

**SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION**

S.F. No. 2515

(SENATE AUTHORS: WESTROM)

DATE
05/10/2021

D-PG
4184

OFFICIAL STATUS
Introduction and first reading
Referred to State Government Finance and Policy and Elections

1.1 A bill for an act
1.2 relating to campaign finance; allowing noncampaign disbursements for child care
1.3 costs and for costs incurred due to a candidate's disability; allowing unused funds
1.4 to be carried forward for child care costs and for costs incurred due to a candidate's
1.5 disability; amending Minnesota Statutes 2020, sections 10A.01, subdivision 26;
1.6 10A.173, subdivision 4; 10A.257, by adding a subdivision.

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

1.8 Section 1. Minnesota Statutes 2020, section 10A.01, subdivision 26, is amended to read:

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

1.13 (1) payment for accounting and legal services;

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

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

1.16 (4) return of a public subsidy;

1.17 (5) payment for food, beverages, and necessary utensils and supplies, entertainment,
1.18 and facility rental for a fund-raising event;

1.19 (6) services for a constituent by a member of the legislature or a constitutional officer
1.20 in the executive branch as provided in section 10A.173, subdivision 1;

1.21 (7) payment for food and beverages consumed by a candidate or volunteers while they
1.22 are engaged in campaign activities;

- 2.1 (8) payment for food or a beverage consumed while attending a reception or meeting
2.2 directly related to legislative duties;
- 2.3 (9) payment of expenses incurred by elected or appointed leaders of a legislative caucus
2.4 in carrying out their leadership responsibilities;
- 2.5 (10) payment by a principal campaign committee of the candidate's expenses for serving
2.6 in public office, other than for personal uses;
- 2.7 (11) costs of child care for the candidate's children when campaigning or while performing
2.8 legislative duties;
- 2.9 (12) fees paid to attend a campaign school;
- 2.10 (13) costs of a postelection party during the election year when a candidate's name will
2.11 no longer appear on a ballot or the general election is concluded, whichever occurs first;
- 2.12 (14) interest on loans paid by a principal campaign committee on outstanding loans;
- 2.13 (15) filing fees;
- 2.14 (16) post-general election holiday or seasonal cards, thank-you notes, or advertisements
2.15 in the news media mailed or published prior to the end of the election cycle;
- 2.16 (17) the cost of campaign material purchased to replace defective campaign material, if
2.17 the defective material is destroyed without being used;
- 2.18 (18) contributions to a party unit;
- 2.19 (19) payments for funeral gifts or memorials;
- 2.20 (20) the cost of a magnet less than six inches in diameter containing legislator contact
2.21 information and distributed to constituents;
- 2.22 (21) costs associated with a candidate attending a political party state or national
2.23 convention in this state;
- 2.24 (22) other purchases or payments specified in board rules or advisory opinions as being
2.25 for any purpose other than to influence the nomination or election of a candidate or to
2.26 promote or defeat a ballot question;
- 2.27 (23) costs paid to a third party for processing contributions made by a credit card, debit
2.28 card, or electronic check;
- 2.29 (24) a contribution to a fund established to support a candidate's participation in a recount
2.30 of ballots affecting that candidate's election;

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

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

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

3.8 (28) costs of campaigning incurred by a person with a disability, as defined in section
3.9 363A.03, subdivision 12, including transportation costs that are made necessary by the
3.10 disability.

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

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

3.16 Sec. 2. Minnesota Statutes 2020, section 10A.173, subdivision 4, is amended to read:

3.17 Subd. 4. **Expenses for serving in public office.** (a) A candidate's committee may claim
3.18 the following expenses as noncampaign disbursements for expenses for serving in public
3.19 office under section 10A.01, subdivision 26, paragraph (a), clause (10):

3.20 (1) the cost of transportation, lodging, meals, and other expenses necessary to attend
3.21 meetings and conferences when the reason that the candidate attends the event is to assist
3.22 the candidate in performing the duties of the office held and the candidate would not attend
3.23 the event if the candidate were not an office holder;

3.24 (2) the cost of traveling to the State Capitol for scheduled legislative committee meetings
3.25 and regular and special legislative sessions when those costs are not reimbursed by another
3.26 source; ~~and~~

3.27 (3) any other transportation costs incurred by a person with a disability, as defined in
3.28 section 363A.03, subdivision 12, that are made necessary by the disability, are directly
3.29 related to the official duties of the candidate, and are not reimbursed by another source; and

3.30 (4) the cost of meals for legislative staff while the staff member is engaged in performing
3.31 legislative work for the candidate.

4.1 (b) A candidate's committee may not claim the following expenses as noncampaign
4.2 disbursements for expenses for serving in public office under section 10A.01, subdivision
4.3 26, paragraph (a), clause (10):

4.4 (1) the cost of membership fees and dues necessary to belong to organizations located
4.5 in the office holder's district;

4.6 (2) costs incurred for transportation, lodging, and other expenses for trips taken outside
4.7 of the office holder's district for the purpose of relationship building; and

4.8 (3) costs incurred for transportation, lodging, and other expenses by an individual
4.9 accompanying an office holder on a trip unless the office holder is a person with a disability,
4.10 as defined in section 363A.03, subdivision 12, and the accompanying individual is providing
4.11 services that are made necessary by the disability.

4.12 Clause (3) does not require a committee to allocate a travel expense between an office holder
4.13 and an individual accompanying the office holder on a trip when the presence of the
4.14 accompanying individual does not increase the amount of the expense.

4.15 Sec. 3. Minnesota Statutes 2020, section 10A.257, is amended by adding a subdivision to
4.16 read:

4.17 Subd. 3. Unused funds allocated for child care and disability expenses. In addition
4.18 to the amount specified in subdivision 1, an amount up to five percent of the election cycle
4.19 expenditure limit for the office may be carried forward and may be used solely for
4.20 noncampaign disbursements as defined in section 10A.01, subdivision 26, paragraph (a),
4.21 clauses (11) and (28), or for expenses for serving in public office as defined in section
4.22 10A.173, subdivision 4, paragraph (a), clause (3). Unused funds carried forward under this
4.23 subdivision must be contributed to the state elections campaign account at the earlier of:

4.24 (1) the end of the next election cycle for the office sought; or

4.25 (2) the time when a principal campaign committee files a termination report pursuant
4.26 to section 10A.243.