

A bill for an act

relating to elections; increasing percentage of votes a candidate for statewide or legislative office must receive in order to obtain public financing; amending Minnesota Statutes 2008, section 10A.31, subdivision 7.

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

Section 1. Minnesota Statutes 2008, section 10A.31, subdivision 7, is amended to read:

Subd. 7. **Distribution of general account.** (a) As soon as the board has obtained the results of the ~~primary~~ general election from the secretary of state, but no later than one week after certification of the ~~primary~~ general election results by the State Canvassing Board, the board must distribute the available money in the general account, as certified by the commissioner of revenue on ~~September~~ November 1 and according to allocations ~~set forth~~ in subdivision 5, in equal amounts to all candidates of a major political party ~~whose names are to appear on the ballot in the general election and~~ who:

- (1) have signed a spending limit agreement under section 10A.322;
- (2) have filed the affidavit of contributions required by section 10A.323; ~~and~~
- (3) were opposed in ~~either the primary election or~~ the general election; and
- (4) are either a candidate for statewide office who received at least 15 percent of the votes cast in the general election for that office or a candidate for legislative office who received at least 15 percent of the votes cast in the general election for that seat.

(b) The public subsidy under this subdivision may not be paid in an amount that would cause the sum of the public subsidy paid from the party account plus the public subsidy paid from the general account to exceed 50 percent of the expenditure limit for the candidate or 50 percent of the expenditure limit that would have applied to the candidate if the candidate had not been freed from expenditure limits under section 10A.25, subdivision

10. Money from the general account not paid to a candidate because of the 50 percent limit must be distributed equally among all other qualifying candidates for the same office until all have reached the 50 percent limit or the balance in the general account is exhausted.

~~(c) A candidate must expend or become obligated to expend at least an amount equal to 50 percent of the money distributed by the board under this subdivision no later than the end of the final reporting period preceding the general election. Otherwise, the candidate must repay to the board the difference between the amount the candidate spent or became obligated to spend by the deadline and the amount distributed to the candidate under this subdivision. The candidate must make the repayment no later than six months following the general election. The candidate must reimburse the board for all reasonable costs, including litigation costs, incurred in collecting any amount due.~~

~~If the board determines that a candidate has failed to repay money as required by this paragraph, the board may not distribute any additional money to the candidate until the entirety of the repayment has been made.~~