Political Committee and Political Fund Handbook

June 2008

Registration	1
Record Keeping	2
Contributions	3
Contributions to Candidate Committees	5
Loans	6
Penalties for Contribution/Loan Violations	6
Expenditures	7
Penalties for Expenditure Violations	8
Disclosure Calendar	8
Reporting	9
Campaign Finance Reporter Software	9
Amendments	10
Penalties and Fees for Reporting Violations	10
Termination of Committees and Funds	11
Advisory Opinions, Complaints	12
Penalties for Other Chapter 10A Violations	12
List of Forms Noted in This Handbook	13
Contacts for Assistance and Related Resources	14
Key Word Index to the Quick Reference Handbook	15
Key Word Index to Statutes and Rules	16

This Handbook is intended to aid treasurers in meeting the requirements of Minn. Stat. Chapter 10A, the Ethics in Government Act. Chapter 10A and Minn. Rules Chapters 4501 and 4503 should be consulted as needed for fuller explanation. All forms listed in the Handbook may be downloaded from the Board's Website: www.cfboard.state.mn.us.

This document is available in alternative formats to individuals with disabilities by calling 651/296-5148 or 800/657-3889 or through the Minnesota Relay Service at 800/627-3529. Questions about the Handbook or the law may be addressed to staff at 651/296-1720 or 800/657-3889.

Political Committee and Political Fund Handbook (June 2008) www.cfboard.state.mn.us 651/296-5148 or 800/657-3889

Registration

Requirements

A treasurer is required to register a political committee or political fund with the Campaign Finance and Public Disclosure Board (Board):

 within 14 days after receiving contributions or making expenditures in excess of \$100 to influence the nomination or election of one or more candidates or to promote or oppose a state ballot question, OR

During an election year.

• by the end of the next business day after receiving loans or contributions from any one source totaling \$1,000 or more between the last day covered in the last report before an election and the election. (see calendar on page 8)

Before registering a committee or fund: 1) the treasurer must establish a bank account, and 2) the committee or fund must appoint a chair (the same person may serve as both chair and treasurer).

A treasurer must complete, sign, and file with the Board a Registration and Statement of Organization. The registration form may be downloaded from the Board's Website at www.cfboard.state.mn.us, or you may call the Board office for a copy (651/296-5148 or 800/657-3889).

Political committees

An association of two or more persons whose major purpose is to support or oppose the nomination or election of a candidate or to promote or oppose a state ballot question.

Political funds

An association whose major purpose is other than influencing elections and uses an accumulation of dues or voluntary contributions to support or oppose the nomination or election of one or more candidates or to promote or oppose a state ballot question. A political fund so established must be a separate account, and the amounts collected may not be commingled with the association's other funds.

Hennepin County

Committees and funds registered in Hennepin County need not register with the Board and may contribute to state legislative and constitutional office candidates, political committees, political funds, and political party units registered with the Board.

Corporations

Corporations doing business in Minnesota may not make a contribution, or offer or agree to make a contribution, directly or indirectly, to promote or oppose the candidacy of an individual for nomination, election, or appointment to a political office.

Political Committee and Political Fund Handbook (June 2008) <u>www.cfboard.state.mn.us</u> 651/296-5148 or 800/657-3889

Record Keeping

Requirements

The treasurer must keep full and accurate records of all receipts and expenditures. A system for recording receipts and expenditures should be maintained to assist in meeting the reporting requirements. The Campaign Finance Reporter software provided at no cost by the Board can assist your record keeping and reporting. See the Handbook section called *Campaign Finance Reporter Software*.

Records of monetary receipts

For each receipt in excess of \$20, the treasurer must keep a record of:

- Full name and address of the contributor
- Amount of the contribution
- Date the contribution was received by the committee or fund
- Employer of the contributor if the aggregate contributions from the individual exceed \$100 in a year
- The contributor's registration number provided by the Board- if the contributor is a lobbyist, principal campaign committee (candidate committee), political committee, political fund, or political party unit.

(Note that, in addition to contributions and loan proceeds received, monetary receipts include interest income and other miscellaneous income.)

Records of monetary expenditures

For each expenditure, disbursement, and contribution made by the committee or fund, the treasurer must keep a record of:

- Name and full address of each vendor to whom payments have been made
- Name, full address, and registration number of each principal campaign committee, political committee, political fund, or political party unit to which contributions have been made
- Date the payment or contribution was made
- Amount of the payment or contribution
- Specific purpose of the expenditure or disbursement (e.g., ads in newspaper)

Records of approved expenditures

An expenditure made on behalf of a candidate by an entity other than the principal campaign committee of the candidate. These expenditures require written authorization to another entity *before a purchase of more than \$20* may be made on behalf of the candidate. A suggested form for written authorization is available from the Board.

For each approved expenditure in excess of \$20, the treasurer must keep a record of:

- Name and registration number of the candidate committee
- Date the contribution was made
- Fair market value of goods or services
- Detailed description of the goods or services provided

Political Committee and Political Fund Handbook (June 2008) www.cfboard.state.mn.us 651/296-5148 or 800/657-3889

 Name and full address of each vendor paid by the contributor for the goods or services provided

All approved expenditures are contributions to the candidate and may count toward the candidate expenditure limits.

Records of in-kind contributions

All in-kind contributions are contributions to the committee or fund and become expenditures in the same reporting period. In-kind contributions are anything of value that is given to and accepted by the committee or fund other than money.

For each in-kind contribution in excess of \$20, the treasurer must keep a record of:

- Name and full address of the contributor
- Employer of the contributor if aggregate cash and in-kind contributions exceed \$100 in a year
- Date received by the committee or fund
- Fair market value of goods or services
- Detailed description of the item received or service provided
- Name and full address of each vendor paid by the contributor for the goods or services provided

Records Retention

Records of all accounts must be kept for four years.

Campaign Finance Reporter Software

To assist record keeping and reporting, the Board provides software *at no cost* to its clients. Refer to the later section of this Handbook that describes the *Campaign Finance Reporter software*.

Contributions

Contributions that May be Accepted*

A political committee or political fund **may** *accept* monetary or in-kind contributions from:

- Individuals; or
- Other political committees, political funds, and political party units that are registered with the Board; or
- Principal campaign committees; or
- Political committees and political funds registered in Hennepin County.

See below for certain prohibitions

Contributions that May Not be Accepted

A political committee or political fund **may not** *accept*:

Anonymous Contributions

 A contribution of more than \$20 for which the name and full address of the contributor cannot be determined.

You must forward the entire anonymous contribution to the Board within 14 days for deposit in the general account of the State elections Campaign Fund.

Political Committee and Political Fund Handbook (June 2008) www.cfboard.state.mn.us 651/296-5148 or 800/657-3889

Unregistered Associations Contributions of more than \$100 from an association that is not registered with the Board. Registered principal campaign committees, political committees, political funds, and political party units are listed on the Board's Website at www.cfboard.state.mn.us under "Board Lists." Call the Board office before accepting a contribution if you cannot find the entity on the lists.

Unregistered Associations – Exception **Exception**: If an association that is not registered with the Board makes a contribution of more than \$100, the association *must provide* to the recipient committee or fund, at the time the contribution is made, a report meeting the requirements of Minn. Stat. § 10A.20. This disclosure may be made on the Report of Receipts and Expenditures.

Earmarked contributions

 An earmarked contribution – a contribution with the express or implied condition that all or any part of the contribution would be given to a particular candidate.

Corporate Contribution

 Any contribution from a corporation (the corporate prohibition is in Chapter 211B);

Corporate Contribution Exceptions **Exception**: A corporation may make contributions or expenditures to promote or oppose a state ballot question. Information about disclosure with respect to a state ballot question is available from the Board office

Exception: A **nonprofit** corporation that is not organized or operating for the principal purpose of conducting business may provide administrative assistance to **one** political committee or **one** political fund registered with the Board. The assistance is limited to accounting, clerical or legal services, bank charges, utilities, office space, and supplies. The records maybe kept on the premises of the nonprofit. The administrative assistance is limited annually to \$5,000 or 7½% of the expenditures of the committee or fund, whichever is less.

Contribution Written on a Joint Check

The contribution is credited to the party or parties that signed the check. *However*, if the treasurer has personal knowledge or affirmatively determines from any account holder who did not sign the check that such person is a joint contributor, the contribution is credited to both parties on the joint account. A written note explaining the basis for considering the contribution to be joint should be made at the time the contribution is accepted and kept with the committee or fund official records.

All information required to be kept for contributions from individuals must be recorded and reported for each account holder separately.

Deposit of Contributions and Penalty

Contributions must be deposited within 10 business days from receipt. A penalty of up to \$1,000 may be imposed for failure to deposit contributions promptly.

Political Committee and Political Fund Handbook (June 2008) www.cfboard.state.mn.us 651/296-5148 or 800/657-3889

Return Contributions Within 60 Days Contributions not returned within 60 days are deemed accepted. If more than 60 days have passed since a contribution was deposited and you wish to return the contribution, call the Board office for assistance.

Contributions to Candidate Committees

General Information

Contributions to a candidate committee – from political committees and political funds – include monetary contributions, in-kind contributions, and loans.

Registration Number Required A political committee or political fund must give the committee or fund name and registration number when making contributions to a candidate.

Contribution Limits Summary

Contributions To:	Non Election Year	Election Year
Governor/Lt. Governor	\$500	\$2,000
Attorney General	\$200	\$1,000
Secretary StateState Auditor	\$100	\$500
Senate	\$100	\$500
 House of Representatives 	\$100	\$500

Timing Restrictions on Contributions

 During a regular legislative session, a candidate committee may not accept contributions from a political committee or political fund. A political committee or political fund may not make contributions to a candidate. This prohibition applies to all candidates registered with the Board, not just incumbents.

Exception: The prohibition on fundraising during a legislative session does not apply:

- during a special session of the legislature, or
- to candidates involved in a special election, from the date the writ for the special election is signed by the Governor to the date of the special general election.

Bundled Contributions

Bundled contributions are those delivered to candidates by someone other than the original contributor. The amount of the bundled contributions – collected and delivered by an individual, committee, or fund – is applied to the candidate's contribution limit applicable to the individual, committee, or fund that makes the delivery *as well as* to the original contributor.

The bundling provision does not apply to contributions delivered by a member of the candidate's principal campaign committee or an individual on behalf of the individual's spouse.

Political Committee and Political Fund Handbook (June 2008) www.cfboard.state.mn.us 651/296-5148 or 800/657-3889

Written Authorization from Candidate Committee

Written authorization from a candidate's treasurer must be obtained before a purchase (approved expenditure) of more than \$20 may be made on behalf of the candidate. All *approved expenditures* are contributions to that candidate and may apply to the candidate's expenditure limits.

Loans

Documentation Requirement The committee or fund must keep on file a signed agreement for each loan

Loans Payable

Loans payable may be from an individual, financial institution, or other appropriate entity. If a loan is forgiven by the lender, or paid by another entity, it is recorded as a contribution from this lender or other entity in the year in which the loan was originally made.

Loans Receivable

Loans receivable are those made by the committee or fund to an individual or other entity that must be repaid to the committee or fund. The committee or fund may not lend money to anyone for purposes unrelated to the conduct of a campaign.

Penalties for Contribution/ Loan Violations

Penalties for Contribution Violations

A penalty of up to \$1,000 may be imposed for failure to forward to the Board an **anonymous contribution** in excess of \$20.

A penalty of up to four times the amount of the contribution in excess of \$100 may be imposed on a political committee or political fund for accepting a **contribution from an unregistered association** that does not provide proper disclosure.

A penalty of up to \$1,000 may be imposed on an **unregistered association for failing to provide the proper disclosure** when contributing more than \$100 to a political committee or political fund

A penalty of up to \$3,000 may be imposed for the **acceptance of an earmarked contribution**. An individual acting on behalf of a political committee or political fund who knowingly accepts any earmarked contribution is guilty of a gross misdemeanor.

A penalty of up to \$3,000 may be imposed for **attempting to circumvent** the requirements of this chapter by **redirecting** a contribution through or making a contribution on behalf of another. Violation of this provision is a gross misdemeanor.

A penalty of up to \$1,000 may be imposed for **making a contribution during a regular legislative session**: to a principal campaign committee, or committee of a legislative party caucus.

Political Committee and Political Fund Handbook (June 2008) www.cfboard.state.mn.us 651/296-5148 or 800/657-3889

Penalties for Loan Violations

A penalty of up to \$3,000 may be imposed on a political committee or political fund for lending money it has raised to anyone for purposes not related to the conduct of a campaign. Violation is also a gross misdemeanor.

Expenditures

General Information

The treasurer must keep records of all expenditures and disbursements.

Expenditure Types

The types of expenditures are:

- Disbursements made by your committee or fund, including committee or fund operating costs.
- Contributions given by your committee or fund to a state legislative, constitutional office, or judicial candidate committee, political party unit, or another political committee or political fund registered with the Board.
- Contributions given by your committee or fund to other committees and funds not regulated by the Board.

Approved Expenditures An approved expenditure is a payment for goods or services made on behalf of a candidate by an entity other than the principal campaign committee. All approved expenditures are in-kind contributions to the principal campaign committee and may apply to the candidate's spending limit. The candidate or the candidate's treasurer must provide written authorization before an approved expenditure of more than \$20 may be made on behalf of the candidate.

Independent Expenditures

Expenditures made on behalf of a candidate without the express or implied consent, authorization, cooperation of, and not in concert with or at the request or suggestion of the candidate, the candidate's treasurer, or the candidate's agent. A political committee or political fund may make an independent expenditure provided that:

- the communication contains a statement (disclaimer) that the activity is an independent expenditure and the candidate is not responsible for it;
 and
- this statement (disclaimer) is included in oral communications, in conspicuous type on the front page of all literature and advertisements published or posted, and at the end of all broadcast advertisements;
 and
- the treasurer of the committee or fund making the independent expenditure reports the expenditure on the Report of Receipts and Expenditures, signs and has notarized the Affidavit of Independent Expenditures with a sworn statement that the expenditure was not made with the authorization or expressed or implied consent of, or in cooperation with or in concert with, or at the request or suggestion of any candidate, candidate's committee, or candidate's agent.

Political Committee and Political Fund Handbook (June 2008) www.cfboard.state.mn.us 651/296-5148 or 800/657-3889

Penalties for Expenditure Violations

Civil Penalty	of	up to
\$1,000		•

For failure to receive written authorization from the treasurer of a candidate committee prior to making an approved expenditure of more than \$20.

Civil Penalty of up to \$3,000

For failure to disclose an independent expenditure or falsely claiming that the expenditure was an independent expenditure. Violation of this provision is also a gross misdemeanor.

Disclosure Calendar

Deadlines for Disclosure

Deadlines for filing reports are listed in the Disclosure Calendars.

Also note that during the Legislative Session political committees and political funds may not contribute to candidates for state legislative or constitutional office. The prohibition does not apply during a special session of the legislature or to a candidate involved in a special election, from the date the writ for the special election is signed by the Governor to the date of the general election.

2008

Annual Report of Receipts and Expenditures covering the period Jan. 1 through Dec. 31, 2007, is due. Report of Large Pre-Election Contribution or Loan. If a political committee or political fund receives contributions and loans totaling \$1,000 or more from any one source during this period, the treasurer must file the Report in person by the end of the next business day after its receipt or by electronic means within 24 hours after its receipts and Expenditures due Oct. 27, 2008. August 25 Pre-Primary Report of Receipts and Expenditures covering the period Jan. 1 through Aug. 18, 2008. October 21 through November 3 Report of Large Pre-Election Contribution or Loan. If a political committee or political fund receives contributions and loans totaling \$1,000 or more from any one source during this period, the treasurer must file the Report in person by the end of the next business day after its receipt or by electronic means within 24 hours after its receipt. It must also be reported on the Pre-General Report of Receipts and Expenditures covering the period Jan. 1 through Oct. 20, 2008. Pre-General Report of Receipts and Expenditures covering the period Jan. 1 through Dec. 31, 2008, is due. Annual Report of Receipts and Expenditures covering the period Jan. 1 through Dec. 31, 2008, is due.		
through September 8 committee or political fund receives contributions and loans totaling \$1,000 or more from any one source during this period, the treasurer must file the Report in person by the end of the next business day after its receipt or by electronic means within 24 hours after its receipts and Expenditures due Oct. 27, 2008. August 25 Pre-Primary Report of Receipts and Expenditures covering the period Jan. 1 through Aug. 18, 2008. October 21 Report of Large Pre-Election Contribution or Loan. If a political committee or political fund receives contributions and loans totaling \$1,000 or more from any one source during this period, the treasurer must file the Report in person by the end of the next business day after its receipt or by electronic means within 24 hours after its receipt and Expenditures due Feb. 2, 2009. October 27 Pre-General Report of Receipts and Expenditures covering the period Jan. 1 through Oct. 20, 2008. February 2 Annual Report of Receipts and Expenditures covering the period Jan. 1 through Dec. 31, 2008, is due. February 1 Annual Report of Receipts and Expenditures covering the period Jan.	January 31	Annual Report of Receipts and Expenditures covering the period Jan. 1 through Dec. 31, 2007, is due.
October 21 Report of Large Pre-Election Contribution or Loan. If a political through committee or political fund receives contributions and loans November 3 totaling \$1,000 or more from any one source during this period, the treasurer must file the Report in person by the end of the next business day after its receipt or by electronic means within 24 hours after its receipt. It must also be reported on the Pre-General Report of Receipts and Expenditures due Feb. 2, 2009. October 27 Pre-General Report of Receipts and Expenditures covering the period Jan. 1 through Oct. 20, 2008. February 2 Annual Report of Receipts and Expenditures covering the period Jan. 1 through Dec. 31, 2008, is due. February 1 Annual Report of Receipts and Expenditures covering the period Jan.	through	committee or political fund receives contributions and loans totaling \$1,000 or more from any one source during this period, the treasurer must file the Report in person by the end of the next business day after its receipt or by electronic means within 24 hours after its receipt. It must also be reported on the Pre-General Report of
through November 3 November 4 November 4 November 5 November 6 Nov	August 25	
Jan. 1 through Oct. 20, 2008. February 2 Annual Report of Receipts and Expenditures covering the period Jan. 1 through Dec. 31, 2008, is due. February 1 Annual Report of Receipts and Expenditures covering the period Jan.	through	committee or political fund receives contributions and loans totaling \$1,000 or more from any one source during this period, the treasurer must file the Report in person by the end of the next business day after its receipt or by electronic means within 24 hours after its receipt. It must also be reported on the Pre-General Report of
1 through Dec. 31, 2008, is due. February 1 Annual Report of Receipts and Expenditures covering the period Jan.	October 27	
, , , , , , , , , , , , , , , , , , , ,	February 2	· · · · · · · · · · · · · · · · · · ·
	February 1	

2010

2009

Political Committee and Political Fund Handbook (June 2008) www.cfboard.state.mn.us 651/296-5148 or 800/657-3889

Reporting

Notes on Responsibilities

- If the position of treasurer is vacant, the chair is responsible for filing all reports.
- The treasurer must file reports even if the committee or fund had no activity since the previous report.
- For each filed report, the beginning cash balance must be the same as the ending cash balance of the previous year's annual report. The reported cash balance should reconcile to the committee or fund bank account.

Receiving Forms and Where to File

The Board mails a Report of Receipts and Expenditures to the treasurer of record about three weeks prior to each filing date. Forms are also available for download on the Board's Website at www.cfboard.state.mn.us.

Documents may be filed with the Board by:

- U.S. Mail, or
- Personal delivery to the Board office, or
- Facsimile transmission to 651/296-1722 or 800/357-4114, or
- Electronic filing using the Board's Campaign Finance Reporter Software. See Handbook section called Campaign Finance Reporter Software.

Mailed documents are considered timely filed if they are postmarked on or before the required filing date.

If you electronically file or fax your report, do not mail a copy of the report to the Board office.

Filed Statements and Reports are "Public Information" Filed reports are available for public viewing and photocopying within 48 hours after receipt in the Board office. Photocopies are 10¢ per page.

Data and summaries of various filings are available on the Board's Website at www.cfboard.state.mn.us.

Campaign Finance Reporter Software

Purpose and Availability

Campaign Finance Reporter is record keeping and reporting software developed by the Board for principal campaign committees, political committees, political funds, and party units. A CD-ROM disk is provided without charge by the Board for installation on your computer. Contact the Board office for a copy.

The software is designed to assist your compliance with the requirements of Minnesota Statutes, Chapter 10A. The software helps to maintain the completeness and accuracy of records, avoid violations, and

Political Committee and Political Fund Handbook (June 2008) www.cfboard.state.mn.us 651/296-5148 or 800/657-3889

assist timely reporting. The requirements of Minnesota campaign finance law are incorporated in the software. If you enter a transaction or a series of transactions that would result in a violation, you will be alerted. For the software's violation detection features to work properly, the Board recommends that *transactions be entered at least monthly*.

The software includes a built-in Help system. The *Campaign Finance Reporter* User Manual is available on the Board's Website or by request from the Board office. Staff members also provide periodic training sessions.

Contact the Board at 651/282-6893 or 800/657-3889 to begin using the *Campaign Finance Reporter* software for electronic filing.

Amendments

Required Amendments to Reports or Statements **Within ten days** after (1) the date of the event prompting the change, or (2) the date the treasurer became aware of the inaccuracy or the need to make a change, the treasurer must make corrections or changes to information that has been filed with the Board.

All changes and corrections must be in writing. You may use a copy of the report or statement – make changes and check the Amendment box. Alternatively, you may provide the Board with other written notice.

Penalty for Failure to Amend

A penalty of up to \$3,000 may be imposed on a political committee or political fund for willfully failing to amend a filed report. Violation is also a gross misdemeanor.

Fees and Penalties for Late Filing

Late Filing Fees

Report Late Fee		e Fee
	Per Day	Maximum
Statement of Organization and Registration	\$5	\$100
Report of Large Pre-Election Contribution or Loan	\$50	\$500
Pre-Primary Report of Receipts and Expenditures	\$50	\$500
Pre-General Report of Receipts and Expenditures	\$50	\$500
Annual Report of Receipts and Expenditures	\$5	\$100
Failure to amend	\$5	\$100
- ·	TT/1 T . TILL	

When Late Filing Fees Begin

Report	When Late Filing Fees Begin
Statement of Organization and Registration	On the eleventh day after the Board notifies the filer by certified mail that the statement has not been received
Report of Large Pre-Election Contribution or Loan	Without notice, on the fourth day after the due date
Pre-Primary Report of Receipts and Expenditures	Without notice, on the fourth day after the due date

Political Committee and Political Fund Handbook (June 2008) www.cfboard.state.mn.us 651/296-5148 or 800/657-3889

Pre-General Report of Receipts and Expenditures	Without notice, on the fourth day after the due date
Annual Report of Receipts and Expenditures	On the eleventh day after the Board notifies the filer by certified mail that the report has not been received

Civil Penalties

Report	Failure to File
Statement of Organization and Registration	Up to \$1,000
Report of Large Pre-Election Contribution or Loan	Up to \$1,000
Pre-Primary Report of Receipts and Expenditures	Up to \$1,000
Pre-General Report of Receipts and Expenditures	Up to \$1,000
Annual Report of Receipts and Expenditures	Up to \$1,000
Failure to amend	Up to \$1,000
Willfully fail to amend*	Up to \$3,000
Filing a false statement*	Up to \$3,000

When Civil Penalties Begin

Report	When Late Filing Fees Begin
For all reports and statements, Failure to File	On the eighth day after the second certified letter is sent by the Board, if the
	statement or report has not been received

^{*} Also a gross misdemeanor

Termination of Committees and Funds

"May Terminate" Conditions and Requirements

The committee or fund treasurer **may** terminate a political committee or political fund by filing a Statement of Termination report, along with the Report of Receipts and Expenditures, when:

- (1) there are no loans, notes, or unpaid bills outstanding, and
- (2) physical assets have been disposed of so that the combined fair market value of the remaining assets (including cash) does not exceed \$100.

"Must Terminate" Conditions and Requirements The treasurer **must** terminate a committee or fund by filing a Statement of Termination report, along with the Report of Receipts and Expenditures, when *two years have elapsed* since the committee or fund made reportable expenditures or disbursements.

The Board will notify the treasurer of a committee or fund that has been inactive for two years of the need to terminate. Any committee or fund so notified must dispose of its assets and terminate within 60 days. Call the Board office for information about disposal of committee or fund assets. See Minn. Stat. §211B.12 regarding disposal of cash assets.

If the committee or fund becomes inactive when it still has unpaid debts, the committee or fund must liquidate available assets to pay the debts. If insufficient assets exist to pay the debts, the Board may establish a payment schedule and allow the committee to defer dissolution until all debts are paid.

Political Committee and Political Fund Handbook (June 2008) www.cfboard.state.mn.us 651/296-5148 or 800/657-3889

Advisory Opinions, Complaints

Advisory Opinions

Individuals who are subject to the requirements of Minn. Stat. Chapter 10A or their representatives may request an advisory opinion from the Board regarding Chapter 10A to guide their actions for compliance with the law. Requests for an opinion and the Board's opinions are classified non-public data in the Minnesota Government Data Practices Act. A "public" version of Advisory Opinions, (personal and organizational identifying information removed) is published on the Board's Website. Except in limited circumstances, opinions issued are binding on the Board.

Complaints

Any person may file a written complaint with the Board concerning suspected violations of Minn. Stat. Chapter 10A.

Penalties for Other Chapter 10A Violations

Civil Penalty of Up to \$1,000

- Failure to have a treasurer and chair
- Failure to keep an account of contributions to and expenditures from a political committee or political fund
- Commingling committee funds with funds of officers, members, or associates
- Failure to deposit contributions promptly
- Acceptance of anonymous contributions in excess of \$20
- Making an approved expenditure of more than \$20 without receiving written authorization from the committee treasurer
- Using or selling information copied from reports and statements filed with the Board for commercial purposes (An individual who knowingly violates this law is also guilty of a misdemeanor)

Civil Penalty of Up to Four Times the Amount of the Contribution in Excess of \$100

Accepting a contribution from an unregistered association that does not provide the proper disclosure

Civil Penalty of Up to \$3,000 in Addition to Misdemeanor or Gross Misdemeanor Criminal Penalty

- Knowingly filing false information or knowingly omitting required information
- Willfully failing to amend a filed report
- Knowingly accepting an earmarked contribution
- Lending money raised by a principal campaign committee to anyone for purposes not related to the conduct of a campaign
- Attempting to circumvent Chapter 10A by redirecting a contribution through, or making a contribution on behalf of, another individual or association
- Falsely claiming that an expenditure was an independent expenditure

Political Committee and Political Fund Handbook (June 2008) www.cfboard.state.mn.us 651/296-5148 or 800/657-3889

- Failure to disclose an independent expenditure
- Engaging in economic reprisals or threatening loss of employment or physical coercion against an individual or association because of that individual's or association's political contributions or political activity

Gross Misdemeanor Criminal Penalty

 Knowingly failing to keep committee records for four years from the date of filing of the reports

Forms Noted in this Handbook

All forms are available from the Board office or the Website at www.cfboard.state.mn.us

Registration and Statement of Organization Report of Large Pre-Election Contribution or Loan

Report of Receipts and Expenditures

- Pre-Primary Report of Receipts and Expenditures
- Pre-General Report of Receipts and Expenditures
- Annual Report of Receipts and Expenditures

Approved Expenditure Authorization

Statement of Termination

Political Committee and Political Fund Handbook (June 2008) www.cfboard.state.mn.us 651/296-5148 or 800/657-3889

Contacts for Assistance and Related Resources

Contacts for Assistance Minn. Stat. Chapter 10A and Rules: www.leg.state.mn.us/leg/statutes.asp Board Website: www.cfboard.state.mn.us

Subject Matter	Contact Person – Phone – E-mail Address		
Board information	Gary Goldsmith (651) 296-1721	Gary.Goldsmith@state.mn.us	
Registration for all programs	Marcia Waller 651/296-5615	Marcia.J.Waller@state.mn.us	
Campaign Finance reporting	Joyce Larson 651/282-6894	Joyce.Larson@state.mn.us	
Campaign Finance software	Jeff Sigurdson 651/296-1720	Jeff.Sigurdson@state.mn.us	
Advisory Opinions	Gary Goldsmith 651/282-6893	Gary.Goldsmith@state.mn.us	
Complaints	Gary Goldsmith (651) 296-1721	Gary.Goldsmith@state.mn.us	
Forms, General Information	651/296-5148 800/657-3889	www.cfboard.state.mn.us	

Related Resources

Information Sought	Source(s)	Phone and Website Information
Minnesota Statutes Chapter 10A and Rules 4501 –4525, Ethics in Government Act	Minnesota's Bookstore	651/297-3000 or 800/657-3757 www.comm.media.state.mn.us/ bookstore/bookstore.asp
Fundraising activities	Lawful Gambling Control Board	651/639-4000 www.gcb.state.mn.us
Federal elections	Federal Election Commission	800/424-9530 <u>www.fec.gov</u>
Minnesota Campaign Manual, Minn. Stat. Chapters 211A and 211B. Fair Campaign Practices Act. Local campaign finance.		651/215-1440 or 877-551-6767 www.sos.state.mn.us

Political Committee and Political Fund Handbook (June 2008) www.cfboard.state.mn.us 651/296-5148 or 800/657-3889

Key Word Index to this Handbook

Topic	Page
Advisory opinions	12
Amending reports	10
Approved expenditure	2, 6, 7
Assistance – contacts for	14
Bundled contributions	5
Campaign Finance Reporter software	9
Complaints	12
Contribution limits to candidate committees	5
Contribution prohibitions	3
Contributions	3
Disclosure calendar	8
Earmarked contributions	4, 6
Electronic filing	9
Expenditures	7
Filing reports	9
Forms listed	13
Independent expenditures	7
Loans	6
Penalties for violations	4, 6, 8, 10, 13
Prohibited contributions	3
Public information	9
Record keeping	2
Registration	1
Related committees	5
Reporting	9
Reporting dates	8
Termination of committees and funds	11

Political Committee and Political Fund Handbook (June 2008) <u>www.cfboard.state.mn.us</u> 651/296-5148 or 800/657-3889

Key Word Index to Statues and Rules

Political Committee and Political Funds

Bills or claims, submission to committee, 10A.18

Carryforward, unpaid advances of credit, 4503.1100

Chair, 10A.11, 10A.14

Contributions by, 10A.27

Contributions to

Limitations, 10A.15, 10A.27

Solicitation and acceptance, 10A.11, 10A.273

Unregistered associations, acceptance, 10A.27

Debt transfer agreements, 4503.0300, 4503.1300

Defined, 10A.01

Depositories, designation, 10A.11

Disclosure, 10A.17, 10A.20

Dissolution, 10A.24, 10A.242

Dissolving committees, contribution restrictions, 10A.27, 10A.273

Establishment, 10A.105

Fees, 10A.14, 10A.20

Filing with, independent expenditures, notice, 10A.20

Funds, commingling, 10A.11

Inactive units, 10A.242

Independent expenditures, 10A.25

Joint fundraising, allocation of proceeds and costs, 4503.1200

Notice given, 10A.24, 10A.25

Notice received, failure to register, 10A.14

Officers, 4503.0200

Officers, removal by candidate, 10A.105

Organizational violations, 10A.11

Parent committees, 10A.15

Personal loans, 10A.17

Political contributions, transfer between committees, 4503.0300, 4503.0500

Record keeping violations, 10A.025

Registration, Campaign Finance and Public Disclosure Board, 10A.14

Registration, violations, 10A.14

Related committees, 10A.15

Reports given, 10A.025, 10A.15, 10A.20, 10A.24

Solicitation of contributions during legislative sessions, 10A.273

Statements of organization, 10A.14

Termination, 10A.24

Termination, reports and procedures, 4503.0300

Third party reimbursements, 10A.20

Transferring debts, 10A.241

The source material for this page is copyrighted and reproduced with the permission of the Revisor of Statutes, State of Minnesota.