
59.26 the year in aggregate in excess of \$200, continuously reported until repaid or forgiven,
59.27 together with the name, address, occupation, principal place of business, if any, and
59.28 registration number if registered with the board of the lender and any endorser and the date
59.29 and amount of the loan. If a loan made to the principal campaign committee of a candidate
59.30 is forgiven or is repaid by an entity other than that principal campaign committee, it must
59.31 be reported as a contribution for the year in which the loan was made.

59.32 (f) The report must disclose each receipt over \$200 during the reporting period not
59.33 otherwise listed under paragraphs (c) to (e).

60.1 (g) The report must disclose the sum of all receipts of the reporting entity during the
60.2 reporting period.

60.3 (h) The report must disclose the name, address, and registration number if registered
60.4 with the board of each individual or association to whom aggregate expenditures, approved
60.5 expenditures, independent expenditures, and ballot question expenditures have been made
60.6 by or on behalf of the reporting entity within the year in excess of \$200, together with the
60.7 amount, date, and purpose of each expenditure, including an explanation of how the
60.8 expenditure was used, and the name and address of, and office sought by, each candidate
60.9 or local candidate on whose behalf the expenditure was made, identification of the ballot
60.10 question that the expenditure was intended to promote or defeat and an indication of whether
60.11 the expenditure was to promote or to defeat the ballot question, and in the case of independent
60.12 expenditures made in opposition to a candidate or local candidate, the candidate's or local
60.13 candidate's name, address, and office sought. A reporting entity making an expenditure on
60.14 behalf of more than one candidate ~~for state or legislative office~~ or local candidate must
60.15 allocate the expenditure among the candidates and local candidates on a reasonable cost
60.16 basis and report the allocation for each candidate or local candidate. The report must list
60.17 on separate schedules any independent expenditures made on behalf of local candidates and
60.18 any expenditures made for ballot questions as defined in section 10A.01, subdivision 7,
60.19 clause (2), (3), or (4).

60.20 (i) The report must disclose the sum of all expenditures made by or on behalf of the
60.21 reporting entity during the reporting period.

60.22 (j) The report must disclose the amount and nature of an advance of credit incurred by
60.23 the reporting entity, continuously reported until paid or forgiven. If an advance of credit
60.24 incurred by the principal campaign committee of a candidate is forgiven by the creditor or
60.25 paid by an entity other than that principal campaign committee, it must be reported as a
60.26 donation in kind for the year in which the advance of credit was made.

60.27 (k) The report must disclose the name, address, and registration number if registered
60.28 with the board of each political committee, political fund, principal campaign committee,
60.29 local candidate, or party unit to which contributions have been made that aggregate in excess
60.30 of \$200 within the year and the amount and date of each contribution. The report must list
60.31 on separate schedules any contributions made to state candidates' principal campaign
60.32 committees and any contributions made to local candidates.

61.1 (l) The report must disclose the sum of all contributions made by the reporting entity
61.2 during the reporting period and must separately disclose the sum of all contributions made
61.3 to local candidates by the reporting entity during the reporting period.

61.4 (m) The report must disclose the name, address, and registration number if registered
61.5 with the board of each individual or association to whom noncampaign disbursements have
61.6 been made that aggregate in excess of \$200 within the year by or on behalf of the reporting
61.7 entity and the amount, date, and purpose of each noncampaign disbursement, including an
61.8 explanation of how the expenditure was used.

61.9 (n) The report must disclose the sum of all noncampaign disbursements made within
61.10 the year by or on behalf of the reporting entity.

61.11 (o) The report must disclose the name and address of a nonprofit corporation that provides
61.12 administrative assistance to a political committee or political fund as authorized by section
61.13 211B.15, subdivision 17, the type of administrative assistance provided, and the aggregate
61.14 fair market value of each type of assistance provided to the political committee or political
61.15 fund during the reporting period.

61.16 (p) Legislative, statewide, and judicial candidates, party units, and political committees
61.17 and funds must itemize contributions that in aggregate within the year exceed \$200 for
61.18 legislative or statewide candidates or more than \$500 for ballot questions on reports submitted
61.19 to the board. The itemization must include the date on which the contribution was received,
61.20 the individual or association that provided the contribution, and the address of the contributor.
61.21 Additionally, the itemization for a donation in kind must provide a description of the item
61.22 or service received. Contributions that are less than the itemization amount must be reported
61.23 as an aggregate total.

61.24 (q) Legislative, statewide, and judicial candidates, party units, political committees and
61.25 funds, and committees to promote or defeat a ballot question must itemize expenditures and
61.26 noncampaign disbursements that in aggregate exceed \$200 in a calendar year on reports
61.27 submitted to the board. The itemization must include the date on which the committee made
61.28 or became obligated to make the expenditure or disbursement, the name and address of the
61.29 vendor that provided the service or item purchased, and a description of the service or item
61.30 purchased, including an explanation of how the expenditure was used. Expenditures and
61.31 noncampaign disbursements must be listed on the report alphabetically by vendor.

61.32 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
61.33 and disclosures required to be filed on or after that date.

62.1 Sec. 27. Minnesota Statutes 2020, section 10A.20, subdivision 6a, is amended to read:

62.2 Subd. 6a. **Statement of independence.** An individual, political committee, political
62.3 fund, or party unit filing a report or statement disclosing an independent expenditure under
62.4 subdivision 3 or 6 must file with the report a sworn statement that the disclosed expenditures
62.5 were not made with the authorization or expressed or implied consent of, or in cooperation
62.6 or in concert with, or at the request or suggestion of any candidate; ~~or~~ any candidate's
62.7 principal campaign committee or agent; any local candidate, or any local candidate's agent.

62.8 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
62.9 and disclosures required to be filed on or after that date.

62.10 Sec. 28. Minnesota Statutes 2020, section 10A.20, subdivision 13, is amended to read:

62.11 Subd. 13. **Third-party reimbursement.** An individual or association filing a report
62.12 disclosing an expenditure or noncampaign disbursement that must be reported and itemized
62.13 under subdivision 3, paragraph ~~(g)~~ (h) or ~~(l)~~ (m), that is a reimbursement to a third party
62.14 must report the purpose of each expenditure or disbursement for which the third party is
62.15 being reimbursed. In the alternative, the reporting individual or association may report
62.16 individually each of the underlying expenditures being reimbursed. An expenditure or
62.17 disbursement is a reimbursement to a third party if it is for goods or services that were not
62.18 directly provided by the individual or association to whom the expenditure or disbursement
62.19 is made. Third-party reimbursements include payments to credit card companies and
62.20 reimbursement of individuals for expenses they have incurred.

62.21 Sec. 29. Minnesota Statutes 2020, section 10A.27, subdivision 13, is amended to read:

62.22 Subd. 13. **Unregistered association limit; statement; penalty.** (a) The treasurer of a
62.23 political committee, political fund, principal campaign committee, or party unit must not
62.24 accept a contribution of more than \$200 from an association not registered under this chapter
62.25 unless the contribution is accompanied by a ~~written~~ statement that meets the disclosure and
62.26 reporting period requirements imposed by section 10A.20. The statement may be a written
62.27 statement or a government website where the disclosure report for the unregistered association
62.28 may be viewed. This statement must be certified as true and correct by an officer of the
62.29 contributing association. The committee, fund, or party unit that accepts the contribution
62.30 must include a copy of the written statement or website with the report that discloses the
62.31 contribution to the board.

62.32 (b) An unregistered association may provide the ~~written~~ statement required by this
62.33 subdivision to no more than three committees, funds, or party units in a calendar year. Each

63.1 statement must cover at least the 30 days immediately preceding and including the date on
 63.2 which the contribution was made. An unregistered association or an officer of it is subject
 63.3 to a civil penalty imposed by the board of up to \$1,000, if the association or its officer:

63.4 (1) fails to provide a ~~written~~ statement as required by this subdivision; or

63.5 (2) fails to register after giving the ~~written~~ statement required by this subdivision to more
 63.6 than three committees, funds, or party units in a calendar year.

63.7 (c) The treasurer of a political committee, political fund, principal campaign committee,
 63.8 or party unit who accepts a contribution in excess of \$200 from an unregistered association
 63.9 without the required ~~written~~ disclosure statement is subject to a civil penalty up to four
 63.10 times the amount in excess of \$200.

63.11 (d) This subdivision does not apply:

63.12 (1) when a national political party contributes money to its state committee; ~~or~~

63.13 (2) when a federal committee of a major or minor political party registered with the
 63.14 board gives an in-kind contribution to the federal committee's state central committee or a
 63.15 party organization within a house of the state legislature; or

63.16 ~~(2)~~ (3) to purchases by candidates for federal office of tickets to events or space rental
 63.17 at events held by party units in this state (i) if the geographical area represented by the party
 63.18 unit includes any part of the geographical area of the office that the federal candidate is
 63.19 seeking and (ii) the purchase price is not more than that paid by other attendees or renters
 63.20 of similar spaces.

63.21 Sec. 30. Minnesota Statutes 2020, section 10A.275, subdivision 1, is amended to read:

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

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

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

64.1 (3) expenditures for a telephone ~~conversation including~~ call, voice mail, text message,
64.2 multimedia message, internet chat message, or e-mail when the communication includes
64.3 the names of three or more individuals whose names are to appear on the ballot;

64.4 (4) expenditures for a political party fund-raising effort on behalf of three or more
64.5 candidates; or

64.6 (5) expenditures for party committee staff services that benefit three or more candidates.

64.7 Sec. 31. Minnesota Statutes 2020, section 10A.323, is amended to read:

64.8 **10A.323 AFFIDAVIT OF CONTRIBUTIONS.**

64.9 (a) In addition to the requirements of section 10A.322, to be eligible to receive a public
64.10 subsidy under section 10A.31 a candidate or the candidate's treasurer must:

64.11 (1) between January 1 of the previous year and the cutoff date for transactions included
64.12 in the report of receipts and expenditures due before the primary election, accumulate
64.13 contributions from individuals eligible to vote in this state in at least the amount indicated
64.14 for the office sought, counting only the first \$50 received from each contributor, excluding
64.15 in-kind contributions:

64.16 (i) candidates for governor and lieutenant governor running together, \$35,000;

64.17 (ii) candidates for attorney general, \$15,000;

64.18 (iii) candidates for secretary of state and state auditor, separately, \$6,000;

64.19 (iv) candidates for the senate, \$3,000; and

64.20 (v) candidates for the house of representatives, \$1,500;

64.21 (2) file an affidavit with the board stating that the principal campaign committee has
64.22 complied with this paragraph. The affidavit must state the total amount of contributions that
64.23 have been received from individuals eligible to vote in this state, excluding:

64.24 (i) the portion of any contribution in excess of \$50;

64.25 (ii) any in-kind contribution; and

64.26 (iii) any contribution for which the name and address of the contributor is not known
64.27 and recorded; and

64.28 (3) submit the affidavit required by this section to the board in writing by the deadline
64.29 for reporting of receipts and expenditures before a primary under section 10A.20, subdivision
64.30 4 2.

65.1 (b) A candidate for a vacancy to be filled at a special election for which the filing period
65.2 does not coincide with the filing period for the general election must accumulate the
65.3 contributions specified in paragraph (a) and must submit the affidavit required by this section
65.4 to the board within five days after the close of the filing period for the special election for
65.5 which the candidate filed.

65.6 (c) Notwithstanding paragraphs (a) and (b), a candidate for a vacancy to be filled at a
65.7 special election called under section 204B.13, subdivision 2, paragraph (c), must accumulate
65.8 the contributions specified in paragraph (a) and must submit the affidavit required by this
65.9 section to the board within 12 calendar days after the general election.

65.10 (d) A candidate or the candidate's treasurer must be able to electronically file the affidavit
65.11 required under this section in the same manner as other reports required by this chapter.
65.12 The board must not require the candidate or candidate's treasurer to notarize the affidavit
65.13 of contribution.

65.14 Sec. 32. Minnesota Statutes 2020, section 383B.041, is amended to read:

65.15 **383B.041 CAMPAIGN FINANCING, DISCLOSURE OF ECONOMIC**
65.16 **INTERESTS.**

65.17 Subdivision 1. Hennepin County candidates. Sections 383B.041 to 383B.058 apply
65.18 to the financing of campaigns for county elections in Hennepin County and for city elections
65.19 in home rule charter cities and statutory cities located wholly within Hennepin County,
65.20 having a population of 75,000 or more, and for school board elections in the Special School
65.21 District No. 1, Minneapolis, and to disclosure of economic interests by candidates and
65.22 elected public officials of those jurisdictions. The provisions of sections 211A.02 to 211A.07
65.23 do not apply to the financing of campaigns for elections subject to the provisions of sections
65.24 383B.041 to 383B.058. Candidates for county commissioner, county attorney, and sheriff
65.25 of Hennepin County must file campaign disclosure forms with the filing officer for Hennepin
65.26 County. These candidates are subject to the provisions of chapter 211A.

65.27 Subd. 2. Political subdivision candidates. Candidates for elected city, school board,
65.28 park commissioner, and other political subdivision offices within Hennepin County shall
65.29 file campaign disclosure forms with the filing officer for the political subdivision for which
65.30 the candidate is seeking office. These candidates are subject to the provisions of chapter
65.31 211A.

65.32 Subd. 3. Political committees, political funds, and independent expenditures. (a)
65.33 The provisions of chapter 10A apply to political committees as defined in section 10A.01,

66.1 subdivision 27; political funds as defined in section 10A.01, subdivision 28; and independent
66.2 expenditures as defined in section 10A.01, subdivision 18, related to:

66.3 (1) a campaign for the nomination or election of a candidate for:

66.4 (i) a county office in Hennepin County;

66.5 (ii) a city office in a home rule charter or statutory city located wholly within Hennepin
66.6 County with a population of 75,000 or more; or

66.7 (iii) the school board in Special School District No. 1; and

66.8 (2) a ballot question or proposition that may be voted on by:

66.9 (i) all voters in Hennepin County;

66.10 (ii) all voters of a home rule charter or statutory city located wholly within Hennepin
66.11 County and having a population of 75,000 or more; or

66.12 (iii) all voters in Special School District No. 1.

66.13 (b) The provisions of chapter 211A apply to a campaign for nomination or election for
66.14 an office in the following political subdivisions:

66.15 (1) a home rule or statutory city located wholly within Hennepin County and having a
66.16 population of less than 75,000; and

66.17 (2) a school district located wholly within Hennepin County other than Special School
66.18 District No. 1.

66.19 (c) The provisions of chapter 211A apply to a ballot question or proposition that may
66.20 be voted on by:

66.21 (1) all voters of a home rule or statutory city located wholly within Hennepin County
66.22 and having a population of less than 75,000; and

66.23 (2) all voters of a school district located wholly within Hennepin County other than
66.24 Special School District No. 1.

66.25 Subd. 4. **Local ordinances and charters superseded.** This section supersedes the
66.26 provisions of any ordinance or resolution of a political subdivision within Hennepin County,
66.27 or any existing special law or home rule charter provision of a political subdivision within
66.28 Hennepin County requiring disclosure of information related to the financing of election
66.29 campaigns.

66.30 Subd. 5. **Economic interest disclosure; Special School District No. 1.** Every candidate
66.31 for school board in Special School District No. 1, Minneapolis, must file an original statement

67.1 of economic interest with the school district within 14 days of the filing of an affidavit or
67.2 petition to appear on the ballot. An elected official in Special School District No. 1,
67.3 Minneapolis, must file the annual statement required in section 10A.09, subdivision 6, with
67.4 the school district for every year that the individual serves in office. An original and annual
67.5 statement must contain the information listed in section 10A.09, subdivision 5. The provisions
67.6 of section 10A.09, subdivisions 6a, 7, and 9, apply to statements required under this
67.7 subdivision.

67.8 **EFFECTIVE DATE.** This section is effective January 1, 2022, and applies to reports
67.9 and disclosures required to be filed on or after that date.

67.10 Sec. 33. **REPEALER.**

67.11 Subdivision 1. **Enterprise Minnesota, Inc.** Minnesota Statutes 2020, sections 116O.03,
67.12 subdivision 9; and 116O.04, subdivision 3, are repealed.

67.13 Subd. 2. **Hennepin County.** Minnesota Statutes 2020, sections 10A.15, subdivision 6;
67.14 383B.042; 383B.043; 383B.044; 383B.045; 383B.046; 383B.047; 383B.048; 383B.049;
67.15 383B.05; 383B.051; 383B.052; 383B.053; 383B.054; 383B.055; 383B.056; and 383B.057,
67.16 are repealed.

67.17 **EFFECTIVE DATE.** Subdivision 2 is effective January 1, 2022, and applies to reports
67.18 and disclosures required to be filed on or after that date.

3.972 AUDITS OF AGENCIES.

Subd. 2c. **Audits of the Department of Transportation.** The legislative auditor must audit, as resources permit, the programs and services administered by the Department of Transportation.

Subd. 2d. **Audits of the Department of Public Safety.** The legislative auditor must audit, as resources permit, the programs and services administered by the Department of Public Safety.

10A.15 CONTRIBUTIONS.

Subd. 6. **Contributions from Hennepin County registered associations.** In lieu of registration with the board, an association registered with the Hennepin County filing officer under sections 383B.041 to 383B.058 that makes contributions of more than \$200 to a committee or fund in a calendar year may notify the recipient committee of its registration with Hennepin County, including its registration number, and instruct the recipient committee to include the notice when the recipient committee discloses receipt of the contribution.

16E.0466 STATE AGENCY TECHNOLOGY PROJECTS.

Subdivision 1. **Consultation required.** (a) Every state agency with an information or telecommunications project must consult with the Office of MN.IT Services to determine the information technology cost of the project. Upon agreement between the commissioner of a particular agency and the chief information officer, the agency must transfer the information technology cost portion of the project to the Office of MN.IT Services. Service level agreements must document all project-related transfers under this section. Those agencies specified in section 16E.016, paragraph (d), are exempt from the requirements of this section.

(b) Notwithstanding section 16A.28, subdivision 3, any unexpended operating balance appropriated to a state agency may be transferred to the information and telecommunications technology systems and services account for the information technology cost of a specific project, subject to the review of the Legislative Advisory Commission, under section 16E.21, subdivision 3.

16E.05 GOVERNMENT INFORMATION ACCESS.

Subd. 3. **Capital investment.** No state agency may propose or implement a capital investment plan for a state office building unless:

(1) the agency has developed a plan for increasing telecommuting by employees who would normally work in the building, or the agency has prepared a statement describing why such a plan is not practicable; and

(2) the plan or statement has been reviewed by the office.

16E.071 E-GOVERNMENT ADVISORY COUNCIL.

Subdivision 1. **E-Government Advisory Council established.** The E-Government Advisory Council is established for the purpose of improving online government information services to citizens and businesses.

Subd. 2. **Membership.** The council shall consist of nine members as follows:

(1) the state chief information officer or the chief information officer's designee;

(2) one public member appointed by the speaker of the house;

(3) one public member appointed by the senate Subcommittee on Committees of the Rules and Administration Committee;

(4) five members appointed by the governor representing state executive branch agencies that are actively involved with private businesses, the private business community, or the public; and

(5) one member appointed by the governor who is knowledgeable in public access to government data.

Subd. 3. **Initial appointments and first meeting.** Appointing authorities shall make the first appointments to the council by September 1, 2013. The first member appointed by the speaker of the house shall serve until the first Monday in January 2015. The governor shall designate three initial appointees to serve until the first Monday in January 2015. The term of the other three initial appointees of the governor and the first member appointed by the senate shall be until the first Monday in January 2017. The chief information officer or the chief information officer's designee

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shall convene the council's first meeting by November 1, 2013, and shall act as chair until the council elects a chair at its first meeting.

Subd. 4. **Terms; removal; vacancies; compensation.** Membership terms, removal of member, and filling of vacancies are as provided in section 15.059, except that members shall not receive compensation or be reimbursed for expenses and except that terms of initial appointees are as provided in subdivision 3.

Subd. 5. **Chair.** The council shall annually elect a chair from its members.

Subd. 6. **Duties.** The council shall recommend to the office the priority of North Star projects and online government information services to be developed and supported by convenience fee receipts. The council shall provide oversight on the convenience fee and its receipts in the North Star account. The council shall by majority quorum vote to recommend to approve or disapprove establishing the convenience fee on particular types of transactions, the fee amount, and any changes in the fee amount. If the convenience fee receipts are retained by or transferred to the private entity in lieu of deposit in the North Star account, the council may audit the private entity's convenience fee receipts, expenses paid by the receipts, and associated financial statements.

Subd. 7. **Staff.** The office shall provide administrative support to the council.

Subd. 8. **Sunset.** The council shall expire the first Monday in January 2017.

Subd. 9. **Reports.** By June 1, 2014, and every year thereafter, the council shall report to the office with its recommendations regarding establishing the convenience fee, the fee amount, and changes to the fee amount.

16E.145 INFORMATION TECHNOLOGY APPROPRIATION.

An appropriation for a state agency information and telecommunications technology project must be made to the chief information officer. The chief information officer must manage and disburse the appropriation on behalf of the sponsoring state agency. Any appropriation for an information and telecommunications technology project made to a state agency other than the Office of MN.IT Services is transferred to the chief information officer.

1160.03 CORPORATION; BOARD OF DIRECTORS; POWERS.

Subd. 9. **Contributions to public officials; disclosure.** Each director shall file a statement with the Campaign Finance and Public Disclosure Board disclosing the nature, amount, date, and recipient of any contribution made to a public official, political committee, political fund, or political party, as defined in chapter 10A, that:

(1) was made within the four years preceding appointment to the Enterprise Minnesota, Inc. board; and

(2) was subject to the reporting requirements of chapter 10A.

The statement must be updated annually during the director's term to reflect contributions made to public officials during the appointed director's tenure.

1160.04 CORPORATE PERSONNEL.

Subd. 3. **Contributions to public officials; disclosure.** The president shall file a statement with the Campaign Finance and Public Disclosure Board disclosing the nature, amount, date, and recipient of any contribution made to a public official which:

(1) was made within the four years preceding employment with the Enterprise Minnesota, Inc. board; and

(2) was subject to the reporting requirements of chapter 10A.

The statement must be updated annually during the president's employment to reflect contributions made to public officials during the president's tenure.

383B.042 DEFINITIONS.

Subdivision 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.

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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.

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;

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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.

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.

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.

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.

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.

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.

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

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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.

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.

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;

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(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.

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.

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

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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.

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.

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.

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.

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.

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.

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.

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.