

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 1851

(SENATE AUTHORS: WESTLIN and Carlson)

DATE	D-PG	OFFICIAL STATUS
02/24/2025	Introduction and first reading Referred to Elections	

1.1A bill for an act

1.2relating to elections; prohibiting misrepresentation of campaign authority; providing

1.3criminal penalties and civil remedies; amending Minnesota Statutes 2024, section

1.4211B.32, subdivision 1; proposing coding for new law in Minnesota Statutes,

1.5chapter 211B.

1.6BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7Section 1. **[211B.065] MISREPRESENTATION OF CAMPAIGN AUTHORITY.**

1.8Subdivision 1. Misrepresentation prohibited. (a) A person must not:

1.9(1) misrepresent the person or any committee or organization as speaking or writing or

1.10otherwise acting for or on behalf of any real, potential, spurious, or nonexistent candidate,

1.11political party, committee, fund, or organization with the intent to defraud; or

1.12(2) willfully and knowingly participate in or conspire to participate in any plan, scheme,

1.13or design to violate clause (1).

1.14(b) A person must not:

1.15(1) misrepresent the person as speaking, writing, or otherwise acting for or on behalf of

1.16any real, potential, spurious, or nonexistent candidate, political party, committee, fund, or

1.17organization or employee or agent of any such candidate, political party, or political

1.18committee or organization when soliciting money or any other thing of value with the intent

1.19to defraud; or

1.20(2) willfully and knowingly participate in or conspire to participate in any plan, scheme,

1.21or design to violate clause (1).

2.1 Subd. 2. **Criminal penalties; civil remedies.** (a) Except as otherwise provided, a person
2.2 who violates this section is guilty of a gross misdemeanor.

2.3 (b) The attorney general, a county attorney, or an individual injured by a violation of
2.4 subdivision 1 may bring a civil action pursuant to section 8.31 to recover damages, together
2.5 with costs of investigation and reasonable attorney fees, and receive other equitable relief
2.6 as determined by the court. An action brought by an injured party under section 8.31,
2.7 subdivision 3a, is in the public interest. In addition to all other damages, the court may
2.8 impose a civil penalty of up to \$1,000 for each violation.

2.9 (c) Civil remedies allowable under this section are cumulative and do not restrict any
2.10 other right or remedy otherwise available. The complaint process provided in sections
2.11 211B.31 to 211B.36 does not apply to violations of this section.

2.12 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
2.13 committed on or after that date and causes of action accruing on or after that date.

2.14 Sec. 2. Minnesota Statutes 2024, section 211B.32, subdivision 1, is amended to read:

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

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

2.22 (c) Violations of sections 211B.065, 211B.075, and 211B.076 may be enforced as
2.23 provided in those sections.